



SHIRE OF CARNARVON

MINUTES

ORDINARY COUNCIL MEETING

TUESDAY 25 NOVEMBER 2025

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.)

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The meeting was declared open by the Presiding Member at 9.01am

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 Presiding Member/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
 Miss Stephanie Leca Executive Manager, Lifestyle & Community
 Mr Colm Stanley Executive Manager, Infrastructure Services
 Mr Jamie Bone Executive Business Manager
 Mrs Giana Covella Strategic Communications & Economic Development Manager
 Mrs Renee Louw ICT Support Officer
 Mrs Dannielle Hill Senior Executive Officer

Apologies

Mrs Amanda Leighton Executive Manager, Corporate Strategy & Performance

Leave of Absence Nil
 Press Nil
 Observers Nil

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 M Ferreira (Direct Financial) – 7.2.5 - Tip Amnesty For Carnarvon Growers
 Mr E Smith (Direct Financial) – 7.2.5 - Tip Amnesty For Carnarvon Growers
 Cr D Maslen (Direct Financial) – 7.2.5 - Tip Amnesty For Carnarvon Growers
 Cr L Skender (Direct Financial) – 7.2.5 - Tip Amnesty For Carnarvon Growers
 Cr P Kelly (Impartial) – 4.3 – Minutes of the Community Growth Fund Committee
 President Smith (Impartial) – 4.3 - Minutes of the Community Growth Fund Committee
 Cr D Maslen (Impartial) – 4.3 – Minutes of the Community Growth Fund Committee
 Cr B Maslen (Impartial) – 4.3 - Minutes of the Community Growth Fund Committee

3 PUBLIC QUESTION TIME

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

3.1 QUESTIONS TAKEN ON NOTICE FROM PREVIOUS MEETING

3.1.1 MR ADAM COTTRELL - PRIORITY PROJECT WORKERS ACCOMMODATION LOT 64 CORAL BAY

The following question was raised by Mr Adam Cottrell at the October 2025 Council Meeting and taken on notice:

Question 3

Can an update on the Council approved priority project for workers accommodation at Lot 64 Coral Bay be provided?

Response:

Council endorsed the Coral Bay Workers Accommodation Caravan Park (Lot 64) as a strategic priority at its Ordinary Meeting on 28 May 2024 (Resolution OCM 20/05/24). This endorsement was subsequently reflected in the Council Priority Project Snapshot 2024, where the project was identified as having an above-average community benefit but a high degree of implementation difficulty.

To date, the proposal remains at concept stage and has not progressed to the point of tenure application or design development. The Department of Planning, Lands and Heritage has advised that Lot 64 is unallocated Crown land within the Gnulli Native Title Determination Area, administered by the Nganhurra Thanardi Garbu Aboriginal Corporation. Any future development would therefore require completion of the State's Crown land process and negotiation of an Indigenous Land Use Agreement. DPLH has also indicated that given the high strategic and commercial value of land in Coral Bay, should the site be released by the State, it would likely be offered through a public tender process rather than direct allocation to the Shire.

While the Shire recognises the importance of addressing workforce accommodation in Coral Bay, development by the Shire itself would only be contemplated as a measure of last resort. The preferred outcome remains facilitation of private or third-party investment, supported through the Shire's statutory planning framework and infrastructure coordination.

The forthcoming Coral Bay Precinct Structure Plan, scheduled for 2026, will provide a comprehensive review of future land use, development capacity, and infrastructure planning for the township. This work will inform Council's strategic position on how best to enable and support additional workforce accommodation opportunities in the future.

In parallel, the Lot 307 Multi-Purpose Facility project, being led by the Gascoyne Development Commission in partnership with the Department of Housing and Works, continues to progress at the concept and planning stage, with the Shire providing support as a principal stakeholder. This initiative is intended to improve community and service delivery outcomes in Coral Bay and may create opportunities for complementary or co-located development in the future.

Council will be better positioned to consider the future of the Lot 64 concept once the Precinct Structure Plan is completed and the State's approach to land tenure and release in Coral Bay is further clarified.'

3.1.2 JOHN FARNE - CORAL BAY CONTRACTORS - CORAL BAY WASTE DISPOSAL SITE

The following question was taken on notice at the October 2025 Ordinary Meeting of Council and was received from Mr John Farne of Coral Bay Contractors as follows:

Question

I have been maintaining the tip site for 17 years, and 15 years ago I said that I could get another 10 years out of the site. It has now been 17 years and no further action has been taken regarding the tip site. The site is getting swamped taking demolition and building product from the Ningaloo Resort. We are also taking packaging and cardboard and we have no room. I need to know what to do as I cannot burn the cardboard and I am restricted, what I can do?

Response

Council acknowledges Mr Farne's significant contribution in maintaining the Coral Bay tip site for 17 years and thanks him for raising concerns regarding the site's capacity and operational constraints.

Key Issues Identified:

- The site is nearing capacity and is currently swamped with demolition and building waste from the Ningaloo Resort.
- Additional pressure from packaging and cardboard disposal.
- Restrictions on burning cardboard and limited alternative options.

Actions:**1. Short-Term Measures:**

The Shire is actively seeking options and costs to truck cardboard waste to the Brown Range facility as an interim solution. Waste Services will liaise with Mr Farne within two weeks to discuss this and any other temporary measures.

2. Medium-Term Context:

The ASK Waste Management Review (2025) identified that the Coral Bay tip site has an estimated 3 to 5 years of remaining life under current usage patterns. This reinforces the need for proactive planning to avoid service disruption.

3. Long-Term Planning:

The Shire is reviewing strategic options for a sustainable waste management solution for Coral Bay, including:

- Potential site expansion;
- Alternative disposal methods;
- Recycling partnerships.

4. Reporting Back:

A formal report with recommendations will be prepared and presented to the Council. Mr Farne will receive a written update on proposed actions and timelines.

Additional Information for Clarity

To support long-term waste management in Coral Bay, the Shire is progressing work to investigate a new refuse site as part of a broader strategic review of future waste arrangements in Coral Bay. This forms part of the Coral Bay Waste Concept Development Project, for which Council endorsed a \$72,000 budget allocation at the October 2025 Quarterly Budget Review (OCM 28 October 2025, Item 7.2.4).

The supporting Request for Quote (RFQ 19/2025 – Specialist Waste Services: Coral Bay Waste Concept Development) was issued in early November 2025 and closed on 14 November 2025. The RFQ will enable

feasibility investigations into a potential new landfill location, alongside an assessment of the long-term sustainability of existing operations.

The project includes technical investigations, environmental considerations and structured engagement with Coral Bay businesses and operators to ensure local insights are incorporated. Findings will be provided to Council during the project, with final recommendations presented once the work is complete. The intention is to establish a clear, long-term, fit-for-purpose solution for waste management in Coral Bay.

Council remains committed to ensuring waste management in Coral Bay meets community needs and complies with environmental standards. Findings will be provided to Council through briefing sessions during the project, with final recommendations presented for Council's consideration upon completion.'

3.1.3 MR BRAD BOOTH - CORAL BAY BOAT RAMP - MOU

CEO Mandy Dexter advised that the questions submitted by Mr Brad Booth of the Coral Bay Progress Association for the September Council Meeting relating to the Coral Bay Boat Ramp MOU will be made available in the October Council Agenda as further information is being sourced from the Department of Transport. The response to the questions will be noted in the agenda also.

Question

To the Councillors of the Shire of Carnarvon,

RE: COUNCIL DECISION ON MOTION 7.3.1 – CORAL BAY BOAT RAMP MOU

I am writing regarding the recent Ordinary Council Meeting of 26 August 2025, and specifically the discussion and vote on: Item 7.3.1 – Development and Community Services MOU: Coral Bay Boat Ramp.

As I am sure you are aware, the proposed MOU would have empowered Shire Rangers to enforce illegal camping laws at the Coral Bay Boat Ramp providing a resolution to an issue that has been ongoing for years. It was stated Rangers are already patrolling the area and this MOU would simply provide the authority to enforce the law. Revenue from infringements would remain with the Shire, offsetting costs. The Department of Transport has no capacity to manage the issue independently.

I note that Cr Luke Vandeleur while stating “he completely understood what Cr Cottrell was saying and also what Stephen put to us the other day it makes a hell of a lot of sense” still spoke against the motion expressing concerns about “future costs,” “setting precedents,” and even seeking to negotiate land swaps for Carnarvon township instead of supporting Coral Bay.

With respect, these explanations do not seem to adequately address:

1. Why immediate enforcement for Coral Bay residents was denied when the risks of inaction are high and costs are minimal.
2. How speculative concerns about hypothetical future scenarios outweigh the current, tangible problems at the boat ramp.
3. Why the needs of Coral Bay were set aside in favour of suggestions to secure unrelated benefits for Carnarvon.

I therefore ask each Councillor who voted against the motion to provide the community with a clear explanation:

- *What specific cost or risk did you identify that justifies leaving Coral Bay without effective enforcement?*
- *Why were Cr Cottrell's assurances, including cost-neutral patrols and infringement revenue retention, not sufficient?*
- *How does your decision align with the Shire's stated commitment to support areas outside Carnarvon township, such as Coral Bay?*

The community deserves transparency in how these decisions are made and how they reflect the priorities of the Shire as a whole.

Response:

The Shire acknowledges the community's concerns regarding the current level of enforcement presence in Coral Bay and appreciates the issues that have been raised.

We recognise the importance of maintaining fair and consistent services across all parts of the Shire, particularly in areas like Coral Bay that experience high visitor numbers and unique local pressures.

At present, the Shire is reviewing the circumstances surrounding enforcement coverage, including financial, operational, and risk considerations, to ensure any future approach is both sustainable and responsive to community needs.

We are also taking into account the suggestions made regarding cost-neutral patrols and revenue retention and will continue to work towards a balanced solution that supports community confidence and safety.

***** Community Member Brad Booth – asked for more clarity – stating that the response issued above did not specifically answer the questions asked.***

The Shire acknowledges the community's concerns regarding enforcement presence in Coral Bay and appreciates the issues raised. We recognise the importance of maintaining fair and consistent services across all parts of the Shire, particularly in areas like Coral Bay that experience high visitor numbers and unique local pressures.

Council recently voted not to endorse the proposed Memorandum of Understanding (MOU) with the Department of Transport and Major Infrastructure (DTMI) that would have enabled Shire Rangers to enforce relevant legislation and issue infringements at the Coral Bay Boat Ramp for a 12-month period, with a review after that time. Councillors expressed concern that the cost of providing services on land not under Shire responsibility could outweigh any potential revenue from infringements collected.

The Shire has since been advised that DTMI is preparing a Tender for the management and enforcement services on its land in Coral Bay and has indicated that the Shire may submit a bid, as other Councils within the Gascoyne Region currently do.

Further discussion has been undertaken with Councillors regarding a comprehensive review of Ranger Services, including jurisdiction, authority, cost, resourcing, and planning for 2026. It was agreed that this review will be presented to Council in March, providing a framework to inform the Budget process and guide the level of servicing required for the High Season.

We remain committed to ensuring any future approach is sustainable, cost-effective, and responsive to community needs, while supporting confidence and safety in Coral Bay.

3.2 PUBLIC QUESTION TIME

Public Question Time was closed at 9.11am

4 CONFIRMATION AND RECEIVING OF MINUTES

CONFIRMATION OF MINUTES

4.1 Minutes of the Ordinary Council Meeting - 28 October 2025

4.2 Minutes of the Special Council Meeting - 13 November 2025

COUNCIL RESOLUTION OCM 01/11/25

Moved: Cr Burke Maslen

Seconded: Cr Marco Ferreira

That the minutes of Ordinary Council Meeting held on 28 October 2025 and the minutes of the Special Meeting of Council held on 13 November 2025 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

4.3 Minutes of the Community Growth Fund Committee - 18 November 2025

4.4 Minutes of the Awards Committee Meeting - 19 November 2025

COUNCIL RESOLUTION OCM 02/11/25

Moved: Cr Luke Skender

Seconded: Cr Marco Ferreira

That the minutes and the recommendations of the Community Growth Fund Committee held on 18 November 2025 and the minutes and recommendations of the Awards Committee held on 19 November 2025 be endorsed by Council.

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

President Smith thanked the staff for organising the WA Tourism Conference Workshop which was held on Wednesday 19 November 2025. The workshop was well attended with a Working Group formed. There were many positive ideas and outcomes that came from the meeting.

6 PRESENTATIONS, PETITIONS AND MEMORIALS

6.1 FRIENDS OF BIBBAWARRA BORE

This presentation was withdrawn.

6.2 RETURNED AND SERVICES LEAGUE (RSL)

Mr Sandy McGinn will be presenting to Council on behalf of the Gascoyne Branch of the RSL in relation to history, current status of the RSL and what plans they have for the upcoming year.

Of note –

1. The Carnarvon RSL has a permanent home at the old fire station house which have been used for small functions including ceremonies, gatherings, and small community events.
2. Actively progressing several initiatives to honour service, strengthening committee connections and maintaining local heritage. These include HMAS Sydney plaque project, assisting the Shire with layout names and location of plaques, Coral Bay Memorial, designing an alfresco area at front of premises to improve visibility and disabled parking
3. Have purchased a marquee and applied for a funding to purchase two bbqs for major events and community events.
4. Partnering with the Community College to allow students to undertake supervised visits to their museum on Fridays and therefore will make the area more child friendly.
5. Upon request, the RSL has donated musical instruments to the high school for the formation of the school band.
6. Sub branch is self-funded with income generated through membership, conducting ceremonial events, visitors to the RSL public donations and donations from community organisations.
7. Currently on a recruitment drive for more members.

7 DEPARTMENTAL REPORTS

7.1 GOVERNANCE

7.1.1 STATUS OF COUNCIL DECISIONS - NOVEMBER 2025

File No:	ADM0308
Location/Address:	Nil
Name of Applicant:	Nil
Name of Owner:	Nil
Author(s):	Amanda Dexter, Chief Executive Officer
Authoriser:	Amanda Dexter, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirement:	Simple
Previous Report:	Nil
Schedules:	1. Outstanding Council Action Items - November 2025

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

It is therefore recommended that Council NOTES the Status of Council Decisions Report for the month of November 2025, as provided in **Schedule 1** to this Report.

Background

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

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

Stakeholder and Public Consultation

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

Statutory Environment

Nil

Relevant Plans and Policy

Nil

Financial Implications

Nil

Risk Assessment

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

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

Community and Strategic Objectives

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

OBJECTIVES

In 2040 Carnarvon is a place where:

- *Our community is engaged, inclusive and supportive*

ADDITIONAL FOCUS AREAS:

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

BIG IDEAS FOR THE FUTURE OF CARNARVON:

- N/A

Comments

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

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

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

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

OFFICER'S RECOMMENDATION

That Council notes the Status of Council Decisions Report for the Month of November 2025, as provided in Schedule 1 to this report.

COUNCIL RESOLUTION OCM 03/11/25

Moved: Cr Burke Maslen

Seconded: Cr Luke Skender

That Council notes the Status of Council Decisions Report for the Month of November 2025, as provided in Schedule 1 to this report.

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

7.1.2 ACTIONS PERFORMED UNDER DELEGATED AUTHORITY FOR THE MONTHS OCTOBER AND NOVEMBER 2025

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

To report on actions performed under delegated authority for the months of October and November 2025.

Background

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

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

Stakeholder and Public Consultation

Nil

Statutory Environment

Local Government Act 1995 - Section 9.49A

Planning & Development Act 2005 – Part 10 Div. 2

TPS No. 10 – Section 2.4

Shire of Carnarvon Local Government Act Local Laws S.29

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

Relevant Plans and Policy

Nil

Financial Implications

There are no financial implications arising from receiving this report.

Risk Assessment

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

Risk Category	Description	Rating (Consequence x likelihood)	Mitigating Action/s
Financial	N/A		
Health & Safety	N/A		
Reputation	Non-compliance with statutory requirements would result in reputational damage to the Shire	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 October and November 2025 are submitted to Council for information.

LAND USE AND DEVELOPMENT**Hawkers, traders and stall holders**

Shire of Carnarvon Local Government Act Local Laws, s.29

Date of decision	Decision Ref.	Decision details	Applicant	Other affected person(s)	
10/10/2025	P59/25	MOBILE TRADING LICENCE – FOOD VAN IN DECLARED LOCATIONS	KAMAL ALFARO T/A KAMAL'S QUARTER PAELLA	N/A	N/A
17/10/2025	P60/25	MOBILE TRADING LICENCE – STREET STALL IN NON-DECLARED LOCATION.	PAMELA GREENUP	N/A	N/A

BUILDING

Application No.	Owners Name	Lot & Street	Type of Building Work
B25/001	DANIJELA MLADINOV & BRANDON PERRY	LOT 1 (105) OLIVIA TERRACE, CARNARVON	ALTERATIONS AND ADDITIONS TO CONVERT A COMMERCIAL BUILDING TO A RESIDENTIAL DWELLING INCLUDING INTERNAL FITOUT, RE-ROOF, NEW ALFRESCO, MASONRY BOUNDARY FENCE AND FREESTANDING GARAGE
B25/017	ANGELA YOUNG & GAVIN PHILLIPS	LOT 2 (7) JAMES ST, CARNARVON	TIMBER FRAMED VERANDAH
B25/067	STATE OF WA & CARNARVON HERITAGE GROUP INC	LOT 501 (10) ANNEAR PLACE, BABBAGE ISLAND	FREE STANDING SHADE STRUCTURE
B25/069	MICHELLE PEK	LOT 613 (10) YARDI QUAYS, BROCKMAN	BOUNDARY FENCE BETWEEN 10 YARDI QUAYS AND 8 YARDI QUAYS
B25/071	PETER & JAMIE WILLIAMS	LOT 67 (239) WILLIAM ST, EAST CARNARVON	STORAGE SHED
B25/073	MICHELLE PEK	LOT 613 (10) YARDI QUAYS, BROCKMAN	BOUNDARY FENCE BETWEEN 10 & 12 YARDI QUAYS
B25/074	STATE OF WA & DEPARTMENT OF BIODIVERSITY, CONSERVATION AND ATTRACTIONS	LOT 525 ON DEPOSITED PLAN 407153	OCCUPANCY PERMIT FOR SHORT STAY ACCOMMODATION (3 TRANSPORTABLE BUILDINGS)

B25/075	MICHELLE PEK	LOT 613 (10) YARDI QUAYS, BROCKMAN	BOUNDARY FENCE BETWEEN 10 YARDI QUAYS & 10 MINDIRRA CRES
B25/076	STATE OF WA & SHIRE OF CARNARVON	LOT 1155 (9) BUTCHER STREET, BROCKMAN	BOUNDARY FENCE BETWEEN 9 BUTCHER & 17 MASLEN ST

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 October and November 2025.

COUNCIL RESOLUTION OCM 04/11/25

Moved: Cr Luke Skender

Seconded: Cr Marco Ferreira

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 October and November 2025.

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 APPOINTMENT OF ACTING CEO FOR CEO'S LEAVE PERIOD

File No:	P1564
Location/Address:	N/A
Name of Applicant:	N/A
Name of Owner:	N/A
Author(s):	Amanda Dexter, Chief Executive Officer
Authoriser:	Amanda Dexter, Chief Executive Officer
Declaration of Interest:	Financial
Voting Requirement:	Simple
Previous Report:	N/A
Schedules:	1. Resume - Miss Stephanie Leca - Confidential

Authority/Discretion:

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

Summary of Report

This item seeks Council approval for the appointment of Stephanie Leca to Acting Chief Executive Officer for the Chief Executive Officer's January 2026 period of Long Service Leave.

Background

Council at its 29 April 2025 Council Meeting approved the CEO's request to take three separate periods of Annual & Long Service Leave over 2025 and 2026, namely 15 - 26 May and 31 July - 26 August 2026; and 3 January - 2 February 2026 (all dates inclusive). The Acting CEO appointed for the two 2025 periods were Neil Hartley & Amanda Leighton.

In accordance with the Shire of Carnarvon's policy EME005, the CEO is required to report to the Council the annual/long service leave proposed to be taken, and to ensure continued operations during the CEO's absence, to recommend for Council's consideration the arrangements for the Acting CEO.

It is proposed that Stephanie Leca, Executive Manager of Lifestyle and Community be appointed to the role of Acting CEO for the period Saturday 3 January 2026 Monday 2 February 2026 inclusive. Stephanie Leca's Curriculum Vitae is attached and highlights amongst other things, her qualifications, and her relevant government and experience with supervising staff.

Stakeholder and Public Consultation

Nil

Statutory Environment

Local Government Act 1995

5.36 . Local government employees

(1) A local government is to employ —

- (a) a person to be the CEO of the local government; and
- (b) such other persons as the council believes are necessary to enable the functions of the council to be performed

(2) A person is not to be employed in the position of CEO unless the council —

- (a) believes that the person is suitably qualified for the position; and
- (b) is satisfied* with the provisions of the proposed employment contract.

* Absolute majority required.

5.39 . Contracts for CEO and senior employees

- (a) an employee may act in the position of a CEO or a senior employee for a term not exceeding one year without a written contract for the position in which he or she is acting

Relevant Plans and Policy

Policy EME005 is under review considering recent interim changes to the Executive Team. It is therefore proposed that an alternative member of the Executive Team be appointed to the position of Acting CEO on this occasion.

Financial Implications

Adequate funds are available within the Leave Reserve to cover the costs associated with appointing an Acting CEO during the CEO's proposed leave period.

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	Stakeholder or community concerns about CEO availability	C1 - Low	Communication plan to advise relevant stakeholders of Acting CEO arrangements and reassurance of continued organisational leadership.
	Leadership gap during CEO's absence	C2 - Moderate	Appointment of a suitably qualified Acting CEO with appropriate delegations in place to ensure business continuity.

Service disruption	Business Interruption Not appointing an Acting CEO will limit the Shire's capacity to satisfactorily manage the organisation and undertake the Council's directions.	B1 - Moderate	Council considering and adopting the recommendation of this report for the timely appointment of an Acting CEO to ensure continuity of leadership and organisational management.
	Delays in decision making or authorisations	C2 -Moderate	Acting CEO will have full delegated authority to make decisions and approve matters within the CEO's remit. Relevant matters requiring Council consideration will be scheduled appropriately.
	Reduced oversight on major projects or issues	B1 -Moderate	Handover briefings and regular check-ins (if necessary) will be established prior to leave. Executive Management Team to continue reporting to the Acting CEO.
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:

- 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

Stephanie Leca is a very capable local government professional, suitably qualified and experienced, and with excellent knowledge of the activities of the Shire. Stephanie Leca is considered to be very capable of undertaking the role of Acting Chief Executive Officer on this occasion.

Sufficient notice has been provided to enable effective planning, with existing delegations and reporting lines to remain in place. The Acting CEO will be authorised to carry out all duties of the CEO as required.

Notwithstanding that members of the Executive Management Team are relatively new to the organisation or recently promoted, their experience and local knowledge has grown considerably over the last 12 months. Mr Jamie Bone (Executive Business Manager) will be assigned to the task of supporting Stephanie's

Substantive business unit, enabling her to concentrate all of her attention to the role of Acting Chief Executive Officer.

Mr Neil Hartley has also advised he can further support the Acting CEO as a mentor on an “as/if required” basis over the four weeks of the CEO’s leave period.

OFFICER’S RECOMMENDATION

That Council:

- 1. Confirms that it believes that Stephanie Leca is suitably qualified for the position of Acting Chief Executive Officer and appoints her as Acting CEO for the period of Saturday 3 January 2026 to Monday 2 February 2026 inclusive.; and***
- 2. Acknowledges that the Acting CEO will receive equivalent remuneration of the substantive CEO during the period of acting service.***

COUNCIL RESOLUTION OCM 05/11/25

Moved: Cr Paul Kelly

Seconded: Cr Burke Maslen

That Council:

- 1. Confirms that it believes that Stephanie Leca is suitably qualified for the position of Acting Chief Executive Officer and appoints her as Acting CEO for the period of Saturday 3 January 2026 to Monday 2 February 2026 inclusive.; and***
- 2. Acknowledges that the Acting CEO will receive equivalent remuneration of the substantive CEO during the period of acting service.***

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

7.2 CORPORATE SERVICES

7.2.1 PROPOSED FEES & CHARGES 2025/2026 - COMMUNITY ART HUB

File No:	ADM0002
Location/Address:	Shire of Carnarvon
Name of Applicant:	N/A
Name of Owner:	N/A
Author(s):	Stephanie Leca, Executive Manager, Lifestyle and Community
Authoriser:	Amanda Dexter, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirement:	Absolute Majority
Previous Report:	Nil
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 presents the proposed fees and charges for the Community Art Hub for the 2024/2025 financial year and seeks Council endorsement for their inclusion in the Shire's Fees and Charges Schedule.

Background

At the Ordinary Council Meeting held on Tuesday, 25 July 2023, Council endorsed the establishment of the Community Art Hub in partnership with Real Futures. Since its opening, the Hub has operated as a creative community space supporting art development, workshops, and exhibitions, and has now been in operation for two years.

During this period, the Hub has been supported by funding from Real Futures, which has provided the Shire with the necessary funding to cover operational expenses such as the lease, supplies, and outgoings. This partnership has been instrumental in allowing the Hub to grow and operate sustainably while offering accessible creative opportunities for the community.

Over the past two years, the Community Art Hub has been a resounding success, delivering a wide range of programs and activities that have provided significant social and economic benefits to the Carnarvon community. The Hub has fostered creativity, strengthened community connections, and supported local artists, with strong participation from residents, visitors, and funded service providers.

As part of the strategic review of operations and in response to increasing community and organisational demand, it is proposed that formal fees and charges be introduced for the use of the Community Art Hub. This will:

- Support the sustainability of operations and future program delivery.
- Reduce the pressure on Real Futures to cover all operational costs such as utilities, maintenance, and consumables.
- Provide a consistent framework for external program partners and funded services who have offered to pay for the venue's use.
- Allow for operational costs to be factored into future grant applications, aligning funding proposals with realistic delivery expenses.

The following fees and charges for the Community Art Hub in the 2025/2026 Schedule have been proposed on the basis of industry research and benchmarking with other local governments, ensuring alignment with regional arts and community facility pricing standards.

Proposed Fees and Charges – Community Art Hub 2025/2026

Fee Description	GST	Statutory Fee	Fee 2025/2026 (including GST)	Fee Unit	Notes
Venue Hire - Community Group/ Local Artist	Yes	No	\$11.00	Per Hour	Includes use of supplies, tables, chairs and kitchenette.
	Yes	No	\$55.00	Per Day	
Venue Hire - Private or Commercial Organisation	Yes	No	\$22.00	Per Hour	Includes use of supplies, tables, chairs and kitchenette.
	Yes	No	\$110.00	Per Day	
Commission on Retail Items	Yes	No	5% to 120% mark-up.	Each	Souvenirs and merchandise retailed at the Art Hub. Aligns with the Visitor Centres fee and charges.
Table Hire	Yes	No	\$22.00	Each	Aligns with the Woolshed Fees and Charges.
Chair Hire	Yes	No	\$5.00	Each	Aligns with the Woolshed Fees and Charges.
Activity Fee	Yes	No	As Advertised	Each	Aligns with other venues. Provides flexibility to charge different rates based on demand.

The introduction of these fees and charges will ensure the Hub remains accessible while building financial resilience to support its ongoing role as a basis of Carnarvon's arts and cultural engagement.

Stakeholder and Public Consultation

Internal consultation has been undertaken with Shire officers, and discussions have occurred with Real Futures, who have expressed full support for the proposal. This approach ensures the Shire remains proactive and sustainable in planning for the future operations of the Hub.

In addition, informal engagement with local organisations and service providers has been undertaken to understand what they would consider reasonable contributions within their existing project budgets. This

feedback has informed the proposed fees, ensuring they are balanced and accessible without creating barriers to community participation or use of the facility.

Statutory Environment

LOCAL GOVERNMENT ACT 1995

6.16 Imposition of fees and charges

- 1) *A local government may impose* and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.*
- 2) *A fee or charge may be imposed for the following —*
 - a) *providing the use of, or allowing admission to, any property or facility wholly or partly owned, controlled, managed or maintained by the local government;*
 - b) *supplying a service or carrying out work at the request of a person;*
 - c) *subject to section 5.94, providing information from local government records;*
 - d) *receiving an application for approval, granting an approval, making an inspection and issuing a licence, permit, authorisation or certificate;*
 - e) *supplying goods;*
 - f) *such other service as may be prescribed.*
- 3) *Fees and charges are to be imposed when adopting the annual budget but may be —*
 - a) *imposed* during a financial year; and*
 - b) *amended* from time to time during a financial year.*

6.17 . Setting level of fees and charges

- 1) *In determining the amount of a fee or charge for a service or for goods a local government is required to take into consideration the following factors —*
 - a) *the cost to the local government of providing the service or goods; and*
 - b) *the importance of the service or goods to the community; and*
 - c) *the price at which the service or goods could be provided by an alternative provider.*
- 2) *A higher fee or charge or additional fee or charge may be imposed for an expedited service or supply of goods if it is requested that the service or goods be provided urgently.*
- 3) *The basis for determining a fee or charge is not to be limited to the cost of providing the service or goods other than a service —*
 - a) *under section 5.96; or*
 - b) *under section 6.16(2)(d); or*
 - c) *prescribed under section 6.16(2)(f), where the regulation prescribing the service also specifies that such a limit is to apply to the fee or charge for the service.*
- 4) *Regulations may —*
 - a) *prohibit the imposition of a fee or charge in prescribed circumstances; or*
 - b) *limit the amount of a fee or charge in prescribed circumstances.*

6.19 . Local government to give notice of fees and charges

- 1) *If a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of —*
 - a) *its intention to do so; and*
 - b) *the date from which it is proposed the fees or charges will be imposed.*

Relevant Plans and Policy

Nil

Financial Implications

The financial implications of this report will result in an increase in income to help offset operational expenses and support future funding applications that contribute to the ongoing sustainability of the Community Art Hub.

This report does not include any amendments to the current budget, as adjustments were already applied as part of the Quarterly Budget Review endorsed at the Ordinary Council Meeting held on Tuesday, 28 October 2025.

The Shire will monitor the income generated and the application of the new fees and charges, with any required budget variations to be addressed as part of the Quarterly Budget Review in March 2026.

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 for lower-than-expected income generation if uptake of the new fees and charges is slower than anticipated.	C-2 Moderate	Fees have been benchmarked against other local governments and designed to be affordable to encourage participation. Regular monitoring of income will occur, with adjustments made through quarterly budget reviews if required.
Health & Safety	N/A		
Reputation	Risk of community perception that the introduction of fees may reduce accessibility to the Community Art Hub.	C-2 Moderate	Engagement has occurred with Real Futures and local organisations to ensure proposed fees are reasonable and do not create barriers to participation. Communication will emphasise that funds support sustainability and ongoing access.
Service disruption	N/A		
Compliance	Requirement to ensure adopted fees and charges are properly incorporated into the Shire's Fees and Charges Schedule and applied consistently.	D-2 Low	Fees and charges will be formally endorsed by Council and administered in accordance with the Local Government Act 1995 and Shire financial management processes.
Property	N/A		
Environment	N/A		
Fraud	N/A		

Community and Strategic Objectives

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

OBJECTIVES

In 2040 Carnarvon is a place where:

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

ADDITIONAL FOCUS AREAS:

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

BIG IDEAS FOR THE FUTURE OF CARNARVON:

- N/A

Comments

The Community Art Hub has demonstrated strong outcomes over the past two years, successfully fostering creativity, connection, and local participation. With consistent use by community members, artists, and funded service providers, the Hub has become a valued and vibrant part of Carnarvon's cultural landscape.

The introduction of formal fees and charges represents a natural progression in the Hub's development and reflects its transition from a pilot initiative to an established community facility. The proposed fees have been carefully considered through engagement with Real Futures and local organisations, balancing affordability with the need to recover operational costs and support sustainability.

This approach ensures the Shire remains proactive in managing its assets and programs, aligning operational expenses with funding opportunities and reducing reliance on partner contributions. The proposal provides a framework that supports both equitable community access and the long-term financial resilience of the Community Art Hub.

OFFICER'S RECOMMENDATION

That Council, by Absolute Majority in accordance with Sections 6.16 and 6.19 of the Local Government Act 1995, amends the adopted 2025/2026 Schedule of Fees and Charges as follows:

1. Add the following Fees and Charges for the Community Art Hub

<i>Fee Description</i>	<i>GST</i>	<i>Statutory Fee</i>	<i>Fee 2025/2026 (including GST)</i>	<i>Fee Unit</i>	<i>Notes</i>
<i>Venue Hire - Community Group/ Local Artist</i>	<i>Yes</i>	<i>No</i>	<i>\$11.00</i>	<i>Per Hour</i>	<i>Includes use of supplies, tables, chairs and kitchenette.</i>
	<i>Yes</i>	<i>No</i>	<i>\$55.00</i>	<i>Per Day</i>	
<i>Venue Hire - Private or Commercial Organisation</i>	<i>Yes</i>	<i>No</i>	<i>\$22.00</i>	<i>Per Hour</i>	<i>Includes use of supplies, tables, chairs and kitchenette.</i>
	<i>Yes</i>	<i>No</i>	<i>\$110.00</i>	<i>Per Day</i>	
<i>Commission on Retail Items</i>	<i>Yes</i>	<i>No</i>	<i>5% to 120% mark-up.</i>	<i>Each</i>	<i>Souvenirs and merchandise retailed at the Art Hub. Aligns with the Visitor Centres fee and charges.</i>
<i>Table Hire</i>	<i>Yes</i>	<i>No</i>	<i>\$22.00</i>	<i>Each</i>	<i>Aligns with the Woolshed Fees and Charges.</i>
<i>Chair Hire</i>	<i>Yes</i>	<i>No</i>	<i>\$5.00</i>	<i>Each</i>	<i>Aligns with the Woolshed Fees and Charges.</i>
<i>Activity Fee</i>	<i>Yes</i>	<i>No</i>	<i>As Advertised</i>	<i>Each</i>	<i>Aligns with other venues. Provides flexibility to charge different rates based on demand.</i>

2. *Authorise the Chief Executive Officer to give local public notice of the amended fees and charges, with the change to take effect from the date specified in that notice.*

COUNCIL RESOLUTION OCM 06/11/25

Moved: Cr Paul Kelly

Seconded: Cr Burke Maslen

That Council, by Absolute Majority in accordance with Sections 6.16 and 6.19 of the Local Government Act 1995, amends the adopted 2025/2026 Schedule of Fees and Charges as follows:

1. *Add the following Fees and Charges for the Community Art Hub*

<i>Fee Description</i>	<i>GST</i>	<i>Statutory Fee</i>	<i>Fee 2025/2026 (including GST)</i>	<i>Fee Unit</i>	<i>Notes</i>
<i>Venue Hire - Community Group/ Local Artist</i>	<i>Yes</i>	<i>No</i>	<i>\$11.00</i>	<i>Per Hour</i>	<i>Includes use of supplies, tables, chairs and kitchenette.</i>
	<i>Yes</i>	<i>No</i>	<i>\$55.00</i>	<i>Per Day</i>	
<i>Venue Hire - Private or Commercial Organisation</i>	<i>Yes</i>	<i>No</i>	<i>\$22.00</i>	<i>Per Hour</i>	<i>Includes use of supplies, tables, chairs and kitchenette.</i>
	<i>Yes</i>	<i>No</i>	<i>\$110.00</i>	<i>Per Day</i>	
<i>Commission on Retail Items</i>	<i>Yes</i>	<i>No</i>	<i>5% to 120% mark-up.</i>	<i>Each</i>	<i>Souvenirs and merchandise retailed at the Art Hub. Aligns with the Visitor Centres fee and charges.</i>
<i>Table Hire</i>	<i>Yes</i>	<i>No</i>	<i>\$22.00</i>	<i>Each</i>	<i>Aligns with the Woolshed Fees and Charges.</i>
<i>Chair Hire</i>	<i>Yes</i>	<i>No</i>	<i>\$5.00</i>	<i>Each</i>	<i>Aligns with the Woolshed Fees and Charges.</i>
<i>Activity Fee</i>	<i>Yes</i>	<i>No</i>	<i>As Advertised</i>	<i>Each</i>	<i>Aligns with other venues. Provides flexibility to charge different rates based on demand.</i>

2. *Authorise the Chief Executive Officer to give local public notice of the amended fees and charges, with the change to take effect from the date specified in that notice.*

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 ABSOLUTE MAJORITY 8/0

7.2.2 MONTHLY FINANCIAL REPORT OCTOBER 2025

File No:	ADM0186
Location/Address:	N/A
Name of Applicant:	Shire of Carnarvon
Name of Owner:	N/A
Author(s):	Sarah Driscoll, Finance Manager
Authoriser:	Amanda Leighton, Executive Manager, Corporate Strategy & Performance
Declaration of Interest:	Nil
Voting Requirement:	Simple Majority
Previous Report:	Nil
Schedules:	1. Monthly Financial Report - October 25

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 checked="" 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 Item

This item presents the Statement of Financial Activity for the period ending 31 October 2025 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

Stakeholder and Public Consultation

Internal consultation within the Corporate Services Department

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.	C-1 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.	B-2 High	High priority has been placed on preparing Statutory reporting within legislated timeframes
Service disruption	N/A	N/A	
Compliance	<i>Local Government Act 1995</i> requires Council receives these statements within 2 months of the end of the applicable month.	C-1 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:

- The opening surplus of \$4,219,463 at 1 July 2025 that was adopted by Council in the 2025/26 Budget, is higher than the actual opening surplus of \$4,106,688 presented in the attached October Financial Report. This variance of \$112,775 has been factored into the October 2025 Budget Review adopted by Council at the 28 October 2025 Ordinary Council Meeting. It has been recouped through additional grant income, meaning the adopted budget deficit remains the same as the despite the variance in opening surplus.
- The adopted and current budget reflects a closing deficit of \$390,707, which equates to the total value of Regional Express Holdings (REX) debt outstanding prior to REX entering into administration.

The administration period for REX has been extended to December 2025. It is worth noting that a provision for this debt was raised in both the 23/24 and 24/25 financial years.

- As at 31 October 2025, \$2,022,382 of Reserve funds were held in a term deposit to earn additional interest. Municipal funds were not invested in a term deposit, rather kept in an interest earning bank account to maintain cash flow flexibility. Municipal funds have been invested in the November period, which will be reflected within the November 2025 Financial Report.
- The majority of the variance between year-to-date budget and year-to-date actuals for Employee Costs presented on the Statement of Financial Activity, is due to timing differences between payroll processing and month end reporting. Payroll is processed fortnightly and as such, employee costs can only be updated in our financial system in alignment with the payroll end date cycle. For the reporting period ending 31 October as presented in the attached, the actual employee cost figures only include payments up to the end of the payroll period dated 19 October. Once an accrual is made for the remaining days (20 - 31 October) with payroll period end date 2 November, the adjusted variance is reduced to approximately \$273,000. This falls within the 10% materiality variance.
- The YTD actual contributions to operations for capital acquisitions total \$1,280,351, compared to a YTD budget of \$789,748, resulting in a variance of \$490,603.

This is primarily a timing issue, not a structural overspend. Several factors contributed:

Accelerated Capital Works: Major road projects (Quobba–Gnaraloo and Minilya Lyndon) progressed ahead of schedule.

- Carry-Forward Projects: Depot improvements and infrastructure works from 2024/25 were not fully captured in the adopted budget and were approved at the October Budget Review.
- Delayed Funding: Grants and reserve transfers are scheduled later in the year, and borrowings for the Street Sweeper are pending WA Treasury approval.

Key Point: The higher operational contribution is temporary and will normalise once external funding and reserve transfers occur. No permanent overspend has been identified; adjustments will be addressed in the mid-year budget review.

- Projects Consuming Contributions – Operations

The contributions line is used to fund capital works after grants, borrowings, and reserves. The major drivers are:

Road Infrastructure

- *Quobba–Gnaraloo Road (RRG121):* \$1,300,430 actual vs \$1,076,004 YTD budget (carry-forward works from 24/25).
- *Minilya Lyndon Road (Blackspot):* \$181,751 actual (aligned with budget but adds to early cash demand).
- *Other Roads projects:* \$28,263 for monitoring system and \$43,991 for Roads to Recovery (new allocation in October review).

Depot & Plant Projects

- *Depot Storage Project:* \$20,620 actual (carry-forward).
- *Washbay for Trucks:* \$62,518 actual (carry-forward/new allocation in October review).
- *CEO Vehicle Purchase:* \$81,606 actual (new allocation in October review).
- *Trailer purchase – RJED Verge Crew/ New Plant Depot* (new allocation in October review).

Activation Plan & Other Infrastructure

- *Carnarvon Activation Plan: \$38,941 actual (phasing misaligned).*
- *Miscellaneous Coral Bay & refuse site works:*

OFFICER'S RECOMMENDATION

That Council, pursuant to Regulation 34 of the Local Government (Financial Management) Regulations, receives the Statement of Financial Activity for the period ending 31 October 2025.

COUNCIL RESOLUTION OCM 07/11/25

Moved: Cr Paul Kelly

Seconded: Cr Burke Maslen

That Council, pursuant to Regulation 34 of the Local Government (Financial Management) Regulations, receives the Statement of Financial Activity for the period ending 31 October 2025.

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

7.2.3 ACCOUNTS PAID UNDER DELEGATION - OCTOBER 2025

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:	Monthly Report
Schedules:	<ol style="list-style-type: none"> 1. Credit Card Payments - October 2025 2. List of Accounts Paid - October 2025 3. Direct Debits - October 25 - DRAFT unsigned

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 October 2025.

Background

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

Stakeholder and Public Consultation

Nil

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	Low C-1	Internal controls are in place to manage this potential risk
Health & Safety	N/A	N/A	N/A
Reputation	N/A	N/A	N/A
Service disruption	N/A	N/A	N/A
Compliance	N/A	N/A	N/A
Property	N/A	N/A	N/A
Environment	N/A	N/A	N/A
Fraud	Accounting Fraud	Moderate C-2	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 \$4,219,647.38 as presented for the month of October 2025, incorporating the following;*

<i>Payment reference from:</i>	<i>Payment reference to:</i>	<i>Payment type</i>	<i>Payment Amount</i>
EFT45568	EFT4650	Muni EFT	\$2,872,285.62
-	-	Trust EFT	\$0.00
-	-	Cheque	\$0.00
DD41926.5, DD42011.1, DD42019.1, DD42019.2, DD42019.3, DD42021.1, DD42023.1, DD42025.1, DD42025.2, DD42025.3, DD42025.4, DD42027.1, DD42029.1, DD42029.2, DD42029.3, DD42029.4, DD42029.5, DD42029.6, DD42033.1, DD42033.2, DD42035.1, DD42037.1, DD42029.1, DD42029.2, DD42029.3, DD42029.4, DD42029.5, DD42029.6, DD42060.1, DD42073.1, DD42073.2, DD42073.3		Bank Directs	\$1,347,361.76
		TOTAL	\$4,219,647.38

COUNCIL RESOLUTION OCM 08/11/25

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 \$4,219,647.38 as presented for the month of October 2025, incorporating the following;*

<i>Payment reference from:</i>	<i>Payment reference to:</i>	<i>Payment type</i>	<i>Payment Amount</i>
EFT45568	EFT4650	Muni EFT	\$2,872,285.62
-	-	Trust EFT	\$0.00
-	-	Cheque	\$0.00
DD41926.5, DD42011.1, DD42019.1, DD42019.2, DD42019.3, DD42021.1, DD42023.1, DD42025.1, DD42025.2, DD42025.3, DD42025.4, DD42027.1, DD42029.1, DD42029.2, DD42029.3, DD42029.4, DD42029.5, DD42029.6, DD42033.1, DD42033.2, DD42035.1, DD42037.1, DD42029.1, DD42029.2, DD42029.3, DD42029.4,		Bank Directs	\$1,347,361.76

<i>DD42029.5, DD42029.6, DD42060.1, DD42073.1, DD42073.2, DD42073.3</i>			
		<i>TOTAL</i>	<i>\$4,219,647.38</i>

2. Receive the copies of credit card statements for all such Shire Facilities for the period 25.08.2025-22.09.2025, paid on 06.10.2025, 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

7.2.4 PRESENTATION OF THE 2024-2025 ANNUAL REPORT (EXCLUDING FINANCIAL REPORT)

THIS ITEM WAS WITHDRAWN TO BE PRESENTED TO COUNCIL AT A LATER DATE.

7.2.5 TIP AMNESTY FOR CARNARVON GROWERS

Cr M Ferreira (Direct Financial) – 7.2.5 Tip Amnesty For Carnarvon Growers

Mr E Smith (Direct Financial) – 7.2.5 Tip Amnesty For Carnarvon Growers

Cr D Maslen (Direct Financial) – 7.2.5 Tip Amnesty For Carnarvon Growers

Cr L Skender (Direct Financial) – 7.2.5 Tip Amnesty For Carnarvon Growers

President Smith advised that the CEO made application to the Minister for Local Government to allow disclosing member Cr Luke Skender to participate and vote on this item in accordance with Section 5.69(3) of the Local Government Act. Reason for the request was to ensure that there would be a quorum for an Absolute Majority vote for this item. Of note, Councillors making Financial Interest declarations for this item were President Smith, Cr Ferreira, Cr D Maslen and Cr L Skender.

Council received advice from the Executive Director, Local Government – Support and Compliance on Monday 24 November 2025, that the application for Cr Skender to be able to participate and vote on this matter was approved. (A copy of the Ministerial Approval is attached to these minutes).

9.40am - President Smith, Cr Ferreira and Cr D Maslen are plantation owners/growers and would therefore gain a financial benefit from the tip amnesty. They therefore left the meeting and did not participate or vote on the matter. In accordance with Ministerial Approval, Cr L Skender was permitted to stay and vote on the matter.

9.40am - Deputy President Burke Maslen assumed the Chair.

File No:	ADM002
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 08/09/23, OCM 11/08/24, OCM 07/08/25
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 seeks Council's endorsement to adjust the approved timeframe of the Tip Amnesty for plantation growers engaged in intensive horticultural practice. Council originally approved a period of three months intended to commence 1 October to 31 December 2025; however operational commencement occurred on 10 November 2025 due to matters outside Administration's control. As a result, to maintain Council's intended three-month duration, the end date requires Council endorsement for the initiative to end on 10 February 2026.

The report also provides Council with an operational overview of how the amnesty is being delivered. This includes verification of eligible growers through SynergySoft, issuing serialised one-day passes, identity and account-status checks, waste-facility arrival procedures, daily load recording. These processes ensure transparent recordkeeping, consistent eligibility checks, and accurate tracking of horticultural production generated waste.

Background

At the August 2025 Ordinary Council Meeting, Council approved the implementation of a Tip Amnesty for plantation growers, covering the period 1 October – 31 December 2025, with the aim of:

- Enabling growers to remove accumulated horticultural production generated waste;
- Reducing fuel loads and supporting bushfire mitigation across the horticultural precinct;
- Improving safety and amenity in the plantation district;
- Addressing previous grower feedback that past amnesty periods did not align with operational timelines.

These intentions were reaffirmed in correspondence from the Shire President dated Tuesday 11 November, who emphasised the importance of ensuring the amnesty reflects both Council's expectations and the horticultural sector's needs.

Operational Information for Council – No endorsement applicable.

The below information outline to Council and our Community the process on the Tip Amnesty.

Following Council's decision, Administration developed the framework for the Tip Amnesty which included eligibility criteria, identity verification, pass-issuing processes, waste-facility procedures, communications, and reporting requirements.

Eligibility criteria was established to ensure that the amnesty applies only to ratepayers who generate horticultural production waste as part of legitimate agricultural operations.

The eligibility requirements are as follows:

1. Property Type

- *Properties must be classified as intensive horticultural or plantation operations within the Shire.*
- *Verification is completed through SynergySoft using land-use codes and property assessments.*
- *This ensures the amnesty is provided only to growers who generate the types of waste Council intended to support.*

2. Ratepayer Status

- *The person accessing the amnesty must be the ratepayer of the eligible property.*
- *This avoids third-party use and ensures the amnesty is tied directly to the grower responsible for the horticultural waste.*

3. Account Status

- *Rates must be:*
 - *Paid in full, paid as per the instalment notice, or*
 - *Under an active and compliant payment arrangement.*
- *This approach ensures equitable access while upholding the Shire's responsibility to maintain clear and consistent revenue practices.*

4. Proof of Identity

To prevent misuse and ensure appropriate recordkeeping, growers must supply valid proof of identity confirming they are the ratepayer. Acceptable documentation includes:

- *Driver's licence*
- *Passport*
- *Utility bill with matching address*
- *Other verifiable documents linking the individual to the rate record*

Identity is validated before passes are issued, and this step forms a key compliance control in the Procedure.

5. Waste Type

- *Only Horticultural Production Generated Waste is accepted.*
- *Asbestos is exempt, and disposal of asbestos will incur a charge as per the 2025/2026 Shire of Carnarvon Fees & Charges*

6. Pass Issuing Controls

- *Eligible growers receive two (2) serialised one-day passes – for use on a day of their choosing within the 3-month period.*
- *Passes are recorded in the Amnesty Register, including assessment number, ratepayer name, date issued, and staff initials.*
- *Only original passes are accepted at the Waste Facility to prevent duplication.*

Why the Eligibility Process Matters

From a governance perspective, the structured eligibility process ensures:

- *Transparent decision-making*
- *Compliance with Council's intent and the Local Government Act*
- *Equitable access for all eligible growers*
- *Protection against misuse of Shire resources*
- *Confidence for Elected Members that the program is being administered consistently and fairly*

Due to operational and resourcing constraints, the amnesty became fully operational on 10 November 2025.

Key operational components include:

- *Registration & Verification: Eligible growers contact the Shire, where Customer Service staff verify property status, ownership, account status, and ID.*
- *Pass Issuing: Each eligible ratepayer receives two serialised one-day passes for use on a day of their choosing during the amnesty period.*
- *Waste Facility Check-in: Staff validate original passes, mark them as used, and record vehicle registration, waste type, volume, and number of trips used for that day pass.*
- *Recordkeeping: Waste Facility log sheets are submitted to administration for entry into the Master Register, with all documents stored in accordance with our record keeping.*
- *Monitoring: Weekly and final reporting will track tonnage, participation and financial impacts.*

To provide the full three-month amnesty originally intended by Council, the period must extend to 10 February 2026.

Stakeholder and Public Consultation

- *The Shire President was consulted regarding program clarity and alignment with Council's intent.*

- Updated information has been made available on the Shire's communication channels were made to clarify approved waste types and eligibility.

Statutory Environment

Local Government Act, 1995

-Section 6.12 – Power to defer, grant discounts, waive or write off debts.

-Section 6.16 – Imposition of fees and charges.

-Section 3.1: Provides the general function of local governments to govern on behalf of their communities and to provide for the good government of persons in their district.

Relevant Plans and Policy

Nil.

Financial Implications

The amnesty is delivered within the existing Waste Management budget. A minor reduction in tip-fee revenue is anticipated but is offset by the community benefits associated with bushfire-risk reduction, improved amenity and enhanced data collection to inform future waste-management planning.

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	Reduced waste-fee revenue	1-D Low	Existing budget allocation; time-limited program.
Health & Safety	Retained green waste may increase fuel load	2-C Moderate	Extension ensures the full waste-reduction period
Reputation	Perception of misalignment with Council's direction	2-C Moderate	Updated communication; alignment with Council's intent
Service Disruption	Delayed rollout may impact workloads	1-D Low	Processes now in place; standardised Procedure
Compliance	Incorrect eligibility or waste recording	1-D Low	Serialised passes, daily logs, verification steps
Property	Waste-facility handling impacts	1-D Low	Controlled processes and consistent monitoring
Environment	Failure to reduce fuel loads adequately	2-C Moderate	Full three-month period supports risk-mitigation outcomes
Fraud	Potential misuse of amnesty by ineligible users (non-plantation waste).	2-C Moderate	Require proof of eligibility (grower identification/confirmation); staff monitoring at the facility.

Community and Strategic Objectives

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

OBJECTIVES

In 2040 Carnarvon is a place where:

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

ADDITIONAL FOCUS AREAS:

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

BIG IDEAS FOR THE FUTURE OF CARNARVON:

- N/A

Comments

Administration has worked closely with elected members to ensure the Tip Amnesty is implemented in a way that upholds Council's intent and delivers value to the horticultural community. Extending the amnesty to 10 February 2026 provides a true three-month operating window and ensures fairness, improved safety outcomes through fuel-load reduction, and accurate data collection.

The evaluation scheduled for April 2026 will play a key role in informing Council's future decision-making. The review will not only assess participation levels and total tonnage disposed, but will also examine the operational impact, financial implications, and cost-benefit considerations. This information will support Council in determining whether a similar program should be incorporated into future waste management, 2026/2027 budget process, resource planning, and service-delivery frameworks.

A detailed evaluation report, including participation, tonnage, financial impact and recommendations for any future amnesties, will be presented to the April 2026 Ordinary Council Meeting.

OFFICER'S RECOMMENDATION

That Council by Absolute Majority, pursuant to Sections 6.12 and 6.16 of the Local Government Act, 1995;

- 1. Endorse the adjustment of the Tip Amnesty period to operate from 10 November 2025 to 10 February 2026, ensuring alignment with Council's original intent to provide a full three-month period for the disposal of Horticultural Production Generated Waste.***
- 2. Note that Administration will conduct a full evaluation of the program and present a report to the April 2026 Ordinary Council Meeting, detailing waste volumes, participation levels, operational impacts, financial considerations, and recommendations to guide future budgeting and decisions regarding ongoing or expanded amnesty programs.***

COUNCIL RESOLUTION OCM 09/11/25

Moved: Cr Paul Kelly

Seconded: Cr Mark Young

That Council by Absolute Majority, pursuant to Sections 6.12 and 6.16 of the Local Government Act, 1995;

- 1. Endorse the adjustment of the Tip Amnesty period to operate from 1 December 2025 to 1 March 2026, ensuring alignment with Council's original intent to provide a full three-month period for the disposal of Horticultural Production Generated Waste.***
- 2. Note that Administration will conduct a full evaluation of the program and present a report to the April 2026 Ordinary Council Meeting, detailing waste volumes, participation levels, operational impacts, financial considerations, and recommendations to guide future budgeting and decisions regarding ongoing or expanded amnesty programs.***

FOR: Cr Burke Maslen, Cr Luke Skender, Cr Paul Kelly, Cr Mark Young and Cr Merome Beard
AGAINST: Nil
ABSENT: Mr E Smith, M Ferreirinha and DM Maslen

CARRIED BY ABSOLUTE MAJORITY 5/0

(Note to Minute: The tip amnesty period was amended to reflect a full three month period.)

9.42am – Mr E Smith, Cr M Ferreirinha and Cr D Maslen returned to the meeting. President Smith resumed the Chair.

7.3 DEVELOPMENT AND COMMUNITY SERVICES

7.3.1 DEFIBRILLATORS - BLOWHOLES RESERVE

File No:	ADM1937
Location/Address:	Blowholes Reserve
Name of Applicant:	Shire of Carnarvon
Name of Owner:	Shire of Carnarvon
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. Leichhardt Community Grant

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 consideration and endorsement for the installation of two additional public access defibrillators (DFIBs) at strategic locations within the Blowholes Reserve, in addition to the existing DFIB located at the Aquarium toilet block.

Background

The Blowholes Reserve is a popular coastal area attracting significant numbers of locals and tourists for recreational fishing, boating, swimming, and camping. The remote location, combined with limited access to emergency medical services, necessitates the strategic provision of publicly accessible DFIBs.

Currently, one DFIB is located at the Aquarium toilet block, centrally situated within the reserve. However, considering the geographical spread and visitor density of the site, access to this single unit in an emergency could be delayed depending on where an incident occurs.

At the Ordinary Council Meeting held on 26 August 2025, a community member raised a concern during Public Question Time about the absence of defibrillators across the wider Blowholes Reserve, particularly in light of recent medical incidents. Council acknowledged the issue and committed to receiving a detailed report on further DFIB provision. The progression of this project reflects Council's responsiveness to community concerns and its commitment to improving public safety at the reserve.

Following a site assessment and consultation with Shire Rangers and community health representatives, it is proposed to install two additional DFIBs at the following two key high-risk/high-use areas:

1. Boat launching area; and
2. Blowholes car park.

These locations are high-use public areas where emergency response time is critical, and the availability of life-saving equipment such as DFIBs can significantly increase the chances of survival in the event of a cardiac arrest.

Stakeholder and Public Consultation

- Shire Rangers
- St John Ambulance

Statutory Environment

While there is currently no legislative requirement in Western Australia mandating the installation of DFIBs in public places, the proposal aligns with:

- *Occupational Safety and Health Act 1984 (WA)* and *Work Health and Safety Act 2020 (WA)* – which require the provision of safe environments for workers and the public.
- *Local Government Act 1995 (WA)* – which empowers local governments to provide infrastructure and services for the good governance of persons within its district.
- *Australian Resuscitation Council guidelines* – which support public access defibrillation in areas of high public use and limited emergency response capacity.

Furthermore, the installation of DFIBs represents best practice in public safety and risk management, particularly for regional tourism sites where response times may be delayed.

Relevant Plans and Policy

- Blowholes Reserve Management Plan 2014-2036.

Financial Implications

Project cost for two units (including weatherproof cabinet and stand) is \$5,499.00 (\$2,749.50 each) excluding installation. This is a special offer price from the supplier which although expired, has been held for the Shire of Carnarvon pending Council's consideration and endorsement.

The administration canvassed external funding opportunities for the purchase of the defibrillators and was successful in securing a \$5,000 grant through the Leichhardt Community Grant Program.

In recognition of this contribution, the Shire will provide appropriate acknowledgment through the installation of a plaque (estimated at \$315) on or near each unit to inform the community that the equipment was funded through the Leichhardt Community Grant Program. This additional cost for the plaque installation will be accommodated within the existing 2025/2026 operational budget allocation.

The Shire will remain responsible for all installation costs and ongoing expenses associated with the replacement of consumables (e.g. pads and batteries) and routine maintenance checks, which will be undertaken by Shire Rangers.

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	Delayed emergency response due to insufficient DFIB coverage.	B3 - High	Install additional DFIBs in key locations.
Reputation	N/A		
Service disruption	N/A		
Compliance	Maintenance lapse.	D3 - Moderate	Implement routine inspection schedule.
Property	Vandalism or theft of DFIB units.	C2 - Moderate	Secure weatherproof, alarmed cabinets and install signage.
Environment	N/A		
Fraud	N/A		

Community and Strategic Objectives

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

OBJECTIVES

In 2040 Carnarvon is a place where:

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

ADDITIONAL FOCUS AREAS:

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

BIG IDEAS FOR THE FUTURE OF CARNARVON:

- N/A

Comments

The addition of two further DFIBs within the Blowholes Reserve is recommended based on industry-accepted standards regarding DFIB accessibility, high-usage patterns of specific sites, risk exposure, and the geography of the reserve.

Industry Standards and Response Time

The Australian Resuscitation Council and St John WA both support the principle that early defibrillation within 3–5 minutes of a cardiac arrest can result in survival rates as high as 70%. However, this effectiveness decreases by approximately 10% with each minute of delay.

Public Access Defibrillation (PAD) programs across Australia, particularly in remote or recreational coastal areas, aim to ensure that a DFIB is within 3 minutes of walking distance (approximately 400 metres) from any potential incident location. Given the size and layout of the Blowholes Reserve, a single DFIB at the Aquarium toilet block does not achieve this level of coverage.

In practice, this means:

- One DFIB per 3–5-minute response zone, considering access paths and real-time conditions.
- The topography, vegetation and spread of users throughout the Reserve significantly limits rapid access to a centralised DFIB.

High-Risk and High-Use Area Selection

The proposed DFIB locations have been selected due to their high levels of visitor activity, distance from the existing DFIB, and elevated risk profile associated with activities in those areas.

1. Boat Launching Area

- This area sees frequent use by fishers, boaters, and recreational users, many of whom are older and more vulnerable to cardiac events due to physical exertion or medical conditions.
- Early morning and late evening use, when supervision and emergency access is limited, increasing the risk of a medical episode.
- The area is several hundred metres from the existing DFIB, making timely response impractical in an emergency.
- DFIBs have been installed at boat ramps in other regional WA coastal towns, such as Denham, Exmouth, and Jurien Bay, based on similar use and risk profiles.

2. Blowholes Car Park

- The Blowholes themselves are one of the Shire's major natural tourist attractions, drawing consistent foot traffic throughout the year.
- The area hosts a variety of visitors of all ages and often unaccompanied by trained first aiders.
- The Blowholes pose physical risks such as slips or sudden cardiac arrest from exertion or environmental stress.
- The nearest DFIB at the Aquarium toilet block is not within a 3-minute round trip from this location.
- Similar public DFIBs are installed at tourist locations such as:
 - Nature's Window (Kalbarri National Park)
 - Greens Pool (Denmark)
 - Lucky Bay (Esperance)

Emergency Response and Remote Location Challenges

Given the remote nature of the Blowholes Reserve, emergency services response times may range from 45 minutes to over an hour, depending on dispatch times and weather/road conditions. In this context, public access to a DFIB is not just beneficial, it is essential.

Furthermore, the Reserve does not have permanent onsite medical personnel, and while mobile coverage has improved, reliance on triple-zero emergency calls and professional intervention alone is insufficient in the critical early minutes of a cardiac emergency.

This report also responds to a question raised by a community member during Public Question Time at the Ordinary Council Meeting held on 26 August 2025, where concern was expressed regarding the absence of DEFIBs at the Blowholes following recent medical emergencies. At that time, Council advised that one defibrillator would be installed at the Aquarium toilet block, and that a further detailed report would be presented to Council outlining options for additional units within the Reserve. This report fulfils that commitment.

By installing additional DFIBs in line with national PAD strategies and known high-traffic zones, the Shire will significantly enhance the safety and survivability of residents and visitors, while meeting modern standards for emergency preparedness.

In addition to improving public safety, this initiative represents a collaborative effort between the Shire of Carnarvon and the wider community. Through the Leichhardt Community Grant Program, the Shire successfully secured \$5,000 in external funding to support the purchase of the new DFIBs. This partnership demonstrates the Shire's proactive approach to leveraging grant opportunities and ensuring community assets are delivered with minimal impact on ratepayer funds. The installation of these units, accompanied by public acknowledgment of the grant contribution, highlights the community-driven nature of the project and reinforces the Shire's commitment to safeguarding residents and visitors at one of the district's most iconic coastal reserves.

OFFICER'S RECOMMENDATION

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

- 1. Endorse the installation of two additional public access defibrillators (DFIBs) at the Blowholes Reserve, to be located at:***
 - 1. The Boat Launching Area, and***
 - 2. The Blowholes Car Park;***

COUNCIL RESOLUTION OCM 10/11/25

Moved: Cr Burke Maslen

Seconded: Cr Paul Kelly

That Council by Simple Majority, pursuant to Section 3.18 of the Local Government Act, 1995 resolves to endorse the installation of two additional public access defibrillators (DFIBs) at the Blowholes Reserve, to be located at:

- 1. The Boat Launching Area, and***
- 2. The Blowholes Car Park;***

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 requested that Mrs Carina Baron be recognised and thanked for her lobbying to have extra defibrillators placed at strategic locations at the Blowholes. Access to these defibrillators in this remote location will save lives and Carina's foresight is to be commended.)

7.3.2 SHIRE OF CARNARVON LOCAL PLANNING SCHEME NO. 13 - AMENDMENT 13

File No:	ADM2148
Location/Address:	541 Robinson Street, Kingsford (Lot 1 on Diagram 27815)
Name of Applicant:	Michele D. Dell'Acqua
Name of Owner:	Crapella Holdings Pty Ltd
Author(s):	Stefan Louw, Executive Manager, Community Planning and Sustainability
Authoriser:	Amanda Dexter, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirement:	Absolute Majority
Previous Report:	Nil
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 type="checkbox"/>	Executive	The substantial direction setting and oversight role of the Council. E.g., adopting plans and reports, accepting tenders, directing operations, setting and amending budgets
<input checked="" type="checkbox"/>	Legislative	Includes adopting local laws, town planning schemes and policies.
<input type="checkbox"/>	Information	Includes items provided to Council for information purposes only that do not require a decision of Council (i.e. – for noting).
<input type="checkbox"/>	Quasi-judicial	When Council determines an application / matter that directly affects a person's right and interest. The judicial character arises from the obligations to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licenses, applications for other permits / licenses

Summary of Report

The Shire has received a formal request from Mr Michele D. Dell'Acqua, Director of Crapella Holdings Pty Ltd, seeking to amend Local Planning Scheme No. 13 (LPS13) in relation to Lot 1 Robinson Street, Kingsford. Crapella Holdings Pty Ltd is the registered proprietor of the subject land.

The proposed amendment seeks to rezone the land from 'Priority Agriculture' to 'Light Industry', in order to better reflect the site's historical use, physical constraints, and its strategic identification as light industrial under the East Carnarvon and Kingsford District Structure Plan.

This report recommends that Council initiate the amendment process, and further, that the amendment be classified as a 'standard amendment' in accordance with Regulation 35 of the Planning and Development (Local Planning Schemes) Regulations 2015.

Background

The subject site is located on the northern side of Robinson Street, within the Kingsford locality, and falls within the area covered by the East Carnarvon and Kingsford District Structure Plan, which was formally endorsed by the Western Australian Planning Commission (WAPC) in September 2015.

Under the Shire of Carnarvon's previous Local Planning Scheme No. 10 (LPS10), the site was zoned 'Light Industry', reflecting its long-standing use for low-impact industrial activities, including laydown areas, fuel depots, and other associated operations. However, following the gazettal of Local Planning Scheme No. 13 (LPS13), the site was rezoned to 'Priority Agriculture', resulting in a significant change to the range of permissible land uses.

As a result of this rezoning, the historical and established land uses on the site became non-permitted (X) uses under the new zoning. This change has effectively constrained the ongoing lawful use and development of the site, particularly for uses that were previously considered appropriate and consistent with the area's industrial character.



Figure 1 – Location of site

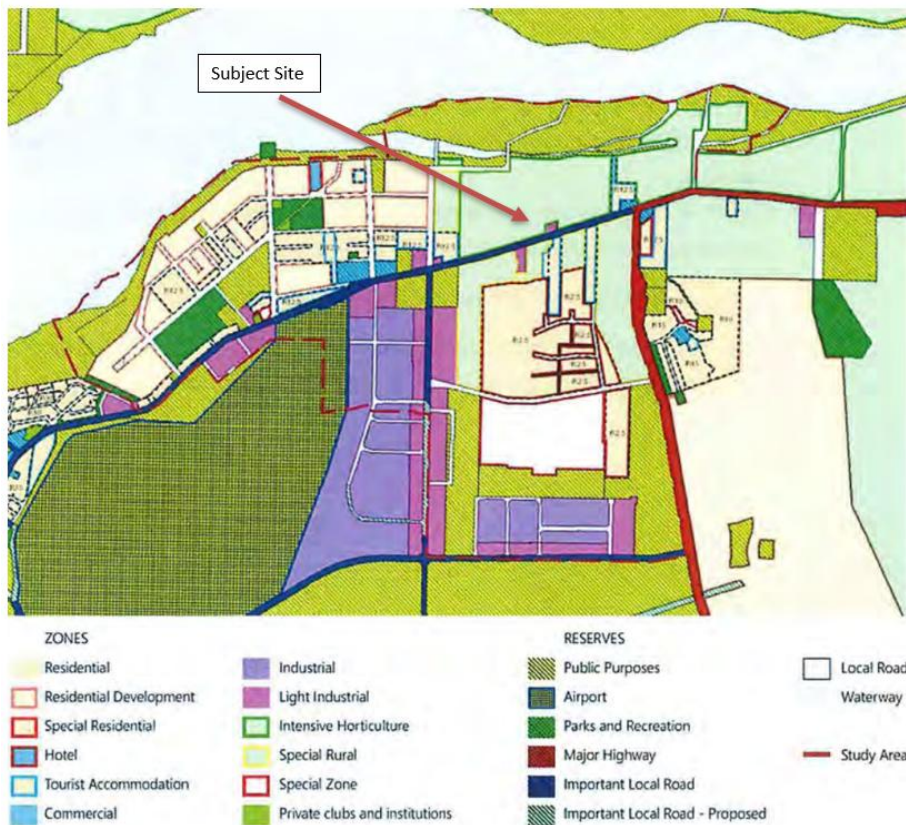


Figure 2 – Zoning under previous scheme

The Proposal

The applicant is seeking to rezone the 3,822 sqm land back to the equivalent zone under LPS13. In requesting the rezoning, the applicant has provided the following justification to the Shire:

1. The site is not of sufficient size or dimension for agricultural use like other properties in the locality which are several hectares in area.
2. The Priority Agriculture zoning has sterilized the use of the land, as potential tenants and operators are limited to very few permissible uses.
3. Should light industrial use be allowed to recommence, it would be compatible with existing surrounding areas and can be considered complementary and mutually beneficial to the overall Carnarvon Townsite
4. The rezoning proposal is consistent with the stated objectives of LPS13, which includes *'supporting economic growth and employment by the timely delivery of suitable and appropriately located land for commercial and industrial enterprise.'*
5. A light industry zoning allows for optimal potential use of the site due to the broader range of capable uses under the zoning table

Stakeholder and Public Consultation

The scheme amendment proposal, once initiated, will be forwarded to the Environmental Protection Authority (EPA) in accordance with section 81 of the *Planning and Development Act 2005*.

Within 21 days of Council's resolution, the amendment must be submitted to the Western Australian Planning Commission (WAPC) for consent to advertise. The application is then required to be advertised for a period of 42 days. As soon as practical at the end of the consideration period the local government must pass a resolution to:

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

Statutory Environment

Local Planning Scheme No. 13 (Gazetted 3 November 2020 & amended 19 September 2025)

The Shire of Carnarvon Local Planning Scheme No. 13 (LPS13) establishes the statutory framework for land use and development within the Shire, including zoning classifications and permissible land uses.

Under LPS13, the subject site is currently zoned Priority Agriculture, which is intended to protect land for agricultural and horticultural production. This zoning imposes significant limitations on non-agricultural land uses.

In contrast, the 'Light Industry' zone provides for a broader range of service, trade, and low-impact industrial activities. The following land uses are permitted or discretionary in the Light Industry zone but are not permitted (X uses) in the Priority Agriculture zone:

- Industry – Light
- Industry – Service
- Motor Vehicle Repair
- Trade Supplies
- Warehouse
- Storage
- Resource Recovery

The proposed amendment seeks to reinstate the site's previous **Light Industry** zoning, thereby enabling these land uses once again and unlocking the site's development potential in alignment with strategic planning intent and historical use.

Planning and Development Act 2005

The amendment must be progressed in accordance with section 75 of the *Planning and Development Act 2005* and referred to the Environmental Protection Authority under sections 81 and 82. Upon Council's initiation, the amendment must be forwarded to the Western Australian Planning Commission within 21 days for consent to advertise, followed by a mandatory 42-day public advertising period including direct notice to affected and adjoining landowners. These steps provide statutory due diligence and accountability.

Planning and Development (Local Planning Schemes) Regulations 2015

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

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

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

- I. *an amendment relating to a zone or reserve that is consistent with the objective identified in the scheme for that zone or reserve;*
- II. *an amendment that is consistent with a local planning strategy for the scheme that has been endorsed by the Commission;*

- III. an amendment that would have minimal impact on land in the scheme area that is not the subject of the amendment;
- IV. an amendment that does not result in any significant environmental, social, economic or governance impacts on land in the scheme area;

The applicable structure plan (which was prepared prior to the gazettal of LPS13) had identified this lot as Light-Industrial. As the rezoning proposal is consistent with the WAPC-endorsed structure plan, the scheme amendment can be considered standard.

Relevant Plans and Policy

- Shire of Carnarvon Local Planning Strategy
- Shire of Carnarvon Local Planning Scheme 13
- East Carnarvon and Kingsford District Structure Plan

Financial Implications

There are no financial implications associated with this proposal.

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	Potential health and safety impacts on adjoining landowners and the community if future development introduces dust, noise or traffic impacts.	D2 - Low	Health and safety risks are managed through: <ul style="list-style-type: none"> • EPA assessment • Statutory advertising • Development application assessment processes • Ability to impose conditions if required
Reputation	Community concern regarding environmental impacts, loss of horticultural interface or industrial encroachment.	C2 – Moderate	The report initiates a statutory amendment process only. The amendment will be: <ul style="list-style-type: none"> • Referred to the EPA for a level of assessment • Considered by the WAPC before advertising. • Advertised for 42 days with direct notice to adjoining landowners. • Returned to Council for a second decision after submissions.

			These steps allow detailed consideration of community and stakeholder concerns.
Service disruption	N/A		
Compliance	Risk of non-compliance with relevant planning and environmental legislation.	D2 – Low	Strict adherence to statutory requirements under the <i>Planning and Development Act 2005</i> , <i>Environmental Protection Act 1986</i> and <i>Planning and Development Regulations 2015</i> .
Property	Sterilised land due to restricted permissibility.	C1 - Low	The scheme amendment will address the zoning constraint to facilitate future development of the site.
Environment	Potential environmental impacts arising from future development (drainage, effluent, buffers, contamination)	D-2 Low	The EPA will determine a level of assessment under section 48A of the <i>Environmental Protection Act 1986</i> . Any future development will require development approval (unless exempt), enabling assessment of drainage, contamination, buffers to horticulture and other site-specific environmental factors.
Fraud	N/A		

Community and Strategic Objectives

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

OBJECTIVES

In 2040 Carnarvon is a place where:

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

ADDITIONAL FOCUS AREAS:

- N/A

BIG IDEAS FOR THE FUTURE OF CARNARVON:

- N/A

Comments

In conclusion, the proposed rezoning of Lot 1 Robinson Street, Kingsford from 'Priority Agriculture' to 'Light Industry' is considered to be appropriate, justified, and strategically sound. The amendment responds to the historical use, site constraints, and broader planning context. The following points provide a comprehensive planning justification in support of the proposal:

1. Historical Land Use Compatibility

The site has historically been used for light industrial purposes, including as a laydown area and fuel depot, with no known adverse impacts on surrounding horticultural operations or land uses.

2. Consistency with Endorsed Structure Plan

The proposal aligns with the East Carnarvon and Kingsford District Structure Plan, which designates the site for 'Light Industrial' use. This plan was endorsed by the Western Australian Planning Commission and reflects the intended long-term land use for the area.

3. Site Constraints Limit Agricultural Viability

Due to its limited size and irregular configuration, the site is not practically or economically suited for productive agricultural or horticultural operations, unlike larger surrounding parcels.

4. Supports Local Economic Development

Rezoning the land will enable a broader range of employment-generating and service-based uses, supporting the economic viability and diversification of the Carnarvon townsite and contributing to local job creation.

5. Appropriate Planning Controls Remain in Place

Any future development or land use will remain subject to development approval under LPS13, ensuring that issues such as traffic, noise, visual impact, and interface with nearby land uses can be addressed and managed through appropriate conditions.

6. Alignment with Scheme Objectives

The amendment supports the objectives of Local Planning Scheme No. 13, including facilitating economic growth, providing for land use diversity, and enabling development that is compatible with surrounding land uses.

7. Efficient Use of Underutilised Land

The current zoning significantly restricts development potential. Rezoning to Light Industry allows the land to be fully and efficiently utilised, avoiding continued underuse of a strategically located site.

8. Minimises Pressure on Productive Agricultural Land

Facilitating industrial development on a site that is not viable for agriculture helps to reduce pressure on surrounding high-value horticultural land, ensuring that truly productive agricultural areas remain protected.

9. Strategic Location Adjacent to Key Road Infrastructure

The site's proximity to Robinson Street and the North West Coastal Highway makes it ideally suited to light industrial activities that benefit from efficient access to freight and transport routes.

10. Transition Area Between Industrial, Agricultural and Tourism Uses

The site is part of a transitional interface between horticultural operations, tourism accommodation (e.g. Discovery Parks), and transport-related uses. Light industrial zoning provides a compatible land use buffer that contributes to a balanced land use mix in Kingsford.

11. Restores Previous Zoning Framework

The proposal reinstates the Light Industry zoning that applied under the former LPS10, reflecting long-standing planning expectations and landowner intentions for the use of the site.

It is important to note that initiating this amendment does not grant approval for any development or operational use. Any future development proposal will be subject to a separate development application process (unless exempt), during which detailed environmental, safety, interface and amenity considerations can be assessed and appropriately conditioned.

Given the above, it is recommended that Council initiate the proposed scheme amendment and determine the amendment to be a standard amendment under the *Planning and Development (Local Planning Schemes) Regulations 2015*.

OFFICER'S RECOMMENDATION

That Council by Absolute Majority,

- 1. Pursuant to Section 75 of the Planning and Development Act 2005, resolves to adopt Amendment 13 of Shire of Carnarvon Local Planning Scheme No. 13 by:***
 - I. Rezone Lot 1 on Deposited Plan 27815 from 'Priority Agriculture' to 'Light Industry' zone.***
 - II. Update the scheme map accordingly.***
- 2. Pursuant to Regulation 35(2) of the Planning and Development (Local Planning Schemes) Regulations 2015 (The Regulations), resolves that the Local Planning Scheme Amendment No. 13 is a standard scheme amendment on the basis that it is:***
 - I. An amendment relating to a zone or reserve that is consistent with the objective identified in the scheme for that zone or reserve;***
 - II. An amendment that is consistent with a local planning strategy for the scheme that has been endorsed by the Commission;***
 - III. An amendment that would have minimal impact on land in the scheme area that is not the subject of the amendment;***
 - IV. An amendment that does not result in any significant environmental, social, economic or governance impacts on land in the scheme area;***
- 3. Note that pursuant to Regulation 35(A) of the Planning and Development (Local Planning Schemes) Regulations 2015, the amendment to the Shire of Carnarvon Local Planning Scheme No. 13 affects the following structure plans: East Carnarvon and Kingsford District Structure Plan Area.***
- 4. Resolves to endorse the signing of the amendment documentation.***
- 5. Pursuant to Section 81 and 82 of the Planning and Development Act 2005, resolves to refer the Local Planning Scheme No. 13 Amendment 13 to the Environmental Protection Authority for the level of assessment to be set pursuant to Section 48A of the Environmental Protection Act 1986;***
- 6. Pursuant to Regulation 46A of the Planning and Development Regulations 2015, resolves to forward the amendment to the Western Australian Planning Commission (WAPC) seeking approval to advertise the proposed amendment;***
 - I. Upon receipt of confirmation from the WAPC pursuant to Regulation 47 of the Planning and Development Regulations 2015 to advertise the amendment, proceed to advertise the amendment for a period of 42 days through the placement of an advertisement in the local newspaper, placement of a notice in the Shire Office and posting of notices to affected parties.***

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 ABSOLUTE MAJORITY 8/0

COUNCIL RESOLUTION OCM 11/11/25**Moved: Cr Luke Skender****Seconded: Cr Marco Ferreira*****That Council by Absolute Majority,***

- 1. Pursuant to Section 75 of the Planning and Development Act 2005, resolves to adopt Amendment 13 of Shire of Carnarvon Local Planning Scheme No. 13 by:**
 - I. Rezone Lot 1 on Deposited Plan 27815 from 'Priority Agriculture' to 'Light Industry' zone.**
 - II. Update the scheme map accordingly.**
- 2. Pursuant to Regulation 35(2) of the Planning and Development (Local Planning Schemes) Regulations 2015 (The Regulations), resolves that the Local Planning Scheme Amendment No. 13 is a standard scheme amendment on the basis that it is:**
 - I. An amendment relating to a zone or reserve that is consistent with the objective identified in the scheme for that zone or reserve;**
 - II. An amendment that is consistent with a local planning strategy for the scheme that has been endorsed by the Commission;**
 - III. An amendment that would have minimal impact on land in the scheme area that is not the subject of the amendment;**
 - IV. An amendment that does not result in any significant environmental, social, economic or governance impacts on land in the scheme area;**
- 3. Note that pursuant to Regulation 35(A) of the Planning and Development (Local Planning Schemes) Regulations 2015, the amendment to the Shire of Carnarvon Local Planning Scheme No. 13 affects the following structure plans: East Carnarvon and Kingsford District Structure Plan Area.**
- 4. Resolves to endorse the signing of the amendment documentation.**
- 5. Pursuant to Section 81 and 82 of the Planning and Development Act 2005, resolves to refer the Local Planning Scheme No. 13 Amendment 13 to the Environmental Protection Authority for the level of assessment to be set pursuant to Section 48A of the Environmental Protection Act 1986;**
- 6. Pursuant to Regulation 46A of the Planning and Development Regulations 2015, resolves to forward the amendment to the Western Australian Planning Commission (WAPC) seeking approval to advertise the proposed amendment;**
 - I. Upon receipt of confirmation from the WAPC pursuant to Regulation 47 of the Planning and Development Regulations 2015 to advertise the amendment, proceed to advertise the amendment for a period of 42 days through the placement of an advertisement in the local newspaper, placement of a notice in the Shire Office and posting of notices to affected parties.**

CARRIED BY ABSOLUTE MAJORITY 8/0

7.3.3 WA TOURISM CONFERENCE MAY 2026 - WAIVING OF FEES

File No:	ADM0207
Location/Address:	Carnarvon Airport, Carnarvon Road, Carnarvon WA 6701
Name of Applicant:	N/A
Name of Owner:	N/A
Author(s):	Stephanie Leca, Executive Manager, Lifestyle and Community
Authoriser:	Amanda Dexter, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirement:	Simple Majority
Previous Report:	27 May 2025
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 seeks Council's consideration to waive landing fees at Carnarvon Airport for Nexus Airlines, who will be providing a charter flight service for delegates attending the 2026 WA Tourism Conference, to be held in Carnarvon from 25 to 27 May 2026.

The proposed waiver is presented as an in-kind contribution from the Shire, recognising the significant economic, promotional, and community benefits associated with hosting a state-level tourism conference in the region.

Background

At the Ordinary Council Meeting held on 27 May 2025 in Coral Bay, Council resolved to support the Shire of Carnarvon's bid to host the 2026 WA Tourism Conference, to be delivered in partnership with the Tourism Council of Western Australia (TCWA) from 25 to 27 May 2026.

The annual WA Tourism Conference is the State's leading tourism industry event, attracting more than 250 delegates representing tourism operators, local governments, industry bodies, and State agencies. Hosting the event provides substantial economic benefit, industry exposure and regional promotion to the Shire and the broader Gascoyne region, while showcasing Carnarvon as a tourism destination and investment location.

In preparation for the event, the Shire is working closely with TCWA to develop conference packages, which will include flights, accommodation, and conference attendance. To ensure accessibility and reliability for delegates, Nexus Airlines will provide a charter flight service specifically for the conference. The charter flight

will accommodate up to 76 delegates, ensuring that conference attendees can travel directly to Carnarvon without impacting the Regular Public Transport (RPT) services relied upon by local residents, visitors, and corporate clientele.

As the Shire cannot control the operational requirements or scheduling of RPT services, a dedicated charter flight provides greater certainty and reliability for delegates and event organisers. This approach ensures that sufficient measures are in place to support the successful delivery of the conference.

The charter flight is scheduled to arrive on the morning of Monday, 25 May, and return on the afternoon of Wednesday, 27 May 2026 (times to be confirmed). TCWA has negotiated a sponsorship arrangement with Nexus Airlines, significantly reducing the overall cost of the return charter flight for delegates.

The proposed landing and parking fees at Carnarvon Airport are estimated at \$2,543.36. With these fees applied, the return flight cost is \$900.02 (including GST), while excluding the fees reduces the cost to \$866.55 (including GST). While this represents a modest reduction, it is important for the Shire of Carnarvon to be seen as active and supportive in facilitating delegate access to the region, ensuring that there are no barriers to travelling to Carnarvon and that the conference is positioned for success.

Stakeholder and Public Consultation

The Shire of Carnarvon is working in partnership with the Tourism Council of Western Australia (TCWA) to plan and deliver the 2026 WA Tourism Conference. A Tourism Conference Working Group will be established to support coordination and local engagement across the event.

This item has not been presented to the Working Group for consultation, as the waiver of airport landing and parking fees is considered an operational matter relating to event logistics rather than program or stakeholder engagement.

Consultation has occurred internally with the Executive Management Team and Carnarvon Aerodrome staff to assess and confirm the operational impacts of waiving the applicable fees.

Statutory Environment

LOCAL GOVERNMENT ACT 1995 - SECT 6.12

6.12 . Power to defer, grant discounts, waive or write off debts

(1) Subject to subsection (2) and any other written law, a local government may —

- (a) when adopting the annual budget, grant* a discount or other incentive for the early Payment of any amount of money; or*
- (b) waive or grant concessions in relation to any amount of money; or*
- (c) write off any amount of money, which is owed to the local government.*

** Absolute majority required.*

(2) Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges.

(3) The grant of a concession under subsection (1)(b) may be subject to any conditions determined by the local government.

(4) Regulations may prescribe circumstances in which a local government is not to exercise a power under subsection (1) or regulate the exercise of that power.

Relevant Plans and Policy

Shire of Carnarvon Strategic Community Plan 2022-2032

Shire of Carnarvon Schedule of Fees and Charges 2025/2026

Financial Implications

The proposed landing and parking fees for the Nexus Airlines charter flight are estimated at \$2,543.36. As this additional charter flight was not forecast within the 2025/2026 Airport Budget, waiving the fees will not have a direct impact on the approved budget position.

However, the waived amount will form part of the cumulative in-kind contribution estimated at \$50,000, as outlined in the Hosting Agreement with the Tourism Council WA and endorsed by Council at the Ordinary Meeting on 27 May 2025. This in-kind contribution has been incorporated into the 2025/2026 budget planning and supports the operational delivery of the 2026 WA Tourism Conference through venue use, logistics, staffing, and other resources.

The waiver of fees aligns with Council's prior resolution to host the conference and reflects Council's investment and commitment to supporting an event that is expected to deliver significant economic, industry, and reputational benefits to the Shire of Carnarvon.

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	Minor loss of potential revenue (\$2,543.36) due to waiving landing and parking fees.	D-2 Low	The additional charter flight was not included in the approved 2025–26 Airport Budget; therefore, the waiver does not reduce forecasted income. The conference will generate significant indirect economic benefit to the community.
Health & Safety	Passenger movement and ground handling associated with the charter flight.	D-1 Low	Nexus Airlines operates under Civil Aviation Safety Authority (CASA) regulations. Standard airport operational and safety procedures will apply.
Reputation	Risk of perceived inequity if other operators request fee waivers.	D-2 Low	The waiver is linked to a one-off State-level tourism event with demonstrated community and economic benefit, not general aviation operations. Future requests will be assessed on merit.
Service disruption	Potential scheduling overlap with RPT or other airport users.	D-2 Low	Flight scheduling will be coordinated with airport management to ensure minimal disruption to regular operations.
Compliance	Non-compliance with Council policy or procedural	D-1 Low	The request is being presented to Council for formal consideration and

	requirements for fee waivers.		resolution in accordance with the Shire's governance framework.
Property	N/A		
Environment	N/A		
Fraud	Misrepresentation of fee waiver purpose or use.	D-2 Low	The waiver applies to a single, verified charter flight operated for the WA Tourism Conference in May 2026.

Community and Strategic Objectives

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

OBJECTIVES

In 2040 Carnarvon is a place where:

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

ADDITIONAL FOCUS AREAS:

- N/A

BIG IDEAS FOR THE FUTURE OF CARNARVON:

- N/A

Comments

Hosting the 2026 WA Tourism Conference is a major achievement for the Shire of Carnarvon and a reflection of its proactive commitment to regional economic development and tourism growth.

The event will position Carnarvon as a hub for tourism and industry collaboration, delivering direct and indirect benefits to local accommodation providers, hospitality businesses, transport operators and tourism enterprises. The conference also provides long term exposure and an opportunity to highlight the region's unique natural assets, investment opportunities and community spirit to a Statewide audience.

Waiving the airport landing and parking fees demonstrates the Shire's leadership and partnership approach, helping ensure a successful event outcome while contributing to the visitor experience from the moment delegates arrive. The gesture, though modest in cost, delivers meaningful value in goodwill, collaboration and profile for the Shire and its community.

Operationally, there are no concerns associated with the waiver, as the Nexus Q400 aircraft is already approved under an existing pavement concession, valid for this period.

OFFICER'S RECOMMENDATION

That Council approves the waiving of Carnarvon Airport landing and parking fees totalling \$2,543.36 (inclusive of GST) for the Nexus Airlines charter flight transporting delegates to and from the 2026 WA Tourism Conference, to be held in Carnarvon from 25 to 27 May 2026.

COUNCIL RESOLUTION OCM 12/11/25

Moved: Cr Paul Kelly

Seconded: Cr Burke Maslen

That Council approves the waiving of Carnarvon Airport landing and parking fees totalling \$2,543.36 (inclusive of GST) for the Nexus Airlines charter flight transporting delegates to and from the 2026 WA Tourism Conference, to be held in Carnarvon from 25 to 27 May 2026.

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

7.3.4 PELICAN POINT BEACH CLOSURE

File No:	ADM0141
Location/Address:	Pelican Point Beach, Pelican Point Road, Babbage Island
Name of Applicant:	Shire of Carnarvon
Name of Owner:	State of Western Australia; Management Order vested to the Shire of Carnarvon
Author(s):	Amanda Dexter, Chief Executive Officer
Authoriser:	Amanda Dexter, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirement:	Simple Majority
Previous Report:	OCM 26 November 2024; OCM 28 November 2023
Schedules:	1. Beach Closure Plan

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 informs Council of the outcomes of the temporary beach closure which has been in effect since November 2023. It also seeks Council's resolution to extend the closure period to support ongoing spit stabilisation works and subsequent revegetation efforts.

Background

The Department of Transport undertook sand spit restoration/stabilisation works during 2023 and early 2024. To support the success of this work, Council resolved the following at the Ordinary Council Meeting held on 28 November 2023:

COUNCIL RESOLUTION OCM 28/11/23

Moved: Cr Burke Maslen

Seconded: Cr Luke Vandeleur

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

- 1. temporarily ban vehicle access to Pelican Point spit in accordance with the Beach Vehicle Access Closure Plan;*
- 2. review the Beach Vehicle Access Closure Plan in November 2024;*
- 3. close the beach to vehicles from Pelican Point to the Gascoyne River mouth during turtle nesting season, if nesting turtles and/or turtle tracks are spotted on the beach; and*

4. permanently close the beach to vehicle access from the prawning jetty south to Pelican Point.

FOR: Crs Eddie Smith, Burke Maslen, Adam Cottrell, Marco Ferreira and Luke Vandeleur

AGAINST: Cr Paul Kelly

Subsequently Council further considered the item at the 26 November 2024 Ordinary Meeting of Council – as required by the 2023 resolution of Council above.

Considering no complaints had been received by Council, and after a reasonable level of community engagement, the ongoing closure of Pelican Point beach was considered the recommended measure to ensure the success of the sand spit restoration works conducted by the Department of Transport in 2023/24.

COUNCIL RESOLUTION OCM 01/11/24

Moved: Cr Burke Maslen

Seconded: Cr Marco Ferreira

That Council by Simple Majority, resolves to:

- 1. approve the continuation of the temporary vehicle access ban to Pelican Point spit; and**
- 2. direct the CEO to conduct a comprehensive review of the temporary vehicle access ban to Pelican Point spit, including a detailed assessment of dune conditions and environmental impacts, and present a report with recommendations to the November 2025 Ordinary Meeting of Council.**

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

AGAINST: Nil

CARRIED BY SIMPLE MAJORITY 8/0

Stakeholder and Public Consultation

Nil

Statutory Environment

Section 3.18 of the Local Government Act 1995

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.

- Shire of Carnarvon Local Laws

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	Community and stakeholder sentiment on this matter is divided and Council's decision will be scrutinised whatever that decision may be.	B2- High	Clear information that shows thoughtful decision making.
Service disruption	N/A		
Compliance	People could still drive on the beach despite rules and regulations.	C4- Extreme	Barriers are in place to prevent access to the beach. Regular Ranger patrols are being carried out to enforce requirements.
Property	N/A		
Environment	Destruction of dune systems and revegetation efforts.	B4- Extreme	Banning vehicle activity on the spit.
Fraud	N/A		

Community and Strategic Objectives

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

OBJECTIVES

In 2040 Carnarvon is a place where:

- *Our sustainable livelihoods create a community that can flourish into the future*

ADDITIONAL FOCUS AREAS:

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

BIG IDEAS FOR THE FUTURE OF CARNARVON:

- N/A

Comments

Formal monitoring of the Pelican Point spit has been taking place as part of a funding grant (Coastwest) for the past 16 months, specifically in relation to vegetation and brush fencing and overall dune condition, while beach closure has been monitored regularly during the past twenty four (24) months.

The following observations have been made:

- Vegetation is beginning to reestablish on Pelican Point, but the process is slow – weather events continue to impact the spit, as they have historically done. In particular, Cyclone Sean caused the fourth highest tide and storm surge event which heavily impacted the primary dune system of the spit.
- There is considerable erosion on the western face of the newly constructed dune on Pelican Point. Erosion occurred in May 2024 and February 2025 due to higher tides and storm swell. Affected brush fencing that was impacted during that time appears to have stabilised recently.
- The hydro mulch and brush fencing measures have prevented significant sand loss from the tops of the dunes on Pelican Point. There is a remaining \$20,000.00 in Coastwest grant funding and it is hoped to undertake further works of this nature utilising the McCusker Foundation Interns and Volunteers in May 2026
- Signage and barriers have been installed to implement the closure. It has proven more difficult to ensure closure of the main beach between the Prawning Jetty and Pelican Point however, closures around Pelican Point have been successfully implemented.
- Compliance with the closure of Pelican Point has generally been good and is improving all the time, to date no formal complaints have been received. The Community appears to understand the reasoning and are mostly supporting the undertaking.
- Compliance with closure of main beach has been less successful but anecdotally there continues to be a noticeable reduction in vehicle numbers.

Public feedback

No formal reports or comments have been received from the public during the past 12 months.

Options

The closure of Pelican Point beach remains the recommended approach to protect the ongoing restoration of the sand spit, following the significant works undertaken by the Department of Transport in 2023/24. Keeping vehicles off the area removes a major pressure point in the erosion cycle, allowing the dune system and emerging vegetation to stabilise and regenerate as intended.

With further coastal protection works scheduled for 2026, it is proposed that the current closure be maintained and formally reviewed again in 2027. This will allow an additional 24 months of monitored recovery, ensuring the best chance of long term success for the spit and improved resilience of the broader coastline.

OFFICER'S RECOMMENDATION

That Council by Simple Majority, resolves to:

- 1. Approve the continuation of the temporary vehicle access ban to Pelican Point spit in accordance with the Beach Vehicle Access Closure Plan; and***
- 2. Direct the CEO to conduct a comprehensive review of the temporary vehicle access ban to Pelican Point spit, including a detailed assessment of dune conditions and environmental impacts, and present a report with recommendations to the November 2027 Ordinary Meeting of Council.***

COUNCIL RESOLUTION OCM 13/11/25**Moved:** Cr Burke Maslen**Seconded:** Cr Marco Ferreira***That Council by Simple Majority, resolves to:***

- 1. Approve the continuation of the temporary vehicle access ban to Pelican Point spit in accordance with the Beach Vehicle Access Closure Plan; and***
- 2. Direct the CEO to conduct a comprehensive review of the temporary vehicle access ban to Pelican Point spit, including a detailed assessment of dune conditions and environmental impacts, and present a report with recommendations back to Council at the earliest practical time available***
- 3. That the temporary vehicle access ban to Pelican Point spit continue in place until 27 November 2027.***

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

(Note to Minute: As there will be changes to the dune conditions and environmental impacts during the closure period, Council believed that a review be conducted at the earliest practical time available prior to November 2027.)

7.4 INFRASTRUCTURE SERVICES

Nil

8 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

9 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

10 QUESTIONS FROM MEMBERS WITHOUT NOTICE

Cr Kelly – queried when Council were going to consider the recommendations of both the Awards Committee and the Community Growth Fund Committee held on 18th and 19th November respectively. The CEO advised that there has been a reporting change in considering the minutes and the recommendations of these committees. The minutes including the recommendations of those committees are endorsed by Council when receiving the minutes – refer to Items 4.3 and 4.4 of these minutes.

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

CORAL BAY WASTE DISPOSAL SITE

President Smith expressed concern relating to the Coral Bay Waste Site and the misleading information that has been received. Council received the ASK Management Review Report which states that the site has 3-5 years of operational life remaining and yet 8 years ago we were told we were breaching the licensing conditions and the site was at end of life. My question is has the licence conditions for the Coral Bay Waste site changed?

CEO Mandy Dexter advised the President that his question would be taken on notice.

LATE ITEM – DG CORP FUNDING AGREEMENT

President Smith advised that a late item had been received from the CEO in relation to the DG Corp Funding Agreement and sought Council approval to consider the item at this meeting.

MOTION

COUNCIL RESOLUTION OCM 14/11/25

Moved: Cr Paul Kelly

Seconded: Cr Luke Skender

That the late item relating to the DG Corp Funding Agreement be considered at this meeting.

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

Council requested that they be given time to read the late item and that Standing Orders be suspended for a 10 minute break.

SUSPENSION OF STANDING ORDERS

COUNCIL RESOLUTION OCM 15/11/25

Moved: Cr Burke Maslen

Seconded: Cr Paul Kelly

A motion was moved that Council suspend standing orders at 10.02am.

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

RESUMPTION OF STANDING ORDERS

COUNCIL RESOLUTION OCM 16/11/25

Moved: Cr Burke Maslen

Seconded: Cr Paul Kelly

A motion was moved that Council resume standing orders at 10.10am

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

LATE ITEM**DG CORP FUNDING AGREEMENT**

File No:	ADM2352
Location/Address:	The Pier Development – Robinson Street, Carnarvon
Name of Applicant:	DG Corp
Name of Owner:	NA
Author(s):	Mark Davis, Project Manager
Authoriser:	Amanda Dexter, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirement:	Absolute Majority
Previous Report:	Special Council Meeting 2 September 2025 – Report 5.2
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 seeks Council's **endorsement in principle** of a revised payment schedule for the DG Corp Pier Development project under the Regional Precincts and Partnerships Program (RPPP). The proposed change introduces an upfront payment of \$2 million (ex GST) on commencement, secured by an unconditional bank guarantee, with the remaining \$6 million payable upon practical completion.

The revised structure reflects DG Corp's prefabricated delivery methodology, which requires significant upfront procurement of modular components. The inclusion of the bank guarantee provides substantive financial protection for Council in the event of default, non-performance, or insolvency.

Endorsement of this approach will enable officers to proceed with finalising the commercial agreement incorporating these terms and associated risk mitigation measures. **The completed agreement will be presented to Council for review prior to execution**, ensuring transparency and governance oversight.

The total funding allocation of \$8 million remains unchanged and is wholly funded through the RPPP program.

Background

At its meeting on 2 September 2025, Council resolved to allocate \$8 million from the Regional Precincts and Partnerships Program (RPPP) funding package to DG Corp for delivery of The Pier development. This allocation was subject to execution of a commercial agreement incorporating strong risk mitigation

measures, including a payment structure based on 100% payment upon practical completion. An extract from the meeting minutes is included below for clarity:

COUNCIL RESOLUTION SCM 10/09/25

Moved: Cr Paul Kelly

Seconded: Cr Luke Skender

That Council:

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

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2 September 2025

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

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

AGAINST: Nil

ABSENT: Cr AC Cottrell

CARRIED BY SIMPLE MAJORITY 6/0

Since that resolution, officers have been negotiating the commercial agreement with DG Corp in accordance with Council's direction and the Memorandum of Understanding (MOU). Civic Legal has been engaged to draft and review the agreement, and Main Roads WA (MRWA) has provided governance oversight to ensure compliance with RPPP guidelines and the Heads of Agreement.

However, MRWA has now advised that the Heads of Agreement will not be signed until the commercial agreement is executed. This requirement has placed significant administrative and financial pressure on the Shire, as the first milestone payment of \$1.5 million (10%)—which was due upon execution of the Heads of Agreement—cannot be claimed. This payment was intended to offset costs incurred to date, including

project management and approximately \$60,000 in legal expenses, with a further \$20,000 anticipated to finalise the agreement.

DG Corp has advised that the original payment structure is not feasible under its prefabricated delivery methodology, which requires substantial upfront procurement of modular components. To address this, DG Corp has proposed a revised payment schedule:

- \$2 million (ex GST) payable on commencement, secured by an unconditional bank guarantee for the same amount; and
- \$6 million (ex GST) payable upon practical completion.

The inclusion of the bank guarantee provides Council with substantive financial protection in the event of default, non-performance, or insolvency, while enabling the project to proceed under the proponent's preferred methodology. Endorsement of this revised approach will allow officers to finalise the commercial agreement, unlock the Heads of Agreement, and maintain project momentum. The completed agreement will be presented to Council for review prior to execution, ensuring transparency and governance oversight.

Stakeholder and Public Consultation

DG Corp
Main Roads WA
Civic Legal (acting on behalf of the Shire)

Civic Legal have been engaged to review the proposed arrangement, noting their extensive experience in local government law, procurement governance and complex contractual structures. Their assessment confirms that the proposed framework, including the use of a bank guarantee, is legally sound, consistent with established local government practice, and reflects an appropriate allocation of risk.

MRWA's Legal and Commercial team have also reviewed the agreement, they have confirmed that the proposed payment structure aligns with their governance requirements and expectations for risk management under the funding arrangement. MRWA's support provides additional assurance regarding the robustness and compliance of the proposed approach.

Statutory Environment

Local Government Act 1995
Local Government (Financial Management) Regulations 1996
Regional Precincts and Partnerships Program (RPPP) Funding Agreement

Relevant Plans and Policy

Carnarvon Activation Plan

The revised payment structure does not alter the total project allocation previously approved by Council. The inclusion of an unconditional bank guarantee for the \$2 million commencement payment provides Council with a substantive financial safeguard in the event DG Corp fails to meet its contractual obligations, including circumstances of default, non-performance, or insolvency. This guarantee represents an irrevocable

undertaking by the issuing financial institution to remit the guaranteed amount to Council upon demand, ensuring enforceable protection.

This mechanism enables Council to recover funds and return any unspent or recoverable amounts to the Commonwealth project funders, consistent with the requirements of the Regional Precincts and Partnerships Program (RPPP) funding agreement.

To date, approximately \$60,000 has been expended on legal services to develop the funding agreement. It is anticipated that a further \$20,000 will be required to amend the agreement to reflect the revised payment schedule and incorporate enhanced commercial risk mitigation measures, ensuring the agreement is ready for execution.

Risk Assessment

The revised payment arrangement mitigates risk in a manner broadly consistent with a traditional payment-on-completion model, while also addressing additional risks that would arise under a fixed payment schedule. By linking payment to the provision of a bank guarantee, Council retains a high degree of financial protection and avoids the exposure associated with releasing funds before works are completed. This structure ensures that, should DG Corp default or be unable to progress the project, Council maintains access to the guaranteed amount to manage its financial obligations under funding agreements.

Importantly, the revised arrangement also reduces the risk of Council being attributed responsibility for the project not proceeding. Under a schedule-based payment model, delayed or withheld payments—regardless of justification—could be construed as the cause of project disruption.

The bank guarantee-linked approach removes this ambiguity by ensuring that financial risk is appropriately borne by the proponent, while still enabling project progression without reliance on early cashflow from the Shire. This provides a clearer allocation of responsibility and reduces political, reputational and contractual exposure for Council.

MRWA have confirmed that the revised arrangement represents an appropriate and proportionate mechanism for managing delivery and funding risk on this jointly funded project.

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	Shire bears financial consequences should project not proceed.	Moderate	To ensure that appropriate Commercial agreement is finalised with Councils oversight.
Health & Safety	N/A		
Reputation	Fallout directed towards Shire should third party project fail.	Moderate	Maintained through secured payment structure and transparent governance.

Service disruption	Project doesn't meet its timing and financial milestones	Moderate	Seeking Councils in principal agreement to proceed with negotiations prior to final sign off from Council.
Compliance	N/A		
Property	N/A		
Environment	N/A		
Fraud	N/A		

Community and Strategic Objectives

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

OBJECTIVES

In 2040 Carnarvon is a place where:

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

ADDITIONAL FOCUS AREAS:

- N/A

BIG IDEAS FOR THE FUTURE OF CARNARVON:

- N/A

Comments

Officers initially sought to maintain the 100% payment on practical completion arrangement, consistent with the Memorandum of Understanding (MOU) and the original payment framework endorsed by Council. This approach was designed to minimise financial risk and ensure payments were fully performance-based.

DG Corp has advised that the project is not feasible under this structure due to the requirement for substantial upfront procurement and fabrication of modular building components. To address this, DG Corp has proposed a revised payment schedule that includes an unconditional bank guarantee for the \$2 million commencement payment, providing enforceable financial protection for the Shire and the Commonwealth. This approach maintains Council's risk mitigation objectives while enabling the project to proceed under a legally and commercially sound framework.

Endorsement of this revised payment structure will allow officers to finalise the commercial agreement between the Shire and DG Corp, which forms a sub-agreement under the principal RPPP Funding Agreement with the Commonwealth. Main Roads WA has reviewed the proposal and indicated its support in principle.

It is considered that the proposed arrangement continues to meet the financial, political, and reputational risk considerations previously identified by Council, while ensuring the project remains deliverable under the proponent's preferred methodology.

Main Roads WA has also advised that the Heads of Agreement will not be signed until the commercial agreement is executed. This requirement has delayed the Shire's ability to claim the first milestone payment of \$1.5 million (10%), which was intended to offset costs incurred to date, including approximately \$60,000 in legal expenses and an anticipated \$20,000 to finalise the agreement. This has placed administrative and financial pressure on the Shire and reinforces the need to progress the commercial agreement promptly.

DG Corp has reiterated that execution of the commercial agreement and Heads of Agreement is required by **24 December 2025** to meet funding requirements for practical completion by **30 June 2027**. Failure to achieve this may require the project timeline to be revisited.

During recent discussions, DG Corp has also advised that the feasibility of the boat pens component of the broader project is now uncertain, given concerns regarding ongoing navigable access to the Fascine. Officers will continue to work with DG Corp to confirm the revised project scope prior to finalising the commercial agreement and will seek Council's endorsement on any material changes.

OFFICER'S RECOMMENDATION

That Council by Simple Majority under Section 5.42 of the Local Government Act 1995 :

- 1. Endorses in principle the revised payment schedule for the DG Corp Pier Development project under the Regional Precincts and Partnerships Program (RPPP), as follows:***
 - a. \$2,000,000 (ex GST) payable on commencement, secured by an unconditional bank guarantee for the same amount; and***
 - b. \$6,000,000 (ex GST) payable upon practical completion.***
- 2. Notes that the revised payment structure reflects DG Corp's prefabricated delivery methodology requiring upfront procurement, and that the unconditional bank guarantee provides substantive financial protection for Council in the event of default, non-performance, or insolvency.***
- 3. Authorises the Chief Executive Officer to proceed with finalising the commercial agreement incorporating the revised payment schedule and associated risk mitigation measures, with the agreement to be presented to Council for review prior to execution.***
- 4. Notes that the total funding allocation of \$8,000,000 remains unchanged and is wholly funded from the RPPP program.***
- 5. Notes that the feasibility of the boat pens component is under review and will be confirmed prior to execution of the agreement.***

MOTION

COUNCIL RESOLUTION OCM 17/11/25

Moved: Cr Dudley Maslen

Seconded: Cr Paul Kelly

That Council by Simple Majority under Section 5.42 of the Local Government Act 1995 :

- 1. Endorses in principle the revised payment schedule for the DG Corp Pier Development project under the Regional Precincts and Partnerships Program (RPPP), as follows:***
 - a. \$2,000,000 (ex GST) payable on commencement, secured by an unconditional bank guarantee for the same amount; and***
 - b. \$6,000,000 (ex GST) payable upon practical completion.***
- 2. Notes that the revised payment structure reflects DG Corp's prefabricated delivery methodology requiring upfront procurement, and that the unconditional bank guarantee provides substantive financial protection for Council in the event of default, non-performance, or insolvency.***

- 3. Authorises the Chief Executive Officer to proceed with finalising the commercial agreement incorporating the revised payment schedule and associated risk mitigation measures, with the agreement to be presented to Council for review prior to execution.**
- 4. Notes that the total funding allocation of \$8,000,000 remains unchanged and is wholly funded from the RPPP program.**
- 5. Notes that the feasibility of the boat pens component is under review and will be confirmed prior to execution of the agreement.**

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

12 MATTERS FOR WHICH MEETING TO BE CLOSED TO MEMBERS OF THE PUBLIC**COUNCIL RESOLUTION OCM 18/11/25****Moved: Cr Paul Kelly****Seconded: Cr Mark Young**

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 5.23(2) of the Local Government Act 1995:

12.1 AWARD OF REQUEST FOR QUOTE 18/2025 - PREPARATION OF PRECINCT STRUCTURE PLAN FOR CORAL BAY

This matter is considered to be confidential under Section 5.23(2) - (c) and (e) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting and a matter that if disclosed, would reveal –

- (i) a trade secret; or
- (ii) information that has a commercial value; or
- (iii) information about the business, professional, commercial or financial affairs of a person.

12.2 REQUEST FOR VARIATION TO LEASE - CORAL COAST HELICOPTERS OFFICE SPACE, CARNARVON AIRPORT

This matter is considered to be confidential under Section 5.23(2) - (b) and (c) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with the personal affairs of any person and a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.

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

12.1 AWARD OF REQUEST FOR QUOTE 18/2025 - PREPARATION OF PRECINCT STRUCTURE PLAN FOR CORAL BAY**OFFICER'S RECOMMENDATION**

That Council, by Simple Majority in accordance with section 3.57 of the Local Government Act 1995 and Regulation 11(2)(b) of the Local Government (Functions and General) Regulations 1996:

- 1. Accepts the submission received from Hames Sharley Pty Ltd for Request for Quote 18/2025 – Preparation of the Coral Bay Precinct Structure Plan, undertaken through the WALGA Preferred Supplier Program, based on the quoted price of \$XXX,XXX.XX (Price to be included in the Minutes of the Council Meeting)*
- 2. Pursuant to Section 3.18 of the Local Government Act 1995, authorises the Chief Executive Officer to make any necessary non-material amendments and finalise execution of a contract between the Shire of Carnarvon and Hames Sharley Pty Ltd for Request for Quote 18/2025 – Preparation of the Coral Bay Precinct Structure Plan.*

COUNCIL RESOLUTION OCM 19/11/25

Moved: Cr Mark Young

Seconded: Cr Marco Ferreira

That Council, by Simple Majority in accordance with section 3.57 of the Local Government Act 1995 and Regulation 11(2)(b) of the Local Government (Functions and General) Regulations 1996:

- 1. Accepts the submission received from Hames Sharley Pty Ltd for Request for Quote 18/2025 – Preparation of the Coral Bay Precinct Structure Plan, undertaken through the WALGA Preferred Supplier Program, based on the quoted price of \$312,414 excl.GST*
- 2. Pursuant to Section 3.18 of the Local Government Act 1995, authorises the Chief Executive Officer to make any necessary non-material amendments and finalise execution of a contract between the Shire of Carnarvon and Hames Sharley Pty Ltd for Request for Quote 18/2025 – Preparation of the Coral Bay Precinct Structure Plan.*

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 ABSOLUTE MAJORITY 8/0

12.2 REQUEST FOR VARIATION TO LEASE - CORAL COAST HELICOPTERS OFFICE SPACE, CARNARVON AIRPORT**OFFICER'S RECOMMENDATION**

That Council by Simple Majority:

- 1. Endorse a variation to the existing lease between the Shire of Carnarvon and Coral Coast Helicopter Services Pty Ltd for a reduced lease area within Building 103, Carnarvon Airport, at an annual rental of \$10,920 (ex GST), in accordance with the market valuation provided by AV Advisory (October 2025);*
- 2. Acknowledge that this variation does not constitute a new disposal under Section 3.58 of the Local Government Act 1995, as the term, lessee and underlying lease conditions remain unchanged.*
- 3. Authorise the Chief Executive Officer to finalise and execute a Deed of Variation to the lease reflecting:*
 - a. The revised lease area and rent;*
 - b. Continuation of the existing lease term and option period;*

- c. Annual CPI review each February; and*
- d. Lessee responsibility for make good works and document preparation costs.*

That Council by Absolute Majority pursuant to section 6.8 of the Local Government Act 1995:

- 1. Endorses the following budget amendment for the 2025/2026 financial year:***

Account	Description	25/26 Original Budget (ex GST)	Budget Amendment (ex GST)	Revised Budget (ex GST)
141230.25	Airport Lease Payments – Municipal	\$110,000.00	(\$7,855.93)	\$102,144.07

COUNCIL RESOLUTION OCM 20/11/25

Moved: Cr Burke Maslen

Seconded: Cr Paul Kelly

That Council by Simple Majority:

- 1. Endorse a variation to the existing lease between the Shire of Carnarvon and Coral Coast Helicopter Services Pty Ltd for a reduced lease area within Building 103, Carnarvon Airport, at an annual rental of \$10,920 (ex GST), in accordance with the market valuation provided by AV Advisory (October 2025);***
- 2. Acknowledge that this variation does not constitute a new disposal under Section 3.58 of the Local Government Act 1995, as the term, lessee and underlying lease conditions remain unchanged.***
- 3. Authorise the Chief Executive Officer to finalise and execute a Deed of Variation to the lease reflecting:***
 - a. The revised lease area and rent;*
 - b. Continuation of the existing lease term and option period;*
 - c. Annual CPI review each February; and*
 - d. Lessee responsibility for make good works and document preparation costs.*

That Council by Absolute Majority pursuant to section 6.8 of the Local Government Act 1995:

- 1. Endorses the following budget amendment for the 2025/2026 financial year:***

Account	Description	25/26 Original Budget (ex GST)	Budget Amendment (ex GST)	Revised Budget (ex GST)
141230.25	Airport Lease Payments – Municipal	\$110,000.00	(\$7,855.93)	\$102,144.07

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

COUNCIL RESOLUTION OCM 21/11/25**Moved: Cr Burke Maslen****Seconded: Cr Paul Kelly**

That the meeting be reopened to the public at 10:15am.

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**13 DATE OF NEXT MEETING**

The next meeting will be held on Tuesday 16 December 2025 at Shire Council Chambers, Stuart Street Carnarvon commencing at 9.00am

14 CLOSURE

The Presiding Member declared the meeting closed at 10.16am.

ITEM 7.2.5 – TIP FEE AMNESTY FOR CARNARVON GROWERS**LETTER OF MINISTER APPROVAL IN ACCORDANCE WITH SECTION 5.69(3) OF THE LOCAL GOVERNMENT ACT.**

Department of Local Government,
Industry Regulation and Safety

Our ref D134368
Enquiries Mehul Chudasama
Phone (08) 6552 1408
Email legislation@lgirs.wa.gov.au

Ms Amanda Dexter
Chief Executive Officer
Shire of Carnarvon
Email: hill.d@carnarvon.wa.gov.au

Dear Ms Dexter

APPLICATION FOR MINISTERIAL APPROVAL OF SECTION 5.69 OF THE LOCAL GOVERNMENT ACT 1995

I refer to your correspondence dated 18 November 2025 and advise that, in accordance with the authority delegated by the Minister for Local Government, I have approved your application, under section 5.69(3) of the *Local Government Act 1995* (the Act).

Approval has been granted under section 5.69(3)(a) of the Act to allow disclosing member Cr Luke Skender to participate and vote on the following item at the Shire's Ordinary Council Meeting on 25 November 2025.

7.2.5 - TIP AMNESTY FOR CARNARVON GROWERS

Subject to the following conditions:

1. *The approval is only valid for the 25 November 2025 Ordinary Council Meeting when agenda item 7.2.5 is considered.*
2. *The above-mentioned councillor must declare the nature and extent of his interests at the above-mentioned meeting when the matter is considered, together with the approval provided.*
3. *The Chief Executive Officer (CEO) is to provide the above-mentioned councillor with a copy of the Department of Local Government, Industry Regulation and Safety (LGIRS) letter of approval.*
4. *The CEO is to ensure that the declaration is recorded in the minutes of the above-mentioned meeting, when the item is considered, including the approval given and any conditions imposed.*
5. *The CEO is to provide a copy of the confirmed minutes of the above-mentioned meeting to LGIRS, to allow LGIRS to verify compliance with the conditions of this approval.*

Gordon Stephenson House, 140 William Street Perth WA 6000
Locked Bag 14 Cloisters Square Perth WA 6850
Telephone (08) 9222 3333
Email cdg@lgirs.wa.gov.au
Web www.lgirs.wa.gov.au

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6. *The approval granted is based solely on the interests disclosed by the above-mentioned councillor, made in accordance with the application. Should other interests be identified, these interests will not be included in this approval, and the financial interest provisions of the Act will apply.*

Should you require further information in relation to this matter, please contact Mr Mehul Chudasama, A/Senior Legislation Officer, via the details provided above.

Yours sincerely



Suleila Felton
EXECUTIVE DIRECTOR, LOCAL GOVERNMENT – SUPPORT & COMPLIANCE

24 November 2025