



SHIRE OF CARNARVON

MINUTES

ORDINARY COUNCIL MEETING
TUESDAY 28 MAY 2024

CONFIRMATION OF MINUTES

These minutes were confirmed by the Council on
25 June 2024
as a true and accurate record

Cardabia Station, West Australia

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Chairman

DISCLAIMER

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

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

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

INFORMATION ON PUBLIC QUESTION TIME

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

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

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

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

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

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

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

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

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

SPECIAL MEETINGS OF COUNCIL

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

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The meeting was declared open by the Presiding Member at 10.30am

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

1 ATTENDANCE, APOLOGIES & APPROVED LEAVE OF ABSENCE

Mr Eddie Smith Presiding Member/Shire President
 Cr Burke Maslen Councillor, Gascoyne/Minilya Ward
 Cr Adam Cottrell Councillor, Coral Bay Ward
 Cr Marco Ferreira Councillor, Plantation Ward
 Cr Luke Skender Councillor, Town Ward
 Cr Luke Vandeleur Councillor, Town Ward
 Cr Paul Kelly Councillor, Town Ward
 Cr Dudley Maslen Councillor, Town Ward

Mr Michael Mallon A/Executive Manager, Infrastructure Services
 Mr Alan Thornton Deputy Chief Executive Officer
 Mrs Andrea Selvey Chief Executive Officer
 Mr Stefan Louw Manager, Regulatory Services
 Mrs Dannielle Hill Senior Executive Officer

Apologies

Nil

Leave of Absence

Nil

Press..... Nil

Observers 1

2 DECLARATIONS 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.)

Nil

3 PUBLIC QUESTION TIME

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

Public Question Time commenced at 10.33am

The following questions were submitted by Mrs Sandry Lymbery of Coral Bay –

Question - When the Planner was looking at optional sites for the tour operator’s bus parking, did he think about the implications it would have if buses were allowed to park in the public car park?

Answer – Yes

Question – Where will tourists, particularly vehicles with caravans or boats then be able to park?

Answer – The upcoming agenda item will answer this question.

Question – Have Councillors and the Planner visited the site this morning and seen how busy it is?

Answer – Yes the site was visited today.

3.1 QUESTIONS TAKEN ON NOTICE FROM PREVIOUS MEETING

Nil

3.2 PUBLIC QUESTION TIME

Public Question Time was closed at 10.35am

4 CONFIRMATION AND RECEIVING OF MINUTES

CONFIRMATION OF MINUTES

4.1 Minutes of the Ordinary Council Meeting - 23 April 2024

COUNCIL RESOLUTION OCM 01/05/24

Moved: Cr Luke Vandeleur

Seconded: Cr Paul Kelly

That the minutes of Ordinary Council Meeting held on 23 April 2024 be confirmed as a true record of proceedings.

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

AGAINST: Nil

CARRIED BY SIMPLE MAJORITY 8/0

4.2 Minutes of the Special Council Meeting - 7 May 2024

COUNCIL RESOLUTION OCM 02/05/24

Moved: Cr Paul Kelly

Seconded: Cr Luke Skender

That the minutes of Special Council Meeting held on 7 May 2024 be confirmed as a true record of proceedings.

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

AGAINST: Nil

CARRIED BY SIMPLE MAJORITY 8/0

RECEIVING OF MINUTES

4.3 Gascoyne Zone Meeting - 19 April 2024

COUNCIL RESOLUTION OCM 03/05/24

Moved: Cr Paul Kelly

Seconded: Cr Luke Skender

That the minutes of the Gascoyne Zone Meeting held on 19 April 2024 be received.

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

AGAINST: Nil

CARRIED BY SIMPLE MAJORITY 8/0

5 ANNOUNCEMENTS BY THE PRESIDENT WITHOUT DISCUSSION

Nil

6 PRESENTATIONS, PETITIONS AND MEMORIALS

Nil

7 DEPARTMENTAL REPORTS

7.1 GOVERNANCE

7.1.1 ANNUAL REVIEW - SHIRE OF CARNARVON DELEGATION REGISTER

File No:	ADM0043
Location/Address:	N/A
Name of Applicant:	Shire of Carnarvon
Name of Owner:	N/A
Author(s):	Andrea Selvey, Chief Executive Officer
Authoriser:	Andrea Selvey, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirement:	Absolute Majority
Previous Report:	July 2023
Schedules:	1. Shire of Carnarvon Delegation Register May 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 item formally presents the annual review of Council’s delegations of authority as required by legislation for Council consideration.

Background

Western Australian Local Governments are empowered under various State Government Acts and Regulations to perform certain duties and exercise certain powers. The *Local Government Act 1995* in particular prescribes the performance of specific functions and tasks by the Local Government.

The *Local Government Act 1995* affords the Council the ability to delegate some of its powers and duties to the CEO or to Committees in order to facilitate efficient and effective implementation of the Shire’s functions.

A Register of Delegations must be maintained and reviewed annually. The Shire of Carnarvon Delegations Register was last reviewed in July 2023.

Stakeholder and Public Consultation

Nil

Statutory Environment

Sections 5.16 and 5.42 of the Local Government Act 1995

Relevant Plans and Policy

The suite of Council Policies which are reviewed by Council at least annually, provide further guidance in the application of delegations. Where a policy is relevant to the application of a delegation, the policy is referenced in the specific delegation.

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 (Consequence x likelihood)	Mitigating Action/s
Financial	N/A		
Health & Safety	N/A		
Reputation	Non-compliance with statutory requirements for the annual review of delegations, could result in reputational damage to the Shire as such instances of non-compliance are reported in the annual Compliance Audit.	Low	This review will ensure the Shire is compliant.
Service disruption	Delivery of services to community are delayed by inadequate delegations.	Moderate	Appropriate delegations allow the CEO and administration to deliver services without having refer items to Council.
Compliance	Non-compliance matters are captured in the annual Compliance Audit Return and could result in reputational damage to the Shire.		This review will ensure the Shire is compliant.
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:

- N/A

No specific objective, however effective delegations provide a framework for officers to implement actions that progress the objectives of the Strategic Community Plan.

ADDITIONAL FOCUS AREAS:

- N/A

BIG IDEAS FOR THE FUTURE OF CARNARVON:

- N/A

Comments

The delegations are based on the WALGA's recommended template to ensure that they are current and consistent with legislation. Delegations presented reflect day-to-day functions/operations and will allow the organisation to operate efficiently, effectively, and productively in the interest of good governance. Since Council's major review of the Delegations Register in 2022, only minor grammatical changes which do not affect the delegations have been made.

OFFICER'S RECOMMENDATION

That Council by, Absolute Majority, in accordance with Section 5.46(2) of the Local Government Act 1995 resolves to adopt the Shire of Carnarvon Delegation Register 2024 as presented in Schedule 7.1.2 to this report.

COUNCIL RESOLUTION OCM 04/05/24

Moved: Cr Paul Kelly

Seconded: Cr Luke Vandeleur

That Council by, Absolute Majority, in accordance with Section 5.46(2) of the Local Government Act 1995 resolves to adopt the Shire of Carnarvon Delegation Register 2024 as presented in Schedule 7.1.2 to this report.

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

AGAINST: Nil

CARRIED BY ABSOLUTE MAJORITY 8/0

7.1.2 CORAL BAY WASTE FACILITY ILUA COMPENSATION OFFER

File No:	ADM0125
Location/Address:	Portion of Lot 304 Coral Bay
Name of Applicant:	Shire of Carnarvon
Name of Owner:	N/A
Author(s):	Andrea Selvey, Chief Executive Officer
Authoriser:	Andrea Selvey, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirement:	Simple Majority
Previous Report:	Nil
Schedules:	1. Facility ILUA Offer - Confidential (under separate cover)

Authority/Discretion:

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

Summary of Item

This item presents a recommendation for compensation to be paid to Nganhurra Thanardi Garrbu Aboriginal Corporation (NTGAC) to secure an Indigenous Land Use Agreement (ILUA) for the proposed Coral Bay waste facility on a portion of Lot 304, Coral Bay.

Background

The existing waste disposal facility at Coral Bay, at Lot 530, is reaching capacity and, in accordance with the Coral Bay Settlement Structure Plan 2014 (the CBSSP), the Shire has been seeking to construct a new waste disposal facility on a portion of Lot 304. Lot 304 is comprised of a parcel of land within the Cardabia Pastoral Lease which is leased to the Baiyungu Aboriginal Corporation (BAC).

The Shire has successfully negotiated with the BAC to secure the excision of a 28.6-hectare land parcel from Cardabia Pastoral Lease, for that land to be set aside as a reserve for the purpose of “Waste Disposal Facility” with care, control, and management of the new reserve placed in the Shire of Carnarvon. See the aerial map below.



The area is the subject of a native title determination under the *Native Title Act 1993* (Cth) (NTA), specifically the land is subject to exclusive possession native title. Exclusive possession native title is the highest form of recognition of native title. It allows native title holders to possess and occupy the area to the exclusion of all others, including the right to control access and use of the area, akin to freehold. Unlike freehold title, exclusive native title cannot be sold or transferred – it can only be held by the determined native title holders.

The Shire is therefore required to secure an ILUA for the site from the registered native title body corporate and prescribed body corporate, NTGAC.

In August 2023, the Shire met with the NTGAC Board and presented an informal offer as compensation for an ILUA. The offer comprised of the following:

1. BAIYUNGU CULTURAL INFORMATION/VISITOR CENTRE

A commitment to support the development of a Baiyungu Cultural Information/Visitor Centre to showcase Baiyungu culture as part of the proposed Coral Bay multi-user facility which is to be funded by the WA State Government.

Support will consist of the following actions:

- Lobbying and advocacy efforts;
- Participation in and advice in design and business case development;
- A cash contribution of \$20,000 towards the capital cost of building the facility.

2. INDIGENOUS RANGER PROGRAM

The Shire will commit to working with NTGAC to implement an Indigenous Ranger program with one full-time position funded by the Shire for a minimum period of 2 years as a trial. The program will include professional development and formal training and qualifications for the

Ranger. Should the program be successful, the program will continue, subject to ongoing support from NTGAC and budget capacity.

3. REHABILITATION PLAN COLLABORATION

Commit to engaging with Traditional Owners via NTGAC to develop a rehabilitation plan that ensures that the land portion of Lot 304 on which the waste facility is located is left in an environmentally appropriate condition following the closure of the facility.

This offer was developed with the aim of progressing economic, social, cultural, and environmental outcomes.

Following the 17 August meeting with the NTGAC Board, the Shire received correspondence from NTGAC on 2 October 2023. See attached.

The letter stated that NTGAC is willing to negotiate with the Shire in good faith to finalise an ILUA; however, NTGAC rejected the offer on the following grounds:

Commitment to support Coral Bay multiuser facility: This offer is in relation to a BAC project. It is unrelated to NTGAC. Additionally, if the \$20,000 offer were to be made to NTGAC, this amount is not adequate compensation for the loss of exclusive native title rights to a 29-hectare area for the 40+ year life of the project.

Indigenous Ranger Program: NTGAC recognises the positive intent of this offer, however this cannot be seen as compensation for impact on native title rights and interests. The ranger will be employed by the Shire and will carry out Shire work, rather than being an employee of NTGAC doing traditional owner lead work. Funding for one ranger for a period of two years, subject to budget capacity, is also not a significant amount or secure commitment, nor can it be characterised as compensation.

Rehabilitation: While NTGAC supports any rehabilitation requirements, rehabilitation of the site is also not compensation for loss of ability to exercise exclusive native title rights and interests. The site will be subject to contaminated sites legislation in any event and rehabilitation to an acceptable statutory standard will no doubt be a condition of the environmental approval for the project. This is something the Shire will have to attend to regardless of native title and does not add anything for NTGAC. Given the fact the facility will be burying waste for up to 40 years or more, it is unlikely the site will be able to be rehabilitated to a level it can be freely used by native title holders in the future. Additionally, any benefit to the native title party from rehabilitation is decades away; it cannot be characterised as compensation for the impact to native title from the present grant of the Crown Reserve and Management Order.

Stakeholder and Public Consultation

The Shire has sought legal advice in drafting the new compensation offer that responds to NTGAC's letter dated 2 October 2023.

The new offer has been informally discussed with representatives of the NTGAC Board and their legal team.

Statutory Environment

Section 3.18 of the Local Government Act 1995

Relevant Plans and Policy

N/A

Financial Implications

The 2023/2024 capital works budget includes \$300,000 for the development of the Coral Bay Waste Facility. Expenditure on the Heritage Survey, meeting fees and legal fees to-date have been allocated to this account leaving a balance of \$221,363 in the 2023/2024 budget for this project. The ILUA compensation offer will be costed to this budget. The capital budget will need to be reviewed as part of Council’s 2024/2025 budget deliberations to secure sufficient funding is available for the construction phase of this project.

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	The offer is not accepted by NTGAC, and a larger compensation payment is required.	Moderate	Preliminary informal discussions with NTGAC suggest that this offer will be acceptable.
Health & Safety	The waste facility is critical infrastructure for the health of the community. Without a new site, this Health service is impacted.	Extreme	Securing an ILUA is a critical step in developing a new site.
Reputation	Waste management is a core function of local government. Not providing this service to an acceptable standard and at an acceptable cost would impact the Shire’s reputation.	High	Securing an ILUA is a critical step in developing a new site.
Service disruption	The current waste site is reaching capacity and without a new site, this service is at risk.	High	Securing an ILUA is a critical step in developing a new site.
Compliance	N/A		
Property	N/A		

Environment	Waste disposal facilities pose an environmental risk.	Moderate	This risk is managed via strict monitoring by the Shire in accordance with licence conditions.
Fraud	N/A		

Community and Strategic Objectives

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

OBJECTIVES

In 2040 Carnarvon is a place where:

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

ADDITIONAL FOCUS AREAS:

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

BIG IDEAS FOR THE FUTURE OF CARNARVON:

- *N/A*

Comments

NTGAC’s letter dated 2 October includes suggestions for calculating a compensation offer for loss of ability to exercise exclusive native title rights in the area. Please see the attached confidential document which provides a summary of the NTGAC’s recommendations for compensation to achieve an ILUA, the proposed response from the Shire and the cost of each element of the compensation package. The offer is provided as a confidential attachment as it is subject to commercial negotiations however, Council’s decision in relation to the compensation offer will be included in the meeting minutes for transparency.

OFFICER’S RECOMMENDATION

That Council by Simple Majority, pursuant to section 3.18 of the Local Government Act 1995 and section 24BE of the Native Title Act 1993, resolves to formally offer a compensation package to Nganhurra Thanardi Garrbu Aboriginal Corporation (NTGAC) for an Indigenous Land Use Agreement (ILUA) on the terms set out in ‘Confidential Attachment 1’, to allow the Shire to construct a new waste disposal facility on a portion of Lot 304, Coral Bay

COUNCIL RESOLUTION OCM 05/05/24

Moved: Cr Luke Vandeleur

Seconded: Cr Paul Kelly

That Council by Simple Majority, pursuant to section 3.18 of the Local Government Act 1995 and section 24BE of the Native Title Act 1993, resolves to formally offer a compensation package to Nganhurra Thanardi Garrbu Aboriginal Corporation (NTGAC) for an Indigenous Land Use Agreement (ILUA) on the terms set out in ‘Confidential Attachment 1, to allow the Shire to construct a new waste disposal facility on a portion of Lot 304, Coral Bay -

***Lot 304 (Portion thereof)
Proposed Indigenous Land Use Agreement (ILUA) – NTGAC and Shire of Carnarvon
Table of NTGAC’s Position and Shire’s Proposed Response***

<i>Summary points of NTGAC's Position and Counter Proposal</i>	<i>Shire's Proposed Response</i>	<i>Cost</i>
<i>Non-extinguishment of native title to be provided for in the ILUA.</i>	<i>The Shire will incorporate the non-extinguishment principle into the Agreement.</i>	<i>N/A</i>
<i>The Shire must agree to cover all costs of negotiating the Agreement pursuant to the Native Title Act 1993 for the matter to progress.</i>	<i>The Shire will cover NTGAC's costs incurred with respect to the Agreement, including a Common Law Meeting</i>	<i>Once off \$62,000.</i>
<i>Compensation for economic loss and cultural loss, including independent valuation to understand freehold value.</i>	<p><i>The Shire is willing to offer \$30,000 for economic loss with respect to the land's freehold value.</i></p> <p><i>The Shire has obtained an independent valuation of the freehold value of the land, being \$60,000, and has apportioned it in its counter offer to reflect the partial use of the land for the proposed Facility.</i></p> <p><i>Based on the conclusions of the April 2023 Yamatji Marlpa Aboriginal Corporation Report which did not identify any Aboriginal sites, cultural material, or places of ethnographic significance on the land, the Shire considers there is not a basis for providing compensation for cultural loss.</i></p> <p><i>The Shire also maintains its offer of a \$20,000 unconditional cash payment with the intention it contributes to a cultural knowledge facility for the area.</i></p> <p><i>For clarity, this unconditional cash payment is in addition to the \$30,000 economic loss compensation offer, making it a total cash offer \$50,000.</i></p>	<i>Once off \$50,000</i>

<p>Compensation by way of annual tonnage fee, including by way of imposing a waste levy on Coral Bay ward ratepayers.</p>	<p>The Shire intends to provide the compensation by way of a lump sum payment and does not intend to pursue annual fees or levies with respect to the proposed activities. The Shire raises funds for the waste facility operations via a Specified Area Rate (SAR). Forty- four ratepayers in Coral Bay pay the SAR in addition to their annual rates payment. The revenue from the SAR just covers the management of waste in Coral Bay. There is no margin for additional expenses to be paid. An annual tonnage fee would have to be added to the SAR. The Shire has had feedback that the SAR is already a cost impost that is difficult for some property owners to meet.</p> <p>Additionally, the Shire does not have a weighbridge at the Coral Bay Waste Facility to allow for weight measurement.</p>	<p>N/A</p>
<p>Rejection of Shire’s proposed Ranger program and creation of an Aboriginal liaison officer at the Shire.</p>	<p>The Shire remains willing to engage a staff member, in addition to the current resourcing, to facilitate robust liaison with Traditional Owners. To that end, the Shire will engage an Aboriginal Community Liaison Officer to assist with the implementation of the Shire of Carnarvon’s Reconciliation Action Plan and facilitate communication and liaison with Traditional Owners. The Shire is confident that this new position will support and enhance the existing staff efforts already dedicated to this focus within the organisation.</p>	<p>Recurring cost (Salary and on-costs)</p> <p>\$80,000 approx. per annum with annual CPI increases.</p>
<p>Shire to notify residents of Coral Bay about negotiations and that NTGAC are not responsible for delays.</p>	<p>The Shire is willing to issue publications in the district that inform the community of the progress being made with respect to the Facility and the cooperation of the NTGAC.</p>	<p>N/A</p>

<p><i>Tip Shop</i></p>	<p><i>The Shire will make a portion of land available at the Waste Facility site (i.e., Lot 304) for NTGAC to establish a Tip Shop. NTGAC will be responsible for operation of the Tip Shop and will retain all revenue generated from the Tip Shop.</i></p>	<p><i>N/A</i></p>
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FOR: Crs Eddie Smith, Burke Maslen, Adam Cottrell, Marco Ferreirinha, Luke Skender, Luke Vandeleur, Paul Kelly and Dudley Maslen

AGAINST: Nil

CARRIED BY SIMPLE MAJORITY 8/0

7.1.3 STANDING COMMITTEE INQUIRY INTO LOCAL GOVERNMENT SUSTAINABILITY

File No:	ADM1959
Location/Address:	N/A
Name of Applicant:	Shire of Carnarvon
Name of Owner:	N/A
Author(s):	Andrea Selvey, Chief Executive Officer
Authoriser:	Andrea Selvey, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirement:	Simple Majority
Previous Report:	Nil
Schedules:	Nil

Authority/Discretion:

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

Summary of Report

This report presents the proposed content for a submission from the Shire of Carnarvon in response to the National Inquiry into Local Government Sustainability. Should Council endorse this report as presented or with amendments, the submission will be lodged by the closing date of 31 May 2024.

Background

The House of Representatives Standing Committee on Regional Development, Infrastructure and Transport (Committee) has commenced an inquiry into local government sustainability.

As part of the inquiry the Committee will examine financial sustainability and funding frameworks of local governments, alongside changing infrastructure requirements and service delivery obligations. The Committee is seeking to understand the challenges faced by local governments in servicing infrastructure requirements across regional, rural, and remote locations.

The Committee has invited views on any of the following terms of reference:

Terms of Reference

- The financial sustainability and funding of local government
- The changing infrastructure and service delivery obligations of local government
- Any structural impediments to security for local government workers and infrastructure and service delivery

- Trends in the attraction and retention of a skilled workforce in the local government sector, including impacts of labour hire practices.
- The role of the Australian Government in addressing issues raised in relation to the above
- Other relevant issues.

Stakeholder and Public Consultation

Nil

Statutory Environment

Local Government Act 1995

Relevant Plans and Policy

Nil

Financial Implications

There are no direct financial implications from making a submission; however, it is hoped that this review will result in increased funding for local governments.

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	Not taking the opportunity to lodge a submission to this inquiry has the potential to impact the Shire’s reputation.	D2 - Low	This report presents content for a submission.
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 sustainable livelihoods create a community that can flourish into the future*

ADDITIONAL FOCUS AREAS:

- N/A

BIG IDEAS FOR THE FUTURE OF CARNARVON:

- N/A

Comments

The Shire of Carnarvon welcomes the opportunity to contribute to the national inquiry on local government sustainability, particularly focusing on the critical issue of financial viability. Financial sustainability is imperative for our Shire to effectively deliver essential services that are the core business of local government and maintain our extensive asset portfolio, whilst also offering discretionary services that improve the quality of life for our residents. It is our most pressing priority as, without adequate funding, we will continue to see a decline in our assets which impacts our ability to attract new residents, investors, or tourists.

Covering a vast geographic area of 53,000 square kilometres with two towns and a 1,250-kilometre unsealed road network, our Shire faces unique challenges due to its isolation from major population centres and limited rates base. This isolation necessitates the provision of a comprehensive range of facilities and services to enhance the liveability of our community, including swimming facilities, a theatre, art gallery, visitor centre, and sporting infrastructure. These services, typically funded by the State Government or shared by local governments in urban areas, are wholly funded by one local government in many regional communities, such as the Shire of Carnarvon.

Our challenges have been compounded by the centralisation of state government agencies away from regional centres like Carnarvon, leaving local governments to fill the resulting service gaps without commensurate recognition or funding. Therefore, while health, education, youth at risk, community safety, housing, etc. are the responsibility of the State Government, the relevant State Agencies are either not present or have a limited presence in our community; therefore our community looks to the local government, as the only tier of government with a visible and active presence in the community, for leadership and support in these areas.

The Shire of Carnarvon and the Gascoyne region is proud of the many attributes that make it attractive for tourism, liveability, and investment. Situated between two world heritage areas and as the southern gateway to the Ningaloo Reef, makes Carnarvon an exciting and interesting place. An abundance of sun and wind makes for an attractive place for emerging industries such as green hydrogen. The Shire makes a significant investment, within our financial capacity, to support, facilitate and advocate for tourism and economic development. These efforts are not supported and get little encouragement from the State Government.

CONSIDERATIONS

Considerations from a Shire of Carnarvon perspective include:

- **Limited Rate Base:** Our Shire operates with a very small rate base; with the rates we charge our property owners already reaching the limit of affordability when compared to similar regional local governments.
- **Asset Management:** We cannot fund asset depreciation. This presents ongoing budgetary challenges and we are faced with deteriorating assets that reduce community amenity, liveability and the appeal of the town. Our Roads Strategy highlights a multi-million-dollar funding shortfall to maintain our extensive unsealed road network. An increase of at least \$5m in road renewal expenditure is needed each financial year for the unsealed road network alone. That amount is approximately three quarters of our entire annual rate revenue. As our result of this underspend, our unsealed roads are unsafe and

puts our travelling public, tourism, and other industries reliant on road transport at risk. Sealed network renewal expenditure adds another \$1million per annum. of required expenditure.

- **Increasing Responsibilities:** Local governments are burdened with expanding legislative responsibilities such as the Cat Act, the new Horticultural Standards, increasing and onerous compliance requirements, and changes to the Accounting Standards. The additional resourcing impacts of these additional legislative responsibilities on local governments have not been considered nor are they funded, leaving local governments such as the Shire of Carnarvon to find funding from our ratepayers for these additional responsibilities.

The Shire is also expected to offer an ever-increasing range of functions such as community policing, support for at-risk youth, economic development, emergency management, and healthcare, without corresponding funding increases. While it could be argued that these services are discretionary and the Shire could choose to not offer these services, it is the view of Council that it is imperative to offer such services to improve liveability of our community. These services are essential to retain the current population and to attract new residents, investors, and tourists. Without such services, the population would be lost to other centres. This is already evident in Carnarvon where families choose to relocate to regional centres or cities with appropriate educational opportunities. A declining population will exacerbate the pressures on Council and further reduce the financial position of the Shire.

- **Grant Funding Challenges:** While grant funding is touted as a solution, the rigorous application process, co-contribution requirements, and alignment with grantor priorities often pose barriers to accessing these funds.

RECOMMENDATIONS

To assist in addressing these challenges, the Shire of Carnarvon advocates for the following:

- **Restoring Financial Assistance Grants:** The Shire of Carnarvon advocates for Financial Assistance Grants to be restored to at least one percent of national taxation, with additional support to address immediate funding gaps.
- **A full review of the Financial Assistance Grants:** The Shire of Carnarvon submits that the current allocation of Financial Assistance Grants is inconsistent with the principle of Horizontal Equalisation and strongly advocates for a full review of the allocation model to restore the application of that principle.
- It is the view of Council that several local governments, particularly those with large populations living in small and densely populated areas have fewer assets such as roads to maintain and the costs of assets that they do have are spread amongst a much larger population reducing the cost on the individual ratepayer. The Shire of Carnarvon recommends that a review is carried out to assess criteria for payments and whether funds currently provided to Local Governments with huge financial revenue streams and large reserves could be reallocated to communities where it is urgently needed and will have a significant impact.

The 2393 rateable properties in the Shire of Carnarvon generated a total rate revenue of \$6.59 million in 2023/2024. Local Governments in mining/resources rich areas receive significantly more own source revenue from mining companies. By way of example, a very similarly sized and geographically similar local government, albeit with a larger area, to the north of the Shire of Carnarvon received \$55.2 million in rates revenue from their 3081 properties in 2023/2024; that is \$48 million more than the Shire of Carnarvon. The Shire of Carnarvon received \$6,292,688 in Financial Assistance Grants, while the other Shire received \$6,022,036.

Given their huge revenue streams are often supplemented with ex-gratia payments by resource sector companies, at the setting of their 2023/2024 budget, this other local government had cash at hand of

over \$40million which generated approximately \$3.44 million in interest. By comparison the Shire of Carnarvon was able to generate \$130,000 from interest in the same period. This neighbouring Shire has the financial capacity to make significant co-contributions to grants and is therefore able to apply for more funding further exacerbating the financial divide. This is only one example of the distribution of the Financial Assistance Grants that undermine the principle of Horizontal Equalisation.

- **Reviewing Funding Levels:** Australian councils receive less funding compared to international counterparts, necessitating a review to ensure sustainability and effective service delivery. The table below, taken from the Local Government Productivity Inquiry.
- **Reviewing statutory fees and charges:** The fees set by the State should aim for cost recovery. In the areas of Planning, Building, and Health, statutory fees have remained unchanged for years. Contrary to this, states such as Victoria have significantly increased their statutory fees to ensure cost recovery and regular review. However, a blanket increase in fees might not be suitable for the Shire of Carnarvon, where developers may not have the same financial capacity as developers in areas where the market is more buoyant. The Shire suggests that each Local Government should have discretion in setting fees perhaps with an upper limit that is regulated and commensurate with costs. Ultimately, in areas where development is crucial for growth and sustainability, high fees could impede progress.

A review of rate exemptions: The Shire of Carnarvon recommends that rates exemptions in their entirety require a full review. In 2023/2024, the Shire of Carnarvon lost revenue to the value of \$123,000 despite the occupiers of those properties benefiting from Shire services. The revenue shortfall to deliver those services then needs to be recouped via higher rates for other properties. It is the view of Council that the use of the land, instead of ownership status of the land, would support a more fair and equitable rating process. Exemptions for properties owned by charitable institutes where their use of the land does not serve a charitable purpose is of particular concern.

CONCLUSION

In conclusion, the Shire of Carnarvon urges the inquiry to recognise and address the financial sustainability challenges faced by local governments in regional and remote areas. Sustainable funding solutions are essential to maintain service delivery, support community wellbeing, and mitigate the impacts of centralisation on regional populations.

OFFICER'S RECOMMENDATION

That Council, by Simple Majority pursuant to Section 3.18 of the Local Government Act 1995, resolves to endorse the Shire of Carnarvon's response to the House of Representatives Standing Committee on Regional Development, Infrastructure and Transport's Inquiry into Local Government Sustainability, as outlined in this report and authorises the Chief Executive Officer to lodge a submission on behalf of the Shire of Carnarvon.

COUNCIL RESOLUTION OCM 06/05/24

Moved: Cr Luke Vandeleur

Seconded: Cr Luke Skender

That Council, by Simple Majority pursuant to Section 3.18 of the Local Government Act 1995, resolves to endorse the Shire of Carnarvon's response to the House of Representatives Standing Committee on Regional Development, Infrastructure and Transport's Inquiry into Local Government Sustainability, as outlined in this report and authorises the Chief Executive Officer to lodge a submission on behalf of the Shire of Carnarvon.

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

AGAINST: Nil

CARRIED BY SIMPLE MAJORITY 8/0

7.1.4 ACTIONS PERFORMED UNDER DELEGATED AUTHORITY FOR THE MONTHS OF APRIL AND MAY 2024

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

Authority/Discretion:

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

Summary of Item

This item reports on actions performed under delegated authority in April and May 2024.

Background

In accordance with the conditions of delegation and to increase transparency this report has been prepared for Council and includes all actions performed under delegated authority for:

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

Stakeholder and Public Consultation

Nil

Statutory Environment

Local Government Act 1995 - Section 9.49A
Planning & Development Act 2005 – Part 10 Div. 2
 TPS No. 10 – Section 2.4
 Shire of Carnarvon Local Government Act Local Laws S.29

Health Act 1911 – S.107; Health Act 1911, Part VI
 Health (Public Buildings) Regulations 1992

Relevant Plans and Policy

Nil

Financial Implications

There are no financial implications arising from receiving this report.

Risk Assessment

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

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

Community and Strategic Objectives

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

OBJECTIVES

In 2040 Carnarvon is a place where:

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

ADDITIONAL FOCUS AREAS:

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

BIG IDEAS FOR THE FUTURE OF CARNARVON:

- N/A

Comments

The following table detailing the actions performed within the organisation under delegated authority in April and May 2024 are submitted to Council for information.

COMMON SEAL

DATE	DETAILS
18 April 2024	Lease – Portion Reserve 38888 – Emergency Services Radio Mast
9 May 2024	Lease – Portion Lot 425 & 565 Carnarvon Road – Advertising Sign

LAND USE AND PLANNING

PLANNING AND DEVELOPMENT ACT 2005 - PART 10: DIVISION 2					
Applications to subdivide, re-subdivide, or amalgamate land parcels					
File Ref:	WAPC Ref:	Subject Land	Purpose	Applicant/Proponent	Advice Sent
ADM1789	164524	Lot 9001 Olivia Terrace, Carnarvon	Subdivision	MNG Survey	15/04/2024

Planning and Development Act (Local Planning Schemes) Regulations 2015 Schedule 2 Clause 68					
Applications to use/develop land					
File Ref:	Application Ref:	Subject Land (Incl. Scheme No)	Purpose	Applicant/Proponent	Date Granted
A3979	P02/24	67 Robinson St, Coral Bay	Change of Use – Carpark	Graham Kay	23/04/2024
A3540	P17/24	Lot 300 (65) William Street, East Carnarvon	Extensions to an Existing Shed	B&L Dei Giudici	22/04/2024

BUILDING SERVICES

Application No.	Owners Name	Lot & Street	Type of Building Work
B24/010	William Lydiard	Lot 1 (86) Robinson St, Carnarvon	Solar Panel Installation
B24/013	James & Shirley Slatter	Lot 14 (75) Angelo St, East Carnarvon	Solar Panel Installation
B24/017	Stephen Chapple	Lot 609 (34) Crowther St, South Carnarvon	Rear Patio
B24/024	State of WA	Lot 241 On Deposited Plan 219245 Lyndon	Shade Structure for Electric Vehicle Charger in Existing Parking Bay
B24/025	Gina & Rudy Maitre	Lot 520 (17) Hill Street, Carnarvon 6701	Shed

B24/023	Robert Hug	LOT 300 (65) WILLIAM STREET, EAST CARNARVON	Extensions to an Existing Shed
B24/028	Delphine Richards	Lot 33 (1002) North West Coastal Highway	Solar Panel Installation
B24/021	Andrew Buzzard	Lot 250 (50) Bibbawarra Rd, South Plantations	Solar Panel Installation
B24/030	Dept of Communities	1 Wahlaro Way Greys Plain Wa 6701	Building Approval – Fencing.
B24/015	Angovenp Pty Ltd	Lot 300 (85) Olivia Tce, Carnarvon	Fence
B24/022	Pauline Cahill	Lot 618 (20) Yardi Queys, Brockman 6701	Solar Panel Installation
B24/016	Stephen Chapple	Lot 609 (34) Crowther St South Carnarvon Wa 6701	Front Patio
B24/029	Department of Communities	1 Wahlaro Way Greys Plain Wa 6701	Boundary Fencing

ENVIRONMENTAL HEALTH

Food—Food Act 2008

Date of decision	Decision Ref.	Decision details	Applicant	Other affected person(s)
9 May 2024	HFO24/003	Food business registration (home-based), Choco & Cake, Unit 3/6-8 Wooramel St, Carnarvon	Tajinder Kaur	
13-May-24	HFO24/004	Food business registration, Miss Fang (restaurant and food trailer), Norwesta Lifestyle Park, 24 Angelo St, East Carnarvon and custom food trailer with registration plate KR 15043	Haiyan Fang	

On-site wastewater management—Health Act 1911, s.107

Health (Apparatus for treatment of sewage and disposal of effluent and liquid waste) Regulations 1974

Date of decision	Decision Ref.	Decision details	Applicant	Other affected person(s)
2-May-2024	HOS24/001	Approval to install septic system at 358 Robinson St, Carnarvon (St John Ambulance)	Carnarvon Plumbing Service	St John Ambulance Association (WA)
14-May-24	HOS24/002	Approval to install septic system at Lot AO (Blue Shed), Carnarvon Boat Harbour, South Carnarvon	Glen Andrews	
16-May-24	HOS24/003	Approval to install septic system at 54 William St, East Carnarvon	Jason Chaplin	Peter Don

OFFICER'S RECOMMENDATION

That Council, by Simple Majority, in accordance with Section 5.46 of the Local Government Act 1995, resolves to accept the reports outlining the actions performed under delegated authority for April and May 2024.

COUNCIL RESOLUTION OCM 07/05/24

Moved: Cr Paul Kelly

Seconded: Cr Luke Vandeleur

That Council, by Simple Majority, in accordance with Section 5.46 of the Local Government Act 1995, resolves to accept the reports outlining the actions performed under delegated authority for April and May 2024.

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

AGAINST: Nil

CARRIED BY SIMPLE MAJORITY 8/0

7.1.5 CARNARVON AIRPORT RUNWAY UPGRADE

File No:	ADM2284
Location/Address:	Carnarvon Airport, James Street, Carnarvon
Name of Applicant:	Shire of Carnarvon
Name of Owner:	Shire of Carnarvon
Author(s):	Andrea Selvey, Chief Executive Officer
Authoriser:	Andrea Selvey, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirement:	Simple Majority for Part One; Absolute Majority for Part Two; and Simple Majority for Part Three.
Previous Report:	
Schedules:	<ol style="list-style-type: none"> 1. Correspondence to Minister Saffioti February 2024 2. Correspondence from Minister Saffioti 15 March 2024 3. Correspondence to Minister Saffioti February 2024 4. Correspondence from Minister Saffioti May 2024 5. Revoking a Motion

Authority/Discretion:

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

Summary of Report

This item presents a complying request from 1/3 of the Council to consider revoking a decision made at the Ordinary Meeting of Council on 27 February 2024 in relation to ceasing the concession for the operation of the Dash8 Q400 into Carnarvon. This revocation is being presented in consideration of the State Government’s commitment to upgrade the Carnarvon Airport runway 04/22 and associated infrastructure with a structural asphalt overlay project as identified by the Pavement Inspection Report from Regional Airport Management Services (RAMS).

Background

In September 2023, the Shire of Carnarvon approved a pavement concession for REX to operate the Dash Q400. Prior to approving the concession, a pavement inspection was completed by Guy Thompson from Regional Airport Management Services (RAMS) who was engaged by the DoT at their cost. At the time of approval, Carnarvon Airport had a published PCN of 13, while the Dash Q400 had an ACN of 15 and the advice received from RAMS was the aircraft service could operate under strict conditions.

Subsequent pavement inspections were agreed to be conducted at 3 monthly intervals upon commencement of the Dash Q400 operation to monitor impacts to the pavement. The most recent Pavement Inspection was completed in January 2024 and identified that the Q400 is having an impact on the pavements at Carnarvon

airport with increased wear and tear visible on turning pads, taxiways, and the apron parking areas i.e. All locations where the aircraft is operating at lower speeds.

The geotechnical testing completed in late 2023 had also been completed and confirmed that the previously published PCN of 13 based on historic use is too high. A revised PCN of 7 was calculated. This confirms that the pavement at Carnarvon is not capable of servicing the Q400 aircraft without the added strength of a 60mm asphalt layer to all pavements affected by Q400 operations.

The Civil Aviation Safety Authority's (CASA) "Advisory Circular AC 139.C-07 V1.0 Chapter 7" recommends that when pavement concessions are exceeded by 50%, they should only be considered in emergencies.

Shire officers reported this information to Council at the Ordinary Meeting of Council on 27 February 2024 and advised that urgent and immediate commitment to this work would be required within in the next 3 years to maintain the current concessional access and prevent significant pavement damage.

As a result of this advice, Council resolved as follows:

COUNCIL RESOLUTION OCM 01/02/24

Moved: Mr Eddie Smith

Seconded: Cr Burke Maslen

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

- 1. receive the RAMS Pavement Inspection Report completed in January 2024 on behalf of the Department of Transport; and***
- 2. Authorise the Chief Executive Officer to advise the Department of Transport that the Shire of Carnarvon seeks the following:***
 - a. an immediate commitment to complete the rejuvenation treatment, asphalt overlay to turning nodes and upgrades to the apron as outlined in the RAMS Pavement Inspection Report completed in January 2024 on or before June 2024 regardless of the outcome of the Shire of Carnarvon's RAUP funding application; and***
 - b. a written commitment prior to 30th June 2024 to fully fund and complete the runway 04/22 and associated infrastructure structural asphalt overlay project as identified by the RAM PIR before 30 June 2025 and provide the aerodrome operators with an updated PCN confirming that the runway meets the standards required; and***
 - c. the Department of Transport provide a written commitment prior to 30 June 2024 to commence construction of a new aerodrome on the approved site north of Carnarvon on or before 30 June 2026; or***
 - d. the concession for REX Airlines to operate the Dash8 Q400 into Carnarvon will cease 1 July 2024 if requirements a, b and c are not met.***

Stakeholder and Public Consultation

Department of Transport
CASA

Statutory Environment

s.3.18 of the *Local Government Act 1995*

Relevant Plans and Policy

Nil

Financial Implications

The Hon Rita Saffioti MLA in her capacity as Minister for Transport has written to the Shire President to advise that as part of the 2024-25 Budget, the State Government has allocated \$8 million for upgrades to the Carnarvon Airport pavements to ensure it is at a condition suitable for unrestricted Q400 operations. This funding is contingent on the Shire making a co-contribution of \$777,975 for the project via a re-allocation of Regional Airports Development Scheme (RADS) funding. The estimated cost of the runway 04/22 and associated infrastructure structural asphalt overlay project has been identified by the Department of Transport’s (DoT) consultant, RAMS, and the DoT budget allocation has been based on that estimate. The Shire will work with the Department of Transport to negotiate the most efficient and effective way for this project to be delivered and to ensure there is no financial risk to the Shire.

Risk Assessment

STEP 3 – Risk Tolerance Chart Used to Determine Risk

		STEP 3 – Risk Tolerance Chart Used to Determine Risk				
		Insignificant 1	Minor 2	Major 3	Critical 4	Extreme 5
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	Mitigating Action/s
Financial	Secure air services to Carnarvon are of significant economic value to the Shire and the community.	B4 - Extreme	Accept the immediate works to secure the Dash 8 Q400 whilst working on a business case for a future airport relocation.
Health & Safety	The air service provides invaluable accept to health and medical services for our community.	B4-Extreme	Accept the immediate works to secure the Dash 8 Q400 whilst working on a business case for a future airport relocation.
Reputation	Failure of the air service will impact the Shire’s reputation.	B4-Extreme	Accept the immediate works to secure the Dash 8 Q400 whilst working on a business case for a future airport relocation.
Service disruption	Disruption to the air service would have a detrimental impact on service and business continuity.	B4- Extreme	Accept the immediate works to secure the Dash 8 Q400 whilst working on a business case for a future airport relocation.
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

Following Council's resolution in February 2024, the Shire President has written to Minister Saffioti twice to advise of the Council resolution and to seek the State Government's support in securing funding for immediate works and the longer-term priority of a new aerodrome. Minister Saffioti has responded to both letters. All correspondence is attached.

The State Government's commitment to the structural asphalt overlay project addresses Part B of Council's 27 February 2024 resolution. Part A, being the rejuvenation works, will not be required given the prioritisation of the structural asphalt overlay (i.e., Part B). The State Government has not addressed Part C of the Council resolution which requires that the Department of Transport provide a written commitment prior to 30 June 2024 to commence construction of a new aerodrome on the approved site north of Carnarvon on or before 30 June 2026. Council resolved that the concession for REX Airlines to operate the Dash8 Q400 into Carnarvon would cease on 1 July 2024 should all parts of their resolution, including Part C, not be met.

In recognition of the offer from the State to fund the structural asphalt overlay immediately, this report presents a request signed by 1/3 of the Council that seeks a Council resolution to revoke Part D of the 27 February 2024 Council resolution, being the removal of the concession from 1 July 2024. This would secure this critical service whilst giving Shire officers time to work with the Gascoyne Development Commission and the Department of Transport to develop a business case for funding as a usual approach to seeking funding for major projects.

OFFICER'S RECOMMENDATION PART ONE**COUNCIL RESOLUTION OCM 08/05/24**

Moved: Cr Burke Maslen

Seconded: Cr Luke Vandeleur

That Council, by Simple Majority, pursuant to Regulation 10 of the Local Government Administration Regulations 1996, resolves to consider the request for Council to revoke a part of Council's decision 02/02/24 (see below) made at the Ordinary Council Meeting on 27 February 2024:

Council Resolution OCM 02/02/24

d. the concession for REX Airlines to operate the Dash8 Q400 into Carnarvon will cease 1 July 2024 if requirements a, b and c are not met.

on the basis that at least one third of Council Members have signed the request.

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

AGAINST: Nil

CARRIED BY SIMPLE MAJORITY 8/0

OFFICER'S RECOMMENDATION PART TWO**COUNCIL RESOLUTION OCM 09/05/24****Moved: Cr Paul Kelly****Seconded: Cr Luke Vandeleur**

That Council, by Absolute Majority pursuant to Regulation 10 of the Local Government Administration Regulations 1996, resolves to revoke a part of a decision made at the Ordinary Council Meeting on 27 February 2024, as follows:

Council Resolution OCM 03/02/24

d. the concession for REX Airlines to operate the Dash8 Q400 into Carnarvon will cease 1 July 2024 if requirements a, b and c are not met.

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

AGAINST: Nil

CARRIED BY ABSOLUTE MAJORITY 8/0**OFFICER'S RECOMMENDATION PART THREE****COUNCIL RESOLUTION OCM 10/05/24****Moved: Cr Luke Vandeleur****Seconded: Cr Luke Skender**

That Council, by Simple Majority pursuant to s3.18 of the Local Government Act 1995, resolves to:

a. acknowledge the contribution by the State Government to secure the Shire of Carnarvon Airport infrastructure to allow ongoing operations by the Dash8 Q400; and

b. continue to work with the Gascoyne Development Commission, the Department of Transport and other stakeholders to progress a business case for the airport relocation.

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

AGAINST: Nil

CARRIED BY SIMPLE MAJORITY 8/0

7.1.6 CORPORATE BUSINESS PLAN 2023-2027 (2024 REVIEW)

File No:	ADM0168
Location/Address:	N/A
Name of Applicant:	The Shire of Carnarvon
Name of Owner:	N/A
Author(s):	Andrea Selvey, Chief Executive Officer
Authoriser:	Andrea Selvey, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirement:	Absolute Majority
Previous Report:	26 April 2023
Schedules:	1. Corporate Business Plan 2023-2027 (2024 Review)

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 Corporate Business Plan 2023 – 2027 (2024 Review) is presented for Council consideration. The officer’s recommendation to Council is that the Corporate Business Plan is adopted as presented and that it is reviewed by June 2025.

Background

All local governments are currently required to produce a plan for the future and the minimum requirement to meet the intent of the plan for the future is the development of a Strategic Community Plan and a Corporate Business Plan. The Strategic Community Plan outlines the community’s long-term (10+ years) vision, values, aspirations, and priorities; the Corporate Business Plan operationalises the community’s aspirations and priorities articulated in Strategic Community Plan.

Following a robust process in which the community took a lead in developing the Strategic Community Plan, Council adopted the Shire of Carnarvon Strategic Community Plan in September 2023. Following this the Council adopted the resulting Corporate Business Plan and resolved to conduct an annual desktop review to ensure it remains relevant and current.

Discretionary and Mandatory Actions

The Shire’s administration undertook a rigorous process traversing the organisations’ levels and expertise. All Leadership Team members assessed what discretionary and mandated actions their areas had taken to achieve the Community’s Objectives and whether these were successful or were still to being progressed. In addition, they decided if they wished to adjust any actions or propose new actions over the next three years

to contribute to those Objectives. These actions were elaborated on with justifications, time scales, financial impact, degree of control and potential partners for success.

The Team actions were collated into a single, organisation-wide plan (categorised as mandatory and discretionary) and shared, via workshops at and after the April Agenda Forum, with all other Teams and Elected Members. Potential issues, suggested improvements and positive additions were gathered and refined into a public document. The following list shows changes made to the Plan during these various workshops:

Pre-April Agenda Forum Workshop
Adjust "Offer a well-resourced safe space where people can come together to relax, learn and enjoy the library and art gallery services." to separate mandatory library provision from non-mandatory art gallery provision.
Reword various Library related actions in discretionary list to increase readability.
Shift "Activate Pioneer Cemetery as a heritage site." to discretionary category.
Reword "Investigate the Shire's response to the changes to the 1972 Aboriginal Cultural Heritage Act and implement a corporate wide approach to enable capacity to meet changing requirements." Action in mandatory category.
April Agenda Forum Workshop
Add "Develop a signage strategy/ signage style guide for heritage displays." Action.
Add "Develop a local history plan for Coral Bay." Action.
Shift "Develop and review the Disability Access and Inclusion Plan." Action to Mandatory Category.
Shift "Manage the Shire's recruitment process in a transparent and inclusive manner to provide high quality staff to implement the Strategic Community Plan." Action to Mandatory Category.
Add "Review and document the level of service for parks, gardens and other Shire managed public open spaces." Action.
Add "Rationalise assets such as under-utilised sporting facilities, to ensure that all resources, including land assets, are put to the highest and best use." Action.
Post April Agenda Forum Workshop
Add "Coordinate reform and improvement of digitisation of resident interactions (e.g. applications, forms etc)." Action for People Culture and Systems.
Add Priority Project: "Continue upgrades to Baxter and Brockman Park" to 'Infrastructure' to Objective 6 for Infrastructure.
Add Priority Project: "Provide long vehicle parking, plaza activation and connection to library/art gallery and shopping district via Town Oval." to Objective 6 for Infrastructure.
Add Priority Project: "Manage the ongoing development of Carnarvon Trails (as an implementation of tourist identity to connecting assets Carnarvon already has through design and signage)." to Objective 2 for Economic Development.
Add Priority Project: "Manage and implement the development and construction of Carnarvon Trails in conjunction with Economic Development." to Objective 2 for Infrastructure.
Add Priority Project: "Progress relationship building and stakeholder engagement during the planning phase for dredging the Fascine waterway to leverage the newly completed channel opening." to Objective 6 for Executive.
Add Priority Project: "Progress program to relocate existing Airport, including advocacy, economic and logistic modelling, working group participation and grant funding application." to Objective 2 for Executive.
Add Priority Project: "Construct a commemorative memorial space in Coral Bay for the remembrance of our service men and women, past, present, and future." to Objective 7 for Infrastructure.

Add Priority Project: "Seek funding and improve lighting at Premier Oval to standards applicable for official AFL games." to Objective 6 for Infrastructure.
Add Priority Project: "Construct a destination, amenity-rich space at Van Dongen Park focused on iconic play equipment at the entry into the CBD." to Objective 6 for Infrastructure.
Add Priority Project: "Repair the historical Tramway Bridge to allow continued pedestrian access for future generations." to Objective 6 for Infrastructure.
Add Priority Project: "Consolidate Carnarvon sporting facilities to a single site and construct a multi-use sporting and recreation Centre." to Objective 6 for Infrastructure.
Add Priority Project: "Upgrade facilities at Civic Centre and Camel Lane Theatre." to Objective 6 for Community Development.
Add Priority Project: "Co-locate Visitor Centre with Library and Art Gallery." to Objective 6 for Economic Development.
Add Priority Project: "Improve town aesthetics and amenity to encourage greening, community pride and investor confidence through participation in public space and Carnarvon Road improvement aspects of the Greening Carnarvon Program." to Objective 6 for Infrastructure.
Add Priority Project: "Improve town aesthetics and amenity to encourage community pride, action and investor confidence through participation in verge improvement aspects of the Greening Carnarvon Program." to Objective 6 for Community Development.
Add Priority Project: "Increase accessibility to prime fishing locations around Carnarvon." to Objective 6 for Infrastructure.
Add Priority Project: "Investigate the possibility of constructing a workers caravan park in Coral Bay to reduce accommodation issues." to Objective 3 for Planning.
Add Priority Project: "Progress a purpose-built Multi-Use Community Centre which can be used for evacuations, community events and activities in North Plantation." to Objective 6 for Executive.
Add Priority Project: "Address road safety and speed hazards on Babbage Island Road at the Youth Precinct." to Objective 6 for Community Development.

Priority Projects

Concurrently with the above process, Officers developed a mechanism to better understand the ‘shovel ready status’ of projects and the benefit of the project to the community on completion. Projects in this context are defined as follows:

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

The projects were assessed against a set of criteria that measure the level of anticipated impact and ease of implementation. Impact criteria assessed the alignment of the project with the Community Strategic Plans economic, social, and environmental community objectives. Implementation criteria assessed the level of engagement with stakeholders, funding acquisition, planning and regulatory requirements, scope of works and budget.

Projects were categorised on a matrix of impact vs. ease of implementation as follows:

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

The need to further categorise projects to demonstrate, status, level of importance and progress was identified. The projects were categorised as follows:

- Strategic Priorities

- Shovel Ready/Funded
- Concepts

These priority projects are also included in the Corporate Business Plan.

Stakeholder and Public Consultation

Nil for this review, noting that the Corporate Business Plan aligns directly with the objectives and priorities of the community that were developed in extensive consultation with the community.

Statutory Environment

Section 19DA of the *Local Government (Administration) Regulations 1996*

Relevant Plans and Policy

Should Council resolve to adopt the 2024 update of the Corporate Business Plan 2023 – 2027, this Plan will provide staff with operational guidance.

Financial Implications

Should Council resolve to adopt the 2024 update of the Corporate Business Plan 2023 – 2027, this Plan will provide staff with guidance in developing the Long-Term Financial Plan and annual budgets.

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	There is a risk that Corporate Business Plans set targets that are beyond the financial capacity of the Shire.	Moderate	The Executive Team and Managers have examined proposed activities to assess if they can be accommodated within the Shire’s financial capacity, noting that some activities will only be able to be progressed if grant funding can be secured. It should also be noted that the CBP does set some stretch targets should resources be available.
Health & Safety	N/A		
Reputation	Actions in the CBP are not progressed.	Moderate	Ongoing monitoring of the CBP and regular reports to Council and the community on progress will assist to mitigate this risk.
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 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 economy fosters investment and productivity in industries befitting Carnarvon’s physical and natural environment and that grows our horizons*
- *Our sustainable livelihoods create a community that can flourish into the future*
- *Our holistic health care facilities provide services from the womb to the grave*
- *Our infrastructure, housing and amenities are high quality and accessible*
- *Our educational opportunities from early childhood to adulthood are tailored and relevant to the individual*
- *Our community acknowledges our history and celebrates our diverse cultures*
- *Our community is engaged, inclusive and supportive*

ADDITIONAL FOCUS AREAS:

- *Supports the needs of areas outside the Township of Carnarvon (Coral Bay and outlying areas)*
- *Supports the needs of youth in Carnarvon*
- *Improve the trust between citizens and the Shire of Carnarvon*
- *Deal with the abuse of Drug and Alcohol and subsequent problems*
- *Monitor the implementation of our Community Strategic Plan*

BIG IDEAS FOR THE FUTURE OF CARNARVON:

- *Rangers & Indigenous Rangers*
- *Airport Relocation and Upgrade*
- *Gascoyne River Path and Parks*
- *Carnarvon RV Friendly Park*
- *Fascine Waterway Improvement*
- *Aim towards 100% Renewable Energy*

Comments

Given the engagement and input of all members of the Shire’s team and the Elected Members in developing this Corporate Business Plan, the officer’s recommendation is for Council to adopt the Plan as presented. To ensure the Plan is progressed in a transparent and open manner, the officer also recommends that Council seeks six-monthly updates on and continuing annual desktop review of the Plan.

OFFICER’S RECOMMENDATION

That Council by Absolute Majority, pursuant to s.19D of the Local Government (Administration Regulations) 1996, resolves to:

- 1. Adopt the 2024 update of the Shire of Carnarvon Corporate Business Plan 2023 – 2027 as presented at Schedule 1; and***
- 2. Review the progress of the Corporate Business Plan at an Ordinary Meeting of Council at least twice each year; and***

3. ***Conduct a formal desktop review of the Corporate Business Plan each year prior to the annual budget process.***

COUNCIL RESOLUTION OCM 11/05/24**Moved: Cr Paul Kelly****Seconded: Cr Luke Vandeleur*****That Council by Absolute Majority, pursuant to s.19D of the Local Government (Administration Regulations) 1996, resolves to:***

1. ***Adopt the 2024 update of the Shire of Carnarvon Corporate Business Plan 2023 – 2027 as presented at Schedule 1; and***
2. ***Review the progress of the Corporate Business Plan at an Ordinary Meeting of Council at least twice each year; and***
3. ***Conduct a formal desktop review of the Corporate Business Plan each year prior to the annual budget process.***

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

AGAINST: Nil

CARRIED BY ABSOLUTE MAJORITY 8/0

7.1.7 POLICY REVIEW

File No:	ADM0124
Location/Address:	N/A
Name of Applicant:	Shire of Carnarvon
Name of Owner:	N/A
Author(s):	Amanda Leighton, Manager People, Culture And Systems
Authoriser:	Andrea Selvey, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirement:	Absolute Majority
Previous Report:	7.1.4 Policy Review 26 March 2024
Schedules:	<ol style="list-style-type: none"> 1. ID001 to ID005 and CD001 to CD015 with review of CF016_No Tracking 2. Tracked Changes for CD002-CD004 and CD008

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 updated Shire of Carnarvon Council Policy Manual was adopted by Council at the Ordinary Meeting of Council on 23 August 2022. This agenda item forms part of a schedule to facilitate the regular formal review of the Council Policy Manual by Council. Table 2 in the comments section details the recommended changes to the policies.

Background

One of the primary functions of a Local Government Council is to determine the local government’s policies. Council policies focus on the strategic and statutory decision-making obligations of the Council. The policy may relate to an Express Power or Duty or a matter that is non-statutory and entirely discretionary. Council policies guide and inform the Local Government’s strategic, financial, and operational functions and may impact service levels provided to the community. Council policies apply to Council and employees when fulfilling their decision-making responsibilities.

A full review of all policies was completed by Council in August 2023. At that time the Council advised it was onerous to review all 72 policies at once and a more frequent review cycle of a smaller number of policies at each review, would be more manageable.

Officers aim to present policies to Council for review as follows, noting that the policies presented as part of this report were due for review in December 2023 but missed the cycle to allow for a more detailed review by the content experts.

Month	Policy Numbers
March	EME001 to EME017
June	EME018 to EME034
September	CF001 to CF019
December	ID001 to ID005 and CD001 to CD013
New Policies	Presented to Council as required.

Stakeholder and Public Consultation

Nil.

Statutory Environment

Section 2.7 of the Local Government Act 1995 articulates the Role of Council, which includes determining policies of the local government.

The specific legislation for different policies is provided for reference in each policy document.

Relevant Plans and Policy

Shire of Carnarvon Policy Manual.

Financial Implications

There are no additional financial implications from adopting the updated policies. Any impacts have either already been considered in the budget setting, e.g., Community Growth Fund allocations, or will be brought before Council if there is a financial impact outside the current budget allocation.

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	Unclear policy direction can result in less transparent decision-making and	High	The policies aim to provide Council and Employees with clear direction and improve the transparency and consistency of decision-making.

	may impact the Shire’s reputation.		
Service disruption	N/A		
Compliance	That policies do not support compliance.	High	Policies have been checked to align with legislation and aim to add clarity to legislation to assist with compliance.
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 officers recommendation is that Council adopts policy numbers EME001 to EME017 as presented to Council.

Policy Title	Proposed Change
ID001	Crossovers No changes. Reviewed by Shire Officers. Policy put forward for final review and recommendations by Councillors.
ID002	Maintenance of Shire Roads, Station Access Roads and Station Airstrips Minor Changes: Removal of RUA with Hastings, and format changes to table.
ID003	Stock Grids Policy No changes. Reviewed by Shire Officers. Policy put forward for final review and recommendations by Councillors.
ID004	Naming of Roads, Parks, Places and Buildings Minor Changes: Defined the objective statement of the policy. Sentence restructuring for clarity under policy statements – no change to intention. Formatting for consistency within the policy.
ID005	Memorials in Road Reserves, Parks, Foreshores etc Minor Changes:

	<p>Defined the objective statement of the policy. Sentence restructuring for clarity under policy statements – no change to intention. Formatting for consistency within the policy.</p>
CD001	<p>CCTV Data Management</p> <p>No changes. Reviewed by Shire Officers. Policy put forward for final review and recommendations by Councillors.</p>
CD002	<p>Market Traders at the Woolshed</p> <p>No changes. Reviewed by Shire Officers. Policy put forward for final review and recommendations by Councillors.</p> <p>FURTHER CHANGES FOLLOWING CIS Insert a title to distinguish policy statements from background information.</p>
CD003	<p>Australia Day Awards Community Awards</p> <p>Major Changes: Rename of policy from Australia Day Awards to Community Awards. Complete rewrite to provide structured framework for any award programs developed, sponsored or endorsed by the Shire of Carnarvon. Broadens the policy beyond Australia Day.</p> <p>FURTHER CHANGES FOLLOWING CIS Articulate the Shire’s commitment to hosting the annual Australia Day Awards.</p>
CD004	<p>Community Growth Fund</p> <p>Major Changes: Complete re-write.</p> <p>FURTHER CHANGES FOLLOWING CIS Policy will refer applicants to a procedure/form which requires applications to prove support of their committee – e.g., signed copy of minutes.</p>
CD005	<p>Letters of Support</p> <p>No changes. Reviewed by Shire Officers. Policy put forward for final review and recommendations by Councillors.</p>
CD006	<p>External Grants – Procurement and Grants</p> <p>No changes. Reviewed by Shire Officers. Policy put forward for final review and recommendations by Councillors.</p>
CD007	<p>Carnarvon Mobile Trading</p> <p>No changes. Reviewed by Shire Officers. Policy put forward for final review and recommendations by Councillors.</p>

CD008	<p>Consumption of Alcohol on Shire Owned and Managed Properties</p> <p>No changes. Reviewed by Shire Officers. Policy put forward for final review and recommendations by Councillors.</p> <p>FURTHER CHANGES FOLLOWING CIS Policy reviewed to remove reference to items outside the Shire’s control and to add a requirement that the applicant adheres to all liquor licencing requirements and other relevant legislation.</p>
CD009	<p>Community Engagement</p> <p>No changes. Reviewed by Shire Officers. Policy put forward for final review and recommendations by Councillors.</p>
CD010	<p>Property Fences</p> <p>No changes. Reviewed by Shire Officers. Policy put forward for final review and recommendations by Councillors.</p>
CD011	<p>Incoming Corporate Partnerships</p> <p>No changes. Reviewed by Shire Officers. Policy put forward for final review and recommendations by Councillors.</p>
CD012	<p>Child Awareness Policy</p> <p>Minor: Change of policy name</p>
CD013	<p>Compliance Policy</p> <p>Minor: Change of policy name</p>

OFFICER’S RECOMMENDATION

- That Council, by Absolute Majority, in accordance with Section 2.7 of the Local Government Act 1995, resolves to adopt Policies ID001 to ID005, CD001 to CD015 and CF016, as presented in Schedule 1 and include them in the Shire of Carnarvon Policy Manual.***

COUNCIL RESOLUTION OCM 12/05/24

Moved: Cr Paul Kelly
Seconded: Cr Luke Skender

That Council, by Absolute Majority, in accordance with Section 2.7 of the Local Government Act 1995, resolves to adopt Policies ID001 to ID005, CD001 to CD015 and CF016, as presented in Schedule 1 and include them in the Shire of Carnarvon Policy Manual.

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

AGAINST: Nil

CARRIED BY ABSOLUTE MAJORITY 8/0

7.2 CORPORATE SERVICES

7.2.1 ACCOUNTS PAID UNDER DELEGATION APRIL 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
Authoriser:	Alan Thornton, Deputy Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirement:	Simple Majority
Previous Report:	Monthly Report
Schedules:	<ol style="list-style-type: none"> 1. Schedule 1 - Accounts for Payments in April 2024 2. Schedule 2 - Credit Card Reconciliation 25.03.2024 - 22.04.2024

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

Risk Assessment

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

Risk Category	Description	Rating	Mitigating Action/s
Financial	Payments are made without appropriate budget authority	Low	Internal controls are in place to manage this potential risk
Health & Safety	N/A	N/A	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. Sign off by SFO of any Creditor changes (Bank Accounts).

Community and Strategic Objectives

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

OBJECTIVES

In 2040 Carnarvon is a place where:

- N/A

ADDITIONAL FOCUS AREAS:

- N/A

BIG IDEAS FOR THE FUTURE OF CARNARVON:

- N/A

Comments

Nil

OFFICER’S RECOMMENDATION

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

- 1. receive the list of payments made under delegation, as per Schedule 1 at a total value of \$1,539,842.74 as presented for the month of April 2024, incorporating the following; and***

<i>Payment Reference from:</i>	<i>Payment Reference to:</i>	<i>Payment Type</i>	<i>Payment Amount</i>
<i>EFT40987</i>	<i>EFT41206</i>	<i>Muni EFT</i>	<i>\$830,690.58</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>DD40821.1, DD40821.2, DD40824.1-DD40824.6, DD40826.1, DD40826.2, DD40828.1-DD40828.3, DD40833.1, DD40835.1, DD40835.2, DD40837.1-DD40837.4, DD40839.1, DD40841.1, DD40843.1-DD40843.5, DD40846.1, DD40850.1, DD40855.1, DD40857.1</i>	<i>DD40857.1</i>	<i>Bank Directs</i>	<i>\$709,152.16</i>
		<i>TOTAL</i>	<i>\$1,539,842.74</i>

- 2. receive the copies of credit card statements for all such Shire Facilities for the period 25 March 2024 to 22 April 2024.***

COUNCIL RESOLUTION OCM 13/05/24

Moved: Cr Luke Vandeleur

Seconded: Cr Burke Maslen

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

- 1. receive the list of payments made under delegation, as per Schedule 1 at a total value of \$1,539,842.74 as presented for the month of April 2024, incorporating the following; and***

<i>Payment Reference from:</i>	<i>Payment Reference to:</i>	<i>Payment Type</i>	<i>Payment Amount</i>
<i>EFT40987</i>	<i>EFT41206</i>	<i>Muni EFT</i>	<i>\$830,690.58</i>
<i>-</i>	<i>-</i>	<i>Trust EFT</i>	<i>\$0.00</i>
<i>-</i>	<i>-</i>	<i>Cheque</i>	<i>\$0.00</i>

DD40821.1, DD40821.2, DD40824.1-DD40824.6, DD40826.1, DD40826.2, DD40828.1-DD40828.3, DD40833.1, DD40835.1, DD40835.2, DD40837.1-DD40837.4, DD40839.1, DD40841.1, DD40843.1-DD40843.5, DD40846.1, DD40850.1, DD40855.1, DD40857.1	DD40857.1	Bank Directs	\$709,152.16
		TOTAL	\$1,539,842.74

2. receive the copies of credit card statements for all such Shire Facilities for the period 25 March 2024 to 22 April 2024.

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

AGAINST: Nil

CARRIED BY SIMPLE MAJORITY 8/0

7.2.2 SCHEDULE OF FEES AND CHARGES 2024/25

File No:	ADM0002
Location/Address:	Shire of Carnarvon
Name of Applicant:	Shire of Carnarvon
Name of Owner:	Shire of Carnarvon
Author(s):	Sarah Driscoll, Senior Finance - Operations
Authoriser:	Alan Thornton, Deputy Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirement:	Absolute Majority
Previous Report:	Nil
Schedules:	1. Proposed Fees & Charges Schedule 2024/2025

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

The proposed Schedule of Fees and Charges for the 2024/2025 Financial Year is attached for Council to consider. A CPI increase of 3.4%, as per Perth CPI for the 12 months to March 2024, is applied across all Fees and Charges except for the following:

- Statutory Fees
- Fees charged “At Cost”
- Camping Fees (Blowholes and Bush Bay) as fee was reviewed in March 2024 as part of the mid-year review of 2023/2024 Fees & Charges
- Photocopying Fees as fee is minor and CPI would be insignificant

Outside of CPI increases, the following changes are proposed for 2024/2025 Fees & Charges:

- Lowering of Animal Control fees for surrender of cats, dangerous dog inspections & applications for 3-6 dogs
- Introduction of fee for Parvo Test Kit for dogs entering pound
- Removal of advertising availability at T Junction Site & Visitor Centre Holiday Planner
- Addition of digital advertising at Visitor Centre
- Update to the structure of Mobile Trading Fees
- Increase in commission percentage for Art Gallery sales commission
- Introduction of fees for hire of Tennis Courts
- New reduction rate for external district waste brought in by local contractors
- Increase in Statutory Fee for Swimming Pool Inspections

Background

The Shire adopts the Schedule of Fees and Charges on an annual basis in accordance with Section 6.16 of the Local Government Act 1995. This section of the Act permits the Shire to impose a fee or charge for any goods or services it provides or proposes to provide.

The adoption of the Schedule of Fees and Charges 2024/2025 forms part of the 2024/2025 budget process. The intention is for the Fees and Charges 2024/2025 schedule to take effect 60 days after being adopted by Council i.e., on 28 July 2024.

Stakeholder and Public Consultation

It is intended that a public notice will be published advising the community of the changes to Fees and Charges for 2024/2025, to take effect from 28 July 2024. Significant debtors will also be advised by individual correspondence.

Statutory Environment

Local Government Act 1995 - Section 6.16 (a) & (b)

Relevant Plans and Policy

Nil

Financial Implications

In the 2024/2025 Budget, Fees and Charges are forecasted to return approximately \$3.6 million in revenue in the 2024/2025 financial year to the Shire.

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	Increases to Fees and Charges could result in decreased use of certain services and therefore a slight reduction in revenue from these fees	Low	Fees and charges are aligned to CPI and statutory increases. They are also increased with consideration of current economic conditions and a range of defined principles including community benefit
Health & Safety	N/A	N/A	N/A
Reputation	Increases to the Fees and Charges could be seen as an impost to the community.	Low	Increases have been generally maintained at CPI with minimal large increases.
Service disruption	N/A	N/A	N/A
Compliance	N/A	N/A	N/A
Property	N/A	N/A	N/A

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

Community and Strategic Objectives

Fees and Charges assist with supporting overall delivery of a range of desired objectives as expressed in the *Community Strategic Plan 2022-2032*.

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

Shire Officers have prepared the attached 2024/2025 Fees and Charges Schedule in accordance with legislative requirements. During the review of each fee, officers have considered principles of community benefit, commercial benefit, market value, cost of providing the service, full cost recovery and competitive neutrality.

OFFICER’S RECOMMENDATION

1. ***That Council, by Absolute Majority in accordance with Section 6.8 (1) (b) of the Local Government Act 1995, resolves to adopt the schedule of Proposed Fees and Charges for the 2024/2025 financial year;***
2. ***Give local public notice that the Schedule of Fees and Charges 2024/2025 will take effective from 28 July 2024.***

COUNCIL RESOLUTION OCM 14/05/24

Moved: Cr Burke Maslen
Seconded: Cr Luke Skender

1. ***That Council, by Absolute Majority in accordance with Section 6.8 (1) (b) of the Local Government Act 1995, resolves to adopt the schedule of Proposed Fees and Charges for the 2024/2025 financial year;***
2. ***Give local public notice that the Schedule of Fees and Charges 2024/2025 will take effective from 28 July 2024.***

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

AGAINST: Nil

CARRIED BY ABSOLUTE MAJORITY 8/0

7.2.3 MONTHLY FINANCIAL REPORT APRIL 2024

File No:	ADM0186
Location/Address:	N/A
Name of Applicant:	Shire of Carnarvon
Name of Owner:	N/A
Author(s):	Seema Dutt, Senior Finance Officer - Reporting
Authoriser:	Alan Thornton, Deputy Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirement:	Simple Majority
Previous Report:	Nil
Schedules:	1. Monthly Financial Report- April 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 the Statement of Financial Activity for the period ending 30 April 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) 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	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	N/A
Compliance	<i>Local Government Act 1995</i> requires Council receives these statements within 2 months of the end of the applicable month.	N/A	Financial Statements are prepared on time and according to the applicable Legislation and Regulations.
Property	N/A	N/A	N/A
Environment	N/A	N/A	N/A
Fraud	N/A	N/A	N/A

Community and Strategic Objectives

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

OBJECTIVES

In 2040 Carnarvon is a place where:

- *Our community is engaged, inclusive and supportive*

ADDITIONAL FOCUS AREAS:

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

Comments

The officer advises that the April 2024 Statement of Financial Activity being presented at the May 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 April 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

Councillors should note a change to the statutory format of the Statement of Financial Activity at page 2 and 3 of the Financial Report where totals of each category of Income or expenditure have been aggregated at the bottom of the report. For information, the old format is still included in the other supporting information.

Operating Grants Subsidies and Contributions are \$624k lower than year to date budget, this is due to the timing of completed works and the claiming of AGRN flood damage funds(\$717k). Funds are claimed from DRFAWA based on milestone progress claims. The Educational grants are \$85k higher than year to date budget. These are expected to be timing difference of funds for those projects.

Operational Expenditure for Material and Contracts is \$3.48M lower than year to date budget, this is considered a timing variance relating mainly due to DRFAWA and Improving Flood preparedness projects. There are various other contracts throughout the service areas that are lower than year to date budget, that

are noted in the variance explanation – please see the Statement of Financial Activity for detailed information.

Staff have prepared the Monthly Budget Amendment that is presented elsewhere in the agenda, that presents proposed variances to the Adopted Budget

OFFICER'S RECOMMENDATION

That Council, by Simple Majority pursuant to Section 3.18 of the Local Government Act, 1995 , resolves to receive the Draft Statement of Financial Activity for April 2024 as per attached Schedule 1.

COUNCIL RESOLUTION OCM 15/05/24

Moved: Cr Luke Vandeleur

Seconded: Cr Luke Skender

That Council, by Simple Majority pursuant to Section 3.18 of the Local Government Act, 1995 , resolves to receive the Draft Statement of Financial Activity for April 2024 as per attached Schedule 1.

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

AGAINST: Nil

CARRIED BY SIMPLE MAJORITY 8/0

7.2.4 BUDGET ADJUSTMENTS - APRIL 2024

File No:	ADM0027
Location/Address:	N/A
Name of Applicant:	Shire of Carnarvon
Name of Owner:	N/A
Author(s):	Seema Dutt, Senior Finance Officer - Reporting Sarah Beresford, Finance Officer - Procurement
Authoriser:	Alan Thornton, Deputy Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirement:	Simple Majority
Previous Report:	Monthly report
Schedules:	1. Budget Adjustments 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 officer requested budget adjustments arising after the adoption of the 2023/2024 Budget for Council to consider. The officer’s recommendation is that as the adjustments have no net impact on the budget, that they are approved by Council.

Background

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

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

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

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 nine recommendations for the month of April.

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:

- *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 proposed adjustments are included for Council to consider for the month of April 2024.

Adjustments Impacting Budgeted Closing Position

The adjustments presented in this report have no net impact on the closing position.

Adjustments with no impact on budget closing position

Proposed budget adjustments have no impact on closing budget.

Net budget closing position

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

OFFICER'S RECOMMENDATION

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

COUNCIL RESOLUTION OCM 16/05/24

Moved: Cr Paul Kelly

Seconded: Cr Burke Maslen

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

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

AGAINST: Nil

CARRIED BY ABSOLUTE MAJORITY 8/0

7.3 DEVELOPMENT AND COMMUNITY SERVICES

7.3.1 PERMIT ZONE FOR TOUR OPERATOR BUSES IN CORAL BAY

File No:	ADM0202
Location/Address:	Robinson Street, Coral Bay
Name of Applicant:	Shire of Carnarvon
Name of Owner:	Shire of Carnarvon
Author(s):	Stefan Louw, Planning And Building Manager
Authoriser:	Andrea Selvey, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirement:	Simple Majority
Previous Report:	Nil
Schedules:	1. Site plan

Authority/Discretion:

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

Summary of Report

This report seeks a Council resolution to support the establishment of a permit zone for dedicated tour operator bus parking in the public car park located on Robinson Street, Coral Bay.

Background

Coral Bay has experienced a significant rise in tourism traffic in recent years, with an increasing number of tour operator buses operating in Coral Bay. The existing parking infrastructure in Coral Bay is inadequate in terms of providing dedicated bus parking to accommodate the growing demand for buses, leading to congestion issues.

To alleviate these issues, it is proposed to establish a permit zone (refer to schedule 1) within the public carpark on Robinson Street exclusively designated for tour operator bus parking. The permit zone will be clearly marked and designated solely for tour operator buses (authorised users), thereby ensuring efficient use of space and minimising conflicts with other vehicles.

This proposal aims to address the increasing demand for parking space for existing tour bus operators, thereby enhancing the efficiency of tourism operations while minimizing congestion and inconvenience for residents and other visitors. Additionally, the report will consider whether buses can be parked overnight within the designated zone.

Stakeholder and Public Consultation

The proposal has been discussed with members of the Coral Bay Progress Association and existing tour operators who mostly support the proposal to create a permit zone. One objection was received from a tour operator who argues the following:

"I strongly oppose the allocation of long vehicle parking to be used for bus parking in Coral Bay.

Prior to the removal of the RAC Resort and carpark, and the upgrade of the carpark located near the DBCA Information Hut, the town was already lacking parking for day trippers and tourists arriving in vehicles with caravans attached.

Now that the RAC carpark is no longer available to be used as a caravan turn around, the congestion is horrific on some days, particular at the moment with the busy season upon us.

Officer's comment: The public carpark at the end of Robinson Street will be upgraded by the RAC as part of their development to create an additional 20 parking bays with the provision for towing vehicles to safely turn around.

When the carpark at the DBCA Information Hut was upgraded prior to the eclipse event, it was reduced in the number of parking bays.

Officer's comment: Unjustified - Prior to upgrading the carpark, parking occurred randomly with no formal spaces allocated that contributed to the unorderedly use of the carpark and resulted in limited parking availability. Formalising the carpark has created a much safer and organised carpark for everyone to use and increased capacity.

Now that buses are no longer allowed to park in the Arcade carpark, the option of allocating long vehicle parking bays for their use does not seem to be a logical solution. The carpark in question is also used for vehicles/boats on trailers to access the filleting tables, reducing the long vehicle bays would cause even more congestion.

Officer's comment: Noted. There are still 3 long vehicle bays available for use in close proximity of the filleting station. Also, important to note is that the buses have always been parked in the arcade carpark and now that they are no longer parking there, more space will become available in the arcade carpark for long vehicles.

The carpark is also used by day trippers coming into town from surrounding stations and visitors arriving with caravans waiting to check into the caravan parks at check in time, which is around 2pm.

Officer's comment: Day trippers can use the carpark at the end of Robinson Street or park in the arcade carpark. People with caravans waiting to check in could also use the arcade carpark.

The Shire refused the "Postal Van" to be located in the carpark, not being able to conduct a business from the area. Leaving tour company buses in the carpark could also be considered conducting a business.

Officer's comment: Can't compare the bus parking with a mobile post office. A mobile post office is considered an additional land use within a public carpark that would cause conflict between post office customers and traffic. The parking spaces in carparks are designed for the parking of vehicles with no additional land use introduced. Please see the explanation of this under the 'Comments' section of this report.

The carpark in question is the only public carpark in Coral Bay that allows parking for long vehicles and is definitely not sufficient.

Officer's comment: Noted.

We have chosen to leave our bus in the "Storage and Services" area, where there is ample room, and it is locked in a secure area over night.

Therefore, I cannot see why the other operators cannot take up this option as well. Everyone who owns a bus is a member of the Coral Bay progress Association and has a container at the Storage and Services area, therefore has access to the compound.

Officer’s comment: This is an option for tour operators to take up themselves if the officer’s recommendation is not supported.

I did approach Ian Burrows who owns the fuel station in Coral Bay, who indicated he had additional land that could be cleared for the bus use, at a cost, but would need Council approval.

Officer’s comment: This site could accommodate the parking of buses subject to planning approval, but an application would need to be made by the proponent.

The buses are an essential part of all tour operator’s businesses, but we cannot be sacrificing parking for visitors who wish to participate on the tours.”

Officer’s comment: Noted.

Statutory Environment

Local Government Act 1995
 Parking Local Law 2021

Relevant Plans and Policy

Nil

Financial Implications

Financial implication includes costs associated with the manufacturing and installation of signage. It is recommended to install two signs, one at either end of the permit zone. Total cost is estimated at \$2,000.

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	Increased traffic congestion could lead to road safety concerns.	Moderate	Provision of dedicated bus parking and additional 20 bays in the carpark at the end of Robinson Steet should alleviate some of the traffic congestion issues of Coral Bay.
Reputation	N/A		
Service disruption	N/A		
Compliance	Permit zone could be used by other vehicles.	Low	Shire Ranger can enforce the permit zone restrictions.
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:

- N/A
- N/A

ADDITIONAL FOCUS AREAS:

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

BIG IDEAS FOR THE FUTURE OF CARNARVON:

- N/A

Comments

Robinson Street is classified as a local road in the planning scheme and is managed by the Shire. This public car park on Robinson Street was upgraded in February 2023 formalising the parking arrangement by providing normal bays as well as several long vehicle bays. The upgrades made it perfect for this permit proposal as minimum works (installation of signs) are required to adapt the space.

Some tour operators also requested leaving their buses in the carpark after business hours. This would mean that those five standard bays would effectively be used exclusively by the tour operators and would not be available to the public. There is no specific planning legislation or local law against such a proposal. The Parking Local Law 2021 gives the Local Government the power to control parking arrangements on its local roads.

Overnight parking of vehicles in a public carpark is no different to anyone parking their vehicle on the road in front of their home or in town after a night out. Parking a vehicle in a car parking bay does not trigger any land use permissions, and if the vehicle is parked correctly would also not contravene the parking local law. Furthermore, and in terms of the overnight parking, public parking areas would become more freely available after business hours, so the need for those long vehicle bays by other road users would likely no longer be required.

However, a shortcoming with this proposal is the removal of five parallel bays (three long vehicle bays) from the parking supply in Coral Bay. This may put additional pressure on long vehicles to find suitable parking and could likely increase traffic congestion, especially during peak holiday periods. Anecdotal evidence suggests that there isn't enough long vehicle parking in Coral Bay and, therefore, this proposal will exacerbate the parking issue and increase traffic congestion.

Considering the above and to address the concerns, other matters to consider include the Robinson Street carpark redevelopment, the potential opening of French Street and associated works and the availability of the shopping arcade carpark.

The Robinson Street carpark redevelopment works, which is to occur as part of the RAC resort redevelopment, includes creating an additional 20 car parking bays and a turnaround area for towing vehicles.

The potential opening of French Street and associated re-design will prioritise more car parking but is only conceptual at this stage pending funding availability. Should funding become available the concept design

shows the creation of approximately 47 additional parking bays, that will contribute to mitigating the above parking and traffic congestion concerns in Coral Bay. However, this is still pending funding availability.

The shopping arcade carpark is available to its visitors. If long vehicles arrive early in Coral Bay and have to wait for check-in, it is likely that they will have refreshments after a long drive and if no parking is available in the Robinson Street carpark, they could park in the arcade carpark.

Shire Officers considered the following options to provide a solution for the identified matter:

Option 1:

Endorse the establishment of an unrestricted permit zone for dedicated bus parking for authorised users in the public carpark on Robinson Street, Coral Bay.

Option 2:

Endorse the establishment of an unrestricted permit zone for dedicated bus parking for authorised users in the public carpark on Robinson Street, Coral Bay for a period of 12 months only, to allow the tour bus operators to plan for an alternative site.

Option 3:

Not to endorse the establishment of an unrestricted permit zone for dedicated bus parking in the public carpark on Robinson Street, Coral Bay.

As additional parking spaces will be provided in the short term with more to be added in time it is recommended that Council proceed with Option 2 with minor alterations:

Endorse the establishment of an unrestricted permit zone for dedicated bus parking for authorised users in the public car park on Robinson Street, Coral Bay and trial the process for three months. This should address the growing demand for parking space and enhance tourism operations.

The establishment of a permit zone for dedicated bus parking in the public car park on Robinson Street, Coral Bay, represents a proactive measure to address the parking challenges associated with increasing tourism traffic and limited readily available space.

OFFICER'S RECOMMENDATION

That Council, by Simple Majority pursuant to Section 1.10 of the Parking Local Law 2021 resolves to:

- 1. Endorse the establishment of a permit zone of five bays for dedicated parking for commercial tour operators in the public carpark on Robinson Street, Coral Bay for authorised users only as a trial for three months; and***
- 2. Present the results of the trial to Council at the Ordinary Council Meeting in September 2024 and as part of the review, recommend whether:***
 - a. The trial should be extended; and/or***
 - b. a permit fee should be charged to authorised users.***

COUNCIL RESOLUTION OCM 17/05/24

Moved: Mr Eddie Smith

Seconded: Cr Burke Maslen

That Council, by Simple Majority pursuant to Section 1.10 of the Parking Local Law 2021 resolves to:

- 1. Endorse the establishment of a public/tour bus long vehicle parking area on the north east side of French Street of approximately 200m in length.***
- 2. Present the results of the trial to Council at the Ordinary Council Meeting in September 2024 and as part of the review, recommend whether:***
 - a. The trial should be extended; and/or***

b. a permit fee should be charged to authorised users.

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

AGAINST: Nil

CARRIED BY SIMPLE MAJORITY 8/0

Note to Minute – Council agreed that with French Street being Shire owned land, it was the preferred site for the bus parking as it has sufficient turn around room for the buses and would free up parking in Robinson Street.

7.3.2 PRIORITY PROJECTS MAY 2024

File No:	ADM0275
Location/Address:	N/A
Name of Applicant:	Shire of Carnarvon
Name of Owner:	Nil
Author(s):	Harriet Murphy, Manager, Economic Development
Authoriser:	Andrea Selvey, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirement:	Simple Minority
Previous Report:	August 2023
Schedules:	1. Priority Projects Snapshot May 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 item presents Shire priority projects. The officer’s recommendation is that the projects are endorsed by Council as the Shire’s priorities for 2024. These projects represent the current status, and as new opportunities and risks emerge, the project priorities will be reviewed and updated. The project prioritisation will guide efforts of the organisation and form the basis of funding applications, sponsorship, and advocacy for investment by other tiers of government

Background

In 2023, Officers developed a mechanism to better understand the ‘shovel ready status’ of projects and the benefit of the project to the community on completion. Projects in this context are defined as follows:

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

The projects were assessed against a set of criteria that measure the level of anticipated impact and ease of implementation. Impact criteria assessed the alignment of the project with the Community Strategic Plans economic, social and environmental community objectives. Implementation criteria assessed the level of engagement with stakeholders, funding acquisition, planning and regulatory requirements, scope of works and budget.

Projects were categorised as below:

- Easy to implement, low impact.

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

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

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

Since this time, Council identified the need to further categorise projects to demonstrate, status, level of importance and progress. Officers recommend projects be categorised as follows:

- Strategic Priorities
- Shovel Ready/Partially funded
- Concepts

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

Stakeholder and Public Consultation

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

Officers have prepared the Priority Projects Snapshot to be used in discussions with potential funding partners including State and Federal Governments, elected officials and third-party private investors. The document provides a high-level overview of the project objectives and benefits along with explanation of the projects alignment to the Community Strategic Plan 2022-2032. It is important to note that the Priority Projects Snapshot document is underpinned by Project Forecast Plans, concept or technical designs and in some cases, full business plans and detailed budgets.

Statutory Environment

S3.18 Local Government Act 1995

Relevant Plans and Policy

Community Strategic Plan 2022-2032
Corporate Business Plan 2024-2028

Financial Implications

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

Risk Assessment

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

Risk Category	Description	Rating	Mitigating Action/s
Financial	Priority projects are beyond the financial capacity of the Shire to fund.		Clear prioritisation and shovel ready status will assist in attracting grant funding.
Health & Safety			
Reputation	1.The projects listed do not align with community expectations. 2. Community expectation that projects will be delivered immediately or in the near future. 3. The Shire does not attract funding for identified priorities.	Low	1.Ensure public consultation is prioritised and ongoing through all stages of the planning process. 2. Careful communication that projects are subject to being able to secure funding. 3. Having projects that are clearly identified as priorities and that are progressing toward shovel ready status will assist with attracting funding and funding for identified priorities rather than being offered funding (e.g., election commitments) for ad-hoc projects, which are not shovel ready and difficult to deliver.
Service disruption	N/A		
Compliance	N/A		
Property	N/A		
Environment	N/A		
Fraud	N/A		

Community and Strategic Objectives

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

OBJECTIVES

In 2040 Carnarvon is a place where:

- *Our infrastructure, housing and amenities are high quality and accessible*
- *Our equitable community is actively involved in and are responsible for developing innovative, local solutions that transcend our region for a safe and unified 6701*

ADDITIONAL FOCUS AREAS:

- *N/A*

BIG IDEAS FOR THE FUTURE OF CARNARVON:

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

Comments

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

These projects include but are not limited to:

- Youth Hostel/Safe Space
- Multi-User Port
- One Mile Jetty Restoration
- Carnarvon 100 Houses Project

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

OFFICER'S RECOMMENDATION

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

- 1. Endorse the Priority Projects 2024 as presented in Schedule 1.***
- 2. Consider a budget allocation as part of the 2024/2025 budget process for the following projects that have been identified as "Strategic Priorities" to ensure that these projects can be progressed:***
 - (a) Airport Relocation***
 - (b) Carnarvon Trails Project***
 - (c) Sports and Leisure Complex***
 - (d) Fascine Waterway Basin Dredging***
 - (e) Greening Carnarvon***
 - (f) Integrated Plan and Water Security***
- 3. Authorise the CEO to continue to seek funding opportunities to progress all Projects in the matrix.***
- 4. Use the Priority Projects Snapshot document at Schedule XX to inform funding requests and discussions with State and Federal Government elected representatives and candidates, government agencies and any other potential third-party funding agency.***

COUNCIL RESOLUTION OCM 18/05/24**Moved:** Cr Luke Vandeleur**Seconded:** Cr Paul Kelly

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

- 1. endorse the Priority Projects 2024 as presented in Schedule 1.**
- 2. consider a budget allocation as part of the 2024/2025 budget process for the following projects that have been identified as “Strategic Priorities” to ensure that these projects can be progressed:**
 - (a) Airport Relocation**
 - (b) Carnarvon Trails Project**
 - (c) Sports and Leisure Complex**
 - (d) Fascine Waterway Basin Dredging**
 - (e) Greening Carnarvon**
 - (f) Integrated Plan and Water Security**
- 3. authorise the CEO to continue to seek funding opportunities to progress all Projects in the matrix; and**
- 4. Use the Priority Projects Snapshot document at Schedule one to inform funding requests and discussions with State and Federal Government elected representatives and candidates, government agencies and any other potential third-party funding agency.**

AMENDMENT**COUNCIL RESOLUTION OCM 19/05/24****Moved:** Cr Adam Cottrell**Seconded:** Cr Dudley Maslen

That the Coral Bay Workers Accommodation Caravan Park on Lot 64 be added to the Strategic Priorities listing.

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

AGAINST: Nil

CARRIED BY SIMPLE MAJORITY 8/0

Council Resolution OCM 18/05/24 was amended and became the substantive motion and was put.

AMENDED MOTION**COUNCIL RESOLUTION OCM 20/05/24****Moved:** Cr Luke Vandeleur**Seconded:** Cr Paul Kelly

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

- 1. endorse the Priority Projects 2024 as presented in Schedule 1.**

2. ***consider a budget allocation as part of the 2024/2025 budget process for the following projects that have been identified as “Strategic Priorities” to ensure that these projects can be progressed:***
 - (a) Airport Relocation***
 - (b) Carnarvon Trails Project***
 - (c) Sports and Leisure Complex***
 - (d) Fascine Waterway Basin Dredging***
 - (e) Greening Carnarvon***
 - (f) Integrated Plan and Water Security***
 - (g) Coral Bay Workers Accommodation Caravan Park (Lot 64)***
3. ***authorise the CEO to continue to seek funding opportunities to progress all Projects in the matrix.***
4. ***use the Priority Projects Snapshot document at Schedule 1 to inform funding requests and discussions with State and Federal Government elected representatives and candidates, government agencies and any other potential third-party funding agency.***

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

AGAINST: Nil

CARRIED BY SIMPLE MAJORITY 8/0

7.3.3 URBIS 100 HOUSES REPORT

File No:	ADM0275
Location/Address:	Nil
Name of Applicant:	Nil
Name of Owner:	Shire of Carnarvon
Author(s):	Harriet Murphy, Manager, Economic Development
Authoriser:	Andrea Selvey, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirement:	Simple Minority
Previous Report:	Nil
Schedules:	1. Urbis 100 Houses 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 Report

This item presents the Urbis 100 Houses report for Council’s consideration. The officer’s recommendation is that Council endorse the report and write to the Minister for Planning Lands and Heritage, Minister for Water and Minister for Communities and Minister for Regional Development to advocate for the recommendations made in the report.

Background

Housing and workforce accommodation shortages remain a critical constraint to the social and economic function of Carnarvon.

In August 2023, the Shire of Carnarvon partnered with the Gascoyne Development Commission (GDC) to engage consultants Urbis to conduct an enquiry into the best options for developing the next 100 new homes in Carnarvon and analyse the causes for housing market failure including:

- the high cost of land and housing development
- relatively low developed property values
- lack of critical infrastructure (particularly reticulated sewerage)
- high prevalence of older, dilapidated housing stock
- lack of local construction workforce

The report identifies three advocacy priorities for the Shire and GDC. These priorities, listed below, focus on agencies that play active roles in both the planning and delivery of housing in Carnarvon and their role in contributing to resolving housing market failure.

- Department of Communities – timely repairs, maintenance or redevelopment of vacant public housing dwellings to boost available housing stock.
- Department of Planning, Lands and Heritage – review of sewerage policy to allow on-site sewage disposal for larger lots.
- Water Corporation – investigate sewer development to unlock land for development by public or private sector.

Stakeholder and Public Consultation

Engagement undertaken by Urbis was to inform problem definition and test background research. Stakeholders included:

- Department of Communities
- Department of Education
- Department of Planning, Lands and Heritage
- Development WA
- Horizon Power
- Water Corporation

Statutory Environment

Local Government Act 1995 – s3.1 General Functions

Relevant Plans and Policy

Shire of Carnarvon Community Strategic Plan 2022-2032
 Shire of Carnarvon Economic Development Strategy 2023 - 2028

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			
Health & Safety			
Reputation	The Shire bears the burden of community dissatisfaction when expectations are not being realised		Publish the Urbis report which clearly articulates the constraints on housing development. Advocate that the actions identified in the report are actioned.

Service disruption	If the recommended actions are not progressed, the housing constraints will become more acute impacting recruitment and service delivery.		Continue to work with State agencies and private developers to reduce barriers to housing developments.
Compliance			
Property			
Environment			
Fraud			

Community and Strategic Objectives

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

OBJECTIVES

In 2040 Carnarvon is a place where:

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

ADDITIONAL FOCUS AREAS:

BIG IDEAS FOR THE FUTURE OF CARNARVON:

Comments

Urbis has provided a business case that strongly identifies and quantifies the public benefits of housing development in Carnarvon and the current failures in the market to meet existing and future demand. The report will enable the Shire:

- Advocate to the State government for infrastructure and policy changes that reduce barriers to housing development.
- To respond to funding opportunities with rigorously supported and competitive submissions.

Officers will continue to work with GDC, other State agencies and private developers to ensure the recommendations are progressed.

OFFICER'S RECOMMENDATION

That Council, by Simple Majority in accordance with Section 3.18 of the Local Government Act 1995,

1. *Receive the Urbis Carnarvon Housing Solutions - A plan for the next 100 Houses report and*
2. *Write to the Minister for Planning; Lands; Housing and Homelessness to:*
 - a) *Present the report;*
 - b) *Advocate for timely repair, maintenance or redevelopment of vacant public housing dwellings to boost available housing stock;*
 - c) *Advocate that the Minister engage with Department of Health, Department of Water and Environmental Regulation and Water Corporation in order to progress pathways to resolving sewer policy and planning failures;*
 - d) *Request a meeting to discuss the recommendations made in the report and*
3. *Write to the Minister of Education to:*
 - (a) *Present the report;*

- (b) Advocate for the demolition of the Cleaver and Egan Street school sites and disposal of land for residential development purposes;*
- (c) Request a meeting to discuss the recommendations made in the report and*
- 4. *Write to the Minister of Health and the Minister for Water and Environmental Regulation to;*
 - a) Present the report;*
 - b) Advocate that they engage across relevant State Government portfolios to progress pathways to resolving sewer policy and planning failures;*
 - c) Request a meeting to discuss the recommendations made in the report and*
- 5. *Note the Shire CEO's intention to write to relevant State agency Director Generals to:*
 - a) Present the report;*
 - b) Advocate that the recommendations presented in the report are actioned by the responsible agencies.*

COUNCIL RESOLUTION OCM 21/05/24

Moved: Cr Burke Maslen

Seconded: Cr Luke Vandeleur

That Council, by Simple Majority in accordance with Section 3.18 of the Local Government Act 1995,

1. *receive the Urbis Carnarvon Housing Solutions - A plan for the next 100 Houses report and*
2. *Write to the Minister for Planning; Lands; Housing and Homelessness to:*
 - a) Present the report;*
 - b) Advocate for timely repair, maintenance or redevelopment of vacant public housing dwellings to boost available housing stock;*
 - c) Advocate that the Minister engage with Department of Health, Department of Water and Environmental Regulation and Water Corporation in order to progress pathways to resolving sewer policy and planning failures;*
 - d) Request a meeting to discuss the recommendations made in the report and*
3. *write to the Minister of Education to:*
 - (a) Present the report;*
 - (b) Advocate for the demolition of the Cleaver and Egan Street school sites and disposal of land for residential development purposes;*
 - (c) Request a meeting to discuss the recommendations made in the report and*
4. *write to the Minister of Health and the Minister for Water and Environmental Regulation to;*
 - a) Present the report;*
 - b) Advocate that they engage across relevant State Government portfolios to progress pathways to resolving sewer policy and planning failures;*
 - c) Request a meeting to discuss the recommendations made in the report; and*
5. *note the Shire CEO's intention to write to relevant State agency Director Generals to:*
 - a) Present the report;*
 - b) Advocate that the recommendations presented in the report are actioned by the responsible agencies.*

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

AGAINST: Nil

CARRIED BY SIMPLE MAJORITY 8/0

7.4 INFRASTRUCTURE SERVICES

7.4.1 AWARD OF TENDER RFT 01-24 NORTHWATER HOUSING DEVELOPMENT

File No:	ADM0206
Location/Address:	Parnaa View, Brockman
Name of Applicant:	Shire of Carnarvon
Name of Owner:	Shire of Carnarvon
Author(s):	Michael Mallon, Project Delivery Manager
Authoriser:	Andrea Selvey, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirement:	1. Simple Majority 2. Absolute Majority
Previous Report:	OCM 16/01/24
Schedules:	1. RFT 01-24 Evaluation and Recommendation Report - Confidential (under separate cover)

Authority/Discretion:

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

Summary of Report

This report details the process undertaken for Request for Tender (RFT) 01/2024 – Northwater Housing Development. It is recommended Council accept the tender from *AK Waters Pty Ltd TA Northern Aspect Construction* and apply to the Western Australian Treasury Corporation (WATC) for a loan of \$500,000 to assist with delivery of the project.

Background

Funding was received through the Regional Economic Development (RED) program by the Gascoyne Development Commission (GDC) to construct worker’s accommodation on two Shire-owned vacant lots on Parnaa View, Brockman.

At the Ordinary Council Meeting on 23 January 2024, Council resolved to:

COUNCIL RESOLUTION OCM 01/01/24

Moved: Cr Luke Vandeleur

Seconded: Cr Burke Maslen

That Council, by Simple Majority resolves:

- a. *pursuant to Section 3.57 of the Local Government Act, 1995 and Part 4 of the Local Government (Functions and General) Regulations 1996, to not accept any submission for tender HP10360 - Carnarvon Residential House Builds; and*
- b. *pursuant to Section 3.18 of the Local Government Act 1995 and Regulation 11(2)(b) of the Local Government Regulations (Functions and General) 1996 authorises the CEO to seek tenders from suitably qualified suppliers for construction of two essential worker accommodation dwellings for Lots 326 and 328 Parnaa View, Brockman that meets funding program conditions and the existing available budget allocation.*

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

AGAINST: Nil

ABSENT: Cr L Skender

CARRIED BY SIMPLE MAJORITY 7/0

Shire Officer's advertised Tender RFT 01/2024 which closed on 20 March 2024. 17 prospective tenderers received documentation and one submission was received by a local contractor. A panel has evaluated and scored the submission. A detailed Evaluation and Recommendation Report is provided in *Schedule 1 (Confidential)*.

Stakeholder and Public Consultation

N/A

Statutory Environment

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

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

Local Government Act, 1995 – Section 6.20 Power to borrow.

Local Government (Functions and General) Regulations, 1996 – Part 4 Tenders for providing goods or services.

Relevant Plans and Policy

Policy C013 – Tender Selection Criteria Policy.

Policy C002 – Purchasing Policy.

Financial Implications

There are financial implications associated with this decision. A detailed breakdown and financial evaluation is provided in *Schedule 1 (Confidential)*.

The Shire of Carnarvon has an available budget of \$1,182,855.33 (excl. GST) in the 2023/2024 adopted budget for the delivery of the two worker's accommodation residences. This amount includes an indicative loan amount of \$1,000,000 which has not been applied for or approved, and the remaining balance of \$182,855.33 from the RED Grant.

Based on the provided tender submission price, the Shire has insufficient budget available to complete the required scope of works. A budget variation will be required to be presented to Council for consideration for the project and landscaping which is not included. There is no capacity to reduce the scope of work further unless the decision to downsize to a smaller residence is made and a new tender called.

It is proposed to fund this project through three streams:

- RED Grant
- Strategic Projects Reserve Fund

- WATC Loan

The Strategic Projects Reserve Fund is designated for ‘funding development of strategic projects or new infrastructure’.

This project does present Council with an opportunity to receive rental income once the houses are constructed. It is recommended that the revenue generated from this project is used to reimburse the expenditure from the Reserve Fund.

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	Loan not approved resulting in Shire being unable to fulfil a signed contract.	C5 – Extreme	Shire officers have consulted with WATC to discuss the Shire’s borrowing capacity which appears to be sufficient for this project and project borrowing to implement the Plant Replacement Program. Strategic Projects Reserve could be further utilised if required.
	Low remaining balance of Shire Reserve funds.	D4 - High	Applying for a loan to reduce expenditure required by Shire as per financial assessment.
Health & Safety	N/A		
Reputation	Loan not approved resulting in Shire being unable to fulfil a signed contract.		Shire officers have consulted with WATC to discuss the Shire’s borrowing capacity which appears to be sufficient for this project and project borrowing to implement the Plant Replacement Program. Strategic Projects Reserve could be further utilised if required.
Service disruption	N/A		
Compliance	N/A		
Property	Vulnerability to vandalism due to isolated location.	C3 – High	Construction of a full turn-key residence with garage door, fencing and security systems will reduce residence damage post construction.
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

Carnarvon has a shortage of new and appropriate housing for workers looking to relocate to Carnarvon. This project would provide two new residences fit for purpose and ideally kickstart further development of the remaining available lots on Parnaa View as part of the Northwater Development. Shire Officers completed a cashflow analysis which resulted in a positive Return on Investment (ROI) for the Shire.

This project offers an opportunity for Council to consider replacing its existing aging residential assets and recovering funds from the sale of those existing assets in the future.

OFFICER'S RECOMMENDATION PART ONE

That Council, by Simple Majority:

1. *pursuant to Section 3.57 of the Local Government Act, 1995 , resolves to accept the submission from submission from AK Waters Pty Ltd TA Northern Aspect Construction for Tender RFT 01-2024 – Northwater Housing Development for the tendered price provided in Schedule 1 (confidential) of \$XXXXXX (excl. GST). <PRICE TO BE INCLUDED IN MINUTES OF COUNCIL MEETING>; and*
2. *pursuant to Section 9.49A of the Local Government Act, 1995 authorises the CEO to make any necessary non-material amendments and finalise execution of a contract between the Shire of Carnarvon and AK Waters Pty Ltd TA Northern Aspect Construction for Tender RFT 01/2024 Northwater Housing Development.*

OFFICER'S RECOMMENDATION PART TWO

That Council, by Absolute Majority:

1. *Pursuant to Section 6.20 of the Local Government Act, 1995 resolves to apply to the WATC for a loan of \$500,000 to part fund this Housing Project in conjunction with the RED Grant of \$182,855; acknowledging that the balance of the funding required for the project will need to be committed from Council own source funds in the 2024/25 Budget.*

COUNCIL RESOLUTION OCM 22/05/24

Moved: Cr Paul Kelly

Seconded: Cr Luke Vandeleur

That Council, by Simple Majority:

1. *pursuant to Section 3.57 of the Local Government Act, 1995 , resolves to accept the submission from submission from AK Waters Pty Ltd TA Northern Aspect Construction for Tender RFT 01-2024 – Northwater Housing Development for the tendered price provided in Schedule 1 (confidential) of \$1,290,920.00 (excl. GST); and*
2. *pursuant to Section 9.49A of the Local Government Act, 1995 authorises the CEO to make any necessary non-material amendments and finalise execution of a contract between the*

Shire of Carnarvon and AK Waters Pty Ltd TA Northern Aspect Construction for Tender RFT 01/2024 Northwater Housing Development.

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

AGAINST: Nil

CARRIED BY SIMPLE MAJORITY 8/0

COUNCIL RESOLUTION OCM 23/05/24

Moved: Cr Paul Kelly

Seconded: Cr Luke Skender

That Council, by Absolute Majority:

- 1. Pursuant to Section 6.20 of the Local Government Act, 1995 resolves to apply to the WATC for a loan of \$500,000 to part fund this Housing Project in conjunction with the RED Grant of \$182,855; acknowledging that the balance of the funding required for the project will need to be committed from Council own source funds in the 2024/25 Budget.***

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

AGAINST: Nil

CARRIED BY ABSOLUTE MAJORITY 8/0

7.4.2 REMOVAL OF CRICKET PITCH AT PREMIER OVAL

File No:	ADM1816
Location/Address:	Festival Grounds
Name of Applicant:	Gascoyne Football Association
Name of Owner:	Shire of Carnarvon
Author(s):	Michael Mallon, Project Delivery Manager
Authoriser:	Andrea Selvey, Chief Executive Officer
Declaration of Interest:	Impartiality
Voting Requirement:	Simple Majority
Previous Report:	FC 26/8/11
Schedules:	1. Gascoyne Football Association Request 2. Carnarvon Cricket Association Response

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

An impartiality conflict of interest has been declared by the Author as they are a member of the Ramblers Football Club which competes in the Gascoyne Football Association.

This report details a request received from the Gascoyne Football Association (GFA) to remove the cricket pitch currently located on Premier Oval. It is recommended that Council support the request and in addition, consider what options there are for reinstatement of the cricket pitch in the future, to allow both sports to utilise the grounds.

Background

The cricket pitch and its location on Premier Oval has been a topic of discussion for many years. At the August OCM in 2011, a late item was presented to Council to consider the removal of the pitch from Festival Grounds Oval (now Premier Oval) and the installation of a new pitch at Town Oval. Council Resolved as follows:

FC 26/8/11

COUNCIL RESOLUTION

Cr Ganzer/Cr Burt

- 1. Council authorise the CEO to seek endorsement from the appropriate sporting clubs to remove the existing cricket pitch from Festival Grounds Oval and install a new cricket pitch at the Town Oval.**
- 2. If agreement is obtained from the appropriate clubs then funding for this project to be obtained from R4R, CLGF Stage 2 Parkland Improvements Budget.**

CARRIED

F8/A0

Either no agreement was reached between the sporting clubs or the cricket pitch was reinstated at Premier Oval after a period of time; noting that a cricket pitch was installed at Town Oval, either as a result of the Council resolution or at some other time.

On 30 April 2024, the Shire received a written request by email from the GFA for the removal of the cricket pitch on Premier Oval. The correspondence is attached under **Schedule 1**. The request cites multiple reasons for the removal which include a duty of care to football players and the possibility of hosting WAFL games at the oval in the future.

In January 2024, a submission was made to the Growing Regions funding program for the upgrade of the lighting amenities at Premier Oval to a 300-lux level. This level was to support nighttime cricket amateur competitions (300 lux) and would cover the minimum requirement for WAFL competition games (200-lux). The Shire was notified in May 2024 that the submission was unsuccessful.

Stakeholder and Public Consultation

Gascoyne Football Association (GFA) – President and members.
 Carnarvon Cricket Association (CCA) – President and members.

The Carnarvon Cricket Association was emailed on 3 May 2024 to provide a response/comment on the request by the GFA. The response was received on 16 May 2024 and is attached in **Schedule 2**.

In summary, the CCA does not oppose the removal of the cricket pitch at Premier Oval given that they do not have a current competition. The CCA requested that Council consider that if a competition was reestablished, the pitch may be reinstated in the future and options for accommodating both sport codes.

Statutory Environment

- *Local Government Act, 1995 – Section 3.18 Performing Executive Functions*

Relevant Plans and Policy

Shire of Carnarvon – Strategic Community Plan

Financial Implications

This decision has two minor financial implications in the short-term and one possible larger implication in the long-term.

The cost to remove the cricket pitch and replace with turf is estimated at \$4,000. There are currently insufficient funds allocated under the Premier Oval maintenance account to complete the works. Works to remove the cricket pitch would not occur until after completion of the GFA season in August, (estimated commencement September). Should Council support the officer’s recommendation, Council will be required to consider an allocation for this work in its 2024/25 FY budget. Officers will also engage with the GFA to seek their contribution to minimise the cost of this project to the Shire.

The other minor financial impact is to restore the remaining concrete/astroturf cricket pitches located at Baston Oval (multipitch) and Town Oval to bring to a standard for social gameplay. An initial assessment of these pitches is that they will require minor maintenance and could be captured in their current respective operational budgets.

The request to consider reinstallation of the cricket pitch at a later date will have larger financial implications. The two proposed methods are an in-house managed turf wicket or a drop-in pitch at interchange of seasonal sports. The estimated costs (excluding GST) associated with each option are below:

	Capital Exp.	Operational Exp.	Estimated 10-year lifecycle
Turf Wicket	\$35,000	\$15,000/year	\$185,000

Drop-in Pitch	\$120,000	\$35,000/year	\$470,000
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The above capital estimates are based on procuring any items required to commence turf wicket preparation and in the drop-in pitch option, the additional concrete base and steel frame required to install the pitch.

Operational expenditure is based on an in-house curator salary (1/4 yearly wage) and in the drop-in pitch option the additional required plant equipment to drop in and remove the pitch at the appropriate time.

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	Insufficient funds for removal of cricket pitch.	D1 - Low	Seek support from the GFA to provide in-kind support in the removal of the cricket pitch.
	Reinstallation of cricket pitch required later.	A2 – High	Explore alternative options for cricket pitch reinstatement, (i.e. turf wicket, or drop-in pitch).
Health & Safety	Concrete cricket pitch in middle of field will continue to pose safety risk for football players.	C4 – Extreme	Appropriate measures to cover the pitch during the football season is already complete. Internal audit of cover completed along with engagement with manufacturer of cover. Confident the covers remain within safety range factor.
Reputation	Council perception of favouritism of one sport.	B3 - High	Preliminary stakeholder engagement has occurred and cricket club has made suggestions to be considered to ensure the sport is not disadvantaged in the future.
Service disruption	Request to remove pitch immediately impacting remainder of football season.	D4 – High	Preliminary stakeholder engagement has occurred and agreement on pitch (if removed) to be completed after the current football season.
Compliance	WAFL games cannot recommence in Carnarvon without the cricket pitch removed.	A2 - High	Current football competition can continue to play without removal of pitch. However, WAFL games creating opportunity for drawcard cannot be played while cricket pitch remains in the field of play.
Property	NA		
Environment	NA		
Fraud	NA		

Community and Strategic Objectives

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

OBJECTIVES

In 2040 Carnarvon is a place where:

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

Without any objection from the Carnarvon Cricket Association and the notification of an unsuccessful Growing Regions application for upgraded lights; the removal of the cricket pitch is the appropriate decision at this time. The removal of the pitch will ensure safe play for future seasons of the GFA and provide the responsible authorities with comfort that all measures have been taken.

There are two other facilities for cricket to be played in the interim in Carnarvon and both have the required amenities to cater for a competition if the CCA was to reestablish. An internal audit of these facilities, as identified above in "Financial Implications" has been completed and with no major works required, could be prepared immediately ready for gameplay.

OFFICER'S RECOMMENDATION

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

- 1. remove the cricket pitch at Premier Oval upon completion of the 2024 Gascoyne Football Association season;*
- 2. consider an allocation of \$4000 to carry out this work as part of the 2024/25 budget deliberations; and*
- 3. authorise the Chief Executive Officer to commence the exploration of alternative options for a cricket pitch to be reinstated at Premier Oval in the future and present the findings for Council consideration once a cricket competition is reestablished.*

COUNCIL RESOLUTION OCM 24/05/24

Moved: Cr Dudley Maslen

Seconded: Cr Luke Vandeleur

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

- 1. remove the cricket pitch at Premier Oval upon completion of the 2024 Gascoyne Football Association season;*
- 2. consider an allocation of \$4000 to carry out this work as part of the 2024/25 budget deliberations; and*
- 3. authorise the Chief Executive Officer to commence the exploration of alternative options for a cricket pitch to be reinstated at Premier Oval in the future and present the findings for Council consideration once a cricket competition is reestablished.*

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

AGAINST: Nil

CARRIED BY SIMPLE MAJORITY 8/0

7.4.3 PIONEER CEMETERY FENCE

File No:	ADM0216
Location/Address:	19 Carey Street, South Carnarvon
Name of Applicant:	Shire of Carnarvon
Name of Owner:	Shire of Carnarvon
Author(s):	Kyle Williams, Development Coordinator - Development & Community
Authoriser:	Michael Mallon, Project Delivery Manager
Declaration of Interest:	Nil
Voting Requirement:	Simple Majority
Previous Report:	N/A
Schedules:	<ol style="list-style-type: none"> 1. Proposed Perimeter Fencing 2. Cemetery Improvements for Consideration

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

Members of the Carnarvon community have expressed to the Shire on numerous occasions that they are concerned with the condition of the Pioneer Cemetery due to vandalism. The Shire of Carnarvon has sought quotes for the supply and installation of security fencing at Pioneer Cemetery. It is recommended that Council consider this expenditure during the 2024/25 budget deliberations as a community priority project.

Background

The Carnarvon Pioneer Cemetery has been subject to increased vandalism which has necessitated a review of the status and options to protect this important part of the community’s heritage. Fencing, which was badly deteriorated and subject to regular vandalism, was removed in 2021 with funding from the Local Roads and Community Infrastructure (LRCI) funding program. The provision of new garrison fencing at the facility to maintain security and reduce vandalism has been prioritised as likely to be the most effective.

Stakeholder and Public Consultation

Community feedback via direct contact with Elected Members and to the Shire via social media and the Customer Service Request (CSR) process.

Statutory Environment

Cemeteries Act 1986
Heritage of Western Australia Act 1990

Relevant Plans and Policy

Shire of Carnarvon Community Strategic Plan

Financial Implications

The Shire of Carnarvon will need to commit a budget of \$162,500 to install the appropriately required security fencing around the Pioneer Cemetery. This cost includes the supply and installation of perimeter fencing and one entry/exit gate. In the current budget, there is no allocated budget for this project expenditure. It is recommended that Council consider inclusion during the 2024/2025 budget deliberations.

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 cost of the project exceeds the budget allocation.	D3 - Moderate	Receiving a quote ahead of the budget allocation, as well as the provision of a contingency budget, ensures that the project will be delivered within budget.
Health & Safety	N/A		
Reputation	A poor installation of a subpar product will reduce the reputation of the Shire of Carnarvon.	C2 - Moderate	Allocation has been provided in the proposed budget for high quality fencing which has been hot-dipped galvanised and powder coated, ensuring the paint will not degrade in Carnarvon’s harsh coastal conditions.
Service disruption	N/A		
Compliance	N/A		
Property	Harsh coastal conditions in Carnarvon can rapidly degrade fences and paint.	C3 - High	Allocation has been provided in the proposed budget for high quality fencing which has been hot-dipped galvanised and powder coated, ensuring the paint will not degrade in Carnarvon’s harsh coastal conditions.
Environment	Failure to provide adequate security to Pioneer Cemetery endangers Carnarvon’s heritage.	C2 - Moderate	The quote for 2.1m high garrison fencing will minimise vandalism to Pioneer Cemetery. The addition of other security measures will complement the fence and minimise damage to Carnarvon’s heritage.
Fraud	N/A		

Community and Strategic Objectives

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

OBJECTIVES

In 2040 Carnarvon is a place where:

- *Our infrastructure, housing and amenities are high quality and accessible*
- *Our community acknowledges our history and celebrates our diverse cultures*

ADDITIONAL FOCUS AREAS:

- N/A

BIG IDEAS FOR THE FUTURE OF CARNARVON:

- N/A

Comments

Shire officers have explored a variety of security options to prevent further vandalism to the cemetery. The table below portrays the action, cost and considerations for each considered option pertaining to security of Pioneer Cemetery.

Action		Cost	Considerations
Fencing	Fence the perimeter of the cemetery with a gate that is lockable. Gate would have to be locked each evening and unlocked each morning.	Garrison-style fence at 2.1m high \$162,500.	Will be a deterrent to all but the more determined vandals. Will be a public demonstration that the Shire values the site and is making an effort to protect this heritage asset. Locked gate will require seven day a week unlocking and locking. Staff or Shire security company at cost. Aesthetic impact of fencing. Fencing will be a deterrent but is not a guarantee to keep vandals out of the site.
		Post and chain-link at 1.8m high (barbed wire optional) approximately. \$70,000	Similar to above with the following: Less capital cost than garrison fencing. Less effective, more susceptible to being damaged to provide access. On going maintenance costs - experience when post and chain link

			fencing was in place was that it was regularly cut and required repairs. May reduce the aesthetic value of Pioneer Cemetery.
Perimeter cameras	AI-based, high-resolution CCTV, capable of establishing and monitoring an invisible perimeter.	Approximately \$55,000 (based on quote for equipment and estimates for installation).	Could be vandalised. Response times from Police and our security
Increased security patrols	To be carried out in conjunction with cameras	\$20 per visit x 3 per night. Approx \$21,000 per annum. Response to trigger from cameras – on as needs basis. Estimate 5 per week @ \$100 per week/ \$5200 per annum.	Advice from Sandhurst Security is that patrols will be a visible sign to the community in the area that the Shire is trying to protect the site. Patrols may act as a deterrent but more likely anyone with ill intentions will just hide and wait until the patrol has left the area.
Community group	Friends of Pioneer Cemetery – Warden/caretaker type	Provide material and assistance to support a community group in undertaking regular patrols, maintenance and general caretaking. At cost – estimate \$10,000 per annum.	May be difficult to get a community together and then managing rosters etc. to ensure adequate caretaking is undertaken.

After careful consideration of the above options, Shire officers have determined that the garrison fencing will give the cemetery the greatest protection which factors in initial capital cost, ongoing maintenance, aesthetic value, and infrastructure longevity. **Schedule 1** shows the proposed area to be fenced and is overlaid against the previously removed fencing for comparison. With one entry and exit point at the entry statement, a significant reduction in thoroughfare traffic will result in reduced opportunistic vandalism.

Further to the security options considered above. Shire officers have presented a list to Council of possible improvements for consideration in the future. These are detailed in **Schedule 2**. Some items are progressing within current operational expenditure allowances; however, some items will require further exploration and therefore Council consideration to allocate funds as part of the 2024/25 FY budget.

OFFICER’S RECOMMENDATION

That Council, by Simple Majority in accordance with Section 6.12 of the Local Government Act 1995, resolves to:

- 1. acknowledge the community’s request for increased security at Pioneer Cemetery; and***
- 2. consider the allocation of \$162,500 for 2.1metre high garrison style fencing at Pioneer Cemetery as part of the 2024/2025 budget deliberations.***

COUNCIL RESOLUTION OCM 25/05/24**Moved: Cr Burke Maslen****Seconded: Cr Paul Kelly**

That Council, by Simple Majority in accordance with Section 6.12 of the Local Government Act 1995, resolves to:

- 1. Acknowledge the community's request for increased security at Pioneer Cemetery; and*
- 2. Consider the allocation of \$162,500 for 2.1metre high garrison style fencing at Pioneer Cemetery as part of the 2024/2025 budget deliberations.*

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

AGAINST: Nil

CARRIED BY SIMPLE MAJORITY 8/0

Note: To be noted that the \$162,500 .00 equates to approximately a 2% rate increase

7.4.4 AWARD OF TENDER RFT 02/2024 SUPPLY OF PLANT AND OPERATORS FOR UNSEALED ROAD UPGRADE WORKS

File No:	ADM2296
Location/Address:	Various
Name of Applicant:	Shire of Carnarvon
Name of Owner:	Shire of Carnarvon
Author(s):	Mativa Toomalatai, Acting Projects Contracts Manager
Authoriser:	Michael Mallon, Project Delivery Manager
Declaration of Interest:	Nil
Voting Requirement:	Officer’s Recommendation Part 1 – Absolute Majority Officer’s Recommendation Part 2 (1) – Simple Majority Officer’s Recommendation Part 2 (2) – Simple Majority
Previous Report:	Nil
Schedules:	1. RFT 02/2024 Evaluation and Recommendation Report - 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 details the evaluation of submissions received for the Request for Tender (RFT) 02/2024 Supply of Plant and Operators for Unsealed Road Upgrade Works.

The work required under this tender is based on the Shire’s nominated and approved projects under the Regional Road Group (RRG) program. The program spans over three consecutive financial years commencing 2024/25 and ending in 2026/27.

It is recommended Council accepts the submission from Red Dust Holdings Pty Ltd.

Background

As part of delivering the Shire’s 3-year RRG program, tenders were called for experienced contractors to supply plant and operators under a schedule of rates contract for the upgrade of unsealed roads during this period.

The successful contractor is intended to maintain, renew, or upgrade the nominated roads to a consistent Type 3 standard. The work consists of reconstructing and reshaping the existing unsealed road formation followed by sheeting with compacted gravel pavement layer.

All works are to commence no earlier than 1 July of each financial year and be completed before 1 May within that financial year. It is preferred for works to begin in July/August/September to take advantage of the more favourable weather conditions.

The Tender closed on 8 May 2024. Six submissions were received. A panel evaluated the submissions received and a detailed Evaluation and Recommendation report has been prepared and is provided in the attached **Schedule 1 (Confidential)**.

Stakeholder and Public Consultation

Nil

Statutory Environment

Local Government Act, 1995 – Section 3.57 Tenders for providing goods or services.

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

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

Relevant Plans and Policy

Policy C013 – Tender Selection Criteria Policy.

Policy C002 – Purchasing Policy.

Financial Implications

The road upgrade works tendered are co-funded under the Regional Roads Group (RRG) Roads Projects programs for 2024/25 to 2026/27. This program funds up to two thirds of the cost of the works. The indicative budget allocations in the tender document as at April 2024 (supplied by Main Roads) are provided in the table below:

Program Year	Road Name	Project Description	Indicative Project Budget
2024/25	Quobba Gnaraloo Road	Reshape formation and drainage to achieve consistent Type 3 standard and resheet to achieve 7m pavement SLK 62 – 71.	\$776,400
	Minilya Lyndon Road	Reshape formation and drainage to achieve consistent Type 3 standard and resheet to achieve 7m pavement SLK 107 - 116.	\$776,400
TOTAL			\$1,552,800

Program Year	Road Name	Project Description	Indicative Project Budget
2025/26 INDICATIVE ONLY	Quobba Gnaraloo Road	Reshape formation and drainage to achieve consistent Type 3 standard and resheet to achieve 7m pavement SLK 62 – 71.	\$776,400
	Wahroonga Pimbee Road	Reshape formation and drainage to achieve consistent Type 3 standard and resheet to achieve 7m pavement SLK 107 - 116.	\$776,400
TOTAL			\$1,552,800

Program Year	Road Name	Project Description	Indicative Project Budget
2026/27 INDICATIVE ONLY	Quobba Gnaraloo Road	Reshape formation and drainage to achieve consistent Type 3 standard and resheet to achieve 7m pavement SLK 53 - 62.	\$776,400

	Minilya Lyndon Road	Reshape formation and drainage to achieve consistent Type 3 standard and resheet to achieve 7m pavement SLK 116 - 125.	\$776,400
TOTAL			\$1,552,800

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	Over expenditure of the allocated budget due to a contract based upon a Schedule of Rates rather than a Lump Sum.	C2 - Moderate	Regular checks of actual expenditure of maintenance grading and minor civil works are to take place to avoid overspend of budget.
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:

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

BIG IDEAS FOR THE FUTURE OF CARNARVON:

- *N/A*

Comments

The full tender evaluation report for RFT 02/2024 is attached in **Schedule 1 (Confidential)**. This report is a comprehensive summary of the tender process undertaken, the submissions received and the tender evaluation.

The Panel noted the following in respect of arriving at its recommendation of awarding the contract to Red Dust Holdings Pty Ltd (RDH):

1. The quality of RDH's submission was evident in their ability to clearly demonstrate –
 - Understanding of the contract requirements.
 - Many years of industry experience and expertise based on similar projects.
 - Being well resourced with suitable and well-maintained plant and equipment.
 - Provision of highly skilled and trained staff available.
 - Ample capacity to deliver works within project timeline, including good contingency measures to address any service disruptions.
 - Defined and accurate methodology detailing all works required to achieve project outcomes.
 - Quality workmanship – consistently delivered to a high standard across their project portfolio.
2. RDH scored the highest overall in the evaluation assessment with a considerable advantage over other tenderers when satisfying the requirements of the Qualitative Selection Criteria. Information provided in their submission was detailed and extensive.
3. RDH have suitable camping facilities that have the capacity to house up to 24 staff. Their mobile camps are equipped with laundry, kitchen and Wi-Fi, and are designed specifically for remotely located projects.
4. The tender package offered by RDH to deliver the Shire's 3-year RRG program demonstrates value for money. RDH have demonstrated that they have ample resources available in both staff and equipment to ensure the projects are completed to a standard of high quality, on time and within budget. Unit prices quoted as part of their schedule of rates is comparable overall with other tender submissions and is realistic in their allocation, noting the highest expense being the mobilisation and demobilisation of their staff and machinery. There is potential to reduce this cost by completing two financial years back-to-back and RDH have informally agreed to this if awarded the contract.

In closing, the Evaluation Panel are confident in RDH's ability to successfully deliver the project works required under RFT 02/2024 and for reasons stated above that the Panel recommend accepting the submission from RDH as it is more likely to deliver greater value for money to the Shire of Carnarvon.

OFFICER'S RECOMMENDATION PART 1

That Council, by Absolute Majority in accordance with Section 6.8 (1) (b) of the Local Government Act 1995, resolves to authorise expenditure of not less than the amount approved by Main Roads WA under the Regional Road Group program for the 2024/2025 budget, the 2025/2026 budget and the 2026/2027 budget.

OFFICER'S RECOMMENDATION PART 2

1. ***That Council, by Simple Majority in accordance with Section 3.57 of the Local Government Act 1995, and Division 2 of the Local Government (Functions and General) Regulations, 1996 accepts the submission and schedule of rates from Red Dust Holdings Pty Ltd and awards Red Dust Holdings Pty Ltd the contract for RFT 02/2024 for the Supply of Plant and Operators for Unsealed Roads Upgrade Works.***
2. ***That Council, by Simple Majority, pursuant to Section 3.18 of the Local Government Act, 1995 authorises the CEO to make any necessary non-material amendments and finalise execution of a contract between the Shire of Carnarvon and Red Dust Holdings Pty Ltd for RFT 02/2024 for the Supply of Plant and Operators for Unsealed Roads Upgrade Works.***

COUNCIL RESOLUTION OCM 26/05/24**Moved:** Cr Burke Maslen**Seconded:** Cr Paul Kelly

That Council, by Absolute Majority in accordance with Section 6.8 (1) (b) of the Local Government Act 1995, resolves to authorise expenditure of not less than the amount approved by Main Roads WA under the Regional Road Group program for the 2024/2025 budget, the 2025/2026 budget and the 2026/2027 budget.

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

AGAINST: Nil

CARRIED BY ABSOLUTE MAJORITY 8/0**COUNCIL RESOLUTION OCM 27/05/24****Moved:** Cr Burke Maslen**Seconded:** Cr Luke Vandeleur

1. That Council, by Simple Majority in accordance with Section 3.57 of the Local Government Act 1995, and Division 2 of the Local Government (Functions and General) Regulations, 1996, accepts the submission and schedule of rates from Goodwork Holdings Pty Ltd and awards Goodwork Holdings Pty Ltd the contract for RFT 02/2024 for the Supply of Plant and Operators for Unsealed Roads Upgrade Works.

2. That Council, by Simple Majority, pursuant to Section 3.18 of the Local Government Act, 1995 authorises the CEO to make any necessary non-material amendments and finalise execution of a contract between the Shire of Carnarvon and Goodwork Holdings Pty Ltd for RFT 02/2024 for the Supply of Plant and Operators for Unsealed Roads Upgrade Works.

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

AGAINST: Nil

CARRIED BY SIMPLE MAJORITY 8/0

Note – Council were in agreeance that the tender received from Goodwork Holdings Pty Ltd although not the lowest tenderer, presented value for money.

8 APPLICATIONS FOR LEAVE OF ABSENCE

COUNCIL RESOLUTION OCM 28/05/24

Moved: Cr Adam Cottrell

Seconded: Cr Burke Maslen

That Cr Adam Cottrell be granted leave of absence for the June 2024 Ordinary Meeting of Council.

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

AGAINST: Nil

CARRIED BY SIMPLE MAJORITY 8/0

9 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

10 QUESTIONS FROM MEMBERS WITHOUT NOTICE

Nil

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

Nil

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

Nil

13 DATE OF NEXT MEETING

The next meeting will be held on Tuesday 25 June 2024 at the Gwoonwardu Mia Aboriginal Cultural Centre, Robinson Street Carnarvon commencing at 1.00pm

14 CLOSURE

The Presiding Member declared the meeting closed at 11.10am.