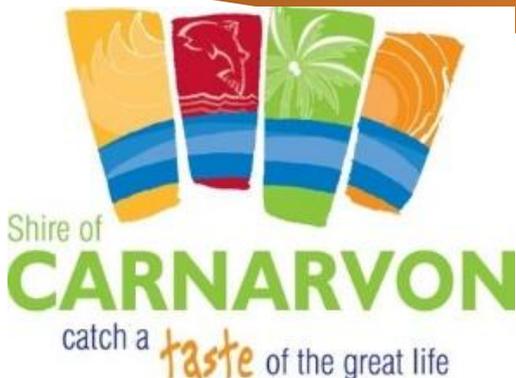


SHIRE OF CARNARVON

MINUTES OF ORDINARY MEETING OF COUNCIL

TUESDAY 25TH JUNE 2019

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



CONFIRMATION OF MINUTES

These minutes were confirmed by the
Council on

as a true and accurate record

.....
Chairman

DISCLAIMER

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

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

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

INFORMATION ON PUBLIC QUESTION TIME

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

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

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

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

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

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

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

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

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

SPECIAL MEETINGS OF COUNCIL

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

INDEX

1.0 ATTENDANCES , APOLOGIES & APPLICATIONS FOR LEAVE OF ABSENCE

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

2.0 PUBLIC AND ELECTED MEMBER QUESTION TIME

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

2.1 QUESTIONS TAKEN ON NOTICE FROM PREVIOUS MEETING

2.2 PUBLIC QUESTION TIME

3.0 DECLARATIONS OF INTEREST

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

4.0 QUESTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN

5.0 CONFIRMATION OF MINUTES

5.1 Minutes of Ordinary Meeting of Council held on Tuesday 28th May 2019

6.0 PRESENTATIONS, PETITIONS AND MEMORIALS

7.0 ANNOUNCEMENTS BY THE PRESIDENT WITHOUT DISCUSSION

8.0 DEPARTMENTAL REPORTS

8.1 GOVERNANCE

8.1.1 Actions Performed Under Delegated Authority – May/June 2019.....6

8.2 CORPORATE & COMMUNITY SERVICES

8.2.1 Accounts for Payment – 31 May 2019..... 17

8.2.2 Management Report – 31 May 2019 19

8.2.3 Investments as at 31 May2019 21

8.2.4 RFT 03/2019 – Camel Lane Theatre – Lighting, Stage & Electrical Systems Upgrade .. 22

8.2.5 Review of Corporate Policies – C002 – Purchasing Policy 26

8.2.6 Carnarvon Airport Fees and Charges 28

8.3 DEVELOPMENT SERVICES

8.3.1 Lot 1312 Pelican Point Road – Department Lands – Lease Renewal..... 32

8.3.2 Lot 1164 Egan Street – Carnival Promotions Family Fun Fair Event..... 36

8.4 INFRASTRUCTURE SERVICES

8.4.1 Infrastructure Monthly Report May 2019..... 41

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 2018 commencing at 8.30am.

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

13.0 CLOSURE



**MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS, STUART STREET,
CARNARVON ON TUESDAY 25TH JUNE 2019**

The meeting was declared open at 8.30am

1.0 ATTENDANCES, APOLOGIES AND APPROVED LEAVE OF ABSENCE

Cr K Brandenburg	Presiding Member/Shire President
Cr E Garrett	Councillor, Town Ward
Cr K Simpson	Councillor, Coral Bay Ward(instantaneous communication)
Cr E Smith.....	Councillor, Town Ward
Cr P Youd.....	Councillor, Town Ward
Cr B Maslen	Councillor, Gascoyne/Minilya Ward
Cr L Skender	Councillor, Plantation Ward
Mr D Burton	Chief Executive Officer
Mr D Nielsen	Executive Manager, Infrastructure Services
Mr M Werder	Executive Manager, Corporate Services
Dr G Ferguson	Acting Executive Manager, Corporate & Community Services
Mr P Lees	Executive Manager, Development Services
Mrs D Hill	Senior Executive Officer
Press	0
Observers	0
Leave of Absence	0
Apologies	Cr Pinner

2.0 PUBLIC AND ELECTED MEMBER QUESTION TIME

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

Public Question Time commenced at 8.30am

2.1 QUESTIONS TAKEN ON NOTICE FROM PREVIOUS MEETING

Nil

2.2 PUBLIC QUESTION TIME

Nil

Public Question Time was closed at 8.31am

3.0 DECLARATIONS OF INTEREST

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

Cr Skender – Impartiality Interest – Item 8.2.4 RFT 03/2019 – Camel Lane Theatre – Lighting, Stage & Electrical Systems Upgrade

4.0 QUESTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN WITHOUT DISCUSSION

Nil

5.0 CONFIRMATION OF MINUTES

5.1 ORDINARY MEETING OF COUNCIL – 28TH MAY 2019

FC 1/6/19

COUNCIL RESOLUTION

Cr Youd/Cr Garrett

That the minutes of the Ordinary Meeting of Council held on 28th May 2019 be confirmed as a true record of proceedings.

CARRIED
F7/AO

6.0 PRESENTATIONS, PETITIONS AND MEMORIALS

Nil

7.0 ANNOUNCEMENTS BY THE PRESIDENT WITHOUT DISCUSSION

Nil

8.0 DEPARTMENTAL REPORTS

8.1 GOVERNANCE

8.1.1 ACTIONS PERFORMED UNDER DELEGATED AUTHORITY FOR THE MONTHS OF MAY/JUNE 2019

Date of Meeting:	25 th June 2019
Location/Address:	3 Francis Street, Carnarvon
Name of Applicant:	Shire of Carnarvon
Name of Owner:	Shire of Carnarvon
Author/s:	David Burton - Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority

Summary of Item:

To report back to Council actions performed under delegated authority for the months May/June 2019.

Description of Proposal:

Refer above.

Background:

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

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

Consultation:

Nil

Statutory Environment:

Local Government Act 1995 - Section 9.49A
Planning & Development Act 2005 – Part 10 Div. 2
TPS No. 10 – Section 2.4
Shire of Carnarvon Local Government Act Local Laws S.29
Health Act 1911 – S.107; Health Act 1911, Part VI
Health (Public Buildings) Regulations 1992

Relevant Plans and Policy:

Nil

Financial Implications:

There are no financial implications.

Risk Assessment:

Reporting requirement only.

Community & Strategic Objectives:

Goal 5: Civic

Strong and listening Council.

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

Comment:

The following tables outline the action performed within the organisation relative to delegated authority for the months May/June 2019 and are submitted to Council for information.

COMMON SEAL

Date Affixed	Agreement Details
29 May 2019	Licence Jetty- No. 4554
31 May 2019	BP Australia – Powerhouse Lot 547 James Street

DELEGATIONS

ENVIRONMENTAL HEALTH

Food

Food Act 2008

Date of decision	Decision Ref.	Decision details	Applicant	Other affected person(s)
21/05/2019	HFO19/003	Registration of Camp Canteen/Kitchen	Mrs Steadman	

Public Buildings

Health Act 1911, Part VI

Health (Public Buildings) Regulations 1992

Date of decision	Decision Ref.	Decision details	Applicant	Other affected person(s)
2/05/2019	HPB19/003	Certificate of Approval – Max. accommodation	Jeffery Webber– (Great Moscow Circus Extreme)	Shire of Carnarvon
10/05/2019	HPB19/005	Certificate of Approval - Max. accommodation	Brian Coubray (Kingdom Hall of Jehovah's Witnesses)	

Lodging houses

Health Act 1911, Part V, Division 2

Shire of Carnarvon Health Amendment Local Laws 2002, Part 8

Date of decision	Decision Ref.	Decision details	Applicant	Other affected person(s)
21/05/2019	HLH19/001	Registration of Lodging House	Mrs Steadman	

Caravan parks and camp grounds

Caravan Parks and Camp Grounds Act 1995

Date of decision	Decision Ref.	Decision details	Applicant	Other affected person(s)
9/05/2019	HCP19/001	Registration of Caravan Park & Camping Ground	Menah P/L	
9/05/2019	HCP19/002	Registration of Caravan Park & Camping Ground	David & Julie Watts	
9/05/2019	HCP19/003	Registration of Caravan Park & Camping Ground	Simon & Tiffany Moore	
13/05/2019	HCP19/004	Registration of Caravan Park & Camping Ground	Coral Bay Investments P/L	

BUILDING

Application No.	Owners Name	Lot & Street	Type of Building Work
B19/037	KATHRYN MARGARET FORBES & WAYNE ANTHONY CROUCH	LOT 731 (66) WHITLOCK ST SOUTH CARNARVON	FENCE
B19/040	REBO NOMINEES PTY LTD	LOT 23 (23) WAHOO CT CORAL BAY	2 STOREY CLADDED HOME WITH RETAINING WALL
B19/042	GABRIELLE ANN & GLENN CAMPBELL	LOT 747 (21) MCLOED ST SOUTH CARNARVON	REMOVAL & REPLACEMENT OF EXISTING ASBESTOS ROOF WITH METAL ROOF SHEETING

SHIRE OF CARNARVON STATUS REPORT CURRENT AS AT MARCH 2019				
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 June or early July.
5/4/16	Regional Waste Infrastructure Project	David Nielsen	Public information program being developed.	July 2019
SCM 1/8/16	Gascoyne Memorial Foundation – Access Arrangements for ILUs	Paul Lees	Relates to existing access arrangements over Shire land at the southern end of the site. The matter is on hold pending the progression of the Brockman Park development proposal.	Ongoing
20/8/16	Public Open Space Strategy	Paul Lees	The <u>draft</u> Public Open Space Strategy document completed by the Shire's chosen consultants. The document requires further Carnarvon-specific actions to complete/implement. A project plan for the completion of the strategy has been developed and further work has recommenced on the project. Further public	2019

			consultation will be undertaken shortly.	
16/9/16	The Shire's Local Laws are overdue for review and do not reflect the current State standard for local law format.	Paul Lees	Officers are currently preparing a contract document to engage a specialist to commence a comprehensive review in the new financial year.	June 2020
23/12/16	Notice of Removal of Houses – Lot 259, 1065 NRR	Dane Wallace	The owner has been convicted for failing to remove the houses, which remain on site. The Shire's solicitor has provided some options to progress this matter, one being that the works will be done in default and the costs charged back to the land. A plan of action is being finalised.	July 2019
17/6/17	Removal of Houses Unfit for Occupation – Lot 39,47 Shallcross Street	Dane Wallace	The Shire has declared two (2) buildings unfit for habitation and under orders one building has been removed. The occupant has refused to cease habitation of the shed; the Shire will need to review further actions in this regard. Most of the accumulated rubbish in the rear of the property has been cleaned up. Shire officers will conduct a further inspection of the general condition of the property to determine if further clean-up is required.	July 2019
4/3/17	Regional Growth Centre Development Planning – MOU	David Burton	MOU signed and submitted. A draft project plan has been submitted to DRD but the Growth Planning Project is on hold pending a decision by the Minister on how the Government wishes to move forward. The current major Strategic Review addresses issues of economic activity and growth.	On hold pending further advice from State Government. Realistically, the RGCD approach is unlikely to be resurrected and this matter should be closed out. No additional information has been received. If no information is received soon, this action will be closed.

14/3/17	Signage – Heritage Walking Trail	David Nielsen	Signage installation commenced. Nil quote submissions received for remainder of installations. New quote request forwarded. No quotes received. Alternate arrangement planned.	July 2019
9/9/17	Revocation of Motion – Carnarvon Heritage Old Tramway Lease	Carolien Claassens	The Heritage Group has provided a Project Brief of the Revitalisation of the One Mile Jetty to the Carnarvon Town Tramway. The brief provided requires more work to in order for it to support an application for a new lease.	Timing is in the hands of the Heritage Committee
16/9/17	Local Planning Scheme No.13	Paul Lees	Draft LPS 13 was advertised in March 2019 with a 90-day period for public comment (submissions). Letters inviting submissions were sent to all land owners in the Kingsford and East Carnarvon areas. The Shire has notified the community that the period for submissions has been extended to mid July 2019.	Subject to responses received, Shire officers have extended the public notification period to allow time for further submissions.
16/11/17	Carnarvon Revitalisation Project – Allocation of Earned Interest	Carolien Claassens	During a meeting with DPIRD the expenditure of the interest has been discussed. The Shire has to provide a proposal how the spend the interest accrual.	Subject to the proposal from the Shire how to spend the interest. This will need Ministerial approval.
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 put on hold while other strategic matters relating to Coral Bay are finalised; in particular the advertising, public submissions, and completion of LPS No. 13.	On hold at the request of the land owner.
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	Ongoing

			decision and further discussions are proceeding.	
8/2/18	Closure of PAW – Lot 302 Wheelock Way	Paul Lees	Council has resolved that the Shire proceed with the process for the closure of the pedestrian accessway as outlined in the WAPC's guideline, and the proposed infrastructure associated with the closure is included in the 2018/19 budget. The report has been finalised and sent to the WAPC for their consideration.	Timeframes are subject to the WAPC
20/6/18	Lotteries House – Boundary Realignment	Paul Lees	Council on 26 June 2018 resolved to approve the Lotteries House boundary realignment, and to waive the fees relating to the related subdivision application (re-alignment of the boundary to accommodate the extension to Lotteries House, and the amalgamation of Lots 111, 189 and 190). The subdivision application is currently being prepared and will shortly be submitted to the WAPC.	June 2019
9/8/18	MOU Amendment – Men's Shed	Carolien Claassens	Awaiting response from Men's Shed for the approval amended MoU. This matter is in the hands of the Men's Shed.	Ongoing
11/8/18	Baxter Spray Park	Paul Lees	Council, at the meeting of 28 August 2018 resolved to authorize the decommissioning of the existing splash park, making safe and developing the site for a picnic area; and directed the CEO to report to Council the options and costs for (a) the construction of an interactive play facility associated with the toddler's pool at the Carnarvon Aquatic Centre,	June 2019

			and (b) Construction of a stand-alone zero depth water park within the grounds of the Carnarvon Aquatic Centre.	
13-14/8/18	St John Ambulance – Land Exchange	Paul Lees	<p>Council, at the meeting of 28 August 2018 resolved to rescind the previous motion of Council of 28 February 2012; and to (a) write to the Hon. Minister Rita Saffioti Minister for Transport; Planning; Lands on behalf of St. John Ambulance Ltd WA requesting the Minister’s intervention in the matter to allow a land transfer to occur between St John Ambulance WA Ltd and the Shire of Carnarvon, for Lot 924 Rushton Street to be transferred for a portion of Lot 928 Robinson Street (approximately 4724m²) without the removal of the existing buildings on lot 924; (2) Instruct the Chief Executive Officer to arrange the survey of the above portion of Lot 928 Robinson Street and lodge an application with the WA Planning Commission for the subdivision and for the lodgement of the deposited plan with Landgate for the creation of a new Certificate of Title; and (3) Approves the funding of all costs relating to the actions outlined in the above item, being Item 2 of recommendation no. 3. Shire officers are preparing the subdivision application for the Robinson Street parcel as per Council’s resolution and will lodge with the WAPC.</p>	June 2019

-	Review of Corporate & Executive Policies	Gael Ferguson	Final Corporate policies to Council in May and June 2019. Executive policies will follow	June 2019 August 2019
9/12/18	Yingarrda Council Aboriginal Corporation – MOP	David Burton	Adopted by Council with CEO delegated to make minor amendments in consultation with Yingarrda. Has been referred to the Corporation for their final approval.	Only minor changes have been made. If not required to come to Council, we will begin next action or bring to Council in June.
6/2/19	New Lease – Coral Coast Helicopters	Carolien Claassens	The applicant has advised that the business entity running the Café might change. We are awaiting the advice before advertising the Disposal of Property by way of lease. The Shire is looking into the installation of a septic tank for the disposal of grey water from the café.	Sept 2019
9/2/19	New Lease/Licence Edmund Rice	Carolien Claassens	The purpose of the vesting order (Management Order) has been amended to 'Recreation Ground and School' to allow Edmund Rice to lease a portion of the Jim Richards Pavilion. The draft lease is currently reviewed by Edmund Rice. Once accepted by both parties the lease will require a consent from the Minister of Lands.	August 2019
22/2/19	Subdivision Clearance – Lot 33 Robinson Street	Paul Lees	The request for clearance of subdivision conditions (P48/18) for Lot 33 on HN 486 Robinson Street, Kingsford was referred to the ordinary meeting of Council held on the 26 February 2019 with a recommendation for the clearance of conditions as proposed. Council resolved to support the clearance of the conditions.	The notice of clearance has been referred to the applicant's agent.

32/2/19	Write off SAR – Coral Bay Investments	David Burton	Seeking information from Insurance services about what is covered.	LGIS currently seeking legal advice through their lawyers. Lawyers are having difficulty confirming sale price from owner.
12 & 13/3/19	Gascoyne Off Road Racing – New Lease Request	Caroline Claassens	A meeting has taken place with the Lessee to discuss community access in the site, commonly known by the name 'Black Flats'. The draft lease is currently reviewed by the Lessee. Once the lease has been accepted by both parties the lease will require a consent from the Minister of Lands, as a condition of the Vesting Order.	August 2019
14 & 15/3/19	Axicom – Renewal of Lease – Telecom Towers	Carolien Claassens	Awaiting Lessees approval of the proposed lease terms. Council indicated, that the Council is not willing to reduce to annual lease fees.	July 2019
12/4/19	Samurai Karate Club – New Lease	Carolien Claassens	A first draft of the lease has been received and requires review by both parties. Once the lease has been accepted by both parties the lease will require a consent from the Minister of Lands, as a condition of the Vesting order.	July 2019
23/4/19	Purchase of Replacement Compactor – Pre Budget Approval	David Nielsen	Additional information prepared for May Council meeting. Workshop to be conducted in new financial year.	July 2019
6/5/19	Lease Renewal – Avis & Budget	Carolien Claassens	Advertised	August 2019
14/5/19	2019/2020 Early Rates Payment Incentive Prize	Gael Ferguson	Report completed Drafting underway	Process for prize - July 2019
15/5/19	Lot 50 Wahoo Court Coral Bay – Amendment to Development Conditions	Paul Lees	Council approved, with conditions, an application for minor amendments to an approved Development Application for a new (replacement) holiday home in Coral Bay.	The Notice of Determination has been sent to the applicant.

16/5/19	Gnaraloo Station – 3 Mile Camp – Waste Disposal Facility	Paul Lees	Council resolved that the proposed waste facility is consistent with the rural zoning of the land, agreed that it should be advertised, and afforded delegation to the CEO to approve in the event that no submissions in opposition are received.	The proposal was advertised on the Shire’s website on 11 th July 2019.
17/5/19	Lot 1309 Olivia Terrace – Eventide Community Arts Festival	Paul Lees	Council approved, with conditions, an application for a festival activity titled the “Eventide Community Arts Festival” to be held at the Town Beach (Lot 1309 Olivia Terrace) on Friday 28 June 2019.	The Notice of Determination has been sent to the application.
18/5/19	LPS 10 Scheme Amendment 75 – Telstra Communications Tower	Paul Lees	Council resolved that the proposed Local Planning Scheme Amendment No. 77 to include a portion of Lot 36 (161) North River Road for the purpose of ‘Radio/Television Installation’ should be determined to proceed as a “basic scheme amendment”.	The proposed Scheme Amendment has been forwarded to the Western Australian Planning Commission for consideration.
19/5/19	This Life Music Festival – Civic Centre Carpark – 29 June 2019	Paul Lees	Council approved, with conditions, the proposal Shire event - “This Life Music Festival” to be held at the Civic Centre carpark on Saturday 29 June 2019.	The matters required to be addressed by the conditions of the approval are being finalised to ensure a fully successful event.
20/5/19	Lots 626,1044 & 1198 Binning Road – Aquaculture 21 Year Lease	Paul Lees	Council supported the further offer of a twenty-one-year lease extension at Binning Road, Babbage Island for the purposes of “Aquaculture, prawning, processing of seafood, fish and protein meal and miscellaneous uses.	The Department of Planning, Lands and Heritage has been advised of Council’s support.
21/5/19	Local Emergency Management Arrangements/ Recovery Plan 2019	Paul Lees	Council endorsed the completed Local Emergency Management Arrangements/ Recovery Plan 2019.	The documents have been distributed as a final document as per the LEMA 2019 requirements.
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	The registered owner has 28 days to appeal the Notice of Cancellation to the

			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.	State Administrative Tribunal (SAT).
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OFFICER'S RECOMMENDATION

That Council accept the Status Meeting Report and reports outlining the actions performed under delegated authority for the months May/June 2019.

FC 2/6/19

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION

Cr Garrett/Cr Skender

That Council accept the Status Meeting Report and reports outlining the actions performed under delegated authority for the months May/June 2019.

CARRIED

F7/AO

8.2 CORPORATE & COMMUNITY SERVICES

8.2.1 ACCOUNTS FOR PAYMENT 31 May 2019

File No: ADM0186
Date of Meeting: 25 June 2019
Location/Address: Shire of Carnarvon
Name of Applicant: Shire of Carnarvon
Name of Owner: Shire of Carnarvon
Author/s: Bianca Ferreira – 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 2018/19 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 May 2019 are listed in *Schedules 8.2.1.(a) and 8.2.1.(b)*.

OFFICER'S RECOMMENDATION

That Council

- a) *Receive the list of payments, as per Schedule 8.2.1 (a) totalling \$1,820,290.94 as presented for the month of May 2019 incorporating;*

<i>Payment Reference from:</i>	<i>Payment Reference to:</i>	<i>Payment Type</i>	<i>Payment Amount</i>
<i>DD36335</i>	<i>DD36500</i>	<i>Bank Direct</i>	<i>\$103,524.35</i>
<i>46952</i>	<i>46964</i>	<i>Muni Cheques</i>	<i>\$73,650.32</i>
<i>7429</i>	<i>7433</i>	<i>Trust Cheques</i>	<i>\$5,328.79</i>
<i>EFT27768</i>	<i>EFT27978</i>	<i>Muni EFT</i>	<i>\$1,609,297.55</i>
<i>EFT27743</i>	<i>EFT27901</i>	<i>Trust EFT</i>	<i>\$28,489.93</i>

- b) *Receive the list of credit card payments, as per Schedule 8.2.1 (b), totalling \$2,651.90 as presented.*
 c) *Note Sundry Creditors as at 31 May 2019 \$1,820,290.94.*

FC 3/6/19

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION

Cr Youd/Cr Garrett

That Council

- a) Receive the list of payments, as per Schedule 8.2.1 (a) totalling \$1,820,290.94 as presented for the month of May 2019 incorporating;

<i>Payment Reference from:</i>	<i>Payment Reference to:</i>	<i>Payment Type</i>	<i>Payment Amount</i>
DD36335	DD36500	Bank Direct	\$103,524.35
46952	46964	Muni Cheques	\$73,650.32
7429	7433	Trust Cheques	\$5,328.79
EFT27768	EFT27978	Muni EFT	\$1,609,297.55
EFT27743	EFT27901	Trust EFT	\$28,489.93

- b) Receive the list of credit card payments, as per Schedule 8.2.1 (b), totalling \$2,651.90 as presented.
c) Note Sundry Creditors as at 31 May 2019 \$1,820,290.94.

CARRIED
F7/AO

8.2.2 FINANCIAL ACTIVITY STATEMENT 31 MAY 2019

File No: ADM0186
Date of Meeting: 25 June 2019
Location/Address: Shire of Carnarvon
Name of Applicant: Shire of Carnarvon
Name of Owner: Shire of Carnarvon
Author/s: Sa Toomalatai, Manager Finance
Declaration of Interest: Nil
Voting Requirements: Officer Recommendation - 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

ITEM	OUTCOMES AND STRATEGIES
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 May 2019.

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

OFFICER'S RECOMMENDATION

That Council, in accordance with Regulation 34 of the Local Government (Financial Management) Regulations 1996, receive the Statement of Financial Activity for the period ended 31 May 2019 as per Schedule 8.2.2.

FC 4/6/19

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION

Cr Skender/Cr Garrett

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 May 2019 as per Schedule 8.2.2.

CARRIED

F7/AO

8.2.3 INVESTMENTS AS AT 31 MAY 2019

File No: ADM0186
 Date of Meeting: 25 June 2019
 Location/Address: Shire of Carnarvon
 Name of Applicant: Shire of Carnarvon
 Name of Owner: Shire of Carnarvon
 Author/s: Jodie Anderson, Senior Finance Officer
 Declaration of Interest: Nil
 Voting Requirements: Simple Majority

Summary of Item:

To report the Council details of surplus funds invested to 31 May 2019.

Description of Proposal:

N/A

Background:

Nil.

Consultation:

Takes place with Financial institutions prior to renewal of investments.

Statutory Environment:

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

Relevant Plans and Policy:

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

Financial Implications:

Nil.

Risk Assessment:

No risk identified.

Community & Strategic Objectives:

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

Comment:

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

OFFICER’S RECOMMENDATION

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

FC 5/6/19

COUNCIL RESOLUTION & OFFICER’S RECOMMENDATION

Cr Skender/Cr Youd

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

CARRIED
F7/AO

8.2.4 CAMEL LANE THEATRE PROVISION OF PROJECT MANAGEMENT SERVICES FOR LIGHTING, STAGE AND ELECTRICAL SYSTEMS UPGRADE – REQUEST FOR TENDER (RFT) 03/2019

8.36am – Cr Skender declared an Impartiality Interest in this item as his partner is a co-author of this report. Cr Skender was not required to leave the meeting and could participate and vote on the matter.

File No: ADM1948
Date of Meeting: 25 June 2019
Location/Address: Carnarvon Civic Centre – Camel Lane Theatre
Name of Applicant: N/A
Name of Owner: Shire of Carnarvon
Author/s: Carolien Claassens – Manager Governance Officer
 Paul Lees – Executive Manager Development Services
Declaration of Interest: Nil
Voting Requirements: **Officer Recommendation 1** - Simple Majority
Officer Recommendation 2 - Absolute Majority
Previous Report: N/A

Summary of Item:

This report details the tender process undertaken for Request for Tender RFT03/2019 – Camel Lane Theatre provision of Project Management Services for Lighting, Stage and Electrical Systems upgrade and seeks Council endorsement to accept the tender submission from Venue Technical Services (VTS).

Description of Proposal:

The Shire of Carnarvon sought an experienced and qualified contractor for the provision of Project Management delivery including the provision of electrical, stage, rigging equipment, and electrical power upgrade for the Camel Lane Theatre.

Public tenders were invited for the works. The tender process is detailed in the Tender Evaluation Report provided at **Confidential Schedule 8.2.4(a)**.

The successful tenderer will be contracted for a Fixed Price Contract. The proposed budget advised in the Tender Document is \$240,000. All submissions have been within the proposed budget.

Background:

In December 2018 the Shire received grant funding from the Department of Local Government, Sport and Cultural Industries for a major technical upgrade of the Camel Theatre lighting and rigging system.

The theatre is 27 years old and was originally built to accommodate local amateur theatre and school performances. Over the years incremental technical upgrades have taken place to accommodate touring and other more sophisticated productions. However there has been no significant comprehensive modernisation of the lighting and rigging facilities to meet the requirements of contemporary commercial touring companies and other theatrical productions.

Significant improvements were made to the rigging facilities in early 2018, however further rigging upgrades are required to accommodate the proposed new lighting facilities.

The works required for this Contract include the provision of project management services, with a requirement for the contractor to take responsibility to oversee the works. The works include:

- Redesign and replacement of all lighting bars to install a user-friendly system;
- Relocation of the cinema screen forward within the stage area and installation of the new stage bar;
- Replacement of the existing torn cyclorama;
- Replacement of the lighting desk;
- Upgrading and replacement of the old lighting stock with new LED lights; and
- Supply and installation of distribution boxes and rewiring of the new lighting bars.

A specific timeline has been identified for the completion of the works. The lighting equipment must be provided by 2nd of August 2019 (which will be installed by Civic Centre staff) and the rigging and electrical upgrade between 24th August 2019 and 19th of September 2019.

The Shire received three submissions:

1. Stagecraft Pty Ltd
2. Installation Theatrical Engineering (ITE)
3. Venue Technical Services (VTS).

The Panel has evaluated the submissions. All submissions have received an acceptable scoring with VTS being the highest scoring submission. The Recommendation Report, **confidential Schedule 8.2.4(a)** provides a comprehensive summary of the tender process undertaken, the submissions received and the tender evaluation.

VTS has clearly articulated an understanding of the Scope of Works. Their submission includes a comprehensive explanation to the methodology for the work by describing each element of the project. VTS was the only submitter that saw value in visiting the site; this provided them with a thorough understanding of the theatre complex. Their demonstrated range of other work is comprehensive; being comparable to the scale of this Tender. The Evaluation Panel has no reason to doubt their capability to undertake the works as prescribed in the tender document.

The Panel advised VTS is the preferred contractor. Their submission demonstrates that VTS has completed similar projects within WA, and they have proved they are able to meet the timeframes by liaising with their suppliers who have confirmed that the hardware is available. Their referees have been contacted and they have confirmed that VTS are able to deliver within scope and on time.

Consultation:

Consultation has been undertaken with

1. Referees of all Tenderers
2. Civic Centre Staff & Governance staff;
3. Evaluation Panel Members; and
4. Chief Executive Officer

Statutory Environment:

Section 3.57 of the *Local Government Act, 1995* applies.

3.57. Tenders for providing goods or services

(1) *A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.*

(2) *Regulations may make provision about tenders.*

Division 2 of the Local Government (Functions and General) Regulations, 1996 regarding requirements for tendering applies.

Section 5.42 of the Local Government Act 1995 also applies.

5.42. Delegation of some powers and duties to CEO

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

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

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

* Absolute majority required.

Relevant Plans and Policy:

Policy C013 – Tender Selection Criteria Policy applies.

Policy C002 – Purchasing Policy applies.

During the Ordinary Council meeting in May 2019 Council adopted a new version of Policy C013 – Tender Selection Criteria Policy. The new Policy includes a change to the Qualitative Criteria. The advertisement of Tender RFT 03/2019 has taken place before the adoption of the new policy. For this reason, the Qualified Criteria used for the evaluation of Tender RFT 03/2019 are based upon the previous Policy.

Financial Implications:

The total estimated expenditure based on the recommended tenderer is provided below:

Work Portion	Tendered Price (Excl GST)
Provision of Electrical Equipment	\$ 110,070
Provision of Stage and Rigging Equipment	\$ 59,495
Installation of Stage and Rigging Equipment	\$ 47,360
Electrical Power Upgrade	\$ 10,100
Disbursements	\$ 9,500
Project Management	\$ 3000
Total	\$239,525

The Tender included a fixed budget for a total of budget of \$240,000 excl GST.

Risk Assessment:

Time Constraints: The completion of works must take place within a specified time frame:

- Provision of lighting equipment by 2nd of August 2019
- Completion of Rigging and Electrical upgrade work in the period between 24th of August 2019 and 19th of September 2019.

Failure to accept the recommended tenderer would jeopardise the works being completed within the desired time frames, and put at risk the loss of grant funding.

Event Attraction: The Scope of works aims to modernise the lighting and improve the rigging and stage infrastructure. These works are required to procure contemporary touring and other theatrical productions. Failure to upgrade the Camel Lane Theatre will reduce the Shire’s ability to provide the community with quality arts and cultural events.

Community & Strategic Objectives:

Objective 3: Social

Healthy, safe and resilient community, where everyone belongs.

ITEM	OUTCOMES AND STRATEGIES
3.2	Strong community identity and spirit through arts, culture and events
3.2.1	Provide and promote visual arts facilities and exhibitions/activities
3.2.2	Provide and promote performing arts and entertainment facilities and performances/activities
3.2.3	Provide and promote other opportunities for participation in social and cultural events and activities

Comment:

The works outlined in the tender contract will provide a quality facility that will assist the Shire to deliver the social objective of a “Healthy, safe and resilient community where everyone belongs”.

OFFICER’S RECOMMENDATION 1

That Council, pursuant to Section 3.57 of the Local Government Act, 1995 and Division 2 of the Local Government (Functions and General) Regulations, 1996, accepts the submission from Venue Technical Services for Tender RFT 03/2019 – Camel Lane Theatre Provision of Project Management Services for Lighting, Stage and Electrical Systems Upgrade for the total tendered amount of \$239,525.00 (Excl GST).

(Simple Majority)

OFFICER’S RECOMMENDATION 2

That Council, pursuant to Section 5.42 of the Local Government Act (1995) delegate authority to the CEO to make any necessary non-material amendments and finalise execution of a contract between the Shire of Carnarvon and Venue Technical Services for Tender RFT 03/2019 – Camel Lane Theatre Provision of Project Management Services for Lighting, Stage and Electrical Systems Upgrade

(Absolute Majority Required)

FC 6/6/19

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION 1

Cr Youd/Cr Garrett

That Council, pursuant to Section 3.57 of the Local Government Act, 1995 and Division 2 of the Local Government (Functions and General) Regulations, 1996, accepts the submission from Venue Technical Services for Tender RFT 03/2019 – Camel Lane Theatre Provision of Project Management Services for Lighting, Stage and Electrical Systems Upgrade for the total tendered amount of \$239,525.00 (Excl GST).

CARRIED

F7/A0

FC 7/6/19

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION 2

Cr Garrett/Cr Youd

That Council, pursuant to Section 5.42 of the Local Government Act (1995) delegate authority to the CEO to make any necessary non-material amendments and finalise execution of a contract between the Shire of Carnarvon and Venue Technical Services for Tender RFT 03/2019 – Camel Lane Theatre Provision of Project Management Services for Lighting, Stage and Electrical Systems Upgrade

CARRIED BY ABSOLUTE MAJORITY

F7/A0

8.2.5 REVIEW OF COUNCIL CORPORATE POLICIES – C002 - PURCHASING

Date of Meeting	25 June 2019
Location/Address	Shire of Carnarvon
Name of Applicant	Shire of Carnarvon
Name of Owner	Shire of Carnarvon
Author/s	Gael Ferguson, Acting Executive Manager Community Services
Declaration of Interest	Nil
Voting Requirements	Absolute Majority
Previous Report	27 May 2014 18 December 2018 (Item Withdrawn)

Summary of Item

This report presents the final Corporate policy for approval. This and other policies have been prepared as the result of a review undertaken by the Council in a series of workshops. These policies are consistent with the direction set by the Council through the recent strategic review.

Description of Proposal

To adopt a reviewed Purchasing Policy as part of the review of the Policy Manual.

Background

Council has a policy to review all policies on a routine basis at least once every two years. A review of corporate policies has been undertaken following the completion of the major strategic review and adoption of the Strategic Community Plan.

The last full review of policies was undertaken as follows:

Corporate	26 April 2016
Executive	26 April 2016
Development	22 December 2016

The draft Purchasing Policy presented in Schedule 8.2.5 has been developed alongside the review of C013 Tenders Selection Criteria Policy, C034 Tenders Management Policy and C035 Regional Price Policy. Each of these policies is cross-referenced to the others.

Consultation

The policy review has been the subject of a number of workshops with the Council and senior staff. Further consultation with some staff has been undertaken for selected policies.

Statutory Environment

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

Financial Implications

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

Risk Assessment

A regular review and update avoids the risk of the policy becoming outdated.

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 Council has undertaken an extensive review of existing Corporate Policies and it is proposed that the following reviewed policy in Table 1 below is approved. With the approval of this policy, the review of Corporate policies will be completed.

The draft reviewed Executive policies will be presented to Council for consideration, after workshopping, in July and August 2019.

OFFICER'S RECOMMENDATION

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

- Adopt the following amended Corporate policy listed in Table 1 below as presented in Schedule 8.2.5 to this report, that will then form part of the Shire of Carnarvon Policy Manual:*

TABLE 1

Policy No.	Policy
C002	Purchasing

Absolute Majority Required

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

1. Adopt the following amended Corporate policy listed in Table 1 below as presented in Schedule 8.2.5 to this report, that will then form part of the Shire of Carnarvon Policy Manual:

TABLE 1

Policy No.	Policy
C002	Purchasing

CARRIED BY ABSOLUTE MAJORITY

F7/A0

8.2.6 CARNARVON AIRPORT FEES AND CHARGES FOR 2019/20

Date of Meeting:	25 June 2019
Location/Address:	Shire of Carnarvon
Name of Applicant:	Shire of Carnarvon
Name of Owner:	Shire of Carnarvon
Author/s:	Gael Ferguson, Executive Manager Community Services
Declaration of Interest:	Nil
Voting Requirements:	Absolute Majority

Summary of Item:

To seek Council's approval of fees and charges for Carnarvon Airport for 2019/2020.

Description of Proposal:

It is proposed that the fees and charges relating to the airport be increased beginning July 1st 2019. This item is brought to Council in advance of the general fees and charges item in order that a decision can be made which allows for the charges to be imposed from the beginning of the financial year. Airport users are seeking clarity on the intended charges for the 2019/20 financial year.

Background:

The Fees and Charges for the Airport were last in 2018/19. The Shire of Carnarvon existing fees and proposed new fees are as follows:

Aircraft Landing Fees for each landing at Carnarvon Airport of a fixed wing aircraft where the maximum take-off weight of that aircraft is (where a negotiated contract price has been set) :-

		Existing Fee	Proposed New Fee
Less than 2000kg,	per 1000kg	\$14.30	\$14.60
	Min monthly	\$25.30	\$25.80
More than 2000kg and less than or equal to 15000kg	per 1000kg	\$24.20	\$24.70
More than 15000kg	per 1000kg	\$29.70	\$30.30
Rotary Winged Aircraft:	per 1000kg	\$14.30	\$14.60

Locally Based Aircraft		
	Existing Fee	Proposed New Fee
a) Annual Rate Charge – this allows for unlimited number of take-offs and landings and no parking fees. Per 1,000kg take-off weight	\$621.50	\$633.30
b) Annual Rate Charge – this allows for unlimited number of take-offs and landings and no parking fees.	Pro rata, based on weight of Item 3a. E.g. aircraft weighing 300kg = \$565.00x300/1000	

Coral Bay Airport Landing Fees - for each landing, per aircraft		
	Existing Fee	Proposed New Fee
Fixed wing local aircraft for each landing at Coral Bay Airport	\$5.00	\$5.00
Fixed wing aircraft for each landing at Coral Bay Airport	\$8.00	\$8.00

Department of Defence Landing Fees		
	Existing Fee	Proposed New Fee
As per the Australian Airports Association Agreement		

Other Airport Charges		
	Existing Fee	Proposed New Fee
Environmental Charge (set fee, plus charge of consumables used for fuel and oil spill clean-up by Aerodrome staff)	\$93.50	\$95.30
Aerodrome Reporting Officer [Non-Critical] call-out charge	\$93.50	\$95.30

These Fees and Charges apply to all Airport users other than REX Airlines which has a separate agreement in place with the Shire. It is proposed that the Coral Bay fees and charges are not changed given application was only scheduled for after September 2018.

Consultation:

Nil

Statutory Environment:

Section 6.16 (2) of the *Local Government Act 1995* enables the charging of fees for “...providing the use of, or allowing admission to, any property or facility wholly or partly owned, controlled, managed or maintained by the local government”. Fees and charges imposed or amended outside of the normal budget process must be advertised locally.

Relevant Plans and Policy:

No existing Policy affected.

Financial Implications:

The Consumer Price Index rose by 1.9% (Australian Bureau of Statistics) in the 2018 calendar year. It is proposed that fees and charges are raised by that amount this year across the board (apart from Coral Bay). The Minor Review to be undertaken during the 2019/20 year will allow the Council to review overall fees structures in the context of strategic direction. The new Strategic Airport Asset and Financial Management

Framework being developed by the Department of Transport and required to be used by holders of RADS grants, may be available by that time to allow modelling of cost and revenue (including fees) scenarios.

Risk Assessment:

There are no identified risks in raising fees and charges by the cost of inflation. The impacts are not significant and are unlikely to affect Airport usage.

Community & Strategic Objectives:

ITEM	OUTCOMES AND STRATEGIES
1.3	Transport hubs that support a thriving region
1.3.1	Provide and maintain airports at Carnarvon and Coral Bay

Comment:

It is important that Council regularly review its fees and charges for the Airport and that inflation impacts are accounted for. There will be an opportunity to review any structural changes to fees and charges as part of the 2019/20 Minor Review of the Corporate Business plan.

OFFICER'S RECOMMENDATION

That Council in accordance with section 6.16 of the Local Government Act, approve the following airport regular passenger transport levies and landing charges, effective 1st July 2019, and notes that such charges will be advertised locally:

Aircraft Landing Fees for each landing at Carnarvon Airport of a fixed wing aircraft where the maximum take-off weight of that aircraft is (where a negotiated contract price has been set) :-

		Proposed New Fee
Less than 2000kg,	per 1000kg	\$14.60
	Min monthly	\$25.80
More than 2000kg and less than or equal to 15000kg	per 1000kg	\$24.70
More than 15000kg	per 1000kg	\$30.30
Rotary Winged Aircraft:	per 1000kg	\$14.60

Locally Based Aircraft

		Proposed New Fee
a) Annual Rate Charge – this allows for unlimited number of take-offs and landings and no parking fees. Per 1,000kg take-off weight		\$633.30
b) Annual Rate Charge – this allows for unlimited number of take-offs and landings and no parking fees.	Pro rata, based on weight of Item 3a. E.g. aircraft weighing 300kg = \$565.00x300/1000	

Coral Bay Airport Landing Fees - for each landing, per aircraft

	Proposed New Fee
Fixed wing local aircraft for each landing at Coral Bay Airport	\$5.00

Fixed wing aircraft for each landing at Coral Bay Airport	\$8.00
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Department of Defence Landing Fees

**Proposed
New Fee**

As per the Australian Airports Association Agreement

Other Airport Charges

**Proposed
New Fee**

Environmental Charge (set fee, plus charge of consumables used for fuel and oil spill clean-up by Aerodrome staff)	\$95.30
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Aerodrome Reporting Officer [Non-Critical] call-out charge	\$95.30
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FC 9/6/19

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION

Cr Smith/Cr Skender

That Council in accordance with section 6.16 of the Local Government Act, approve (subject to change from minor budget review) the following airport regular passenger transport levies and landing charges, effective 1st July 2019, and notes that such charges will be advertised locally:

Aircraft Landing Fees for each landing at Carnarvon Airport of a fixed wing aircraft where the maximum take-off weight of that aircraft is (where a negotiated contract price has been set) :-

		<i>Proposed New Fee</i>
<i>Less than 2000kg,</i>	<i>per 1000kg</i>	<i>\$14.60</i>
	<i>Min monthly</i>	<i>\$25.80</i>
<i>More than 2000kg and less than or equal to 15000kg</i>	<i>per 1000kg</i>	<i>\$24.70</i>
<i>More than 15000kg</i>	<i>per 1000kg</i>	<i>\$30.30</i>
<i>Rotary Winged Aircraft:</i>	<i>per 1000kg</i>	<i>\$14.60</i>

Locally Based Aircraft

**Proposed New
Fee**

<i>a) Annual Rate Charge – this allows for unlimited number of take-offs and landings and no parking fees. Per 1,000kg take-off weight</i>	<i>\$633.30</i>
--	-----------------

<i>b) Annual Rate Charge – this allows for unlimited number of take-offs and landings and no parking fees.</i>	<i>Pro rata, based on weight of Item 3a. E.g. aircraft weighing 300kg = \$565.00x300/1000</i>
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Coral Bay Airport Landing Fees - for each landing, per aircraft

**Proposed New
Fee**

<i>Fixed wing local aircraft for each landing at Coral Bay Airport</i>	<i>\$5.00</i>
<i>Fixed wing aircraft for each landing at Coral Bay Airport</i>	<i>\$8.00</i>

Department of Defence Landing Fees

*Proposed New
Fee*

Other Airport Charges

*Proposed New
Fee*

*Environmental Charge (set fee, plus charge of consumables
used for fuel and oil spill clean-up by Aerodrome staff)*

\$95.30

Aerodrome Reporting Officer [Non-Critical] call-out charge

\$95.30

CARRIED BY ABSOLUTE MAJORITY
F7/AO

(Note to Minute – Councillors requested that the Airport Fees and Charges be reinvestigated during the next minor budget review and therefore the addition of “subject to change from minor budget review” was incorporated into the Council resolution.)

8.3 DEVELOPMENT SERVICES

8.3.1 PROPOSED LEASE RENEWAL OF MARINA AND APPROACH CHANNEL

File No:	A958
Date of Meeting:	25 th June 2019
Location/Address:	Lots 1312 (369) Pelican Point Rd, Babbage Island (Marina and Approach Channel)
Name of Applicant:	Dept. of Planning, Lands and Heritage
Name of Owner:	State of WA
Author/s:	John Meggitt, Principal Planner Jessica Taukiri, Planning Officer
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Previous Report:	N/A

Summary of Item:

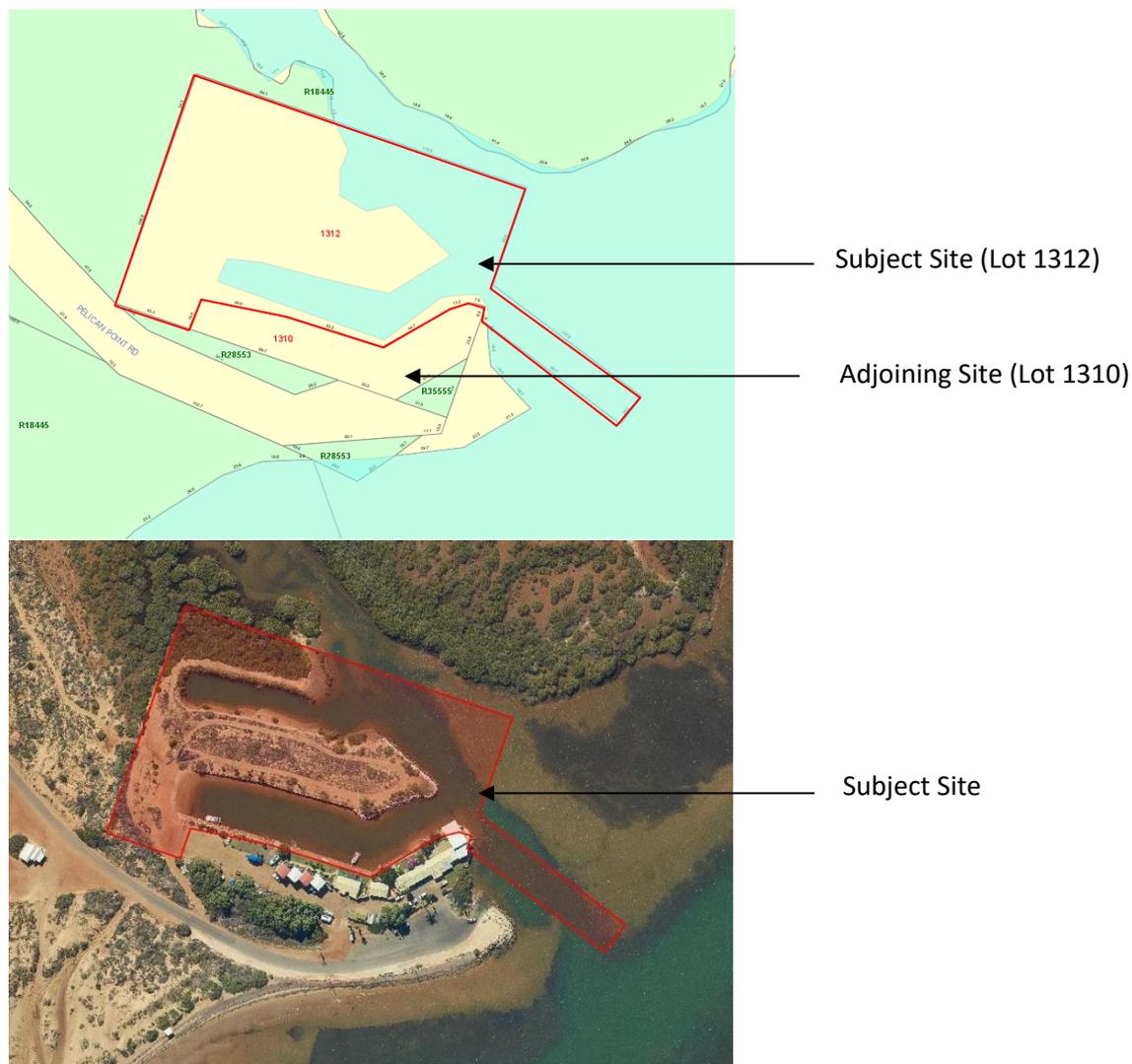
This report relates to a request from the Department of Planning, Lands and Heritage for comments on the proposed renewal of State lease I134661 on Lot 1312 (369) Pelican Point Road, Babbage Island - Marina and Approach Channel, for “Tourism Accommodation, Marina and Approach Channel”. The letter from the Department relating to this application can be found as Schedule 8.3.3(a).

The officer’s recommendation is that Council support the proposed lease renewal for the reasons outlined below.

Description of Proposal:

The subject site has an approximate area of 2.54ha and consists of a marina and approach channel. Currently, the marina and approach channel are in low demand due to the inability for large boat to access the subject waterway from the Fascine.

The subject lease area is vulnerable to tidal fluctuations and land inundation. The proposed new lease will be under similar conditions and terms (21 years) as expired lease I134661.



Background:

The marina and approach channel are used for tourism purposes in conjunction with adjoining Lot 1310 on Deposited Plan 191833, owned in fee simple by Philip Haughan the previous lessee of the subject lot. While the lessee has allowed the lease of the subject land to lapse, they have maintained the active use of Lot 1310 for tourism uses; the Carnarvon Canal Beach Resort consists of a number of waterfront chalets for short term tourist accommodation. The accommodation on Lot 1310 is licensed by the Shire as a lodging house and bookings are advertised online.

Consultation:

There is no requirement for external consultation on this matter, however as the decision may affect strategic planning decisions for Babbage Island the matter has been brought to Council for their consideration.

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 Scheme) Regulations 2015

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

Shire of Carnarvon Local Planning Scheme No. 10

The land does not fall within a specific zone. Under the General Provisions, the Compliance and Development Standards states that:

where no standard is prescribed, [development] shall be carried out in accordance with the requirements which the local government may specify in each particular case.

Shire of Carnarvon Local Planning Scheme No. 13

In consideration of policy matters relevant to the proposal, s67 of the *Planning and Development (Local Planning Schemes) Regulations 2015* require a local government to have due regard to “any other proposed planning instrument that the local government is seriously considering adopting or approving”.

The Shire of Carnarvon Draft Local Planning Scheme 13 proposes the subject land be allocated to “Tourism” zoning. The lease arrangement will be consistent with this proposed zoning.

Relevant Plans and Policy:

Babbage and Whitlock Islands Structure Plan (2014)

The purpose of the Structure Plan is to ensure that the:

Development of Babbage and Whitlock Islands will reflect community sentiment and take into account the unique location of the islands, coupled with their environmental [values].

The Plan will guide development over the next 10-15 years. Under the Structure Plan the site is identified as ‘Existing Leasehold Area’.



The Structure Plan indicates that subject site is within the storm surge inundation risk area.

The Structure Plan does not afford specific guidance to the future development over Lot 1312, however, the subject site is linked with adjoining Lot 1310, zoned Tourism and Independent Living. The Structure Plan states the following:

1. Section 4.3: “Recognise the existing tourist use at Pelican Point.”
2. Section 13.2: “Support the owner of the Pelican Point tourist site in progressing a Local Development Plan that considers future use and development on site, taking into account shoreline movement and storm surge.”

The Structure Plan therefore supports the continued ownership of the lease site by the current lessee for tourism use with the requirement of a Local Development Plan should further development be proposed. The proposed use is generally consistent with the land use intent of the structure plan.

Financial Implications:

There are no identified financial implications relating to the approval of this application. However, the site forms a valuable resource for the promotion of tourism activity when the Fascine waterway is navigable by larger boats.

Risk Assessment:

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

Community & Strategic Objectives:

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

Objective 1: Economic

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

ITEM	Outcomes and Strategies
1.2	Thriving tourism industry within the district/region
1.2.1	Promote the district of the Shire of Carnarvon as a tourism destination within the wider Coral Coast tourism region
1.2.2	Support the development and promotion of tourism attractions in the district of the Shire of Carnarvon
1.2.3	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
2.1	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
2.2	Open, accessible, healthy foreshore and waterways
2.2.1	Maintaining an open fascine entrance and internal channels

Objective 5: Civic

Strong and listening Council.

ITEM	Outcomes and Strategies
5.1	A well engaged and informed community and a high standard of customer service
5.1.1	Community members have access to information on their community through a range of different media
5.1.2	The community is engaged in planning for the future and other matters that affect them
5.6	The Shire advocates on behalf of its community
5.6.1	The Shire develops partnerships with government and non-government organisations to achieve positive outcomes for the region

Comment:

The renewal of the lease is consistent with the objectives identified in the Shire’s *Community Strategic Plan 2018-2028* specifically relating to supporting a thriving tourism industry within the district. The facility occupies a prominent site that has limited marine functionality due to the current Fascine

situation. Maintaining the partnership between Lot 1310 and the subject land will provide the opportunity for ongoing use and continued maintenance, as well as the greatest likelihood for further tourism development. The subject land/ waterway has significant tourism potential and it is therefore recommended that the proposed lease be supported.

OFFICER'S RECOMMENDATION

That Council instructs the CEO to advise the that Department of Planning, Lands and Heritage that it supports the proposed lease renewal of State lease I1134661 on Lot 1312 on DP191833 - Marina and Approach Channel, Babbage Island, Carnarvon, for the purposes of "Tourism Accommodation, Marina and Approach Channel."

FC 10/6/19

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION

Cr Smith/Cr Garrett

That Council instructs the CEO to advise the that Department of Planning, Lands and Heritage that it supports the proposed lease renewal of State lease I1134661 on Lot 1312 on DP191833 - Marina and Approach Channel, Babbage Island, Carnarvon, for the purposes of "Tourism Accommodation, Marina and Approach Channel."

CARRIED
F7/A0

8.3.2 LOT 1164 (7) EGAN STREET CARNARVON - FAMILY FUN FAIR

File No:	ADM1963; P23/19
Date of Meeting:	25 June 2019
Location/Address:	Egan Reserve Town Oval, Lot 1164 Egan Street, Carnarvon
Name of Applicant:	'Carnival Promotions' - Ryda Group Pty Ltd
Name of Owner:	Shire of Carnarvon
Author/s:	Jessica Taukiri, Planning Officer Matthew Tallon; Planning Officer
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Previous Report:	Nil

Summary of Item:

This report requests that Council consider the approval of a Family Fun Fair proposed to be held at Egan Reserve Town Oval, Lot 1164 (7) Egan Street, Carnarvon on Friday 26th and Saturday 27th July 2019.

The applicant is seeking the use of Shire Reserve Lot 1164 Egan Street - Town Oval for the public event. The matter has been presented to Council as there are no delegations in place for the approval of development or use on reserve land.

Description of Proposal:

The proposal for a 'Fair' will include amusement rides suitable for kids & families along with games stalls and food. The applicant has engaged 'West Coast Fireworks' to have a firework display on both nights. West Coast Fireworks are required to gain approval from the Department of Mines, Industry Regulation and Safety prior to undertaking the fireworks.

The event set up includes the following equipment/infrastructure:

- 3 x 12m2 game stall marque.

- 'Castle of fun'
- 'Shark bounce'
- 'Bungee trampoline'
- 'Sizzler' – amusement ride
- Food van
- Fairy floss van

The applicant has requested the connection to electricity, water, an additional ten (10) waste bins and lighting, which is being managed and made available by Infrastructure Services. The event organizers are required to provide portable toilets for the duration of the event.

The plan as lodged with the application provides an indicative event set up arrangement. Event staff will be accommodated in caravans on the Town Oval. The Shire's Infrastructure Services staff will greet the event staff on site to instruct the event set up to prevent damage to underground infrastructure.

The Development application with associated site plan and public liability insurance can be found at Schedule 8.3.2 (a).

Background:

The event will be set up and packed down over a number of days with the operation of the fair over two (2) days being Friday 26th and Saturday 27th June. See the timetable below:

Table 1 Event timetable

Arrival on site:	Wednesday 24th June 2019	Before 5pm
Set up Time:	Thursday 25th June 2019	8am to 5pm
Event Times:	Friday the 26th June 2019 Saturday 27th June 2019	5pm to 9:30 pm 12pm to 9:30 pm
Dismantling:	Saturday 27th June 2019	9:30pm to 11pm
Bump out:	Sunday 28th June 2019	8am

Event organizers have provided a risk management plan to address any emergencies as well as allocate emergency services access via Egan Street allowing only emergency service vehicles to be driven on the Town Oval during the event.

Consultation:

The proposal was referred internally to the following departments:

- Health
- Infrastructure
- Community Emergency Services Manager
- Parks and Gardens

The event organizer will contact the following emergency service providers no later than two (2) weeks prior to the event:

- St. Johns Ambulance
- Carnarvon Police
- Carnarvon District Hospital
- Department of Fire and Emergency Services

Statutory Environment:

Shire of Carnarvon Local Planning Scheme No. 10

The event is located on Local Reserve with the use designated as 'Parks and Recreation' under Shire of Carnarvon Local Planning Scheme No. 10 (LPS 10). The proposed land use is considered consistent with the requirements of LPS 10. The assessment of the application can be found at Schedule 8.3.2 (b).

Shire of Carnarvon Draft Local Planning Scheme No. 13

The draft Local Planning Scheme No. 13 indicates Lot 1164 Egan Street as Local Scheme Reserve *Public Open Space*. The scheme objectives being:

- To set aside areas for public open space, particularly those established under the *Planning and Development Act 2005 s. 152*.
- To provide for a range of active and passive recreation uses such as recreation buildings and courts, and associated car parking and drainage.

Relevant Plans and Policy:

Guidelines for concerts, events and organised gatherings December 2009 – Department of Health

The State guidelines for events issued by the Department of Health stipulate the framework for considerations to be made by event organizers and the local government in seeking to make events safe, meet basic standards necessary, and to follow consistent event management procedures. The application has been considered against the guidelines.

Local Planning Policy Statement No. 19 – Event Guide

The policy statement was provided to the applicant and the application responds to the information and forms provided.

Risk Management Plan:

The event operator has a Risk Management Plan that applies to their set up. The document has been circulated internally within the Shire. Matters arising from this consultation have been considered in the officer recommendation.

Public Liability Insurance and workers compensation:

Carnival Promotions have provided a certificate of currency for Public Liability Insurance and Workers Compensation Insurance. The insurance covers liability for the whole event on the reserved land and select products to a max coverage of \$20 million. The certificate can be found as Schedule 8.3.2 (c).

Event set up and Shire staff involvement:

Infrastructure Services representatives will be required to direct Carnival Promotions during event set-up ensuring machinery and star pickets/pegs do not interfere with underground infrastructure and irrigation. Shire Environmental Health Officers will issue a public building licence for the temporary venue and sight the appropriate licensing of the food businesses on site.

Financial Implications:

There is no identified financial implication relating to the approval of this application.

Risk Assessment:

The level of risk has been outlined in the Risk Management Plan and the event management staff are required to indemnify the Shire of Carnarvon from any claim under their public liability insurance.

Community & Strategic Objectives:

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

Objective 3: Social

Healthy, safe and resilient community, where everyone belongs

ITEM	Outcomes and Strategies
3.2	Strong community identity and spirit through arts, culture and events
3.2.2	Provide and promote performing arts and entertainment facilities and performances/activities

3.2.3	Provide and promote other opportunities for participation in social and cultural events and activities
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Objective 5: Civic

Strong and listening Council.

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

Comment:

Generally, public events such as carnivals and circus' visit the Shire's district each year. These events provide a positive contribution to the community in the form of entertainment. The liability and risks have been appropriately considered within the Risk Management Plan, and Public Liability Insurance will protect the Shire in the event of injury.

It is recommended that Council approve the application subject to the conditions recommended below.

OFFICER'S RECOMMENDATION

1. *The event shall conform with the event Development Application as lodged and approved by this Notice of Determination and comply with the hours of operation as prescribed in the application.*
2. *Ryda Group Pty Ltd as 'Carnival Promotions' (the event operator) shall notify the Shire's Operations Manager Infrastructure Services prior to the commencement of event set-up to obtain directions for on-site establishment.*
3. *At completion of the event, the event operator shall notify the Shire's Operation Manager Infrastructure Services for a site inspection and shall make good any damage as directed.*
4. *The event operator shall ensure that:*
 - a. *All temporary structures, signage and equipment is removed within 24 hours of the cessation of the activity, or as otherwise directed by the Executive Manager Infrastructure Services;*
 - b. *The Town Oval is returned to a neat and tidy condition; and*
 - c. *Any damage to Shire infrastructure that is directly attributed to the event is to be repaired or replaced at the event operators' expense and to the satisfaction of the Executive Manager Infrastructure Services.*
5. *Vehicular access and egress to the Town Oval shall not be permitted during the hours of operation unless otherwise approved by the Executive Manager Infrastructure Services or his representative.*
6. *Emergency Services access to the site is to be identified by the event organiser prior to event setup, shall be sign posted accordingly, and shall remain open (accessible) for the duration of the event. The access location shall be established to the satisfaction of the Shire's Operations Manager Infrastructure Services.*
7. *Food premises are subject to registration/notification with the Shire of Carnarvon; this includes payment of the prescribed fee, on-site assessment and compliance with relevant acts, regulations and code of practice.*
8. *All amusement rides are to be assembled and operated in accordance with the structural and civil engineering certification supplied.*

Advice Notes:

- I. *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 this determination.*
- II. *This approval does not confer approval under any other relevant legislation, including but not limited to, the Building Act 2011, Health Act 1911, Food Act 2008 and Local Government Local Laws.*
- III. *The Risk Management Plan as lodged with the application and amended through this approval should be adhered to and be reviewed by all staff employed by Carnival Promotions.*

- IV. *The use of fireworks for the event is subject to the further approval of the Department of Mines, Industry Regulation and Safety.*

FC 11/6/19

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION

Cr Youd/Cr Garrett

1. *The event shall conform with the event Development Application as lodged and approved by this Notice of Determination and comply with the hours of operation as prescribed in the application.*
2. *Ryda Group Pty Ltd as 'Carnival Promotions' (the event operator) shall notify the Shire's Operations Manager Infrastructure Services prior to the commencement of event set-up to obtain directions for on-site establishment.*
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 - a. *All temporary structures, signage and equipment is removed within 24 hours of the cessation of the activity, or as otherwise directed by the Executive Manager Infrastructure Services;*
 - b. *The Town Oval is returned to a neat and tidy condition; and*
 - c. *Any damage to Shire infrastructure that is directly attributed to the event is to be repaired or replaced at the event operators' expense and to the satisfaction of the Executive Manager Infrastructure Services.*
5. *Vehicular access and egress to the Town Oval shall not be permitted during the hours of operation unless otherwise approved by the Executive Manager Infrastructure Services or his representative.*
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- III. *The Risk Management Plan as lodged with the application and amended through this approval should be adhered to and be reviewed by all staff employed by Carnival Promotions.*
- IV. *The use of fireworks for the event is subject to the further approval of the Department of Mines, Industry Regulation and Safety.*

CARRIED
F7/AO

8.4.1

INFRASTRUCTURE MONTHLY REPORT – JUNE 2019

File No:	ADM1667
Date of Meeting:	25 June 2019
Location/Address:	N/A
Name of Applicant:	N/A
Name of Owner:	N/A
Author/s:	Wayne Sanderson – Infrastructure Operations Manager Gloria Quinn – Assets Co-ordinator
Declaration of Interest:	Nil
Voting Requirements:	Simple majority
Previous Report:	–

Summary of Item:

For Council to receive information on projects and activities undertaken by the Infrastructure section via the 'Infrastructure Monthly Report' attached at **Schedule 8.4.1**.

Description of Proposal:

The Infrastructure Monthly Report provides information on the major activities of the Infrastructure section for the previous month.

Background:

Recurrent report.

Consultation:

Nil

Statutory Environment:

Nil

Relevant Plans and Policy:

Nil

Financial Implications:

Nil

Risk Assessment:

N/A

Community & Strategic Objectives:

Goal 5: Civic

Strong and listening Council.

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

Comment:

N/A

OFFICER'S RECOMMENDATION

That Council receive the Infrastructure Monthly Report for June 2019.

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION

Cr Maslen /Cr Smith

That Council receive the Infrastructure Monthly Report for June 2019.

CARRIED
F7/AO

9.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

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

Nil

11.0 DATE OF NEXT MEETING

11.1 The next meeting will be held on Tuesday 23 July 2019 commencing at 8.30am

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

Nil

13.0 CLOSURE:

The Presiding Member declared the meeting closed at 8.54am.