



SHIRE OF CARNARVON

MINUTES

SPECIAL COUNCIL MEETING THURSDAY 7TH MAY 2020

CONFIRMATION OF MINUTES

These minutes were confirmed by the Council on

.....
as a true and accurate record

.....
Chairman

DISCLAIMER

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

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

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

INFORMATION ON PUBLIC QUESTION TIME

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

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

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

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

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

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

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

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

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

SPECIAL MEETINGS OF COUNCIL

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

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1.0 ATTENDANCES , APOLOGIES & APPLICATIONS FOR LEAVE OF ABSENCE

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

2.0 PUBLIC AND ELECTED MEMBER QUESTION TIME

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

2.1 QUESTIONS TAKEN ON NOTICE FROM PREVIOUS MEETING

2.2 PUBLIC QUESTION TIME

3.0 DECLARATIONS OF INTEREST

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

4.0 ITEMS FOR DISCUSSION

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

5.1 Tender RFT 03-2020 – Design & Construction of Tourism Facilities at Blowholes (CONFIDENTIAL)

5.2 Key Performance Indicators – CEO (CONFIDENTIAL)

6.0 CLOSURE



**MINUTES OF THE SPECIAL MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS, STUART STREET,
CARNARVON ON THURSDAY 7TH MAY 2020**

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

1.0 ATTENDANCES, APOLOGIES AND APPROVED LEAVE OF ABSENCE

Cr E Smith.....	Presiding Member/Shire President
Cr B Maslen.....	Councillor, Gascoyne/Minilya Ward
Cr J Nelson	Councillor, Town Ward
Cr K Pinner	Councillor, Town Ward
Cr A Fullarton	Councillor, Town Ward
Cr L Vandeleur.....	Councillor, Town Ward
Cr K Simpson	Councillor, Coral Bay Ward(instantaneous communication)
Cr L Skender	Councillor, Plantation Ward
Mr D Burton	Chief Executive Officer
Mrs D Hill	Senior Executive Officer
Observers	Nil
Leave of Absence	Nil
Apologies	Nil

2.0 PUBLIC AND ELECTED MEMBER QUESTION TIME

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

Public & Elected Member Question Time commenced at 1.00pm

Public & Elected Member Question Time was closed at 1.00pm

3.0 DECLARATIONS OF INTEREST

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

Cr Pinner (Financial) – Item 5.2 – Tender 03/2020 – Design & Construction of Tourism Facilities at Blowholes
Cr Skender (Impartiality) – Item 5.2 – Item 5.2 – Tender 03/2020 – Design & Construction of Tourism Facilities at Blowholes

4.0 ITEMS FOR DISCUSSION

Nil

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

1.01pm – Cr Pinner declared a Financial Interest Item 5.1 as he is the Director of Northern Aspect Construction who submitted a tender for this project. Cr Pinner left the meeting and did not participate or vote on the matter.

SCM 1/5/20

COUNCIL RESOLUTION

Cr Maslen/Cr Vandeleur

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

- 1. Section 5.23(2)(c) as Item 5.1 relates to a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.*
- 2. Section 5.23 (2) (a) as Item 5.2 relates to a matter affecting an employee.*

CARRIED
F7/A0

5.1 TENDER 03/2020– DESIGN AND CONSTRUCTION OF TOURISM FACILITIES AT BLOWHOLES

File No:	ADM2054
Date of Meeting:	Thursday 7 th April 2020
Location/Address:	Shire of Carnarvon
Name of Applicant:	Shire of Carnarvon
Name of Owner:	Shire of Carnarvon
Author/s:	Carolien Claassens – Manager Governance David Nielsen - Executive Manager Infrastructure Services Paul Lees – Executive Manager Development Services
Declaration of Interest:	Nil
Voting Requirements:	Recommendation 1 : Simple Majority Recommendation 2: Absolute Majority

OFFICER'S RECOMMENDATION

- 1. That Council, pursuant to Section 18 of the Local Government (Financial Management) Regulations 1996 re-allocates \$250,000 from its Staff Housing Reserve to its Blowholes Reserve for the purpose of assisting the local economy of the Carnarvon community recover from the impact and consequences of the COVID19 State of Emergency*

(Absolute Majority)

OR;

- 2. That Council endorses a reduction of the scope of works for Tender RFT 03/2020 Design and Construction of Tourism Facilities at Blowholes to meet available funding.*

(Simple Majority)

SCM 2/5/20

COUNCIL RESOLUTION

Cr Maslen/Cr Vandeleur

That Standing Orders Section 13 be suspended at 1.02pm to enable further discussion in relation to the tenders submitted.

CARRIED
F7/AO

SCM 3/5/20

COUNCIL RESOLUTION

Cr Vandeleur/Cr Skender

That Standing Orders Section 13 be resumed at 1.37pm

CARRIED
F7/AO

SCM 4/5/20

COUNCIL RESOLUTION

Cr Vandeleur/Cr Nelson

That Council endorses a reduction of the scope of works, being the removal of provisional items for Tender RFT 03/2020 Design and Construction of Tourism Facilities at Blowholes to meet available funding.

CARRIED
F7/AO

(Note to Minute – Council were in agreement that the removal of the provisional items from the tender would enable Council to come within budget for the works.)

1.39pm - Cr Pinner returned to the meeting and was advised of Council's decision on the matter.

5.2

KEY PERFORMANCE INDICATORS – CHIEF EXECUTIVE OFFICER

Date of Meeting:	7 th May 2020
Location/Address:	N/A
Name of Applicant:	Shire of Carnarvon
Name of Owner:	Shire of Carnarvon
Author/s:	David Burton – Chief Executive Officer
Declaration of Interest:	Author's Interest – Impartiality Employment Conditions
Voting Requirements:	Simple Majority

OFFICER'S RECOMMENDATION

That Council adopt the Key Performance Indicators, as attached at Schedule 5.2, for the Chief Executive Officer for the 2019/2020 Financial Year.

SCM 5/5/20

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION

Cr Fullarton/Cr Vandeleur

That Council adopt the Key Performance Indicators, as attached at Schedule 5.2, for the Chief Executive Officer for the 2020/2021 Financial Year.

CARRIED
F8/A0

(Note – there was a typographical error in the Officer's Recommendation and the years were amended to 2020/2021.)

SCM 6/5/20

COUNCIL RESOLUTION

Cr Maslen/Cr Skender

That the meeting be reopened to the public at 1.42pm.

CARRIED
F8/A0

6.0 CLOSURE:

The Presiding Member declared the meeting closed at 1.42pm.