

SHIRE OF CARNARVON

MINUTES OF ORDINARY MEETING OF COUNCIL

TUESDAY 28TH MAY
2019

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



CONFIRMATION OF MINUTES

These minutes were confirmed by the
Council on

as a true and accurate record

.....
Chairman

DISCLAIMER

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

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

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

INFORMATION ON PUBLIC QUESTION TIME

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

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

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

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

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

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

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

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

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

SPECIAL MEETINGS OF COUNCIL

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

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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

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12.1	Cancellation of Dog Registration under Section 16(3)(A) of the Dog Act 1976	76
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**MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD AT BILLS TAVERN, ROBINSON STREET, CORAL BAY,
ON TUESDAY 28TH MAY 2019**

The meeting was declared open at 10.30am

1.0 ATTENDANCES, APOLOGIES AND APPROVED LEAVE OF ABSENCE

Cr K Brandenburg	Presiding Member/Shire President
Cr E Garrett	Councillor, Town Ward
Cr K Simpson	Councillor, Coral Bay Ward
Cr K Pinner	Councillor, Town Ward
Cr P Youd	Councillor, Town Ward
Cr L Skender	Councillor, Plantation Ward
Cr B Maslen	Councillor, Gascoyne/Minilya Ward
Mr D Burton	Acting Chief Executive Officer
Mr W Sanderson	A/Executive Manager, Infrastructure Services
Dr G Ferguson	A/Executive Manager, Corporate & Community Services
Mr P Lees	Executive Manager, Development Services
Mrs D Hill	Senior Executive Officer
Press	Nil
Observers	6
Leave of Absence	Nil
Apologies	Cr Smith

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 10.31am

2.1 QUESTIONS TAKEN ON NOTICE FROM PREVIOUS MEETING

Nil

2.2 PUBLIC QUESTION TIME

Nil

Public Question Time was closed at 10.31am

3.0 DECLARATIONS OF INTEREST

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

President Brandenburg (Impartiality Interest) – Item 12.1 - Cancellation of Dog Registration under Section 16(3)(A) of the Dog Act 1976

Cr Simpson (Proximity Interest) – Item 8.3.1 – Lot 50 Wahoo Court Coral Bay – Amendment to Development Conditions

Cr Skender (Impartiality Interest) – Item 8.2.5 - Lease Renewal – Avis & Budget

Cr Maslen (Impartiality Interest) – Item 8.3.5 – This Life Music Festival – Civic Centre Carpark – 29 June 2019

Cr Pinner (Financial Interest) – Item 8.3.5 - This Life Music Festival – Civic Centre Carpark – 29 June 2019

4.0 QUESTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN WITHOUT DISCUSSION

Nil

5.0 CONFIRMATION OF MINUTES

5.1 ORDINARY MEETING OF COUNCIL – 23RD APRIL 2019

FC 1/5/19

COUNCIL RESOLUTION

Cr Youd/Cr Garrett

That the minutes of the Ordinary Meeting of Council held on Tuesday 23rd April 2019 be confirmed as a true record of proceedings.

CARRIED
F7/A0

6.0 PRESENTATIONS, PETITIONS AND MEMORIALS

Nil

7.0 ANNOUNCEMENTS BY THE PRESIDENT WITHOUT DISCUSSION

Nil

8.1 GOVERNANCE

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

Date of Meeting:	28 May 2019
Location/Address:	3 Francis Street, Carnarvon
Name of Applicant:	Shire of Carnarvon
Name of Owner:	Shire of Carnarvon
Author/s:	David Burton - Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority

Summary of Item:

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

Description of Proposal:

Refer above.

Background:

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

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

Consultation:

Nil

Statutory Environment:

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

Relevant Plans and Policy:

Nil

Financial Implications:

There are no financial implications.

Risk Assessment:

Reporting requirement only.

Community & Strategic Objectives:

Goal 5: Civic

Strong and listening Council.

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

Comment:

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

COMMON SEAL

Date Affixed	Agreement Details
30.05.19	TAFE – Extension of Variation to Lease – Lot 547 James St

DELEGATIONS

ENVIRONMENTAL HEALTH

Food

Food Act 2008

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

Public Buildings

Health Act 1911, Part VI

Health (Public Buildings) Regulations 1992

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

Lodging houses

Health Act 1911, Part V, Division 2

Shire of Carnarvon Health Amendment Local Laws 2002, Part 8

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

Caravan parks and camp grounds

Caravan Parks and Camp Grounds Act 1995

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

BUILDING SERVICES

Application No.	Owners Name	Lot & Street	Type of Building Work
B19/030	SUSANA FERREIRA PAULINO	LOT 88 TUCKEY CT MORGANTOWN	PATIO
B19/033	DEPARTMENT FOR HOUSING	LOT 46 FANE CR BROCKMAN	STEEL FRAMED FENCE
B19/034	SHIRE OF CARNARVON & STATE OF WA	LOT 372 ROBINSON ST EAST CARNARVON	SEA CONATINER
B19/035	DAVID FREDERICK STRONG & SOMCHAI BOONPROM	LOT 97 BUTCHER ST MORGANTOWN	DEMOLITION OF CLASS 1 DWELLING
B19/036	ANTONIO FRANCA & MARIA FATIMA PAULINO	LOT 20 NORTH RIVER RD NORTH PLANTATIONS	EXTENSION
B19/039	BURKAT PTY LTD	LOT 1 & 2 OLIVIA TCE SOUTH CARNARVON	SECURITY FENCE
B19/030	SUSANA FERREIRA PAULINO	LOT 88 TUCKEY CT MORGANTOWN	PATIO

SHIRE OF CARNARVON STATUS REPORT CURRENT AS AT MARCH 2019				
MINUTE REF	DETAIL	RESPONSIBLE OFFICER	STATUS	ANTICIPATED COMPLETION DATE
27/11/15	Proposed Engagement – Work for the Dole Program	David Burton	Officers are meeting with ABC Group on a regular basis to identify and progress specific projects. Draft MOU related to the Arboretum has been referred to ABC and the Carnarvon Tree Society for agreement prior to submitting to the Council.	Further discussions with the Tree Society indicate that they wish the original MOU for the Arboretum to remain unaltered. The relationship with the ABC Foundation in this regard is being discussed. We will be

				trying to progress this in June or early July.
5/4/16	Regional Waste Infrastructure Project	David Nielsen	Public information program being developed.	June 2019
SCM 1/8/16	Gascoyne Memorial Foundation – Access Arrangements for ILUs	Paul Lees	Relates to existing access arrangements over Shire land at the southern end of the site. The matter is on hold pending the progression of the Brockman Park development proposal.	Ongoing
20/8/16	Public Open Space Strategy	Paul Lees	The draft Public Open Space Strategy document has been completed. A project plan for the completion of the strategy has been developed with work commencing later this year.	August 2019
16/9/16	The Shire's Local Laws are overdue for review and do not reflect the current State standard for local law format.	Paul Lees	Officers are currently preparing a contract document to engage a specialist to commence a review process in the new financial year.	June 2020
23/12/16	Notice of Removal of Houses – Lot 259, 1065 NRR	Dane Wallace	The owner has been convicted for failing to remove the houses, which remain on site. The Shire's solicitor has provided some options to progress this matter, one being that the works will be done in default and the costs charged back to the land. A plan of action is being finalised.	June 2019
17/6/17	Removal of Houses Unfit for Occupation – Lot 39,47 Shallcross Street	Dane Wallace	The Shire has declared two (2) buildings unfit for habitation and under orders one building has been removed. The occupant has refused to cease habitation of the shed; the Shire will need to review further actions in this regard. Most of the accumulated rubbish in the rear of the property has been cleaned up. Shire officers will conduct a further inspection of the general condition of the	June 2019

			property to determine if further clean-up is required.	
4/3/17	Regional Growth Centre Development Planning – MOU	David Burton	MOU signed and submitted. A draft project plan has been submitted to DRD but the Growth Planning Project is on hold pending a decision by the Minister on how the Government wishes to move forward. The current major Strategic Review addresses issues of economic activity and growth.	On hold pending further advice from State Government. Realistically, the RGCD approach is unlikely to be resurrected and this matter should be closed out. No additional information has been received. If no information is received soon, this action will be closed.
14/3/17	Signage – Heritage Walking Trail	David Nielsen	Signage installation commenced. Nil quote submissions received for remainder of installations. New quote request forwarded. No quotes received. Alternate arrangement planned.	June 2019
9/9/17	Revocation of Motion – Carnarvon Heritage Old Tramway Lease	Carolien Claassens	The Heritage Group has provided a Project Brief of the Revitalisation of the One Mile Jetty to the Carnarvon Town Tramway. The brief provided requires more work to in order for it to support an application for a new lease.	Timing is in the hands of the Heritage Committee
16/9/17	Local Planning Scheme No.13	Paul Lees	Draft LPS 13 was advertised on the 13 March 2019 with a 90-day period for public comment (submissions). Letters inviting submissions have been sent to all land owners in the Kingsford and East Carnarvon areas.	Subject to responses received, Shire officers are considering an extension to the public notification period to allow time for further submissions.
16/11/17	Carnarvon Revitalisation Project – Allocation of Earned Interest	Carolien Claassens	During a meeting with DPIRD the expenditure of the interest has been discussed. The Shire has to provide a proposal how the spend the interest accrual.	Subject to the proposal from the Shire how to spend the interest. This will need Ministerial approval.
24/11/17	Bayview Coral Bay – Local Development Plan	Paul Lees	The applicant has requested that the draft	On hold at the request of the land owner.

			Local Development Plan that has been publicly advertised put on hold while other strategic matters relating to Coral Bay are finalised; in particular the advertising, public submissions, and completion of LPS No. 13.	
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 decision and further discussions are proceeding.	Ongoing
8/2/18	Closure of PAW – Lot 302 Wheelock Way	Paul Lees	Council has resolved that the Shire proceed with the process for the closure of the pedestrian accessway as outlined in the WAPC's guideline, and the proposed infrastructure associated with the closure is included in the 2018/19 budget. The report has been finalised and sent to the WAPC for their consideration.	Timeframes are subject to the WAPC
16/2/18	Application for Exemption – Keeping of 6 Dogs at 95 Boor Street, Kingsford	Paul Lees	Council, at the ordinary meeting of 27 February 2018 resolved to refuse the DA for the keeping of six (6) dogs on the property. The owner of 95 Boor St was advised that any additional dogs on the property after the 30th November 2018 (more than two) would be seized by the Shire due to non-compliance with the Dog Act 1976. Shire rangers seized eleven (11) dogs from the property on 3 December 2018. One (1) dog has been surrendered and was sent to S.A.F.E. to be rehomed and the other dogs have been returned as the owner has registered these dogs at a number of properties across town (two per	Ongoing

			property). The practice of non-compliance with the Dog Act has however recommenced and Shire officers are undertaking regular inspections, the results of which may lead to further compliance action. Further legal advice is being sought on options to resolve this long-standing compliance matter.	
SFC2/3/18	Proposed Carnarvon Residential Aged Care Facility	David Burton	Council resolved to support the WACHS proposal to develop the Residential High End Aged Care facility at the Carnarvon Hospital and seek the return of funding to enable a 38-bed facility to be completed. The Ministers for Health and Regional Development have been advised of the Council's position through their relevant officials. A letter has been sent to the Minister for Health asking for an update on progress with the project. There has been no response to date.	Advice has been sent that the funding for the 38 bed facility has been returned. This item can be closed.
4/4/18	Arboretum – MOU	David Burton	This matter has been referred back to the Tree Society and ABC Foundation to agree on the wording of the proposed MOU. The Tree Society has advised that it does not wish to proceed with an amendment to the MOU. ABC Foundation will discuss further with the CEO.	June 2019 (Duplicate from 27/11/15)
20/6/18	Lotteries House – Boundary Realignment	Paul Lees	Council on 26 June 2018 resolved to approve the Lotteries House boundary realignment, and to waive the fees relating to the related subdivision application (re-alignment of the boundary to	June 2019

			accommodate the extension to Lotteries House, and the amalgamation of Lots 111, 189 and 190). The subdivision application is currently being prepared and will be submitted to the WAPC.	
9/8/18	MOU Amendment – Men’s Shed	Carolien Classens	Awaiting response from Men’s Shed for the approval amended MoU. This matter is in the hands of the Men’s Shed.	Ongoing
11/8/18	Baxter Spray Park	Paul Lees	Council, at the meeting of 28 August 2018 resolved to authorize the decommissioning of the existing splash park, making safe and developing the site for a picnic area; and directed the CEO to report to Council the options and costs for (a) the construction of an interactive play facility associated with the toddler’s pool at the Carnarvon Aquatic Centre, and (b) Construction of a stand-alone zero depth water park within the grounds of the Carnarvon Aquatic Centre.	June 2019
13-14/8/18	St John Ambulance – Land Exchange	Paul Lees	Council, at the meeting of 28 August 2018 resolved to rescind the previous motion of Council of 28 February 2012; and to (a) write to the Hon. Minister Rita Saffioti Minister for Transport; Planning; Lands on behalf of St. John Ambulance Ltd WA requesting the Minister’s intervention in the matter to allow a land transfer to occur between St John Ambulance WA Ltd and the Shire of Carnarvon, for Lot 924 Rushton Street to be transferred for a portion of Lot 928	June 2019

			Robinson Street (approximately 4724m ²) without the removal of the existing buildings on lot 924; (2) Instruct the Chief Executive Officer to arrange the survey of the above portion of Lot 928 Robinson Street and lodge an application with the WA Planning Commission for the subdivision and for the lodgement of the deposited plan with Landgate for the creation of a new Certificate of Title; and (3) Approves the funding of all costs relating to the actions outlined in the above item, being Item 2 of recommendation no. 3. Shire officers are preparing the subdivision application for the Robinson Street parcel as per Council's resolution and will lodge with the WAPC.	
7/10/18	Request for New Lease – BP – Lot 547 Carnarvon Airport	Carolien Classens	The lease has been accepted by BP and is awaiting execution by both parties.	Completed
-	Review of Corporate & Executive Policies	Gael Ferguson	Final Corporate policies to Council in May and June 2019. Executive policies will follow	June 2019 August 2019
9/12/18	Yingarrda Council Aboriginal Corporation – MOP	David Burton	Adopted by Council with CEO delegated to make minor amendments in consultation with Yingarrda. Has been referred to the Corporation for their final approval.	Only minor changes have been made. If not required to come to Council, we will begin next action or bring to Council in June.
6/2/19	New Lease – Coral Coast Helicopters	Carolien Claassens	The applicant has advised that the business entity running the Café might change. We are awaiting the advice before	June 2019

			advertising the Disposal of Property by way of lease. The Shire is looking into the installation of a septic tank for the disposal of grey water from the café.	
9/2/19	New Lease/Licence Edmund Rice	Carolien Claassens	The Department of Planning Lands and Heritage has accepted the amendment to the purpose of the Vesting Order (Management Order), to include the purpose 'School'. We are awaiting Landgate registration. The first draft of the lease has been received and requires a review by both parties.	July 2019
22/2/19	Subdivision Clearance – Lot 33 Robinson Street	John Meggitt	The request for clearance of subdivision conditions (P48/18) for Lot 33 on HN 486 Robinson Street, Kingsford was referred to the ordinary meeting of Council held on the 26 February 2019 with a recommendation for the clearance of conditions as proposed. Council resolved to support the clearance of the conditions.	The notice of clearance has been referred to the applicant's agent.
32/2/19	Write off SAR – Coral Bay Investments	David Burton	Seeking information from Insurance services about what is covered.	LGIS currently seeking legal advice through their lawyers. Lawyers are having difficulty confirming sale price from owner.
12 & 13/3/19	Gascoyne Off Road Racing – New Lease Request	Caroline Classens	A draft of the lease is currently been requested from McLeods	June 2019
14 & 15/3/19	Axicom – Renewal of Lease – Telecom Towers	Carolien Classens	Awaiting Lessees approval of the proposed lease terms. Council indicated, that the Council is not willing to reduce to annual lease fees.	July 2019
12/4/19	Samurai Karate Club – New Lease	Carolien Claassens	A request been made to Mcleods to draft the lease.	July 2019
11/4/19	Durack Institute – Extension of Lease	Carolien Claassens	The Extension of the Lease has been executed by	Completed

			both parties. All cost involved with the extension will be reimbursed by the lessee.	
14/4/19	Community Grants Fund April 2019	Gael Ferguson		Completed
15/4/19	Intention to Impose Differential Rates	Sa Toomalatai		Completed
16/4/19	Lot 1 and 3 Olivia Terrace – 2.1m Garrison Fence	John Meggitt Paul Lees	Council approved the application for a 2.1m Garrison Fence to the Baston street frontage at the ordinary meeting of Council of 23 April 2019.	The Notice of determination has been forwarded to the applicant.
17/4/19	Lot 796 McNish Street – Outbuilding	Sian Young Paul Lees	Council approved the application for an Outbuilding at the ordinary meeting of Council of 23 April 2019.	The Notice of determination has been forwarded to the applicant.
18/4/19	Lot 202 Maywood Road – Minor Extension to Dwelling	Sian Young Paul Lees	Council approved the application for minor extension to dwelling at the ordinary meeting of Council of 23 April 2019.	The Notice of determination has been forwarded to the applicant.
19/4/19	Lot 547 James Street – Air BP Refuelling Facility Upgrade Works	John Meggitt Paul Lees	Council approved the application for Air BP refuelling facility upgrade works at the ordinary meeting of Council of 23 April 2019.	The Notice of determination has been forwarded to the applicant.
21/4/19	Sporting Grounds & Facilities Fees – Amendments to Charges	David Nielsen	Fees advertised	Completed
23/4/19	Purchase of Replacement Compactor – Pre Budget Approval	David Nielsen	Additional information prepared for May Council meeting	May 2019

OFFICER'S RECOMMENDATION

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

FC 2/5/19

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION

Cr Garrett/Cr Simpson

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

CARRIED
F7/AQ

8.2.1 ACCOUNTS FOR PAYMENT 30 April 2019

File No: ADM0186
Date of Meeting: 28 May 2019
Location/Address: Shire of Carnarvon
Name of Applicant: Shire of Carnarvon
Name of Owner: Shire of Carnarvon
Author/s: Bianca Ferreira – Creditors Officer
Declaration of Interest: Nil
Voting Requirements: Simple Majority

Summary of Item:

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

Description of Proposal:

N/A

Background:

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

Consultation:

Nil

Statutory Environment:

Local Government Act 1995 – Section 5.42

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

Relevant Plans and Policy:

All accounts are paid as per the Shire of Carnarvon's 2018/19 Budget.

Financial Implications:

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

Community & Strategic Objectives:

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

Comment:

Accounts paid to 30 April 2019 are listed in *Schedules 8.2.1.(a) and 8.2.1.(b)*.

OFFICER'S RECOMMENDATION

That Council

- a) *Receive the list of payments, as per Schedule 8.2.1 (a) totalling \$1,489,390.52 as presented for the month of April 2019 incorporating;*

<i>Payment Reference from:</i>	<i>Payment Reference to:</i>	<i>Payment Type</i>	<i>Payment Amount</i>
DD36214	DD36275	Bank Direct	\$102,168.57
46934	46951	Muni Cheques	\$74,214.03
7418	7428	Trust Cheques	\$315,870.66
EFT27507	EFT27742	Muni EFT	\$985,499.72
EFT27568	EFT27742	Trust EFT	\$11,637.54

- b) *Receive the list of credit card payments, as per Schedule 8.2.1 (b), totalling \$3,255.57 as presented.*
 c) *Note Sundry Creditors as at 30 April 2019 \$566,866.05.*

FC 3/5/19

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION

Cr Pinner/Cr Skender

That Council

- a) *Receive the list of payments, as per Schedule 8.2.1 (a) totalling \$1,489,390.52 as presented for the month of April 2019 incorporating;*

<i>Payment Reference from:</i>	<i>Payment Reference to:</i>	<i>Payment Type</i>	<i>Payment Amount</i>
DD36214	DD36275	Bank Direct	\$102,168.57
46934	46951	Muni Cheques	\$74,214.03
7418	7428	Trust Cheques	\$315,870.66
EFT27507	EFT27742	Muni EFT	\$985,499.72
EFT27568	EFT27742	Trust EFT	\$11,637.54

- b) *Receive the list of credit card payments, as per Schedule 8.2.1 (b), totalling \$3,255.57 as presented.*
 c) *Note Sundry Creditors as at 30 April 2019 - \$566,866.05.*

CARRIED
F7/AO

File No: ADM0186
 Date of Meeting: 28 May 2019
 Location/Address: Shire of Carnarvon
 Name of Applicant: Shire of Carnarvon
 Name of Owner: Shire of Carnarvon
 Author/s: Sa Toomalatai, Manager Finance
 Declaration of Interest: Nil
 Voting Requirements: Officer Recommendation - Simple Majority

Summary of Item:

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

Description of Proposal:

N/A

Background:

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

Consultation:

Nil

Statutory Environment:

Local Government (Financial Management) Regulation 34.

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

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

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

Relevant Plans and Policy:

Corporate Business Plan 2018 - 2022

Financial Implications:

Nil.

Risk Assessment:

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

Community & Strategic Objectives:

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

Comment:

Attached as **Schedule 8.2.2** for consideration is the completed Statement of Financial Activity for the period ended 30 April 2019.

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

OFFICER'S RECOMMENDATION

That Council, in accordance with Regulation 34 of the Local Government (Financial Management) Regulations 1996, receive the Statement of Financial Activity for the period ended 30 April 2019 as per Schedule 8.2.2.

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION*Cr Garrett/Cr Skender*

That Council, in accordance with Regulation 34 of the Local Government (Financial Management) Regulations 1996, receive the Statement of Financial Activity for the period ended 30 April 2019 as per Schedule 8.2.2.

CARRIED**F7/AO****8.2.3 INVESTMENTS AS AT 30 APRIL 2019**

File No: ADM0186
 Date of Meeting: 28 May 2019
 Location/Address: Shire of Carnarvon
 Name of Applicant: Shire of Carnarvon
 Name of Owner: Shire of Carnarvon
 Author/s: Jodie Anderson, Senior Finance Officer
 Declaration of Interest: Nil
 Voting Requirements: Simple Majority

Summary of Item:

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

Description of Proposal:

N/A

Background:

Nil.

Consultation:

Takes place with Financial institutions prior to renewal of investments.

Statutory Environment:

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

Relevant Plans and Policy:

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

Financial Implications:

Nil.

Risk Assessment:

No risk identified.

Community & Strategic Objectives:

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

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

Comment:

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

OFFICER'S RECOMMENDATION

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

FC 5/5/19

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION

Cr Simpson/Cr Youd

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

CARRIED
F7/AO

8.2.4 REVIEW OF COUNCIL CORPORATE AND EXECUTIVE POLICIES

File No

Date of Meeting

28 May 2019

Author/s

Gael Ferguson, Acting Executive Manager Corporate & Community Services

Declaration of Interest

Nil

Voting Requirements

Absolute Majority

Previous Report

27 May 2014

18 December 2018 (Item Withdrawn)

23 April 2019

Summary of Item

This report presents three Corporate policies for consideration by Council: Tenders Selection Criteria Policy (reviewed), Tenders Management Policy (new), and Regional Price Preference Policy (new).

Description of Proposal

To adopt the revised and new policies for inclusion in the Policy Manual.

Background

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

The last review of policies was undertaken as follows:

Corporate

26 April 2016

Executive	26 April 2016
Development	22 December 2016
Infrastructure	29 April 2014

Consultation

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

Statutory Environment

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

Financial Implications

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

Risk Assessment

The policies assist the Council to manage risk in relation to tender and quotation processes.

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

This paper sets out three policies for potential adoption by Council. The review of the Tender Selection Criteria Policy has simplified the actual policy document, introduced a formal weighting for consideration of price and establishes a 'benchmarking' method for undertaking that part of the assessment, and includes provision for consideration of local supplier status as part of qualitative assessment.

The Tenders Management Policy introduces a requirement for a pre-tender process risk analysis and a post-tender review process (as required under the 2017 Regulation 17 review). It also sets some requirements around timelines management, and makes explicit the distinction between those involved in tenders administration and tenders evaluation.

In February 2000, the Local Government (Functions and General) Regulations 1996 were amended to allow non-metropolitan local governments to offer a price preference to regional suppliers when deciding which Quotation/Tender to accept. A price preference can only be applied if a local government authority has adopted a formal policy.

The Regional Price Preference Policy introduces the ability to provide some discount on pricing by a local supplier. This would be done by adjusting the price based on the policy thresholds and then considering the resultant price as per the normal assessment process. The thresholds are drawn directly from the regulations and cannot be changed. The definition of 'region' can be set by the Council. The Council would be adopting this policy, subject to formal advertising of the policy for comment.

Note: the reviewed Purchasing Policy will be brought to the June meeting of Council. This will complete the Corporate Policy review.

OFFICER'S RECOMMENDATION

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

1. Adopt the following Corporate policies listed in Table 1 below and as presented in Schedule 8.2.4 to this report, that will then form part of the Shire of Carnarvon Policy Manual:

TABLE 1

Policy No.	Policy
C013	Tender Selection Criteria Policy (amended)
C034	Tenders Management Policy. (new)

2. Approve notification of the following policy under the S24F of the Local Government (Functions and General) Regulations 1996.

Policy No.	Policy
C035	Regional Price Preference Policy

FC 6/5/19

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION

Cr Pinner/Cr Maslen

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

1. Adopt the following Corporate policies listed in Table 1 below and as presented in Schedule 8.2.4 to this report, that will then form part of the Shire of Carnarvon Policy Manual:

TABLE 1

Policy No.	Policy
C013	Tender Selection Criteria Policy (amended)
C034	Tenders Management Policy. (new)

2. Approve notification of the following policy under the S24F of the Local Government (Functions and General) Regulations 1996.

Policy No.	Policy
C035	Regional Price Preference Policy

FC 7/5/19

COUNCIL RESOLUTION

Cr Pinner/Cr Maslen

That Standing Orders Section 13 be suspended at 10.35am to enable further explanation relative to the three policies.

CARRIED
F7/AO

FC 8/5/19

COUNCIL RESOLUTION

Cr Maslen/Cr Skender

That Standing Orders Section 13 be resumed at 10.55am.

CARRIED
F7/AO

Motion FC 6/5/19

was put subject to the following amendment being made to Policy C013 –

“Consideration of Status/Benefit as a Local Supplier of Services

2. An additional weighting of no more than 5% 10% will be applied in the Relevant Experience category in the qualitative criteria ”.

CARRIED
F7/A0

(Note to Minute – Council wished to provide every opportunity for local suppliers within the boundaries of the Shire of Carnarvon to be competitive with other tenderers.)

8.2.5 LEASE REQUEST – AVIS & BUDGET CAR RENTAL, PORTION OF TERMINAL AND CARPARKS AT THE CARNARVON AIRPORT

10.55am – Cr Skender declared an Impartiality Interest in this matter as his partner is the author of this item. He was not required to leave the meeting and could participate and vote on the matter.

File No:	ADM0230 & ADM0222
Date of Meeting:	24 th April 2019
Location/Address:	Portion of Terminal Building & Car Park - Lot 547, Carnarvon Airport
Name of Applicant:	Norcoast Holdings Pty Ltd (an Avis Carnarvon licensee) & Chalkwest Pty Ltd (a Budget System Licensee)
Name of Owner:	Shire of Carnarvon
Author/s:	Carolien Claassens – Manager Governance
Declaration of Interest:	Nil
Voting Requirements:	Officer’s Recommendation 1 and 2 – Simple Majority Officer’s Recommendation 3 – Absolute Majority
Previous Reports:	FC/8/09

Summary of Item:

This report details a request from Norcoast Holdings Pty (Avis) Ltd and Chalkwest Pty Ltd (Budget) seeking Council’s approval to renew the lease for a portion of the Carnarvon Airport Terminal Building and a portion of the Carpark for ongoing operations of car hire.

Description of Proposal:

Grant renewal of a formal lease for both Norcoast Holdings Pty Ltd and Chalkwest Pty Ltd of a portion of Lot 547, Carnarvon Airport based in the Shire of Carnarvon Policy C016 – Lease and Licensing Classification – Tier Three: Commercial Lease.

Background:

On 2 September 2009 the lease with Avis and Budget commenced, for a term of 5 years. The lease agreement included a further term of 5 years, until 2nd of September 2019. The expiry of the extension of the lease has prompted the lessees to request a renewal of the lease. A copy of the existing leases can be provided to individual Councillors on request.

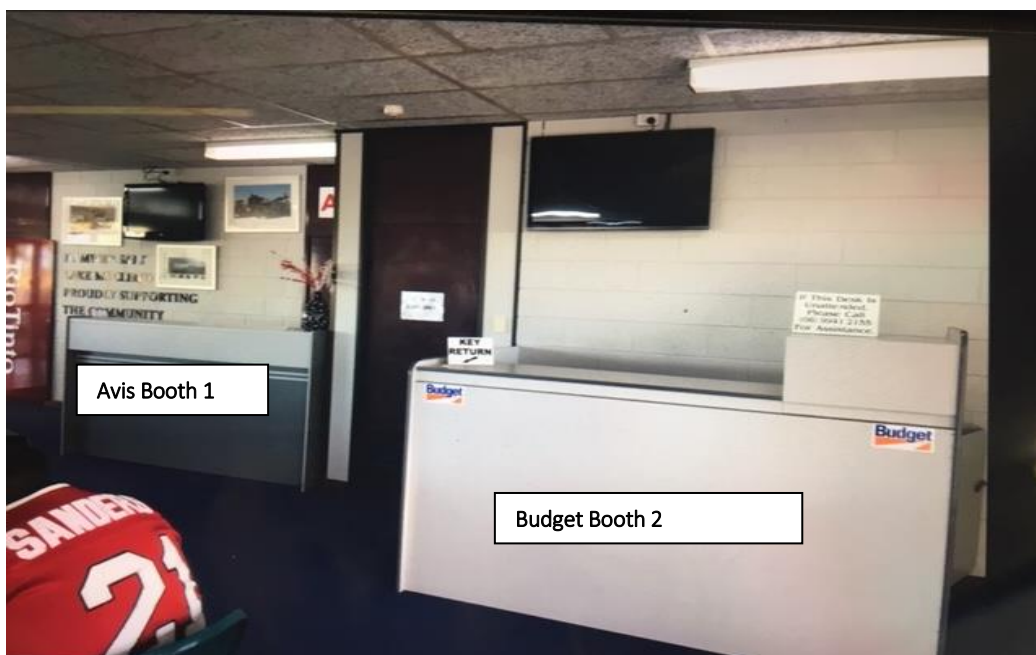


Figure 1: Carnarvon Airport Terminal – Booth 1 and Booth 2

Both leases include a portion of the Airport terminal (Avis: booth 1 and Budget: booth 2) and several parking bays (Avis: 12 parking bays and Budget 14 parking bays) in the Airport carpark. Refer to figure 1 and 2.

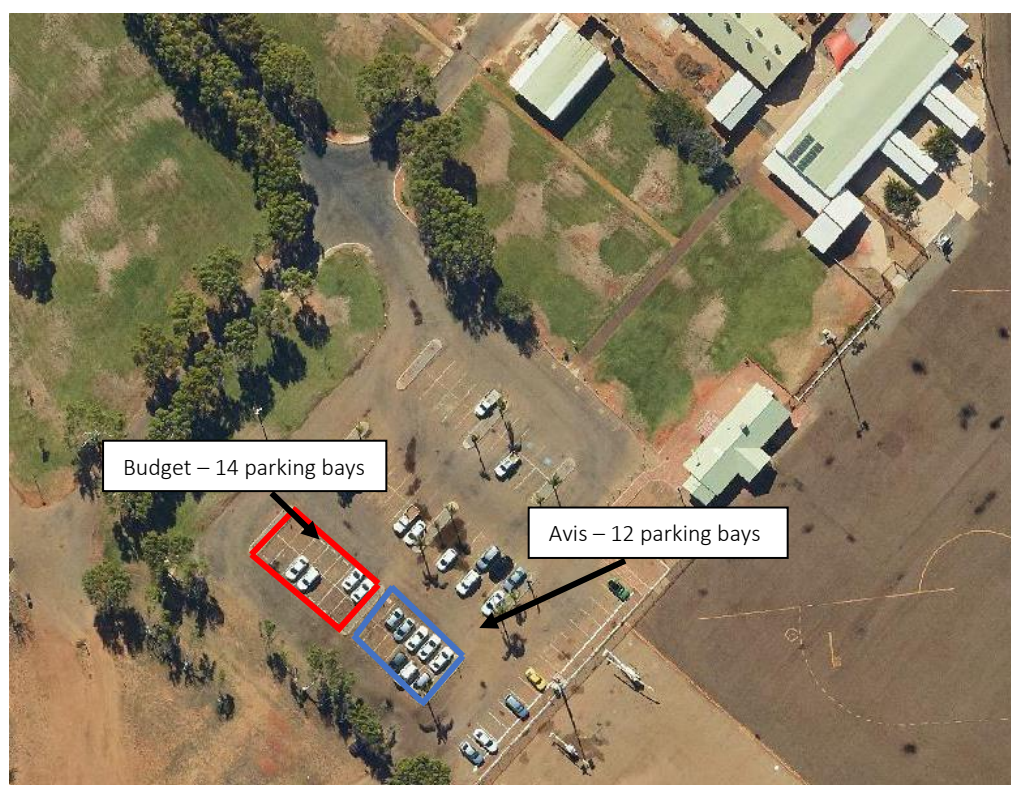


Figure 2: Carnarvon Airport Carpark – Avis and Budget carparks

Consultation:

Consultation undertaken with:

1. Kevin Leahy – Norcoast Holdings
2. Chalkwest Pty Ltd
3. John Harvey – Griffin Valuation Advisory

Statutory Environment:

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

3.58 *Disposing of property*

(1) *In this section —*

dispose *includes to sell, lease, or otherwise dispose of, whether absolutely or not;*

(3) *A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —*

(a) *it **gives local public** notice of the proposed disposition —*

(i) *describing the property concerned; and*

(ii) *giving details of the proposed disposition; and*

(iii) *inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;*

And

(b) *it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.*

(4) *The details of a proposed disposition that are required by subsection (3)(a)(ii) include —*

(a) *the names of all other parties concerned; and*

(b) *the consideration to be received by the local government for the disposition; and*

(c) *the market value of the disposition —*

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

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

Relevant Plans and Policy:

Policy C016 – Lease and Licensing Classification – Tier Three: Commercial Lease.

Financial Implications:

Being a commercial lease the cost of preparation of the new lease, utilities and all maintenance will be paid by the Lessee.

A Market Rental Valuation for both premises has taken place which included a comprehensive costing research analysis of the asset. The Market Rental Values for each of the proposed subject leases has been determined based in comparable rental evidence, taking into consideration the site, type of leased area, zoning, current use, location and quality of the improvements.

The final Market Rental Valuation Reports (**Schedule 8.2.5**) prepared in April 2019 by Griffin Valuation Advisory provides an in-depth market rental analysis of market forces affecting rental valuations. Page 12 of each of the reports summarises the Market Rental values for -

1. Avis of \$4,800
2. Budget of \$5,600 per annum

The current leases includes an annual rent for Avis of \$4,016 (Ex. GST) and Budget \$4,188. Note, both leases have been adjusted annually for CPI. This annual rent has based upon a market valuation from 2009.

Risk Assessment:

Loss of a service at the Carnarvon Airport

Not only has the Shire of Carnarvon the obligation to support local business, renting a vehicle at an airport has a significant impact on the service provision of the airport. Especially for visitors (business or leisure) being able to access a vehicle directly on arrival. For this reason not renewing the lease will have a negative impact the service delivery at the Carnarvon Airport.

Loss of revenue

The revenue earned from commercial leases at the Airport are an important part of income for the Shire commercial activity on the airport will need to be encouraged.

Community & Strategic Objectives:

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

Comment:

N/A

OFFICER'S RECOMMENDATION 1

That Council:

- 1. Renew the lease to Norcoast Holdings (an Avis Licensee, trading as Leahy's Car Hire), in accordance with Section 3.58 (Disposing of Property) of the Local Government Act, 1995 and the Shire of Carnarvon Policy C016 Lease and Licensing Classification – Classification Tier Three*
The lease is to include -
 - (a) A five (5) year lease period, plus an option of a further 5-year extension at the CEO's discretion;*
 - (b) A lease payment based on the Fair Market Rental Valuation with annual CPI increases;*
 - (c) Lessee to be responsible for the cost of lease preparation (including the cost of the valuation), utilities and all maintenance*
- 2. Advertise, for a period of at least 21 days, its intention to renew the lease for a portion Lot 547 James Street of terminal building & car park at Carnarvon Airport, Lot 547 Carnarvon for Norcoast Holdings.*

OFFICER'S RECOMMENDATION 2

- 1. Renew the lease to Chalkwest Pty Ltd (a Budget System Licensee) in accordance with Section 3.58 (Disposing of Property) of the Local Government Act, 1995 and the Shire of Carnarvon Policy C016 Lease and Licensing Classification – Classification Tier Three*
The lease is to include -
 - (a) A five (5) year lease period, plus an option of a further 5-year extension at the CEO's discretion;*
 - (b) A lease payment based on the Fair Market Rental Valuation with annual CPI increases;*
 - (c) Lessee to be responsible for the cost of lease preparation (including the cost of the valuation), utilities and all maintenance*
- 2. Advertise, for a period of at least 21 days, its intention to renew the lease for a portion Lot 547 James Street of terminal building & car park at Carnarvon Airport, Lot 547 Carnarvon for Chalkwest Pty Ltd.*

OFFICER'S RECOMMENDATION 3

1. Subject to no objections being received to the Public Notice for the proposed Disposal of Property, delegate execution of the leases and affix the common seal of the Shire of Carnarvon by the Shire President and the Chief Executive Officer to the relevant documentation as specified in point 1 above as per Delegation no. 1034 'Executing and Affixing of Common Seal to documents'.
2. Authorises the Chief Executive Officer in consultation with the Shire President to make any final minor editorial amendments to the Leases, including any minor amendments required to maintain alignment with the Deed of Extension of the Leases.

FC 9/5/19

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION 1

Cr Garrett/Cr Youd

That Council:

1. Renew the lease to Norcoast Holdings (an Avis Licensee, trading as Leahy's Car Hire), in accordance with Section 3.58 (Disposing of Property) of the Local Government Act, 1995 and the Shire of Carnarvon Policy C016 Lease and Licensing Classification – Classification Tier Three

The lease is to include -

- (d) A five (5) year lease period, plus an option of a further 5-year extension at the CEO's discretion;
 - (e) A lease payment based on the Fair Market Rental Valuation with annual CPI increases;
 - (f) Lessee to be responsible for the cost of lease preparation (including the cost of the valuation), utilities and all maintenance
2. Advertise, for a period of at least 21 days, its intention to renew the lease for a portion Lot 547 James Street of terminal building & car park at Carnarvon Airport, Lot 547 Carnarvon for Norcoast Holdings.

CARRIED
F7/AO

FC 10/5/19

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION 2

Cr Garrett/Cr Simpson

1. Renew the lease to Chalkwest Pty Ltd (a Budget System Licensee) in accordance with Section 3.58 (Disposing of Property) of the Local Government Act, 1995 and the Shire of Carnarvon Policy C016 Lease and Licensing Classification – Classification Tier Three

The lease is to include -

- (d) A five (5) year lease period, plus an option of a further 5-year extension at the CEO's discretion;
 - (e) A lease payment based on the Fair Market Rental Valuation with annual CPI increases;
 - (f) Lessee to be responsible for the cost of lease preparation (including the cost of the valuation), utilities and all maintenance
2. Advertise, for a period of at least 21 days, its intention to renew the lease for a portion Lot 547 James Street of terminal building & car park at Carnarvon Airport, Lot 547 Carnarvon for Chalkwest Pty Ltd.

CARRIED
F7/AO

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION 3*Cr Garrett/Cr Simpson*

1. *Subject to no objections being received to the Public Notice for the proposed Disposal of Property, delegate execution of the leases and affix the common seal of the Shire of Carnarvon by the Shire President and the Chief Executive Officer to the relevant documentation as specified in point 1 above as per Delegation no. 1034 'Executing and Affixing of Common Seal to documents'.*
2. *Authorises the Chief Executive Officer in consultation with the Shire President to make any final minor editorial amendments to the Leases, including any minor amendments required to maintain alignment with the Deed of Extension of the Leases.*

CARRIED BY ABSOLUTE MAJORITY**F7/A0****8.2.6 BUDGET VARIATIONS 30 APRIL 2019**

File No: ADM0186
 Date of Meeting: 28 May 2019
 Location/Address: Shire of Carnarvon
 Name of Applicant: Shire of Carnarvon
 Name of Owner: Shire of Carnarvon
 Author/s: Sa Toomalatai, Manager Finance
 Declaration of Interest: Nil
 Voting Requirements: Absolute Majority

Summary of Item:

The Shire's Executive Management team have undertaken a quarterly budget review on the current financial years' operating and capital accounts. Based on this assessment, the exec team have identified areas throughout the current budget that require a budget variation.

Description of Proposal:

N/A

Background:

The attached report (**schedule 8.2.6**) provides elected members with information about the budget variations that are required as a result of the recent budget review. This gives Council the opportunity to adjust funding allocations to address financial shortcomings and changing priorities to operations, delivery of services and projects.

Consultation:

As part of the standard internal budget review process, consultation has been sought between the Finance team and the Executive Management team.

Statutory Environment:

Local Government Act 1995 – Part 6 Financial Management, Division 4 General Financial Provisions, 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 —
- (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.

Relevant Plans and Policy:

Corporate Business Plan 2018 - 2022

Financial Implications:

Nil.

Risk Assessment:

Should the Council not adopt the proposed variations in the attached report, there is risk of over expenditure occurring on some line items in the Budget and/or a deficiency in funds to complete specific projects or tasks.

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:

As mentioned in the "Background" section of this report, there is a need to undertake a number of budget variations, effectively reallocating funding from one section of the budget to the other based on changing priorities. These variations are outlined in **Schedule 8.2.6**.

OFFICER'S RECOMMENDATION

That Council, in accordance with section 6.8(1)(b) of the Local Government Act, adopt the budget variations for the period ended 30 April 2019 as listed within Schedule 8.2.6.

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION

Cr Pinner/Cr Maslen

That Council, in accordance with section 6.8(1)(b) of the Local Government Act, adopt the budget variations for the period ended 30 April 2019 as listed within Schedule 8.2.6.

CARRIED BY ABSOLUTE MAJORITY

F6/A1

Cr Pinner voted against the motion.

8.2.7

COMMUNITY GRANT FUND APPLICATIONS – MAY 2019

File No:

Date of Meeting: 28 May 2019

Location/Address: N/A

Name of Applicants: Clontarf Foundation
Carnarvon Bowling Club
Gascoyne Food Council

Name of Owner: N/A

Author/s: Gael Ferguson, Acting Executive Manager, Community Services

Declaration of Interest: Nil

Voting Requirements: Simple Majority

Summary of Item:

This report relates to three requests for funding from the Community Growth Fund.

Description of Proposals:

The following groups seek funding from the Community Growth Fund:

Small Assistance Donations

Clontarf Foundation: \$450

The request financial seeks assistance with the cost of printing and distribution of materials for local schools to be involved in an Australia wide colouring in and essay writing contest. They have asked for the same level of funding they received previously.

Carnarvon Bowling Club (INC): up to \$1000.00

The Carnarvon Bowling Club INC request sponsorship support towards their Annual Open Bowls Carnival for 2019. This will accompany a program to focus on at risk children within the community.

Major Projects Grants

Gascoyne Food Council \$10,000

The Gascoyne Food Council seeks support for the holding of the Gascoyne Food Festival in August 2019. They are asking for the same amount of funding that they received in 2018/19.

Background:

Clontarf Foundation

The Clontarf Foundation works in partnership with host schools to improve the educational outcomes of Aboriginal boys and provide them with a range of sporting, training, employment and broader life opportunities.

The Clontarf Foundation encourages Aboriginal students to take part in this opportunity to improve their education, discipline, self-esteem, life skills and employment prospects.

Carnarvon Bowling Club (INC)

The Carnarvon Bowling Club INC is a well-established Club and is one of the biggest playing sports in the Gascoyne Region. The Carnarvon Bowling Club Inc has been in operation since 1908, with growing junior numbers each season, last year saw the youngest playing member participate in the States Titles representing WA and Carnarvon Bowling Club at the event.

There are approximately 80 members to the club including, playing members, pensions, junior members and social members.

Gascoyne Food Council

The Gascoyne Food Council (GFC) actively promotes the Gascoyne Region and it's produce by showcasing the produce of the region, with media, social influencers and supply chain partners. This Festival includes the Long Table Lunch, the Community Barbecue and the Growers Market. The GFC reports that all events have grown in numbers and stature over the years, and visitors to the area now account for over 50% of attendees.

Consultation:

No consultation outside the groups applying.

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:

The recently approved Community Growth Fund Policy provides for applications for Small Assistance Donations (up to \$1,000) and Community Support Grants (up to \$5,000 cash or in kind).

Major events and specifically identified 'iconic Events' can receive funding up to \$10,000 in any one year. Classification as an 'Iconic Event' provides a level of funding stability for key events which the Council may want to support and are explicitly identified in each annual budget.

It should be noted that the Gascoyne Food Festival can be considered to be a major event and therefore be eligible for funding over \$5000. The Festival is not currently identified as an Iconic Event, but the Council has provided significant funding in previous years. Given that the Council has funded this event on a regular basis in recent years it may be appropriate for the event organisers to apply for Iconic status under the new policy.

Financial Implications:

2018/19 Available Funds	\$75,000	
	Spent to date	Remaining Funds
Allocation to Iconic Events 2018/19	-\$20,000	\$55,000
Other Grants made to date	\$38,950	\$16,050
	Amount Sought	Remaining Funds
Impact of May Applications	-\$11,450	\$4,600

The available funding for the remainder of this financial year is set out in the table below. A proportion of this funding has been set aside for Iconic events. Three applications have been received this funding round and if approved would have the following impact on the available funds:

Risk Assessment

The risks associated with all events is low. The Gascoyne Food Festival has been a professionally held event in the past with normal risk management procedures in place.

Community & Strategic Objectives:

The Strategic Community Plan has the following objectives relevant to the applications.

Clontarf Foundation

ITEM	OUTCOMES AND STRATEGIES
3.1	Active community
3.1.2	Support and promote opportunities for sport and recreation clubs to increase meaningful participation
3.2	Strong community identity and spirit through arts, culture and events
3.2.3	Provide and promote other opportunities for participation in social and cultural events and activities
3.3	Caring, self-reliant community
3.3.1	Support groups to deliver community-led initiatives and activities through liaison and grants
3.3.2	Facilitate volunteering opportunities within the Shire
3.5	Engaged young people
3.5.3	Advocate for young people and collaborate with other agencies to engage young people

Carnarvon Bowling Club (INC)

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

Gascoyne Food Council – Gascoyne Food Festival

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

ITEM	OUTCOMES AND STRATEGIES
3.2	Strong community identity and spirit through arts, culture and events
3.2.3	Provide and promote other opportunities for participation in social and cultural events and activities

Comment:

All three applications are worthy of Council consideration under the Strategic Community Outcomes and the Community Grants Policy criteria, and are eligible to receive funding. It is recommended that Council consider funding all applications to the full amounts requested.

OFFICER'S RECOMMENDATION

1. That Council approves funding of \$_____ as a contribution to the Clontarf Foundation
2. That Council approves sponsorship of Carnarvon Bowling Club INC Annual Open Bowls Carnival:
 - a. Platinum Sponsorship Package \$1000.00
or
 - b. Gold Sponsorship Package \$500.00
or
 - c. Silver Sponsorship Package \$250.00
or
 - d. Bronze Sponsorship Package \$100.00
3. That Council approves funding of \$_____ as a contribution to the Gascoyne Food Festival to be held by the Gascoyne Food Council in August 2019.

FC 13/5/19

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION

Cr Garrett/Cr Simpson

1. That Council approves funding of \$450.00 as a contribution to the Clontarf Foundation
2. That Council approves sponsorship of Carnarvon Bowling Club INC Annual Open Bowls Carnival:
 - a. Platinum Sponsorship Package \$1000.00
3. That Council approves funding of \$10,000.00 as a contribution to the Gascoyne Food Festival to be held by the Gascoyne Food Council in August 2019.

CARRIED BY ABSOLUTE MAJORITY
F7/A0

File No.	ADM0105
Date of Meeting	28 May 2019
Location/Address	Shire of Carnarvon
Name of Applicant	N/A
Authors	Mathew Ayre, Rates Officer
Declaration of Interest	Nil
Voting Requirements	Absolute Majority

Summary of Item

This is a request to Council to acknowledge the incentive prizes for payment of rates in full by the due date and to endorse a payment of up to \$500.00 as the Shire's contribution towards the incentive prize pool.

After the adoption of the 2019/20 financial year budget (including the rates and charges), the due date for payment of rates will be set at least 35 days after the rates and charges have been raised and the rates notices have been issued.

Description of Proposal

Using the same procedure as in previous years, a list of those who have paid in full by the due date, and are eligible for a prize, will be prepared. The date of the draw will be advertised in advance, with the public invited to be present to watch the draw. The draw will be made by the Shire President or Deputy Shire President, the draw prize winners will be contacted and the results of the draw will be publicised.

Background

In July 2016 Council endorsed the reintroduction of an early rates payment incentive scheme, in accordance with Section 6.46 of the *Local Government Act 1995*. Positive feedback has been received from the community along with organisations participating in the donation of prizes for the draw. In anticipation of the incentive scheme being run again this year, various businesses have already been contacted and a variety of donations have been secured to offer as prizes. The donations to date are listed in the attached ***Schedule 8.2.8***.

In addition to acknowledging these prizes, Council is also requested to endorse a donation up to \$500.00, to be included in the 2019/20 budget, to be offered as a prize. This prize will be made available as a rates refund for one winner. A rate payment under \$500.00 will be refunded in full, and one over \$500.00 will be refunded to a maximum of \$500.00.

Consultation

There has been internal and external consultation with various local and other businesses to secure suitable prizes.

Statutory Environment

Local Government Act 1995

6.46. Discounts

Subject to the Rates and Charges (Rebates and Deferments) Act 1992, a local government may, when imposing a rate or service charge, resolve to grant a discount or other incentive for the early payment of any rate or service charge.*

** Absolute majority required.*

Relevant Plans and Policy

There is no current policy relating to the running of a Rates Incentive Scheme.

Financial Implications

Council is requested to approve a full or partial rate refund as part of this incentive scheme so there is a financial implication.

The aim of the scheme is to persuade more ratepayers to pay their rates in full before the due date which will assist both in cash flow and in reducing the administrative costs required to either enter into payment arrangements or to pursue outstanding debts.

Risk Assessment

Nil.

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

There are numerous other local governments who also run this type of incentive scheme and the Shire of Carnarvon reintroduced it in 2016 with overall positive feedback. While there is no statistical data about the effectiveness of the incentive scheme, it is correct to say that the Shire carries a large unpaid rate debt, some of which stretches back for some time, and staff are of the view that this scheme may assist with the timely payment of rates.

OFFICER'S RECOMMENDATION

That Council:

- 1. Endorse a payment up to \$500.00 as the Shire's contribution towards the incentive prize draw, to be allocated in the 2019/20 draft budget;*
- 2. Note and formally acknowledge in appreciation the list of donated prizes listed in Schedule 8.2.8 of this report;*
- 3. Authorise the Chief Executive Officer to finalise any additional prize sponsors.*

FC 14/5/19

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION

Cr Simpson/Cr Skender

That Council:

- 1. Endorse a payment up to \$500.00 as the Shire's contribution towards the incentive prize draw, to be allocated in the 2019/20 draft budget;*
- 2. Note and formally acknowledge in appreciation the list of donated prizes listed in Schedule 8.2.8 of this report;*
- 3. Authorise the Chief Executive Officer to finalise any additional prize sponsors.*

CARRIED BY ABSOLUTE MAJORITY

F7/A0

8.3.1 LOT 50 (23) WAHOO COURT CORAL BAY – AMENDMENT TO CONDITIONS OF APPROVAL P50/18

11.07am – Cr Simpson declared a Proximity Interest in this item as he holds a lease adjacent to the property in question. He therefore left the meeting and did not participate or vote on the matter.

File No:	A4016
Date of Meeting:	28 May 2019
Location/Address:	Lot 50 (23) Wahoo Court, Coral Bay
Name of Applicant:	3dEdge Design & Planners
Name of Owner:	Rebo Nominees Pty Ltd
Author/s:	Sian Young, Planning Officer
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Previous Report:	26 February 2019

Summary of Item:

This item relates to an amendment lodged with the Shire relating to an approved development for holiday accommodation at Lot 50 (23) Wahoo Court Coral Bay. This application complies with the requirements of State Planning Policy 3.1 Residential Design Codes. The applicant is also seeking the approval of a landscaping plan.

Description of Proposal:

The applicant is seeking minor amendment to approved plans relating to the abovementioned development. The plans relating to this application can be found as Schedule 8.3.1(a).

Survey Strata Lot 23 is located on the northern boundary of parent Lot 50 strata subdivision. The lot is approximately 1157m² and contains two (2) attached dwellings. The site is bordering Lot 308 (19) Banksia Drive to the north and Lot 45 (41) Robinson Street, known as Reserve 37500 to the west. Reserve 37500 is a 'Foreshore Reserve' under a Management Order with the Department of Parks and Wildlife.

Council approved the development at the Ordinary Meeting of Council held on 26 February 2019.

The applicant is seeking the following amendments to the approved plans:

- Increase the western boundary setback by 0.2m; and
- Decrease the northern boundary setback by 1.5m; and
- Raise the finished floor levels by 0.25m raising the external levels accordingly. The eastern boundary to increase to 9m from NGL and the western boundary to 6m above RL 12.55m.

The applicant is seeking approval for a landscaping plan as required under the conditions of application P50/18.

Background:

The applicant is seeking approval to amend previously approved 'Holiday Accommodation' on the abovementioned lot. The proposed modifications remain compliant with State Planning Policy 3.1 Residential Design Codes (R-codes) and the Coral Bay Settlement Structure Plan (CBSSP).

Consultation:

The application is compliant with Local Planning Scheme 11 (LPS 11) and the CBSSP Plan as such the applicant was not required to be advertised.

Statutory Environment:

Shire of Carnarvon Local Planning Scheme 11

The subject site is located within the Coral Bay Settlement Zone. LPS 11, Schedule No. 2 of the Coral Bay Precinct Plan divides the Coral Bay Settlement Zone into individual planning precincts. Strata Subdivision Lot 23 is located within the 'Tourism Precinct'. The assessment consideration can be found as Schedule 8.3.1(b).

Coral Bay Settlement Structure Plan 2014

CBSSP provides strategic guidance to land use and development within the Coral Bay Settlement area. Lot 50 (23) Wahoo Court is identified within the 'Holiday Homes' zone of the CBSSP. The objective of the Holiday Homes precinct as follows:

'To provide for a holiday home precinct to enable the expansion of the existing, but limited, supply of holiday homes within Coral Bay, and to attract a larger variety of tourists seeking an alternative style of accommodation'.

Relevant Plans and Policy:

State Planning Policy 3.1 – Residential Design Codes (SPP 3.1 R-Codes)

The proposal has been assessed against the requirements of the R20 code. A detailed assessment can be found as Schedule 8.3.1(c).

Financial Implications:

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

Risk Assessment:

There are no risks to the Shire associated with the officer's recommendation

Community & Strategic Objectives:

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

Objective 2: Natural and built environment

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

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

Objective 5: Civic

Strong and listening Council.

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

Comment:

This report has detailed the proposed amendments relating to planning approval for 'Holiday Accommodation' at Lot 50 (23) Wahoo Court, Coral Bay.

Overall, the amendments that are minor meet the requirements of the R-codes, CBSSP and LPS 11. It is recommended that the application be approved.

OFFICER'S RECOMMENDATION

Pursuant to clause 68 of the Planning and Development (Local Planning Schemes) Regulations 2015 and the Shire of Carnarvon Local Planning No. 11, grant development approval for application P14/19 to amend application P50/18 at Lot 50 (23) Wahoo Court, Coral Bay for the land use of 'Holiday Accommodation' subject to the following conditions:

1. The development is to be in accordance with the plans titled 'Proposed Re-development Lot 23 Wahoo Court Coral Bay (Building Permit Issue)' dated 29 April 2019.

FC 15/5/19

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION

Cr Garrett/Cr Youd

Pursuant to clause 68 of the Planning and Development (Local Planning Schemes) Regulations 2015 and the Shire of Carnarvon Local Planning No. 11, grant development approval for application P14/19 to amend application P50/18 at Lot 50 (23) Wahoo Court, Coral Bay for the land use of 'Holiday Accommodation' subject to the following conditions:

1. The development is to be in accordance with the plans titled 'Proposed Re-development Lot 23 Wahoo Court Coral Bay (Building Permit Issue)' dated 29 April 2019.

CARRIED

F6/A0

11.08am – Cr Simpson returned to the meeting and was advised of Council's decision on this matter.

8.3.2 LOT 302 (DP053816) GNARALOO STATION AND THREE MILE CAMP WASTE DISPOSAL FACILITY

File No:	A2983; P08/19
Date of Meeting:	28 May 2018
Location/Address:	Lot 302 (DP053816) Gnarlloo Station
Name of Applicant:	Paul Richardson
Name of Owner:	Paul Richardson Pastoral Lease of Crown Land – State of WA
Author/s:	Matthew Tallon, Planning Officer John Meggitt, Principal Planner
Declaration of Interest:	Nil
Voting Requirements:	Absolute Majority
Previous Report:	N/A

Summary of Item:

This item relates to a development application received from the lease holder at Gnarlloo Station for a *Waste Disposal Facility*. The use is not listed in the *Shire of Carnarvon Local Planning Scheme No. 11 (LPS 11)* and cannot be defined under any other listed use. As per section 3.2.4 (b) of LPS 11 a use not listed must be determined by absolute majority of Council as consistent with the objectives of the *Rural* zone.

The *Planning and Development (Local Planning Schemes) Regulations 2015* define the land use *Waste Disposal Facility* which means: *premises used –*

- (a) for the disposal of waste by landfill; or
- (b) the incineration of hazardous, clinical or biomedical waste;

LPS 11 does not specify objectives for the Rural zone, however the Planning and Development (Local Planning Schemes) Regulations 2015 afford the following objectives to the zone:

- To provide for the maintenance or enhancement of specific pastoral and rural character.

- To protect pastoral and broad acre agricultural activities and intensive agricultural uses as primary uses, with other rural pursuits and rural industries as secondary uses where compatibility with the primary use is demonstrated.
- To maintain and enhance biodiversity, the landscape character, remnant vegetation, soils and water bodies and to protect wetlands and other ecologically sensitive areas.
- To provide for the operation and development of existing, future and potential rural land uses by limiting the introduction of sensitive land uses in the Rural zone.
- To provide for a range of non-rural land uses where they have demonstrated benefit and are compatible with surrounding rural uses.

Description of Proposal:

Currently, waste from Three Mile camp and Gnaraloo Station is disposed of within the future coastal reserve. The application seeks the establishment of a new Waste Disposal Facility to dispose of waste generated from tourism at Gnaraloo Station and Three Mile camp tourism node. The facility will be used privately by the station with all waste disposed of at the facility. A site clearing permit will be required by the Department of Water and Environmental Regulation (DWER) in order to prepare the site for the land use. The development application can be found at Schedule 8.3.2 (a).

Background:

The coastal strip between Red Bluff and Cape Range National Park was excised from all related pastoral leases for the preparation of the area as a Coastal Nature Reserve under the management of the Department of Biodiversity Conservations and Attractions and the Gnulli Native Title claimants (forming a Joint Management Body). It is noted however that Gnaraloo Station is on the boundary but outside the future reserve. The proponent retains the tourism lease over Three Mile Camp and the remainder of the pastoral lease. As Three Mile Camp is a minor tourism node providing facilities such as shelters, toilets and rubbish bins, a sufficient waste facility is required to allow disposal of domestic waste. Whilst the waste facility is predominantly required for the tourism activities it also services the requirements for waste disposal in this portion of the pastoral station.

Consultation:

Preliminary consultation was undertaken with the Department of Planning, Lands and Heritage (DPLH) and the Department of Biodiversity, Conservations and Attractions (DBCA) to confirm the lease arrangement and location in relation to the future coastal nature reserve subject to finalization and management by DBCA. DWER were further consulted regarding any future licencing of the facility. A summary of the consultation undertaken can be found at Schedule 8.3.2 (b).

This application must be advertised as required by LPS 11 should Council determine the land use to be consistent with the objectives of the Rural zone.

Statutory Environment:

Planning and Development Act 2005

As defined under the Act, 'Development' means the development or use of any land. The development and use of this land in this instance being a Waste Disposal Facility. The proposal is not exempt from the requirement for development approval under the Planning and Development Act 2005.

Shire of Carnarvon Local Planning Scheme No. 11

LPS 11 does not afford a land use definition to the proposal.

3.2.4 If the use of land for a particular purpose is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the interpretation of one of the use classes the local government may:

- a) determine that the use is not consistent with the objectives and purpose of the particular zone and is therefore not permitted, or

- b) determine by absolute majority that the proposed use may be consistent with the objectives and purpose of the Zone and thereafter follow the advertising procedures of Clause 64 of the deemed provisions in considering an application for development approval.

Shire of Carnarvon Draft Local Planning Scheme 13

Draft Local Planning Scheme 13 has the following definition for a *Waste Disposal Facility: means a premises used —*

- (a) for the disposal of waste by landfill; or*
- (b) the incineration of hazardous, clinical or biomedical waste;*

The land use is a 'D' use in the Rural zone.

- 'D' means that the use is not permitted unless the local government has exercised its discretion by granting development approval;

The Rural zone has the following objectives:

- To provide for the maintenance or enhancement of specific pastoral and rural character.
- To protect pastoral and broad acre agricultural activities and intensive agricultural uses as primary uses, with other rural pursuits and rural industries as secondary uses where compatibility with the primary use is demonstrated.
- To maintain and enhance biodiversity, the landscape character, remnant vegetation, soils and water bodies and to protect wetlands and other ecologically sensitive areas.
- To provide for the operation and development of existing, future and potential rural land uses by limiting the introduction of sensitive land uses in the Rural zone.
- To provide for a range of non-rural land uses where they have demonstrated benefit and are compatible with surrounding rural uses.

Planning and Development (Local Planning Schemes) Regulations 2015

Part 9 – Procedure for dealing with applications for development approval.

Clause 67. Matters to be considered by local government.

State Planning Policy 6.3 Ningaloo Coast and Ningaloo Coast Regional Strategy Carnarvon to Exmouth

SPP 6.3 provides an overview for the development and use of land along the Ningaloo Coast, whilst the Ningaloo Coast Regional Strategy Carnarvon to Exmouth states explicit controls on the nodes along this coastal strip. Three Mile Camp is identified as a minor tourism node in the Regional Strategy. A minor tourism node is expected to have an increased capacity for overnight accommodation supplying infrastructure such as shelter, water, rubbish bins and toilets. The strategy states that *"Three Mile Camp is suited to camping and possible development of additional visitor accommodation, services and facilities that are compatible with criteria developed for minor tourism nodes."*

As the strategy anticipates that infrastructure and services are provided at the tourism node, 3-Mile camp provides rubbish bins and drop toilets. It is therefore essential that the lessee has a formalised waste disposal facility to effectively service the operation of the tourism node as well as the pastoral station.

Environmental Protection (Rural Landfill) Regulations 2002

DWER have noted that if the disposal site is calculated to exceed 20 tonnes per annum the facility will require a works approval and licensing as a Category 89 premises as per the Regulations. Whether the premises is licensed by DWER or not, the regulations give guidance as to the conditions placed on the Development Approval. DWER advises that any conditions recommended by the Shire's Principal Environmental Health Officer on the final approval will must contravene any works orders or licensing by DWER should they be formed under the guidance of the Regulations.

Relevant Plans and Policy:

Nil

Financial Implications:

There are no identified financial implications for the Shire of Carnarvon to consider related to the officer's recommendations.

Risk Assessment:

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

Community & Strategic Objectives:

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

Objective 1: Economic

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

ITEM	Outcomes and Strategies
1.1	Local business growth
1.1.2	Work with the agriculture, aquaculture and fishing industries to improve their viability and profile
1.2	Thriving tourism industry within the district/region
1.2.2	Support the development and promotion of tourism attractions in the district of the Shire of Carnarvon

Objective 2: Natural and built environment

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

ITEM	Outcomes and Strategies
2.4	Waste management practices that are efficient and sustainable
2.4.3	Provide education on waste reduction and reuse, and opportunities for reuse
2.7	Regulated land use to meet the current and future needs of the community
2.7.1	Incorporate appropriate planning controls for land use planning and development
2.7.2	Adopt appropriate land use planning and building regulation practices

Objective 5: Civic

Strong and listening Council.

ITEM	Outcomes and Strategies
5.2	The Shire has a high standard of governance and accountability
5.2.1	Robust decision-making by culturally aware, well-informed and supported Councillors
5.2.3	Risks are well managed
5.2.4	The Shire will apply sustainability principles in its own operations

Comment:

The development of a Waste Disposal Facility will service the pastoral uses of the area, and Three Mile Camp which is recognised as a minor tourism node. The waste is currently being disposed of within the future coastal reserve which was, prior to 2015, pastoral land.

Pastoral and tourism activities produce waste and it is preferable that in a rural isolated location the waste is disposed of from both activities is as opposed to the current location within the future coastal reserve. It is therefore recommended that Council resolve that the land use *Waste Disposal Facility* is consistent with the objectives of the *Rural* zone.

The Development Application is subject to further assessment following the advertisement period. The determination is likely to impose conditions related to the following:

1. Development site in accordance with approved locality plan.
2. Works not to commence prior to an approved clearing permit.

3. The disposal facility to be fenced so as to contain windblown rubbish within the development site.
4. Fire breaks of at least 3 meters in width, 4 meters in height within 2 meters of the site boundary.

Any further conditions will be informed via the further assessment. The final approval will be noted in the delegation register should no objection be raised.

OFFICER'S RECOMMENDATION

1. *That Pursuant to section 3.2.4 (b) of the Shire of Carnarvon Local Planning Scheme No. 11 determine that a Waste Disposal Facility is consistent with the objectives of the Rural zone and proceed to advertise application P09/19 in accordance with the Clause 64 of the Planning and Development (Local Planning Schemes) Regulations 2015.*
2. *Afford delegation to the Chief Executive Officer to grant Development Approval for the Waste Disposal Facility on Lot 302 on P053816 should no objection be raised during the public consultation period.*

FC 16/5/19

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION

Cr Garrett/Cr Pinner

1. *That Pursuant to section 3.2.4 (b) of the Shire of Carnarvon Local Planning Scheme No. 11 determine that a Waste Disposal Facility is consistent with the objectives of the Rural zone and proceed to advertise application P09/19 in accordance with the Clause 64 of the Planning and Development (Local Planning Schemes) Regulations 2015.*
2. *Afford delegation to the Chief Executive Officer to grant Development Approval for the Waste Disposal Facility on Lot 302 on P053816 should no objection be raised during the public consultation period.*

CARRIED BY ABSOLUTE MAJORITY

F7/A0

8.3.3

LOT 1309 OLIVIA TERRACE – EVENTSTIDE ARTS FESTIVAL 2019

File No:	ADM2005
Date of Meeting:	28 May 2019
Location/Address:	Lot 1309 Olivia Terrace
Name of Applicant:	Theaker Von Ziarno
Name of Owner:	Shire of Carnarvon
Author/s:	Jessica Taukiri, Intern Planning Officer Sian Young, Planning Officer
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Previous Report:	Nil

Summary of Item:

This report requests Council consider the approval for the Eventide Community Arts Festival to be held at the Town Beach being Lot 1309 Olivia Terrace on Friday 28 June 2019.

The applicant is seeking the use of Shire reserve land for the public event at Town Beach.

Description of Proposal:

The applicant proposes to utilise part of Town Beach and associated carpark located on Lot 1309 Olivia Terrace to provide a free community festival. The application also includes signage to be located at the

intersection of Robinson Street and at the intersection of Olivia Terrace and Camel Lane directing the public to the event. The application and site plan can be found as Schedule 8.3.3(a).



Image 1: Site Location

The event setup will include a small 7m x 7m island stage. A trapeze rig will be located adjacent to the stage. The applicant has requested access to power on site.

Public liability and the Risk Management Plan and can be found as Schedule 8.3.3(b).

Background:

The event will be held on Friday 28 June:

- Set up: 12 noon – 4:00 pm
- Event Time: 5:30 – 10:30 pm
- Dismantling: 9:00 – 11:30 pm

The applicant has provided further information about the setup and operations. The event is mostly self-sufficient apart from the requirement (request) to access electricity from the Shire's toilet block onsite for the event. The applicant will not be providing toilets, however the proposed site is within proximity to the Shire's public toilets.

Event organisers have provided a comprehensive emergency response plan to address any emergencies. Event organisers have advised that they will contact emergency management staff prior to set-up, will ensure that designated emergency access is maintained and kept clear at all times in the event that response vehicles are required. Shire officers have provided contact details for St. Johns Ambulance, Police, Carnarvon District Hospital and Fire and Emergency Services.

Consultation:

Shire planning officers have referred the application to the relevant Shire departments for comment including Environmental Health and Infrastructure Services. Internal advice received informed the assessment of the application and officer recommendation. The assessment of the application can be found as Schedule 8.3.3(c).

Statutory Environment:

Shire of Carnarvon Local Planning Scheme No. 10

The event is located on Local Reserve with the use designated as 'Parks and Recreation' under Shire of Carnarvon Local Planning Scheme No. 10 (LPS 10). The proposed land use is considered consistent with the requirements of LPS 10.

Shire of Carnarvon Draft Local Planning Scheme No. 13

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

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

Relevant Plans and Policy:

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

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

Local Planning Policy Statement No. 19 – Event Guide

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

Financial Implications:

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

Risk Assessment:

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

Community & Strategic Objectives:

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

Objective 3: Social

Healthy, safe and resilient community, where everyone belongs

ITEM	Outcomes and Strategies
3.2	Strong community identity and spirit through arts, culture and events
3.2.2	Provide and promote performing arts and entertainment facilities and performances/activities
3.2.3	Provide and promote other opportunities for participation in social and cultural events and activities

Objective 5: Civic

Strong and listening Council.

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

Comment:

Eventide have provided a free community festival for Carnarvon for the last several years. These events are unique to the Gascoyne area and positively contribute to building strong communities through providing a high-quality art experience. The liability and risks have been appropriately considered within the Risk Management Plan, and Public Liability Insurance will protect the Shire in the event of injury.

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

OFFICER'S RECOMMENDATION

1. *The event shall conform to the 'Risk Management Plan' as included in the application and approved by this Notice of Determination and comply with the hours of operation as prescribed in the application.*
2. *'Eventide' (the event operator) shall notify the Shire's Operations Manager Infrastructure Services (Wayne Sanderson) prior to the commencement of event set-up to obtain directions for on-site establishment.*
3. *At completion of the event, the event operator shall notify the Shire's Operation Manager Infrastructure Services for a site inspection and shall make good any damage as directed.*
4. *The event operator shall ensure that:*
 - a) *All temporary structures, signage and equipment is removed within 24 hours of the cessation of the activity, or as otherwise directed by the Executive Manager Infrastructure Services;*
 - b) *Lot 1309 Olivia Terrace is returned to a neat and tidy condition; and*
 - c) *Any damage to Shire infrastructure that is directly attributed to the event is to be repaired or replaced at the event operators' expense and to the satisfaction of the Executive Manager Infrastructure Services.*
5. *Vehicular access and egress to the Fascine shall not be permitted during the hours of operation unless otherwise approved by the Executive Manager Infrastructure Services or his representative (Wayne Sanderson).*
6. *Emergency Services access to the site is to be identified by the event organiser prior to event setup, shall be sign posted accordingly, and shall remain open (accessible) for the duration of the event. The access location shall be established to the satisfaction of the Shire's Operations Manager Infrastructure Services.*
7. *All structures will be assembled/ constructed in accordance with the structural and civil engineering certification supplies.*

Advice Notes:

- I. *If an applicant is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be made within 28 days of this determination.*
- II. *This approval does not confer approval under any other relevant legislation, including but not limited to, the Building Act 2011, Health Act 1911, and Local Government Local Laws.*

FC 17/5/19

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION

Cr Youd/Cr Pinner

1. *The event shall conform to the 'Risk Management Plan' as included in the application and approved by this Notice of Determination and comply with the hours of operation as prescribed in the application.*
2. *'Eventide' (the event operator) shall notify the Shire's Operations Manager Infrastructure Services (Wayne Sanderson) prior to the commencement of event set-up to obtain directions for on-site establishment.*
3. *At completion of the event, the event operator shall notify the Shire's Operation Manager Infrastructure Services for a site inspection and shall make good any damage as directed.*
4. *The event operator shall ensure that:*
 - a) *All temporary structures, signage and equipment is removed within 24 hours of the cessation of the activity, or as otherwise directed by the Executive Manager Infrastructure Services;*
 - b) *Lot 1309 Olivia Terrace is returned to a neat and tidy condition; and*
 - c) *Any damage to Shire infrastructure that is directly attributed to the event is to be repaired or replaced at the event operators' expense and to the satisfaction of the Executive Manager Infrastructure Services.*
5. *Vehicular access and egress to the Fascine shall not be permitted during the hours of operation unless otherwise approved by the Executive Manager Infrastructure Services or his representative (Wayne Sanderson).*
6. *Emergency Services access to the site is to be identified by the event organiser prior to event setup, shall*

- be sign posted accordingly, and shall remain open (accessible) for the duration of the event. The access location shall be established to the satisfaction of the Shire's Operations Manager Infrastructure Services.*
7. *All structures will be assembled/ constructed in accordance with the structural and civil engineering certification supplies.*

Advice Notes:

- I. *If an applicant is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be made within 28 days of this determination.*
- II. *This approval does not confer approval under any other relevant legislation, including but not limited to, the Building Act 2011, Health Act 1911, and Local Government Local Laws.*

CARRIED
F7/AO

8.3.4 SHIRE OF CARNARVON LOCAL PLANNING SCHEME NO. 10 – AMENDMENT NO. 77

File No: A1655
 Date of Meeting: 28 May 2019
 Location/Address: Lot 181 (736) Diagram P204553, South River Road, South Plantations
 Name of Applicant: Planning Solutions (Aust) Pty Ltd
 Name of Owner: Christine Marie Kearney and John Francis Kearney
 Author/s: John Meggitt, Principal Planner
 Declaration of Interest: Nil
 Voting Requirements: Absolute Majority
 Date of Previous Report: N/A

Summary of Item:

On 21 May 2019 Planning Solutions (Aust) Pty Ltd acting on behalf of Christine Marie Kearney and John Francis Kearney, the landowner of Lot 181 (736) South River Road, South Plantations, lodged a proposed Scheme amendment with the Shire of Carnarvon for consideration by Council. The amendment is sought to facilitate the construction of a Telstra telecommunications tower.

This report presents to Council for consideration proposed 'basic' Scheme Amendment No. 77 to Local Planning Scheme No. 10 which requests the following:

- a) Amending Appendix No. III – Schedule of Additional Uses by inserting the following:

Property Description	Zone Classification	Additional Uses	Special Conditions
A6 Portion of Lot 181 (736) on Plan 204553 South River Road, South Plantations.	Intensive Horticulture	The following uses are "SA" uses: Radio/ Television Installation.	N/A

- b) Amending of the Scheme Maps accordingly.

Description of Proposal:

Lot 181 (736) South River Road, South Plantations has an area of approximately 10 ha. and is zoned 'Intensive Horticulture'. The site is located approximately 12km north-east of the Carnarvon town centre. The site subject to this Scheme Amendment proposal has an area of approximately 1,500m² its location is illustrated in Figure 1 below.

The subject site is located in the southern corner of the lot and abuts the North West Coastal Highway. The Scheme amendment application can be found at Schedule 8.3.4(a).

The proponent is proposing a scheme amendment to accommodate 'telecommunications infrastructure' as an 'SA' use within part of Lot 181 to enable the development of a Telstra telecommunications tower. It should be noted that 'SA' means that the Local Government may, at its discretion, permit the use after notice of application has been given in accordance with Clause 64 of the deemed provisions.

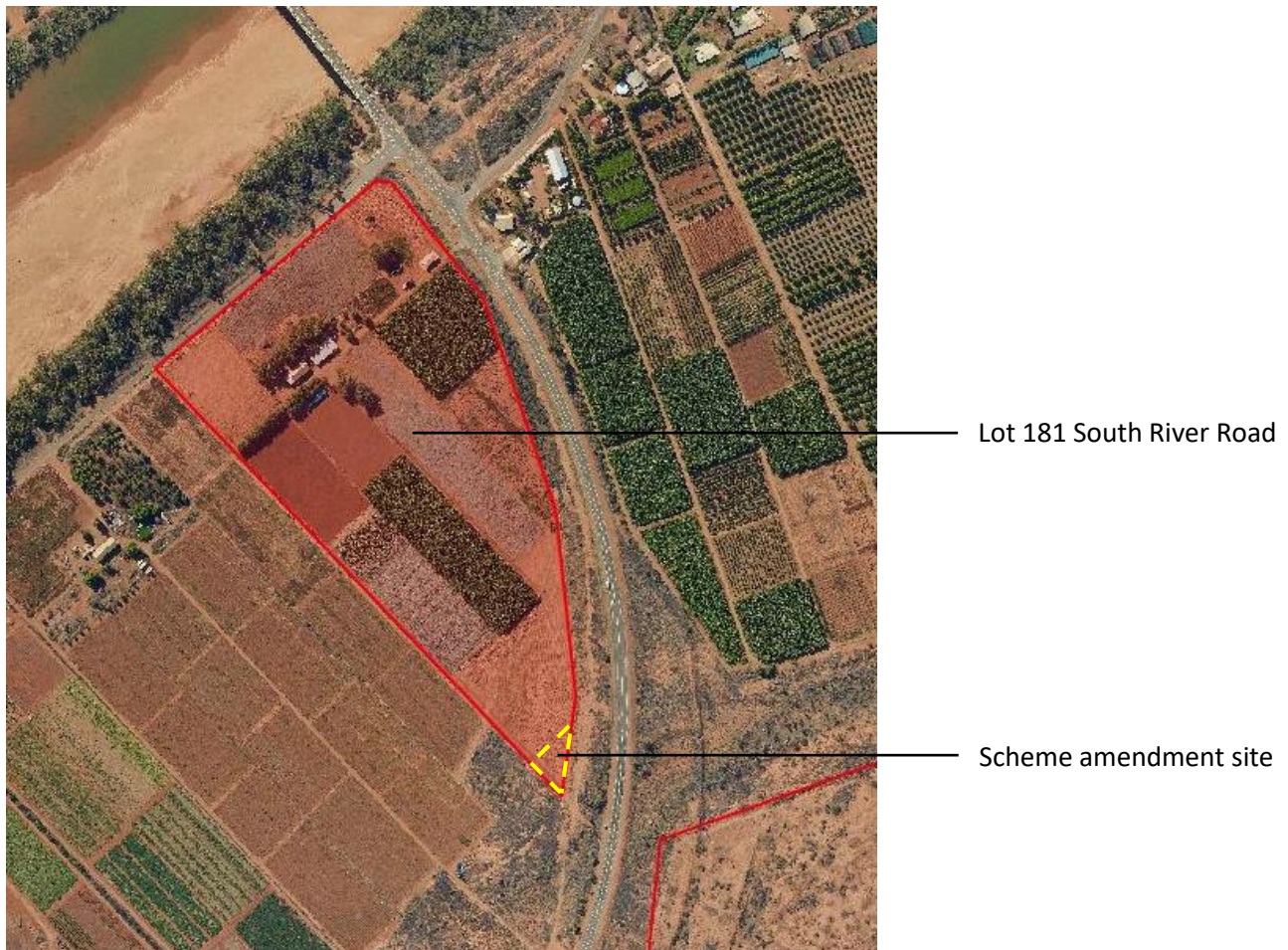


Figure 1: Subject Site

The proponent identifies Amendment No. 77 as being a 'basic amendment' and requests that Council classify it as such pursuant to Regulations 34(c), given that it:

- It meets the test for a basic amendment under the *Planning and Development (Local Planning Schemes) Regulations 2015*. Specifically 34.(e):
'an amendment to the scheme so that it is consistent with a State planning policy;'
- Is consistent with the requirements of SPP 5.2 Telecommunications Infrastructure which requires that the Scheme zoning table makes provision for the infrastructure to be permitted by the local authority;
- Draft Shire of Carnarvon LPS 13, adopted for advertising on 27 November 2018, identifies 'Telecommunications Infrastructure' as an 'A' use which provides for the use to be permitted;
- Is an amendment that is generally consistent with the objectives of the relevant zone;
- Is consistent with the sub-regional and local planning framework;
- Will have minimal impact on land in the Scheme not subject to this amendment; and
- Does not result in any significant environmental, social, economic or governance impacts on land

in the Scheme area.

- The amendment will impact only on a small area of land within Lot 181 and will not hinder the use of the remainder of the site for intensive horticulture.

This report recommends that the Shire resolve to adopt the amendment, and that the amendment is considered by Council to be a 'basic' Scheme amendment.

Background:

The landowner has been approached by Telstra to lease a portion of Lot 181 for the purposes of constructing a telecommunications facility. Funding for the facility is coming from the Federal Government's Telecommunications Mobile Blackspot program, the WA government and Telstra. The choice of the sites was made after a review of over 600 sites within Western Australia nominated by the Regional Development Commissions to align with their Regional Investment Blueprints, by emergency service organisations, or by Telstra to deliver broader coverage benefits. The South Plantations site emerged as one of sites with priority for improved mobile services.

Due to the funding timetable of the program if development approval for the project is not secured before the end of the year the funding for the tower will lapse.

Table 1 – Zoning Table lists 'Radio/ Television Installation' as an 'X' use within the Intensive Horticulture zone, "X" identifying uses that are not permitted under the Scheme. The purpose of this amendment is to allow for 'Radio/ Television Installation' as an additional use for the area identified on Lot 181 (736) South River Road, South Plantations. It should be noted that it is possible that the 'x' use relates to the older radio type installations where significant land areas were sterilised through the establishment of a facility, however with changing technology modern facilities require only moderate land takes.

The proponent has identified that by allowing 'Radio/ Television Installation' as an 'SA' use on a portion of the site, a telecommunications carrier will be able to lodge a development application for the telecommunications tower. Telecommunications towers are generally located within an enclosed compound; the proponent has indicated that the proposed Scheme amendment area will be sufficient to accommodate the anticipated tower structure and ancillary ground infrastructure, as well as providing for vehicle access.

The proposed scheme amendment area is located within a mapped Bushfire Prone Area. State Planning Policy No. 3.7 (SPP 3.7) and the Guidelines outline the requirements for a Bushfire Attack Level (BAL) assessments. In Clause 5.8.4 of the Guidelines a non-habitable building does not require a BAL assessment. Furthermore, Clause 5.7 of the Guidelines refers to telecommunications facilities as 'unavoidable development', where full compliance with SPP 3.7 would be unreasonable. Therefore, any future development would not require a BAL assessment.

Consultation:

The scheme amendment proposal, once initiated, will be forwarded to the Environmental Protection Authority (EPA) in accordance with s. 81 of the *Planning and Development Act 2005*. The application is then required to be advertised for a period of 42 days. As soon as practical at the end of the consideration period the local government must pass a resolution to:

- support the amendment without modification;
- support the amendment with proposed modifications; or
- to not support the proposed amendment.

Within 21 days of resolution the amendment must be submitted to the Western Australian Planning Commission (WAPC).

Statutory Environment:

Planning and Development (Local Planning Schemes) Regulations 2015

The Scheme amendment is required to be prepared pursuant to Section 75 of the *Planning and Development Act 2005*, with the process to amend the scheme enacted under the *Planning and Development (Local Planning Schemes Regulations) 2015*.

Shire of Carnarvon Town Planning Scheme No. 10

Scheme No. 10 provides the statutory framework for the planned future development of land within Carnarvon. "Table 1 – Zoning Table" identifies 'Radio/Television Installation' as an 'x' use within the 'Intensive Horticulture zone'. The current scheme does not identify further requirements for 'Radio/Television Installation'.

Shire of Carnarvon Draft Town Planning Scheme No. 13

Advertising for the draft Scheme No. 13 commenced 13 March 2019 and will be completed on 14 June 2019 as such the draft Scheme can be deemed to be a seriously entertained planning proposal. Under the new Scheme the site will be zoned 'Priority Agriculture'. Within this zone Telecommunications Infrastructure is zoned an 'A' use meaning that the use is not permitted unless the local government has exercised its discretion by granting development approval after giving notice in accordance with clause 64 of the deemed provisions.

State Planning Policy 5.2 - Telecommunications Infrastructure

The policy aims to balance the need for effective telecommunications services with the community interest in protecting the visual character of local areas. The policy objectives include:

- a) facilitate the provision of telecommunications infrastructure in an efficient and environmentally responsible manner to meet community needs;*
- b) manage the environmental, cultural heritage, visual and social impacts of telecommunications infrastructure;*
- c) ensure that telecommunications infrastructure is included in relevant planning processes as essential infrastructure for business, personal and emergency reasons; and,*
- d) promote a consistent approach in the preparation, assessment and determination of planning decisions for telecommunications infrastructure.*

Under cl 6.1 *Local planning schemes and local planning policies*, when preparing or reviewing local planning schemes of local planning policies, local governments should ensure that:

- b) Telecommunications infrastructure is not designated as an 'use not permitted' (X) by the scheme in any zone in the zoning table.*

When considering development applications for telecommunications, the policy guides the decision maker for assessing applications. It should be noted that whilst Local Planning Scheme No. 10 has been amended to reflect the requirements of the 'deemed provisions', the underlying policy within the Scheme predates *State Planning Policy 5.2 - Telecommunications Infrastructure*.

State Planning Policy 2.5 – Rural Planning

The purpose of this policy is to preserve rural land assets in the State. The policy objectives relative to this application include:

- a) support existing, expanded and future primary production through the protection of rural land, particularly priority agricultural land and land required for animal premises and/or the production of food;*
- b) provide investment security for existing, expanded and future primary production and promote economic growth and regional development on rural land for rural land uses;*
- e) avoid and minimise land use conflicts;*

- f) *promote sustainable settlement in, and adjacent to, existing urban areas; and*
- g) *protect and sustainably manage environmental, landscape and water resource assets.*

The policy measures seek to protect and preserve rural land for rural productive purposes. At face value Policy 2.5 and Policy 5.2 appear to be inconsistent with each other, however it is recognized that telecommunications facilities do not generally result in the “sterilization” of significant areas of land, as grazing and other uses often occurs within the base station area. In this instance the proposal does not designate a significant area of land for removal from cropping when considering the overall land production area.

That said, ‘Clause 5.8 Intensive Agriculture’ identifies Carnarvon as one of several localities within the State that are important contributors to the State’s economy by way of intensive agricultural produces for domestic and export markets. The policy regarding intensive agriculture is that sites of State significance should be protected from encroachment, and intensive agriculture is generally supported and encouraged on rural land; and environmental impacts are to be effectively managed.

It is therefore an important consideration that telecommunications facilities within plantation areas do not result in the loss of significant areas of cropable land. However, as noted above Under cl 6.1 *Local planning schemes and local planning policies, when preparing or reviewing local planning schemes of local planning policies, local governments should ensure that:*

- c) *Telecommunications infrastructure is not designated as an ‘use not permitted’ (X) by the scheme in any zone in the zoning table.*

Therefore, Local Planning Scheme No. 13 when finalised will not define mobile telecommunications as an ‘x’ use within the ‘Intensive Horticulture’ zone rather as an ‘A’ use as mentioned previously.

In summary of the above, in this instance the area lost to crop production is relatively small in area and contains a number of non-productive uses including water tanks, sheds and associated cropping infrastructure.

Relevant Plans and Policy:

Shire of Carnarvon Policy Statement No. 1 – Intensive Horticulture & Plantations

The policy encompasses all land within the Intensive Horticulture Zone. The policy objective aims to preserve and maintain land within the horticulture zone:

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

This policy must be considered in the context of the above State Planning Policies and associated discussion. It is considered that the intent of the policy is met.

Financial Implications:

The proponent has paid the appropriate fee for the lodgment of the Scheme amendment which will cover costs associated with staff time. There are no other financial implications associated with the proposal.

Risk Assessment:

There are no risks associated with the proposed Scheme amendment.

Strategic Implications:

The request to amend Local Planning Scheme No. 10 also generally accords with the following Shire desired outcome as expressed in the Strategic Community Plan 2018 – 2028.

Objective 2: Natural and built environment

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

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

Voting Requirements

Simple majority

Comment:

In summary, Amendment no. 74 proposes to modify appendix No. VI – Schedule of Additional Uses to include Portion of Lot 36 on Diagram 56640 (161) North River Road, North Plantations for the additional use of ‘Radio/ Television Installation’ as an ‘SA’ use. It is recommended that Council agree with the recommendations as outlined below.

OFFICER’S RECOMMENDATION

That Council resolve:

1. Pursuant to Section 75 of the Planning and Development Act 2005 initiate the amendment of Shire of Carnarvon Local Planning Scheme No. 10 by:
 - a. Amending Appendix No. III – Schedule of Additional Uses by inserting the following:

Property Description	Zone Classification	Additional Uses	Special Conditions
A6 Portion of Lot 181 (736) on Diagram P204553 South River Road, South Plantations.	Intensive Horticulture	The following uses are “SA” uses: Radio/ Television Installation.	N/A

- b. Amending the scheme maps accordingly.

2. Resolve, pursuant to Regulation 35(2) of the Planning and Development (Local Planning Schemes) Regulations 2015, that the Local Planning Scheme Amendment No. 77 is a basic scheme amendment on the basis that the amendment is consistent with a State Planning Policy 5.2.
3. Authorise the affixing of the Common Seal to and endorse the signing of the amendment documentation.
4. Pursuant to Regulation 58 of the regulations, forward the proposal to the Western Australian Planning Commission.
5. Pursuant to Section 81 and 82 of the Planning and Development Act 2005, refer Local Planning Scheme No. 10 Amendment No. 77 to the Environmental Protection Authority.

FC 18/5/19

COUNCIL RESOLUTION & OFFICER’S RECOMMENDATION

Cr Garrett/Cr Maslen

That Council resolve:

1. Pursuant to Section 75 of the Planning and Development Act 2005 initiate the amendment of Shire of Carnarvon Local Planning Scheme No. 10 by:
 - a. Amending Appendix No. III – Schedule of Additional Uses by inserting the following:

Property Description	Zone Classification	Additional Uses	Special Conditions
A6 Portion of Lot 181 (736) on Diagram P204553 South	Intensive Horticulture	The following uses are “SA” uses: Radio/ Television	N/A

	<i>River Road, South Plantations.</i>		<i>Installation.</i>	
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b. Amending the scheme maps accordingly.

- 2. Resolve, pursuant to Regulation 35(2) of the Planning and Development (Local Planning Schemes) Regulations 2015, that the Local Planning Scheme Amendment No. 77 is a basic scheme amendment on the basis that the amendment is consistent with a State Planning Policy 5.2.*
- 3. Authorise the affixing of the Common Seal to and endorse the signing of the amendment documentation.*
- 4. Pursuant to Regulation 58 of the regulations, forward the proposal to the Western Australian Planning Commission.*
- 5. Pursuant to Section 81 and 82 of the Planning and Development Act 2005, refer Local Planning Scheme No. 10 Amendment No. 77 to the Environmental Protection Authority.*

CARRIED

F6/A1

Cr Maslen voted against the motion

8.3.5 THIS LIFE MUSIC FESTIVAL – CIVIC CENTRE CARPARK – 29 JUNE 2019

11.31am – Cr Maslen declared an Impartiality Interest in this item as he is a volunteer for the Music Festival. Cr Maslen was not required to leave the meeting and could participate and vote on the matter.

11.31am – Cr Pinner declared a Financial Interest in this item as he will be providing equipment for hire for the Music Festival. Cr Pinner left the meeting and did not vote or participate on the matter.

File No: ADM1813; P19/19
Date of Meeting: 28 May 2019
Location/Address: 1 Camel Lane Carnarvon WA 6701
Name of Applicant: Shire of Carnarvon – Manager Civic Centre
Name of Owner: Shire of Carnarvon
Author/s: Matthew Tallon, Planning Officer
John Meggitt, Principal Planner
Declaration of Interest: Nil
Voting Requirements: Simple Majority
Previous Report: N/A

Summary of Item:

The Shire of Carnarvon has received a grant from the Department of Local Government, Sport and Cultural Industries to host a headline music festival event as part of the 'This Life' event season in Carnarvon. Council's approval is sought for the event in the Civic Centre carpark.

Description of Proposal:

The 'This Life Music Festival' will be held in the Civic Centre carpark on Saturday 29 June 2019 from 5:00pm to midnight. The event will attract up to 500 attendees and it is considered that the carpark associated with the Civic Centre is an appropriate use for an outside event on Shire reserve land. The Event (Development) \ Application can be found at Schedule 8.3.5 (a) whilst the site plan can be seen in Figure 1 below:

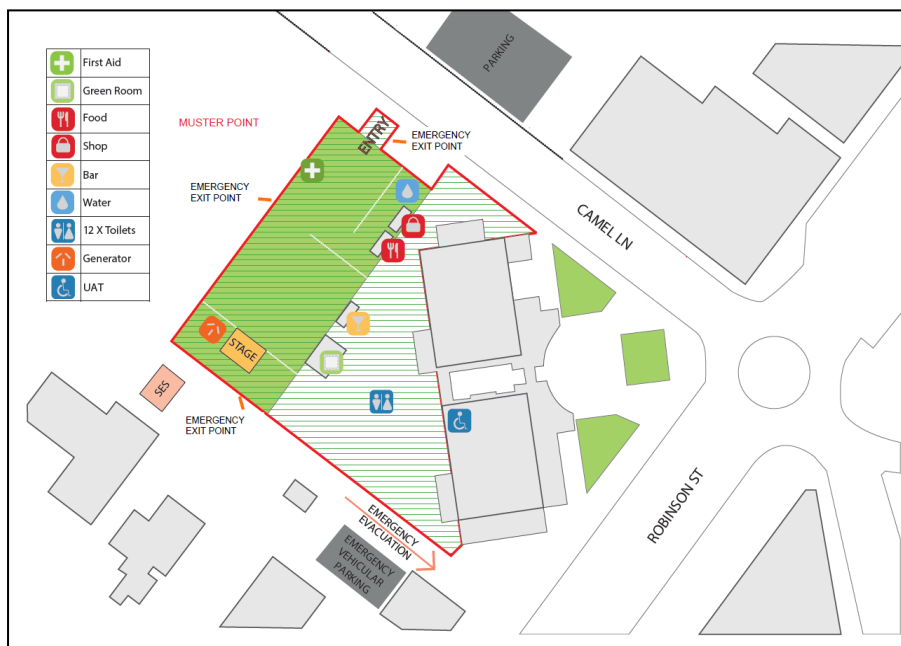


Figure 1 Event Site Plan

The event welcomes six (6) performing artists to play throughout the course of the night; the artists/groups are as follows:

- Rai Thistlethwayte
- Adam Harvey
- Billy Joel Tribute (with Anthony Mara)
- Proud Mary
- Credence Clear Revival Tribute band
- Bon But Not Forgotten

The Carnarvon Bowls Club will be responsible for the sale of alcohol, the Club has applied for a temporary liquor license for the event from the Department of Racing, Liquor and Gaming.

A pop-up restaurant will be run by "Showcase Events"; the Woolshed kitchen will be utilized for some of the food preparation with other cooking and preparation facilities within the vendors marquee.

It should be noted that there are no planned road closures relating to the event as it does not use any part of the road reserve and the appropriate display of 'Event Ahead' signage is proposed. The event will also cover the State Emergency Services (SES) formal driveway which is physically part of the Civic Centre carpark. SES will therefore store vehicles in the Old Police Station for the duration of the event.

Background:

The This Life Advisory Committee was created to act as a central event management committee. A successful grant application was awarded to the Shire to fund the Music Festival. The Department of Local Government, Sport and Cultural Industries awarded the 'Raise the Roof' grant and the preparation of the event commenced with the date and details inserted into Carnarvon's This Life events calendar.

Consultation:

Consultation has been undertaken by the Event Manager with the following emergency service groups:

- Police;
- Department of Fire and Emergency Services;
- St John Ambulance; and
- Carnarvon Regional Hospital.

The Risk Management Plan and Emergency responders list can be seen at Schedule 8.3.5 (b) Further internal consultation was undertaken with the following departments in the Shire:

- Environmental Health Officers;
- Infrastructure staff;
- Parks and Gardens; and
- Community Emergency Services Manager.

All matters raised by the above groups are addressed in the assessment consideration which can be found at Schedule 8.3.5 (c).

Statutory Environment:

Planning and Development Act 2005

As defined under the Act, 'Development' means the development or use of any land. The development and use of this land in this instance being a large-scale event featuring music with overall use of the site exceeding a period of 48hrs. The proposal is not exempt from the requirement for development approval under the Planning and Development Act 2005.

Shire of Carnarvon Local Planning Scheme No. 10

Lot 854 (1) Camel Lane Carnarvon is zoned Reserve – Public utilities

Part III – Reserved land

2.1 Parts of the Scheme Area are included in reserves as set out hereunder:

Parks and Recreation Reserves,
Public Purpose Reserves,
Communication Reserves.

- 2.2 (a) Land set aside under this Scheme for the purpose of a reservation is deemed to be reserved for the purpose indicated on the Scheme Map.
- (b) Except as otherwise provided in this Part, a person shall not carry out any development on land reserved under this Scheme, including the erection of a boundary fence, without firstly applying for and obtaining from the Local Government a development approval pursuant to Part 7 and Part 9 of the deemed provisions. AMD 76 GG 20/07/18

Relevant Plans and Policy:

Shire of Carnarvon Local Planning Policy No. 19 – Event guide

The event application form was completed in full and lodged with the Development Application form.

The full consideration and internal consultation within the Shire can be found in the assessment at Schedule 8.3.5 (b).

Financial Implications:

The event is funded by a State Government Grant, as well as funding from the Shire of Carnarvon as expressed in the 2018/19 budget. There are no financial implications related to the approval of the event by Council.

Risk Assessment:

As this is a Shire run event the Shire's Public Liability insurance is covering the event operation. There are no risks associated with the officer's recommendation.

Community & Strategic Objectives:

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

Objective 1: Economic

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

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

1.2.2	Support the development and promotion of tourism attractions in the district of the Shire of Carnarvon
1.2.3	Support the development and promotion of cultural tourism in the district of the Shire of Carnarvon

Objective 2: Natural and built environment

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

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

Objective 3: Social

Healthy, safe and resilient community, where everyone belongs

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

Objective 5: Civic

Strong and listening Council.

ITEM	Outcomes and Strategies
5.2	The Shire has a high standard of governance and accountability
5.2.1	Robust decision-making by culturally aware, well-informed and supported Councillors
5.2.2	Highly capable executive leadership and management
5.2.3	Risks are well managed
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:

This Life Music Festival is a major performing arts event organized by the Shire. It is the first time the town will host a music festival event of this scale; ticket sales indicate that there is significant interest in the event. The event complements Carnarvon's other attractions during what has been long established as the tourism season for the region. The event application satisfies the requirements of the Shire of Carnarvon Local Planning Policy 19 – Event Guide. It is therefore recommended that Council determine to approve the event subject to the following recommendation.

OFFICER'S RECOMMENDATION

1. The event shall conform to the 'Event Guide, and the 'Risk Management Plan' as included in the application and approved by this Notice of Determination.
2. The event setup shall generally conform to the approved site plan except as modified by the Public Building Licence approval.
3. The access and egress to the site for Emergency Services operators shall conform to the approved event site plan.
4. The Site shall conform to a Public Building Licence with all safety requirements and emergency exits clearly met and approved of by Environmental Health Officer(s) prior to the commencement of the event.

Advice notes:

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

made within 28 days of this determination.

- ii. This approval does not confer approval under any other relevant legislation, including but not limited to, the Building Act 2011, Health Act 1911, Food Act 2008 and Local Government Local Laws.

FC 19/5/19

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION

Cr Maslen/Cr Skender

1. The event shall conform to the 'Event Guide, and the 'Risk Management Plan' as included in the application and approved by this Notice of Determination.
2. The event setup shall generally conform to the approved site plan except as modified by the Public Building Licence approval.
3. The access and egress to the site for Emergency Services operators shall conform to the approved event site plan.
4. The Site shall conform to a Public Building Licence with all safety requirements and emergency exits clearly met and approved of by Environmental Health Officer(s) prior to the commencement of the event.
- 5.

Advice notes:

- i. If an applicant is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be made within 28 days of this determination.
- ii. This approval does not confer approval under any other relevant legislation, including but not limited to, the Building Act 2011, Health Act 1911, Food Act 2008 and Local Government Local Laws.

CARRIED

F6/A0

11.32am – Cr Pinner returned to meeting and was advised of Council's decision on the matter.

8.3.6 RENEWAL OF 21 YEAR BABBAGE ISLAND LEASE

File No:	ADM 0112
Date of Meeting:	28 May 2019
Location/Address:	Lots 626, 1044 & 1198 Binning Road, Babbage Island, Carnarvon
Name of Applicant:	Westralia Marine Group
Name of Owner:	Crown lease/State of WA
Author/s:	John Meggitt, Principal Planner
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Previous Report:	N/A

Summary of Item:

This report relates to a request from the Dept. of Planning, Lands and Heritage for objections/comments on a proposed twenty-one (21) year extension of Crown Lease H133183 Binning Road, Babbage Island, Carnarvon, to Westralia Marine Group, (formerly Nor-West Seafoods) for the purposes of 'Aquaculture, prawning, processing of seafood, fish, and protein meal and miscellaneous uses.'

The officer's recommendation is that Council support the proposed 21 year lease extension application.

Description of Proposal:

The Site

The site has an area of approximately 27 hectares and contains an access road, factory buildings and a number of accommodation units under the management of the leaseholder. The seafood processing factory buildings are not currently in use. The lease consists of Lot 626 (26.009ha), Lot 1044 (0.8088ha) and Lot 1198(0.365ha).

Informal advice has been provided that Lot 1044, the vacant land within the lease located immediately north of the factory, was previously used for the storage of fuels for the supply of boats using the jetty.

Building Condition and Usage:

The factory buildings are in good condition, well maintained and contain prawn processing equipment. At its peak the factory employed up to 100 people however it has been closed since 2014; it is listed as a Category 2 place in the Shire's draft Heritage Inventory.

The accommodation facilities are also in good condition and well maintained although the buildings date from the 1940/50s. There are four detached houses however most of the accommodation units have been converted from military barracks and are of a basic standard. Shire officers have been advised that there are approximately 20 people living on the site who are engaged in activities associated with the fishing fleet.

Background:

Although currently inactive the factory retains the potential to be reactivated, and to be a source of employment and to contribute to the economy of Carnarvon. While providing the opportunity for a new aquaculture venture to be established it is recognised that retaining the lease in its current form will constrain future alternative uses. However since the structure plan was adopted there has been little pressure to accommodate new development within the Babbage Island Structure Plan area.

The manager of Westralian Marine Group has stated his intention that the building will be reutilised within the next couple of years for a new aquaculture venture. It is also significant that the factory and accommodation buildings are being kept in good order despite them being either unused or underutilised.

Although residential facilities exist within the lease area their utilisation for tourist accommodation would be incompatible with the operation of the factory for aquaculture purposes. RV vehicle accommodation would also be impacted by the operation of factory and could also be constrained by the soil contamination issues.

Additionally, the new activities in the vicinity that are established, including the heritage museum, One Mile Jetty Café and the tourist heritage trail, would not be adversely impacted by the reactivation of the factory.

Consultation:

The manager of the Westralia marine group has provided the following justification for the extension of the lease for 21 years:

Following on from our discussions last Friday I have attempted to outline the importance of having a 21-year lease in place as our future plans are capital hungry and its infrastructure would need to be amortised over a long-term lease (21 year).

The current facilities were put in place originally to service the Whaling Fleet which they did for 8 years and since Whaling ceased have supported the Prawn fleet for the last 56 years and still does. One of the industries in Carnarvon that will continue indefinitely.

The factory is an export establishment (in fact the oldest continuously registered in WA) and currently holds all approvals and licences to operate future strategy may change its operation according to markets.

Statutory Environment:

Planning and Development Act 2005

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

Relevant Plans and Policy:

Planning and Development (Local Planning Scheme) Regulations 2015

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

Shire of Carnarvon Local Planning Scheme No. 10

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

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

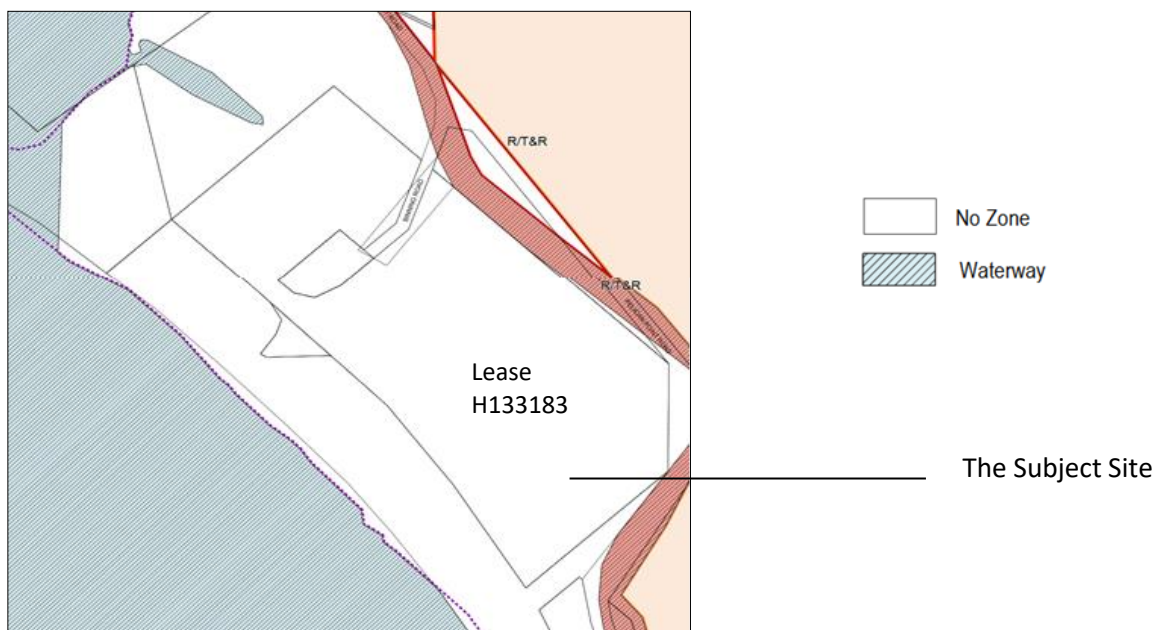


Figure 1. Shire of Carnarvon LPS 10 – The Subject Site

Shire of Carnarvon Local Planning Scheme No. 13

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

The Shire of Carnarvon Draft Local Planning Scheme 13 proposes the subject land be a Special Use area for “Industry – Primary Production and Workers Accommodation”.

Draft Local Planning Scheme No. 13 states the following regarding the objectives for this Special Use area:

1. All land use and development shall be at the local government’s discretion after consultation with the State agency responsible for land administration.
2. The local government may require the applicant to advertise an application for development approval in accordance with Clause 64 of the deemed provisions.
3. Occupants of the workers accommodation shall be employees of the entity operating the

primary production industry or crew of vessels directly associated with the operation of the facility.

Babbage and Whitlock Islands Structure Plan (2014)

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

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

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

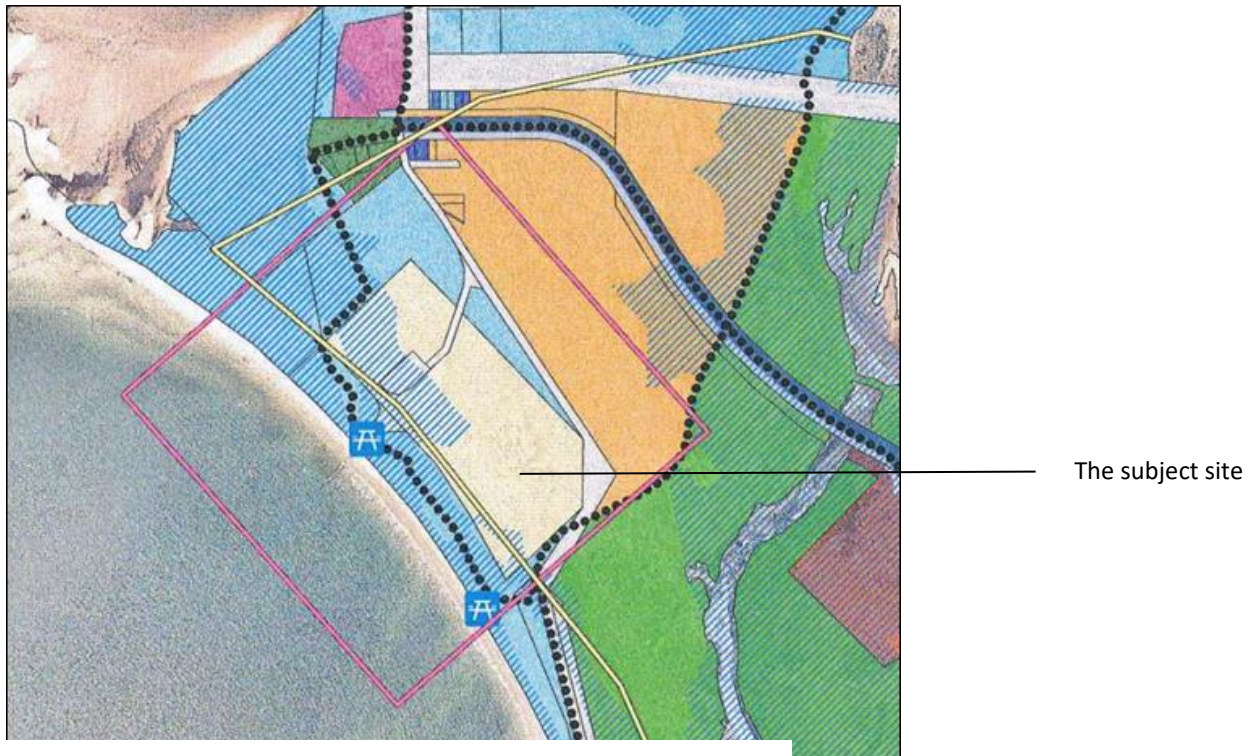
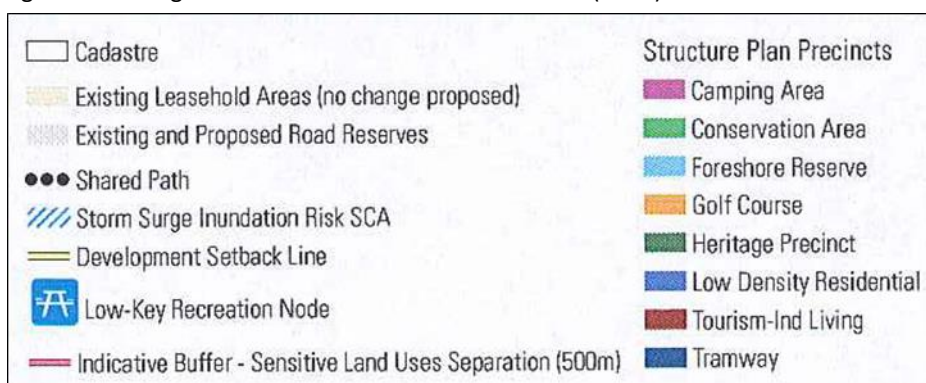


Figure 1. Babbage and Whitlock Islands Structure Plan (2014)



The Structure Plan indicates that subject lease is within the storm surge inundation risk area. The site is identified as having a 500m Sensitive Land Uses Separation Buffer on the basis that the fish factory when in operation is deemed to be an 'offensive trade' under the Health Miscellaneous Act (2016). This removes the potential for uses such as visitor/tourist accommodation within the buffer area.

Financial Implications:

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

Risk Assessment:

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

Community & Strategic Objectives:

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

Objective 1: Economic

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

ITEM	Outcomes and Strategies
1.1	Local business growth
1.1.2	Work with the agriculture, aquaculture and fishing industries to improve their viability and profile

Objective 2: Natural and built environment

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

ITEM	Outcomes and Strategies
2.7	Regulated land use to meet the current and future needs of the community
2.7.1	Incorporate appropriate planning controls for land use planning and development
2.8	Preservation of local heritage buildings and places of interest
2.8.2	Heritage buildings and places of interest are preserved and maintained through effective planning controls

Objective 5: Civic

Strong and listening Council.

ITEM	Outcomes and Strategies
5.1	A well engaged and informed community and a high standard of customer service
5.1.1	Community members have access to information on their community through a range of different media
5.1.2	The community is engaged in planning for the future and other matters that affect them

Comment:

The renewal of the lease, is considered to be consistent with the objectives identified in the Shire's *Community Strategic Plan 2018-2028* specifically relating to supporting the local fishing industry, supporting the retention of the fish factory building which is of heritage value. The facility occupies a large prominent site with a significant buffer area. The renewal of the lease and re-establishment of the aquaculture operation at the site will be a important development for Babbage Island and Carnarvon generally.

It is recommended that the Council support the proposal for the 21 year lease extension.

OFFICER'S RECOMMENDATION

That Council instructs the CEO to advise the that Dept. of Planning, Lands and Heritage that it supports the proposed renewal of the twenty-one (21) year extension of Crown Lease H133183 Binning Road, Babbage Island, Carnarvon, to Westralia Marine Group, (formerly Nor-West Seafoods) for the purposes of 'Aquaculture, prawning, processing, of seafood, fish, and protein meal and miscellaneous uses.'

FC 20/5/19

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION

That Council instructs the CEO to advise the that Dept. of Planning, Lands and Heritage that it supports the proposed renewal of the twenty-one (21) year extension of Crown Lease H133183 Binning Road, Babbage Island, Carnarvon, to Westralia Marine Group, (formerly Nor-West Seafoods) for the purposes of 'Aquaculture, prawning, processing, of seafood, fish, and protein meal and miscellaneous uses.'

CARRIED
F7/A0

8.3.7 ENDORSEMENT OF THE LOCAL EMERGENCY MANAGEMENT ARRANGEMENTS AND THE LOCAL RECOVERY PLAN (2019)

File No:	ADM0115
Date of Meeting:	28 May 2019
Location/Address:	Shire of Carnarvon
Name of Applicant:	Shire of Carnarvon
Author/s:	Matthew Holland, Community Emergency Services Manager Paul Lees, Executive Manager Development Services
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Previous Report:	-

Summary of Item:

Section 41(1) of the *Emergency Management Act 2005* requires a local government to ensure that arrangements are in place for emergency management within the local government's district. Section 41(4) of the *Emergency Management Act 2005* requires that the arrangements include a recovery plan and the nomination of a Local Recovery Coordinator. This item presents the completed Local Emergency Management Arrangements (LEMA) (2019), and the associated Local Recovery Plan (2019) to Council for their endorsement. These documents can be found at 8.3.7(a)(b).

Description of Proposal:

The Shire's Community Emergency Services Manager, in collaboration with the Executive Manager Development Services has prepared the attached Local Emergency Management Arrangements, and the associated Local Recovery Plan for endorsement by the Council.

Section 41 of the *Emergency Management Act 2005* requires local government to prepare Local Emergency Management Arrangements and the Local Recovery Plan to ensure a collaborative and consistent approach to these matters can be achieved during and after an emergency event. The LEMA and the Recovery Plan have been prepared on the basis of best practice in WA.

As stated in the LEMA - Section 1.5 Aim of the Arrangements:

"The aim of these arrangements is to provide a common understanding of the emergency management arrangements for the district and ensure a collaborative and consistent approach between agencies and stakeholders involved in managing emergencies within the Shire."

The arrangements have been prepared in accordance with the *Emergency Management Act 2005*, and the State Emergency Management Guideline, as published by the State Emergency Management Committee; the documents have been reviewed by the Department of Fire and Emergency Management's Strategy and Emergency Management Branch and found to be compliant with the requirements of the above legislation and guidelines.

The documents have been tabled and approved by the Carnarvon Local Emergency Management Committee (LEMC) and were publicly advertised for a period of 14 days; no comments were received by the Shire as a

result of the public notification. After endorsement by Council the documents will be forwarded to the District Emergency Management Committee and will be distributed as a final document as per the distribution list included in the Local Emergency Management Arrangements.

Background:

The Local Recovery Plan is a new document for the Shire, is required as part of the LEMA, and forms an essential document to guide community recovery after an incident. The Shire has had a set of draft Emergency Management Arrangements for some time however the current document represents WA State best practice, is fully up to date in regard to important information and has been reviewed by the Department of Fire and Emergency Management as consistent with the State's guidelines.

Consultation:

As noted above the documents have been reviewed by the Carnarvon Local Emergency Management Committee, the Department of Fire and Emergency Management's Strategy and Emergency Management Branch and have been advertised to the community for a period of 14 days, with no submissions received. Consultation during the development of the arrangements has included relevant Shire staff, Local Emergency Management Committee Members, and the Department of Fire and Emergency Services' District Emergency Management Advisor.

Statutory Environment:

Division 2 — Emergency management arrangements for local governments

41. Emergency management arrangements in local government district

- (1) A local government is to ensure that arrangements (**local emergency management arrangements**) for emergency management in the local government's district are prepared.
- (2) The local emergency management arrangements are to set out —
 - (a) the local government's policies for emergency management;
 - (b) the roles and responsibilities of public authorities and other persons involved in emergency management in the local government district;
 - (c) provisions about the coordination of emergency operations and activities relating to emergency management performed by the persons mentioned in paragraph (b);
 - (d) a description of emergencies that are likely to occur in the local government district;
 - (e) strategies and priorities for emergency management in the local government district;
 - (f) other matters about emergency management in the local government district prescribed by the regulations;
 - (g) other matters about emergency management in the local government district the local government considers appropriate.
- (3) Local emergency management arrangements are to be consistent with the State emergency management policies and State emergency management plans.
- (4) Local emergency management arrangements are to include a recovery plan and the nomination of a local recovery coordinator.
- (5) A local government is to deliver a copy of its local emergency management arrangements, and any amendment to the arrangements, to the State Emergency Management Committee as soon as is practicable after they are prepared.

Relevant Plans and Policy:

Nil

Financial Implications:

The preparation of the documents does not result in any direct financial implications for the Shire. The documents however will provide a guide for coordinated response and recovery in the event of a civil

emergency, thereby ensuring best practice decision making and sound financial management practices are employed during the response and recovery phase of an event.

Risk Assessment:

There are no risks for the Shire in having these documents. There are however significant risks to the Shire in the case of an event if the documents had not been prepared.

Community & Strategic Objectives:

The preparation of the LEMA and associated Recovery Plan aligns with the Social and Civic Goals of the Strategic Community Plan 2018 – 2028 in the following ways:

Objective 2: Natural and built environment

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

ITEM	Outcomes and Strategies
2.3	Flood control and stormwater management practices that are efficient and sustainable
2.3.1	Provide for effective management and maintenance of Council's flood control and stormwater infrastructure

Objective 3: Social

Healthy, safe and resilient community, where everyone belongs

3.4	Healthy and safe community
3.4.1	Provide emergency management planning, disaster management and disaster recovery, and associated community liaison and education
3.4.2	Collaborate with other agencies to provide a safe community

Objective 5: Civic

Strong and listening Council.

5.2	The Shire has a high standard of governance and accountability
5.2.3	Risks are well managed
5.2.4	The Shire will apply sustainability principles in its own operations
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:

While there are no direct policy implications, it should be noted that the Shire is required by the *Emergency Management Act 2005* to prepare the LEMA and associated Recovery Plan to ensure a collaborative and consistent approach between agencies and stakeholders involved in managing emergencies within the Shire. As noted above Section 41 of the *Emergency Management Act 2005* requires local government to prepare Local Emergency Management Arrangements and an associated Local Recovery Plan to ensure a collaborative and consistent approach is achieved during and after an emergency event within the Shire's district. The documents represent a strong collaboration with relevant agencies and contain up to date (at the time of writing) agency and community information. The documents form an important tool to assist response and recovery in the event of a civil emergency. It is recommended that Council endorse these documents.

OFFICER'S RECOMMENDATION

That Council endorse the Shire of Carnarvon Local Emergency Management Arrangements 2019 and the associated Local Recovery Plan 2019 to allow the documents to be distributed as a final document as per the distribution list included in the Local Emergency Management Arrangements.

FC 21/5/19

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION

Cr Youd/Cr Garrett

That Council endorse the Shire of Carnarvon Local Emergency Management Arrangements 2019 and the associated Local Recovery Plan 2019 to allow the documents to be distributed as a final document as per the distribution list included in the Local Emergency Management Arrangements.

CARRIED

F7/A0

8.4 INFRASTRUCTURE SERVICES

8.4.1 INFRASTRUCTURE MONTHLY REPORT – MAY 2019

File No:	ADM1667
Date of Meeting:	28 May 2019
Location/Address:	N/A
Name of Applicant:	N/A
Name of Owner:	N/A
Author/s:	Wayne Sanderson – Infrastructure Operations Manager Gloria Quinn – Assets Co-ordinator
Declaration of Interest:	Nil
Voting Requirements:	Simple majority
Previous Report:	–

Summary of Item:

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

Description of Proposal:

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

Background:

Recurrent report.

Consultation:

Nil

Statutory Environment:

Nil

Relevant Plans and Policy:

Nil

Financial Implications:

Nil

Risk Assessment:

N/A

Community & Strategic Objectives:

Goal 5: Civic

Strong and listening Council.

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

Comment:

N/A

OFFICER'S RECOMMENDATION

That Council receive the Infrastructure Monthly Report for May 2019.

FC 22/5/19

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION

Cr Garrett/Cr Skender

That Council receive the Infrastructure Monthly Report for May 2019.

CARRIED

F7/A0

(Note to Minute – Cr Garrett requested that the Waste Facility staff be congratulated for the efficient and effective management and maintenance of the facility.)

8.4.2 PRE-BUDGET APPROVAL FOR LEASE OF REPLACEMENT COMPACTOR – ADDITIONAL INFORMATION

File No:	ADM1664
Date of Meeting:	28 May 2019
Location/Address:	N/A
Name of Applicant:	N/A
Name of Owner:	N/A
Author/s:	David Nielsen – Executive Manager, Infrastructure Services Gloria Quinn – Assets Co-ordinator
Declaration of Interest:	Nil
Voting Requirements:	Absolute Majority (for Officer's Recommendations 1 and 2)
Previous Report:	–

Summary of Item:

This report provides additional information to Item 8.4.3 tabled at the April 2019 Council meeting. This information was requested by Council to provide further options for either purchase or lease of a replacement compactor for the Brown Range landfill site.

Item 8.4.3 sought authorisation from Council to initiate a lease for a replacement compactor prior to approval of the 2019/20 annual budget. The reason for seeking early approval is the lengthy lead time, up to 7 months, for delivery of the compactor once an order is placed.

Description of Proposal:

Item 8.4.3 proposed to enter into an operational lease with SG Fleet to replace the current compactor at the Brown Range landfill site in line with the shift to a fully leased plant and vehicle fleet. Council has requested

further lease and purchase options be presented for consideration and these are provided within the “Financial Implications” section of this report.

The move to a fully leased plant and vehicle fleet provides the opportunity to obtain multiple items of new plant and fleet vehicles, replacing old machinery and vehicles that have been purchased in the past but which are now failing and incurring rising costs to maintain. These vehicles have produced a very poor return at the time of disposal which indicates that owning equipment and vehicles does not result in a sound financial return at resale. There is also the difficulty of attracting buyer interest to a remote location and the associated transport costs should they purchase any items.

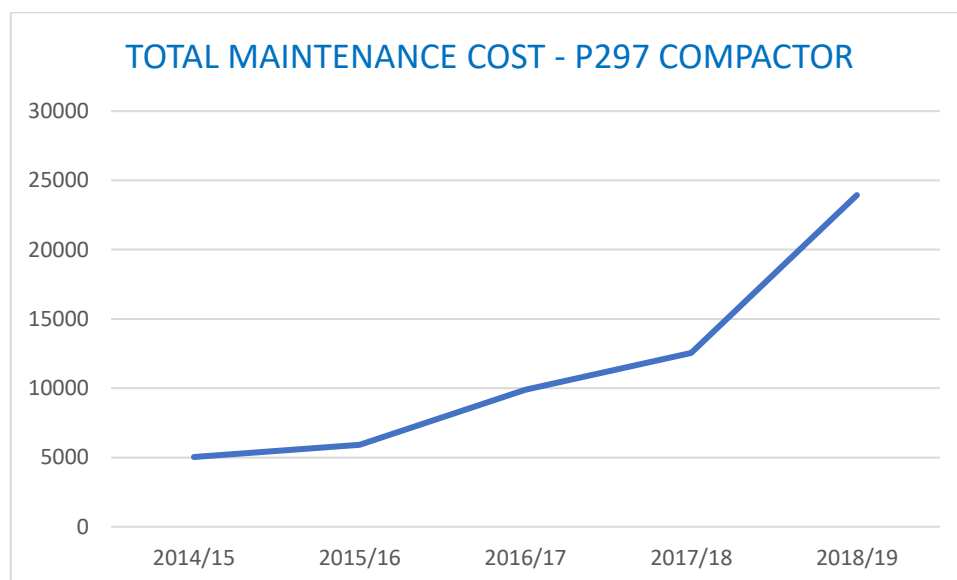
The opportunity to turn leased vehicles and plant over at regular intervals results in a cost saving both in terms of machinery down time and the cost of parts and labour. This allows the Shire to have a modern and reliable fleet that is fit for purpose. Machinery and vehicles can also be upgraded or changed to meet changing needs at the expiry of each lease.

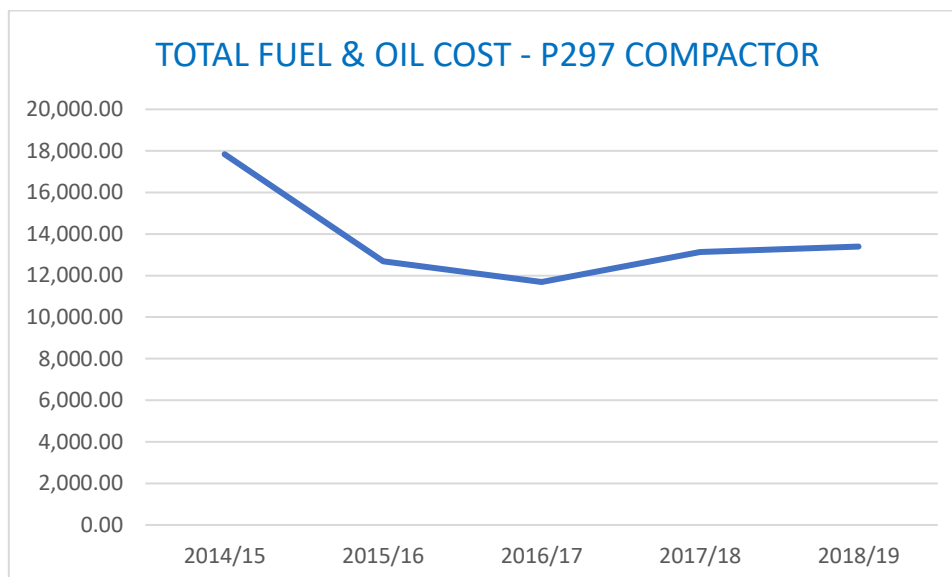
Either leasing or purchasing a new compactor will impact the budget allocation for vehicle and plant replacements in the 2019/20 budget as part of the Plant Replacement Program for the next financial year.

Background:

The current compactor at the Brown Range landfill site is a CAT815F soil compactor, see photo at **Schedule 8.4.4(a)**, which is not designed to handle landfill waste. This model is used in road construction and does not have the protective design elements of a landfill compactor such as sufficient clearance above the rubble and belly plates to protect the underbelly of the machine.

In recent times, wear and tear has resulted in increasing costs associated with repairs and replacement of parts. This down time causes interruptions to the works program at the Brown Range landfill site and Workshop personnel are required to undertake repairs in-situ at the landfill site. This impacts on their availability to attend to other programmed maintenance tasks.





As can be seen by the above graphs, the fuel and oil usage on the compactor is relatively static while maintenance costs are increasing as wear and tear on the machine continues to impact its condition.

A recent maintenance assessment of the compactor has indicated the following major repairs will be needed in the short term –

- Wheel tips will need replacing soon. A total of 60 tips per wheel @\$25.00 each = \$6,000.00 plus fitting.
- Blade hydraulic cylinder is leaking badly and needs replacing. \$900.00 plus fitting.
- Seals are ageing and beginning to leak – will need an overhaul. Overhaul kits are POA (price on application).
- Unknown metal clip found in engine sump during service. This has the potential to cause engine failure.

Additionally, the compactor will be due for a major service at 6,000 hours (current hours 5,300). A quote has been obtained from Westrac for \$2,647.74. This is the cost for parts only and does not include a labour component or any of the repairs listed above.

Consultation:

Greg Pike – Sales and Customer Support Manager, WesTrac Pty Ltd

Luke Heptinstall – Technical and Disposal Manager, SG Fleet

Shire of Carnarvon Landfill Personnel

Shire of Carnarvon Depot Staff and Workshop Personnel

Statutory Environment:

Nil

Relevant Plans and Policy:

Nil

Financial Implications:

The current compactor was obtained secondhand via a financial lease with a \$100,000 balloon payment payable on the expiry of the lease at the end of March 2018. A subsequent 12-month lease extension reduced both the monthly lease payments and the balloon payment to \$68,181.81. This balloon payment has been made and the current machine is now owned by the Shire. There is scope to sell this machine once a new compactor is on site.

Mr Greg Pike from WesTrac in Geraldton inspected the Shire's current compactor in February 2018 and provided a trade-in estimate at that time of \$176,000. It is expected this figure would be lower if the Shire sold the machine to an independent purchaser.

The proposed compactor was identified as a required plant replacement item for the 2019/20 financial year and this has been reflected in the budget allocation for overall plant replacement for 2019/20 of \$400,000.

Quotes were obtained for both a CAT compactor and a Bomag compactor with the Bomag machine being substantially more expensive. The reputation of CAT machines for reliability and the presence of a CAT Service provider in Carnarvon were considered advantages in choosing this machine.

Below are options for lease or purchase of the preferred compactor based on updated quotes with all amounts inclusive of GST:

Options for Lease vs. Outright Purchase of CAT 816K with Tilt Blade

Option 1.

OPERATING LEASE – SG FLEET	
Monthly Lease Payment (over 10 years)	\$6,584.47
No balloon payment	
TOTAL PAYABLE (over term of lease)	\$790,136.40

Option 2.

FINANCIAL LEASE – SG FLEET	
Monthly Lease Payment (over 10 years)	\$6,641.56
Balloon Payment on expiry of loan	\$50,000.00
TOTAL PAYABLE (over term of lease)	\$846,987.20

Option 3.

FINANCIAL LEASE – SG FLEET	
Monthly Lease Payment (over 10 years)	\$6,335.21
Balloon Payment on expiry of loan	\$100,000.00
TOTAL PAYABLE (over term of lease)	\$860,225.20

Option 4.

OPERATING LEASE – CAT *	
Monthly Lease Payment (max. 5 years only)	\$9,659.16
No balloon payment	
TOTAL PAYABLE (over term of lease)	\$579,549.60

Option 5.

FINANCIAL LEASE – CAT *	
Monthly Lease Payment (max. 5 years only)	\$11,654.44
Balloon Payment on expiry of loan	\$55,000.00
TOTAL PAYABLE (over term of lease)	\$754,266.40

Option 6.

FINANCIAL LEASE – CAT *	
Monthly Lease Payment (max. 5 years only)	\$10,845.49
Balloon Payment on expiry of loan	\$110,000.00
TOTAL PAYABLE (over term of lease)	\$760,729.40

Option 7.

PURCHASE – CAT FINANCE *	
Monthly Payment (max. 5 years only)	\$12,463.41
TOTAL PAYABLE (over term of loan)	\$747,804.60

Option 8.

PURCHASE – TREASURY LOAN	
Monthly Payment (based on \$660,605.00 over 10 years)	\$6,137.29
Total of Guarantee Fee Payments over term of loan (see notes below)	\$25,159.12
TOTAL PAYABLE (over term of loan)	\$761,695.80

Option 9.

PURCHASE – SHIRE FUNDS	
Outright Purchase (no financing)	\$660,605.00
TOTAL PAYABLE	\$660,605.00

- All amounts in the above tables are inclusive of GST and are subject to change by the financiers at time of application.
- CAT Finance has an upper limit of 5 years on all financing with 12 or 24 month operating lease extensions at a reduced rate thereafter.

* Clarification was sought from the Shire’s auditors on whether financing the compactor using CAT Finance was an allowable option under the Local Government Act. Advice received revealed that although there is no restriction on using an alternative financier to Treasury, the financed asset cannot be used as a pledge, security or collateral for the finance as per Section 6.21 of the Act. Normally, a financier providing the finance lease would require the leased asset to be pledged but for local governments only revenue can be pledged (referred to as “general funds” in the Act). CAT Finance are following up with their legal advisers but no response had been received at the time of writing this report. It is unclear whether they would be prepared to accept a contract for either lease or purchase on a “revenue only” security basis. The CAT Finance quotes have been included as options for comparison purposes but further investigation will be required if any of these quotes are considered the preferred option.

- Treasury Loans attract a Government Guarantee Fee which is applied twice yearly at 30th June and 31st December for the duration of the loan. This adds \$25,159.12 to the overall cost of the loan (equates to an extra \$209.66 per month).

OPTION	ADVANTAGE/S	DISADVANTAGE/S	RISKS / CONSEQUENCES
1. Op Lease SG Fleet	<ul style="list-style-type: none"> • Straight forward lease payment per month. • Ability to upgrade or change machine at lease intervals. • Limits the likelihood of any major breakdown costs as machinery is new at the start of the lease. • Simple changeover process at expiry of lease. • Excess hour charge only \$24.20/hour (inc GST). • No loss on sale of asset recorded. 	<ul style="list-style-type: none"> • At no time does the Shire own the compactor. • Lease payments are ongoing in line with regular changeover of machine – no end date. 	<ul style="list-style-type: none"> • Assessment for fair wear and tear may result in costs being imposed for refurbishment of the machine to the required standard.
2. Fin Lease SG Fleet \$50K Balloon	<ul style="list-style-type: none"> • Shire owns the machine at end of lease. 	<ul style="list-style-type: none"> • No ability to upgrade or change machine without selling it and purchasing a new one. 	<ul style="list-style-type: none"> • Balloon payment not budgeted for resulting in major unplanned expenditure. • Anticipated resale value not achieved resulting in a loss on sale of the asset.
3. Fin Lease SG Fleet \$100K Balloon	<ul style="list-style-type: none"> • Small reduction in monthly lease payment due to larger balloon payment at end of lease. • Shire owns the machine at end of lease. 	<ul style="list-style-type: none"> • No ability to upgrade or change machine without selling it and purchasing a new one. 	<ul style="list-style-type: none"> • Balloon payment not budgeted for resulting in major unplanned expenditure. • Anticipated resale value not achieved resulting in a loss on sale of the asset.
4. Op Lease CAT Finance	<ul style="list-style-type: none"> • Straight forward lease payment per month. • Ability to upgrade or change machine at lease intervals. • Limits the likelihood of any major breakdown costs as machinery is new at the start of the lease. • No loss on sale of asset recorded. 	<ul style="list-style-type: none"> • At no time does the Shire own the compactor. • Much larger monthly lease payment than SG Fleet option due to maximum 5 year lease term. • Lease payments are ongoing in line with regular changeover of machine – no end date. • Excess hour change is \$231.83/hour (inc GST) 	<ul style="list-style-type: none"> • Allowance for fair wear and tear is very limited and may result in costs being imposed for refurbishment of the machine to the required standard.
5. Fin Lease CAT Finance \$50K Balloon	<ul style="list-style-type: none"> • Shire owns the machine at end of 5 year loan term. 	<ul style="list-style-type: none"> • Much larger monthly lease payment than SG Fleet option due to 5 year lease term. • No ability to upgrade or change machine without selling it and purchasing a new one. 	<ul style="list-style-type: none"> • Balloon payment not budgeted for resulting in major unplanned expenditure. • Anticipated resale value not achieved resulting in a loss on sale of the asset.
6. Fin Lease CAT Finance \$100K Balloon	<ul style="list-style-type: none"> • Reduction in monthly lease payment due to larger balloon payment at end of lease. • Shire owns the machine at end of 5 year loan term. 	<ul style="list-style-type: none"> • Much larger monthly lease payment than SG Fleet option due to 5 year lease term. • No ability to upgrade or change machine without selling it and purchasing a new one. 	<ul style="list-style-type: none"> • Balloon payment not budgeted for resulting in major unplanned expenditure. • Anticipated resale value not achieved resulting in a loss on sale of the asset.
7.	<ul style="list-style-type: none"> • Shire owns the machine at end of 	<ul style="list-style-type: none"> • Large monthly payment due to 	<ul style="list-style-type: none"> • Compactor will be 5 years old at

Purchase CAT Finance	5 year loan term.	5 year finance term.	end of finance term coinciding with major servicing requirements. • Anticipated resale value not achieved resulting in a loss on sale of the asset.
8. Purchase Treasury	• Shire owns the machine at end of loan term.	• Shire has large debt with Treasury resulting in the possible exclusion of other funding needs or emergency funding (e.g. airport upgrades or damage from weather event). • Loan application can be time consuming and approval difficult to achieve based on past experience.	• Shire owns a 10-year old machine at end of loan term which will likely need major overhaul. • Anticipated resale value not achieved resulting in a loss on sale of the asset.
9. Purchase Shire Funds	• Shire owns the machine outright.	• Major impact on budget. • Other required plant and vehicle replacements in jeopardy.	• Purchase not budgeted for in Corporate Business Plan. • Budget funds will need to be diverted from other infrastructure programs to cover such a large outlay. • Anticipated resale value not achieved resulting in a loss on sale of the asset.

Option 1 was put forward in the previous Council report as it was in line with the move to a fully leased plant and vehicle fleet. SG Fleet supply most of the Shire's leased vehicle fleet and the process is straight forward and efficient. An operating lease affords the opportunity to vary the make, model and type of machine at the end of the lease with a smooth changeover process. There is no disposal process involved as the Shire does not own the machine. This negates the difficulty of having to find a buyer for a 10-year old machine and avoids a loss being recorded when the expected return on the machine is not realised (based on past and recent experience).

Options 2 & 3 are financial leases through SG Fleet where a residual amount (balloon payment) is payable at the end of the lease term. Option 2 has a balloon payment of approx. \$50,000 and Option 3 approx. \$100,000 for comparison purposes.

Option 4 is the CAT Finance equivalent to Option 1 but over a 5-year term so the monthly lease payment is higher. As a word of caution – the allowance for fair wear and tear on the return of the machine at the end of the lease is very limited and the cost for refurbishment of the machine to the required standard could be quite expensive. Furthermore, excess usage is charged at \$231.83 per hour (inc GST) which is well above the excess hourly rate charged by SG Fleet of \$24.20 per hour.

Options 5 & 6 are financial leases through CAT Finance equivalent to Options 2 and 3 but over a 5-year term. Option 5 has a balloon payment of \$55,000 and Option 6 \$110,000 for comparison purposes. Monthly payments are much larger than SG Fleet options and would adversely affect the Plant Replacement Program in terms of the quantity of replacement vehicles able to be changed over.

Option 7 is a purchase option through CAT Finance over a 5-year term. The monthly repayments are over double the cost of a Treasury loan due to the reduced term. (See previous notes on CAT Financing options.)

Option 8 is a loan through the Western Australian Treasury Corporation – see Loan Repayment Schedule at **Schedule 8.4.2(b)**. If purchasing the compactor is the preferred option, a Treasury loan is the obvious choice but will result in the Shire having a large amount of money tied up in a compactor to the exclusion of other

possible funding needs. The end result is that the Shire will have a 10-year old machine and will need to start the purchasing process again while finding a buyer for a machine that will likely be in need of a major maintenance overhaul. This may result in a loss being recorded on the sale of the asset.

Option 9 provides for the purchase of the compactor using solely Shire funds. This would have a major impact on the budget and would result in funds being diverted from already programmed expenditure. Other plant and vehicle replacements would be pushed back to later financial years and this is not ideal when some vehicles are already long overdue for replacement.

Risk Assessment:

As per above table.

Community & Strategic Objectives:

Objective 2: Natural and built environment

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

2.4 Waste management practices that are efficient and sustainable

2.4.2 Provide landfill disposal facilities in Carnarvon and Coral Bay

Objective 5: Civic

Strong and listening Council.

5.2 The Shire has a high standard of governance and accountability

5.2.1 Robust decision-making by culturally aware, well-informed and supported Councillors

Comment:

The proposed new compactor is a CAT816K landfill compactor with tilt blade, see photo at **Schedule 8.4.4(c)**, specifically designed for landfill operations. This will assist machine operators at the Brown Range landfill site to continue to meet the required compaction rates as specified by the Department of Environmental Regulation.

There may be scope to utilise the current compactor at the Coral Bay landfill site to achieve the required compaction rates at this location. However, negotiations would need to take place with the contracted operator of the Coral Bay site. Outright sale of the machine is another option and this could offset the cost of future vehicle replacements.

The option to either lease or purchase a new compactor is reflected in the Officer's Recommendations below. Should Council decide that purchasing the compactor via a loan is the preferred option, this may have further financial implications if the Shire needs loan funding for other projects or infrastructure within the 10-year term of the loan.

A third option is to do nothing and continue with the current compactor, however this is not recommended due to the increasing repair and maintenance costs associated with using a machine that was never designed to work in a landfill environment.

OFFICER'S RECOMMENDATION 1

1. That Council authorise the CEO to proceed with leasing a CAT816K landfill compactor from SG Fleet (Option 1) to replace the existing CAT815F soil compactor prior to approval of the 2019/20 annual budget.

OR

2. That Council authorise the CEO to proceed with an application to the Western Australian Treasury Corporation for an amount of \$660,605.00 to purchase a CAT816K landfill compactor from WesTrac Pty Ltd (Option 8).

OFFICER'S RECOMMENDATION 2

That Council authorise the CEO to negotiate the sale of the current CAT815F soil compactor if the machine is not to be utilised at another location.

FC 23/5/19

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION 1

Cr Maslen/Cr Garrett

1. *That Council authorise the CEO to proceed with leasing a CAT816K landfill compactor from SG Fleet (Option 1) to replace the existing CAT815F soil compactor prior to approval of the 2019/20 annual budget.*

OR

2. *That Council authorise the CEO to proceed with an application to the Western Australian Treasury Corporation for an amount of \$660,605.00 to purchase a CAT816K landfill compactor from WesTrac Pty Ltd (Option 8).*

OFFICER'S RECOMMENDATION 2

That Council authorise the CEO to negotiate the sale of the current CAT815F soil compactor if the machine is not to be utilised at another location.

FC 24/5/19

COUNCIL RESOLUTION

Cr Maslen/Cr Pinner

That Standing Orders Section 13 be suspended at 11.40am to enable further clarification in regard to the cost options relative to lease -vs- outright purchase.

CARRIED
F6/A1

FC 25/5/19

COUNCIL RESOLUTION

Cr Maslen/Cr Pinner

That Standing Orders Section 13 be resumed at 11.52am.

CARRIED
F7/A0

FC 26/5/19

PROCEDURAL MOTION

Cr Skender/Cr Maslen

That the matter lay on the table until such time as a Council workshop has been conducted to determine the best possible outcome for Council relative to leasing -vs- outright purchase of the compactor.

CARRIED
F7/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

Nil

11.0 DATE OF NEXT MEETING

11.1 The next meeting will be held on Tuesday 25th June 2019 commencing at 8.30am

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

FC 27/5/19

COUNCIL RESOLUTION

Cr Maslen/Cr Garrett

That the meeting be closed to the public in accordance with Section 5.23 (2) (b) as the following item relates to a matter which may reveal the personal affairs of any person.

CARRIED

F7/AO

12.1. CANCELLATION OF DOG REGISTRATION UNDER SECTION 16(3)(A) OF THE DOG ACT 1976

11.55am – President Brandenburg declared an Impartiality Interest in this item as he shares a joint sand lease with the partner of the owner. President Brandenburg was not required to leave the meeting and could participate and vote on the matter.

File No:	ADM0468 & ADM1945
Date of Meeting:	28 May 2019
Location/Address:	As per table of registration below
Name of Applicant:	Shire of Carnarvon
Name of Owner:	Jennifer Suzanne Ford
Author/s:	Paul Lees, Executive Manager Development Services
Declaration of Interest:	Nil
Voting Requirements:	Simple majority
Previous Report:	18 December 1991 (Committee Book 54, Oct 91 – Dec 91) 27 February 2018

FC 28/5/19

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION

Cr Garrett/Cr Simpson

That Council direct the Shire's registration officer to cancel the registration of all dogs registered to Mrs Ford.

CARRIED BY ABSOLUTE MAJORITY

F7/AO

COUNCIL RESOLUTION

Cr Skender/Cr Simpson

That the meeting be reopened to the public at 12.00pm.

CARRIED

F7/A0

13.0 CLOSURE:

The Presiding Member declared the meeting closed at 12.00pm.