

## SHIRE OF CARNARVON

# MINUTES

## COUNCIL MEETING 24 August 2021

### CONFIRMATION OF MINUTES

These minutes were confirmed by the Council on

.....  
as a true and accurate record

.....  
Chairman

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## 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.

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## 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.

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### 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

## 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 AND RECEIVING OF MINUTES

## 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 Authority .....
8.1.2	Review of Delegation Register .....
8.1.3	CEO Standards.....
8.1.4	Entry Statement .....
8.1.5	Gnaraloo Warroora Track .....
8.1.6	Purchasing Policy Review .....

### 8.2 CORPORATE & COMMUNITY SERVICES

8.2.1	Accounts for Payment – July 2021 .....
8.2.2	Management Report June 2021.....

**8.3 DEVELOPMENT SERVICES**

8.3.1 Mobile Trading Licence Application – Banksia Drive Coral Bay .....

**8.4 INFRASTRUCTURE SERVICES**

8.4.1 Sir Norman Brearly Commemoration Flight – Landing Fee Waiver Request .....

8.4.2 Carnarvon Airport – Amendment to Scope of Funding Project Works .....

8.4.3 Baxter Park Toilet Project Variation.....

8.4.4 Lions Club – Lease Renewal – Building 133 Carnarvon Airport .....

**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**

**11.0 DATE OF NEXT MEETING**

11.1 Next meeting of Council will be held on Tuesday 28 September 2021 commencing at 1.00pm

**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 24 AUGUST 2021**

The meeting was declared open by the Presiding Member at 1.00pm

*The Shire of Carnarvon acknowledges the Yingarrda people as the Traditional Custodians of this land which we work and live on. We pay our respects to their Elders past, present and future and extend this respect to all Aboriginal people and their ongoing connection to this Country.*

**1.0 ATTENDANCES, APOLOGIES AND APPROVED LEAVE OF ABSENCE**

Cr E Smith.....	Presiding Member/Shire President
Cr B Maslen.....	Councillor, Gascoyne/Minilya Ward
Cr K Pinner.....	Councillor, Town Ward
Cr A Fullarton.....	Councillor, Town Ward
Cr L Vandeleur.....	Councillor, Town Ward
Cr K Simpson.....	Councillor, Coral Bay Ward (by instantaneous communication)
Cr L Skender.....	Councillor, Plantation Ward
Mrs A Selvey.....	Chief Executive Officer
Mr D Nielsen.....	Executive Manager, Infrastructure Services
Mr D Perry.....	Executive Manager, Development Services
Mrs D Hill.....	Senior Executive Officer
Observers.....	1
Leave of Absence.....	0
Apologies.....	Cr J Nelson, Councillor, Town Ward

**1.1 APPLICATION FOR LEAVE OF ABSENCE – CR PINNER**

Cr Pinner requested leave of absence for the September 2021 Ordinary Meeting of Council.

**FC 1/8/21**

**COUNCIL RESOLUTION**  
**Cr Pinner/Cr Maslen**

***That Councillor Pinner be granted Leave of Absence for the September 2021 Ordinary Meeting of Council.***

**CARRIED**  
**F6/A1**  
*Cr Fullarton voted against the motion*

## **2.0 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 8.4.2 – Carnarvon Airport – Amendment to Scope of Funding Project Works

Cr Skender (Impartiality Interest) – Item 8.4.1 – Sir Normal Brearly Commemoration Flight – Landing Fee Waiver Request

Cr Skender (Impartiality Interest) – Item 8.4.2 – Carnarvon Airport – Amendment to Scope of Funding Project Works

Cr Simpson – (Proximity Interest) – Item 8.3.1 – Mobile Trading Licence Application – Banksia Drive, Coral Bay

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## **3.0 PUBLIC QUESTION TIME**

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

Public Question Time commenced at 1.04pm

### **2.1 QUESTIONS TAKEN ON NOTICE FROM PREVIOUS MEETING**

### **2.2 PUBLIC QUESTION TIME**

Public Question Time was closed at 1.04pm

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## **4.0 QUESTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN WITHOUT DISCUSSION**

Nil

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## **THANKYOU – CR PINNER**

Cr Pinner advised that this would be his last meeting as a Councillor with the Shire of Carnarvon and wished to acknowledge his fellow Councillors and staff for their support during his 4 year term. Cr Pinner thanked the community for having the confidence to vote him in at the 2017 Elections and wished prospective Councillors who nominate in the 2021 Local Government Elections all the very best.

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## 5.0 CONFIRMATION AND RECEIVING OF MINUTES

### 5.1 ORDINARY MEETING OF COUNCIL – 27 JULY 2021

**FC 2/8/21**

#### COUNCIL RESOLUTION

*Cr Maslen/Cr Fullarton*

*That the minutes of the Ordinary Meeting of Council held on 27 July 2021 be confirmed as a true record of proceedings.*

CARRIED  
F7/A0

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## 6.0 PRESENTATIONS, PETITIONS AND MEMORIALS

Nil

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## 7.0 ANNOUNCEMENTS BY THE PRESIDENT WITHOUT DISCUSSION

### **CR PINNER – LAST MEETING**

President Eddie Smith wished to thank Cr Pinner for the last 4 years in his term as Councillor for the Town Ward and for all his efforts and dedication over this period. He will be missed and on behalf of Council and Staff, wished him all the very best for the future.

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## 8.0 DEPARTMENTAL REPORTS

### 8.1 GOVERNANCE

#### **8.1.1 ACTIONS PERFORMED UNDER DELEGATED AUTHORITY FOR THE MONTHS OF JULY AND AUGUST 2021**

File No:	ADM0043
Date of Meeting:	24 August 2021
Location/Address:	3 Francis Street, Carnarvon
Name of Applicant:	Shire of Carnarvon
Name of Owner:	Shire of Carnarvon
Author/s:	Andrea Selvey, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Previous Report:	27 July 2021
Schedules:	Nil

**Authority / Discretion**

	<b>Advocacy</b>	When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
	<b>Executive</b>	The substantial direction setting and oversight role of the Council. E.g., adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
	<b>Legislative</b>	Includes adopting local laws, town planning schemes and policies.
	<b>Quasi-Judicial</b>	When Council determines an application / matter that directly affects a person’s right and interest. The judicial character arises from the obligations to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licenses, applications for other permits / licenses.
X	<b>Information</b>	Includes items provided to Council for information purposes only that do not require a decision of Council (i.e. – for noting).

**Summary of Item:**

To report on actions performed under delegated authority for the months of June and July 2021.

**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 arising from receiving this report.

**Risk Assessment:**

		<b>STEP 3 – Risk Tolerance Chart Used to Determine Risk</b>				
<b>Consequence</b>		Insignificant 1	Minor 2	Major 3	Critical 4	Extreme 5
<b>Likelihood</b>	Almost certain	High	High	Extreme	Extreme	Extreme
	A	High	High	Extreme	Extreme	Extreme

Likely	B	Moderate	High	High	Extreme	Extreme
Possible	C	Low	Moderate	High	Extreme	Extreme
Unlikely	D	Low	Low	Moderate	High	Extreme
Rare	E	Low	Low	Moderate	High	High

Risk Category	Description	Rating (Consequence x likelihood)	Mitigating Action/s
Financial	N/A		
Health & Safety	N/A		
Reputation	Non-compliance with statutory requirements would result in reputational damage to the Shire.	Low	This agenda item aims to ensure that the Shire is compliant.
Service disruption	N/A		
Compliance	That the performed delegations are not reported to Council	Low	This agenda item aims to ensure that the Shire is compliant in reporting delegated authority actions.
Property	N/A		
Environment	N/A		
Fraud	N/A		

## Community & Strategic Objectives:

### Goal 5: Civic

#### Strong and listening Council.

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

#### Comment:

The following tables outline the action performed within the organisation relative to delegated authority for the months of June and July 2021 are submitted to Council for information.

## DELEGATIONS

### Food

#### Food Act 2008

Date of decision	Decision Ref.	Decision details	Applicant	Other affected person(s)
21/07/2021	HF021/014	New food business registration-SOLANDER NOMINEES PTY LTD- Ma's Cottage, 99 North River Road, Carnarvon WA 6701	Solander Nominees Pty Ltd	n/a

11/08/2021	HF021/015	New food business registration- KYKO SWEETS- 7 Skinner Court, Carnarvon WA 6701	Shaleeka Ryan	n/a
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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)
22/07/2021	HOS21/005	New Septic Tank System	JW Caunt & JP Caunt	n/a

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
A709	P20/21	3 Iles Road, Carnarvon	Additions to existing building and new storage building	Hart Architects	12/07/2021
A2296	P16/21	Lot 1, 44 Robinson Street, Coral Bay	Holiday Houses	Priority Management	27/07/2021
A1794	P28/21	125 Robinson Street, Carnarvon	Physio and Rehabilitation gym	Gavin Griffiths	12/08/2021
A667	P29/21	1178 Cornish Street, Carnarvon	Storage shed	Ningaloo Developments Pty Ltd	12/08/2021

MINING ACT 1978 - SECTION 41, 58, 70C, 74, 86,91, Reg 64 Local Government Recommendation on Mining Tenements					
File Ref:	DMP Ref:	Subject Land	Purpose	Proponent	Advice Sent
Nil	09/2605	Ebra Bore	Exploration Licence	CRC Minerals Pty Ltd	11 August 2021
Nil	09/2603		Exploration Licence	Province Resources Ltd	11 August 2021
	09/2594, 09/2554, 09/2566, 09/2596, 08/3395, 08/3394, 08/3392	Middalya, Minilya, Marron, Wooramel, Winning and Mia Mia	Exploration Licences	FMG Resources Pty Ltd	11 August 2021

**BUILDING**

Application No.	Owners Name	Lot & Street	Type of Building Work
B21/026	DWAYNE KEVIN JOHN OXENHAM & KRISTINE JOANNE RYAN	LOT (88) 2 FANE CRES, BROCKMAN	SHED AND CARPORT

Application No.	Owners Name	Lot & Street	Type of Building Work
B21/035	NINGALOO DEVELOPMENTS PTY LTD (TONY ZAKNICH)	LOT 662 (247) ROBINSON ST, EAST CARNARVON	2 x RESIDENTIAL DWELLINGS
B21/036	GIULIANO PAOLO & STEPHANIE MARIE RACHEL CONDO	LOT 55 (12) SMART ST, EAST CARNARVON	INSTALLATION OF SOLAR PANELS ON EXISTING DWELLING
B21/041	GRAHAM LESLIE & SHARON ELIZABETH WEST	LOT 863 (16) BECKETT ST, SOUTH CARNARVON	ATTACHED VERANDAH
B21/043	NORTHERN ASSETS PTY LTD	LOT 61 (24) ANGELO ST, EAST CARNARVON	OCCUPANCY PERMIT CLASS 6 - NEW BUILDING - COMPLETE (s.46) REF: B16/044 (COMMERCIAL CAFE & BBQ AREA)
B21/049	DEPARTMENT OF EDUCATION (WA POLICE & COMMUNITY YOUTH SERVICES)	LOT 384 (19) CLEAVER ST, SOUTH CARNARVON	NEW WORKSHOP

OFFICER'S RECOMMENDATION PART ONE

*That Council, by Simple Majority, in accordance with Section 5.46 of the Local Government Act, accept the reports outlining the actions performed under delegated authority for the months of July and August 2021.*

**FC 3/8/21**

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION PART ONE

*Cr Vandeleur/Cr Pinner*

*That Council, by Simple Majority, in accordance with Section 5.46 of the Local Government Act, accept the reports outlining the actions performed under delegated authority for the months of July and August 2021.*

CARRIED  
F7/AO

**8.1.2 ANNUAL REVIEW – SHIRE OF CARNARVON DELEGATION REGISTER**

File No: ADM0043  
Date of Meeting: 24 August 2021  
Location/Address: Shire of Carnarvon  
Name of Applicant: Shire of Carnarvon  
Name of Owner: Shire of Carnarvon  
Author/s: Andrea Selvey - Chief Executive Officer  
Declaration of Interest: Nil  
Voting Requirements: Absolute Majority  
Previous Report: 23 June 2020  
Schedules: Schedule 8.1.2(a) – Delegation Register

## Authority / Discretion

	<b>Advocacy</b>	When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
	<b>Executive</b>	The substantial direction setting and oversight role of the Council. E.g., adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
X	<b>Legislative</b>	Includes adopting local laws, town planning schemes and policies.
	<b>Quasi-Judicial</b>	When Council determines an application / matter that directly affects a person's right and interest. The judicial character arises from the obligations to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licenses, applications for other permits / licenses.
	<b>Information</b>	Includes items provided to Council for information purposes only that do not require a decision of Council (i.e. – for noting).

### Summary of Item

This item serves as the annual review of Council's delegations of authority.

### Background

Western Australian Local Governments are empowered under various State Government Acts and Regulations to perform certain duties and exercise certain powers. The *Local Government Act, 1995* in particular prescribes the performance of specific functions and tasks by the Local Government.

The *Local Government Act, 1995* affords the Council the ability to delegate some of its powers and duties to the CEO or to Committees in order to facilitate the effective operations and implementation of the Shire's functions. A 'Register of Delegations' must be maintained and reviewed annually.

A copy of the Delegations Register last reviewed in June 2020 is provided at **Schedule 8.1.2(a)**.

### Consultation

N/A

### Statutory Environment

The Council is empowered pursuant to Sections 5.16 and 5.42 of the *Local Government Act 1995* to delegate roles and responsibilities. The Act also allows the Chief Executive Officer to sub-delegate any of his/her powers to another employee with the sub-delegations to be in writing. The Chief Executive Officer may under the *Local Government Act 1995* place conditions on any sub-delegation passed on to another Shire employee.

The Council must, under Section 5.46(2) *Local Government Act, 1995* review its Delegation Register at least once every financial year. As amendments to the delegations are proposed (see comments section below) Section 5.42 (1) of the *Local Government Act, 1995* applies. This states that any decision to amend or revoke a delegation by a Local Government is to be by an **absolute majority**.

### Relevant Plans and Policies

There are no evident policy implications in relation to this review.

### Financial Implications

Nil

Risk Assessment:

STEP 3 – Risk Tolerance Chart Used to Determine Risk						
Consequence		Insignificant 1	Minor 2	Major 3	Critical 4	Extreme 5
Likelihood						
Almost certain	A	High	High	Extreme	Extreme	Extreme
Likely	B	Moderate	High	High	Extreme	Extreme
Possible	C	Low	Moderate	High	Extreme	Extreme
Unlikely	D	Low	Low	Moderate	High	Extreme
Rare	E	Low	Low	Moderate	High	High

Risk Category	Description	Rating (Consequence x likelihood)	Mitigating Action/s
Financial	N/A		
Health & Safety	N/A		
Reputation	Non-compliance with statutory requirements would result in reputational damage to the Shire.	Low	This agenda item aims to ensure that the Shire is compliant.
Service disruption	Delivery of services to community are delayed by inadequate delegations.	Moderate	Appropriate delegations allows the CEO and administration to deliver services without having refer items to Council.
Compliance	That the Delegation Register is not endorsed by Council	Low	This agenda item aims to ensure that the Shire is compliant in reviewing the delegation register once in each financial year.
Property	N/A		
Environment	N/A		
Fraud	N/A		

## Community and Strategic Objectives

### Goal 5: Civic

#### Strong and listening Council.

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 Delegation Register formalises the Council's "day to day" functions/operations through authorisation of staff to operate efficiently, effectively and productively in the interest of good governance.

The only significant proposed changes and items of note in the delegation register are as follows:

Delegation number 3030 (Tendering for Goods and Services) now removes the requirement for tenders to be presented to the Audit and Risk Committee prior to advertising and proposed to increase the tender limit from \$150,000 to \$250,000.

Delegation 1005 (Hawkers, Stall Holders and Street Traders Licences) does not extend to areas within Coral Bay.

Accountability for the exercise of delegated authority is achieved through the requirement to report decisions made under a delegation back to the Council.

OFFICER'S RECOMMENDATION PART ONE

*That Council by, Absolute Majority, in accordance with Section 5.46(2) of the Local Government Act 1995 resolves to adopt the Delegation Register as amended as presented in Schedule 8.1.3(a) to this report;*

**FC 4/8/21**

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION PART ONE

*Cr Vandeleur/Cr Maslen*

*That Council by, Absolute Majority, in accordance with Section 5.46(2) of the Local Government Act 1995 resolves to adopt the Delegation Register as amended as presented in Schedule 8.1.3(a) to this report.*

CARRIED BY ABSOLUTE MAJORITY  
F7/A0

**8.1.3 ADOPTION OF CEO STANDARDS**

File No: ADM0124  
 Date of Meeting: 13/08/2021  
 Location/Address: N/A  
 Name of Applicant: The Shire of Carnarvon  
 Name of Owner: N/A  
 Author/s: Amanda Leighton, HR Business Partner  
 Declaration of Interest: Nil  
 Voting Requirements: Absolute Majority  
 Schedules: Guidelines for Local Government CEO Recruitment and Selection, Performance Review and Termination.

Authority / Discretion

	<b>Advocacy</b>	When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
X	<b>Executive</b>	The substantial direction setting and oversight role of the Council. E.g., adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
	<b>Legislative</b>	Includes adopting local laws, town planning schemes and policies.
	<b>Quasi-Judicial</b>	When Council determines an application / matter that directly affects a person's right and interest. The judicial character arises from the obligations to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning

		applications, building licenses, applications for other permits / licenses.
	<b>Information</b>	Includes items provided to Council for information purposes only that do not require a decision of Council (i.e. – for noting).

**Summary of Item:**

There have been legislative changes to the Local Government (Administration) Amendment Regulations that has resulted in mandatory minimum standards for the recruitment, selection, performance review and termination of employment in relation to local government Chief Executive Officers (CEOs).

**Background:**

Information retrieved from [CEO Standards | DLGSC](#) “On 3 February 2021, the Local Government (Administration) Amendment Regulations 2021 (CEO Standards) introduced mandatory minimum standards for the recruitment, selection, performance review and termination of employment in relation to local government Chief Executive Officers (CEOs). The aim of the CEO Standards is to provide local government with a consistent and equitable process for CEO recruitment, performance review and termination across all local governments, in accordance with the principles of merit, equity and transparency.

It is a requirement that local governments prepare and adopt the CEO Standards within three months of the CEO Standards coming into operation (by 3 May 2021). Until such time as a local government prepares and adopts its own CEO Standards, the model CEO Standards in regulations apply. It is important to note that local governments may introduce additional standards where appropriate, however, any additional standards must be consistent with the model standards in the Local Government (Administration) Amendment Regulations 2021. The Shire needs to take action to ensure compliance with the legislation”

**Stakeholder and Public Consultation:**

N/A – This was performed at a higher level by the Department of Local Government, Sport and Cultural Industries

**Statutory Environment:**

Local Government Act 1995 section 5.4  
 Local Government (Administration) Amendment Regulations 2021  
 State Records Act 2000 (WA)

**Relevant Plans and Policy:**

E008 – CEO Performance Review

**Financial Implications:**

The changes to the regulations have resulted in a more rigorous process for recruitment and selection, performance review and terminations of CEO’s. This rigorous process requires independent persons to help facilitate the processes and ensure that they bring an impartial perspective to the process to reduce any perception of bias or nepotism. This may mean that Shire will incur additional costs associated with engaging such persons or service providers.

Risk Assessment:

		STEP 3 – Risk Tolerance Chart Used to Determine Risk				
Consequence		Insignificant 1	Minor 2	Major 3	Critical 4	Extreme 5
Likelihood						
Almost certain	A	High	High	Extreme	Extreme	Extreme
Likely	B	Moderate	High	High	Extreme	Extreme
Possible	C	Low	Moderate	High	Extreme	Extreme
Unlikely	D	Low	Low	Moderate	High	Extreme
Rare	E	Low	Low	Moderate	High	High

Risk Category	Description	Rating (Consequence x likelihood)	Mitigating Action/s
Financial	If during any stage of the CEO's contract the Shire is not compliant with the change in the Legislation, the Shire may face legal action which may result in financial implications.	Medium	Adopting the CEO Standards will mitigate this risk and ensure legislative compliance.
Health & Safety	N/A		
Reputation	If the Shire is not compliant in the recruitment, selection, performance review and termination of a CEO this may result in due diligence not being followed and may cause reputation damage.	Medium	Adopting the CEO Standards will mitigate this risk and ensure legislative compliance.
Service disruption	If the Shire is not compliant in the recruitment, selection, performance review and termination of a CEO this may result in due diligence not being followed and may result in delays to service delivery.	Medium	Adopting the CEO Standards will mitigate this risk and ensure legislative compliance.
Compliance	Failing to adopt the CEO Standards will result in a breach of legislative requirements.	Medium	Adopting the CEO Standards will mitigate this risk and ensure legislative compliance.
Property	N/A		
Environment	N/A		
Fraud	N/A		

Community & Strategic Objectives:

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

Objective 5: Civic – *Strong and listening Council.*

ITEM	OUTCOMES AND STRATEGIES
5.2	The Shire has a high standard of governance and accountability
5.2.2	Highly capable executive leadership and management
5.2.3	Risks are well managed
5.5	The right people with the right skills in a productive workplace
5.5.5	Organisation and strategic workforce development

**Comment:**

Mandatory minimum standards for the recruitment, selection, performance review and termination of employment in relation to local government Chief Executive Officers (CEOs) have been introduced and the Council is now required to adopt their own standards, or as a minimum insert the name of the local government into minimum standards.

OFFICER'S RECOMMENDATION

*That Council, by Absolute Majority, pursuant to section 5.36 of the Local Government Act 1995, resolves to adopt the Department of Local Government Guidelines as the Shire of Carnarvon Standards for CEO Recruitment and Selection, Performance Review and Termination as presented in Schedule 8.1.3*

**FC 5/8/21**

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION PART ONE

*Cr Vandeleur/Cr Pinner*

*That Council, by Absolute Majority, pursuant to section 5.36 of the Local Government Act 1995, resolves to adopt the Department of Local Government Guidelines as the Shire of Carnarvon Standards for CEO Recruitment and Selection, Performance Review and Termination as presented in Schedule 8.1.3.*

CARRIED BY ABSOLUTE MAJORITY  
F7/AO

**8.1.4 ENTRY STATEMENT**

File No: ADM1899  
 Date of Meeting: 24 August 2021  
 Location/Address: Shire of Carnarvon  
 Name of Applicant: Shire of Carnarvon  
 Name of Owner: Shire of Carnarvon  
 Author/s: A Selvey, Chief Executive Officer  
 Declaration of Interest: Nil  
 Voting Requirements: Simple Majority  
 Previous Report: Nil  
 Schedules: Nil

Authority / Discretion

	Advocacy	When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
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X	<b>Executive</b>	The substantial direction setting and oversight role of the Council. E.g., adopting plans and reports, accepting tenders, directing operations, setting, and amending budgets.
	<b>Legislative</b>	Includes adopting local laws, town planning schemes and policies.
	<b>Quasi-Judicial</b>	When Council determines an application / matter that directly affects a person's right and interest. The judicial character arises from the obligations to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licenses, applications for other permits / licenses.
	<b>Information</b>	Includes items provided to Council for information purposes only that do not require a decision of Council (i.e. – for noting).

**Summary of Item:**

The officer is presenting information regarding an election commitment made by the Labour candidate in the lead up to the State elections in early in 2021 regarding an entry statement for Carnarvon and seeks a Council resolution to accept the funding of \$150,000.

**Background:**

In March 2021, the Regional Development Minister and local Labour Candidate committed \$150,000 toward an entry statement for Carnarvon. Following the election of the Labour Government in the state elections in March, the Gascoyne Development Commission (GDC) wrote to the Shire to advise that the McGowan Government's 2021 election funding commitment for the entry statement had been confirmed via the State budget process. As such the GDC is now seeking a commitment and scope of work from the Shire to develop a funding agreement so that the funding can be released.

**Stakeholder and Public Consultation:**

The Shire has been in consultation with the GDC.

**Statutory Environment:**

S3.18 of the *Local Government Act 1995* allows for the executive function of Council.

**Relevant Plans and Policy:**

N/A

**Financial Implications:**

Funding of \$150,000.00 excl. GST is available should Council chose to accept the funding for this project. Council has been asked to match the funding with a co-contribution of \$150,000.

At this stage revenue and expenditure for this project has not been included in the 2021/2022 budget. A formal budget variation will be required pending Council's decision and subject to negotiation with the GDC, design costs estimates and the final funding agreement.

**Risk Assessment:**

		<b>STEP 3 – Risk Tolerance Chart Used to Determine Risk</b>				
		<b>Insignificant 1</b>	<b>Minor 2</b>	<b>Major 3</b>	<b>Critical 4</b>	<b>Extreme 5</b>
<b>Consequence</b>						
<b>Likelihood</b>						
<b>Almost certain</b>	<b>A</b>	<b>High</b>	<b>High</b>	<b>Extreme</b>	<b>Extreme</b>	<b>Extreme</b>
<b>Likely</b>	<b>B</b>	<b>Moderate</b>	<b>High</b>	<b>High</b>	<b>Extreme</b>	<b>Extreme</b>
<b>Possible</b>	<b>C</b>	<b>Low</b>	<b>Moderate</b>	<b>High</b>	<b>Extreme</b>	<b>Extreme</b>

Unlikely	D	Low	Low	Moderate	High	Extreme
Rare	E	Low	Low	Moderate	High	High

Risk Category	Description	Rating (Consequence x likelihood)	Mitigating Action/s
Financial	Co-contribution of \$150,000 is not able to be accommodated within the 2021/2022 budget.	High	Negotiate for the funding to be allocated without a co-contribution.
Health & Safety	N/A		
Reputation	Not accepting this funding could jeopardise future funding opportunities. Accepting the funding but not delivering on a clearly agreed scope of work can also damage the Shire's reputation.	High	Accept the funding and develop a draft scope of work in close consultation with the GDC.
Service disruption	N/A		
Compliance	The funding and expenditure are not within the budget.	Low	An agenda item seeking a budget variation will be presented for Council as soon as a funding agreement has been negotiated.
Property	N/A		
Environment	N/A		
Fraud	N/A		

#### Community & Strategic Objectives:

##### Goal 1: Economic

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

ITEM	OUTCOMES AND STRATEGIES
1.1	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
1.2	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

#### Comment:

As there is no scope of work accompanying this funding opportunity, officers recommend that the funding is used to develop Van Dongen Park as the site for the entry statement, and that the entry statement is based

on the iconic 'big banana' theme. The Donnybrook Apple Fun Park is an example of a themed park that is now a recognised tourism destination for families in the South West.





Should this concept be met with approval from the Council and the GDC, a fully costed design will be developed and presented to Council along with any request for additional funding. The Shire will also seek to supplement the state's \$150,000 with other external funding opportunities.

OFFICER'S RECOMMENDATION

*That Council, by Simple Majority, pursuant to s3.18 of the Local Government Act 1995, resolves to:*

- a. Enter into negotiations with the Gascoyne Development Commission for the \$150,000 entry statement funding to be put to developing an entry statement in the form of a big banana themed park at Van Dongen Park;*
- b. Consider designs and costings for the entry statement themed park prior to finalising the funding agreement with the Gascoyne Development Commission.*

**FC 6/8/21**

**COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION PART ONE**

**Cr Vandeleur/Cr Maslen**

*That Council, by Simple Majority, pursuant to s3.18 of the Local Government Act 1995, resolves to:*

- a. Enter into negotiations with the Gascoyne Development Commission for the \$150,000 entry statement funding to be put to developing an entry statement.*
- b. Consider designs and costings for the entry statement prior to finalising the funding agreement with the Gascoyne Development Commission.*

The following amendments to the Council Resolution were put forward and were accepted by the Mover and Seconder of the motion –

*That Council, by Simple Majority, pursuant to s3.18 of the Local Government Act 1995, resolves to:*

- a. Enter into negotiations with the Gascoyne Development Commission for the \$150,000 entry statement funding to be put to developing an entry statement **in the form of a big banana themed park at Van Dongen Park;***

- b. Consider designs and costings for the entry statement ~~themed park~~ prior to finalising the funding agreement with the Gascoyne Development Commission.

Motion FC 6/8/21 with amendments, was put.

**CARRIED**

**F6/A1**

Cr Fullarton voted against the motion.

## 8.1.5 GNARALOO/WARROORA TRACK

File No: ADM0201  
 Date of Meeting: 09 August 2021  
 Location/Address: Part Gnaraloo Road from Gnaraloo Bay to Southern Boundary of Warroora  
 Name of Applicant: Shire of Carnarvon  
 Name of Owner: Shire of Carnarvon  
 Author/s: A Selvey, Chief Executive Officer  
 Declaration of Interest: Nil  
 Voting Requirements: Simple Majority  
 Previous Reports: FC 25/3/20; FC 24/5/20; FC 15/9/20; FC 19/11/20; FC 20/2/21;  
 Schedules: 8.1.5 DBCA Letter Shire of Carnarvon Gnaraloo Road

### Authority / Discretion

	<b>Advocacy</b>	When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
X	<b>Executive</b>	The substantial direction setting and oversight role of the Council. E.g., adopting plans and reports, accepting tenders, directing operations, setting, and amending budgets.
	<b>Legislative</b>	Includes adopting local laws, town planning schemes and policies.
	<b>Quasi-Judicial</b>	When Council determines an application / matter that directly affects a person's right and interest. The judicial character arises from the obligations to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licenses, applications for other permits / licenses.
	<b>Information</b>	Includes items provided to Council for information purposes only that do not require a decision of Council (i.e. – for noting).

### Summary of Item:

This item brings a report to Council following a Council resolution to present a report on the various issues associated with the Gnaraloo/Warroora track. The officer's recommendation is that the report is received as presented.

### Background:

At the Ordinary Meeting of Council 23 February 2021, Council resolved as follows:

FC 20/2/21

COUNCILLOR RECOMMENDATION

*Cr Simpson/Cr Skender*

*That the Council directs the CEO to endeavour to arrange a meeting of the key stakeholders (DBAC, Nganhurra Thanardi Garrbu Aboriginal Corporation and Shire) to discuss and consider the various issues associated with the Gnaraloo/Warroora track to enable a report to be presented at the Council meeting to be held on 23rd March 2021. It is expected that the report will include the plans from DBCA; take into account the various stakeholders concerns including Indigenous Heritage; and provide Council a plan for the future of the track.*

*CARRIED*

*F6/A1*

It was not possible to hold this meeting until 6 July 2021 due to stakeholder and staffing availability, including the commencement of a new CEO at the Shire in April. The following external stakeholders attended the meeting:

- Paul Barron, Baiyungu Aboriginal Corporation
- Leah Pearson, Department of Biodiversity, Conservation and Attractions
- Regina Flugee, Chair, Ningaloo Coast World Heritage Advisory Committee
- Karen Hattingh, Chairperson, Gnaraloo Wilderness Foundation Inc.

A summary of views presented by stakeholders be consulted are presented below.

The following Shire representatives also attended the meeting:

- Cr Eddie Smith Shire President
- David Nielsen, Executive Manager Infrastructure Services
- Andrea Selvey, Chief Executive Officer

### **Stakeholder and Public Consultation:**

#### **Department of Biodiversity, Conservation and Attraction (DBCA).**

DBCA, as the primary manager of the land and marine areas adjacent to the road easement, in collaboration with the Nyinggulu Coast Joint Management Board (JMB) expressed a strong desire for the Shire to consider closing the road, to allow adequate time for DBCA to carry out various assessments and due diligence to ensure all aspects of visitor, cultural and environmental risk have been addressed prior to reopening.

DBCA observed that, since the Gnaraloo Warroora road was reopened, their staff have identified additional safety issues and evidence of environmental degradation. They have also observed several diversions from the main road onto the Nyinggulu Coastal Reserve, which is resulting in damage to vegetation and erosion.

The coastline and beaches in this area are subject to impacts from open ocean swell causing significant currents and rips presenting a potential serious risk to swimmers and with increased visitation to the area, the risk of an incident involving water users in the area has been elevated and is now considered significant by DBCA. Additionally, intermittent mobile reception and the roads poor condition are likely hinder the ability of emergency services to attend incidents in a timely fashion. DBCA requires additional time to consider these risks and implement mitigation strategies. Although the safety of visitors to the area remains the highest concern for DBCA, the increase in visitation to the area is already placing the key cultural and World Heritage-listed natural values under pressure.

Unlawful camping along the coast is impacting seabird rookeries and nesting beaches of the endangered Loggerhead turtle. Uncontrolled visitation, including camping has also seen an increase in ground fires, heightening the potential of bushfires being started. DBCA has also observed illegal fishing within the Cape Farquhar Sanctuary Zone within the Ningaloo Marine Park.

The Ningaloo Coast is rich in Aboriginal heritage places and sites. There are multiple registered Aboriginal heritage places adjacent to Cape Farquhar and accessible via Gnaraloo Warroora Road. DBCA advice is that these sites are under immediate threat by vehicle damage and unauthorised removal of objects resulting from visitation to the area.

DBCA confirmed that it has limited resources to provide the appropriate level of management – e.g., off road vehicles, camping etc.

DBCA acknowledged the Shire's interest in this area but with the intent of addressing these issues, DBCA would like request that the council reconsiders the proposal put forward at the November 2020 meeting and recommends the following course of action:

1. That the Shire to keep the road closed to allow adequate time for due diligence assessments, thereby ensuring that visitor risks and cultural and environmental values have been properly assessed before considering reopening of the Gnaraloo Road; and
2. A Gnaraloo Road working group be established as soon as possible, facilitated by the Shire of Carnarvon to seek long-term and sustainable outcomes for the Gnaraloo Road and adjacent Nynggulu Reserve.  
(NB: A letter from DBCA outlining the proposed timeframe for actions to addresses concerns is attached in ***Schedule 8.1.5.***)

#### **Paul Barron, Baiyungu Aboriginal Corporation (BAC)**

Mr Barron attended the meeting and offered support for DBCA's position which is that the road should be closed as soon as possible to prevent further damage to culturally and environmentally sensitive areas, while the necessary studies and research is carried out. Mr Barron expressed view that vehicles are causing damage to the environment and to the cultural heritage of the area.

#### **Gnaraloo Wilderness Foundation Inc (GWF)**

The GWF has requested that the Farquhar track be closed as soon as possible. The GWF referred to its detailed submissions to the Shire regarding the unique heritage and environmental profile of the Gnaraloo Cape Farquhar area, in particular its loggerhead (*Caretta caretta*) sea turtle nesting beaches. The GWF put forward that the issue under consideration is not simply a thoroughfare adventure track as the adjoining Gnaraloo Cape Farquhar area is one of the most important heritage, natural, scientific and cultural reference sites in the Ningaloo Coast World Heritage Area and, as such, should be adequately protected and managed.

Their view is that while the unsealed Farquhar track remains open, the sensitive Gnaraloo Cape Farquhar area remains at risk. Passive management of this area, such as telling or expecting people not to go off-track or via bollards and information flyers, is not effectively addressing the required protection of the Gnaraloo Cape Farquhar area.

The scale of what is required as direct management of the area may be significantly reduced by closing the Farquhar area off to the public again which is the GWF's preference for heritage protection.

The GWF has called for a stronger and more frequent DBCA Ranger presence in the Farquhar area, but this is unlikely to happen for some time. In the meanwhile, and until such time, the GWF is concerned that the Farquhar asset will continue to suffer significant damage which they believe is out of line of public expectation.

The GWF is of the view that the environment and irreplaceable heritage values of a wide gambit are being damaged increasingly as a consequence of the road being opened.

The GWF also proposed that the Farquhar track be considered for permanent closure with only managed access such as via tours allowed for public access, use and enjoyment of the natural wonders of the area. At the same time, Gnaraloo Station which has a representative on the GWF Committee, has expressed its requirement for continued use of the track to be able to access the north of the Gnaraloo pastoral lease which is not otherwise easily accessible year-round.

**Ningaloo Coast World Heritage Advisory Committee (NCWHAC)**

Members of the NCWHAC reiterated that due regard be given the Ningaloo Coast Strategic Management Framework and the Ningaloo Coast Regional Strategy - Carnarvon to Exmouth (August 2004) (NCRS), which addresses the track between Gnaraloo and Warroora, specifically stating, *“This access is to remain closed making the area a remote coastal sector and an area of environmental management priority”*.

Members support the implementation of the NCRS and its intention for continual closure of the road. Members reiterated that due regard be given to the Nyinggulu (Ningaloo) coastal reserves - Red Bluff to Winderabandi draft joint management plan (2019), which states *“There is a north-south access track (Gnaraloo Road, Mauds Landing-Warroora Road, Ningaloo Yardie Creek Road) that either goes through the planning area or is the eastern boundary of the planning area for most of its length, connecting with the North West Coastal Highway and Exmouth-Minilya Road via spur roads. The Cape Farquhar section between Gnaraloo Bay and Amherst Point has been closed to vehicles for more than 15 years and it is proposed to continue to keep this section closed due to current visitor risk issues and high conservation and cultural values”*. Members continue to support the proposal within the draft management plan to keep this section closed.

Members note the new information provided by DBCA at the July meeting which further supports the Committee’s previous request for Council to reconsider the position for the road to be open, specifically that the behaviours which have been observed are difficult to manage without planned resources. These behaviours such as straying from the main thoroughfare, fishing within the Cape Farquhar Sanctuary Zone, illegal camping, fires, dogs, quad bikes, and the collection of firewood.

**Statutory Environment:**

A Local Government has the legislative head of power to close thoroughfares under s.3.50 of the *Local Government Act 1995*. Where the period of the closure exceeds 4 weeks, the Act requires public notice for a reasonable time to allow for submissions and consideration of any submissions. The Commissioner of Main Roads is to be provided with the public notice.

It should also be noted that this section of the Act also allows the order to be revoked by the local government or the Minister.

**Relevant Plans and Policy:**

N/A

**Financial Implications:**

There are no direct financial implications arising from the officer’s recommendation which is to receive this report.

**Risk Assessment:**

		STEP 3 – Risk Tolerance Chart Used to Determine Risk				
		Insignificant 1	Minor 2	Major 3	Critical 4	Extreme 5
Consequence						
Likelihood						
Almost certain	A	High	High	Extreme	Extreme	Extreme
Likely	B	Moderate	High	High	Extreme	Extreme
Possible	C	Low	Moderate	High	Extreme	Extreme
Unlikely	D	Low	Low	Moderate	High	Extreme
Rare	E	Low	Low	Moderate	High	High

Risk Category	Description	Rating (Consequence x likelihood)	Mitigating Action/s
Financial	N/A		
Health & Safety	N/A		
Reputation	The February Council resolution directed further consultation with stakeholders. Therefore, the Council action arising from the consultation can have an impact on the Shire's reputation with these stakeholder organisations.	High	Ensure sound communication with stakeholder organisations to ensure these organisations are clear on how Council will consider information gathered in the consultation.
Service disruption	N/A		
Compliance	N/A		
Property	N/A		
Environment	The environmental risks as identified by stakeholders are outlined in the report above. Shire officers would rely on DBCA as the technical experts in the field of environmental management to advise on this matter.	Extreme	Solutions to addressing these risks are also offered by DBCA and the other stakeholders in their submissions and presentations during the consultation. The DBCA position is that further studies are required to manage the environmental risks.
Fraud	N/A		

#### Community & Strategic Objectives:

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

#### *Goal 2: Natural and built environment*

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

ITEM	OUTCOMES AND STRATEGIES
2.1	Valued natural environment, for use and enjoyment by current and future generations
2.6	Shire assets and facilities that support services and meet community need
2.6.1	Roads are appropriately managed according to their need and use

#### Comment:

This report presents the views of stakeholders gathered at the 6 July 2021 meeting as required by the Council resolution on 23 February 2021. This same resolution requires the CEO to provide Council a plan for the future of the track. The DBCA proposal outlines a plan which is presented for Council as follows:

Issue	Action	Responsibility	Timeframe
Working Group Implementation	Establish and agree to terms of reference.	Joint	2 months
Aboriginal Cultural Heritage Concerns	Surveys and mapping.	Joint	3 years and ongoing
Visitor Risk Management Concerns	Undertake visitor risk assessments	Joint	2-3 years and ongoing
Nature Conservation Concerns	Undertake site assessments and report to	NCJMB	2 years and ongoing
Management and Compliance Concerns	Develop plan and budget for visitor compliance	Joint	2 years and ongoing
Infrastructure Development	Develop signage and communication plan.	Joint	2 years and ongoing
Adjoining Road Reserve and Associated Impacts	Road reserve continuity and maintenance plan.	Shire	2-3 years and ongoing

#### OFFICER'S RECOMMENDATION

*That Council, by Simple Majority, pursuant to S3.18 of the Local Government Act 1995, resolves to receive the report from the CEO on the Gnaraloo Coastal Track which includes plans from DBCA, the various stakeholders' concerns including Indigenous Heritage, and provides Council with a plan for the future of the track.*

**FC 7/8/21**

#### COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION PART ONE

*Cr Maslen/Cr Vandeleur*

*That Council, by Simple Majority, pursuant to S3.18 of the Local Government Act 1995, resolves to receive the report from the CEO on the Gnaraloo Coastal Track which includes plans from DBCA, the various stakeholders' concerns including Indigenous Heritage, and provides Council with a plan for the future of the track.*

CARRIED  
F7/A0

### 8.1.6

### PURCHASING POLICY REVIEW

File No:	ADM0124
Date of Meeting:	24 August 2021
Location/Address:	N/A
Name of Applicant:	Shire of Carnarvon
Name of Owner:	N/A
Author/s:	Andrea Selvey – Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Schedules:	Schedule 8.1.5(a) – Current Purchasing Policy Schedule 8.1.5(b) – Proposed Purchasing Policy

#### Authority / Discretion

	<b>Advocacy</b>	When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
	<b>Executive</b>	The substantial direction setting and oversight role of the

		Council. E.g., adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
X	<b>Legislative</b>	Includes adopting local laws, town planning schemes and policies.
	<b>Quasi-Judicial</b>	When Council determines an application / matter that directly affects a person's right and interest. The judicial character arises from the obligations to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licenses, applications for other permits / licenses.
	<b>Information</b>	Includes items provided to Council for information purposes only that do not require a decision of Council (i.e. – for noting).

**Summary of Item:**

This item presents a revision of Policy C02 – Purchasing Policy. The policy has been amended to reflect recommendations contained within the recent Governance Review, to improve policy clarity, simplicity, and flexibility.

**Background:**

Council adopted a purchasing policy in a review conducted in March 2020. That policy version is provided in **Schedule 8.1.5(a)**.

In June 2021, an Independent Governance Review report was completed by Hammond Woodhouse Advisory. That review contained recommendations related specifically to the Purchasing Policy as follows:

*(19) The 4 existing Council Policies referred to below, should be reviewed:*

- (a) Council Policy C002 - Purchasing;*
- (b) Council Policy C013 – Tender Selection Criteria;*
- (c) Council Policy C034 – Tender Management;*
- (d) Council Policy C035 – Regional Price Preference.*

*(20) The review should be with the intent of consolidating and simplifying the content of those policies whilst meeting the relevant legislative requirements including those in Regulation 11, Local Government (Functions and General) Regulations 1996.*

A review of the purchasing policy has subsequently been undertaken. The reviewed policy is provided in **Schedule 8.1.5(b)**.

**Stakeholder and Public Consultation:**

N/A

**Statutory Environment:**

Regulation 11A of the Local Government (Functions and General) Regulations 1996 applies regarding the requirements of a Local Government Purchasing Policy.

**Relevant Plans and Policy:**

C02 – Purchasing Policy

**Financial Implications:**

There are no direct financial implications associated this revised policy.

Risk Assessment:

STEP 3 – Risk Tolerance Chart Used to Determine Risk						
Consequence		Insignificant 1	Minor 2	Major 3	Critical 4	Extreme 5
Likelihood						
Almost certain	A	High	High	Extreme	Extreme	Extreme
Likely	B	Moderate	High	High	Extreme	Extreme
Possible	C	Low	Moderate	High	Extreme	Extreme
Unlikely	D	Low	Low	Moderate	High	Extreme
Rare	E	Low	Low	Moderate	High	High

Risk Category	Description	Rating (Consequence x likelihood)	Mitigating Action/s
Financial	N/A		
Health & Safety	N/A		
Reputation	N/A		
Service disruption			
Compliance	Audit and Risk Committee practice in vetting and overseeing tender documentation prior to it being released may well be outside of the functions of the Audit Committee as provided under Regulation 16.	B2 - High	The updated policy ensures compliance.
Property	N/A		
Environment	N/A		
Fraud	N/A		

Community & Strategic Objectives:

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

**Goal 5: Civic**

**Strong and listening Council.**

ITEM	OUTCOMES AND STRATEGIES
5.2	The Shire has a high standard of governance and accountability
5.2.2	Highly capable executive leadership and management
5.2.3	Risks are well managed
5.2.6	Compliance with the Local Government Act 1995 and all other relevant legislation and regulations
5.5	The right people with the right skills in a productive workplace

Comment:

Key items of policy change for Council to note are as follows:

- a) Purchasing threshold banding amendment – number of bands increased from five to six.
- b) Multiple quotations or public tenders are not mandatory for engagement via WALGA Preferred

- Supplier arrangements (as per statutory exemptions).
- c) Threshold for public tender process increased from \$150,000 to \$250,000 to align with statutory threshold.
- d) Removal of requirement for Audit Committee to endorse tender documents prior to advertising.
- e) Approximate 60% reduction in words used.

OFFICER'S RECOMMENDATION

*That Council, by Simple Majority, pursuant to Regulation 11A of Local Government (Functions and General) Regulations 1996, resolves to adopt Policy C02 – Purchasing Policy as presented in Schedule 8.1.5(b).*

**FC 8/8/21**

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION PART ONE

*Cr Vandeleur/Cr Pinner*

*That Council, by Simple Majority, pursuant to Regulation 11A of Local Government (Functions and General) Regulations 1996, resolves to adopt Policy C02 – Purchasing Policy as presented in Schedule 8.1.5(b).*

CARRIED  
F7/A0

**8.2 CORPORATE & COMMUNITY SERVICES**

**8.2.1 CREDITORS REPORT OF ACCOUNTS PAID UNDER DELEGATION 1 TO 31 JULY 2021**

File No: ADM0186  
 Date of Meeting: 24 AUGUST 2021  
 Location/Address: Shire of Carnarvon  
 Name of Applicant: Shire of Carnarvon  
 Author/s: RENEE LOUW – CREDITOR OFFICER  
 Declaration of Interest: Nil  
 Voting Requirements: Simple Majority  
 Previous Reports: Presented every month  
 Schedules: Schedule 8.2.1

**Authority / Discretion**

	<b>Advocacy</b>	When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
X	<b>Executive</b>	The substantial direction setting and oversight role of the Council. E.g., adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
	<b>Legislative</b>	Includes adopting local laws, town planning schemes and policies.
	<b>Quasi-Judicial</b>	When Council determines an application / matter that directly affects a person's right and interest. The judicial character arises from the obligations to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licenses, applications for other permits / licenses.
	<b>Information</b>	Includes items provided to Council for information purposes only that do not require a decision of Council (i.e. – for noting).

**Summary of Item:**

To present the listing of accounts paid from the Municipal Fund, Visitor Centre Account and Trust Fund, in accordance with the requirements of the Local Government (Financial Management) Regulations 1996, for the month of June.

**Background:**

Council has previously delegated to the CEO the exercise of its power under Financial Management Regulation 12 to make payments from Municipal Fund, Visitor Centre Account and Trust Fund. A list of all payments is provided in *Schedule 8.2.1*

**Stakeholder and Public 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:**

N/A

**Financial Implications:**

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

**Risk Assessment:**

		STEP 3 – Risk Tolerance Chart Used to Determine Risk				
Consequence		Insignificant 1	Minor 2	Major 3	Critical 4	Extreme 5
Likelihood						
Almost certain	A	High	High	Extreme	Extreme	Extreme
Likely	B	Moderate	High	High	Extreme	Extreme
Possible	C	Low	Moderate	High	Extreme	Extreme
Unlikely	D	Low	Low	Moderate	High	Extreme
Rare	E	Low	Low	Moderate	High	High

Risk Category	Description	Rating (Consequence x likelihood)	Mitigating Action/s
Financial	Slow payment of creditors	Low	Can impact financial statements. Set proper close off dates
Health & Safety	NA	NA	
Reputation	NA	NA	
Service disruption	NA	NA	
Compliance	NA	NA	
Property	NA	NA	
Environment	NA	NA	
Fraud	Accounting Fraud	Moderate	Regular background check and regular updates of Sundry Creditors. Sign off by SFO of any Creditor changes (Bank Accounts)

OFFICER'S RECOMMENDATION

That Council, by Simple Majority, pursuant to S5.42 of the Local Government Act 1995 resolves to:

a) Receive the list of payments made under delegation, as per Schedule 8.2.1 (a) totalling \$566,329.10 as presented for the month of May 2021 incorporating.

b)

Payment Reference from:	Payment Reference to:	Payment Type	Payment Amount
DD38677.6	DD38677.6	Bank Direct- Muni	\$1,200.20
DD38746.1	DD38746.1	Bank Direct -Muni	\$25,007.37
DD38761.1	DD38761.1	Bank Direct- Muni	\$2,500.74
47212	47216	Muni Cheque	MISPRINT/CANCELED
47217	47217	Muni Cheque	\$17,586.60
47218	47218	Muni Cheque	\$473.74
EFT33226	EFT33498	Muni EFT	\$ 1,359,874.94
EFT33495	EFT33495	Trust EFT	\$ 86.25
		TOTAL	\$1,406,729.84

c) Note Sundry Creditors as of 30 June 2021 \$279,404.75

**FC 9/8/21**

**COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION PART ONE**

**Cr Vandeleur/Cr Pinner**

That Council, by Simple Majority, pursuant to S5.42 of the Local Government Act 1995 resolves to:

a) Receive the list of payments made under delegation, as per Schedule 8.2.1 (a) totalling \$566,329.10 as presented for the month of June 2021 incorporating.

b)

Payment Reference from:	Payment Reference to:	Payment Type	Payment Amount
DD38677.6	DD38677.6	Bank Direct- Muni	\$1,200.20
DD38746.1	DD38746.1	Bank Direct -Muni	\$25,007.37
DD38761.1	DD38761.1	Bank Direct- Muni	\$2,500.74
47212	47216	Muni Cheque	MISPRINT/CANCELED
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47218	47218	Muni Cheque	\$473.74
EFT33226	EFT33498	Muni EFT	\$ 1,359,874.94
EFT33495	EFT33495	Trust EFT	\$ 86.25
		TOTAL	\$1,406,729.84

c) Note Sundry Creditors as of 30 June 2021 \$279,404.75

**CARRIED**  
**F7/A0**

File No:	ADM0186
Date of Meeting:	24 August 2021
Location/Address:	Shire of Carnarvon
Name of Applicant:	Shire of Carnarvon
Name of Owner:	Shire of Carnarvon
Author/s:	Susan Mizen Manager Finance
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Previous Report	Nil
Schedules	Schedule 8.2.2

#### Authority / Discretion

	<b>Advocacy</b>	When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
X	<b>Executive</b>	The substantial direction setting and oversight role of the Council. E.g., adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
	<b>Legislative</b>	Includes adopting local laws, town planning schemes and policies.
	<b>Quasi-Judicial</b>	When Council determines an application / matter that directly affects a person's right and interest. The judicial character arises from the obligations to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licenses, applications for other permits / licenses.
	<b>Information</b>	Includes items provided to Council for information purposes only that do not require a decision of Council (i.e. – for noting).

#### 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.

#### 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. The Audited Financial Statements for 30 June 2020 are finalised and the closing surplus figure which becomes the opening surplus figure for 2021 is now final.

#### Consultation:

Nil

#### Statutory Environment:

*Local Government (Financial Management) Regulation 34.*

Each month a local government is to prepare a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d).

The statements should show the following:

- annual budget, and the estimated year to date budget end of that month,
- the actual amount for expenditure and income,
- any variance between the actual income and expenditure, as compared to the estimated year to date budget,
- the net current assets at the end of that month.

The statements should also be accompanied by notes that explain the statements and any supporting information. Further, comments are to be made where variances are higher than the materiality thresholds set by Council which are the higher of 10% or \$10,000.

The financial statements presented as an attachment to this item are in excess to the minimum requirements to portray a fuller financial picture of the Shire at this point in time.

**Relevant Plans and Policy:**

Corporate Business Plan 2018 - 2022

**Financial Implications:**

Nil.

**Risk Assessment:**

		<b>STEP 3 – Risk Tolerance Chart Used to Determine Risk</b>				
<b>Consequence</b>		<b>Insignificant 1</b>	<b>Minor 2</b>	<b>Major 3</b>	<b>Critical 4</b>	<b>Extreme 5</b>
<b>Likelihood</b>						
<b>Almost certain</b>	<b>A</b>	<b>High</b>	<b>High</b>	<b>Extreme</b>	<b>Extreme</b>	<b>Extreme</b>
<b>Likely</b>	<b>B</b>	<b>Moderate</b>	<b>High</b>	<b>High</b>	<b>Extreme</b>	<b>Extreme</b>
<b>Possible</b>	<b>C</b>	<b>Low</b>	<b>Moderate</b>	<b>High</b>	<b>Extreme</b>	<b>Extreme</b>
<b>Unlikely</b>	<b>D</b>	<b>Low</b>	<b>Low</b>	<b>Moderate</b>	<b>High</b>	<b>Extreme</b>
<b>Rare</b>	<b>E</b>	<b>Low</b>	<b>Low</b>	<b>Moderate</b>	<b>High</b>	<b>High</b>

Risk Category	Description	Rating (Consequence x likelihood)	Mitigating Action/s
Financial	Stakeholders may withdraw funding if the statements are not prepared according to the regulatory framework	Low	Financial Statements are prepared on time and according to the applicable Legislation and Regulations
Health & Safety	NA	NA	
Reputation	NA	NA	
Service disruption	NA	NA	
Compliance	Local Government Act requires Council receive these statements within 2 months of the end of the applicable month	NA	Financial Statements are prepared on time and according to the applicable Legislation and Regulations
Property	NA	NA	
Environment	NA	NA	

Fraud	Accounting Fraud	Low	Adequate supervision, checking and separation of duties, Legislative and regulatory requirements are adhered to.
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**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 draft Statement of Financial Activity for the period ended 30 June 2021. As Council will note, the variance in the opening surplus actual has increased, over the current budget figure, by \$20,444. This is due to an amendment in the Financial Statements for 30 June 2020, for a new grant for Youth Services.

The accounts are listed as draft accounts as they do not become final until they have been Audited. Auditors are due onsite at the beginning of October 2021 and the final Financial Statements for June are expected mid to end November 2021. It is expected that some figures will change, due to the ongoing processing of accruals, end of year journals, final Asset purchases and sales, and the final balances in contingent liabilities. The closing surplus/deficit will not be known until the Audited figures are released.

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, by Simple Majority, and in accordance with Regulation 34 of the Local Government (Financial Management) Regulations 1996, resolves to receive the Draft Statement of Financial Activity for the period 1 July 2020 to 30 June 2021 as per Schedule 8.2.2.*

**FC 10/8/21**

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION PART ONE

*Cr Vandeleur/Cr Fullarton*

*That Council, by Simple Majority, and in accordance with Regulation 34 of the Local Government (Financial Management) Regulations 1996, resolves to receive the Draft Statement of Financial Activity for the period 1 July 2020 to 30 June 2021 as per Schedule 8.2.2.*

CARRIED  
F7/A0

## 8.3 DEVELOPMENT SERVICES

### 8.3.1 MOBILE TRADING LICENCE APPLICATION – LOT 800 (NO. 79) BANKSIA DRIVE, CORAL BAY

1.27pm – Cr Simpson declared a Proximity Interest in this item as he currently holds a lease adjacent to the property. Cr Simpson disconnected from the meeting and did not participate or vote on the matter.

File No:	ADM2051
Date of Meeting:	24 August 2021
Location/Address:	Banksia Drive, Coral Bay
Name of Applicant:	Lisa Michelle Eveson / Mandu Holdings Pty Ltd
Name of Owner:	Shire of Carnarvon (Road Reserve)
Author/s:	Stefan Louw, Planning and Building Manager
Declaration of Interest:	Nil
Schedules:	Nil
Previous Reports:	25 February 2020; 28 July 2020; 25 August 2020; 23 March 2021
Voting Requirements:	Absolute Majority

#### Authority / Discretion:

	<b>Advocacy</b>	When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
	<b>Executive</b>	The substantial direction setting and oversight role of the Council. E.g., adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
	<b>Legislative</b>	Includes adopting local laws, town planning schemes and policies.
X	<b>Quasi-Judicial</b>	When Council determines an application / matter that directly affects a person's right and interest. The judicial character arises from the obligations to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licenses, applications for other permits / licenses.
	<b>Information</b>	Includes items provides to Council for information purposes only that do not require a decision of Council (i.e. – for noting).

#### Summary of Item:

This item relates to an application for a mobile trading licence to trade as Australia Post in the Banksia Drive road reserve just south of Lot 308, (HN 19) Robinson Street, Coral Bay. The applicant has previously operated from this location but is currently only delivering mail after it has been sorted at the Carnarvon Post Office.

The licence application is consistent with the requirements set out in the Local Law, Hawkers, Trader and Stall Holders in particular the requirements at Section 29.3 of the local law and has been assessed based on the requirements of Section 29.4 of the local law. This report recommends that the licence application be approved for a period of 12 months.

#### Background

Multiple mobile trading licences for various periods of time have been approved for this mobile trader in the past, with the latest application being refused by Council. Council has also revoked the Mobile Trading Policy for Coral Bay as it was undermining the Local Planning Scheme No. 13 by allowing the approval of licences on private land without development approval. Subsequently, the applicant lodged an application with the

State Administrative Tribunal for a review of Council’s decision. The applicants lawyer enquired about the potential for negotiations; on that basis officers negotiated the matter with the applicant who has lodged a new compliant application for consideration by Council, pursuant to the Shire of Carnarvon Local Law ‘Hawkers, Traders and Stall Holders’.

The applicant is seeking approval to use the expandable trailer van used for the Australia Post licence at the northern end of Banksia Drive in the road reserve just south of Lot 308, see figures 1 to 4 below. The hours of operation sought are from 1:00pm until 5:00pm Monday to Friday. Mobile trading licences to be issued for a maximum period of 12 months, as per Section 29.6.12 of the Local Law – Hawkets, Traders and Stall Holders.



Figure 1 – Location map

The following photos show the extent of works previously undertaken by the applicant to formalise the location of trade and to have a suitable area for people to park when visiting the post office. The parking area adjacent to the footpath is considered adequate for this application.

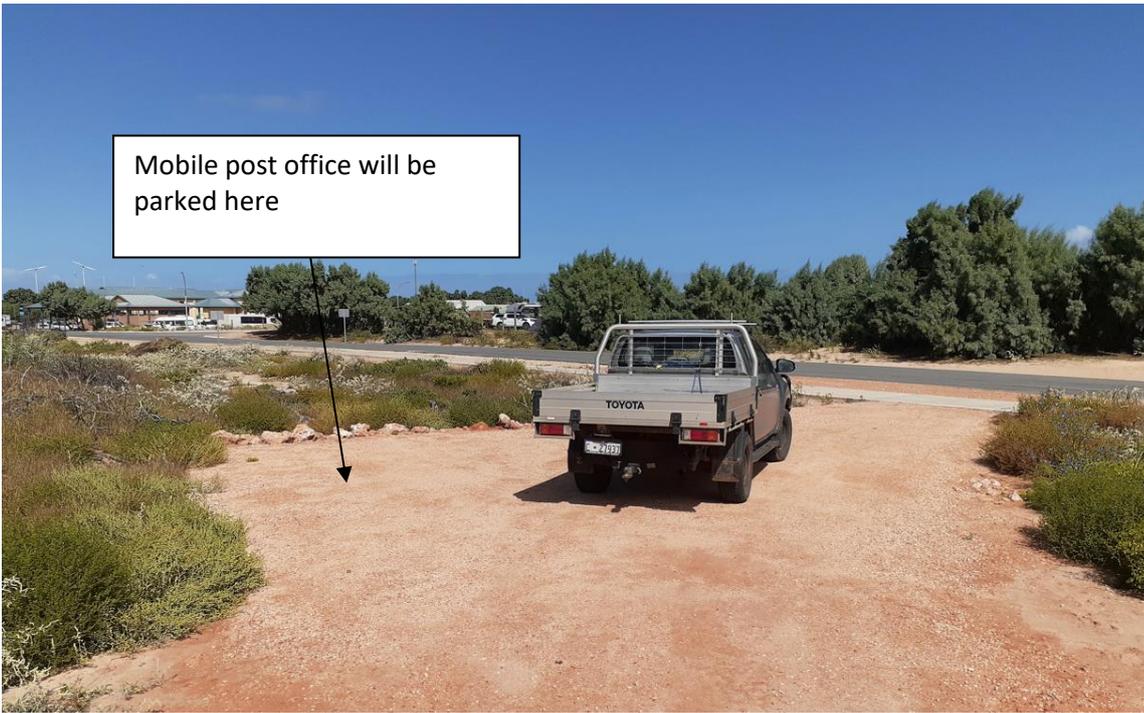


Figure 2 – Location of mobile post office



Figure 3 – Location of customer parking



Figure 4 – Context map

The applicant has indicated the following range of goods and merchandise that are intended to be available:

- *Australia Post products – stamps, envelopes & packaging for National and International purposes*

The Shire of Carnarvon Local Law ‘Hawkers, Traders and Stall Holders’ relates to the temporary occupation of land either on a long term or periodic basis for the purpose of either selling or displaying goods or providing services to customers.

The proposed site is the same site previously occupied by the same mobile trader under the Mobile Trading Licence No. HHT 20/003. There were no issues with regards to the trading activity at this location other than caravanners occupying the site at times, which was an inconvenience to the trader. However, the trader needs to be aware that he does not have exclusive rights to the site, it being a road reserve and that the Shire cannot monitor or manage use of the site by other users.

**Consultation:**

No public consultation is required for mobile trading applications.

**Statutory Environment:**

Planning and Development (Local Planning Schemes) Regulations 2015

Under Schedule 2, Part 7: Clause 61 of the Planning and Development Regulations, development approval is not required for “temporary works” which are in existence for less than 48 hours, or a longer period agreed by the local government in any 12-month period. As all mobile trading equipment (vehicle, trailer and small directional sign) will be removed from the site when not in operation, its existence will be less than 48 hours and therefore, development approval under the Regulations/Act is not required.

### Shire of Carnarvon Local Government Act Local Laws, s. 29 – Hawkers, Traders & Stall Holders

The local law provides guidance on the method and information required for applications, assessment considerations, grounds for refusing, licence renewals, licence conditions, the grounds for revoking licences as well as fee and licence transfer management.

### Matters to be considered as per the Local Law

In considering an application for a licence the Council must have regard to the following:

- Any relevant policy statements;

No policy statements exist for Coral Bay. This application is considered based on the requirements of the Local Law – Hawkers, Traders and Stall Holders. The Shire of Carnarvon Policy on mobile trading is based on the requirements of the Local Law, therefore, similar principals apply. Council will review the Shire of Carnarvon Mobile Trading policy to include Coral Bay.

- The desirability of the proposed activity;

The Shire has received several anecdotal complaints from residents and visitors to Coral Bay about the lack of a postal service outlet in Coral Bay.

- The location of the proposed activity;

The proposed location was previously approved by Council. A hard stand area was previously installed for the mobile trader to use to park the trailer. A search of Council records has not shown any specific issues with regards to traffic and parking associated with trading from this location. However, visitors to the area have been known to be unaware of the sandy area opposite the trading location. The trading location is setback far enough from the roadway to not interfere with road users and there is ample area for customers to park on the road reserve away from road traffic. Furthermore, it is anticipated that there will be a limited customer base as the mobile trader will only attract customers in need of a postal service. This will limit the traffic associated with mobile trading activity in this location.

- The circumstances in the case;

Approval was previously granted for the applicant to operate from this location.

The only reason for refusing a subsequent application was because the Coral Bay Mobile Trading Policy, at the time, only allowed traders on private land. This policy has been revoked.

### Other matters to be considered

- Need for the service

Contributing factors to the increased need for a Community Postal Agent in Coral Bay are:

- Increase in online retail shopping;
- Record parcel volumes brought about by COVID-19;
- Increase in tourism population in Coral Bay;
- Increase in local businesses using Australia Post services to order goods to support the operation of their business;
- Increase in Nomads that use Poste Restante services whilst travelling;
- Increase in Amazon, eBay and Telstra products.
- Australia Post has advised verbally that the current hand delivery model of service is not sustainable and will not be continued.

- Signage

There is an existing directional sign at the corner of Banksia Drive and Robinson Street that will be turned around to point toward the northern end of Banksia Drive to indicate the new location of the mobile post office. (see figure 5) The applicant has indicated a desire for a small direction sign at the location of trade in the Banksia Drive road reserve (see figure 6). Direction signs are exempt from requiring development approval and is considered appropriate in this application. A condition on the licence will be, if Council determines to issue, that no other signage be installed other than direction signs as per the application.



Figure 5 – Existing sign



Figure 6 – Proposed direction sign

**Relevant Plans and Policy:**

Nil.

**Financial Implications:**

There are no identified financial implications.

**Risk Assessment:**

		STEP 3 – Risk Tolerance Chart Used to Determine Risk				
Consequence		Insignificant 1	Minor 2	Major 3	Critical 4	Extreme 5
Likelihood						
Almost certain	A	High	High	Extreme	Extreme	Extreme
Likely	B	Moderate	High	High	Extreme	Extreme
Possible	C	Low	Moderate	High	Extreme	Extreme
Unlikely	D	Low	Low	Moderate	High	Extreme
Rare	E	Low	Low	Moderate	High	High

Risk Category	Description	Rating (Consequence x likelihood)	Mitigating Action/s
Financial	N/A	N/A	N/A
Health & Safety	N/A	N/A	N/A
Reputation	Setting a precedent	Moderate	Decision making that is in accordance with Council’s Local Law.
Service disruption	N/A	N/A	N/A
Compliance	Complying with conditions	Low	Including measurable conditions on the licence that will be monitored
Property	N/A	N/A	N/A
Environment	N/A	N/A	N/A
Fraud	N/A	N/A	N/A

**Community & Strategic Objectives:**

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

**Objective 1: Economic**

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

ITEM	Outcomes and Strategies
1.1	Local business growth

**Objective 2: Natural and built environment.**

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

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

**Objective 5: Civic**

*Strong and listening Council.*

ITEM	Outcomes and Strategies
5.6	The Shire advocates on behalf of its community

5.6.1	The Shire develops partnerships with government and non-government organisations to achieve positive outcomes for the region
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**Comment:**

The licence application complies with the Shire’s Local Law.

The site subject to this licence application complies with the requirements for mobile trading activity under the Local Law.

The following requirements are proposed to be included in the licence if one is to be issued by Council:

- the mobile trader must pack up all equipment and materials and leave the site in a neat state upon the end of its trading period each day;
- Only Australia Post services, sales of exclusive Australia Post postal related merchandise are to be allowed to be offered.

It is recommended that the application be approved.

**OFFICER’S RECOMMENDATION**

*That Council, by Absolute Majority, pursuant to the Shire of Carnarvon Local Government Act Local Laws, s.29 – Hawkers, Traders & Stall Holder resolves that the application from Lisa Michelle Eveson / Mandu Holdings Pty Ltd to hold a 12-month, Traders Licence as an Australia Post agent in Banksia Drive road reserve, CORAL BAY be approved, subject to the following conditions:*

- 1) *This licence is valid for a period of 12 months from the date of approval.*
- 2) *Trading is limited to the period Monday to Friday between the hours of 1:00PM and 5:00PM.*
- 3) *No access to the site by the mobile trading vehicle being permitted over the adjoining footpath.*
- 4) *The adjacent footpath shall be kept clear of migrated gravel at all times to ensure ongoing pedestrian safety.*
- 5) *The licensee must remove his/her vehicle and all of his/her goods, wares, merchandise and signs from the place to which the licence applies and leave that place clean and vacant in all respects whenever not trading at the place.*
- 6) *Only Australia Post services, sales of exclusive Australia Post merchandise are allowed to be offered under this licence.*
- 7) *The licensee must comply with the Shire of Carnarvon Local Government Act Local Laws and all other laws, including traffic, parking and planning laws and laws relating to advertising signs and obstruction of thoroughfares.*
- 8) *External advertising on the trading van is to be limited to products and services provided by the trader.*
- 9) *The licensee must legibly and conspicuously display the licence on the vehicle used for trading.*
- 10) *The licensee must on demand produce this licence to any authorised person of the Shire or any police officer or the person in charge of the place where the licensed activity is carried out.*
- 11) *The licensee must maintain a minimum of \$20 million public liability insurance covering the licensed activity for the full period of the licence.*
- 12) *The licensee must not trade at any given place and time unless it is safe to do so and must consider the safety of other vehicles and pedestrians.*
- 13) *The trading activity must not cause unreasonable nuisance considering the trading environment.*
- 14) *No other signage apart from the direction signage as per Council’s Policy Statement No. 18, Clause 7.4 is permitted. Vehicle(s) must not be used to display any signage.*
- 15) *A bin charge of \$10 per day associated with the adopted fees and charges will be invoiced on a monthly basis.*

**Advice Notes**

- a. *Trading licences are issued subject to the Local Laws of the Shire of Carnarvon and applies only within the Shire of Carnarvon district.*
- b. *Trading licences are not transferable without the written consent of the Council.*

- c. *Trading licensees must comply with all the requirements of s. 29 of the Shire of Carnarvon Local Government Act Local Laws. A copy of this may be obtained from the Council office at 3 Francis St, Carnarvon WA.*
- d. *This licence does not grant exclusive rights to the approved trading area.*

FC 11/8/21

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION PART ONE

Cr Vandeleur/Cr Pinner

*That Council, by Absolute Majority, pursuant to the Shire of Carnarvon Local Government Act Local Laws, s.29 – Hawkers, Traders & Stall Holder resolves that the application from Lisa Michelle Eveson / Mandu Holdings Pty Ltd to hold a 12-month, Traders Licence as an Australia Post agent in Banksia Drive road reserve, CORAL BAY be approved, subject to the following conditions:*

- 1) *This licence is valid for a period of 12 months from the date of approval.*
- 2) *Trading is limited to the period Monday to Friday between the hours of 1:00PM and 5:00PM.*
- 3) *No access to the site by the mobile trading vehicle being permitted over the adjoining footpath.*
- 4) *The adjacent footpath shall be kept clear of migrated gravel at all times to ensure ongoing pedestrian safety.*
- 5) *The licensee must remove his/her vehicle and all of his/her goods, wares, merchandise and signs from the place to which the licence applies and leave that place clean and vacant in all respects whenever not trading at the place.*
- 6) *Only Australia Post services, sales of exclusive Australia Post postal merchandise are allowed to be offered under this licence.*
- 7) *The licensee must comply with the Shire of Carnarvon Local Government Act Local Laws and all other laws, including traffic, parking and planning laws and laws relating to advertising signs and obstruction of thoroughfares.*
- 8) *External advertising on the trading van is to be limited to products and services provided by the trader.*
- 9) *The licensee must legibly and conspicuously display the licence on the vehicle used for trading.*
- 10) *The licensee must on demand produce this licence to any authorised person of the Shire or any police officer or the person in charge of the place where the licensed activity is carried out.*
- 11) *The licensee must maintain a minimum of \$20 million public liability insurance covering the licensed activity for the full period of the licence.*
- 12) *The licensee must not trade at any given place and time unless it is safe to do so and must consider the safety of other vehicles and pedestrians.*
- 13) *The trading activity must not cause unreasonable nuisance considering the trading environment.*
- 14) *No other signage apart from the direction signage as per Council's Policy Statement No. 18, Clause 7.4 is permitted. Vehicle(s) must not be used to display any signage.*
- 15) *A bin charge of \$10 per day associated with the adopted fees and charges will be invoiced on a monthly basis.*
- 16) *If the applicant breaches any conditions of the licence, the licence will be revoked.*

**Advice Notes**

- a. *Trading licences are issued subject to the Local Laws of the Shire of Carnarvon and applies only within the Shire of Carnarvon district.*
- b. *Trading licences are not transferable without the written consent of the Council.*
- c. *Trading licensees must comply with all the requirements of s. 29 of the Shire of Carnarvon Local Government Act Local Laws. A copy of this may be obtained from the Council office at 3 Francis St, Carnarvon WA.*
- d. *This licence does not grant exclusive rights to the approved trading area.*
- e. *Landscaping of any type in the area is not permitted*

The following amendments to the Council Resolution were put forward and were accepted by the Mover and Seconder of the motion –

Conditions of Approval added

- (6) Only Australia Post services, sales of exclusive Australia Post postal merchandise are allowed to be offered under this licence.
- 16) If the applicant breaches any conditions of the licence, the licence will be revoked.

Advice Note added

- a. Landscaping of any type in the area is not permitted

**Motion FC 11/8/21 was put with amendments.**

**CARRIED BY ABSOLUTE MAJORITY**

**F5/A1**

*Cr Fullarton voted against the motion*

1.38pm – Cr Simpson reconnected to the meeting and was advised of Council’s decision.

## **8.4 INFRASTRUCTURE SERVICES**

### **8.4.1 SIR NORMAN BREARLEY COMMEMORATION FLIGHT - LANDING FEE WAIVER REQUEST**

1.39pm – Cr Skender declared an Impartiality Interest in this matter as his partner is the author of the report. Cr Skender was not required to leave the meeting and could participate and vote on the matter.

<b>File No:</b>	<b>ADM0002</b>
<b>Date of Meeting:</b>	<b>24 August 2021</b>
<b>Location/Address:</b>	<b>N/A</b>
<b>Name of Applicant:</b>	<b>Royal Aero Club of Western Australia – Ray Challen President</b>
<b>Name of Owner:</b>	<b>Shire of Carnarvon</b>
<b>Author/s:</b>	<b>Carolien Claassens – Operations Manager Corporate &amp; Community</b>
<b>Declaration of Interest:</b>	<b>N/A</b>
<b>Voting Requirements:</b>	<b>Simple Majority</b>
<b>Previous Report</b>	<b>Nil</b>
<b>Schedules</b>	<b>Schedule 8.4.1(a) formal letter from the Club President requesting a landing fee waiver for participating aircraft. Schedule 8.4.1(b) additional information is regarding the commemoration flight.</b>

#### **Authority / Discretion**

	<b>Advocacy</b>	When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
X	<b>Executive</b>	The substantial direction setting and oversight role of the Council. E.g., adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
	<b>Legislative</b>	Includes adopting local laws, town planning schemes and policies.
	<b>Quasi-Judicial</b>	When Council determines an application / matter that directly affects a person’s right and interest. The judicial character arises

		from the obligations to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licenses, applications for other permits / licenses.
	<b>Information</b>	Includes items provided to Council for information purposes only that do not require a decision of Council (i.e. – for noting).

**Summary of Item:**

The Royal Aero Club of Western Australia (Club) has formally requested a waiver of landing fees at the Carnarvon Airport on 16<sup>th</sup> of September 2021. It is recommended Council does not approve the fee waiver request.

**Background:**

2021 marks the centenary of Australia’s first scheduled air service in Western Australian. The Club is organising a commemoration flight from Geraldton to Derby in September. The flight, along the same route, will include at least 23 currently registered light aircraft. The flight will depart on 16 September from Geraldton reaching Derby on Saturday 18 September. A stop in Carnarvon on 16 September will be included to allow aircraft refuelling.

**Schedule 8.4.1(a)** provides the formal letter from the Club President requesting a landing fee waiver for participating aircraft. **Schedule 8.4.1(b)** provides additional information is regarding the commemoration flight.

**Consultation:**

Nil

**Statutory Environment:**

Section 6.12 and 6.16 of the Local Government Act 1995 applies regarding power to defer, grant discounts, waive or write off debts and imposition of fees and charges .

**Relevant Plans and Policy:**

Nil applicable.

**Financial Implications:**

An estimate of landing fees that would be payable by the Club, is provided in the table below. This calculation is based upon the current listed participants for the event.

<b>BREARLEY COMMEMORATIVE FLIGHT - PARTICIPATING AIRCRAFT AS OF</b>			
<b>No.</b>	<b>Aircraft</b>		<b>Landing Fee</b>
	<b>Type</b>	<b>MTOW (KG)</b>	
1	BE58	2600	\$ 58.37
2	RV14A	930	\$ 23.45
3	Mooney M20R	1528	\$ 23.45
4	PA30	1633	\$ 23.45
5	RV7A	794	\$ 23.45
6	RV6	760	\$ 23.45
7	RV6	760	\$ 23.45
8	M20J	1315	\$ 23.45
9	RV7A	794	\$ 23.45
10	C182	1406	\$ 23.45

11	P68	1990	\$	26.41
12	RV9A	800	\$	23.45
13	C182	1340	\$	23.45
14	Cirrus SR20	1361	\$	23.45
15	C172RG	1202	\$	23.45
16	GA8	1814	\$	24.07
17	C172	1156	\$	23.45
18	C172	1156	\$	23.45
19	GA8	1814	\$	24.07
20	C172	1156	\$	23.45
21	J250	599	\$	23.45
22	Stinson	1814	\$	24.07
23	C340	2717	\$	61.00
<b>Note: \$23.45 is a minimum monthly charge</b>			<b>TOTAL \$</b>	<b>616.64</b>

Risk Assessment:

		STEP 3 – Risk Tolerance Chart Used to Determine Risk				
Consequence		Insignificant 1	Minor 2	Major 3	Critical 4	Extreme 5
Likelihood						
Almost certain A		High	High	Extreme	Extreme	Extreme
Likely B		Moderate	High	High	Extreme	Extreme
Possible C		Low	Moderate	High	Extreme	Extreme
Unlikely D		Low	Low	Moderate	High	Extreme
Rare E		Low	Low	Moderate	High	High

Risk Category	Description	Rating (Consequence x likelihood)	Mitigating Action/s
Financial	Loss of operating revenue for service delivery. Setting a precedent	High	Fees and charges for services applied consistently to all users of the service.
Health & Safety	N/A		
Reputation	Perception of lack of support to support the event.	Moderate	Multiple other organisations have been advised of the intention to apply the adopted fees and charges from 1 July 2021.
Service disruption	N/A		
Compliance	N/A		
Property	N/A		
Environment	N/A		
Fraud	N/A		

Community & Strategic Objectives:

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

## 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
5.4	Sound financial and asset management
5.4.2	The Shire's Long Term Financial Plan shows financial sustainability, with realistic renewals expenditure and a realistic rates profile

### Comment:

Raising awareness of the historical significance of the centenary of Australia's first scheduled air service is the event purpose. There is no apparent intent to raise funds for a charitable or community-based cause. The Club requested a landing fee waiver of as a reduction of the cost of the event to participants.

Whilst the commemoration flight is considered a significant event for Western Australia, the event is considered unlikely to provide a more Carnarvon community benefit. The landing scheduled in Carnarvon is considered a refuel stop only.

It should be noted the Shire has been advised by the Club that other Shires/Airports enroute have indicated a willingness to waive landing fees for the participants.

### OFFICER RECOMMENDATION

*That Council, by Simple Majority, pursuant to Section 6.16 of the Local Government Act 1995, resolves to refuse the Royal Aero Club of Western Australia request for a waiver of Carnarvon Airport landing fees for the Commemorative Flight on 16 September 2021.*

### FORESHADOWED MOTION

*Cr Fullarton*

*That Council, by Simple Majority, pursuant to Section 6.16 of the Local Government Act 1995, resolves to approve the Royal Aero Club of Western Australia request for a waiver of Carnarvon Airport landing fees for the Commemorative Flight on 16 September 2021.*

## **FC 12/8/21**

### COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION PART ONE

*Cr Fullarton/Cr Maslen*

*That Council, by Simple Majority, pursuant to Section 6.16 of the Local Government Act 1995, resolves to refuse the Royal Aero Club of Western Australia request for a waiver of Carnarvon Airport landing fees for the Commemorative Flight on 16 September 2021.*

LOST  
F3/A4

The foreshadowed motion became the substantive motion and was put.

**COUNCIL RESOLUTION**

Cr Fullarton/Cr Vandeleur

*That Council, by Simple Majority, pursuant to Section 6.16 of the Local Government Act 1995, resolves to approve the Royal Aero Club of Western Australia request for a waiver of Carnarvon Airport landing fees for the Commemorative Flight on 16 September 2021.*

**CARRIED**  
**F5/A2**

(Note to Minute – it was agreed that there is potential publicity for Carnarvon in supporting this event.)

#### 8.4.2 CARNARVON AIRPORT – AMMENDMENT TO SCOPE OF WORKS OF EXTERNALLY FUNDED PROJECTS

1.45pm – Cr Vandeleur declared a Financial Interest in this matter as he is a Director of a company that has tendered on the works. Cr Vandeleur therefore left the meeting and did not participate or vote on the matter.

1.45pm – Cr Skender declared an Impartiality Interest in this matter as his partner is the author of this report. Cr Skender was not required to leave the meeting and could participate and vote on the matter.

File No:	ADM1872 / ADM1873 /ADM2001 / ADM2032
Date of Meeting:	24 August 2021
Location/Address:	N/A
Name of Applicant:	Not Applicable
Name of Owner:	Shire of Carnarvon
Author/s:	Carolien Claassens – Operations Manager Corporate & Community
Declaration of Interest:	N/A
Voting Requirements:	Simple Majority
Previous Reports:	Nil
Schedules:	Nil

#### Authority / Discretion

	<b>Advocacy</b>	When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
X	<b>Executive</b>	The substantial direction setting and oversight role of the Council. E.g., adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
	<b>Legislative</b>	Includes adopting local laws, town planning schemes and policies.
	<b>Quasi-Judicial</b>	When Council determines an application / matter that directly affects a person's right and interest. The judicial character arises from the obligations to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licenses, applications for other permits / licenses.
	<b>Information</b>	Includes items provided to Council for information purposes only that do not require a decision of Council (i.e. – for noting).

#### Summary of Item:

This report details procurement efforts undertaken and delays in progressing two Carnarvon Airport projects.

It is recommended Council not accept any quotes and approve a variation to the scope of works for these projects. With both projects co-funded by external parties, formal approval of the amended scope of works from these parties will be required.

#### **Background:**

Two Carnarvon Airport projects are to be completed this financial year. Both projects are co-funded by Department of Transport (DoT), Regional Airport Development Scheme (RADS) and Department of Industry Innovation and Science, Remote Airstrip Upgrade Program (RAUP). Each party, including the Shire, is responsible for one third of the total project cost.

#### **Project 1 – Total project budget \$300,000**

Originated from 2019/20 has already incurred delays due to COVID-19 and the flooding event in February 2021. The project includes the following works:

- Additional Establishment cost (project manager/ testing / tender) (*Special condition RADS funding*)
- Reconstruct Northern Apron and micro-surfacing and minor rut correction of Taxiway Bravo
- Remediation of low insulation resistance of RWY 04/22 lighting circuit
- Line marking

#### **Project 2 - Total project budget \$474,290**

- Airside fencing
- Apron Lighting
- RWY 04/22 RESA, Edge strip and drainage repair
- Boundary fencing

Tender RFT 01/2021 Carnarvon Aerodrome Northern Apron Reconstruction and Taxiway Brave Repairs was conducted for a portion of Project 1. One submission was received. That submission did not conform with multiple tender condition requirements and the tendered price exceeded the available budget.

At its Ordinary March 2021 Meeting, Council resolved to:

- a) not accept any submission for RFT 01/2021 and
- b) seek selective quotations from suitably qualified organisations and to make a recommendation to Council based on assessment of quotations received. (***Refer FC 29/3/21***)

Request for Quote RFQ09/2021 was conducted resulting in two (and one alternative) quotes. During review of the quotes, it was clear quoted prices exceeded the available budget by a significant margin.

Shire officers contacted DoT to discuss a possible amendment to the project scope of works. DoT recommended the Shire review all its currently funded airport works to identify if any of the project works can be withdrawn and those funds repurposed towards the highest priority works. The Shire would be able to utilise future funding opportunities to re-apply and complete any remaining project works.

To identify highest priority works, Shire officers contacted Aerodrome Management Services (AMS). AMS is responsible for annual Technical and Electrical Inspections of Carnarvon Airport. AMS provided the following advice regarding the priority of the works identified in the Tender and RFQ.

- Reconstruction of Northern Apron: The northern apron is rarely in use and risk to airport safety is minimal with slow-moving traffic only. Due to the current poor state of the Northern Apron a reconstruction of the apron will be required regardless. There is no apparent cost saving in replacing the apron now or in a few years' time when further funding is available. Lowest priority assigned.
- Micro-surfacing Taxiway Bravo: The ponding non-compliance of the taxiway creates a larger risk, due to its frequent use and moving airplanes. It was recommended this work have the higher assigned priority.

In review of the AMS advice, a new RFQ14/2021 Carnarvon Airport Aerodrome Taxiway Bravo Repairs was conducted. This RFQ included only the Taxiway works. No quotes were received for RFQ14/2021.

Considering the efforts to engage a contractor to commence the works for the Northern Apron and Taxiway Bravo, the prices received, and the lack of submissions, officers consider the project budget is insufficient to

realistically continue with these works with the current available funding. Officers propose the following elements of works to proceed:

PROJECT 1	COMMENT
Additional Establishment cost (project manager/ testing / tender)	Greenfields Technical Services has been engaged as the Carnarvon & Coral Bay airport works project manager.
Remediation of low insulation resistance of RWY 04/22 lighting circuit	Carnarvon Electrics is currently testing runway lighting insulation. Actual cost will depend on the defects identified and remediation required. May require cable replacements.
PROJECT 2	COMMENT
RWY 04/22 RESA, Edge strip and drainage repair	The Shire has received a quote from Greenfields Technical Services to assist the Shire with survey works, designs drawings, scope of works & Tender submission evaluations.
Apron Lighting	Lighting calculations, specification on recommended lights and a quote has been received. The Shire is currently working with AMS to ensure the proposed lights will meet the new requirements as per the MOS139.
Airside fencing	Replace as much airside fencing as possible. In June 2020, 1,300m of fencing was replaced. A further 3,700M of airside is remaining to be replaced.
Boundary (barrier) Fencing	To fence the larger area around the Carnarvon airport, estimated around 4,000m. These works would only be considered in case funds are remaining after completion of the other items listed above.

The Shire could utilise future funding opportunities to re-apply for funding for replacement of the Northern Apron and micro-surfacing and minor rut correction of Taxiway Bravo. Having a better understanding of the cost involved to complete these works will result in submitting a stronger and more detailed grant application.

#### Consultation:

Consultation has taken place with Nathanael Thomas of AMS and Mark Bartley from DoT. Mr Thomas is a CASA approved Aerodrome Inspector from AMS. Mr Thomas has been involved with the Carnarvon Airport for several years. Mr Thomas conducts annual technical and electrical inspections and advises the Shire on any compliance issues. Mr Thomas was able to provide the Shire with practical and expert advice on how to progress with the airport projects.

Mark Bartley has been involved with the RADS funded projects for the Shire of Carnarvon for several years. Mr Bartley has been informed of the delays to the projects and advised a Council resolution will be required to approve an amendment to the works of the projects.

#### Statutory Environment:

Local Government Act, 1995 - Section 3.57 Tenders for providing goods or services.

#### Relevant Plans and Policy:

Nil applicable.

#### Financial Implications:

Expenditure to date - a total of \$40,000 has been spent on Project 1. This includes –

- Detailed surveys to identify the works required on the Northern Apron and Taxiway Bravo.
- Project management services by Greenfields for the provision of technical specifications and tender submission evaluations.
- Electrical equipment purchased for the runway lighting remediation works.
- Tender advertising costs.

A further \$81,932 is committed to works yet to be completed.

It is hoped the Shire can negotiate with both funding parties to include existing expenditure in relation to the Northern Apron & Taxiway Bravo in the total revised project cost.

Available Budget - Project 1 included an original budget of \$300,000. The remaining available budget for the reconstruction of the Northern Apron and micro-surfacing of Taxiway Bravo is \$178,068

Quotes received for RFQ 09/2021 Carnarvon Aerodrome Northern Apron Reconstruction and Taxiway Bravo Repairs as per Resolution FC 29/3/21 were as follows:

	Quote 1	Quote 2	Alternative Quote
Reconstruction Northern Apron	\$ 457,345	\$610,674	\$ 457,345
micro-surfacing of Taxiway Bravo	\$ 116,000	\$ 44,413	\$ 76,000
<b>Total</b>	<b>\$ 573,345</b>	<b>\$ 655,087</b>	<b>\$ 533,345</b>

The available budget is insufficient to accept any of the quotes.

**Risk Assessment:**

STEP 3 – Risk Tolerance Chart Used to Determine Risk						
Consequence		Insignificant 1	Minor 2	Major 3	Critical 4	Extreme 5
Likelihood						
Almost certain	A	High	High	Extreme	Extreme	Extreme
Likely	B	Moderate	High	High	Extreme	Extreme
Possible	C	Low	Moderate	High	Extreme	Extreme
Unlikely	D	Low	Low	Moderate	High	Extreme
Rare	E	Low	Low	Moderate	High	High
Risk Category	Description	Rating (Consequence x likelihood)		Mitigating Action/s		
Financial	Over expending the project budget.	A3 - Extreme		Amending the scope of works of the Carnarvon Airport Projects 1 and 2 to a level that is financially achievable.		
Health & Safety	N/A					
Reputation	Not being able to complete the project and jeopardise potential future funding	C2 - Moderate		Amending the scope of works to an achievable level and ensure approval with the external funding bodies.		
Service disruption	N/A					
Compliance	N/A					
Property	N/A					
Environment	N/A					
Fraud	N/A					

**Community & Strategic Objectives:**

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

**Goal 1: Economic**

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

ITEM	OUTCOMES AND STRATEGIES
1.3	Transport hubs that support a thriving region
1.3.1	Provide and maintain airports at Carnarvon and Coral Bay
1.3.2	Develop industry and logistics precincts around the airports

**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
5.4	Sound financial and asset management

**Comment:**

DoT has been advised of the delays to the project. A supported recommendation will require formal variation of the funding agreement scope of works with both funding parties.

OFFICER'S RECOMMENDATION PART 1

*That Council, by Simple Majority, in accordance with Section 3.57 of the Local Government Act 1995 and as per of Council Resolution FC 29/3/21, does not accept any quotes received for RFQ 09/2021 Carnarvon Aerodrome Northern Apron Reconstruction and Taxiway Bravo Repairs.*

OFFICER'S RECOMMENDATION PART 2

*That Council, by Simple Majority, in accordance with Section 3.18 of the Local Government Act 1995, authorises to the CEO, to negotiate, finalise, execute and implement an amended project scope as outlined below and funding agreement subject to the Shire total contribution not exceeding existing approved expenditure:*

AMENDED SCOPE OF WORKS
FROM PROJECT 1
<ul style="list-style-type: none"><li>• Additional Establishment cost (project manager/ testing / tender)</li><li>• Remediation of low insulation resistance of RWY 04/22 lighting circuit</li></ul>
FROM PROJECT 2
<ul style="list-style-type: none"><li>• RWY 04/22 RESA, Edge strip and drainage repair</li><li>• Apron Lighting</li><li>• Airside fencing</li><li>• Boundary (barrier) Fencing</li></ul>

**COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION PART ONE**

Cr Fullarton/Cr Pinner

1. That Council, by Simple Majority, in accordance with Section 3.57 of the Local Government Act 1995 and as per of Council Resolution FC 29/3/21, does not accept any quotes received for RFQ 09/2021 Carnarvon Aerodrome Northern Apron Reconstruction and Taxiway Bravo Repairs.
2. That Council, by Simple Majority, in accordance with Section 3.18 of the Local Government Act 1995, authorises to the CEO, to negotiate, finalise, execute and implement an amended project scope as outlined below and funding agreement subject to the Shire total contribution not exceeding existing approved expenditure:

AMENDED SCOPE OF WORKS	
<i>FROM PROJECT 1</i>	
•	<i>Additional Establishment cost (project manager/ testing / tender)</i>
•	<i>Remediation of low insulation resistance of RWY 04/22 lighting circuit</i>
<i>FROM PROJECT 2</i>	
•	<i>RWY 04/22 RESA, Edge strip and drainage repair</i>
•	<i>Apron Lighting</i>
•	<i>Airside fencing</i>
•	<i>Boundary (barrier) Fencing</i>
•	

CARRIED  
F6/A0

1.47pm – Cr Vandeleur returned to the meeting and was advised of Council's decision.

**8.4.3****BAXTER PARK TOILET LRCI PROJECT VARIATION**

File No.	ADM2102
Date of Meeting:	24 August 2021
Location/Address:	Baxter Park, Cleaver St, Carnarvon
Name of Applicant:	Shire of Carnarvon
Name of Owner:	Shire of Carnarvon
Author/s:	David Nielsen – Executive Manager Infrastructure Services
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Schedules:	Schedule 8.4.3 – Site Photos

**Authority / Discretion**

	<b>Advocacy</b>	When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
X	<b>Executive</b>	The substantial direction setting and oversight role of the Council. E.g., adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
	<b>Legislative</b>	Includes adopting local laws, town planning schemes and policies.

	<b>Quasi-Judicial</b>	When Council determines an application / matter that directly affects a person's right and interest. The judicial character arises from the obligations to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licenses, applications for other permits / licenses.
	<b>Information</b>	Includes items provided to Council for information purposes only that do not require a decision of Council (i.e. – for noting).

**Summary of Item:**

This report seeks Council approval to amend the scope of the project to a refurbishment of the existing facility due to available budget limitations.

**Background:**

At its November 2020 Ordinary Meeting, Council resolved to include replacement of Baxter Park toilet with a prefabricated unit as part of the Local Roads and Community Infrastructure (LRCI) funding program as follows:

**FC 20/11/20**

**COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION 1**

*Cr Skender/Cr Vandeleur*

*That Council nominates the following projects for completion under the extension of the LRCI funding program:*

<i>Project No</i>	<i>Item</i>	<i>Est Cost</i>	<i>Complexity</i>	<i>Procurement Requirement</i>	<i>Comments</i>
<i>19</i>	<i>Public Toilet Baxter Park</i>	<i>\$100,000</i>	<i>Moderate</i>	<i>RFQ - some local content possible</i>	<i>Utilise prefabricated unit.</i>

A single pan prefabricated unit would be achievable only if demolition and pad preparation work is completed with internal resources. These resources are limited.

The level of service provided by the existing amenities is as follows:

- Male – 1 x pan + 1 x urinal + hand basin
- Female – 2 x pan + hand basin
- Disabled – 1 x pan + hand basin

Each facility appears to have contained a cold-water shower unit at some point in time. All shower fittings are now removed. There is no plan to reinstate any shower facilities.

**Stakeholder and Public Consultation:**

Nil applicable.

**Statutory Environment:**

Section 3.18 of the Local Government Act 1995 applies regarding performing executive functions.

**Relevant Plans and Policy:**

Policy C002 – Purchasing Policy.

**Financial Implications:**

Quotations received are as follows:

Proposed Facility	Quotation for Full Scope	Not Including Demolition
1 x Pan Unisex Prefabricated Toilet	\$144,441	\$94,516
2 x Pan Unisex Prefabricated Toilets	\$175,961	\$125,083
1 x Male, 1 x Female and 1 x Disabled Prefabricated Toilets	\$214,657	\$160,434

The allocated project budget is \$100,000. This allocation is not sufficient to replace the facility like for like with a prefabricated unit.

The existing building was valued in 2020 with replacement and fair values as follows:

Item	Replacement Value	Fair Value
Structure	105,700.00	21,140.00
Roof Cladding	6,450.00	1,935.00
Mechanical Services	3,900.00	1,560.00
Fitout	15,450.00	6,952.50
<b>Total</b>	<b>131,500.00</b>	<b>31,587.50</b>

**Risk Assessment:**

**STEP 3 – Risk Tolerance Chart Used to Determine Risk**

		Insignificant 1	Minor 2	Major 3	Critical 4	Extreme 5
Likelihood	Almost certain	High	High	Extreme	Extreme	Extreme
	Likely	Moderate	High	High	Extreme	Extreme
Possible	Low	Moderate	High	Extreme	Extreme	
Unlikely	Low	Low	Moderate	High	Extreme	
Rare	Low	Low	Moderate	High	High	

Risk Category	Description	Rating (Consequence x likelihood)	Mitigating Action/s
Financial	Inability to deliver project with available funding.	A3 - Extreme	Rescoping of project to meet available budget.
Health & Safety	N/A		
Reputation	N/A		

Risk Category	Description	Rating (Consequence x likelihood)	Mitigating Action/s
Service disruption	Reduction to level of service if single pan unit installed	A2 - High	Maintain existing service level with refurbished facility.
Compliance	N/A		
Property	N/A		
Environment	N/A		
Fraud	N/A		

**Community & Strategic Objectives:**

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

**Goal 2: Natural and built environment**

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

ITEM	OUTCOMES AND STRATEGIES
2.6	Shire assets and facilities that support services and meet community need

**Comment:**

Baxter Park is the second most utilised public park facility in Carnarvon. Public events are held in the park from time to time. Weekend usage is frequent and regular. It is a popular location for birthday parties and family gatherings. Tourists are known to frequent the park to utilise the BBQ and gazebo facilities. These types of activities and events have been observed to attract up to 30-40 persons at the park at any one time.

The existing toilet facility is a tilt slab type construction. The date of construction is unknown. The structure appears sound with minimal corrosion or concrete degradation. It appears that a new roof was installed within the past 10 years. It was repainted in 2018. The disabled toilet is currently out of service and is not open.

Aesthetically the building is dated in appearance, lacks adequate corrosion protection of roof structural elements, and presents a lower than preferable aesthetic for such a public high use area.

Photographs of the existing facility are provided in **Schedule 8.4.3**.

The facility was a site for drug and other antisocial activity however that activity has lessened since nightly toilet locking was implemented.

Refurbishment generally as follows is proposed:

- Install floor tiling and wall tiling throughout;
- Install ceiling in male and female units;
- Raise all wall heights to meet new ceiling;
- Remove all tilt panel lift points;
- Replace tilt panel corner brackets with stainless steel;
- Tile or render ceiling in disabled unit;
- Replace all existing pans and urinals with 316 stainless public toilet units;
- Replace all internal doors;
- Install door frames and sealed robust doors to male and female units;
- Replace all existing wash basins and basins relocate to shower area;
- Replace all fittings and fixtures;

- Install hand dryer units;
- Install new sensor operated lighting and exhaust fans;
- Remove internal walls in defunct shower areas to create greater space;
- Clad external walls with Modwood (or similar) faux timber panelling;
- Replace/renew corroded purlins and rafters on windward side;
- Replace all corroded roof fastenings;
- Fully enclose and seal the facility in particular to exclude exposed metal elements from exposure.

Based on previous toilet refurbishment works, the available budget should be sufficient for these works. A secondary advantage to refurbishment is that all local trades can be engaged to carry out the works rather than the need to utilise Perth based prefabricated unit manufacturer.

OFFICER'S RECOMMENDATION

*That Council, by Simple Majority, pursuant to s3.18 of the Local Government Act 1995 resolves to amend the scope of the LRCI Baxter Park Toilet Replacement project to be a refurbishment of the existing facility within the available project budget of \$100,000.*

**FC 15/8/21**

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION PART ONE

*Cr Fullarton/Cr Skender*

*That Council, by Simple Majority, pursuant to s3.18 of the Local Government Act 1995 resolves to amend the scope of the LRCI Baxter Park Toilet Replacement project to be a refurbishment of the existing facility within the available project budget of \$100,000.*

LOST

F2/A5

*Cr Fullarton voted against the motion*

**8.4.4 LEASE RENEWAL – BUILDING 133 CARNARVON AIRPORT – LIONS CLUB**

File No.	ADM0242
Date of Meeting:	24 August 2021
Location/Address:	Building 133 at Carnarvon Airport
Name of Applicant:	Lions Club of Carnarvon
Name of Owner:	Shire of Carnarvon
Author/s:	David Nielsen – Executive Manager Infrastructure Services
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Previous Reports:	Nil
Schedules:	Schedule 8.4.4(a) - Lions Club Correspondence Schedule 8.4.4(b) – Building Inspection Report Schedule 8.4.4(c) – Typical Lease Maintenance Provisions

**Authority / Discretion**

	<b>Advocacy</b>	When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
X	<b>Executive</b>	The substantial direction setting and oversight role of the Council. E.g., adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
	<b>Legislative</b>	Includes adopting local laws, town planning schemes and policies.

	<b>Quasi-Judicial</b>	When Council determines an application / matter that directly affects a person's right and interest. The judicial character arises from the obligations to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licenses, applications for other permits / licenses.
	<b>Information</b>	Includes items provided to Council for information purposes only that do not require a decision of Council (i.e. – for noting).

**Summary of Item:**

This report presents results of a building inspection report and maintenance plan for Building 133 at Carnarvon Airport as requested by Council. It recommends Council grants a lease to the Carnarvon Lions Club for this building for a period of five years.

**Background:**

In December 2020, the Lions Club of Carnarvon requested Council to consider the lease of Building 133 at Carnarvon Airport to them for a period of five (5) years. This correspondence is provided in **Schedule 8.4.4(a)**.

At its January 2021 Ordinary Meeting, Council resolved as follows regarding the proposed grant of a lease of the building to the Carnarvon Lions Club.

**FC 7/1/21**

**COUNCIL RESOLUTION**

*Cr Pinner/Cr Nelson*

*That the matter lay on the table pending the CEO providing a building inspection report along with an appropriate maintenance program for Building 133 in line with the proposed 5 year lease for Council consideration.*

**CARRIED**

**F7/A0**

A building inspection and report has been completed and is provided in **Schedule 8.4.4(b)**. The building inspection report included recommended maintenance items for the building.

**Stakeholder and Public Consultation:**

Nil applicable.

**Statutory Environment:**

Section 3.58 of the *Local Government Act 1995* regarding disposition of property applies.

Regulation 30 of the Local Government (Functions and General) Regulations 1996 regarding dispositions exempt from provisions under Section 3.58 applies.

**Relevant Plans and Policy:**

C016 – Lease and Licensing Classification Policy

**Financial Implications:**

The value of recommended maintenance works is estimated as follows:

Item	Estimated Cost	Source	Comment
Base plate repairs.	\$500	Internal Staff	Labour Only. Routine priority.
Bearer and connections cleaned up and sealed or replaced.	\$250	Internal Staff	Labour Only. Routine priority.

Decking and stairs to be maintained to withstand the elements and re-fixed as required.	\$1,000	Internal Staff	Labour only. Replace with Modwood surplus on hand. Routine priority.
Wall cladding to be replaced and sealed from the elements in affected areas.	\$1,500	Internal Staff	Labour only. Replace with Modwood surplus on hand. Routine priority.
Check plumbing and gas systems.	\$250	Contractor	Priority.
Engage electrician to check electrical systems.	NIL	Contractor	Completed in 2021
Install photoluminescent exit sign above exit/s.	\$350	Contractor	Priority.
Carry out maintenance on external cladding of ablution block as required	\$500	Internal Staff	Labour Only. Low priority.
<b>Total</b>	<b>\$4,350</b>		

In accordance with Policy C016 - Lease and Licensing Classification, costs involved with preparation of the lease, utilities and all maintenance are met by the Lessee and a lease payment of \$300 p.a. is applicable.

The relevant proposed 21/22 budget allocation for airport building maintenance is as follows:

Account Enquiry - 1941 - BUILDING MAINTENANCE - AIRPORT BUILDINGS	
Desc	Current Budget
01 EMPLOYEE COSTS	\$10,000
04 MATERIALS, CONTRACTS & OP EXP	\$5,500
12 SERVICES (T P A R)	\$7,500
<b>Total</b>	<b>\$23,000</b>

**Risk Assessment:**

STEP 3 – Risk Tolerance Chart Used to Determine Risk						
Consequence		Insignificant 1	Minor 2	Major 3	Critical 4	Extreme 5
Likelihood						
Almost certain	A	High	High	Extreme	Extreme	Extreme
Likely	B	Moderate	High	High	Extreme	Extreme
Possible	C	Low	Moderate	High	Extreme	Extreme
Unlikely	D	Low	Low	Moderate	High	Extreme
Rare	E	Low	Low	Moderate	High	High
Risk Category	Description	Rating (Consequence x likelihood)		Mitigating Action/s		
Financial	Maintenance works budget impact.	B2 - High		Use of internal resources and material on hand will reduce bottom line budget impact.		
Health & Safety	N/A					

<b>Reputation</b>	Perception of Shire not supportive of Service Group.	C2 - Moderate	Grant lease as recommended.
<b>Service disruption</b>	Further decline of service group community activity.	C2 - Moderate	
<b>Compliance</b>	N/A		
<b>Property</b>	Further decline of asset if not occupied.	B2 - High	Conduct maintenance work and lease to prolong useful life of building.
<b>Environment</b>	N/A		
<b>Fraud</b>	N/A		

**Community & Strategic Objectives:**

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

**Goal 2: Natural and built environment**

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

ITEM	OUTCOMES AND STRATEGIES
2.6	Shire assets and facilities that support services and meet community need

**Goal 3: Social**

*Healthy, safe and resilient community, where everyone belongs*

ITEM	OUTCOMES AND STRATEGIES
3.3	Caring, self-reliant community
3.3.1	Support groups to deliver community-led initiatives and activities through liaison and grants
3.3.2	Facilitate volunteering opportunities within the Shire
3.3.3	Recognition and acknowledgement of community leaders and volunteers

**Comment:**

Standard lease conditions typically nominate the lessee as being responsible for minor internal wear and tear maintenance and the lessor as responsible for structural type maintenance. A copy of typical lease maintenance provisions is provided in **Schedule 8.4.4 (c)**.

The condition assessment report indicates no major structural issues associated with the building. The building interior remains in a fit for purpose state with no significant maintenance requirements.

Remediation work identified consists of predominantly of external corrosion repairs and general dilapidation. These external repairs are the responsibility of the Lessor (Shire). Most repairs can be carried out using internal staff resources using corrosion proof materials to prevent recurrence.

Alternatives to leasing the facility are as follows:

- a) Leave vacant – risks further condition deterioration
- b) demolish – higher cost than recommended maintenance
- c) sell/dispose and remove from site – may be the only viable alternative if a buyer can be found.

On balance, the ongoing support of the Lions Club of Carnarvon is recommended through the granting of a lease and programming of the necessary maintenance.

#### OFFICER'S RECOMMENDATION

*That Council, by Simple Majority, pursuant to Section 3.58 of the Local Government Act 1995 and Shire of Carnarvon Policy C016 - Lease and Licensing Classification resolves to grant a Tier 2 lease to the Lions Club of Carnarvon for the lease of Building 133 Carnarvon Airport under the following terms and conditions:*

- a) Use by the Lions Club of Carnarvon for community related activities;*
- b) Lease period of five (5) years;*
- c) An annual lease payment of \$300 (excluding GST and CPI Indexed);*
- d) Lease to be prepared in accordance with Shire of Carnarvon Standard lease arrangements.*

**FC 16/8/21**

#### COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION PART ONE

*Cr Fullarton/Cr Vandeleur*

*That Council, by Simple Majority, pursuant to Section 3.58 of the Local Government Act 1995 and Shire of Carnarvon Policy C016 - Lease and Licensing Classification resolves to grant a Tier 2 lease to the Lions Club of Carnarvon for the lease of Building 133 Carnarvon Airport under the following terms and conditions:*

- a) Use by the Lions Club of Carnarvon for community related activities;*
- b) Lease period of five (5) years;*
- c) An annual lease payment of \$300 (excluding GST and CPI Indexed);*
- d) Lease to be prepared in accordance with Shire of Carnarvon Standard lease arrangements.*

CARRIED  
F7/AO

## 9.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

### **9.1 ELECTED MEMBER MOTION – GNARALOO COASTAL TRACK**

#### Elected Member Motion:

That Council resolves to:

- a. Commence the process for a temporary closure of the Gnaraloo Coastal track between Gnaraloo Bay and the Southern Warroora Boundary for a period not exceeding 12 months from the date of closure;
- b. Give public notice and notice to other parties as prescribed by the s.3.50 of the Local Government Act 1995 inviting submissions on the proposed closure;
- c. Delegate authority to the Chief Executive Officer to proceed with the closure should no submissions objecting to the closure be received,
- d. Consider submissions at the next possible Ordinary Meeting of Council should submissions objecting to the closure be received,
- e. Develop Terms of Reference for a Gnaraloo Coastal Track Working Group in consultation with Department of Biodiversity, Conservation and Attractions, Nyingglu Coast Joint Management Body, and Department of Fire and Emergency Services in developing the Terms of Reference; and
- f. Consider the Terms of Reference at the Ordinary Meeting of Council in September 2021.

#### **Background:**

The Gnaraloo Coastal Track had been closed for many years due to the negative impact upon Pastoral operations; the two properties impacted are effectively very popular tourist attractions with a significant increase in visitation due to the impact of Covid upon tourism travel being restricted to our state.

Council chose to continue the closure of the track for one-year (see OCM 24 March 2020) at the request of DBCA. Due to objections received, Council reconsidered its position (OCM 25 May 2020) and supported the reopening of the track as of 1 December 2020 for the purpose of an adventure track only, Council re-affirmed this position at the OCM 24 November 2020.

During this time considerable concern was raised and continues to be by DBCA (Department of Biodiversity, Conservation and Attractions), NCJMB (Nyingglu Coast Joint Management Body) NCWHC (Ningaloo Coast World Heritage Committee) DFES (Department of Fire and Emergency Services) and the Baiyungu group, over the negative impact of the increased visitation on the unique attractions of the area.

Currently there is insufficient resources and funding for those responsible to provide an acceptable level of management and safety over the area.

**Consultation has been undertaken with:**

CEO  
 DBCA  
 NCJMB  
 NCWHAC

**Financial Implications:**

The cost for road closure is non-material (advertising, locks) and can be accommodated within the current budget allocation.

**Risk Assessment:**

<b>Reputation</b>	Loss of faith in the Shire.	High	The Shire works collaboratively with the NCJMB to develop trust and understanding with the acknowledgement of differences and the need for compromise.
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**FC 17/8/21**

**COUNCIL RESOLUTION & ELECTED MEMBER MOTION**

*Cr Smith/Cr Skender*

***That Council resolves to:***

- a. Commence the process for a temporary closure of the Gnaraloo Coastal track between Gnaraloo Bay and the Southern Warroora Boundary for a period not exceeding 12 months from the date of closure;*
- b. Give public notice and notice to other parties as prescribed by the s.3.50 of the Local Government Act 1995 inviting submissions on the proposed closure;*
- c. Delegate authority to the Chief Executive Officer to proceed with the closure should no submissions objecting to the closure be received;*
- d. Consider submissions at the next possible Ordinary Meeting of Council should submissions objecting to the closure be received;*
- e. Develop Terms of Reference for a Gnaraloo Coastal Track Working Group in consultation with Department of Biodiversity, Conservation and Attractions, Nyingglu Coast Joint Management Body, and Department of Fire and Emergency Services in developing the Terms of Reference; and*
- f. Consider the Terms of Reference at the Ordinary Meeting of Council in September 2021.*

FC 18/8/21

COUNCIL RESOLUTION

Cr Vandeleur/Cr Fullarton

*That Standing Orders Section 13 be suspended at 2.04pm to enable further discussion in regard to the possible closure of the road.*

CARRIED  
F7/A0

FC 19/8/21

COUNCIL RESOLUTION

Cr Vandeleur/Cr Fullarton

*That Standing Orders Section 13 be resumed at 2.13pm.*

CARRIED  
F7/A0

*Motion FC 17/8/21 was put.*

LOST  
F3/A4

*Cr Fullarton voted against the motion*

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

**10.1 ELECTED MEMBER MOTION –REVIEW OF RESEARCH INTO A FUTURE AIRPORT SITE**

Elected Member Motion:

*That Council resolves to direct the Chief Executive Officer to conduct a review on the research and other work carried out by the Shire on the Northern Airport site (i.e. South East quadrant of the North Common); and present a report on this review to Council at the Ordinary Meeting of Council in November 2021.*

**Background:**

In February 2013 Council resolved, in part, to “Identify an alternate airport site or sites for designation in the Shire draft Local Planning Strategy for the long-term aviation need (up to 50 years) subject to further investigation. This investigation is to be triggered by substantiated economic growth indicators; a sound business case and available capital/funding to building a new airport’.

It is timely to trigger these investigations given the significant interest in Carnarvon and the Gascoyne Region from the energy and resources sector and prospective investment in these industries in the foreseeable future. The review of previous research will provide context for Council to consider potential options for progress.

Support for this Elected Member motion will demonstrate the commitment of Council towards the national and global transition away from polluting fossil fuelled energy sources. It will also clearly demonstrate to potential investors that this Council welcomes investment and progress to establish Carnarvon as an important regional centre.

**Consultation has been undertaken with:**

Shire President  
CEO

COUNCIL RESOLUTION & ELECTED MEMBER MOTION

Cr Fullarton/Cr Vandeleur

*That Council resolves to direct the Chief Executive Officer to conduct a review on the research and other work carried out by the Shire on the Northern Airport site (i.e. South East quadrant of the North Common); and present a report on this review to Council at the Ordinary Meeting of Council in November 2021.*

CARRIED  
F6/A1

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11.0 DATE OF NEXT MEETING

11.1 The next meeting will be held on Tuesday 28 September 2021

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

Nil

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13.0 CLOSURE:

The Presiding Member declared the meeting closed at 2.27pm