



Shire of
CARNARVON
catch a *taste* of the great life.



SHIRE OF CARNARVON

MINUTES

ORDINARY COUNCIL MEETING

TUESDAY 24 FEBRUARY 2026

CONFIRMATION OF MINUTES

These minutes were confirmed by the Council on

as a true and accurate record

Chairman

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

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

INFORMATION ON PUBLIC QUESTION TIME

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

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

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

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

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

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

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

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

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

SPECIAL MEETINGS OF COUNCIL

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

INDEX

1	ATTENDANCE, APOLOGIES & APPROVED LEAVE OF ABSENCE	6
2	DECLARATIONS OF INTEREST	6
3	PUBLIC QUESTION TIME	7
3.1	QUESTIONS TAKEN ON NOTICE FROM PREVIOUS MEETING	7
3.1.1	Questions Taken on Notice from Previous Meeting - Mr David Gooch.....	7
3.1.2	Questions Taken on Notice from Previous Meeting - Mr Andrew Ellis	8
3.2	PUBLIC QUESTION TIME	9
4	CONFIRMATION AND RECEIVING OF MINUTES.....	11
	CONFIRMATION OF MINUTES	11
4.1	Minutes of the Ordinary Council Meeting - 27 January 2026.....	11
	RECEIVING OF MINUTES	11
4.2	Minutes of the Major Projects & Infrastructure Committee - 27 January 2026.....	11
4.3	Minutes of the Community Growth Fund Committee - 17 February 2026	11
4.4	Minutes of the Audit, Risk & improvement Committee - 17 February 2026.....	11
5	ANNOUNCEMENTS BY THE PRESIDENT WITHOUT DISCUSSION.....	12
6	PRESENTATIONS, PETITIONS AND MEMORIALS.....	12
	Nil	
7	DEPARTMENTAL REPORTS	13
7.1	GOVERNANCE.....	13
7.1.1	FOI Statement 2025.....	13
7.1.2	Request for Lease - Carnarvon Heritage Group	16
7.1.3	Request for Lease Renewal - Carnarvon Lions Club.....	23
7.1.4	Request for Deed of Extension of Lease - Carnarvon Golf Club.....	28
7.1.5	Nomination of Council Representation - Gascoyne Development Commission Board	34
7.1.6	Actions Performed Under Delegated Authority for the Months January and February 2026	38
7.1.7	2025/2026 Mid-Year Budget Review	42
7.1.8	Status of Council Decisions - February 2026.....	50
7.2	CORPORATE SERVICES.....	53
7.2.1	Accounts Paid Under Delegation - January 2026.....	53
7.2.2	Monthly Financial Report January 2026.....	59
7.3	DEVELOPMENT AND COMMUNITY SERVICES	65

7.3.1	Award of RFT 02/2025 Tramway Walk Trail Shelters - Construction and Installation.....	65
7.3.2	Development application P65/25	71
7.3.3	Waiver of Fees for ECU Tax Clinic.....	78
7.4	INFRASTRUCTURE SERVICES.....	82
7.4.1	Tramway Bridge Reinstatement and Refurbishment - Detailed Design	82
8	APPLICATIONS FOR LEAVE OF ABSENCE	90
9	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	90
	Nil	
10	QUESTIONS FROM MEMBERS WITHOUT NOTICE.....	90
11	URGENT BUSINESS APPROVED BY THE PRESIDING MEMBER OR BY A DECISION OF THE COUNCIL.....	90
12	MATTERS FOR WHICH MEETING TO BE CLOSED TO MEMBERS OF THE PUBLIC	90
	Nil	
13	DATE OF NEXT MEETING.....	90
14	CLOSURE	90

The meeting was declared open by the Presiding Member at 10:01am

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

1 ATTENDANCE, APOLOGIES & APPROVED LEAVE OF ABSENCE

Mr Eddie Smith Shire President
 Cr Burke Maslen Councillor, Gascoyne/Minilya Ward
 Cr Marco Ferreira Councillor, Plantation Ward
 Cr Luke Skender Councillor, Town Ward
 Cr Paul Kelly Councillor, Town Ward
 Cr Dudley Maslen Councillor, Town Ward
 Cr Mark Young Councillor, Coral Bay Ward
 Cr Merome Beard Councillor, Town Ward

Mrs Amanda Dexter Chief Executive Officer
 Mr Stefan Louw Executive Manager, Community Planning & Sustainability
 Mrs Amanda Leighton Executive Manager, Corporate Strategy & Performance
 Mr Colm Stanley Executive Manager, Infrastructure Services
 Mr Jamie Bone Executive Business Manager
 Mr Jasper Benthien Executive Services Coordinator

Apologies

Miss Stephanie Leca Executive Manager, Lifestyle & Community

Leave of Absence

Nil

Press..... Nil

Observers Laura Barry, Russell Smith, Julee Westcott-Nelson, David Gooch, Jule Fullarton, Alexander Fullarton

2 DECLARATIONS OF INTEREST

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

Cr DM Maslen (Impartiality) – 7.1.2 Request For Lease - Carnarvon Heritage Group

Cr M Beard (Direct Financial) – 7.3.2 Development Application P65/25

Cr B Maslen (Impartiality) – 7.1.5 Nomination Of Council Representation - Gascoyne Development Commission Board

Cr DM Maslen (Indirect Financial) – 7.3.2 Development Application P65/25

Cr B Maslen (Impartiality) – 7.1.2 Request For Lease - Carnarvon Heritage Group

3 PUBLIC QUESTION TIME

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

Public Question Time commenced at 10:04am

3.1 QUESTIONS TAKEN ON NOTICE FROM PREVIOUS MEETING

3.1.1 QUESTIONS TAKEN ON NOTICE FROM PREVIOUS MEETING - MR DAVID GOOCH

The following question was taken on notice from Mr David Gooch of Manberry Station at the Ordinary Council Meeting held on 27 January 2026 -

Question 3

Are the Carnarvon Shire Councillors aware of what appears to be the Carnarvon Shire's poor attempt of a fire break notice and could they please explain a pastoral internal boundary and the reasons the notice was not sent out until 24 November 2025.

Response

The Shire of Carnarvon is aware of the concerns raised in relation to the 2025 Firebreak Notice and acknowledges that the notice was issued later than usual. The Shire apologises for the delay and any confusion this may have caused. The delay in issuing the notice until 24 November 2025 was due to resourcing constraints within the organisation at that time. While the Firebreak Notice is largely consistent from year to year, this was the only instance in recent years where its distribution was delayed.

While also acknowledging that the reference to "internal boundaries" within pastoral areas was unclear. For pastoral leases, the intent of the Firebreak Notice is that a firebreak be established on the inside of the external pastoral lease boundary, rather than along internal fence lines or property divisions. Future Firebreak Notices will be amended to clearly explain this requirement for pastoral properties.

We appreciate the feedback provided and will continue to work towards improving the clarity and timeliness of statutory notices issued to the community.

To be noted that Questions 1 and 2 submitted by Mr Gooch were answered at the meeting held on 27 January 2026 and appear in the minutes of that meeting.

3.1.2 QUESTIONS TAKEN ON NOTICE FROM PREVIOUS MEETING - MR ANDREW ELLIS

The following question was taken on notice from Mr Andrew Ellis at the Ordinary Council Meeting held on Tuesday 27 January 2026. It is to be noted, Questions 1 and 2 submitted by Mr Ellis were answered at the meeting held on 27 January 2026 and appear in the minutes of that meeting. -

Question 3

In accordance with the Emergency Management Act 2005, can Council advise what risk assessments or compliance reviews have been conducted regarding the delayed implementation of the CESM role, and what steps are being taken to mitigate any operational or statutory risk arising from this delay?

Response

The Shire of Carnarvon notes that the Community Emergency Services Manager (CESM) position is delivered under a funded agreement with the Department of Fire and Emergency Services (DFES) and is shared across the Shire of Carnarvon, Shire of Denham and Shire of Upper Gascoyne. The CESM role is a coordination and advisory function intended to support participating local governments in emergency management planning, preparedness and continuous improvement. This includes coordinating emergency management and bush fire planning processes, supporting the development and review of local emergency management arrangements, facilitating training and capability development, providing advice on policy and legislative requirements, and acting as a liaison point with DFES and other emergency management stakeholders.

The role supports local governments to meet their statutory obligations but does not hold delegated authority for the management, control or direction of Bush Fire Brigades, nor does it replace the governance, oversight or decision-making responsibilities of the local government.

The CESM role does not replace or transfer the statutory responsibilities of the local government. Under the Bush Fires Act 1954, responsibility for the establishment, management and oversight of Bush Fire Brigades rests with the local government, including governance, asset management, policy compliance and conduct expectations.

The Shire further notes that the CESM position is not a mandatory role under the Emergency Management Act 2005. Throughout the period in which the CESM role has been vacant or transitioning, the Shire has continued to monitor its statutory obligations through established local government governance arrangements, including senior officer oversight, internal risk management processes and adherence to Shire policies and procedures.

Emergency management and bush fire risks are managed through the Shire's corporate risk framework and integrated planning processes. Based on current information, the Shire at this time has not identified any material statutory compliance issues arising from the timing of the CESM appointment.

To be noted that Questions 1 and 2 submitted by Mr Ellis were answered at the meeting held on 27 January 2026 and appear in the minutes of that meeting.

3.2 PUBLIC QUESTION TIME

David Gooch submitted the following questions:

Question 1 - How many Carnarvon Shire employees have resigned, or been terminated from the employ of the Carnarvon Shire between 1st September 2024 and the 23rd February 2026 (18 Mths)?

Answer – President Smith advised the Question would be taken on Notice.

Question 2 - How Many People Have Started employment with the Carnarvon Shire between the 1st September 2024 and the 23rd February 2026 (18 mths)?

Answer – President Smith advised the Question would be taken on Notice.

Question 3 - How many employees that have left the Carnarvon Shire between the 1st September 2024 and the 23rd February 2026 (18 mths) have had to sign a “Non-Disclosure Document / Contract / Agreement” and how much money has been paid out by the Shire for these?

Answer – President Smith advised the Question would be taken on Notice.

Julee Westcott-Nelson submitted the following questions:

Question 1 - Under what authority can the CEO decline or reject a ratepayer’s request for an item to be presented to Council for consideration?

Answer – President Smith advised that this is a legal and operational matter and at this point in time there wasn’t a role to take this to Council.

Question 2 - Further, on what basis is a ratepayer advised not to raise their concerns directly with individual councillors, given that councillors are elected representatives of the community?

Answer – President Smith advised that this is an operational Shire matter with a legal basis, in this instance it is not appropriate to canvass councillors and can cause conflict of interest issues.

Question 3 - Has the proposal for the amended Lease been presented to Council in a formal Council meeting (in Chambers), noting that the matter previously presented to Council on 22 February 2022 has not been actioned in accordance with the Council’s resolution? If the amended Lease has not been presented to council, could you please advise reasons for this, and when the matter will be brought before council?

Answer – President Smith advised the Question would be taken on Notice.

Question 4 - Can the Council confirm receipt of the correspondence (CLH) dated 16 February 2026 from Mrs Dexter titled “Lease Position”, and whether it has been noted on your records?

Answer – President Smith advised the Question would be taken on Notice.

Paul Shain submitted the following questions:

Question 1 - With regards to your answer to D Gooch's second question at the last meeting (January OCM) would Mr President like to answer that why the contractors and suppliers have not been requested as yet to do the Code of Conduct training?

Answer – President Smith advised that, unlike volunteers, contractors and suppliers are not considered Shire employees, and therefore the requirement for them to undertake Code of Conduct training does not apply.

Question 2 - How is the Carnarvon Shire going with the leasing of the Parnaa View residencies as per the original grant application, to directly benefit local residents and businesses?

Answer – The CEO, through the chair, advised that Residences are currently leased to Shire staff and Discussions with GROH are ongoing to move toward the arrangement contemplated in the original grant.

Question 3 - How much is each of these residencies getting leased for?

Answer - President Smith advised the Question would be taken on Notice.

Public Question Time was closed at 10:14am

4 CONFIRMATION AND RECEIVING OF MINUTES

CONFIRMATION OF MINUTES

4.1 Minutes of the Ordinary Council Meeting - 27 January 2026

COUNCIL RESOLUTION OCM 01/02/26

Moved: Cr Marco Ferreira

Seconded: Cr Luke Skender

That the minutes of Ordinary Council Meeting held on 27 January 2026 be confirmed as a true record of proceedings.

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

AGAINST: Nil

CARRIED BY SIMPLE MAJORITY 8/0

RECEIVING OF MINUTES

4.2 Minutes of the Major Projects & Infrastructure Committee - 27 January 2026

4.3 Minutes of the Community Growth Fund Committee - 17 February 2026

4.4 Minutes of the Audit, Risk & improvement Committee - 17 February 2026

MOTION

COUNCIL RESOLUTION OCM 02/02/26

Moved: Cr Burke Maslen

Seconded: Cr Paul Kelly

That item 4.2, 4.3 and 4.4 be considered en bloc.

CARRIED BY SIMPLE MAJORITY 8/0

COUNCIL RESOLUTION OCM 03/02/26

Moved: Cr Burke Maslen

Seconded: Cr Marco Ferreira

That the minutes of:

- 1. The Major Projects & Infrastructure Committee held on 27 January 2026 be noted by Council and received.**
- 2. The Community Growth Fund Committee held on 17 February 2026 and the recommendations contained therein, be endorsed by Council.**
- 3. The Audit, Risk & Improvement Committee held on 17 February 2026 be noted and received.**

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

AGAINST: Nil

CARRIED BY SIMPLE MAJORITY 8/0

5 ANNOUNCEMENTS BY THE PRESIDENT WITHOUT DISCUSSION

Nil

6 PRESENTATIONS, PETITIONS AND MEMORIALS

Nil

7 DEPARTMENTAL REPORTS

7.1 GOVERNANCE

7.1.1 FOI STATEMENT 2025

File No:	ADM1880
Location/Address:	N/A
Name of Applicant:	N/A
Name of Owner:	Shire of Carnarvon
Author(s):	Dannielle Hill, Special Projects Officer/FOI Coordinator
Authoriser:	Amanda Leighton, Executive Manager, Corporate Strategy & Performance
Declaration of Interest:	Nil
Voting Requirement:	Simple Majority
Previous Report:	January 2025
Schedules:	1. Freedom of Information Statement

Authority/Discretion:

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

Summary of Report

The purpose of this report is to seek Council endorsement of the review of the Shire of Carnarvon Freedom of Information Statement. The last review was conducted in January 2025.

Background

In accordance with the Section 96 of the *Freedom of Information Act 1992*, it is a requirement of Council to undertake an annual review of its Freedom of Information Statement (FOI).

In reviewing the existing FOI Statement there were only minor changes in updating information only.

Stakeholder and Public Consultation

Nil

Statutory Environment

Freedom of Information Act, 1982 – Part 5

Requires each agency to prepare and publish an information statement within 12 months after the commencement of the FOI Act, and to update the statement at intervals of not more than 12 months (sections 96 and 97 of the FOI Act)

Relevant Plans and Policy

The Freedom of Information Statement is classed as a Council Policy and is referred to by staff when dealing with any Freedom of Information application/items relevant to this legislation.

Financial Implications

Nil

Risk Assessment

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

Risk Category	Description	Rating (Consequence x likelihood)	Mitigating Action/s
Financial	N/A		
Health & Safety	N/A		
Reputation	Non-compliance with statutory requirements would result in reputational damage to the Shire.	B-2 Minor	This agenda item aims to ensure that the Shire is compliant.
Service disruption	N/A		
Compliance	To not review the FOI Statement will be in breach of the FOI Act	B-2 Minor	This agenda item aims to ensure that the Shire is compliant with the FOI Act
Property	N/A		
Environment	N/A		
Fraud	N/A		

Community and Strategic Objectives

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

OBJECTIVES

In 2040 Carnarvon is a place where:

- *Our community is engaged, inclusive and supportive*

ADDITIONAL FOCUS AREAS:

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

BIG IDEAS FOR THE FUTURE OF CARNARVON:

- N/A

Comments

A copy of the updated FOI Statement is attached to this report for Council's information and consideration. In reviewing the document at an officer level there were minor changes required to reflect current information updates only. Procedure and statutory information remain unchanged.

OFFICER'S RECOMMENDATION

That Council, by Simple Majority and in accordance with Section 96 of the Freedom of Information Act 1992, resolves to endorse the Shire of Carnarvon Freedom of Information Statement of February 2026 as presented in Schedule 1.

COUNCIL RESOLUTION OCM 04/02/26

Moved: Cr Burke Maslen

Seconded: Cr Paul Kelly

That Council, by Simple Majority and in accordance with Section 96 of the Freedom of Information Act 1992, resolves to endorse the Shire of Carnarvon Freedom of Information Statement of February 2026 as presented in Schedule 1.

FOR: Mr Eddie Smith, Cr Burke Maslen, Cr Marco Ferreirinha, Cr Luke Skender, Cr Paul Kelly, Cr Dudley Maslen, Cr Mark Young and Cr Merome Beard

AGAINST: Nil

CARRIED BY SIMPLE MAJORITY 8/0

7.1.2 REQUEST FOR LEASE - CARNARVON HERITAGE GROUP

Cr DM Maslen (Impartiality) – 7.1.2 Request For Lease - Carnarvon Heritage Group

Cr B Maslen (Impartiality) – 7.1.2 Request For Lease - Carnarvon Heritage Group

File No: ADM0254
 Location/Address: Portion of Reserve 6049, Old Tramway Track, Carnarvon
 Name of Applicant: Carnarvon Heritage Group
 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: 30 June 2016, 26 September 2017
 Schedules: 1. CHG Request to Lease

Authority/Discretion:

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

Summary of Report

This report details a request received on 9 September 2025 from Carnarvon Heritage Group, seeking Council’s approval to grant a Lease over a portion of Reserve 6049 (Old Tramway Track Reserve), Carnarvon (**schedule 1**). The area was previously leased to the Carnarvon Heritage Group, that lease expired on 30 June 2016.

Background

Reserve 6049 is vested to the Shire for “Historical Purposes’. The Shire has the power, subject to approval from the Minister for Lands to lease for any term not exceeding 21 years.

At OCM June 2016 an item was presented to Council requesting a renewal of the Lease for the Old Tramway Reserve 6049, during the meeting, Council resolved:

“That Council advise the Carnarvon Heritage Group that it is not prepared to entertain a new lease for the Old Tramway at Babbage Island Carnarvon – Portion of Reserve 6049 until a Business Plan addressing the Carnarvon Heritage Group’s sustainability has been finalised and presented for consideration as part of this matter” (Schedule 8.2.5 (b)).

On 28 July 2017, the Carnarvon Heritage Group Inc. requested reinstatement of the lease. At the OCM of September 2017 (FC 9/9/17), Council resolved to offer in-principle support to enter into discussions with the

Group for the purpose of considering renewal of the Old Tramway lease (portion of Reserve 6049, Lot 1203). It appears no further discussions progressed and no new lease was subsequently granted. Accordingly, there is currently no formal lease in place, and this matter represents a fresh consideration by Council.

The Shire is currently undertaking a Tramway Walk Trail project which is part of the Carnarvon Activation Plan (CAP). The plan focuses on developing identified priority projects to create a more vibrant, socially and economically beneficial town centre, featuring new public spaces, walking trails and event facilities.

The Tramway Walk Trail connects the Tramway Bridge from the Fascine Town Beach to the Carnarvon Heritage Precinct. This is a significant heritage project aimed at celebrating Carnarvon’s rich history by enhancing storytelling along the historic tramway route, this project is centred on reinforcing the existing ~2.5km walk into a multi-faceted cultural trail with educational significance.

The trail itself will remain unchanged, with the focus on new wayfinding signs, interpretive elements, viewing points, rest nodes and shade shelters along its length, creating a unique and educational experience to guide visitors through its historical significance. Should the lease be granted it will be over the portion of Reserve 6049 which contains the *tramway track system only*; any improvements required to the tramway track system will be the responsibility of the Carnarvon Heritage Group.

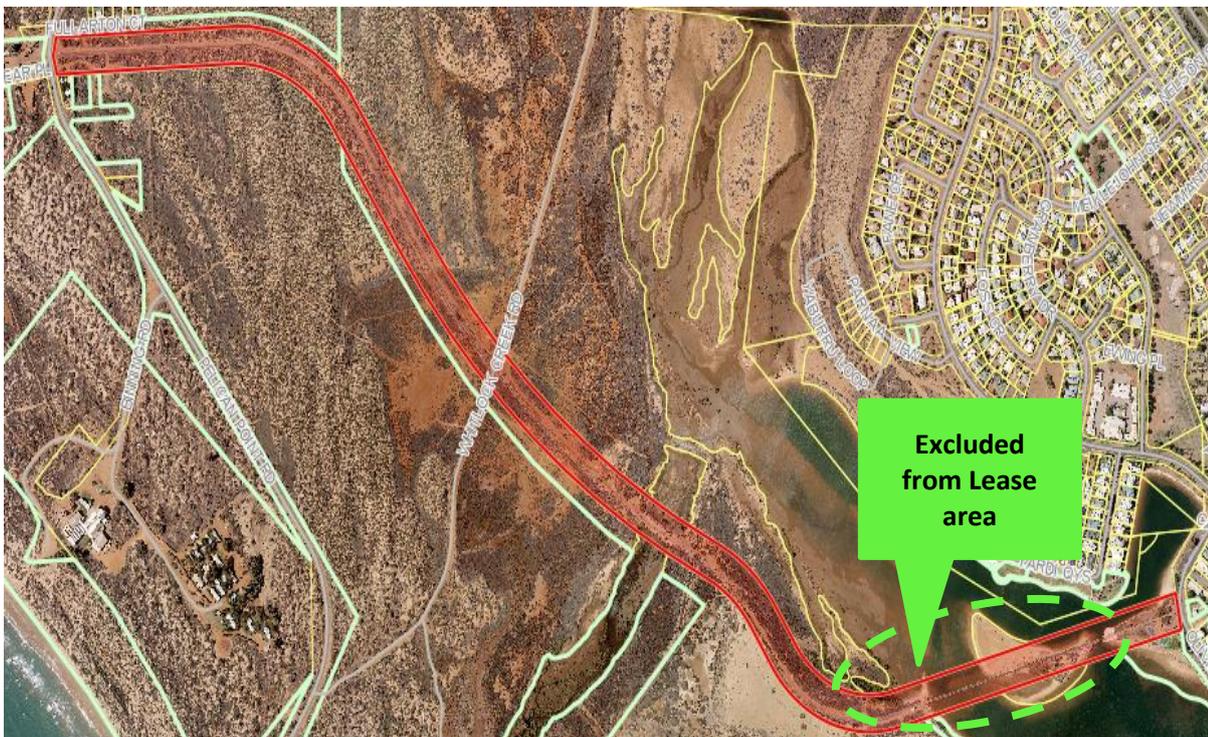


Figure 1: Old Tramway Babbage Island – Carnarvon Reserve 6049

Stakeholder and Public Consultation

Carnarvon Heritage Group;
 Shire President and Deputy President.

Public Consultation is not suggested, but could be accommodated through the statutory advertising requirements of Local Government Act S3.58 if that is required by Council.

Statutory Environment

LEGAL CONSIDERATIONS

Reserve 6049 is Crown land vested in the Shire for “Historical Purposes.” Any lease over the Reserve:

- Must align with the purpose of vesting;
- Requires approval from the Minister for Lands under the relevant Land Administration framework;
- Constitutes a “disposal of property” under Section 3.58 of the Local Government Act 1995 and therefore requires compliance with statutory public notice requirements (unless an exemption applies).

The proposed five-year lease term is within the Shire’s leasing authority (subject to Ministerial approval) and does not exceed the 21-year maximum allowable term.

STATUTORY CONSIDERATIONS

LOCAL GOVERNMENT ACT 1995 - SECT 3.58

Local Government Act 1995 – Sect. 3.

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 - REG 30
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.*

Relevant Plans and Policy

Policy CF018 Lease and Licensing Classification; Category One – Not for Profit

Financial Implications

In accordance with Policy CF018 and as a Category one lease; the annual rental will be \$50 (Ex GST); the cost of preparation of the lease will be paid by the Shire. Any future revenue made by the Carnarvon Heritage Group from the Tramway should be reinvested in the Tramway Reserve.

Risk Assessment

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

Risk Category	Description	Rating	Mitigating Action/s
Financial	Potential loss of future economic or social value.	C1 - Low	Continue to monitor the outcomes of the lease.
Health & Safety	N/A		
Reputation	Perception that Council is unsupportive of community initiatives, potentially resulting in community dissatisfaction, media scrutiny or stakeholder criticism.	C2 - Moderate	Ensure transparent reporting and communication; clearly articulate alignment with Strategic Community Plan and reinforce Councils structured support for heritage and accountability; document rationale in minutes
Service disruption	Informal use weakens oversight clarity		Shire retains ownership and control through lease conditions.
Compliance	Risk of procedural non-compliance if the decision-making process does not follow statutory or governance requirements.	D1 - Low	Ensure officer report addresses statutory considerations; confirm compliance with Local Government Act land provisions (where applicable); maintain documented decision-making demonstration compliance to s3.58 has been followed Ministerial approval obtained
Property	Potential underutilisation of land asset; risk of unmanaged asset deterioration or missed opportunity to activate land consistent with Asset Management Plan.	Low	Lease conditions provide for reporting maintenance obligations and termination rights.
Environment	N/A		
Fraud	Minimal direct fraud exposure	Low	Maintain transparent negotiation and documentation process

Community and Strategic Objectives

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

OBJECTIVES

In 2040 Carnarvon is a place where:

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

ADDITIONAL FOCUS AREAS:

- *N/A*

BIG IDEAS FOR THE FUTURE OF CARNARVON:

- *Whitlock Island Development*

Comments

It is recommended that the Shire grant the Carnarvon Heritage Group a lease for a five-year term to help manage one of Carnarvon's historic assets. The lease will then be incorporated into the CHG Business Plan and should include:

- Outline the groups plans to fund the clean up the old Tramway track
- Outline the future refurbishment and renewal of the tramway and tracks; and then
- Provide a plan of action for the continuing maintenance of the leased area

Noting that should the lease be granted, it will be over the portion of Reserve 6049 which contains the tramway track system only; any improvements required to the tramway track system will be the responsibility of the Carnarvon Heritage Group.

The Shire will have the authority to close any sections of the track system for safety reasons; or to restrict access to the Reserve (provided by Public Notice); for example when the Shire appointed contractors are undertaking works for the Tramway Trail signage installation and the new Tramway Shelter construction in the coming year.

The Carnarvon Heritage Group have advised that *as the clean-up of the One Mile Jetty Heritage Precinct is well advanced it is time for them to expand their efforts to include the management of the historic connecting assets in its refurbishment agenda.*

The proposal directly aligns with the Community Project Priority identified by Council at the 28 May 2024 Ordinary Council Meeting (OCM) and 22 August 2023 Ordinary Council Meeting (OCM), where Council resolved to continue supporting and advocating for heritage restoration and activation projects within the precinct. By enabling the Group to advance the Tramway track clean-up, refurbishment and long-term maintenance planning, the lease gives practical effect to those resolutions. It is for this reason that it is considered that the requirement for the calling of an Expression of Interest (ref: Policy CF018 - Lease and Licensing Classification) is not applicable on this occasion.

OFFICER 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, resolves to:

- 1. Approve the granting of a lease to the Carnarvon Heritage Group over Reserve 6049 (old tramway track reserve), Carnarvon (schedule 1) for a term of five years, subject to:***
 - A. Compliance with the statutory requirements for the disposal of property under section 3.58 of the local government act 1995, including public notice requirements where applicable;***
 - B. Lease documentation and administration being prepared at the Shire's cost; and***
- 2. Authorising the Chief Executive Officer to Finalise and Approve the Lease, and execute the lease documentation on behalf of the Shire in accordance with Shire of Carnarvon Policy CF018 – Lease and Licensing Classification Category One.***

COUNCIL RESOLUTION OCM 05/02/26

Moved: Cr Paul Kelly

Seconded: Cr Marco Ferreira

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, resolves to:

- 1. Approve the granting of a lease to the Carnarvon Heritage Group over Reserve 6049 (old tramway track reserve), Carnarvon (schedule 1) for a term of five years, subject to:***
 - A. Compliance with the statutory requirements for the disposal of property under section 3.58 of the local government act 1995, including public notice requirements where applicable;***
 - B. Lease documentation and administration being prepared at the Shire's cost; and***
- 2. Authorising the Chief Executive Officer to Finalise and Approve the Lease, and execute the lease documentation on behalf of the Shire in accordance with Shire of Carnarvon Policy CF018 – Lease and Licensing Classification Category One.***

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

AGAINST: Nil

CARRIED BY SIMPLE MAJORITY 8/0

7.1.3 REQUEST FOR LEASE RENEWAL - CARNARVON LIONS CLUB

File No: ADM0242
 Location/Address: Building 133, (Portion of Lot 547) Carnarvon Airport
 Name of Applicant: Carnarvon Lions Club
 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: 28 January 2020, 26 January 2021
 Schedules: 1. Lions Club Lease Jan 2021-2016

Authority/Discretion:

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

Summary of Report

This report details a request received 28 November 2025 from Carnarvon Lions Club, seeking Council’s approval to renew their Lease over Building 133, (Portion of Lot 547), Carnarvon Airport.

Background

At the Ordinary Council Meeting held in January 2021, Council resolved to grant a five-year lease over a portion of Lot 547, Building 133 at Carnarvon Airport to the Carnarvon Lions Club. The lease commenced on 30 January 2021 and expired on 29 January 2026 (refer Schedule 1).

The Carnarvon Lions Club is a not-for-profit community organisation that undertakes fundraising and provides practical support and assistance to the local and broader community. The leased premises are utilised for club meetings and for the storage of equipment and memorabilia associated with the Club’s activities.

Stakeholder and Public Consultation

Jenny Gard – Treasurer of the Carnarvon Lions Club

Statutory Environment

LOCAL GOVERNMENT ACT 1995 - SECT 3.58

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.

LOCAL GOVERNMENT (FUNCTIONS AND GENERAL) REGULATIONS 1996 - REG 30

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; or(e)

it is the leasing of land for a period of less than 2 years during all or any of which time the lease does not give the lessee the exclusive use of the land; or(f) it is the leasing of land to a person registered under the Health Practitioner Regulation National Law (Western Australia) in the dental profession or medical profession to be used for carrying on the person's dental practice or medical practice; or(g) it is the leasing of residential property to a person.

Relevant Plans and Policy

Policy CF018 Lease and Licensing Classification; Category Two – Not for Profit

Financial Implications

The Cost of preparation of the lease will be paid by the lessee in accordance with Policy CF018. The current lease rental of \$398.68 (inc. GST) p.a. will be reviewed annually (at the anniversary of commencement) based on CPI figures for the preceding quarter.

Risk Assessment

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

Risk Category	Description	Rating	Mitigating Action/s
Financial	N/A		
Health & Safety	N/A		
Reputation	Not renewing the lease would result in a functioning club without premises to operate	C2 - Moderate	Renewing the lease will mitigate this risk
Service disruption	N/A		
Compliance	N/A		
Property	Risk of damage or loss to the property if left vacant	C2 - Moderate	Renewing the Lease of the building will mitigate this risk
Environment	N/A		
Fraud	N/A		

Community and Strategic Objectives

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

OBJECTIVES

In 2040 Carnarvon is a place where:

- *Our community is engaged, inclusive and supportive*

ADDITIONAL FOCUS AREAS:

- N/A

BIG IDEAS FOR THE FUTURE OF CARNARVON:

- N/A

Comments

Renewal of the of lease for a further five-year term will provide ongoing support to a valued and active local community organisation.

The Carnarvon Lions Club plays an important role in fundraising, volunteering, and delivering charitable initiatives across Carnarvon, and lease continuity will provide stability to assist the Club in maintaining and growing its membership base and community contribution.

Under the current lease arrangements, the lessee is responsible for maintenance of the building in accordance with the lease conditions. Should the lease not be renewed, the building would become vacant and revert to full Shire responsibility for maintenance, compliance, and security. No budget provision has been allocated for the ongoing upkeep of the facility in the event it is unoccupied. Vacancy may also introduce risks associated with asset deterioration and vandalism.

OFFICER'S RECOMMENDATION

That Council, by simple majority, pursuant to Section 3.58 of the Local Government Act 1995, and the Local Government (Functions and General) Regulations 1996 Reg 30 resolves to:

- 1. Approve the renewal of lease with the Carnarvon Lions Club over a Portion of Lot 547, Building 133, Carnarvon Airport for a five-year term till 29 January 2031 subject to:***
 - a. Conformity with the statutory provisions for 'Disposal of Property' under Section 3.58 of the Local Government Act, 1995; and***
 - b. Confirmation of an ongoing maintenance and an acceptable property inspection; and***
 - c. Lease administration and document preparation is prepared at the Lessee's cost to be invoiced to the Lessee upon execution of the lease; and***
 - d. Approve the CEO to execute the lease with the Lessee in accordance with the Shire of Carnarvon Policy CF018 Lease and Licensing Classification Category Two.***

COUNCIL RESOLUTION OCM 06/02/26

Moved: Cr Burke Maslen

Seconded: Cr Paul Kelly

That Council, by simple majority, pursuant to Section 3.58 of the Local Government Act 1995, and the Local Government (Functions and General) Regulations 1996 Reg 30 resolves to:

- 1. Approve the renewal of lease with the Carnarvon Lions Club over a Portion of Lot 547, Building 133, Carnarvon Airport for a five-year term till 29 January 2031 subject to:***
 - a. Conformity with the statutory provisions for 'Disposal of Property' under Section 3.58 of the Local Government Act, 1995; and***
 - b. Confirmation of an ongoing maintenance and an acceptable property inspection; and***
 - c. Lease administration and document preparation is prepared at the Shire's cost upon execution of the lease; and***
 - d. Approve the CEO to execute the lease with the Lessee in accordance with the Shire of Carnarvon Policy CF018 Lease and Licensing Classification Category Two.***

FOR: Mr Eddie Smith, Cr Burke Maslen, Cr Marco Ferreirinha, Cr Luke Skender, Cr Paul Kelly, Cr Dudley Maslen, Cr Mark Young and Cr Merome Beard

AGAINST: Nil

CARRIED BY SIMPLE MAJORITY 8/0

Note to minute: Council were in agreeance to support waiving of the fees for non-for-profit organisation. Option C now reflects this decision.

7.1.4 REQUEST FOR DEED OF EXTENSION OF LEASE - CARNARVON GOLF CLUB

File No: ADM0237
 Location/Address: Reserve 31811, (Lot 1178 & Lot 1212) Cornish Street, Carnarvon
 Name of Applicant: Carnarvon Golf Club
 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: 28 July 2015
 Schedules:
 1. Aerial map of Carnarvon Golf Club
 2. Fully Executed Lease March 2015

Authority/Discretion:

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

Summary of Report

This report details a request received 9 December 2025 from Carnarvon Golf Club, seeking Council’s approval for a further term of their Lease over Reserve 31811, (Lot 1178 & Lot 1212) Cornish Street, Carnarvon (**Schedule 1**).

Background

At the Ordinary Council Meeting (OCM) July 2015, Council resolved to lease Reserve 31811, Cornish Street, Carnarvon to the Carnarvon Golf Club (Club) for an initial term of 10 years; the initial lease (which included a provision for a further term of ten years) commenced on 1 March 2016 and expires 28 February 2026 (**schedule 2**). The request to lease for a further term covers the period 1 March 2026 to 29 February 2036.

Stakeholder and Public Consultation

Carnarvon Golf Club

Statutory Environment**LOCAL GOVERNMENT ACT 1995 - SECT 3.58**

Local Government Act 1995 – Sect. 3.

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 - REG 30

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.*

Relevant Plans and Policy

Policy CF018 Lease and Licensing Classification; Category Two – Not for Profit

Financial Implications

The current annual lease rental of \$415.74 (Inc GST) will be reviewed annually (at the anniversary of commencement) based on CPI figures for the preceding quarter. The cost of preparation of the Deed of variation of lease will be paid by the Lessee in accordance with Policy CF018.

Risk Assessment

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

Risk Category	Description	Rating	Mitigating Action/s
Financial	N/A		
Health & Safety	N/A		
Reputation	Not renewing the lease would result in a functioning sporting club without premises to operate	C2 - Moderate	Renewing the lease will mitigate this risk
Service disruption	N/A		
Compliance	N/A		

Property	Risk of damage or loss to the property if left vacant	C2 - Moderate	Renewing the Lease of the building will mitigate this risk
Environment	N/A		
Fraud	N/A		

Community and Strategic Objectives

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

OBJECTIVES

In 2040 Carnarvon is a place where:

- *Our community is engaged, inclusive and supportive*

ADDITIONAL FOCUS AREAS:

- N/A

BIG IDEAS FOR THE FUTURE OF CARNARVON:

- N/A

Strategic, Usage & Economic Activation Impact

The proposed Deed of Variation, extending the lease for a further ten-year term, provides long-term tenure certainty to an established sporting club that delivers consistent recreational, social and economic value to the Carnarvon community.

The Golf Club currently supports:

- Regular weekly competition play
- Social golf participation across age groups
- Junior and introductory participation opportunities
- Visiting inter-town players and seasonal users
- Community and corporate events

As one of Carnarvon’s key outdoor sporting assets, the facility provides both structured competition and casual recreational access, contributing to physical health, social connection and volunteer engagement.

Golf Usage and Tourism Potential

Golf is uniquely positioned as both a community sport and a visitor attraction.

With tenure certainty, the Club is better positioned to:

- Host regional tournaments and inter-club competitions
- Attract travelling golfers, grey nomads and seasonal visitors
- Promote Carnarvon as a “play and stay” regional destination
- Partner with tourism operators and accommodation providers
- Seek grant funding to enhance course standards and visitor facilities

Regional golf events generate measurable economic flow-on effects through:

- Accommodation bookings
- Hospitality and food services
- Retail expenditure
- Fuel and transport services

Importantly, golf appeals to a demographic with higher discretionary spend and longer average stay duration

— aligning strongly with Carnarvon’s tourism profile and shoulder-season activation objectives.

The extension of the lease supports the Club to plan confidently for facility improvements that enhance visitor experience, course presentation and event-hosting capability — strengthening Carnarvon’s reputation as an active, welcoming regional centre.

Comments

The proposed Deed of Variation, extending the existing lease for a further ten-year term, provides long-term tenure certainty to a well-established local sporting club with strong and active community membership.

The extension supports:

- Ongoing delivery of community sport and recreation in Carnarvon
- Planned improvements to the golf course and associated grounds
- Increased participation opportunities across age groups
- Strengthening of social connection and community wellbeing

Providing tenure certainty enables the Club to responsibly invest in infrastructure upgrades and long-term facility improvements, aligning with Council’s objectives to support active lifestyles, community resilience, and place activation.

The proposal represents a low-risk, high-community-benefit outcome that maintains productive use of Shire land while supporting volunteer-led community development and sport.

OFFICER’S RECOMMENDATION

That Council, by simple majority, pursuant to Section 3.58 of the Local Government Act 1995, and the Local Government (Functions and General) Regulations 1996 Reg 30 resolves to:

- 1. Grant the further term option to extend the lease with Carnarvon Golf Club over Reserve 31811, (Lot 1178 & Lot 1212) Cornish Street, Carnarvon for a further ten-year term to 29 February 2036 subject to:***
 - a. Conformity with the statutory provisions for ‘Disposal of Property’ under Section 3.58 of the Local Government Act, 1995; and***
 - b. Lease administration and document preparation is prepared at the Lessee’s cost to be invoiced to the Lessee upon execution of the lease.***
- 2. Authorise the CEO to approve, and execute the Deed of Extension with the Lessee in accordance with the Shire of Carnarvon Policy CF018 Lease and Licensing Classification Category Two.***

COUNCIL RESOLUTION OCM 07/02/26

Moved: Cr Paul Kelly

Seconded: Cr Marco Ferreirinha

That Council, by simple majority, pursuant to Section 3.58 of the Local Government Act 1995, and the Local Government (Functions and General) Regulations 1996 Reg 30 resolves to:

- 1. Grant the further term option to extend the lease with Carnarvon Golf Club over Reserve 31811, (Lot 1178 & Lot 1212) Cornish Street, Carnarvon for a further ten-year term to 29 February 2036 subject to:***
 - a. Conformity with the statutory provisions for ‘Disposal of Property’ under Section 3.58 of the Local Government Act, 1995; and***
 - b. Lease administration and document preparation is prepared at the Lessee’s cost to be invoiced to the Lessee upon execution of the lease.***

2. Authorise the CEO to approve, and execute the Deed of Extension with the Lessee in accordance with the Shire of Carnarvon Policy CF018 Lease and Licensing Classification Category Two.

FOR: Mr Eddie Smith, Cr Burke Maslen, Cr Marco Ferreirinha, Cr Luke Skender, Cr Paul Kelly, Cr Dudley Maslen, Cr Mark Young and Cr Merome Beard

AGAINST: Nil

CARRIED BY SIMPLE MAJORITY 8/0

7.1.5 NOMINATION OF COUNCIL REPRESENTATION - GASCOYNE DEVELOPMENT COMMISSION BOARD

Cr B Maslen (Impartiality) – 7.1.5 Nomination Of Council Representation - Gascoyne Development Commission Board

File No:	ADM2014
Location/Address:	N/A
Name of Applicant:	Gascoyne Development Commission
Name of Owner:	N/A
Author(s):	Jasper Benthien, Executive Services Coordinator
Authoriser:	Amanda Dexter, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirement:	Simple Majority
Previous Report:	June 2020
Schedules:	1. GDC Board Vacancies 2026 2. GDC Board Nomination Form

Authority/Discretion:

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

Summary of Report

For Council to consider the nomination of two Elected Members to the Gascoyne Development Commission (GDC) Board for a term of up to *three years*. Refer to **Schedule 1** attached.

Background

In June 2020, Council was invited to nominate two Councillors to sit on the GDC Board with Council resolving:

FC 2/6/20

Moved Cr Vandeleur, seconded Cr Fullarton

That Council nominate Cr Fullarton and Cr Maslen for appointment on the Gascoyne Development (GDC) Board.

The term of representation was for a period of *three years* with the option to extend for a further *three years*, at the discretion of the Minister for Regional Development. The Minister approved the appointment of Cr Burke Maslen for a term of three years on the GDC Board expiring in 2023. At the Minister's discretion, the appointment was extended for a further *two-year* term expiring in 2025.

Following the term expiry for several of the GDC Board members, the Minister is now seeking nomination of new members. To ensure the Board benefits from a cross section of experience and knowledge relevant to

the region, it is desirable (not mandatory) that Councillors with a good understanding of the unique challenges and opportunities facing the more remote parts of the region be encouraged to apply. Appointment to the board is for a term of up to three years.

It should be noted that on 1 January 2025, Cr Burke Maslen was elected as Chair of the GDC Board for a term of *Five Years* expiring in 2030 and is therefore now classified as a “Ministerial Appointment” and no longer requires Shire endorsement as a GDC Board nominee.

The GDC Board of Management comprises –

1. Three members representing Local Government
2. Three members representing community; and
3. Three members as Ministerial appointments

The Board determines the date and time of these meetings. Currently the meetings are held every two months with a total of six Board Meetings per year. Meetings are rotated around the region. Members are required to attend all Board Meetings and are expected to participate on committees/advisory groups and attend official functions as a representative of the Commission.

Stakeholder and Public Consultation

No Public Consultation is considered to be required on this occasion.

Statutory Environment

Section 16(16 of the Development Commissions Act (1993)).

16. Method of appointment of appointed members -

Regulations made for the purposes of paragraph (b) of section 15(1) are to be consistent with the following, unless particular circumstances require otherwise –

- (a) one third of the members referred to in that paragraph are to be persons who are resident in the region and nominated in accordance with the regulations;*
- (b) one third of those members are to be members of the council of a local government in the region and are to be nominated by local governments in the region in accordance with the regulations; and*
- (c) one third of those members are to be appointed at the Minister’s discretion.*

Relevant Plans and Policy

EME019 Roles and Responsibilities of Shire Delegates to External Bodies

Financial Implications

Nil – All costs associated with regional travel to meetings is covered by the Department of Industry and Regional Development (DPIRD).

Risk Assessment

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

Risk Category	Description	Rating	Mitigating Action/s
Financial	N/A		
Health & Safety	N/A		
Reputation	Risk that the Shire is not adequately represented in regional or stakeholder discussions, resulting in reputational harm or missed opportunities.	C2 - Moderate	Council ensures appointment of representatives to all relevant groups and monitors participation.
Service disruption	N/A		
Compliance	N/A		
Property	N/A		
Environment	N/A		
Fraud	Risk of perceived conflict of interest through representation on external groups.		Members act in accordance with the Shire’s Code of Conduct for Council Members, Committee Members and Candidates and EME019 Roles and Responsibilities of Shire Delegates to External Bodies

Community and Strategic Objectives

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

OBJECTIVES

In 2040 Carnarvon is a place where:

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

ADDITIONAL FOCUS AREAS:

- *Supports the needs of areas outside the Township of Carnarvon (Coral Bay and outlying areas)*
- *Improve the trust between citizens and the Shire of Carnarvon*

BIG IDEAS FOR THE FUTURE OF CARNARVON:

- *N/A*

Comments

The primary function of the GDC is to develop and broaden the economic base of the Region through facilitation and co-ordination of opportunities, including business investment and growth, improved provision of services and infrastructure, and increase area promotion to enhance the profile of the Gascoyne.

The Commission is to achieve these objectives in co-operation with Departments of the public service of the state and commonwealth, and other agencies, instrumentalities and statutory bodies of the State and Federal Government and Local Government, to promote equitable delivery of services within the Region.

Accordingly, the GDC's purpose and function aligns with the local government's Strategic Community Plan 2022-2032 and its objective to foster economic growth for the district, and is reliant on the co-operation with key stakeholders, such as the Council, to achieve quality outcomes for the betterment of the local and regional community. Considering this, it is appropriate and of benefit to both parties for the Shire to occupy one seat on the GDC Board.

Council endorsed nominations are to be submitted to the Gascoyne Development Commission by Friday 6 March 2026 along with the nomination form **Schedule 2**. The GDC will then forward the list of nominees to the Minister for Regional Development for consideration and appointment in accordance with the Regional Development Commissions Act 1993 and Regulations.

OFFICER'S RECOMMENDATION

- 1. That Council by simple majority, nominate the following two elected members to the Gascoyne Development Commission Board –***

***Cr Paul Kelly; and
Cr Merome Beard.***

- 2. Seek favourable consideration for at least one appointment by the Hon. Minister for Regional Development.***

COUNCIL RESOLUTION OCM 08/02/26

Moved: Cr Dudley Maslen

Seconded: Cr Marco Ferreirinha

- 1. That Council by simple majority, nominate the following two elected members to the Gascoyne Development Commission Board –***

***Cr Paul Kelly; and
Cr Merome Beard.***

- 2. Seek favourable consideration for at least one appointment by the Hon. Minister for Regional Development.***

FOR: Mr Eddie Smith, Cr Burke Maslen, Cr Marco Ferreirinha, Cr Luke Skender, Cr Paul Kelly, Cr Dudley Maslen, Cr Mark Young and Cr Merome Beard

AGAINST: Nil

CARRIED BY SIMPLE MAJORITY 8/0

7.1.6 ACTIONS PERFORMED UNDER DELEGATED AUTHORITY FOR THE MONTHS JANUARY AND FEBRUARY 2026

File No:	ADM0043
Location/Address:	N/A
Name of Applicant:	Shire of Carnarvon
Name of Owner:	N/A
Author(s):	Jasper Benthien, Executive Services Coordinator
Authoriser:	Amanda Dexter, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirement:	Simple Majority
Previous Report:	Monthly Report
Schedules:	Nil

Authority/Discretion:

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

Summary of Item

To report on actions performed under delegated authority for the months of January and February 2026.

Background

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

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

Stakeholder and Public Consultation

No Public Consultation is considered to be required.

Statutory Environment

Local Government Act 1995 - Section 9.49A
Planning & Development Act 2005 – Part 10 Div. 2
 TPS No. 10 – Section 2.4

Shire of Carnarvon *Local Government Act Local Laws S.29*
Health Act 1911 – S.107; Health Act 1911, Part VI
Health (Public Buildings) Regulations 1992

Relevant Plans and Policy

Nil

Financial Implications

There are no financial implications arising from receiving this report.

Risk Assessment

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

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

Community and Strategic Objectives

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

OBJECTIVES

In 2040 Carnarvon is a place where:

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

ADDITIONAL FOCUS AREAS:

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

BIG IDEAS FOR THE FUTURE OF CARNARVON:

- N/A

Comments

The following table detailing the actions performed within the organisation under delegated authority for the months of January and February 2026 are submitted to Council for information.

ENVIRONMENTAL HEALTH

Food

Date of decision	Decision Ref.	Decision details	Applicant	Other affected person(s)
11/12/2025	HFO25/012	Food business registration approved - "Big Fat Bites"	Jenny Geal	
19/12/2025	HFH25/034	Sweetman Produce Pty Ltd (horticultural)	Marina Sweetman	

Caravan Parks and Camping Grounds Act 1995

Date of decision	Decision Ref.	Decision details	Applicant	Other affected person(s)
19/12/25	HCP25/008	Approved	Peter Cameron	Ningaloo Adventure Camp

LAND USE AND DEVELOPMENT

Planning and Development Act (Local Planning Schemes) Regulations 2015 Schedule 2 Clause 68					
Applications to use/develop land					
File Ref:	Application Ref:	Subject Land (Incl. Scheme No)	Purpose	Applicant/Proponent	Date Granted
A972	P62/25	19 ANNEAR PL BABBAGE ISLAND WA 6701	INSTALLATION OF INTERPRETIVE SIGNAGE AND SEATING ALONG THE TRAMWAY WALK TRAIL	SHIRE OF CARNARVON	16/12/2025
A4015	P64/25	22 WAHOO CT CORAL BAY WA 6701	PROPOSED RENOVATIONS AND UPPER FLOOR ADDITIONS	3D EDGE DESIGNERS & PLANNERS	10/12/2025
A3545	P67/25	129 WILLIAM ST EAST CARNARVON WA 6701	SHED	RACHEL THOMSON & TIM CAUNT	05/01/2026
A1505	P69/25	550 ROBINSON ST KINGSFORD WA 6701	SHED	STAN & LUCY KOSTANICH	08/12/2025
A163	P70/25	11 CROSSLAND STREET SOUTH CARNARVON WA 6701	FRONT FENCE	ROBERT HULL & CRAIG GALL	22/12/2025

BUILDING

Application No.	Owners Name	Lot & Street	Type of Building Work
B25/019	SHIRE OF CARNARVON - CARNARVON HORSE AND PONY CLUB	LOT 648 (368) ROBINSON ST, CARNARVON	TRANSPORTABLE ABLUTION BLOCK
B25/060	NAHUM JENKINS	LOT 16 (412) ROBINSON ST, EAST CARNARVON	FENCE
B25/084	MIA LOWE & MARSHALL WHITEHALL-HOLLA	LOT 8 (16) CRAGGS COURT, BROWN RANGE	FENCE AND RETAINING WALL
B25/085	WILLIAM & PAULINE CAMPBELL	LOT 46 (5) WILLESEE ST, MORGANTOWN	PERGOLA
B25/086	KATHRYN HARPER & JARROD RICK	LOT 7 (24) MARGARET ROW, EAST CARNARVON	STORAGE SHED
B25/087	WACHS MIDWEST - CARNARVON REGIONAL HOSPITAL	LOT 338 (20) CLEAVER ST, CARNARVON	SEA CONTAINER STORAGE
B25/088	SHIRE OF CARNARVON - GASCOYNE GYMNASTICS CLUB INC	LOT 1286 (5) SHALLCROSS STREET, EAST CARNARVON	SOLAR PANELS

OFFICER'S RECOMMENDATION

That Council, by Simple Majority, in accordance with Section 5.46 of the Local Government Act, resolves to accept the reports outlining the actions performed under delegated authority for the months of January and February 2026.

COUNCIL RESOLUTION OCM 09/02/26

Moved: Cr Marco Ferreirinha

Seconded: Cr Luke Skender

That Council, by Simple Majority, in accordance with Section 5.46 of the Local Government Act, resolves to accept the reports outlining the actions performed under delegated authority for the months of January and February 2026.

FOR: Mr Eddie Smith, Cr Burke Maslen, Cr Marco Ferreirinha, Cr Luke Skender, Cr Paul Kelly, Cr Dudley Maslen, Cr Mark Young and Cr Merome Beard

AGAINST: Nil

CARRIED BY SIMPLE MAJORITY 8/0

7.1.7 2025/2026 MID-YEAR BUDGET REVIEW

File No: AMD0027
 Location/Address: N/A
 Name of Applicant: Shire of Carnarvon
 Name of Owner: N/A
 Author(s): Amanda Leighton, Executive Manager, Corporate Strategy & Performance
 Authoriser: Amanda Dexter, Chief Executive Officer
 Declaration of Interest: Nil
 Voting Requirement: Absolute Majority
 Previous Report: [OCM 11/10/25](#)
 Schedules: 1. 2025.2026 Mid-Year Budget Review

Authority/Discretion:

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

Summary of Report

To consider the Shire’s financial position as at 31 January 2026 and performance for the period 1 July 2025 to 31 January 2026 in relation to the adopted annual budget and estimated revenue and expenditure for the remainder of the financial year.

Background

The budget review has been prepared to include information required by the *Local Government Act 1995*, *Local Government (Financial Management) Regulations 1996* and Australian Accounting Standards. The report for the period 1 July 2025 to 31 January 2026 shown in the attachment has been prepared incorporating year to date budget variations and forecasts to 30 June 2026 and is presented for council’s consideration.

Consideration of the status of various projects and programs was undertaken to ensure any anticipated variances were captured within the review document where possible.

The material variance levels which have been reported for the budget review, have utilised the same materiality levels as monthly reporting.

Stakeholder and Public Consultation

Internal

Chief Executive Officer: Mandy Dexter
 Executive Manager Corporate Strategy & Performance: Amanda Leighton
 Executive Manager Infrastructure Services: Colm Stanley
 Executive Manager Community Planning & Sustainability: Stefan Louw
 Acting Executive Manager Lifestyle & Community: Jamie Bone

Lead Strategic Projects Manager: Mark Davis

Agenda Briefing Session 17 February 2026

Shire President: Eddie Smith

Deputy President: Burke Maslen

Councillors: Marco Ferreinha, Merome Beard, Mark Young, Dudley Maslen & Paul Kelly (online).

External

MOORE Australia

Public

N/A.

Statutory Environment

Regulation 33A of the Local Government (Financial Management) Regulations 1996 requires:

- (2) *Between 1 January and the last day of February in each financial year a local government is to carry out a review of its annual budget for that year.*

(2A) The review of an annual budget for a financial year must —

- (a) consider the local government's financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and*
- (b) consider the local government's financial position as at the date of the review; and*
- I review the outcomes for the end of that financial year that are forecast in the budget; and*
- (d) include the following —*
 - (i) the annual budget adopted by the local government;*
 - (ii) an update of each of the estimates included in the annual budget;*
 - (iii) the actual amounts of expenditure, revenue and income as at the date of the review;*
 - (iv) adjacent to each item in the annual budget adopted by the local government that states an amount, the estimated end of year amount for the item.*

(2) The review of an annual budget for a financial year must be submitted to the council on or before 31 March in that financial year.

(3) A council is to consider a review submitted to it and is to determine whether or not to adopt the review, any parts of the review or any recommendations made in the review.*

**Absolute majority required.*

(4) Within 14 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.

Section 6.8(1) (b) of the Local Government Act 1995 provides that expenditure can be incurred when not included in the annual budget provided it is authorised in advance by resolution (absolute majority required).

Relevant Plans and Policy

There are no known policy implications arising from this report.

Financial Implications

Authorisation of expenditure through budget amendments recommended. Other specific financial implications are as outlined in the body 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	Failure to adopt the Mid-Year Budget Review would prevent Council from formally amending the adopted budget to reflect updated revenue forecasts, lease liabilities, capital timing changes and grant income. This may result in unauthorised expenditure under Section 6.8 of the Act and misalignment between forecast and actual financial position.	2-C Moderate	Adoption by absolute majority ensures lawful authorisation of revised expenditure and revenue forecasts. Improved deficit position from (\$390,707) to (\$233,755) demonstrates active financial monitoring and corrective action.
Health & Safety	Delays in budget amendments may impact funding allocation for ranger services, depot improvements, and insurance-related expenditure.	2-D Low	Budget reallocations ensure appropriate resourcing of ranger services, insurance claims, and operational safety requirements.
Reputation	Failure to adopt the review may signal weak financial governance, particularly in light of the REX-related deficit. This could impact confidence from the community, Department, auditors, and funding bodies.	2-C Moderate	Transparent reporting of improved financial position and submission to the Department within statutory timeframe reinforces sound governance and accountability.
Service Disruption	Without formal amendment, projects such as road works, Art Gallery upgrades, plant purchases and capital timing changes may be delayed or improperly funded.	2-C Moderate	The review adjusts capital timing (e.g. street sweeper deferral) and reallocates funding to reflect operational reality, supporting continuity of services.

Compliance	Non-compliance with Regulation 33A timelines or failure to submit review to the Department within 14 days may result in regulatory breach.	1-C Low	Report submitted prior to 31 March. Absolute majority resolution ensures lawful adoption. Review to be forwarded to Department within 14 days as required.
Property	Inaccurate capital forecasting could impact asset lifecycle planning and reserve balances.	2-D Low	Capital adjustments align funding with actual project timelines and grant conditions. Lease liabilities properly recognised in accordance with accounting standards.
Environment	Delays in infrastructure or operational funding adjustments may affect delivery of environmental health or regulatory services.	2-D Low	Budget maintains provision for EHO and compliance services; no adverse impact identified.
Fraud	Failure to formally adjust budget provisions may create inconsistencies between actual expenditure and approved allocations, increasing audit risk.	2-D Low	Adoption ensures transparency, accountability, and audit trail of all budget amendments and lease recognitions.

Community and Strategic Objectives

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

OBJECTIVES

In 2040 Carnarvon is a place where:

- *Our community is engaged, inclusive and supportive*

ADDITIONAL FOCUS AREAS:

N/A

BIG IDEAS FOR THE FUTURE OF CARNARVON:

N/A

Comments

The budget review report includes at Note 4 a summary of predicted variances contained within the Statement of Financial Activity, including whether variances are considered to be permanent (where a difference is likely between the current budget and the expected outcome to 30 June) or due to timing (e.g. where a project is likely to be delayed).

Features of the budget review include:

Operating Revenue	
Increase to Grant Income – SP-05 – DPRID approved	\$10,000
Increase to fines and penalties reallocated from other revenue	\$10,000

Decrease to airport lease payments reallocated to other revenue \$110,000	(\$110,000)
Decrease to fines and penalties reallocated to other revenue	(\$10,000)
Increase to airport lease payments reallocated from other revenue	\$110,000
Operating Expenditure	
Reallocate animal control employee costs to materials and contracts for ranger services	\$50,000
Increase to ranger services from animal control employee costs	(\$50,000)
Decrease in phone and internet charges due to plan changes	\$37,700
Increase to Senior Citizen expenditure	(\$1,000)
Increase to Consultancies for integrated reporting	(\$50,000)
Decrease to software allocations	\$24,000
Decrease to parks & gardens in line with YTD actual	\$150,000
Decrease to building survey contractor in line with 25/26 requirements	\$35,000
Art Gallery equipment reallocated to capital expenditure	\$78,176
Increase to expenditure for insurance claims	(\$15,000)
Increase due to annuity fees for borrowings not included in budget	(\$18,160)
Increase to insurance premiums	(\$3,695)
Investing Activities	
Increase to Art Gallery grants received	\$58,176
Increase to Roads to Recovery MRWA funding	\$233,692
Increase for depot improvements	(\$26,715)
Purchase of street sweeper delayed to 2026/27	\$365,000
Decrease due to other vehicle purchases under budget	\$15,836
Increase due to purchase of boomspray	(\$6,022)
Large printer/scanner lease in lieu of purchase	\$6,360
Decrease to budget for firewall upgrades and chambers conferencing hardware	\$39,930
Increase to budget for art gallery equipment offset by grant revenue	(\$78,176)
Increase to budget for Speedway Road	(\$215,906)
French Road budget decreased	\$200,000
Quobba Gnarloo Road budget increase to finalise expenditure for 2024/25 funding	(\$233,692)
Recognise new lease liabilities for office equipment and fleet vehicles	(\$245,960)
Non-cash amounts excluded from investing activities	\$245,960
Financing Activities	
Increase to new lease liabilities for office equipment and fleet vehicles	\$236,660
Increase due to repayment of new leases for office equipment and fleet vehicles	(\$83,552)
Non-cash amounts excluded from financing activities	(\$236,660)
Transfer unspent borrowings for street sweeper	(365,000)
Overall Change (surplus)	\$156,952

In considering the above variances and projections within the attached budget review, the closing position

has improved from (\$390,707) by \$156,952 to (\$233,755), reflected in the Statement of Budget Review. The deficit has arisen from the collapse of an airline servicing Carnarvon and the Shire is taking action to recover this loss.

Following completion of the budget review and to properly consider the impact of estimated projections at 30 June 2026, some items have been identified as requiring a budget amendment to properly account for these variances where appropriate. Required budget amendments have been included in Note 5 of the attached budget review document for information, and also presented as a separate recommendation to the budget review for council consideration.

OFFICER’S RECOMMENDATION

That Council by absolute majority, pursuant to Regulation 33A of the Local Government (Financial Management) Regulations 1996 and Section 5.42 of the Local Government Act 1995, endorses the 2025/2026 Mid-Year Budget Review as follows:

<i>Operating Revenue</i>	<i>Operating Grants Subsidies and Contributions</i>	<i>Increase provision by</i>	<i>\$10,000</i>
<i>Operating Revenue</i>	<i>Fees and Charges</i>	<i>Decrease provision by</i>	<i>\$100,000</i>
<i>Operating Revenue</i>	<i>Other Revenue</i>	<i>Increase provision by</i>	<i>\$100,000</i>
<i>Operating Expenditure</i>	<i>Employee Costs</i>	<i>Decrease provision by</i>	<i>\$50,000</i>
<i>Operating Expenditure</i>	<i>Materials and Contracts</i>	<i>Decrease provision by</i>	<i>\$208,876</i>
<i>Operating Expenditure</i>	<i>Finance Cost</i>	<i>Increase provision by</i>	<i>\$18,160</i>
<i>Operating Expenditure</i>	<i>Insurance Expenses</i>	<i>Increase provision by</i>	<i>\$3,695</i>
<i>Capital Revenue</i>	<i>Capital Grants Subsidies and Contributions</i>	<i>Increase provision by</i>	<i>\$291,868</i>
<i>Capital Expenditure</i>	<i>Property, Plant and Equipment</i>	<i>Decrease provision by</i>	<i>\$316,223</i>
<i>Capital Expenditure</i>	<i>Infrastructure</i>	<i>Increase provision by</i>	<i>\$495,558</i>
	<i>Transfer to Plant Reserve</i>	<i>Increase provision by</i>	<i>\$365,000</i>

COUNCIL RESOLUTION OCM 10/02/26

Moved: Cr Paul Kelly
 Seconded: Cr Luke Skender

That Council by absolute majority, pursuant to Regulation 33A of the Local Government (Financial Management) Regulations 1996 and Section 5.42 of the Local Government Act 1995, endorses the 2025/2026 Mid-Year Budget Review as follows:

<i>Operating Revenue</i>	<i>Operating Grants Subsidies and Contributions</i>	<i>Increase provision by</i>	<i>\$10,000</i>
<i>Operating Revenue</i>	<i>Fees and Charges</i>	<i>Decrease provision by</i>	<i>\$100,000</i>
<i>Operating Revenue</i>	<i>Other Revenue</i>	<i>Increase provision by</i>	<i>\$100,000</i>
<i>Operating</i>	<i>Employee Costs</i>	<i>Decrease provision by</i>	<i>\$50,000</i>

<i>Expenditure</i>			
<i>Operating Expenditure</i>	<i>Materials and Contracts</i>	<i>Decrease provision by</i>	<i>\$208,876</i>
<i>Operating Expenditure</i>	<i>Finance Cost</i>	<i>Increase provision by</i>	<i>\$18,160</i>
<i>Operating Expenditure</i>	<i>Insurance Expenses</i>	<i>Increase provision by</i>	<i>\$3,695</i>
<i>Capital Revenue</i>	<i>Capital Grants Subsidies and Contributions</i>	<i>Increase provision by</i>	<i>\$291,868</i>
<i>Capital Expenditure</i>	<i>Property, Plant and Equipment</i>	<i>Decrease provision by</i>	<i>\$316,223</i>
<i>Capital Expenditure</i>	<i>Infrastructure</i>	<i>Increase provision by</i>	<i>\$495,558</i>
	<i>Transfer to Plant Reserve</i>	<i>Increase provision by</i>	<i>\$365,000</i>

SUSPENSION OF STANDING ORDERS

COUNCIL RESOLUTION OCM 11/02/26

Moved: Cr Luke Skender

Seconded: Cr Marco Ferreirinha

A motion was moved that Council suspend standing orders at 10:24am.

FOR: Mr Eddie Smith, Cr Burke Maslen, Cr Marco Ferreirinha, Cr Luke Skender, Cr Paul Kelly, Cr Dudley Maslen, Cr Mark Young and Cr Merome Beard

AGAINST: Nil

CARRIED BY SIMPLE MAJORITY 8/0

Councillor D Maslen left at 10.34am, returned at 10.36am.

RESUMPTION OF STANDING ORDERS

COUNCIL RESOLUTION OCM 12/02/26

Moved: Cr Burke Maslen

Seconded: Cr Paul Kelly

A motion was moved that Council resume standing orders at 10.38am.

CARRIED BY SIMPLE MAJORITY 8/0

Note to the minutes: OCM 13/02/26 was considered.

COUNCIL RESOLUTION OCM 13/02/26

Moved: Cr Paul Kelly

Seconded: Cr Luke Skender

That Council by simple majority, pursuant to Regulation 33A of the Local Government (Financial Management) Regulations 1996 and Section 5.42 of the Local Government Act 1995, endorses the 2025/2026 Mid-Year Budget Review as follows:

<i>Operating Revenue</i>	<i>Operating Grants Subsidies and Contributions</i>	<i>Increase provision by</i>	<i>\$10,000</i>
<i>Operating Revenue</i>	<i>Fees and Charges</i>	<i>Decrease provision by</i>	<i>\$100,000</i>
<i>Operating Revenue</i>	<i>Other Revenue</i>	<i>Increase provision by</i>	<i>\$100,000</i>
<i>Operating Expenditure</i>	<i>Employee Costs</i>	<i>Decrease provision by</i>	<i>\$50,000</i>
<i>Operating Expenditure</i>	<i>Materials and Contracts</i>	<i>Decrease provision by</i>	<i>\$208,876</i>
<i>Operating Expenditure</i>	<i>Finance Cost</i>	<i>Increase provision by</i>	<i>\$18,160</i>
<i>Operating Expenditure</i>	<i>Insurance Expenses</i>	<i>Increase provision by</i>	<i>\$3,695</i>
<i>Capital Revenue</i>	<i>Capital Grants Subsidies and Contributions</i>	<i>Increase provision by</i>	<i>\$291,868</i>
<i>Capital Expenditure</i>	<i>Property, Plant and Equipment</i>	<i>Decrease provision by</i>	<i>\$316,223</i>
<i>Capital Expenditure</i>	<i>Infrastructure</i>	<i>Increase provision by</i>	<i>\$495,558</i>
	<i>Transfer to Plant Reserve</i>	<i>Increase provision by</i>	<i>\$365,000</i>

FOR: Mr Eddie Smith, Cr Burke Maslen, Cr Marco Ferreirinha, Cr Luke Skender, Cr Paul Kelly, Cr Dudley Maslen, Cr Mark Young and Cr Merome Beard

AGAINST: Nil

CARRIED BY ABSOLUTE MAJORITY 8/0

7.1.8 STATUS OF COUNCIL DECISIONS - FEBRUARY 2026

File No:	ADM0308
Location/Address:	Nil
Name of Applicant:	Nil
Name of Owner:	Nil
Author(s):	Amanda Dexter, Chief Executive Officer
Authoriser:	Amanda Dexter, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirement:	Simple Majority
Previous Report:	Nil
Schedules:	1. OUTSTANDING COUNCIL ACTION ITEMS - FEBRUARY 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 inform Council of the action taken in relation to Council decisions. It is proposed that Council endorse a monthly report to Council on all outstanding matters that direction has been given on, including an update on any legal action that may have a contingent liability and is unresolved.

It is therefore recommended that Council NOTES the Status of Council Decisions Report for the month of February 2026, as provided in **Schedule 1** to this Report.

Background

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

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

Stakeholder and Public Consultation

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

Statutory Environment

Nil

Relevant Plans and Policy

Nil

Financial Implications

Nil

Risk Assessment

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

Risk Category	Description	Rating	Mitigating Action/s
Financial	N/A		
Health & Safety	N/A		
Reputation	In order to remain transparent and to facilitate timely and appropriate decision making, it is requested that action items be reviewed at each Council meeting.	Minor	Increase transparency by providing adequate access to information and data.
Service disruption	N/A		
Compliance	N/A		
Property	N/A		
Environment	N/A		
Fraud	N/A		

Community and Strategic Objectives

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

OBJECTIVES

In 2040 Carnarvon is a place where:

- *Our community is engaged, inclusive and supportive*

ADDITIONAL FOCUS AREAS:

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

BIG IDEAS FOR THE FUTURE OF CARNARVON:

- *N/A*

Comments

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

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

OFFICER'S RECOMMENDATION

That Council notes the Status of Council Decisions Report for the month of February 2026, as provided in Schedule 1 to this report.

COUNCIL RESOLUTION OCM 14/02/26

Moved: Cr Dudley Maslen

Seconded: Cr Paul Kelly

That Council notes the Status of Council Decisions Report for the month of February 2026, as provided in Schedule 1 to this report.

FOR: Mr Eddie Smith, Cr Burke Maslen, Cr Marco Ferreirinha, Cr Luke Skender, Cr Paul Kelly, Cr Dudley Maslen, Cr Mark Young and Cr Merome Beard

AGAINST: Nil

CARRIED BY SIMPLE MAJORITY 8/0

7.2 CORPORATE SERVICES

7.2.1 ACCOUNTS PAID UNDER DELEGATION - JANUARY 2026

File No:	ADM0186
Location/Address:	N/A
Name of Applicant:	Shire of Carnarvon
Name of Owner:	N/A
Author(s):	Sarah Beresford, Finance Officer
Authoriser:	Amanda Leighton, Executive Manager, Corporate Strategy & Performance
Declaration of Interest:	Nil
Voting Requirement:	Simple Majority
Previous Report:	OCM06/01/26
Schedules:	<ol style="list-style-type: none"> 1. Schedule 1 - Credit Card Payments 2. Schedule 2 - List of Accounts Paid Under Delegation 3. Schedule 3 - Direct Debits

Authority/Discretion:

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

Summary of Report

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

Background

Council has delegated to the Chief Executive Officer, the exercise of its power under *Financial Management Regulation 12* to make payments from Municipal Fund and Trust Fund (Delegation 1.2.20) with a statutory condition on the delegation that a list of all payments is to be recorded in the Council Minutes. The list of payments is provided at **Schedule 1 - Credit Card Payments**, **Schedule 2 - List of Accounts Paid** and **Schedule 3 - Direct Debits** attached.

Stakeholder and Public Consultation

No Public Consultation is considered to be required.

Statutory Environment

Local Government Act 1995 S 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).

* Absolute majority required.

(2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

Local Government (Financial Management) Regulations 1996 – Regulations 12, 13 & 13A

12. Payments from municipal fund or trust fund, restrictions on making

(1) A payment may only be made from the municipal fund or the trust fund —

- (a) if the local government has delegated to the CEO the exercise of its power to make payments from those funds — by the CEO; or
- (b) otherwise, if the payment is authorised in advance by a resolution of the council.

(2) The council must not authorise a payment from those funds until a list prepared under regulation 13(2) containing details of the accounts to be paid has been presented to the council.

13. Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.

(1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —

- (a) the payee's name; and
- (b) the amount of the payment; and
- (c) the date of the payment; and
- (d) sufficient information to identify the transaction.

(2) A list of accounts for approval to be paid is to be prepared each month showing —

- (a) for each account which requires council authorisation in that month —
 - (i) the payee's name; and
 - (ii) the amount of the payment; and
 - (iii) sufficient information to identify the transaction; and
- (b) the date of the meeting of the council to which the list is to be presented.

(3) A list prepared under sub regulation (1) or (2) is to be —

- (a) presented to the council at the next ordinary meeting of the council after the list is prepared; and
- (b) recorded in the minutes of that meeting. Relevant Plans and Policy

13A. Payments by employees via purchasing cards

(1) If a local government has authorised an employee to use a credit, debit or other purchasing card, a list of payments made using the card must be prepared each month showing the following for each payment made since the last such list was prepared —

- (a) the payee's name;
- (b) the amount of the payment;
- (c) the date of the payment;
- (d) sufficient information to identify the payment.

(2) A list prepared under sub regulation (1) must be —

- (a) presented to the council at the next ordinary meeting of the council after the list is prepared; and

(b) recorded in the minutes of that meeting

Relevant Plans and Policy

Nil

Financial Implications

Nil as payments have been made in accordance with the Council adopted budget.

Risk Assessment

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

Risk Category	Description	Rating	Mitigating Action/s
Financial	Payments are made without appropriate budget authority	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	N/A	N/A	N/A
Property	N/A	N/A	N/A
Environment	N/A	N/A	N/A
Fraud	Accounting Fraud	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 aligns itself with no specific objective as expressed in the Community Strategic Plan 2022-2032. It is solely a legislative requirement common to all local governments within Western Australia. Without compliance in this regard, achieving strategic or community objectives would be at risk.

OBJECTIVES

In 2040 Carnarvon is a place where:

- N/A

ADDITIONAL FOCUS AREAS:

- N/A

BIG IDEAS FOR THE FUTURE OF CARNARVON:

- N/A

Comments

Nil

OFFICER'S RECOMMENDATION

That Council, by Simple Majority in accordance with s.5.42 of the Local Government Act -

- 1. Receive the list of payments made under delegation, as per Schedule 1, 2 & 3 at a total value of \$2,194,743.66 as presented for the month of January 2026, incorporating the following;*

<u>PAYMENT REFERENCE FROM:</u>	<u>PAYMENT REFERENCE TO:</u>	<u>PAYMENT TYPE</u>	<u>PAYMENT AMOUNT</u>
EFT46602	EFT46801	<u>MUNI EFT</u>	<u>\$958,444.40</u>
-	-	<u>TRUST EFT</u>	<u>\$0.00</u>
-	-	<u>CHEQUE</u>	<u>\$0.00</u>
DD42243.1, DD42245.1, DD42247.1, DD42247.2, DD42253.1, DD42253.3, DD42253.4, DD42253.5, DD42253.6, DD42253.7, DD42253.8, DD42255.1, DD42255.2, DD42255.3, DD42255.4, DD42255.5, DD42255.6, DD42257.2, DD42257.3, DD42257.4, DD42270.1, DD42270.2, DD42270.3, DD42270.4, DD42270.5, DD42272.1, DD42276.1, DD42276.2, DD42280.1, DD42280.2, DD42282.1, DD42282.2, DD42282.3, DD42282.4, DD42282.5, DD42287.1, DD42287.2		<u>BANK DIRECTS</u>	<u>\$1,236,299.26</u>
		<u>TOTAL</u>	<u>\$2,194,743.66</u>

COUNCIL RESOLUTION OCM 15/02/26

Moved: Cr Paul Kelly

Seconded: Cr Marco Ferreira

That Council, by Simple Majority in accordance with s.5.42 of the Local Government Act -

1. *Receive the list of payments made under delegation, as per Schedule 1, 2 & 3 at a total value of \$2,194,743.66 as presented for the month of January 2026, incorporating the following;*

PAYMENT REFERENCE FROM:	PAYMENT REFERENCE TO:	PAYMENT TYPE	PAYMENT AMOUNT
EFT46602	EFT46801	MUNI EFT	\$958,444.40
-	-	TRUST EFT	\$0.00
-	-	CHEQUE	\$0.00
DD42243.1, DD42245.1, DD42247.1, DD42247.2, DD42253.1, DD42253.3, DD42253.4, DD42253.5, DD42253.6, DD42253.7, DD42253.8, DD42255.1, DD42255.2, DD42255.3, DD42255.4, DD42255.5, DD42255.6, DD42257.2, DD42257.3, DD42257.4, DD42270.1, DD42270.2, DD42270.3, DD42270.4, DD42270.5, DD42272.1, DD42276.1, DD42276.2, DD42280.1, DD42280.2, DD42282.1, DD42282.2, DD42282.3, DD42282.4, DD42282.5, DD42287.1, DD42287.2		BANK DIRECTS	\$1,236,299.26

		TOTAL	\$2,194,743.66
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2. Receive the copies of credit card statements for all such Shire Facilities for the period 24 November 2026 – 22 December 2025, paid on 5 January 2026, as per Schedule 1.

FOR: Mr Eddie Smith, Cr Burke Maslen, Cr Marco Ferreirinha, Cr Luke Skender, Cr Paul Kelly, Cr Dudley Maslen, Cr Mark Young and Cr Merome Beard

AGAINST: Nil

CARRIED BY SIMPLE MAJORITY 8/0

7.2.2 MONTHLY FINANCIAL REPORT JANUARY 2026

File No: ADM0186
 Location/Address: N/A
 Name of Applicant: Shire of Carnarvon
 Name of Owner: N/A
 Author(s): Amanda Leighton, Executive Manager, Corporate Strategy & Performance
 Authoriser: Amanda Dexter, Chief Executive Officer
 Declaration of Interest: Nil
 Voting Requirement: Simple Majority
 Previous Report: [OCM 07/01/26](#)
 Schedules: 1. Monthly Financial Statement for January 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 Item

This item presents the Statement of Financial Activity for the period ending 31 January 2026 for Council to consider. The officer’s recommendation is that the Statement of Financial Activity be received by Council.

Background

Each month a local government is to prepare a Statement of Financial Activity, reporting on the revenue and expenditure for the month as set out in the budget. The *Local Government (Financial Management) Regulations* provide that the statements be presented at an Ordinary Meeting of 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 as the custodian of community assets and service provision. 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.

The Monthly Financial Report contains:

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

Notes for other supporting Information include:

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

The January 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

In accordance with the *Local Government Act 1995* and *Local Government (Financial Management) Regulations 1996*, a Statement of Financial Activity is required to be presented to Council as a minimum requirement.

Section 6.4 of the Local Government Act 1995 provides for the preparation of financial reports.

In accordance with *Regulation 34 (5) of the Local Government (Financial Management) Regulations 1996*, a report must be compiled on variances greater than the materiality threshold adopted by Council of \$10,000 or 10% whichever is the greater. **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

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

Risk Category	Description	Rating (Consequence x likelihood)	Mitigating Action/s

Financial	Stakeholders may withdraw funding if the statements are not prepared according to the regulatory framework.	C1 - Low	Financial Statements are prepared on time and according to the applicable Legislation and Regulations
Health & Safety	N/A	N/A	
Reputation	The delay in achieving timely reporting has the potential to damage the Shire’s reputation.	B2 - High	High priority has been placed on preparing Statutory reporting within legislated timeframes
Service disruption	N/A	N/A	
Compliance	<i>Local Government Act 1995</i> requires Council receives these statements within 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	
Environment	N/A	N/A	
Fraud	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:

- 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

Key points of interest for Councillors’ consideration:

Funding Position

The adopted Budget forecast shows an opening surplus of \$4,106,688. As at 31 January 2026, the surplus position is \$526,644, representing a variance of \$3,785,585 against the original estimate.

This variance is primarily attributable to investing activities totalling \$3,068,006 that are yet to be undertaken at this stage of the financial year. In addition, capital grant funding is \$1,919,739 below budget year to date, reflecting the timing of project delivery and associated funding receipts. The balance of the variance is attributable to favourable movements in operating revenue and expenditure.

It is important to note that this is a timing-based position rather than a structural improvement to the adopted deficit of \$390,707. The adopted full-year deficit remains unchanged and continues to reflect the outstanding REX debt provision.

Operating Activities

Year to date operating expenditure totals \$17,344,987, which is \$3,576,846 below budget. Operating revenue is \$14,990,600, being \$2,881,540 below budget for the same period. The net impact of these operating variances is a favourable position of \$695,306 compared to budget, contributing positively to the Shire's overall financial outcome.

Operating Revenue

- Grants, subsidies and contributions remain below YTD budget (41.8% variance). This relates to funding not yet received at the time of reporting, including Roads to Recovery, Disaster Recover Funding Arrangements Western Australia, Coral Bay Settlement Structure Plan and strategic project income - This is a timing matter.
- Interest revenue is below YTD budget due to lower cash balances available for investment and slightly reduced interest earnings.
- Other revenue is above YTD budget due to airport lease revenue being recognised under "Other Revenue" rather than "Fees and Charges."

Operating Expenditure

Employee costs are \$845,402 below YTD budget (11.67%). This variance is attributable to:

- Vacant positions currently under recruitment;
- Timing of onboarding of RJED funded roles; and
- Payroll cycle timing.

This does not represent a permanent underspend and will progressively reduce as recruitment is finalised. Materials and contracts are \$2,599,384 below YTD budget (37.36%). This is largely a timing issue, including:

- AGRN 1118 repair works not yet allocated at time of reporting; and
- Structure plans and mesquite eradication project expenditure tracking behind budget phasing.

Utility charges and other expenditure are also tracking below YTD budget due to timing of service delivery and invoicing.

Overall, operating activities reflect a favourable YTD position primarily driven by recruitment timing and expenditure phasing rather than cost savings.

Investing Activities (Capital Works)

YTD capital expenditure totals \$4.18 million against a YTD budget of \$8.92 million.

Infrastructure expenditure is significantly below YTD budget (58.7% variance), primarily due to:

- Roads projects (including Roads to Recovery and Blackspot programs) not yet aligned to budget phasing;
- Carnarvon Activation Plan expenditure occurring at different milestone stages;
- Footpath and drainage projects yet to commence; and
- Airport upgrade progressing but below YTD profiling.

Capital grant income is below YTD budget (53.19%) due to milestone-based funding arrangements where expenditure precedes reimbursement.

Key Point:

The variance in capital works reflects project timing and funding milestone alignment, not cancellation or reduction of works.

Cash and Investments

Total cash and financial assets at 31 January 2026 are \$6.02 million, comprising:

- \$3.53 million unrestricted funds
- \$2.49 million reserve funds
- \$223,277 trust funds

Term deposits total \$3,022,382 and are held to maximise interest earnings while maintaining liquidity.

Cash levels remain sufficient to meet short-term obligations, with trade payables largely current (94% within 30 days).

Receivables

Debtor receivables total \$457,042, of which \$390,707 relates to a debtor (Rex Airlines) currently in administration. The Shire have submitted a grant specific to this debt through the Regional and Remote Support Program Grant, which closes on 14 March 2026.

Net rates receivable as at 31 January 2026 is \$3,278,385. The rates collection rate is 65.8% at this stage of the financial year, the percentage of outstanding rates at this time remains comparative to the position held at January 2025.

There are currently 366 rate assessments participating in the approved instalment payment arrangement, with the final instalment due on 18 March 2026. It is anticipated that the collection rate will improve progressively as these instalment payments are received.

Reserves

Total reserve balances are \$2,493,273.

The net movement reflects interest earned on reserve funds.

No unplanned transfers have occurred during the reporting period.

Overall Financial Position

As at 31 January 2026:

- Operating performance is tracking favourably due to expenditure timing and vacancies.
- Capital expenditure is behind YTD profiling but progressing.
- Grant income variances are timing-related.
- The adopted full-year deficit position remains unchanged.

The current YTD surplus position is not indicative of a revised annual outcome but reflects phasing differences that will normalise as projects and recruitment progress.

OFFICER'S RECOMMENDATION

That Council, pursuant to Regulation 34 of the Local Government (Financial Management) Regulations, notes and receives the Statement of Financial Activity for the period ending 31 January 2026.

COUNCIL RESOLUTION OCM 16/02/26

Moved: Cr Paul Kelly

Seconded: Cr Marco Ferreirinha

That Council, pursuant to Regulation 34 of the Local Government (Financial Management) Regulations, notes and receives the Statement of Financial Activity for the period ending 31 January 2026.

FOR: Mr Eddie Smith, Cr Burke Maslen, Cr Marco Ferreirinha, Cr Luke Skender, Cr Paul Kelly, Cr Dudley Maslen, Cr Mark Young and Cr Merome Beard

AGAINST: Nil

CARRIED BY SIMPLE MAJORITY 8/0

7.3 DEVELOPMENT AND COMMUNITY SERVICES

7.3.1 AWARD OF RFT 02/2025 TRAMWAY WALK TRAIL SHELTERS - CONSTRUCTION AND INSTALLATION

File No:	ADM2278
Location/Address:	Carnarvon
Name of Applicant:	Shire of Carnarvon
Name of Owner:	Shire of Carnarvon
Author(s):	Peta Greening, Project Manager Mark Davis, Project Manager
Authoriser:	Amanda Dexter, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirement:	Simple Majority
Previous Report:	Nil
Schedules:	1. Evaluation & Recommendation Report - Confidential

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 approval to award Request for Tender (RFT) 02/2025 Tramway Walk Trail Shelters – Construction and Installation. This project includes the fabrication, construction and installation of two shelters (the Tramway Shelter and the Healing Shelter) and associated infrastructure along the Tramway Walk Trail, Carnarvon.

Background

In December 2023, Council endorsed the Carnarvon Activation Plan (CAP). The CAP is a strategic initiative by the Shire and key stakeholders to revitalise Carnarvon's Central Business District (CBD) and surrounding public spaces by improving their amenity and connectivity. The plan focuses on developing identified priority projects to create a more vibrant, socially and economically beneficial town centre, featuring new public spaces, walking trails and event facilities. The Tramway Walk Trail project forms part of the endorsed CAP.

The Tramway Walk Trail connects the Tramway Bridge from the Fascine Town Beach to the Carnarvon Heritage Precinct. This is a significant heritage project aimed at celebrating Carnarvon’s rich history by enhancing storytelling along the historic tramway route. As part of the Carnarvon Activation Plan, this project is centred on reinforcing the existing ~2.5km walk into a multi-faceted cultural trail with educational significance.

The Tramway Walk Trail project was developed in response to community feedback, with locals identifying the need for better storytelling, stronger connections to history, and engaging public spaces that celebrate Carnarvon's past. Through consultation, it was clear that the Tramway Walk Trail presented a fantastic opportunity to share the stories of Carnarvon's early transport and industry while encouraging exploration and tourism.

The trail itself will remain unchanged, with the focus on new wayfinding signs, interpretive elements, viewing points, rest nodes and shade shelters along its length, creating a unique and educational experience to guide visitors through its historical significance.

Following community consultation and Council engagement, detailed design for the Tramway Walk Trail was developed and includes the Tramway Shelter, Healing Shelter, seating and signage along the trail's length.

A separate package has been awarded to deliver the Tramway Walk Trail signage and seating elements of the broader Tramway Walk Trail project. This includes the construction and installation of all signage nodes and the construction and installation of custom timber seating along the Trail. These works are currently underway and estimated to be completed in the first half of calendar year 2026.

Stakeholder and Public Consultation

Communication has been underway since the early design phase of this project.

This has included:

- stakeholder engagement with key interest groups and agencies;
- distribution of community information through social media and newsletter communications;
- project updates published on the Shire's website.

Statutory Environment

Local Government Act, 1995 – Section 3.57:

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.

Local Government Act, 1995 – Section 3.18:

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

Local Government Act, 1995 – Section 5.42 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.]

Relevant Plans and Policy

CF001 – Procurement and Purchasing

Carnarvon Activation Plan (endorsed by Council 12 December 2023)

Financial Implications

This project can be delivered through funding received as part of the Community Infrastructure grant from Lotterywest, in addition to funding allocation from the Regional Precincts and Partnerships Program (rPPP) funding agreement. The Tramway Walk Trail was one of the successful sub projects within both grant funding programs awarded to the Shire.

Risk Assessment

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

Risk Category	Description	Rating	Mitigating Action/s
Financial	Ability to account for total costs as part of Lotterywest and Regional Precincts and Partnership Program (rPPP) funding allocations	C2 - moderate	Budget to be controlled in line with individual grant funding allocation, with appropriate contingencies and value managing processes included within the overall project planning and delivery.
Financial	Project costs escalate due to unforeseen construction requirements	C3 - high	Due diligence has been undertaken throughout project stages to date including relevant statutory approval considerations. Any unforeseen financial impact during construction will be managed by appropriately skilled and experienced staff and contractors working on project, with issues explored and addressed appropriately.

			A fixed cost contract price will be confirmed as part of the contract negotiations.
Health & Safety	Sections of trail are unsafe for public to access	C3 – high	Temporary closed sections of trail will only be reopened in stages once works have been completed and area signed off as structurally safe for users.
Reputation	Sections of trail are closed and inaccessible to public and visitors	C3 – high	A staged approach will highlight to public the Shire’s commitment to ensuring access to the trail and areas which are temporarily closed. Regular communication through Shire’s communications channels will ensure that the public are kept up to date with works.
Service disruption	Not applicable		
Compliance	Ability to meet Lotterywest and rPPP Funding Agreement timelines	C3 - high	Strategic Project team to manage and monitor all projects within Lotterywest and rPPP to ensure timelines are managed and reported on accordingly.
Property	Not applicable		
Environment	Unforeseen weather impacts delays project progress	C3 – high	Contingency days are factored into delivery program to mitigate such impacts.

Community and Strategic Objectives

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

OBJECTIVES

In 2040 Carnarvon is a place where:

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

ADDITIONAL FOCUS AREAS:

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

BIG IDEAS FOR THE FUTURE OF CARNARVON:

- *Whitlock Island Development*

Comments

This project was advertised through a public tender process. Whilst 22 proponents registered interest in the tender, zero submissions were received.

Accordingly, Shire officers approached five (5) local contracting companies to gauge interest in responding to the Request for Tender. This approach is in-line with the following clause within the Local Government Act 1995:

Regulation 11(2)(c) of the Local Government (Functions and General) Regulations 1996 provides that tenders do not have to be publicly invited if, within the last six months, the local government has publicly invited tenders for the supply of the same goods or services and:

- *no tender was submitted that met the tender specifications or satisfied the value-for-money assessment; or*
- *no acceptable tenderer was listed following an expression of interest process.*

Subsequently, one response was submitted to the Shire, with assessment undertaken by an internal evaluation panel. Given the receipt of only one response, evaluation focused on value for money, demonstrated experience and local commitment.

The Evaluation and Recommendation Report is found at **Confidential Attachment 1**.

OFFICER'S RECOMMENDATION

That Council –

- 1. Award Request for Tender 02-2025 Tramway Walk Trail Shelters Construction and Installation to Trac Building Service, to the value of \$598,000 ex GST;***
- 2. In accordance with Local Government Act 1995, S. 9.49A authorises the CEO to make any necessary non-material amendments and finalise the execution of a contract between the Shire of Carnarvon and Trac Building Service.***
- 3. Note that project updates will be provided to the Major Projects Committee of Council for monitoring throughout the construction phase of the project.***

SUSPENSION OF STANDING ORDERS

COUNCIL RESOLUTION OCM 17/02/26

Moved: Cr Paul Kelly

Seconded: Cr Marco Ferreirinha

A motion was moved that Council suspend standing orders at 10:42am

CARRIED BY SIMPLE MAJORITY 8/0

RESUMPTION OF STANDING ORDERS**COUNCIL RESOLUTION OCM 18/02/26****Moved:** Cr Burke Maslen**Seconded:** Cr Paul Kelly

A motion was moved that Council resume standing orders at 10.52am

FOR: Mr Eddie Smith, Cr Burke Maslen, Cr Marco Ferreirinha, Cr Luke Skender, Cr Paul Kelly, Cr Dudley Maslen, Cr Mark Young and Cr Merome Beard**AGAINST:** Nil**CARRIED BY SIMPLE MAJORITY 8/0****MOTION****Moved:** Cr Burke Maslen**Seconded:** Cr Paul Kelly*That Council –*

- 1. Award Request for Tender 02-2025 Tramway Walk Trail Shelters Construction and Installation to Trac Building Service, to the value of \$598,000 ex GST;**
- 2. In accordance with Local Government Act 1995, S. 9.49A authorises the CEO to make any necessary non-material amendments and finalise the execution of a contract between the Shire of Carnarvon and Trac Building Service.**
- 3. Note that project updates will be provided to the Major Projects Committee of Council for monitoring throughout the construction phase of the project.**

FOR: Cr Burke Maslen and Cr Dudley Maslen**AGAINST:** Mr Eddie Smith, Cr Marco Ferreirinha, Cr Luke Skender, Cr Paul Kelly, Cr Mark Young and Cr Merome Beard**LOST 2/6**

Note to minute: During debate, Councillors sought greater visibility of Applicant's cost breakdowns (the submission was confirmed as a lump-sum figure) and long-term considerations were highlighted for durability/future maintenance of materials.

7.3.2 DEVELOPMENT APPLICATION P65/25

Cr M Beard (Direct Financial) – 7.3.2 Development Application P65/25 and left the meeting at 11.05am

Cr DM Maslen (Indirect Financial) – 7.3.2 Development Application P65/25 and left the meeting at 11.05am

File No:	P65/25
Location/Address:	3B Illingworth Street, South Carnarvon
Name of Applicant:	Mimi Fong
Name of Owner:	Mimi Fong
Author(s):	Stefan Louw, Executive Manager, Community Planning and Sustainability
Authoriser:	Amanda Dexter, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirement:	Simple Majority
Previous Report:	Nil
Schedules:	1. STRA Management Plan 2. STRA Guidelines

Authority/Discretion:

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

Summary of Report

The Shire has received a development application (DA) for a Short-Term Rental Accommodation (STRA) at the above address. The applicant proposes to list the property on sites such as AirBnB for unhosted stays.

This report seeks a Council resolution to grant development approval subject to conditions.

Background

In 2024, the State Government introduced the Short-Term Rental Accommodation Act 2024 (STRA Act) which was accompanied by associated planning reforms. The Act mandated the registration of all STRA operations, including AirBnBs, on the Government’s STRA register. Importantly, registering a STRA with the Government does not exempt landowners from the requirement to obtain development approvals where required. In November of 2025, the landowner of 3B Illingworth Street, South Carnarvon listed the property on the STRA

register with the intention of using the site for unhosted stays and is now seeking development approval to do so. Please refer to Schedule 2 for further information on STRA guidelines for local governments.



Figure One – Location of Proposal

Stakeholder and Public Consultation

The proposal was advertised to adjoining neighbours, with 1 objection being received. A summary of the concerns raised, as well as officer comments, can be seen below:

Concern Raised	Officer Comments
Noise – with short-term stays, it is hard to predict how different guests may behave, and I am concerned about the impact on day-to-day living	Noted. The proponents will be required to adhere to the provisions of the Environmental Protection (Noise) Regulations. Any breaches can result in action by the Shire. The impacts of noise can be managed through the provision of a STRA Management Plan.
Turnover – A short-term rental naturally means a lot of people coming and going constantly. Even with the best intentions this can be bring extra noise, disruptions and uncertainty about who is nearby. This could affect the overall feel, safety and quietude of the neighbourhood.	Noted. Uncertainty about who is nearby can occur through a number of uses, including longer term rental arrangements (which do not require planning approval) and is generally not a reason to refuse an application.

	Noise and traffic disruptions can be managed through the provision of an STRA Management Plan.
Future saleability/value of my property being located near a short-term rental.	Impacts on property values are generally not viewed as valid planning considerations. The zoning of the area allows for these kinds of uses.

The concerns raised pertain primarily to the amenity impacts of a STRA operation. These impacts can appropriately be managed by conditioning a management plan to prescribe matters such as:

- Minimum number of nights
- Arrival and departure times
- ‘Quiet’ Hours
- Parking arrangements
- Visitor Restrictions
- Complaint Resolution

A STRA Management Plan was submitted by the applicant after advertising of the application (Schedule 1) which sufficiently address relevant concerns. Any breaches to the management plan can result in a revocation of registration, meaning that the Shire will have the ability to act should amenity impacts be continually reported.

In addition to the STRA Management Plan, it is proposed to initially grant a 12-month approval for the STRA operations so that the Shire is able to monitor whether any amenity issues arise. Should the operator successfully manage the property without any major disruption to the locality’s amenity, the Shire can consider a permanent approval upon the expiry of the DA.

Statutory Environment

Whilst STRA is defined in the Planning and Development (Local Planning Scheme) Regulations 2015, it is not defined in the Shire’s Local Planning Scheme. As such, the most appropriate land use designation in this case would be Holiday Accommodation, which is defined under the scheme as:

2 or more dwellings on one lot used to provide short term accommodation for persons other than the owner of the lot

It is important to note that the existing dwelling is a grouped dwelling arrangement, as there are 2 dwellings on the lot (A and B). Holiday Accommodation is an ‘A’ use in the residential zone, meaning it is not permitted unless the Shire exercises its discretion to grant a development approval and publicly advertises the proposal.

The STRA Act allows local governments to issue S29 Certificates to the state government in the event that there are planning breaches in relation to a STRA operation. S29 certificates are used by the state government as evidence to cancel the registration of a STRA. For that reason, if the Shire is made aware of breaches to the conditioned management plan, a s29 Certificate can be issued requesting that the operation is ceased regardless of whether planning approval has already been granted.

Relevant Plans and Policy

Shire of Carnarvon Local Planning Strategy

The Shire’s Local Planning Strategy identifies a lack of accommodation options within the townsite. Noting the economic impact tourist has on the Shire, the strategy recognises the importance of providing alternative accommodation types aside from traditional hotels, caravan parks and camping grounds as these are not always suited to every traveller’s needs.

Shire of Carnarvon Tourist Strategy

The primary purpose of the Carnarvon Tourism Strategy (Tourism Strategy) is to realise Carnarvon’s tourism potential and identify what improvements, additions, actions and messages are required in the short-medium term to achieve this. The Tourism Strategy outlines the issues facing the current approach to tourism within Carnarvon, identifying a lack of cohesion between promotion, signage and satisfactory provision for accommodation.

Financial Implications

Should the applicant be aggrieved by the decision of the Council, they have the right of review by the State Administrative Tribunal. This may result in costs for the Shire, particularly where legal services are engaged.

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	Legal services may need to be engaged should the applicant be aggrieved by Council’s decision.	2C- Moderate	Trial a 12-month approval to determine whether amenity impacts occur, allowing applicant to demonstrate their ability to appropriately manage the site.
Health & Safety	N/A	N/A	
Reputation	Reputational risk should the Shire make decisions counter to the directions of the Local Planning Strategy and the SOC Tourism Strategy..	2D - Low	Support provision of STRA options within the townsite by approving the DA.
Service disruption	N/A	N/A	
Compliance	N/A	N/A	
Property	N/A	N/A	

Environment	Risk to local amenity and community liveability.	2C Moderate	Trial a 12 month approval to determine whether amenity impacts occur, allowing the applicant to demonstrate their ability to appropriately manage the site.
Fraud	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 equitable community is actively involved in and are responsible for developing innovative, local solutions that transcend our region for a safe and unified 6701*
- *Our economy fosters investment and productivity in industries befitting Carnarvon’s physical and natural environment and that grows our horizons*
- *Our infrastructure, housing and amenities are high quality and accessible*

ADDITIONAL FOCUS AREAS:

- N/A

BIG IDEAS FOR THE FUTURE OF CARNARVON:

- N/A

Comments

The proposed Short-Term Rental Accommodation at 3B Illingworth Street, South Carnarvon has been assessed against the relevant statutory framework, local planning instruments and strategic objectives of the Shire of Carnarvon. While STRA is not expressly defined within the Local Planning Scheme, the proposal is appropriately considered as Holiday Accommodation within the Residential zone, where discretionary approval may be granted following public consultation.

The site is well located in close proximity to key Carnarvon activity nodes, including the Carnarvon Harbour, the town centre and the Carnarvon Airport. This strategic location supports the suitability of the proposal for short-term accommodation, as it provides convenient access for visitors and reduces reliance on long-distance travel through residential areas. The location is therefore consistent with the objectives of both the Shire’s Local Planning Strategy and Tourism Strategy, which identify a need for diverse and flexible accommodation options to support tourism and economic activity within the townsite.

One objection was received, primarily relating to potential amenity impacts such as noise, turnover of guests and perceived neighbourhood impacts. These concerns are acknowledged; however, it is considered that such impacts are not uncommon to a range of residential and rental uses and can be effectively managed through the imposition of appropriate conditions. The applicant has provided a Short-Term Rental Accommodation Management Plan, together with compliance with the Environmental Protection (Noise) Regulations and the ability for the Shire to take enforcement action, provides a clear framework to manage and mitigate potential amenity impacts.

Overall, the proposal is considered consistent with the strategic intent of the Shire, responds to identified accommodation shortfalls, and is suitably located to support visitor needs while maintaining residential amenity through appropriate conditions and oversight.

OFFICER'S RECOMMENDATION

That Council by Simple Majority pursuant to the Shire of Carnarvon's Local Planning Scheme No. 13, grant approval for Holiday Accommodation (Short Term Rental Accommodation) at 3B Illingworth Street, South Carnarvon subject to the following conditions and footnotes:

CONDITIONS

- 1. This approval is valid for a period of 12 months from the date of determination. Upon expiry of this approval, all Short Term Rental Accommodation activities shall cease unless otherwise approved by the Shire.***
- 2. The permit holder shall implement the approved Short Term Rental Accommodation Management Plan to the satisfaction of the Shire.***
- 3. The development shall comply with the Environmental Protection (Noise) Regulations 1997 at all times.***

FOOTNOTES

- a) This is a Planning Approval only and does not remove the responsibility of the applicant/owner to comply with all relevant building, health and engineering requirements of the Shire, or with any requirements of the Shire of Carnarvon's Local Planning Scheme No. 13 or with the requirements of any external agency.***
- b) Please be advised that the development must comply with the requirements of the Building Codes of Australia.***

COUNCIL RESOLUTION OCM 19/02/26

Moved: Cr Paul Kelly

Seconded: Cr Marco Ferreira

That Council by Simple Majority pursuant to the Shire of Carnarvon's Local Planning Scheme No. 13, grant approval for Holiday Accommodation (Short Term Rental Accommodation) at 3B Illingworth Street, South Carnarvon subject to the following conditions and footnotes:

CONDITIONS

- 1. This approval is valid for a period of 12 months from the date of determination. Upon expiry of this approval, all Short Term Rental Accommodation activities shall cease unless otherwise approved by the Shire.***
- 2. The permit holder shall implement the approved Short Term Rental Accommodation Management Plan to the satisfaction of the Shire.***
- 3. The development shall comply with the Environmental Protection (Noise) Regulations 1997 at all times.***

FOOTNOTES

- a) This is a Planning Approval only and does not remove the responsibility of the applicant/owner to comply with all relevant building, health and engineering requirements of the Shire, or with any requirements of the Shire of Carnarvon's Local Planning Scheme No. 13 or with the requirements of any external agency.***
- b) Please be advised that the development must comply with the requirements of the Building Codes of Australia.***

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

AGAINST: Nil

CARRIED BY SIMPLE MAJORITY 8/0

Councillor D Maslen and Councillor M Beard returned to the meeting at 11.14am and were advised of the decision made by council.

7.3.3 WAIVER OF FEES FOR ECU TAX CLINIC

File No:	ADM0299
Location/Address:	Carnarvon Library and Art Gallery
Name of Applicant:	Edith Cowan University (School of Business and Law)
Name of Owner:	Edith Cowan University (School of Business and Law)
Author(s):	Jamie Bone, Executive Business Manager
Authoriser:	Amanda Dexter, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirement:	Simple
Previous Report:	17 December 2024 – Item 7.3.5
Schedules:	Nil

Authority/Discretion:

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

Summary of Report

This report requests Council to consider a waiver of Fees and Charges for the hire of the Carnarvon Library and Art Gallery meeting room in 2026 for the Edith Cowan University (ECU) Tax Clinic.

Background

ECU Tax Clinic previously requested a waiver of Fees and Charges for use of the Meeting Room in 2025. This received Council approval at the 17 December 2024 Council Meeting (Item 7.3.5). The Tax Clinic ran every Tuesday in Semester One of 2025 and every Wednesday during Semester Two in 2025, offering twenty-six full day sessions in total.

In 2026, ECU is requesting a fee waiver for hire of the Library Meeting Room for use by the ECU Tax Clinic for the following periods:

- Every Wednesday in Semester One from 25 February 2026 to 03 June 2026 (13 full day sessions); and
- Every Wednesday in Semester Two from 29 July 2026 to 28 October 2026 (13 full day sessions)

Under the 2025-2026 Fees and Charges Schedule, the costs applicable for hire would be \$91 per full day session. Semester Two hire rates (for the upcoming 2026/27 financial year) cannot be confirmed at this stage but have been calculated using the current schedule.

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

During these sessions, clients meet online with ECU students. The sessions are facilitated in Carnarvon by a local representative, while the ECU students participate from the Joondalup campus under the supervision of a tax practitioner.

Given the positive reception and success of the service, Edith Cowan University would like to continue offering the ECU Tax Clinic in Carnarvon during both Semesters One and Two of 2026. The requested fee waiver will enable the continuation of this valuable community initiative at no cost to its Carnarvon clients.

Stakeholder and Public Consultation

Consultation has occurred with Edith Cowan University and the Shire’s Library. It is not considered that public consultation is required.

Statutory Environment

Local Government Act 1995 – Section 6.12 (b)

Relevant Plans and Policy

Shire of Carnarvon Community Strategic Plan 2022-2032

Financial Implications

Under the 2025-26 Fees and Charges Schedule the applicable fee for hire would be \$91 inclusive of GST, per full day for a Community/Non-profit group.

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

- Semester One (13 full day sessions): \$1,183
- Semester Two (13 full day sessions): \$1,183 (As per 2025-26 Fees & Charges Schedule)

The estimated loss of income to the Shire is \$2,366 for up to 26 full day sessions.

Risk Assessment

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

Risk Category	Description	Rating	Mitigating Action/s
Financial	A fee waiver could result in loss of hire income from other interested parties.	Moderate	If other parties request hire of the Library Meeting Room during the requested period which clashes with the ECU Tax Clinic use, it would be possible to consult with ECU Tax Clinic

			to facilitate a change to their client bookings to accommodate both ECU purposes and facilitate other party bookings.
Health & Safety	N/A		
Reputation	Increased public scrutiny when dealing with any matters involving Councillors.	Moderate	Edith Cowan University is the hirer requesting the fee waiver; processing the request for consideration through Council processes ensures a transparent process has taken place.
Service disruption	If a fee waiver is declined, it is possible that ECU Tax Clinic will not continue in Carnarvon, thus limiting alternative tax support options for community members.	High	ECU Tax Clinic could pursue alternative space for hire in Carnarvon to support their initiative, or pull its services from the town if no suitable location is soruced.
Compliance	Local Government Act requires that Fees and Charges are applied or that a fee waiver is presented to Council.	Low	The request for a fee waiver has been processed according to applicable legislation and regulations.
Property	N/A		
Environment	N/A		
Fraud	N/A		

Community and Strategic Objectives

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

OBJECTIVES

In 2040 Carnarvon is a place where:

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

ADDITIONAL FOCUS AREAS:

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

BIG IDEAS FOR THE FUTURE OF CARNARVON:

- *N/A*

Comments

The Meeting Room has limited demand for hire, as such, it is unlikely that the period of requested use by ECU Tax Clinic would overlap with other parties’ use. Should there be other requests for bookings by other parties, however then the ECU Tax Clinic will be asked to facilitate changes to their client bookings to accommodate these requests where that is possible.

The total annual income from Meeting Room Hire during the 2024-2025 financial year was \$1,398.63.

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

OFFICER'S RECOMMENDATION

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

- 1. Endorse the waiver of Fees and Charges to the value of \$2,366 requested by Edith Cowan University for the hire of the Library and Art Gallery meeting room for their 2026 Tax Clinic; and***
- 2. Notes a portion of the Fees and Charges are for the 2026/2027 Financial Year, with these Fees and Charges not yet set by Council, therefore Fees and Charges for the 2025/2026 Financial Year have been applied.***

COUNCIL RESOLUTION OCM 20/02/26

Moved: Cr Paul Kelly

Seconded: Cr Luke Skender

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

- 1. Endorse the waiver of Fees and Charges to the value of \$2,366 requested by Edith Cowan University for the hire of the Library and Art Gallery meeting room for their 2026 Tax Clinic; and***
- 2. Notes a portion of the Fees and Charges are for the 2026/2027 Financial Year, with these Fees and Charges not yet set by Council, therefore Fees and Charges for the 2025/2026 Financial Year have been applied.***

FOR: Mr Eddie Smith, Cr Burke Maslen, Cr Marco Ferreirinha, Cr Luke Skender, Cr Paul Kelly, Cr Dudley Maslen, Cr Mark Young and Cr Merome Beard

AGAINST: Nil

CARRIED BY SIMPLE MAJORITY 8/0

7.4 INFRASTRUCTURE SERVICES

7.4.1 TRAMWAY BRIDGE REINSTATEMENT AND REFURBISHMENT - DETAILED DESIGN

File No:	ADM2352
Location/Address:	Carnarvon
Name of Applicant:	Shire of Carnarvon
Name of Owner:	Shire of Carnarvon
Author(s):	Peta Greening, Project Manager Mark Davis, Project Manager
Authoriser:	Amanda Dexter, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirement:	Simple Majority
Previous Report:	SCM 07/09/25
Schedules:	1. Detailed Design - Tramway Bridge 2. Draft Asset Management Plan - Tramway Bridge

Authority/Discretion:

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

Summary of Report

This report seeks Council’s approval of the detailed design for the reinstatement and refurbishment of the Tramway Bridge.

Background

The Shire of Carnarvon is committed to restoring the historic structure for the enjoyment of current and future generations.

Upon the identification of the pressing need for repairs to the bridge Shire staff undertook comprehensive due diligence and investigative works to ensure clarity and certainty regarding the scope and required works for the restoration of the tramway bridge. Early in this process the bridge was deemed unsafe and subsequently closed to the public.

The due diligence approach has included commissioning two separate and credentialed contractors to carry out detailed concept design, structural assessments and geotechnical investigations. These independent studies provided a robust understanding of the bridge's current condition and informed the development of

a well-defined restoration approach. Through this rigorous process, the Shire aimed to minimise future risks, ensure structural integrity, and support informed decision-making throughout the project.

Accordingly, the Shire released RFQ 13/2025 via the WALGA Preferred Suppliers Panel, to seek a suitably qualified Contractor to undertake Stage One of the refurbishment and reinstatement of the Tramway Bridge. It is noted that the procurement process is categorised as a Request for Quote through the WALGA portal, but is still treated as per tendering requirements under the Shire's Procurement and Purchasing Policy and the Local Government Act.

The project is to be delivered in two separate contracted stages, as follows:

- Stage One:
 - Detailed design of entire bridge;
 - Construction works to deliver a partial refurbishment of the fascine-side portion of the bridge, approximately 200 metres in length; and
 - Development of a 10 year asset management plan.
- Stage Two:
 - Construction works to deliver refurbishment of remaining section of the bridge, to complete the refurbishment and reinstatement of the 370-metre structure.

During the Special Council Meeting held on 2 September 2025 Council endorsed Ventia as the preferred supplier for the Tramway Bridge Refurbishment Stage One – Design and Construction as outlined below:

COUNCIL RESOLUTION SCM 07/09/25

Moved: Cr Paul Kelly

Seconded: Cr Dudley Maslen

That Council

1. ***Notes that no conforming tenders were received in response to the Request for Quote RFQ13/2025 Tramway Bridge Reinstatement and Refurbishment Design and Construction Stage One***
2. ***In accordance with Regulation 11(2)(f) of the Local Government (Functions and General) Regulations 1996, accepts and proceeds to negotiate with Ventia on the basis of the non-conforming submission received, being a cost-plus proposal with an indicative base estimate of \$3.2 million, as this is considered to represent value for money and the best available outcome for the project, the budget, and the community.***
3. ***Endorse the allocation of up to \$3.7 million (ex GST) from the rPPP Funding Agreement towards this project***
4. ***In accordance with Local Government Act 1995, S. 9.49A authorises the CEO to make any necessary non-material amendments and finalise the execution of a contract between the Shire of Carnarvon and Ventia.***
5. ***Note that the detailed design including asset management considerations will be brought back to the Major Projects Committee of Council for endorsement prior to construction commencing.***
6. ***Council requests that the CEO lobby State and Federal Government to seek funding support for Stage 2 of the Tramway Bridge Refurbishment emphasising if the project was completed in its entirety from the start that there would be a reduction in overall costs with major savings possible.***

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

AGAINST: Nil

ABSENT: Cr Adam Cottrell

CARRIED BY SIMPLE MAJORITY 6/0

Stakeholder and Public Consultation

External & Public

Communication has been underway since the initial structural assessment of the Tramway Bridge and its subsequent partial closure. This has included social media posts, community newsletter articles, updates at community information sessions and project updates on the Shire's website.

Formal consultation and communication has also been made with key stakeholders and interest groups including: Yinggarda Aboriginal Corporation, Heritage Council of WA and the Carnarvon Heritage Group.

Internal Consultation

- Chief Executive Officer: Mandy Dexter
- Executive Manager Corporate Strategy & Performance: Amanda Leighton
- Executive Manager Infrastructure Services: Colm Stanley
- Executive Manager Community Planning & Sustainability: Stefan Louw
- Acting Executive Manager Lifestyle & Community: Jamie Bone
- Lead Strategic Projects Manager: Mark Davis

Corporate Information Session 12 February 2026

- Shire President: Eddie Smith,
- Deputy President: Burke Maslen
- Councillors: Merome Beard, Marco Ferreirinha, Paul Kelly, Luke Skender & Mark Young.

Corporate Information Session 17 February 2026

- Shire President: Eddie Smith,
- Deputy President: Burke Maslen
- Councillors: Merome Beard, Marco Ferreirinha, Paul Kelly, Dudley Maslen & Mark Young.

Statutory Environment

Not applicable.

Relevant Plans and Policy

Carnarvon Activation Plan (endorsed by Council 12 December 2023).

Financial Implications

Stage One of this project is to be delivered through funding allocation as part of the Regional Precincts and Partnerships Program (rPPP) funding agreement.

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	Ability to account for total costs as part of Regional Precincts and	C2 - Moderate	Budget to be controlled in line with rPPP allocation, with appropriate contingencies and value managing

	Partnership Program (rPPP) allocation.		processes included within the overall project planning and delivery.
Financial	Project costs escalate due to unforeseen construction requirements.	C3 - High	<p>Due diligence has been undertaken throughout project stages to date including extensive investigations as to state of the bridge. Any unforeseen financial impact during construction will be managed by appropriately skilled and experienced staff and contractors working on project, with issues explored and addressed appropriately.</p> <p>A Guaranteed Maximum Price (GMP) can be negotiated with Contractor to the satisfaction of the Shire, following detailed design phase which will allow for a more comprehensive understanding of project scope and costs.</p>
Financial	Intended scope is unachievable due to unforeseen requirements post detailed design.	C4 - Extreme	The Shire will work with the contractor to value manage the Scope to achieve a suitable outcome within the agreed budget.
Health & Safety	Bridge remains unsafe for public to access.	C3 – High	Bridge will only be reopened in stages once works have been completed and sections signed off as structurally safe for users.
Reputation	Bridge remains closed and inaccessible to the local community and tourists.	C3 – High	A staged approach will highlight to public the Shire’s commitment to reinstating the Bridge and regular communication through Shire’s communications channels will continue to keep the public up to date with works.
Service disruption	Bridge remains closed and inaccessible to the local community and tourists.	C3 - High	A staged approach will highlight to public the Shire’s commitment to reinstating the Bridge and regular communication through Shire’s communications channels will continue to keep the public up to date with works.
Compliance	Ability to meet rPPP Funding Agreement timelines.	C3 - High	Strategic Project team to manage and monitor all projects within rPPP to ensure timelines are managed and reported on accordingly.

Property	Delays in refurbishment/repairs may result in further degradation of the bridge.	C3 - High	A staged approach will highlight to public the Shire’s commitment to reinstating the Bridge and regular communication through Shire’s communications channels will continue to keep the public up to date with works.
Environment	Unforeseen weather impacts delays project progress.	C3 – High	Contingency days are factored into delivery program to mitigate such impacts.
Fraud	Ability to account for total costs as part of Regional Precincts and Partnership Program (rPPP) allocation.	C2 - Moderate	All due diligence has been undertaken throughout project stages, appropriately skilled and experienced staff and contractors working on project. Any issues will be problem solved and worked through appropriately.

Community and Strategic Objectives

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

OBJECTIVES

In 2040 Carnarvon is a place where:

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

ADDITIONAL FOCUS AREAS:

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

BIG IDEAS FOR THE FUTURE OF CARNARVON:

- *N/A*

Comments

The Tramway Bridge Refurbishment Stage One – Design and Construction project includes the detailed design of the entire bridge, in addition to construction works to deliver a partial refurbishment of the fascine-side portion of the bridge; and the development of a 10-year asset management plan.

The design intent of the project is to deliver a ‘like for like’ bridge, that retains its heritage value and specifications. Key construction elements within the design include the following:

- Refurbishment of navigation span bridge and timber bridge per bent;
- Encapsulation/repair of critical piles and deteriorated piles;
- Blast and paint sheet pile and install anodes;
- Concrete repair abutment;
- Replenish rock armour and soil around abutment footpath;
- Blast and paint steel handrails, headstocks and piles;
- Wrap sheet piles and shield system and install anodes;
- Design, supply and install ramp or stairs to provide island beach access;
- Undertake tile up deck condition assessment and specification; and
- Develop a 10-year asset management plan.

The full Detailed Design can be found in **Schedule 1** “Detailed Design – Tramway Bridge”.

The draft Asset Management Plan is found in **Schedule 2** “Draft Asset Management Plan – Tramway Bridge”.

Key asset management considerations within the plan include:

- No significant structural repairs would be expected in the first 10 years.
- 1x dive inspection at approx. seven-years for inspection of pile wrapping and anodes condition.
- 1x intermediate condition assessment by asset engineers.
- Routine maintenance will include:
 - Annual supervisor inspection to check for immediate maintenance and safety related issues.
 - Inspections and routine maintenance of tilt up deck mechanical/electrical components.
 - Touch up painting white timber balustrade.
 - Touch up painting structural steel.
 - Sealing of decking and all accessible timber end grain.
 - Pest control (termites).
- Reactive maintenance will include:
 - Damage from weather events
 - Damage caused by vandalism/fire etc.

Several options to provide beach access at the mid-way point of the bridge have been considered, with the table on the following page outlining these potential options.

Option	Consideration	Project Impact
1. Compliant Staircase	<ul style="list-style-type: none"> • Simple and cost effective • Reduced footprint on beach area • Does not provide accessible option for people with disabilities who may encounter challenges with terrain • Will likely not require any additional signage warning of hazards 	<ul style="list-style-type: none"> • Approx \$63K • Allows for maximum bridge span ≤210m.
2. Non-Compliant* Ramp *not compliant with AS 1428.1 Access and Mobility.	<ul style="list-style-type: none"> • Increased cost and impact on reduced bridge refurbishment • Increased complexity with installation – piling etc. • Increased footprint on beach area • Provides access for fishing carts or prams • Promotes disabled access despite not being compliant and the terrain below potentially being challenging • Will require controls to warn of non-compliant disabled access e.g. signage, line marking etc. • Similar risk to existing ramp (LGIS inspection did not highlight any high risk to existing ramp) 	<ul style="list-style-type: none"> • Approx \$240K • Reduction in bridge span of 23m.
3. Compliant Ramp	<ul style="list-style-type: none"> • Significantly increased cost • Increased complexity with installation – piling etc. • Significantly increased footprint on beach area (length of ramp/s would need to be over 40m long) • Does not include landing on beach so accessibility still not addressed on beach 	<ul style="list-style-type: none"> • Approx \$390-430K • Reduction in bridge span of 46m.

<p>4. No access provided</p>	<ul style="list-style-type: none"> • Community sentiment at loss of use of beach access. • Negates risk to Council during usage of ramp or stairs. 	<ul style="list-style-type: none"> • Cost saving for allocation towards Stage 2 refurbishment. • No additional span given extensive water side works required on Stage 2 prior to further span.
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Recommended Option – Compliant Staircase (Option 1)

It is recommended that Council endorse **Option 1 – Compliant Staircase** as the preferred beach access solution.

Option 1 achieves an appropriate balance between community access, cost, engineering feasibility and overall project impact. At an estimated cost of approximately \$63,000, it represents the most financially responsible outcome and maintains the maximum available bridge span, thereby protecting the integrity and longevity of the broader bridge refurbishment project.

While a staircase does not provide compliant disability access, it is important to note that both ramp options introduce significant financial, structural and environmental impacts without fully resolving accessibility challenges on the beach itself.

The compliant ramp option (Option 3) would require substantial piling, extend over 40 metres in length, and reduce the bridge span by approximately 46 metres at a cost of \$390,000–\$430,000. Despite this investment, it would not deliver accessible beach landing conditions, meaning equitable access outcomes remain constrained by the natural sand environment.

Similarly, the non-compliant ramp (Option 2) would cost approximately \$240,000, reduce the bridge span by 23 metres, increase construction complexity, and still fail to meet accessibility standards, potentially exposing Council to reputational and compliance risk.

Importantly, providing no beach access (Option 4) presents a material community risk. The beach is a valued recreational and cultural asset. Any marginal engineering benefit gained by removing access entirely would be negligible when compared with the significant loss of community utility and the heightened risk profile associated with unmanaged, informal access.

Option 1 provides a clear, safe and defined access point with minimal structural impact and negligible bridge span reduction, while remaining proportionate to the overall scope of the bridge refurbishment. It is cost-effective, low-risk, and maintains community amenity without materially compromising the primary infrastructure objectives of the project.

On balance, Option 1 represents the most responsible and sustainable outcome for Council — preserving community access, minimising financial and structural impact, and avoiding the reputational and safety risks associated with either over-capitalised or absent access solutions.

OFFICER’S RECOMMENDATION

That Council by simple majority under section 5.41 of the Local Government Act –

- 1. Endorse the detailed design for Stages One and Two of the reinstatement and refurbishment of the Tramway Bridge as per Attachment 1;***
- 2. Endorse Option 1 to install a compliant staircase to provide access to the beach as outline in the detailed design; and***
- 3. Note that project updates will be provided at future Major Projects & Infrastructure Committee Council meetings for monitoring.***

COUNCIL RESOLUTION OCM 21/02/26**Moved:** Cr Burke Maslen**Seconded:** Cr Marco Ferreirinha***That Council by simple majority under section 5.41 of the Local Government Act –***

- 1. Endorse the detailed design for Stages One and Two of the reinstatement and refurbishment of the Tramway Bridge as per Attachment 1;***
- 2. Endorse Option 1 to install a compliant staircase to provide access to the beach as outline in the detailed design; and***
- 3. Note that project updates will be provided at future Major Projects & Infrastructure Committee Council meetings for monitoring.***

FOR: Mr Eddie Smith, Cr Burke Maslen, Cr Marco Ferreirinha, Cr Luke Skender, Cr Paul Kelly, Cr Dudley Maslen, Cr Mark Young and Cr Merome Beard

AGAINST: Nil

CARRIED BY SIMPLE MAJORITY 8/0

8 APPLICATIONS FOR LEAVE OF ABSENCE

MOTION

COUNCIL RESOLUTION OCM 22/02/26

Moved: Cr Burke Maslen

Seconded: Cr Marco Ferreira

That Council approve Leave of Absence for Cr Burke Maslen for March 2026 Ordinary Council Meeting.

CARRIED BY SIMPLE MAJORITY 8/0

9 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

10 QUESTIONS FROM MEMBERS WITHOUT NOTICE

Councillor P Kelly asked the following:

Cr P Kelly asked when Council would commence the 2026/27 budget-setting program, noting that recent discussion had at times confused the mid-year budget review with forward budget setting, and requested that a detailed program be provided, with commencement in the first or second week of March preferred

CEO responded and advised:

That Administration will commence the budget-setting program in March and that a detailed program, including workshop dates and options, will be circulated to Councillors, with current materials available to be sent today, 24 February 2026.

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

Nil

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

Nil

13 DATE OF NEXT MEETING

The next meeting will be held on Tuesday 24 March 2026 at Shire Council Chambers, Stuart Street Carnarvon commencing at 10.00am

14 CLOSURE

The Presiding Member declared the meeting closed at 11:23am.