



SHIRE OF CARNARVON
MINUTES
ORDINARY COUNCIL MEETING
TUESDAY 12 DECEMBER 2023

CONFIRMATION OF MINUTES

These minutes were confirmed by the Council on

as a true and accurate record

Chairman

Shire Council Chambers
Stuart Street Carnarvon, West Australia
Phone: (08) 9941 000
Fax: (08) 9941 1099
Website – www.carnarvon.wa.gov.au

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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Nil

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COUNCILLOR DUDLEY MASLEN ASKED THE SHIRE PRESIDENT TO PROVIDE COMMENT ON THE RECENT MEETING HELD WITH MINISTER WHITBY, MINISTER FOR RACING AND GAMING IN CARNARVON ON THURSDAY 23 NOVEMBER 2023. 70

PRESIDENT SMITH RESPONDED AND ADVISED THAT THE MINISTER HAD VISITED CARNARVON TO DISCUSS THE IMPACT ON LIQUOR RESTRICTIONS IN CARNARVON WITH THE SHIRE PRESIDENT AND CHIEF EXECUTIVE OFFICER AND OTHER INVITED GUESTS. THE MEETING WAS BY INVITATION ONLY FROM THE MINISTER’S OFFICE OF WHICH COUNCIL HAD NO CONTROL. 70

PRESIDENT SMITH WISHED IT TO BE MADE CLEAR THAT THE ARTICLE APPEARING IN THE WEST AUSTRALIAN MISQUOTED HIS COMMENTS AND WAS DISAPPOINTED BY THE CARNARVON COMMUNITY’S BELIEF THAT THE SHIRE OF CARNARVON AND SHIRE PRESIDENT (AND ALSO AS PREVIOUS CHAIR OF THE LIQUOR ACCORD) HAVE IMPLEMENTED THE LIQUOR RESTRICTIONS. THIS IS NOT THE CASE AND WAS IN FACT IMPLEMENTED BY THE MINISTER FOR RACING AND GAMING. 70

11 URGENT BUSINESS APPROVED BY THE PRESIDING MEMBER OR BY A DECISION OF THE COUNCIL..... 70

11.1 AUSTRALIA DAY FIREWORKS 70

PRESIDENT SMITH SOUGHT COUNCIL APPROVAL TO BRING TO THE TABLE A MATTER REGARDING THE CONDUCTING OF FIREWORKS ON AUSTRALIA DAY AS PART OF THE AUSTRALIA DAY CELEBRATIONS..... 70

12 MATTERS FOR WHICH MEETING TO BE CLOSED TO MEMBERS OF THE PUBLIC 71

Nil

13 DATE OF NEXT MEETING 71

14 CLOSURE 71

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

The Shire of Carnarvon acknowledges and respects the Yinggarda (Carnarvon) and Baiyungu (Coral Bay) as the traditional custodians of the lands where we live and work. We pay our respects to Elders, past, present and emerging. The Shire of Carnarvon is committed to honouring the traditional custodians' unique cultural and spiritual relationships to the land, waters and seas and their rich contribution to society.

1 ATTENDANCE, APOLOGIES & APPROVED LEAVE OF ABSENCE

Cr Eddie Smith	Presiding Member/Shire President
Cr Burke Maslen	Councillor, Gascoyne/Minilya Ward
Cr Marco Ferreira	Councillor, Plantation Ward
Cr Luke Skender	Councillor, Town Ward
Cr Luke Vandeleur	Councillor, Town Ward
Cr Paul Kelly	Councillor, Town Ward
Cr Dudley Maslen	Councillor, Town Ward
Mrs Andrea Selvey.....	Chief Executive Officer
Mr Alan Thornton.....	Deputy Chief Executive Officer
Mr David Nielsen	Executive Manager, Infrastructure Services
Mrs Dannielle Hill	Senior Executive Officer

Apologies

Cr Adam Cottrell	Councillor, Coral Bay Ward
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Leave of Absence	Nil
Press.....	Nil
Observers	1

2 DECLARATIONS OF INTEREST

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

Cr Kelly – Impartiality Interest – Item 7.3.5 - Community Growth Fund Round 3

3 PUBLIC QUESTION TIME

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

Public Question Time commenced at 1.01pm

3.1 QUESTIONS TAKEN ON NOTICE FROM PREVIOUS MEETING

Nil

3.2 PUBLIC QUESTION TIME

Public Question Time was closed at 1.01pm

4 CONFIRMATION AND RECEIVING OF MINUTES

CONFIRMATION OF MINUTES

4.1 Minutes of the Ordinary Council Meeting – 28 November 2023

COUNCIL RESOLUTION OCM 01/12/23

Moved: Cr Luke Skender

Seconded: Cr Burke Maslen

That the minutes of Ordinary Council Meeting held on 28 November 2023 be confirmed as a true record of proceedings.

FOR: Crs Eddie Smith, Burke Maslen, Marco Ferreirinha, Luke Skender, Luke Vandeleur, Paul Kelly and Dudley Maslen

AGAINST: Nil

ABSENT: Cr A Cottrell

CARRIED BY SIMPLE MAJORITY 7/0

5 ANNOUNCEMENTS BY THE PRESIDENT WITHOUT DISCUSSION

President Smith advised that he attended a State Council Meeting in Perth as the Gascoyne Zone elected representative. At that meeting a motion was passed to seek State Government assisting local governments with legal fees pertaining to negotiations with prescribed body corporates pertaining to ILUAs. The State Council indicated that they would advocate and lobby for the local governments to seek funding assistance from the State Government to assist with legal fees.

State Council Members were also interested in the processes put in place by the State Government in Carnarvon that have had success with some of the anti-social issues and problems we are having.

6 PRESENTATIONS, PETITIONS AND MEMORIALS

Nil

7 DEPARTMENTAL REPORTS

7.1 GOVERNANCE

7.1.1 ACTIONS PERFORMED UNDER DELEGATED AUTHORITY FOR THE MONTHS OF NOVEMBER AND DECEMBER 2023

File No:	ADM0043
Location/Address:	N/A
Name of Applicant:	Shire of Carnarvon
Name of Owner:	N/A
Author(s):	Dannielle Hill, Senior Executive Officer
Authoriser:	Andrea Selvey, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirement:	Simple Majority
Previous Report:	Monthly Report
Schedules:	Nil

Authority/Discretion:

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

Summary of Item

This item reports on actions performed under delegated authority in November and December 2023.

Background

In accordance with the conditions of delegation and 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; and
- Affixing of Common Seal.

Stakeholder and Public Consultation

Nil

Statutory Environment

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

Relevant Plans and Policy

Nil

Financial Implications

There are no financial implications arising from receiving this report.

Risk Assessment

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

Risk Category	Description	Rating (Consequence x likelihood)	Mitigating Action/s
Financial	N/A		
Health & Safety	N/A		
Reputation	Non-compliance with statutory requirements would result in reputational damage to the Shire	Low - 1	This agenda item aims to ensure that the Shire is compliant.
Service disruption	N/A		
Compliance	That the performed delegations are not reported to Council	Low - 1	This agenda item aims to ensure that the Shire is compliant in reporting delegated authority actions
Property	N/A		
Environment	N/A		
Fraud	N/A		

Community and Strategic Objectives

The proposal aligns with the following desired objectives as expressed in the *Community Strategic Plan 2022-2032*:

OBJECTIVES

In 2040 Carnarvon is a place where:

- *Our economy fosters investment and productivity in industries befitting Carnarvon’s physical and natural environment and that grows our horizons*

ADDITIONAL FOCUS AREAS:

- *Improve the trust between citizens and the Shire of Carnarvon*

BIG IDEAS FOR THE FUTURE OF CARNARVON:

- N/A

Comments

The following table detailing the actions performed within the organisation under delegated authority in November and December 2023 are submitted to Council for information.

ENVIRONMENTAL HEALTH

Date of decision	Decision Ref.	Decision details	Applicant	Other affected person(s)
31-Oct-23	HFO23/012	Food business registration, Coral Coast Convenience Store, Shop 1 People's Shopping Village, 28 Robinson St, Coral Bay	SureGrip Pty Ltd	
25-Oct-23	HFO23/013	Food business registration, Coral Bay Supermarket, Shop 7 Coral Bay Arcade, 67 Robinson St, Coral Bay	SureGrip Pty Ltd	
31-Oct-23	HFO23/014	Food business registration, Fins Café, Shop 3 People's Shopping Village, 28 Robinson St, Coral Bay	John Di Costa (Giovanni)	
30-Nov-23	HFO23/015	Food business registration, Sweeter Banana Co-operative Ltd (manufacturing), 316 Robinson Street, East Carnarvon WA 6701	Sweeter Banana Co-operative Ltd	

ON SITE WASTEWATER MANAGEMENT

Date of decision	Decision Ref.	Decision details	Applicant	Other affected person(s)
16-Oct-23	HOS23/005	Permit to use apparatus for treatment of sewage, 20 McLeod St, South Carnarvon	Norwest Plumbing & Gas	Department of Communities
22-Nov-2023	HOS23/005	Approval to install replacement leach drain, 9 Young St	Norwest Plumbing & Gas	Dept Communities

LAND USE AND PLANNING

Planning and Development Act (Local Planning Schemes) Regulations 2015 Schedule 2 Clause 68 Applications to use/develop land					
File Ref:	Application Ref:	Subject Land (Incl. Scheme No)	Purpose	Applicant/ Proponent	Date Granted
A3540	P38/23	Lot 300 (65) William St, East Carnarvon	Storage	Robert Hug	27/11/2023

OFFICER'S RECOMMENDATION

That Council, by Simple Majority, in accordance with Section 5.46 of the Local Government Act 1995, resolves to accept the reports outlining the actions performed under delegated authority for November and December 2023.

COUNCIL RESOLUTION OCM 02/12/23

Moved: Cr Luke Vandeleur

Seconded: Cr Luke Skender

That Council, by Simple Majority, in accordance with Section 5.46 of the Local Government Act 1995, resolves to accept the reports outlining the actions performed under delegated authority for November and December 2023.

FOR: Crs Eddie Smith, Burke Maslen, Marco Ferreirinha, Luke Skender, Luke Vandeleur, Paul Kelly and Dudley Maslen

AGAINST: Nil

ABSENT: Cr A Cottrell

CARRIED BY SIMPLE MAJORITY 7/0

7.2 CORPORATE SERVICES

7.2.1 ACCOUNTS PAID UNDER DELEGATION NOVEMBER 2023

File No:	ADM0186
Location/Address:	N/A
Name of Applicant:	Shire of Carnarvon
Name of Owner:	N/A
Author(s):	Jacque Birch, Creditors Officer
Authoriser:	Andrea Selvey, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirement:	Simple Majority
Previous Report:	Monthly Report
Schedules:	<ol style="list-style-type: none"> 1. Accounts Paid Under Delegation November 2023 2. Credit Card Statement & Reconciliation

Authority/Discretion:

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

Summary of Item

To present the listing of accounts paid under delegation from the Municipal Fund and Trust Fund, in accordance with the requirements of the *Local Government (Financial Management) Regulations 1996*, for the month of November 2023.

Background

Council has delegated to the CEO the exercise of its power under Financial Management Regulation 12 to make payments from Municipal Fund and Trust Fund (Delegation 1.2.20) with a statutory condition on the delegation that a list of all payments is to be recorded in the Council Minutes. The list of payments is provided at Schedule 1 and 2 attached.

Stakeholder and Public Consultation

Nil

Statutory Environment

Local Government Act 1995 – Section 5.42

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

Relevant Plans and Policy

Nil

Financial Implications

Nil as all payments have been made in accordance with the Council adopted budget.

Risk Assessment

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

Risk Category	Description	Rating	Mitigating Action/s
Financial	Payments are made without appropriate budget authority	Low	Internal controls are in place to manage this potential risk
Health & Safety	N/A	N/A	
Reputation	N/A	N/A	
Service disruption	N/A	N/A	
Compliance	N/A	N/A	
Property	N/A	N/A	
Environment	N/A	N/A	
Fraud	Accounting Fraud	Moderate	Internal controls are in place, including background checks and regular updates of Sundry Creditors. Sign off by SFO of any Creditor changes (Bank Accounts).

Community and Strategic Objectives

The tabling of information relative to payments made under delegation aligns itself with no specific objective as expressed in the Community Strategic Plan 2022-2032. It is solely a legislative requirement common to all local governments within Western Australia. Without compliance in this regard, achieving strategic or community objectives would be at risk.

OBJECTIVES

In 2040 Carnarvon is a place where:

- N/A

ADDITIONAL FOCUS AREAS:

- N/A

BIG IDEAS FOR THE FUTURE OF CARNARVON:

- N/A

Comments

Nil

OFFICER’S RECOMMENDATION

That Council, by Simple Majority pursuant to Section 3.18 of the Local Government Act, 1995, resolves to:

- 1. receive the list of payments made under delegation, as per Schedule 1 at a total value of \$3,334,017.76 as presented for the month of November 2023, incorporating the following; and***

<i>Payment Reference from:</i>	<i>Payment Reference to:</i>	<i>Payment Type</i>	<i>Payment Amount</i>
<i>EFT39794</i>	<i>EFT40020</i>	<i>Muni EFT</i>	<i>\$2,968,680.45</i>
<i>-</i>	<i>-</i>	<i>Trust EFT</i>	<i>\$0.00</i>
<i>-</i>	<i>-</i>	<i>Cheque</i>	<i>\$0.00</i>
<i>DD40484.6, DD40541.1, DD40545.1-DD40545.2 DD40549.1-DD40549.5 DD40563.1, DD40567.1-DD40567.3 DD40572.2 DD40587.1-DD40587.2 DD40589.1 DD40591.1-DD40591.5 DD40593.1</i>	<i>DD40593.1</i>	<i>Bank Directs</i>	<i>\$697,127.30</i>
		<i>TOTAL</i>	<i>\$3,665,807.75</i>

- 2. receive the copies of credit card statements for all such Shire Facilities for the period 23 October to 22 November 2023.***

COUNCIL RESOLUTION OCM 03/12/23

Moved: Cr Burke Maslen

Seconded: Cr Luke Vandeleur

That Council, by Simple Majority pursuant to Section 3.18 of the Local Government Act, 1995, resolves to:

- 1. receive the list of payments made under delegation, as per Schedule 1 at a total value of \$3,334,017.76 as presented for the month of November 2023, incorporating the following; and***

<i>Payment Reference from:</i>	<i>Payment Reference to:</i>	<i>Payment Type</i>	<i>Payment Amount</i>
<i>EFT39794</i>	<i>EFT40020</i>	<i>Muni EFT</i>	<i>\$2,968,680.45</i>
<i>-</i>	<i>-</i>	<i>Trust EFT</i>	<i>\$0.00</i>
<i>-</i>	<i>-</i>	<i>Cheque</i>	<i>\$0.00</i>

DD40484.6, DD40541.1, DD40545.1-DD40545.2 DD40549.1-DD40549.5 DD40563.1, DD40567.1-DD40567.3 DD40572.2 DD40587.1-DD40587.2 DD40589.1 DD40591.1-DD40591.5 DD40593.1	DD40593.1	Bank Directs	\$697,127.30
		TOTAL	\$3,665,807.75

2. receive the copies of credit card statements for all such Shire Facilities for the period 23 October to 22 November 2023.

FOR: Crs Eddie Smith, Burke Maslen, Marco Ferreirinha, Luke Skender, Luke Vandeleur, Paul Kelly and Dudley Maslen
AGAINST: Nil
ABSENT: Cr A Cottrelll

CARRIED BY SIMPLE MAJORITY 7/0

7.2.2 MONTHLY FINANCIAL REPORT NOVEMBER 2023

File No:	ADM0186
Location/Address:	N/A
Name of Applicant:	Shire of Carnarvon
Name of Owner:	N/A
Author(s):	Seema Dutt, Senior Finance Officer - Reporting
Authoriser:	Andrea Selvey, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirement:	Simple Majority
Previous Report:	Nil
Schedules:	1. Monthly Financial Report- November 2023

Authority/Discretion:

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

Summary of Item

This item presents the Statement of Financial Activity for the period ending 30 November 2023 for Council to consider. The officer’s recommendation is that the Statement of Financial Activity be received by Council.

Background

Each month a local government is to prepare a Statement of Financial Activity reporting on the revenue and expenditure for the month as set out in the budget. The *Local Government (Financial Management) Regulations* provide that the statements be presented at an Ordinary Meeting of the Council within two months after the end of the month to which the statement relates.

Stakeholder and Public Consultation

Nil

Statutory Environment

Local Government (Financial Management) Regulation 34.

Relevant Plans and Policy

Nil

Financial Implications

Nil

Risk Assessment

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

Risk Category	Description	Rating (Consequence x likelihood)	Mitigating Action/s
Financial	Stakeholders may withdraw funding if the statements are not prepared according to the regulatory framework.	Low	Financial Statements are prepared on time and according to the applicable Legislation and Regulations.
Health & Safety	N/A	N/A	
Reputation	The delay in achieving timely reporting has the potential to damage the Shire’s reputation.	High	High priority has been placed on preparing Statutory reporting within legislated timeframes.
Service disruption	N/A	N/A	
Compliance	<i>Local Government Act 1995</i> requires Council receives these statements within 2 months of the end of the applicable month.	N/A	Financial Statements are prepared on time and according to the applicable Legislation and Regulations.
Property	N/A	N/A	
Environment	N/A	N/A	
Fraud	N/A	N/A	

Community and Strategic Objectives

The tabling of information relative to the monthly Financial Statements aligns itself with no specific objective as expressed in the Community Strategic Plan 2022-2032. It is solely a legislative requirement common to all local governments within Western Australia. Without compliance in this regard, achieving strategic or community objectives would be at risk.

OBJECTIVES

In 2040 Carnarvon is a place where:

- *Our community is engaged, inclusive and supportive*

ADDITIONAL FOCUS AREAS:

- *Improve the trust between citizens and the Shire of Carnarvon*

Comments

The officer advises that the November 2023 Statement of Financial Activity being presented at the December 2023 Ordinary Meeting of Council complies with the *Local Government Act 1995*. **Schedule 1** attached for consideration is the Statement of Financial Activity, legislative notes, and supporting notes for the period ended 30 November 2023.

Monthly Financial Report – contains:

- Statement of Financial Activity (by Nature or Type) - with Explanation of Material Variances*
- Note 1 Composition of Net Current Assets*
- Note 2 Statement of Financial Position*
(* required by legislation)

Notes for other supporting Information include:

- Basis of Preparation
- Statement of Financial Activity by Program
- Cash and Financial Assets
- Cash Reserves
- Capital Acquisition and Disposals
- Receivables
- Payables
- Rate Revenue
- Non-operating grants and contributions
- Operating grants and contributions
- Borrowings
- Lease Liabilities

Operating Grants Subsidies and Contributions are \$1.6 million lower than year to date budget, this is due to the timing of completed works and the claiming of AGRN flood damage funds (\$1.4M) and various other smaller operational grants. Funds are claimed from DRFAWA based on milestone progress claims.

The road capital works program is well underway with 61% of the budgeted road works complete and 83% committed with additional purchase orders. The WA Bicycle Network Community College Shared Path is nearing completion.

OFFICER'S RECOMMENDATION

That Council, by Simple Majority pursuant to Section 3.18 of the Local Government Act, 1995, resolves to receive the Draft Statement of Financial Activity for November 2023 as per attached Schedule 1.

COUNCIL RESOLUTION OCM 04/12/23

Moved: Cr Luke Vandeleur

Seconded: Cr Luke Skender

That Council, by Simple Majority pursuant to Section 3.18 of the Local Government Act, 1995 , resolves to receive the Draft Statement of Financial Activity for November 2023 as per attached Schedule 1.

FOR: Crs Eddie Smith, Burke Maslen, Marco Ferreirinha, Luke Skender, Luke Vandeleur, Paul` Kelly and Dudley Maslen

AGAINST: Nil

ABSENT: Cr A Cottrelll

CARRIED BY SIMPLE MAJORITY 7/0

7.2.3 BUDGET ADJUSTMENTS - NOVEMBER 2023

File No:	ADM0027
Location/Address:	N/A
Name of Applicant:	Shire of Carnarvon
Name of Owner:	N/A
Author(s):	Viv Matangi, Finance Officer
Authoriser:	Alan Thornton, Deputy Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirement:	Absolute Majority
Previous Report:	Monthly report
Schedules:	1. Budget Adjustments - November 2023

Authority/Discretion:

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

Summary of Item

This item presents officer requested budget adjustments arising after the adoption of the 2023-2024 Budget for Council to consider. The officer’s recommendation is that the adjustments are approved by Council.

Background

The Council adopted the Annual Budget for the Shire on 22 August 2023.

In accordance with *Section 6.8(1) of the Local Government Act 1995* a local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure:

- Is incurred in a financial year before the adoption of the annual budget by the local government
- Is authorised in advance by Council resolution - absolute majority required
- Is authorised in advance by the Mayor or President in an emergency.

Approval is therefore sought for the budget adjustments detailed in the attachment for the reasons specified. It is good management practice to revise the adopted budget when it is known that circumstances have changed. In keeping with this practice, budgets are reviewed by Officers regularly. Officers have reviewed the adopted budget and recommend adjustments to the budget as detailed in this report.

Stakeholder and Public Consultation

N/A

Statutory Environment

Local Government Act – Section 6.8(1).

Relevant Plans and Policy

N/A

Financial Implications

The adjustments presented for consideration to Council have a nil impact on the projected budget closing position.

Risk Assessment

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

Risk Category	Description	Rating (Consequence x likelihood)	Mitigating Action/s
Financial	Potential for reduction in budget.	Low	The adjustments recommended in this report do not impact the net position of Council.
Health & Safety	NA	NA	
Reputation	Delay in identifying known expenditure changes has the potential to damage the Shire’s reputation.	High	Identify changing circumstances and action budget variations as soon as practicable
Service disruption	NA	NA	
Compliance	Local Government Act requires that a local government is not to incur expenditure unless approved by Council.	High	This report to Council for approval ensures compliance requirements are met.
Property	NA	NA	
Environment	NA	NA	

Community and Strategic Objectives

The tabling of information relative to the budget adjustments aligns itself with no specific objective as expressed in the Community Strategic Plan 2022-2032. It is solely a legislative requirement common to all local governments within Western Australia. Without compliance in this regard, achieving strategic or community objectives would be at risk.

OBJECTIVES

In 2040 Carnarvon is a place where:

- *Our community is engaged, inclusive and supportive*

ADDITIONAL FOCUS AREAS:

- *Improve the trust between citizens and the Shire of Carnarvon*

- *N/A*

Comments

Attached at **Schedule 1** for consideration are the proposed budget adjustments at the time of preparation of this report.

Adjustments Impacting Budgeted Closing Position

The adjustments presented in this report have no net impact on the closing position. Please note that adjustment number 07/24 approved by Council at the November Ordinary Meeting of Council OCM 18/11/23, did have an impact on the closing budget position, resulting in a deficit of \$14,400. The Mid-Year Budget Review will be utilised to identify savings from other areas, allocate reserve funds, and return the final budget surplus to a balanced position.

Adjustments with no impact on budget closing position

There are two items in the attachment with the net effect on the budget position as nil.

Net budget closing position

After making the above adjustments, the budget closing position remains unchanged.

OFFICER'S RECOMMENDATION

That Council, by Absolute Majority, in accordance with section 6.8(1) of the Local Government Act 1995 resolves to approve the adjustments to the 2023/2024 adopted Shire budget as detailed in this report and attachment as per Schedule 1.

COUNCIL RESOLUTION OCM 05/12/23

Moved: Cr Luke Vandeleur

Seconded: Cr Burke Maslen

That Council, by Absolute Majority, in accordance with section 6.8(1) of the Local Government Act 1995 resolves to approve the adjustments to the 2023/2024 adopted Shire budget as detailed in this report and attachment as per Schedule 1.

FOR: Crs Eddie Smith, Burke Maslen, Marco Ferreira, Luke Skender, Luke Vandeleur, Paul Kelly and Dudley Maslen

AGAINST: Nil

ABSENT: Cr A Cottrell

CARRIED BY ABSOLUTE MAJORITY 7/0

7.3 DEVELOPMENT AND COMMUNITY SERVICES

7.3.1 DEVELOPMENT APPLICATION P33/23 - TOURIST DEVELOPMENT (RAC)

File No:	A2718
Location/Address:	2, 6 and 14 Robbinson Street, Coral Bay
Name of Applicant:	Laco Lourens on behalf of RAC
Name of Owner:	RAC Tourism Assets Pty Ltd
Author(s):	Stefan Louw, Planning And Building Manager
Authoriser:	Andrea Selvey, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirement:	Simple Majority
Previous Report:	Nil
Schedules:	<ol style="list-style-type: none"> 1. Schedule of Submissions 2. Development Plan 3. Environmental Report 4. Bushfire Management Plan 5. Coastal Hazard Risk Management and Adaptation Plan (CHRMAP) 6. Traffic Impact Statement 7. Waste Management Plan (WMP) 8. Heritage Assessment 9. Responsible Authority Report 10. Landscape Concept 11. Stormwater Drainage 12. Sustainability Report

Authority/Discretion:

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

Summary of Item

This item relates to a Development Assessment Panel (DAP) application for Development Approval of a ‘tourist development’ on Lots 1, 54 and 68 (HN 2, 6 and 14) Robinson Street, Coral Bay.

The attached Responsible Authority Report (RAR), **Schedule 1**, and associated documents explains the proposal in detail as well as providing a detailed assessment of the proposal against relevant assessment criteria.

This report recommends that Council supports the officer recommendation in the RAR and that it be submitted to the Joint Development Assessment Panel (JDAP) for a decision.

Background

This report is presented to Council to seek Council’s endorsement of the RAR prior to lodgement with the JDAP. This report briefly outlines the process undertaken and set out the proposed conditions to be imposed on the permit (if one is issued).

Stakeholder and Public Consultation

The development proposal was publicly advertised pursuant to clauses 64 (1)(c) and (iii), and 64 (3) (b) (ii) and 64 (3) (c) contained in Schedule 2 of the LPS Regs 2015, for a period of 14 days.

At the conclusion of the public advertising period a total of six (6) submissions had been received.

The submissions are summarised as follows:

Issue Raised	Officer comments
The location of the carpark at the end of Robinson Street (between the proposal and the beach) is not appropriate due to its impact on the view of the Marine Park	This is not strictly a planning concern. The carparking area is already existing at the end of Robinson Street and access to views is generally not a valid planning concern – especially since it will ultimately be the subject site that is impacted the most by the location of the on-street bays.
Number of Parking bays and boat bays is insufficient	See comments under ‘parking’ section. Shortfall in parking is somewhat justified. There is no statutory obligation to provide boat bays.
Access to the resort should be from Banksia Dive rather than Robinson Street, with a Cul-De-Sac provided on Lot 12	Whilst this has been identified under the CBSSP, this is a due regard instrument only, and there is no restriction for the proponent to gain access from Robinson Street. Further upgrades will ensure this is a safe access arrangement and the proponent has provided their own Traffic Impact Study to support access from Robinson Street.
More than 20 bays are needed on Robinson Street	On street parking bays that are being proposed by the proponent will increase the number of bays in comparison to what is currently available. Proponents are generally not responsible for construction of public parking bays
The size of the resort is too big	Noted – the visitor numbers will be capped as per the requirements of the scheme. There is no specific limit on building footprint or size.
Number of beds proposed does not comply with Scheme provisions	Noted. Number of beds will be conditioned as per the scheme.
Heritage assessment is incorrect	The Shire is of the view that the proponent’s heritage assessment is sufficient.
Inconsistency with SPP 6.3 – Ningaloo Coast	SPP 6.3 is a high order document that generally guides district level planning rather than individual developments. The principles for development listed under Section 5 of the SPP have been met, as outlined in the proponents planning report.
EV charging stations are insufficient	There is no statutory requirement for any EV charging stations to be provided

Compliance with built form requirements of the Scheme	Some of the variations can be supported due to specific site constraints. This is outlined in the schedule of submissions.
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A detailed schedule of submissions has been provided with both officer and proponent comments (see **Schedule 2**).

Statutory Environment

- Planning and Development Act 2005
- Planning and Development (Local Planning Schemes) Regulations 2015
- Planning and Development (Development Assessment Panels) Regulations 2011
- Shire of Carnarvon Local Planning Scheme (LPS) 13

Relevant Plans and Policy

- State Planning Policy 2.6 – Coastal Planning
- State Planning Policy 3.7 – Planning in Bushfire Prone Areas
- State Planning Policy 6.3 – Ningaloo Coast
- WAPC Position Statement on Short Term Rental Accommodation
- Coral Bay Settlement Structure Plan 2014

Financial Implications

There are no identified financial implications.

Risk Assessment

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

Risk Category	Description	Rating	Mitigating Action/s
Financial	N/A		
Health & Safety	N/A		
Reputation	N/A		
Service disruption	N/A		
Compliance	Complying with conditions	Low	Including measurable conditions on the Development Approval.
Property	N/A		
Environment	Development is at risk to coastal inundation	High	A Coastal Hazard Risk Management Adaptation Plan (CHRMAP) has been prepared for the development

			addressing potential future environmental hazards.
Fraud	N/A		

Community and Strategic Objectives

The proposal aligns with the following desired objectives as expressed in the *Community Strategic Plan 2022-2032*:

OBJECTIVES

In 2040 Carnarvon is a place where:

- N/A

ADDITIONAL FOCUS AREAS:

- *Supports the needs of areas outside the Township of Carnarvon (Coral Bay and outlying areas)*

BIG IDEAS FOR THE FUTURE OF CARNARVON:

- N/A

Comments

The applicant has submitted a detailed development application addressing all aspects requiring assessment under the various planning regulations and requirements, complying with all State planning policies, the Coral Bay Settlement Structure Plan, and the Shire of Carnarvon Local Planning Scheme No. 13.

The development application attracted several submissions that have been considered and subsequently responded to in **Schedule 2** to this report. No modifications were necessary to be made to the proposal due to the submissions, however, some matters raised were supported by the officer and, as such, have formed part of the conditions to be imposed on the permit if one is to be issued.

Considering the information provided, development approval is considered appropriate subject to conditions as provided below, and, as such, this report recommends Council supports the officer’s recommendation in the RAR and that it be submitted to the JDAP for a decision.

OFFICER’S RECOMMENDATION

1. *That Council, by Simple Majority, pursuant to Section 3.18 of the Local Government Act 1995 accepts the attached Responsible Authority Report (RAR), including attachments.*
2. *That Council, by Simple Majority, pursuant to Regulation 12 of the Planning and Development (Development Assessment Panels) Regulations 2011 recommend that the Regional Joint Development Assessment Panel resolves to:*
 - (a) *Accept that the DAP Application reference DAP/23/02582 is appropriate for consideration as a “Tourist Development” land use and compatible with the objectives of the zoning table in accordance with Shire of Carnarvon Local Planning Scheme No. 13;*
 - (b) *Approve DAP Application reference DAP/23/02582 and accompanying plans (attachment 1) in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the Planning and Development (Local Planning Schemes) Regulations 2015, and the provisions of the Shire of Carnarvon Local Planning Scheme No. 13, subject to the following conditions:*

Conditions

1. *This decision constitutes planning approval only and is valid for a period of 2 years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.*
2. *Development shall be carried out in accordance with the terms of the approved plan.*
3. *All stormwaters must be contained and disposed of on-site. Details of the stormwater infrastructure shall be submitted as part of the application for a building permit. Stormwater drainage works shall be undertaken in accordance with the approved development plans and the approved engineering drawings and specifications. Engineering drawings and specifications shall be generally in accordance with Local Government Subdivisional Guidelines or an equivalent Australian recognised standard. All stormwater infrastructure must be maintained for the duration of the development.*
4. *Prior to the occupation of the development, all stormwater drainage works required by the approved stormwater drainage plans in condition 3 above must be completed to the satisfaction of the Shire.*
5. *No building or construction activities shall be carried out before 7.00am or after 7.00pm, Monday to Saturday, and not at all on Sunday or public holidays.*
6. *Crossovers are to be located and constructed to the Shire's specifications. Redundant crossovers shall be removed, and the verge reinstated prior to or at the time of the installation of the approved new crossover(s). Crossovers are to be maintained in perpetuity.*
7. *All services and service-related hardware, including clothes drying areas, antennae, satellite dishes and air conditioning units, being suitably located away from public view and/or screened to the satisfaction of the Shire.*
8. *The development must be constructed in accordance with Australian Standard 3959 – Construction of Buildings in Bush Fire Prone Areas (or superseding standard) and the approved Bushfire Management Plan.*
9. *The premises shall be kept in a neat and tidy condition at all times by the owner/occupier to the satisfaction of the Shire.*
10. *All measures identified in the Waste Management Plan entitled 'Ningaloo Reef Resort Waste Management Plan Ref #21-1148-1' shall be implemented to the satisfaction of the Shire in perpetuity.*
11. *All waste and recycling materials must be contained within bins. These must be within an external enclosure located and constructed to the satisfaction of the Shire. This information shall be submitted to and approved by the Shire prior to the lodgement of a Building Permit Application. The external enclosure must be of an adequate size to contain all waste bins, at least 1.8 m high, fitted with a gate, a hose cock, all connected to a sewer. The minimum provisions for internal bin storage are a concrete wash-down pad of at least 1m² graded to a 100mm diameter industrial floor waste with a hose cock, all connected to a sewer. This can be centrally located within the development but must be screened from public view.*
12. *All measures identified in the Coastal Hazard Risk Management and Adaptation Plan entitled "RAC Tourism Assets – Ningaloo Reef Resort" prepared by MP Rogers and Associates" shall be implemented to the satisfaction of the Shire in perpetuity.*
13. *Landscaping including verge planting shall be installed, reticulated and/or irrigated in accordance with the approved plan and maintained thereafter to the satisfaction of the Shire in perpetuity. The*

landscaping shall be implemented during the first available planting season post completion of development and any species which fail to establish within a period of 12 months from planting shall be replaced to the satisfaction of the Shire.

14. *The development shall comply with the noise pollution provisions of the Environmental Protection Act 1986, and more particularly with the requirements of the Environmental Protection (Noise) Regulations 1997*
15. *Prior to the issue of a building permit, detailed plans and specifications of the kitchen, dry storerooms, cool rooms, bar and liquor facilities, staff change rooms, patron and staff sanitary conveniences and garbage room, are to be submitted to, and approved by, the Shire's Health Service prior to the occupation of the premises. The plans to include details of:*
 - A) *the structural finishes of all floors, walls, and ceilings;*
 - B) *the position, type and construction of all fixtures, fittings, and equipment (including cross-sectional drawings of benches, shelving, cupboards, stoves, tables, cabinets, counters, display refrigeration, freezers etc.); and*
 - C) *all kitchen exhaust hoods and mechanical ventilating systems over cooking ranges, sanitary conveniences, exhaust ventilation systems, mechanical services, hydraulic services, drains, grease traps and provisions for waste disposal.*
16. *In accordance with clause 10.2 of Local Planning Scheme 13, floodlights, spotlights and all other forms of lighting shall be constructed, oriented and controlled so as not to adversely impact on the amenity of adjacent residents; cause a traffic hazard to the adjacent road network; impact on sea turtle nesting sites; and/or affect the maintenance of acknowledged dark sky localities.*
17. *Prior to the issue of a building permit, a lighting management plan shall be provided to, and approved by the Shire. Any associated mitigation measures shall be implemented in perpetuity to the satisfaction of the Shire.*
18. *Prior to the issue of a building permit, a bushfire emergency evacuation plan shall be submitted to and approved by the Shire.*
19. *Any on-street parking bays constructed as part of this development shall remain open and available to use by the public.*
20. *The lot shall be served with reticulated potable water by a licensed service provider.*
21. *The number of beds on Lot 1 shall be limited to a maximum of 270.*
22. *Clearing of vegetation, both through the construction phase and development phase, shall not be undertaken without prior approval from the Department of Water and Environmental Regulation (DWER).*
23. *Engineering drawings and specifications for internal roads and vehicle parking areas are to be submitted and approved prior commencement of site works.*
24. *Construction of the internal roads and vehicle parking areas shall be in accordance with the approved plans. Internal roads and vehicle parking areas shall be designed and constructed generally in accordance with the current version of the Local Government Subdivisional Guidelines and shall seamlessly connect with existing public roads abutting the subject land.*

25. *Prior to the occupation of the development, the internal roads, vehicle parking areas, driveway/s and points of ingress and egress shall be sealed, kerbed, drained, line marked and available for use in accordance with the approved plans.*
26. *Asbestos Waste shall not be disposed of at the Coral Bay Waste Facility.*
27. *A demolition permit shall be obtained from the Shire prior to the commencement of demolition works.*
28. *Prior to issue of a building permit, engineering drawings and specifications for the filling and/or draining of the land shall be submitted and approved by the Shire.*
29. *Prior to occupation of the development, arrangements being made with a licensed electricity network operator for the provision of an electricity supply system that can supply electricity to the development shown on the approved development plans.*
30. *Prior to issue of a building permit, a Construction Management Plan (CMP) shall be submitted to and approved by the Shire. The CMP shall be implemented and maintained throughout the construction to the satisfaction of the Shire. The CMP shall include but is not limited to the following:*
 - a) *Dust suppression and erosion control measures to be implemented during construction.;*
 - b) *Measures to be implemented to prevent public access to the construction site;*
 - c) *Details of the temporary construction access via Banksia Drive and the management of construction vehicles/plant to and from the site;*
 - d) *How construction shall limit and preferably eliminate construction vehicle access to the site via Robinson Street;*
 - e) *Methodologies to implement the target 80% construction and demolition waste diverted from landfill;*
 - f) *Methodologies to ensure the Coral Bay Waste Facility total annual received waste does not exceed 5000 tonnes; and*
 - g) *Cyclone management plan during construction phase of the development.*

Advice Notes

- a) *This is a Development Approval only and does not remove the responsibility of the applicant/owner to comply with all relevant building, health and engineering requirements of the Shire, or with any requirements of the Shire of Carnarvon Local Planning Scheme 13 or with the requirements of any external agency.*
 - b) *All earthworks and/or associated drainage details shall be in accordance AS3500 with plans and specifications certified by a suitably qualified practicing Engineer to the satisfaction of the Shire*
 - a) *Please be advised that the development must comply with the requirements of the Building Codes of Australia.*
 - b) *The proposal must be in accordance with the Health (Food Hygiene) Regulations 1993 and Chapter 3 of the Australian New Zealand Food Standards Code (Australia Only) and also include any information about the existing facilities to be retained and used*
3. *Submit the Responsible Authority Report with attachments to the JDAP for determination.*

COUNCIL RESOLUTION OCM 06/12/23**Moved: Cr Luke Vandeleur****Seconded: Cr Paul Kelly**

1. *That Council, by Simple Majority, pursuant to Section 3.18 of the Local Government Act 1995 accepts the attached Responsible Authority Report (RAR), including attachments.*
2. *That Council, by Simple Majority, pursuant to Regulation 12 of the Planning and Development (Development Assessment Panels) Regulations 2011 recommend that the Regional Joint Development Assessment Panel resolves to:*
 - (a) *Accept that the DAP Application reference DAP/23/02582 is appropriate for consideration as a "Tourist Development" land use and compatible with the objectives of the zoning table in accordance with Shire of Carnarvon Local Planning Scheme No. 13;*
 - (b) *Approve DAP Application reference DAP/23/02582 and accompanying plans (attachment 1) in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the Planning and Development (Local Planning Schemes) Regulations 2015, and the provisions of the Shire of Carnarvon Local Planning Scheme No. 13, subject to the following conditions:*

Conditions

1. *This decision constitutes planning approval only and is valid for a period of 2 years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.*
2. *Development shall be carried out in accordance with the terms of the approved plan.*
3. *All stormwaters must be contained and disposed of on-site. Details of the stormwater infrastructure shall be submitted as part of the application for a building permit. Stormwater drainage works shall be undertaken in accordance with the approved development plans and the approved engineering drawings and specifications. Engineering drawings and specifications shall be generally in accordance with Local Government Subdivisional Guidelines or an equivalent Australian recognised standard. All stormwater infrastructure must be maintained for the duration of the development.*
4. *Prior to the occupation of the development, all stormwater drainage works required by the approved stormwater drainage plans in condition 3 above must be completed to the satisfaction of the Shire.*
5. *No building or construction activities shall be carried out before 7.00am or after 7.00pm. A noise management plan be prepared to ensure compliance with the EP (Noise) Regulations 1997.*
6. *Crossovers are to be located and constructed to the Shire's specifications. Redundant crossovers shall be removed, and the verge reinstated prior to or at the time of the installation of the approved new crossover(s). Crossovers are to be maintained in perpetuity.*
7. *All services and service-related hardware, including clothes drying areas, antennae, satellite dishes and air conditioning units, being suitably located away from public view and/or screened to the satisfaction of the Shire.*

8. *The development must be constructed in accordance with Australian Standard 3959 – Construction of Buildings in Bush Fire Prone Areas (or superseding standard) and the approved Bushfire Management Plan.*
9. *The premises shall be kept in a neat and tidy condition at all times by the owner/occupier to the satisfaction of the Shire.*
10. *All measures identified in the Waste Management Plan entitled ‘Ningaloo Reef Resort Waste Management Plan Ref #21-1148-1’ shall be implemented to the satisfaction of the Shire in perpetuity.*
11. *All waste and recycling materials must be contained within bins. These must be within an external enclosure located and constructed to the satisfaction of the Shire. This information shall be submitted to and approved by the Shire prior to the lodgement of a Building Permit Application. The external enclosure must be of an adequate size to contain all waste bins, at least 1.8 m high, fitted with a gate, a hose cock, all connected to a sewer. The minimum provisions for internal bin storage are a concrete wash-down pad of at least 1m² graded to a 100mm diameter industrial floor waste with a hose cock, all connected to a sewer. This can be centrally located within the development but must be screened from public view.*
12. *All measures identified in the Coastal Hazard Risk Management and Adaptation Plan entitled “RAC Tourism Assets – Ningaloo Reef Resort” prepared by MP Rogers and Associates” shall be implemented to the satisfaction of the Shire in perpetuity.*
13. *Landscaping including verge planting shall be installed, reticulated and/or irrigated in accordance with the approved plan and maintained thereafter to the satisfaction of the Shire in perpetuity. The landscaping shall be implemented during the first available planting season post completion of development and any species which fail to establish within a period of 12 months from planting shall be replaced to the satisfaction of the Shire.*
14. *The development shall comply with the noise pollution provisions of the Environmental Protection Act 1986, and more particularly with the requirements of the Environmental Protection (Noise) Regulations 1997*
15. *Prior to the issue of a building permit, detailed plans and specifications of the kitchen, dry storerooms, cool rooms, bar and liquor facilities, staff change rooms, patron and staff sanitary conveniences and garbage room, are to be submitted to, and approved by, the Shire’s Health Service prior to the occupation of the premises. The plans to include details of:*
 - A) *the structural finishes of all floors, walls, and ceilings;*
 - B) *the position, type and construction of all fixtures, fittings, and equipment (including cross-sectional drawings of benches, shelving, cupboards, stoves, tables, cabinets, counters, display refrigeration, freezers etc.); and*
 - C) *all kitchen exhaust hoods and mechanical ventilating systems over cooking ranges, sanitary conveniences, exhaust ventilation systems, mechanical services, hydraulic services, drains, grease traps and provisions for waste disposal.*
16. *In accordance with clause 10.2 of Local Planning Scheme 13, floodlights, spotlights and all other forms of lighting shall be constructed, oriented and controlled so as not to adversely impact on the amenity of adjacent residents; cause a traffic hazard to the adjacent road network; impact on sea turtle nesting sites; and/or affect the maintenance of acknowledged dark sky localities.*

17. *Prior to the issue of a building permit, a lighting management plan shall be provided to, and approved by the Shire. Any associated mitigation measures shall be implemented in perpetuity to the satisfaction of the Shire.*
18. *Prior to the issue of a building permit, a bushfire emergency evacuation plan shall be submitted to and approved by the Shire.*
19. *Any on-street parking bays constructed as part of this development shall remain open and available to use by the public.*
20. *The lot shall be served with reticulated potable water by a licensed service provider.*
21. *The number of beds on Lot 1 shall be limited to a maximum of 270.*
22. *Clearing of vegetation, both through the construction phase and development phase, shall not be undertaken without prior approval from the Department of Water and Environmental Regulation (DWER).*
23. *Engineering drawings and specifications for internal roads and vehicle parking areas are to be submitted and approved prior commencement of site works.*
24. *Construction of the internal roads and vehicle parking areas shall be in accordance with the approved plans. Internal roads and vehicle parking areas shall be designed and constructed generally in accordance with the current version of the Local Government Subdivisional Guidelines and shall seamlessly connect with existing public roads abutting the subject land.*
25. *Prior to the occupation of the development, the internal roads, vehicle parking areas, driveway/s and points of ingress and egress shall be sealed, kerbed, drained, line marked and available for use in accordance with the approved plans.*
26. *Asbestos Waste shall not be disposed of at the Coral Bay Waste Facility.*
27. *A demolition permit shall be obtained from the Shire prior to the commencement of demolition works.*
28. *Prior to issue of a building permit, engineering drawings and specifications for the filling and/or draining of the land shall be submitted and approved by the Shire.*
29. *Prior to occupation of the development, arrangements being made with a licensed electricity network operator for the provision of an electricity supply system that can supply electricity to the development shown on the approved development plans.*
30. *Prior to issue of a building permit, a Construction Management Plan (CMP) shall be submitted to and approved by the Shire. The CMP shall be implemented and maintained throughout the construction to the satisfaction of the Shire. The CMP shall include but is not limited to the following:*
 - a) *Dust suppression and erosion control measures to be implemented during construction.;*
 - b) *Measures to be implemented to prevent public access to the construction site;*
 - c) *Details of the temporary construction access via Banksia Drive and the management of construction vehicles/plant to and from the site;*
 - d) *How construction shall limit and preferably eliminate construction vehicle access to the site via Robinson Street;*
 - e) *Methodologies to implement the target 80% construction and demolition waste diverted from landfill;*

- f) *Methodologies to ensure the Coral Bay Waste Facility total annual received waste does not exceed 5000 tonnes; and*
- g) *Cyclone management plan during construction phase of the development.*

Advice Notes

- a) *This is a Development Approval only and does not remove the responsibility of the applicant/owner to comply with all relevant building, health and engineering requirements of the Shire, or with any requirements of the Shire of Carnarvon Local Planning Scheme 13 or with the requirements of any external agency.*
- b) *All earthworks and/or associated drainage details shall be in accordance AS3500 with plans and specifications certified by a suitably qualified practicing Engineer to the satisfaction of the Shire*
- a) *Please be advised that the development must comply with the requirements of the Building Codes of Australia.*
- b) *The proposal must be in accordance with the Health (Food Hygiene) Regulations 1993 and Chapter 3 of the Australian New Zealand Food Standards Code (Australia Only) and also include any information about the existing facilities to be retained and used*

3. *Submit the Responsible Authority Report with attachments to the JDAP for determination.*

FOR: Crs Eddie Smith, Burke Maslen, Marco Ferreirinha, Luke Skender, Luke Vandeleur, Paul Kelly and Dudley Maslen

AGAINST: Nil

ABSENT: Cr A Cottrell

CARRIED BY SIMPLE MAJORITY 7/0

Note to Minute: Condition 5 has been amended to offer the developer greater flexibility in relation to the construction hours to maximise productivity. Coral Bay is a holiday town and Council determined that what day it is does not matter that much as everyone is on holiday, hence the removal of Sundays. To ensure that the noise regulations are still being complied with during the construction phase of the development, a requirement for a noise management plan was added.

7.3.2 ROBINSON STREET ROAD WORKS - CORAL BAY

File No:	ADM1720
Location/Address:	Robinson Street, Coral Bay
Name of Applicant:	Royal Automobile Club (RAC)
Name of Owner:	Shire of Carnarvon
Author(s):	Stefan Louw, Planning And Building Manager
Authoriser:	Andrea Selvey, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirement:	Simple Majority
Previous Report:	Nil
Schedules:	1. Concept Design Plan

Authority/Discretion:

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

Summary of Item

This report seeks a Council resolution on the alterations to the carpark at the end of Robinson Street, Coral Bay, as proposed by the RAC. This report also serves as a public notice regarding the upcoming road works, which purpose is to enhance the overall infrastructure, improve road safety and contribute to the aesthetic appeal of that area.

This report recommends that Council supports the proposed alterations.

Background

The Shire received a development application from the RAC to redevelop their land at Lot 1, Robinson Street, Coral Bay. As part of the preparation of this application the RAC realised that the existing gravel area in front of the current resort and part of Lot 1 that is being used by the public as overflow parking and turning area for large vehicles, will no longer be available with the closure and coming development of the new Ningaloo Reef Resort.

Given the obvious shortfall in public car parking spaces and no formal turning area for larger vehicles, the RAC has suggested to upgrade the Robinson Street carpark at no cost to Council. Please refer to **Schedule 1** to view the concept design of the proposed works.

Scope of works

The road works will encompass the area at the end of Robinson Street, focusing on the following key aspects:

- Minor realignment of Robinson Street to improve vision for reversing vehicles with some area of Lot 1 to be added to the road reserve.
- Addition of a 'tear drop' roundabout at the western end of the carpark to allow for large and towed vehicles to turn around.
- Addition of clearly defined and raised pedestrian crossings to improve pedestrian safety.
- Increasing the number of car parking bays to 56 (21 additional bays) including three disabled parking bays.
- Concreting existing pedestrian pathways on the northern side.
- Formalising existing and construction of additional footpaths. Linked to new raised pedestrian crossings, and along the northern edge of Robinson Street and the parking area.
- Renovation and/or reconstruction of existing pavements to improve overall functionality and presentation of road surface.
- Provision of landscaping to beautify the parking area by extending foreshore vegetation into the road reserve and ultimately into the resort.

Project timeline

Road works will commence as soon as the resort approval is received from the JDAP, so that the works can be conducted as part of the early works on the resort property to minimise time of traffic disruption.

Stakeholder and Public Consultation

The proposed works are considered public works and as such, public consultation is not required. A public notice advising of upcoming works will be posted in advance notifying locals and visitors of proposed works.

Statutory Environment

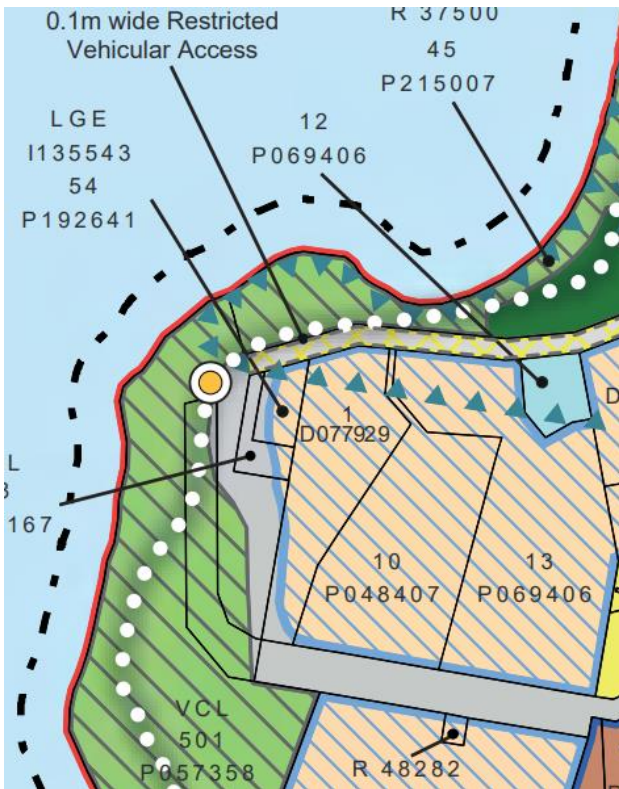
Local Government Act 1995 Section 3.18 – Performing executive functions.

Public Works Act 1902

Relevant Plans and Policy

Coral Bay Settlement Structure Plan, 2014 (CBSSP)

The CBSSP identifies that end of Robinson Street to be pedestrianised with restricted vehicle access and the that the carpark be constructed at the end of the continuation of Banksia Drive, as shown below.



Arguably, the best opportunity for Banksia Drive to have been extended would have been in combination with the redevelopment of the RAC site. However, the lack of support for the option put forward by the RAC has stalled the attempt to extend Banksia Drive. With this opportunity lost, it is unlikely that there would be another opportunity where an external private developer could fund the extension of Banksia Drive.

Under the deemed provisions, a structure plan is to be given due regard and there is discretion to vary any specific provision of the structure plan. Furthermore, it is considered that the proposed works will not compromise the future extension of Banksia Drive as per the current CBSSP and, as such, should be supported.

It should also be noted that the CBSSP is to be reviewed and may not include similar recommendations as it currently has.

Financial Implications

None, apart from ongoing maintenance once works are completed.

Risk Assessment

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

Risk Category	Description	Rating	Mitigating Action/s
Financial	N/A		
Health & Safety	N/A		

Reputation	N/A		
Service disruption	During construction phase of the car park, it will be closed to the public and the risk associated with this is the management of that area and the provision of temporary public parking.	High	To mitigate the risk a condition of approval, as part of the subdivision process, will be that a traffic management plan be provided.
Compliance	N/A		
Property	Part of the proposal is affecting private property.	Low	The road reserve will be widened through the subdivision process, incorporating the part affecting private property.
Environment	Potential for adjacent foreshore reserve to be impacted by construction works.	High	A condition of subdivision would be that a construction management plan be provided to protect adjacent foreshore areas.
Fraud	N/A		

Community and Strategic Objectives

The proposal aligns with the following desired objectives as expressed in the *Community Strategic Plan 2022-2032*:

OBJECTIVES

In 2040 Carnarvon is a place where:

- N/A

ADDITIONAL FOCUS AREAS:

- *Supports the needs of areas outside the Township of Carnarvon (Coral Bay and outlying areas)*

BIG IDEAS FOR THE FUTURE OF CARNARVON:

- N/A

Comments

Not only will the upcoming road works at the end of Robinson Street in Coral Bay aim to enhance the overall infrastructure, improve safety, and contribute to the aesthetic appeal of the area, but it is also considered to provide the following benefits:

- Improved accessibility to the beach area through the set-out and construction of disabled parking bays along with an improved and formalised path network;
- Increases parking capacity;
- Improves pedestrian safety through raised and clearly identified pedestrian crossings that connect with pedestrian pathways;
- Improves vehicle safety by creating a dedicated turning area;
- Improving the overall amenity of the parking area for all users; and
- Eliminates any impact on the foreshore reserve area by preventing unauthorised vehicle access.

Furthermore, the proposal is not contrary to the CBSSP as it is an upgrade of existing infrastructure and does not jeopardise the extension of Banksia Drive in any way.

Road realignment

The realignment of Robinson Street will be subject to a subdivision process through the Western Australian Planning Commission (WAPC). The subdivision proposal will be referred to the Shire for comment at which time officers will have the opportunity to impose conditions on the subdivision permit regarding the construction standards etc. The completed road works will only be handed over to the Shire once all conditions have been cleared to our satisfaction.

Traffic Management

To minimise disruptions to traffic flow, temporary traffic management measures will be in place throughout the duration of the project. This will be a condition of the subdivision permit that prior to works commencing a traffic management plan must be submitted for approval and then to be implemented for the duration of the works.

Considering the above it is recommended that Council supports the proposal put forward by the RAC.

OFFICER'S RECOMMENDATION

That Council, by Simple Majority pursuant to Section 3.18 of the Local Government Act, 1995, resolves to support the proposed upgrade works of Robinson Street, Coral Bay as proposed by RAC's concept design drawing, Drawing No. CRB-003-GEN-SKT-013, dated 5 October 2023 and that a public notice of such works be issued four (4) weeks prior to works commencing.

COUNCIL RESOLUTION OCM 07/12/23

Moved: Cr Paul Kelly

Seconded: Cr Luke Vandeleur

That Council, by Simple Majority pursuant to Section 3.18 of the Local Government Act, 1995, resolves to support the proposed upgrade works of Robinson Street, Coral Bay as proposed by RAC's concept design drawing, Drawing No. CRB-003-GEN-SKT-013, dated 5 October 2023 and that a public notice of such works be issued four (4) weeks prior to works commencing.

FOR: Crs Eddie Smith, Burke Maslen, Marco Ferreirinha, Luke Skender, Luke Vandeleur, Paul Kelly and Dudley Maslen

AGAINST: Nil

ABSENT: Cr A Cottrelll

CARRIED BY SIMPLE MAJORITY 7/0

7.3.3 CARNARVON RANGELANDS BIOSECURITY ASSOCIATION INC - REQUEST FOR CONTRIBUTIONS

File No:	ADM1836
Location/Address:	N/A
Name of Applicant:	Carnarvon Rangelands Biosecurity Association Inc
Name of Owner:	N/A
Author(s):	Dane Wallace, Environmental Health Officer
Authoriser:	Stefan Louw, Planning And Building Manager
Declaration of Interest:	Nil
Voting Requirement:	Simple Majority
Previous Report:	Nil
Schedules:	1. Letter from CRBA to Shire of Carnarvon re funding proposal

Authority/Discretion:

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

Summary of Item

This item seeks a Council resolution for a budget variation at the mid-year budget review to contribute \$15,000 towards the Carnarvon Rangelands Biosecurity Association (CRBA) for pest and weed control.

Background

The Shire has received a formal request from the CRBA for a \$50,000 monetary contribution to support their work in the field of pest and weed control. The CRBA is actively operating within the Shire of Carnarvon and their core mission is to aid pastoral landholders throughout the Shire in efficiently managing declared pests and weeds.

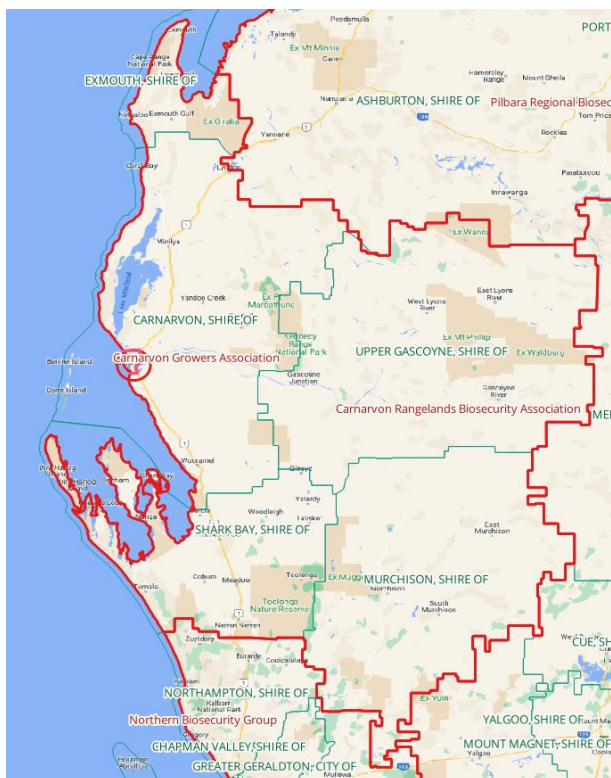
More specifically, the CRBA’s request involves weed control in the following areas:

- Mesquite at Brickhouse and Boolathana stations;
- Parkinsonia at Minilya Station; and
- Coral Cactus at Quobba, Warroora, Marrilla and Mardathuna stations.

The CRBA has stated that the Shire’s contributions will be exclusively allocated to the fieldwork of the pest control technicians within the Shire district with costs for chemicals and spray equipment covered by the CRBA (approximately 35% of the contractor costs). They estimate that a \$50,000 contribution would enable 50 to 60 days of spraying.

Most of the land in the Shire of Carnarvon district is designated for the pastoral purpose of livestock grazing on the natural vegetation. In the Carnarvon district, cattle, sheep and goats are raised for the production of meat which contributes to the nutrition and food security of the local region and to the broader state and

national population. Food production is critical to a nation’s welfare, and this is a timely occasion to acknowledge the importance of the local pastoral industry and to protect our environment against invasive weed species.



What is the CRBA

The Carnarvon Rangelands Biosecurity Association (CRBA) is a non-profit entity set up as a recognised biosecurity group (RBG) to assist pastoral landholders in managing declared pests that threaten food security and regional biodiversity. The association covers the Shire districts of Carnarvon, Exmouth, Upper Gascoyne, Shark Bay and Murchison and pests of focus include dogs, foxes, donkeys, pigs and pest plants such as mesquite and parkinsonia (thorny, woody weeds) and coral cactus (a nasty, spreading cactus that injures animals).

Carnarvon is the largest town within the CRBA area and is the regional service centre for the whole Gascoyne/Murchison area. Carnarvon town itself has more than half the population of the whole CRBA area.

Figure 1. The Carnarvon Rangelands Biosecurity Association is a recognised biosecurity group covering 5 local government districts. Note: The Carnarvon Growers Association is no longer a recognised biosecurity group. Data from

<https://catalogue.data.wa.gov.au/dataset/recognised-biosecurity-groups>

Mesquite

Mesquite is a weed of national significance and “regarded as one of the worst weeds in Australia because of its invasiveness, potential for spread and economic and environmental impacts.” It out-competes native vegetation and reduces the productive grazing capacity of pastoral lands by taking over grasslands. It exposes topsoil along riverbanks to water and wind erosion, damages infrastructure and greatly increases the operating costs of pastoral holdings throughout the region.¹

State NRM Lower Gascoyne Mesquite Management project

The Shire is currently undertaking a separate mesquite management control project within the reserves surrounding Carnarvon that are not pastoral land and are not within the CRBA area. The work the CRBA is undertaking is considered complementary to this project and should be supported.

Stakeholder and Public Consultation

Nil

Statutory Environment

The recognised biosecurity group system is established under the *Biosecurity and Agriculture Management Act 2007* and administered by the Department of Primary Industries and Regional Development.

Relevant Plans and Policy

Nil

¹ Quote from national ‘Weed Management Guide – Mesquite’, referencing this guide and the CRBA letter of proposal

Financial Implications

The proposal will have a financial impact on the current budget as this project is currently not budgeted for; therefore, a budget variation would be required. Part of the recommended contribution can be funded through the reallocation of money within the adopted budget. The current budget for noxious weed control totals \$15,000 which could be reduced to \$5,000 as a much of the weed control is currently being undertaken by Shire staff without the need to rely on contractors. Therefore, \$10,000 can be taken from the noxious weed account to support the CRBA with the remaining \$5,000 being a new amount to be considered from savings across the organisation during the Mid Year Budget Review.

Risk Assessment

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

Risk Category	Description	Rating	Mitigating Action/s
Financial	Costs of contribution not budgeted for.	Low	To be considered at the mid-year budget review.
Health & Safety	N/A		
Reputation	Contribution to the CRBA could potentially be controversial.	Low	This report outlines some of the wider benefits of contributing to the CRBA.
Service disruption	N/A		
Compliance	N/A		
Property	Risk of mesquite spreading onto Shire managed reserves	Low	Control of mesquite upstream is beneficial for downstream lands.
Environment	Risk of mesquite causing environmental damage	Medium	Controlling mesquite will enable more productive use of pastoral land and mitigate against future risks to the pastoral industry.
Fraud	N/A		

Community and Strategic Objectives

The proposal aligns with the following desired objectives as expressed in the *Community Strategic Plan 2022-2032*:

OBJECTIVES

In 2040 Carnarvon is a place where:

- *Our sustainable livelihoods create a community that can flourish into the future*

ADDITIONAL FOCUS AREAS:

- *Supports the needs of areas outside the Township of Carnarvon (Coral Bay and outlying areas)*

BIG IDEAS FOR THE FUTURE OF CARNARVON:

- N/A

Comments

Reasons for supporting the CRBA include:

- supporting food security in the local district;
- supporting the management of declared pests within the pastoral lands of the district;
- supporting the pastoral industry as a major contributor to the general economic welfare of the district; and
- contributions to the CRBA will also promote a stronger relationship with the CRBA, which could result in mutually beneficial future projects.

Considering the above and the general benefits associated with the eradication of weeds, it is the officer's recommendation that Council supports the efforts of the CRBA via a \$15,000 contribution. The proposed contribution is modest given the large area of pastoral land within the Shire district, however, given that the request from the CRBA was presented after the budget had been adopted by Council, a \$15,000 budget variation to contribute towards pest and weed control is considered manageable and appropriate. The CRBA will be advised that any future requests will need to be lodged by April for Council consideration as part of the budget deliberations each year.

OFFICER'S RECOMMENDATION

That Council, by Simple Majority pursuant to Section 3.18 of the Local Government Act, 1995, resolves to:

- support the Carnarvon Rangelands Biosecurity Association's annual operational plan for 2023-24 with a contribution of \$15,000;***
- formally consider the budget adjustment at the Ordinary Council Meeting in January 2024; and***
- authorise the CEO to negotiate a funding agreement between the Shire and the Carnarvon Rangelands Biosecurity Association.***

COUNCIL RESOLUTION OCM 08/12/23

Moved: Cr Paul Kelly

Seconded: Cr Burke Maslen

That Council, by Simple Majority pursuant to Section 3.18 of the Local Government Act, 1995, resolves to:

- support the Carnarvon Rangelands Biosecurity Association's annual operational plan for 2023-2024 with a contribution of \$15,000;***
- formally consider the budget adjustment at the Ordinary Council Meeting in January 2024; and***
- authorise the CEO to negotiate a funding agreement between the Shire and the Carnarvon Rangelands Biosecurity Association.***

FOR: Crs Eddie Smith, Burke Maslen, Marco Ferreirinha, Luke Skender, Luke Vandeleur, Paul Kelly and Dudley Maslen

AGAINST: Nil

ABSENT: Cr A Cottrell

CARRIED BY SIMPLE MAJORITY 7/0

7.3.4 CARNARVON ACTIVATION PLAN FUNDING

File No:	ADM0275
Location/Address:	N/A
Name of Applicant:	Shire of Carnarvon
Name of Owner:	N/A
Author(s):	Harriet Murphy, Manager, Economic Development
Authoriser:	Andrea Selvey, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirement:	Simple Majority
Previous Report:	Nil
Schedules:	<ol style="list-style-type: none"> 1. Draft Carnarvon Activation Plan 2. Risk Management Schedule - Shire of Carnarvon/DG Corp 3. Draft MOU - Shire of Carnarvon, DG Corp Collaboration

Authority/Discretion:

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

Summary of Item

This item presents the draft Carnarvon Activation Plan 2023 (CAP) for Council’s consideration. The item also outlines a potential collaboration with DG Corp in applying for funding to implement the CAP.

It is recommended that Council:

- a. adopts the CAP as presented;
- b. approves the collaboration and Memorandum of Understanding between DG Corp and the Shire of Carnarvon; and
- c. authorises the CEO to pursue funding opportunities to implement the CAP.

Background

The CAP provides a strategic approach to attracting third party funding for asset improvements in Carnarvon either as a collection of projects or for stand-alone projects. The total concept design estimate for the complete Carnarvon Activation Plan falls within the range of \$13.1M-\$18.2M, based on QS Costings.

Projects and the associated cost estimates are listed below:

1. Lead The Way (\$750K-\$1.03M) A series of flags along NW Coastal Highway to encourage people into the town.

2. Tramway Walk Trail (\$970K-\$1.32M) Further development of the existing walk into a multi-faceted cultural trail and recreation zone connecting the town centre with the Heritage Precinct.
3. Van Dongen Park (\$5.4M-\$7.5M) a high-profile park with themed play equipment and day-use facilities
4. Plaza, Parking, Green Event Space (\$3.5M-\$4.9M) repurposing a portion of an under-utilised oval into a space to support events; the area will include Long Vehicle parking to encourage tourism and support connectivity between the Long Vehicle Parking.
5. Urban Forest (\$918M - \$1.25M) additional planting of street trees to create connected canopies along Robinson Street.
6. Local Connect & Create (\$615K - \$873K) Artist in residency and creative exhibition space with art trail, and digital display screen.
7. CCTV & Lighting (\$250K-\$344K) create a safe and well-lit streetscape along Robinson Street.
8. Fascine to Harbour Walk (\$710K-\$970K) Connecting the town centre to the harbour with a continuous pathway, lined with palms.

The concept designs have been completed to a sufficient stage to allow for quantity survey costings. This approach provides surety for third party funders, improving the Shire's ability to secure funding.

Shire officers are currently exploring opportunities to fund components/all the CAP. These include:

- Expression of Interest for State Budget Funding – Carnarvon Storytrail \$10.6M
- Lotterywest – Carnarvon Activation Plan – Phase 1 - \$3.35M (Elements 2,3 and part of elements 4,5)

A new Federal Government funding program, the Regional Precincts and Partnership Program (RPPP) provides another funding opportunity. The RPPP focuses on a partnership approach, bringing governments and communities together to deliver transformational projects to the regions. It is unusual in its approach, providing opportunity to secure Federal funding through a commercial/ local government partnership. The funding supports projects up to the value of \$50million with an expectation that developed precincts are partially funded by the project partners.

An opportunity to partner with DG Corp to deliver Stage 2 of The Pier and the Carnarvon Activation Plan has been identified. Together these projects would have a transformational impact on the social and economic environment for Carnarvon. A due diligence assessment has been conducted to identify the risks associated with entering this partnership and mitigation strategies have been identified so that risks to the Shire are managed. See **Schedule 2**.

Shire Officers propose the partnership is entered through a Memorandum of Understanding (MOU) to develop the grant submission which would be replaced by a binding legal agreement should the funding be secured. The MOU, see **Schedule 3**, clarifies the responsibilities of each party. The RPPP application in partnership with DG Corp is likely to be approximately \$25million, \$10million of which would be allocated to progressing The Pier and \$15million towards all elements of the CAP. A detailed budget will be developed as part of the application process.

Stakeholder and Public Consultation

The Carnarvon Activation Plan has been devised across a 3-stage co-design process structured around stakeholder and community engagement including two workshops with community. The co-design process was widely advertised to encourage participation and a total of 35 community members attended across the two workshops.

The Shire has received formal support from the following key stakeholders:

- Gascoyne Development Commission
- Tourism WA
- WA Police
- Carnarvon Chamber of Commerce and Industry
- Lock Hospital Working Group

- Ngala

Further public consultation will form part of the final design process.

Statutory Environment

Local Government Act 1995

Relevant Plans and Policy

Shire of Carnarvon Economic Development Plan 2023

Shire of Carnarvon Community Strategic Plan 2022-2032

Financial Implications

The aforementioned funding opportunities have varying cash contribution obligations. Funding submissions will endeavour to leverage off existing budget commitments or other secured third-party funds to meet cash contribution requirements. Should additional cash contributions be required, a formal request to commit funds will be presented to Council.

The ongoing impact on the operational budget will vary across the project elements. Detailed estimates of the lifecycle cost of each element will be provided to Council when offers of funding are presented for Council consideration.

Risk Assessment

Please see **Schedule 1**, DG Corp, Shire of Carnarvon Collaboration Risk Management Schedule.

The below assessment relates to the implementation and funding of the CAP.

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

Risk Category	Description	Rating	Mitigating Action/s
Financial	The Shire is unable to meet the cash contributions requirements of the grants	High	Leverage off existing committed funds. Explore multiple funding opportunities to reduce the Shire’s cash contribution obligations.
Health & Safety			
Reputation	The Shire is unable to secure funds for the delivery of the CAP.	Moderate	Explore multiple funding opportunities and commit resources to further developing project concepts to shovel ready status. Deliver the CAP across stages to maintain community and stakeholder support.
Service disruption	The scope and scale of the CAP delivery	Moderate	Ensure project delivery is well governed through the development of

	places undue pressure on Shire resources which interrupts business as usual activities.		a Project Steering Committee, with monthly reporting requirements to the CEO. Engage third-party consultants and sub-contractors as required. Projects to be procured as design and construct.
Compliance	N/A		
Property			
Environmental			
Fraud			

Community and Strategic Objectives

The proposal aligns with the following desired objectives as expressed in the *Community Strategic Plan 2022-2032*:

OBJECTIVES

In 2040 Carnarvon is a place where:

- *Our community is engaged, inclusive and supportive*
- *Our equitable community is actively involved in and are responsible for developing innovative, local solutions that transcend our region for a safe and unified 6701*
- *Our infrastructure, housing and amenities are high quality and accessible*
- *Our sustainable livelihoods create a community that can flourish into the future*
- *Our community acknowledges our history and celebrates our diverse cultures*

ADDITIONAL FOCUS AREAS:

- *Supports the needs of youth in Carnarvon*

BIG IDEAS FOR THE FUTURE OF CARNARVON:

- *Carnarvon RV Friendly Park*
- *Fascine Waterway Improvement*
- *Gascoyne River Path and Parks*
- *Whitlock Island Development*

Comments

The CAP has been developed in response to objectives identified in the Community Strategic Plan 2022-2032. The plan demonstrates a clear development pathway for Carnarvon and enables Shire Officers to prepare competitive funding submissions. The RPPP is a Federal Government funding round which will be highly competitive. The funding offers an unprecedented opportunity for the Shire to deliver on all elements of the CAP in a transformational capital works package which includes The Pier.

COUNCIL RESOLUTION OCM 09/12/23

Moved: Cr Dudley Maslen

Seconded: Cr Paul Kelly

That Council, by Simple Majority pursuant to Section 3.18 of the Local Government Act, 1995 resolves to:

- 1. adopt the Carnarvon Activation Plan 2023 as presented at Schedule 1;**
- 2. approve the collaboration as outlined in the Memorandum of Understanding between the Shire of Carnarvon and DGCorp as presented in Schedule 3; and**
- 3. authorise the CEO to pursue funding opportunities to implement the Carnarvon Activation Plan 2023 projects, noting that the financial implications and budgetary impacts associated with any offer of funding will be presented to Council for consideration.**

FOR: Crs Eddie Smith, Burke Maslen, Marco Ferreirinha, Luke Skender, Luke Vandeleur, Paul Kelly and Dudley Maslen
AGAINST: Nil
ABSENT: Cr A Cottrelll

CARRIED BY SIMPLE MAJORITY 7/0

7.3.5 COMMUNITY GROWTH FUND - ROUND 3

Cr Kelly declared an Impartiality Interest in this item as he is a member of the Gascoyne Off Road Racing Club. Cr Kelly was not required to leave the meeting and could participate and vote on the item.

File No:	ADM0080
Location/Address:	N/A
Name of Applicant:	N/A
Name of Owner:	Shire of Carnarvon
Author(s):	Stephanie Leca, Community and Cultural Development Manager
Authoriser:	Andrea Selvey, Chief Executive Officer
Declaration of Interest:	Impartiality
Voting Requirement:	Simple Majority
Previous Report:	Nil
Schedules:	<ol style="list-style-type: none"> 1. Community Growth Fund Committee Meeting Minutes - 1 December 2023 2. Community Growth Fund - Scoring Assessment Matrix - Round 3 - Confidential (under separate cover) 3. Community Growth Fund - Assessment Matrix - Round 3 - Confidential (under separate cover)

Authority/Discretion:

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

Summary of Item

This report presents the Community Growth Fund Committee recommendations for Round 3 recipients and seeks Council’s formal endorsement of the Committee’s recommendations.

Background

The Shire of Carnarvon’s Community Growth Fund Committee met on Friday, 1 December 2023 to assess the applications received in Round 3 of the Community Growth Fund, which closed on 12 November 2023. Minutes of the Committee meeting are attached in Schedule 3. The Minutes include the Committee’s recommendations.

Six applications were received in this round for the Community Growth Fund, three of them which are to support organisations with their rates. The evaluation of each application was conducted by the

Community Growth Fund Committee, utilising the criteria outlined in the Community Growth Fund Policy, and completing the assessment matrix for a thorough evaluation.

Comments and justification of the recommendations can be found in the Grant Assessment Matrix attached in confidential Schedules 1 and 2 under separate cover.

The Community Growth Fund Committee consists of Elected Members. Shire staff provide administrative support to the Committee by receiving applications, preparing reports for the Committee meeting, obtaining further information required from applicants, and preparing the reports with the Committee’s recommendations for endorsement by Council. Shire staff also provide advice and guidance to applicants to assist with their Community Growth Fund applications.

Stakeholder and Public Consultation

The Shire advertised the Community Growth Fund over the six weeks on social media, website, and flyers.

Statutory Environment

Local Government Act 1995 Section 3.18

Relevant Plans and Policy

CD004 – Community Growth Fund Policy
Strategic Community Plan

Financial Implications

A total budget of \$100,000 was allocated in the 2023/2024 budget. \$41,170 was allocated in August leaving \$58,630.00 available for the remainder of this financial year; noting that one more round of funding is scheduled for the 2023/2024 financial year. The six applications received in Round 3 have collectively requested \$32,954.10. The Committee has recommended that a total of \$32,954.10 be allocated in Round 3.

Risk Assessment

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

Risk Category	Description	Rating	Mitigating Action/s
Financial	Funding commitments cannot be met within budget.	Moderate	Ensure allocation are within the budget provision.
Health & Safety	N/A		
Reputation	Decision-making on approvals and rejections are subject to community criticism.	Moderate	Provision of clear policy and guidelines and timely communication will assist in mitigating the risk.

Service disruption	N/A		
Compliance	Applications funded are non-compliant with the Community Growth Fund policy.	High	Community Growth Fund committee reviewed all applications to ensure they meet the requirements set out in the Community Growth Fund policy.
Property	N/A		
Environment	N/A		
Fraud	Allocated grants may need to be used appropriately as indicated in the application.	Moderate	Appropriate and substantial acquittal processes are in place that makes each organisation accountable for funds according to their funding application.

Community and Strategic Objectives

The proposal aligns with the following desired objectives as expressed in the *Community Strategic Plan 2022-2032*:

OBJECTIVES

In 2040 Carnarvon is a place where:

- *Our economy fosters investment and productivity in industries befitting Carnarvon’s physical and natural environment and that grows our horizons*
- *Our community is engaged, inclusive and supportive*
- *Our sustainable livelihoods create a community that can flourish into the future*

ADDITIONAL FOCUS AREAS:

- *Improve the trust between citizens and the Shire of Carnarvon*

BIG IDEAS FOR THE FUTURE OF CARNARVON:

Comments

The Community Growth Fund Committee has assessed each application against the criteria outlined in the Community Growth Fund policy before making their recommendations to Council. Applications have been assessed and scored against the objectives provided, details of the project budget, demonstrated benefit to the Carnarvon community, and acknowledgement of the Shire of Carnarvon.

COMMITTEE’S RECOMMENDATION

That Council, by Simple Majority pursuant to Section 3.18 of the Local Government Act, 1995, resolves to:

- 1. receive the meeting minutes of the Community Growth Fund Committee meeting held on Friday, 1 December 2023.***
- 2. approve the recommendations for funding made by the Community Growth Fund Committee for the Community Growth Fund as listed below and make the payments as per the Committee’s recommendations:***
 - a) The Carnarvon Art and Crafts Workshop Incorporated for \$2,000 towards Rates.***
 - b) Carnarvon Bowling Club Incorporated for \$5,000 towards the Annual Bowling Carnival June 2024.***
 - c) Carnarvon Pistol Association Incorporated for \$5,000 towards Steel Challenge Competition Equipment and Rates.***
 - d) Carnarvon Rifle Club Incorporated for \$954.10 towards Rates.***
 - e) Carnarvon Windfest Incorporated for \$10,000 towards Carnarvon Windfest 2024.***

- f) Gascoyne Off Road Racing Club Incorporated for \$10,000 towards new track for 2025 Kickstarters Gascoyne Dash.**

COUNCIL RESOLUTION OCM 10/12/23

Moved: Cr Burke Maslen

Seconded: Cr Marco Ferreirinha

That Council, by Simple Majority pursuant to Section 3.18 of the Local Government Act, 1995, resolves to:

- 1. *receive the meeting minutes of the Community Growth Fund Committee meeting held on Friday, 1 December 2023.***
- 2. *approve the recommendations for funding made by the Community Growth Fund Committee for the Community Growth Fund as listed below and make the payments as per the Committee's recommendations:***
 - a) *The Carnarvon Art and Crafts Workshop Incorporated for \$2,000 towards Rates.***
 - b) *Carnarvon Bowling Club Incorporated for \$5,000 towards the Annual Bowling Carnival June 2024.***
 - c) *Carnarvon Pistol Association Incorporated for \$5,000 towards Steel Challenge Competition Equipment and Rates.***
 - d) *Carnarvon Rifle Club Incorporated for \$954.10 towards Rates.***
 - e) *Carnarvon Windfest Incorporated for \$10,000 towards Carnarvon Windfest 2024***
 - f) *Gascoyne Off Road Racing Club Incorporated for \$10,000 towards new track for 2025 Kickstarters Gascoyne Dash.***
- 3. *Review and amend Policy CD004 Community Growth Fund Policy as part of the March 2024 quarterly Policy Review.***

FOR: Crs Eddie Smith, Burke Maslen, Marco Ferreirinha, Luke Skender, Luke Vandeleur, Paul Kelly and Dudley Maslen

AGAINST: Nil

ABSENT: Cr A Cottrell

CARRIED BY SIMPLE MAJORITY 7/0

Note to Minute: Part 3 was added to the recommendation as it has been identified that iconic events should be identified and funded outside the Community Growth Fund process.

7.3.6 COMMUNITY CITIZEN OF THE YEAR AWARDS 2024

File No:	ADM0198
Location/Address:	N/A
Name of Applicant:	N/A
Name of Owner:	Shire of Carnarvon
Author(s):	Stephanie Leca, Community and Cultural Development Manager
Authoriser:	Andrea Selvey, Chief Executive Officer
Declaration of Interest:	Impartiality
Voting Requirement:	Simple Majority
Previous Report:	Nil
Schedules:	<ol style="list-style-type: none"> 1. Community Citizen of the Year 2024 - Awards Committee Scoring - Confidential (under separate cover) 2. Community Citizen Nominations - Confidential (under separate cover) 3. Senior Citizen Nominations - Confidential (under separate cover) 4. Active Group Nominations - Confidential (under separate cover)

Authority/Discretion:

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

Summary of Item

This report presents the Awards Committee recommendations for the Community Citizen of the Year Awards for 2024 and seeks the Council’s formal endorsement of the recommendations.

Background

Each year on Australia Day, the Community Citizen of the Year Awards give local governments around the state the opportunity to acknowledge the contribution and celebrate community engagement of people within the community. The Awards recognise individuals and organisations making a notable contribution during the current year and to those who have given outstanding service over several years.

Community members forward Awards Nominations to the Australia Day Council. The Australia Day Council then forwards them to the Shire of Carnarvon.

The Awards Committee considers the nominations and assesses them against the selection criteria provided by the Australia Day Council. There have been eight nominations in three of the following categories:

- Community Citizen of the Year
- Senior Community Citizen of the Year - Senior (over 65 years)
- Active Citizen of the Year - Group or Event

The Awards Committee evaluated nominations, which are under confidential schedule 1, and scored them on the sheet provided by the Australia Day Council as outlined in confidential schedule 2.

Stakeholder and Public Consultation

The Shire promoted the Community Citizen of the Year Awards through social media, website, and posters to encourage the community to nominate recipients for the four categories determined by the Australia Day Council.

Statutory Environment

5.16 and 5.17 of the Local Government Act, 2005.

Relevant Plans and Policy

CD003 – Australia Day Awards
 Shire of Carnarvon’s Strategic Community Plan

Financial Implications

There are no financial implications related to this report.

Risk Assessment

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

Risk Category	Description	Rating	Mitigating Action/s
Financial	N/A		
Health & Safety	N/A		
Reputation	N/A		
Service disruption	N/A		
Compliance	The selection process or criteria for the Community Citizen of the Year Awards were not adhered to during the Awards Committee meeting.	Low	The Awards Committee undertook a thorough review of awards criteria and selection processes to ensure alignment before scoring nominations.

Property	N/A		
Environment	N/A		
Fraud	N/A		

Community and Strategic Objectives

The proposal aligns with the following desired objectives as expressed in the *Community Strategic Plan 2022-2032*:

OBJECTIVES

In 2040 Carnarvon is a place where:

- *Our equitable community is actively involved in and are responsible for developing innovative, local solutions that transcend our region for a safe and unified 6701*
- *Our sustainable livelihoods create a community that can flourish into the future*
- *Our community is engaged, inclusive and supportive*

ADDITIONAL FOCUS AREAS:

- *Improve the trust between citizens and the Shire of Carnarvon*

BIG IDEAS FOR THE FUTURE OF CARNARVON:

Comments

The Awards Committee assessed nominations against the following criteria provided by the Australia Day Council.

Nominees were considered for the individual award categories (Community Citizen of the Year, Young and Senior) if they demonstrated active positive community engagement and met the following criteria:

- Significant contribution to the local community.
- Demonstrated leadership on a community issue resulting in the enhancement of community life.
- A significant initiative which has brought about positive change and added value to community life.
- Inspiring qualities as a role model for the community.
- Uphold standards of conduct that will not risk placing the Awards Program or Local Government’s reputation into disrepute.

Nominees were evaluated for the group/event award category based on their demonstration of community engagement and fulfillment of any or all the following criteria.

- Group/event that creates community engagement.
- Group/event that creates initiatives for new employment.
- Created significant initiative that brought positive change.

The nominations were considered based on gender, age, ethnicity, cultural background, and field of endeavour to help ensure that recipients are representative of their diverse society.

Nominations were evaluated against the selection criteria provided by the Australia Day Council:

- A person must be nominated by another person to be considered for an award. Self-nominations are not accepted.
- One nomination is sufficient; multiple nominations should not necessarily strengthen an individual’s chances of selection.
- Individuals can be recognised in one category only, so if they cross over multiple categories, a decision needs to be made which category they will be awarded in.
- Nominees should reside or work principally within the local government authority presenting the award.
- Awards may be granted posthumously in recognition of recent achievements.

- Groups of people will not normally be eligible except when meeting the criteria for a community group.
- A couple or partnership with equal standing for the achievement/contribution may be recognised in an individual category.
- A person may receive an award more than once in recognition of outstanding continued community contribution or involvement in a different initiative.
- Individuals must be at least 16 years of age on 26 January, though younger nominees may be considered for exceptional contribution. Definition of exceptional contribution is at the discretion of the local government/council selection committee.
- Unsuccessful nominees/finalists may be nominated in future years.
- Sitting members of State, Federal, and Local Government are not eligible.
- Nominations must be apolitical in their nature.

COMMITTEE'S RECOMMENDATION

That Council, by Simple Majority pursuant to Section 3.18 of the Local Government Act, 1995, resolves to:

- 1. receive the meeting minutes of the Awards Committee meeting held on Friday, 1 December 2023;***
- 2. approve the recommendations of the Awards Committee as listed in Confidential Schedule 1 for the Community Citizen of the Year Awards for 2024; and***
- 3. announce the recipients of the Awards at the Australia Day Breakfast on 26 January 2024.***

COUNCIL RESOLUTION OCM 11/12/23

Moved: Cr Burke Maslen

Seconded: Cr Marco Ferreirinha

That Council, by Simple Majority pursuant to Section 3.18 of the Local Government Act, 1995, resolves to:

- 1. receive the meeting minutes of the Awards Committee meeting held on Friday, 1 December 2023;***
- 2. approve the recommendations of the Awards Committee as listed in Confidential Schedule 1 for the Community Citizen of the Year Awards for 2024; and***
- 3. announce the recipients of the Awards at the Australia Day Breakfast on 26 January 2024.***

FOR: Crs Eddie Smith, Burke Maslen, Marco Ferreirinha, Luke Skender, Luke Vandeleur, Paul Kelly and Dudley Maslen

AGAINST: Nil

ABSENT: Cr A Cottrell

CARRIED BY SIMPLE MAJORITY 7/0

7.4 INFRASTRUCTURE SERVICES

7.4.1 GROWING REGIONS ROUND 1 - PREMIER OVAL LIGHTING UPGRADE

File No:	ADM2256
Location/Address:	N/A
Name of Applicant:	Shire of Carnarvon
Name of Owner:	N/A
Author(s):	Michael Mallon, Project Delivery Manager
Authoriser:	Andrea Selvey, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirement:	Simple Majority
Previous Report:	OCM 13/08/23
Schedules:	Nil

Authority/Discretion:

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

Summary of Item

A Shire expression of interest application under the Federal Growing Regions Program for lighting upgrades to Premier Oval has been successful. The project budget review completed to commence the second stage of the funding application process has identified that the project cost estimate needs to be increased by \$350,000. This report recommends Council approves progressing the funding application to the next stage based upon the revised estimated cost.

Background

The Council adopted 2023/2024 budget included an item for lighting upgrades to Premier Oval. That budget was based upon a:

- total project cost of \$750,000.
- Growing Regions funding contribution of 90% (\$675,000);
- State funding contribution of 5 % (\$37,500); and
- Shire of Carnarvon contribution of 5% (\$37,500)

At the Ordinary Council Meeting in August 2023, Council resolved as follows to support an application to the State Department of Local Government, Sport and Culture (DLGSC) under the Club Night Lights Program (CNLP) for a 5% contribution toward the project:

COUNCIL RESOLUTION OCM 13/08/23**Moved:** Cr Alexander Fullarton**Seconded:** Cr Luke Vandeleur

That Council by Simple Majority, pursuant to Section 3.18 of the Local Government Act, 1995 supports the application from the Shire of Carnarvon to the Department of Local Government, Sport and Culture for the Premier Oval Lighting Upgrade under the Club Night Lights Program.

FOR: Crs Eddie Smith, Burke Maslen, Adam Cottrell, Marco Ferreirinha, Alexander Fullarton and Luke Vandeleur

AGAINST: Nil

ABSENT: Crs L Skender and T Langley

CARRIED BY SIMPLE MAJORITY 6/0

That application has been submitted for assessment by the DLGSR.

Also in August 2023, an expression of interest was submitted to the Growing Regions program as stage one of their application process.

In November 2023, notification was received from Growing Regions that the expression of interest submitted for the project was successful. Formal invitation was received for progression to a full application. A full application is due by 15 January 2024.

The full application presents an opportunity to identify any change in circumstance since the expression of interest which may impact upon the project. These include commencement, duration, estimated expenditure and land ownership.

An impact identified during a project review is an increase in estimated total expenditure of \$350,000 from \$750,000 to \$1.1M. It has become evident that equipment and operators required to deliver the upgraded lighting project are not available in town as previously allowed. The requirement to mobilise a large crane available in Geraldton or Perth along with wet hire operation will increase project costs along with some material cost estimate increases.

If project funding is successful, project works need to commence by 15 May 2024 with a project completion date of 31 December 2025. If funding applications are successful, the matter would be referred to Council for acceptance of that funding.

Stakeholder and Public Consultation

Consultation has been undertaken previously with external stakeholders who participate in activities at Premier Oval including government representatives, local sporting clubs and business owners.

Statutory Environment

Local Government Act, 1995 – Section 3.18 Performing Executive Functions

Relevant Plans and Policy

Policy CD006 External Grants – Procurement and Grants

Financial Implications

While this report is not seeking a budget adjustment, there would be a direct financial implication if one or both the funding applications are ultimately successful – see table below for potential scenarios. Successful funding applications would be referred to Council for formal acceptance.

The Club Night Lights Program grant application was submitted based on the initial project cost estimate of \$750,000. The DLGSC Club Night Lights Program has advised that the total project budget submitted with our funding application cannot be amended so their maximum contribution must remain limited to \$37,500. If the Club Night Lights Program application is unsuccessful, the shortfall would need to be met by the Shire.

The following sets out two possible scenarios that may arise:

2023/2024 BUDGET BASELINE - INITIAL ESTIMATED EXPENDITURE

TOTAL	Growing Regions (90%)	Shire of Carnarvon (5%)	DLGSC (5%)
\$750,000	\$675,000	\$37,500	\$37,500

SCENARIO 1 –GROWING REGIONS AND DLGSC NIGHT LIGHTS SUCCESSFUL

TOTAL	Growing Regions (90%)	Shire of Carnarvon (6.6%)	DLGSC (3.4%)	Comment
\$1,100,000	\$990,000	\$72,500	\$37,500	Shire Contribution Increase of \$35,000

SCENARIO 2 –GROWING REGIONS SUCCESSFUL DLGSC NIGHT LIGHTS UNSUCCESSFUL

TOTAL	Growing Regions (90%)	Shire of Carnarvon (10%)	DLGSC (0%)	Comment
\$1,100,000	\$990,000	\$110,000	\$0	Shire Contribution Increase of \$72,500

Based on current project planning, if the funding applications are successful, procurement is scheduled to be in progress from May until August 2024. This minimises expenditure in the 2023/2024 financial year and will present an opportunity for Council to allocate additional funds during the 2024/2025 financial year budget process as required.

Risk Assessment

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

Risk Category	Description	Rating	Mitigating Action/s
Financial	Increase in Shire contribution toward project with revised costing in full application for Growing Regions Round 1.	A2 – High	Strategic reserve funding could be allocated subject to Council approval. Shortfall can be considered during the 2024/2025 financial year budget deliberations.
	Unsuccessful DLGSC funding application.	C2 - Moderate	Shortfall can be considered during the 2024/2025 financial year budget deliberations.
Health & Safety	N/A		

Risk Category	Description	Rating	Mitigating Action/s
Reputation	N/A		
Service disruption	N/A		
Compliance	N/A		
Property	N/A		
Environment	N/A		
Fraud	N/A		

Community and Strategic Objectives

The proposal aligns with the following desired objectives as expressed in the *Community Strategic Plan 2022-2032*:

OBJECTIVES

In 2040 Carnarvon is a place where:

- *Our infrastructure, housing and amenities are high quality and accessible*

ADDITIONAL FOCUS AREAS:

- *Supports the needs of youth in Carnarvon*

BIG IDEAS FOR THE FUTURE OF CARNARVON:

- *N/A*

Comments

The 90% / 10% contribution arrangement with the Growing Regions program represents an ability to secure funding for projects that would typically otherwise require higher contribution levels. On balance, it is therefore recommended to submit a revised total project cost estimate as part of the Growing Regions full application process.

This reduces risk of project shortfalls being encountered if the project is successful receiving funding and progresses to delivery phase.

OFFICER’S RECOMMENDATION

That Council, by Simple Majority pursuant to Section 3.18 of the Local Government Act, 1995, resolves to accept the invitation to progress the Growing Regions Round 1 funding application to the final round at the revised estimated total expenditure of \$1,100,000 and consider the budget implications once the outcomes of the Growing Regions and the DLGSC Club Night Lights Program funding applications are known.

COUNCIL RESOLUTION OCM 12/12/23

Moved: Cr Paul Kelly
Seconded: Cr Dudley Maslen

That Council, by Simple Majority pursuant to Section 3.18 of the Local Government Act, 1995, resolves to accept the invitation to progress the Growing Regions Round 1 funding application to the final round at the revised estimated total expenditure of \$1,100,000 and consider the budget implications once the outcomes of the Growing Regions and the DLGSC Club Night Lights Program funding applications are known.

FOR: Crs Eddie Smith, Burke Maslen, Marco Ferreirinha, Luke Skender, Luke Vandeleur, Paul Kelly and Dudley Maslen
AGAINST: Nil
ABSENT: Cr A Cottrell

CARRIED BY SIMPLE MAJORITY 7/0

7.4.2 SUPPLY AND DELIVERY OF LANDFILL SITE LOADER

File No:	ADM0002
Location/Address:	N/A
Name of Applicant:	Shire of Carnarvon
Name of Owner:	Shire of Carnarvon
Author(s):	Mativa Toomalatai, Acting Projects Contracts Manager
Authoriser:	Andrea Selvey, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirement:	Simple Majority
Previous Report:	Nil
Schedules:	1. RFQ23-2023 Comparison Report for the Supply and Delivery of New Loader - Confidential (under separate cover)

Authority/Discretion:

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

Summary of Item

This report presents a Request for Quotation process undertaken for the purchase of a Loader to be used at the Brown Range landfill site.

The recommendation to Council is to purchase the Caterpillar 938K IT Wheel Loader from WesTrac.

Background

The existing loader at the tipsite facility in Carnarvon is a leased machine. The lease on this machine expires in April 2024.

The Infrastructure Services team has sourced quotes from three WALGA Preferred Suppliers for the supply and delivery of a new loader for the landfill site. A comparison report has been prepared for Council’s information and is provided in Confidential Schedule 1.

As this purchase amount is above the \$250,000 CEO delegation limit, formal authorisation to the CEO to undertake this purchase is required.

Stakeholder and Public Consultation

N/A

Statutory Environment

Local Government Act 1995 S3.57 - Tenders for providing goods or services
Local Government (Functions and General) Regulations 1996, Division 2 Requirements for Tendering.
Local Government Act 1995 S9.49A - Execution of documents

Relevant Plans and Policy

Policy CF001 – Purchasing and Procurement Policy

Financial Implications

An allocation of \$400,000 for the purchase of a new landfill loader is included in the Council adopted 2023/2024 Annual Budget. The quote received from WesTrac for the Caterpillar 938K IT Wheel Loader is within the adopted budget.

Risk Assessment

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

Risk Category	Description	Rating	Mitigating Action/s
Financial	N/A		
Health & Safety	N/A		
Reputation	N/A		
Service disruption	Due to limited availability of stock and the high demand in supply, any delays in securing the purchase may impact options to buy later. Potential risks are an increase in the cost to buy and delays in delivery time.	C2 – Moderate	Council endorses the Officer’s recommendation and proceeds with the purchase of the Caterpillar 938K IT Wheel Loader from WesTrac.
Compliance	N/A		
Property	N/A		
Environment	N/A		
Fraud	N/A		

Community and Strategic Objectives

The proposal aligns with the following desired objectives as expressed in the *Community Strategic Plan 2022-2032*:

OBJECTIVES

In 2040 Carnarvon is a place where:

- *Our infrastructure, housing and amenities are high quality and accessible*

ADDITIONAL FOCUS AREAS:

- N/A

BIG IDEAS FOR THE FUTURE OF CARNARVON:

- N/A

Comments

The recommendation to purchase the Caterpillar 938K IT Wheel Loader from WesTrac is based on best value for money considerations. As is noted in the comparison report, the machine from WesTrac is:

- suitable for the work that is required to be done at the landfill site;
- available in stock and can be delivered to site upon purchase;
- offered with a significant discount on the sale price; and
- serviceable via a Carnarvon based CAT service representative resulting in supply of parts and delivery of a specialised service for CAT equipment being less costly and more timely.

OFFICER'S RECOMMENDATION

That Council by Simple Majority:

1. *pursuant to Section 3.57 of the Local Government Act 1995 and Division 2 of the Local Government (Functions and General) Regulations 1996, resolves to accept the quotation from WesTrac Pty Ltd for RFQ23-2023 for the supply and delivery of a Caterpillar 938K IT Wheel Loader for the quotation price provided in Confidential Schedule 1 of \$XXXXXX (ex GST) <PRICE TO BE INCLUDED IN COUNCIL MINUTE.> and*
2. *Pursuant to Section 9.49A of the Local Government Act 1995, authorises the CEO to make any necessary non-material amendments and finalise execution of the contract between the Shire of Carnarvon and WesTrac Pty Ltd for the supply and delivery of a Caterpillar 938K IT Wheel Loader.*

COUNCIL RESOLUTION OCM 13/12/23

Moved: Cr Paul Kelly

Seconded: Cr Luke Vandeleur

That Council by Simple Majority:

1. *pursuant to Section 3.57 of the Local Government Act 1995 and Division 2 of the Local Government (Functions and General) Regulations 1996, resolves to accept the quotation from WesTrac Pty Ltd for RFQ23-2023 for the supply and delivery of a Caterpillar 938K IT Wheel Loader for the quotation price provided in Confidential Schedule 1 of \$344,150 (ex GST); and*
2. *Pursuant to Section 9.49A of the Local Government Act 1995, authorises the CEO to make any necessary non-material amendments and finalise execution of the contract between the Shire of Carnarvon and WesTrac Pty Ltd for the supply and delivery of a Caterpillar 938K IT Wheel Loader.*

FOR: Crs Eddie Smith, Burke Maslen, Marco Ferreirinha, Luke Skender, Luke Vandeleur, Paul Kelly and Dudley Maslen
AGAINST: Nil
ABSENT: Cr A Cottrelll

CARRIED BY SIMPLE MAJORITY 7/0

7.4.3 CARNARVON AIRPORT - RAUP FUNDING APPLICATION

File No:	ADM2191
Location/Address:	Carnarvon Airport, James Street, Carnarvon
Name of Applicant:	Shire of Carnarvon
Name of Owner:	Shire of Carnarvon
Author(s):	David Nielsen, Executive Manager Infrastructure Services
Authoriser:	Andrea Selvey, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirement:	Simple Majority
Previous Report:	Nil
Schedules:	Nil

Authority/Discretion:

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

Summary of Item

Works are likely to be required at Carnarvon Airport to support ongoing operation of the Dash 8 Q400 aircraft into Carnarvon. This report recommends Council approval to lodge an application to the Federal Department of Infrastructure, Transport and Regional Development under their Remote Airstrip Upgrade Program (RAUP) for additional funding to support required Carnarvon Airport upgrades.

Background

The Federal Department of Infrastructure, Transport and Regional Development Remote Airstrip Upgrade Program (RAUP) aims to enhance the safety and accessibility of aerodromes in remote areas of Australia. Round 10 of this program is now open for applications. The Australian Government has announced a total of \$12 million over three years from 2023/2024 to 2025/2026. Under this program, Carnarvon Airport is eligible as a “very remote” site as defined by the 2021 Australian Statistical Geographic Standard (ASGS) for remoteness.

In October 2024, Dash 8 Q400 aircraft commenced operations at Carnarvon airport. This aircraft operates under a Regular Passenger Transport (RPT) contract to Regional Express (Rex) Airlines for the Department of Transport. Operation of the aircraft for three flights per week increases passenger seat servicing to Carnarvon by approximately 38%. Flight times between Carnarvon and Perth is also reduced using this aircraft.

The Q400 aircraft requires a conditional concession to land at Carnarvon airport as the aircraft exceeds the maximum rated capacity of the runway, taxiways and apron areas. That concession was issued by the Shire as the airport owner and accepted by the aircraft operator on 26 October 2023.

Prior to and after commencement of Q400 operations, the Department of Transport funded investigative works to assess potential impacts of this aircraft on Carnarvon Airport infrastructure through:

1. completion by Regional Airport Management Services (RAMS) of a detailed visual inspection of the main runway and other aircraft movement areas;
2. geotechnical testing to supplement other geotechnical testing completed earlier in the year; and
3. RAMS undertaking:
 - a. a runway Pavement Classification Number (PCN) assessment and Technical Assessment Report using the geotechnical and visual inspection data and provide advice on the pavement strength for taxiways and aprons;
 - b. to provide advice on strengthening solutions and costs associated with the runway, taxiway and aprons in the short term (1-3years) to ensure the most efficient Q400 operations possible at the least cost; and
 - c. to provide a report that defines strengthening solutions and costs needed for the runway, taxiway and aprons in the long term (3+years) to provide unrestricted Q400 operations.

Items one and two are complete. The remaining item is in progress and are expected to be completed in time to a level necessary for completion of a RAUP application.

The Department of Transport (WA) has advised an allocation in 2023/2024 of \$850,000 has been set aside under its Regional Airport Development Scheme (RADS) program for works associated with supporting ongoing operation of the Q400 aircraft into Carnarvon. They have further advised that a co-contribution from the Shire is not required.

DOT has however recommended that the Shire lodges an application under the Federal RAUP program seeking Federal funding to match their \$850,000 contribution.

The Shire has an executed funding agreement under the 2023/2025 RADS program. That funding is for:

- airport asset and development planning and CCTV installation works in 2023/2024; and
- reconstruction of the northern apron in 2024/2025.

To simplify administrative arrangements, it is possible a single RADS funding agreement will be developed to consolidate all state funded works into a single agreement.

At the time of writing, the extent and nature of the upgrade works that may be required to support Q400 operations is not fully known as investigative works remain incomplete. The recommendation to Council is therefore general in nature but will allow an RAUP application to be lodged.

Required works is however likely to include a mix of:

- rejuvenation seals to extend the life of pavement surfacing areas;
- asphalt overlays to protect surfacing at high stress aircraft turning areas; and
- asphalt overlays to strengthen aircraft movement areas.

Stakeholder and Public Consultation

Department of Transport

Statutory Environment

Local Government Act, 1995 – Section 3.18 Performing Executive Functions

Relevant Plans and Policy

Policy CD006 External Grants – Procurement and Grants

Financial Implications

There are no direct financial implications associated with the recommendation.

All works under the executed 2023/2024 RADS funding agreement is funded under the adopted Shire budget. An allocation of \$388,988 of Shire funds will be required in the 2024/2025 budget to support the Northern Apron Upgrade works under the current funding arrangements.

The table below summarises the project budgets and contributions under the current approved funding arrangement.

Current Funding Arrangement					
Project	Delivery Year	Project Budget	RADS Contribution	Shire Contribution	RAUP Contribution
Strategic Asset and Development Plan and Additional CCTV	2023/2024	\$54,000	\$27,000	\$27,000	\$0
Northern Apron Reconstruction	2024/2025	\$777,975	\$388,988	\$388,988	\$0
Q400 Operation Upgrades	2023/2025	\$850,000	\$850,000	\$0	\$0
Total		\$1,681,975	\$1,265,988	\$415,988	\$0

The table below summarises the project budgets and contributions under the proposed funding arrangement if the Shire RAUP application proves successful.

Proposed Funding Arrangement					
Project	Delivery Year	Project Budget	RADS Contribution	Shire Contribution	RAUP Contribution
Strategic Asset and Development Plan and Additional CCTV	2023/2024	\$54,000	\$18,000	\$18,000	\$18,000
Northern Apron Reconstruction	2024/2025	\$777,975	\$259,325	\$259,325	\$259,325
Q400 Operation Upgrades	2023/2025	\$1,700,000	\$850,000	\$0	\$0
Total		\$2,531,975	\$1,127,325	\$277,325	\$1,127,325

Risk Assessment

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

Risk Category	Description	Rating	Mitigating Action/s
Financial	Without the RAUP contribution, less Q400 upgrade works will be achievable with the current	A3 - Extreme	Approve application to grant program to secure extra funding.

Risk Category	Description	Rating	Mitigating Action/s
	available funds. Shortfall cannot be met by Shire contribution.		
Health & Safety	N/A		
Reputation	N/A		
Service disruption	Upgrade works not completed in a timely manner may put operation of the Q400 aircraft at risk.	C3 - High	Successful funding will allow commencement of upgrade works.
Compliance	Damage to the runway from the operation of the Q400 aircraft could compromise CASA compliance requirements for airport operation.	C3 - High	Continued careful runway surface monitoring until upgrade works can be completed.
Property	N/A		
Environment	N/A		
Fraud	N/A		

Community and Strategic Objectives

The proposal aligns with the following desired objectives as expressed in the *Community Strategic Plan 2022-2032*:

OBJECTIVES

In 2040 Carnarvon is a place where:

- *Our infrastructure, housing and amenities are high quality and accessible*

ADDITIONAL FOCUS AREAS:

- N/A

BIG IDEAS FOR THE FUTURE OF CARNARVON:

- N/A

Comments

RAUP projects are required to be completed by 30 April 2026.

Completion dates for the existing RADS projects are as follows:

Project	Delivery Date
Strategic Asset and Development Plan and Additional CCTV	17 May 2024
Northern Apron Reconstruction	17 May 2025

The recommendation to Council is twofold. In the first instance, RAUP support of the existing RADS programs would reduce the Council contribution to those projects by \$138,663.

In the second, an additional RAUP contribution to the Q400 upgrade works will allow a greater proportion of those works to be completed in a more timely manner.

It is therefore recommended to Council that the RAUP application be lodged to seek support for the ongoing community benefit the Q400 service provides.

OFFICER'S RECOMMENDATION

That Council, by Simple Majority pursuant to Section 3.18 of the Local Government Act, 1995, resolves to authorise the CEO to lodge a Remote Airstrip Upgrade Program (RAUP) application(s) seeking RAUP funding to:

- 1. support the existing Shire projects for Carnarvon airport approved under the Department of Transport Regional Airport Development Scheme (RADS) program; and***
- 2. provide the matching funding for the Department of Transport contribution toward Carnarvon Airport upgrade works necessary to support an ongoing Q400 aircraft service to Carnarvon.***

COUNCIL RESOLUTION OCM 14/12/23

Moved: Cr Dudley Maslen

Seconded: Cr Burke Maslen

That Council, by Simple Majority pursuant to Section 3.18 of the Local Government Act, 1995, resolves to authorise the CEO to lodge a Remote Airstrip Upgrade Program (RAUP) application(s) seeking RAUP funding to:

- 1. support the existing Shire projects for Carnarvon airport approved under the Department of Transport Regional Airport Development Scheme (RADS) program; and***
- 2. provide the matching funding for the Department of Transport contribution toward Carnarvon Airport upgrade works necessary to support an ongoing Q400 aircraft service to Carnarvon.***

FOR: Crs Eddie Smith, Burke Maslen, Marco Ferreirinha, Luke Skender, Luke Vandeleur, Paul Kelly and Dudley Maslen

AGAINST: Nil

ABSENT: Cr A Cottrelll

CARRIED BY SIMPLE MAJORITY 7/0

8 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

9 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

10 QUESTIONS FROM MEMBERS WITHOUT NOTICE

Councillor Dudley Maslen asked the Shire President to provide comment on the recent meeting held with Minister Whitby, Minister for Racing and Gaming in Carnarvon on Thursday 23 November 2023.

President Smith responded and advised that the Minister had visited Carnarvon to discuss the impact on liquor restrictions in Carnarvon with the Shire President and Chief Executive Officer and other invited guests. The meeting was by invitation only from the Minister's office of which Council had no control.

President Smith wished it to be made clear that the article appearing in the West Australian misquoted his comments and was disappointed by the Carnarvon community's belief that the Shire of Carnarvon and Shire President (and also as previous Chair of the Liquor Accord) have implemented the liquor restrictions. This is not the case and was in fact implemented by the Minister for Racing and Gaming.

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

11.1 AUSTRALIA DAY FIREWORKS

President Smith sought Council approval to bring to the table a matter regarding the conducting of fireworks on Australia Day as part of the Australia Day celebrations.

COUNCIL RESOLUTION OCM 15/12/23

Moved: Cr Eddie Smith

Seconded: Cr Burke Maslen

That Council consider the matter of conducting fireworks on Australia Day as part of the Australia Day celebrations.

FOR: Crs Eddie Smith, Burke Maslen, Marco Ferreirinha, Luke Skender, Luke Vandeleur, Paul Kelly and Dudley Maslen

AGAINST: Nil

ABSENT: Cr A Cottrell

CARRIED BY SIMPLE MAJORITY 7/0

COUNCIL RESOLUTION OCM 16/12/23**Moved:** Cr Eddie Smith**Seconded:** Cr Dudley Maslen***That Council:***

- 1 approve the Australia Day Fireworks Event going ahead on 26 January 2024 subject to satisfactory risk assessment on the day; and***
- 2 investigate alternative types of shows (ie. Drones/laser lights) for future Australia Day celebrations.***

FOR: Crs Eddie Smith, Burke Maslen, Marco Ferreirinha, Luke Skender, Luke Vandeleur, Paul Kelly and Dudley Maslen

AGAINST: Nil

ABSENT: Cr A Cottrell

CARRIED BY SIMPLE MAJORITY 7/0**12 MATTERS FOR WHICH MEETING TO BE CLOSED TO MEMBERS OF THE PUBLIC**

Nil

13 DATE OF NEXT MEETING

The next meeting will be held on Tuesday 23 January 2024 at Shire Council Chambers, Stuart Street Carnarvon commencing at 1.00pm

14 CLOSURE

The Presiding Member declared the meeting closed at 1.46pm.