



SHIRE OF CARNARVON MINUTES ORDINARY COUNCIL MEETING TUESDAY 27 JANUARY 2026

CONFIRMATION OF MINUTES

These minutes were confirmed by the Council on

as a true and accurate record

Chairman

Shire Council Chambers
Stuart Street
Carnarvon, West
Australia
Phone: (08) 9941 000
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DISCLAIMER

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

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

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

INFORMATION ON PUBLIC QUESTION TIME

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

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

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

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

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

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

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

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

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

SPECIAL MEETINGS OF COUNCIL

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

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The meeting was declared open by the Presiding Member at 10.05am

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 Ferreirinha Councillor, Plantation Ward
Cr Luke Skender Councillor, Town Ward
Cr Dudley Maslen Councillor, Town Ward (from 10.09am)
Cr Mark Young Councillor, Coral Bay Ward
Cr Merome Beard Councillor, Town Ward

Miss Stephanie Leca Acting Chief Executive Officer
Mr Stefan Louw Executive Manager, Community Planning & Sustainability
Mrs Amanda Leighton Executive Manager, Corporate Strategy & Performance
Mr Colm Stanley Executive Manager, Infrastructure Services
Mr Jamie Bone A/Executive Manager, Lifestyle & Community
Mrs Giana Covella Strategic Communications & Economic Development Manager
Mr Jasper Benthien Executive Services Coordinator
Mrs Renee Louw ICT Support Officer
Mrs Dannielle Hill Senior Executive Officer

Apologies

Mrs Amanda Dexter Chief Executive Officer

Leave of Absence

Cr Paul Kelly Councillor, Town Ward

Press Rachel Hagan (ABC)
Observers Andrew Ellis; David Gooch; Debbie Merritt; Jacquie Britton

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 Beard (Direct Financial) – 7.1.3 Council Response To Review Of Section 64 Liquor Restrictions – Carnarvon And Gascoyne Junction

Cr L Skender (Indirect Financial) – 7.1.3 Council Response To Review Of Section 64 Liquor Restrictions – Carnarvon And Gascoyne Junction

3 PUBLIC QUESTION TIME

(In accordance with Section 5.24 of the Local Government Act 1995, a 15 minute public question time is made available to allow members of the public the opportunity of questioning Council on matters concerning them. All questions are to be provided on the Public Question Time Submission Form.)
Public Question Time commenced at 10.07am

3.1 QUESTIONS TAKEN ON NOTICE FROM PREVIOUS MEETING

Nil

3.2 PUBLIC QUESTION TIME

Mr David Gooch of Manberry Station submitted the following questions –

Question 1 – Are the Carnarvon Shire Councillors aware of the Carnarvon Shire's, what appears to be total disdain of volunteers, firstly initially inviting volunteers (emailed 5 May 2025) to the National Volunteers Week Awards Gala Night at a cost of \$30 per ticket which was much later rescinded. Are all the volunteers of the Carnarvon Bush Fire Brigade, of which there is no such Brigade, so I assume they mean Gascoyne River Bush Fire Brigade, required to complete the Carnarvon Shire's Code of Conduct Training (per correspondence 2/9/25 from Executive Manager Planning & Sustainability) which I can only assume incorporates training on how to take photos of our fire hoses and post them on electronic media and disregard written policy, and how are you going to rectify this situation?

Answer – President Smith responded and advised that adherence to the Code ensures consistent standards of behaviour, professionalism, integrity and accountability when volunteers are representing the Shire, engaging with the community, using Shire resources, or performing public functions. This is critical to maintaining public trust, ensuring safety and respectful conduct, and meeting the Shire's statutory obligations under the Local Government Act 1995 (WA). Compliance also protects volunteers, the Gascoyne River Fire Brigade and the Shire by providing clear expectations, guidance on ethical decision-making, and mechanisms for managing and addressing misconduct if it arises

Question 2 – If extremely hard to get, volunteers are required to do this training to be allowed to volunteer are all Carnarvon Shire's contractors and suppliers (small and large) required to do this training and if not why?

Answer- President responded and advised yes, all volunteers, contractors and suppliers are required to do the training.

Question 3 – Are the Carnarvon Shire Councillors aware of what appears to be the Carnarvon Shire's poor attempt of a fire break notice and could they please explain a pastoral internal boundary and the reasons the notice was not sent out until 24 November 2025.

Answer – President Smith advised that this question would be taken on notice.

10.09am – Cr Dudley Maslen joined the meeting.

Mr Andrew Ellis of Carnarvon submitted the following questions -

Question 1 – Under the Local Government Act 1995, what mechanisms does Council have in place to monitor and ensure that critically emergency management positions such as the Community Emergency

Services Manager (CESM) role, are established and functioning effectively and how is Council currently assured that these mechanisms are operating as intended.

Answer -President Smith advised that mechanisms are in place and MOU's are actively agreed upon by the neighbouring shire's throughout the region.

Question 2 – Can Council advise why under the previous CEO, the Shire of Carnarvon maintained a working relationship with the Shires' of Upper Gascoyne and Shark Bay and why such collaborative arrangements do not appear to exist under the current CEO. What steps if any, is Council taking to ensure a collaborative approach is taken with all Shires?

Answer – President Smith advised that Council were not aware of such issues and would investigate further.

Question 3 – In accordance with the Emergency Management Act 2005, can Council advise what risk assessments or compliance reviews have been conducted regarding the delayed implementation of the CESM role, and what steps are being taken to mitigate any operational or statutory risk arising from this delay?

Answer – President Smith advised that this question would be taken on notice.

Public Question Time was closed at 10.14am

4 CONFIRMATION AND RECEIVING OF MINUTES

CONFIRMATION OF MINUTES

4.1 Minutes of the Ordinary Council Meeting - 16 December 2025

COUNCIL RESOLUTION OCM 01/01/26

Moved: Cr Mark Young

Seconded: Cr Luke Skender

That the minutes of Ordinary Council Meeting held on 16 December 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

ABSENT; Cr Paul Kelly

CARRIED BY SIMPLE MAJORITY 7/0

RECEIVING OF MINUTES

4.2Minutes of the Audit & Risk Improvement Committees - 26 August 2025; 9 December 2025 and 16 December 2025

COUNCIL RESOLUTION OCM 02/01/26

Moved: Cr Marco Ferreira

Seconded: Cr Luke Skender

That the minutes of the Audit & Risk Improvement Committee Meetings held on 26 August 2025, 9 December 2025 and 16 December 2025 be received by Council.

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

AGAINST: Nil

ABSENT: Cr P Kelly

CARRIED BY SIMPLE MAJORITY 7/0

5 ANNOUNCEMENTS BY THE PRESIDENT WITHOUT DISCUSSION

President Smith advised that he would be making contact with the relevant Ministers in regard to including heat weather events as just experienced last week in Carnarvon, as eligible to receive disaster relief funding.

President Smith also wishes to congratulate the staff and volunteers who organised a well attended and well planned Australia Day breakfast on Monday. He had received rave reviews from the community that it was a fantastic day and everyone involved was to be congratulated.

6 PRESENTATIONS, PETITIONS AND MEMORIALS

6.1 CARNARVON SENIOR CITIZENS - UPDATE

Mrs Jacquie Britton and Ms Debbie Merritt, on behalf of the Senior Citizens Association brief Council on the following topics -

Membership Update:

Numbers have remained static. Although we have seen an increase in new members, unfortunately natural attrition due to deaths and/or illness has caused the loss of other members.

What Activities have the Senior Citizens implemented -

- Hosted regular club Tuesday and Thursday morning get-togethers.
- Held bi-monthly lunch outings to local venues.
- Hosted weekly Wednesday Bingo evening, and, during the tourist season, weekly Friday morning Bingo sessions.
- Invited guest speakers
- Hosted free health checks with medical students from WACRH
- Hosted meditation sessions
- Provided the use of the hall for Seniors' Week celebrations, Gentle Gym, Indigenous Dance Group rehearsals, and the annual Lions' Christmas Lunch
- Loaned equipment and provided volunteers for the planning and running of "All Abilities Day".
- Provided the hall, equipment and volunteers for the planning and running of "Have a Go Day"
- Our members spent many hours handcrafting the Yarn Bombing decorations for the main street.

- Hosted Morning Tea for our supporters and sponsors.
- Ran raffles for Christmas, Easter, Mothers' Day, and Fathers' Day
- Hosted Community Quiz Night.
- Applied for and received a grant from Chevron to replace chairs.
- Organised and planned the Mystery Tour sponsored by the Carnarvon Old Bs.
- Visited the Carnarvon Christian School for the dress rehearsal of their Awards Night concert.

Hopes for the Coming Year

- Continue club Tuesday and Thursday mornings, bi-monthly lunch outings etc.
- Investigate new ways to attract membership.
- Options include hosting an open day and holding a Have a Go Day every 2 to 3 months. It was great to see our members and visitors participating in pool, carpet bowls, indoor basketball, bean toss, alongside Connect 4 and other table games. Moving from one option to another meant interacting with more than their usual group. A fabulous fun day.
- Attract volunteers.
- Continue the weekly Bingo sessions.
- Hold a Quiz Night during the tourist season, our committee decided to hold this every second year to avoid putting a heavy strain on local businesses and our amazing sponsors.
- Attract guest speakers.
- Celebrate St Patrick's Day, Easter, Mothers' Day, Christmas in July, Fathers' Day, Halloween, Melbourne Cup, Christmas by inviting attendees to compete for prizes for best dressed, taking part in quizzes and raffles etc. –

7 DEPARTMENTAL REPORTS

7.1 GOVERNANCE

7.1.1 ACTIONS PERFORMED UNDER DELEGATED AUTHORITY FOR THE MONTHS DECEMBER 2025 AND JANUARY 2026

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:	Stephanie Leca, A/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 December 2025 and January 2026.

Background

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

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

Stakeholder and Public Consultation

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 December 2025 and January 2026 are submitted to Council for information.

CEO DELEGATIONS

Date	Delegation
15.12.25	Signing of MOU Agreement – CESM – Shires of Carnarvon, Shark Bay and Upper Gascoyne
15.12.25	Signing of MOU Agreement – Shared Services – City of Kalamunda – Building Surveying Services
21.01.26	Waiver of hire fees for Council Facilities \$111 - Creality

AFFIXING OF COMMON SEAL

Date	Document
18.12.25	Town Planning Scheme No. 13 Amendment 10

ENVIRONMENTAL HEALTH
Food—Food Act 2008

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

Caravan Parks and Camping Grounds Act 1995

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

LAND USE AND DEVELOPMENT

Planning and Development Act (Local Planning Schemes) Regulations 2015 Schedule 2 Clause 68					
Applications to use/develop land					
File Ref:	Application Ref:	Subject Land (Incl. Scheme No)	Purpose	Applicant/Proponent	Date Granted
A972	P62/25	19 ANNEAR PL BABBAGE ISLAND WA 6701	INSTALLATION OF INTERPRETIVE SIGNAGE AND SEATING ALONG	SHIRE OF CARNARVON	16/12/2025

			THE TRAMWAY WALK TRAIL		
A4015	P64/25	22 WAHOO CT CORAL BAY WA 6701	PROPOSED RENOVATIONS AND UPPER FLOOR ADDITIONS	3D EDGE DESIGNERS & PLANNERS	10/12/2025
A3545	P67/25	129 WILLIAM ST EAST CARNARVON WA 6701	SHED	RACHEL THOMSON & TIM CAUNT	05/01/2026
A1505	P69/25	550 ROBINSON ST KINGSFORD WA 6701	SHED	STAN & LUCY KOSTANICH	08/12/2025
A163	P70/25	11 CROSSLAND STREET SOUTH CARNARVON WA 6701	FRONT FENCE	ROBERT HULL & CRAIG GALL	22/12/2025

BUILDING

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

OFFICER'S RECOMMENDATION

That Council, by Simple Majority, in accordance with Section 5.46 of the Local Government Act, resolves to accept the reports outlining the actions performed under delegated authority for the months of December 2025 and January 2026.

COUNCIL RESOLUTION OCM 03/01/26

Moved: Cr Marco Ferreirinha

Seconded: Cr Luke Skender

That Council, by Simple Majority, in accordance with Section 5.46 of the Local Government Act, resolves to accept the reports outlining the actions performed under delegated authority for the months of December 2025 and January 2026.

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

AGAINST: Nil

ABSENT: Cr PK Kelly

CARRIED BY SIMPLE MAJORITY 7/0

7.1.2 STATUS OF COUNCIL DECISIONS - JANUARY 2026

File No:	ADM0308
Location/Address:	Nil
Name of Applicant:	Nil
Name of Owner:	Nil
Author(s):	Stephanie Leca, Acting CEO
Authoriser:	Stephanie Leca, Acting CEO
Declaration of Interest:	Nil
Voting Requirement:	Simple
Previous Report:	Nil
Schedules:	1. Outstanding Council Action Items - January 2026

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 January 2026, as provided in **Schedule 1** to this Report.

Background

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

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

Stakeholder and Public Consultation

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

Statutory Environment

Nil

Relevant Plans and Policy

Nil

Financial Implications

Nil

Risk Assessment

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
Likely	B	Moderate	High	High	Extreme
Possible	C	Low	Moderate	High	Extreme
Unlikely	D	Low	Low	Moderate	High
Rare	E	Low	Low	Moderate	High

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

Community and Strategic Objectives

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

OBJECTIVES

In 2040 Carnarvon is a place where:

- *Our community is engaged, inclusive and supportive*

ADDITIONAL FOCUS AREAS:

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

BIG IDEAS FOR THE FUTURE OF CARNARVON:

- *N/A*

Comments

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

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

OFFICER'S RECOMMENDATION

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

COUNCIL RESOLUTION OCM 04/01/26

Moved: Cr Burke Maslen

Seconded: Cr Luke Skender

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

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

AGAINST: Nil

ABSENT: Cr PK Kelly

CARRIED BY SIMPLE MAJORITY 7/0

7.1.3 COUNCIL RESPONSE TO REVIEW OF SECTION 64 LIQUOR RESTRICTIONS – CARNARVON AND GASCOYNE JUNCTION

Cr M Beard (Direct Financial) – 7.1.3 Council Response To Review Of Section 64 Liquor Restrictions – Carnarvon And Gascoyne Junction

Cr L Skender (Indirect Financial) – 7.1.3 Council Response To Review Of Section 64 Liquor Restrictions – Carnarvon And Gascoyne Junction

File No:	ADM000
Location/Address:	Carnarvon and Gascoyne Junction
Name of Applicant:	N/A
Name of Owner:	Department of Local Government, Industry Regulation and Safety
Author(s):	Stephanie Leca, Executive Manager Lifestyle & Community
Authoriser:	Stephanie Leca, Executive Manager Lifestyle & Community
Declaration of Interest:	Nil
Voting Requirement:	Simple Majority
Previous Report:	Nil
Schedules:	Nil

Authority/Discretion:

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

Summary of Report

This report provides Council with a consolidated response to the Department of Local Government, Industry Regulation and Safety (DLGIRS) review of Section 64 Liquor Restrictions applying to Carnarvon and Gascoyne Junction.

As this is a broad issue impacting the community, Council is requested to endorse the preparation and submission of a formal response to DLGIRS, to be lodged by 30 January 2025. While licensees were invited to provide comment, Council considers it appropriate to also provide a response that reflects community interests and advocates for practical, equitable and regionally consistent amendments.

Background

The Section 64 liquor restrictions were introduced in Carnarvon and Gascoyne Junction in May 2023 under the Liquor Control Act 1988. In correspondence dated December 2025, the Director General of the Department of Local Government, Industry Regulation and Safety (DLGIRS) advised that a review of the restrictions had been completed.

The letter states that the findings show measurable improvements in reducing alcohol-related harm, including:

- Weekly charges falling by approximately 23%, with the largest reductions occurring on Sundays and Mondays (non-trading days);
- Minor crime-harm decreasing by around 30%;
- Alcohol-related ambulance callouts dropping by 37%; and
- Trauma-coded ambulance dispatches reducing by more than 50%.

DLGIRS has advised that these outcomes demonstrate measurable reductions in certain alcohol-related indicators. Notwithstanding these findings, community feedback indicates that anti-social behaviour continues to be experienced within the community, and that perceived safety and amenity concerns remain for residents, businesses and visitors. Anecdotally, this feedback suggests that the alcohol restrictions are not having the level of impact the State Government had hoped they would have in Carnarvon.

In response to the review, and to inform Council's response, the Council has sourced and collected informal feedback from local businesses and community members. The feedback consistently identifies the following impacts and concerns:

- Ongoing economic impacts on local businesses and tourism visitation to Carnarvon;
- Confusion and frustration for locals and visitors due to inconsistent and non-intuitive trading days;
- Reputational impacts on Carnarvon as a welcoming tourism destination and regional centre;
- Disproportionate impacts on seniors and residents, particularly in the context of cost-of-living pressures; and
- Increased isolation, access challenges and economic strain for pastoral stations and remote communities, including those impacted by the same restrictions in Gascoyne Junction.

Proposed Changes and Council Response

The following section outlines the proposed changes as set out in the DLGIRS correspondence and Council's consolidated response, informed by informal feedback collected from local businesses and community members.

1. Packaged Liquor Trading Days and Hours

Proposed Change (DLGIRS): Maintain prohibition on packaged liquor sales on Sundays and Mondays but allow tourist-only packaged liquor sales from hotels and taverns on these days, with strict ID checks and purchase recording.

Council's Response: Council understands the intent of the proposed approach to balance access and harm minimisation. However, Council notes that the sale of packaged liquor via hotels and taverns is not the core business of these venues, unlike licensed bottle shops which are specifically established to provide packaged liquor to the community.

Council also notes that for visitors who have not previously visited the region, the default and expected point of purchase for packaged liquor is a bottle shop. Messaging to both the community and visitors regarding alternative purchasing arrangements has already been significantly impacted by the current restrictions, resulting in confusion and frustration.

Council seeks greater equity with comparable north-west regional communities and tourism destinations such as Broome and strongly supports the reintroduction of Monday packaged liquor trading from 10am through licensed bottle shops.

2. Early trading hours

Proposed Change (DLGIRS): Adjust trading hours for packaged liquor from 12noon to 10am on Tuesdays to Saturdays.

Council's Response: Council welcomes the adjusted early trading hours. However, at a minimum, Council seeks the reintroduction of Monday packaged liquor trading to service the community and mitigate ongoing impacts on Carnarvon's tourism economy and the liveability of the community.

3. Minimum price for wine

Proposed Change (DLGIRS): Remove the \$15 minimum price for wine.

Council's Response: Council strongly supports the removal of the \$15 minimum price for wine. This change is welcomed by the community, particularly seniors and low-income households, who have been disproportionately impacted by price-based restrictions during a period of significant cost-of-living pressure.

4. Daily purchase limits

Proposed Change (DLGIRS): Align daily purchase limits to allow combination purchases within overall volumetric caps.

Council's Response: Council supports the introduction of clear and consistent daily purchase limits to reduce customer frustration.

5. Permit cans

Proposed Change (DLGIRS): Permit cans up to 500ml for specified products.

Council's Response: Council supports the introduction, as it allows certain products of community preference to be purchased.

6. Amend definition of 'Tourist'

Proposed Change (DLGIRS): Amend the definition of 'tourist' to exclude residents of the Gascoyne region and tighten bulk-purchase exemptions.

Council's Response: The proposed exclusion of people attending funerals from the definition of 'tourist' is of significant concern to Council.

Carnarvon hosts a high number of funerals each year for both Aboriginal and non-Aboriginal families from across the region and state. In 2025, 36 funerals were held in Carnarvon, of which 27 were Aboriginal funerals. Council considers that treating funeral attendance differently creates inequity, distress and the perception of stereotyping.

Council is also concerned that this measure will be difficult for local businesses to interpret and manage in practice, placing an unreasonable burden on licensees to determine eligibility during sensitive circumstances. This approach risks creating confusion, inconsistency and community division at a time when compassion and cultural understanding are critical.

In addition, the proposed amendment to exclude residents of the Gascoyne region from the definition of 'tourist' raises significant regional equity concerns. Carnarvon functions as the regional hub of the Gascoyne, servicing surrounding communities including Exmouth and Shark Bay, which are several hours' drive away.

Excluding regional residents discourages visitation and local expenditure in Carnarvon and instead incentivises travel to the Pilbara or Geraldton to purchase goods, redirecting economic benefit away from the Gascoyne. This outcome is inconsistent with regional development objectives and undermines Carnarvon's role as the service and commercial centre of the region.

7. Enforcement of Banned Drinkers Register (BDR), Takeaway Alcohol Management System (TAMS) and carriage limits.

Proposed Change (DLGIRS): Strengthen enforcement of BDR, TAMS and carriage limits in collaboration with WA Police.

Council's Response: Council supports strengthening enforcement of the Banned Drinkers Register (BDR), TAMS and carriage limits; however, these measures will only be effective if applied consistently across Western Australia.

Under the current framework, individuals subject to restrictions in towns without BDR or equivalent controls can legally purchase alcohol both in Carnarvon and elsewhere and bring it into the community. This undermines local restrictions and places an unfair enforcement burden on Carnarvon licensees and police resources.

A coordinated, statewide approach is required to ensure fairness, effectiveness and genuine harm reduction.

Stakeholder and Public Consultation

Councillors have collected informal feedback from the community in fulfilling their role under section 2.10 of the Local Government Act 1995, which requires Councillors to represent the interests of electors, ratepayers and residents, and to take account of the interests of those who work in or visit the district.

Statutory Environment

LOCAL GOVERNMENT ACT 1995 - SECT 2.10

2.10. Role of councillors

(1) A councillor —

- a) represents the interests of the electors, ratepayers and residents of the district and takes account of the interests of other persons who work in, or visit, the district; and
- b) participates in the deliberation and decision-making of the local government at council and committee meetings; and
- c) facilitates communication with the community about council decisions; and
- d) facilitates and maintains good working relationships with other councillors, the mayor or president and the CEO; and
- e) acts consistently with section 2.7(3) to (5); and
- f) maintains and develops the requisite skills to effectively perform their role.

Relevant Plans and Policy

N/A

Financial Implications

There are no direct financial implications to the Shire of Carnarvon associated with the submission of this response to the Department of Local Government, Industry Regulation and Safety.

Risk Assessment

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

Risk Category	Description	Rating	Mitigating Action/s
Financial	N/A		
Health & Safety	N/A		
Reputation	Risk that failure to formally respond may be perceived by the community and stakeholders as Council not listening to community concerns or not advocating on matters of local importance.	C-3 High	Council to endorse and submit a formal response to the Department of Local Government, Industry Regulation and Safety, demonstrating that community feedback has been considered and that Council is advocating on behalf of the local community.
Service disruption	N/A		
Compliance	Risk that Council does not meet expectations for consultation and advocacy as part of the State Government review process if a response is not provided within the requested timeframe.	D-1 Low	Submission of Council-endorsed response within the timeframe requested by the Department of Local Government, Industry Regulation and Safety.
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

This report presents Council with a consolidated position in response to the Department of Local Government, Industry Regulation and Safety's review of the Section 64 Liquor Restrictions applying to Carnarvon and Gascoyne Junction.

While the State Government's review identifies reductions in certain alcohol-related harm indicators, the detailed review report has not been provided to Council. Accordingly, Council's position is informed by the information contained in the correspondence issued to licensees, together with informal feedback collected from the local community. Council welcomes a receipt of the full review report to enable informed consideration of the findings and their implications for the Carnarvon community.

This feedback indicates that, despite reported reductions in some indicators, the restrictions continue to result in unintended economic, social and reputational impacts on Carnarvon, including impacts on tourism visitation and community liveability, and that anti-social behaviour continues to be experienced within the community.

Council's response acknowledges the intent of harm minimisation measures but emphasises the need for liquor regulation to be applied in a manner that is equitable, practical and consistent across Western Australia. Council's position seeks to ensure that Carnarvon is not disproportionately impacted when compared with other regional and remote communities.

Key matters raised include the need for greater regional consistency in trading arrangements, the reintroduction of Monday packaged liquor trading to support the local community and visitor economy, concerns regarding the definition of 'tourist' and funeral-related exclusions, and the importance of statewide consistency.

OFFICER'S RECOMMENDATION

That Council:

- 1. Endorses a response to the Department of Local Government, Industry Regulation and Safety in response to the letter issued to licensees, to be lodged by 30 January 2025; and***
- 2. Authorises the Acting Chief Executive Officer to prepare the response on behalf of Council for forwarding under the signature of the Shire President.***

COUNCIL RESOLUTION OCM 05/01/26

Moved: Cr Marco Ferreira

Seconded: Cr Mark Young

That Council:

- 1. Endorses a response to the Department of Local Government, Industry Regulation and Safety in response to the letter issued to licensees, to be lodged by 30 January 2025;***
- 2. Authorises the Acting Chief Executive Officer to prepare the response on behalf of Council for forwarding under the signature of the Shire President; and***
- 3. Initiate the process of engaging the other three Shires of the Gascoyne Region to provide a joint solid submission reflecting consistency and equity across the Shires and the State.***

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

AGAINST: Nil

ABSENT: Crs PK Kelly and M Beard

CARRIED BY SIMPLE MAJORITY 6/0

Note to Minute: Council believe that the liquor restrictions should be consistent throughout the State and not just pertaining to certain areas of WA and therefore point 3 was added to the resolution.

10.04am – Cr Merome Beard returned to the meeting and was advised of Council's decision on the matter.

7.2 CORPORATE SERVICES

7.2.1 ACCOUNTS PAID UNDER DELEGATION - DECEMBER 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. Schedule 1 - Credit Card Payments 2. Schedule 2 - List of Accounts Paid Under Delegation 3. Schedule 3 - Direct Debits

Authority/Discretion:

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

Summary of Report

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

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

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
Likely	B	Moderate	High	High	Extreme
Possible	C	Low	Moderate	High	Extreme
Unlikely	D	Low	Low	Moderate	High
Rare	E	Low	Low	Moderate	High

Risk Category	Description	Rating	Mitigating Action/s
Financial	Payments are made without appropriate budget authority	C1 - Low	Internal controls are in place to manage this potential risk
Health & Safety	N/A	N/A	N/A
Reputation	N/A	N/A	N/A
Service disruption	N/A	N/A	N/A
Compliance	N/A	N/A	N/A
Property	N/A	N/A	N/A
Environment	N/A	N/A	N/A
Fraud	Accounting Fraud	C2 - Moderate	Internal controls are in place, including background checks and regular updates of Sundry Creditors. Sign off by Finance Manager of any Creditor changes (Bank Accounts).

Community and Strategic Objectives

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

OBJECTIVES

In 2040 Carnarvon is a place where:

- N/A

ADDITIONAL FOCUS AREAS:

- N/A

BIG IDEAS FOR THE FUTURE OF CARNARVON:

- N/A

Comments

Nil

OFFICER'S RECOMMENDATION

That Council by simple majority in accordance with s.5.42 of the Local Government Act -

1. ***Receive the list of payments made under delegation, as per Schedule 1, 2 & 3 at a total value of \$3,096,773.38 as presented for the month of December 2025, incorporating the following;***

Payment reference from:	Payment reference to:	Payment type	Payment Amount
EFT46355	EFT46601	Muni EFT	\$1,933,986.37
-	-	<i>Trust EFT</i>	\$0.00
-	-	<i>Cheque</i>	\$0.00
<i>DD42168.1, DD42168.2, DD42176.1, DD42178.1, DD42178.2, DD42178.3, DD42178.4, DD42180.1, DD42182.1, DD42182.2, DD42182.3, DD42182.4, DD42182.5, DD42182.6, DD42184.1, DD42184.2, DD42187.1, DD42189.1, DD42189.2, DD42189.3, DD42189.4, DD42191.1, DD42202.1, DD42204.1, DD42207.1, DD42212.1, DD42212.2, DD42214.1, DD42214.2, DD42214.3, DD42216.1, DD42218.1, DD42218.2, DD42218.3</i>			
		<i>Bank Directs</i>	\$1,162,787.01
		TOTAL	\$3,096,773.38

COUNCIL RESOLUTION OCM 06/01/26

Moved: Cr Burke Maslen

Seconded: Cr Luke Skender

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 \$3,096,773.38 as presented for the month of December 2025, incorporating the following;*

Payment reference from:	Payment reference to:	Payment type	Payment Amount
EFT46355	EFT46601	Muni EFT	\$1,933,986.37
-	-	<i>Trust EFT</i>	\$0.00
-	-	<i>Cheque</i>	\$0.00
<i>DD42168.1, DD42168.2, DD42176.1, DD42178.1, DD42178.2, DD42178.3, DD42178.4, DD42180.1, DD42182.1, DD42182.2, DD42182.3, DD42182.4, DD42182.5, DD42182.6, DD42184.1, DD42184.2, DD42187.1, DD42189.1, DD42189.2, DD42189.3, DD42189.4, DD42191.1, DD42202.1, DD42204.1, DD42207.1, DD42212.1,</i>			
		<i>Bank Directs</i>	\$1,162,787.01

DD42212.2, DD42214.1, DD42214.2, DD42214.3, DD42216.1, DD42218.1, DD42218.2, DD42218.3			
		TOTAL	\$3,096,773.38

2. Receive the copies of credit card statements for all such Shire Facilities for the period 23.10.2025 – 23.11.2025, paid on 08.12.2025, as per Schedule 1.

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

CARRIED BY SIMPLE MAJORITY 7/0

7.2.2 MONTHLY FINANCIAL REPORT DECEMBER 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 - December 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 Item

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

The December 2025 Monthly Financial Report was prepared by Moore Australia financial consultants.

Stakeholder and Public Consultation

Internal
Corporate Services Department

External
MOORE

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		High	High	Extreme	Extreme	Extreme
Almost certain	A	Moderate	High	Extreme	Extreme	Extreme
Likely	B	Low	Moderate	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 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 December 2025, \$2,022,382 of Reserve funds and \$2 million of Municipal funds were held in term deposits to earn additional interest. The \$2 million of Municipal funds are split into two rolling term deposits to assist with cash flow.
- The \$619,664 variance in year-to-date budget and year to date actuals for Employee Costs as presented on the Statement of Financial activity, does not represent a true variance. This variance consists of the following timing issues and reporting requirements:
 - \$240K represents a variance between YTD budget and actuals for RJED funded positions. This is due to timing differences between budget phasing and onboarding of RJED roles. As per the RJED grant agreements, the full amount of the funding will be spent.
 - \$60k of this \$620k variance is due to positions being filled by contractors, as opposed to employees. To comply with accounting standards, contractor fees must sit within materials & contracts, rather than employee costs.
 - \$90k of the above-mentioned variance 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 December as presented in the attached, the actual employee cost figures only include payments up to the end of the payroll period dated 28 December. An accrual for the remaining 3 days (29 – 31 December) of \$90k should be considered when reviewing the variance presented on the Statement of Financial Activity.

With the above considered, this leaves a remaining genuine variance between actual and year-to-date budgeted employee costs of approximately \$230k. This is due to vacant positions which the Shire is actively recruiting and falls well below the 10% materiality threshold.

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 December 2025.

COUNCIL RESOLUTION OCM 07/01/26

Moved: Cr Marco Ferreira

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 December 2025.

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

AGAINST: Nil

ABSENT: Cr PK Kelly

CARRIED BY SIMPLE MAJORITY 7/0

7.3 DEVELOPMENT AND COMMUNITY SERVICES

7.3.1 COASTAL HAZARD RISK MANAGEMENT AND ADAPTATION PLAN (CHRMAP)

File No:	ADM2215
Location/Address:	Carnarvon and Coral Bay town sites
Name of Applicant:	Shire of Carnarvon
Name of Owner:	N/A
Author(s):	Stefan Louw, Executive Manager, Community Planning and Sustainability
Authoriser:	Stephanie Leca, A/Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirement:	Simple Majority
Previous Report:	22 March 2022
Schedules:	<ol style="list-style-type: none">1. CHRMAP2. Stakeholder and Community Engagement 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 seeks Council to endorse the draft Coastal Hazard Risk Management and Adaptation Plan (CHRMAP) for Carnarvon and Coral Bay for public consultation purposes. The purpose of the CHRMAP is to guide long-term coastal management and adaptation responses in line with the State Planning Policy 2.6 – State Coastal Planning Policy.

Background

The Shire, in collaboration with coastal engineering and planning consultants, has prepared a draft CHRMAP for the townsites of Carnarvon and Coral Bay. This plan was developed in response to State Planning Policy 2.6 and increasing risks posed by coastal erosion and inundation associated with climate change and sea-level rise.

The CHRMAP process has been guided by State Planning Policy 2.6, which requires local governments in Western Australia to identify and plan for coastal hazards over a 100-year timeframe. The draft CHRMAP includes technical assessments, stakeholder input, and a prioritised set of adaptation responses.

The draft document has been developed through engagement with community members, stakeholders, and relevant government agencies.

The draft CHRMAP represents the consolidation of multiple chapter reports, each of which has been individually reviewed by the approved Steering Committee throughout the course of the project. The stakeholder consultation and chapter development process was extensive and complex and has now been brought together into the attached draft CHRMAP for consideration.

Stakeholder and Public Consultation

Internal consultation

Shire staff and Council workshops were held during the months of July and August 2023. In addition to the workshops, the consultant preparing the CHRMAP also provided an update to Council at the Corporate Information Session on 20 May 2025.

External consultation

The initial stakeholder consultation was undertaken during the months of July and August 2023 to ensure that the planning process is informed, inclusive, and responsive to the needs, values, and knowledge of the community and other relevant stakeholders from the outset.

Formal public consultation will occur with Council's endorsement of the draft CHRMAP and will be in line with the approved Stakeholder and Community Engagement Plan, refer to Schedule 2 attached.

Statutory Environment

Planning and Development Act 2005

Part 5, Local Planning Schemes is in force under this Act and has the objective of making suitable provision for improvement, development, and use of the land as described in the local planning scheme area.

Planning and Development (Local Planning Schemes) Regulations 2015

Part 2, Elements of local planning schemes is in force under the above regulations and requires any supporting plans, maps, diagrams, illustrations and other material to be part of the local planning scheme.

Relevant Plans and Policy

State Planning Policy 2.6 Coastal Planning Policy

The overarching objectives of this Policy are to protect and conserve coastal values and ensure any development in coastal reserves take into account coastal processes and hazards.

Clause 5.5 of the policy requires that adequate coastal hazard risk management and adaptation planning be undertaken by the responsible authority, specifically where existing or proposed development or landholders are in an area at risk of being affected by coastal hazards over the planning timeframe.

Financial Implications

The preparation of the CHRMAP has been budgeted for, with a total project cost of \$250,000. This includes a State Government contribution of \$150,000 and \$100,000 in Council own-source funding, to be spread over four financial years.

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
Likely	B	Moderate	High	High	Extreme
Possible	C	Low	Moderate	High	Extreme
Unlikely	D	Low	Low	Moderate	High
Rare	E	Low	Low	Moderate	High

Risk Category	Description	Rating	Mitigating Action/s
Financial	Costs associated with the preparation of the CHRMAP.	D2 - Low	The program will be carefully managed to stay within the grant allocation.
Health & Safety	N/A		
Reputation	N/A		
Service disruption	N/A		
Compliance	N/A		
Property	N/A		
Environment	Risk to infrastructure and natural assets from coastal hazards such as erosion and inundation.	C3 - High	Planning for long-term management of vulnerable coastal areas will inform decisions about how best to protect infrastructure.
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

Endorsing the draft Coastal Hazard Risk Management and Adaptation Plan (CHRMAP) is a critical step in enabling the Shire of Carnarvon to proactively respond to current and future coastal hazards. At this stage, endorsement is sought for the purposes of public consultation only and does not constitute final adoption of the CHRMAP.

The draft document provides a detailed assessment of coastal hazard risk exposure across Carnarvon and Coral Bay and identifies a set of potential adaptation strategies, including planning controls, engineering responses, and community-based actions.

Key points include:

- Identification of areas within the Shire most at risk from coastal erosion and inundation;
- A risk-based framework to support informed and consistent decision-making;
- Proposed adaptation options tailored to the local context;
- Integration of community values and preferences into the planning process; and
- Prioritised actions across short, medium, and long-term timeframes.

By endorsing the draft CHRMAP for public consultation, the Shire acknowledges the significance of the identified risks and proposed recommendations and signals an intent for these matters to inform future consideration of land use planning, infrastructure investment, and emergency management.

Following the consultation period, all submissions will be reviewed and considered, and the CHRMAP will be amended where appropriate. The final CHRMAP will then be reported back to Council for consideration and a decision on final endorsement.

OFFICER'S RECOMMENDATION

That Council, by Simple Majority, pursuant to Section 3.18 of the Local Government Act 1995 endorses the draft Coastal Hazard Risk Management and Adaptation Plan (CHRMAP) for Carnarvon and Coral Bay for the purpose of public consultation.

COUNCIL RESOLUTION OCM 08/01/26

Moved: Cr Burke Maslen

Seconded: Cr Marco Ferreira

That Council, by Simple Majority, pursuant to Section 3.18 of the Local Government Act 1995 endorses the draft Coastal Hazard Risk Management and Adaptation Plan (CHRMAP) for Carnarvon and Coral Bay for the purpose of public consultation.

FOR: Nil

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

ABSENT: Cr PK Kelly

LOST 0/7

Note: Motion OCM 08/01/26 was lost therefore Alternative Motion OCM 09/01/26 became the Substantive Motion and was put.

ALTERNATIVE MOTION**COUNCIL RESOLUTION OCM 09/01/26****Moved:** Mr Eddie Smith**Seconded:** Cr Dudley Maslen

That the matter be deferred pending further clarification on the funding implications, a community engagement process has been implemented and further consultation with the DTMI has taken place.

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

AGAINST: Nil

ABSENT: Cr PK Kelly

CARRIED BY SIMPLE MAJORITY 7/0**SUSPENSION OF STANDING ORDERS****COUNCIL RESOLUTION OCM 10/01/26****Moved:** Cr Burke Maslen**Seconded:** Cr Mark Young

A motion was moved that Council suspend standing orders at 10.56am.

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

AGAINST: Nil

ABSENT: Cr PK Kelly

CARRIED BY SIMPLE MAJORITY 7/0**RESUMPTION OF STANDING ORDERS****COUNCIL RESOLUTION OCM 11/01/26****Moved:** Cr Burke Maslen**Seconded:** Cr Luke Skender

A motion was moved that Council resume standing orders.

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

AGAINST: Nil

ABSENT: Cr PK Kelly

CARRIED BY SIMPLE MAJORITY 7/0

7.3.2 AUSTRALIAN ORDER OF OLD BASTARDS CARNARVON GROUP – BIN AND WASTE COLLECTION REQUEST

File No:	ADM0002
Location/Address:	PO Box 939, Carnarvon WA 6701
Name of Applicant:	Australian Order of Old Bastards Carnarvon Group
Name of Owner:	Ann Arden
Author(s):	Jamie Bone, A/ Executive Manager Lifestyle & Community
Authoriser:	Stephanie Leca, A/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 a request from the Australian Order of Old Bastards Carnarvon Group (Old Bastards Carnarvon) for the provision of two waste bins and weekly waste collection services at the ABC Foundation Depot, located at 9 Bassett Way, East Carnarvon, which also operates as the Containers for Change depot in Carnarvon.

Background

Old Bastards Carnarvon is a local community organisation that relies heavily on donations generated through container collections. Between 1 July 2024 and 30 June 2025, the group raised \$117,300, with the majority of funds generated from container collections in Carnarvon. Of this total, \$84,800 was donated to the Royal Flying Doctor Service, with the remaining funds distributed to other charities and local organisations, delivering significant benefits to the broader community.

The ABC Foundation operates the Containers for Change depot from its premises at 9 Bassett Way, East Carnarvon, and Old Bastards Carnarvon utilises this site as a central location for the processing of container donations. A recurring operational issue has been identified whereby community donation bins are frequently filled with general rubbish rather than eligible containers. This rubbish is often transferred into the existing waste bins at the depot, which are required by the ABC Foundation for its own day-to-day operations. This has resulted in operational inefficiencies and increased pressure on existing waste services at the site.

To address these issues and ensure the continued effective operation of the Containers for Change depot, Old Bastards Carnarvon has requested Council support for the provision of two additional waste bins inclusive of a weekly collection service. The request seeks financial assistance from the Shire for both the initial provision, and the initial 12 month annual servicing costs of the bins, to support ongoing charitable fundraising activities while minimising operational impacts on the ABC Foundation specific to onsite waste management.

It is noted that Old Bastards Carnarvon has already received \$3,560 through the Community Growth Fund in the current financial year for the purchase of a trailer. While a further round of the Community Growth Fund is currently open and closes on 12 February 2026, Council policy limits organisations to one application per financial year. As this request relates to core Shire waste operations rather than a grant-funded project, it has been presented directly to Council for consideration.

Stakeholder and Public Consultation

Consultation has occurred internally between Shire administration staff to assess the operational and financial implications of the request.

The request has been discussed with representatives of Old Bastards Carnarvon and the ABC Foundation to clarify operational requirements and confirm that the bins would be located at the ABC Foundation Depot and serviced in accordance with the Shire's standard waste collection arrangements.

No wider public consultation has been undertaken, as the request relates to a specific operational service at an existing facility.

Statutory Environment

LOCAL GOVERNMENT ACT 1995 - SECT 6.8

6.8 . Expenditure from municipal fund not included in annual budget

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

(1a) In subsection (1) - additional purpose means a purpose for which no expenditure estimate is included in the local government's annual budget.

(2) Where expenditure has been incurred by a local government —

- a) pursuant to subsection (1)(a), it is to be included in the annual budget for that financial year; and*
- b) pursuant to subsection (1)(c), it is to be reported to the next ordinary meeting of the council.*

Relevant Plans and Policy

- Strategic Community Plan

Financial Implications

The financial implications of this request relate to the provision of two standard waste bins and a weekly waste collection service, calculated in accordance with the Shire of Carnarvon's adopted 2025/26 Fees and Charges.

The estimated costs are follows:

- One off bin purchase cost: \$130 per bin x two bins = \$260

- Annual waste collection service fee: \$575 per bin x two bins = \$1,150
The total estimated cost is \$1,410.

It is recommended that Council approve a one-off financial contribution of \$1,410 to Old Bastards Carnarvon, funded from the Community Growth Fund account, which currently has an available balance of \$10,540. This contribution would cover the purchase of the bins and the initial twelve month of waste collection services.

Under this arrangement, the Shire would provide a one-off financial contribution only. Old Bastards Carnarvon would be responsible for coordinating the waste service and making payment for the bins and collection services through the Shire administration. Any request for ongoing future financial assistance for waste services would be required to be considered through a future Community Growth Fund application, in accordance with Council policy.

Risk Assessment

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

Risk Category	Description	Rating	Mitigating Action/s
Financial	Risk that approval may set a precedent for other community groups seeking Council-funded waste services.	C-2 Moderate	This is a once-off request, any future funding requests would be required to be made through the Community Growth Fund. The request is being considered due to its direct relationship to core Shire services and health and safety considerations.
Health & Safety	Nil		
Reputation	<p>Perception of inconsistent or inequitable support to community groups.</p> <p>Risk of negative community perception if Council does not support a well-respected, volunteer-run community organisation seeking assistance for a low-value request that supports important charitable causes</p>	C-2 Moderate	<p>Support is provided on a once-off basis and is consistent with Council's approach to supporting community benefit and operational necessity.</p> <p>Support is provided on a once-off basis, reflecting Council's commitment to community wellbeing and consistent with its approach to supporting initiatives that deliver clear community benefit.</p>

Service disruption	Waste overflow impacting the operation of the Containers for Change depot and associated activities.	B-2 High	Additional bin capacity and regular servicing mitigate the risk of service disruption.
Compliance	Risk of non-compliance with waste management requirements.	D-2 Low	Waste services will be provided in accordance with Shire Fees and Charges and existing waste management standards
Property	Nil		
Environment	Risk of increased litter or containers entering landfill if adequate waste and recycling infrastructure is not available to support ongoing container collection activities.	C-2 Moderate	The request supports environmentally responsible practices by enabling continued container collection, reducing landfill waste and preventing litter within the community.
Fraud	Misuse or misallocation of Council funds.	D-2 Low	One-off financial contribution with a clearly defined purpose and documented Council approval.

Community and Strategic Objectives

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

OBJECTIVES

In 2030 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

The Shire of Carnarvon recommends that Council support this request, noting that it assists a well established, volunteer-run community organisation and supports the continued effective operation of the Containers for Change depot. The request represents a low value, once off contribution that delivers clear community and environmental benefit.

The recommended approach provides targeted support to address an identified operational need while avoiding the creation of an ongoing financial commitment for the Shire. Any future requests for funding would be required to be considered through the Community Growth Fund in accordance with Council policy.

OFFICER'S RECOMMENDATION***That Council:***

1. *Approve a one-off financial contribution of \$1,410 to the Australian Order of Old Bastards Carnarvon Group for the purchase of two waste bins and the provision of weekly waste collection services for a period of twelve months at the ABC Foundation Depot, located at 9 Bassett Way, East Carnarvon.*
2. *Approve the one-off financial contribution from the Community Growth Fund account.*
3. *Note that any request for ongoing or future financial assistance for waste collection service is required to be considered through a future Community Growth Fund application, in accordance with Council policy.*

COUNCIL RESOLUTION OCM 12/01/26

Moved: Cr Burke Maslen

Seconded: Cr Luke Skender

That Council:

1. *Approve a one-off financial contribution of \$1,410 to the Australian Order of Old Bastards Carnarvon Group for the purchase of two waste bins and the provision of weekly waste collection services for a period of twelve months at the ABC Foundation Depot, located at 9 Bassett Way, East Carnarvon.*
2. *Approve the one-off financial contribution from the Community Growth Fund account.*
3. *Note that any request for ongoing or future financial assistance for waste collection service is required to be considered through a future Community Growth Fund application, in accordance with Council policy.*

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

AGAINST: Nil

ABSENT: Cr PK Kelly

CARRIED BY ABSOLUTE MAJORITY 7/0

7.3.3 ACCEPTANCE OF LOTTERYWEST GRANT FUNDING AND BUDGET AMENDMENT - CAMEL LANE THEATRE UPGRADES

File No:	ADM0415
Location/Address:	3 Francis Street, Carnarvon
Name of Applicant:	Shire of Carnarvon
Name of Owner:	Shire of Carnarvon
Author(s):	Jamie Bone, Executive Business Manager
Authoriser:	Stephanie Leca, Executive Manager Lifestyle & Community
Declaration of Interest:	Nil
Voting Requirement:	Recommendation 1: Simple Majority Recommendation 2: 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 seeks Council approval to accept external grant funding of \$497,000 from Lotterywest under the Arts and Culture Infrastructure Grant Program for Stage 2 – Part A of the Camel Lane Theatre upgrades.

Background

The Camel Lane Theatre is a core component of the Carnarvon Civic Centre and functions as the Shire's primary performing arts and cultural venue for Carnarvon and the wider Gascoyne region. Constructed in 1991, the facility no longer meets contemporary expectations for accessibility, flexibility of use or inclusivity, and its configuration limits the range of events and activities that can be accommodated.

At the Ordinary Council Meeting on Tuesday, 20 May 2024, Council endorsed the Shire's Priority Projects list (Council resolution 20/05/24), which included upgrades to the Civic Centre. This endorsement recognised the importance of a staged approach to investment in the Civic Centre to support arts, culture, and community participation through events and activities.

Since this endorsement, the Shire has actively pursued external funding opportunities to progress the renewal of the Civic Centre, which was originally structured as a two-stage project:

- Stage 1 – Woolshed upgrades, for which the Shire successfully secured \$500,000 from the Department of Fire and Emergency Services (DFES) through the Local Government Resilience Fund; and

- Stage 2 – Camel Lane Theatre upgrades.

Following a Lotterywest visit to Carnarvon on 7 and 8 October 2025, the Shire provided Lotterywest representatives with an overview of the Shire's key facilities and assets and outlined Council's strategic direction to seek external funding to support the renewal of Shire's owned assets and infrastructure. As part of this visit, Lotterywest toured the Camel Lane Theatre, after which the Shire was invited to submit an Expression of Interest (EOI) under the Lotterywest Arts and Culture Infrastructure Funding Program.

To align with the funding criteria, the Shire refined Stage 2 – Camel Lane Theatre upgrades into two distinct components:

Part A (subject of this report)

Part A focuses on internal upgrades to improve accessibility and functionality of the theatre space. Works include:

- Removal of existing fixed seating;
- Installation of retractable tiered seating to enable flexible use of the venue; and
- Demolition of one internal staircase and construction of an internal access-compliant ramp, which aligns with the Shire's Access and Inclusion Plan 2024-2029.

Part B (not the subject of this report)

Part B relates to air conditioning and ventilation upgrades to improve thermal comfort and environmental performance. This component is proposed to be considered separately at a later date, subject to funding availability and further Council consideration.

A submission to Lotterywest seeking \$497,000 to fully fund Part A of the Camel Lane Theatre upgrades was submitted in October 2025 under the Arts and Culture Infrastructure Grant Program. Lotterywest has since provided unconditional approval of the grant, with \$497,000 approved to fully fund Part A of the works. The funding is to be paid upfront for delivery of the project and not subject to milestones and project progress.

A formal Grant Approval Schedule and funding agreement are yet to be issued, and Council approval will be required to formally accept the funding once documentation is finalised.

Stakeholder and Public Consultation

Stakeholder engagement has been undertaken with key users and partners of Camel Lane Theatre as part of the development of the project and the Lotterywest submission.

Formal letters of support were provided in support of the proposal by the Gascoyne Development Commission, Creality Arts, Yirra Yaakin Theatre Company, and Yinggarda Aboriginal Corporation. These stakeholders represent regional development interests, local and touring arts organisations, and the Prescribed Body Corporate for the Yinggarda people.

The letters confirm strong support for the proposed upgrades, particularly in relation to improved accessibility, inclusion, functionality of the facility, and the continued role of Camel Lane Theatre as a regional cultural hub.

Broader public consultation is not proposed at this stage, as the project involves upgrades to an existing Shire-owned facility and is consistent with Council-endorsed strategic priorities and previously adopted plans.

Statutory Environment

Local Government Act 1995 (WA)

- *Section 2.7(1) – Role of Council*

- *This section sets out the role of the Council as the governing body of the local government, including responsibility for determining the local government's policies and overseeing the allocation of its finances.*
- *Section 5.41(a) – Role of the Chief Executive Officer*
 - *This section provides that the Chief Executive Officer is responsible for advising the Council in relation to the functions of the local government.*
- *Section 5.42 – Delegations*
 - *This section enables Council to delegate certain functions to the Chief Executive Officer, subject to any limitations or exclusions determined by Council.*
- *Section 6.2(1) – Requirement for a Budget*
 - *This section requires a local government to prepare and adopt an annual budget for each financial year.*
- *Section 6.8(1) – Accounts and Application of Money*
 - *This section provides that a local government is not to incur expenditure from its municipal fund for an additional purpose unless the expenditure is incurred before the adoption of the annual budget, is authorised in advance by resolution of Council, or is authorised in advance by the mayor or president in an emergency.*
- *Section 6.5 – Use of Municipal Funds*
 - *This section provides that money held in the municipal fund may only be applied for purposes authorised under the Act.*

Relevant Plans and Policy

- Strategic Community Plan 2022 – 2032
- Shire of Carnarvon Priority Projects (endorsed May 2024)
- Shire of Carnarvon Access and Inclusion Plan 2024-2029
- Policy CF001 Purchasing and Procurement
- Policy CD006 External Grants (Procurement and Grants)

The project also aligns with the objectives of the Lotterywest Arts and Culture Infrastructure Grant Program.

Financial Implications

Lotterywest has confirmed the funding of \$497,000 for Stage 2 - Part A of the Camel Lane Theatre upgrades. The funding is provided prior to the commencement of works, ensuring Council is not required to fund expenditure in advance.

The proposed Council resolution will authorise a budget amendment in the 2025/26 financial year to recognise both the grant income and the corresponding capital expenditure, limited to the value of the confirmed funding.

Budget Component	Financial Year	Amount
Grant Income – Lotterywest (Arts and Culture Infrastructure Fund)	2025/26	\$497,000
Capital Expenditure – Camel Lane Theatre Upgrades (Stage 2 – Part A)	2025/26	\$497,000

The proposed budget amendment recognises confirmed grant income with corresponding expenditure allocation. There is no impact on the Shire's overall operating result or closing surplus position as the funding is fully offset by the approved capital expenditure.

Project delivery is likely to occur across the 2025/26 and 2026/27 financial years. Any portion of the grant not expended by 30 June 2026 will be carried forward to the 2026/27 financial year in accordance with the grant agreement and re-budgeted through the Shire's standard end of year carry forward or budget review process to ensure continued alignment between funding and expenditure.

The Shire's contribution to Stage 2 – Part A of the project is limited to in-kind support valued at \$20,494, relating to internal staff time for project coordination and supervision, no cash contribution is required from Council.

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
Likely	B	Moderate	High	High	Extreme
Possible	C	Low	Moderate	High	Extreme
Unlikely	D	Low	Low	Moderate	High
Rare	E	Low	Low	Moderate	High

Risk Category	Description	Rating	Mitigating Action/s
Financial	<p>Non-compliance with grant conditions resulting in delayed payment or repayment of funds.</p> <p>Cost escalation resulting in a funding shortfall and the need to source additional funding.</p>	<p>D1 – Low</p> <p>C-2 Moderate</p>	<ul style="list-style-type: none"> Grant agreement to be executed prior to works Expenditure limited to approved scope Financial controls and acquittal processes in place Detailed cost estimates to be finalised prior to procurement Scope tightly defined in line with approved grant funding Any cost overruns to be reported to Council, with additional funding to be sourced subject to Council consideration
Health & Safety	Injury to workers or the public during construction activities	C2 - Moderate	<ul style="list-style-type: none"> Engagement of suitably qualified contractors Compliance with WHS legislation Site management plans and supervision
Reputation	Failure to deliver project outcomes within agreed scope or timeframes	C2 - Moderate	<ul style="list-style-type: none"> Clearly defined scope Staged delivery Reporting through Major Projects Committee of Council
Service disruption	Temporary closure or reduced availability of Camel Lane Theatre during works	C1 - Low	<ul style="list-style-type: none"> Advance planning Communication with users Use of alternative venues where required

Compliance	Breach of procurement, financial management, or legislative requirements	D1 - Low	<ul style="list-style-type: none"> Procurement in accordance with Shire policies and legislation Council approval of expenditure Internal oversight
Property	Damage to existing Civic Centre assets during construction	C1 - Low	<ul style="list-style-type: none"> Contractor insurances Site supervision Contract conditions
Environment	Minor environmental impacts associated with construction works	C1 - Low	<ul style="list-style-type: none"> Standard construction controls Works confined to existing building footprint
Fraud	Misuse or misallocation of grant funds	D1 - Low	<ul style="list-style-type: none"> Separation of duties Financial monitoring Grant acquittal requirements

Community and Strategic Objectives

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

OBJECTIVES

In 2040 Carnarvon is a place where:

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

ADDITIONAL FOCUS AREAS:

- N/A

BIG IDEAS FOR THE FUTURE OF CARNARVON:

- N/A

Comments

The Camel Lane Theatre Upgrades project was identified and progressed as part of the Shire's Priority Projects program for the Civic Centre upgrades, which encompasses two key venues: the Camel Lane Theatre and the Woolshed, as endorsed by Council in May 2024. The successful Lotterywest funding outcome reflects the strong strategic alignment of the project with Council's adopted priorities, the Strategic Community Plan, and the Shire's long-term objectives for community infrastructure, arts and culture, and inclusive access.

The proposed acceptance of funding is consistent with Policy CD006 – External Grants (Procurement and Grants), which establishes the framework for the application, acceptance and ongoing administration of external grant funding. In accordance with this policy, Council is required to consider the risks, benefits and long-term implications of accepting external grant funding and to formally resolve whether the funding should be accepted once offered. This report provides Council with the information required under the policy to make that determination.

Stage 2 – Part A of the Camel Lane Theatre Upgrades delivers targeted asset renewal and functional upgrades to an existing, heavily utilised Shire-owned facility. The works address identified deficiencies in accessibility and functionality through the installation of retractable seating and the construction of an internal access-compliant ramp, improving flexibility of use, inclusivity and safety. These upgrades will extend the service life of the asset, enhance its capacity to support a broader range of community and cultural activities, and maximise the return on previous investment in the Civic Centre.

The project supports sound asset management principles by prioritising the renewal and modernisation of an existing facility rather than the creation of new assets, thereby reducing longer-term maintenance and operational risks and supporting sustainable infrastructure planning.

Importantly, Stage 2 – Part A of the project is fully funded through external grant funding provided prior to works commencing, ensuring there is no upfront financial exposure to Council. The staged delivery approach allows Council to retain oversight and flexibility in relation to future works.

OFFICER'S RECOMMENDATION PART 1

That Council, by Simple Majority:

1. ***Accept the Lotterywest Arts and Culture Infrastructure Grand funding of \$497,000 for Stage 2 – Part A of the Camel Lane Theatre Upgrades project;***
2. ***Authorise the Chief Executive Officer or the Acting Chief Executive Officer to execute the grant funding agreement and any associate documentation required to give effect to this resolution.***

OFFICER'S RECOMMENDATION PART 2

That Council, by Absolute Majority in accordance with Section 6.8 (1) (b) of the Local Government Act 1995, approves a 2025/26 budget amendment to recognise the Lotterywest grant income and the corresponding capital expenditure of \$497,000 for Stage 2 – Part A of the Camel Lane Theatre Upgrades project.

COUNCIL RESOLUTION OCM 13/01/26

Moved: Cr Marco Ferreira

Seconded: Cr Burke Maslen

That Council, by Simple Majority:

1. ***Accept the Lotterywest Arts and Culture Infrastructure Grand funding of \$497,000 for Stage 2 – Part A of the Camel Lane Theatre Upgrades project;***
2. ***Authorise the Chief Executive Officer or the Acting Chief Executive Officer to execute the grant funding agreement and any associate documentation required to give effect to this resolution.***

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

AGAINST: Nil

ABSENT: Cr PK Kelly

CARRIED BY SIMPLE MAJORITY 7/0

COUNCIL RESOLUTION OCM 14/01/26

Moved: Cr Marco Ferreira

Seconded: Cr Burke Maslen

That Council, by Absolute Majority in accordance with Section 6.8 (1) (b) of the Local Government Act 1995, approves a 2025/26 budget amendment to recognise the Lotterywest grant income and the corresponding capital expenditure of \$497,000 for Stage 2 – Part A of the Camel Lane Theatre Upgrades project.

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

AGAINST: Nil

ABSENT: Cr PK Kelly

CARRIED BY ABSOLUTE MAJORITY 7/0

7.3.4 REVIEW OF FEES AND CHARGES 2025/2026

File No:	ADM0002
Location/Address:	N/A
Name of Applicant:	N/A
Name of Owner:	Shire of Carnarvon
Author(s):	Jamie Bone, A/Executive Manager Lifestyle & Community
Authoriser:	Stephanie Leca, A/Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirement:	Absolute Majority
Previous Report:	24 June 2025
Schedules:	1. Review of Fees and Charges

Authority/Discretion:

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

Summary of Report

This report seeks Council's approval to amend the Schedule of Fees and Charges 2025/2026 to revise the structure of Shire venue hire fees and for paid advertising in the Shire's River to Reef Newsletter.

Background**Shire Venue Fees and Charges:**

The Shire of Carnarvon has recently engaged Space to Co as its preferred supplier for the booking and management of Shire-owned venues and spaces. Space to Co is a platform commonly used within the local government sector and provides an integrated system for managing venue hire bookings.

The implementation of this system reduces administrative requirements associated with venue hire, including the creation of creditors, processing of bookings, invoice generation, bond refunds, and overall booking administration. Space to Co currently provides this service to the Shire of Carnarvon with no ongoing monthly subscription fee, with a percentage of each booking retained by the supplier to cover administrative costs.

The Shire's existing venue fees and charges were originally adopted as lump-sum hire amounts. The Space to Co system requires venue fees to be configured as hourly rates, with minimum and maximum hire periods determined operationally for each venue. To accommodate this requirement, amendments to the Schedule of Fees and Charges are proposed to restructure the existing fees into hourly equivalents.

The proposed amendments, as outlined in Schedule 1, have been calculated using the nearest hourly rate equivalent of the currently approved charges to ensure that the overall fee charged for venue hire remains consistent with the fees adopted by Council and does not result in an increase or decrease to the original approved amounts.

River to Reef Newsletter Advertising:

The Shire of Carnarvon's River to Reef Newsletter continues to experience increased demand from the community, businesses, and local organisations. At the same time, printing and production costs for the publication have increased.

In response to increased demand, businesses and organisations have expressed interest in placing paid advertising within the River to Reef Newsletter. While the Shire currently has advertising fees in place, uptake has been limited due to the existing lump-sum seasonal advertising model. It is therefore proposed that the fees be amended to move to a per-edition advertising rate, providing greater flexibility and accessibility for businesses and organisations. This revised approach establishes a fair and equitable rate structure that supports cost recovery, enables increased print runs, improves distribution within the community, and provides a transparent and consistent framework for advertising opportunities.

Stakeholder and Public Consultation

Shire Venue Fees and Charges: Formal consultation with venue hirers has not been undertaken, as the proposed amendments do not change the level of fees adopted by Council, but instead restructure existing charges to ensure consistency with the requirements of the new booking system. The amendments are administrative in nature and are based on a Council decision to apply a consistent approach to venue bookings.

Community organisations and clubs have commenced transitioning to the new booking system to process venue hire requests, and no issues have been identified through this transition.

River to Reef Newsletter Advertising: Community and business feedback has been informally sourced in response to increasing interest in advertising opportunities within the River to Reef Newsletter. Based on this feedback, it is proposed to amend the advertising fee structure to introduce modest, per-edition advertising fees focused on cost recovery and supporting the ongoing sustainability of the publication.

Statutory Environment

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

There are no notable financial implications arising from the proposed amendments. The restructuring of venue hire fees is expected to improve accessibility to Shire venues and may support increased venue utilisation by removing minimum rate barriers, which may result in minor variations in revenue over time.

The Space to Co booking system applies a 5% commission per booking, which is comparable to existing transaction costs associated with EFTPOS payments and reflects efficiencies gained through reduced staff time and administrative resources previously required to process bookings, invoices, and bond management.

The amendment of advertising fees for the River to Reef Newsletter is intended to support cost recovery and assist in offsetting printing and production costs. The revised per-edition advertising fee structure is designed to improve accessibility and uptake by businesses and organisations, while providing a transparent and consistent framework for advertising within the publication.

Risk Assessment

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

Risk Category	Description	Rating	Mitigating Action/s
Financial	Nil		
Health & Safety	Nil		
Reputation	Potential perception that venue fees have increased due to a change in fee structure.	C-1 Low	Clear communication that fees reflect existing Council-adopted charges and that the amendments are administrative in nature.
Service disruption	Nil		
Compliance	Statutory requirement for Council to endorse and publicly advertise amended fees and charges in accordance with legislative requirements.	D-1 Low	Council endorsement and public advertising of the amended Schedule of Fees and Charges in line with statutory requirements.
Property	Nil		
Environment	Nil		
Fraud	Nil		

Community and Strategic Objectives

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

OBJECTIVES

In 2040 Carnarvon is a place where:

- *Our community is engaged, inclusive and supportive*

ADDITIONAL FOCUS AREAS:

- N/A

BIG IDEAS FOR THE FUTURE OF CARNARVON:

- N/A

Comments

The proposed amendments support ongoing review of operational efficiencies and ensure the Shire's fees and charges remain responsive to community demand and service delivery requirements.

OFFICER'S RECOMMENDATION

That Council, by Absolute Majority, in accordance with Sections 6.16 and 6.19 of the Local Government Act 1995, resolves to:

1. ***Amend the adopted 2025/2026 Schedule of Fees and Charges as outlined in Schedule 1; and***
2. ***Authorise the Chief Executive Officer or Acting Chief Executive Officer to give local public notice of the amended fees and charges, with the changes to take effect from the date specified in that notice.***

COUNCIL RESOLUTION OCM 15/01/26

Moved: Cr Dudley Maslen
Seconded: Cr Marco Ferreirainha

That Council, by Absolute Majority, in accordance with Sections 6.16 and 6.19 of the Local Government Act 1995, resolves to:

- 1. Amend the adopted 2025/2026 Schedule of Fees and Charges as outlined in Schedule 1; and**
- 2. Authorise the Chief Executive Officer or Acting Chief Executive Officer to give local public notice of the amended fees and charges, with the changes to take effect from the date specified in that notice.**

FOR: Mr Eddie Smith, Cr Burke Maslen, Cr Marco Ferreirainha, Cr Luke Skender, Cr Dudley Maslen, Cr Mark Young and Cr Merome Beard
AGAINST: Nil
ABSENT: Cr PK Kelly

CARRIED BY ABSOLUTE MAJORITY 7/0

7.3.5 POLICY ADOPTION - AUSTRALIA DAY EVENTS POLICY

File No:	ADM1986
Location/Address:	3 Francis Street, Carnarvon
Name of Applicant:	Shire of Carnarvon
Name of Owner:	Shire of Carnarvon
Author(s):	Jamie Bone, A/ Executive Manager Lifestyle & Community
Authoriser:	Stephanie Leca, A/Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirement:	Absolute Majority
Previous Report:	Nil
Schedules:	1. Australia Day Policy

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

This report presents the draft Australia Day Events Policy for Council consideration and adoption. The policy establishes Council's position in relation to the timing and naming for the Shire's official Australia Day events and provides guidance for the planning, promotion and delivery of Shire led events

Background

The Shire of Carnarvon has traditionally hosted an official Australia Day event on 26 January.

In preparation for the 2026 event, Council requested that a formal policy be developed to clearly articulate Council's position regarding the Shire's Australia Day events, including that they be held on Australia Day and referred to as "Australia Day" in official communications.

The draft Australia Day Events Policy has been prepared in response to this request to provide clarity and consistency for Council, the community and Shire administration.

Stakeholder and Public Consultation

- Internal consultation
- Council Agenda Briefing held 20 January 2026

Statutory Environment***Local Government Act 1995(WA)***

- *Section 3.18 – Performing executive functions (including provision of services and facilities).*

Relevant Plans and Policy

- Strategic Community Plan
- Corporate Business Plan
- Reconciliation Action Plan
- Policy EME022 Civic Functions and Hospitality
- Policy EME027 Acknowledgement of the Traditional Owners
- Policy EME031 Shire Social Media
- Police EME034 Communication
- Policy CD003 Australia Day Awards
- Policy CD009 Community Engagement
- Policy EME025 Reference Groups

Financial Implications

No additional financial implications arise from adoption of the policy. The Shire's Australia Day events will continue to be delivered within approved budgets.

Risk Assessment

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

Risk Category	Description	Rating	Mitigating Action/s
Financial	Nil	D1 - Low	Delivered within existing budgets
Health & Safety	Event related risks	C1 – Low	Existing event planning and WHS controls
Reputation	Potential for differing community views regarding Australia Day	C2 - Moderate	<ul style="list-style-type: none"> • Clear Council policy position • Consistent communications
Service disruption	N/A	N/A	N/A
Compliance	Risk of inconsistent practice and messaging without an adopted policy	C1 - Low	<ul style="list-style-type: none"> • Adopt policy
Property	N/A	N/A	N/A
Environment	N/A	N/A	N/A
Fraud	N/A	N/A	N/A

Community and Strategic Objectives

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

OBJECTIVES

In 2040 Carnarvon is a place where:

- *Our community acknowledges our history and celebrates our diverse cultures*

ADDITIONAL FOCUS AREAS:

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

BIG IDEAS FOR THE FUTURE OF CARNARVON:

- *N/A*

Comments

The proposed Australia Day Events Policy provides clarity regarding Council's position on the Shire's official Australia Day events.

The policy establishes a consistent framework for the planning, promotion and delivery of Shire-led events and supports clear communication with the community.

In considering this matter, Council may determine its preferred approach to the adoption of the policy, including whether adoption should occur at this time or following further community engagement.

Option One – Adopt the Policy

Council may choose to adopt the Australia Day Events Policy as presented, establishing Council's position on the Shire's official Australia Day events.

Option Two – Defer Adoption for Further Engagement

Council may choose to defer adoption of the Australia Day Events Policy and request further community engagement to inform Council's consideration prior to adoption.

OFFICER'S RECOMMENDATION***Option One: That Council:***

1. *Adopt the Australia Day Events Policy as presented.*

Option Two: That Council:

1. *Defer adoption of the Australia Day Events Policy; and*
2. *Request the Chief Executive Officer to undertake further community engagement and report back to Council to inform consideration of the policy.*

COUNCIL RESOLUTION OCM 16/01/26

Moved: Cr Luke Skender

Seconded: Cr Marco Ferreira

That Council defer adoption of the Australia Day Events Policy to the February 2026 Council Meeting.

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

Cr Mark Young and Cr Merome Beard

AGAINST: Nil

ABSENT: Crs PK Kelly

CARRIED BY SIMPLE MAJORITY 7/0

Note to Minute: Council felt that further discussion and consideration needs to be given to the proposed policy prior to adoption.

7.4 INFRASTRUCTURE SERVICES

7.4.1 AWARD OF TENDER RFT03/2025 VAN DONGEN PARK STAGE ONE - LANDSCAPING AND CONSTRUCTION

File No: ADM2278
Location/Address: Van Dongen Park, Cnr Olivia Tce & Robinson St, Carnarvon
Name of Applicant: Shire of Carnarvon
Name of Owner: Shire of Carnarvon
Author(s): Peta Greening, Project Manager
Mark Davis, Project Manager
Authoriser: Stephanie Leca, Executive Manager Lifestyle & Community
Declaration of Interest: Nil
Voting Requirement: Simple Majority
Previous Report: Nil
Schedules: 1. Attachment 1 - Evaluation Report - Confidential

Authority/Discretion:

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

Summary of Report

This report details Request for Tender (RFT) 03/2025 Van Dongen Park Stage One – Landscaping and Construction.

It is recommended Council does not accept the submission received for this tender, and pending endorsement to this effect notes that officers will commence investigations and due diligence on alternative strategies to deliver this project within available budget.

Background

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

featuring new public spaces, walking trails and event facilities. The Van Dongen Park project forms part of the endorsed CAP.

Van Dongen Park is set to become one of Carnarvon's most exciting public spaces, transforming the town's entryway into an inviting and vibrant community hub.

A destination park focusing on iconic play equipment at an important Carnarvon gateway, the park is designed to include an iconic play zone with bespoke equipment, shaded areas with seating, landscaping and nature play and public art.

Van Dongen Park emerged as a flagship project, securing significant investment to turn this vision into reality.

Key community priorities identified in the development of the park included:

- More shaded areas for relaxation and family gatherings.
- Functional public art and playground.
- Better safety measures, including improved lighting and accessibility.
- A stronger connection to Carnarvon's identity, celebrating its Food Bowl through landscaping and public art.

Following community consultation and council engagement, detailed design for the upgrade to Van Dongen Park was developed across two stages.

This scope of works is to support the delivery of Stage One only, with the Stage Two upgrade to the park currently in detailed design.

The Stage Two design will include the inclusion of toilet and car parking facilities – and consider indicative costings to ensure infrastructure is delivered within available budget from RPPP funding.

Stakeholder and Public Consultation

Communication has been underway since the early design phase of this project. This has included stakeholder engagement with key interest groups and agencies, in addition to social media posts, community newsletter articles and project updates on the Shire's website.

Statutory Environment

Local Government Act, 1995 – Section 3.57:

3.57. Tenders for providing goods or services

(1) A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.

(2) Regulations may make provisions about tenders.

Local Government Act, 1995 – Section 3.18:

3.18. Performing executive functions

(1) A local government is to administer its local laws and may do all other things that are necessary or convenient to be done for, or in connection with, performing its functions under this Act.

(2) In performing its executive functions, a local government may provide services and facilities. (3) A local government is to satisfy itself that services and facilities that it provides –

(a) integrate and coordinate, so far as practicable, with any provided by the Commonwealth, the State or any public body; and

b) do not duplicate, to an extent that the local government considers inappropriate, services or facilities provided by the Commonwealth, the State or any other body or person, whether public or private; and
 (c) are managed efficiently and effectively

Local Government Act, 1995 – Section 5.42 5.42:

Delegation of some powers and duties to CEO

(1) A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under –

(a) this Act other than those referred to in section 5.43; or
 (b) the Planning and Development Act 2005 section 214 (2), (3) or (5).

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

[Section 5.42 amended: No. 1 of 1998 s. 13; No. 28 of 2010 s. 70.]

Relevant Plans and Policy

CF001 – Purchasing and Procurement Policy

Carnarvon Activation Plan (endorsed by Council 12 December 2023)

Financial Implications

There is no direct financial implication associated with the officers' recommendation to not proceed. Proceeding with the tenderer's offer is not deemed feasible, as the Shire does not have sufficient budget to allow for the delivery.

Funding towards this project has been identified as being allocated from grant funding received as part of the Community Infrastructure grant from Lotterywest, in addition to funding allocation from the Regional Precincts and Partnerships Program (RPPP) funding agreement.

Risk Assessment

STEP 3 – Risk Tolerance Chart Used to Determine Risk						
Consequence	Insignificant 1	Minor 2	Major 3	Critical 4	Extreme 5	
Likelihood	A	High	High	Extreme	Extreme	Extreme
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	Project cost exceeding the available budget if Tender is accepted.	A3 - extreme	Not accept the Tender submission. Review/reduce scope of works, prepare design, re-tender the works.
Health & Safety	N/A		

Reputation	Tenderer uncertainty regarding reasoning for the decision.	D2 - moderate	Provide a reasonable level of feedback.
Service disruption	N/A		
Compliance	Ability to meet Lotterywest and RPPP Funding Agreement timelines	C3 - high	Strategic Project team to manage and monitor all projects within Lotterywest and RPPP to ensure timelines are managed and reported on accordingly.
Property	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*
- N/A

ADDITIONAL FOCUS AREAS:

- N/A

BIG IDEAS FOR THE FUTURE OF CARNARVON:

- N/A

Comments

This project was advertised through a public tender process. One submission was received and assessed as a compliant tender.

Assessment was undertaken by an internal evaluation panel.

The Panel noted the following in respect of arriving at its recommendation to not accept the tender submission received:

- a) Available budget will not allow for completion of entire current scope of works.
- b) Value for money is difficult to interpret with only one submission received, however this was not a disqualifying factor on its own.
- c) The price provided provides little opportunity to negotiate or value manage using the tenderer's submission.

The evaluation report is attached as **Schedule 1** to this report.

OFFICER'S RECOMMENDATION

That Council by Simple Majority pursuant to Section 3.57 of the Local Government Act, 1995 and Part 4 of the Local Government (Functions and General) Regulations 1996, resolves to not accept the submission received for Request for Tender 03-2025 Van Dongen Park Stage One Landscaping and Construction.

COUNCIL RESOLUTION OCM 17/01/26

Moved: Cr Burke Maslen

Seconded: Cr Marco Ferreirinha

That Council by Simple Majority pursuant to Section 3.57 of the Local Government Act, 1995 and Part 4 of the Local Government (Functions and General) Regulations 1996, resolves to not accept the submission received for Request for Tender 03-2025 Van Dongen Park Stage One Landscaping and Construction.

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

AGAINST: Nil

ABSENT: Cr PK Kelly

CARRIED BY SIMPLE MAJORITY 7/0

8 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

9 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

10 QUESTIONS FROM MEMBERS WITHOUT NOTICE

Cr Dudley Maslen wished to express his appreciation and commend the Shire staff and volunteers for the exceptional work they did in once again providing a very successful Australia Day function at the Yacht Club. There has been very positive feedback from the community and wished to congratulate all concerned on their efforts.

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

Nil

12 MATTERS FOR WHICH MEETING TO BE CLOSED TO MEMBERS OF THE PUBLIC**COUNCIL RESOLUTION OCM 18/01/26**

Moved: Cr Luke Skender

Seconded: Cr Burke Maslen

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 RFQ 08/2024 - PROVISION OF ENGINEERING SERVICES, SUPERVISION AND ADMINISTRATIVE SUPPORT FOR AGRN1118 - ACCEPTANCE OF QUOTE

This matter is considered to be confidential under Section 5.23(2) - (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 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 Dudley Maslen, Cr Mark Young and Cr Merome Beard

AGAINST: Nil

ABSENT: Cr PK Kelly

CARRIED BY SIMPLE MAJORITY 7/0

12.1 RFQ 08/2024 - PROVISION OF ENGINEERING SERVICES, SUPERVISION AND ADMINISTRATIVE SUPPORT FOR AGRN1118 - ACCEPTANCE OF QUOTE

OFFICER'S RECOMMENDATION PART 1

That Council by Absolute Majority and pursuant to Section 6.8 of the Local Government Act, 1995 approves the use of \$231,000 in unallocated Roads to Recovery funding to meet the Shire's co-contribution for this project under the Disaster Recovery Funding Arrangements Western Australia (DRFAWA) program.

OFFICER'S RECOMMENDATION PART 2

That Council by Simple Majority:

- 1. Pursuant to Section 3.57 of the Local Government Act, 1995 resolves to accept the submission and schedule of rates recommended in Confidential Schedule 1 from Greenfield Technical Services for RFQ 08/2024 – Provision of Engineering Services, Supervision and Administrative Support and acknowledges the updated estimate of \$370,000 noting that the scope has not changed, only the duration of the contract.*
- 2. Pursuant to Section 3.18 of the Local Government Act 1995, authorises the CEO to make any necessary non-material amendments pertaining to the contract between the Shire of Carnarvon and Greenfield Technical Services for RFQ 08/2024 Provision of Engineering Services, Supervision and Administrative Support.*

COUNCIL RESOLUTION OCM 19/01/26

Moved: Cr Burke Maslen

Seconded: Cr Marco Ferreira

OFFICER'S RECOMMENDATION PART 1

That Council by Absolute Majority and pursuant to Section 6.8 of the Local Government Act, 1995 approves the use of \$231,000 in unallocated Roads to Recovery funding to meet the Shire's co-contribution for this project under the Disaster Recovery Funding Arrangements Western Australia (DRFAWA) program.

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

AGAINST: Nil

ABSENT: Cr PK Kelly

CARRIED BY ABSOLUTE MAJORITY 7/0

MOTION**COUNCIL RESOLUTION OCM 20/01/26**

Moved: Cr Burke Maslen

Seconded: Cr Marco Ferreirinha

OFFICER'S RECOMMENDATION PART 2

That Council by Simple Majority:

- 1. Pursuant to Section 3.57 of the Local Government Act, 1995 resolves to accept the submission and schedule of rates recommended in Confidential Schedule 1 from Greenfield Technical Services for RFQ 08/2024 – Provision of Engineering Services, Supervision and Administrative Support and acknowledges the updated estimate of \$370,000 noting that the scope has not changed, only the duration of the contract.*
- 2. Pursuant to Section 3.18 of the Local Government Act 1995, authorises the CEO to make any necessary non-material amendments pertaining to the contract between the Shire of Carnarvon and Greenfield Technical Services for RFQ 08/2024 Provision of Engineering Services, Supervision and Administrative Support.*

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

AGAINST: Nil

ABSENT: Crs PK Kelly

CARRIED BY SIMPLE MAJORITY 7/0

COUNCIL RESOLUTION OCM 21/01/26

Moved: Cr Luke Skender

Seconded: Cr Burke Maslen

That the meeting be reopened to the public at 11.24am

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

AGAINST: Nil

ABSENT: Cr PK Kelly

CARRIED BY SIMPLE MAJORITY 7/0

13 DATE OF NEXT MEETING

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

14 CLOSURE

The Presiding Member declared the meeting closed at 11.23am.