



SHIRE OF CARNARVON
AGENDA
ORDINARY COUNCIL MEETING
TUESDAY 22 AUGUST 2023

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

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.

NOTICE OF MEETING

Notice is hereby given

Shire of Carnarvon
Ordinary Council Meeting
will be held
on Tuesday 22 August 2023
at the Shire Council Chambers, Stuart Street
Carnarvon,
commencing at 1.00pm.



Andrea Selvey
CHIEF EXECUTIVE OFFICER

DISCLAIMER

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

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

INFORMATION ON PUBLIC QUESTION TIME

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

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

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

Local Government (Administration) Regulations 1996 – Pt 2, r.11 – (in part reads -)
11. Minutes, content of (Act s.5.25(1)(f))

*The content of minutes of a meeting of a council or a committee is to include –
(e) a summary of each question raised by members of the public at the meeting and a summary of the response to the question.*

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

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

SPECIAL MEETINGS OF COUNCIL

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

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1 ATTENDANCES, APOLOGIES & APPROVED LEAVE OF ABSENCE

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

2 DECLARATION OF INTEREST

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

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.)

3.1 QUESTIONS TAKEN ON NOTICE FROM PREVIOUS MEETING

Nil

3.2 PUBLIC QUESTION TIME**4 CONFIRMATION AND RECEIVING OF MINUTES****CONFIRMATION OF MINUTES**

4.1 Minutes of the Ordinary Council Meeting - 25 July 2023

5 ANNOUNCEMENTS BY THE PRESIDENT WITHOUT DISCUSSION**6 PRESENTATIONS, PETITIONS AND MEMORIALS**

Nil

7 DEPARTMENTAL REPORTS

7.1 GOVERNANCE

7.1.1 ACTIONS PERFORMED UNDER DELEGATED AUTHORITY FOR THE MONTHS OF JULY AND AUGUST 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:

- 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 reports on actions performed under delegated authority for the months of July and August 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	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	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 for the months of July and August 2023 are submitted to Council for information.

CEO DELEGATION

21 July 2023	Carnarvon Netball Association – Sponsorship \$308 from Community Growth Fund
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DELEGATIONS – PLANNING AND DEVELOPMENT

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
A2296	P44/22	Lots 1, 52 & 9500 Coral Bay	Use and development of land for accommodation purposes	Coral Bay Amalgamated Holdings Pty Ltd	27/07/2023
A867	P22/23	35 Holden Street, Carnarvon	Development of a carport	Malcolm Bail	31/07/2023
A3873	P23/23	368 Robinson Street, Carnarvon	Development of a shed	Carnarvon Horse and Pony Club	14/08/2023

OFFICER’S RECOMMENDATION

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

7.1.2 ADOPTION OF THE 2023/24 ANNUAL BUDGET

File No:	ADM0027
Location/Address:	N/A
Name of Applicant:	Shire of Carnarvon
Name of Owner:	N/A
Author(s):	Alan Thornton, Deputy Chief Executive Officer
Authoriser:	Andrea Selvey, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirement:	Absolute Majority
Previous Report:	N/A
Schedules:	<ol style="list-style-type: none"> 1. 2023/24 Annual Budget 2. 2023/24 Capital Works Program 3. 2023/24 Ministerial Approval of Differential Rates 4. 2023/24 Objectives and Reasons for the Differential Rates and Minimum Payments 5. 2023/24 Fees and Charges

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

In accordance with S6.2 of the Local Government Act 1995 (the Act), Council is requested to consider and adopt the Shire of Carnarvon's Annual Budget for the 2023/24 financial year, together with supporting schedules, which include:

- 1) 2023/24 Annual Budget
- 2) 2023/24 Capital Works Program
- 3) 2023/24 Ministerial Approval of Differential Rates
- 4) 2023/24 Objectives and Reasons for the Differential Rates and Minimum Payments
- 5) 2023/24 Fees and Charges

BackgroundMunicipal Fund Budget

Under section 6.2(1) of the Act and Local Government (Financial Management) Regulations 1996 (FM Regs), Council is required to prepare and adopt an annual budget for each financial year, not later than 31 August

of each financial year, or such extended time as the Minister allows. The legislation prescribes the form and content of the Annual Budget, which must include Statement of Comprehensive Income, Statement of Cash Flow and Statement of Financial Activity (formerly known as the Rates Setting Statement – RSS) and various other notes.

2023-2023 Differential Rates, Minimum Payments, and Instalment Payment Arrangements

The purpose of levying rates is to meet Council’s budget requirements in each financial year to deliver services and community infrastructure. The rates levied are determined by applying the rate in the dollar to the applicable valuation amount of the properties. The Minister for The Department of Local Government, Sport and Cultural Industries (the Minister) determines the methods of land valuation, with the actual valuation provided by the Valuer General’s Office (VGO). Local Governments that apply differential rates must advertise their intention to impose differential rates, consider any public submissions and then apply to the Minister for approval to impose differential rates. The application must take into consideration section 6.33 of the Act, which provides the ability to differentially rate properties based on zoning or land use as determined by the local government. Section 6.35 of the Act also provides the ability to impose a minimum payment which is higher than the general rate, which would otherwise be payable on that land. The application of differential rating based on land use or zoning results in a rate in the dollar and minimum payment amounts for each rating category. Differential rates have been applied for the 2023/2024 financial year.

During the public submission period commencing 10 May 2023 and closing on 1 June 2023 one public submission was received on 30 May 2023. The submission was presented to Council at the 6 June 2023 Special Council meeting.

At the Special Meeting of Council on 06 June 2023, Council resolved as follows:

SCM 1/6/23

COUNCIL RESOLUTION

Cr Vandeleur/Cr Skender

That Council, by Absolute Majority, pursuant to s.6.33 and s.6.35 of the Local Government Act 1995 resolves to:

1. Seek approval from the Minister for Local Government to impose differential rates for 2023/2024 land parcels that have unimproved value and gross rental value assigned to them as per the table below; and for the objects and reasons of the differential rates as provided in Schedule 4.1(c) and to be adopted as part of the 2023/2024 budget:

Category	Cents in \$	Minimum Rate (\$)
GRV - Residential	12.1408	1,265
GRV - Commercial/Industrial	11.2456	1,265
GRV - Special Use/Rural	12.1408	1,265
UV - Mining	26.7622	464
UV - Pastoral	12.1861	1,265
UV - Intensive Horticultural	2.7940	1,265

2. Note the submission from McMahon Mining Title Services and advise McMahon Mining Title Services of Council’s decision.

CARRIED BY ABSOLUTE MAJORITY

The Shire responded to the submission by letter on the 15 June 2023.

The Shire's application seeking approval to impose differential rates was submitted to the Minister's Office on 12 July 2023. Approval from the Minister for Local Government was received on 1 August 2023.

Fees and Charges

As per sections 6.16 to 6.19 of the Act, a local government may impose a fee or charge for any goods or services it provides. Fees and charges must be imposed when adopting the Annual Budget, however, may also be imposed or amended during the year if necessary. At the Special Meeting of Council on 25 July 2023 Council resolved as follows:

COUNCIL RESOLUTION OCM 01/07/23

Moved: Cr Luke Vandeleur

Seconded: Cr Burke Maslen

- 1. That Council, by Absolute Majority in accordance with Section 6.8 (1) (b) of the Local Government Act 1995, resolves to adopt the schedule of Proposed Fees and Charges for the 2023 – 2024 financial year;*
- 2. Give local public notice of the Council's intention to impose the Schedule of Fees and Charges 2023 – 2024, effective from 25 September 2023;*
- 3. Review all fees and charges after the six-month trial period as part of the Mid Year Budget Review*

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

AGAINST: *Nil*

ABSENT: *Crs A Cottrell, L Skender and T Langley*

CARRIED BY ABSOLUTE MAJORITY 5/0

In accordance with the Council resolution, Council's intention to impose the Schedule of Fees and Charges was provided communicated via public notice.

Elected Members Sitting Fees

The Administration Regulations prescribe minimum and maximum amounts for Councillor Sitting Fees and Allowances. Councillor Sitting Fees and Allowances are reviewed annually by the Salaries and Allowances Tribunal (SAT) and by Council during the budget development process.

Materiality Threshold

Each financial year, a local government is to adopt a percentage or value, calculated under the Australian Accounting Standards (AASB), to be used for reporting material variances in the monthly statement of financial activity under AASB 1031 Materiality and FMR 34(5).

The Materiality Threshold is an internal control measure that prevents financial loss caused by an omission, misstatement or non-disclosure of financial information. The Materiality Threshold also minimises

administrative inefficiency, ensuring only those variances representing a medium or high-level risk are reported to management and Council.

Stakeholder and Public Consultation

Minister for Local Government

The community was invited to make submissions on the proposed differential rating categories, rates in the dollar and minimum payments, which was subject to public notice “Notice of Intention to Impose Differential rates 2023/24” between 10 May 2023 and 1 June 2023. One submission was received which was considered by Council on 6 June 2023 (SCM 1/6/23).

Councillors have been involved through the budget process through briefings and workshops for rates, the capital works program and operational income and expenditure.

Statutory Environment

- Local Government Act 1995, s6.2* Local government to prepare Annual Budget
- Local Government Act 1995, s 1.7* Local public notice
- Local Government Act 1995, s6.16* Imposition of fees and charges
- Local Government Act 1995, s6.17* Setting level of fees and charges
- Local Government Act 1995, s6.19* Local government to give notice of fees and charges
- Local Government Act 1995, s 6.28* Basis of Rates
- Local Government Act 1995, s 6.32* Rates and service charges
- Local Government Act 1995, s 6.34* Limit on revenue or income from general rates
- Local Government Act 1995, s 6.35* Minimum payment
- Local Government Act 1995, s 6.36* Local government to give notice of certain rates

Relevant Plans and Policy

- Rating Policy
- Financial Hardship Policy

Financial Implications

The 2023/24 Annual Budget determines the financial operations of the Shire for the 2023/24 financial year and provides the base level of detail to inform the preparation of the next Long Term Financial Plan.

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	Stakeholders may withdraw funding if	Low	The proposed budget is compliant with applicable Legislation and Regulations.

	<p>the budget is not prepared according to the regulatory framework.</p> <p>Delays to the budget can impact cashflows.</p>		
Health & Safety	N/A	N/A	N/A
Reputation	<p>The reputation of the Shire is impacted by the quality of the services we deliver and the rates and fees we charge. There is a risk that if balance is not achieved ratepayers and residents will be unhappy with either the rates they are charged, or the range and level of service offered.</p>	High	Clear communication on the financial management of the Shire. Ongoing community engagement in service delivery.
Service disruption	<p>Council does not endorse the 2023/24 budget with the consequential risk of deferred cash flow and thus inability to meet financial commitments.</p>	High	Delegated authority to the CEO to incur expenditure under the Local Government Act 1995 until budget endorsement. Ministerial approval would be required for an extension if the budget is not adopted by 31 August.
Compliance	<p>Council does not endorse the 2023/24 budget with the consequential risk of deferred cash flow and thus inability to meet financial commitments.</p>	High	Delegated authority to the CEO to incur expenditure under the Local Government Act 1995 until budget endorsement. Ministerial approval would be required for an extension if the budget is not adopted by 31 August.
Property	N/A	N/A	N/A
Environment	N/A	N/A	N/A
Fraud	N/A	N/A	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:

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

BIG IDEAS FOR THE FUTURE OF CARNARVON:

- N/A

Comment

Annual Budget 2023/24

The 2023/24 Annual Budget financial activities are detailed in Schedule 1. The Statement of Financial Activity (SOFA) represents a composite view showing source and application of the finances of the Shire of Carnarvon. The SOFA highlights movements in the Surplus/Deficit which is primarily based on the operational and capital revenues and expenditures, borrowings, as well as transfer to and from reserves.

There are three main sections in the SOFA as follows:

- Operating activities
- Investing activities
- Financing activities

The non-cash components of each section, for example depreciation, are eliminated in the SOFA to show the true picture of funding movements. The Shire’s SOFA for 2023/24 has been prepared to show a balanced position, i.e. no surplus or deficit.

Calculations for the 2023/24 SOFA identified the need to raise \$6.67 million in rates revenue, which equates to a 3% increase in rates revenue and growth in rates for 2023/24. The rates revenue generated will allow the Shire to continue with running its operations and delivering capital projects with the Shire’s financial constraints.

The estimated 2022/23 carry forward operating and capital projects is \$8.20 million in value. The carry forward position includes \$6.03 million relating to the 2023/24 Financial Assistance Grant received in advance. Other factors that contributed to the carry forward position include the timing of receiving grant funding and decisions about the optimum timing of the commencement of projects.

The SOFA provides 2023/24 Annual Budget information for the following income and expenditure:

Operating Revenue \$18,548,815

General rates	\$6,669,732
Rates excluding general rates	\$285,533
Grants, subsidies and contributions	\$7,564,910
Fees and charges	\$3,561,650
Interest revenue	\$130,000
Other revenue	\$300,694
Profit on asset disposals	\$36,296

Capital Revenue \$9,374,741

Comprised of Capital grants, subsidies and contributions of \$9.28 million and Proceeds from disposal of assets of \$99K.

Capital Expenditure \$14,628,096

Non-operating expenditure comprises of \$10.88 million for Infrastructure and \$3.75 million for Property, Plant and Equipment.

Borrowings

Proceeds from new borrowings amount to \$1.996 million. This comprises \$996,000 to fund the purchase of new plant and equipment and \$1.00 million for new housing.

Reserves

In order to meet the funding requirements to achieve the outcomes contained in the 2023/24 Annual Budget a range of Reserve transfers are proposed. Overall, the net transfer from Reserves of \$716,000 is mainly due to funding of the Shire’s Plant and Equipment program via unspent loan funds from 2022/23.

Operating Expenditure \$31,928, 785

Employee costs	\$7,991,365
Materials and contracts	\$13,510,057
Utility charges	\$915,163
Depreciation	\$8,334,555
Finance costs	\$109,113
Insurance	\$595,713
Other expenditure	\$414,819

Through the 2023/24 Annual Budget the Shire is aiming to deliver the following key capital projects:

Projects	Amount \$	External Grants and Contributions \$
Coral Bay Bike path	1,390,000	1,320,500
Housing Development Northwater	1,240,000	240,000
Main Street - Roads To Recovery	961,650	961,650
Fascine Wall Capping Beam Replacement	845,605	845,605
Tramway Bridge Capital Improvements	844,041	844,041
Wahroonga Pimbee Road (RRG)	774,488	516,299
Quobba Gnaraloo	774,448	516,299
Premier Oval Lighting Upgrade	750,000	712,500
Waste Compactor	737,769	0
Speedway Road A - Black Spot	615,000	410,000
Youth Precinct Development	531,156	531,156
Harbour Rd	460,000	460,000
Waste Wheel Loader replace P303	400,000	0
Coral Bay refuse site	300,000	0
Admin Building Roof Replacement	299,454	299,454
Waste Excavator Replace P299	250,000	0
WA Bicycle Network Community College Shared Path	244,138	115,388
Quobba Gnaraloo Rd	243,431	243,431
Wahroonga Pimbee Rd	243,431	243,431
Angelo Street Storm Water Pump Upgrades	225,000	225,000
Foreshore Playground Upgrades	213,628	203,628
Blowholes Development Project (Capital Works)	160,000	110,039
Temporary Budget Job No - Roads To Recovery (Coa 3740)	152,815	152,815
Upgrades To Swimming Pool Bowl	140,000	0
Reynold Street Storm Water Pump Upgrades	132,500	0
Main Street Reticulation	118,000	0
Bushfire Brigade Water Tank	110,350	110,350
PTRU2 Replace	110,000	0
Grid Construction & Approaches	110,000	0
Entry Statement NWCH Re-Establishment	102,551	102,551

The Capital Works Program is detailed in Schedule 2.

Differential Rates, Minimum Payments and Instalment Payment Arrangements 2023/24

Council has been cognisant of a challenging current economic climate with high CPI inflation when developing the 2023/24 Annual Budget, recognising the need for a general rate increase that reflects increased cost pressures in the community.

As part of the annual budget process, Council must determine the general rate in the dollar and minimum payments for the 2023/24 financial year. During budget preparation it was identified that \$6.6 million of rate

revenue was required to achieve a balanced budget in 2023/24 while maintaining a 3% Rate in the Dollar (RID) change. The RID for Specified Area Rate – Coral Bay has remained the same as 2022/23 financial year RID.

Category	Rate in the \$ (cents) Proposed	Minimum Payment Proposed (\$)	Estimated Budget Rate Revenue \$ (inc Mins) 23/24
GRV – Residential	12.1408	1,265	3,214,289
GRV – Commercial/Industrial	11.2456	1,265	1,865,421
GRV – Special Use/Rural	12.1408	1,265	282,439
UV - Mining	26.7618	464	257,369
UV - Pastoral	12.1861	1,265	390,351
UV – Intensive Horticultural	2.7939	1,265	628,628
Totals			6,638,496
Specified Area Rate – Coral Bay	7.243	N/A	277,933

Proposed Minimum Payments

The setting of minimum rates within rating categories recognises that every property receives some minimum level of benefit from the Shire’s works and services, which is shared by all properties regardless of size, value, and use. A proposed minimum rate of \$1,265 has been applied to all rating categories except for the UV Mining category, set at \$464. The valuations of the 51 mining tenements have an average UV of \$4,909.97. The minimum rate for the UV Mining category is set at a lower level than the other rating categories to ensure that the rate burden is distributed equitably between all other property owners paying the minimum amount. A lower minimum payment will also ensure that less than 50% of the properties in this category are on the minimum rate and comply with section 6.35 of the Act.

Required Notice for Differential Rates and Minimum Payments and Ministerial Approval

Section 6.36 of the Act requires local governments seeking to impose differential rates or minimum payments to give local public notice, seek submissions for a minimum of 21 days, and then consider these submissions before imposing rates. The objects of, and the reasons for each proposed rate must also be prepared and published on the local government’s website (Schedule 4). Section 6.33 and 6.35 of the Act require the Minister’s approval to impose:

Differential rates more than twice the lowest differential rate (applicable for the GRV – Vacant, UV – Mining and UV – Commercial rating categories).

At the 26 April 2023 OCM, Council resolved to invite submissions on the proposed differential rates and minimum payments. Public notice inviting submissions on proposed differential rates was advertised in the Midwest Times in the 10 May 2023 edition, with the 21-day submission period ending COB 1 June 2023. Public notices were also placed on noticeboards located at the Shire of Carnarvon’s Administration Centre and Library. Digital public notices were published on the Shire of Carnarvon’s Facebook page and Shire’s website with a link to the Objectives and Reasons for the Differential Rates and Minimum Payments for the

2023/24 Financial Year. One submission was received and presented to Council without any resulting modifications.

Instalment Interest, Penalty Interest and Other Administration Fees

Under section 6.45 and 6.51(1) of the Act, Council can charge interest on unpaid rates and rates paid on an approved instalment plan. The maximum interest rate for outstanding rates and other monies owed to Council is prescribed by Regulation 70 of the FMR and is currently 7%. Instalment interest is set at 5.5% as prescribed under FMR 68. Under FMR 67, instalment charges are set to provide full or partial reimbursement of administration costs. The individual instalment transaction fee of \$6.60 is set to reflect the administration cost in handling the instalment options provided to ratepayers. A nominal \$59.00 fee is proposed for administration costs incurred when actioning requests to enter into alternative payment arrangements which demand significant time for officers to process. The charge has been formulated to offset administration costs partially.

Due Dates for the Payment of Rates and Treatment of Non-Payment of Debts to maintain consistency with previous years, the due dates for the payment of rates are proposed as per below:

Instalment Option	Payment Due Date
Proposed rate notice issue date:	28 August 2023
Full Payment	4 October 2023
Two Instalments	
First Instalment	4 October 2023
Second Instalment	7 February 2024
Four Instalments	
First Instalment	4 October 2023
Second Instalment	6 December 2023
Third Instalment	7 February 2024
Fourth Instalment	10 April 2024

In addition to the above, alternative payment arrangements are available to ratepayers to meet their obligations by year-end.

UV Revaluations

The “Intention to Impose 2023/2024 Differential Rates for 2023/2024” report presented to Council at the 26 April 2023 OCM modelled differential rates based on all property valuations current at the time. UV properties are revalued annually by the Valuer General Total UV valuations increased by \$1.69 million, equating to a \$19K increase in rates revenue at the proposed RID’s. Council’s approach to meet the required rating income for 2023/24 was to levy all differential rating categories (GRV and UV) with a consistent RID percentage increase contained at 3%.

GRV Revaluation

The Act prescribes that properties with a non-rural purpose be rated using GRV as the basis for the calculation of annual rates. The Valuer General’s Office (VGO) determines the GRV for all properties within the Shire. As per section 22 of the Valuation of Land Act 1978, the VGO determines the frequency of general valuations, although historically, a GRV revaluation has occurred every three to five years. The next GRV valuation will occur in 2024/25, with the revised valuations taking effect from 1 July 2025.

The overall objective for the 2023/24 differential rating approach is to ensure that the rates revenue required to balance the budget is collected on an equitable basis, enabling the Shire to provide facilities, infrastructure and services to the entire community. This has resulted in a 3% RID increase across all differential rating categories.

Ministerial Approval

Ministerial approval of the Shire’s request to impose a differential general rate was received on Tuesday 1 August 2023 (Schedule 3). Council is requested to adopt the 2023/24 proposed differential rates, minimum payments and instalment payment arrangements as part of the Annual Budget adoption.

Fees and Charges 2023/24

2022/23 fees and charges were reviewed to maximise full cost-recovery without hindering patronage for services. In reviewing the fees and charges, officers focused on verifying the following:

- the legislative head of power for all fees and charges;
- whether the fee and charge is regulated or otherwise;
- for non-regulated fees and charges:
 - the full cost recovery;
 - the rationale for the price;
 - how vital the fees and charges are to the community;
 - market competitiveness and regard to the current economic climate; and
- GST applicability.

At the 25 July 2023 Ordinary Council Meeting (OCM) Council adopted (Council Resolution 11/07/23) the presented 2023/24 Fees and Charges schedule with the condition that the fees and charges be reviewed after six months as part of the Mid-Year Budget Review. Since the July OCM new fees and charges have been identified with some fees and charges being reviewed, as per table below:

Fee Description	Fee 2023/24	Fee Justification
Account Enquiries - Rating Information per request only	\$ 66.00	Changed for consistency in combined fee for account enquiries and orders and requisitions.
Account Enquiries - Orders and Requisitions only	\$ 132.00	GST now included
Account Enquiries - Combined Rating and Orders and Requisition per request	\$ 198.00	GST now included
Account Enquiries - Combined Rating and Orders and Requisition - where physical bushfire inspection required - PRIORITY (24-48 business hours)	\$ 242.00	GST now included
Dangerous Dog Sign	At Cost	At Cost
Dangerous Dog Muzzle	At Cost	At Cost

After school program booking fee - Ages 5-12 only, 2:45pm - 4:30pm Monday to Friday	\$ 15.00	New fee proposed. Pilot program for after school program at the Library for 10 weeks in Term 4 2023. Will operate 2:45pm - 4:30pm Monday to Friday
Concrete, bricks, tile, rocks - Containing metal reinforcement and other waste types.	\$ 40/tonne - Minimum charge of 1 Tonne applies	\$40/tonne - Minimum charge of 1 Tonne applies. Commercial service fee has been removed. Increased rate is intended to encourage separation of the usable components of this waste type.

Council is requested to adopt the revised 2023/24 Fees and Charges, as per Schedule 5, as part of the Annual Budget adoption.

Elected Members Sitting Fees 2023/24

Council is to determine the level of remuneration within the appropriate band, but must be no less than the minimum, and no more than the maximum, within the band. The remuneration ranges provide flexibility to local governments to set remuneration within the allocated Band.

Allowance-Fee	2023/24 Proposed
Allowance; Shire President	\$48,303
Allowance; Deputy Shire President	\$12,076
Councillor Sitting Fee	\$18,750

The total of proposed Councillor Sitting Fees and Allowances paid for 2023/24 is \$210,379 which represents an 3% increase in fees and allowances.

Council is requested to adopt the 2023/24 proposed Councillor Sitting Fees and Allowances as part of the Annual Budget adoption.

Materiality in Financial Reporting

The Shire has several thresholds on financial reporting as follows:

- a) Asset capitalisation threshold of \$5,000;
- b) Reporting variances in the monthly statement of activity on a nature and type-level or core service, that are + \$10,000 for operating items and + \$20,000 for capital items or 10%, whichever is higher;

As per FMR 34(5), materiality thresholds can be set as a percentage, or dollar value, against an appropriate base amount. The Shire's materiality threshold provides both; the advantage being is that a minimum value threshold can be set as well as a proportional value threshold, relevant to major items or subtotals. Threshold levels should not be so high as to allow material variances to go unnoticed, and by the same token, should not be so low as to cause an administrative burden.

For monthly financial activity statement reporting, 10% of the summarised revenue and expenditure by Nature and Type or Asset Class Reporting would be considered a reasonable guide for highlighting variances. Council may also wish to adopt a value rather than a percentage or incorporate a minimum value threshold into the materiality consideration. The threshold provides \$10,000 for operating and \$20,000 for capital as a minimum value for reporting in the monthly statement of financial activity.

Council is requested to adopt the recommended materiality threshold for 2023/24.

OFFICER'S RECOMMENDATIONS

1. *That Council, by Absolute Majority under sections 6.32, 6.33, 6.34 and 6.35 of the Local Government Act 1995, imposes the following differential rates and minimum payments for the 2023/24 financial year:*

Category	Rate in the \$ (cents) Proposed	Minimum Payment Proposed (\$)	Budget Rate Revenue \$ (inc Mins) 23/24
GRV – Residential	12.1408	1,265	3,214,289
GRV – Commercial/Industrial	11.2456	1,265	1,865,421
GRV – Special Use/Rural	12.1408	1,265	282,439
UV - Mining	26.7618	464	257,369
UV - Pastoral	12.1861	1,265	390,351
UV – Intensive Horticultural	2.7939	1,265	628,628
Totals			6,638,496
Specified Area Rate – Coral Bay	7.243	N/A	277,933

2. *That Council, by Simple Majority under section 6.45 of the Local Government Act 1995, and Regulation 64(2) of the Local Government (Financial Management) Regulations 1996, nominates the following due dates for the payment of rates in full and by instalments:*

Instalment Option	Payment Due Date
Proposed rate notice issue date:	28 August 2023
Full Payment	4 October 2023
Two Instalments	
First Instalment	4 October 2023
Second Instalment	7 February 2024
Four Instalments	
First Instalment	4 October 2023
Second Instalment	6 December 2023
Third Instalment	7 February 2024
Fourth Instalment	10 April 2024

Under section 6.45 of the Local Government Act 1995 and Regulation 67 of the Local Government (Financial Management) Regulations 1996, adopts an instalment administration charge where the ratepayer has elected to pay rates and charges through an instalment option of \$6.60 for each instalment after the initial instalment is paid;

Under section 6.45 of the Local Government Act 1995 and Regulation 68 of the Local Government (Financial Management) Regulations 1996, adopts an interest rate of 5.5% where the ratepayer has elected to pay rates and charges through an instalment option;

Under section 6.51(1) and section 6.51(4) of the Local Government Act 1995 and Regulation 70 of the Local Government (Financial Management) Regulations 1996, adopts an interest rate of 7% for rates and charges and cost of proceedings to recover such charges that remains unpaid after becoming due and payable.

3. *That Council, by Absolute Majority under section 6.16 of the Local Government Act 1995, adopts the 2023/24 Fees and Charges included as Schedule 5, effective from 25 September 2023.*
4. *That Council, by Absolute Majority under section 6.2 of the Local Government Act 1995 and Part 3 of the Local Government (Financial Management) Regulations 1996, adopts the 2023/24 Annual Budget for the Shire of Carnarvon as presented in Schedule 1, which includes the following:*
 - (a) *Statement of Comprehensive Income*
 - (b) *Statement of Cash Flows*
 - (c) *Statement of Financial Activity*
 - (d) *Notes to, and forming part of, the Annual Budget*
 - (e) *Budget Capital Works Program (Schedule 2).*
5. *That Council, by Absolute Majority under section 5.98 and 5.99 of the Local Government Act 1995 adopts the following annual amounts for elected member sitting fees and allowances for 2023/24 effective from 1 July 2023 and endorses that all members sitting fees be paid monthly:*

<i>Allowance-Fee</i>	<i>2023/24 Proposed</i>
<i>Allowance; Shire President</i>	<i>\$48,303</i>
<i>Allowance; Deputy Shire President</i>	<i>\$12,076</i>
<i>Councillor Sitting Fee</i>	<i>\$18,750</i>

6. *That Council, by Simple Majority under Regulation 34(5) of the Local Government (Financial Management) Regulations 1996 and Australian Accountings Standard AASB 1031 Materiality, adopt a threshold of (+)or (-)\$10,000 for operating items and (+) or (-) \$20,000 for capital items, or 10%, whichever is higher, when reporting material variances in each nature and type line item of the Statements of Financial Activity in 2023/24.*

7.2 CORPORATE SERVICES

7.2.1 BUDGET ADJUSTMENTS - JULY 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:	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

A report on proposed Officer requested budget adjustments is presented to Council each month for Council to consider. For the month of July, no adjustments are required.

Background

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.

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 no recommendations for the month of July.

Stakeholder and Public Consultation

N/A

Statutory Environment

Local Government Act – Section 6.8(1).

Relevant Plans and Policy

N/A

Financial Implications

No adjustments are required; therefore, there is no change to 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	N/A	N/A	N/A
Health & Safety	N/A	N/A	N/A
Reputation	N/A	N/A	N/A
Service disruption	N/A	N/A	N/A
Compliance	N/A	N/A	N/A
Property	N/A	N/A	N/A
Environment	N/A	N/A	N/A
Fraud	N/A	N/A	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:

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

BIG IDEAS FOR THE FUTURE OF CARNARVON:

- N/A

Comments

No adjustments are required for the month of July 2023.

Adjustments Impacting Budgeted Closing Position

NIL.

Adjustments with no impact on budget closing position

NIL.

Net budget closing position

N/A as the 2023/2024 budget had not been adopted at the time of preparing this report.

OFFICER'S RECOMMENDATION

That Council by Simple Majority, notes that no budget adjustments are required for July 2023.

7.2.2 ACCOUNTS PAID UNDER DELEGATION JULY 2023

File No:	ADM0186
Location/Address:	3 Francis Street, Carnarvon
Name of Applicant:	Shire of Carnarvon
Name of Owner:	Shire of Carnarvon
Author(s):	Vika Nafetalai, Finance Officer
Authoriser:	Andrea Selvey, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirement:	Simple Majority
Previous Report:	Monthly Report
Schedules:	1. Accounts for Payment in July 2023 ⇒ 2. Credit Card Statement 23.06.2023- 22.07.2023 ⇒

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

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 July 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.

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:

<i>Payment Reference from:</i>	<i>Payment Reference to:</i>	<i>Payment Type</i>	<i>Payment Amount</i>
<i>EFT38752</i>	<i>EFT38936</i>	<i>Muni EFT</i>	<i>\$1,035,278.75</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>DD40245.1- DD40245.6, DD40251.1- DD40251.6, DD40263.1, DD40266.1, DD40267.1, DD40268.1, DD40269.1, DD40270.1, DD40271.1, DD40272.1, DD40273.1, DD40284.1, DD40285.1, DD40286.1</i>	<i>DD40288.1</i>	<i>Bank Directs</i>	<i>\$642,732.82</i>
		<i>TOTAL</i>	<i>\$2,713,290.32</i>

7.2.3 MONTHLY FINANCIAL REPORT 31 JULY 2023

File No:	ADM0186
Location/Address:	N/A
Name of Applicant:	Shire of Carnarvon
Name of Owner:	N/A
Author(s):	Alan Thornton, Deputy Chief 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 defers the presentation of the financial activity statement for the period ending 31 July 2023 until the 26 September 2023 Ordinary meeting of Council. The officer's recommendation is that Council notes the deferral.

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 2 months after the end of the month to which the statement relates.

Legislation requires the statement of financial activity for the period ending 31 July 2023 to include 2023/24 Annual Budget information. The 2023/24 Annual Budget is scheduled to be adopted by Council at the 22 August 2023 Ordinary Meeting of Council.

Stakeholder and Public Consultation

Nil

Statutory Environment

Local Government (Financial Management) Regulation 34.

Relevant Plans and Policy

Nil

Financial Implications

Nil

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	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	N/A
Reputation	N/A	N/A	N/A
Service disruption	N/A	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	N/A
Environment	N/A	N/A	N/A
Fraud	N/A	N/A	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:

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

BIG IDEAS FOR THE FUTURE OF CARNARVON:

- *N/A*

Comments

The officer advises that the July 2023 Statement of Financial Activity is deferred until the 2023/24 Annual Budget is adopted by Council. The 2023/24 Annual Budget will be presented to Council at the 22 August 2023 Ordinary Council Meeting (OCM).

Once the Annual Budget is adopted the aim is to present the July 2023 Statement of Financial Activity at the 26 September 2023 OCM to ensure compliance.

OFFICER'S RECOMMENDATION

That Council, by Simple Majority pursuant to Section 3.18 of the Local Government Act, 1995, receives the officer's report that the July Statement of Financial Activity be deferred until the Ordinary Meeting of Council on 26 September 2023 after the 2023/24 Annual Budget has been adopted by Council.

7.3 DEVELOPMENT AND COMMUNITY SERVICES

7.3.1 PRIORITY PROJECT ASSESSMENT PROCESS

File No:	ADM0275
Location/Address:	N/A
Name of Applicant:	Shire of Carnarvon
Name of Owner:	Nil
Author(s):	Harriet Murphy, Manager, Economic Development
Authoriser:	Andrea Selvey, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirement:	Simple Minority
Previous Report:	Nil
Schedules:	1. Priority Projects Assessment Matrix ↔

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 item presents Shire priority projects and information on how the prioritisation has been conducted for Council consideration. The officer's recommendation is that the project prioritisation is endorsed by Council as the Shire's priorities for 2023. These projects represent the current status, and as new opportunities and risks emerge, the project priorities will be reviewed and updated. The project prioritisation will guide efforts of the organisation and form the basis of funding applications, sponsorship, and advocacy for investment by other tiers of government.

Background

Officers have developed a mechanism to better understand the 'shovel ready status' of each priority project and the benefit of the project to the community on completion. Projects in this context are defined as follows:

- Discretionary in nature
- Not business as usual activities
- Capital work
- The Shire is the lead on or owns the project

Project concepts have been assessed against a set of criteria that measure the level of anticipated impact and ease of implementation. Impact criteria assessed the alignment of the project with the Community Strategic Plans economic, social and environmental community objectives. Implementation criteria assessed

the level of engagement with stakeholders, funding acquisition, planning and regulatory requirements, scope of works and budget.

Projects were categorised as below:

- Easy to implement, low impact.
- Easy to implement, high impact.
- Difficult to implement, high impact.
- Difficult to implement, low impact.

The intent of the process is to ensure that resourcing requirements are understood across the organisation, ensuring the projects continue to make progress towards ‘shovel ready status’, and are considered in budget and task allocations.

It is worth noting the assessment process does not result in the projects being listed in a numerical or sequential order of priority, nor the order of delivery. Progress of projects will be heavily dependent on securing funding and the speed of progression towards ‘shovel ready status’.

Officers propose to present projects to Council for endorsement on a tri-annual basis, aligning with the Shire budget cycle and State and Federal funding opportunities and to allow for new projects to come online.

Stakeholder and Public Consultation

All projects have been assessed against community objectives as detailed in the Shire’s Strategic Community Plan 2022-2032. In developing the Strategic Community Plan, the Shire conducted robust and broad community engagement to ensure the Plan identified and articulates community aspirations and priorities.

Statutory Environment

N/A

Relevant Plans and Policy

Community Strategic Plan 2022-2023

Financial Implications

There are no direct financial implications arising from the officer’s recommendation. Each project will require funding for planning and for delivery and these costs will be presented as part of the annual budget process or via a report to Council where specific funding is sought.

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	Priority projects are beyond the financial		Clear prioritisation and shovel ready status will assist in attracting grant funding.

	capacity of the Shire to fund.		
Health & Safety			
Reputation	<p>1. The projects listed do not align with community expectations.</p> <p>2. Community expectation that projects will be delivered immediately or in the near future.</p> <p>3. The Shire does not attract funding for identified priorities.</p>	Low	<p>1. Ensure public consultation is prioritised and ongoing through all stages of the planning process.</p> <p>2. Careful communication that projects are subject to being able to secure funding.</p> <p>3. Having projects that are clearly identified as priorities and that are progressing toward shovel ready status will assist with attracting funding and funding for identified priorities rather than being offered funding (e.g., election commitments) for ad-hoc projects, which are not shovel ready and difficult to deliver.</p>
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*
- *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*

ADDITIONAL FOCUS AREAS:

- N/A

BIG IDEAS FOR THE FUTURE OF CARNARVON:

- *Airport Relocation and Upgrade*
- *Bejalng Multiuser port*
- *Carnarvon RV Friendly Park*
- *Fascine Waterway Improvement*
- *Gascoyne River Path and Parks*

Comments

The Corporate Business Plan identifies other projects which remain a priority for the Shire but have not formed part of this assessment process. These projects do not meet the criteria for assessment, i.e., they are not projects that are owned by the Shire and are the responsibility of other agencies or tiers of government.

These projects include but are not limited to:

- Youth Hostel/Safe Space
- Multi-User Port
- Fascine Entryway
- One Mile Jetty Restoration

These projects are acknowledged as community priorities and the Shire will continue to support and advocate for these projects to be progressed according to community aspirations.

OFFICER'S RECOMMENDATION

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

- a. Endorse the Shire of Carnarvon 2023 Project Priorities as presented;***
- b. Authorise the CEO to progress in developing these projects to shovel ready status; and***
- c. Proactively seek external funding opportunities via grants or sponsorship, noting that any required co-contribution that may be required would be subject to a decision of Council.***

7.3.2 ECONOMIC DEVELOPMENT STRATEGY

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:	1. Shire of Carnarvon Economic Development Action Plan 2023-2028 ↔

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 Shire of Carnarvon Economic Development Strategy 2023-2028 for Council’s consideration. The officer’s recommendation is that Council adopt the Shire of Carnarvon Economic Development Strategy 2023-2028 as presented.

Background

In February 2020, Council resolved to revise the draft Economic and Tourism Development Action Plan after the draft Economic and Tourism Development Action plan 2017-2022 failed to meet operational requirements. At this time, officers cited the action plan’s generic approach and lack of specific/pragmatic actions as rationale for the review.

The review and subsequent revised approach to the Strategy has been subject to significant delays caused by operational staffing changes, and the unprecedented impacts of the Covid-19 Pandemic which made it very difficult to anticipate tourism behaviour and develop appropriate strategic direction.

The draft Shire of Carnarvon Economic Development Strategy has been developed, responding to the Community Strategic Plan 2022-2032, to focus on key economic drivers across all industries, focusing on outcomes and actions which the Shire can lead and influence.

Stakeholder and Public Consultation

The Economic Development Strategy has been developed in consultation with local Traditional Owners, Industry representative organisations, local businesses, Tourism WA and the Gascoyne Development Commission.

Statutory Environment

Local Government Act 1995 – s3.1 General Functions

Relevant Plans and Policy

Nil

Financial Implications

There are no direct financial implications arising from adopting the Strategy. Specific actions that may require resourcing will be presented to Council during the annual budget or 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 ↘						
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 Strategy does not accurately capture future focus areas, impacting our ability to attract funding for projects	Low	Stakeholder consultation has formed a key role in the development of the Strategy to minimise this risk. Regular updates of the Strategy, in consultation with community and industry will ensure it responds to the changing economic climate
Health & Safety	N/A		

Reputation	Key strategic actions are not delivered within 4 years	Medium	Progress of projects tracked and communicated to the community and in revisions of the Strategy.
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 economy fosters investment and productivity in industries befitting Carnarvon’s physical and natural environment and that grows our horizons*
- *Our infrastructure, housing and amenities are high quality and accessible*
- *Our holistic health care facilities provide services from the womb to the grave*
- *Our sustainable livelihoods create a community that can flourish into the future*

ADDITIONAL FOCUS AREAS:

- *N/A*

BIG IDEAS FOR THE FUTURE OF CARNARVON:

- *Airport Relocation and Upgrade*
- *Bejalng Multiuser port*
- *Aim towards 100% Renewable Energy*

Comments

The Strategy focuses on the community, the economy, and the environment as key indicators of economic prosperity, guiding the Strategy objectives and actions. The Strategy has been developed to be a deliberately action focused, usable document which responds to both internal and external audiences.

To ensure the Strategy is responsive to any changes in the external environment and context it will be reviewed annually in line with the Corporate Business Plan.

OFFICER’S RECOMMENDATION

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

- a. Endorse the Shire of Carnarvon Economic Development Strategy 2023-2028 for publication; and***
- b. Review the Economic Development Strategy 2023-2028 concurrently with the annual Corporate Business Plan review.***

7.3.3 COMMUNITY GROWTH FUND - ROUND 2 - 2023

File No:	ADM0080
Location/Address:	N/A
Name of Applicant:	Shire of Carnarvon
Name of Owner:	N/A
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:	June 2023
Schedules:	<ol style="list-style-type: none"> 1. Community Growth Fund Assessment Matrix - Application Summary - Round 2 (under separate cover) ⇒ 2. Community Growth Fund - Assessment Scoring - Round 2 (under separate cover) ⇒ 3. Minutes - Community Growth Fund Committee 15 August 2023 ⇒

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 item seeks the Council’s formal consideration of the recommendations made by the Community Growth Fund Committee for Round 2, closing 12 August 2023 for the Community Growth Fund.

Background

The Shire of Carnarvon’s Growth Fund Committee met on Tuesday, 15 August 2023, to assess the applications received in Round 2 of the Community Growth Fund, closing on 12 February 2023. Minutes attached in Schedule 3 Community Growth Fund Minutes including recommendations.

Sixteen applications were received in this round for the Community Growth Fund, with four of them specifically aiming to support clubs participating in the Gascoyne Games, an event hosted by the Shire in September 2023. 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 under separate cover.

Stakeholder and Public Consultation

The Community Growth Fund Committee consists of Elected Members. Shire staff provide administrative support to the Community 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.

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 proposed for the Community Growth Fund budget for 2023/2024. A total of \$79,250.28 worth of applications have been received for Round 2, which is the first round for this financial year.

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 allocations 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 this risk.
Service disruption	N/A		
Compliance	Applications funded are non-compliant with the Community Growth Fund policy.	High	Community Growth Funds Committee reviews 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:

- *N/A*

Comments

The Community Growth Fund Committee has assessed each application against the criteria outlined in the Community Growth Fund policy before being recommended to Council. Applications have been assessed and scored against the objectives provided, details of the project budget, demonstrate a significant benefit to the Carnarvon community, and acknowledgment of the Shire of Carnarvon.

OFFICER’S RECOMMENDATION

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

1. ***Accept the meeting minutes of the Community Growth Fund Committee Meeting held on Tuesday, 15 August 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) ***Carnarvon Rugby Union Club for \$2,000 for the Gascoyne Games.***
 - b) ***Gascoyne Football Association for \$1,500 for the Nor-West Cup event in March 2024.***
 - c) ***Carnarvon Pistol Club Association for \$1,500 towards the Safety Wall project.***
 - d) ***ABC Foundation for \$1,500 for the Let’s Talk Basketball event.***
 - e) ***Carnarvon Fishing Club Incorporated for \$5,000 for the Carnar-Fin Fishing Event in May 2024.***
 - f) ***Carnarvon Events for \$8,000 for the Christmas Street Party 2023.***
 - g) ***Carnarvon Ladies Darts for \$3,440 for the Gascoyne Games.***
 - h) ***Carnarvon Motorcycle Club for \$2,000 for the 2023 Coral Coast Cup.***
 - i) ***Carnarvon Speedway Club for \$5,000 towards the Pit Bank Wall Upgrades.***
 - j) ***Carnarvon Tennis Club for \$2,000 towards Rates Concession and the Gascoyne Games.***
 - k) ***Carnarvon Toy Library for \$1,000 towards Upgrade of toys and promotional signage.***
 - l) ***Stephen Michael Foundation for \$1,300 towards Nightfields program in Term 4.***
 - m) ***Queernarvon for \$2,000 towards Queernarvon event in September 2023.***
 - n) ***Northwest Boardriders Inc for \$3,080 towards Youth Surfing Program.***

- o) Carnarvon Yacht Club for \$3,150 towards Gascoyne Games.***

7.3.4 VARIATION TO AQUATIC CENTRE MANAGEMENT CONTRACT

File No:	ADM1741
Location/Address:	21 Babbage Island Road, Carnarvon
Name of Applicant:	BTX Contracting
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:	Absolute Majority
Previous Report:	28 June 2022
Schedules:	<ol style="list-style-type: none"> 1. Proposal (under separate cover) ⇨ 2. Confidential Schedule - Tender Evaluation Report (under separate cover) ⇨ 3. Confidential Schedule - Cost comparison (under separate cover) ⇨ 4. Entry fee takings (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 seeks a Council resolution to vary the current Aquatic Centre Management contract with BTX Contracting (Pool Manager).

Background

The Carnarvon Aquatic Centre is a community facility providing an important venue for sport and recreational activities.

The current contract for management of the Carnarvon Aquatic Centre expires at the end of August 2025 with an option to extend for a further 3 years.

A request for tender seeking management services for the Aquatic Centre was advertised in The West Australian and the Midwest Times on Wednesday 16 March 2022 and at the Ordinary Council Meeting of 28 June 2022 and the contract was awarded to BTX Contracting.

For Council's recollection, the Tender Evaluation Report is provided as **Confidential Schedule 2**.

Proposed variation to the contract

BTX Contracting has requested to vary the current contract by retaining all entry fees for the 2023-24 season and beyond, see **Schedule 1**. The reason for this request is to cover the yearly increase in costs of supplies i.e., pool chemicals, as well as the increase in staffing costs.

Following further negotiations between BTX and the Shire, it was suggested that a baseline approach could be recommended to Council whereby the Shire retains the first \$30,000 of entry fees and takings over and above the \$30,000 threshold are then retained by the Pool Manager. Officers have considered this a fair offer for the following reasons:

- The additional revenue provides an incentive for the operator to continue to improve service and management of the pool to meet community need;
- Revenue from entry fees has been approximately \$30,000 to \$40,000 per annum in recent years;
- The pool management contract does not include CPI increases;
- An increase in usage has a direct impact on Aquatic Centre staff wage increases;
- An increase in usage results in additional costs associated with pool chemicals and other maintenance items which are the responsibility of the contractor; and
- There is no material impact on items of expenditure (electricity and water usage) for which the Shire has responsibility from the increased usage.

The contractor has put significant effort into increasing the patronage numbers, which comes at an additional cost to the Pool Manager. The contractor has also been proactive in pool maintenance activities to reduce Shire maintenance expenses and in providing a better service to the community.

The current contract includes provision for the Shire to receive 5% of the Kiosk takings. As all the expenses for running the kiosk are the responsibility of the contractor, and the 5% is immaterial in the context of the Shire budget (approximately \$500 per annum). It is proposed to amend the contract to allow the contractor to keep all revenue from the kiosk.

Option to Re-tender

Legislation does not require the Shire to re-tender to accommodate this variation to the contract as it is not a significant variation to the scope of works.

Also, it is considered unlikely that a re-tendering process would result in a reduction in Aquatic Centre operating and management costs.

Please see **Confidential Schedule 3** for a cost comparison from other Shires.

Stakeholder and Public Consultation

N/A

Statutory Environment

Local Government (Functions and General) Regulations 1996 – Regulation 21A.

The variation to the contract is not considered a change to the scope of the contract. The scope of the current contract is to provide an Aquatic Centre management service, which is not impacted by this proposal.

Relevant Plans and Policy

Nil

Financial Implications

There are direct financial implications associated with the recommendation. The following table shows the difference between the current contract and the proposed variation request. Please refer to **Schedule 4** for entry fee takings over eight seasons.

Current scenario

	Contract price	Admission fees	Kiosk takings	Total earnings
Shire	Cost to Shire is \$300,000.00	Shire retains all.	Shire retains 5% of profit. On average less than a \$500.00 per year.	Between approximately \$32,000 and \$40,000 per annum.
Pool Manager	\$300,000.00	\$0	Pool Manager to retain profit minus 5%.	Ranges between \$300,000.00 to \$301,000.00

Proposed scenario

	Contract price	Admission fees	Kiosk takings	Total earnings
Shire	Cost to Shire is \$300,000.00	Shire retains \$30,000	\$0	\$30,000.00
Pool Manager	\$300,000.00	Takings over and above the base line of \$30,000 could range between \$0 to \$30,000 plus.	Pool Manager to retain all profit.	Ranges between \$300,000.00 to \$330,000.00 plus.

Note that entry fees are proposed to be adjusted every year in accordance with the CPI index at the adoption of the new fees and charges each year.

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	Potential for foregone revenue.		Base line revenue is set.
Health & Safety	N/A		
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:

- N/A

BIG IDEAS FOR THE FUTURE OF CARNARVON:

- N/A

Comments

As previously stated in this report, the current Pool Manager delivers a high standard of service to the community and the Shire has received positive feedback about the service. The contract does not include CPI increases and with cost of living on the increase, the proposed contract variation is considered fair. In addition, the cost comparison with other shires, of similar size, shows that our Aquatic Centre costs are at the low end of the scale.

It is, therefore, recommended that the contract be varied as proposed by BTX contracting.

OFFICER'S RECOMMENDATION PART ONE

That Council, by Simple Majority pursuant to Regulation 21A (a) of the Local Government (Functions and General) Regulations 1996, authorises the CEO to amend and finalise execution of a varied contract between the Shire of Carnarvon and BTX Contracting for Tender 02/2022 – Aquatic Centre Management as follows:

- 1) Amend the admission fee provision in the current contract allowing BTX Contracting to retain all revenue over and above the initial \$30,000 collected, and;*
- 2) Amend the contract to allow BTX Contracting to retain all income from Kiosk sales.*

7.4 INFRASTRUCTURE SERVICES

7.4.1 REGIONAL ROADS GROUP - WORKS PROGRAM ADOPTION

File No:	ADM0046
Location/Address:	N/A
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:	
Previous Report:	Nil
Schedules:	1. SCHEDULE 1 - PROPOSED AND INDICATIVE RRG WORK PROGRAMS ↔

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

Council approval of a three-year Regional Road Group (RRG) Road Project Grant works program is sought.

Background

In September 2022, Council resolved as follows:

FC 13/9/22

COUNCIL RESOLUTION & OFFICER’S RECOMMENDATION

Cr Maslen/Cr Skender

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

- 1. Approve the following works program for Regional Road Group (RRG) Road Project Grant funding commencing in FY 2023/24 with the final budget allocation to be determined through the 2023/24 budget process:***

Road Name	Project Description	INDICATIVE TOTAL STATE CONTRIB	INDICATIVE TOTAL LGA CONTRIB	INDICATIVE TOTAL PROJECT COST
Quobba Gnaraloo	Reshape formation and drainage to achieve consistent Type 3 standard and resheet to achieve 7m pavement from SLK 0 to SLK 9	\$461,602	\$230,801	\$692,403
Wahroonga Pimbee	Reshape formation and drainage to achieve consistent Type 3 standard and resheet to achieve 7m pavement from SLK 74 to SLK 82	\$461,602	\$230,801	\$692,403
Total		\$923,204	\$461,602	\$1,384,806

2. Endorse the indicative works program for Regional Road Group (RRG) Road Project Grant funding for years 2024/25 and 2025/26 as provided in Schedule 8.4.1.

In December 2022, Council resolved to amend the section of Quobba Gnaraloo Road to be upgraded under the RRG funding to “the section of road from Gnaraloo Homestead to Gnaraloo Bay.” (FC 15/12/22)

It is further estimated that the contract will also allow for the completion of the section of Quobba Gnaraloo Road from Gnaraloo Homestead south to the 3 Mile Camp turnoff. That additional work has been possible due to efficient contractor performance and an additional allocation by Council at its July 2023 meeting via the Local Roads and Community Infrastructure (LRCI) Phase 4B funding to augment the project. That work is currently underway and is estimated to finish in September.

The remaining RRG project for the 2023/24 year is the reconstruction of a section of Wahroonga Pimbee Road. That work is anticipated to commence in late September and be completed in November.

The Gascoyne Regional Road Group Policy and Procedure Manual states as follows in relation to the submission of the Shires three-year works program:

“All Local Governments shall develop and supply the RRG with a three-year program. The first year of the program will be the annual funding recommendations to SAC. The two future years will comprise a list of prioritised projects with estimated costs. The future year projects are not commitments and do not require detailed assessment but are intended to provide the source for reserve projects and assist Local Governments to plan for future funding and work commitments. The program will also provide a basis to advocate for future funding under the State Roads Funds for Local Government.”

RRG Road Project Grant funding may only be allocated to Shire roads of regional significance as defined in the Roads 2040 document as follows:

Functional Category	Road of Regional Significance
Carnarvon Townsite Roads	Carnarvon Road Cornish Street Douglas Street Harbour Road James Street Robinson Street
Mine and Coastal Access	Blowholes Road Quobba-Gnaraloo Road
Northwest Coastal Hwy to Gascoyne Junction	Carnarvon – Mullewa Road Wahroonga – Pimbee Road
Northwest Coastal Hwy to Kennedy Range and Mount Augustus Route	Lyndon – Minnie Creek Road Lyndon – Towera Road Minilya – Lyndon Road
Plantation Roads	Bibbawarra Road North River Road
Coral Bay Roads	Robinson Street Banksia Drive

Stakeholder and Public Consultation

Nil

Statutory Environment

Local Government Act 1995 - Section 3.18 Performing executive functions.

Relevant Plans and Policy

Gascoyne Regional Road Group Policy and Procedure Manual.
Gascoyne Roads 2040 - Regional Strategies for Significant Local Government Roads

Financial Implications

RRG Road Project Grants funding provides two thirds of the total project allocation with Council contributing the remaining one third of the total project cost.

The RRG Roads Project Grant allocation for Carnarvon in 2023/24 is provided in the table below.

TOTAL STATE CONTRIB	TOTAL LGA CONTRIB	TOTAL PROJECT COST
\$1,035,193	\$517,601	\$1,552,794

It has been assumed that this allocation will be at least maintained for 2024/25 and for the following two financial years.

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	Actual RRG Project Funding unknown until approved in each FY.	C2- Minor	RRG Project funding has always increased annually in the past. The nominated project scopes may be amended to suit the final approved allocation.
Health & Safety			
Reputation			
Service disruption			
Compliance			
Property			
Environment			
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 infrastructure, housing and amenities are high quality and accessible*

ADDITIONAL FOCUS AREAS:

- N/A

BIG IDEAS FOR THE FUTURE OF CARNARVON:

- N/A

Comments

Resealing works on sealed significant regional roads has been completed over recent years. No further resealing works of RRG eligible roads is envisaged in the three-year project horizon.

The current 2023/24 year moved to a two-project per year RRG program to maximise value for money and economy of scale. The three-year program adopted by Council in 2022 focused on the three major unsealed roads in its network i.e., Quobba Gnaraloo Road, Minilya Lyndon Road and Wahroonga Pimbee Road. That program included a Quobba Gnaraloo Road Project for each year with alternating resheeting/reconstruction projects for Minilya Lyndon and Wahroonga Pimbee Roads for the other two indicative program years. The proposed program for years 2024/25 - 2026/27 maintains this focus.

The development need on each of the unsealed roads as identified in the Roads 2040 strategy is to upgrade each to consistent type 3 standards. Type 3 standard is defined as *“Road construction from imported material of adequate thickness, shaped and drained.”*

Quobba Gnaraloo Road remains problematic in terms of maintenance. It is the unsealed road with the highest traffic volume and highest maintenance demand in the network. Sealing of Quobba Gnaraloo Road is likely to become more pressing to offset maintenance costs as traffic volumes continue to increase.

An Expression of Interest application under the Federal Growing Regions program has recently been submitted. That project proposes the commencement of sealing of Quobba Gnaraloo Road. The proposal is to seal up to 14km of the road from its intersection with Blowholes Road to the Whistling Rock lookout. That application utilises the RRG project funding to leverage \$7,020,000 of Growing Regions funds as follows:

Funding Source	Contribution (\$)	Contribution (%)
Shire	\$260,000	3%
MRWA	\$520,000	7%
Growing Regions	\$7,020,000	90%
Total	\$7,800,000	100%

The recommended three-year program acknowledges this possibility with two alternative projects for 2024/25 recommended depending on the success or otherwise of the Growing Regions funding. If the Growing Regions funding application is unsuccessful, Quobba Gnaraloo Road RRG Project work will revert to continuing to upgrade Quobba Gnaraloo Road to a consistent Type 3 standard commencing from the 3 Mile turnoff and continuing south. This methodology removes the need for this program nomination to return to Council for amendment regardless of the Growing Regions funding outcome.

The Minilya Lyndon Road and Wahroonga Pimbee Road projects nominated continue work from where the most recent reconstruction work is completed.

The nominated indicative program for years 2025/26 and 2026/27 is as provided in **Schedule 1**.

OFFICER'S RECOMMENDATION

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

- a) Approve the works program for Regional Road Group (RRG) Road Project Grant funding commencing in FY 2024/25 as presented in Schedule 1 with the final budget allocation to be determined through the 2024/25 budget process; and***
- b) Endorse the indicative works program for Regional Road Group (RRG) Road Project Grant funding for years 2025/26 and 2026/27 as provided in Schedule 1.***

7.4.2 AWARD OF TENDER RFT 07-2023 PUBLIC SPACE AND FOOTPATH CLEANING

File No:	ADM2254
Location/Address:	Various
Name of Applicant:	Shire of Carnarvon
Name of Owner:	Shire of Carnarvon
Author(s):	Mativa Toomalatai, Acting Projects Contracts Manager
Authoriser:	David Nielsen, Executive Manager Infrastructure Services
Declaration of Interest:	Nil
Voting Requirement:	Simple Majority
Previous Report:	Nil
Schedules:	1. RFT 07-2023 Evaluation & Recommendation Report (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 details evaluation of submissions received for Request for Tender (RFT) 07/2023 – Public Space and Footpath Cleaning. A contract for an initial period of three years is proposed. The current contract for this service expires on 10 September 2023.

It is recommended Council accepts the submission from Kleenit Pty Ltd at the rates specified in their tender submission.

Background

Existing contract RFT 06/2017 for provision of Public Space and Footpath Cleaning will expire on 10 September 2023. Tenders were called on 19 July 2023 for this contracted service.

The existing contract has been in place since 2017 and is currently held by Kleenit Pty Ltd. The service includes the cleaning of high public use areas such as the CBD, Town Beach, Fascine Foreshore, footpath cleaning, cleaning of public litter bins, street and park furniture, Fascine jetty areas and, public BBQs and gazebos. It also includes graffiti removal.

Stakeholder and Public Consultation

Nil

Statutory Environment

Local Government Act, 1995 – Section 3.57 Tender for providing goods and services.

Local Government Act, 1995 – Section 3.18 Performing executive functions.

Local Government (Functions and General) Regulations, 1996 – Division 2 Requirements for tendering.

Relevant Plans and Policy

Policy C013 – Tender Selection Criteria Policy.

Policy C002 – Purchasing Policy.

Financial Implications

The total estimated annual cost of the services based on acceptance of the recommended tenderer is \$154,440. That expenditure may be met under COA 3242 which has a total of \$344,300 available in the 2023/24 draft 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	Potential disruption of cleaning service if tender not awarded.	C2 - Moderate	Appoint a contractor.
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

Confidential Schedule 1 provides the full tender evaluation report for RFT 07/2023. This report is a comprehensive summary of the tender process undertaken, the submissions received and the tender evaluation.

The evaluation panel noted the following in respect of arriving at its recommendation to award the contract to Kleenit Pty Ltd:

- Kleenit were the highest scoring submission as evaluated by the panel.
- Kleenit were the lowest priced of the two submissions received.
- Kleenit can deliver the service required under RFT 07/2023 at a cost that can be accommodated by the 2023/24 Annual Draft Budget.
- Award of contract to Kleenit provides continuity of service to the community. Kleenit hold the existing service contract having consistently delivered the services to a high standard since 2017.
- Kleenit are a locally based and operated business.

OFFICER'S RECOMMENDATION

That Council, by Simple Majority resolves:

- 1. Pursuant to Section 3.57 of the Local Government Act, 1995 and Division 2 of the Local Government (Functions and General) Regulations 1996, to accept the submission and pricing schedule from Kleenit Pty Ltd for RFT 07/2023 Public Space and Footpath Cleaning.*
- 2. Pursuant to Section 3.18 of the Local Government Act 1995, authorises the CEO to make any necessary non-material amendments and finalise execution of a contract between the Shire of Carnarvon and Kleenit Pty Ltd for RFT 07/2023 Public Space and Footpath Cleaning*

7.4.3 CLUB NIGHT LIGHTS PROGRAM FORWARD PLANNING GRANT APPLICATION - PREMIER OVAL

File No:	ADM2256
Location/Address:	Premier Oval
Name of Applicant:	Shire of Carnarvon
Name of Owner:	Shire of Carnarvon
Author(s):	Michael Mallon, Project Delivery Manager
Authoriser:	Andrea Selvey, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirement:	Simple Majority
Previous Report:	Nil
Schedules:	1. Premier Oval Lighting Design ↗

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

Council endorsement is sought to apply to the Department of Local Government, Sport and Culture (DLGSC) under their Club Night Lights Program (CNLP) for upgrading the Premier Oval sports lighting.

Background

The Premier Oval facility currently hosts the GFA amateur football league at junior and senior levels. It is also the preferred venue for social and competitive cricket.

Lighting output at the facility is approximately 50 lux, which does not meet the Australian Standard of lighting for either sport. AFL requires 100 lux and Cricket requires 300 lux.

A funding application has been submitted to the federal Growing Regions funding program for Premier Oval lighting upgrade. That proposed upgrade is based upon achieving the 300 lux lighting level for the facility. A copy of the lighting design is provided for reference in Schedule 1.

The Growing Regions program will fund up to 90% of the project expenditure with Shire of Carnarvon responsible for securing the remaining 10%. Shire officers seek to submit a second funding application to the State DLGSC under the CNLP funding program to split the required 10% co-contribution equally.

Shire officers seek to submit a second funding application to the State DLGSC under the CNLP funding program to split the required 10% co-contribution equally.

Stakeholder and Public Consultation

Consultation has been undertaken with the regional DLGSC representative and external stakeholders who participate in activities at Premier Oval.

Statutory Environment

Local Government Act, 1995 - Section 3.18 Performing Executive Functions

Relevant Plans and Policy

CD006 External Grants – Procurement and Grants Policy

Financial Implications

Total estimated project cost is \$750,000. An allocation of \$37,500 is included in the 2023/2024 budget being the 5% Shire co-contribution.

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	Unsuccessful Growing Regions funding application.	C2 – Moderate	Project will not be able to proceed. Nominated allocation would be redistributed at Budget Review.
	Unsuccessful CNLP funding application but successful Growing Regions funding application	C2 - Moderate	Strategic reserve funding could be allocated subject to Council approval.
Health & Safety	NA		
Reputation	NA		
Service disruption	NA		
Compliance	NA		
Property	NA		
Environment	NA		
Fraud	NA		

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*
- *Our community is engaged, inclusive and supportive*

ADDITIONAL FOCUS AREAS:

- *Supports the needs of youth in Carnarvon*

BIG IDEAS FOR THE FUTURE OF CARNARVON:

- *N/A*

Comments

Upgrading this facility will result in:

- Enhanced sporting experience for all users,
- Increased community engagement and participation,
- A facility that is focused on player and sports development within the region.

The CNLP funding program requires applicants to discuss their project with the nearest DLGSC office and the relevant State Sporting Associations where appropriate/relevant.

Shire Officers met with the local DLGSC office in early August. Officers have also liaised with the Gascoyne Football Association which is affiliated with South Fremantle Football Club. To date, four letters of support for the project have been received from the WA Football Commission and all three adjoining Shires.

The resolution from Council is required to satisfy the formal application process which states, "*Written confirmation of Financial Commitments from other sources including copies of Council minutes.*"

OFFICER'S RECOMMENDATION

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.

7.4.4 DISPOSAL OF VEHICLES AND SURPLUS EQUIPMENT BY TENDER

File No:	ADM1906
Location/Address:	N/A
Name of Applicant:	N/A
Name of Owner:	Shire of Carnarvon
Author(s):	Gloria Quinn, Executive Assistant
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 1 - Plant Items For Sale by Online Auction - Confidential (under separate cover) 2. Schedule 2 - Sundry Items For Sale by Public Tender ↔

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

Vehicles, plant, and equipment assets surplus to requirements have been identified. Council endorsement for the sale of plant and vehicle items by online auction and other sundry items by public tender is recommended.

Background

Multiple items of plant, equipment and machinery surplus to requirements have been identified as provided in **Confidential Schedule 1** and **Schedule 2**.

Identification and disposal of these items form part of a continuing program to rationalise plant and equipment fleet and tidy the Robinson Street works depot.

Stakeholder and Public Consultation

Nil applicable.

Statutory Environment

Section 3.58 of the *Local Government Act 1995 – Disposing of property* applies.

Relevant Plans and Policy

Nil applicable

Financial Implications

No formal valuation of the items offered for tender has been undertaken. Reserve values have been set at 75% of the written down value (WDV) where applicable. The most recent valuation of Plant and Equipment was at 30 June 2019. Since that revaluation, standard depreciation rates have been applied calculating the current WDV.

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	Sale of assets may not result in the anticipated return.	B2 - High	Investigate all options for disposal of assets. Assess the bids received and accept <u>reasonable</u> offers.
Health & Safety	N/A		
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:

- N/A

BIG IDEAS FOR THE FUTURE OF CARNARVON:

- N/A

Comments

All items proposed for sale are identified in **Confidential Schedule 1** and **Schedule 2**.

The proposed online auction of plant items listed in Confidential Schedule 1 provides wide exposure to potential buyers. Sale by online auction typically attracts a commission from the Auction House. Commissions vary depending on the type of equipment being sold and the sale value. Relevant examples for the Shires auctioned equipment are as follows:

- Vehicle over \$2,000 - \$600 + 1% of the hammer price.

- Trucks and Machinery, Agricultural - From \$0 to \$25,000.00 – 16.5%

A previous attempt to sell the tractors locally by tender resulted in a poor response. The decision was made to keep the tractors until the next disposal opportunity. If the tractors do not reach the auction reserve, it is proposed to include them in the public tender process and maintain the reserve price.

Given potential local interest in the sundry items listed in **Schedule 2**, sale by public tender of those items is proposed. A traditional tender process whereby tenders are hand delivered or posted to the Shire and placed in the tender box is proposed to maximise local opportunity to purchase.

The Shire is not bound to accept the highest tender and may reject any or all tenders submitted. Tenders will be evaluated using the information provided in the tender document. The successful tender will be the tender considered the most advantageous to the shire. This will typically be the highest amount offered.

If approved by Council, the online auction will be arranged for the next available auction date. The sundry items tender is planned to proceed after the completion of the online auction.

OFFICER'S RECOMMENDATION PART 1

That Council, by Simple Majority resolves:

- 1. Pursuant to Section 3.58 2(b) of the Local Government Act (1995), to dispose by online auction and public tender of all surplus items of plant and equipment identified in Confidential Schedule 1 and Schedule 2 with any items passed in at auction to be included for sale by public tender.***
- 2. Pursuant to Section 3.18 to authorise the CEO to:***
 - a) Undertake the sale by online auction and public tender of all surplus items of plant and equipment identified in Confidential Schedule 1 and Schedule 2;***
 - b) Include in the online auction or public tender any additional surplus items of an estimated value less than \$20,000 identified prior to the auction and tender advertising dates; and***
 - c) Accept the highest auction bid at, or in excess of, the reserve price for plant items and the highest tender for each of the sundry items offered for sale or reject, negotiate and finalise offers below the estimated sale prices.***

7.4.5 BULK FUEL SUPPLY AGREEMENT

File No:	ADM1785
Location/Address:	N/A
Name of Applicant:	N/A
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:	OCM 25 July 2023 - Agenda Item 7.4.4
Schedules:	1. Schedule 1 - Fuel Supply Agreement Evaluation and Recommendation Report - 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 seeks Council approval to accept a ‘Fuel and Equipment Supply Proposal’ submitted to the Shire of Carnarvon from Independent Fuel Solutions (iFuels) and enter a Goods and Services Contract with this supplier to provide this service.

Background

At the Ordinary Council Meeting held on the 25 July 2023, an item was presented to Council seeking approval to accept a proposal submitted by Independent Fuel Solutions to supply the Shire with bulk diesel fuel and fuel storage equipment.

The decision by Council was to defer their decision until other supply options for this service were investigated. Specifically, Council were seeking additional investigation into if the direct purchase of the fuel storage equipment and purchase of fuel by the tanker load could realise additional cost savings.

That investigation is now completed.

As advised in the July report, the iFuels proposal is offering the following as part of a 3-year supply agreement

- All equipment will be supplied free of charge including –
 - 10,000L Self Bunded Diesel Tank with High Flow and LV Bowser
 - Smart Fill Management System including key FOBs

- 1,200L towable diesel fuel trailer (for Grading Contract)
- Mobilisation and Commissioning of equipment.
- Smart Fill system will report and track on date, odometers, references (name) and may be able to be set up to automatically upload to MEX.
- Fuel usage reports are available any time via cloud system.
- Onsite training of staff on how to use Smart Fill system (key fobs etc.)

In addition to the direct cost saving, additional benefits of entering a supply contract with iFuels are –

- The business is locally based and operated in Carnarvon and the Shire advocates for supporting our local community.
- Better security in monitoring and managing access to the Depot yard - there is potential to optimise on the automated Smart Fill System by using the fobs as a key to open the security gate the Shire intends to install at the Depot.
- The automation of fuel usage data upload to the asset maintenance module.

Stakeholder and Public Consultation

Nil

Statutory Environment

Local Government Act 1995 Section 3.18 – Performing Executive Functions

Local Government (Functions and General) Regulations 1996 - Regulation 11(g)

Relevant Plans and Policy

CF001 Purchasing and Procurement

Financial Implications

The 2023/24 Draft Budget contains an allocation of \$270,000 for the supply of fuels and oils for the Shire fleet.

As indicated in the July report to Council, when projected over a year, a calculated saving of up to approximately \$20,000 is achieved under the recommended bulk supplier arrangement. The existing budget allocation is also sufficient to meet the likely fuel expenditure.

Further, the draft budget also includes an allocation of \$30,000 for installation of the necessary services infrastructure for a 10,000 litre bulk storage tank.

The draft 2023/24 budget does not include an allocation for the outright purchase of a new self-bunded fuel tank and fuel trailer. The estimated cost of purchase of these items is as per the following table:

Item	Low Range	High Range
Self-Bunded Fuel Trailer	\$35,778	\$47,398
50,000 Litre Self Bunded Tank	\$66,400	\$85,000
Delivery and Installation	\$30,000	\$35,000
Total	\$132,178	\$167,398

Based on those estimated costs, it will not be possible to purchase the tank and trailer without either:

- Removing an expenditure item from the current budget; or
- Allocating additional borrowings; or
- Allocation from reserve funds.

Additional saving able to be realised by purchasing fuel by the tanker load has been estimated at in the order of \$5,700 - \$6,700 p.a. Under the best-case scenario, this equates to a payback period on the capital equipment purchase of approximately 26 years which would be at or near to the estimated useful life of the bulk storage tank.

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	Fuel price rises	A2 – High	The recommended supply agreement fixes the fuel price in relation to the TGP applicable at the time of purchase. The recommended bulk supply proposal demonstrates the greater potential expenditure saving.
Health & Safety	N/A		
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 economy fosters investment and productivity in industries befitting Carnarvon’s physical and natural environment and that grows our horizons*

ADDITIONAL FOCUS AREAS:

- N/A

BIG IDEAS FOR THE FUTURE OF CARNARVON:

- N/A

Comments

Confidential Schedule 1 provides the additional evaluation completed considering the alternative supply option investigated as requested.

That additional investigation has concluded that the previously recommended fuel supply agreement offered by iFuels represents better value for money arrangement for the Shire regarding diesel fuel supply for its fleet.

Acceptance of the iFuels proposal as previously presented is therefore recommended.

OFFICER'S RECOMMENDATION

That Council, by Simple Majority pursuant to Section 3.18 of the Local Government Act, 1995, and Regulation 11(g) of the Local Government (Functions and General) Regulations 1996 resolves to:

- a) Accept the Supply Proposal from Independent Fuel Solutions at the rates detailed in Confidential Schedule 1; and***
- b) Authorises the CEO to make any necessary non-material amendments and finalise execution of a contract between the Shire of Carnarvon and Independent Fuel Solutions in accordance with the Independent Fuel Solutions supply proposal for supply of bulk diesel fuel and bulk diesel fuel storage equipment.***

8 APPLICATIONS FOR LEAVE OF ABSENCE

9 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

9.1 NOTICE OF MOTION - PROPOSED POLICY - EXPLORATION FOR FOSSIL FUEL RESOURCES

File No:	ADM0124
Author(s):	Alexander Fullarton, Councillor
Declaration of Interest:	Nil
Voting Requirement:	Simple Majority
Schedules:	Nil

Summary of Item:

That, following enquiries by exploration companies searching for offshore fossil fuel deposits and extraction and a lack of general policy for the direction of staff and guided by s 3.1 of the Local Government Act 1995, Council resolves establish a policy that opposes all exploration for fossil fuel resources and the extraction of fossil fuel reserves within the boundaries of the Shire and its environs.

Background:

In response to enquiries by exploration companies searching for offshore fossil fuel deposits and extraction, this elected member's motion seeks a resolution by Council to form a policy as to fossil fuel extraction within the Shire and neighbouring environs.

This policy aims to align the Shire of Carnarvon's position with general Commonwealth and State Government policies of transitioning away from fossil fuels and targets set by the Commonwealth Government, the State of Western Australia and more specifically Horizon Power's ambition of achieving 80% renewable energy sourced electricity by 2030. It could be supported by reference to s1.3 of the Local Government Act and interest demonstrated by public listed companies in the Shire such as Province.

The motion seeks to resolve to oppose all exploration for fossil fuel resources and the extraction of fossil fuel reserves within the boundaries of the Shire and its environs. It will then authorise the CEO to draft an appropriate policy and report the draft to Council by the Ordinary Meeting of Council in February 2024 for consideration.

Statutory Environment:

3.1. General function

1. (1) The general function of a local government is to provide for the good government of persons in its district.
2. (1A) Without limiting subsection (1), the general function of a local government must be performed having regard to the following —
 - (a) the need —
 - (i) **to promote the economic, social and environmental sustainability of the district; and**
 - (ii) **to plan for, and to plan for mitigating, risks associated with climate change; and**
 - (iii) **in making decisions, to consider potential long-term consequences and impacts on future generations;**

Relevant Plans and Policy:

Nil

Financial Implications:

Staff would undertake to develop a draft Policy in-house to avoid additional cost to the Shire.

Risk Assessment:

There is little risk arising from the Council resolution. Risks will be considered and reported during the development of a draft policy.

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

Elected Members Comment:

The devastating fires wreaking havoc in North America; Europe; and now in the Pacific Islands, serve as testament to the impacts of Global Warming attributed to air pollution caused by the burning of fossil fuels. Australia’s global isolation does not make it immune from this phenomenon. The chart below shows an average trend of over 1°C rise in air temperatures since 1910. The nation and the world cannot continue to ignore the effects of air pollution on our natural environment.

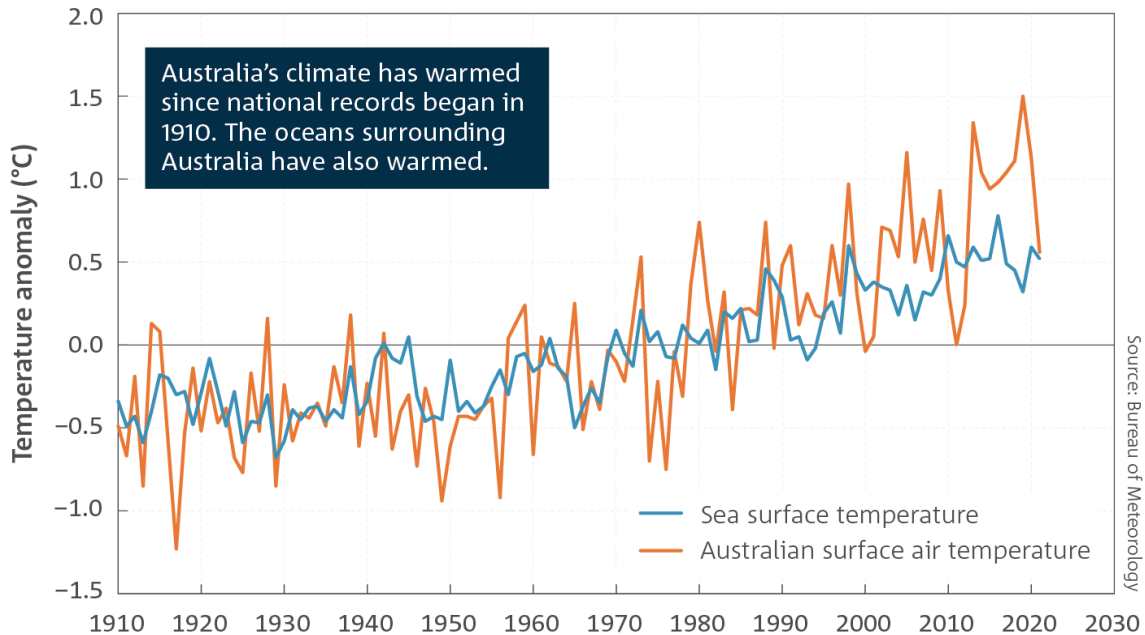


Figure 1: Changes in year-on-year air temperatures in Australia

The illustration below shows how the burning of fossil fuel is tipping the balance of the natural carbon cycle to an ever-increasing trend towards increasing atmospheric carbon, and other pollutant gases.

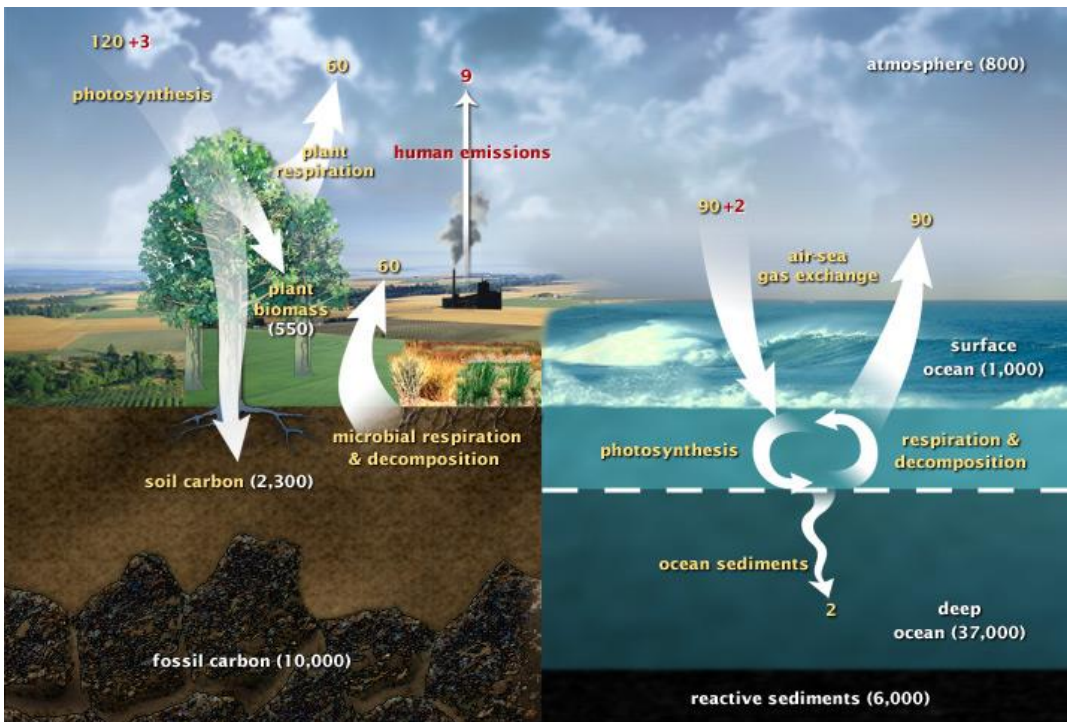


Figure 2: Global Warming and the Carbon Cycle.

Of late, oil exploration companies have been obliged to consult with stakeholder groups as to oil and gas exploration and extraction not only on the land and within the boundaries of our local government district but also our offshore marine environment. Further extraction and burning of fossil fuels will only exacerbate the damage being done to our natural environment but the short-term economic gain will undoubtedly lead to damage to our social environment as people struggle with rising temperatures.

The Shire of Carnarvon may be comparatively insignificant in its actions to combat climate change but it can be a significant local, state and national leader in its implementation of policies to clearly demonstrate its attitude in transitioning to a cleaner and healthier future for the land, its flora and fauna and its people.

The people of the Gascoyne demonstrated a significant contribution to the pastoral industry in the late 19th and 20th Century. The pioneering of the horticultural industry in the driest part of the driest continent is legendary. The Moon landings in 1969 were pivotal to placing Carnarvon on the World Map. The pristine regions of the Ningaloo reef and the Heritage-listed Shark Bay frame the Shire of Carnarvon.

Solar pv electricity generation, to displace the use of fossil fuels for electricity generation, was pioneered in Carnarvon in the early 2000s. In 2005 Carnarvon hosted the first privately-owned, industrial-sized, solar farm in Australia. This was followed by enthusiasm of the people of Carnarvon to adopt distributed solar pv systems. It is right that Carnarvon now moves to cement its place in history and the world by publicly opposing further extraction of fossil fuel, in every form, from within its boundaries and neighbouring environs.

MOTION

That Council by Simple Majority, pursuant to S3.1 of the Local Government Act 1995 resolves to:

- 1. Oppose all exploration for fossil fuel resources and the extraction of fossil fuel reserves within the boundaries of the Shire and its environs; and***
- 2. Authorise the CEO to draft an appropriate policy and report the draft to Council by the Ordinary Meeting of Council in February 2024 for consideration.***

10 QUESTIONS FROM MEMBERS WITHOUT NOTICE

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

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

Nil

13 DATE OF NEXT MEETING

14 CLOSURE