

SHIRE OF CARNARVON

MINUTES

COUNCIL MEETING TUESDAY 28TH APRIL 2020

CONFIRMATION OF MINUTES

These minutes were confirmed by the Council on

.....
as a true and accurate record

.....
Chairman

DISCLAIMER

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

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

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

INFORMATION ON PUBLIC QUESTION TIME

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

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

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

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

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

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

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

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

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

SPECIAL MEETINGS OF COUNCIL

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

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1.0 ATTENDANCES, APOLOGIES & APPLICATIONS FOR LEAVE OF ABSENCE

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

2.0 PUBLIC AND ELECTED MEMBER QUESTION TIME

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

2.1 QUESTIONS TAKEN ON NOTICE FROM PREVIOUS MEETING –

2.2 PUBLIC QUESTION TIME

3.0 DECLARATIONS OF INTEREST

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

4.0 QUESTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN

5.0 CONFIRMATION OF MINUTES

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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 2020 commencing at 8.30am.

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

12.1	RFT 01-2020 – Construction of Minilya River Floodway Crossing (CONFIDENTIAL)
12.2	RFT 02-2020 – Blowholes Road Shoulder Repair & Widening (CONFIDENTIAL)
12.3	Tender Documentation Endorsement for Advertising – RFT 07-2020 – Carnarvon Airport Apron & Runway Enrichment Sealing (CONFIDENTIAL)
12.4	Report from Paul Omodei (CONFIDENTIAL)
12.5	Banding Level Change – Shire of Carnarvon (CONFIDENTIAL)

13.0 CLOSURE



**MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS, STUART STREET,
CARNARVON ON TUESDAY 28TH APRIL 2020**

The meeting was declared open by the Presiding Member at 10.05am

1.0 ATTENDANCES, APOLOGIES AND APPROVED LEAVE OF ABSENCE

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

2.0 PUBLIC AND ELECTED MEMBER QUESTION TIME

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

Public Question Time commenced at 10.05am

2.1 QUESTIONS TAKEN ON NOTICE FROM PREVIOUS MEETING

There were no questions

2.2 PUBLIC & ELECTED MEMBER QUESTION TIME

The following questions were raised by Cr Fullarton –

Question – Can I please have a timeframe as to how long the matter will take with the SAT hearing?

Answer – The question will be taken on notice.

Question 2 – Blowholes Tender Process

(Cr Pinner declared an interest in this question as he has tendered for the project, and left the meeting at 10.06am)

Can the staff please obtain assurance from the Department, that the funding will be realised, achieved and spent in full compliance and that we will not lose the funding?

(Cr Pinner returned to the meeting at 10.07am).

Answer – The question will be taken on notice.

Cr Maslen raised the following question on behalf of a ratepayer –

Question - When will something be done about the horses in Holden Street?

Answer – Mr Paul Lees, Executive Manager Development Services responded and advised that a Development Application has been lodged, advertised, and will be submitted to Council for consideration at the May Ordinary Meeting of Council.

Cr Nelson raised the following question –

Question - Can the section of road from Carnarvon Road to Johnson Street (next to the old tennis courts) be reopened as this will enable less travel for the Ambulance to access the Hospital?

Answer – The question will be taken on notice.

Cr Simpson raised the following question –

Question – Can you please provide an update on the mobile traders site that is currently being utilised by the applicant but treated as though the site is for his use only by installing posts?

Answer - The CEO responded and advised that the person who is currently occupying the mobile trading site has been requested to remove all posts.

Public Question Time was closed at 10.12am

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 8.1.1 – Actions Performed Under Delegated Authority

Cr Fullarton (Impartiality Interest) – Item 8.1.4 – R&SL Building Purchase

Cr Smith (Impartiality Interest) – Item 8.3.1 – Carnarvon Speedway Remediation

Cr Vandeleur (Financial Interest) – Item 12.1 – RFT 01/2020 – Construction of Minilya River Floodway Crossing

Cr Vandeleur (Financial Interest) – Item 12.2 – Blowholes Road Shoulder Repair and Widening

Cr Vandeleur (Financial Interest) – Item 12.3 – Tender Documentation Endorsement (Runway)

4.0 QUESTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN WITHOUT DISCUSSION

Nil

5.0 CONFIRMATION OF MINUTES

FC 1/4/20

COUNCIL RESOLUTION

Cr Nelson/Cr Vandeleur

That Items 5.1 to 5.4 inclusive, be adopted en-bloc as follows -

5.1 ORDINARY MEETING OF COUNCIL – 24TH MARCH 2020

That the minutes of the Ordinary Meeting of Council held on 24th March 2020 be confirmed as a true record of proceedings.

5.2 SPECIAL MEETING OF COUNCIL – 2ND APRIL 2020

That the minutes of the Special Meeting of Council held on 2nd April 2020 be confirmed as a true record of proceedings.

5.3 AUDIT COMMITTEE MEETING – 8TH APRIL 2020

That the minutes of the Audit Meeting of Council held on 8th April 2020 and the recommendations contained therein, be adopted by Council.

5.4 SPECIAL MEETING OF COUNCIL – 14TH APRIL 2020

That the minutes of the Special Council Meeting held on 14th April 2020 be confirmed as a true record of proceedings.

CARRIED
F8/AO

6.0 PRESENTATIONS, PETITIONS AND MEMORIALS

Mr Paul Richardson of Gnaraloo Station addressed Council on his concerns for the Gnaraloo Coastal Track, which is currently a gazetted road but has been temporarily closed for a 1 year period, at the request of DPAW. Since Mr Richardson has been on Gnaraloo, the track has been closed at the request of DPAW. The track is currently a gazetted road, however, should DPAW request that the track be closed permanently and degazetted, in his opinion, Council would have a difficult time having the track re-gazetted for use.

This track could be used as part of a future "Ocean Drive" and would be a major tourism drawcard for the region. If this road was degazetted, then this opportunity is lost. The track could be used as part of a tourist attraction and be incorporated into 4WD tours and attract funding. 4WD groups have shown an interest in this area and have offered to survey the tracks in the area to see if they could be used however due to COVID-19 this survey has been put on hold.

Mr Richardson requested that Council take into consideration the benefits of having the track remain gazetted when making any further decisions on the closure.

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 MARCH/APRIL

10.28am – Cr Skender declared an Impartiality Interest in this item as he is listed in the building applications. Cr Skender was not required to leave the meeting and could participate and vote on the matter.

Date of Meeting:	28 th April 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 March/April 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 March/April and are submitted to Council for information.

COMMON SEAL

Date Affixed	Agreement Details
20 March 2020	Deed of Extension of Lease – Lot 1296 Speedway Road (Carnarvon Motorcycle Club)

ENVIRONMENTAL MANAGEMENT

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)
26/03/2020	HOS20/007	Approval to interfere with apparatus for the treatment of sewage - 21 Binning Rd, BABBAGE ISLAND	Christian Reid, Coral Coast Plumbing	Owner: State of WA (Lessee: Westralian Marine Group Pty Ltd)
16/04/2020	HOS20/008	Approval to Install Apparatus for the treatment of sewage – 11 Orr Street SOUTH CARNARVON	Dean White, Carnarvon Plumbing Service	Owner: Geoffrey Boddington, Robyn Conway & Department of Housing

PLANNING AND DEVELOPMENT

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)
19/03/2020	HLH20/001	Renewal of lodging house registration – Best Western Hospitality Inn, 6 West Street, SOUTH CARNARVON	Beverley Gundlach	
17/03/2020	HLH20/003	Renewal of lodging house registration – Capricorn Holiday Park, 1042 North West Coastal Highway, BROWN RANGE.	Summerstar Pty Ltd	
01/04/2020	HLH20/005	Renewal of lodging house registration – Carnarvon Caravan Park 477 Robinson Street, KINGSFORD.	Kevin & Cynthia Barrett	
06/03/2020	HLH20/006	Renewal of lodging house registration – Carnarvon Central Apartments, 120 Robinson Street, CARNARVON.	Rob & Phillipa Meyer	
17/03/2020	HLH20/009	Renewal of lodging house registration – Carnarvon Seachange Apartments, 73 Olivia Terrace, CARNARVON.	John & Jill Dwyer	
23/03/2020	HLH20/012	Renewal of lodging house registration – Gnaraloo Homestead, Gnaraloo Station, MACLEOD.	Portframe Enterprises Pty Ltd	
05/03/2020	HLH20/013	Renewal of lodging house registration – Leahy's Gascoyne Hotel, 57 Olivia Terrace, CARNARVON.	Gascoyne Hotel Pty Ltd ATF Gascoyne Hotel Unit Trust	
13/03/2020	HLH20/015	Renewal of lodging house registration – Ningaloo Club, 67 Robinson Street, CORAL BAY.	The Ningaloo Club Pty Ltd	
13/03/2020	HLH20/016	Renewal of lodging house registration – Ningaloo Coral Bay, 44 Robinson Street, CORAL BAY	Bayview Coral Bay Pty Ltd	
13/03/2020	HLH20/017	Renewal of lodging house registration – Ningaloo Reef Resort, 14 Robinson St, CORAL BAY.	RAC Tourism Assets Pty Ltd	
23/03/2020	HLH20/018	Renewal of lodging house registration – Peoples Park Coral Bay, 20 Robinson Street, CORAL BAY.	Coral Bay Investments Pty Ltd ATF the Coral Bay Investment Trust	
11/03/2020	HLH20/019	Renewal of lodging house registration – Quobba Homestead, Quobba Station, Gnaraloo Road, MACLEOD	Meanom Pty Ltd	

Date of decision	Decision Ref.	Decision details	Applicant	Other affected person(s)
23/03/2020	HLH20/020	Renewal of lodging house registration – Warroora Station, Warroora Station, LYNDON.	Leonie McLeod	
12/03/2020	HLH20/021	Renewal of lodging house registration – Westralian Marine Group P/L, 21 Binning Road, BABBAGE ISLAND.	Westralian Marine Group P/L	
23/03/2020	HLH20/023	Renewal of lodging house registration – Wooramel Station, Wooramel Rd, WOORAMEL.	Rachael and Justin 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)
17/03/2020	HCP20/002	Renewal of caravan park licence – Capricorn Holiday Park, 1042 North West Coastal Highway, BROWN RANGE.	Summerstar Pty Ltd	
01/04/2020	HCP20/003	Renewal of caravan park licence – Carnarvon Caravan Park, 477 Robinson Street, KINGSFORD.	Kevin & Gerdina Barrett	
23/03/2020	HCP20/004	Renewal of caravan park licence – Peoples Park Coral Bay, Lot 13 Robinson Street, CORAL BAY	Coral Bay Investments Pty Ltd ATF The Coral Bay Investment Trust	

Planning and Development Act (Local Planning Schemes) Regulations 2015 Schedule 2 Clause 68 Applications to use/develop land

File Ref:	Application Ref:	Subject Land (Incl. Scheme No)	Purpose	Applicant/Proponent	Date Granted
A2349	P05/20	Lot 415 (HN 217) Carnarvon-Mullewa Rd, Ingarra (LPS 11)	Mango Shed	DLR Building	25/03/2020

BUILDING

Application No.	Owners Name	Lot & Street	Type of Building Work
B19/048	NORTHERN ASPECTS PTY LTD	LOT 61 (24) ANGELO ST EAST CARNARVON	SINGLE STORY 4 BEDROOM UNIT TRANSPORTABLE BUILDING WITH ATTACHED VERANDAH
B19/130	NORTHERN ASSETS PTY LTD	LOT 61 (24) ANGELO ST EAST CARNARVON	SOLAR SYSTEMS ON ADMIN AND CARETAKERS BUILDING
B20/019	MICHELLE KEARNEY	LOT 21 (100) WILLIAM ST EAST CARNARVON	INSTALL SOLAR SYSTEM ON SHED

Application No.	Owners Name	Lot & Street	Type of Building Work
B20/024	SHANE MICHAEL SUMMERFIELD & AN RAMON	LOT 609 (2) YARDI QUAYS BROCKMAN	ATTACH SOLAR ARRAY TO EXISTING ROOF
B20/033	RK & LJ SMITH CORPORATION PTY LTD TA CARNARVON AUTO ELECTRICS	LOT 20 (68) CORNISH ST EAST CARNARVON	SOLAR PANELS ON EXISTING STRUCTURE
B20/035	KHB MARINE PTY LTD & GUYBON ANDREW HOWES	LOT 511 (52) ROBINSON ST CARNARVON	SOLAR PANELS
B20/038	ALLAN WAYNE & JOANNE MARGARET BRITZA	LOT 191 (35) FOSS CRES BROCKMAN	SOLAR PANELS
B20/039	KHB MARINE PTY LTD	LOT 833 (31) DAVID BRAND DRIVE BROCKMAN	SOLAR PANELS
B20/040	EDWARD JOHN RANDALL & KELLY CAPEWELL	LOT 1275 & 1276 (30) CLEVELAND ST EAST CARNARVON	SOLAR PANELS
B20/043	SHANE JOHN BROWN & MIRANDA JANE KOSTANICH	LOT 99 (18) SHALLCROSS ST EAST CARNARVON	SOLAR PANELS
B20/046	COLIN CHARLES & CREENA ANNE BARON	LOT 75 (12) DEMPSTER RD MORGANTOWN	SOLAR PANELS
B20/047	PHILIP JOHN & SUSAN WIGGETT	LOT 24 (11) NORTON WAY MORGANTOWN	SOLAR PANELS
B20/048	WALTER FRANK & MARIE LOCK	LOT 6 (11) FORREST ST CARNARVON	SOLAR PANEL INSTALLATION ON TO EXISTING DWELLING
B20/050	ALLAN JAMES & KIM MICHELLE FAITHFULL	LOT 6 (9) BROWN ST SOUTH CARNARVON	SOLAR PANEL INSTALLATION ON EXISTING DWELLING
B20/051	CRAIG STEVEN SMITH & NATASHA LEE THOMPSON	LOT 1131 (7) KILLICOAT ST SOUTH CARNARVON	SOLAR PANELS
B20/052	ROBERT WILLIAM ALEXANDER	LOT 3 (7) HAMMOND ST SOUTH CARNARVON	SOLAR PANELS ON EXISTING SHED
B20/053	EJ RANDALL & K CAPEWELL	LOT 2 (6B) CARSON PL BROCKMAN	SOLAR PANEL INSTALLATION ON EXISTING DWELLING
B20/065	BARBARA ANN GROUT & ALLAN TREVOR SMITH	LOT 250 (101) WILLIAM ST EAST CARNARVON	INSTALLATION OF SOLAR PV SYSTEM ON PROPERTY
B20/068	BRENDEN PAUL & GAIL LAW-DAVIS	LOT 12 (3) SMART ST EAST CARNARVON	EXTENSIONS - CARPORT
B20/069	LUKE RICARD SKENDER & CAROLIEN CECILE PATRICIA CLAASSENS	LOT 73 (80) SHALLCROSS STREET, EAST CARNARVON	PINE LAP FENCE ON SOUTHERN BOUNDARY, PINE LAP FENCE ON EASTERN BOUNDARY
B20/071	JOHN JOSEPH & JILLIAN ANNE DWYER	LOT 2 (10A) BROWN ST SOUTH CARNARVON	SEA CONTAINER DWELLINGS, GARAGE & COLOURBOND FENCE
B20/076	GABRIEL JACKSON	LOT 19 (5) RIDLEY PL MORGANTOWN	INSTALL 6M X 2.5M SPA POOL WITH CONCRETE PAD
B20/081	DEPARTMENT FOR HOUSING	LOT 60 (25) TONKIN CRES BROCKMAN	FRONT FENCE REPLACEMENT

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

MINUTE REF	DETAIL	RESPONSIBLE OFFICER	STATUS	ANTICIPATED COMPLETION DATE
27/11/15	Proposed Engagement – Work for the Dole Program	David Burton	Officers are meeting with ABC Group on a regular basis to identify and progress specific projects. Draft MOU related to the Arboretum has been referred to ABC and the Carnarvon Tree Society for agreement prior to submitting to the Council.	Further discussions with the Tree Society indicate that they wish the original MOU for the Arboretum to remain unaltered. The relationship with the ABC Foundation in this regard is being discussed. We will be trying to progress this in July/August. Program now with Real Futures
SCM 1/8/16	Gascoyne Memorial Foundation – Access Arrangements for ILUs	Paul Lees	Relates to existing access arrangements over Shire land at the southern end of the site. 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.	The matter is on the work program of the Shire planners – it is expected that the application will be lodged by end of May 2020.
20/8/16	Public Open Space Strategy	Paul Lees	The <u>draft</u> Public Open Space Strategy was completed by the Shire’s consultant; however, the document requires further Carnarvon-specific actions to make the document meaningful to the local setting. A project plan for the completion of the strategy has been developed and further work has recommenced on the project. The completion of the draft strategy will include further consultation.	Project is being progressed for completion by end of June 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 commenced the engagement of a WA local law specialist to review the Shire's local laws and commence drafting of new laws consistent with the State template.	It is expected that the review of the local laws will be completed by June 2020.
23/12/16	Notice of Removal of Houses – Lot 259, 1065 NRR	Paul Lees Dane Wallace	All three (3) buildings on site are of sub-standard construction and need to be removed. Shire officers are in the process of obtaining quotes for the removal of the buildings and the full clean-up of the property (removal of other material and vehicles) and will need to identify a budget for the works. Note that the owner's permission is not required for the removal of the buildings under the current orders.	Quotes currently being obtained, and the matter will be brought back to Council in May 2020.
9/9/17	Revocation of Motion – Carnarvon Heritage Old Tramway Lease	Maurice Werder	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. 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.
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.	The matter is now with the Department & WAPC for finalisation and approval by the Minister.
24/11/17	Bayview Coral Bay – Local Development Plan	Paul Lees	The applicant has requested that the draft Local Development Plan that has been publicly advertised be put on hold while other strategic matters relating to Coral Bay are finalised being the completion of LPS No. 13.	The final decision on LPS13 rests with the Minister.
10/1/18	Proposed Transfer of Management Order – CWA Lot 353	Paul Lees	The Department of Planning, Lands and Heritage have been advised of Council's view (may be prepared to accept the land and buildings as freehold) and further discussions are proceeding.	The matter rests with the Department of Lands.

8/2/18	Closure of PAW – Lot 302 Wheelock Way	Paul Lees	<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.</p>	A revised option will be presented to the May 2020 Council meeting.
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 timeframe for completion of the subdivision rests with the WAPC.
9/8/18	MOU Amendment – Men's Shed	Maurice Werder	Awaiting response from Men's Shed for the approval amended MoU. This matter is in the hands of the Men's Shed.	MOU with Mens Shed.
13-14/8/18	St John Ambulance – Land Exchange	Paul Lees	Shire officers have lodged the subdivision application for the Robinson Street parcel as per Council's resolution with the WAPC. The WAPC has now provided the Shire with the approval of the subdivision with conditions.	Shire officers are discussing the conditions of subdivision relating to infrastructure provision with the relevant State departments.
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	It is understood that the owner is in the process of formalising an appeal to SAT.

			negotiated outcome. The alternative motion to Council was unsuccessful and the cancellation of the dog registrations stands.	
12/8/19	Café – Carnarvon Airport	Maurice Werder	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.	June 2020
15/8/19	Main Street Pathway and Parking Rearrangement	David Nielsen	On hold. Garden maintenance and tree planting works will continue.	June 2020
17/8/19	Draft Authorised Inquiry Report – DLGSC	David Burton	Response sent – waiting on final report.	Report to January Meeting. Training being organised.
11/9/19 18/11/19	Notice of Motion – Removal of Blowholes Shacks Assessed as n Dangerous Condition	David Burton Paul Lees	Approved by Council in September 2019 however Council has passed a new motion in 2019 to: revoke Motion FC11/9/19 – Removal of Blowholes Shacks assessed as being in a dangerous condition; the establishment of a committee to address the current condition of shacks and to resolve a development plan acceptable to all parties and stakeholders; that Council request the CEO to investigate the outcomes of the Blowholes workshop which requested clarification on State Planning Policy 2.6 (Coastal Planning); and Council instruct the CEO to re-issue leases to the registered shack owners commencing 1 July 2020 at the rate of \$1,000 per annum.	The committee is required to report back to Council within 8 months of the date of the resolution. Meetings as required by Council have commenced. Items for Blowholes development to go to Tender early March with return to Council for April/May 2020. Working with Committee to go ahead with program.
12/11/19	Health Studio Lot 56 Cleaver St – Retrospective Approval	John Meggitt	The application was approved with conditions by Council at the November 2019 Council meeting.	The owner has advised gym users of the need to comply with the restricted hours of operation.

8/12/19	Permanent Road Closure – Lot 12 NWCH	John Meggitt	The application was supported at the December 2019 Council meeting and the Shire has advised the Minister accordingly.	Timeframes for completion of the road closure rest with the Department.
15/12/19	Fascine Wall Structural Analysis	David Nielsen	Quotations received from engineering consultant. Total is within Budget at \$30,000 excluding the tie rod excavation and reinstatement works. They advise “Pile Integrity Testing is unlikely to provide sufficient accuracy to determine the sheet pile toe levels. The only way to assess the toe levels would be by putting instruments down a bore hole drilled adjacent to the wall. This is significantly more costly and we do not recommend proceeding with this option at this stage.”	June 2020 subject to COVID-19 travel restrictions
16/12/19	Community Growth Fund Applications	Jennifer MacKellin	February round completed. Applications for Iconic Events being received	The next round of applications will close on: Small Assistance & Community Support – 30 May Iconic Events – 30 April
18/12/19	Recording & Web Streaming of Council Meetings	Maurice Werder	Resolution FC 18/12/19 resolved to investigate the recording & web streaming of council meetings. Investigations into how other councils do it and decide on a model by Council resolution. Plan to incorporate into the 2020/2021 Budget.	To be researched in preparation of the Budget 2020/2021 with a quote for a full system for around \$50,000
17/12/19	Quarterly Budget Reports	Maurice Werder	Resolution FC 17/12/19 resolved that a budget Report be presented to Council on a Quarterly basis. Management plan is to present a COA / Job Variance Report as used by staff on an ongoing basis for expenditure monitoring, MYR, and Budget Planning.	YTD report to be presented for each Quarter going forward. The April agenda has the current quarterly report.
20/12/19	Building Better Regions Fund Grant Application	Jennifer MacKellin	Application submitted. Awaiting outcome. The State is now contributing \$291k, which reduces our reliance on this grant to \$222k.	June 2020
21/12/19	Review of D001 Mobile Traders Policy	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 staff are currently preparing a revised draft Mobile Traders Policy

				for consideration by Council.
22/12/19	Budget Variation Club Development Project	Maurice Werder	Resolution FC 22/12/19 resolved to adopt the budget variations for matching expense and revenue for the Regional Every Club Funding Program.	Adopted by Council and to be actioned by Community Services.
4/1/20	Renewal of Lease – Lions Club	Maurice Werder Gloria Quinn	Resolved to lease the building to the Lions Club for a 1 year lease only	In communication with Lions Club about Deed of amendment
10/1/20	Lot 300 Olivia Tce – Progress Report	David Burton	Resolved that State Government to demolish buildings and remediate the site with possible purchase by Shire in the future.	Letter to be sent for resolution. Waiting for response.
19/1/20	Motorcycle Club – Building Insurance Waiver	Maurice Werder Gloria Quinn	Council approved the extension of the lease for a further 5 year period.	Signed off by Motorcycle Club
24/1/20	Blowholes Conceptual Projects	Paul Lees	Council supports preparation of design concepts being developed. Concepts were presented at a Council workshop and were modified to maximise community benefit. Open days have been held at the Shire offices for community input into the development concepts – considered as part of the Tender preparation.	Documentation from tenders has been received and is being evaluated.
6/2/20	Policy Review C002 – Inclusion of Legal Services Panels	Maurice Werder	Service Provision for Legal Services	Completed with addition of Clause 16 for panels
8/2/20	Response to Differential Rate Query with Department Local Government	Maurice Werder	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.	Awaiting scheduling from SAT
16/2/20	Australia Post – Mobile Trading Licence	John Meggitt	Council at the 25 February 2020 meeting resolved (i) “That Council resolve to work with the applicant Lisa Eveson, the local community and stakeholders, to find a suitable, safe vehicular friendly, compliant mobile trading site to operate the Australia Post service from. With special consideration given to operating at the Shire road reserve to the south of Baiyungu Aboriginal Corporation Village (BACV) workers accommodation Lot 308 and to the north of Lot 307 Coral Bay”; and (ii) “CEO be directed to establish the hard stand area south of the BACV for the use by mobile traders as a matter of priority to be completed on or before end of March 2020”.	The CEO has approved a mobile trader’s licence (under delegation) for the Australia Post contractor within the road reserve of Banksia Drive (north-eastern location) south of the BACV. 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 have been preparing to action the RFQ, however this matter may be brought back to Council in light of emerging matters/ actions surrounding the current health pandemic.
22/2/20	Road Asset Information – Budget Variation	David Nielsen	Order provided to Greenfield Technical Services. Work Commencing April.	June 2020
25/2/20	Sale of Surplus Items by Auction	David Nielsen	Auction completed. Total sales of \$80,134 exceeded auction reserve prices.	Completed
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.	30 June 2020
15/3/20	Policy Review – Legal Service Panels	Maurice Werder	Policy C002 Purchasing to contain the amendment “Audit Committee to endorse tender documents prior to advertising”	Completed with additional wording.
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 has been prepared for Councillors to consider at the April 2020 Council meeting.
18/3/20	People’s Park Upgrade – Lot 12/13 Robinson Street, Coral Bay	John Meggitt	A Development Application for upgrading of the existing administration, new commercial facilities, development of new car parking, and fourteen additional caravan sites and a manager’s residence was lodged by Coral Bay Investments	The applicant has been provided with the

			Pty Ltd. Council at its Ordinary Meeting of 24 March 2020 approved the application with conditions, and added an advice note that there be only one caretaker's residence provided.	approval documentation.
19/3/20	Carnarvon Aboriginal Medical Service Building – Extension – 22 Egan Street	John Meggitt	A Development Application for an extension of the Carnarvon Medical Service Aboriginal Corporation (CMSAC) building was lodged by CMSAC. Council at its Ordinary Meeting of 24 March 2020 approved the application with conditions.	The applicant has been provided with the approval documentation.
20/3/20	Norwesta Caravan Park Café – Change of Development Conditions	John Meggitt	A Development Application for a change to the conditions of approval relating to the Norwesta Caravan Park Café (to allow the café/restaurant to be open to the public) was lodged by Northern Assets Pty Ltd. Council at its Ordinary Meeting of 24 March 2020 approved the application with conditions.	The applicant has been provided with the approval documentation.
21/3/20	Unmanned Fuel Station – Lot 62 Banksia Drive, Coral Bay	John Meggitt	A Development Application for a proposed unmanned fuel station on Lot 62 Banksia Drive, Coral Bay was lodged by Tomahawk Property. Council at its Ordinary Meeting of 24 March 2020 approved the application with conditions and specified a 3 year timeframe for the provision of a sealed hard stand surface.	The applicant has been provided with the approval documentation.
24/3/20	Permission to Use Warroora/Gnaraloo Coastal Track	David Nielsen	Variety club advised of Council decision. Event has been cancelled due to COVID-19.	Completed
25/3/20	Extension of Temporary Road Closure – Gnaraloo Coastal Track	David Nielsen	DBCA advised of Council decision. Road Closure advertised. Closure planned for 1 May 2020. Letters forwarded to Warroora and Gnaraloo Stations. Objections close Will only come back to come back	May 2020
28/3/20	CSRFF Small Grants Application – Aquatic Centre	David Nielsen Carole Le Bas	Application submitted. Awaiting application advice.	Completed
29/3/20	CSRFF Small Grants Application – Golf Club	David Nielsen Carole Le Bas	Application submitted by Golf Club. Awaiting application advice.	Completed
35/3/20 36/3/20	Regional Express	Jennifer Mackellin	April 2020 - Regional Express (REX) are now providing 2 flights per week. They have failed to meet their contractual obligations to the Shire, and have not made monthly payments since January 2020.	June 2020

OFFICER'S RECOMMENDATION

That Council accept the reports outlining the actions performed under delegated authority for the months March/April 2020.

FC 2/4/20

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION

Cr Nelson/Cr Vandeleur

That Council accept the reports outlining the actions performed under delegated authority for the months March/April 2020.

CARRIED
F8/A0

8.1.2 ORDINARY COUNCIL MEETINGS – CHANGE OF COMMENCEMENT TIME

Date of Meeting: 28th April 2020
Location/Address: Shire of Carnarvon
Name of Applicant: Shire of Carnarvon
Name of Owner: N/A
Author/s: Dannielle Hill, Senior Executive Officer
Declaration of Interest: Nil
Voting Requirements: Simple Majority

Summary of Item:

To seek Council endorsement to change the Ordinary Meetings of Council commencement times

Description of Proposal:

As above.

Background:

Agenda Forum Meetings were introduced in January 2020 to allow Councillors' the opportunity to ask questions relative to agenda items that were being submitted for consideration. The Agenda Forum Meetings are open to the public and no debate or decision making occurs between Elected Members during the forums.

The Agenda Forum and Council Meetings timers were advertised as follows –

Date	Meeting	Time	Venue
Tuesday 25 February 2020	Forum Council	8.30am 10.00am	Council Chambers
Tuesday 24 March 2020	Forum Council	8.30am 10.00am	Council Chambers
Tuesday 28 April 2020	Forum Council	8.30am 10.00am	Council Chambers
Tuesday 26 May 2020	Forum Council	10.00am 11.0am	Coral Bay Tavern
Tuesday 23 June 2020	Forum Council	8.30am 10.00am	Council Chambers
Tuesday 28 July 2020	Forum Council	8.30am 10.00am	Council Chambers
Tuesday 25 August 2020	Forum Council	8.30am 10.00am	Council Chambers

Tuesday 22 September 2020	Forum Council	8.30am 10.00am	Council Chambers
Tuesday 27 October 2020	Forum Council	10.00am 11.00am	Coral Bay Tavern
Tuesday 24 November 2020	Forum Council	8.30am 10.00am	Council Chambers
Tuesday 15 December 2020	Forum Council	8.30am 10.00am	Council Chambers

The Agenda Forum Meetings are scheduled to be held immediately preceding the Council Meetings at 8.30am however, over the last 3 months it has been evident that this timeframe is restrictive with the Forum meetings being rushed through in order to ensure that Council Meetings start at the advertised time of 10.00am.

With this in mind, it would be advantageous for Council if the Agenda Forum Meetings remain at the scheduled time of commencing at 8.30am however, suggest that the Council Meetings be rescheduled to commence at 1.00pm instead of the advertised time of 10.00am.

Consultation:

Councillors
Executive Managers

Statutory Environment:

Pursuant to the Local Government Administration Regulations, 1996 an extract outlining the relevant regulation 12 is provided below:

(1) At least once each year a local government is to give local public notice of the dates on which, and the time and place at which —

(a) the ordinary council meetings; and

(b) the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public, are to be held in the next 12 months.

(2) A local government is to give local public notice of any change to the date, time or place of a meeting referred to in sub regulation (1).

Relevant Plans and Policy:

This item relates to Council “Policy E017 - Monthly Ordinary Council Meetings, Briefing Sessions and Corporate Information Sessions” and aligns with this document.

Financial Implications:

There are no financial implications associated with this change.

Risk Assessment:

There may be some risk that Councillors’ could be making uninformed decisions on Council matters as a result of the limited timeframe to ask questions relative to agenda items at the Agenda Forum Meeting.

Community & Strategic Objectives:

ITEM	OUTCOMES AND STRATEGIES
5.1	A well engaged and informed community and a high standard of customer service

ITEM	OUTCOMES AND STRATEGIES
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
5.2.6	Compliance with the Local Government Act 1995 and all other relevant legislation and regulations
5.6	The Shire advocates on behalf of its community

Comment:

It is considered that changing the commencement of the Ordinary Council Meeting will enable a more informative and less rushed Agenda Forum session for Councillors' and any public who may wish to attend. This will also enable Councillors' to absorb the information and advice received at the Forums in readiness for a decision at the Ordinary Meeting of Council later in the day.

OFFICER'S RECOMMENDATION

1. That the commencement time for Ordinary Meetings of Council be changed to 1.00pm.
2. Give local public notice advising of the change of commencement time for the Ordinary Meetings of Council for 2020.

FC 3/4/20

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION

Cr Maslen/Cr Fullarton

1. That the commencement time for Ordinary Meetings of Council be changed to 1.00pm.
2. Give local public notice advising of the change of commencement time for the Ordinary Meetings of Council for 2020.

CARRIED
F8/AO

8.1.3 CORAL BAY COUNCIL MEETINGS 2020 – CHANGE OF VENUE

Date of Meeting: 28TH April 2020
 Location/Address: Shire of Carnarvon
 Name of Applicant: Shire of Carnarvon
 Name of Owner: N/A
 Author/s: Dannielle Hill, Senior Executive Officer
 Declaration of Interest: N/A
 Voting Requirements: Simple Majority

Summary of Item:

As a result of COVID-19 and public gatherings limitations, the scheduled meetings for Coral Bay be relocated to the Shire of Carnarvon Council Chambers.

Description of Proposal:

To seek Council approval to relocate the scheduled Council Meetings to be held in Coral Bay on 26th May and 27th October 2020 to Shire of Carnarvon Council Chambers.

Background:

As a requirement under the Local Government Administration Regulations 1996, Council is required to set its Ordinary and Committee meeting dates for the upcoming calendar year and accordingly provide local public notice to this effect.

Furthermore, Council “Policy E017 - Monthly Ordinary Council Meetings, Briefing Sessions and Corporate Information Sessions”, also states that Ordinary Meetings of Council are to be held on the fourth Tuesday of each month, with at least two Ordinary Meetings of Council to be held in Coral Bay, and the date and time to be determined by Council.

At the Ordinary Meeting of Council held in January 2020, Council resolved that the Council Meetings be held as follows –

Council Ordinary Meeting Dates, Times and Venues 2020		
Date	Time	Venue
Tuesday 28 January 2020	8.30am	Council Chambers
Tuesday 25 February 2020	8.30am	Council Chambers
Tuesday 24 March 2020	8.30am	Council Chambers
Tuesday 28 April 2020	8.30am	Council Chambers
Tuesday 26 May 2020	10.30am	Coral Bay Tavern
Tuesday 23 June 2020	8.30am	Council Chambers
Tuesday 28 July 2020	8.30am	Council Chambers
Tuesday 25 August 2020	8.30am	Council Chambers
Tuesday 22 September 2020	8.30am	Council Chambers
Tuesday 27 October 2020	10.30am	Coral Bay Tavern
Tuesday 24 November 2020	8.30am	Council Chambers
Tuesday 15 December 2020	8.30am	Council Chambers

Consultation:

Department of Health advice relating to public gatherings during the COVID-19 Pandemic.

Statutory Environment:

Pursuant to the Local Government Administration Regulations, 1996 an extract outlining the relevant regulation 12 is provided below:

(1) At least once each year a local government is to give local public notice of the dates on which, and the time and place at which –

(a) the ordinary council meetings; and

(b) the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public, are to be held in the next 12 months.

(2) A local government is to give local public notice of any change to the date, time or place of a meeting referred to in sub regulation (1).

Relevant Plans and Policy:

This item relates to Council “Policy E017 - Monthly Ordinary Council Meetings, Briefing Sessions and Corporate Information Sessions” and aligns with this document.

Financial Implications:

There are no financial implications associated with this change.

Risk Assessment:

There is no perceived risk by endorsing the recommended relocation of the Ordinary Meeting Council venues for the May and October 2020 meetings, other than the Council would be in breach of the legislation if was not to do so. To not change the venues for these two meetings is a risk due to the COVID-19 Pandemic and possible community gathering at the meeting and transference of the virus.

Community & Strategic Objectives:

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
5.2.6	Compliance with the Local Government Act 1995 and all other relevant legislation and regulations
5.6	The Shire advocates on behalf of its community

Comment:

In light of the restrictions put in place in respect of public gatherings, social distancing and community health, the transferring of the Coral Bay meetings to Carnarvon is recommended. At a later date, once the COVID-19 Pandemic has been downgraded and no longer a threat to the community, Council can revisit the possibility of holding Council Meetings in Coral Bay in 2021 as part of the scheduled meetings consideration at the January 2021 Council Meeting.

OFFICER'S RECOMMENDATION

1. *That the Ordinary Meetings of Council scheduled to be held in Coral Bay on Tuesday 26th May and Tuesday 27th October 2020 be reconvened to the Council Chambers, 3 Francis Street Carnarvon;*
2. *Give local public notice advising of the change of venues for the May and October 2020 Ordinary Meetings of Council.*

FC 4/4/20

COUNCIL RESOLUTION

Cr Pinner/Cr Maslen

1. *That the Ordinary Meeting of Council scheduled to be held in Coral Bay on Tuesday 26th May be reconvened to the Council Chambers, 3 Francis Street Carnarvon;*
2. *Give local public notice advising of the change of venue for the May 2020 Ordinary Meeting of Council.*

CARRIED

F8/AO

(Note to Minute – Council felt that the May 2020 Meeting be rescheduled only at this point in time.)

8.1.4 TRANSFER OF FIRE BRIGADE PROPERTY TO SHIRE OF CARNARVON

10.32am – Cr Fullarton declared an Impartiality Interest in this matter as he has an ongoing and unresolved conflict with the Sub Branch. Cr Fullarton left the meeting and did not participate or vote on the mater.

Date of Meeting: 28th April 2020.
Location/Address: Egan Street, Carnarvon
Name of Applicant: Shire of Carnarvon
Name of Owner: Department of Fire and Emergency Services
Author/s: David Burton – Chief Executive Officer

Declaration of Interest: Nil
Voting Requirements: Simple Majority

Summary of Item:

To consider the purchase of the Old Fire Brigade building for the purpose of a Returned Services League (RSL) Centre

Description of Proposal:

The RSL has requested that the Shire of Carnarvon take ownership of the old Department of Fire and Emergency Services (DFES) building back and lease it to the RSL for a Clubhouse. This will assist them in applying for a liquor license to allow the Club to be sustainable.

DFES have agreed to the transfer of the land back to the Shire of Carnarvon for the sum of \$1.

Background:

Many years ago, the Shire of Carnarvon transferred the old Fire Brigade building to DFES free of charge for the purpose of housing the Local Fire Brigade.

After the new facility was constructed, the building was used by the local RSL as a clubhouse. The facility is ideally placed close to the War Memorial which makes it ideal for this purpose.

Recently, the RSL has looked at the possibility of getting a Liquor License to assist in making the Club sustainable, but as the ownership of the property was with DFES, approval was not obtainable. As such, a request was made for the Shire to take ownership of the property to assist.

Consultation:

Carnarvon RSL
DFES

Statutory Environment:

Local Government Act 1995

Relevant Plans and Policy:

Nil

Financial Implications:

The cost of the transfer of land is only \$1. The current budget does have an allocation for War Memorial which could be used to cover this cost.

Ongoing maintenance of the building and facilities would be a condition of the lease agreement with the RSL.

At the land may have contaminants (being an old fire building) there may be some costs associated with the cleaning of the property if it was ever cleared for redevelopment.

As the Shire will be taking on the building, it will also become a Shire asset and as such will have other implications for the Shires financials going forward including depreciation and revaluation, etc.

Risk Assessment:

As previously noted, the property was previously used as a fire depot. There is the possibility of contaminants remaining on the land which would have to be removed should the property be cleared for developments. The cost of such a clean up is unknown until it occurs.

If the Shire does allow for a liquor license for the Premises, there may be some liabilities for the Shire. This will be assessed and addressed as part of the lease agreement with the RSL to reduce the liability of the Shire.

Community & Strategic Objectives:

Goal 5: Civic

Strong and listening Council.

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

Comment:

The location of the building close to the War Memorial makes it ideal as a location for the RSL as it is in easy walking distance so that people attending services can attend the RSL after the events and socialize.

The RSL has struggled to remain sustainable in recent years as their inability to obtain a liquor license has made it difficult for them to easily raise funds. If the Shire takes over the facility and does allow a liquor license, then it is more likely that the RSL will be sustainable into the future.

Due to the age of the building and that it already has a use, the consideration of the transfer back to the Shire for the sum of \$1 could be considered as providing a community service and allowing the RSL to remain. This would also be assisted by the Pilbara Regiment now being located in Carnarvon.

The Shire may consider in the near future of transfer the ownership of the property entirely to the RSL once it is sustainable to reduce the ongoing financial impacts. This would reduce the financial impacts for the Shire with regards to maintaining assets and renewal of assets.

It is also recommended that a Property Condition Report be completed on the property and a lease agreement drafted to lease the building to the RSL as soon as possible.

OFFICER'S RECOMMENDATION

That:

- 1. the President and Chief Executive Officer sign the Offer and Acceptance for Lot ** Egan Street for \$1; and*
- 2. The Chief Executive Officer have drafted a lease agreement for the property to the Carnarvon Returned Services League on a Peppercorn rental agreement.*

FC 5/4/20

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION

Cr Vandeleur/Cr Pinner

That:

- 1. The President and Chief Executive Officer sign the Offer and Acceptance for Lot 1 Egan Street for \$1; and*

2. The Chief Executive Officer have drafted a lease agreement for the property to the Carnarvon Returned Services League on a Peppercorn rental agreement.

FC 6/4/20

COUNCIL RESOLUTION

Cr Vandeleur/Cr Nelson

That Standing Orders Section 13 be suspended at 10.37am to enable Council to discuss the financial implications associated with the Officer's Recommendation.

CARRIED

F7/O

FC 7/4/20

COUNCIL RESOLUTION

Cr Vandeleur/Cr Maslen

That Standing Orders Section 13 be resumed at 10.50am.

CARRIED

F7/AO

FC 8/4/20

PROCEDURAL MOTION

Cr Vandeleur/Cr Maslen

That the matter be deferred until such time as all risks associated with the transfer of the land have been identified.

CARRIED

F7/AO

(Note to Minute – Councillors did not want to make a decision on this matter until such time as all costs and risks associated with this purchase and possible transfer of this land has been investigated.)

10.53am – Cr Fullarton returned to the meeting and was advised of Council's decision on the matter.

8.2 CORPORATE SERVICES

FC 9/4/20

COUNCIL RESOLUTION

Cr Nelson/Cr Fullarton

That Items 8.2.1 to 8.2.3 inclusive be adopted en-bloc as follows -

8.2.1 ACCOUNTS FOR PAYMENT 31 MARCH 2020

File No:	ADM0186
Date of Meeting:	28 April 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 March 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) totaling \$912,324.97 as presented for the month of March 2020 incorporating;

Payment Reference from:	Payment Reference to:	Payment Type	Payment Amount
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DD37588	DD37650	Bank Direct	\$108,542.54
47128	47144	Muni Cheques	\$87,881.96
7495	7499	Trust Cheques	\$5,663.02
EFT30139	EFT30384	Muni EFT	\$706,228.97
EFT30343	EFT30352	Trust EFT	\$4,008.48

b) Receive the list of credit card payments, as per Schedule 8.2.1 (b), totalling \$2,260.18 as presented.
Note Sundry Creditors as at 31 March 2020 \$310,937.29.

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION

That Council

a) Receive the list of payments, as per Schedule 8.2.1 (a) totaling \$912,324.97 as presented for the month of March 2020 incorporating;

Payment Reference from:	Payment Reference to:	Payment Type	Payment Amount
DD37588	DD37650	Bank Direct	\$108,542.54
47128	47144	Muni Cheques	\$87,881.96
7495	7499	Trust Cheques	\$5,663.02
EFT30139	EFT30384	Muni EFT	\$706,228.97
EFT30343	EFT30352	Trust EFT	\$4,008.48

b) Receive the list of credit card payments, as per Schedule 8.2.1 (b), totalling \$2,260.18 as presented.
c) Note Sundry Creditors as at 31 March 2020 \$310,937.29.

8.2.2 FINANCIAL ACTIVITY STATEMENT 31 MARCH 2020

File No: ADM0186
Date of Meeting: 28 April 2020
Location/Address: Shire of Carnarvon
Name of Applicant: Shire of Carnarvon
Name of Owner: Shire of Carnarvon
Author/s: Jodie Anderson, Acting Manager Finance
Declaration of Interest: Nil
Voting Requirements: Simple Majority

Summary of Item:

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

Description of Proposal:

N/A

Background:

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

Consultation:

Nil

Statutory Environment:

Local Government (Financial Management) Regulation 34.

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

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

Relevant Plans and Policy:

Corporate Business Plan 2018 - 2022

Financial Implications:

Nil.

Risk Assessment:

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

Community & Strategic Objectives:

ITEM	OUTCOMES AND STRATEGIES
5.2	The Shire has a high standard of governance and accountability
5.2.1	Robust decision-making by culturally aware, well-informed and supported Councillors
5.2.3	Risks are well managed
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 March 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 March 2020 as per Schedule 8.2.2.

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION

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

8.2.3 INVESTMENTS AS AT 31 MARCH 2020

File No: ADM0186
 Date of Meeting: 28 April 2020
 Location/Address: Shire of Carnarvon
 Name of Applicant: Shire of Carnarvon
 Name of Owner: Shire of Carnarvon
 Author/s: Jodie Anderson, Acting Manager Finance
 Declaration of Interest: Nil
 Voting Requirements: Simple Majority

Summary of Item:

To report the Council details of surplus funds invested to 31 March 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 March 2020 as per Schedule 8.2.3.

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION

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

CARRIED
F8/A0

File No:	ADM0071
Date of Meeting:	28 April 2020
Location/Address:	Shire of Carnarvon
Name of Applicant:	Shire of Carnarvon
Author/s:	Maurice Werder, Executive Manager Corporate Services
Declaration of Interest:	Nil
Voting Requirements:	Absolute Majority
Previous Report:	N/A

Summary of Item:

This report brings to Council the discussions the Shire has had with the Department of Local Government, Sports and Cultural Industries and with our Auditors on the method of accounting for the Financial Assistance Grants received in advance and the effect on reporting in the 2019/2020 Budget.

Description of Proposal:

Each year the Shire of Carnarvon receives Financial Assistance Grants from the Grants commission for various purposes. For the financial year 2019/2020 the allocation for Carnarvon was:

Financial Assistance Grants – General Purpose:	3,630,339.00
Financial Assistance Grants – Roads	1,335,104.00
Total entitlement for 2019/2020	4,936,729.00

In 19th June 2019 just before the end of the 2018/2019 financial year the Shire received an advance on the 2019/2020 FAGs allocation made up of:

Financial Assistance Grants – General Purpose:	1,863,418.00
Financial Assistance Grants – Roads	704,577.00
Total paid in June 2019	2,567,995.00

The balance of \$2,368,734 will be received in four instalments over 2019/2020

The funds received in advance are for the new financial year and the Shire is required to account for these funds when received, and is not permitted to account for them as income received in advance. These funds became part of the carry forward surplus. In the 2019/2020 budget the FAGs balance of \$2,368,734 was budgeted for in four instalments and the anticipated advance on the following year was added to the June 2020 budget month to record the FAGs as receivable in the financial year. The anticipated amount to be received in June 2020 is \$2,567,995.00. There are various opinions on how to treat these grants received in advance.

Correspondence from the Department of Local Government, Sport and Cultural Industries:

The Shire received a letter from Narrell Lethom, Director, Industry and Sector Regulation stating that *“the Department of Local Government, Sport and Cultural Industries has identified two major issues with the Shire of Carnarvon’s 2019/20 and 2018/19 Annual Budgets.”*

The first one about the Differential Rates modification is currently with the State Administrative Tribunal for resolution.

The second one involves the treatment of the Financial Assistance Grants reporting methodology and the effect on the Budget Surplus in Rate Setting Statement.

The letter from Narrell Lethom, Director, Industry and Sector Regulation stated:

“Budget Surplus in Rate Setting Statement

It is a requirement that unless the Minister otherwise approves, the amount shown in the annual budget as being the amount it is estimated will be yielded by the general rate is not to be more than 110% of the amount of the budget deficiency.

The Shire's adopted 2019-20 Budget reported a budget deficiency of \$2,895,827 with an estimated yield from general rates of \$5,494,043. This represented a yield of 190% compared to the maximum allowed of 110%.

The Shire's adopted 2018-19 Budget reported a budget deficiency of \$2,601,314 with an estimated yield from general rates of \$5,186,140. This represented a yield of 199%. It is noted the Department wrote to the Shire in July 2018 alerting them to this matter and the A/CEO replied in January 2019 stating the Shire did not believe they had breached section 6.34 of the Act. The Shire provided an explanation of what occurred, but it is still considered there was a breach of the Act.

While the breach for 2018-19 cannot now be corrected, to rectify this matter for 2019/20, it is requested that a budget amendment item be submitted to the next ordinary council meeting to make the Shire's 2019-20 revised budget compliant with section 6.34 of the Act. If the Shire does not remove the anticipated 2020-21 Grants Commission advance payment from its 2019-20 Budget to achieve this compliance, the Department would expect to see clear linkages in the proposed course of action to the Shire's Corporate Business Plan and Long Term Financial Plan."

Response from the Shire of Carnarvon

The Shire responded that the Shire's Corporate Business Plan, on page 49 of the CBP, showed a clear linkage to the treatment of the early receipt of the Financial Assistance Grants in the Budget Document.

We have discussed the matter with our Audit Partner at Moore Stephens who has suggested that we do not budget for the potential early receipt of the FAGs as this brings up queries relating to the Local Government Act 1995 Section 6.34.

Consultation:

Discussion and correspondence with several Department of Local Government, Sports and Cultural Industries staff and the Shire Auditors.

Statutory Environment:

Local Government Act 1995 Sect 6.34:

Limit on revenue or income from general rates

6.34. Unless the Minister otherwise approves, the amount shown in the annual budget as being the amount it is estimated will be yielded by the general rate is not to —

- (a) be more than 110% of the amount of the budget deficiency; or
- (b) be less than 90% of the amount of the budget deficiency

Relevant Plans and Policy:

Corporate Business Plan 2018 - 2022

Financial Implications:

There are no direct financial implications as this is only a reporting function

Risk Assessment:

Failure to make the recommended changes to the 2019/2020 Budget could result in queries from the Department relating to our approach. There could be queries from the Office of the Auditor General.

Community & Strategic Objectives:

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

ITEM	OUTCOMES AND STRATEGIES
5.2	The Shire has a high standard of governance and accountability

ITEM	OUTCOMES AND STRATEGIES
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 Shire considers that we have complied with the expectation to show clear linkages to the Corporate Business Plan however advice we have received indicate that the recommended changes to the Budget will reduce potential conflicts on opinion relating to our Budgets. Future Budgets will not account for the expected early payment of the FAGS. The removal of the expected early payment Financial Assistance Grants of \$2,567,995 will reduce the budgeted surplus the \$74,183. The effects on the budget is shown in this table.

COA	Description		Current Budget	Variation	Revised Budget
100710	Financial Assistance Grants – General Purpose		(3,721,927)	1,863,418	(1,858,509)
101110	Financial Assistance Grants – Roads		(1,178,073)	704,577	(573,496)
	Effect on Budget Surplus			2,567,995	

Refer to the Quarterly Report attached to the current agenda for the reported accounts.

OFFICER'S RECOMMENDATION

That Council, in accordance with section 6.8(1)(b) of the Local Government Act, adopt the budget variations to COA 100710 Financial Assistance Grants – General Purpose for \$1,863,418 reduction in revenue and COA 101110 Financial Assistance Grants – Roads for \$704,577 reduction in revenue for the financial year 2019/2020.

FC 10/4/20

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION

Cr Vandeleur/Cr Pinner

That Council, in accordance with section 6.8(1)(b) of the Local Government Act, adopt the budget variations to COA 100710 Financial Assistance Grants – General Purpose for \$1,863,418 reduction in revenue and COA 101110 Financial Assistance Grants – Roads for \$704,577 reduction in revenue for the financial year 2019/2020.

CARRIED BY ABSOLUTE MAJORITY

F7/A1

Cr Fullarton voted against the motion

Date of Meeting	28 April 2020
Location/Address	Shire of Carnarvon
Name of Applicant	Shire of Carnarvon
Name of Owner	Shire of Carnarvon
Author/s	Maurice Werder, Executive Manager Corporate Services
Declaration of Interest	Nil
Voting Requirements	Absolute Majority
Previous Report	24 March 2020

Summary of Item:

1. **Golf Club Under Road Boring** - Funding support has been requested through the Shire President from a sporting club, the Carnarvon Golf Club to enable access to the water mains by boring under the HMAS Sydney II Memorial Ave. At the 24 March OMC at FC 29/3/20 Council supported the Carnarvon Golf Club's application to the Department of Sport and Recreation (DSR) Community Sport and Recreation Facility Fund Grant (CSRFF) for the provision of Golf Club irrigation services for the grassing of its fairways and greens. Access to the Shire bore water pipe network is critical and in addition to the current CSRFF funded project.
2. **SES Equipment and Building Upgrade** - To upgrade the SES facilities DFES has identified three components to improve the serviceability and functionality of the SES resources in Carnarvon. The improvements will be Shire assets with DFES funding the construction and installation. Initially the project was identified as an operating expense however as the assets will belong to the Shire, the budget funds will need to be moved to the relevant Capital Accounts. The Equipment asset will be a 60 KW Genset generator (quoted at \$38,900) and the building assets will be a SES training tower and extensions to the building.

Three COA accounts have been reactivated, renamed or created to manage these Budget Variation transactions.

COA 112240 LAND & BUILDINGS – DFES: Sub-Program Other Law, Order, Public Safety

COA 112340 PLANT & EQUIP – DFES: Sub-Program Other Law, Order, Public Safety

COA 139830 CARNARVON CLUBS SUPPORT: Sub-Program Other Recreation and Sport

As there is no clearly approved expenditure budget for these programs, they need Council approval.

Description of Proposal:

To accept the identified budget variations and to approve the related expenditure.

Background:

1. The Council, responding to a request through the Shire President, is prepared to enable activities that support the community organisations particularly during these challenging times and provides for better outputs that will be of more value to the sporting and wider community.
2. DFES funds the operating costs of SES through the Shire procurement system as well as funding capital works which will be designated Shire Assets.

Consultation:

Consultation between the Shire, community and statutory organisations to provide a beneficial outcome.

Statutory Environment:

Local Government Act 1995 – Section 6.8

6.8. Expenditure from municipal fund not included in annual budget

- (1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —
- (a) is incurred in a financial year before the adoption of the annual budget by the local government;
 - or
 - (b) is authorised in advance by resolution*; or
 - (c) is authorised in advance by the mayor or president in an emergency.

* *Absolute majority required.*

- (1a) In subsection (1) —

additional purpose means a purpose for which no expenditure estimate is included in the local government's annual budget.

- (2) Where expenditure has been incurred by a local government —

- (a) pursuant to subsection (1)(a), it is to be included in the annual budget for that financial year; and
- (b) pursuant to subsection (1)(c), it is to be reported to the next ordinary meeting of the council.

Internal Practice Note – Management of Variations to Budgets

Council Resolution Required

8. New budget items that have no budget allocation in Council's adopted annual budget must be reported to Council for formal approval of a variation (statutory requirement as per section 6.8 of the LGA).

Relevant Plans and Policy:

Corporate Business Plan 2018 - 2022

Financial Implications:

Nil, as there are matching increased and decreased expenditure budgets

Risk Assessment:

Should the Council not adopt the proposed variations, the projects identified will not be able to be supported, actioned or completed.

Community & Strategic Objectives:

The section below sets out the outcomes the community and the Council wish to see achieved. These outcomes and strategies support the various budget movement in their own individual ways.

Goal 1: Economic

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

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

Goal 3: Social

Healthy, safe and resilient community, where everyone belongs

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

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
5.2.3	Risks are well managed

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

Comment 1:

There is expected to be a modest surplus in the COA 132420 Carnarvon Parks and Gardens at the 30 June and the project at the Golf Course is related to a similar environment. The Local Government Act 1995 – Section 6.8 (1) (b) states that a local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure is authorised in advance by resolution. The expenditure effects on the budget is shown in this table.

COA	Description	Job	Description	Current Budget	Variation	Revised Budget
139830	Carnarvon Clubs Support			0	10,000	10,000
132420	Carnarvon Parks and Gardens	9000	Carnarvon Parks and Gardens	622,052	(10,000)	612,052
			Effect on Council Funds		-	

Comment 2:

The SES property upgrade project was identified as an operating expense however as the assets will belong to the Shire, the budget funds will need to be moved to the relevant Capital Accounts. The Local Government Act 1995 – Section 6.8 (1) (b) states that a local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure is authorised in advance by resolution. The expenditure effects on the budget between Jobs on the same COA is shown in this table.

COA	Description	Job	Description	Current Budget	Variation	Revised Budget
112240	Land & Buildings - DFES			0	116,400	116,400
112340	Plant & Equipment - DFES			0	38,900	38,900
111D20	Emergency Services Grant – State Emergency Service			189,852	(155,300)	34,552
			Effect on Council Funds		-	

Refer to the Quarterly Report attached to the current agenda for the reported accounts.

OFFICER'S RECOMMENDATION 1

That Council, in accordance with section 6.8(1)(b) of the Local Government Act, adopt the budget variations to COA 139830 Carnarvon Clubs Support for \$10,000 expenditure and Job 9000 Carnarvon Parks for a reduction of \$10,000 expenditure for the financial year 2019/2020.

Absolute majority required.

OFFICER'S RECOMMENDATION 2

That Council, in accordance with section 6.8(1)(b) of the Local Government Act, adopt the budget variations to COA 112240 Land & Buildings - DFES for \$116,400 expenditure and COA 112340 Plant & Equipment - DFES for \$38,900 expenditure and COA 111D2 Emergency Services Grant – State Emergency Service for a reduction of \$115,300 expenditure for the financial year 2019/2020.

Absolute majority required.

FC 11/4/20

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION 1

Cr Nelson/Cr Maslen

That Council, in accordance with section 6.8(1)(b) of the Local Government Act, adopt the budget variations to COA 139830 Carnarvon Clubs Support for \$10,000 expenditure and Job 9000 Carnarvon Parks for a reduction of \$10,000 expenditure for the financial year 2019/2020.

CARRIED BY ABSOLUTE MAJORITY

F8/A0

FC 12/4/20

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION 2

Cr Nelson/Cr Fullarton

That Council, in accordance with section 6.8(1)(b) of the Local Government Act, adopt the budget variations to COA 112240 Land & Buildings - DFES for \$116,400 expenditure and COA 112340 Plant & Equipment - - DFES for \$38,900 expenditure and COA 111D2 Emergency Services Grant – State Emergency Service for a reduction of \$115,300 expenditure for the financial year 2019/2020.

CARRIED BY ABSOLUTE MAJORITY

F8/A0

8.2.6

QUARTERLY FINANCIAL REPORT

Date of Meeting	28 April 2020
Location/Address	Shire of Carnarvon
Name of Applicant	Shire of Carnarvon
Name of Owner	Shire of Carnarvon
Author/s	Maurice Werder, Executive Manager Corporate Services
Declaration of Interest	Nil
Voting Requirements	Simple Majority
Previous Report	17 December 2019

Summary of Item

This report provides the second financial report to Council at a General Ledger (COA) and Job level, as at the 31st March 2020. The report is to inform Council of the financial movement and presented at Program, Sub-Program, and account type in a clear manner.

Description of Proposal

To continue a process to provide Council with a Quarterly Financial Management Report at a detailed level as shown at **Schedule 8.2.6 - Quarterly Report March 2020**. The schedule reports the current budget after the adjustments resulting from the Mid-Year Review as adopted on the 24th March 2020 Ordinary Council Meeting (OCM). To cater for the Budget Variation requests at the March OCM, three COA accounts have been reactivated, renamed or created to manage these adjustments.

COA 112240 LAND & BUILDINGS – DFES: Sub-Program Other Law, Order, Public Safety

COA 112340 PLANT & EQUIP – DFES: Sub-Program Other Law, Order, Public Safety

COA 139830 CARNARVON CLUBS SUPPORT: Sub-Program Other Recreation and Sport

Background

Council has requested financial information in order to ensure that they are meeting public desire for financial oversight.

Consultation

Discussion with Councillors, Management and Financial Services to provide a suitable report to provide Financial Management information in a meaningful manner.

Statutory Environment

Local Government (Financial Management) Regulations 33A & 34.

Relevant Plans and Policy:

Corporate Business Plan 2018 – 2022 (CBP)

Financial Implications

There are no significant direct financial implications for the presentation of a quarterly report.

Risk Assessment

Nil

Community & Strategic Objectives:

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

Goal 5: Civic

Strong and listening Council.

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

Comment

The report presented in the **Schedule 8.2.6 - Quarterly Report March 2020** is formed from an operational report used to monitor financial movements, variances, preparation for mid-year review, CBP review, and Budget preparation. The report displays prior year data to provide context. The Schedule report is presented to the end of the prior quarter as at 31st March 2020 which matches the 8.2.2 - Financial Management Report. The adjustments to the Current Budgets in the Mid-Year Review have been applied to the report.

OFFICER'S RECOMMENDATION

That Council accept the Quarterly Financial Management Report at the COA and Job level as presented as Schedule 8.2.6 - Quarterly Report March 2020.

FC 13/4/20

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION

Cr Skender/Cr Nelson

That Council accept the Quarterly Financial Management Report at the COA and Job level as presented as Schedule 8.2.6 - Quarterly Report March 2020.

CARRIED
F8/AO

Date of Meeting	28 April 2020
Location/Address	Shire of Carnarvon
Name of Applicant	Shire of Carnarvon
Name of Owner	Shire of Carnarvon
Author/s	SJ Nixon, A/Manager Governance
Declaration of Interest	Nil
Voting Requirements	Recommendation 1: Simple Majority Recommendation 2: Absolute Majority
Previous Reports	N/A

Summary of Item

This report presents:

An update to the *Corporate Policy C002 – Purchasing* to include the legislative amendment to the Local Government (Functions and General) Regulations 1996 Part 4. clause 11. (1) ‘when tenders have to be publicly invited’ in which the tender threshold has been increased from \$150,000 to \$250,000

Background

The Department of Local Government, Sport and Cultural Industries (DLGSC) has made an amendment to the above-mentioned regulation due to the COVID-19 outbreak. This amendment included an increase to the tender threshold to \$250,000 (Clause 11. (1)) and removing the requirement to publicly invite tenders during a state of emergency for:

- The supply of goods or services associated with a state of emergency (Clause 11 (2) (aa) and;
- A contract renewal or extension of no more than 12 months when the original contract is to expire within three months (Clause 11 (2) (ja)).

Description of Amended Policies

In the amended policy, allowance has been made for the new Tender threshold from \$150,000 and above to \$250,000 and above to publicly invite tenders. Therefore, the threshold to conduct a formal Request for Quotation (RFQ) has to be amended to \$50,001 to \$249,999. Refer to ***schedule 8.2.7 Policy Review*** for the complete amended Policy C002 – Purchasing.

The amendment to the above-mentioned regulation included a change to the regulatory exemptions. These changes have been included in Clause 15 of the Policy C002 Purchasing. Refer to ***schedule 8.2.7 Policy review***.

Consultation

Consultation has taken with the Executive Manager of Corporate Services, Maurice Werder.

Statutory Environment

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

The amendments to the Policy C002 – Purchasing have been endorsed in the reviewed Local Government (Functions and General) Regulations 1996 Part 4 Provision of Goods and Services.

Financial Implications

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

Risk Assessment

A regular review and update of the Shire Policies avoids the risk of the documents becoming outdated. Any adverse issues from policy use, application, interpretation or changing circumstances will be brought back to Council for review.

The Hansard from the Western Australian Parliament's assembly on 15th April 2020 noted that these changes have been made to assist council to focus on more important and pressing business whilst ensuring that local government can continue to procure goods and services. particularly where they need to respond to a declared state of emergency. Given the above, any risk that these changes may pose to the local government is nullified by the mandatory implication of an amendment to the legislation.

Given the concerns following the council meeting on 28th April 2020, clarification was sought for WALGA in relation to the implication of these amendments particularly in relation to the contradiction between clause 11 and clause 11a of the *Local Government (Functions and General) Regulations 1996*. The following advice was provided;

- a) These changes do not govern solely matters relating to COVID-19 or a state of emergency declaration.
- b) It is intended that clause 11A will be amended to a tender threshold of \$250,000 (noting, this change is tabled for the 5th May 2020 parliamentary sitting)
- c) Other local councils have adopted these changes into their policy in line with the legislative amendment
- d) Given the present financial climate, the cost/ benefit analysis for undertaking a request to tender versus undertaking a request for a quote provides further impetus to implement this legislative change.

Community & Strategic Objectives:

Objective 5: Civic

Strong and listening Council

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

Comment

A last minute query to the legislation on the tender threshold being raised to \$250,000 by the State Government, identified the Regulations - Local Government (Functions and General) Regulations 11A Purchasing Policies of Local Government still mentions at 11A (1) that a local government is to prepare or adopt, and is to implement, a purchasing policy in relation to contracts for other persons to supply goods or services where the consideration under the contract is, or is expected to be, \$150 000 or less or worth \$150 000 or less. Available information is that the amendment correction will go to the Governor to sign on 5 May to fix this anomaly. Recommendation 3 specified that Recommendation 2 will be effective when the Governor signs the amendment correction to fix this anomaly. There will need to be an amendment to the *Delegation 3030 Tendering for Goods and Services* to enable the CEO to carry out the functions as defined in the Delegation 3030 document. See *schedule 8.2.7 B Delegation 3030 Tendering for Goods and Services*.

OFFICER'S RECOMMENDATION 1

That Council note the changes into the Local Government (Functions and General) Regulations 1996, in particular Part 4 Provision of Goods and Services clause 11.

OFFICER'S RECOMMENDATION 2

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

Adopt the following Corporate policy as listed in Table 1 below and as presented in the attached 'Schedule 8.2.75 Policy Review – C002 – Purchasing' to this report, that will then form part of the Shire of Carnarvon Policy Manual:

TABLE 1:

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

OFFICER'S RECOMMENDATION 3

That Council approves the amendment to Delegation 3030 Tendering for Goods and Services to change all references of \$150,000 to \$250,000 to enable the CEO to carry out the functions as defined in Delegation 3030 Tendering for Goods and Services.

FC 14/4/20

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION 1

Cr Vandeleur/Cr Fullarton

That Council note the changes into the Local Government (Functions and General) Regulations 1996, in particular Part 4 Provision of Goods and Services clause 11.

CARRIED
F8/A0

FC 15/4/20

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION 2

Cr Vandeleur/Cr Nelson

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

Adopt the following Corporate policy as listed in Table 1 below and as presented in the attached 'Schedule 8.2.75 Policy Review – C002 – Purchasing' to this report, that will then form part of the Shire of Carnarvon Policy Manual:

TABLE 1:

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

LOST
F0/A8

(Note to Minute – Council considered that the policy needs to be more definitive in regard to purchasing for emergency during COVID-19 and whether the change in legislation is permanent, and therefore did not agree to the proposed increase in the threshold).

To be noted that as Officer Recommendation 2 was lost, Recommendations 3 and Recommendation 4 are no longer relevant.

OFFICER'S RECOMMENDATION 3

That Council approves the Officer's Recommendation 2 with the proviso that the recommendation takes effect when the Governor signs the amendment correction to fix the anomaly in Local Government (Functions and General) Regulations 11A.

OFFICER'S RECOMMENDATION 4

That Council approves the amendment to Delegation 3030 Tendering for Goods and Services to change all references of \$150,000 to \$250,000 to enable the CEO to carry out the functions as defined in Delegation 3030 Tendering for Goods and Services.

8.2.8 INTENTION TO IMPOSE DIFFERENTIAL RATES FOR 2020/2021

File No:	ADM0186
Date of Meeting:	28 April 2020
Location/Address:	Shire of Carnarvon
Name of Applicant:	Shire of Carnarvon
Name of Owner:	Shire of Carnarvon
Author/s:	Maurice Werder – Executive Manager Corporate Services
Declaration of Interest:	Nil
Voting Requirements:	Absolute Majority

Summary of Item:

As part of the 2020/2021 budget process, the Council is required to endorse the proposed differential rates on properties valued on an unimproved basis. Once endorsed by Council, the differential rates are then advertised as a local public notice seeking public comment for not less than 21 days. This provides the opportunity for public submissions to be considered by Council prior to the final adoption of rates. Due to the current COVID-19 pandemic situation the rates model is based on a nil increase. A notional increase in the required general rate revenue of 6% had been planned in accordance with the Corporate Business Plan. The Landgate revaluation as applied on 1st July 2019 (date of valuation 1st August 2018) had a significant impact on some Gross Rental Value (GRV) properties as the valuations were updated to the current Landgate criteria. For the 2020/2021 financial year the only expected rates changes from 2019/2020 would be if there was an updated revaluation on individual properties.

Description of Proposal:

The Shire of Carnarvon has historically applied differential rates only to land parcels valued on an Unimproved Value (UV) basis while properties on a Gross Rental Value (GRV) are all rated on the same rate in the dollar. There have been requests to Council for a differential rate on some GRV properties. It is proposed to continue the same approach for the 2020/2021 financial year.

The objective of imposing differential rates is to ensure equity across different land uses, especially where values can vary greatly from properties close to townsites and those in more remote areas of the Shire. The ability of Council to apply a different rate in the dollar ensures that all properties make a fair contribution to the required revenue of the Shire.

Applying differential rates can also be used should Council wish to stimulate growth in a particular area of the Shire or offset dramatic changes in valuations which come about as part of Landgate's periodical revaluations.

The proposed differential rates contained in this report are set to maintain the relative contributions to general rate revenue for each differential category as applied in 2020/2021.

Background:

The purpose of levying rates is to meet Council's budget requirements in each financial year to deliver facilities, services and community infrastructure. The rates levied on properties are determined by applying the rate in the dollar to the applicable valuation amount of the properties within the district, and if applicable, applying a minimum rate where considered appropriate. The Shire applies a minimum rate to each rating category in accordance with S6.35 of the Act, to ensure that properties with a low valuation still pay a fair and reasonable amount towards the maintenance and continuity of Shire services.

The method of land valuation (GRV or UV) is determined by the Minister for Local Government, Sports and Cultural Industries (the Minister) with individual valuations being provided to the Shire by the Valuer General's Office (VGO) as part of Landgate.

The power to set differential rates is contained in the Local Government Act 1995 section 6.33 (1) which provides the ability to differentially rate properties based on the following characteristics:

- (a) *the purpose for which the land is zoned, whether or not under a local planning scheme or improvement scheme in force under the Planning and Development Act 2005; or*
- (b) *a purpose for which the land is held or used as determined by the local government; or*
- (c) *whether or not the land is vacant land; or*
- (d) *any other characteristic or combination of characteristics prescribed.*

The Department of Local Government, Sports and Cultural Industries (the Department) requires that Council endorse not only the imposition of differential rates, but also the objects and reasons for the imposition of differential rating. The application of differential rates and minimum payments to properties within the Shire maintains equity in the rating of properties and enables Council to raise the revenue necessary to provide facilities, infrastructure and services to the entire community and visitors of the Shire of Carnarvon.

This report has been prepared to:

1. Note the 2020/2021 budget process and preparation to date,
2. Present the proposed 2020/2021 Differential Rates Model that will reflect the rate in the dollar and minimum rate for each unimproved rating category
3. Present the Objectives and Reasons to support the imposition of the proposed 2020/2021 Differential Rates
4. Present the required public notice for approval

Consultation:

Nil

Statutory Environment:

6.33. Differential general rates

- (1) A local government may impose differential general rates according to any, or a combination, of the following characteristics —
 - (a) *the purpose for which the land is zoned, whether or not under a local planning scheme or improvement scheme in force under the Planning and Development Act 2005;*
 - (b) *a purpose for which the land is held or used as determined by the local government;*
 - (c) *whether or not the land is vacant land; or*
 - (d) *any other characteristic or combination of characteristics prescribed.*
- (2) Regulations may —
 - (a) specify the characteristics under subsection (1) which a local government is to use; or
 - (b) limit the characteristics under subsection (1) which a local government is permitted to use.
- (3) In imposing a differential general rate, a local government is not to, without the approval of the Minister, impose a differential general rate which is more than twice the lowest differential general rate imposed by it.
- (4) If during a financial year, the characteristics of any land which form the basis for the imposition of a differential general rate have changed, the local government is not to, on account of that change,

amend the assessment of rates payable on that land in respect of that financial year but this subsection does not apply in any case where section 6.40(1)(a) applies.

- (5) A differential general rate that a local government purported to impose under this Act before the *Local Government Amendment Act 2009* section 39(1)(a) came into operation¹ is to be taken to have been as valid as if the amendment made by that paragraph had been made before the purported imposition of that rate.

[Section 6.33 amended by No. 38 of 2005 s. 15; No. 17 of 2009 s. 39; No. 28 of 2010 s. 34.]

6.35. Minimum payment

- (1) Subject to this section, a local government may impose on any rateable land in its district a minimum payment which is greater than the general rate which would otherwise be payable on that land.
- (2) A minimum payment is to be a general minimum but, subject to subsection (3), a lesser minimum may be imposed in respect of any portion of the district.
- (3) In applying subsection (2) the local government is to ensure the general minimum is imposed on not less than —
 - (a) 50% of the total number of separately rated properties in the district; or
 - (b) 50% of the number of properties in each category referred to in subsection (6), on which a minimum payment is imposed.
- (4) A minimum payment is not to be imposed on more than the prescribed percentage of —
 - (a) the number of separately rated properties in the district; or
 - (b) the number of properties in each category referred to in subsection (6), unless the general minimum does not exceed the prescribed amount.
- (5) If a local government imposes a differential general rate on any land on the basis that the land is vacant land it may, with the approval of the Minister, impose a minimum payment in a manner that does not comply with subsections (2), (3) and (4) for that land.
- (6) For the purposes of this section a minimum payment is to be applied separately, in accordance with the principles set forth in subsections (2), (3) and (4) in respect of each of the following categories —
 - (a) to land rated on gross rental value; and
 - (b) to land rated on unimproved value; and
 - (c) to each differential rating category where a differential general rate is imposed

Relevant Plans and Policy:

Corporate Business Plan 2018 - 2022

Financial Implications:

The proposed differential rates and minimum payments for the 2020/2021 financial year will raise approximately \$779,829 being approximately the same as the 2019/2020 year.

Adoption of the proposal will see a differential rate, which may alter after advertising and seeking submissions from the electorate. Following consideration of the submissions from the electorate, a request can be sent to the Minister to seek approval for the differential rates as one of the differential rates is more than twice the lowest differential rate. The actual rate applied will be the differential rates applied for and approved by the Ministerial delegation, unless a variation is approved by the Minister, (the interpretation of this latter part was missed in prior years). This is to comply with the Local Government Act 1995 Section 6.33(3):

- (3) In imposing a differential general rate, a local government is not to, without the approval of the Minister, impose a differential general rate which is more than twice the lowest differential general rate imposed by it.

Risk Assessment:

The author identifies 2 potential risks –

1. The risk of possible misinterpretation of the rate in the dollar applied to the individual UV rate categories for the Unimproved Valued properties. The rate in the dollar proposed will raise revenue from each category based on the same rate as in 2019/2020.
2. The second risk identified is if Council do not adopt the propose differential and general minimum rates

it could result in the Shire being in breach of the Act.

3. The objections to the unresolved valuations currently before Landgate could erode part of the rate revenue. At least one objection to the GRV valuation on a Commercial / Industrial property has had the objection rejected by a Landgate review.

The legislation states that Council must give sufficient notice to the public advising of the intention to impose differential rates and invite submissions from any ratepayers or electors in respect to the proposal.

As noted earlier in this report, the time allowed for the submissions to be made is 21 days and after this period expires, Council are then required to write to the Department requesting Ministerial approval to impose the proposed rates. This process needs to be carried out prior to the adoption of the 2020/2021 Annual Budget.

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 difficulty with the legislative requirements surrounding the imposition of Differential Rates is the time factor involved to:

- Obtain the valuations for the forthcoming financial year from Landgate;
- Advertise the proposed differential rates based upon estimates; and
- Seek Ministerial approval.

As noted above, all this needs to be completed at a time before the adoption of Council's budget for the next financial year; hence the reason the differential rates are based upon estimations using:

- the previous year valuations (on properties where valuation rolls have not yet been received);
- estimated UV increase or not as the case may be, for the next year; and
- estimated rate revenue increases for the next year based on the adopted Corporate Business Plan or other Council approved factors.

An overall increase of 8 percent was applied to the 2018/19 rates yield and a further increase of 6 percent was applied in 2019/20. These rate increases were identified through Council's major strategic review undertaken in 2018 and was driven by Council's commitment to deliver on services and projects that have been recognised as key community priorities in both the Strategic Community Plan (SCP) and the Corporate Business Plan (CBP). Due to the impact of COVID-19 on the community, Council has made an 'in principle' resolution that there will be no increase in the rate in the dollar for 2020/2021. Any variances will result from individual changes in valuation of properties.

1. 2020/2021 Budget Process to date

The Executive team are currently undertaking the annual process for review of the next financial years annual budget. As noted above, the 2020/2021 budget will align with the delivery of key projects identified in the SCP and the CBP as well as influencing factors resulting from the COVID-19 situation. Staff are working towards the 2020/2021 Annual Budget being adopted by the 30th June 2019.

2. 2020/2021 Differential Rates Model

Refer to the attached Schedule **8.2.8 (a)** for the proposed 2020/2021 Differential Rates Model

3. 2020/2021 Differential Rates Objectives and Reasons

Refer to the attached Schedule **8.2.8 (b)** for the 2020/2021 Differential Rates Objects and Reasons

4. 2020/2021 Differential Rates Public Notice

The Local Government Act 1995 Section 6.36 requires the Council to give public notice of its intention to impose differential general rates or a minimum payment applying to a differential rate category. This allows the ratepayers to see how properties are rated across the district.

LOCAL GOVERNMENT ACT 1995 - SECT 6.36

6.36 . Local government to give notice of certain rates

- (1) Before imposing any differential general rates or a minimum payment applying to a differential rate category under section 6.35(6)(c) a local government is to give local public notice of its intention to do so.
- (2) A local government is required to ensure that a notice referred to in subsection (1) is published in sufficient time to allow compliance with the requirements specified in this section and section 6.2(1).
- (3) A notice referred to in subsection (1) —
 - (a) may be published within the period of 2 months preceding the commencement of the financial year to which the proposed rates are to apply on the basis of the local government’s estimate of the budget deficiency; and
 - (b) is to contain —
 - (i) details of each rate or minimum payment the local government intends to impose; and
 - (ii) an invitation for submissions to be made by an elector or a ratepayer in respect of the proposed rate or minimum payment and any related matters within 21 days (or such longer period as is specified in the notice) of the notice; and
 - (iii) any further information in relation to the matters specified in subparagraphs (i) and (ii) which may be prescribed; and
 - (c) is to advise electors and ratepayers that the document referred to in subsection (3A) —
 - (i) may be inspected at a time and place specified in the notice; and
 - (ii) is published on the local government’s official website.
- (3A) The local government is required to prepare a document describing the objects of, and reasons for, each proposed rate and minimum payment and to publish the document on the local government’s official website.
- (4) The local government is required to consider any submissions received before imposing the proposed rate or minimum payment with or without modification.
- (5) Where a local government —
 - (a) in an emergency, proposes to impose a supplementary general rate or specified area rate under section 6.32(3)(a); or
 - (b) proposes to modify the proposed rates or minimum payments after considering any submissions under subsection (4), it is not required to give local public notice of that proposed supplementary general rate, specified area rate, modified rate or minimum payment.

[Section 6.36 amended: No. 16 of 2019 s. 62.]

If any submissions are received, Council must consider the submissions prior to seeking Ministerial approval (should this be required) and prior to formally adopting the differential rates and minimum payments as part of the annual budget process.

OFFICER’S RECOMMENDATION

1. That Council seeks approval under section 6.33 of the Local Government Act to impose differential rates for 2020/2021 land parcels that have unimproved valuations assigned to them as follows;

Category	Rate in the \$	Minimum Rate \$
UV Mining	14.1000	229.00
UV Pastoral	7.5966	461.00

<i>UV Intensive Horticulture</i>	<i>1.3028</i>	<i>902.00</i>
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2. *That Council publicly advertises its intention to impose differential rates, pursuant to section 6.36(1) of the Local Government Act 1995 and invites public submissions for a period of twenty-one days; and*
3. *That Council adopt the Objectives and Reasons of the Differential Rates relating to UV Mining, UV Pastoral and UV Intensive Horticulture as outlined in the attached Schedule 8.2.8(b)*
4. *That Council consider any submissions in respect of imposition of differential rates as part of the 2020/2021 Budget deliberations.*

FC 16/4/20

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION

Cr Vandeleur/Cr Skender

1. *That Council seeks approval under section 6.33 of the Local Government Act to impose differential rates for 2020/2021 land parcels that have unimproved valuations assigned to them as follows;*

<i>Category</i>	<i>Rate in the \$</i>	<i>Minimum Rate \$</i>
<i>UV Mining</i>	<i>14.1000</i>	<i>229.00</i>
<i>UV Pastoral</i>	<i>7.5966</i>	<i>461.00</i>
<i>UV Intensive Horticulture</i>	<i>1.3028</i>	<i>902.00</i>

2. *That Council publicly advertises its intention to impose differential rates, pursuant to section 6.36(1) of the Local Government Act 1995 and invites public submissions for a period of twenty-one days; and*
3. *That Council adopt the Objectives and Reasons of the Differential Rates relating to UV Mining, UV Pastoral and UV Intensive Horticulture as outlined in the attached Schedule 8.2.8(b)*
4. *That Council consider any submissions in respect of imposition of differential rates as part of the 2020/2021 Budget deliberations.*
5. *That Council seeks approval under section 6.33 of the Local Government Act to impose differential rates for 2020/2021 land parcels that have gross rental valuations assigned to them as follows;*

<i>Category</i>	<i>Rate in the \$</i>	<i>Minimum Rate \$</i>
<i>GRV Commercial/Industrial</i>	<i>9.4266</i>	<i>1,093.00</i>

OR

6. *That Council seeks approval under section 6.33 of the Local Government Act to impose differential rates for 2020/2021 land parcels that have gross rental valuations assigned to them as follows;*

<i>Category</i>	<i>Rate in the \$</i>	<i>Minimum Rate \$</i>
<i>GRV Commercial/Industrial</i>	<i>9.9503</i>	<i>1,093.00</i>

FC 17/4/20

PROCEDURAL MOTION

Cr Fullarton/Cr Maslen

That the matter lay on the table until Councillors have had sufficient time to consider the additional information provided.

CARRIED
F8/AO

8.3 DEVELOPMENT SERVICES

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

11.15am - President Smith declared an Impartiality Interest in this matter as he is a member of the Speedway Club. President Smith was not required to leave the meeting and could participate and vote on the matter.

File No:	A 3010, P09/20
Date of Meeting:	28 th April 2020
Location/Address:	Lot 1297 (No. 59) Speedway Road, Brown Range
Name of Applicants:	Erin Harnett, Secretary Carnarvon Speedway Association Jace Kempton, President Carnarvon Speedway Association
Name of Owner:	Crown Reserve vested with the Shire of Carnarvon
Author:	John Meggitt, Principal Planner
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Previous Report:	24 th March 2020

Summary of Item:

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

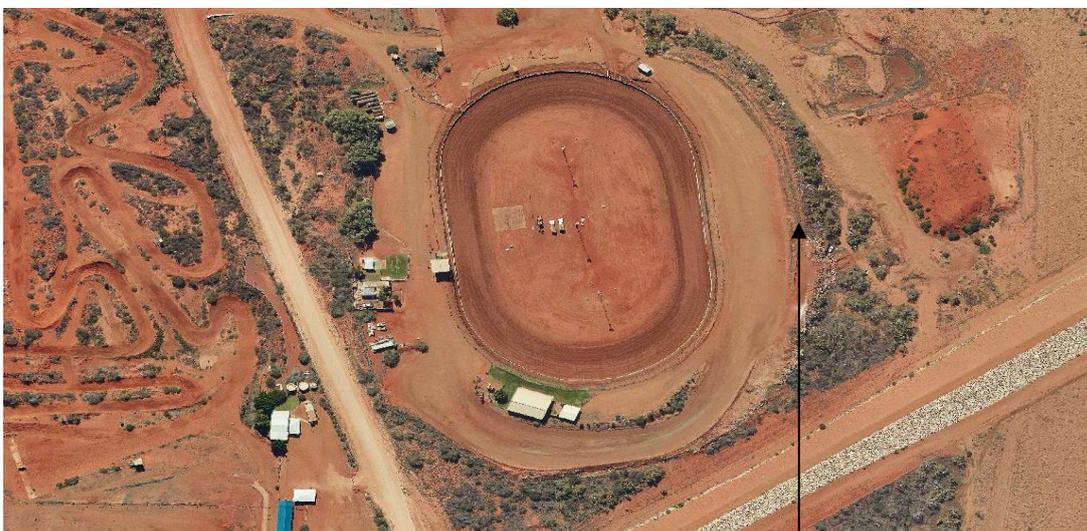


Figure 1. Site of the unauthorised

Background:

This item was presented to the March 2020 Council Meeting however Council resolved to lay the matter on the table pending further information relative to costs associated with remedial works. This information is now to hand and is attached at **Schedule 8.3.1**.

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

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

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



Figure 2. Unauthorised dumping at the Carnarvon Speedway

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

The proposed remediation is to include the following activities:

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

Financial Assistance

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

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

Consultation:

There is no requirement for consultation on this matter.

Statutory Environment:

Shire of Carnarvon Local Planning Scheme No. 10

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

Relevant Plans and Policy:

Shire of Carnarvon Community Private Works Policy IS005.

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

Financial Implications:

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

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

Risk Assessment:

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

Community & Strategic Objectives:

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

Objective 1: Economic

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

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

Objective 3: Social

Healthy, safe and resilient community, where everyone belongs

ITEM	Outcomes and Strategies
3.1	Active community

3.1.1	Provision of sport and recreation facilities
3.1.2	Support and promote opportunities for sport and recreation clubs to increase meaningful participation

Comment:

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

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

(To be noted that the following wording is to be removed from the Officer's Recommendation Part (5.) as a result of late advice from the Department of Mines – "and up to 1,000cu m of river sand from the Shire's river sand pit to assist with cover and remediation; ")

OFFICER'S RECOMMENDATION

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

1. *The proposed remediation works shall be generally consistent with the details of the application as lodged by the Carnarvon Speedway on 12 March 2019 for remediation works.*
Note: The Speedway Association is to ensure that no further unauthorised dumping of materials takes place at the Speedway site;
2. *The remediation works are to include the removal of scrap metals, loose building materials and car bodies from the base of the eastern speedway bank with waste materials removed from the site to be taken to the Brown Range Rubbish Tip;*
3. *The exposed eastern speedway bank is to be covered with clean fill, consolidated and revegetated;*
4. *That the Shire supports the allocation of up to \$1,000 of in-kind support in accordance with Policy IS005 - Private Works for the use of Shire earthmoving equipment (by Shire licensed staff on a voluntary basis).*
Note: the allocated funds may be used to pay dumping fees at the Shire landfill;
5. *The Shire approves an allocation of up to 1,000cu m of stockpile material located adjacent to the speedway site (Shire owned stockpile) ~~and up to 1,000cu m of river sand from the Shire's river sand pit to assist with cover and remediation;~~*
6. *That the Speedway Association shall complete the works by 30 November 2020; and*
7. *Upon conclusion of the works that the Speedway Association shall consult with the Executive Manager Infrastructure Services for an inspection of the works and undertakes any further remediation works as directed to complete the project.*

Advice Notes

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

FORESHADOWED MOTION

Cr Vandeleur

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

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

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

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

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

5. *That the Speedway Association shall complete the works by 30 November 2020; and*
6. *Upon conclusion of the works that the Speedway Association shall consult with the Executive Manager Infrastructure Services for an inspection of the works and undertakes any further remediation works as directed to complete the project.*
7. *CEO to attempt to recover costs associated with the removal of the dumped waste.*

Advice Notes

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

FC 18/4/20

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION

Cr Vandeleur/Cr Nelson

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

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

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

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

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

5. *The Shire approves an allocation of up to 1,000cu m of stockpile material located adjacent to the speedway site (Shire owned stockpile)*
6. *That the Speedway Association shall complete the works by 30 November 2020; and*
7. *Upon conclusion of the works that the Speedway Association shall consult with the Executive Manager Infrastructure Services for an inspection of the works and undertakes any further remediation works as directed to complete the project.*

Advice Notes

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

LOST
F2/A6

Cr Nelson & Cr Skender voted for the motion

The Foreshadowed Motion then became the substantive motion.

FC 19/4/20

COUNCIL RESOLUTION

Cr Vandeleur/Cr Pinner

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

- 1. The proposed remediation works shall be generally consistent with the details of the application as lodged by the Carnarvon Speedway on 12 March 2019 for remediation works.
Note: The Speedway Association is to ensure that no further unauthorised dumping of materials takes place at the Speedway site;*
- 2. The remediation works are to include the removal of scrap metals, loose building materials and car bodies from the base of the eastern speedway bank with waste materials removed from the site to be taken to the Brown Range Rubbish Tip;*
- 3. The exposed eastern speedway bank is to be covered with clean fill, consolidated and revegetated;*
- 4. That the Shire supports the allocation of up to \$1,000 of in-kind support in accordance with Policy IS005 - Private Works for the use of Shire earthmoving equipment (by Shire licensed staff on a voluntary basis).
Note: the allocated funds may be used to pay dumping fees at the Shire landfill;*
- 5. That the Speedway Association shall complete the works by 30 November 2020; and*
- 6. Upon conclusion of the works that the Speedway Association shall consult with the Executive Manager Infrastructure Services for an inspection of the works and undertakes any further remediation works as directed to complete the project.*
- 7. CEO to attempt to recover costs associated with the removal of the dumped waste.*

Advice Notes

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

CARRIED
F8/AO

(Note to Minute – Part (.5) was removed as Council felt that the support of \$1,000 in kind would be sufficient to assist the Speedway Club and the stockpiled sand be relocated to the Depot for future use.)

8.4 INFRASTRUCTURE SERVICES

No Report

8.5 COMMUNITY SERVICES

8.5.1 COMMUNITY GROWTH FUND APPLICATIONS - CARNARFIN

Date of Meeting:	28 th April 2020
Location/Address:	N/A
Name of Applicant:	Carnar-fin
Name of Owner:	Shire of Carnarvon
Author/s:	Jennifer MacKellin, Executive Manager Community Services
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority

Summary of Item:

This report is for the consideration by Council to amend the intended purpose of funding to Carnar-fin for 2020, and permit funding to still be provided regardless of the cancellation of the event due to COVID-19.

Description of Proposal:

The Carnar-fin committee have requested to purchase hats, saying 'Bitten off by the COVID-19' (or similar). There are members of the community, and visitors to Carnarvon, who have collected Carnar-fin merchandise each year, and this would be considered a part of the merchandise collection.

Background:

This year marks 29 years since Carnar-fin commenced as a local event that has grown over the years and attracts a significant number of visitors to our community each year. Carnar-fin has been approved as an Iconic Event through the Shire of Carnarvon Community Growth Funds. It receives a contribution from these funds of \$3,500 annually, in accordance with the terms of the Community Growth Funds Policy C025.

On 15 March 2020, a State of Emergency was declared due to the pandemic of coronavirus. Carnar-fin was scheduled to take place 24-31 May 2020. The Carnar-fin committee were required to cancel the event as a result of COVID-19. The Carnar-fin committee advised the Shire accordingly of this outcome, and a public announcement was made on 26 March.

The Carnar-fin committee had purchased its merchandise for the 2020 event. The majority of this merchandise can be used for future events. As a part of the registration fee for the event, participants would ordinarily receive a hat with the Carnar-fin logo. The hats had been purchased, with the logo. At a cost of \$4,640. To recoup some of this cost, the committee is trying to sell these hats. They have 100 hats that are being offered for sale at \$30 each. The committee is therefore requesting \$1640, of the original grant of \$3,500, to offset the cost of these hats.

The Carnar-fin committee will be submitting an application for future funding of this Iconic event and will not be seeking further funding in the current financial year.

Consultation:

Shire staff have reviewed the application against the eligibility criteria within Policy C025. Wayne Reece, on behalf of Carnar-fin, was consulted in relation to the amount of funds required.

Statutory Environment:

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

Relevant Plans and Policy:

Shire of Carnarvon Community Growth Fund Policy C025.

Financial Implications:

Reduction of the Community Growth Funds remaining balance of \$19,494.38 with one funding round still to be completed in 19/20 financial year.

Description	Contribution	Running Balance
BUDGETED AMOUNT 1/7/2019		\$65,000
WINNING BUSH GYMKHANA	\$500.00	\$64,500
CARNARVON SPACE & TECHNOLOGY MUSEUM 50 YEAR CELEBRATIONS APOLLO 11 LANDING	\$5,000.00	\$59,500
CARNARVON COMMUNITY COLLEGE END OF YEAR BOOK AWARD 2019	\$100.00	\$59,400
CARNARVON SCHOOL OF THE AIR END OF YEAR BOOK AWARDS 2019	\$50.00	\$59,350
CARNARVON WINDFEST	\$10,000.00	\$49,350
CARNARVON CHRISTIAN SCHOOL END OF YEAR BOOK AWARDS 2019	\$50.00	\$49,300
ST MARY STAR OF THE SEA CATHOLIC SCHOOL END OF YEAR BOOK AWARD 2019	\$70.00	\$49,230
CENTRAL REGIONAL TAFE VOCATIONAL STUDENT OF THE YEAR AWARD- 2019	\$227.27	\$49,002.73
CARNARVON CHAMBER OF COMMERCE DONATION TO BUY LOCAL 2019 CHRISTMAS CAMPAIGN	\$909.09	\$48,093.72
KICKSTARTERS GASCOYNE DASH SPONSORSHIP 2020 GASCOYNE DASH COMMUNITY GROWTH FUNDING FOR THE ICONIC EVENT	\$3,181.82	\$44,911.90
CONTRIBUTION FOR PROVISION OF WATER TO THE CARNARVON PISTOL CLUB	\$446.62	\$44,465.28
CARNARVON COMMUNITY AND SENIOR CITIZENS CLUB	\$3,468.55	\$40,996.73
CARNARVON SPEEDWAY	\$3,000.00	\$37,996.73
INCREASE TO THE RATES SECTION OF THE COMMUNITY GROWTH FUND 102K20 AND REDUCTION TO THE GENERAL COMMUNITY GROWTH FUND ACCOUNT 102J20	\$17,812.35	\$20,184.38
GASCOYNE RIVER BUSH FIRE BRIGADE FUNDING FOR IMPROVEMENTS TO TRAINING ROOM	\$690	\$19,494.38
TOTALS	\$44,815.70	\$19,494.38

The below table shows Iconic events, the budgeted amounts for 19/20, and current status:

Event	Funded Amount	Status	Paid
Gascoyne Dash	4,500	Cancelled	Yes – \$3,181.82
Tropical Festival	7,000	Awaiting Confirmation	
Carnar-fin	3,500	Cancelled	No
NAIDOC Celebrations	5,000	Cancelled	No

Risk Assessment

There are no associated risks to the Shire from this application.

Community & Strategic Objectives:

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

Goal 3: Social

Healthy, safe and resilient community, where everyone belongs.

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

Carnar-fin meets the Strategic Community Plan 2018-2028 Goals:

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
3.1	Active community
3.1.2	Support and promote opportunities for sport and recreation clubs to increase meaningful participation

Comment:

Carnar-fin is an Iconic event that has been offered a grant through the Shire of Carnarvon Community Growth Funds. This grant is a part of the 2019/20 budget, adopted by Council. The Iconic funds grants not provided as a result of event cancellations may be returned to the general grant allocation.

This application is seeking to retain a portion of the grant offered for this event, due to the timing of cancellation.

OFFICER'S RECOMMENDATION 1

That council approve the request from Carnarfin to receive \$1,640 of their Community Growth Funding as an Iconic Event for the purpose of procuring merchandise subject to the following conditions.

- *An acquittal be received from Carnar-fin for the expenditure within the 2019-2020 financial year*
- *Any funds not spent be returned to the Shire of Carnarvon by 30th June 2020*
- *Evidence of purchase of merchandise to be provided with the acquittal*

FC 20/4/20

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION

Cr Nelson/Cr Vandeleur

That Council approve the request from Carnarfin to receive \$1,640 of their Community Growth Funding as an Iconic Event for the purpose of procuring merchandise subject to the following conditions.

- *An acquittal be received from Carnarfin for the expenditure within the 2019-2020 financial year*
- *Any funds not spent be returned to the Shire of Carnarvon by 30th June 2020*
- *Evidence of purchase of merchandise to be provided with the acquittal*

CARRIED
F8/A0

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

President advised that the following late items had been received for consideration at this meeting and sought Councillors endorsement to consider these matters. Council agreed that there was insufficient time to read the reports and therefore the matters be deferred to a later date for consideration.

1. Intention to Impose Differential Rates for 2020/2021
 2. Fascine Opening Options
 3. Waiver of Tip Fees
 4. Regional Express (CONFIDENTIAL ITEM)
-

11.0 DATE OF NEXT MEETING

The next meeting will be held on Tuesday 26th May 2020 commencing at 1.00pm

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

FC 21/4/20

COUNCIL RESOLUTION

Cr Skender/Cr Maslen

That the meeting be closed to the public in accordance with –

1. *Section 5.23(2)(c) as Items 12.1 , 12.2 & 12.3 relate to contracts entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting;*
2. *Section 5.23(2)(a) as items 12.4 and 12.5 relate to a matter affecting employees.*

CARRIED

F8/AO

Note – Cr Vandeleur requested that the Shire President approve to have Items 12.4 and 12.5 brought forward in the agenda due to his interests in items 12.1, 12.2 and 12.3 where he would be required to leave the meeting. Shire President agreed to the request.

12.4**GOVERNANCE ADVICE REPORT**

Date of Meeting: 28th April 2020
Location/Address: Shire of Carnarvon
Name of Applicant: Shire of Carnarvon
Name of Owner: N/A
Author/s: David Burton – Chief Executive Officer
Declaration of Interest: Impartial – matter relates to CEO and Council.
Voting Requirements: Simple Majority

OFFICER'S RECOMMENDATION

That:

1. Council notes and supports the recommendations of the Honorable Paul Omodei: and
2. The Chief Executive Officer prepares a program to roll out the recommendations as listed in the report.

FC 22/4/20

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION

Cr Vandeleur/Cr Nelson

That:

1. Council notes and supports the recommendations of the Honorable Paul Omodei: and
2. The Chief Executive Officer prepares a program to roll out the recommendations as listed in the report.

CARRIED

F8/A0

12.5**CONSIDERATION OF CHANGING LOCAL GOVERNMENT BANDING**

Date of Meeting: 28TH April 2020
Location/Address: N/A
Name of Applicant: Shire of Carnarvon
Name of Owner: Shire of Carnarvon
Author/s: David Burton, CEO
Declaration of Interest: N/A
Voting Requirements: Simple Majority

OFFICER'S RECOMMENDATION

That the Chief Executive Officer does not lodge a banding change request to the Salaries and Allowances Tribunal for the Shire of Carnarvon to change from Band 2 to Band 3 at this time.

FC 23/4/20

COUNCIL RESOLUTION

Cr Fullarton/Cr Vandeleur

That the Chief Executive Officer lodges a banding change request to the Salaries and Allowances Tribunal for the Shire of Carnarvon to change from Band 2 to Band 3.

LOST

F2/A6

Cr Fullarton voted for the motion.

11.53am – Cr Vandeleur declared Financial Interests in –

Item 12.1 as his earthmoving company has tendered on these works and he is part owner and Director of Tremor.

Item 12.2 as his earthmoving company (Tremor) may have priced material supply to one of the tenderers for these works and he is part owner and Director of Tremor.

Item 12.3 as his earthmoving company (Tremor) has supplied construction materials for an element of these works.

Cr Vandeleur therefore left the meeting and did not return.

12.1 CONSTRUCTION OF MINILYA RIVER FLOODWAY CROSSING, LYNDON RD – REQUEST FOR TENDER (RFT) 01/2020

File No: ADM1783
Date of Meeting: 28 April 2020
Location/Address: Minilya River Floodway – Minilya Lyndon Road
Name of Applicant: N/A
Name of Owner: Shire of Carnarvon
Author/s: SJ Nixon – A/Governance Officer
David Nielsen – Executive Manager Infrastructure Services
Declaration of Interest: Nil
Voting Requirements: **Officer Recommendation 1** - Simple Majority
Officer Recommendation 2 - Absolute Majority
Previous Report: 26 March 2019

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 Tremor the Earth's Moving Company Pty Ltd for Tender RFT01/2020 – Construction of Minilya River Floodway Crossing – Lyndon Rd for parts A & B for the total tendered amount of \$916,796.60 (Excl GST).

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 Tremor the Earth's Moving Company Pty Ltd for Tender RFT01/2020 – Construction of Minilya River Floodway Crossing – Lyndon Rd

FC 24/4/20

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION 1

Cr Maslen/Cr Pinner

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 Tremor the Earth's Moving Company Pty Ltd for Tender RFT01/2020 – Construction of Minilya River Floodway Crossing – Lyndon Rd for parts A & B for the total tendered amount of \$916,796.60 (Excl GST).

CARRIED
F7/A0

FC 25/4/20

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION 2

Cr Maslen/Cr Fullarton

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 Tremor the Earth's Moving Company Pty Ltd for Tender RFT01/2020 – Construction of Minilya River Floodway Crossing – Lyndon Rd

CARRIED BY ABSOLUTE MAJORITY

F7/A0

12.2 BLOWHOLES ROAD SHOULDER REPAIRS AND WIDENING – REQUEST FOR TENDER (RFT) 02/2020

File No: ADM1784
Date of Meeting: 28 April 2020
Location/Address: Shire Administration Office
Name of Applicant: N/A
Name of Owner: Shire of Carnarvon
Author/s: SJ Nixon – A/Governance Officer
David Nielsen – Executive Manager Infrastructure Services
Declaration of Interest: Nil
Voting Requirements: Officer Recommendation 1 - Simple Majority
Officer Recommendation 2 - Absolute Majority
Officer Recommendation 3 - Absolute Majority
Previous Report: Nil

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 RJ Haulage Pty Ltd (trading as Safe Roads WA) for Tender RFT02/2020 – Blowholes Road Shoulder Repair and widening for the tendered rates of \$22,400 being a fixed lump sum cost and an all-inclusive day rate (including materials) of \$36,540 (Excl GST) per day for works up to the project budget of \$240,000.

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 RJ Haulage Pty Ltd (trading as Safe Roads WA) for Tender RFT02/2020 – Blowholes Road Shoulder Repair and Widening.

OFFICER'S RECOMMENDATION 3

*That Council, pursuant to Section 5.42 of the Local Government Act (1995) delegate authority to the CEO to exercise the option to renew the contract for Stage 2 Blowholes Road Shoulder Repair and Widening works subject to meeting the conditions defined in Clause 3.4 of the Conditions of Contract.
(Absolute Majority Required)*

FC 26/4/20

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION 1

Cr Maslen/Cr Fullarton

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 RJ Haulage Pty Ltd (trading as Safe Roads WA) for Tender RFT02/2020 – Blowholes Road Shoulder Repair and widening for the tendered rates of \$22,400 being a fixed lump sum cost and an all-inclusive day rate (including materials) of \$36,540 (Excl GST) per day for works up to the project budget of \$240,000.

CARRIED

F7/A0

FC 27/4/20

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION 2

Cr Maslen/Cr Skender

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 RJ Haulage Pty Ltd (trading as Safe Roads WA) for Tender RFT02/2020 – Blowholes Road Shoulder Repair and Widening.

CARRIED BY ABSOLUTE MAJORITY

F7/A0

FC 28/4/20

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION 3

Cr Maslen/Cr Skender

That Council, pursuant to Section 5.42 of the Local Government Act (1995) delegate authority to the CEO to exercise the option to renew the contract for Stage 2 Blowholes Road Shoulder Repair and Widening works subject to meeting the conditions defined in Clause 3.4 of the Conditions of Contract.

CARRIED BY ABSOLUTE MAJORITY

F7/A0

12.3 TENDER DOCUMENTATION ENDORSEMENT – TENDER RFT -07/2020 – CARNARVON AIRPORT APRON AND RUNWAY ENRICHMENT SEALING.

File No:	ADM2064
Date of Meeting:	28 April 2020
Location/Address:	Carnarvon Airport
Name of Applicant:	Shire of Carnarvon
Name of Owner:	Shire of Carnarvon
Author/s:	David Nielsen Executive Manager Infrastructure Services
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Previous Report:	Nil

OFFICER'S RECOMMENDATION

That Council endorses tender RFT 07-2020 - Carnarvon Airport Apron and Runway Enrichment Sealing for advertising in accordance with Regulations 14 and 15 of the Local Government (Functions and General) Regulations 1996.

FC 29/4/20

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION

That Council endorses tender RFT 07-2020 - Carnarvon Airport Apron and Runway Enrichment Sealing for advertising in accordance with Regulations 14 and 15 of the Local Government (Functions and General) Regulations 1996.

MOTION LAPSED FOR WANT OF A MOVER

FC 30/4/20

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION

Cr Nelson/Cr Maslen

That the meeting be reopened to the public at 11.58am

CARRIED
F7/A0

13.0 CLOSURE:

The Presiding Member declared the meeting closed at 11.58am.