



SHIRE OF CARNARVON
AGENDA
ORDINARY COUNCIL MEETING
TUESDAY 17 DECEMBER 2024

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 17 December 2024
at the Shire Council Chambers, Stuart Street
Carnarvon,
commencing at 1.00pm.

Amanda Dexter
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

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

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 - 26 November 2024

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

Nil

7 DEPARTMENTAL REPORTS

7.1 GOVERNANCE

7.1.1 2025 ORDINARY MEETINGS OF COUNCIL, AUDIT & RISK MANAGEMENT COMMITTEE AND MAJOR PROJECTS COMMITTEE - SCHEDULE OF DATES, TIMES AND VENUES

File No:	ADM0308
Location/Address:	Shire of Carnarvon
Name of Applicant:	Shire of Carnarvon
Name of Owner:	Shire of Carnarvon
Author(s):	Amanda Dexter, Chief Executive Officer
Authoriser:	Amanda Dexter, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirement:	Simple Majority
Previous Report:	December 2023
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 sets out proposed dates for the 2025 calendar year, taking into consideration other relevant commitments of the Council. It also invites Council to consider allocating if it wished to have any of its meetings held using electronic means.

Background

Every Western Australian local government is required to give local public notice of the dates, times and places at which their Ordinary Council Meetings and their Committee Meetings (that are open to the public) are to be held for the next 12 months.

Under the *Local Government (Administration) Regulations 1996*, Council is required to set dates, times and venues of Ordinary Meetings and those meetings that are open to the public the upcoming calendar year and provide local public notice of the schedule.

New requirements around “electronic meetings” attendance at meetings by electronic means which were introduced in 2023, Council is to consider at the time of setting future Council/Committee Meeting Schedule, whether to allocate any of those meetings (up to the 50% cap) as electronic meetings.

The following proposed schedule for the Agenda Forums, Ordinary Meetings of Council, Audit and Risk and Major Projects Committee’s be held in 2025 is presented for Council’s consideration:

Date	Meeting	Time	Venue
Tuesday 21 January 2025	Agenda Forum	8.30am	Council Chambers
Tuesday 28 January 2025	Council Meeting	5.30pm	Council Chambers
Tuesday 18 February 2025	Agenda Forum	8.30am	Council Chambers
Tuesday 25 February 2025	Audit and Risk Committee	3.30pm	Council Chambers
Tuesday 25 February 2025	Council Meeting	5.30pm	Council Chambers
Tuesday 18 March 2025	Agenda Forum	8.30am	Council Chambers
Tuesday 25 March 2025	Major Projects Committee	3.30pm	Council Chambers
Tuesday 25 March 2025	Council Meeting	5.30pm	Council Chambers
Tuesday 15 April 2025	Agenda Forum	8.30am	Council Chambers
Tuesday 22 April 2025	Audit and Risk Committee	3.30pm	Council Chambers
Tuesday 22 April 2025	Council Meeting	5.30pm	Council Chambers
Monday 17May 2025	Agenda Forum	8.30am	Council Chambers
Tuesday 27 May 2025	Major Projects Committee	3.30pm	Bills, Coral Bay
Tuesday 27 May 2025	Council Meeting	5.30pm	Bills, Coral Bay
Tuesday 17 June 2025	Agenda Forum	8.30am	Council Chambers
Tuesday 24 June 2025	Audit and Risk Committee	3.30pm	Council Chambers
Tuesday 24 June 2025	Council Meeting	5.30pm	Council Chambers
Tuesday 15 July 2025	Agenda Forum	8.30am	Council Chambers
Tuesday 22 July 2025	Major Projects Committee	3.30pm	Council Chambers
Tuesday 22 July 2025	Council Meeting	5.30pm	Council Chambers
Tuesday 19 August 2025	Agenda Forum	8.30am	Council Chambers
Tuesday 26 August 2025	Audit and Risk Committee	3.30pm	Council Chambers
Tuesday 26 August 2025	Council Meeting	5.30pm	Council Chambers
Tuesday 16 September 2025	Agenda Forum	8.30am	Council Chambers
Tuesday 23 September 2025	Major Projects Committee	3.30pm	Council Chambers
Tuesday 23 September 2025	Council Meeting	5.30pm	Council Chambers
Tuesday 21 October 2025	Agenda Forum	8.30am	Council Chambers
Tuesday 28 October 2025	Audit and Risk Committee	10.30am	Council Chambers
Tuesday 28 October 2025	Council Meeting	11.30am	Bills, Coral Bay
Tuesday 18 November 2025	Agenda Forum	8.30am	Council Chambers
Tuesday 25 November 2025	Major Projects Committee	3.30pm	Council Chambers
Tuesday 25 November 2025	Council Meeting	5.30pm	Council Chambers
Tuesday 9 th December 2025	Agenda Forum	8.30am	Council Chambers
Tuesday 16 December 2025	Audit and Risk Committee	3.30pm	Council Chambers
Tuesday 16 December 2025	Council Meeting	5.30pm	Council Chambers

Stakeholder and Public Consultation

Once dates are approved by Council, they will be advertised throughout the Shire in accordance with the requirements of the Local Government Act. There is no need for public consultation to occur in addition to the above.

Statutory Environment

Local Government (Administration) Regulations 1996 – Regulation 12 (Publication of meeting details) outlines that at least once each year local public notice of the dates, times, and places at which ordinary council, and committee meetings that are required to be open to the public, are to be held in the next 12 months.

Local Government (Administration) Regulations 1996 – 14D (Meetings held by electronic means) outlines that Council can determine that up to a maximum of 50% of its Council meetings, and its Committee meetings that are required to be open to the public, be held by electronic means.

Relevant Plans and Policy

Nil

Financial Implications

The proposed meeting schedule may include an optional overnight stay in Coral Bay. There is provision to accommodate this in the 2024/25 Annual Budget.

The Cost of Advertising is estimated at \$500.00 and has been accounted for in the 2024/25 Annual 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 (Consequence x likelihood)	Mitigating Action/s
Financial	N/A		
Health & Safety	N/A		
Reputation			
Service disruption	N/A		
Compliance	Failure to set and advertise meeting dates will contravene the requirements of the <i>Local Government Act 1995</i>	B-2 High	That Council and Committee Meeting times and dates are approved and advertised (noting that dates and times may be subject to change).
Property	N/A		
Environment	N/A		

Fraud	N/A		
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Community and Strategic Objectives

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

OBJECTIVES

In 2040 Carnarvon is a place where:

- *Our community is engaged, inclusive and supportive*

ADDITIONAL FOCUS AREAS:

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

BIG IDEAS FOR THE FUTURE OF CARNARVON:

- *N/A*

Comments

Monthly Ordinary Council Meetings and Agenda Forums are held on the fourth Tuesday of each month, with at least two Ordinary Meetings of Council to be held in Coral Bay, the date and time to be determined by Council.

Major Projects and Audit and Risk Management Committee Meetings are held bimonthly.

It should also be noted that with Christmas falling close to the scheduled fourth Tuesday in December, it has been normal practice to bring this meeting forward by one week. For 2025 the meeting day is proposed to be moved forward to Tuesday 16 December.

Following the Council resolution on the scheduled dates for the Ordinary Meetings of Council, Agenda Forums, Major Projects Committee and Audit and Risk Committee meetings for the 2025 calendar year, local public notice will be given in the local newspaper, the Shire of Carnarvon website, social media and Shire public notice boards to encourage community attendance.

OFFICER'S RECOMMENDATION

That Council, by Simple Majority, in accordance with the Local Government Administration Regulations, 1996 resolves to:

- adopt the following schedule for the 2025 Agenda Forum Meetings, Ordinary Meetings of Council; Audit and Risk and Major Projects Committees;*

Date	Meeting	Time	Venue
Tuesday 21 January 2025	Agenda Forum	8.30am	Council Chambers
Tuesday 28 January 2025	Council Meeting	5.30pm	Council Chambers
Tuesday 18 February 2025	Agenda Forum	8.30am	Council Chambers
Tuesday 25 February 2025	Audit and Risk Committee	3.30pm	Council Chambers
Tuesday 25 February 2025	Council Meeting	5.30pm	Council Chambers
Tuesday 18 March 2025	Agenda Forum	8.30am	Council Chambers
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Tuesday 19 August 2025	Agenda Forum	8.30am	Council Chambers
Tuesday 26 August 2025	Audit and Risk Committee	3.30pm	Council Chambers
Tuesday 26 August 2025	Council Meeting	5.30pm	Council Chambers
Tuesday 16 September 2025	Agenda Forum	8.30am	Council Chambers
Tuesday 23 September 2025	Major Projects Committee	3.30pm	Council Chambers
Tuesday 23 September 2025	Council Meeting	5.30pm	Council Chambers
Tuesday 21 October 2025	Agenda Forum	8.30am	Council Chambers
Tuesday 28 October 2025	Audit and Risk Committee	10.30am	Council Chambers
Tuesday 28 October 2025	Council Meeting	11.30am	Bills, Coral Bay
Tuesday 18 November 2025	Agenda Forum	8.30am	Council Chambers
Tuesday 25 November 2025	Major Projects Committee	3.30pm	Council Chambers
Tuesday 25 November 2025	Council Meeting	5.30pm	Council Chambers

Tuesday 9 th December 2025	Agenda Forum	8.30am	Council Chambers
Tuesday 16 December 2025	Audit and Risk Committee	3.30pm	Council Chambers
Tuesday 16 December 2025	Council Meeting	5.30pm	Council Chambers

2. ***directs that the Chief Executive Officer advertise the approved dates by Local Public Notice and on the Shire of Carnarvon Website.***

7.1.2 STATUS OF COUNCIL DECISIONS - NOVEMBER 2024

File No:	ADM0308
Location/Address:	Nil
Name of Applicant:	Nil
Name of Owner:	Nil
Author(s):	Amanda Dexter, Chief Executive Officer
Authoriser:	Amanda Dexter, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirement:	Simple
Previous Report:	Nil
Schedules:	1. Council Agenda Actions Summary

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 Report

To inform Council of the action taken in relation to Council decisions. It is proposed that Council endorse a monthly report to Council on all outstanding matters that direction has been given on, including an update on any legal action that may have a contingent liability and is unresolved.

It is therefore recommended that Council NOTES the Status of Council Decisions Report for the month of November 2024, as provided in **Schedule 1** to this Report.

Background

It is proposed that the CEO prepares a monthly report to Council, on all outstanding matters that direction has been given on and any action that has been taken in relation to them, including an update on any legal action that may have a contingent liability and is unresolved.

Should additional information be required, for example historical decisions related to major projects that are still progressing, an assessment of resourcing will be required, to complete this information. The content and format of a separate report in relation to outstanding legal matters, is currently being examined

Stakeholder and Public Consultation

The report is included to inform Council and the Community of the ongoing status of all outstanding matters of Council. It is provided to increase transparency for the Community.

Statutory Environment

Nil

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	N/A		
Health & Safety	N/A		
Reputation	In order to remain transparent and to facilitate timely and appropriate decision making, it is requested that action items be reviewed at each Council meeting.	Minor	Increase transparency by providing adequate access to information and data.
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 community is engaged, inclusive and supportive*

ADDITIONAL FOCUS AREAS:

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

BIG IDEAS FOR THE FUTURE OF CARNARVON:

- *N/A*

Comments

The Status of Council Decisions report includes decisions made at a Council meeting and/or Committee meetings. Where a recommendation is made at a committee meeting, and the decision subsequently made by Council, the Council decision will only be included in the Status of Council Decision report.

The Status of Council Decisions report (Actions Register) is included as Attachment 1 to this Report.

The Status of Council Decisions report details all outstanding items where a decision has been made by Council and/or a committee and a status update has been provided by relevant officers. The Status of Council Decisions report is run through InfoCouncil.

The Status of Council Decisions report also includes the completed items for the prior month.

OFFICER'S RECOMMENDATION

That Council notes the Status of Council Decisions Report for the Month of November 2024, as provided in Schedule 1 to this report.

7.1.3 NEW LEASE REQUEST - AMPLITEL PTY LTD

File No:	ADM0235
Location/Address:	Portion of Lot 559, Carnarvon Road, Carnarvon Airport
Name of Applicant:	Amplitel Pty Ltd (previously Telstra Corporation Limited)
Name of Owner:	Shire of Carnarvon
Author(s):	Caroline Ballard, Governance & Information Coordinator
Authoriser:	Amanda Dexter, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirement:	Simple Majority
Previous Report:	N/A
Schedules:	1. Independant Market Valuation Report October 2024

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 Report

This report details a request received from Amplitel Pty Ltd seeking a new lease from 1 May 2025 over a portion of Lot 559, Carnarvon Road, Carnarvon Airport - area outlined in market valuation report **Schedule 1** for the purposes of an existing telecommunications tower and equipment store.

Background

An initial lease for the above-mentioned portion of land commenced on 29 April 2005 and was renewed for a further ten-year term on 29 April 2015, this expires on 30 April 2025. The Shire has received a request from the Lessee to action a new lease over a portion of Lot 559, Carnarvon Road, Carnarvon Airport for a ten-year term (with an option for a further ten years).

A market valuation report was prepared in October 2024 by International Valuation and Property Services (**Schedule 1**) which provides an in-depth market rental analysis and comparisons with other related sites, the report summarises a market rental value of \$8,000 p.a. (ex Gst) the current annual rental (2024/25) for this site is \$11,371.28 p.a. (ex gst).

Amplitel Pty Ltd manage over 10,000 sites for telecommunications and to ease their administrative burden have requested that the Shire agree to a fixed rate of annual increase of 3% per annum. Amplitel have offered to pay rent on commencement 1 May 2025 of \$12,500p.a. as a leverage to settle the rent review figure at 3%. The Shire policy states annual rental increase should have the current rate of CPI applied, any deviation from this rate is subject to Council approval.

Stakeholder and Public Consultation

N/A

Statutory Environment

Local Government Act 1995 Section 3.58 Disposal of Property

Relevant Plans and Policy

Policy CF018 Lease and Licensing; Classification; Category Four – Commercial Entity

Financial Implications

The cost of preparation of the lease, market valuation, advertising, utilities and all maintenance will be paid by the Lessee in accordance with Policy CF018.

This lease proposal will guarantee a set income of \$12,500 per annum (ex.GST) through a Lease rental charge to paid by the Lessee, based on the valuation report and subsequent negotiations, with the rental to be reviewed and increased annually by 3%.

Risk Assessment

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

Risk Category	Description	Rating	Mitigating Action/s
Financial	The revenues earned from commercial lease at Carnarvon Airport are an important income for the Shire	C2- Moderate	Renewing the lease mitigates the risk of loss of income for the Shire of Carnarvon.
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

In evaluating the request from the Lessee, Amplitel Pty Ltd, to establish a new lease over a portion of Lot 559 at Carnarvon Airport for a ten-year term, with an option for an additional ten years, the Shire must consider both the financial and policy implications. This request coincides with the impending expiration of the current lease on 30 April 2025.

A market valuation report prepared by International Valuation and Property Services in October 2024 indicates a market rental value of \$8,000 p.a. (ex GST), which is significantly lower than the current annual rental of \$11,371.28 p.a. (ex GST). However, Amplitel has proposed an initial rental payment of \$12,500 p.a., commencing 1 May 2025, in exchange for a fixed annual rental increase of 3%.

While the proposed terms offer a higher initial rental than the market valuation, they deviate from the Shire's policy of applying annual rental increases aligned with the Consumer Price Index (CPI). Since any deviation from CPI-based adjustments requires Council approval, this proposal warrants careful assessment. Key considerations include the financial sustainability of the fixed annual increase, the potential benefits of a predictable revenue stream, and the precedent such an arrangement might set for future lease agreements.

To align with other commercial leases and licenses within the Carnarvon Airport Precinct and secure a continuing revenue stream, it is recommended that Council approve a new lease for a ten-year term, with an option for a further ten years, subject to the provisions of the Local Government Act 1995 governing property disposal.

This approach ensures compliance with legislative requirements while maintaining financial sustainability and securing a long-term revenue stream for the Shire.

OFFICER'S RECOMMENDATION

That Council, by Absolute Majority, pursuant to Section 3.58 of the Local Government Act 1995, and in accordance with the Shire of Carnarvon Policy CE018 Lease and Licensing Classification – Category Four, resolves to:

- 1. Grant a new lease over portion of Lots 559, Carnarvon Airport, Carnarvon Road, for a ten-year term (with an option for a further ten years), subject to:***
 - a) An annual licence fee of \$12,500 (ex GST) per annum;***
 - b) A fixed annual rental increase of 3%.***
 - c) Conformity with the statutory provisions for 'Disposal of Property' under Section 3.58 of the Local Government Act, 1995; and***
 - d) Lease documentation is prepared at the Lessee's cost, invoiced to the Lessee upon execution of the lease.***
- 2. Advertise by local public notice its intention to grant a new lease for the land, being a portion of Lot 559, Carnarvon airport, Carnarvon Road, for a period of not less than two (2) weeks; and***
- 3. Authorise the CEO to negotiate and execute the lease with the Lessee as outlined above, subject to no objections being received during the public notice period for the proposed disposal of property.***

7.1.4 MINUTES OF THE GASCOYNE COUNTRY ZONE MEETING - FRIDAY 22 NOVEMBER 2024

File No:	ADM1713
Location/Address:	N/A
Name of Applicant:	N/A
Name of Owner:	N/A
Author(s):	Amanda Dexter, Chief Executive Officer
Authoriser:	Amanda Dexter, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirement:	Simple Majority
Previous Report:	Nil
Schedules:	1. Gascoyne Country Zone Meeting Minutes - 22 November 2024

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 Report

This report is presented for Council’s information and receiving of the minutes of the Gascoyne Country Zone Meeting held on Friday 22 November 2024 and to note matters that may be of some relevance to the Shire of Carnarvon.

Background

The Gascoyne Country Zone Meeting convenes two monthly to discuss matters relevant to the Gascoyne Zone with Member Councils responsible for direct elections of State Councillors, providing input into policy formulation and providing advice on various matters. The Zone Meetings are attended by the Shires’ of Carnarvon, Upper Gascoyne, Exmouth and Shark Bay.

The meeting held on Friday 22 November 2024 was held in Council Chambers and attended by representatives from WA Local Government Association and the Shires’ of Carnarvon, Shark Bay, Upper Gascoyne and Exmouth. A copy of the minutes is attached at **Schedule 1** to this report.

Stakeholder and Public Consultation

Nil

Statutory Environment

Nil

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	N/A		
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 community is engaged, inclusive and supportive*

ADDITIONAL FOCUS AREAS:

- N/A

BIG IDEAS FOR THE FUTURE OF CARNARVON:

- N/A

Comments

The following matters discussed at the Zone Meeting are of note and relevant to the Shire of Carnarvon -

- **Item 8.1 – Social Issues Ministerial Council Advocacy.**

This matter was proposed by the Shire of Carnarvon to address the complex and persistent social challenges faced by communities, particularly those affected by State Government-imposed liquor restrictions, by focusing on comprehensive, wraparound services and necessary legislative and policy reforms.

Zone Resolution: That the Gascoyne Country Zone request State Council to advocate to the State Government to establish a dedicated Social Issues Ministerial Council.

- **Item 8.2 – 2025 Proposed Meeting Dates**

This item is to set the meetings dates and the venues for the 2025 year. Of note, the Shire of Carnarvon will be hosting the Friday 21 February 2025 and Friday 21 November 2025 Zone Meetings in Council Chambers.

- **Item 8.3 – Submissions to the 2025 Salaries and Allowances Tribunal Remuneration Inquiry for Local Government CEO's and Elected Members**

In preparation for the inquiry to be undertaken early next year, a draft submission from WALGA has been prepared making recommendations to SAT on behalf of the sector in relation to Elected Member fees and allowances, Chief Executive Officer remuneration, the Regional/Isolation Allowance and Independent Audit Member fees.

Local Governments can also put forward a submission, particularly in relation to their own circumstances, including requests to be classified in a different Band. WALGA encourages all Local Governments to make a submission to SAT.

- **Item 8.5 – Aboriginal Heritage Survey Program**

The State Government has committed to a 10-year fully funded Aboriginal heritage survey program across the State, to be managed by the Department with local government authorities eligible applicants for the program. Its purpose is to:

1. Survey areas to:
 - *Record Aboriginal heritage for inclusion on the Aboriginal Cultural Heritage Inquiry System (ACHIS) and the Register of Places and Objects.
 - * Ensure Aboriginal heritage information can be accessed easily and relied on as part of statutory approvals under the Aboriginal Heritage Act 1972 (Act) to use land where Aboriginal sites are located;
2. Accurately remap boundaries of Aboriginal sites and known Aboriginal heritage places where required; and
3. Confirm locations where Aboriginal heritage has not been identified, meaning activities can be undertaken without the need for approval under the Act.

Zone Resolution - That the Gascoyne Country Zone supports a representative from the Department of Planning, Lands and Cultural Heritage to attend a future Zone meeting in 2025 to discuss the Aboriginal Heritage Survey Program.

OFFICER'S RECOMMENDATION

That Council receive the minutes of the Gascoyne Country Zone Meeting held on Friday 22 November 2024;

7.1.5 MINUTES OF THE GASCOYNE REGIONAL ROAD GROUP METING - 22 NOVEMBER 2024

File No:	ADM1713
Location/Address:	N/A
Name of Applicant:	N/A
Name of Owner:	N/A
Author(s):	Amanda Dexter, Chief Executive Officer
Authoriser:	Amanda Dexter, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirement:	Simple Majority
Previous Report:	Nil
Schedules:	1. Regional Road Group Minutes - 22 November 2024

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 Report

This report is presented for Council’s information and receiving of the minutes of the Gascoyne Regional Road Group Meeting held on Friday 22 November 2024 and to note matters that may be of some relevance to the Shire of Carnarvon.

Background

The Gascoyne Regional Road Group (RRG) Meetings are convened by Main Roads WA and are held two monthly to discuss matters relevant to the Gascoyne area. The RRG Meetings are attended by the Shires’ of Carnarvon, Upper Gascoyne, Exmouth and Shark Bay.

The meeting held on Friday 22 November 2024 was held in Council Chambers and attended by representatives from Main Roads WA, WA Local Government Association and the Shires’ of Carnarvon, Shark Bay, Upper Gascoyne and Exmouth. A copy of the minutes is attached at **Schedule 1** to this report.

Stakeholder and Public Consultation

Nil

Statutory Environment

Nil

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	N/A		
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

The following matters were discussed at the Zone Meeting are of note and relevant to the Shire of Carnarvon-

4.3 South West Region Underspend – Additional Funding Shire of Carnarvon

The State Advisory Committee have advised that there is underspent money from the South West region. The Gascoyne regions have projects that can use additional funds and Carnarvon nominated one project, that being the Quobba/Gnaraloo Road. The additional funding of \$300,000 was approved for 2024/2025 with a 1/3 contribution matched by each Shire. A further \$150,00 was requested by the Shire of Carnarvon which was presented to Council for approval on 26 November 2024.

5. MOU Partnership Agreement – Main Roads and Gascoyne Shires

Gascoyne Shires to seek Main Roads consideration on a program to train operators that would eventually flow out into the local government in the form of an MOU or partnership agreement and possibly contribute financially. Should MRWA be in agreement the matter will be brought back to Council for consideration.

7.2 Sealed Roads and Preservation Costs

The cost of sealing and ongoing maintenance of sealed Roads has risen sharply. The cost to all the Shires in the Gascoyne is going to be impacted by the cost of preservation in the long term. Possible solutions discussed including –

- Cease sealing roads.
- Take sealed roads back to gravel standard
- Main Roads takes ownership of the road asset
- Create an equalisation fund. Establish the average cost of reseals for the Gascoyne region and provide additional funds to Local Government(s) whose costs exceed this benchmark.

RRG Motion - John McCleary will write a letter to the State Advisory Committee addressing the preservation costs and seek to establish a reseal equalisation fund.

The Gascoyne Shire's are encouraged to speak to their local members with the State Election coming up.

OFFICER'S RECOMMENDATION

That Council receive the minutes of the Gascoyne Regional Road Group Meeting held on Friday 22 November 2024.

7.2 CORPORATE SERVICES

7.2.1 ACCOUNTS PAID UNDER DELEGATION NOVEMBER 2024

File No:	ADM0186
Location/Address:	N/A
Name of Applicant:	Shire of Carnarvon
Name of Owner:	N/A
Author(s):	Giang Nguyen, Creditors Officer Sarah Driscoll, Senior Finance - Operations
Authoriser:	Amanda Dexter, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirement:	Simple Majority
Previous Report:	Monthly Report
Schedules:	1. Accounts for Payment in November 2024 2. Credit Card Statement 23.10.2024 - 24.11.2024

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 Report

To present the listing of accounts paid under delegation from the Municipal Fund and Trust Fund, in accordance with the requirements of the *Local Government (Financial Management) Regulations 1996*, for the month of November 2024.

Background

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

Stakeholder and Public Consultation

Nil

Statutory Environment

Local Government Act 1995 – Section 5.42

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

Relevant Plans and Policy

Nil

Financial Implications

Nil as 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	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	Accounting Fraud	Moderate	Internal controls are in place, including background checks and regular updates of Sundry Creditors. Any creditor changes are independently reviewed

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

Along with the monthly Credit Card statement, Council is usually provided with a reconciliation detailing the nature of the expenditure incurred on Credit Cards during the month.

Due to the timing of the December 2024 Council Meeting, the detailed Credit Card reconciliations for the period of 23.10.2024 – 24.11.2024 will be provided in the January 2025 Council meeting. The Credit Card statement for this period will also be represented with certification and authorisation signatures.

OFFICER’S RECOMMENDATION

That Council, by simple majority in accordance with S.5.42 of the Local Government Act – 1995, resolves to:

- 1. Receive the list of payments made under delegation, as per Schedule 1 at a total value of \$2,061,595.19 as presented for the month of November 2024, incorporating the following; and***

<i>Payment Reference from:</i>	<i>Payment Reference to:</i>	<i>Payment Type</i>	<i>Payment Amount</i>
<i>EFT42750</i>	<i>EFT42983</i>	<i>Muni EFT</i>	<i>\$1,309,855.25</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>DD41217.1-DD41217.3, DD41218.1, DD41219.1-DD41219.2, DD41220.1-DD41220.7, DD41223.1, DD41225.1, DD41228.1, DD41230.1, DD41232.1, DD41234.1, DD41236.1-DD41236-4, DD41238.1, DD41240.1, DD41242.1-DD41242.3, DD41244.1, DD41246.1, DD41248.1</i>	<i>DD41248.1</i>	<i>Bank Directs</i>	<i>\$751,739.94</i>
		<i>TOTAL</i>	<i>\$</i>

- 2. Receive the copies of credit card statements for all such Shire Facilities for the period 23.10.2024 – 24.11.2024***

7.2.2 BUDGET ADJUSTMENTS - DECEMBER 2024

File No:	ADM0027
Location/Address:	N/A
Name of Applicant:	Shire of Carnarvon
Name of Owner:	N/A
Author(s):	Sarah Beresford, Finance Officer - Procurement Sarah Driscoll, Senior Finance - Operations
Authoriser:	Amanda Dexter, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirement:	Absolute Majority
Previous Report:	Monthly report
Schedules:	1. Budget Amendments - December 2024

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 officers’ requested budget adjustments arising after the adoption of the 2024/2025 Budget for Council to consider. It is recommended that Council approve the budget adjustments as the adjustments have no impact on the closing budget surplus. (Refer **Schedule 1**)

Background

The Council adopted the Annual Budget for the Shire on 27 August 2024.

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; and
- 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 one recommendation for the month of December 2024.

Stakeholder and Public Consultation

N/A

Statutory Environment

Local Government Act – Section 6.8(1).

Relevant Plans and Policy

N/A

Financial Implications

The proposed adjustments for Council to consider will result in 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	Potential for reduction in budget.	Low	The adjustments recommended in this report do not impact the net position of Council.
Health & Safety	N/A	N/A	
Reputation	Delay in identifying known expenditure changes has the potential to damage the Shire’s reputation.	High	Identify changing circumstances and action budget variations as soon as practicable
Service disruption	N/A	N/A	
Compliance	Local Government Act requires that a local government is not to incur expenditure unless approved by Council.	High	This report to Council for approval ensures compliance requirements are met.
Property	N/A	N/A	
Environment	N/A	N/A	

Community and Strategic Objectives

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

OBJECTIVES

In 2040 Carnarvon is a place where:

- N/A

ADDITIONAL FOCUS AREAS:

- N/A

BIG IDEAS FOR THE FUTURE OF CARNARVON

- N/A

Comments

The proposed adjustments are included for Council to consider for the month of December 2024.

Adjustments with no impact on budget closing position

Proposed budget adjustments have no impact on closing budget.

OFFICER'S RECOMMENDATION

That Council, by Absolute Majority, in accordance with section 6.8(1) of the Local Government Act, resolves to approve the adjustments to the 2024/2025 adopted Shire budget as detailed in this report and attached as per Schedule 1.

7.2.3 MONTHLY FINANCIAL REPORT NOVEMBER 2024

File No:	ADM0186
Location/Address:	N/A
Name of Applicant:	Shire of Carnarvon
Name of Owner:	N/A
Author(s):	Sarah Driscoll, Senior Finance - Operations
Authoriser:	Amanda Dexter, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirement:	Simple Majority
Previous Report:	Nil
Schedules:	1. November 2024 Monthly Financial Report

Authority/Discretion:

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

Summary of Item

This item presents the Statement of Financial Activity for the period ending 30 November 2024 for Council to consider. The officer’s recommendation is that the Statement of Financial Activity be received by Council.

Background

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

Stakeholder and Public Consultation

Nil

Statutory Environment

Local Government (Financial Management) Regulations 1996 - Regulation 34.

Relevant Plans and Policy

Nil

Financial Implications

Nil

Risk Assessment

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

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

Community and Strategic Objectives

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

OBJECTIVES

In 2040 Carnarvon is a place where:

- 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

The officer advises that the November 2024 Statement of Financial Activity being presented at the December 2024 Ordinary Meeting of Council complies with the Local Government Act 1995. **Schedule 1** attached for consideration is the Statement of Financial Activity, legislative notes, and supporting notes for the period ended 30 November 2024.

Monthly Financial Report – contains:

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

Notes for other supporting Information include:

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

Key points of interest for Councillors consideration:

- Last year's closing audited surplus has resulted in a \$424K lower than budget result. This difference is due to the recognition of doubtful debts related to REX voluntary administration and doubtful rates. The mid-year budget review will need to address this gap of funds by reducing overall planned expenditure.
- Invested funds in term deposits total \$10.6M, comprising \$3.9M of Reserve funds and \$6.7M of Municipal Funds.
- Loan funds of \$500K have been acquired from Treasury to assist with funding the RED housing project.
- Excluding the Airport upgrade, 14% of the capital works program is complete, with a further 29% of the program committed with purchase orders or contracts

OFFICER'S RECOMMENDATION

That Council, pursuant to Regulation 34 of the Local Government (Financial Management) Regulations, resolves to receive the Draft Statement of Financial Activity for November 2024 as per attached Schedule 1.

7.2.4 2023/2024 AUDITED ANNUAL FINANCIAL REPORT, INDEPENDENT AUDITORS REPORT & FINANCIAL MANAGEMENT LETTER

File No:	ADM0032
Location/Address:	N/A
Name of Applicant:	Shire of Carnarvon
Name of Owner:	N/A
Author(s):	Sarah Driscoll, Senior Finance - Operations
Authoriser:	Amanda Dexter, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirement:	Absolute Majority
Previous Report:	Nil
Schedules:	<ol style="list-style-type: none"> 1. Draft - Shire of Carnarvon Financial Report - 30 June 2024 2. Financial Management Letter - Shire of Carnarvon 30 June 2024 3. Office of Auditor General Audit Opinion - 30 June 2024

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 Report

The purpose of this report is to present the Shire of Carnarvon’s audited Annual Financial Report, the Office of the Auditor General’s (OAG) Independent Audit Report and the Audit Management Letter for the financial year ended 30 June 2024.

Background

Each year, the Shire is required to produce its Annual Financial Report and send the report to the Shire’s auditor by 30 September (Section 6.4 (3) of the Local Government Act 1995). The Office of Auditor General appointed William Buck as the Shire’s auditors. William Buck extensively reviewed the Shire’s financials and have now completed the audit, providing their Independent Auditor Report and Management Report. Shire staff together with consultants, AccWest, worked in collaboration to prepare the financial statements that were presented to the auditors.

As part of the Council’s committee structure, the Audit and Risk Committee has been established to review areas of an audit and accepts responsibility for reviewing the annual external audit documents so that Council can be satisfied with the performance of the Local Government in managing its financial affairs. In

their 11 December 2025 meeting, the Audit and Risk Committee reviewed the Shire of Carnarvon's audited annual financial statements and resolved by absolute majority to recommend Council receive and adopt.

Stakeholder and Public Consultation

- Office of the Auditor General (OAG)
- William Buck Accountants & Advisors (contracted auditor by OAG)
- AccWest (the Shire's financial consultant)

Statutory Environment

The Local Government Act 1995 sets out the requirements for the preparation of the annual financial report as follows:

Section 6.4 (1) and (2) requires the Shire to prepare an annual financial report for the preceding financial year which is to be presented in the manner and form prescribed.

Section 6.4 (3) requires the Shire to submit to its auditor the accounts balanced up to the last day of the preceding financial year and to submit the annual financial report by 30 September.

Section 5.53(2)(f) and 5.53(2)(h) requires the Shire to prepare an annual report that includes the financial report and auditor's report for the financial year.

Section 5.54 requires the Shire to accept the annual report for a financial year by no later than 31 December after that financial year; unless the auditor's report is not available in time, then it is to be accepted no later than two months after the auditor's report becomes available.

Regulation 51(2) of the Local Government (Financial Management) Regulations 1996 requires a local government to submit a copy of the annual financial report to the Department within 30 days of Local Government receiving the auditor's opinion on the financial position and the results of the operations of the local government.

Regulation 10(1) of the Local Government (Audit) Regulations 1996 requires the auditors to submit an audit report to the persons specified in section 7.9(1) of the LGA within 30 days of completing the audit.

Regulation 10(2) and 10(3) of the Local Government (Audit) Regulations 1996 provides full details about what the auditor's report is required to report on. The report is to include any material matters that, in the opinion of the auditor, indicate significant adverse trends in the financial position or the financial management practices. It must also report on any matters indicating non-compliance with Part 6 of the Local Government Act 1995 and Local Government (Financial Management) Regulations 1996, or applicable financial controls in any other written law.

Regulation 10(4) of the Local Government (Audit) Regulations 1996 considers where appropriate, the auditor is to prepare a management report to accompany the auditor's report and to forward a copy of the management report to the persons specified in section 7.9(1) of the Local Government Act 1995 with the auditor's report.

Regulation 10(4) of the Local Government (Audit) Regulations 1996 considers where appropriate, the auditor is to prepare a management report to accompany the auditor's report and to forward a copy of the

management report to the persons specified in section 7.9(1) of the Local Government Act 1995 with the auditor’s report.

Relevant Plans and Policy

The Annual Financial Statements are prepared in accordance with the Australian Accounting Standards and comply with the Shire’s Significant Accounting Policy which provides requirements on how transactions are performed or treated in an accounting context.

Financial Implications

The Annual Financial Statements set out the operating results for the Shire for the year ended 30 June 2024 and the assets and liabilities as at that date, together with other relevant financial information.

Risk Assessment

The role of the Audit and Risk Committee is to support Council in fulfilling its governance and oversight responsibilities in relation to financial reporting, internal control structure, risk management systems, internal and external audit functions and ethical accountability.

The Committee is required to examine the audit and management reports provided by the external auditor. The Committee would then determine if matters raised in the reports require action to be taken by the local government and ensure that appropriate action is implemented.

Failure to prepare and adopt the annual Financial Report would result in non-compliance with its statutory responsibilities under the Local Government Act 1995

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	N/A	N/A
Health & Safety	N/A	N/A	N/A
Reputation	Transparency in the Shire’s financial position and management of financial affairs is important to manage any reputational risk. A qualified audit opinion would negatively impact the Shire’s reputation.	High	The unqualified audit will assist in managing any reputational risk regarding the Shire’s financial position and management.
Service disruption	N/A	N/A	N/A
Compliance	Failure to prepare and adopt the Annual Financial Report would result in non-	High	The Shire’s Annual Report was prepared in accordance with the requirements under the Local

	compliance with the Shire’s statutory responsibilities under the Local Government Act 1995		Government Act 1995. The Shire Officer’s recommendation should be accepted within this meeting to meet compliance requirements.
Property	N/A	N/A	N/A
Environment	N/A	N/A	N/A
Fraud	The risk of fraud is always present in any financial management system and the audit considers that risk.	Moderate	The audit progress is rigorous, involving the checking of many samples to check for potential fraud. The audit process also provides recommendations for improving internal controls to reduce the risk of fraud. These recommendations are within the Management Letter and will be actioned by Management as soon as possible.

Community and Strategic Objectives

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

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

The OAG, using contractors William Buck, have completed their audit of Council’s financial affairs for the financial year ended 30 June 2024. They have provided an unqualified audit opinion, stating that the Shire of Carnarvon’s Financial Statements represent a true and fair view of the financial position of the Shire.

The Independent Auditor’s Report is produced by the Office of the Auditor General after a detailed assessment and consultation process, including a requirement for the Chief Executive Officer to sign the annual Financial Report once satisfied that it is representative and accurate.

There are five primary financial statements which have been prepared to finalise the report for 2023/2024, which are presented in *schedule 1*:

- Statement of Comprehensive Income;
- Statement of Financial Position;
- Statement of Changes in Equity;
- Statement of Cash Flows;
- Statement of Financial Activity; and
- Transfers to Reserves

Statement of Comprehensive Income

The Statement of Comprehensive Income on page 3 of the Financial Report, shows a Net loss result (including capital grants) for the period of \$(2,817,944). This is due to multiple factors including decreased capital grants and increased employee costs and depreciation.

Statement of Financial Position

The Statement of Financial Position on page 4 of the Financial Report displays the Shire's total equity as \$312,798,443 at 30 June 2024.

Statement of changes in equity

The Statement of Changes in Equity on page 5 shows the movement in equity of \$(2,817,944) (as per the Statement of Comprehensive Income).

Statement of Cash Flows

The Statement of Cash Flows shown on page 6 of the Financial Report shows an increase in cash flow of \$1,541,807 over the financial year, leaving a total balance of Cash and Cash equivalents of \$13,493,183.

Statement of Financial Activity

The Statement of Financial Activity on page 7 of the Financial Report shows a total surplus to be carried through to the 2024/2025 year of \$6,963,534.

Transfers to Reserves

Council has increased its reserve balance by \$71,109 as shown on page 44.

OFFICER'S RECOMMENDATION

That Council, by Absolute Majority pursuant to s5.8 of the Local Government Act 1995:

- 1. adopts the audited 2023/2024 annual Financial Report;*
- 2. notes that the Independent Auditor's Report is to be included as the final page of the annual Financial Report; and*
- 3. notes the response from management to the items raised in the Auditor's Management Letter.*

7.3 DEVELOPMENT AND COMMUNITY SERVICES

7.3.1 SHIRE OF CARNARVON LOCAL PLANNING SCHEME NO. 13 - AMENDMENT NO 9

File No:	ADM2148
Location/Address:	9 and 11 Hill Street, Carnarvon
Name of Applicant:	Dowling Giudici and Associates
Name of Owner:	Lot 20 (HN9) – Aboriginal Legal Service of Australia Lot 25 (HN 11)– Niki Porajski
Author(s):	Stefan Louw, Planning And Building Manager
Authoriser:	Amanda Dexter, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirement:	Absolute Majority
Previous Report:	Nil
Schedules:	1. Amendment Documentation

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 checked="" 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 Report

The Shire has received a proposal from Dowling Guidici and Associates with regards to amending the local planning scheme to allow an additional use (Caretaker’s Dwelling) on the properties located at 9 and 11 Hill Street Carnarvon that are currently zoned Commercial. A caretaker’s dwelling is a ‘X’ use within the Commercial zone. A scheme amendment has subsequently been prepared to enable the Shire to consider future development applications for caretaker dwellings on these properties **Schedule 1**.

This report considers proposed Scheme Amendment No. 9 to Local Planning Scheme No. 13 (LPS 13), which is intended to:

- Amend LPS 13 by modifying Schedule 2 - Specified additional use for land zoned in scheme area, by adding Nos. 8 and 9 whereby a Caretaker’s Dwelling is an additional use permitted on Lot 20 (HN 9) and Lot 25 (HN 11) Hill Street, Carnarvon.
- Amend the Scheme maps to reflect the Schedule 2 change.

This report recommends that Council initiate the amendment and determine that the amendment is a standard amendment.

Background

Location and existing conditions

The subject land of this amendment comprises two (2) allotments described as follows:

- Lot 20 on Diagram 30459, with the street address being 9 Hill Street Carnarvon;
Land area: 809 m2; Street frontage length: 20.14 metres;
- Lot 25 on Diagram 62387, with the street address being 11 Hill Street Carnarvon;
Land area: 1,011 m2; Street frontage length: 25.14 metres;

An aerial image of the subject land follows.



LOT 20 (HN 9) HILL STREET CARNARVON

The premises located upon lot 20 (HN 9) Hill Street is presently used as an office (as defined in LPS 13) by the Aboriginal Legal Service of Western Australia (ALS). This office provides legal services to the Aboriginal community of Carnarvon.

Attached to the office is a self-contained two-bedroom, one bathroom accommodation unit. This unit provides accommodation for ALS’s Carnarvon-based lawyer.

LOT 25 (HN 11) HILL STREET CARNARVON

The premises located upon lot 25 (HN 11) Hill Street is a base for a 24-hour (on-call) maintenance service for repairing and maintaining private dwellings, public housing (Department of Communities), and businesses located within the town of Carnarvon.

Its most recent former use was as a commercial bakery.

SURROUNDING LAND USES

Broadly, there is a mix of land uses (commercial, residential, recreation) surrounding the subject land.

Adjoining lot 29 (HN 72) (located on the corner of Robinson and Hill Streets) is the site of an existing fast-food outlet. A range of commercial uses extend along Robinson Street (Carnarvon's main street) either side of this outlet.

Opposite the subject land (on the south side of Hill Street) is the Town Oval, one of Carnarvon's principal recreation reserves.

East of the subject land — on the same side of Hill Street as well as along its rear boundary — is single residential housing. There is a one grouped dwelling development located further eastwards of the rear of the subject land.

Stakeholder and Public Consultation

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

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

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

Statutory Environment

Local Planning Scheme No. 13

The Shire of Carnarvon Town Planning Scheme No. 13 (LPS 13) provides the statutory framework for the planned future development of land within Carnarvon. Under LPS 13, Lots 20 and 25 are zoned Commercial. Table 3. – Zoning Table identifies a Caretaker's Dwelling as an 'X' use, meaning that the use is not permitted within the zone.

The zone objectives include:

- *To provide a range of shops, offices, restaurants and other commercial outlets in defined townsites.*
- *To maintain the compatibility with the general streetscape, for all new buildings in terms of scale, height, style, materials, street alignment and design of facades.*
- *To ensure that development is not detrimental to the amenity of adjoining owners or properties in the locality.*

It is considered that the proposed use is compatible with the objectives of the Commercial zone. Furthermore, it is considered that Lots 20 and 25 are appropriately located for a residential activity given the surrounding residential uses.

Planning and Development (Local Planning Schemes) Regulations 2015

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

Section 34 of the *Planning and Development (Local Planning Schemes) Regulations 2015* defines scheme amendments in the three (3) following ways: basic, standard or complex amendment. It is considered that the amendment falls within the 'Standard amendment' category.

Regarding an assessment of the amendment "definition" as outlined in the Section 34 of the Regulations, it is considered that the amendment is standard under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*:

- (a) an amendment relating to a zone or reserve that is consistent with the objective identified in the scheme for that zone or reserve;
- (b) an amendment that is consistent with a local planning strategy for the scheme that has been endorsed by the Commission;
- (e) an amendment that would have minimal impact on land in the scheme area that is not the subject of the amendment;
- (f) an amendment that does not result in any significant environmental, social, economic or governance impacts on land in the scheme area;
- (g) any other amendment that is not a complex or basic amendment.

Relevant Plans and Policy

Shire of Carnarvon Local Planning Strategy
 State Planning Policy No. 3 Urban Growth and Settlement

Financial Implications

There are no financial implications associated with the proposed amendment.

Risk Assessment

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

Risk Category	Description	Rating	Mitigating Action/s
Financial	N/A		
Health & Safety	N/A		
Reputation	N/A		
Service disruption	N/A		
Compliance	Unauthorised use of the land for the purpose of a caretaker’s dwelling.	B1 - Moderate	Amending the LPS13 to allow an additional use would mitigate compliance matters.
Property	The ability to establish Caretaker’s Dwellings on the sites are constrained by current zoning in the Scheme, which has an impact on the community and businesses.	A2 - High	The scheme amendment will address the zoning constraint to facilitate future development of the site.
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

The proposal to amend Schedule 2, if gazetted, will enable the Shire to consider future development applications for a Caretaker's Dwelling within the subject properties. The proposed development is considered to be appropriate for the site on the basis that:

- Prior to the gazettal of LPS 13, a Caretaker's Dwelling was an incidental use under the preceding Shire of Carnarvon Town Planning Scheme (TPS) 10 which applied to the subject land;
- The Carnarvon Shire Council has a past legacy of supporting and approving caretaker dwellings within Commercial zones where these were merited and demonstrated an ability to accord with applicable requirements for the use and development of these;
- In respect to lot 20 (HN 9) Hill Street, the existing accommodation unit within the office premises is approved for residential occupancy;
- The subject land is located in a mixed-use area comprising and surrounded by single residential dwellings and a nearby grouped dwelling – the proposed additional use for each lot will be consistent and compatible with these existing residential uses;
- The integrity of surrounding existing commercial uses and development is unlikely to be compromised or diminished;
- The Town Oval opposite the subject land provides an accessible degree of amenity for occupants of the caretaker dwellings; and
- Onsite residential occupancy within each lot will provide a level of security that will diminish or sufficiently reduce the risk of vandalism to these properties as well as theft of property contained within – this in turn will reduce significant impacts upon, and which provide an inherently vital service to the wider Carnarvon community.

To this end, and based upon the justification above, amending LPS 13 to provide for a Caretaker's Dwelling use upon lots 20 (HN 9) and 25 (HN 11) Hill Street seems a logical and sensible, especially when considered in the context of the Shire's past legacy of supporting and approving caretaker dwellings. Additionally, the provision of caretaker dwellings is proposed to be limited to these two sites only, with likely minimal or no impact upon adjoining and surrounding lots.

For an amendment to a Local Planning Scheme, it is a requirement of the Western Australian Planning Commission (WAPC) that when Council is in support of the that amendment, that it resolves to adopt the

amendment and specify whether in its opinion it is a basic, standard or complex amendment. In this case the amendment is considered to be a standard amendment.

OFFICER'S RECOMMENDATION.

That Council by Absolute Majority, pursuant to section 75 of the Planning and Development Act 2005, resolves to adopt the amendment of Shire of Carnarvon Local Planning Scheme No. 13 by:

1. *amending Schedule 2 – Specified additional use for zoned land in Scheme area, by including item 8 and 9 in relation to Lots 20 (HN 9) and 25 (HN 11) Hill Street, Carnarvon in that order with the additional use being Caretaker's Dwelling and the conditions being:
 - I. *The Caretaker's Dwelling requires the development approval of the Local Government prior to being developed upon the lot; and*
 - II. *The development of the Caretaker's Dwelling shall accord with all provisions listed at clause 29 in Schedule 5 to this scheme;**
2. *amending the Scheme Map 27 to include the designation A8 and A9 on Lots 20 (HN 9) and 25 (HN 11) Hill Street, Carnarvon in that order;*
3. *accept the report 'Scheme amendment No. 9 to the Local Planning Scheme No. 13', as formal documentation for the purpose of the proposed Scheme amendment;*
4. *pursuant to Regulation 35(2) of the Planning and Development (Local Planning Schemes) Regulations 2015 (The Regulations), resolves that the Local Planning Scheme Amendment No. 9 is a standard scheme amendment on the basis that it is:*
 - *an amendment relating to a zone or reserve that is consistent with the objective identified in the scheme for that zone or reserve;*
 - *an amendment that is consistent with a local planning strategy for the scheme that has been endorsed by the Commission;*
 - *an amendment that would have minimal impact on land in the scheme area that is not the subject of the amendment;*
 - *an amendment that does not result in any significant environmental, social, economic or governance impacts on land in the scheme area;*
 - *any other amendment that is not a complex or basic amendment.*
5. *resolves to authorise the Shire President and the Chief Executive Officer to execute the relevant documentation for adoption to enable referral of the amendment, pursuant to Section 81 and 82 of the Planning and Development Act 2005, to the Environmental Protection Authority for the level of assessment to be set pursuant to Section 48A of the Environmental Protection Act 1986;*
6. *upon receipt of the level of assessment from the Environmental Protection Authority, proceed to advertise the amendment for a period of 42 days through the placement of an advertisement in the Geraldton Guardian, placement of a notice in the Shire Office, erection of a sign on-site and posting of notices to affected parties; and*
7. *pursuant to Regulation 37 of the Planning and Development Regulations 2015, resolves to forward the proposal to the Western Australian Planning Commission.*

7.3.2 CORAL BAY SETTLEMENT STRUCTURE PLAN REVIEW - STAGE 1

File No:	ADM2329
Location/Address:	Coral Bay
Name of Applicant:	Shire of Carnarvon
Name of Owner:	N/A
Author(s):	Stefan Louw, Planning And Building Manager
Authoriser:	Amanda Dexter, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirement:	Simple Majority
Previous Report:	Nil
Schedules:	<ol style="list-style-type: none"> 1. Development Capacity and Bed Cap Review Report 2. Report (Appendix 1) - Engagement Outcomes 3. Report (Appendix 2) - Coral Bay Bed Cap Utilisation

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 Report

The purpose of this report is to seek a Council resolution in relation to Stage 1 of the review of the Coral Bay Settlement Structure Plan (CBSSP), specifically focusing on the review of the bed number cap and the development capacity of zoned land in Coral Bay. The report outlines the need to assess the current limits on bed numbers and land development potential, in response to growing demand, infrastructure considerations, and sustainable growth principles. Three options for revising the bed number cap are presented for Council’s consideration.

Background

Coral Bay is a popular tourism destination renowned for its unique coastal environment and marine biodiversity. The Coral Bay Settlement Structure Plan (CBSSP) was originally developed to provide a strategic framework for the orderly and sustainable development of the area.

A key component of the CBSSP is the bed number cap, which limits the total number of beds (i.e., overnight accommodations) in the settlement. This cap is designed to ensure that development aligns with environmental, social, and infrastructure capacity. However, as demand for tourism in the region increases, there is a growing need to reassess the bed number cap and the development potential of zoned land within Coral Bay.

Stage 1 of the review process focuses on evaluating the bed number cap and assessing the development capacity of land designated for tourism and related uses. This includes considering the impact of any changes to the cap on the local environment, infrastructure, and community wellbeing.

Stakeholder and Public Consultation

Preliminary public consultation was carried out during the months of April and May 2024, mainly through one-on-one stakeholder workshops and surveys. Given the factual nature of Stage 1 of the overall project further consultation was not necessary.

Statutory Environment

Planning and Development (Local Planning Schemes) Regulations 2015
Local Government Act 1995

Relevant Plans and Policy

Coral Bay Settlement Structure Plan 2014

Financial Implications

There are no financial implications associated with the proposed recommendation. Consultants cost associated with the review of the CBSSP is accounted for in the 2023/24 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	N/A		
Compliance	N/A		
Property	There is a risk associated by the non-adoption of stage 1 of the structure plan review process, which could lead to the development of a substandard document, not reflecting current trends and difficult to implement.		Adopting the first stage of the CBSSP review process will allow for a thorough review of the current structure plan and provide greater clarity and flexibility in development control and ultimately facilitating sustainable growth in Coral Bay.
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 sustainable livelihoods create a community that can flourish into the future*

ADDITIONAL FOCUS AREAS:

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

BIG IDEAS FOR THE FUTURE OF CARNARVON:

- *N/A*

Comments

A key instrument within the CBSSP is the use of a 'bed number cap' across the settlement. The bed cap instrument was initially used within the first Coral Bay Structure Plan (2004) allowing for a total of 3,600 overnight visitors (tourists), 400 semi-permanent workers (including their families), and 500-day visitors. The population (bed cap) was increased to 4,800 beds inclusive of both tourists and workers, with allowance for 500-day visitors in the 2014 CBSSP.

Council endorsed the current bed cap, which was based on Growth Scenario 2 from the destination modelling undertaken by Aurecon during preparation of the CBSSP. Growth Scenario 2 (Mixed Development Scenario) introduced a moderate increase in visitation and economic activity, with manageable environmental impacts, through an increase of 280 caravan/camping beds and 520 holiday home beds.

Further to the above, the CBSSP and Shire of Carnarvon Local Planning Scheme No. 13 (LPS13) had different terms for the bed number cap, which was fixed by Amendment No. 1 and subsequent amendments to the CBSSP in 2023 to allow business owners to cater for workforce accommodation onsite.

To ensure that the future CBSSP review process is adequately informed, two critical pieces of work need to be undertaken:

1. A review of the bed number component of the current CBSSP for workers and tourists; and
2. An assessment of the current development capacity of the zoned land across Coral Bay.

For this reason, the review of the CBSSP has been separated into the following stages:

- Stage 1 – Bed Number and Development Capacity Review (**Schedule 1, 2 & 3**)
- Stage 2 – CBSSP Review

The findings and recommendations of the attached report will inform the approach for Stage 2 of the CBSSP review.

The outcome of this analysis is to have a clear understanding of the current development capacity of the zoned land and infrastructure in Coral Bay, review the currently bed cap mechanism as a means of controlling population, and provide clear recommendations to Council on options for the future of the bed cap instrument.

Options for Bed Number Cap Revision

Council is presented with three options for revising the bed number cap, each with varying implications for development, infrastructure, and environmental management. These options are designed to balance growth with sustainability.

OPTION 1 – BUSINESS AS USUAL

This option proposes to retain the existing bed cap limits in the Scheme, providing strict controls over the number of beds that can be provided through the development application process. This option provides a level of control of tourism development, in line with the modelling undertaken.

Changes to LPS13	Changes to CBSSP	Other
No changes proposed to LPS13.	Consider more guidance in CBSSP for definitions of bed numbers including how to calculate and apply these, according to each accommodation typology.	Ensure adequate management of tourism behaviour (e.g. fishing, vehicle access, education and awareness). Monitoring is recommended.

OPTION 2 – BED CAP FLEXIBILITY

This option proposes to retain an overall bed cap for the CBSSP area but provide greater flexibility in its application by not restricting each site to a certain limit and allowing discretion on a case-by case-basis through the CBSSP (rather than LPS13). This option could allow for incremental increased tourism and workers accommodation to occur, provided that the impacts on the environment, infrastructure and the community can be accounted for. Based on the development capacity analysis undertaken in the attached report, the remaining bed allocation would result in a development density of 1 bed per 170m², significantly less than the current development density of 1 bed per 57m².

If the Shire were to explore increasing the bed cap for Coral Bay, it is recommended a population range is provided, rather than an ultimate limit. Any proposed changes to the total bed cap should be tested through an updated modelling process to ensure the impacts on environment, infrastructure and community are well understood.

This option would also benefit from being applied through a Precinct Structure Plan (rather than a Standard Structure Plan), as described in Option 3 below.

Changes to LPS13	Changes to CBSSP	Other
Remove individual bed cap requirements for each site from LPS13. Retain the restricted uses for each site to control the type of tourism development permitted.	Apply an overall total number of beds of 5,007 within the CBSSP area. Provide guidance on bed cap expectations for each site, based on proposed land use (identified in LPS13). Consider more guidance in CBSSP for definitions of bed numbers including how to calculate and apply these, according to each accommodation typology. Ability to adjust the total bed cap (if required and adequate	Ensure adequate management of tourism behaviour (e.g. fishing, vehicle access, education and awareness). Monitoring is recommended. Better implementation could be achieved through a precinct Structure Plan approach.

	justification has been provided). This can more easily be achieved through a structure plan amendment.	
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OPTION 3 – REMOVE BED CAP

This option allows for significantly increased flexibility by removing the bed cap mechanism and using built form requirements alongside restricted land uses to control the extent of development in the CBSSP. The impacts of this option are currently untested in terms of likely development outcomes, increased population and impacts on environment, infrastructure and the community. However, high level analysis undertaken in the attached report (section 7.1 Regulatory Review) suggests that if all the remaining land capable of further development were to be developed at the current development density of Coral Bay (1 bed per 57m²), it would result in an additional 5,828 beds, 3,882 beds more than the current bed cap limit.

The current CSIRO InVitro modelling does not include a scenario whereby the total number of beds within Coral Bay are increased. For this option to be considered, it is recommended that the current modelling is updated based on predicted yield/population scenarios, or a new modelling approach is undertaken (which may have significant cost implications) to fully understand the implications on the environment, infrastructure and the community.

For this option to work, in depth development controls would need to be prepared to ensure the level of development intensity is in line with community and stakeholder expectations. This should be informed by comprehensive design testing to understand likely yields based on a range of land uses (i.e. Caravan camping, villas, resort, workers accommodation). For this reason, it is recommended that a Precinct Structure Plan is prepared (as opposed to a Standard Structure Plan).

Changes to LPS13	Changes to CBSSP	Other
Remove individual bed cap requirements for each site from LPS13. Retain the restricted uses for each site to control the type of tourism development permitted.	CBSSP to be replaced with a Precinct Structure Plan, developing controls to restrict the intensity of development, for example: <ul style="list-style-type: none"> • Site cover and/or plot ratio • Building height • Setbacks and street interface • Landscaping A target population range could also be provided for this approach, which could be tested against modelling	Ensure adequate management of tourism behaviour (e.g. fishing, vehicle access, education and awareness) Monitoring is highly recommended The predicted yields should be testing through modelling to understand the implications on the environment, infrastructure and the community, prior to implementing this approach

There could also be a staged approach to this option, where Option 2 is progressed, with the intent to move towards Option 3 once additional modelling (based on comprehensive design testing) has been undertaken to understand the potential impacts.

Conclusion

The review of the Coral Bay Settlement Structure Plan, particularly the bed number cap and development capacity, is crucial to ensuring that Coral Bay can grow sustainably while maintaining the unique qualities that make it a popular destination. The three options presented for revising the bed number cap offer varying degrees of growth potential, and Council must carefully consider the environmental, economic, and infrastructure implications of each.

In addition to the above, officers would also like to make Council's aware of the importance of the Tourism Investment Committee of Cabinet (TICC) that plays a key role in shaping the future development of Coral Bay through potential State Government investment.

The TIC is responsible for identifying and supporting strategic tourism investments that align with the government's broader economic, environmental, and cultural goals. In the case of Coral Bay, this committee is involved in facilitating investments aimed at enhancing the tourism infrastructure, improving visitor experiences, and ensuring sustainable growth. The committee evaluates proposals, guides development projects, and ensures that new initiatives balance the region's natural beauty with the needs of both tourists and the local community. Their involvement is crucial for the sustainable development of Coral Bay, promoting it as a world-class destination while preserving its unique environment for future generations.

The evolution of Coral Bay as a tourism destination requires a partnership approach with the State Government to provide a pathway to greater private investment to activate the major vacant landholdings. To activate greater private investment, it is recommended that TICC needs to consider the ways it can potentially intervene in Coral Bay, such as, infrastructure improvements, amenities, accommodation and transport.

Additionally, by working alongside the Shire and DPLH, the TICC's input could help create a balanced framework for Coral Bay's growth, supporting economic diversification, infrastructure upgrades and environmental protection.

OFFICER'S RECOMMENDATION

- 1. That Council, by Simple Majority, pursuant to Section 3.18 of the Local Government Act, 1995 resolves to adopt the Coral Bay Settlement Structure Plan – Bed number and development capacity review report prepared by Hames Sharley (WA) Pty Ltd and be guided by Option 2 – Bed Cap Flexibility as part of the Coral Bay Settlement Structure Plan review (Stage 2) that considers:**
 - **providing greater flexibility for the development and redevelopment of tourism and workers accommodation with the intention of promoting further development of existing vacant land;**
 - **the applicability of the overall bed cap;**
 - **providing the Shire greater discretion to promote performance-based development focused on the merits of the proposal and its likely impact.**
- 2. That Council requests the CEO to write to the Tourism Investment Committee of Cabinet (TICC) seeking their support to assist the Shire to evolve Coral Bay as a family friendly tourist destination that addresses issues such amenity, infrastructure, environmental management and activating vacant tourism land for a range of accommodation and associated tourism services.**

7.3.3 COMMUNITY GROWTH FUND - ROUND 3, 2024

File No:	ADM0080
Location/Address:	Shire of Carnarvon
Name of Applicant:	Shire of Carnarvon
Name of Owner:	Shire of Carnarvon
Author(s):	Stephanie Leca, Community and Cultural Development Manager
Authoriser:	Amanda Dexter, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirement:	Simple Majority
Previous Report:	Nil
Schedules:	1. CGF Minutes - 2 December 2024

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 Report

This report presents the recommendations of the Community Growth Fund Committee Funding Round 3 of 2024 and seek Council’s formal endorsement of the Committee’s recommendations.

Background

The Shire of Carnarvon’s Community Growth Fund Committee met on Monday, 2 December 2024 to assesses the applications received in Round 3 of the Community Growth Fund, which closed on the 12 November 2024. Minutes of the committee meeting attached in **Schedule 1**. The Minutes include the recommendations of the Committee.

Six applications were received in this round totalling \$17,170.04. 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 Schedule 2 and 3** under separate cover.

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

Stakeholder and Public Consultation

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

Statutory Environment

Local Government Act 1995 Section 3.18

Relevant Plans and Policy

CD004 – Community Growth Fund Policy
Strategic Community Plan 2022 – 2032

Financial Implications

The Council allocates funding for the Community Growth Fund as part of its annual budget process. The current balance of the fund is \$57,831.37. In this round, a total of \$17,170.04 has been requested through Community Growth Fund applications. There is one more round of funding scheduled to open in January 2025. The Committee has recommended allocating a total of \$7,198.00 for this round.

Risk Assessment

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

Risk Category	Description	Rating	Mitigating Action/s
Financial	Funding commitments cannot be met within budget.	Moderate	Ensure allocation are within the budget provision.
Health & Safety	N/A		
Reputation	Decision-making on approvals and rejections are subject to community criticism.	Moderate	Provision of clear policy and guidelines and timely communication will assist in mitigating the risk.
Service disruption	N/A		
Compliance	Applications funded are non-compliant with the Community Growth Fund policy.	High	Community Growth Fund committee reviewed all applications to ensure they meet the requirements set out in the Community Growth Fund policy.
Property	N/A		
Environment	N/A		
Fraud	Allocated grants may need to be used appropriately as indicated in the application.	Moderate	Appropriate and substantial acquittal processes are in place that makes each organisation accountable for funds according to their funding application.

Community and Strategic Objectives

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

OBJECTIVES

In 2040 Carnarvon is a place where:

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

ADDITIONAL FOCUS AREAS:

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

BIG IDEAS FOR THE FUTURE OF CARNARVON:

- *N/A*

Comments

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

COMMITTEE'S RECOMMENDATION

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

- 1. receive the meeting minutes of the Community Growth Fund Committee meeting held on Monday, 2 December 2024; and***
- 2. approve the recommendations for funding made by the Community Growth Fund Committee for the Community Growth Fund as listed below:***
 - a. Carnarvon Amateur Swimming Club for \$3,605.00***
 - b. Carnarvon Art and Crafts Workshop Incorporated for \$1,166.00***
 - c. Carnarvon Horse & Pony Club for \$1,450.00***
 - d. Carnarvon Rifle Club for \$977.04***

7.3.4 COMMUNITY CITIZEN OF THE YEAR AWARDS 2025

File No:	ADM0198
Location/Address:	N/A
Name of Applicant:	N/A
Name of Owner:	Shire of Carnarvon
Author(s):	Stephanie Leca, Community and Cultural Development Manager
Authoriser:	Amanda Dexter, Chief Executive Officer
Declaration of Interest:	Impartiality
Voting Requirement:	Simple Majority
Previous Report:	Nil
Schedules:	<ol style="list-style-type: none"> 1. Community Citizen of the Year 2025 - Awards Submissions (under separate cover) 2. Awards Committee Minutes - 2 December 2024 - Confidential (under separate cover) 3. Community Citizen of the Year 2025 - Awards Submissions - Scoring Sheet - Confidential (under separate cover)

Authority/Discretion:

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

Summary of Report

This report presents the Awards Committee recommendations for the Community Citizen of the Year Awards for 2025 and seeks the Council’s formal endorsement.

Background

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

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

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

- Community Citizen of the Year

- Senior Community Citizen of the Year - Senior (over 65 years)
- Young Community Citizen of the Year (16 – 30 years)
- Active Citizen of the Year - Group or Event

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

Stakeholder and Public Consultation

The Awards Committee consists of Elected Members. The Shire promoted the Community Citizen of the Year Awards through social media, website, and posters to encourage the community to nominate recipients for the four categories determined by the Australia Day Council. The Awards Committee reviewed the nominations and scored them accordingly.

Statutory Environment

Local Government Act, 1995, 5.16 and 5.17

Relevant Plans and Policy

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

Financial Implications

There are no financial implications related to this report.

Risk Assessment

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

Risk Category	Description	Rating	Mitigating Action/s
Financial	N/A		
Health & Safety	N/A		
Reputation	If the Council does not approve the Committee's recommended recipients, there is a potential risk of no awards ceremony.	Moderate	The Council accepts the Awards Committees recommendation of the nominations for the Community Citizen of the Year Awards.
Service disruption	N/A		
Compliance	The selection process or criteria for the Community Citizen of the Year	Low	The Awards Committee undertook a thorough review of awards criteria and selection processes to ensure alignment before scoring nominations.

	Awards were not adhered to during the Awards Committee meeting.		
Property	N/A		
Environment	N/A		
Fraud	False nominations for the Community Citizen of the Year Awards.	Moderate	Nominations are not considered by the Awards committee unless they have been processed through the Australia Day Council portal.

Community and Strategic Objectives

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

OBJECTIVES

In 2040 Carnarvon is a place where:

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

ADDITIONAL FOCUS AREAS:

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

BIG IDEAS FOR THE FUTURE OF CARNARVON:

- *N/A*

Comments

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

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

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

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

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

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

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

- A person must be nominated by another person to be considered for an award. Self-nominations are not accepted.
- One nomination is sufficient; multiple nominations should not necessarily strengthen an individual's chances of selection.
- Individuals can be recognised in one category only, so if they cross over multiple categories, a decision needs to be made which category they will be awarded in.
- Nominees should reside or work principally within the local government authority presenting the award.
- Awards may be granted posthumously in recognition of recent achievements.
- Groups of people will not normally be eligible except when meeting the criteria for a community group.
- A couple or partnership with equal standing for the achievement/contribution may be recognised in an individual category.
- A person may receive an award more than once in recognition of outstanding continued community contribution or involvement in a different initiative.
- Individuals must be at least 16 years of age on 26 January, though younger nominees may be considered for exceptional contribution. Definition of exceptional contribution is at the discretion of the local government/council selection committee.
- Unsuccessful nominees/finalists may be nominated in future years.
- Sitting members of State, Federal, and Local Government are not eligible.
- Nominations must be apolitical in their nature.

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 Awards Committee meeting held on Monday, 2 December 2024; and***
- 2. approve the recommendations of the Awards Committee listed in Schedule 1 for the Community Citizen of the Year Awards for 2025.***

7.3.5 ECU TAX CLINIC 2025 - WAIVER OF FEES

File No:	ADM0002
Location/Address:	Carnarvon Library and Art Gallery
Name of Applicant:	N/A
Name of Owner:	Edith Cowan University (School of Business and Law)
Author(s):	Stephanie Leca, Community and Cultural Development Manager
Authoriser:	Amanda Dexter, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirement:	Simple Majority
Previous Report:	Nil
Schedules:	Nil

Authority/Discretion:

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

Summary of Report

This report requests Council to consider a waiver of Fees and Charges for the hire of the Carnarvon Library and Art Gallery Meeting Room in 2025 for the Edith Cowan University (ECU) Tax Clinic.

Background

ECU Tax Clinic previously requested a waiver of Fees and Charges for use of the Meeting Room in 2024. This received Council approval at the 27 February 2024 Council Meeting (Item 7.3.4). The Tax Clinic ran every Wednesday throughout both semesters in 2024, offering twenty-six full day sessions in total.

ECU is requesting a fee waiver for hire of the Meeting Room for use by the ECU Tax Clinic for the following periods:

- Every Wednesday in Semester One from 24 February 2025 to 26 May 2025 (13 full day sessions)
- Every Wednesday in Semester Two from 28 July 2025 to 27 October 2025 (13 full day sessions)

Under the 2024-2025 Fees and Charges Schedule, the costs applicable for hire would be \$88 per full day session. Semester Two hire rates cannot be confirmed at this stage but have been calculated using the current schedule.

Consideration was given to utilising alternative spaces in the Library and Art Gallery to avoid costs. However, the confidential nature of interactions between clients and tax agents/students necessitates the use of the Library Meeting Room as the sole suitable space for the ECU Tax Clinic.

During these sessions, clients met online with ECU students at the Joondalup campus, supervised by tax practitioners and facilitated on-site sessions in Carnarvon with a local representative.

Given the positive reception and success of the service, Edith Cowan University would like to continue offering the ECU Tax Clinic in Carnarvon during both Semesters One and Two of 2025. The requested fee waiver will enable the continuation of this valuable community initiative at no cost.

Stakeholder and Public Consultation

N/A

Statutory Environment

Local Government Act 1995 – Section 6.12 (b)

Relevant Plans and Policy

Community Strategic Plan 2022-2032

Financial Implications

Under the 2024-25 Fees and Charges Schedule the applicable fee for hire would be \$88 per full day for a Community/Non-profit group.

This request for a waiver of fees would equate to the following estimated amount:

- Semester One (13 full day sessions): \$1,144
- Semester Two (13 full day sessions): \$1,144 (As per 2024-25 Fees & Charges Schedule)

The estimated loss of income to the Shire is \$2,288 for up to 26 full day sessions.

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	A fee waiver could result in loss of hire income from other interested parties.	Low	If other parties request hire of the Library Meeting Room during the requested period which clashes with the ECU Tax Clinic use, it would be possible to consult with ECU Tax Clinic to facilitate a change to their client bookings to accommodate both ECU purposes and facilitate other party bookings.
Health & Safety	N/A		
Reputation	Increased public scrutiny when dealing with any	Moderate	Edith Cowan University is the hirer requesting the fee waiver; processing

	matters involving Councillors.		the request for consideration through Council processes ensures a transparent process has taken place.
Service disruption	If a fee waiver is declined, it is possible that ECU Tax Clinic will not continue in Carnarvon, thus limiting alternative tax support options for community members.	Low	ECU Tax Clinic could pursue alternative space for hire in Carnarvon to support their initiative.
Compliance	Local Government Act requires that Fees and Charges are applied or that a fee waiver is presented to Council.	Low	The request for a fee waiver has been processed according to applicable legislation and regulations.
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 Meeting Room has limited demand for hire; as such, it is unlikely that the period of requested use by ECU Tax Clinic would overlap with other parties’ use. Should there be other requests for bookings by other parties, as applied during 2024, ECU Tax Clinic will continue to facilitate changes to their client bookings to accommodate these requests where possible. The Meeting Room has limited demand with a total annual income of \$1,492.78 during the 2023-2024 financial year.

Collaboration with external stakeholders such as the ECU Tax Clinic has provided a valuable opportunity to offer professional tax support services to the Carnarvon community which may not otherwise be possible.

OFFICER’S RECOMMENDATION

That Council, by Simple Majority pursuant to Section 6.12 (b) of the Local Government Act 1995, resolves to approve the waiver of Fees and Charges request by the Edith Cowan University for the hire of the Meeting Room at the Library and Art Gallery for the ECU Tax Clinic for 2025.

7.4 INFRASTRUCTURE SERVICES

Nil

8 APPLICATIONS FOR LEAVE OF ABSENCE

9 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

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