



SHIRE OF CARNARVON

AGENDA

ORDINARY COUNCIL MEETING
TUESDAY 25 AUGUST 2026

Shire Council Chambers,
Stuart Street Carnarvon,
West Australia
Phone: (08) 9941 0000
Fax: (08) 9941 1099
www.carnarvon.wa.gov.au

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

NOTICE OF MEETING

Notice is hereby given

Shire of Carnarvon
Ordinary Council Meeting
will be held
on Tuesday 25 August 2026
at the Shire Council Chambers, Stuart Street
Carnarvon,
commencing at 05.30pm.

Amanda Dexter
CHIEF EXECUTIVE OFFICER

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Any discussion or comment made during a meeting about a planning application, licence, permit, approval or other statutory matter is not formal notice of a decision or approval. Applicants and interested parties must rely only on WRITTEN CONFIRMATION issued by the Shire, including any formal decision notice and applicable conditions.

Members of the public should not act on any matter discussed or decision made at a Council or Committee meeting until formal written notification has been issued by the Shire, where applicable. Decisions may also be subject to revocation or change in accordance with legislative requirements.

In accordance with Regulation 11 of the *Local Government (Administration) Regulations 1996*, minutes are a record of decisions made, motions considered, disclosures made, documents attached to the agenda where required, and other matters required by legislation. Minutes include a summary of proceedings and are **not** a verbatim transcript of proceedings.

INFORMATION ON PUBLIC TIME

The following information is provided for members of the public wishing to participate in Ordinary or Special Council Meetings.

PUBLIC QUESTION TIME

Consistent with the Local Government Act, Administration Regulations and Shire By-Laws, the following information is provided for members of the public wishing to ask questions at Ordinary or Special Council Meetings:

- Public Question Time will be conducted for up to 15 minutes but can be extended by resolution of the Council.
- Questions at ordinary council meetings are limited to matters affecting the local government.
- Questions at special council meetings are limited to the purpose of that special council meeting.
- Members of the public are encouraged (but not required) to submit questions in advance or complete a Question Time form to assist with meeting administration.
- Questions submitted in writing prior to the meeting may assist in the preparation of a response; however, a question is only formally considered when it is asked at the meeting, unless otherwise dealt with as correspondence.
- The member of the public must first state their name and residential address, prior to asking their question.
- Each member of the public may ask up to two questions initially, after which other members of the public will be invited to ask their questions. Each member of the public has up to two minutes to ask their question(s).
- Questions must be clear, concise and asked as a question. The Presiding Member may refuse to accept questions that are:
 - defamatory, offensive, or questioning the competency of staff or Council members.
 - statements not framed as a question.
 - substantially the same as a question previously asked and answered.
- Conditional on time being availability, and an equal and fair opportunity being provided to others to ask their question(s) and receive their response(s), then Meeting Procedures Local Law 2021, 6.7(5) is interpreted as allowing the Presiding Member to permit a member of the public to ask additional questions beyond their initial two.
- The Presiding Member may nominate a Member or Officer to respond or may determine that a question be taken on notice.
- When a question is taken on notice, a written response will be provided, and a summary of that response will be included in the next Ordinary Council meeting agenda.
- If the Member or Officer allocated to answer the question has a financial or proximity interest, they must declare their interest and the question will then be responded to by another person.
- No debate or discussion is permitted in relation to any question or answer.
- A summary of each question and response will be included in the minutes of the meeting (Local Government (Administration) Regulations 1996 – r.11(e)).

PUBLIC DEPUTATION TIME

- As per Meeting Procedures Local Law 2021, Members of the public may request to make a deputation to address the Council on a matter. A deputation must be approved either:
 - in advance by the CEO; or
 - by the Presiding Member at the meeting
- The Deputation is not to exceed; five persons in total; more than two speakers; or to address the Council for more than ten minutes.
- Council may however approve; up to five persons to address the Council; and for the deputation's address to extend beyond 10 minutes.
- Deputations made at special council meetings are limited to the purpose of that special council meeting.
- The Presiding Member may rule that a delegation no longer continue if it:
 - includes defamatory remarks, offensive, language or questioning the competency of staff or Council members; or
 - diverts from the substance or direction of its deputation application.
- Where a matter is the subject of a deputation, the Council will not determine the matter until the deputation has completed its presentation.

SPECIAL MEETINGS OF COUNCIL

Members of the public are welcome to attend a Special Meeting of Council if open and may participate in Public Question Time or, with approval, make a deputation to the Council. Questions and deputations must relate to the purpose of the Special Meeting (Local Government Act 1995 – s.5.23; Local Government (Administration) Regulations 1996 – r.12(4); Meeting Procedures Local Law 2021 – cl. 6.9).

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1 ATTENDANCES, APOLOGIES & APPROVED LEAVE OF ABSENCE

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

2 DECLARATION OF INTEREST

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

3 PUBLIC TIME**3.1 QUESTIONS TAKEN ON NOTICE FROM PREVIOUS MEETING**

Nil

3.2 PUBLIC QUESTION TIME**3.3 PUBLIC DEPUTATION TIME****4 CONFIRMATION AND RECEIVING OF MINUTES****CONFIRMATION OF MINUTES**

4.1 Minutes of the Ordinary Council Meeting - 28 July 2026

RECEIVING OF MINUTES

4.2 Minutes of the Major Projects & infrastructure Committee 28 July 2026

4.3 Minutes of the Awards Committee - 12 August 2026

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

Nil

7 DEPARTMENTAL REPORTS

7.1 GOVERNANCE

7.1.1 ACCOUNTS PAID UNDER DELEGATION - JULY 2026

File No:	ADM0186
Location/Address:	N/A
Name of Applicant:	Shire of Carnarvon
Name of Owner:	N/A
Author(s):	Sachin Kumar, Accountant
Authoriser:	Racheal King, Governance, Risk & Compliance Manager
Declaration of Interest:	Nil
Voting Requirement:	Simple Majority
Previous Report:	OCM - 28 July 2026
Schedules:	1. Credit Cards - July 2026 2. List of Accounts Paid - July 2026 3. Direct Debits - July 2026

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 Council the listing of accounts paid under delegation from the Municipal Fund and Trust Fund, in accordance with the requirements of the *Local Government (Financial Management) Regulations 1996*, for the month of July 2026.

Background

Council has delegated to the Chief Executive Officer (CEO), the exercise of its power in accordance with Regulation 12 of the *Local Government (Financial Management) Regulations 1996* and *Delegation 1.2.20* to make payments from Municipal Fund and Trust Fund (Delegation 1.2.20) with Regulation 13 requiring a list of accounts paid under delegated authority to be prepared monthly, presented to Council at the next ordinary meeting, and recorded in the minutes.

The list of payments is provided at *Schedule One - Credit Card Payments*, *Schedule Two - List of Accounts Paid* and *Schedule Three - Direct Debits* attached.

Stakeholder and Public Consultation

External

No Public Consultation is considered to be required at this time.

Internal

Corporate Strategy and Performance Directorate

Finance officers

Statutory Environment

Local Government Act 1995

Section 5.42 – provides that a local government may delegate to the CEO the exercise of certain powers or the discharge of certain duties under the Act, except those listed under section 5.43. A delegation under this section must be in writing and requires an absolute majority.

Section 5.46 – requires the CEO to keep a register of delegations made to the CEO and employees. Delegations are to be reviewed at least once every financial year, and persons exercising delegated authority must keep records in accordance with the regulations.

Local Government (Financial Management) Regulations 1996

Regulation 12 – provides that payments from the municipal fund or trust fund may only be made by the CEO where the local government has delegated the power to make those payments, or otherwise by Council resolution.

Regulation 13 – requires a list of accounts paid by the CEO under delegated authority to be prepared each month. The list must include the payee's name, amount paid, payment date and sufficient information to identify each transaction, and must be presented to Council at the next ordinary meeting and recorded in the minutes.

Regulation 13A – requires a monthly list of payments made by employees using purchasing cards, including credit cards, debit cards and other purchasing cards, to be presented to Council and recorded in the minutes.

Relevant Plans and Policy

Nil

Financial Implications

There are no additional financial implications arising from this report.

Payments have been made in accordance with the adopted budget, relevant delegations, procurement requirements and financial management procedures.

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	C1 - 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	Failure to present the monthly list of payments and purchasing card transactions to Council may result in non-compliance with the Local Government (Financial Management) Regulations 1996.	C2 - Moderate	Monthly payment schedules are prepared, checked and presented to Council in accordance with Regulations 13 and 13A.
Property	N/A	N/A	N/A
Environment	N/A	N/A	N/A
Fraud	Fraudulent, unauthorised or incorrectly amended creditor details may result in inappropriate payments.	C2 - Moderate	Internal controls are in place, including background checks and regular updates of Sundry Creditors. Sign off by Finance Manager of any Creditor changes (Bank Accounts).

Community and Strategic Objectives

The tabling of information relative to payments made under delegation is solely a legislative requirement common to all local governments within Western Australia. Whilst it does not align directly with the Community Strategic Plan 2022-2032 objective, adopting good governance and compliance practices does lessen the risk of the Shire not achieving its strategic and other community objectives.

OBJECTIVES

In 2040 Carnarvon is a place where:

- N/A

ADDITIONAL FOCUS AREAS:

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

BIG IDEAS FOR THE FUTURE OF CARNARVON:

- N/A

Comments

Nil

OFFICER'S RECOMMENDATION

That Council, by Simple Majority, in accordance with Regulations 13 and 13A of the Local Government (Financial Management) Regulations 1996:

- 1. Receives the list of payments made under delegation, as per Schedule 1, 2 & 3 at a total value of \$3,853,130.84 as presented for the month of July 2026, incorporating the following;***

<i>Payment reference from:</i>	<i>Payment reference to:</i>	<i>Payment type</i>	<i>Payment Amount</i>
<i>EFT48041</i>	<i>EFT48360</i>	<i>Muni EFT</i>	<i>\$2,842,908.34</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>DD42738.1</i>	<i>DD42792.1</i>	<i>Bank Directs Debits</i>	<i>\$1,010,222.50</i>
		<i>TOTAL</i>	<i>\$3,853,130.84</i>

- 2. Notes the credit card transactions for the statement period 25 May 2026 to 22 June 2026, paid on 6 July 2026, totalling \$13,548.64, as provided in Schedule 1.***

7.1.2 MONTHLY FINANCIAL REPORT - JULY 2026

File No:	ADM0186
Location/Address:	N/A
Name of Applicant:	Shire of Carnarvon
Name of Owner:	Shire of Carnarvon
Author(s):	Racheal King, Corporate Assurance and Finance Advisor
Authoriser:	Amanda Leighton, Executive Manager, Corporate Strategy & Performance
Declaration of Interest:	Nil
Voting Requirement:	Simple Majority
Previous Report:	OCM 28 July 2026
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

****PLACEHOLDER – AWAITING FINANCIAL REPORT FINALISATION****

Summary of Report

The Shire prepares a Statement of Financial Activity each month, 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 Council within two months after the end of the month to which the statement relates.

This is a monthly process advising Council of the current financial position of the Shire. Financial integrity is not only essential to the operational viability of the Shire, but also important to produce as the custodian of community assets and provider of local services. An ability to monitor and report on financial operations, activities, and capital projects, is imperative to ensure that financial risk is managed at an acceptable level of comfort.

Background

The Monthly Financial Report (Schedule 1) contains:

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

(* required by legislation)

Notes for other supporting Information include:

- Basis of Preparation;
- Cash and Financial Assets;
- Cash Reserves;
- Capital Acquisition;
- Non-operating grants and contributions;
- Operating grants and contributions;
- Borrowings; and
- Lease Liabilities.

The July 2026 Monthly Financial Report was prepared by Moore Australia financial consultants.

Stakeholder and Public Consultation

Internal

Corporate Strategy & Performance Directorate

External

MOORE Australia

Statutory Environment

Local Government Act 1995 (WA)

Section 6.4 – *requires a local government to prepare an annual financial report for the preceding financial year, and any other prescribed financial reports, in the prescribed form and manner and containing the prescribed information. The local government must submit its accounts and annual financial report to its auditor by 30 September following each financial year, unless an extension is allowed by the Minister.*

Local Government (Financial Management) Regulations 1996

Regulation 34 – *requires a local government to prepare a monthly statement of financial activity reporting on revenue and expenditure against the annual budget, including budget estimates, actual amounts, material variances, and net current assets. The statement and accompanying documents must be presented at an ordinary Council meeting within 2 months after the end of the relevant month and recorded in the minutes.*

Regulation 34(5) – *requires the local government to adopt, each financial year, a percentage or value to be used for reporting material variances in statements of financial activity.*

*Note: **Schedule 1** Statement of Financial Activity is structured to include the statutory requirements plus further notes to assist Council in understanding the Shire's financial position at the time of reporting.*

Relevant Plans and Policy

CF013 Significant Accounting Policies

Financial Implications

Nil

Risk Assessment

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

Risk Category	Description	Rating	Mitigating Action/s
Financial	Stakeholders may withdraw funding if the statements are not prepared according to the regulatory framework.	C1 - 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.	B2 - High	High priority has been placed on preparing Statutory reporting within legislated timeframes
Service disruption	N/A	N/A	N/A
Compliance	Local Government Act 1995 requires Council receives these statements within two months of the end of the applicable month.	C1 - Low	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 tabling of information relative to the Statement of Financial Activity does not align itself with any specific Community Strategic Plan 2022-2032 objective. 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 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

PENDING

OFFICER'S RECOMMENDATION

That Council by Simple Majority,

*Notes the Statement of Financial Activity for the period ending 31 July 2026, in Schedule **PENDING**, pursuant to Regulation 34 of the Local Government (Financial Management) Regulations.*

7.1.3 STC NARELLE RECOVERY AND RESILIENCE FUND - ACCEPTANCE OF GRANT FUNDING AND FUNDING AGREEMENTS

File No: ADM2377
 Location/Address: Shire of Carnarvon
 Name of Applicant: Nil
 Name of Owner: Nil
 Author(s): Jamie Bone, Executive Business Manager
 Authoriser: Amanda Dexter, Chief Executive Officer
 Declaration of Interest: Nil
 Voting Requirement: 1. Simple Majority; 2. Absolute 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 Council with the outcome of three successful applications under the Severe Tropical Cyclone Narelle Recovery and Resilience Fund, totalling \$350,000 (GST exclusive), to support ongoing recovery, resilience and preparedness activities across the Shire of Carnarvon.

Background

Severe Tropical Cyclone (STC) Narelle and associated flooding impacted the Shire of Carnarvon in March 2026, resulting in social, economic, infrastructure and environmental impacts across Carnarvon, Coral Bay, horticultural areas, pastoral properties and other affected locations.

Following the event, the Shire activated the local recovery arrangements and commenced coordinated recovery activities including community and industry outreach, agency liaison, recovery communications, grant navigation and the development of longer-term resilience and preparedness priorities. These activities were subsequently consolidated within the Shire's Local Operational Recovery Plan (LORP), endorsed by the Chief Executive Officer (CEO) on 15 July 2026. The LORP identifies four strategic recovery priorities:

1. Community Recovery and Resilience
2. Economic Recovery and Industry Resilience
3. Infrastructure and Service Resilience
4. Environmental Recovery and Future Preparedness

In May 2026, the Department of Fire and Emergency Services (DFES) opened the Severe Tropical Cyclone Narelle Recovery and Resilience Fund (Fund), established through a \$1.5 million contribution from Rio Tinto. The Fund was designed to support locally led recovery, resilience and preparedness activities responding directly to community needs arising from STC Narelle.

The Shire progressed three applications under the Fund, all of which were endorsed by the CEO and required no direct Shire financial contribution. The applications submitted were:

Project	Funding Stream	Amount
STC Narelle Community Recovery Officer and Delivery Capacity	Local Government Recovery Support	\$150,000
Future Ready Industries – Shire of Carnarvon	Local Government Recovery Support	\$150,000
Carnarvon Floodplain Recovery, Responsibility and Resilience Project	Social, Economic and Environmental Recovery Flexible Grant	\$50,000
Total		\$350,000

The applications sought to maintain dedicated recovery delivery capacity, strengthen industry and business resilience and preparedness, and progress identified floodplain recovery, responsibility and resilience priorities across the Shire.

On 27 July 2026, DFES advised that both applications submitted under the Local Government Recovery Support stream were successful, securing the Shire \$300,000 and reaching the maximum allocation available to the Shire under that stream.

On 7 August 2026, DFES further advised that the Shire had been successful in securing the full \$50,000 requested, being the maximum available per project, under the competitive Social, Economic and Environmental Recovery Flexible Grant stream for the Carnarvon Floodplain Recovery, Responsibility and Resilience project.

The combined funding of \$350,000 (GST exclusive) will provide dedicated capacity and resources to continue recovery delivery, strengthen preparedness and resilience across affected industries and communities, and progress identified floodplain recovery priorities without requiring a direct financial contribution from the Shire.

Stakeholder and Public Consultation

External

Affected residents
 Growers and horticultural operators
 Pastoral operators
 Local businesses
 Community organisation representatives
 Industry groups
 Government Agencies
 Department of Fire and Emergency Services

Internal

Office of the CEO
 Local Recovery Officers
 Corporate Strategy and Performance
 Infrastructure Services
 Community and Economic Development Officers

The three funded projects have been informed by consultation and engagement undertaken through the Shire's STC Narelle recovery activities.

Ongoing stakeholder engagement will form part of project delivery, particularly through farm gate and industry engagement under Future Ready Industries, continued recovery outreach through the Community Recovery Officer function, and targeted agency and horticulture consultation through the Carnarvon Floodplain Recovery, Responsibility and Resilience Project.

Statutory Environment

Local Government Act 1995

Section 6.8 – *Expenditure from municipal fund not included in annual budget*

- 1) *A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure –*
 - a) *Is incurred in a financial year before the adoption of the annual budget by the local government;*
or
 - b) *Is authorised in advance by resolution*; or*
 - c) *Is authorised in advance by the mayor or president in an emergency.*
- *Absolute majority required.*

Section 9.49A(4) – *Execution of documents*

- 4) *A local government may, by resolution, authorise the CEO, another employee or an agent of the local government, either generally or subject to conditions or restrictions specified in the authorisation.*

Emergency Management Act 2005

Section 36(b) – *Functions of local government*

- b) *To manage recovery following an emergency affecting the community in its district.*

Relevant Plans and Policy

Strategic Community Plan 2022-2032

The proposed projects align with the Shire's Strategic Community Plan 2022-2032, particularly the objectives relating to sustainable livelihoods, support for local businesses, improved protection from natural disasters, community engagement and collaboration between government and non-government agencies.

Corporate Business Plan 2023-2027

The projects are consistent with existing Corporate Business Plan activities including supporting emergency management capability and recovery from natural disasters, digital literacy and inclusion, local business capability, community and grower engagement, maintenance of flood infrastructure and the pursuit of external funding opportunities to support Shire and community priorities. The Corporate Business Plan also identifies the management and execution of grants as an organisational supporting function.

Local Operational Recovery Plan – Ex Tropical Cyclone Narelle and Associated Flooding

The Shire's Local Operational Recovery Plan provides the strategic and operational framework for ongoing recovery following STC Narelle. The three funded projects directly support the Plan's priorities of Community Recovery and Resilience, Economic Recovery and Industry Resilience, and Environmental Recovery and Future Preparedness.

CD006 External Grants – Procurement and Grants

Policy CD006 applies to the application, acceptance and ongoing administration of external grant funding received by the Shire. The Policy requires consideration of strategic alignment, financial and resource implications, procurement requirements, grant conditions and the long-term benefits of accepting funding.

Financial Implications

The Shire has been awarded a total of \$350,000 (GST exclusive) under the Severe Tropical Cyclone Narelle Recovery and Resilience Fund. No direct Shire financial contribution is required for any of the three approved projects.

The grant income and corresponding expenditure had not been included in the current proposed 2026/27 Annual Budget. Separate income and expenditure accounts will therefore be established for each project to ensure that grant funds, eligible expenditure and acquittal requirements can be clearly identified and monitored.

Project	Grant Income	Project Expenditure	Shire Contribution
STC Narelle Community Recovery Officer and Delivery Capacity	\$150,000	\$150,000	\$0
Future Ready Industries – Shire of Carnarvon	\$150,000	\$150,000	\$0
Carnarvon Floodplain Recovery, Responsibility and Resilience Project	\$50,000	\$50,000	\$0
Total	\$350,000	\$350,000	\$0

Council approval is required to recognise the additional grant income and authorise the corresponding expenditure in the 2026/27 Annual Budget. The proposed budget amendments will be recorded against the following separate accounts:

Project	Income Account	Expenditure Account	Amount
RRNLL107 - Community Recovery Officer and Recovery Delivery Capacity	To be established following Council consideration	To be established following Council consideration	\$150,000
RRNLL108 - Future Ready Industries – Shire of Carnarvon	To be established following Council consideration	To be established following Council consideration	\$150,000
RRNLS131 - Carnarvon Floodplain Recovery, Responsibility and Resilience Project	To be established following Council consideration	To be established following Council consideration	\$50,000

For RRNLL107 and RRNLL108, the Funding Agreements provide for an initial payment of 80 per cent (\$120,000) following execution of each agreement, with the remaining 20 per cent (\$30,000) payable once DFES is satisfied that approximately 80 per cent of the respective grant has been expended on approved project costs and the required supporting evidence has been provided.

All project expenditure will be managed within the approved grant allocations and in accordance with the relevant Funding Agreements, approved project budgets and Shire financial and procurement requirements. On this basis, the projects have no net direct impact on the Shire's 2026/27 budget, provided expenditure remains within the approved grant funding and eligible project scope.

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	Risk that the expenditure is not eligible under the Funding Deeds or is not adequately evidenced, resulting in grant funding being withheld or required to be repaid.	C2 - Moderate	Separate income and expenditure accounts will be established for each project. Expenditure will be monitored against approved budgets, with supporting financial records retained for reporting and acquittal.
Health & Safety	Project delivery may involve travel, farm-gate visits, site inspections and community engagement activities.	D2 - Low	Activities will be undertaken in accordance with the Shire's WHS requirements, relevant procedures and risk assessments.
Reputation	Failure to deliver the funded activities or meet agreed outcomes may adversely affect the Shire's reputation within the community, stakeholders and funding body.	C2 - Moderate	Projects will be delivered through defined scopes, project oversight, stakeholder engagement and regular monitoring of progress against Funding Deed requirements.
Service disruption	Competing organisational priorities or limited delivery capacity may affect project timeframes or continuity.	D2 - Low	Dedicated recovery capacity is included within the funding program and project delivery will be planned, monitored and coordinated alongside existing Shire priorities.
Compliance	Failure to comply with Funding Deed conditions, procurement requirements, reporting obligations	C2 - Moderate	Funding conditions will be monitored throughout delivery, procurement will be undertaken in accordance with Shire requirements, and reporting and acquittal obligations will be tracked

	or acquittal requirements may result in non-compliance or repayment of funds.		and completed within required timeframes.
Property	Limited property risk may arise from project activities involving Shire, private or Crown land interfaces.	D1 - Low	Any activities involving property or land access will be undertaken subject to appropriate approvals, permissions and existing Shire processes.
Environment	Floodplain and resilience activities may identify or interact with environmental risks, including floodways, waste, erosion and land management issues.	D2 - Low	The funded activities are primarily planning, engagement and capacity-building. Relevant technical advice, agency input and environmental approvals will be obtained where required.
Fraud	Grant funding may be exposed to inappropriate expenditure, misallocation or inadequate financial controls.	D2 - Low	Existing Shire procurement, financial authorisation, segregation of duties, record keeping and audit controls will apply to all grant expenditure under the Shire's current procurement policy.

Community and Strategic Objectives

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

OBJECTIVES

In 2040 Carnarvon is a place where:

- *Our 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:

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

BIG IDEAS FOR THE FUTURE OF CARNARVON:

- N/A

Comments

The successful funding applications represent a positive outcome for the Shire and provide \$350,000 in externally funded recovery and resilience investment without requiring a direct financial contribution from the Shire. Importantly, the projects have been developed from identified recovery needs following STC Narelle and are aligned with the Shire's Strategic Community Plan, Corporate Business Plan and LORP, rather than being pursued solely in response to the availability of grant funding.

Collectively, the three projects provide a coordinated approach to the next stage of recovery. The Community Recovery Officer project provides dedicated capacity to maintain recovery outreach, coordination and support as immediate recovery programs transition towards longer-term resilience and preparedness. Future Ready Industries provides the resources to translate that engagement into practical preparedness, business continuity, digital inclusion and industry resilience activities. The Carnarvon Floodplain Recovery, Responsibility and Resilience Project addresses a separate but complementary priority by consolidating previous floodplain work, clarifying responsibilities and identifying practical actions and future priorities arising from STC Narelle.

The funding outcome is significant in that the Shire has secured the full \$300,000 available under the Local Government Recovery Support stream, together with the maximum \$50,000 available per project under the competitive Social, Economic and Environmental Recovery Flexible Grant Stream. The approved Funding Agreements are consistent with the activities and budgets submitted by the Shire and provide defined project timeframes, expenditure requirements and reporting acquittal obligations.

The applications were progressed with CEO endorsement and did not commit the Shire to a financial contribution. Council consideration at this stage will provide formal acceptance of the successful funding, establish the necessary 2026/27 budget authority and enable the associated Funding Agreements to be executed and administered in accordance with the Shire's external grants, procurement and financial management requirements.

Acceptance of the funding will allow the Shire to continue the recovery work already underway while progressively shifting the focus from the immediate recovery assistance towards preparedness, resilience and reducing vulnerability to future events.

OFFICER'S RECOMMENDATION PART 1

That Council by Simple majority:

- 1. Accepts grant funding totalling \$350,000 (GST exclusive) under the Severe Tropical Cyclone Narelle Recovery and Resilience Fund as follows:***

Project	Funding Stream	Amount
RRNLL107 – STC Narelle Community Recovery Officer and Recovery Delivery Capacity	Local Government Recovery Support	\$150,000
RRNLL108 – Future Ready Industries – Shire of Carnarvon	Local Government Recovery Support	\$150,000
RRNLS131 – Carnarvon Floodplain Recovery, Responsibility and Resilience Project	Social, Economic and Environmental Recovery Flexible Grant	\$50,000
Total		\$350,000

- 2. Authorises the Chief Executive Officer, pursuant to section 9.49A(4) of the Local Government Act 1995, to execute the Funding Agreements for:***
 - a. RRNLL107 – STC Narelle Community Recovery Officer and Recovery Delivery Capacity;***
 - b. RRNLL108 – Future Ready Industries – Shire of Carnarvon; and***
 - c. RRNLS131 – Carnarvon Floodplain Recovery, Responsibility and Resilience Project.***
- 3. Authorises the Chief Executive Officer, as part of the authority provided under recommendation two above, to approve and execute any minor administrative or non-material amendments to the Funding Deeds where required.***

OFFICER'S RECOMMENDATION PART 2

That Council, by Absolute Majority in accordance with Section 6.8 (1) (b) of the Local Government Act 1995:

1. Authorises the following amendments to the 2026/27 Annual Budget:

<i>Project</i>	<i>Income Account</i>	<i>Expenditure Account</i>	<i>Income</i>	<i>Expenditure</i>
<i>RRNLL107 – STC Narelle Community Recovery Officer and Recovery Delivery Capacity</i>	<i>New project account to be established</i>	<i>New project account to be established</i>	<i>\$150,000</i>	<i>\$150,000</i>
<i>RRNLL108 – Future Ready Industries – Shire of Carnarvon</i>	<i>New project account to be established</i>	<i>New project account to be established</i>	<i>\$150,000</i>	<i>\$150,000</i>
<i>RRNLS131 – Carnarvon Floodplain Recovery, Responsibility and Resilience Project</i>	<i>New project account to be established</i>	<i>New project account to be established</i>	<i>\$50,000</i>	<i>\$50,000</i>
<i>Total</i>			<i>\$350,000</i>	<i>\$350,000</i>

7.1.4 PRESENTATION OF DRAFT 2026/27FY ANNUAL BUDGET

File No:	ADM0027
Location/Address:	N/A
Name of Applicant:	Shire of Carnarvon
Name of Owner:	N/A
Author(s):	Racheal King, Corporate Assurance and Finance Advisor
Authoriser:	Amanda Leighton, Executive Manager, Corporate Strategy & Performance
Declaration of Interest:	Nil
Voting Requirement:	Absolute Majority
Previous Report:	OCM 28/07/2026
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

**** PLACEHOLDER – REPORT WILL BE FINALISED PENDING MINISTERIAL APPROVAL FOR RATES****

Summary of Report

PENDING

Background

PENDING

Stakeholder and Public Consultation

PENDING

Statutory EnvironmentLocal Government Act 1995

Section 6.2(1) - *During the period from 1 June in a financial year to 31 August in the next financial year, or such extended time as the Minister allows, each local government is to prepare and adopt, in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the next following 30 June.*

Section 6.16 - *A local government may impose* and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.*

Section 6.17 - *In determining the amount of a fee or charge for a service or for goods, a local government is required to take into consideration the cost to the local government of providing the service or goods, the importance of the service or goods to the community, and the price at which the service or goods could be provided by an alternative provider.*

Section 6.36 - *Before imposing any differential general rates or a minimum payment applying to a differential rate category under section 6.35(6)(c), a local government is to give local public notice of its intention to do so.*

Local Government (Financial Management) Regulations 1996

Regulation 5 - *Efficient systems and procedures are to be established by the CEO of a local government for the proper collection of all money owing to the local government, for the safe custody and security of all money collected or held by the local government, and for the proper maintenance and security of the financial records of the local government.*

Regulation 33A - *A local government is to carry out a review of its annual budget between 1 January and 31 March in each financial year.*

Regulation 34 - *A local government is to prepare each month a statement of financial activity reporting on the sources and applications of funds, and this is to be presented at an ordinary council meeting within two months after the end of the month to which the statement relates.*

Relevant Plans and Policy

Strategic Community Plan 2022–2032

Corporate Business Plan 2023–2027

Long-Term Financial Plan 2023–2033

Asset Management Plan 2024–2034

Financial Implications

PENDING

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	Failure to adopt the budget would prevent legal expenditure and service delivery. Having an approved budget ensures funding is available to maintain infrastructure, meet legislative responsibilities, and deliver services aligned with community expectations.	2-C Moderate	Adopt the budget to maintain financial continuity; use grant funding and reserves to reduce pressure.

Health & Safety	Insufficient budget allocation could limit delivery of health and safety training, infrastructure upgrades, or WHS compliance programs.	2-D Low	The adopted budget includes funding for WHS training, EHO inspections, and contractor safety compliance.
Reputation	Failure to adopt the budget may signal financial mismanagement, resulting in loss of trust and credibility, and compromising future funding opportunities.	2-C Moderate	Ensure timely adoption; communicate budget constraints and strategic grants that enable service delivery.
Service Disruption	Without an adopted budget, the Shire cannot legally incur expenditure or deliver programs, leading to suspended or delayed services.	2-C Moderate	Budget includes full staffing and resource allocations; prioritised service delivery plan is in place.
Compliance	Non-compliance with Sections 6.2 and 6.36 of the Local Government Act 1995, or with financial management regulations, may trigger audit risk or Ministerial intervention.	1-C Low	Statutory advertising, deadlines, and public engagement processes have been completed in full.
Property	Deferral of asset maintenance and renewal programs would increase risk of deterioration and liability.	2-C Moderate	Capital works prioritised within budget; major infrastructure supported by grants.
Environment	Inadequate funding could impact regulatory health/environmental services such as EHO inspections and compliance.	2-D Low	Budget supports Environmental Health Officer deliverables and inspection programs.
Fraud	Lack of financial oversight or internal controls may lead to unauthorised spending or financial misconduct.	2-D Low	Budget supports accountable systems, audit compliance, and clear delegation of authority and ownership.

Community and Strategic Objectives

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

OBJECTIVES

In 2040 Carnarvon is a place where:

- *Our community is engaged, inclusive and supportive*

ADDITIONAL FOCUS AREAS:

- N/A

BIG IDEAS FOR THE FUTURE OF CARNARVON:

- N/A

Comments

PENDING

OFFICER'S RECOMMENDATION

PENDING

7.2 CORPORATE & FINANCIAL

7.2.1 RATES EXEMPTION APPLICATION - GASCOYNE MEMORIAL FUND

File No:	A3095 & A2904
Location/Address:	Multiple Properties
Name of Applicant:	Gascoyne Memorial Fund inc.
Name of Owner:	Gascoyne Memorial Fund inc.
Author(s):	Racheal King, Governance, Risk & Compliance Manager
Authoriser:	Amanda Leighton, Executive Manager, Corporate Strategy & Performance
Declaration of Interest:	Nil
Voting Requirement:	Simple Majority
Previous Report:	Nil
Schedules:	1. Rates Exemption Application - Gascoyne Memorial Fund

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 application has been received from Gascoyne Memorial Fund **inc.** (GMF) seeking a rates exemption for the properties located at 7-11 George Street and 74-76 Douglas Street in the Shire of Carnarvon.

The application has been lodged in accordance with the Shire's rates exemption process and includes supporting information to allow assessment against section 6.26 of the Local Government Act 1995, with particular consideration given to the use of the land, the nature of activities conducted, and whether these are undertaken for a charitable or public purpose without private commercial gain.

Following an assessment of the application against legislation and relevant case law, the application is considered to meet the criteria for exemption.

Background

GMF submitted a signed application dated 22 May 2026 on 25 May 2026, seeking a full rates exemption for the subject property. The application has been lodged in accordance with the Shire's Rates Exemption Policy and includes supporting information to allow assessment against the requirements of the Local Government Act 1995 (WA).

In assessing applications for rates exemptions, consideration is given to the use of the land rather than solely the status of the organisation. Eligibility for exemption requires assessment of whether the land is used exclusively for charitable purposes and whether the use provides a demonstrable public benefit in accordance with relevant legislative requirements and policy provisions.

A statutory declaration provided in support of the application states that the properties are used by Gascoyne Memorial Foundation Inc. for aged/seniors independent living accommodation and that the activities conducted on the properties are residential accommodation.

The application has been reviewed by officers and is now presented to Council for consideration and determination.

Stakeholder and Public Consultation

External

Gascoyne Memorial Foundation Inc.

Internal

Corporate Strategy and Performance
Rates/Finance Officers

No public consultation is required for the assessment of a rates exemption application. Officers have considered the information provided by the applicant, relevant legislative requirements and applicable legal principles.

Statutory Environment

Local Government Act 1995

Section 6.26(1) - *provides that, except as provided in section 6.26, all land within a district is rateable land.*

Section 6.26(2)(g) - *provides that land used exclusively for charitable purposes is not rateable land.*

In determining whether section 6.26(2)(g) applies, the relevant consideration is the use of the land. The status or objects of the organisation may be relevant, but the exemption depends on whether the land itself is used exclusively for charitable purposes.

Established interpretation (including tribunal decisions) confirms that the dominant test is the use of the land, rather than the status of the organisation.

Relevant Plans and Policy

The application has been assessed in accordance with the Shire's Rates Exemptions Policy, which requires:

- the actual use of the land;
- Demonstrated community benefit
- Non-commercial or cost-recovery operations
- Exclusive or dominant qualifying use of the land
- whether sufficient supporting documentation has been provided.

Financial Implications

Approval of the requested full rates exemption would result in the Shire foregoing rates revenue associated with the relevant assessments. For the 2025/26 financial year, the applicable rates levied are:

- Assessment 1: \$10,139.44
- Assessment 2: \$68,342.56

This represents a total potential reduction in rates revenue of \$78,482.00 for the 2025/26 financial year should a full exemption be approved.

Any approved exemption would reduce rates income recognised by the Shire and may have a corresponding impact on future budget considerations and long-term financial planning where exemptions continue across multiple rating periods.

Where Council approves an exemption for a three-year period, the ongoing financial impact would remain subject to annual review and confirmation that the property continues to satisfy exemption eligibility requirements, including continued compliance with legislative requirements and the approved basis for exemption.

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	Approval of the exemption will result in foregone rate revenue. Conversely, refusal may result in review proceedings through the State Administrative Tribunal of Western Australia and associated legal/administrative costs.	2C - Moderate	Financial impact has been quantified. Application assessed against relevant legislation and case law to minimise likelihood of appeal.
Health & Safety	N/A	N/A	N/A
Reputation	Inconsistent application of exemptions or refusal contrary to established precedent may result in reputational damage to the Shire and perceptions of unfair decision-making.	2C -Moderate	Assessment undertaken using consistent legislative criteria, supporting documentation, and relevant tribunal decisions.
Service disruption	Minimal operational disruption; however, a dispute or appeal process may require additional officer time and resources.	1C - Low	Matter assessed thoroughly prior to Council determination to reduce likelihood of further disputes.
Compliance	Incorrect application of section 6.26(2)(g) of the Local Government Act 1995 may result in non-compliance or successful review action.	2C - Moderate	Legal principles reviewed against relevant case law and supporting documentation obtained from applicant.
Property	N/A	N/A	N/A

Environment	N/A	N/A	N/A
Fraud	Risk of inaccurate or misleading information being provided in support of the application.	1C - Low	Supporting documentation reviewed and publicly available organisational information independently verified

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

In assessing the application, the Shire has applied the requirements of Section 6.26 of the Local Government Act 1995 (WA).

Administration has assessed the application against section 6.26(2)(g) of the Local Government Act 1995 and relevant State Administrative Tribunal decisions.

The applicant has demonstrated that the properties are used to provide affordable accommodation for financially vulnerable aged residents and Veterans in a manner consistent with charitable purposes. The evidence provided supports that the land use is not commercial in nature and delivers a clear public benefit. GMF operates on a not-for-profit basis and provides 55 independent one-bedroom accommodation units for vulnerable members of the community. The organisation's activities directly contribute to housing stability, social wellbeing and community sustainability within the Carnarvon region. Information provided by GMF indicates that all income generated through rental arrangements is reinvested into the ongoing operation, maintenance and improvement of facilities and services.

Administration notes that the land is used exclusively for accommodation and associated functions directly supporting the organisation's charitable objectives, including residential accommodation units, communal resident facilities and administrative functions directly related to managing and operating the facility. No commercial, retail, hospitality or private profit-making activities are undertaken on the land.

GMF has advised that rental charges are limited under community housing arrangements to a maximum of 30% of a tenant's Centrelink pension income. Administration considers this supports the position that the accommodation model operates on a subsidised rather than commercial basis.

Administration notes there is no evidence of commercial activity being undertaken by GMF. Information provided indicates that revenue sources are limited to rental income, interest income and National Rental Affordability Scheme (NRAS) credits, supporting the position that the organisation operates for community benefit rather than private profit.

Administration further notes that rental income is constrained under community housing requirements and does not reflect commercial market rates. All funds generated are directed toward the ongoing operation, maintenance and improvement of accommodation facilities and associated services rather than being distributed for private gain.

Collectively, these factors support the view that the activities undertaken on the land are charitable and non-commercial in substance and align with the requirements of section 6.26(2)(g) of the Local Government Act 1995.

Assessment Against Relevant Case Law

WASAT 17

This matter is relevant as it involved a community housing provider seeking exemption for multiple residential properties used to support disadvantaged individuals through a consistent housing model.

The Tribunal determined that:

- the provision of accommodation to disadvantaged persons constituted a charitable purpose; subsidised or cost-recovery rental arrangements did not make the activity commercial;
- and where an organisation operates under a consistent housing model, individual assessment of each property is not necessarily required where the broader operational model has been sufficiently demonstrated.

GMF aligns with this decision as:

- Accommodation is provided to financially vulnerable aged residents and veterans
- Rental arrangements are capped under the community housing requirements and do not reflect commercial market rates
- All income is reinvested into the facilities and services provided; and
- The organisation operates under a consistent accommodation model across properties subject to the application

WASAT 89

This matter reinforced that the actual use of land is the primary consideration when determining whether an exemption applies.

GMF has demonstrated that the relevant properties are used exclusively for residential accommodation and associated activities aligned with its charitable objectives.

WASCA 233

This decision confirmed that a charitable purpose may still exist where benefits are directed toward a particular class of persons rather than the public generally, provided a genuine public benefit is established.

GMF's accommodation services are directed toward financially vulnerable aged residents and Veterans, which administration considers aligns with this principle.

WASC 108

This matter supported the principle that activities aimed at improving social outcomes may constitute charitable purposes where a clear public benefit exists.

GMF's accommodation services contribute to improved housing security, community connection and wellbeing outcomes within the region.

Administration considers that the application sufficiently demonstrates:

- Land is used exclusively for charitable accommodation purposes
- Accommodation is provided on a subsidised and non-commercial basis
- No commercial activities are undertaken on the land
- The organisation delivers a clear public benefit
- The operational aligns with relevant tribunal precedent.

Based on the above, administration considers the application meets the exemption requirements under section 6.26(2)(g) of the Local Government Act 1995 and recommends approval.

Should Council determine not to approve the exemption contrary to officer recommendation, there is potential for the applicant to seek a review through the State Administrative Tribunal of Western Australia. Given the existence of relevant tribunal decisions that appear supportive of the applicant's position, an unsuccessful defence may result in legal costs, officer time and reputational impacts associated with defending a decision that is inconsistent with established legal principles.

While each application must be assessed on its own merits, administration considers the current application is supported by sufficient evidence and relevant precedent.

OFFICER'S RECOMMENDATION

That Council by Simple Majority:

- 1. Determines, pursuant to section 6.26(2)(g) of the Local Government Act 1995, that the following properties occupied and used by the Gascoyne Memorial Fund are used exclusively for charitable purposes and are therefore not rateable land:
a. Assessment A3095; and
b. Assessment A2904.***
- 2. Approves the rates exemption taking effect from 1 July 2025, subject to the properties continuing to be used exclusively for charitable purposes.***
- 3. Authorises the Chief Executive Officer to adjust the Shire's rate records and reverse or credit the general rates levied for the 2025/26 financial year, totalling \$78,482.00.***
- 4. Requires the Gascoyne Memorial Fund to provide the Shire with an annual statutory declaration confirming that there has been no material change to the ownership, occupancy, use or operation of the properties that may affect eligibility for the exemption, and to notify the Shire immediately of any such material change. A formal review of the exemption is to be undertaken in 2029, and every three years thereafter.***
- 5. Requests the Chief Executive Officer to advise the Gascoyne Memorial Fund of Council's determination.***

7.2.2 RATES EXEMPTION APPLICATION - MRAC

File No:	ADM2119
Location/Address:	Multiple Properties
Name of Applicant:	Murchison Regional Aboriginal Corporation
Name of Owner:	N/A
Author(s):	Racheal King, Corporate Assurance and Finance Advisor
Authoriser:	Amanda Leighton, Executive Manager, Corporate Strategy & Performance
Declaration of Interest:	Nil
Voting Requirement:	Simple Majority
Previous Report:	OCM Nov 2017
Schedules:	1. Properties seeking an Exemption 2. MRAC Exemption Application

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 application has been received from Murchison Regional Aboriginal Corporation (MRAC) seeking a rates exemption for the properties located at multiple addresses in the Shire of Carnarvon.

The application has been assessed against the legislative requirements, with particular consideration given to the use of the land, the nature of activities conducted, and whether these are undertaken for a charitable or public purpose without private commercial gain.

Following an assessment of the application against legislation and relevant case law, the application is considered to meet the criteria for exemption.

Background

In November 2017, Council elected to provide MRAC with an 80% discount. MRAC has now assessed their position and believe they meet the requirements for a full rates exemption for all properties held in the Shire.

Stakeholder and Public Consultation

External consultation was limited to research on legal determinations.

Statutory Environment

Section 6.26 of the *Local Government Act 1995 (WA)* provides that land is exempt from rates where it is:

- Owned and/or occupied by a qualifying entity; and
- Used exclusively for charitable, religious, educational, or other prescribed purposes; and
- Not used for private profit or commercial gain.

Established interpretation (including tribunal decisions) confirms that the dominant test is the use of the land, rather than the status of the organisation.

Relevant Plans and Policy

The application has been assessed in accordance with the Shire's Rates Exemptions Policy, which requires:

- Demonstrated community benefit
- Non-commercial or cost-recovery operations
- Exclusive or dominant qualifying use of the land

Financial Implications

MRAC currently receive an 80% discount on rates for all properties. The total value of rates \$31,924.66 were calculated for the 2025/26-year period with MRAC's portion after the 80% discount being \$6,384.93.

For the current 26/27 year, the full rates value is calculated at \$34,888.06 with MRAC's portion after the 80% discount being \$6,977.61.

Any approved exemption would reduce rates income recognised by the Shire and may have a corresponding impact on future budget considerations and long-term financial planning where exemptions continue across multiple rating periods.

Where Council approves an exemption for a three-year period, the ongoing financial impact would remain subject to annual review and confirmation that the property continues to satisfy exemption eligibility requirements, including continued compliance with legislative requirements and the approved basis for exemption.

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	Approval of the exemption will result in foregone rate revenue. Conversely, refusal may result in review proceedings through the State Administrative Tribunal of Western Australia and associated legal/administrative costs.	2C - Moderate	Financial impact has been quantified. Application assessed against relevant legislation and case law to minimise likelihood of appeal.
Health & Safety	N/A	N/A	N/A
Reputation	Inconsistent application of exemptions or refusal contrary to established precedent may result in reputational damage to the Shire and perceptions of unfair decision-making.	2C - Moderate	Assessment undertaken using consistent legislative criteria, supporting documentation, and relevant tribunal decisions.
Service disruption	Minimal operational disruption; however, a dispute or appeal process may require additional officer time and resources.	1C - Low	Matter assessed thoroughly prior to Council determination to reduce likelihood of further disputes.
Compliance	Incorrect application of section 6.26(2)(g) of the Local Government Act 1995 may result in non-compliance or successful review action.	2C - Moderate	Legal principles reviewed against relevant case law and supporting documentation obtained from applicant.
Property	N/A	N/A	N/A
Environment	N/A	N/A	N/A
Fraud	Risk of inaccurate or misleading information being provided in support of the application.	1C - Low	Supporting documentation reviewed and publicly available organisational information independently verified through Office of the Registrar of Indigenous Corporations.

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

In assessing the application, the Shire has applied the requirements of Section 6.26 of the Local Government Act 1995 (WA).

Administration has assessed the application against section 6.26(2)(g) of the Local Government Act 1995 and relevant State Administrative Tribunal decisions.

The applicant has demonstrated that the properties are used to provide subsidised housing to disadvantaged Aboriginal families in a manner consistent with charitable purposes. The evidence provided supports that the land use is not commercial in nature and delivers a clear public benefit.

Relevant tribunal decisions further support the applicant's position that where an organisation operates under a consistent charitable housing model, exemption may apply across multiple properties without requiring each property to be assessed independently.

Assessment Against Relevant Case Law**WASAT 17**

This matter is highly relevant as it involved a similar Aboriginal housing provider seeking exemption for multiple residential properties used to house Aboriginal tenants experiencing housing disadvantage.

The Tribunal determined that:

- the provision of housing to disadvantaged Aboriginal persons constituted a charitable purpose;
- rent charged on a subsidised/cost recovery basis did not make the activity commercial; and
- where an organisation operates under a consistent housing model, individual assessment of each property is not required where the broader operational model has been sufficiently demonstrated.

MRAC aligns with this decision as:

- housing is provided specifically to disadvantaged Aboriginal families;
- tenant eligibility requirements have been established;
- rental arrangements are subsidised and not reflective of commercial market rates; and
- the organisation operates under a consistent housing model across the properties subject to the application.

WASAT 89

This matter reinforced that the actual use of land is the primary consideration when determining whether an exemption applies.

MRAC has demonstrated that the relevant properties are used exclusively for residential accommodation aligned with its charitable housing objectives.

WASCA 233

This decision confirmed that a charitable purpose may still exist where benefits are directed toward a specific group rather than the public at large, provided the purpose delivers genuine public benefit.

MRAC's housing services are directed toward disadvantaged Aboriginal families, which aligns with this principle.

WASC 108

This matter supported the principle that activities aimed at improving outcomes for Aboriginal people may constitute charitable purposes where clear public benefit exists.

MRAC's housing services directly contribute to improved housing stability and social outcomes for Aboriginal families within the region.

Administration considers that the application sufficiently demonstrates:

- land is used exclusively for charitable housing purposes;
- housing is provided on a non-commercial basis;
- the organisation delivers a clear public benefit; and
- the operational model aligns with relevant tribunal precedent.

Based on the above, administration considers the application meets the exemption requirements under section 6.26(2)(g) of the *Local Government Act 1995* and recommends approval.

Should Council determine not to approve the exemption contrary to officer recommendation, there is potential for the applicant to seek a review through the State Administrative Tribunal of Western Australia. Given the existence of relevant tribunal decisions that appear supportive of the applicant's position, an unsuccessful defence may result in legal costs, officer time, and reputational impacts associated with defending a decision that is inconsistent with established case law.

While each application must be assessed on its own merits, administration considers the current application is supported by sufficient evidence and relevant precedent.

Summary

As at the date of this report:

- Existing approved rates exemptions represent an annual rates value of \$151,167.25
- Two new applications have been received with a combined estimated annual rates value of \$88,378.21 subject to assessment and Council determination.
- The total annual value of exemptions and pending applications is \$38,142.46.

The review of existing exemptions is currently underway to ensure all exemptions continue to satisfy the legislative requirements of the *Local Government Act 1995* and are supported by appropriate documentation.

Following completion of the review and assessment process, a report containing officer recommendations on all pending applications and any proposed changes to existing exemptions will be presented to Council for determination at the August 2026 Ordinary Council Meeting.

OFFICER'S RECOMMENDATION***That Council by Simple Majority:***

- 1. Determines, pursuant to section 6.26(2)(g) of the Local Government Act 1995, that the following properties occupied and used by the MRAC per schedule 1, are used exclusively for charitable purposes and are therefore not rateable land;***
- 2. Approves the rates exemption taking effect from 1 July 2025, subject to the properties continuing to be used exclusively for charitable purposes;***
- 3. Authorises the Chief Executive Officer to adjust the Shire's rate records and reverse or credit the general rates levied for the 2025/26 financial year, totalling \$6,384.93;***
- 4. Requires MRAC to provide the Shire with an annual statutory declaration confirming that there has been no material change to the ownership, occupancy, use or operation of the properties that may affect eligibility for the exemption, and to notify the Shire immediately of any such material change. A formal review of the exemption is to be undertaken in 2029, and every three years thereafter; and***
- 5. Requests the Chief Executive Officer to advise the MRAC of Council's determination.***

7.2.3 AIRPORT COMPOUND PROPERTY ARRANGEMENTS - CARNARVON STATE EMERGENCY SERVICE RELOCATION AND CARNARVON RIDERS ASSOCIATION LEASE REQUEST

File No:	ADM2295
Location/Address:	Airport Compound, Lot 547, 26 James Street, Carnarvon Airport
Name of Applicant:	Carnarvon Riders Association Inc. / Carnarvon State Emergency Service
Name of Owner:	Shire of Carnarvon
Author(s):	Jamie Bone, Executive Business Manager
Authoriser:	Amanda Dexter, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirement:	Simple Majority
Previous Report:	Nil
Schedules:	1. Carnarvon Riders Association - Lease Request 2023 & 2026 2. Carnarvon State Emergency Service Agreement for Use of Shed for Storage - 7 October 2016 3. Carnarvon Riders Association Memorandum of Understanding - Airport Compound

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 relates to two connected matters:

1. the proposed relocation of Carnarvon State Emergency Service (SES) storage from the Airport Compound to the House 7 Airport Crescent shed and;
2. the Carnarvon Riders Association inc. (CRA) request for a formal lease over the existing fenced Airport Compound area.

The proposal provides an opportunity to formally document and consolidate existing occupation arrangements within the Airport Compound, while continuing to support emergency service storage requirements and community use of Shire owned airport assets.

Background

The CRA has requested a formal lease over the whole of the existing fenced Airport Compound area within the Carnarvon Airport precinct, located at Lot 547, 26 James Street, Carnarvon.

The Airport Compound contains several Shire-owned buildings and has historically accommodated a mix of Shire-approved community and operational uses.

The current documented occupation arrangements within the compound are CRA's use of buildings under a Memorandum of Understanding (MOU), and Carnarvon SES storage use within one of the sheds under a separate *Agreement for Use of Shed for Storage*. Carnarvon SES is the only other current occupier of the Airport Compound. Accordingly, to facilitate Council's consideration of CRA's request for a lease over the whole of the existing fenced compound area, an alternative storage arrangement for SES/DFES has also been considered.

Figure 1: Airport Compound location within the broader Carnarvon Airport precinct



Carnarvon Riders Association Lease Request

CRA currently occupies / uses buildings within the Airport Compound under an executed MOU with the Shire, executed in 2024. The documented purpose of occupation is recreational motorbike activities, associated operations and community fundraising activities.

CRA first requested consideration of a lease over land and sheds at Carnarvon Airport Compound in October 2023. In that request, CRA described itself as a Carnarvon-based, family-oriented, not-for-profit organisation established in 2020, supporting community fundraising activities and seeking a home base for meetings, events and storage. CRA acknowledged that the buildings were in disrepair and advised it was willing to repair and maintain the buildings and surrounds at no cost to the Shire.

In April 2026, CRA submitted a further request seeking a lease over the land and buildings at the Airport Compound. CRA advised that, during its occupation under the MOU, clean-up and maintenance works had continued at no cost to the Shire, including rubbish removal, mowing and weed control, internal painting, reinstatement of hardstand areas, toilet cleaning and repairs, and electrical works undertaken by a licensed electrician. CRA also advised that it is willing to continue maintaining the compound at no cost to the Shire, including proposed re-roofing of a large shed at an estimated cost of \$30,000 and painting of all buildings at an estimated cost of \$40,000.

CRA's April 2026 written request included a proposed 25-year lease term and a caretaker / security presence within the Airport Compound. Following discussion with officers, CRA confirmed by email on 7 July 2026 that it was prepared to amend its request to a proposed lease term of 10 years, with two further 5-year options, and to defer the caretaker / security proposal for a possible separate consideration at a later date.

The request now before Council is therefore limited to the proposed lease over the existing fenced Airport Compound area, inclusive of the buildings and infrastructure located within that fenced compound, for a term of 10 years, with two further 5-year options. Any option term would be subject to the Shire being satisfied that CRA has complied with the lease terms, maintained required insurances, continued to operate for the approved community / recreational purpose, and met any other requirements specified in the lease.

The caretaker / security proposal does not form part of this report and is not recommended for approval as part of the proposed lease. Any future caretaker or residential occupation proposal would require separate consideration, including planning, building, land tenure, airport operational and other relevant approval requirements.

CRA has also confirmed that it will maintain and repair all buildings within the proposed lease area as funds and grants allow, noting the buildings are in a poor state of repair and that this may take some time.

Figure 2: Existing CRA occupation footprint under current MOU



Figure 3: Proposed lease area being the existing fenced Airport Compound



Carnarvon State Emergency Service Storage Arrangement

Carnarvon SES currently occupies a shed within the Airport Compound under an *Agreement for Use of Shed for Storage*, executed on 7 October 2016. The purpose of the agreement is the storage of SES / Department of Fire and Emergency Services (DFES) plant, equipment and associated operational items.

Under the agreement, SES is responsible for its own property and is required to keep the shed clean, tidy, unobstructed and free from dirt and rubbish. The agreement also contains termination provisions allowing either party to terminate the agreement on three months' written notice.

Figure 4: Existing SES shed location within the Airport Compound



As CRA's lease request relates to the whole of the existing fenced Airport Compound area, and Carnarvon SES is the only other current occupier of the compound, officers have considered an alternative storage arrangement for SES to support Council's consideration of the proposed lease while maintaining SES/DFES operational storage requirements.

An alternative Shire-owned shed at House 7 Airport Crescent has been identified for SES storage. The proposed replacement arrangement relates to the shed only and does not include occupation or use of the residential dwelling. The dwelling has been deemed unsuitable for habitation, is currently vacant and may be considered for future demolition subject to future budget and strategic direction.

SES have inspected the House 7 Airport Crescent shed and advised it is suitable for operational storage requirements, subject to minor access works. The identified works are blue stone on the driveway to improve shed access, with responsibility for those works identified as Carnarvon SES.

The proposed new MOU would formalise SES occupation of the House 7 Airport Crescent shed for the storage of SES plant, equipment and associated operational items. The MOU would document the permitted use, access arrangements, responsibility for minor access works, maintenance expectations, insurance, security, compliance requirements, termination provisions and any other operational matters required by the Shire.

Figure 5 and 6: Proposed SES relocation shed at House 7 Airport Crescent



Subject to Council's consideration of this report, the existing SES Airport Compound arrangement would be ended in accordance with the existing agreement, and a new MOU would be prepared for the House 7 Airport Crescent shed. The timing of any relocation would be confirmed following Council's decision, finalisation of the MOU and agreement with SES/DFES on practical transition arrangements.

Stakeholder and Public Consultation

External

Carnarvon Riders Association Inc. (CRA)
Carnarvon State Emergency Service (SES)
Department of Fire and Emergency Services (DFES)

Internal

Corporate Strategy and Performance Governance Officers

Airport Operations Staff

Statutory EnvironmentLocal Government Act 1995Section 3.58 - *Disposing of property*(1) *In this section —*

dispose includes to sell, lease, or otherwise dispose of, whether absolutely or not; property includes the whole or any part of the interest of a local government in property but does not include money.

(2) *Except as stated in this section, a local government can only dispose of property to —*

(a) the highest bidder at public auction; or

(b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.

(3) *A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —*

(a) it gives local public notice of the proposed disposition —

(i) describing the property concerned; and

(ii) giving details of the proposed disposition; and

(iii) inviting submissions to be made to the local government before a date to be specified in the

notice, being a date not less than 2 weeks after the notice is first given; and

(b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.

(4) *The details of a proposed disposition that are required by subsection (3)(a)(ii) include —*

(a) the names of all other parties concerned; and

(b) the consideration to be received by the local government for the disposition; and

(c) the market value of the disposition —

(i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or

(ii) as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.

(5) *This section does not apply to —*

(a) a disposition of an interest in land under the Land Administration Act 1997 section 189 or 190; or

(b) a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59; or

(c) anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or

(d) any other disposition that is excluded by regulations from the application of this section.

Local Government (Functions and General) Regulations 1996Regulation 30 - *Dispositions of property excluded from Act s. 3.58*(1) *A disposition that is described in this regulation as an exempt disposition is excluded from the application of section 3.58 of the Act.*(2) *A disposition of land is an exempt disposition if —*

(a) the land is disposed of to an owner of adjoining land (in this paragraph called the transferee) and-

(i) its market value is less than \$5 000; and

- (ii) *the local government does not consider that ownership of the land would be of significant benefit to anyone other than the transferee; or*
- (b) *the land is disposed of to a body, whether incorporated or not —*
 - (i) *the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature; and*
 - (ii) *the members of which are not entitled or permitted to receive any pecuniary profit from the body's transactions; or*
- (c) *the land is disposed of to —*
 - (i) *the Crown in right of the State or the Commonwealth; or*
 - (ii) *a department, agency, or instrumentality of the Crown in right of the State or the Commonwealth; or*
 - (iii) *another local government or a regional local government; or*
 - (d) *it is the leasing of land to an employee of the local government for use as the employee's residence; for the disposition; and*
 - (iii) *the market value of the disposition as ascertained by a valuation carried out not more than 12 months before the proposed disposition.*

The proposed lease to CRA constitutes a disposal of property for the purposes of section 3.58 of the *Local Government Act 1995*. However, regulation 30(2)(b) of the *Local Government (Functions and General) Regulations 1996* provides an exemption from section 3.58 where land is disposed of to a body, whether incorporated or not, whose objects are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature, and whose members are not entitled or permitted to receive pecuniary profit from the body's transactions.

CRA has provided its Constitution / Rules in support of its incorporated, not-for-profit and non-distribution status. Based on the information provided, CRA's objects and non-distribution provisions support the application of the regulation 30(2)(b) exemption. Accordingly, local public notice under section 3.58 is not required for the proposed lease.

Relevant Plans and Policy

Local Planning Scheme No. 13

The Airport Compound forms part of the broader Carnarvon Airport precinct. Local Planning Scheme No. 13 identifies Strategic Infrastructure as a local reserve objective to set aside land required for port or airport facilities.

Local Planning Strategy

The Local Planning Strategy identifies that the Carnarvon Airport Precinct Structure Plan will guide future land uses and development within the airport and immediate surrounds, and that Carnarvon Airport is to be included as a Strategic Infrastructure reserve.

CF018 Lease and Licensing Classifications Policy

Council Policy CF018 applies to Shire-owned or controlled property available for lease or licence to non-for-profit organisations, community groups, government agencies and commercial entities. The policy provides a framework for assessing lease and licence requests, including eligibility, classification, rent, outgoings, insurance, maintenance and approval requirements.

Financial Implications

In accordance with Council Policy CF018 and the assessment of CRA as Category 2 – Not for Profit, the annual lease fee would be \$300 per annum, subject to CPI.

Under the Category 2 classification, CRA would be responsible for lease preparation costs, utilities, rates, Emergency Services Levy, bins, public liability insurance, non-structural building maintenance and garden maintenance, unless otherwise resolved by Council or addressed in the final lease documentation.

The proposed SES MOU would replace the existing SES storage agreement for the current Airport Compound shed. The new MOU would relate to the House 7 Airport Crescent shed only. There are no material financial implications identified for the Shire in relation to the SES relocation, other than officer time associated with coordinating the relocation and preparing the replacement MOU.

CRA has advised that it is willing to maintain and repair the buildings within the proposed lease area as funds and grant opportunities allow. Any such works would be at CRA's cost and subject to the lease terms, Shire approval where required, and any relevant statutory approvals.

There is no proposed Shire capital allocation associated with this report. Any Shire costs are expected to be limited to officer time associated with progressing the lease, MOU, stakeholder coordination and administrative documentation.

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	Concessional lease income provides limited direct financial return to the Shire.	Low – C1	Lease to document annual rent of \$300 plus CPI, community benefit, outgoings, insurance and maintenance responsibilities in accordance with CF018.
Health & Safety	Ageing buildings, community use of the site and any future works may create health and safety risks if not appropriately controlled.	Moderate – C2	Lease to require CRA to manage the premises safely, maintain appropriate insurance, seek Shire approval for works where required, and comply with relevant statutory approvals.
Reputation	Perception of favourable treatment to one community group.	Moderate – C2	Council decision, documented CF018 assessment, demonstrated community benefit, clear lease conditions and statutory/policy pathway.
Service disruption	SES relocation may affect emergency storage arrangements if timing is not coordinated.	Low – D2	Relocation to occur after Council decision, finalisation of the MOU and agreed transition timing with SES/DFES.
Compliance	Incorrect application of section 3.58, regulation 30, CF018, planning requirements,	Moderate – C2	Council approval, statutory and policy assessment, confirmation of the regulation 30(2)(b) exemption, and lease/MOU documentation to include permitted use, insurance,

	airport operational requirements, or future non-compliance with lease/MOU conditions.		maintenance, access, approval, airport operational, termination and make-good provisions.
Property	Continued underuse or deterioration of Shire assets if occupation and responsibilities are not clearly documented.	Moderate – C2	Lease/MOU to formalise occupation and allocate maintenance, cleaning, security, access and reporting obligations.
Environment	Storage of fuel, oil, chemicals or waste could create environmental or contamination risk.	Low – D2	Lease to control dangerous goods, waste, pollution, storage and reporting obligations.
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 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:

- N/A

Comments

The Airport Compound has historically accommodated a range of community and operational uses. The proposed lease to the CRA would provide a clearer and more contemporary tenure arrangement for the future use of the whole fenced compound, while the proposed SES relocation would ensure Carnarvon SES continues to have suitable storage for operational plant, equipment and associated items.

Carnarvon State Emergency Service Relocation and New Memorandum of Understanding

The proposed relocation of Carnarvon SES storage is considered appropriate in the context of CRA's request for a lease over the whole of the existing fenced Airport Compound area.

Carnarvon SES is the only other current occupier of the Airport Compound. Relocating SES storage to the House 7 Airport Crescent shed would allow Council to consider CRA's lease request over the whole compound, while maintaining SES operational storage requirements within the broader airport precinct.

SES has inspected the proposed House 7 Airport Crescent shed and advised that it is suitable for operational storage requirements, subject to minor access works. The identified access works relate to blue stone on the driveway to improve shed access, with responsibility for those works identified as Carnarvon SES / DFES.

The proposed new MOU would be limited to the shed only and would not authorise use or occupation of the residential dwelling. This is important, as the dwelling has been deemed unsuitable for habitation and any future decision regarding the dwelling would be subject to separate budget, asset and strategic considerations.

The new MOU would provide a practical replacement arrangement for SES while enabling the Shire to consolidate and formalise future use of the Airport Compound.

CRA Lease Request and Community Benefit

CRA's lease request is supported by its demonstrated community purpose, volunteer contribution and ongoing willingness to improve and maintain underutilised Shire-owned assets.

CRA has described itself as a Carnarvon-based, family-oriented, not-for-profit organisation established in 2020. CRA has advised that it has supported a range of local organisations and community causes, including the Women's Refuge, Junior Soccer, Royal Flying Doctor Service, Toy Library, Silver Chain, Windfest, RSL, community events and other local initiatives.

This community contribution is relevant to Council's consideration of the proposed lease. The request is not simply for private use of a Shire asset, it is a request from an incorporated community association seeking a formal base to support recreational motorbike activities, associated operations, meetings, storage and community fundraising activities.

CRA has also demonstrated a willingness to contribute directly to the improvement and stewardship of Shire-owned property. Since occupying the Airport Compound under the current MOU, CRA has undertaken clean-up, maintenance and minor improvement works at no cost to the Shire, including rubbish removal, mowing and weed control, internal painting, reinstatement of hardstand areas, toilet cleaning and repairs, and electrical works undertaken by a licensed electrician.

As part of the lease request, CRA has advised that it is willing to continue maintaining the Airport Compound at no cost to the Shire, including proposed works such as re-roofing a large shed currently used for SES storage and painting buildings, as funds and grant opportunities allow. Given the age and condition of the buildings, any maintenance or improvement works undertaken by CRA are expected to occur progressively over time and would remain subject to available CRA funding, lease requirements, Shire approval where required, and any other statutory approvals.

Officers also note that CRA has previously sought Shire approval before progressing activities or works associated with its occupation. This includes seeking approval for minor security upgrades at the Airport Compound, including improved locks, reinforcement of door frames and internal security measures. CRA sought written confirmation from the Shire before proceeding with those works.

This supports the view that CRA has demonstrated an understanding that occupation of Shire property is subject to Shire approval, lease requirements and any relevant statutory approvals.

Council Policy CF018 – Lease and Licensing Classifications

Council Policy CF018, Lease and Licensing Classifications (CF018), provides the relevant policy framework for leasing and licensing Shire-owned or controlled property to not-for-profit organisations, community groups, government agencies and commercial entities. The policy provides guidance on eligibility, classification, rent, outgoings, insurance, maintenance and approval requirements.

Under CF018, eligible not-for-profit and community groups must be incorporated, demonstrate community benefit and align with the Shire's strategic objectives. CRA has provided its Constitution / Rules in support of its incorporated, not-for-profit and non-distribution status. The Association has also provided insurance documentation indicating current public liability cover.

CRA's incorporated, not for profit and non-distribution status is also relevant to the statutory pathway for the proposed lease. Regulation 30(2)(b) of the *Local Government (Functions and General) Regulations 1996* provides an exemption from the advertising requirements of section 3.58 of the *Local Government Act 1995* where land is disposed of to a body, whether incorporated or not, whose objects are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature, and whose members are not entitled or permitted to receive pecuniary profit from the body's transactions.

Based on the Constitution / Rules provided by CRA, the Association's objects and non-distribution provisions support the application of the regulation 30(2)(b) exemption. Accordingly, local public notice under section 3.58 is not required for the proposed lease.

Officers have assessed CRA as 'Category 2 - Not for Profit' under CF018. This classification is considered appropriate because CRA is an incorporated not-for-profit community group with capacity to raise revenue through memberships, events and fundraising activities.

For Category 2 Not for Profit arrangements, CF018 provides for annual rent of \$300, CPI, responsibility for lease preparation, utilities, rates, ESL charges, bins, public liability insurance, non-structural building maintenance and garden maintenance. Any proposed lease should be prepared on that basis.

Lease Term

The proposed lease term is 10 years, with two further 5-year options. This differs from CRA's April 2026 written request, which sought a 25-year lease term.

The proposed term is considered appropriate in the circumstances. It provides CRA with sufficient tenure to seek funding, apply for grants, plan improvement works and progressively maintain ageing Shire-owned buildings. At the same time, the use of option terms allows the Shire to retain appropriate control, as the exercise of any option can be linked to CRA's compliance with the lease, maintenance of required insurances, continued incorporated status, use of the premises for the approved community / recreational purpose, and satisfaction of any other lease requirements.

This approach provides a balance between supporting community investment in Shire-owned assets and ensuring the Shire retains appropriate oversight of the site.

Caretaker / Security Proposal

CRA's April 2026 request included a caretaker / security presence within the Airport Compound. Following discussion with officers, CRA confirmed that this proposal could be deferred and considered separately from the current lease request at a later date.

The proposed lease before Council should not approve caretaker accommodation, residential occupation or sleeping accommodation. Any future caretaker or residential occupation proposal would require separate consideration, including planning, building, land tenure, airport operational, insurance, risk and other relevant approval requirements.

To avoid ambiguity, the lease should expressly state that the premises must not be used for residential occupation, caretaker accommodation or sleeping accommodation unless separately approved by Council and all required statutory approvals are obtained.

Overall Assessment

The proposed lease is considered generally consistent with the planning context for the Airport precinct, provided the permitted use remains limited to recreational motorbike association activities, associated storage, meetings, events and community fundraising activities.

The lease should not authorise development, building works, structural alterations, residential occupation or any other activity requiring separate approval. Any future works or changes in use should be subject to prior written Shire approval and any required planning, building, health, airport operational or other statutory approvals.

On balance, the proposal provides a practical and beneficial outcome. It supports CRA's community and volunteer activities, formalises use of underutilised Shire-owned assets, preserves SES operational storage requirements, and provides Council with a clear governance pathway for future occupation of the Airport Compound.

OFFICER'S RECOMMENDATION

That council, by Simple Majority, pursuant to section 3.58 of the Local Government Act 1995 and Regulation 30 of the Local Government (Functions and General) Regulations 1996, and Council Policy CF018 Lease and Licencing Classifications:

- 1. Approves the relocation of Carnarvon State Emergency Service storage from the current Airport Compound shed to the Shire owned shed at House 7 Airport Crescent;***
- 2. Authorises the Chief Executive Officer to give effect to the cessation or termination of the existing Agreement for Use of Shed for Storage between the Shire of Carnarvon and Carnarvon State Emergency Service, in accordance with the terms of that agreement and subject to agreed transition arrangements;***
- 3. Authorises the Chief Executive Officer to prepare and execute a new Memorandum of Understanding with Carnarvon State Emergency Service for the House 7 Airport Crescent shed, noting that:***
 - (a) The arrangement is for the shed only;***
 - (b) The arrangement does not authorise occupation or use of the residential dwelling;***
 - (c) The permitted use is limited to storage of SES plant, equipment and associated operational items; and***
 - (d) The Memorandum of Understanding is to include appropriate provisions relating to access, security, insurance, maintenance expectations, minor access works, compliance and termination.***
- 4. Approves the lease of the existing fenced Airport Compound area, being approximately 3,341.1m² and inclusive of buildings and infrastructure within that fenced compound, to Carnarvon Riders Association for the permitted purpose of recreational motorbike association activities, associated operations, meetings, storage, events and community fundraising activities;***
- 5. Approves a lease term of 10 years, with two further 5-year options, noting that any option term is to be subject to Carnarvon Riders Association complying with the lease terms, maintaining required insurances, continuing to operate for the approve community / recreational purpose, and satisfying any other requirements specified in the lease;***
- 6. Notes that Carnarvon Riders Association is assessed as Category 2 – Not for Profit under Council Policy CF018 Lease and Licensing Classifications, with annual rent and conditions as set out under the Policy for Category 2;***
- 7. Confirms that the caretaker / security proposal referred to in Carnarvon Riders Association April 2026 request does not form part of this approval and that the proposed lease must not authorise caretaker accommodation, residential occupation or sleeping accommodation; and***
- 8. Authorises the Chief Executive Officer to finalise and execute the lease with Carnarvon Riders Association, including making any minor administrative amendments necessary to give effect to Council's resolution.***

7.2.4 CARNARVON SPACE & TECHNOLOGY MUSEUM LEASE REQUEST

File No:	ADM0229
Location/Address:	Portion of the former OTC Site, Lot 2 (no.35) Mahoney Avenue, Browns Range, WA 6701
Name of Applicant:	Carnarvon Space and Technology Museum
Name of Owner:	Shire of Carnarvon
Author(s):	Caroline Ballard, Governance & Information Coordinator
Authoriser:	Amanda Leighton, Executive Manager, Corporate Strategy & Performance
Declaration of Interest:	Nil
Voting Requirement:	Simple Majority
Previous Report:	OCM – 26 February 2016 – Item 8.3.2
Schedules:	1. Letter - Request Lease Renewal 2026 2. Prev Executed Lease - 2016 3. Prev Executed Lease Variation - April 2022

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 a request from Carnarvon Space and Technology Museum Inc. (CSTM) to enter into a new lease over the existing leased area at the former OTC Site, Lot 2, No. 35 Mahony Avenue, Brown Range.

The proposed lease would support the continued operation of the Space Museum and education facility for a term of 10 years, with one further 10-year option, subject to final lease documentation and Council approval.

Background

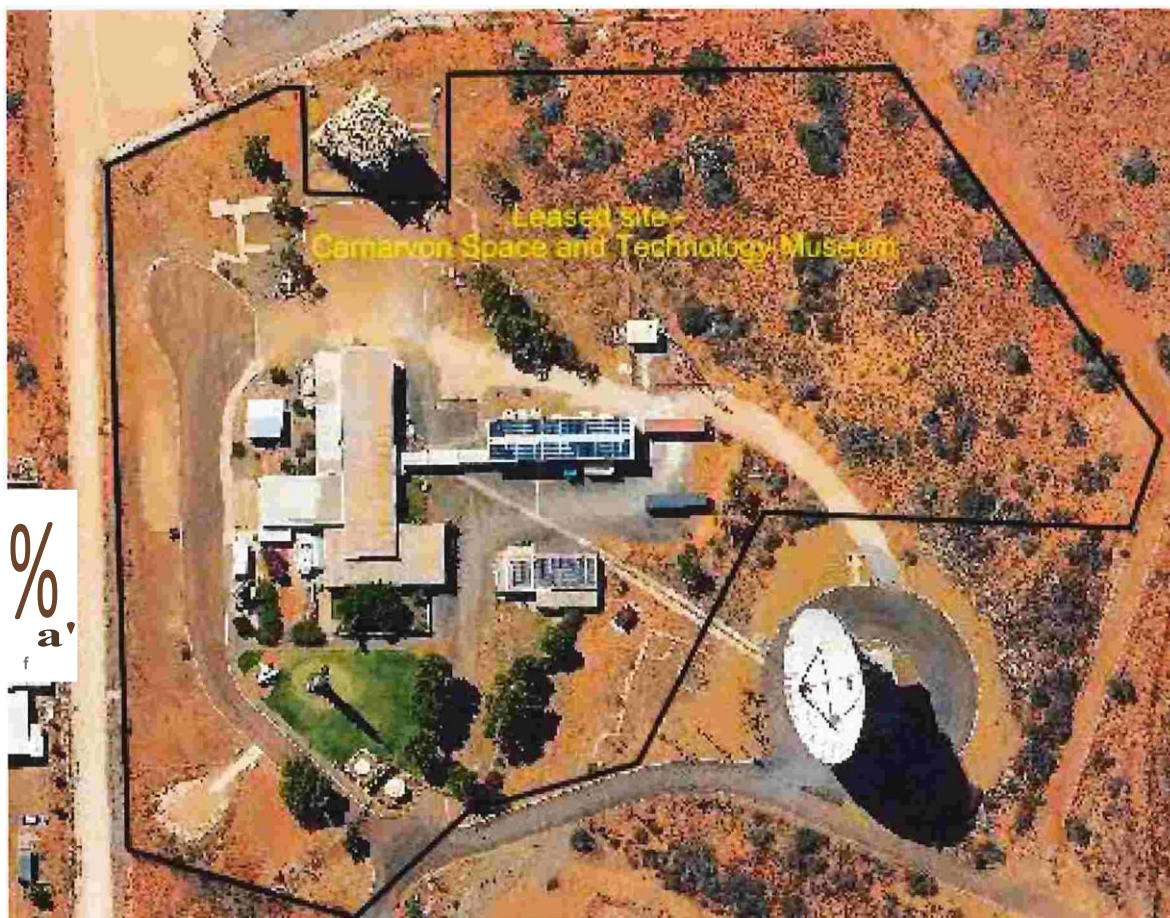
The Carnarvon Space and Technology Museum has requested Council Approval for a renewal of their lease over Portion of the former OTC Site, Lot 2 (no.35) Mahoney Avenue, Browns Range as per Schedule One (1).

At the Ordinary Council Meeting held September 2015, Council resolved to cancel the existing caretaker lease arrangement and approve a new lease to include the old power station and approve a Development Application for a tunnel between the museum and old power station and create a new entrance to the Space Museum.

Following these changes it became apparent that the leased area needed to be expanded to cover changes to traffic movement and parking areas. At OCM February 2016 Council approved a ten-year lease over a portion of the former OTC Site, Lot 2 (no.35) Mahoney Avenue, Browns Range was granted to the CSTM. This lease agreement commenced on 4 April 2016 and expired on 3 April 2026 (**Schedule Two**).

On 24 September 2021 a variation to the lease was executed to allow for the establishment of a lease of the OTC dish between the Shire of Carnarvon and ThothX. On 11 April 2022, as part of the lease negotiations with ThothX it was determined that a slightly larger area surrounding the OTC dish was required as per *Figure One (1)*; and a second variation of the lease was signed (**Schedule Three**); the amendment was discussed with and approved by the CSTM.

Figure 1: Amendment to Lease Section – Annexure 1 – Sketch of premises



Carnarvon Space and Technology Museum Lease Request

CSTM currently occupies buildings within the leased area shown above under a Lease with the Shire, executed in 2016. The documented purpose of occupation is as a Space Museum and education facility.

In April 2026 (received May 2026), CSTM submitted a request seeking to renew their lease over the land and buildings at Lot 2 (no. 35) Mahoney Avenue, Browns Range.

CSTM's April 2026 written request (the request) included a proposed 10-year lease term with a further 10-year option, which would provide for long term planning and investment. The request also asked that both parties review of item 10 of the lease – Additional terms and conditions (this can be undertaken when a new draft lease has been raised and is reviewed by both parties).

The request also included a request for the Shire to support the sealing of the overflow car park; due to budget constraints this proposal is not recommended for action at this time and should be scheduled for a possible separate consideration at a later date.

The request asked for clarification of lease preparation costs and assistance with costs for Buildings Insurance; under the current Shire policy CF018 (lease and Licensing Classifications Category 2 Not- for profit) the Lessee is responsible for all lease preparation costs and Public Liability Insurance. Buildings Insurance will be covered under the Shire's insurance framework; any contents insurance should be covered by the CSTM.

The matter before Council is therefore limited to the proposed lease over the existing fenced CSTM area, inclusive of the buildings and infrastructure located within that area, for a term of 10 years, with one further 10-year option. Any option term would be subject to the Shire being satisfied that CSTM has complied with the lease terms, maintained required insurances, continued to operate for the approved purpose, and met any other requirements specified in the lease.

Stakeholder and Public Consultation

External Consultation

Carnarvon Space and Technology Museum Inc.

Internal Consultation

Corporate Strategy and Performance Officers

Statutory Environment

Local Government Act 1995

Section 3.58. Disposing of property

(1) In this section —

dispose includes to sell, lease, or otherwise dispose of, whether absolutely or not;

property includes the whole or any part of the interest of a local government in property but does not include money.

(2) Except as stated in this section, a local government can only dispose of property to —

(a) the highest bidder at public auction; or

(b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.

(3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —

(a) it gives local public notice of the proposed disposition —

(i) describing the property concerned; and

(ii) giving details of the proposed disposition; and

(iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given; and

(b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.

(4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include —

(a) the names of all other parties concerned; and

(b) the consideration to be received by the local government for the disposition; and

(c) the market value of the disposition —

(i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or

(ii) as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.

(5) *This section does not apply to —*

- (a) a disposition of an interest in land under the Land Administration Act 1997 section 189 or 190; or*
- (b) a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59; or*
- (c) anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or*
- (d) any other disposition that is excluded by regulations from the application of this section.*

Local Government (Functions and General) Regulations 1996

Regulation 30 - Dispositions of property excluded from Act s. 3.58

(1) A disposition that is described in this regulation as an exempt disposition is excluded from the application of section 3.58 of the Act.

(2) A disposition of land is an exempt disposition if —

- (a) the land is disposed of to an owner of adjoining land (in this paragraph called the transferee)*
 - (i) its market value is less than \$5 000; and*
 - (ii) the local government does not consider that ownership of the land would be of significant benefit to anyone other than the transferee; or*
- (b) the land is disposed of to a body, whether incorporated or not —*
 - (i) the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature; and*
 - (ii) the members of which are not entitled or permitted to receive any pecuniary profit from the body's transactions; or*
- (c) the land is disposed of to —*
 - (i) the Crown in right of the State or the Commonwealth; or*
 - (ii) a department, agency, or instrumentality of the Crown in right of the State or the Commonwealth; or*
 - (iii) another local government or a regional local government; or*
- (d) it is the leasing of land to an employee of the local government for use as the employee's residence; for the disposition; and*
 - (iii) the market value of the disposition as ascertained by a valuation carried out not more than 12 months before the proposed disposition.*

The proposed lease to CSTM constitutes a disposal of property for the purposes of section 3.58 of the *Local Government Act 1995*. However, regulation 30(2)(b) of the *Local Government (Functions and General) Regulations 1996* provides an exemption from section 3.58 where land is disposed of to a body, whether incorporated or not, whose objects are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature, and whose members are not entitled or permitted to receive pecuniary profit from the body's transactions.

Based on the information provided, including CSTM's incorporated not-for-profit status and its cultural, educational and tourism-related purpose, the proposed lease appears capable of being treated as an exempt disposition under regulation 30(2)(b) of the *Local Government (Functions and General) Regulations 1996*. On that basis, local public notice under section 3.58 of the *Local Government Act 1995* is not proposed to be required. This should be confirmed as part of final lease preparation.

Relevant Plans and Policy

CF018 Lease and Licensing Classifications Policy

Council Policy CF018 applies to Shire-owned or controlled property available for lease or licence to not-for-profit organisations, community groups, government agencies and commercial entities. The policy provides a framework for assessing lease and licence requests, including eligibility, classification, rent, outgoings, insurance, maintenance and approval requirements.

Financial Implications

In accordance with Council Policy CF018 and the assessment of CSTM as Category 2 – Not for Profit, the annual lease fee would be \$300 per annum, subject to annual CPI rent reviews.

Under the Category 2 classification, CSTM would be responsible for lease preparation costs, utilities, rates, Emergency Services Levy, bins, public liability insurance, non-structural building maintenance and garden maintenance, unless otherwise resolved by Council or addressed in the final lease documentation.

There is no proposed Shire capital allocation associated with this report. Any Shire costs are expected to be limited to officer time associated with progressing the lease, stakeholder coordination and administrative documentation.

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	Concessional lease income provides limited direct financial return for the Shire.	C1 - Low	Lease annual rent of \$300 plus CPI, community benefit, outgoings, insurance and maintenance responsibilities in accordance with CF018.
Health & Safety	Use of the site and any future works may create health and safety risks if not appropriately controlled.	C2 - Moderate	Lease to require CSTM to manage the premises safely, maintain appropriate insurance, seek Shire approval for works where required, and comply with relevant statutory approvals.
Reputation	Not renewing the lease may impact the ongoing operation of a recognised tourism and community attraction.	C2 - Moderate	Council decision, documented CF018 assessment, demonstrated community benefit, clear lease conditions and statutory/policy pathway.
Service disruption	N/A	N/A	N/A
Compliance	Incorrect application of section 3.58, regulation 30, CF018, or future non-compliance with lease conditions.	C2 - Moderate	Council approval, statutory and policy assessment, confirmation of the regulation 30(2)(b) exemption, and lease documentation to include permitted use, insurance, maintenance, access, approval, termination and make-good provisions.
Property	Risk if damage or loss to the property if left vacant	C2 - Moderate	Lease for continued occupation; allocate maintenance, cleaning, security, insurance, access and reporting obligations.
Environment	N/A	N/A	N/A
Fraud	No specific fraud risk identified.	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 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:

- N/A

Comments

The CSTM has increased its operations at the Space & Technology Museum (the museum) site since the inception of the current lease in 2016. CSTM's request states that the Museum has invested more than \$750,000 since 2016 in maintenance, repairs and capital improvements, including building improvements, exhibition expansion, access road and parking improvements; enhancing the visitor experience and showing a huge commitment to the maintenance and upkeep of a large area of land which includes multiple buildings and amenities.

The Museum has proved to be an extremely popular tourism destination for visitors to Carnarvon and local residents alike, their visitor numbers have increased year on year including during difficult times for local businesses - when travel restrictions were imposed during the COVID pandemic. During the recent Tourism WA Annual Conference held in Carnarvon in May 2026, the Museum was chosen to host the Tourism Conference Awards dinner; delegates were treated to experiencing one of Carnarvon's most unique attractions at night, showcasing the iconic satellite dish and tasting local produce.

This community contribution is relevant to Council's consideration of the proposed lease, the CSTM lease request is supported by its demonstrated value to the local community, its volunteer contributions and ongoing willingness to improve and maintain Shire-owned assets.

Council Policy CF018 – Lease and Licensing Classifications

Council Policy CF018, Lease and Licensing Classifications (CF018), provides the relevant policy framework for leasing and licensing Shire-owned or controlled property to not-for-profit organisations, community groups, government agencies and commercial entities. The policy provides guidance on eligibility, classification, rent, outgoings, insurance, maintenance and approval requirements.

Under CF018, eligible not-for-profit and community groups must be incorporated, demonstrate community benefit and align with the Shire's strategic objectives.

CSTM incorporated, not for profit and non-distribution status is also relevant to the statutory pathway for the lease renewal. Regulation 30(2)(b) of the *Local Government (Functions and General) Regulations 1996* provides an exemption from the advertising requirements of section 3.58 of the *Local Government Act 1995* where land is disposed of to a body, whether incorporated or not, whose objects are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature, and whose members are not entitled or permitted to receive pecuniary profit from the body's transactions.

Officers have assessed CSTM as 'Category 2 - Not for Profit' under CF018, this classification is considered appropriate because they are an incorporated not-for-profit association with capacity to raise revenue through admission fees, memberships, events and fundraising activities.

For Category 2 Not for Profit arrangements, CF018 provides for annual rent of \$300, CPI, responsibility for lease preparation, utilities, rates, ESL charges, bins, public liability insurance, non-structural building maintenance and garden maintenance. Any proposed lease should be prepared on that basis.

Lease Term

The proposed lease term is 10 years, with one further 10-year options, the proposed term is considered appropriate in the circumstances. It provides CSTM with sufficient tenure to seek funding, apply for grants, plan improvement works and progressively maintain ageing Shire-owned buildings. At the same time, the use of option terms allows the Shire to retain appropriate control, as the exercise of any option can be linked to CSTM's compliance with the lease, maintenance of required insurances, continued incorporated status, use of the premises for the approved purpose, and satisfaction of any other lease requirements.

This approach provides a balance between supporting community investment in Shire-owned assets and ensuring the Shire retains appropriate oversight of the site.

Request for the Shire to support the sealing of the overflow car park

To also note in CSTM's April 2026 request, they included a request for the Shire to support the sealing of the overflow car park. Following discussion with officers, the Shire Executive team confirmed that due to budget constraints this proposal should be deferred and considered separately from the current lease request at a later date. This matter is not proposed to form part of the lease renewal decision and should be considered separately.

It is proposed the lease is to not authorise development, building works, structural alterations, residential occupation or any other activity requiring separate approval. Any future works or changes in use should be subject to prior written Shire approval and any required planning, building, health, airport operational or other statutory approvals.

OFFICER'S RECOMMENDATION

That Council, by Simple Majority, pursuant to section 3.58 of the Local Government Act 1995 and Regulation 30 of the Local Government (Functions and General) Regulations 1996, and Council Policy CF018 Lease and Licencing Classifications:

- 1) Approves In accordance with section 3.58 of the Local Government Act 1995 and Regulation 30 of the Local Government (Functions and General) Regulations 1996, and Council Policy CF018 Lease and Licencing Classifications, the lease of the existing leased area, inclusive of buildings and infrastructure within that area, to Carnarvon Space and Technology Museum for the permitted purpose of space museum and educational resource***
- 2) Approves a lease term of 10 years, with one further 10-year option, noting that any option term is to be subject to Carnarvon Space and Technology Museum complying with the lease terms, maintaining required insurances, continuing to operate for the approved purpose, and satisfying any other requirements specified in the lease;***
- 3) Notes that Carnarvon Space and Technology Museum is assessed as Category 2 – Not for Profit under Council Policy CF018 Lease and Licensing Classifications, with annual rent and conditions as set out under the Policy for Category 2; and***
- 4) Authorises the Chief Executive Officer to finalise and execute the lease with Carnarvon Space and Technology Museum, including making any minor administrative amendments necessary to give effect to Council's resolution.***

7.2.5 2026/2027 CHRISTMAS/NEW YEAR SHUT DOWN FOR SHIRE ADMINISTRATION AND OPERATIONAL STAFF

File No: ADM124
 Location/Address: N/A
 Name of Applicant: Shire of Carnarvon
 Name of Owner: Shire of Carnarvon
 Author(s): Jasper Benthien, Executive Services Coordinator
 Authoriser: Amanda Dexter, Chief Executive Officer
 Declaration of Interest: Nil
 Voting Requirement: Simple Majority
 Previous Report: OCM – 26 August 2025
 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 seeks Council approval for the closure of Shire operations over the Christmas and New Year period for 2026/2027.

The proposed closure extends beyond the closure period provided for under Council Policy EME029 Annual Closure During Festive Season. The closure would require affected staff to utilise annual leave, time in lieu, additional public holiday entitlements or other approved leave arrangements to cover the non-public holiday portion of the closure period, contributing to the effective management of staff leave liabilities.

The proposed arrangement supports operational efficiency, assists with the management of staff leave liabilities and provides employees with the opportunity to travel and spend time with family during the festive season, while maintaining arrangements for essential services, emergency contact and critical operational requirements.

Background

This request is presented to Council as Council Policy EME029 Annual Closure During Festive Season states:

“That the Administration Office, Works Depot, Library and Visitor Centre operating dates during the Christmas period be closed at the end of normal business hours on Christmas Eve and reopen the day following New Year's Day, subject to the Chief Executive Officer ensuring that an emergency contact list is maintained for senior employees and key personnel and the closures being widely advertised prior.”

The proposed closure period does not strictly conform with Policy EME029, as it proposes closure of non-essential services from close of business Friday 18 December 2026, being earlier than Christmas Eve. Accordingly, Council approval is sought.

For the 2026/2027 festive period, Christmas Day falls on Friday 25 December 2026. Boxing Day falls on Saturday 26 December 2026, with Monday 28 December 2026 also observed as a public holiday. New Year's Day falls on Friday 1 January 2027.

The proposed closure allows staff who need to travel significant distances, to plan and prepare for the festive period, while ensuring essential services, emergency contact arrangements and key operational functions continue as required.

Stakeholder and Public Consultation

External

Advertising of the proposed closure will be placed on the Shire's website, notice boards, social media channels and local communication channels to ensure the community is informed of the closure period.

Internal

Internal consultation will be undertaken with relevant departments and service areas to confirm the operational requirements, on-call arrangements and any essential service coverage required during the closure period. The internal consultation will be undertaken with, but not limited to:

- Chief Executive Officer
- Executive Management Team
- Senior Management Team

Statutory Environment

Nil

Relevant Plans and Policy

Shire of Carnarvon

Policy EME029 Annual Closure During Festive Season.

Financial Implications

This proposal is accommodated within the current 2026/2027 financial budget through the salary and wages allocation for the proposed closure period.

There are no additional financial implications anticipated as a result of this report.

Risk Assessment

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

Risk Category	Description	Rating	Mitigating Action/s
Financial	N/A	N/A	N/A
Health & Safety	N/A	N/A	N/A
Reputation	There is a risk of community dissatisfaction if the closure is not clearly communicated or if community members are unaware of alternative contact arrangements.	Low – C-1	Closure dates will be advertised through the Shire's website, notice boards, social media channels and local communications. On-call and out-of-hours contact arrangements will remain available for urgent matters.
Service disruption	Temporary closure of non-essential facilities may result in reduced access to some Shire services during the festive period.	Low – C-1	Essential services will continue as required. Out-of-hours arrangements will remain in place, with Executive Team and key personnel available to support emergency or critical matters.
Compliance	N/A	N/A	N/A
Property	N/A	N/A	N/A
Environment	N/A	N/A	N/A
Fraud	N/A	N/A	N/A

Community and Strategic Objectives

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

OBJECTIVES

In 2040 Carnarvon is a place where:

- *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

Historical Success

During the 2024/2025 and 2025/2026 closure periods, no significant complaints or issues were reported, indicating minimal adverse impact on the community.

Seasonal Trends

The period between Christmas and New Year is historically a quieter time for some Shire administration and non-essential services, with many residents and staff travelling during the holiday period.

Operational Efficiency

An extended closure aligns with reduced staff availability and operational demand during the festive season, allowing employees to take leave without impacting essential services.

Enhanced Staff Wellbeing

The proposed closure supports staff wellbeing by providing an opportunity for family and personal time during the festive season.

The following table sets out the proposed festive season closure arrangements for Shire departments and facilities:

Department	Festive Season Closure Arrangements	Reopening
Shire Administration	Monday 21 December 2026 to Friday 1 January 2027 inclusive	Monday 4 January 2027
Visitor Centre	Saturday 19 December 2026 to Saturday 2 January 2027 inclusive	Monday 4 January 2027
Library	Saturday 19 December 2026 to Saturday 2 January 2027 inclusive	Monday 4 January 2027
Depot	Friday 25 December 2026, Monday 28 December 2026 and Friday 1 January 2027	Open other than public holidays listed
Waste Site	Friday 25 December 2026, Sunday 27 December 2026, Monday 28 December 2026, Friday 1 January 2027 and Saturday 2 January 2027	Open other than days listed
Airport	Nil	Normal services

Note: On-call arrangements will be managed through the Shire's out-of-hours service, with a member of the Executive Team available at all times during the closure period.

Staff Impact

The proposed closure will commence from close of business Friday 18 December 2026, with affected services reopening on Monday 4 January 2027.

For standard Monday to Friday staff, the closure period includes 10 weekdays, of which three are weekday public holidays:

- Friday 25 December 2026;
- Monday 28 December 2026; and
- Friday 1 January 2027.

Staff will be required to utilise annual leave, time in lieu, additional public holiday entitlements or other approved leave arrangements for the remaining non-public holiday working days, in accordance with applicable employment arrangements and internal processes.

Communication Plan

- Notifications about the closure will be published on the Shire's website, notice boards, social media channels and local communications.
- Clear signage will be placed at affected facilities in advance of the closure period.
- Public messaging will include closure dates, reopening dates and out-of-hours contact details for urgent or critical matters.

Council's approval of this recommendation will facilitate planning for the holiday period while ensuring that community expectations are managed effectively.

OFFICER'S RECOMMENDATION

That Council, by Simple Majority:

- 1. Approves the observance of the Christmas/New Year closure for Shire administration and operational staff as follows:*

<i>Department</i>	<i>Festive Season Closure Arrangements</i>	<i>Reopening</i>
<i>Shire Administration</i>	<i>Monday 21 December 2026 to Friday 1 January 2027 inclusive</i>	<i>Monday 4 January 2027</i>
<i>Visitor Centre</i>	<i>Saturday 19 December 2026 to Saturday 2 January 2027 inclusive</i>	<i>Monday 4 January 2027</i>
<i>Library</i>	<i>Saturday 19 December 2026 to Saturday 2 January 2027 inclusive</i>	<i>Monday 4 January 2027</i>
<i>Depot</i>	<i>Friday 25 December 2026, Monday 28 December 2026 and Friday 1 January 2027</i>	<i>Open other than public holidays listed</i>
<i>Waste Site</i>	<i>Friday 25 December 2026, Sunday 27 December 2026, Monday 28 December 2026, Friday 1 January 2027 and Saturday 2 January 2027</i>	<i>Open other than days listed</i>
<i>Airport</i>	<i>Nil</i>	<i>Normal services</i>

- 2. Requests the Chief Executive Officer to ensure the closure dates and out-of-hours contact arrangements are advertised on the Shire's website, notice boards, social media channels and local communications prior to the closure period.*

7.2.6 BLOWHOLES ECO-FRIENDLY CAMPGROUND - 2025/26 OPERATIONAL REVIEW

File No: ADM0306
 Location/Address: Lot 383 Beach Road, Macleod, WA 6701
 Name of Applicant: Shire of Carnarvon
 Name of Owner: Shire of Carnarvon
 Author(s): Giana Covella, Strategic Communications & Economic Development Manager
 Authoriser: Amanda Dexter, Chief Executive Officer
 Declaration of Interest: Nil
 Voting Requirement: Simple Majority
 Previous Report: SCM - 5 May 2025
 Schedules: 1. Blowholes Eco-Friendly Campground Operational Review – 2025/26

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 Blowholes Eco-Friendly Campground Operational Review – 2025/26, providing Council with an assessment of the campground following its first full financial year of operation.

The review considers visitor activity, financial performance, operational delivery, environmental outcomes and community feedback, and assesses progress against the objectives and recommendations of the April 2025 Blowholes Eco-Friendly Campground Business Case. It also identifies key challenges and priorities for the future management of the campground.

Background

The Blowholes Eco-Friendly Campground was established following Council's consideration of the April 2025 Business Case, which provided a framework for transitioning camping at the Blowholes from informal arrangements to a managed campground model.

The 2025/26 financial year represents the first full year of operation under the new model. During this period, the Shire implemented designated campsites, online bookings, local memberships, seasonal Camp Hosts, improved waste management and increased compliance and visitor management arrangements.

The attached Operational Review has been prepared to assess the first year of operation and establish a baseline for future monitoring and decision-making.

Stakeholder and Public Consultation

The Operational Review has been informed by community and visitor feedback received throughout the first year of operation, together with operational experience and observations from Shire staff, Rangers and Camp Hosts.

No formal public consultation has been undertaken specifically in relation to the preparation of this review.

Statutory Environment

Local Government Act 1995

The Shire is responsible for the management and provision of local government property, facilities and services in accordance with its functions under the *Local Government Act 1995* and other applicable legislation.

Relevant Plans and Policy

Blowholes Eco-Friendly Campground Business Case – April 2025

The Business Case established the framework for transitioning the Blowholes from informal camping arrangements to a managed campground model. The attached Operational Review assesses progress against the relevant actions and recommendations identified within the Business Case.

Financial Implications

The Operational Review provides a detailed assessment of campground revenue and expenditure for 2025/26.

During the financial year, the campground generated \$268,965.49 in revenue, compared with approximately \$677,915.83 in identified expenditure. Visitor-generated revenue therefore recovered approximately 40% of identified expenditure, with the remaining cost funded by the Shire.

The review recommends continued monitoring of revenue and expenditure to provide a clearer understanding of recurring operational costs and cost recovery over future financial years.

Risk Assessment

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

Risk Category	Description	Rating	Mitigating Action/s
Financial	Ongoing campground operating costs exceed visitor-generated revenue.	B2 - High	Continue annual monitoring of revenue, expenditure and cost recovery and consider pricing through the annual Fees and Charges process.
Health & Safety	N/A	N/A	N/A

Reputation	Community views regarding campground fees, access and management arrangements remain mixed.	B2 - High	Continue monitoring community feedback and review operational and pricing arrangements as further data becomes available.
Service disruption	N/A	N/A	N/A
Compliance	N/A	N/A	N/A
Property	Campground facilities and infrastructure require ongoing maintenance and renewal, with future investment also affected by the unresolved long-term location of campsites behind the foredunes.	C2 - Moderate	Continue routine inspection and maintenance of campground assets and consider the long-term campground location and environmental advice before committing to significant permanent infrastructure.
Environment	Ongoing campground operations may impact sensitive coastal areas, particularly campsites located behind the foredunes.	C2 - Moderate	Consider the Elements Advisory findings before significant permanent infrastructure or campground layout changes are progressed.
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 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 first full year of operation has provided the Shire with significantly improved information regarding campground use, operating costs and the practical requirements of managing the Blowholes Reserve.

During 2025/26, the campground recorded 5,581 camping bookings, 191 local memberships, 264 member camping bookings and 464 day-use passes.

The review identifies both benefits and challenges associated with the managed campground model. Formalisation of the operational model has improved oversight of camping activity, waste management and visitor management, however significant ongoing service costs, day-use pass compliance, community concerns regarding fees and access, and the long-term environmental suitability of the campground location require continued consideration.

The review therefore provides a baseline for future annual assessment rather than proposing substantial changes to the campground model at this stage.

OFFICER'S RECOMMENDATION

That Council, by Simple Majority:

- 1. Receives the Blowholes Eco-Friendly Campground Operational Review – 2025/26, as provided at Schedule 1; and***
- 2. Notes that Administration will continue to monitor the financial, operational, environmental and community performance of the Blowholes Eco-Friendly Campground and report future findings to Council as appropriate.***

7.3 PLANNING & DEVELOPMENT

Nil

7.4 INFRASTRUCTURE SERVICES

7.4.1 AWARD OF TENDER - RFT 02/2026 - SPEEDWAY ROAD REALIGNMENT (BLACK SPOT PROGRAM)

File No:	ADM2324
Location/Address:	Speedway Road
Name of Applicant:	N/A
Name of Owner:	Shire of Carnarvon
Author(s):	Colm Stanley, Executive Manager, Infrastructure Services
Authoriser:	Colm Stanley, Executive Manager, Infrastructure Services
Declaration of Interest:	Nil
Voting Requirement:	Simple Majority
Previous Report:	13 November 2025 – SCM 14/11/25 21 July 2026 – CIS Project Status Update
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

****PLEASE NOTE: THIS REPORT HAS BEEN DRAFTED FOR COUNCIL TO CONSIDER PRIOR TO THE ORDINARY COUNCIL MEETING. THIS REPORT IS SUBJECT TO CHANGE PENDING FINAL INFORMATION****

Summary of Report

This report seeks Council's formal resolution to award Tender RFT 02/2026 for the realignment of Speedway Road at the Browns Range Waste Facility entrance, following Council's prior endorsement of Option Three (3) under the State Blackspot Program.

This report provides detailed background, financial implications, risk assessment, and assurance of compliance with legislative and policy requirements.

The works form part of the Shire's road safety improvement program and are being delivered to address identified safety risks associated with the existing road alignment of Speedway Road.

It is recommended that Council accepts the tender submitted by **PENDING** for \$ **PENDING** (excl. GST), as the submission is considered to represent best value for money.

Background

The Speedway Road Realignment Project was identified as a road safety improvement project under the Australian Government Black Spot Program administered through Main Roads Western Australia.

The project involves the realignment of Speedway Road North to create a new formalised T-intersection with Speedway Road West at the Browns Range Waste Facility access. The works were proposed following a Road Safety Audit (RSA) which identified several safety concerns including:

- Limited sight distance due to road curvature;
- Inadequate signage and road delineation;
- Potential for right-angle collisions at the existing intersection;
- Risk associated with queuing vehicles accessing the landfill facility; and
- Road geometry not consistent with contemporary road safety standards.

Although there were no recorded crashes at the location, the RSA identified the site as presenting a significant future crash risk and meeting the criteria for Black Spot funding assistance.

Original Procurement Process (RFT 07/2024)

During 2024, the Shire undertook a public tender process (RFT 07/2024) for delivery of the Speedway Road Realignment Project.

The tender process resulted in two conforming submissions being received. Following evaluation, Tremor Mining & Civil Pty Ltd was identified as the preferred tenderer and was subsequently awarded the contract following Council endorsement.

The project's approved funding structure comprised:

Funding Source	Amount
Main Roads WA – Black Spot Funding	\$624,764
Shire Contribution (Roads to Recovery)	\$312,381
Total Project Budget	\$937,145

Council subsequently resolved (OCM 16/08/25) to proceed with Option 3 from the officer's report, namely the delivery of the realignment works as originally designed and funded.

At the time, Option 3 was considered the most comprehensive and risk-mitigating solution because it:

- Fully addressed the findings of the Road Safety Audit;
- Improved compliance with road design standards;
- Reduced Council's future liability exposure; and
- Utilised secured State and Federal funding.

Contract Delivery Issues

Following contract award, significant challenges emerged which prevented commencement of the works. Tremor Mining & Civil Pty Ltd formally advised the Shire that it could not commence construction within the required delivery timeframe. The contractor identified several contributing factors, including:

- Fuel supply constraints;
- Fuel price volatility;
- Outstanding approval and documentation requirements;
- Construction programme risks associated with seasonal sealing windows; and

- Inability to commit sufficient resources to complete the project within the approved timeframe.

Despite extensive discussions between the contractor and the Shire, a viable delivery pathway could not be established.

Importantly:

- No site works commenced;
- No claims were submitted;
- No project funds were expended; and
- No project deliverables were completed.

Mutual Contract Termination

In order to protect the interests of both parties and avoid potential contractual dispute, the Shire negotiated a mutual termination of the contract.

A Deed of Mutual Termination was prepared and agreed by both parties on the basis that:

- The contract would be terminated by mutual agreement;
- Neither party was considered to be in default;
- Each party would bear its own costs;
- No claims would be pursued by either party; and
- The deed constituted full and final settlement of all matters arising from the contract.

The termination avoided unnecessary legal risk and allowed the Shire to reassess suitable project delivery options.

Engagement with Main Roads WA

Following the contract termination, the Shire formally notified Main Roads WA of the circumstances surrounding the project.

The Shire sought confirmation that Black Spot funding would remain available to enable the project to be re-procured and delivered through a new tender process.

Main Roads WA considered the circumstances and agreed to extend the project's funding availability period, allowing the Shire additional time to undertake a new procurement process and maintain eligibility for the approved Black Spot funding allocation.

As a result:

- The project remains funded;
- No approved funding has been forfeited;
- The original safety objectives remain supported by Main Roads WA; and
- The Shire retains the opportunity to proceed with project delivery.

Re-Tendering Process (RFT 02/2026)

To progress the project, the Shire prepared revised tender documentation and commenced a new open procurement process under RFT 02/2026 – Speedway Road Alignment (Black Spot Project).

The revised tender was released in accordance with the Local Government Act and the Shire's Procurement Policy. The tender closed on Friday 10 July 2026. A significantly improved market response was received, with Five (5) tender submissions lodged prior to the closing time.

The re-tendering process follows the prior contract termination and is intended to preserve the project's original road safety objectives while ensuring a compliant procurement and delivery pathway.

The increase in market interest compared to the original procurement process is expected to support a more competitive evaluation process and improve the opportunity to obtain value for money whilst delivering the intended road safety outcomes.

Evaluation

PENDING

Stakeholder and Public Consultation

External

Main Roads Western Australia (*in relation to Black Spot Program funding and project delivery timeframes*).

Internal

Infrastructure Services

Finance (*regarding budget allocation and grant funding*)

Council (*July 2026 Corporate Information Session*)

Statutory Environment

Local Government Act, 1995

Section 3.57 - *Tenders for providing goods or services*

- (1) *A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.*
- (2) *Regulations may make provisions about tenders.*

Section 3.18 - *Performing executive functions*

- (1) *A local government is to administer its local laws and may do all other things that are necessary or convenient to be done for, or in connection with, performing its functions under this Act.*
- (2) *In performing its executive functions, a local government may provide services and facilities. (3) A local government is to satisfy itself that services and facilities that it provides —*
 - (a) *integrate and coordinate, so far as practicable, with any provided by the Commonwealth, the State or any public body; and*
 - (b) *do not duplicate, to an extent that the local government considers inappropriate, services or facilities provided by the Commonwealth, the State or any other body or person, whether public or private; and*
 - (c) *are managed efficiently and effectively*

Section 5.42 - *Delegation of some powers and duties to CEO*

- (1) *A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under —*
 - (a) *this Act other than those referred to in section 5.43; or*
 - (b) *the Planning and Development Act 2005 section 214 (2), (3) or (5).*
 - (2) *A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.*
- [Section 5.42 amended: No. 1 of 1998 s. 13; No. 28 of 2010 s. 70.]

Section 9.49A - *provides for the execution of documents by a local government. Allows a local government, by resolution, to authorise the Chief Executive Officer, another employee or an agent to sign documents on behalf of the local government, either generally or subject to conditions or restrictions specified in the authorisation.*

Local Government (Functions and General) Regulations 1996

Regulation 11 provides that tenders are to be publicly invited before a local government enters into a contract for another person to supply goods or services where the consideration is expected to be more than \$250,000, unless an exemption applies.

Relevant Plans and Policy

Policy CF001 - Purchasing and Procurement

Policy CF001 provides the Shire's purchasing framework and supports regulatory compliance, value for money, transparency, integrity, competitive procurement and fair and ethical purchasing practices.

Policy CF003 - Tender Management Policy, if current and applicable

Policy CF003 provides guidance for tender documentation, tender evaluation and transparent and consistent tender assessment processes, where applicable.

Financial Implications

The project is funded through Main Roads WA Black Spot Program funding and the Shire's Roads to Recovery allocation.

The current funding allocation is as follows:

- Main Roads WA Black Spot funding: \$675,751 – **Subject to Change**
- Shire of Carnarvon Roads to Recovery contribution: \$337,875 – **Subject to Change**
- Additional Roads to Recovery allocation: \$132,875 – **Subject to Change**

The total available project funding is \$1,146,501 (**Subject to Change**). The recommended tender amount is **\$PENDING** (excl. GST).

The additional Roads to Recovery allocation will reduce the amount of unallocated Roads to Recovery funding available for other road projects.

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	Increased Shire contribution through Roads to Recovery may reduce the amount of Roads to Recovery funding available for other road projects.	High - A2	Additional allocation is proposed from unallocated Roads to Recovery funding. Project budget and contract expenditure to be monitored through project reporting.
Health & Safety	he existing Speedway Road intersection has identified road safety risks, including road geometry, sight	Extreme - C4	Realignment works are intended to address the Road Safety Audit findings and improve road geometry, sight distance, signage, delineation and intersection safety.

	distance and interaction with the Browns Range Waste Facility access.		
Reputation	Unfavourable public comment if the unsealed section of Speedway Road is closed as an alternative to realigning the intersection to mitigate the road safety issues.	B2 - High	Proceeding with the realignment avoids public dissatisfaction with closure of the unsealed road section.
Service disruption	Construction works may temporarily disrupt road users, access to the Browns Range Waste Facility or local traffic movements.	Moderate - C2	Contractor to prepare and implement traffic management arrangements and coordinate works to minimise disruption.
Compliance	Ensure tender and award process is compliant.	D2-Low	Public tender process undertaken, submissions evaluated by an evaluation panel, and confidential evaluation report prepared.
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 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 Speedway Road Black Spot Project remains an active and funded road safety initiative. While the original contract was unable to proceed and was terminated by mutual agreement, the Shire successfully negotiated an extension of the approved Black Spot funding with Main Roads WA, ensuring the project remained viable.

This project was advertised through a public tender process. **PENDING** submissions were received, of which **PENDING** were deemed conforming tenders and assessed accordingly.

Pending assessment from the evaluation panel and an appropriately qualified contractor being identified and recommended to deliver the scope of works, the following is subject to change:

In general, the work comprises of:

1. Clear and dispose to an approved disposal location (Browns Range Waste Facility), all vegetation within the disturbance area as required to complete the scope of works.
2. Strip and stockpile to an approved location, topsoil material to a min. depth of 75mm.
3. Embankment foundation - Rip, condition and compact the existing in-situ material in all fill areas before placing embankment material.
4. Embankment construction - Cut-to-fill existing plus cut-to-spoil to construct an embankment as per design.
5. Construct box culvert structure complete including earthworks, backfill, base slab, crown units, headwalls.
6. The existing water supply pipe is required to be buried at its current location, and this work must be carried out by the Contractor.
7. Preparation subgrade – Condition, mix, compact, and trim the subgrade material in both the cut and fill areas of the road formation.
8. Pavement construction – Supply, place, condition, mix, compact, and trim gravel basecourse layer as detailed in the design.
9. Bitumen surfacing – Design and apply cutback prime coat and high-stress seal on new pavement work as detailed in design.
10. Signs, line marking and guideposts - Supply and install all signage, line marking and guideposts, as per approved design by MRWA, including removal of existing as detailed.
11. Road Safety Audit: An Independent Road Safety Auditor will undertake a pre-opening inspection upon project completion. Any items identified during this inspection must be addressed prior to opening, and the Client will be responsible for organising the Independent Road Safety Auditor.
12. Tidy up work site to the Superintendent's satisfaction.

The confidential evaluation report **is yet to be attached as Confidential Schedule One (1)** to this report. The evaluation report contains a scoring spreadsheet, cost breakdown for preferred tenderer and summaries of the assessment of each compliant tenderer.

The project continues to represent an important road safety improvement for the Speedway Road corridor and remains the preferred long-term solution for addressing the risks identified through the Road Safety Audit.

OFFICER'S RECOMMENDATION

That Council, By Simple Majority

1. ***Award Request for Tender RFT02/2026 – Speedway Road Realignment Project to the value of **PENDING** (excl. GST);***
2. ***In accordance with Local Government Act 1995, S. 9.49A, authorises the Chief Executive Officer to make any necessary non-material amendments and finalise the execution of a contract between the Shire of Carnarvon and **PENDING** and***
3. ***Note that project updates will be provided to the Major Projects Committee of Council for monitoring throughout the construction phase of the project.***

7.4.2 REGIONAL PRECINCTS AND PARTNERSHIP PROGRAM - CHANGE TO FUNDING FOR FASCINE TO HARBOUR WALK PROJECT

File No: ADM2352
 Location/Address: Harbour Road, South Carnarvon
 Name of Applicant: Shire of Carnarvon
 Name of Owner: Shire of Carnarvon / Department of Transport and Major Infrastructure
 Author(s): Peta Greening, Senior Strategic Projects Manager
 Sharmayne Halliday, Project Officer
 Authoriser: Amanda Dexter, Chief Executive Officer
 Declaration of Interest: Nil
 Voting Requirement: Absolute Majority
 Previous Report: SCM 2 September 2025
 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 seeks Council's endorsement to reallocate the remaining funding allocation from the Fascine to Harbour Walk project to the Van Dongen Park project under the Regional Precincts and Partnerships Program (RPPP). Subject to Council's endorsement, officers will work with Main Roads Western Australia, as the State delivery agency for the RPPP Funding Agreement, to seek approval for the necessary variation to the approved project scope and associated funding allocation.

Background

At the Special Council Meeting held on 2 September 2025, Council resolved to accept funding under the RPPP, subject to the endorsed funding conditions as below:

COUNCIL RESOLUTION SCM 10/09/25**Moved:** Cr Paul Kelly**Seconded:** Cr Luke Skender**That Council:**

- 1. Allocate \$8,000,000 from the Regional Precincts and Partnerships Program (RPPP) funding package to Stage 2 of the DG Corp Pier Development project, subject to execution of a commercial agreement, which shall include the following conditions to which the funding is subject:**
 - a) Confirmation of DG Corp's bank finance approval prior to the release of any payments;**
 - b) Payments to be made on a reimbursement basis through performance-based milestones;**
 - c) Submission of overall project financials (covering Stage 1, Stage 2 and boat pens) to the satisfaction of the CEO;**
 - d) Delivery of Stage 1, Stage 2 and the boat pens, including 56 dwellings, bar/bistro, boat pens, and associated amenities; and**
 - e) The Shire reserves the right to reconsider the funding allocation for this sub-project should material changes be made to the project scope or delivery timeline.**
- 2. Authorise the Chief Executive Officer to provide a further report to Council following the impending 2025 Caretaker Period should the conditions above be unable be met in the commercial agreement;**
- 3. Allocate \$7,554,633 from the RPPP funding package to the Shire's five sub-projects, with distribution between projects to be determined by Council;**

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Special Council Meeting Minutes**2 September 2025**

- 4. Authorise the Chief Executive Officer to negotiate and finalise the commercial agreement with DG Corp for the provision and expenditure of the RPPP funding in relation to the Pier Development project; and**
- 5. Amend the 2025/26 Annual Budget to recognise RPPP-related income and expenditure of \$15,554,633.**

FOR: Mr Eddie Smith, Cr Burke Maslen, Cr Marco Ferreira, Cr Luke Skender, Cr Paul Kelly and Cr Dudley Maslen

AGAINST: Nil

ABSENT: Cr AC Cottrell

CARRIED BY SIMPLE MAJORITY 6/0

This decision followed a Council workshop on 29 July 2025 where elected members considered and confirmed the priorities and scope of the six funded project elements:

- Tramway Walk Trail
- Van Dongen Park
- Urban Forest
- Local Connect and Create
- Fascine to Harbour Walk
- The Pier Development

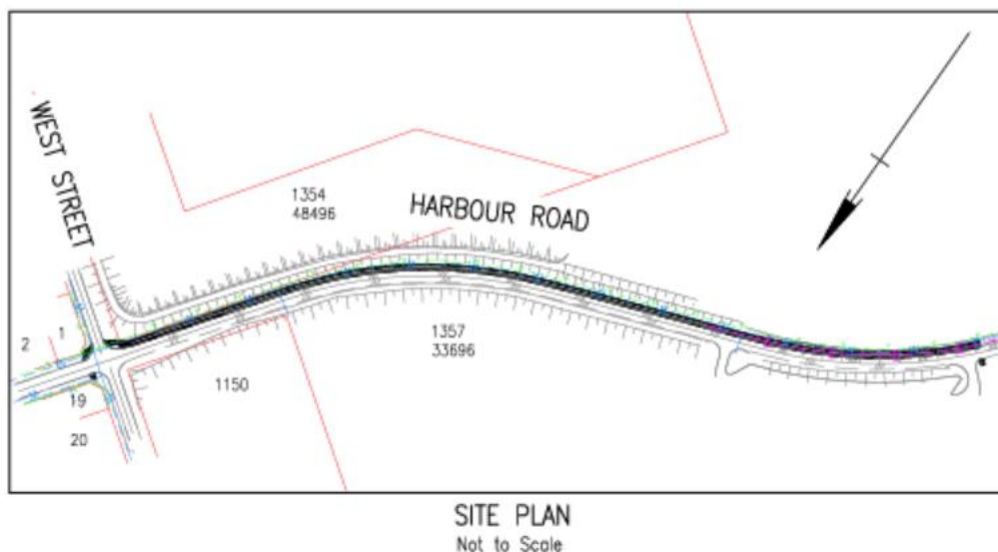
The Shire subsequently secured \$15,554,633 in RPPP funding. Of this amount, \$8,000,000 was allocated to The Pier Development, in accordance with Council's resolution and is administered under a separate

Commercial Agreement between the Shire and DG Corp. The remaining \$7,554,633 is being delivered directly by the Shire across the five remaining project elements, each of which is progressing through various stages of planning, procurement or construction.

The Fascine to Harbour Walk project was developed to provide a continuous shared path linking the existing Fascine foreshore with the Small Boat Harbour, delivering improved pedestrian and cyclist connectivity while enhancing community recreation and the visitor experience. The proposed alignment extends along the southern side of Harbour Road from the West Street intersection to the western end of the Fascine Boat Ramp car park.



Carnarvon Activation Plan (CAP) Concept Plan



Proposed Project Pathway Plan

Significant work has already been undertaken to progress the project, including due diligence investigations, detailed design and preparation of construction documentation. These activities are now approximately 95% complete, placing the project in a position to proceed to public tender.

During project planning, officers identified a significant strategic risk associated with the recently funded Mitigate the Risk of Seawater Inundation of South Carnarvon WA Gascoyne Coast project. The preferred coastal protection solutions currently under investigation has the potential to affect the alignment and ultimate design of the proposed pathway.

At the Ordinary Council Meeting held on 30 June 2026, Council resolved to accept \$5,582,831 under the Commonwealth Disaster Ready Fund to deliver the Seawater Inundation Project, as per:

COUNCIL RESOLUTION OCM 14/06/26

Moved: Cmm Martin Aldridge

That Council by Simple Majority,

- 1. Accepts the Commonwealth Disaster Ready Fund grant of \$5,582,831 for the project "Mitigate the Risk of Seawater Inundation of South Carnarvon WA Gascoyne Coast", noting the current Implementation Plan records total project funding of \$6,207,831;**
- 2. Endorses Funding Agreement DRF2526-001 and the associated Implementation Plan, subject to the Chief Executive Officer being satisfied that:**
 - a. the final agreement and Implementation Plan are consistent;**
 - b. any legal and insurance matters relating to indemnity, insurance, intellectual property, cancellation, asset maintenance and financial liability are appropriately addressed;**
- 3. Authorises, under section 9.49A(4) of the Local Government Act 1995, the Chief Executive Officer to sign the Funding Agreement on behalf of the Shire of Carnarvon and, if use of the Common Seal is determined appropriate, authorises the Shire President and Chief Executive Officer to affix and attest the Common Seal in accordance with section 9.49A(2) and (3);**
- 4. Authorises the Chief Executive Officer to agree to minor administrative amendments that do not materially alter the project scope, total grant, Shire contribution, project timeframe, property impacts or Shire liability, and requires any material amendment to be presented to Council before it is agreed or submitted as a grant variation;**
- 5. Notes that execution of the Funding Agreement:**
 - a. secures funding and authorises the investigation, design and engagement phase; and**
 - b. does not approve the final alignment, crest level, materials, appearance, construction methodology, private-land arrangements, principal construction contract, additional municipal contribution or a guarantee that inundation risk will be eliminated;**
- 6. Endorses a community engagement process that includes:**
 - a. early direct engagement with affected residents, landowners, adjacent businesses and accommodation operators, maritime users, Traditional Owners, emergency services, service agencies and accessibility representatives;**
 - b. separate, documented engagement with the Carnarvon Yacht Club before feasible options are narrowed and throughout design;**
 - c. a minimum of two in-person South Carnarvon sessions, comprising an early listening session and a later feasible-options session;**
 - d. a minimum 42-day formal public consultation period on feasible options;**
 - e. plain-language maps, visible-height information, cross-sections, visualisations, access, parking, drainage, land, cost and residual-risk information; p**
 - f. public access to the "do nothing" and mitigation modelling; and**
 - g. publication of a consultation outcomes and officer-response report, subject to privacy and lawful confidentiality;**
- 7. Requires the preferred design to be returned to Council before award of the principal construction contract, together with:**
 - a. the engagement outcomes and design response;**
 - b. verified survey and option assessment;**
 - c. an independently reviewed cost plan reconciled to the \$6,207,831 funding envelope;**

- d. project cashflow and contingency;*
- e. land tenure, property, services and approvals requirements;*
- f. whole-of-life inspection and maintenance implications; and*
- g. drainage, emergency-management and residual-risk assessments;*
- 8. Requires that no construction contract be entered into where the forecast project cost exceeds available approved project funding, or where an additional Shire cash contribution is required, without a further Council resolution identifying the funding source;**
- 9. Directs the Chief Executive Officer to establish project governance including a named project sponsor and manager, a project steering group, separate financial ledger and cost codes, procurement and probity plan, live risk and issues registers, grant compliance calendar, document-control arrangements and quarterly reporting to Council and the community;**
- 10. Requests that the project and the Shire's in-kind contribution be incorporated into the 2026/27 and future annual budgets and Long-Term Financial Plan, and notes that any expenditure for an additional purpose not included in an adopted budget must be separately authorised in accordance with section 6.8 of the Local Government Act 1995;**
- 11. Notes that structural works will reduce but cannot eliminate seawater inundation risk and that complementary drainage, flap-valve maintenance, emergency warning, evacuation, recovery, property-level preparedness and long-term coastal adaptation measures remain necessary.**

FOR: Cmm Martin Aldridge

AGAINST: Nil

CARRIED BY SIMPLE MAJORITY 1/0

Preparations for community engagement and further technical investigations for the Seawater Inundation Project are currently underway, with Council expected to consider the engagement outcomes and a preferred delivery option in early 2027. This timing is immediately prior to the 30 June 2027 completion deadline for RPPP-funded projects, leaving insufficient time to redesign the pathway (if required), undertake any additional consultation and approvals, complete procurement and achieve practical completion within the RPPP funding period.

Stakeholder and Public Consultation

Regular and ongoing engagement has been undertaken with Main Roads Western Australia, as the State delivery agency for the RPPP Funding Agreement, regarding the status of the Fascine to Harbour Walk project and the options available to manage delivery risks and achieve the best outcome for the overall RPPP program.

Statutory Environment

The Fascine to Harbour Walk was identified as a key project within the Carnarvon Activation Plan (endorsed by Council 12 December 2023).

The recommendation has been prepared having regard to the following legislative and contractual requirements:

Local Government Act 1995

Section 2.7 – *Council is responsible for governing the affairs of the local government, determining the local government's policies and ensuring that its resources are used efficiently and effectively.*

Section 6.8 – *Council is responsible for authorising expenditure through the adopted budget and any subsequent budget amendments required to give effect to Council decisions.*

Regional Precincts and Partnerships Program (RPPP) Funding Agreement

The Funding Agreement requires the Shire to deliver approved project outcomes within the agreed funding period and in accordance with approved project scopes. Any proposed variation to project scope or reallocation of funding requires the prior approval of the Funding Agreement parties.

Local Government (Functions and General) Regulations 1996

Procurement and contract management associated with the delivery of the approved projects must continue to comply with the applicable procurement requirements of the Regulations and the Shire's Purchasing Policy.

The recommendation supports the effective administration of the RPPP Funding Agreement by reducing delivery risk, ensuring prudent stewardship of public funds, and maximising the likelihood of achieving the funding objectives within the prescribed delivery timeframe.

Relevant Plans and PolicyCD006 External Grants – Procurement and Grants

This policy applies to the management of external grants, which requires council to consider acceptance of a grant. Given a change in scope for the RPPP grant is proposed, this report has been prepared to meet the requirements of this policy.

Financial Implications

To date, approximately \$110,000 of RPPP funding has been expended on the detailed design, technical investigations and associated project development for the Fascine to Harbour Walk. Should Council endorse to cease further stages of this project from the RPPP scope, these activities will represent the completed extent of the project, with no further expenditure incurred against this project element. The Shire will not be required to contribute additional funding in relation to the works completed to date.

An approximate amount of \$600,000 (ex GST) was allocated within the RPPP budget for delivery of the Fascine to Harbour Walk. Should the project be deferred, the uncommitted balance of \$490,000 (ex GST) is proposed to be reallocated to the Van Dongen Park project, enabling delivery of additional community infrastructure, including the planned public toilet facility and other complementary Stage 2 improvements. This approach maximises the value of the available grant funding while supporting delivery of projects that can be completed within the RPPP funding timeframe.

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 RPPP delivery timeframe does not align with the planning and approval Inundation Project. Proceeding with the Fascine to Harbour Walk before the coastal protection solution is confirmed may result in inefficient expenditure, abortive works or infrastructure requiring redesign, modification or removal.	B3 - High	Seek approval to reallocate the remaining RPPP funding to Van Dongen Park, where delivery can be achieved within the funding period. Preserve the completed design work for future delivery once the Seawater Inundation Project is complete.
Health & Safety	Constructing the pathway prior to confirmation of the seawater mitigation solution may expose users to ongoing inundation risks and create construction interfaces with future coastal protection works.	C2 - Moderate	Sequence projects appropriately by completing the Seawater Inundation Project first, allowing the pathway to be designed around the final coastal infrastructure and associated safety requirements.
Reputation	Delivering infrastructure that is subsequently altered, removed or failing to complete RPPP-funded works within the funding period, could diminish community confidence and impact relationships with funding partners.	C3 - High	Maintain transparent communication with Council, the community and funding partners regarding the rationale for the proposed project variation and demonstrate that the reallocation provides a better long-term community outcome.
Service Disruption	Concurrent or successive construction of two interdependent projects within the same corridor could result in repeated disruption to Harbour Road, public access and adjoining businesses.	C2 - Moderate	Sequence delivery so that the Seawater Inundation Project is completed first, minimising duplicate construction activity and reducing disruption to residents, businesses and visitors.
Compliance	Failure to complete the Fascine to Harbour Walk within the RPPP funding period, or varying the approved scope without approval, may place the Shire in breach of the Funding Agreement.	B3 - High	Obtain formal approval from Main Roads WA and the Commonwealth for the proposed scope variation and funding reallocation before implementing any project changes.

Property	Future seawater mitigation infrastructure may require modification of newly constructed pathway assets, resulting in avoidable impacts to public infrastructure and increased lifecycle costs.	B3 - High	Defer pathway construction until the coastal protection alignment and detailed design are confirmed, enabling an integrated and enduring design solution.
Environment	Undertaking pathway construction before the coastal protection design is finalised may result in duplicated environmental disturbance and additional approvals.	B1 - Moderate	Coordinate environmental assessments and future pathway design with the final Seawater Inundation Project to minimise environmental impacts and avoid repeat approvals where possible.
Fraud	Changes to project scope and funding allocations create an increased governance risk if not managed through appropriate approval, procurement and financial controls.	D2 - Low	Continue to apply the Shire's procurement framework, financial delegations, contract management processes and audit controls. Ensure all funding variations are formally approved before expenditure.

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

Given the anticipated timeframe for Council's consideration of the Seawater Inundation Project (in early 2027), there will be insufficient time to redesign the Fascine to Harbour Walk alignment (if required), undertake the necessary community consultation and statutory approvals, complete procurement, and achieve practical completion before the June 2027 RPPP funding deadline.

From a strategic perspective, proceeding with either an incomplete pathway or infrastructure that may subsequently require modification or removal following delivery of the Seawater Inundation Project would not represent an effective outcome for the community, funding partners or the Shire. It would also introduce unnecessary delivery risk to the overall RPPP program.

Accordingly, officers recommend that any remaining funding allocated to the Fascine to Harbour Walk (Project Element Eight) be reallocated to Van Dongen Park (Project Element Three).

Redirecting these funds would strengthen delivery of the Van Dongen Park project by enabling an expanded Stage 2 scope, including construction of the planned public toilet facility and other complementary park improvements. This approach maximises the value of the available funding, delivers tangible community benefit, and provides a significantly higher level of confidence that the RPPP objectives and delivery timeframe can be achieved.

Following completion of the Seawater Inundation Project, consideration can then be given to progressing the Fascine to Harbour Walk using the investigations, design work and planning completed to date, ensuring any future pathway aligns with the final coastal protection infrastructure.

OFFICER'S RECOMMENDATION

That Council by Absolute Majority:

- 1) Endorse the reallocation of any additional funding allocation from the Fascine to Harbour Project to the Van Dongen Park project; and***
- 2) Directs the Chief Executive Officer to engage with Main Roads WA to advise of the requested change to the project scope of the Fascine to Harbour Project.***

8 APPLICATIONS FOR LEAVE OF ABSENCE

9 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

10 QUESTIONS FROM MEMBERS WITHOUT NOTICE

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

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

Nil

13 DATE OF NEXT MEETING

14 CLOSURE