

SHIRE OF CARNARVON

AGENDA

COUNCIL MEETING
Tuesday 25th August 2020

Council Chambers, Stuart Street
CARNARVON, West Australia Phone: (08)
9941 0000
Fax: ((08) 9941 1099
Website – www.carnarvon.wa.gov.au

NOTICE OF MEETING

Notice is hereby given

Shire of Carnarvon Ordinary Council Meeting

will be held
on Tuesday 25th August 2020
in Council Chambers, Stuart Street Carnarvon
commencing at 1.00pm



David Burton
CHIEF EXECUTIVE OFFICER

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.

AGENDA

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 RESPONSES TO QUESTIONS TAKEN ON NOTICE

2.2 PUBLIC QUESTION TIME

3.0 DECLARATIONS OF INTEREST

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

4.0 QUESTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN

5.0 CONFIRMATION OF MINUTES

6.0 PRESENTATIONS, PETITIONS AND MEMORIALS

6.1 Mr Michael Plumb – Clontarf Academy

7.0 ANNOUNCEMENTS BY THE PRESIDENT WITHOUT DISCUSSION

8.0 DEPARTMENTAL REPORTS

8.1 GOVERNANCE

8.1.1	Actions Performed Under Delegated Authority	5
8.1.2	Proposed Process for Amendments to Blowholes Reserves Mgt Plan 2014-2026.....	21
8.1.3	Blowholes Committee Schedule.....	26
8.1.4	Blowholes Management Arrangements.....	28
8.1.5	Blowholes Reserve – Caretaker Role	30
8.1.6	Coral Bay Toilet & Fish Table	32

8.2 CORPORATE SERVICES

8.2.1	Accounts for Payment – 31 July 2020	36
8.2.2	Management Report – 31 July 2020	38
8.2.3	Investments as at 31 July 2020	40
8.2.4	Lease – Carnarvon Airport – Global Navigation System	42

8.3 DEVELOPMENT SERVICES

8.3.1	Over-height Front Fence – Lot 988 Nelson Street, Brockman.....	47
8.3.2	Holiday Accommodation Lot 10 Robinson Street, Coral Bay.....	50
8.3.3	Outbuilding Extension – Lot 540 Shallcross Street.....	57
8.3.4	Transportable Accommodation Unit – Lot 37 North River Road.....	60
8.3.5	Mobile Trading Licence – Banksia Drive, Coral Bay.....	63

8.4 INFRASTRUCTURE SERVICES

8.4.1	Fees & Charges – Tyre Disposal.....	66
8.4.2	OTC Dish Structural Inspection Report.....	69
8.4.3	Blowholes Road Fencing and Grids	72
8.4.4	Local Roads & Community Infrastructure Program Project Nominations	76
8.4.5	Building Better Regions Fund – Execution of Grant Funding Agreement.....	82

8.5 COMMUNITY SERVICES

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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 22nd September 2020 commencing at 1.00pm.

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

13.0 CLOSURE

Date of Meeting:	25 th August 2020
Location/Address:	3 Francis Street, Carnarvon
Name of Applicant:	Shire of Carnarvon
Name of Owner:	Shire of Carnarvon
Author/s:	David Burton, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority

Summary of Item:

To report back to Council actions performed under delegated authority for the months of July/August 2020.

Description of Proposal:

Refer above.

Background:

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

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

Consultation:

Nil

Statutory Environment:

Local Government Act 1995 - Section 9.49A

Planning & Development Act 2005 – Part 10 Div. 2

TPS No. 10 – Section 2.4

Shire of Carnarvon Local Government Act Local Laws S.29

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

Health (Public Buildings) Regulations 1992

Relevant Plans and Policy:

Nil

Financial Implications:

There are no financial implications.

Risk Assessment:

Reporting requirement only.

Community & Strategic Objectives:

Goal 5: Civic

Strong and listening Council.

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

Comment:

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

ENVIRONMENTAL HEALTH

Food

Food Act 2008

Date of decision	Decision Ref.	Decision details	Applicant	Other affected person(s)
6/8/20	HFO20/006	Temporary food business registration – for Canapes on the Gascoyne event 2020	Taste Budd Pty Ltd	Gascoyne Food Council Inc

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)
3 August 2020	OCOR2022110	Approval to install onsite wastewater system - 64 Cornish St, East Carnarvon WA	Michael Beck	Samuel Peter Beck
30 July 2020	ICOR2037968	Approval to install onsite wastewater system - 20 William St, East Carnarvon WA	Lisa Lawer	Warren Schmidt - Plumber

LAND USE AND DEVELOPMENT

PLANNING AND DEVELOPMENT ACT 2005 - PART 10: DIVISION 2					
Applications to subdivide, re-subdivide, or amalgamate land parcels					
File Ref:	WAPC Ref:	Subject Land	Purpose	Applicant/Proponent	Advice Sent
ADM1801	158851	Lot 928 Robinson St, Carnarvon.	Clearance of Subdivision condition.	Shire of Carnarvon	24.07.20

BUILDING SERVICES

Application No.	Owners Name	Lot & Street	Type of Building Work
B20/072	KHB MARINE PTY LTD & GUYBON ANDREW HOWES	LOT 511 (52) ROBINSON ST CARNARVON	REPLACE CURRENT STEPS TO BUILDING
B20/115	DEPARTMENT OF BIODIVERSITY & CONSERVATION &	LOT 525 SANCTUARY DRIVE CORAL BAY	RELOCATION OF OFFICE / ABLUTION BLOCK TO NEW SITE

Application No.	Owners Name	Lot & Street	Type of Building Work
	ATTRACTIONS		
B20/116	DEPARTMENT OF BIODIVERSITY & CONSERVATION & ATTRACTIONS	LOT 525 SANCTUARY DRIVE CORAL BAY	NEW TRANSPORTABLE OFFICE
B20/117	DEPARTMENT FOR HOUSING	LOT 1 (114) CARNARVON RD SOUTH CARNARVON	COLORBOND FRONT FENCE
B20/120	CAMS ABORIGINAL CORPORATE	LOT 56 (22) EGAN ST CARNARVON	EXTENSION OF EXISTING OFFICES
B20/121	GEOFFREY ALLEN RODIER	LOT 158 (34) FRANCIS ST CARNARVON	DEMOLITION OF ASBESTOS CLAD HOUSE
B20/123	THE OWNERS OF 120 ROBINSON STREET	UNITS 17, 18, 19, 20 (120) ROBINSON ST, CARNARVON	RE-ROOF AND STRUCTURAL TIE-DOWNS

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

MINUTE REF	DETAIL	RESPONSIBLE OFFICER	STATUS	ANTICIPATED COMPLETION DATE
27/11/15	Proposed Engagement – Work for the Dole Program	David Burton	Officers are meeting with ABC Group on a regular basis to identify and progress specific projects. Draft MOU related to the Arboretum has been referred to ABC and the Carnarvon Tree Society for agreement prior to submitting to the Council.	Further discussions with the Tree Society indicate that they wish the original MOU for the Arboretum to remain unaltered. The relationship with the ABC Foundation in this regard is being discussed. We will be trying to progress this in July/August. Program now with Real Futures. We have had our first meeting and it was discussed to get the arboretum up and running as a joint venture before looking at a formal MOU
SCM 1/8/16	Gascoyne Memorial	Paul Lees	Relates to existing access arrangements over Shire land at the southern end of	The Department of

	Foundation – Access Arrangements for ILUs		the site. While it was recognised in the original Development Approval that the access to the new units needed to transverse Shire land, the matter was never formalised due to consideration of other related matters at the time. Council has advised that it would like the matter to be formalised through the formation of an access easement in favour of GMF. These actions require a “subdivision application” to be prepared and lodged with the Department of Planning, Lands and Heritage.	Communities has agreed to proceed with the preparation of a Deposited Plan to be lodged with the DPLH to formalise the access arrangement. Shire officers have consulted with the Carnarvon Community and Senior Citizens Club about the changes. The Department has forwarded the draft “Rights of Access” arrangements to the Shire for their consideration.
20/8/16	Public Open Space Strategy	Paul Lees	The draft Public Open Space Strategy was completed by the Shire’s consultant; however, the document requires further Carnarvon-specific actions to make the document meaningful to the local setting. A project plan for the completion of the strategy has been developed and further work has recommenced on the project. The completion of the draft strategy will include further consultation.	The project is progressing however the project brief has been expanded to include a “needs based analysis of the Shire’s open space infrastructure” to assist the EMIS to assess potential cost savings relating to open space infrastructure provision. The formal consultation

				phase is currently underway. Project completion date is end of October 2020.
16/9/16	The Shire's Local Laws are overdue for review and do not reflect the current WA State standard for local law format.	Paul Lees	Officers have engaged a WA local law specialist to review the Shire's local laws and commence drafting of new laws consistent with the State template.	The review and redrafting of the Shire's local laws is underway. The review is expected to be finalised by the end of 2020.
23/12/16	Notice of Removal of Houses – Lot 259, 1060 NRR	Paul Lees Dane Wallace	All three (3) buildings on site are of sub-standard construction and need to be removed. Shire officers have obtained quotes for the removal of the buildings and the full clean-up of the property. The owner has indicated a willingness to consent to the works being done and the costs charged to the land. Shire officers are seeking legal advice on the financial implications of undertaking the clean up on behalf of the owner and subsequent debt recovery.	The matter will be brought to Council when the required advice has been obtained.
9/9/17	Revocation of Motion – Carnarvon Heritage Old Tramway Lease	Sj Nixon	The Heritage Group has provided a Project Brief of the Revitalisation of the One Mile Jetty to the Carnarvon Town Tramway. The brief provided requires more work to support an application for a new lease. In 2017, the Carnarvon Heritage Group requested the possibility of reinstating the Lease for the Old Tramway located on Babbage Island. The lease expired on 30 June 2016 and Council resolved not to renew the lease until a Business plan was provided.	Timing is in the hands of the Heritage Committee. On 19/02/2020 a letter was written to follow up on this to the group chair. Follow up email sent on 9 th July 2020 No response received from the heritage committee
16/9/17	Local Planning Scheme No.13	Paul Lees	Submissions received, modifications prepared and supported by Council, with all documentation sent to the Department of Planning, Lands and Heritage who is reviewing the documentation, and forwarded the document to the WAPC State Planning Committee, who have subsequently forwarded to the Minister for Planning for endorsement.	The timing for endorsement is with the Minister's office.

24/11/17	Bayview Coral Bay – Local Development Plan	Paul Lees	The applicant has requested that the draft Local Development Plan that has been publicly advertised be put on hold while other strategic matters relating to Coral Bay are finalised being the completion of LPS No. 13.	As above, the final decision on LPS13 rests with the Minister.
10/1/18	Proposed Transfer of Management Order – CWA Lot 353	Paul Lees	The Department of Planning, Lands and Heritage have been advised of Council's view (may be prepared to accept the land and buildings as freehold) and further discussions are proceeding.	The matter rests with the Department of Planning, Lands and Heritage.
8/2/18	Closure of PAW – Lot 302 Wheelock Way	Paul Lees	<p>Council has resolved that the Shire proceed with the process for the closure of the pedestrian accessway as outlined in the WAPC's guideline, and the proposed infrastructure associated with the closure is included in the 2018/19 budget. The report has been finalised and sent to the WAPC for their consideration. The Shire has been advised that Department staff are currently assessing the matter.</p> <p>An alternative acquisition approach has been presented to the Shire by DPLH officers that involves the PAW land area being vested to the Shire of Carnarvon – this would result in the Shire taking over the formal management of the closed PAW area. Due to the ongoing delays with the Department the CEO has requested that an item be prepared for the May 2020 Council meeting outlining this option for Council's consideration, however the Department has recently advised that they have made contact with the adjacent owner who has confirmed that they still wish to proceed with the purchase as proposed.</p>	The Department has recently formally written to the adjacent landowner giving them 30 days to accept an offer for purchase. Shire officers are waiting for advice on this matter.
20/6/18	Lotteries House – Boundary Realignment	Paul Lees	On 26 June 2018 Council resolved to approve the Lotteries House boundary realignment, and to waive the fees relating to the subdivision application (re-alignment of the boundary to accommodate the extension to Lotteries House, and the amalgamation of Lots 111, 189 and 190). The subdivision application has been approved by WAPC and the Shire has lodged the Deposited Plan with the WAPC, who need to review, accept and issue titles.	The DPLH has requested that the current Deposited Plan be updated to match the details of the current application. Shire officers have engaged the original surveyor to revise and lodge the deposited plan –

				timeframes are with the consultant and Landgate, who have advised the Shire that the documents are “in order for dealings”. Shire officers are preparing the Certificate of Title application.
13-14/8/18	St John Ambulance – Land Exchange	Paul Lees	Shire officers have lodged the subdivision application for the Robinson Street parcel as per Council’s resolution with the WAPC, who have now provided the Shire with the approval of the subdivision with conditions.	Shire officers have received confirmation on the revised conditions of subdivision and are in the process of engaging a surveyor for the preparation of the Deposited Plan and clearance of conditions. The Deposited Plan has been forwarded to the Department who will review and refer to Landgate.
28/5/19	Cancellation of Dog Registration under Section 16(3)(A) of the Dog Act 1976	Paul Lees	The matter of the welfare and management of dogs associated with 95 Boor Street have been ongoing, with a number of infringements issued for non-compliance with the Dog Act 1976 over the last two years, and substantial Shire resources allocated to the matter. As an only option going forward the Council has directed the Shire’s authorised officer to cancel the registration of all dogs registered to the said owner. The Notice of Cancellation has been served to the registered owner, who has appealed the matter to the State Administration Tribunal. The registered owner has withdrawn the appeal to SAT in the hope of a	The property owner has appealed Council’s decision to the SAT; two directions hearing have been held. Documents (Issues, Facts and

			negotiated outcome. The alternative motion to Council was unsuccessful and the cancellation of the dog registrations stands.	Contentions) have been provided to SAT with the final hearing likely to occur before the end of Dec 2020.
12/8/19	Café – Carnarvon Airport	Sj Nixon	The applicant has been advised about the approval of the change of business entity running the café and the approval of a portion of the structural maintenance. The applicant has requested to wait with advertising of the lease until further notice. Confirmed with owners on 9 th July 2020, they wish to continue to hold off on advertising pending success of grant applications made by lessee's.	Timing is in the hand of the applicant. No changes to this matter.
15/8/19	Main Street Pathway and Parking Rearrangement	David Nielsen	On hold. Garden maintenance and tree planting works is continuing.	On hold
17/8/19	Draft Authorised Inquiry Report – DLGSC	David Burton	Response sent – waiting on final report.	Training being organised to start shortly. Allowance for training to go to September due to COVID19 Training has been arranged.
11/9/19 18/11/19	Notice of Motion – Removal of Blowholes Shacks Assessed as n Dangerous Condition	David Burton Paul Lees	Approved by Council in September 2019 however Council has passed a new motion in 2019 to: revoke Motion FC11/9/19 – Removal of Blowholes Shacks assessed as being in a dangerous condition; the establishment of a committee to address the current condition of shacks and to resolve a development plan acceptable to all parties and stakeholders; that Council request the CEO to investigate the outcomes of the Blowholes workshop which requested clarification on State Planning Policy 2.6 (Coastal Planning); and Council instruct the CEO to re-issue leases to the registered shack owners commencing 1 July 2020 at the rate of \$1,000 per annum.	The committee is required to report back to Council within 8 months of the date of the resolution. Meetings as required by Council have commenced. Items for Blowholes development to go

				to Tender early March with return to Council for April/May 2020. Working with Committee to go ahead with program. Tender for works issued Thursday 21 May 2020 Way forward has been agreed with changes to Management Plan.
8/12/19	Permanent Road Closure – Lot 12 NWCH	John Meggitt	The application was supported at the December 2019 Council meeting and the Shire has advised the Minister accordingly.	Timeframes for completion of the road closure rests with the Department.
15/12/19	Fascine Wall Structural Analysis	David Nielsen	Wall thickness testing report completed. Pile integrity testing cannot be completed – technique is not viable, and alternate is well beyond available budget Tie rod exposure planned for September. Fencing works to be sent for design and construct quotations.	December 2020
21/12/19	Review of D001 Mobile Traders Policy	Paul Lees John Meggitt	Resolution FC 21/12/19 resolved to review and update the current Mobile Traders Policy with reference to similar Shires. Development Services provided two draft Mobile Traders policies to Council at the June 2020 meeting for their consideration.	Council approved the policy for Carnarvon without change and approved the Coral Bay policy with the removal of the DoT boat parking area as an approved trading location.
4/1/20	Renewal of Lease – Lions Club	Sj Nixon	Lease compiled in house, executed by both parties	COMPLETED

10/1/20	Lot 300 Olivia Tce – Progress Report	David Burton	Resolved that State Government to demolish buildings and remediate the site with possible purchase by Shire in the future.	Letter to be sent for resolution. Waiting for response. Advised by State that they are procuring a demolition. Advice received recently is that the Tender is nearing being awarded.
8/2/20	Response to Differential Rate Query with Department Local Government	Maurice Werder Kim Chau	Motion Lapsed. Received directions in a letter from the Minister of Local Government. Application DR 72 of 2020 lodged with State Administrative Tribunal 16 April 2020, Application fee paid. SAT to quash rates at next directional hearing. Attendance at SAT on the 29 th May to request the rates be quashed which they were. Adjustments will be calculated and the previous budget to be re adopted. August 2020 – A report was provided to the July Council meeting. The RID was adjusted and the amended budgets adopted by Council.	COMPLETED
16/2/20	Australia Post – Mobile Trading Licence	John Meggitt	Council at the 25 February 2020 meeting resolved (i) “That Council resolve to work with the applicant Lisa Eveson, the local community and stakeholders, to find a suitable, safe vehicular friendly, compliant mobile trading site to operate the Australia Post service from. With special consideration given to operating at the Shire road reserve to the south of Baiyungu Aboriginal Corporation Village (BACV) workers accommodation Lot 308 and to the north of Lot 307 Coral Bay”; and (ii) “CEO be directed to establish the hard stand area south of the BACV for the use by mobile traders as a matter of priority to be completed on or before end of March 2020”.	The CEO has approved a mobile trader’s licence (under delegation) for the Australia Post contractor for a period of 6 months within the road reserve of Banksia Drive (north-eastern location) south of the BACV. The all-weather area has been established for trading.

17/2/20	Review of Shire Tourism Strategy & Action Plan	Paul Lees	Council at the 25 February 2020 meeting agreed to “the release of the RFQ Brief Shire of Carnarvon Tourism Strategy and Action Plan and to the engagement of a suitably qualified expert to undertake the review of the August 2012 Addendum & Action Plan, noting that the RV Friendly Plan will be developed after the completion of the tourism strategy.	Shire officers will bring the matter back to Council after considering the emerging matters and actions relating to the Covid-19 crisis/ border closures.
22/2/20	Road Asset Information – Budget Variation	David Nielsen	All data has been entered into RAMM, assurance checks complete, report has been drafted. High-level analysis of unsealed road condition ongoing and expected to be complete by end August 2020. All works complete early September 2020	September 2020
27/2/20	Street Art – Request for Signage	Jennifer Mackellin	Meeting held with Sabrina Dowling Giudici Quotes for small plaques still to be obtained. Discussion held with Ingarrda 13/03/2020, who supported progress on this matter and gave feedback. 20/03/2020 – Email sent by Paquita Boston to Council. Due to the timing, COVID-19 activities and response on behalf of the Shire have taken a priority. 18/05/2020 – No further updates 15/06/2020 – Working with tourism on signage. July 2020 – No further updates August 2020 – Due to other priorities this has not progressed	September 2020
17/3/20	Carnarvon Speedway Remediation Works - Lot 1297 Speedway Road	Paul Lees	A Development Application for remedial works was lodged by the Carnarvon Speedway Association. The application proposes to remediate the site by removing loose building material, scrap metal and car bodies, and consolidating/covering the exposed bank. The application was referred to the March 2020 Council meeting – Council resolved “That the matter lay on the table and be referred to the April 2020 Ordinary Meeting of Council.” Council requested that further consideration be given in regard to costs. Further clarification on resources associated with the proposed remedial works and associated costs was prepared for Councillors to consider at the April 2020 Council meeting, in which Council determined the application.	The Notice of Determination has been forwarded to the Speedway Association – the conditional approval requires the remedial works to be completed by November 2020.
8/4/20	RSL Building Purchase	David Burton		Documents signed and returned to DFES Item to Council

				this month for transfer to RSL Currently waiting for DFES to sign sale agreements.
FC 17/4/20 SFC	Intention to Impose Differential Rates for 2020/21	Jennifer MacKellin As of July 2020	Advertisement in Midwest time and on websites. Comment period closing on 26 th May 2020. Upon review of comments the application will be sent to the department for Ministerial approval. Application sent for Ministerial Approval on Thursday 11 th June 2020 July 2020 – Awaiting Ministerial Approval. 7 August 2020 – Approval Received	COMPLETED
SCM 4/4/20	Fascine Opening Options	David Nielsen	DOT Dredge onsite. Spoil site on beach north of Pelican Point being utilised. Monitoring being conducted. Ministerial announcement for \$7M funding announced.	September 2020
SCM2 – 2/5/20	Tender 03/2020 – Design & Construct Tourism Development Blowholes	David Nielsen Carolien Claassens	Site visit with contractor completed. Traditional owners engaged to determine cultural story to be told as part of interpretative signage.	December 2020
8/5/20	Transfer of RSL Building	David Burton		Seeking Market Value for advertising transfer to RSL. Item to Council this July. Waiting transfer from DFES to complete.
11/5/20	Tender – RFT 07/2/20 – Carnarvon Airport	David Nielsen Carolien Claassens	Department of Transport – RADS has been requested for a variation & extension of the funding agreement for the amended works plan. A conditional approval has been received. A final approval from Treasury is required for the carry forward of the funding (from 2019/20 into 2020/21)	September 2020
14/5/20	Coral Bay Airstrip	David Nielsen	Site visit and survey completed by Greenfields for 24 July. Potential material stockpile sites identified.	December 2020
20/5/20	Growers Market Relocation	John Meggitt	The proposal to relocate the Growers Markets to the Robinson Street road reserve was considered by Council at the May 2020 Ordinary meeting.	Council endorsed the potential relocation and

				provided the CEO with authority to issue licences should they wish to relocate.
21/5/20	Home Business – 12 McNish Street	John Meggitt	The Development Application for the operation of a home business in a sea container was referred to the May 2020 Council meeting. Council approved the application with a requirement for the structure to be modified to the satisfaction of the CEO.	The Notice of Determination has been forwarded to the applicant.
22/5/20	Horse Stables – 36 Holden Street	John Meggitt	The Development Application for retrospective approval of stables and the keeping of five (5) horses was referred to the May 2020 Council meeting. Council upheld the officers report and refused the application.	The Notice of Determination has been forwarded to the applicant who has complied with the refusal and removed the horses from the property.
23/5/20	Community Stewardship Grant Application	John Meggitt	Council support was requested for officers to pursue grant funding through a Community Stewardship Grant application for an environmental clean-up including weed and pest management. Council endorsed the proposal. Further investigation revealed that the grant was specifically for weed pest management only, which did not meet the objective for overall environmental clean-up.	Shire officers have been advised that a grant will shortly be available from the Waste Management Authority for environmental clean-up (removal of waste material from reserves including the Gascoyne River reserve) and Shire officers will apply for this funding.
37/5/20	34 Francis Street - Removal Notice	Dane Wallace	The Notice for Removal has been sent to the property owner and a demolition permit has been issued.	July 2020
4/6/20	Blowholes Reserve Management Plan -	David Burton		Staff to arrange meeting with DPLH

	Amendments			
5/6/20	Council Property Considered for Disposal	David Burton		Have begun discussions with Department of Transport. Letter to Transport for Airport and information to DG Transport for Fascine.
16/6/20	Retrospective Approval for Antenna – Lot 397 Cornish Street	John Meggitt	Council at the Ordinary Meeting of June 2020 approved the retrospective Development Application for the radio antenna.	The applicant has been advised of the approval.
20/6/20	Lot 308 Robinson Street Coral Bay – Pavement Investigation	David Nielsen	Contractor has advised Department of Communities repair cost of approx. \$98,000. Understood that Dept are seeking alternative quotes.	September 2020
27/6/20	Organisational Structure	David Burton		In progress
10/7/20	CSRFF – Carnarvon Golf Club	Carolien Claassens	The Club and Department of Local Government has been advised regarding the Council resolution supporting the Golf Club's grant application.	COMPLETED
13/7/20	Workers Accommodation Lot 308 Banksia Drive	John Meggitt	The Development Application requesting approval for five (5) "workers accommodation" dwellings on Lot 308 Coral Bay was approved by Council on 28 July 2020.	The applicant has been advised of the approval.
16/7/20	Front Fence 12 Wheelock Way	John Meggitt	The Development Application requesting approval for a 1.8m high front fence to (NH) 12 Wheelock Way was approved by Council on 28 July 2020.	The applicant has been advised of the approval.
16/7/20	Front Fence 37 Dempster Road	John Meggitt	The Development Application requesting approval for a 1.8m high front fence to (HN) 37 Dempster Road was approved by Council on 28 July 2020.	The applicant has been advised of the approval.
18/7/20	Carnarvon Tennis Club Building Works	David Nielsen	Quotations being prepared for finalisation of work program to be submitted to LRCI program.	December 2020

19/7/20	Private Works – DPAW	David Nielsen	DPAW advised. Works to commence September by local contractor.	October 2020
23/7/20	Pro Rata Fees – Sporting Clubs	Jennifer MacKellin		COMPLETED
25/7/20	Imposition of Entry Fees – Coral Bay	SJ Nixon		COMPLETED

OFFICER'S RECOMMENDATION

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

Date:	25 th August 2020
Location/Address:	R37457 MacLeod WA 6701
Name of Applicant	Shire of Carnarvon/Blowholes Working Committee
Name of Owner:	State of WA vested to the Shire of Carnarvon
Author/s:	Paul Lees, Executive Manager Development Services
Declaration of Interest	N/A
Voting Requirements	Simple Majority
Council Reports:	3 February 2016, 24 September 2019, 26 November 2019, 23 June 2020

Summary of Item:

This matter was discussed at the Blowholes Working Committee on Thursday 13th August 2020 wherein the Committee resolved –

BWCM 2/8/20

COMMITTEE RESOLUTION

Cr Nelson/W Schmidt

That Council and the CEO agree to the above course of action and proceed accordingly.

CARRIED

F5/AO

This document proposes a way forward with the WA State Government for an amendment to the *Blowholes Reserves Management Plan 2014 – 2036* (Management Plan) as approved by the Minister for Lands, to develop a management plan/ masterplan more consistent with the outcomes of the *Blowholes Masterplan 2008*.

Description:Blowholes Masterplan – 17 November 2008

The 2008 Masterplan represents a pragmatic and environmentally responsible approach to the rationalisation and reorganisation of the existing Blowholes shack environment. The Masterplan reorganises the overall scattered shack area into a homogenous whole and introduces caravan sites and camping areas south of the chalet area, with an additional caravan overnight area north of the designated chalet area.

The Masterplan also introduces a new sealed access road along the foot of the rear dune system, thereby maximising the developable area and creating a buffer between the development areas and the natural protected areas. The Masterplan also shows evidence of detailed analysis relating to coastal inundation, with the chalet redevelopment area located beyond the “65m setback line”.

A comparison of the *Blowholes Master Plan 2008* and the *Blowholes Reserves Management Plan 2014 – 2036* development outcomes is provided below. An aerial view of the precinct is also provided for information.



Blowholes Reserves Management Plan 2014 – 2036



Precinct Layout



Detailed Precinct concept plan

Issues:

As noted above the *Blowholes Reserves Management Plan 2014 – 2036* has been formally approved by the Minister for Lands and therefore for all intents and purposes it is the document that must currently be considered as strategic guidance for development at the Blowholes Precinct.

However, as outlined in the report to Council of 23 June 2020, and so eloquently by the late Dr Linley Lutton in his paper “Blowholes Masterplan Implementation (August 2013)”, the Master Plan layout makes good sense when considered in terms of good site planning (including user needs), and sound environmental outcomes including the preservation of an intact significant dune system having high cultural/spiritual importance to the local aboriginal people.

It is considered that the following matters need to be discussed in some detail with officers of the Department of Planning, Lands and Heritage (the Department) with the proposed outcomes:

- Agree on the set of values that must be contained in any development outcome.
- Identify those natural elements of the precinct that must be protected (this can be by agreement at the broader level and should include a joint site visit as part of the investigation – preferably with relevant Minister).
- Agree on the application of State Planning Policy 2.6 (SPP 2.6) to the project i.e. in the context of the above, is the Department still of the view that a Schedule One assessment to determine the appropriate allowances for erosion and inundation on the coast is still required?
- Identify whether the previously proposed studies are still required considering the above agreed outcomes.
- Agree on an overall concept for the area informed by the above work.
- Test the concept by undertaking studies as required – including but not limited to cost benefit analysis, coastal inundations studies, ecological studies, archaeological studies, and landscape studies. Note: it should be noted that during the process of jointly understanding the site and agreeing on the range of values, some of the studies outlined above may no longer be required as some areas previously proposed

to be developed studies will be quarantined for reasons of protection.

Recommended Program:

1. Undertake initial meeting with Department officers to discuss revised project parameters and agree on non-negotiable values going forward (i.e. minimise further environmental disturbance and protect anecdotally known cultural areas).
2. Organise and undertake joint site visit including relevant Ministers (this is considered to be an important project milestone and should occur prior to commencement of summer to best understand species diversity across the dune system).
3. Undertake a further meeting to define matters for further investigation and obtain views of Department officers regarding required further studies (this may include the sharing of further information).
4. Define further studies/investigations/remedial works and identify funding.
5. Undertake further studies if required, and any urgent remediation works identified.
6. Develop a new/revised masterplan in context of the above outcomes including community consultation – the new Masterplan should propose a staged development approach to allow for programming of works across several financial years.
7. Obtain Council/ State/ Ministerial approval for the above.
8. Identify funding sources for staged precinct development.
9. Undertake development in a well-managed staged approach.

Program Timeframes:

1. Initial meeting with Department (by end of August 2020)
2. Joint site visit (by end of October 2020)
3. Undertake further joint meeting (by end of November 2020)
4. Define further studies (by end of December 2020)
5. Undertake further studies if required (by end of April 2021)
6. Develop revised Masterplan (by end of June 2021 if studies required; by end of April 2021 if not)
7. Obtain relevant approvals (by end of August 2021 if required; by end of June 2021 if not)
8. Funding identification should be ongoing
9. Development could commence in July or September 2021 depending on need for further studies.

OFFICER'S RECOMMENDATION

That Council and the Chief Executive Officer agree to the above course of action and proceed accordingly.

Date of Meeting:	25 TH August 2020
Location/Address:	Blowholes
Name of Applicant:	Blowholes Committee
Name of Owner:	Shire of Carnarvon
Author/s:	David Burton
Declaration of Interest:	N/A
Voting Requirements:	Simple or Absolute Majority

Summary of Item:

To extend the time for reporting on the completion of the Blowholes Shack Planning and outcomes for shacks going forward.

Description of Proposal:

In November 2019, Council considered the revocation of a previous motion to Council for the consideration of the demolition of the shacks at the Blowholes. As part of the resolution, the following was required:

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

As 8 months has transpired from the original motion, this report has been prepared for Council.

Background:

The Working Group starting operating from February 2020 after the Christmas / Holiday period to ensure that the group could work together without interruption.

Unfortunately, due to COVID19, the Shire of Carnarvon staff were required to prioritize other matters of importance for the town which has delayed the progress of the Committee.

The Committee has since resumed operating and discussions and is currently working together to forward the project.

Consultation:

Blowholes Working Committee
Shire Staff

Statutory Environment:

Local Government Act 1995
Land Act

Relevant Plans and Policy:

Blowholes Master Plan
Blowholes Reserve Management Plan

Financial Implications:

This Committee and its continued work will be minimal cost for the Shire, however works for the Blowholes will need to be considered on an 'at the time' basis as items arise.

Risk Assessment:

The Committee and its functions represent a reputational risk for the Shire as it is trying to resolve an issue that has been ongoing for years. Failure to find a resolution may result in reputational damage.

Community & Strategic Objectives:

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

ITEM	OUTCOMES AND STRATEGIES
2.1	Valued natural environment, for use and enjoyment by current and future generations
2.8	Preservation of local heritage buildings and places of interest

Comment:

As part of the Committee working, it has been considered that the more preferable way forward with the shacks and the development of the Blowholes would be to consider the original works of the Management Plan developed in 2008, rather than the follow up Management Plan. As this was a consideration adopted by the Shire and representatives from the Blowholes Progress Association as a way forward, it could loosely be considered that the group has “*resolved a development plan acceptable to all parties and stakeholders with the Committee*”

Further action is now required for the Committee to work together and forward this plan into action on the ground. It is suggested that as this will require negotiations with the State Government and a change to the report presented to Parliament. While the actual work for the Shire and the BPA may only take about 12 months, it may be prudent not to limit this action to a date as the final result will require approval from State government and this is outside the control of the Committee and the Shire of Carnarvon.

BWCM 3/8/20

COMMITTEE RESOLUTION

Cr Nelson/W Schmidt

That the Committee acknowledge the agreement of a way forward for the development of the blowholes and continue to work together to follow this project to conclusion.

CARRIED

F5/0

OFFICER'S RECOMMENDATION

That the Council acknowledge the agreement of a way forward for the development of the blowholes and continue to work together to follow this project to conclusion.

Date of Meeting:	25 th August 2020
Location/Address:	Blowholes Reserve
Name of Applicant:	Shire of Carnarvon
Name of Owner:	Shire of Carnarvon
Author/s:	David Burton – Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority

Summary of Item:

To consider using the Blowholes Progress Association as an Incorporated Body to assist in the management of the Blowholes Reserve rather than dealing with individual shack owners.

Description of Proposal:

In previous years, any developments, actions or notifications for the Blowholes Reserve have been done through the direct communication to the individual shack owners.

As the Blowholes Progress Association is in the process of establishing an Incorporated Body, it may be preferential to use the group as a conduit for communications rather than using individuals.

Background:

As noted previously, all communications for the Blowholes has been to individual shack owners. This has the added issue of making sure that ownership is up to date and is also a cumbersome manner for communications as we are not always aware of people have received

Consultation:

Department of Planning Lands and Heritage
Blowholes Progress Association

Statutory Environment:

At this time, there are no known restrictions for this action in relation to the Local Government Act 1995.

Relevant Plans and Policy:

Blowholes Management Plan 2014

Financial Implications:

Financial impacts are likely to be minimal, but it would be less costly to have contact with a single group than a group of individuals.

Risk Assessment:

No Risks Identified.

Community & Strategic Objectives:

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

Comment:

The change from discussions with individual shack owners to discussion with an incorporate body would alleviate some of the issues with communications with shack owners and allow a much simpler method of communication. The method of membership to the Incorporated Body would be the responsibility of the group.

The only concern that would be relevant for the Shire is to ensure that all the Shack owners are happy to deal through the body corporate rather than having individual contact with the Shire. We can establish this with a simple communication and response from the shack owners. Once we have written approval for communications to go through the grouping, it can be noted and actioned.

It is hoped that most (if not all) of the communications will done through the group making it much easier for the Shire.

At the current time, the group is in the process of becoming an Incorporated Body, so this can only take place once that process has been formalized.

OFFICER'S RECOMMENDATION

That once the Blowholes Progress Association Body Corporate has been established that the Chief Executive Officer:

- 1. Write to all shack owners seeking approval to communicate through the Body Corporate;*
- 2. Note any owners that do not wish to be represented by the Body Corporate;*
- 3. Seek approval from the Department of Lands for leases and other items be done through the body corporate;
and*
- 4. Formalize processes with an MOU with the Body Corporate for the Blowholes.*

Date of Meeting:	25 th August 2020
Location/Address:	Blowholes Reserve
Name of Applicant:	Shire of Carnarvon
Name of Owner:	Shire of Carnarvon
Author/s:	David Burton – Chief Executive Officer
Declaration of Interest	Nil
Voting Requirements:	Simple Majority

Summary of Item:

To consider the Caretaker Role for the Blowholes Reserve

Description of Proposal:

The Blowholes Reserve has had several people involved as an Honorary Caretaker for the facility which has worked in the past. In recent times as a result of COVID19, the cleaning requirements for the Reserve has increased and it is likely that visitor numbers will increase as well. As such, a longer term solution to the Caretaker Role is required.

Background:

Over the years, the Blowholes Reserve under the management of the Shire of Carnarvon has been very fortunate in being able to secure the voluntary service of an Honorary Caretaker at the blowholes to assist with the collection of funds, cleaning of toilets and ensuring general order in the reserve area.

As a result of COVID19, the requirements and expectations for cleaning of the facilities has significantly increased to ensure that the facilities are not a source of spreading a virus or flu. This has required the toilets to be cleaned at least two times a day. Given the distance to the Blowholes, it is preferential for this to be done by someone in close proximity.

With travel allowed around the state, we have also seen an increase in the number of visitors to the area, but also people wanting to look for open areas that are away from the general populace of a townsite. This will put significant pressure on the services of the Blowholes Reserve. It is also likely that a guaranteed presence at the site would be a preference.

Consultation:

Brett Kilgallin

Statutory Environment:

Nil

Relevant Plans and Policy:

Blowholes Management Plans

Financial Implications:

Financial Implications will depend on outcomes of item.

Risk Assessment:

In considering the caretaker of the blowholes, it should be noted that the person will be dealing with the general public. Care needs to be given to ensure that the right impression is given.

Community & Strategic Objectives:

Goal 2: Natural and built environment

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

ITEM	OUTCOMES AND STRATEGIES
2.1	Valued natural environment, for use and enjoyment by current and future generations
2.6	Shire assets and facilities that support services and meet community need

Comment:

Recently the Caretaker for the Blowholes has changed, with Brett Kilgallin assisting the Shire and providing a service in ensuring order and keeping the facilities clean for the public. Brett recently met with the author to indicate that the number of visitors at the site is steadily growing. While Brett has been of great assistance to the Shire during this time, it was recognized that we need to look at a longer term solution, rather than the reliance on a single individual.

The main concern with having an individual as the caretaker is that if they leave, there is not one to look at the facilities. This does start to become an onerous task as it does limit the persons time away from the area, or leaves the area without a caretaker.

Previously, for the cleaning of the facilities, the Shire did look at approaching the stations, however this would have involved a cost. Also given that the station stays are also experiencing a great increase in the number of people attending, this once again, may have been problematic to maintain.

As a further consideration, it may be possible for the Shire to draft a Memorandum of Understanding (MOU) with the Blowholes Progress Association (BPA) to take on the caretaker role for the Shire. That way the role can be shared amongst the members of the BPA or person/s appointed by them. As the members for the BPA are more likely to be in attendance at the Blowholes, it would be easier for the cleaning and the general control for the Reserve to be adequately cared for.

If an agreement cannot be reached, it may require Shire staff to attend the Reserve up to twice a day to ensure that facilities are cleaned. This would put great strain on the resources of the Shire.

OFFICER'S RECOMMENDATION

That the Chief Executive Officer liaise with the Blowholes Progress Association to draft a Memorandum of Understanding for the Caretaker Role at the Blowholes Reserve if accepted.

Date of Meeting:	25 th August 2020
Location/Address:	Shire of Carnarvon
Name of Applicant:	Shire of Carnarvon
Name of Owner:	Shire of Carnarvon
Author/s:	David Burton – Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority

Summary of Item:

For Council to consider if ongoing support for the public toilets and fish cleaning area in Coral Bay should remain part of the Shire of Carnarvon responsibilities.

Description of Proposal:

An initial assessment of aging Shire infrastructure has identified assets that are a financial burden through ongoing operating or maintenance costs and depreciation.

These assets may also attract little to no income but do provide a service to the areas. Such items create a burden on the financial sustainability of the Shire and it may be more practical to dispose of these items where possible rather than continue the loss of funds, unless it is an activity that is considered a “must provide” service for the greater benefit of the community.

Depreciation costs also require the Shire to spend additional funding in asset renewal to ensure that our financial ratios are kept within acceptable limits.

The Coral Bay Fish Cleaning table and toilets have been identified as items for consideration for several reasons including the cost of maintaining these services. The toilets are the only public toilets in Coral Bay, so the service should be maintained, but the fish cleaning table is becoming an issue due to its inappropriate location and cost.

Background:

As part of the financial planning for the Shire, several discussions have centered around longer term strategic financial planning.

This included actions allowing the Shire to stabilise its financial position and have a more sustainable financial plan with funding held in reserve to allow for capital renewal and a planned rather than reactive Shire expenditure.

The Coral Bay fish cleaning facility and toilets are located on Department of Biosecurity, Conservation and Attractions (DBCA) land. The origin of these facilities is unknown. Throughout the years, the facilities have become the Shires responsibility to maintain and service.

While the Toilets are a public convenience and can be reasonably considered a local government responsibility, the fish cleaning facility is questionable as to who should be responsible for maintaining the facility and disposing of the offal it generates. The facility is used by both commercial fishing charter operators and the public.

Consultation:

Staff

Executive Leadership Team

Council Members (general discussions)

Statutory Environment:

Local Government Act 1995 – Section 3.58 Disposal of Property.

Relevant Plans and Policy:

Nil.

Financial Implications:

The Coral Bay toilets are in a generally run-down state. If the Shire is to maintain the toilets to an acceptable level, substantial works will be required to bring the toilets up to standard. If the works are not completed, then the toilets will continue to deteriorate, and costs will escalate, eventually leading to full replacement.

The 20/21 budgeted maintenance cost for cleaning of the public toilets is approximately \$42,000 which includes additional cleaning associated with COVID 19 sanitising.

The fish cleaning facility is in reasonable functional condition but has a high operational cost associated with cleaning and disinfection, offal collection and disposal and bin cleaning and disinfection.

Approximately \$86,000 has been allocated in the draft 20/21 budget to maintain the fish cleaning facility. Of that, approximately \$75,000 is associated with the waste removal and disposal function which is recovered through the Coral Bay Special area rate.

Risk Assessment:

The Coral Bay toilet and fish cleaning facility represent several risks for Council to consider. There is a financial risk maintaining the service over the longer term as usage increases, the facility deteriorates and costs escalate. There are also reputation risks for the Shire if these services and facilities it is not provided for Coral Bay or are not provided to a standard satisfying reasonable visitor expectations.

Toilets

The toilets represent a reputation risk as they are the only public conveniences in the main Coral Bay settlement area (other toilets are at the boat ramp). As such, the infrastructure is important for visitors to Coral Bay. Failure to maintain the services and facilities to an acceptable level will create a reputational risk for the Shire of Carnarvon.

Fish Cleaning Facility

The fish cleaning facility also represents a potential reputational risk as it can be viewed as an attraction when the people are cleaning their fish. This is evidenced by substantial crowds that gather during these times.

These crowds and congestion then leads to public safety risk for people moving and gathering in an area that is also utilised by vehicles.

The fish cleaning table is also a financial risk due to the cost of keeping it cleaned to ensure the smell is not offensive. During busier times, this area must be cleaned at least twice a day.

The facility may also be considered a potential public health risk. A residual smell will always be present at the site and fish cleaning can occur at any time day or night attracting flies and vermin.

Community & Strategic Objectives:

Goal 2: Natural and built environment

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

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

Goal 5: Civic

Strong and listening Council.

ITEM	OUTCOMES AND STRATEGIES
5.2	The Shire has a high standard of governance and accountability
5.2.1	Robust decision-making by culturally aware, well-informed and supported Councillors
5.2.2	Highly capable executive leadership and management
5.2.3	Risks are well managed
5.2.4	The Shire will apply sustainability principles in its own operations
5.4	Sound financial and asset management
5.4.1	The Shire has an Asset Management Plan in place for each asset class
5.4.2	The Shire's Long Term Financial Plan shows financial sustainability, with realistic renewals expenditure and a realistic rates profile

Comment:

Toilets/Changerooms.

The toilets are the only public conveniences in Coral Bay not contained within a commercial facility. This makes the toilets essential as a service for the public.

The facility is owned and maintained by the Shire of Carnarvon. It is not however located on Shire controlled land. The land is controlled by the Department of Biodiversity Conservation and Attractions (DBCA). There does not appear to be any agreement or lease in effect providing security of tenure to the Shire for the facility.

The facility is generally run down and in need of refurbishment if it is to be in keeping with the level of service generally accepted for a tourist destination. Funding will be required for refurbishment or replacement of the facility. The facility is located adjacent to the DBCA visitor information facility and potential may exist for the shared responsibility to develop a facility more fitting and in keeping with visitor expectations.

Fish Cleaning Facility

The Fish cleaning facility has over time become a tourist attraction with crowds forming when fish are being filleted. This creates safety issues associated with vehicles towing boats driving in areas congested with pedestrians. The increased risk of an accident is a genuine safety concern and is a red flag to the suitability of this facility at this location.

The fish facility requires cleaning and waste removal and disposal. Cleaning and waste disposal occurs at least twice per day during peak visitor periods and costs in the order of \$86,000 per year. The waste removal portion of this cost (approx.

While the event may be an attraction, its location in the main townsite area and high operating cost is an issue the Shire must address to enable a suitable long term solution.

It has been discussed about the possibility of the caravan parks and other facilities having a fish cleaning area, but this is unlikely. The better position for such a facility would be at the Department of Transport boat ramps, however water is not available at that site and the DOT are generally opposed to fish cleaning facilities at boat ramps due to the same issues facing the Shire. Anecdotal evidence suggests that prior to the fish cleaning facility being in place, the irresponsible disposal of offal created a significant odour problem for the community.

Given the issues in town and safety concerns, the boat ramp option would be the best possible outcome, but the Shire may have to assist with the provision of water to the facility for Department of Transport to be in favour of the project.

OFFICER'S RECOMMENDATION

That the Chief Executive Officer initiate discussions with Department of Transport, Department of Biosecurity, Conservation and Attractions and Gascoyne Development Commission for options for:

- 1. Improved Coral Bay public toilet facilities consistent with visitor expectations and*
- 2. Relocation (or other solution) of the fish cleaning facility from its unsuitable existing location.*

File No:	ADM0186
Date of Meeting:	25 August 2020
Location/Address:	Shire of Carnarvon
Name of Applicant:	Shire of Carnarvon
Name of Owner:	Shire of Carnarvon
Author/s:	Dallas Wood Harris – Relieving Creditors Officer
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority

Summary of Item:

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

Description of Proposal:

N/A

Background:

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

Consultation:

Nil

Statutory Environment:

Local Government Act 1995 – Section 5.42

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

Relevant Plans and Policy:

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

Financial Implications:

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

Community & Strategic Objectives:

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

Comment:

Accounts paid to 31 July 2020 are listed in *Schedules 8.2.1.(a) and 8.2.1.(b)*.

OFFICER'S RECOMMENDATION

That Council

- a) Receive the list of payments, as per Schedule 8.2.1 (a) totalling \$1,368,227.30 as presented for the month of July 2020 incorporating.*

<i>Payment Reference from:</i>	<i>Payment Reference to:</i>	<i>Payment Type</i>	<i>Payment Amount</i>
<i>DD37986</i>	<i>DD38010</i>	<i>Bank Direct</i>	<i>\$63,937.10</i>
<i>47179</i>	<i>47182</i>	<i>Muni Cheques</i>	<i>\$19,764.68</i>
<i>7517</i>	<i>7517</i>	<i>Trust Cheques</i>	<i>\$1,005.02</i>
<i>EFT30931</i>	<i>EFT31096</i>	<i>Muni EFT</i>	<i>\$1,275,429.39</i>
<i>EFT31031</i>	<i>EFT31037</i>	<i>Trust EFT</i>	<i>\$8,091.11</i>

- b) Receive the list of credit card payments, as per Schedule 8.2.1 (b), totalling \$3,119.20 as presented.*
- c) Note Sundry Creditors as at 30 June 2020 \$195,268.70*

File No:	ADM0186
Date of Meeting:	25 August 2020
Location/Address:	Shire of Carnarvon
Name of Applicant:	Shire of Carnarvon
Name of Owner:	Shire of Carnarvon
Author/s:	Kim Chua Manager Finance
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority

Summary of Item:

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

Description of Proposal:

N/A

Background:

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

Consultation:

Nil

Statutory Environment:

Local Government (Financial Management) Regulation 34.

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

(1A) In this regulation —

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

- (1) A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail —
 - (a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c); and
 - (b) budget estimates to the end of the month to which the statement relates; and
 - (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates; and
 - (d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and
 - (e) the net current assets at the end of the month to which the statement relates.
- (2) Each statement of financial activity is to be accompanied by documents containing —
 - (a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets; and
 - (b) an explanation of each of the material variances referred to in sub regulation (1)(d); and
 - (c) such other supporting information as is considered relevant by the local government.

- (3) The information in a statement of financial activity may be shown —
 - (a) according to nature and type classification; or
 - (b) by program; or
 - (c) by business unit.
- (4) A statement of financial activity, and the accompanying documents referred to in sub regulation (2), are to be —
 - (a) presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and
 - (b) recorded in the minutes of the meeting at which it is presented.
- (5) Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.

Relevant Plans and Policy:

Corporate Business Plan 2018 - 2022

Financial Implications:

Nil.

Risk Assessment:

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

Community & Strategic Objectives:

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

Comment:

Attached as **Schedule 8.2.2** for consideration is the completed Statement of Financial Activity for the period ended 31 July 2020.

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

OFFICER'S RECOMMENDATION

That Council, in accordance with Regulation 34 of the Local Government (Financial Management) Regulations 1996, receive the Statement of Financial Activity for the period ended 31 July 2020 as per Schedule 8.2.2.

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

Summary of Item:

To report the Council details of surplus funds invested to 31 July 2020.

Description of Proposal:

N/A

Background:

Nil.

Consultation:

Takes place with Financial institutions prior to renewal of investments.

Statutory Environment:

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

Relevant Plans and Policy:

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

Financial Implications:

Nil.

Risk Assessment:

No risk identified.

Community & Strategic Objectives:

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

Comment:

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

OFFICER'S RECOMMENDATION

That Council receive the investments report, as at 31 July 2020 as per Schedule 8.2.3.

File No:	ADM0166
Date of Meeting:	25 th August 2020
Location/Address:	Carnarvon Airport
Name of Applicant:	Geoscience Australia
Name of Owner:	Shire of Carnarvon
Author/s:	Sj Nixon- Manager of Governance
Declaration of Interest:	None
Voting Requirements:	Simple Majority
Previous Reports:	N/A

Summary of Item:

This report details a request from Geoscience Australia (Lessee) seeking the council's approval to lease a site located 220m east of the centre line of runway 04/22. This site is within Carnarvon Airport boundaries and around this site there are structures leased to Optus mobile towers, meteorology station and other nondirectional beacons. The officer recommendation is to support this request.

Description of Proposal:

That Council approve a formal lease with Geoscience Australia for the purpose of installing Global Navigation Satellite System Ground Station under the Shire of Carnarvon Policy C016 'Lease and Licensing Classification' as a Classification Tier one "Not for Profit Community Group" with a peppercorn lease of \$10 yearly.

Background:

Geoscience Australia is the Australian Government organisation that applies Earth science and technology to benefit all Australians. Through the establishment of new Global Navigation Satellite System (GNSS) ground stations around the country, Geoscience Australia is building a better positioning capability for all Australians.

Under the Positioning Australia Program, Geoscience Australia is establishing a coordinated national network that provides instant, accurate and reliable positioning data to all Australians.

Data from GNSS ground stations throughout the country will provide Australians with positioning information improved from the current 5-10m accuracy to 3-5cm, within areas of mobile coverage and 10cm everywhere else on land and sea. In order to achieve this Geoscience Australia will upgrade 130 existing GNSS ground stations and establish approximately 70 new sites across Australia. This will improve the reliability and density of the network, enabling positioning data from GPS and other global networks of satellites to be collected, verified, and corrected at over 200 ground stations.

A GNSS ground station occupies a footprint of land, approximately 40 x 40m (1,600m²) and consists of:

- a 1.5m high concrete pillar keyed into bedrock, upon which a GNSS antenna is mounted. The antenna only receives data it does not transmit
- 2m x 3m (approximate) concrete slab to mount the cabinets and equipment on
- up to 2 field cabinets to house the equipment and electronics such as batteries, recorders, networking and communications devices
- a GNSS antenna and receiver which together receive, process and store signals from satellites (e.g. the US GPS satellite systems) to calculate position coordinates

- trenching for underground cabling to connect the various components of the site
- solar panels to provide power and VSAT dish for communications
- a pole up to 3m tall for mounting telecommunications, meteorological sensors and/or lightning protection
- fencing to keep the equipment safe

For reference purpose, the proposed lease is located at lot 559, Carnarvon road, as shown in **figure 1**

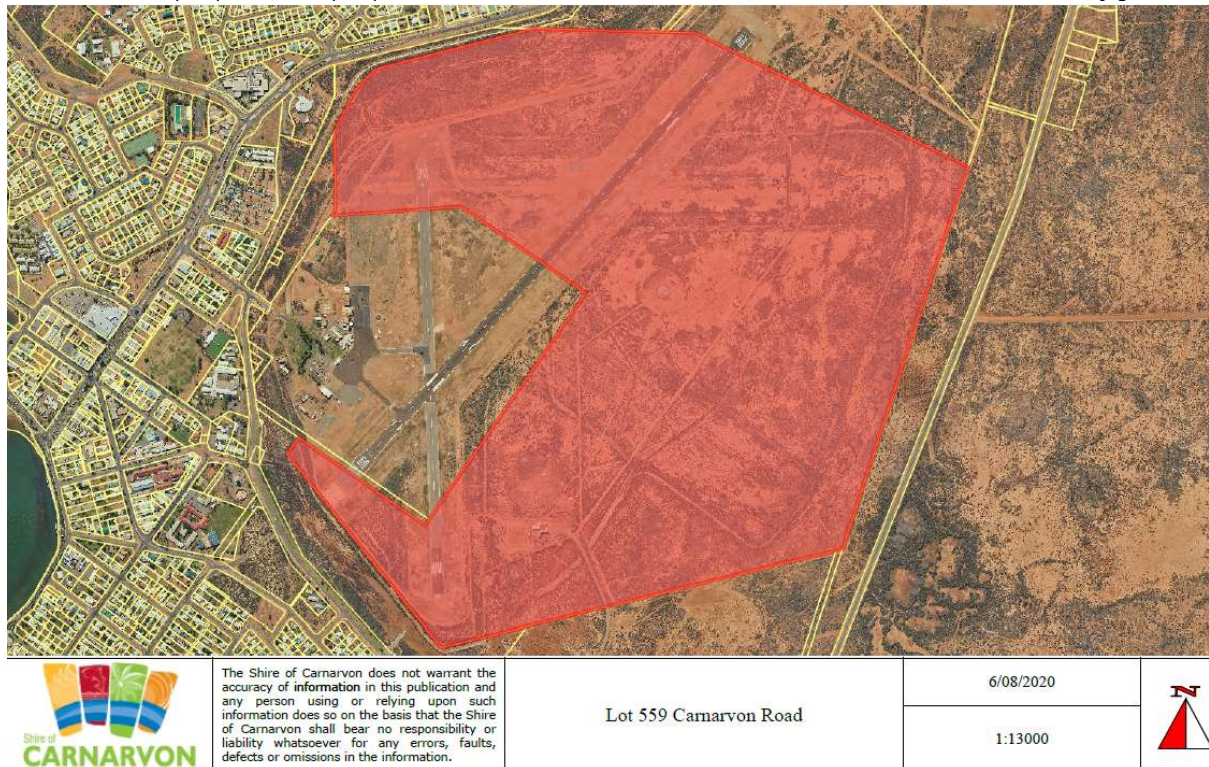


Figure 1 lot 559, Carnarvon Road

The proposed tenure of this lease is a twenty (20) years, two (2) terms of ten (10) year leases. Based on the last market value rental valuation report for this area the annual lease amount would be \$4,400 (ex. GST), which is calculated at \$2.75 per square metre, adjusted annually for CPI.

Section 3.58 'Disposing of Property of the Local Government Act 1995 details that a Local Government can dispose of property if, before agreeing to dispose of the property, it gives local public notice. The public notice must provide details of the proposed disposition including the market value of the disposition as ascertained by a valuation carried out not more than 6 months before the proposed disposition. If further details that

(c) the market value of the disposition —

(i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or

(ii) as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.

The last Market Rental Valuation for lot 559, Carnarvon Road was conducted in February 2019 which included completion of a comprehensive costing research data calculations and through market analysis of the asset. The Market Rental Value for the proposed subject lease was determined based on comparable rental evidence, taking into consideration the site, type of leases area, zoning, current use, quality of the improvements and the location.

The Final Market Rental Valuation report prepared by Griffin Valuation Advisory provides an in-depth market rental analysis and comparison with other airports. It also gives a comprehensive industry analysis of market forces affecting Rental valuations.

Consultation:

Consultation has taken place with Geoscience Australia where they were informed that the lease proposal falls under lease classification tier 3, commercial lease under the Shire of Carnarvon's lease and licencing (C016) policy. The cost and procedure of such a lease was explained along with an expectation that all legal fees will be footed by the Lessee.

Geoscience Australia reiterated that the scientific structure they wish to establish would be to the benefit of all Australians and being a non-for-profit organisation are not in the position to accommodate an annual rent. An alternative of establishing a formal land sharing agreement (similar to an MOU) with Geoscience Australia working to reduce the proposed footprint on the site in a bid to reduce/ remove the annual rental figure.

In the interim, Geoscience Australia are exploring other sites they may be able to utilise for a peppercorn fee, noting Carnarvon Road is the ideal location surveyed to date. They are also in negotiations with the Department of Planning, Land and Heritage to explore the possibility of establishing an easement (which would require the formal consent of the Shire of Carnarvon) to benefit Geoscience Australia.

Geoscience Australia inspected the proposed site at Carnarvon Airport on 29 January 2020. As a part of this inspection they consulted with the, then, Airport Manager. There were no significant issues or concerns raised by the Airport Manager in the proposal by Geoscience Australia.

Statutory Environment:

As for a lease agreement Section 3.58 (3) of the *Local Government Act, 1995* states:

3.58 *Disposing of property*

- (1) In this section —
 dispose includes to sell, lease, or otherwise dispose of, whether absolutely or not;*
- (3) A local government can dispose of property other than under subsection (2) if,
 before agreeing to dispose of the property —
 (a) it **gives local public** notice of the proposed disposition —
 (i) describing the property concerned; and
 (ii) giving details of the proposed disposition; and
 (iii) inviting submissions to be made to the local government before a
 date to be specified in the notice, being a date not less than 2
 weeks after the notice is first given;*

And

- (b) it considers any submissions made to it before the date specified in the*

notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.

- (4) *The details of a proposed disposition that are required by subsection (3)(a)(ii) include —*
- (a) the names of all other parties concerned; and*
 - (b) the consideration to be received by the local government for the disposition; and*
 - (c) the market value of the disposition —*
 - (i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or*
 - (ii) as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.*

Relevant Plans and Policy:

Policy C016 Lease and Licensing Classification; Tier Three - Commercial lease.

Delegation No: 1034 Executing and Affixing of Common Seal to Documents.

Financial Implications:

This lease as proposed by Geoscience Australia will result in guaranteed income of \$10 per annum with all legal costs of establishing a lease, utilities and maintenance being the responsibility of the lessee in accordance with policy C016.

Should the Council resolve that the valuation carried out more than 6 months prior to the proposed disposition is a true indication of the value at the time of disposition, this lease would provide a set income of \$4,400 ex. GST per annum (adjusted annually for CPI).

The implication of the third financial alternative is unknown as it is contingent on the council resolving that an up to date market valuation is required. However, it is noted the lessee has indicated an inability to pay for the cost of a valuation.

Risk Assessment:

Financial risk: The revenue earned from commercial leases at the Airport are an important part of income for the Shire, so if Council to grant a peppercorn Lease there would be a financial risk around the potential loss of income.

Reputational risk Contradictorily, the Shire may suffer reputational risk for failing to accommodate a service purported to be for the benefit of all Australians with all data collected being provided to everyone free of charge.

Community & Strategic Objectives:

Outcome 1.1 Improved Shire infrastructure

1.3.1

Advocate for the timely provision of enhanced infrastructure and utilities to facilitate economic growth. e.g., water, power, sewerage, boat launching facilities, air transport infrastructure and telecommunications.

Comment:

The council is presented with three options when considering this lease request, outlined as follows:

SITE SHARING ARRANGEMENT

The council could resolve to enter a formal agreement with Geoscience Australia, similar to an MOU for a term of 10 years (or two terms of 10 as requested) which sits outside of the lease and licensing classification policy and allows the Shire to offer this lease without a fee.

DISCOUNTED ARRANGEMENT

The council could resolve to take into consideration the request from Geoscience Australia and resolve that a valuation carried out more than 6 months before the proposed disposition is considered a true indication of the value at the time of the proposed disposition. This would save the cost of a new valuation for Geoscience Australia. The council could then resolve to offer a discount on the rate of \$2.75 per m2 (as per the last market valuation in February 2019).

FORMAL ARRANGEMENT

The Council could resolve only to accept a formal arrangement in keeping with the leasing and licensing policy (C016) (either accepting prior valuation or requesting a valuation be completed at the expense of the lessee) and ask that market value lease amount be imposed in keeping with a commercial lease as per the policy.

OFFICER'S RECOMMENDATION

That Council:

1. Resolve to lease lot 559 Carnarvon Road to Geoscience Australia, in accordance with Section 3.58 (Disposing of Property) of the Local Government Act, 1995 and the Shire of Carnarvon Policy C016 Lease and Licensing Classification – Classification Tier Three utilising the market valuation completed by Griffin Valuation in February 2019

The lease is to include

- (a) An initial ten (10) year lease period, plus an option of a 10-year extension at the Council's discretion;*
 - (b) A lease payment based 50% of the Fair Market Rental Valuation with annual CPI increases;*
 - (c) Lessee to be responsible for the cost of lease preparation, utilities and all maintenance;*
- 2. Advertise its intention to lease the land of lot 559 Carnarvon road for period of 21 days*
- 3. Subject to no objections being received to the Public Notice for the proposed Disposal of Property upon the completion of advertising of at least 21 days, delegate execution of the lease and affix the common seal of the Shire of Carnarvon by the Shire President and the Chief Executive Officer to the relevant documentation as specified in point 1 above as per Delegation no. 1034 'Executing and Affixing of Common Seal to documents'.*

8.3.1**OVERHEIGHT FRONT FENCE AT LOT 988 (HN 4) NELSON STREET, BROCKMAN**

File No:	A1125, P20/20
Date of Meeting:	25 August 2020
Location/Address:	Lot 988 (HN 4) Nelson Street, Brockman
Name of Applicant:	Norman Ryan
Name of Owner:	Norman Ryan
Author/s:	J. Meggitt, Principal Planner
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Previous Report:	N/A

Summary of Item:

This item relates to a Development Application lodged with the Shire requesting approval for a 1.8m high front fence at Lot 988 (HN 4) Nelson Street, Brockman. The proposed development does not comply with the 'deemed-to-comply' provisions of State Planning Policy 7.3 – Residential Design Codes (R-Codes) and therefore development approval is required for the fence. Notwithstanding this noncompliance this application for the proposed over height fence is recommended for support.

Description of Proposal:

As noted above the applicant is seeking development approval for a 1.8m fence to be located on the primary street frontage and side boundary of Lot 988 (HN 4) Nelson Street, Brockman – refer to **Schedule 8.3.1 – Site Plan**. The applicant is also intending to construct the side fence at 1.8m however the height controls (R-Code requirements) do not apply to side boundary fences.

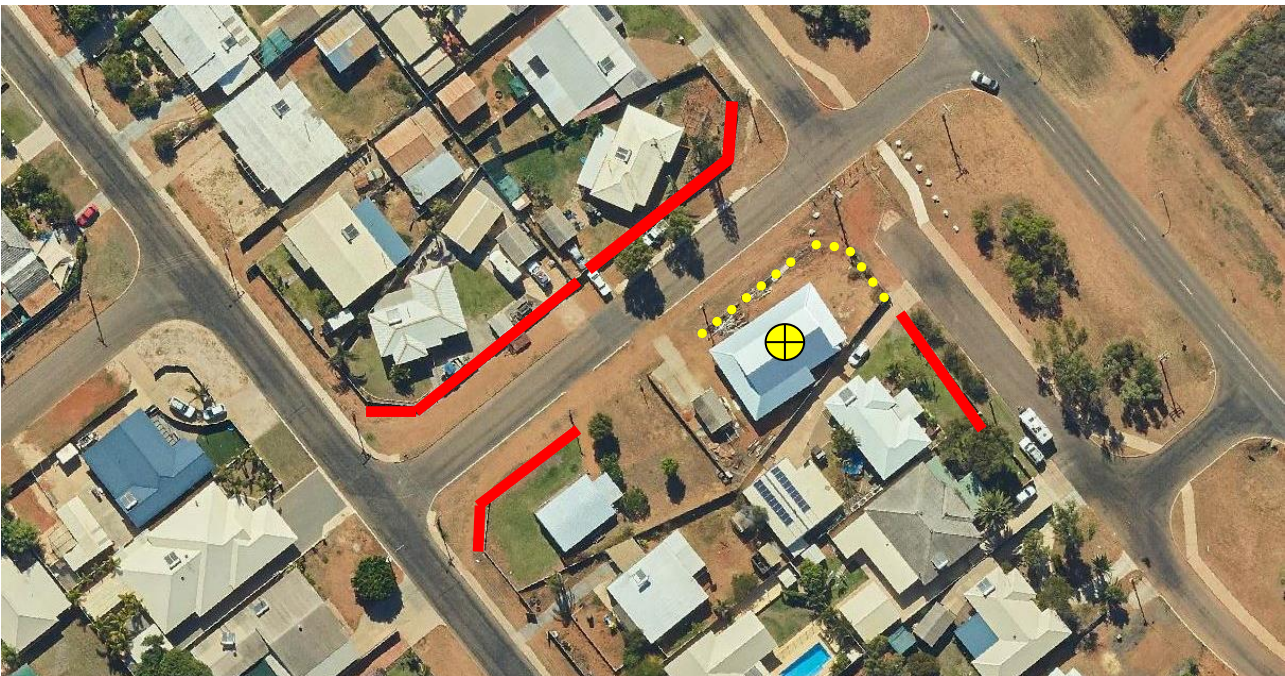


Figure 1: Surrounding front and side fence typology

Legend	
	Existing / approved high front fences
	Subject lot
	Proposed fence

Background:

The applicant has requested approval for a 1.8m high solid fence to be constructed at the front boundary of their property for reasons of privacy and security. The fencing typology is not consistent with the R-Codes 'deemed-to-comply' fencing standards which is that front fences above 1.2m must be visually permeable.

The remaining three properties in Nelson Street have 1.8m high front/side fences, as do many other residential frontages in Carnarvon. Figure 1 provides a graphical illustration of the existing front/side fencing arrangements on Nelson Street. The applicant has indicated that the fence is required to upgrade a damaged fence, for reasons of security, to contain animals and to conform with other fences in the street.

Consultation:

The application was advertised in accordance with clause 64 of the Deemed Provisions of the *Planning and Development (LPS) Regulations 2015* with the advertising period being from 31 July to 14 August 2020. Advertising consisted on a sign on site and a notice on the Shire's website. No submissions were received following the initiation of advertising.

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

The site is zoned 'Residential' under the Shire of Carnarvon Local Planning Scheme No. 10 (LPS 10); "Part V – Special Provisions 5.1 Provisions Relating to Residential Development: Residential Design Codes 5.1.3" states:

"Unless otherwise provided for in the Scheme, the development of land for any of the Residential Purposes dealt with by the Residential Design Codes shall conform to the provisions of those Codes. Therefore, as identified in the scheme all residential development, including ancillary uses such as fences, shall be compliant with that of the R-codes".

Relevant Plans and Policy:*State Planning Policy 7.3 Residential Design Codes*

The R-Codes apply to all residential development required to comply with the 'deemed-to-comply' provisions of the codes. The R-Codes also allow for applications to be judged on the merits of the proposal. Where a proposal does not meet the deemed-to-comply provisions of the R-Codes but addresses one or more of the 'Design Principles', an exercise of judgement can be used to determine the proposal.

R-Codes "6.2.2 Street Walls and Fences" 'deemed-to-comply' provisions state:

Front fences within the primary street setback area that are visually permeable above 1.2m of natural ground level, measured from the primary street side of the front fence.

The Design Principles state:

"Front fences are low or restricted in height to permit surveillance and enhance streetscape, with appropriate consideration to the need:

- *For attenuation of traffic impacts where the street is designated as a primary or district distributor or integrator arterial; and*
- *For necessary privacy or noise screening for outdoor living areas where the street is designated as a primary or district distributor or integrator arterial."*

In this instance the application does not meet the Design Principles of the R-Codes or the 'deemed-to-comply' provision of section 5.2.4 Street Walls and Fences.

A number of property owners have constructed 1.8m high front and side fences in response to concerns regarding security, illegal entry and privacy. Whilst contemporary streetscape policies seek to encourage low or transparent fencing types, it is acknowledged that in certain circumstances homeowners/occupiers

wish to erect higher front fences for a range of personal reasons. It should be noted that the Shire has approved similar fences (FC 18/6/18, FC13/11/18 and FC 28/7/20) in recent times.

Financial Implications:

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

Risk Assessment:

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

Community & Strategic Objectives:

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

Objective 2: Natural and built environment

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

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

Comment:

The applicant has sought planning approval for a 1.8m high front fence on the primary street frontage of their property. The application contains reasons for the need for an "R-Code non-complying" front fence, and a visual assessment of the streetscape confirms that in this particular streetscape the proposed fencing would not be out of character for the area. It is therefore recommended that Council approve the application as lodged.

OFFICER'S RECOMMENDATION

Pursuant to Clause 68 of the Planning and Development (Local Planning Schemes) Regulations 2015 and the Shire of Carnarvon Local Planning Scheme No. 10 grant development approval for application P20/20 for a 1.8m high front fence at Lot 988 (HN 4) Nelson Street, Brockman, subject to the following conditions:

- 1. The development is to be generally in accordance with the approved plans submitted on 15 July 2020 including any amendments placed thereon by the Shire of Carnarvon and except as may be modified by any other conditions of this approval or with prior written approval of the Shire of Carnarvon.***

Advice Notes

- If the development the subject of this approval is not substantially commenced within a period of two (2) years, or another period specified in the approval after the date of determination, the approval will lapse and be of no further effect.***
- If an applicant is aggrieved by this determination, there is right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be made within 28 days of determination.***
- This approval does not confer approval under other relevant legislation, including but not limited to, the Building Act 2011 and the Health Act 1911. It is the responsibility of the applicant to determine any necessary approvals required and obtain such approvals prior to the commencement of development and use. However, to assist in understanding the necessary requirements and approvals, further information can be obtained by contacting the Shire of Carnarvon Building Services on (08) 9941 0000.***

8.3.2

HOLIDAY ACCOMMODATION – LOT 10 (NO. 16) ROBINSON STREET, CORAL BAY

File No:	A3578, P22/20
Date of Meeting:	25 August 2020
Location/Address:	Lot 10 (No. 16) Robinson Street, Coral Bay
Name of Applicant:	Dowling Giudici and Associates
Name of Owner:	Batavia Holdings Pty Ltd
Author:	John Meggitt, Principal Planner
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Previous Report:	22 March 2011

Summary of Item:

This item relates to the proposed development of holiday accommodation at Lot 10 (No. 16) Robinson Street, Coral Bay.

The applicant is seeking approval for the establishment of twelve (12) caravan sites with on-site ensuite, five (5) chalets, a caretaker dwelling and associated storage, laundry facilities, waste dump point, waste bin storage facilities and fire hose reels. Vehicular access is proposed from the unformed portion of Banksia Drive. The 'Ningaloo Coast Resort Overall Development Plan' (ODP) for the subject land was adopted by Council on 22 March 2011. The development plans can be viewed at **Schedule 8.3.2(a)**. This report recommends that the application be approved with conditions.

Description of Proposal:

The subject land is currently vacant and has an area of 2.79ha with pedestrian access from Robinson Street; vehicular access is proposed from Banksia Drive which is a gazetted road reserve, however the road is unformed at present. See **Figure 1**. below.



Figure 1. Proposed holiday accommodation at Lot 10 Robinson Street overlaid on a satellite photo (early Feb. 2020).

As stated, the site has an approved ODP for a resort style development. The proposed variation from the ODP is considered to be acceptable on the basis that:

- The proposed development provides for tourist accommodation as anticipated in the ODP;
- The layout of the proposed development provides for a logical future expansion of the proposed development and services the current tourist demand in Coral Bay;
- The holiday units are below the maximum 9.0m building height limit for Coral Bay and generally the low building form and low-impact character is consistent with the development objectives and character set out in the Ningaloo Coast Resort ODP;
- The proposed number of visitor beds is well within the maximum permitted for the site; and
- The proposed development is consistent with the provisions of the Ningaloo Coast Regional Strategy; the Coral Bay Settlement Strategy Plan, Local Planning Scheme 11 and draft Local Planning Scheme 13.

Building Height and Form:

The subject land abuts the Peoples Park Caravan Park on its northern and eastern boundaries, and the Ningaloo Reef Resort on its western boundary. It is a relatively flat site with an elevation of approximately 12.0m AHD. At the north and eastern boundaries, the subject land is elevated above the adjacent developments being Peoples Park Caravan Park. The proposed single storey chalets to be located along the northern edge of the site have a height of 3.0m. Due to the elevated nature of the site the buildings will be visible from the adjoining properties and Robinson Street. The relatively small scale of the chalets and the proposed sand colour palette will however reduce their overall visual impact.

Previous contour plans indicate that the subject land has been recontoured in the past to establish a level pad across the site with an average AHD of 12m. The Ningaloo Resort ODP illustrates existing (at the time of preparation of the ODP) contour levels and proposed contours - these generally conform with the levels indicated in the application.

Vehicular and Pedestrian Access

Pedestrian access from the subject land to Robinson Street will be available via a pedestrian ramp located between the Ningaloo Reef Resort and the Peoples Park Caravan Park sites. Vehicular access to the site will be from a single-entry point from Banksia Drive. It is intended that the internal and external access roads will be constructed of compacted gravel.

Banksia Drive is constructed to sealed standard to a point approximately 40m west of its intersection with Monk Head Drive. The remaining 230m (to the entry of the subject land) is road reserve with no sealed/unsealed road formation. Construction of a suitable road pavement to enable all weather vehicle access to the subject land with minimal dust generation is required. The applicant has advised that:

“Vehicular access to the subject land will be provided from Banksia Drive via either a crushed limestone or gravel paved driveway, extending from the current western termination of the Banksia Drive asphalt carriageway.

The proponent/applicant is also prepared—at its expense—to design and construct the temporary access from Banksia Drive to lot 10 subject to reasonable Shire specifications and development approval being granted.”

Infrastructure

Water supply and wastewater disposal will be established via the existing Water Corporation infrastructure network. Power will be established through the Horizon Power infrastructure network. Stormwater and other surface water will be directed into an on-site drainage system. The areas soils are comprised of sands and therefore rapid soakage is expected.

Consultation:

Local Planning Scheme No. 11 does not require that the proposal to be publicly notified (advertised).

Statutory Environment:

Planning and Development Act 2005

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

Planning and Development (Local Planning Schemes) Regulations 2015

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

Local Planning Scheme No. 11

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

LPS 11, Schedule No. 2 of the Coral Bay Precinct Plan divides the Coral Bay Settlement Zone into precincts. The Coral Bay Precinct Plan classes Lot 10 as ‘Tourism Precinct’. The goal set for the Tourism Retail Precinct is to promote the development of a variety of short stay accommodation facilities and associated amenities which are consistent with the overall theme and scale of Coral Bay.

The development is classified under the use classes of ‘holiday accommodation’ which means:

land and buildings providing low key facilities for tourists and travellers including chalets, farm stay accommodation, camping grounds and caravan parks under provisions of the by-laws of local government or the Caravan and Camping Ground Regulations 1972 (as amended).

Draft Local Planning Scheme No. 13

The draft Local Planning Scheme No. 13 (LPS 13) indicates Lot 10 is zoned ‘Tourism’. The scheme objectives for Tourism being:

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

Restricted Use Provision No. 15 applies to this site; under this provision the restricted uses include caravan park and tourism development. The conditions state that:

1. *The general development standards of the Scheme apply unless prescribed in a Local Development Plan approved under Part 6 of the deemed provisions; or unless an R-Code is designated, in which case the requirements of the Residential Design Codes shall apply.*
2. *The number of overnight visitors to be accommodated is restricted to 265.*

LPS 13 has been presented to the State Planning Committee of the WAPC and is currently with the Minister for Planning for final endorsement; the Scheme is considered to be a ‘seriously entertained planning proposal’. The proposed 70 overnight visitor beds is within the limits set by draft LPS 13. Overall, the

proposal is consistent with the provisions of LPS 13 which anticipates the development of the site for tourism accommodation.

Ningaloo Coast Resort Overall Development Plan

The ODP was adopted by the Shire Council on 22 March 2011. It provides for the development of a 4-star resort style development consisting of 80 villas and studio units as well as licensed alfresco dining areas, swimming pools and recreation areas. As discussed above the proposed development is generally consistent with the approved ODP.

The applicant has provided the following justification for the variations to the approved ODP:

- 1. To provide for a larger range of tourist accommodation, namely caravan sites with ensuites which are presently not available in Coral Bay.*
- 2. The caravan sites will have metered power, and if feasible, metered water—this will encourage the conservation of both these resources and the caravans with solar power facilities (which are very popular with new caravans) can use this if caravanners desire to reduce their costs and their carbon footprint.*
- 3. Large-scale tourism development as outlined in the Ningaloo Coast Overall Development Plan (ODP) 03/05.11(A) cannot occur without Banksia Drive being extended westwards to at least the rear of lot 1 (HN 14) Robinson Street (site of the existing Ningaloo Resort), which abuts lot 10 to the west.*
- 4. In the interim, lot 10 is more suited to being developed for smaller-scale tourist accommodation as this can be serviced by a constructed gravel/limestone paved road from the edge of the Banksia Drive asphalt carriageway, and which is affordable for the proponent.*
- 5. The current economic climate (both pre and post COVID19) has created uncertainty in respect to the viability of developing large-scale tourism development upon lot 10. Smaller-scale tourism development is more viable at present and likely to better serve and respond to current tourism demand. The proposed development will be a pointer as to whether envisaged tourism development as reflected in the Ningaloo Coast Overall Development Plan (ODP) 03/05.11(A) requires review; and*
- 6. There is a very high demand for caravan sites in Coral Bay—this demand results in existing caravan parks overflowing between the peak tourism period of April - October.*

Caravan Parks and Camping Grounds Act 1995

This act provides for the regulation of caravans and camping activities and service standards. The requirements of this Act must be met for the operator to obtain a licence to lawfully operate the facility.

Relevant Plans and Policy:

State Planning Policy 3.7 – Planning in Bushfire Prone Areas

The subject land is identified as being within a Bushfire Prone Area. The BAL assessment provided by the applicant indicates bushfire attack levels of “BAL LOW” for the chalets and the majority of the ensuites sites and “BAL 12.5” for the remaining facilities. It states:

“Through the implementation of the recommendations of this BMP it is considered that the development application will achieve compliance with the requirements of SPP3.7 and the Guidelines and thereby provide adequate risk management measures that will assist in the event of a bushfire.”

To achieve this BAL assessment level the Bushfire Management Strategy requires that the proposed vehicle accessway is utilised as a bushfire buffer area, therefore these requirements need to be incorporated as a minimum standard for access to the site.

State Planning Policy 6.3 – Ningaloo Coast

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

Ningaloo Coast Regional Strategy Carnarvon to Exmouth 2004

The Ningaloo Coast Regional Strategy Carnarvon to Exmouth (NCRS) is a strategic land use plan that sets a planning framework for sustainable tourism and land use within the Ningaloo coast study area which includes Coral Bay. The proposed development has been assessed in line with section 1.4 Planning and Environmental Guidelines for sustainable tourism on the Ningaloo Coast. The proposal aligns with the strategy's guidelines.

Coral Bay Settlement Structure Plan 2014

The Coral Bay Settlement Structure Plan (CBSSP) provides strategic guidance to land use and development within the Coral Bay Settlement area. Lot 10 is identified within the 'Tourism' zone of the CBSSP. The objective for existing tourism accommodation sites is stated as:

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

The Plan identifies a bed number cap of 3,600 beds for the settlement recognising the bed numbers set out in approved ODP's which includes the 264 visitor beds approved under the Ningaloo Coast Resort Overall Development Plan.

Financial Implications:

There are no identified risks associated with the officer's recommendation. The proponent has clarified that they will be responsible for the construction of road access to the subject land to the Shire's required construction standards.

Risk Assessment:

There are no identified risks resulting from the officers' recommendation.

Community & Strategic Objectives:

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

Objective 1: Economic

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

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

Objective 2: Natural and built environment

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

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

Comment:

The proposed development comes at a time of high demand for holiday accommodation facilities at Coral Bay and will help address the shortage of caravan bays and holiday chalets within the settlement. The proposed caravan park is of a smaller scale and style to the original resort proposal envisaged in the ODP when it was adopted in 2011.

Notwithstanding the change to the concept it remains that the site will be developed for a tourist related development with access from Banksia Drive. Furthermore, it is considered that the proposed chalets will not have an adverse visual impact when viewed from public areas in Coral Bay or from the adjoining tourist developments.

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

OFFICER'S RECOMMENDATION

Pursuant to Clause 68 of the Planning and Development (Local Planning Schemes) Regulations 2015 and the Shire of Carnarvon Local Planning Scheme No. 11 grant development approval for application P22/20 for TWELVE (12) CARAVAN PARK BAYS, FIVE (5) CHALETs, A CARETAKERS DWELLING, A STORAGE SHED AND VEHICULAR ACCESS FROM BANKSIA DRIVE at LOT 10 (No. 16) ROBINSON STREET CORAL BAY, subject to the following conditions:

- 1. The development is to be generally in accordance with the approved plans dated 9 May 2020 Site Layout and Northern Perspective, 9 June 2020 Unit Type 1 and Unit Type 2 (Accessible), 9 May 2020 Caretakers, 9 June 2020 Laundry/Shed including any amendments placed thereon by the Shire of Carnarvon and except as may be modified by any other conditions of this approval or with prior written approval of the Shire of Carnarvon.***
- 2. Prior to the operation of the development, the applicant shall ensure that the vehicle maneuvering and parking areas within the subject site are constructed to a minimum compacted gravel pavement standard. The internal access road is to have minimum operational width of six (6) metres. Prior to the construction of these areas, the details of the pavement design shall be submitted to the Shire's Executive Manager Infrastructure Services for approval. All gravelled (unsealed) vehicle movement and parking areas within the subject land shall be maintained to a trafficable condition and shall not create a dust hazard.***
Note: For gravel pavement areas within the development site, the minimum standard acceptable would consist of 200mm thick compacted road base material mixed to optimum moisture content and compacted using a vibratory compactor.
- 3. Prior to the operation of the development, vehicle access and drainage from the existing sealed section of Banksia Drive to Lot 10 Robinson Street is to be constructed by the applicant. As a minimum the vehicle access shall consist of a compacted gravel pavement standard with suitable drainage. Prior to the construction of this access, the access design shall be prepared and submitted to the Shire's Executive Manager Infrastructure Services for approval.***
Note: The minimum construction standard for the gravel access road within the Banksia Drive road reserve shall be a 6.0m wide roadway with a 200mm thick compacted road base material pavement mixed to optimum moisture content and compacted using a vibratory compactor. The design plan shall include proposed finish levels and shall detail drainage flows and drainage structures.
- 4. Prior to the operation of the development, a suitably screened bulk bin area for refuse is to be provided to the specifications and satisfaction of the Executive Manager Infrastructure Services.***
- 5. Prior to the operation of the development, the facility is to be connected to a reticulated water supply meeting the requirements of the Water Corporation.***
- 6. Prior to the operation of the development a landscaping plan is required to be submitted to the Executive Manager Infrastructure Services outlining the species, grade and location of proposed planting.***

Advice Notes:

- i) *If the development the subject of this approval is not substantially commenced within a period of two (2) years, or another period specified in the approval after the date of determination, the approval will lapse and be of no further effect.*
- ii) *A separate application is required to be made for all advertising signs in accordance with the Shire's Local Law relating to Signs and Other Advertising Devices and Local Planning Policy No. 18 – Advertising and Signage.*
- iii) *If an applicant is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be made within 28 days of determination.*
- iv) *At building licence stage the applicant will be required to provide a report providing confirmation of the suitability of the subject land for the proposed development.*
- v) *The Ningaloo Coast Resort ODP has a life span of 10 years expiring at the end of 2020. It is expected that before the next stage of development of the site that a revised ODP would be prepared.*
- vi) *The provision of caravan sites will require the facility to be licensed as a caravan park prior to its operation and it will be required to comply with the Caravan Parks and Camping Grounds Regulations 1997. Additionally, the chalet development must be registered as a lodging house under the Health (Miscellaneous Provisions) Act 1911 and the Shire of Carnarvon Health Amendment Local Laws 2002.*
- vii) *This approval does not confer approval under other relevant legislation, including but not limited to, the Building Act 2011 and the Health Act 1911. It is the responsibility of the applicant to determine any necessary approvals required and obtain such approvals prior to the commencement of development and use. However, to assist in understanding the necessary requirements and approvals, further information can be obtained by contacting the Shire of Carnarvon Building Services on (08) 9941 0000.*

8.3.3

OUTBUILDING EXTENSION AT LOT 504 (HN 53) SHALLCROSS STREET, EAST CARNARVON

File No:	A3695, P27/20
Date of Meeting:	25 August 2020
Location/Address:	Lot 504 (HN53) Shallcross Street, East Carnarvon
Name of Applicant:	CR and T Chapman
Name of Owner:	CR Chapman
Author/s:	John Meggitt, Principal Planner
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Previous Report:	N/A

Summary of Item:

This item relates to a proposed extension to an existing outbuilding (shed) at Lot 504 (HN 53) Shallcross Street, East Carnarvon. The Shire's Outbuilding Policy allows a maximum area 144m², the total area of the shed with the proposed extension will be 240m² which exceeds the maximum permitted area under the policy. Notwithstanding this noncompliance this application for the proposed outbuilding extension is recommended to be approved for the reasons outlined below.

Description of Proposal:

The site is zoned 'Residential Development' under the Shire of Carnarvon Local Planning Scheme No. 10 (LPS 10). Lot 1 (68) William Street has an area of 2,084m² and includes a residence and a shed which is proposed to be extended. Refer to **Schedule 8.3.3(a)** - site plan.

The existing shed has a total floor area of 150m². The proposed extended shed will have a setback of 1.6m from the western (side) boundary and 13.05 from the rear boundary, and will have a skillion roof with a wall height of 2.75m on the northern frontage. See **Figure 1**.



Figure 1: Location of proposed shed extension.

Under the R-Codes the 'deemed-to-comply' provisions are:

- A maximum floor area of 60m²
- A maximum wall height of 2.4m
- A minimum lot boundary setback of 1m

The Shires Outbuilding Policy provides a context and framework in which outbuilding use and development can take place within the scheme area. The Outbuilding Policy allows for greater flexibility than the R-Codes for oversized structures. A shed is classified as an outbuilding being an enclosed non-habitable structure that is detached from any dwelling. The policy has the following standards for a residential property of area 2,000m² to 4,999m²:

- Maximum floor area 144m²
- Maximum wall height 4.0m
- Maximum overall height (single story) 5.0m

The proposed enlarged shed complies with the setback and wall height requirements however it exceeds the maximum floor area by 96m². The subject land and the adjoining lots have areas over 2,000m².

The lot to the east contains an oversize shed, the rear of the property to the west is vacant and to the north of the subject land is a gazetted road reserve, however the road is unformed at present. It is considered that the development will not have an adverse impact on the amenity of the adjoining properties and is consistent with the scale of outbuildings in the general area.

Consultation:

A notice advising of the development was placed on the Shallcross Street property frontage and a notice placed on the Shire's website for a period of two weeks. No submissions were received on the proposal.

Statutory Environment:

Planning and Development Act 2005

As defined under the Act, 'Development' means the *development or use of any land*; the development and use of this land in this instance being works to construct an outbuilding on a residential lot. The proposal is not exempt from the requirement for development approval under the *Planning and Development Act 2005*.

Planning and Development (Local Planning Schemes) Regulations 2015

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

Local Planning Scheme No. 10

Under LPS 10, Lot 1 William Street is zoned 'Residential' with an R-Code of R12.5.

Shire of Carnarvon Draft Local Planning Scheme No. 13

The draft Local Planning Scheme 13 zones the land as 'Residential with an R-Code of R10/20.

Relevant Plans and Policy:

State Planning Policy 7.3 Residential Design Codes

This application does not comply with the deemed-to-comply provisions for outbuildings as set out in the Residential Design Codes. The wall height and floor area are non-compliant. Failing the above, the Design Principle requires: *Outbuildings that do not detract from the streetscape or the visual amenity of residents or neighbouring properties*. Provision exists under the R-Codes for local government to establish variations through policies to the provisions of the R Codes.

Shire of Carnarvon Policy Statement No. 15 Outbuildings

The Shire of Carnarvon Policy Statement No. 15 provides a framework for the consideration of outbuildings within the Carnarvon context allowing for an increase in building size within the Carnarvon context.

Financial Implications:

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

Risk Assessment:

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

Community & Strategic Objectives:

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

Objective 2: Natural and built environment

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

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

Comment:

The officer's recommendation is that the proposed outbuilding be approved, as it is considered that the overall height and scale of the building will not detract from the streetscape and visual amenity of adjacent properties, and the general neighbourhood. It is recommended that the application be approved.

OFFICER'S RECOMMENDATION

Pursuant to Clause 68 of the Planning and Development (Local Planning Schemes) Regulations 2015 and the Shire of Carnarvon Local Planning Scheme No. 10 grant development approval for application P27/20 for an extension to an existing outbuilding at LOT 504 (HN 53) SHALLCROSS STREET, EAST CARNARVON subject to the following conditions:

- 1. The development is to be generally in accordance with the approved plans submitted on 4 August 2020, including any amendments placed thereon by the Shire of Carnarvon and except as may be modified by any other conditions of this approval or with prior written approval of the Shire of Carnarvon.*

Advice notes:

- i) If the development the subject of this approval is not substantially commenced within a period of two (2) years, or another period specified in the approval after the date of determination, the approval will lapse and be of no further effect.*
- ii) If an applicant is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be made within 28 days of determination.*
- iii) This approval does not confer approval under other relevant legislation, including but not limited to, the Building Act 2011 and the Health Act 1911. It is the responsibility of the applicant to determine any necessary approvals required and obtain such approvals prior to the commencement of development and use. However, to assist in understanding the necessary requirements and approvals, further information can be obtained by contacting the Shire of Carnarvon Building Services on (08) 9941 0000.*

8.3.4

TRANSPORTABLE ACCOMMODATION UNIT – LOT 37 (HN175) NORTH RIVER ROAD, NORTH PLANTATIONS, CARNARVON

File No:	A1811, P25/20
Date of Meeting:	25 August 2020
Location/Address:	Lot 37 (HN 175) North River Road, North Plantations, Carnarvon.
Name of Applicant:	Ian Smith
Name of Owner:	J & A Durmanich
Author:	John Meggitt, Principal Planner
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Previous Report:	N/A

Summary of Item:

This item relates to a proposed transportable building incorporating four (4) self-contained rooms for plantation workers accommodation at Lot 37 (HN175) North River Road, North Plantations. The plans for the development can be found at **Schedule 8.3.4(a)**. This report recommends that the proposal be approved with conditions.

Description of Proposal:

The site is zoned 'Intensive Horticulture' under the Shire of Carnarvon Local Planning Scheme No. 10 (LPS 10). The subject land has an area of 20.18 ha. and is cleared for plantation cropping. The applicant has located the proposed accommodation on the site however the structure has not been connected to services and is not in use – Refer to **Figure 1**. below.

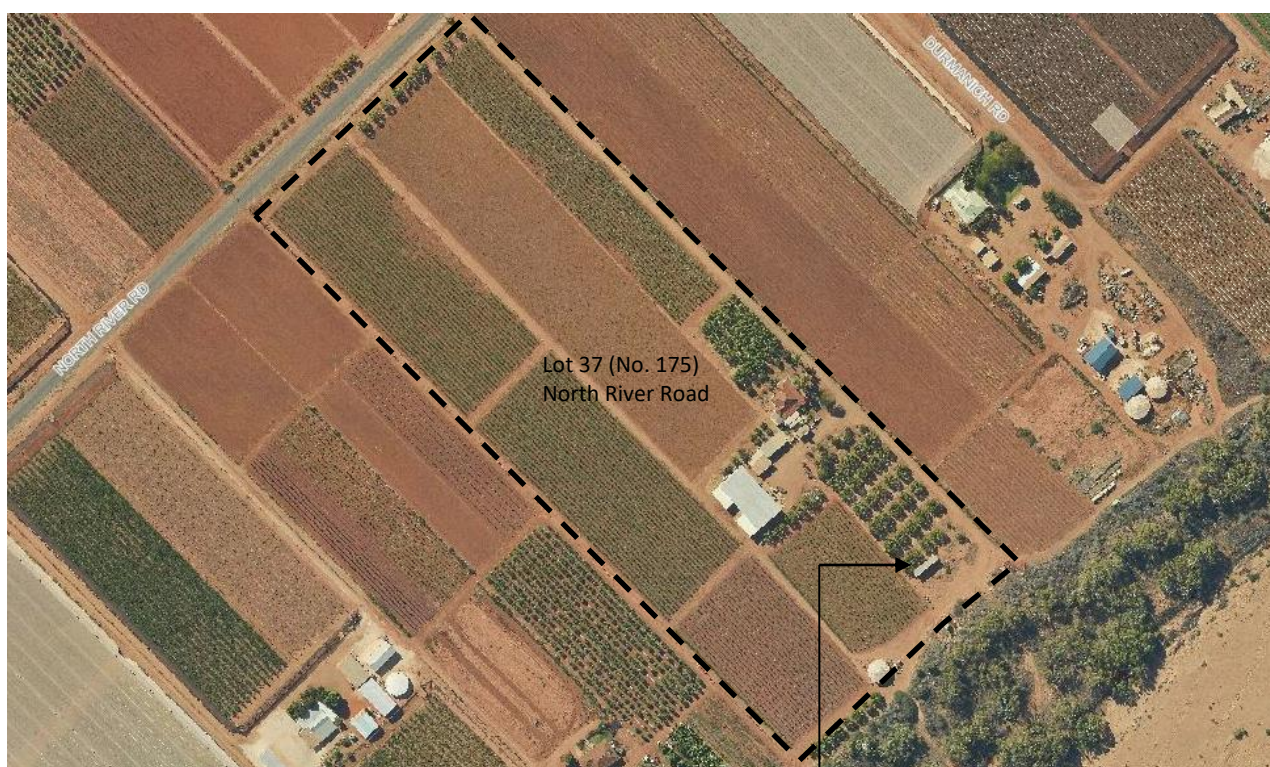


Figure 1: Location of proposed accommodation within the subject land.

Consultation:

The proposal was advertised for a period two weeks on the Shire's website and a sign was placed on the frontage of the subject land; no submissions were received during this period.

Statutory Environment:*Planning and Development Act 2005*

As defined under the Act, 'Development' means the *development or use of any land*. The proposal is not exempt from the requirement for development approval under the *Planning and Development Act 2005*.

Planning and Development (Local Planning Schemes) Regulations 2015

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

Local Planning Scheme No. 10

Under Local Planning Scheme 10, the subject land is zoned 'Intensive Horticulture'. Seasonal staff/workers accommodation is an 'SA' use within this zone meaning that the local government may, at its discretion, permit the use after notice of the application has been given in accordance with the provisions of the deemed provisions.

Draft Local Planning Scheme No. 13

Under the Shire of Carnarvon Draft Local Planning Scheme 13 the lot is zoned Priority Agriculture. The proposed use falls under the definition of workforce accommodation which is a 'D' use meaning that the use is not permitted unless the local government has exercised its discretion by granting development approval.

Relevant Plans and Policy:*Shire of Carnarvon Policy Statement No. 1*

The Shire of Carnarvon Policy Statement No. 1 provides a context and framework for the consideration of development in the intensive horticulture area.

To preserve and maintain the affected land as viable units for horticulture and plantation which will include resistance, by recommendation for refusal, to proposals for subdivision and refusal of any land use or development proposals which would operate in conflict with this objective.

The proposed use will not have an adverse impact on agricultural activities in the locality and it is considered that it will support the plantation operations through the provision of an onsite workforce that is available for essential plantation work as and when required.

Regarding carparking, it is recognised that being a plantation site there is sufficient area available for vehicle parking for plantation workers.

Financial Implications:

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

Risk Assessment:

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

Community & Strategic Objectives:

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

Objective 1: Economic

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

ITEM	Outcomes and Strategies
1.1	Local business growth

1.1.2	Work with the agriculture, aquaculture and fishing industries to improve their viability and profile
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Objective 2: Natural and built environment

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

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

Comment:

The officer's recommendation is that the proposed transportable accommodation unit be approved. The proposed use will not have an adverse impact on agricultural activities in the locality and it is considered that it will support the plantation operations through the provision of an onsite workforce that is available for essential plantation work as and when required.

OFFICER'S RECOMMENDATION

Pursuant to Clause 68 of the Planning and Development (Local Planning Schemes) Regulations 2015 and the Shire of Carnarvon Local Planning Scheme No. 10 grant development approval for application P25/20 for the permanent placement (development) of a transportable accommodation unit at LOT 37 (HN 175) NORTH RIVER ROAD, NORTH PLANTATIONS, CARNARVON subject to the following conditions:

- 1. The development is to be generally in accordance with the approved plans submitted on 30 July 2020 inclusive of the Location/Site Plan and Floor Plan dated 22/02/12 Dwg No. 14628-001 and Elevations and Section plan dated 22/02/12 Dwg. No. 14628-001, including any amendments placed thereon by the Shire of Carnarvon and except as may be modified by any other conditions of this approval or with prior written approval of the Shire of Carnarvon.***

Advice notes:

- i) If the development the subject of this approval is not substantially commenced within a period of two (2) years, or another period specified in the approval after the date of determination, the approval will lapse and be of no further effect.***
- ii) If an applicant is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be made within 28 days of determination.***
- iii) This approval does not confer approval under other relevant legislation, including but not limited to, the Building Act 2011 and the Health Act 1911. It is the responsibility of the applicant to determine any necessary approvals required and obtain such approvals prior to the commencement of development and use. However, to assist in understanding the necessary requirements and approvals, further information can be obtained by contacting the Shire of Carnarvon Building Services on (08) 9941 0000.***

File No:	ADM1867, P28/20
Date of Meeting:	25 August 2020
Location/Address:	Banksia Drive, Coral Bay
Name of Applicant:	Lisa Eveson
Name of Owner:	Road Reserve (Shire of Carnarvon)
Author/s:	John Meggitt, Principal Planner
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Previous Reports:	25 February 2020; 28 July 2020

Summary of Item:

This item relates to an application received for a six (6) month extension to the mobile trading license for Australia Post services at Coral Bay. The applicant currently operates the Australia Post services under contract to Australia Post via a mobile trailer cabin located within the road reserve of Banksia Drive. The contractor is seeking to continue to operate past the current 14 September 2020 expiry date for a further period of 6 months.

The request is not consistent with the site requirements of the recently adopted "Coral Bay Mobile Trading Policy (Policy D003)" see Schedule 8.3.5 as this policy only allows mobile traders to operate within private land. This report recommends that the licence application be refused.

Description of Proposal:

The applicant's current licence (HHT 20/002) expires on 14 September 2020. The applicant is seeking approval to operate as per the current operation up until mid-March 2021. For completeness, the hours of operation sought are from 2:00pm until 5:00pm Monday to Friday with an additional 30-minute period requested for setup.

Background:

The Shire of Carnarvon Local Law 'Hawkers, Traders and Stall Holders' relates to the temporary occupation of land for the purpose of either selling or displaying goods or providing services to customers. The application for the current approval was considered by Council on 25 February 2020; Council resolved the following:

1. *That Council resolve to work with the applicant Lisa Eveson, the local community and stakeholders, to find a suitable, safe vehicular friendly, compliant mobile trading site to operate the Australia Post service from. With special consideration given to operating at the Shire road reserve to the south of Baiyungu Aboriginal Corporation Village (BACV) workers accommodation Lot 308 and to the north of Lot 307 Coral Bay.*
2. *2. CEO be directed to establish the hard stand area south of the BACV for the use by mobile traders as a matter of priority to be completed on or before end of March 2020.*

The CEO issued a license for the proposed activity on 13 March 2020 giving an expiry date of 14 September 2020. Further correspondence was issued on 22 May 2020 clarifying that the term of the approval was for 6 months, and that the expiry date was confirmed to be 14 September 2020.

Subsequent to the approval being granted for the license, the contractor lodged an application to amend the license to allow the service to operate from a mobile trailer cabin rather than from a van; Council approved this application on 28 July 2020. The current application must be considered within the policy

setting of recently approved Policy D003 which does not permit mobile trading in locations other than private land.

Consultation:

No public consultation is required for mobile trading applications.

Statutory Environment:

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, license renewals, license conditions, and the revocation of licenses.

Cl. 29.4 of the Policy states that the Council when considering an application for a licence shall have regard to any relevant policy statement, the location of the proposed activity and the circumstances of the case.

Cl. 29.5 states that:

The Council may Grant the licence or renewal, or refuse to grant the licence or renewal and it may so refuse the on any of the following grounds - 29.5.4 the proposed activity or place of trading is in the opinion of Council undesirable.

Relevant Plans and Policy:

Shire of Carnarvon Policy: D003 Coral Bay Mobile Trading

On 23 June 2020, the Shire adopted Policy D003 Coral Bay Mobile Trading. Policy D003 has a site requirement that states that a place will only be approved for mobile trading if it is identified in the Schedule of Declared Trading Locations. The Schedule specifies private land as the only permitted location for mobile trading in Coral Bay.

As the site identified in the application is not located within private land it does not satisfy the site requirements of Policy D003.

Financial Implications:

There are no identified financial implications.

Risk Assessment:

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

Community & Strategic Objectives:

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

Objective 1: Economic

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

ITEM	Outcomes and Strategies
1.1	Local business growth

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

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

Comment:

The Shire's recently adopted policy – *Policy D003 Coral Bay Mobile Trading* limits trading to land in private ownership. The previous mobile trading licence application approved on 28 July 2020 was approved under Shire Policy D001 Mobile Trading which no longer applies to the Coral Bay area.

As the site that is the subject of this license application does not comply with the location requirements of the new policy it is recommended that the application be refused.

OFFICER'S RECOMMENDATION

- 1. That Council refuse to grant approval for licence application No. P28/20 as lodged on 17 August 2020. Note: The licence application is refused due to its non-compliance with the Shire of Carnarvon Policy D003 Mobile Trading Coral Bay – the application location is outside of the specified sites as identified in the Schedule of Declared Trading Locations.***

Advice Notes

If an applicant is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be made within 28 days of determination.

File No:	ADM0002
Date of Meeting:	25 August 2020
Location/Address:	N/A
Name of Applicant:	N/A
Name of Owner:	Shire of Carnarvon
Author/s:	David Nielsen – Executive Manager Infrastructure Services
Declaration of Interest:	Nil
Voting Requirements:	Absolute Majority
Previous Report:	Nil

Summary of Item:

Council approval for an amendment to the Shire Fees and Charges for the disposal of tyres at Browns Range Waste Facility is recommended.

Description of Proposal:

Disposal fees for tyres at the Shire waste facility are lower than fees charged for disposal by local tyre fitting services. Higher fees are recommended to discourage individuals retaining their old tyres from a tyre service provider and disposing of them at the waste facility.

Background:

Waste facility operators have raised concern regarding tyre disposal fees. They have been made aware of individuals bringing tyres to the Shire waste facility for disposal instead of disposing of tyres at local tyre fitting and service centres.

It has been noted that fees for disposal at the waste facility are lower than the disposal fees charged by these operators.

The current adopted fees and charges are as follows:

TYRES	EXISTING 2020/21 FEE (\$) (Incl GST)
Tyres – per tyre (car)	5.00
Tyres – per tyre - Large (truck/tractor)	11.00
Tyres with rim	28.00

One tyre service business advised the following tyre disposal fees:

Cars and 4WD - \$10
 Light Truck - \$20
 Large Truck - \$30
 Earthmoving Tyre - \$90

Tyres disposed of at the tyre service are returned to the metropolitan area for recycling by transport arranged and paid for by the tyre service operator. The levy charged to customers covers the cost of this transport and disposal.

Tyres are typically returned and recycled under the scheme known as Tyre Stewardship Australia (TSA) which is supported by several major tyre manufacturers.

Consultation:

Operational Staff have requested introduction of fee structure to discourage tyres that would ordinarily be taken care of by tyre service providers under existing recycling schemes.

A local tyre service supplier was consulted to determine fees charged to their customers for tyre disposal. Additional consultation with local tyre service providers will be undertaken to determine if a mutually agreeable system can be implemented where tyres from the tipsite are included in their existing used tyre transport service.

Statutory Environment:

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

6.16. Imposition of fees and charges

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

(a) imposed during a financial year; and*

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

** Absolute majority required.*

6.17. Setting level of fees and charges

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

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

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

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

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

(a) under section 5.96; or

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

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

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

(a) its intention to do so; and

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

Relevant Plans and Policy:

Policy IS005 – Private Works states:

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

Financial Implications:

There are no material financial implications associated with the proposal. The proposal may result in additional fees and charges revenue from tyre disposals.

Risk Assessment:

There are no material risks identified with the proposal.

Community & Strategic Objectives:

Goal 2: Natural and built environment

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

ITEM	OUTCOMES AND STRATEGIES
2.4	Waste management practices that are efficient and sustainable
2.4.2	Provide landfill disposal facilities in Carnarvon and Coral Bay
2.4.3	Provide education on waste reduction and reuse, and opportunities for reuse

Comment:

Tyre disposal is problematic for any landfill. Tyres are bulky, do not compact well and consume high landfill volumes. Tyres represent a fire risk and must be stored in separated cells containing limited numbers of tyres.

The Browns Range facility does not have capability at present to shred tyres. Tyres are accepted whole and are buried.

The proposed fees have been determined by taking into consideration levies charged at local tyre fitters for tyre disposal and fees and charges applied at Exmouth, Shark Bay and the City of greater Geraldton.

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

The new fee structure is proposed to take effect from 1 October 2020.

Operationally it is hoped that this will:

1. reduce the number of tyres being disposed of at the tip; and
2. open opportunities for tyres bought to the tip to be included in the regular transport run of tyres returned for recycling through mutually agreeable arrangements with the local tyre services.

OFFICER'S RECOMMENDATION

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

- (a) Amends its fees and charges for the disposal of tyres at the Browns Range Waste Facility as provided below.*
- (b) Implements the fee effective from 1 October 2020.*
- (c) Publicly advertises its intention to introduce the amended fees and the date from which they take effect.*

TYRES (PER TYRE)	2020/21 FEE (Incl GST)
<i>Car and motor cycle tyre</i>	<i>\$10.00</i>
<i>Four wheel Drive and Light Truck Tyre</i>	<i>\$15.00</i>
<i>Truck Tyre</i>	<i>\$35.00</i>
<i>Tractor/Earthmoving Tyre (Small up to 1m Tall)</i>	<i>\$95.00</i>
<i>Tractor/Earthmoving Tyre (Large 1-2m Tall)</i>	<i>\$150.00</i>
<i>*Any tyre still attached to rim attracts double fee</i>	

(Absolute majority required)

File No:	
Date of Meeting:	25 August 2020
Location/Address:	Mahoney Street, Carnarvon
Name of Applicant:	N/A
Name of Owner:	Shire of Carnarvon
Author/s:	David Nielsen – Executive Manager Infrastructure Services
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Previous Report:	Nil

Summary of Item:

Councils attention is drawn to a structural assessment report completed on the Carnarvon OTC Dish. It is recommended Council establishes a working group to commence strategic planning work around the feasibility of retaining and developing this community feature.

Description of Proposal:

A structural assessment of the Carnarvon OTC Dish has been completed. The assessment identifies approximately \$1.7M of required remediation works over a five-year period.

This report proposes establishment of a working group with the support of the Shire, the GDC and the Space and Technology Museum to develop a strategy for the OTC dish.

The role of that group in the first instance is likely to be to conduct and deliver a cost benefit assessment to determine and quantify the value of the dish locally and regionally. This information will be necessary to build a business case for sourcing remediation funding from State, Federal and any other sources.

Background:

The OTC dish is an iconic Carnarvon feature. Work was commissioned in June 2020 to review and update a 2009 structural assessment undertaken by GHD consulting engineers. This review was completed by Blacktop Consulting Engineers (BCE) and is provided in **Schedule 8.4.2**.

The report proposes four remediation works priority levels:

- Level 1 – action recommended within 6 months
- Level 2 – action recommended within 12 months
- Level 3 – action recommended within 2 years
- Level 4 – action recommended within 5 years

Approximately \$1.7M of remediation work has been identified. This level of expenditure is beyond current Shire of Carnarvon financial capacity and without significant additional funding, the future of the dish is in doubt.

A “do nothing” scenario also represents a financial risk to the Shire as demolition costs are likely to be significant.

The dish has historical significance in terms of Australia’s role in the NASA space program of the 1970’s and 80’s. Anecdotally, the dish is believed to be an iconic feature and a regional visitor attractor. This perceived benefit will need to be quantified in order to build a business case for preservation funding.

A strategy is required to determine *if/why* the dish should be remediated and retained and *how* this remediation is to be funded into the future.

Consultation:

Nil undertaken at this stage.

Statutory Environment:

Nil applicable at this stage.

Relevant Plans and Policy:

Nil applicable at this stage.

Financial Implications:

There are no material financial implications associated with the recommendation.

There are significant potential financial implications associated with ongoing maintenance and remediation of the dish.

The table below taken from the assessment report summarises budget estimated costs to conduct repairs.

Table 1: Cost Estimate Summary

Item	Budget Estimate	
Steelwork Repair Works	\$220 000	(GST Excl)
Steelwork Painting	\$740 000	(GST Excl)
Concrete Pedestal Remediation Works (60m ²)	\$100 000	(GST Excl)
Scaffolding to Underside of Reflector (30x30x30m)	\$660 000	(GST Excl)
Total	\$ 1720 000	(GST Excl)

Risk Assessment:

There are no material risks associated with the proposal.

Risks associated with the continued dilapidation of the dish include:

- Public Safety Risk
- Financial Risk
- Reputational Risk
- Local Economic Risk

These risks may be quantified and mitigated through development of a sound strategic plan.

Community & Strategic Objectives:**Objective 1: Economic**

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

ITEM	OUTCOMES AND STRATEGIES
1.2	Thriving tourism industry within the district/region
1.2.2	Support the development and promotion of tourism attractions in the district of the Shire of Carnarvon

Objective 2: Natural and built environment

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

ITEM	OUTCOMES AND STRATEGIES
2.8	Preservation of local heritage buildings and places of interest
2.8.2	Heritage buildings and places of interest are preserved and maintained through effective planning controls
2.8.3	Appropriate maintenance and signage for Shire-owned heritage buildings and places of interest

Comment:

The assessment report is indicative of significant remediation works to retain the OTC dish as a safe and effective visitor attraction feature.

A strategy needs to be established to determine if and how the Shire of Carnarvon can retain management responsibility for the OTC Dish.

In the first instance, discussion and meetings are recommended to be held between the Shire, the Gascoyne Development Commission (GDC) and the Carnarvon Space and Technology Museum with a view to establishing a formal strategic planning working group.

It is recommended that the initial aim of this group should be to source and secure funding to undertake a sufficiently detailed Cost Benefit Analysis (CBA) and develop a business case around the value of the dish to the Carnarvon and regional community.

OFFICER'S RECOMMENDATION

That Council directs the CEO to contact the GDC and the Carnarvon Space and Technology Museum with a view to establishing a working group to develop a strategic plan for the Carnarvon OTC dish and nominates Cr..... as Councils working group representative.

(Simple majority required)

Date of Meeting:	25 August 2020
Location/Address:	Blowholes Road, Carnarvon
Name of Applicant:	N/A
Name of Owner:	Shire of Carnarvon
Author/s:	David Nielsen – Executive Manager Infrastructure Services
Declaration of Interest:	Nil
Voting Requirements:	Officers Recommendation 1 - Simple Majority Officers Recommendation 2 - Absolute Majority
Previous Report:	Nil

Summary of Item:

Council approval for the removal of redundant grids on Blowholes Road is sought. Council's delegation to the CEO is also sought for developing agreements with Blowholes Road property owners and Dampier Salt for staged fencing of Blowholes Road to minimise grid requirements.

Description of Proposal:

A total of eight grids are currently in service on Blowholes road. At least one of these grids is a boundary grid.

Removal of existing redundant grids on the road is recommended. Also recommended is delegated authority to the CEO to develop agreements with Blowholes Road property owners and Dampier Salt for the staged future fencing of Blowholes Road to permanently eliminate or minimise the need for grids.

Background:

Inspections of Blowholes Road indicates up to seven of the eight existing grids are currently in a "redundant" condition with no viable stock fencing constructed to these grids.

The condition of the grids has also been noted as follows:

- Fair Condition – 5
- Poor Condition – 2
- Failed/Very Poor – 1

Based on the estimated fencing material costs, roadside fencing of the road could present an overall cost benefit when compared to the operation, maintenance, and replacement of grids over the longer term.

It is therefore recommended that Council proceed with the removal of redundant grids on Blowholes Road to eliminate the liability associated with their safety. It is also recommended to develop agreements with Blowholes Road property owners and Dampier Salt for the staged installation of roadside fencing to minimise the need for grids and improve road user safety.

Consultation:

Previous consultation has been undertaken with the owners of Boolathana and Quobba Stations.

Discussion with Boolathana Station indicated a desire for them to develop paddocks on the southern side of Blowholes Road. Discussion also indicated a willingness on their part to enter into an agreement with the Shire for the fencing of the road to eliminate grids from the roadway. The basis of that agreement was for the Shire to provide fencing materials and for the station to conduct the fencing installation works.

Discussions with Quobba Station has previously indicated a general unwillingness to remove redundant grids on Blowholes Road. This is due to concerns on their part that if they choose to develop and re-fence these paddocks in the future, they will be required to meet the full cost of installing new grids.

Dampier Salt has been approached to determine if they would be prepared to contribute to the fencing cost (as far as their access road at approx. SLK 42km) as a safety initiative for their vehicles travelling the road. No formal response has been received to date.

It was reported by Dampier Salt that there have been close calls on the road between Dampier Salt vehicles and stock. No actual collisions have been reported however and they have advised that they were consulting with their community engagement team regarding the possibility of funding.

Statutory Environment:

Section 5.42 of the Local Government Act 1995 applies as follows:

5.42. Delegation of some powers and duties to CEO

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

- (a) this Act other than those referred to in section 5.43; or
- (b) the Planning and Development Act 2005 section 214(2), (3) or (5).

* Absolute majority required.

Relevant Plans and Policy:

Nil applicable.

Financial Implications:

The 20/21 Draft budget contains an allocation of \$150,000 for grid replacement. Typically, this budget allocation is utilised to fund the purchase of up to three new grid structures (\$60,000) and fund any urgent grid replacements and/or removals.

There are currently four grids on hand at the Shire depot. This is a sufficient reserve of grids for the following 12-month period.

Fencing cost estimates assumes fence installation on both sides of the road for its *full* length. This is unlikely due to the presence of salt pan areas. Final fencing lengths and costs will need to be determined in consultation with the property owners.

Materials costs associated with fencing is estimated as follows (based on budget quotation from local provider):

Item	Cost	Unit	Quantity (km)	Total	Shire Contribution	Dampier Salt Contribution
Cattle Fence Materials to Boolathana Quobba Boundary	\$2,400	per km	64	\$153,600	\$76,800	\$76,800
Sheep Fence Materials from Boundary Grid to Dampier Salt Turn Off	\$3,700	per km	20	\$74,000	\$37,000	\$37,000
Sheep Fence Materials from Dampier Salt Turnoff to end of Road	\$3,700	per km	16	\$59,200	\$59,200	N/A
Total			100	\$286,800	\$173,000	\$113,800

Fencing is unlikely to be required until the properties are ready to develop new paddocks. If agreement can be

established based on the Shire and Dampier Salt sharing fencing material costs and the property owners meeting the cost of fencing installation, full fencing of the road could be comfortably completed over a five year period with an annual allocation by the Shire of approximately \$35,000 and an annual contribution by Dampier Salt of approximately \$23,000. That annual Shire allocation is less than the cost of one grid replacement and can be accommodated within the annual grid replacement budget of \$150,000.

Risk Assessment:

Road Safety Risk – Of the existing grids, three are identified as priorities for replacement. On at least 3 – 5 occasions per year over the past two years, emergency repair works has been required on Blowholes Road grids due to damage/failures such as broken and protruding rails, cracked welds or grid sections dislodged and protruding. These types of failures represent a danger to road users.

Two factors are thought to contribute to this – heavy vehicle traffic partially associated with the Dampier Salt operation and the generally higher traffic volumes and speeds on Blowholes Road when compared to other Shire rural roads containing grids. Minimisation (or preferably elimination) of grids on Blowholes Road will mitigate road safety risks.

Financial Risk – The total cost of replacing all eight grids on the Blowholes road (which is likely to be necessary within a 5 – 10-year period) will require an estimated Shire contribution of \$440,000 (\$55,000/grid). If the proposed fencing agreement can be reached, the shire contribution over the five-year plan would be \$173,000.

Assuming a 25-year useful life for a grid equates to an annual life cost of approximately \$17,600 p.a. for replacement of all grids on the Blowholes Road. That annual cost would equate to the complete material replacement of approximately 7km of cattle fence per year or 5km of sheep fencing per year.

Fencing of Blowholes Road appears therefore to represent a potential saving in cost over the longer term. The cost and responsibility of ongoing maintenance of any roadside fencing would need to be a factor considered in any property owner agreement.

Precedence Risk – Council partially funding fencing works along Blowholes Road may be taken as a precedent for other Shire Roads resulting in requests for similar contributions.

Such requests should be considered on a case by case basis. Additional instances may in fact be identified where fencing represents better value by working with property owners to minimise grid numbers on Shire roads through directed fencing installation.

It should be noted however that Blowholes road is somewhat of a unique case given its higher traffic volumes and speeds, relatively short length and higher than typical number of grids per km.

Community & Strategic Objectives:

Objective 2: Natural and built environment

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

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

Comment:

Fencing Blowholes Road is potentially a viable and cost-effective alternative to the use of grids and there is an opportunity for the cost of fencing works to be shared between relevant stakeholders.

Existing redundant grids serve no present stock control purposes and represent nothing other than a potential road safety hazard. There does not appear to be any firm commitment from property owners for the need to retain these

grids.

Removal of the grids and an agreement for the future installation of fencing will serve to improve safety for road users.

OFFICER'S RECOMMENDATION 1

That Council approves the removal of all grids on Blowholes Road that do not have associated constructed and viable stock fencing and directs the CEO to advise the relevant property owners accordingly.

(Simple majority required)

OFFICER'S RECOMMENDATION 2

That Council delegates authority to the CEO to develop instruments of agreement with station owners on Blowholes Road and with Dampier Salt for the shared cost of establishing stock fencing along the Blowholes Road boundary and to report back to Council on the outcomes of any agreement(s) for Council consideration.

(Absolute majority required)

8.4.4 LOCAL ROADS AND COMMUNITY INFRASTRUCTURE PROGRAM PROJECT NOMINATIONS

Date of Meeting:	25 August 2020
Location/Address:	Various
Name of Applicant:	N/A
Name of Owner:	Shire of Carnarvon
Author/s:	David Nielsen – Executive Manager Infrastructure Services
Declaration of Interest:	Nil
Voting Requirements:	Officers Recommendation 1 - Simple Majority Officers Recommendation 2 - Absolute Majority
Previous Report:	Nil

Summary of Item:

Council approval of nominated Local Roads and Community Infrastructure (LRCI) projects is sought.

Description of Proposal:

LRCI funding provided to the Shire of Carnarvon totals \$844,041. The report seeks Council approval for nominated projects as determined by Councillors at a workshop conducted on 13 August 2020.

A total of 11 projects are nominated. Funding program guidelines are provided in **Schedule 8.4.4** for reference.

Background:

In July 2020, the Shire was advised it was the recipient of \$844,041 of Federal Local Roads and Community Infrastructure (LRCI) Funding.

The following details the stated intent of the program:

The LRCI Program runs from 1 July 2020 to 31 December 2021, with projects required to be physically completed by 30 June 2021. The Program was announced as part of the Australian Government's wider economic response to COVID-19.

The LRCI Program aims to assist a community-led recovery from COVID-19 by supporting local jobs, firms, and procurement. It is expected that councils will use local businesses and workforces to deliver projects under the LRCI Program where possible to ensure stimulus funding flows into local communities.

The scope of the LRCI Program supports a broad range of Eligible Projects so communities can fund the infrastructure that they need, support businesses and create employment opportunities across their communities. The LRCI Program is a Demand Driven (eligibility based) grant program.

The objective of the LRCI Program is to stimulate additional infrastructure construction activity in local communities across Australia to assist communities to manage the economic impacts of COVID-19.

The intended outcomes of the LRCI Program are to:

- provide stimulus to protect and create local short-term employment opportunities through funded projects following the impacts of the COVID-19; and*
- deliver benefits to communities, such as improved road safety, accessibility and visual amenity.*

A workshop was conducted with Council to consider potential LRCI funded projects. The table below summarises the results of that workshop:

Project Number	Description	Budget	Priority	Comments
1.	Dog Fencing Project Support	\$50,000		Grids are on hand at depot for immediate supply. Stock

Project Number	Description	Budget	Priority	Comments
	<ul style="list-style-type: none"> Supply and deliver 2 x New Grids for installation on roads crossed by new wild dog fence being installed south of Carnarvon. 			replacements will need to be ordered.
2.	Growers Market Upgrades <ul style="list-style-type: none"> Installation of improved power outlets and lighting for Gascoyne Growers market area and shed at the Civic Centre to support market stall holders and community events. 	\$15,000		
3.	Coral Bay Visitor Signage Project <ul style="list-style-type: none"> Upgrade to entry statement welcome signage Additional tourism signage. 	\$25,000		
4.	Town Beach Kiosk Upgrade Project <ul style="list-style-type: none"> Refurbish kiosk at Town Beach so it can be used for new business to be established. 	\$20,000	High	Will provide a rental/lease income to the Shire and will activate the adjacent areas.
5.	Fascine Shelter Project <ul style="list-style-type: none"> Reinstall BBQ and shade structure at the corner of Oliva Terrace and Brown Street. 	\$50,000		Important Note: Preferred location is to replace badly corroded existing structure. Specific direction required from Council to install shelter at previous site as this will create conflict and dispute with adjacent resident.
6.	Tramway Bridge Upgrade Project <ul style="list-style-type: none"> Refurbish/replace shelter. Replace seating and benches Paint bridge rails Install heritage information signage Remove existing railway lines from bridge structure. 	\$50,000	High	Railway line may be sold as high-grade scrap metal.
7.	Town Amenity Improvements Project <ul style="list-style-type: none"> Consistent quality bin surrounds throughout town. Public Toilet refurbishments Premier Oval Fence Replacement Park furniture/equipment upgrades. Long Vehicle Parking Other amenity improvements to repair what we already have. 	\$319,000		
8. 11	Airport Amenity Improvements <ul style="list-style-type: none"> Seating replacements Baggage area refurbishment Taxi Shelter Bin Surrounds Toilet refurbishment Gardens 	\$120,000		

Project Number	Description	Budget	Priority	Comments
9.	Blowholes Camping Area Improvements <ul style="list-style-type: none"> • Signage to ensure camp permit payment and general directional/information signage. • Designated bays for campsites with online booking/payment system • Complete caretaker sea container site with decking, windbreak etc • Develop additional camp sites on dune areas to the right of the access road. 	\$160,000		Will provide additional income from camping grounds. Important note – proposed additional camp site area is contrary to approved Blowholes Reserve Management Plan and may not be possible.
10.	Artificial Reef Project <ul style="list-style-type: none"> • For purchase of additional artificial reef modules to create the largest artificial reef in WA. 	\$25,000		Creates an attraction point for additional tourists and income for the community.
11.	Tennis Club Clubhouse Upgrade Project <ul style="list-style-type: none"> • Replace external lighting • Window and security screen replacement • Painting and Ceiling Repairs • Toilet cistern replacements • Fencing and Gate Repairs • Tree trimming and removals 	\$10,000		Council resolution FC 18/7/20
TOTAL		\$844,000		

Consultation:

A workshop was completed with Councillors on 13 August to discuss and nominate potential projects for application of the funding. The list provided represents summarised results of that workshop.

Statutory Environment:

Section 5.42 of the Local Government Act 1995 applies as follows:

5.42. *Delegation of some powers and duties to CEO*

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

- (a) *this Act other than those referred to in section 5.43; or*
- (b) *the Planning and Development Act 2005 section 214(2), (3) or (5).*

** Absolute majority required.*

Relevant Plans and Policy:

The Shires Purchasing Policy will apply to all procurement undertaken as part of the projects.

Financial Implications:

The funding program will fund up to 100% of the project costs. The nominated projects have been developed on the basis that they are 100% funded therefore there is no impact on the bottom line of the draft 20/21 budget.

Risk Assessment:

Project Completion Risk – Projects must be nominated no later than 31 December 2020 and be physically completed by 30 June 2021.

Limited resources within the Shire to detail and procure the projects risk meeting the required completion deadline. It may be necessary to outsource project planning, detailing and procurement to ensure the project completion deadline can be met.

Community & Strategic Objectives:

Objective 1: Economic

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

ITEM	OUTCOMES AND STRATEGIES
1.1	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
1.2.2	Support the development and promotion of tourism attractions in the district of the Shire of Carnarvon
1.3	Transport hubs that support a thriving region
1.3.1	Provide and maintain airports at Carnarvon and Coral Bay

Objective 2: Natural and built environment

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

ITEM	OUTCOMES AND STRATEGIES
2.6	Shire assets and facilities that support services and meet community need
2.6.3	Town footpaths and verges are appropriately managed according to their need and use
2.6.4	Parks and gardens and open spaces are appropriately managed according to their need and use
2.6.5	Buildings and facilities are appropriately managed according to their need and use
2.6.6	Maintain town centre, Fascine and town beach for enjoyment of locals and visitors, that the community can take pride in

Comment:

LRCI funding represents a significant opportunity for local amenity improvements and stimulation of the local economy. Most works can be sourced from local providers.

OFFICER'S RECOMMENDATION 1

That Council nominates the following projects for completion under the LRCI funding program

Project Number	Description	Budget	Priority	Comments
1.	Dog Fencing Project Support <ul style="list-style-type: none">Supply and deliver 2 x New Grids for installation on roads crossed by new wild dog fence being installed south of Carnarvon.	\$50,000		
2.	Growers Market Upgrades <ul style="list-style-type: none">Installation of improved power outlets and lighting for Gascoyne Growers market area and shed at the Civic Centre to support market stall holders and community events.	\$15,000		

<i>Project Number</i>	<i>Description</i>	<i>Budget</i>	<i>Priority</i>	<i>Comments</i>
3.	<i>Coral Bay Visitor Signage Project</i> <ul style="list-style-type: none"> <i>Upgrade to entry statement welcome signage</i> <i>Additional tourism signage.</i> 	<i>\$25,000</i>		
4.	<i>Town Beach Kiosk Upgrade Project</i> <ul style="list-style-type: none"> <i>Refurbish kiosk at Town Beach so it can be used for new business to be established.</i> 	<i>\$20,000</i>	<i>High</i>	
5.	<i>Fascine Shelter Project</i> <ul style="list-style-type: none"> <i>Reinstall BBQ and shade structure at the corner of Oliva Terrace and Brown Street.</i> 	<i>\$50,000</i>		<i>Location of Shelter structure and BBQ shall be <??????????????></i>
6.	<i>Tramway Bridge Upgrade Project</i> <ul style="list-style-type: none"> <i>Refurbish/replace shelter.</i> <i>Replace seating and benches</i> <i>Paint bridge rails</i> <i>Install heritage information signage</i> <i>Remove existing railway lines from bridge structure.</i> 	<i>\$50,000</i>	<i>High</i>	
7.	<i>Town Amenity Improvements</i> <ul style="list-style-type: none"> <i>Consistent quality bin surrounds throughout town.</i> <i>Public Toilet refurbishments</i> <i>Premier Oval Fence Replacement</i> <i>Park furniture and equipment upgrades.</i> <i>Long Vehicle Parking</i> <i>Other amenity improvements to repair what we already have.</i> 	<i>\$320,000</i>		
8. 11	<i>Airport Amenity Improvements</i> <ul style="list-style-type: none"> <i>Seating replacements</i> <i>Baggage area refurbishment</i> <i>Taxi Shelter</i> <i>Bin Surrounds</i> <i>Toilet refurbishment</i> <i>Gardens</i> 	<i>\$120,000</i>		
9.	<i>Blowholes Camping Area Improvements</i> <ul style="list-style-type: none"> <i>Signage to ensure camp permit payment and general directional/information signage.</i> <i>Designated bays for campsites with online booking/payment system</i> <i>Complete caretaker sea container site with decking, windbreak etc</i> <i>Develop additional camp sites on dune areas to the right of the access road.</i> 	<i>\$160,000</i>		
10.	<i>Artificial Reef Project</i> <ul style="list-style-type: none"> <i>For the purchase of additional artificial reef modules to create the largest artificial reef in WA.</i> 	<i>\$25,000</i>		
11.	<i>Tennis Club Clubhouse Upgrade Project</i> <ul style="list-style-type: none"> <i>Replace external lighting</i> <i>Window and security screen replacement</i> <i>Painting and Ceiling Repairs</i> <i>Toilet cistern replacements</i> 	<i>\$10,000</i>		

<i>Project Number</i>	<i>Description</i>	<i>Budget</i>	<i>Priority</i>	<i>Comments</i>
	<ul style="list-style-type: none"> <i>Fencing and Gate Repairs</i> <i>Tree trimming and removals</i> 			
<i>TOTAL</i>		<i>\$845,000</i>		

(Simple majority required)

OFFICER'S RECOMMENDATION 2

That Council delegates authority to the CEO to procure external project management resources where necessary to ensure delivery of the nominated projects within the required funding program timeframe.

(Absolute majority required)

8.4.5 BBRF - EXECUTION OF GRANT FUNDING AGREEMENT – CORAL BAY AIRSTRIP UPGRADE; SAFER CARNARVON CCTV PROJECT; FASCINE ENTRANCE STUDY AND RAISE THE ROOF FOR THE CIVIC CENTRE

Date of Meeting:	25 August 2020
Location/Address:	N/A
Name of Applicant:	N/A
Name of Owner	Shire of Carnarvon
Author/s:	David Nielsen - Executive Manager Infrastructure Services Carolien Claassens – Operations Manager Corporate & Community
Declaration of Interest	Nil
Voting Requirements:	Absolute Majority
Previous Report:	N/A

Summary of Item:

For Council to delegate authority to the CEO to formally execute the funding agreement for the Building Better Regions Fund (BBRF) from the Department of Industry, Science, Energy and Resources for the Carnarvon Recycled Water Pipeline Upgrade.

Description of Proposal:

The Shire applied for BBRF grant funding to complete recycled water pipeline mains upgrade works. The Shire has been offered funding up to \$465,000. Formal acceptance and execution of the funding grant is required.

Background:

The scope of work applied for consists of the upgrade/replacement of existing recycled water distribution mains. The work upgrades/replaces two existing water distribution mains – the Town Beach line and the Town Oval line.

In 2018, this project was initially divided into 4 stages SP A, SP B, SP C and SP D. (Note that SP simply stands for Separable Portion)

- a) Part SP A was site survey, design and technical specification preparation. SP A was completed in 2018. SP A is **not** part of this current project.
- b) Part SP B was the installation of approx. 730 metres of pipeline from the Babbage Island Road pump station to the northern end of Brockman Park. Site work was completed in August this year. SP B is **not** part of this current project.
- c) Part SP C is the install of approx. 450 metres of pipeline from the end of the previous stage to the intersection of Bibra Way and David Brand Drive.
- d) Part SP D is the install of approx. 560 metre of pipeline from the end of the previous stage to Van Dongen Park.

In December 2019, funding application was made under the BBRF program for completion of the three stages of pipeline construction work remaining *at that time* i.e. SP B, SP C and SP D. For simplicity, these will be referred to as Construction Stages 1, 2 and 3.

In February 2020, the Gascoyne Development Commission (GDC) offered funding to the Shire to complete the Stage 1 of the pipeline construction works. A condition of that funding was that site work *had to* commence prior to 30 June 2020.

A funding agreement was executed for a total GDC contribution of \$291,000 toward the project. A public tender process for completion of SP B was undertaken. In May 2020, Council awarded a contract for the completion of SP B. Stage 1 site works commenced on 26 June 2020 and the full funding was paid by the GDC.

In June 2020, advice was received that the Shire had been successful in its BBRF application for all three stages of the project.

The Department of Industry, Science, Energy and Resources have advised categorically that Stage 1 works completed under the GDC funding is no longer eligible for inclusion in the approved BBRF funding.

To progress with the funding the Shire must proceed as follows. Either:

- a) Stages 2 and 3 only are completed. This will result in a reduction in external funding of \$153,750 and a reduction in Councils co contribution of \$51,250.
- or
- b) the project scope of works is increased to maximise utilisation of available funding. Note that any scope increase must be within the overall project framework to upgrade Carnarvon Recycled Water Pipelines.

Note that Stages 2 and 3 of the works are fully shovel ready. All survey and design works have been completed and tenders for the works have been called. This work can be comfortably completed in the 20/21 year.

Additional scope proposed to the Department for completion in 21/22 is as follows:

- a. A further 245m of recycled water mains pipeline from the completion of Stage 3 to replace an existing pipeline to Town Oval.
- b. Installation of irrigation reticulation pipelines, sprinklers and controllers to irrigate areas of Brockman Park with recycled water. This irrigation reticulation would be connected to the mains pipeline completed in Stage 2.

Note that survey and design work for the increased scope has not been completed.

A funding agreement must be executed no later than 16 October 2020.

Consultation:

Consultation with the Department of Industry, Science, Energy and Resources is ongoing.

Statutory Environment:

Section 5.42 of the Local Government Act 1995 applies.

5.42. Delegation of some powers and duties to the CEO

- (1) A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under –
- a) This Act other than those referred in section 5.43; or
 - b) The Planning and Development Act 2005 section 214(2), (3) or (5)

**Absolute majority required*

Relevant Plans and Policy:

Policy C030 - External Grants – Procurement and Management applies

3. Decision to Proceed and Accept Grant Funds

3.1 Where a project has been identified in the Corporate Business Plan and the Long-Term Financial Plan as proceeding if external funding is available and that funding has come available, a report will be prepared for Council which:

- *sets out the funding analysis as set out under Clause 1.1;*
- *identifies whether the timing of the project is now achievable and what, if any, other projects need to be modified or pushed out to accommodate the project if funding is granted;*

- provides a recommendation as to whether funding should be accepted.

Financial Implications:

Details of the final funding grant are currently being finalised with the Department. This issue that needs to be resolved is associated with the additional funding being available due to completion of Stage 1 works under the GDC funding. It is not possible to include that stage in the project as works commenced prior to the execution of the funding agreement.

The Tables below detail the cost implications associated with acceptance of the grant as currently proposed to the Department:

Item	Shire Contribution (25%)	BBRF Contribution (75%)	Total (100%)	Comment
Stage 2 Works (20/21 Budget)	\$46,000	\$138,000	\$184,000	Full survey and detailed design completed. Tenders closed 19 August.
Stage 3 Works (20/21 Budget)	\$57,750	\$173,250	\$231,000	Full survey and detailed design completed. Tenders closed 19 August.
S/Total (20/21 Budget)	\$103,750	\$311,250	\$415,000	
Stage 4 Works (21/22 Budget)	\$51,250	\$153,750	\$205,000	Survey, design and construction of upgraded pipeline from Van Dongen to Town Oval and Install Irrigation in Brockman Park.
S/Total (21/22 Budget)	\$51,250	\$153,750	\$205,000	
Grand Total	\$155,000	\$465,000	\$620,000	

The draft 20/21 budget reflects the above status. Allowance within the 21/22 budget will need to be made for \$51,250 for Stage 4 works if accepted by the Department.

Risk Assessment:

Operational and Maintenance Risks – Not replacing the existing remainder of the PVC pipeline will result in the continuation of maintenance issues associated with its poor condition.

Community & Strategic Objectives:

Objective 2: Natural and built environment

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

ITEM	OUTCOMES AND STRATEGIES
2.3	Flood control and stormwater management practices that are efficient and sustainable
2.3.2	Make most effective use of recycled water for irrigation for open space
2.6	Shire assets and facilities that support services and meet community need
2.6.4	Parks and gardens and open spaces are appropriately managed according to their need and use

Comment:

The project is consistent with the Shire's Community & Strategic Objectives and the Shire expenditure can be accommodated within the current budget and the 21/22 budget (if that additional stage is accepted by the Department.)

The project will complete pipeline replacement works already commenced and will assist in maximizing the usage of recycled water for irrigation.

OFFICER'S RECOMMENDATION

That Council, pursuant to Section 5.42 of the Local Government Act (1995), delegate authority to the CEO to finalise and execute the funding agreement with the Department of Industry, Science, Energy and Resources for the Carnarvon Recycled Water Pipeline Upgrade up to the full approved funding amount of \$465,000 with a total Shire contribution of \$155,000.

(Absolute Majority Required)