



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



SHIRE OF CARNARVON
AGENDA
ORDINARY COUNCIL MEETING
TUESDAY 28 APRIL 2026

Shire Council Chambers,
Stuart Street Carnarvon,
West Australia
Phone: (08) 9941 000
Fax: (08) 9941 1099
Website – www.carnarvon.wa.gov.au

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

NOTICE OF MEETING

Notice is hereby given

Shire of Carnarvon
Ordinary Council Meeting
will be held
on Tuesday 28 April 2026
at the Shire Council Chambers, Stuart Street
Carnarvon,
commencing at 10.00am.

Amanda Dexter
CHIEF EXECUTIVE OFFICER

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.

INFORMATION ON PUBLIC QUESTION TIME

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

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

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

Local Government (Administration) Regulations 1996 – Pt 2, r.11 – (in part reads -)
11. Minutes, content of (Act s.5.25(1)(f))

*The content of minutes of a meeting of a council or a committee is to include –
(e) a summary of each question raised by members of the public at the meeting and a summary of the response to the question.*

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

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

SPECIAL MEETINGS OF COUNCIL

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

INDEX

1	ATTENDANCES, APOLOGIES & APPROVED LEAVE OF ABSENCE	6
2	DECLARATION OF INTEREST	6
3	PUBLIC QUESTION TIME	6
3.1	QUESTIONS TAKEN ON NOTICE FROM PREVIOUS MEETING	7
3.1.1	Question taken on Notice from March 2026 Ordinary Council Meeting - Mr David Gooch	7
3.2	PUBLIC QUESTION TIME	9
4	CONFIRMATION AND RECEIVING OF MINUTES.....	9
	CONFIRMATION OF MINUTES	9
4.1	Minutes of the Ordinary Council Meeting - 24 March 2026.....	9
4.2	Minutes of the Special Council Meeting - 15 April 2026.....	9
	RECEIVING OF MINUTES	9
4.3	Minutes of the Audit, Risk & improvement Committee - 21 April 2026	9
5	ANNOUNCEMENTS BY THE PRESIDENT WITHOUT DISCUSSION.....	9
6	PRESENTATIONS, PETITIONS AND MEMORIALS.....	10
6.1	Telstra Presentation	10
6.2	WACHS - March Update	10
7	DEPARTMENTAL REPORTS	11
7.1	GOVERNANCE.....	11
7.1.1	Status of Council Decisions - April 2026.....	11
7.1.2	Actions Performed Under Delegated Authority for the Months March and April 2026	14
7.1.3	Delegation of Authority – Issue and Revocation of Building Orders	20
7.1.4	Review of Horticultural Tip Amnesty	24
7.1.5	Award of Tender - RFT 04/2025 - Minilya/Lyndon Road Grid Replacement	29
7.2	CORPORATE SERVICES.....	33
7.2.1	Monthly Financial Report March 2026.....	33
7.2.2	Accounts Paid Under Delegation - March 2026.....	41
7.3	DEVELOPMENT AND COMMUNITY SERVICES	45
7.3.1	Shire of Carnarvon Local Planning Scheme Amendment 14 - Short Term Rental Accommodation (STRA).....	45
7.3.2	Coral Bay Precinct Structure Plan - Community Engagement Plan.....	54

7.3.3	Award of Tender RFT 01/2026 Van Dongen Park Stage One - Landscaping and Construction	58
7.3.4	Gascoyne Regional Arts Plan	65
7.4	INFRASTRUCTURE SERVICES.....	71
	Nil	
8	APPLICATIONS FOR LEAVE OF ABSENCE	71
9	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	71
	Nil	
10	QUESTIONS FROM MEMBERS WITHOUT NOTICE.....	71
11	URGENT BUSINESS APPROVED BY THE PRESIDING MEMBER OR BY A DECISION OF THE COUNCIL.....	71
12	MATTERS FOR WHICH MEETING TO BE CLOSED TO MEMBERS OF THE PUBLIC	71
	Nil	
13	DATE OF NEXT MEETING	71
14	CLOSURE	71

1 ATTENDANCES, APOLOGIES & APPROVED LEAVE OF ABSENCE

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

2 DECLARATION OF INTEREST

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

3 PUBLIC QUESTION TIME

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

3.1 QUESTIONS TAKEN ON NOTICE FROM PREVIOUS MEETING

3.1.1 QUESTION TAKEN ON NOTICE FROM MARCH 2026 ORDINARY COUNCIL MEETING - MR DAVID GOOCH

The following questions were taken on notice from David Gooch at the Ordinary Council meeting held on Tuesday 24 March 2026. It is to be noted, all three questions submitted by Mr Gooch were taken on Notice by Shire President, Eddie Smith and appear in the minutes of that meeting.

Question 1

“How many employees were employed by the Carnarvon Shire on the 23 February 2026 in the field, in the office, and the total number?”

Response

Referring to the number of employees who were employed with the Shire of Carnarvon on 23 February 2026.

A total of three employees commenced employment with the Shire, comprising:

- *Two field-based employees, and*
- *One office-based employee.*

No other employees commenced employment with the Shire on that date.

Question 2

“The number of employees employed by the Carnarvon Shire whose position is fully funded by external grants as at 23 February 2026?”

Response

As at 23 February 2026, a total of 22 employees were employed by the Shire of Carnarvon in positions that were fully funded through external grant programs.

Question 3

“My question 3 at the last Council Meeting has not been answered satisfactorily and I therefore will ask again and please note that I have not asked for any individual’s information just the number of employees that have left the Carnarvon Shire between the 1 September 2024 and 23 February 2026 (18 months) have had to sign a “Non Disclosure” Document/Contract/Agreement and how much money has been paid out by the Shire for these?”

Response

Response – The response provided at the previous Council Meeting remains the Shire’s position.

There is risk that releasing this type of information may give rise to speculation or assumptions about former employees, which may be inaccurate and could unfairly impact their reputation and wellbeing.

Accordingly, the Shire does not disclose information relating to the number of employees subject to confidentiality provisions, nor any associated financial details, beyond what is required through statutory financial reporting and audit processes.

All employee separations, and any associated payments, continue to be managed in accordance with contractual entitlements, applicable legislation, and within the budget adopted by Council.

3.2 PUBLIC QUESTION TIME

4 CONFIRMATION AND RECEIVING OF MINUTES

CONFIRMATION OF MINUTES

4.1 Minutes of the Ordinary Council Meeting - 24 March 2026

4.2 Minutes of the Special Council Meeting - 15 April 2026

RECEIVING OF MINUTES

4.3 Minutes of the Audit, Risk & improvement Committee - 21 April 2026

5 ANNOUNCEMENTS BY THE PRESIDENT WITHOUT DISCUSSION

6 PRESENTATIONS, PETITIONS AND MEMORIALS

6.1 TELSTRA PRESENTATION

Telstra Regional Engagement Manager, Ms Eva Colic, will present to Council at the 28 April 2026 OCM.

Presentation topics previously outlined to the Shire include:

- Mobile network operations – overview of how mobile networks function.
- Co-investment programs – Telstra’s participation in State and Federal funding programs.
- Satellite-to-mobile integration – emerging capabilities and applications
- Network resilience – approaches to strengthening telecommunications infrastructure.
- Community event connectivity – options for providing additional capacity during major events.

6.2 WACHS - MARCH UPDATE

Tiffanie Rushton, District Director, WA Country Health Service – Carnarvon Health Campus (in person) and Liz Kelly (Electronic) will provide Council with a presentation on the 2026 Health Service updates.

WACHS to provide an update on:

- WACHS’ Yearly Outlook
- Service Continuity
- Trends/Issues/Concerns
- Health Maternity Progress

7 DEPARTMENTAL REPORTS

7.1 GOVERNANCE

7.1.1 STATUS OF COUNCIL DECISIONS - APRIL 2026

File No:	ADM0308
Location/Address:	Nil
Name of Applicant:	Nil
Name of Owner:	Nil
Author(s):	Jasper Benthien, Executive Services Coordinator
Authoriser:	Amanda Dexter, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirement:	Simple Majority
Previous Report:	OCM - 24 March 2026
Schedules:	1. Outstanding Council Actions - April 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 current status of actions arising from Council decisions made at Ordinary Council Meetings, as part of the Shire’s ongoing monthly reporting framework.

The status of outstanding Council resolutions as at 23 April 2026 is detailed in **Schedule 1** which is provided for Council’s information.

Background

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

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

Stakeholder and Public Consultation

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

Statutory Environment

Nil

Relevant Plans and Policy

Nil

Financial Implications

Nil

Risk Assessment

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

Risk Category	Description	Rating	Mitigating Action/s
Financial	N/A	N/A	N/A
Health & Safety	N/A	N/A	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	N/A	N/A
Compliance	N/A	N/A	N/A
Property	N/A	N/A	N/A
Environment	N/A	N/A	N/A
Fraud	N/A	N/A	N/A

Community and Strategic Objectives

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 by Simple Majority, notes the Status of Council Decisions Report for the month of April 2026, as provided in Schedule 1 to this report.

7.1.2 ACTIONS PERFORMED UNDER DELEGATED AUTHORITY FOR THE MONTHS MARCH AND APRIL 2026

File No:	ADM0043
Location/Address:	N/A
Name of Applicant:	Shire of Carnarvon
Name of Owner:	N/A
Author(s):	Jasper Benthien, Executive Services Coordinator
Authoriser:	Amanda Dexter, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirement:	Simple Majority
Previous Report:	March 2026
Schedules:	Nil

Authority/Discretion:

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

Summary of Item

To report on actions performed under delegated authority for the months of March and April 2026.

Background

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

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

Stakeholder and Public Consultation

No Public Consultation is considered to be required.

Statutory Environment**Local Government Act 1995 (WA)****Section 5.46 – Delegation of some powers and duties**

5.46. Delegation of some powers and duties

(1) A local government may delegate to a committee the exercise of any of its powers or the discharge of any of its duties under this Act other than those referred to in section 5.43.

(3) A local government must review all delegations made under this section at least once in every financial year.

Section 9.49A – Execution of documents

9.49A. Execution of documents

A local government may, by resolution, authorise the CEO or another employee of the local government to sign documents on behalf of the local government, either generally or subject to conditions or restrictions specified in the authorisation.

Planning and Development Act 2005 (WA)**Part 10 – Development approval**

Part 10, Division 2 provides for the assessment and determination of development applications by a local government, including where those functions are exercised under delegated authority in accordance with an adopted local planning scheme and Council delegations.

Planning and Development Act (Local Planning Schemes) Regulations 2015 (WA)**Schedule 2 – Deemed provisions****Clause 68 – Development approval**

68. An application for development approval is to be determined by the local government in accordance with the deemed provisions, including where authority has been delegated to an authorised officer.

Shire of Carnarvon Town Planning Scheme No. 10**Section 2.4 – Delegations**

2.4. Delegations

The local government may delegate to the CEO or another authorised officer any of its functions under this Scheme, subject to the limitations set out in the Scheme and any resolution of Council.

Shire of Carnarvon Local Government Act Local Laws**Section 29 – Hawkers, traders and stall holders**

29. Hawkers, traders and stall holders

A person must not act as a hawker, trader or stall holder unless authorised in accordance with this local law, and the local government may grant, refuse or impose conditions on such approvals.

Health Act 1911 (WA)**Section 107 – Powers of local government**

107. A local government may exercise powers and perform duties under this Act in relation to public health matters, including the approval and regulation of activities and premises affecting public health.

Part VI – Public buildings

Part VI provides for the regulation, approval and control of public buildings, including requirements relating to certificates of approval and conditions of occupancy.

Health (Public Buildings) Regulations 1992 (WA)

The Health (Public Buildings) Regulations 1992 prescribe requirements relating to the approval, classification, maximum occupancy, and ongoing compliance of public buildings.

Food Act 2008 (WA)

The Food Act 2008 provides for the registration, regulation and control of food businesses by enforcement agencies, including local governments exercising delegated authority.

Liquor Control Act 1988 (WA)

Section 40 – Certificate from local government

40. A local government may provide a certificate or advice as to whether a proposed application under this Act complies with the applicable local planning scheme or local government requirements.

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	N/A	N/A
Health & Safety	N/A	N/A	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	N/A	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	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 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 March and April 2026 are submitted to Council for information.

ENVIRONMENTAL HEALTH

Food—Food Act 2008

Date of decision	Decision Ref.	Decision details	Applicant	Other affected person(s)
20/3/26	HFH26/001	Certificate of Registration of a Food Business (horticulture)	4Ways Fresh	Phuong Truong
30/3/26	HFO26/002	Certificate of Registration of a Food Business	Coral Bay Bakery now trading as P & S Bakery Pty Ltd	Peter and Sam Young
1/4/26	HFO26/003	Certificate of Registration of a Food Business	Shire of Carnarvon	Woolshed Kiosk and Kitchen

Public Building - Health Act 1911, s.178 (1)

Date of decision	Decision Ref.	Decision details	Applicant	Other affected person(s)
24/03/26	HPB26/001	Certificate of Approval - Public Building - Max Occupancy 1520	Carnarvon Race Club	

LAND USE & DEVELOPMENT SERVICES

**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
A3828	P65/25	3B ILLINGWORTH STREET SOUTH CARNARVON	SHORT TERM RESIDENTIAL ACCOMMODATION (STRA)	MIMI FONG	24/02/2026
A1495	P05/26	1042 NORTH WEST COASTAL HWY BROWN RANGE WA 6701	EXTENSION OF EXISTING CARAVAN PARK (ADDITIONAL CHALETS)	HALSALL & ASSOCIATES	04/03/2026

**LIQUOR CONTROL ACT 1988 - SECTION 40
Certificate of Local Planning Authority**

File Ref:	Subject Land	Purpose	Applicant/ Proponent	Advice Given	Advice Sent
A2718	2 & 14A ROBINSON ST, CORAL BAY	REDEFINING THE LICENSED AREA SO THAT IT REFLECTS THE REVISED DEVELOPMENT FOOTPRINT OF THE NINGALOO REEF RESORT.	LAVAN ON BEHALF OF RAC TOURISM ASSESTS PTY LTD	CERTIFICATION THAT PROPOSAL COMPLIES WITH LOCAL PLANNING SCHEME 13	19/02/2026

Hawkers, traders and stall holders

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

Date of decision	Decision Ref.	Decision details	Applicant	Other affected person(s)
12/02/2026	P07/26	Mobile food business approved	Callan Wheeldon	“Runnin Roasts”

BUILDING SERVICES

Application No.	Owners Name	Lot & Street	Type of Building Work
B25/032	CAMERON HOLLA	LOT 506 (57) SHALLCROSS ST, EAST CARNARVON	SOLAR PANELS
B25/083	MARIJA ALAGA	LOT 242 (131) MCGLADES ROAD, NORTH PLANTATIONS	SOLAR PANELS
B25/089	JK FARRELL TRUST	LOT 10 (10) MARLIN COURT, CORAL BAY	DWELLING WITH SHED
B26/006	RICHARD COLE	LOT 12 (8) WILLESEE ST, MORGANTOWN	RE-ROOF
B26/007	SHIRE OF CARNARVON – LEASE: GASCOYNE GYMNASTICS CLUB	LOT 1286 (5) SHALLCROSS ST, EAST CARNARVON	GYMNASIUM
B26/008	BARRY NELSON	LOT 979 (3) NELSON ST, BROCKMAN	FENCE
B26/009	BRUCE MUNRO	LOT 11 (490) SOUTH RIVER ROAD, SOUTH PLANTATIONS	WATER TANK
B26/011	CANDACE PRERAD & CHRISTOPHER MILLSON	LOT 13 (11) STUART ST, CARNARVON	SOLAR PANELS
B26/012	JOEL PAUL DONDA	LOT 36 (32) BUTCHER STREET, MORGANTOWN	BOUNDARY FENCE
B26/014	CHERYL GOODYEAR	LOT 713 (146) CARNARVON ROAD, SOUTH CARNARVON	BOUNDARY FENCE
B26/015	STEPHANIE EDWARDS	LOT 943 (4) HUBBLE ST, SOUTH CARNARVON	BOUNDARY FENCE
B26/018	PAUL JOHN & WILMA PORTER & ADELAIDE AGOSTINA & ANGELO ANDREOLI	LOT 231 (41) WISE ST, EAST CARNARVON	TRANSPORTABLE BUILDING
B26/019	BRUCE RUDGE & HELEN MCLEOD-RUDGE	LOT 732 (68) WHITLOCK ST, SOUTH CARNARVON	SHED
B26/020	SHIRE OF CARNARVON	LOT 1231 (19) ANNEAR PLACE, BABBAGE ISLAND	TRAMWAY WALK SIGNAGE - NODE 1 – SIGNAGE

OFFICER'S RECOMMENDATION

That Council, by Simple Majority, resolves to accept the reports outlining the actions performed under delegated authority for the months of March and April 2026.

7.1.3 DELEGATION OF AUTHORITY – ISSUE AND REVOCATION OF BUILDING ORDERS

File No:	ADM0043
Location/Address:	N/A
Name of Applicant:	N/A
Name of Owner:	N/A
Author(s):	Jasper Benthien, Executive Services Coordinator
Authoriser:	Amanda Dexter, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirement:	Simple Majority
Previous Report:	N/A
Schedules:	1. Building Order Delegation

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 seeks Council approval to delegate to the Chief Executive Officer the authority to issue and revoke Building Orders under the Building Act 2011.

This delegation is required to support the effective administration of statutory building compliance and enforcement functions.

For Council's reference, the previous Building Order Delegation is attached as **Schedule 1**.

Background

The Shire of Carnarvon exercises statutory responsibilities under the Building Act 2011, including the authority to issue and revoke Building Orders where necessary to address building non-compliance and protect public safety.

Historically, this authority was held by the Chief Executive Officer. Following organisational changes and subsequent updates to the Delegation Register over time, the delegation is not currently assigned to an active officer within the adopted Register.

As the 'Issue and Revocation of Building Orders' is a distinct statutory enforcement power, formal delegation by Council is required to ensure the authority is clearly delegated to the appropriate officer.

Council approval is therefore sought to formally assign the function to the current Chief Executive Officer, maintaining continuity of statutory decision-making, clear accountability, and effective administration of building compliance and enforcement matters.

Stakeholder and Public Consultation

No public consultation is considered to be required on this occasion.

Statutory Environment

Local Government Act 1995 (WA)

Section 5.42 – Delegation of powers and duties

5.42. Delegation of powers and duties

(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 this Act, other than those referred to in section 5.43.

(2) A delegation under this section is to be in writing and may be general or limited, and is to contain such conditions as are specified by the local government.

(3) A delegation under this section may be revoked or varied at any time.

Building Act 2011 (WA)

Section 127 – Building orders

127. Building orders

A permit authority may issue a building order requiring a person to carry out, stop, or refrain from carrying out specified building work, or to do any other thing necessary to ensure compliance with this Act or to address building non-compliance or safety risks.

Section 110 – Functions of permit authority

110. Functions of permit authority

A permit authority has the functions conferred on it under this Act in relation to the administration, enforcement and compliance of building standards, permits and approvals.

Section 117 – Enforcement powers

117. Enforcement

A permit authority may take enforcement action in accordance with this Act to ensure compliance with building standards, approvals, and statutory requirements.

Building Regulations 2012 (WA)

The Building Regulations 2012 prescribe matters relating to the administration and enforcement of the Building Act 2011, including procedural requirements associated with building compliance and enforcement actions.

Relevant Plans and Policy

Nil

Financial Implications

There are no financial implications associated with this report.

Risk Assessment

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

Risk Category	Description	Rating	Mitigating Action/s
Financial	Nil	N/A	Nil
Health & Safety	Nil	N/A	Nil
Reputation	Potential perception of poor governance if statutory delegations are not maintained	Low	Reinstatement of delegation
Service disruption	Delay in issuing or revoking Building Orders if Council is required to determine matters directly	High	Delegate authority to the CEO to enable timely statutory action
Compliance	Inability to efficiently exercise statutory powers under the Building Act 2011	High	Delegate authority under s.5.42 of the Local Government Act 1995
Property	Potential delays to compliance action affecting buildings or structures	Low	Delegation to CEO
Environment	Nil	N/A	Nil
Fraud	Nil	N/A	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:

- N/A

ADDITIONAL FOCUS AREAS:

- N/A

BIG IDEAS FOR THE FUTURE OF CARNARVON:

- N/A

Comments

The current Delegation Register includes a range of delegations under the Building Act 2011 relating to permits, approvals and administrative functions. The authority to 'Issue and revoke Building Orders' is a separate statutory enforcement power and requires specific delegation by Council.

Formal delegation of this function to the Chief Executive Officer will ensure that statutory decision-making authority is clearly aligned with executive responsibility and that building compliance matters can continue to be administered efficiently and in accordance with legislative requirements.

This report provides Council with the opportunity to formalise that authority within the current governance framework.

OFFICER'S RECOMMENDATION

That Council, by Simple Majority, pursuant to section 5.42 of the Local Government Act 1995, delegates to the Chief Executive Officer the authority of the 'Issue and Revocation of Building Orders' under the Building Act 2011.

7.1.4 REVIEW OF HORTICULTURAL TIP AMNESTY

File No:	ADM0002
Location/Address:	N/A
Name of Applicant:	Shire of Carnarvon
Name of Owner:	N/A
Author(s):	Amanda Leighton, Executive Manager, Corporate Strategy & Performance
Authoriser:	Amanda Dexter, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirement:	Simple Majority
Previous Report:	OCM26/08/2025 OCM25/11/2025
Schedules:	Nil

Authority/Discretion:

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

Summary of Report

This report provides Council with an overview of the outcomes of the Brown Range Tip Amnesty Program, including participation rates, waste volumes, financial impacts, and key observations. The report is presented to inform Council’s consideration of future waste management initiatives and to support decision-making as part of the 2026/2027 budget process.

Background

Council previously resolved in November 2025 (OCM 09/11/25) to implement a Tip Amnesty Program to support the disposal of Horticultural Production Generated Waste, with the intent of providing a three-month period for eligible plantation growers to access the Brown Range Waste Facility.

A total of 184 properties were identified as eligible to participate in the program. Each eligible property was permitted to apply for up to two (2) passes to access the facility.

The program aimed to:

- Support plantation growers in managing accumulated waste;
- Reduce environmental and fire risk;
- Encourage compliance with appropriate waste disposal practices; and
- Provide data to inform future waste management strategies.

Stakeholder and Public Consultation

Internal

OCM 25 November 2025: Deputy President Burke Maslen, Cr Luke Skender, Cr Paul Kelly, Cr Mark Young and Cr Merome Beard

External

The Shire undertook a range of communication and engagement activities to promote the Tip Amnesty Program and ensure eligible stakeholders were informed of the opportunity.

These included:

Direct stakeholder engagement:

Email issued to the Carnarvon Growers Association on 19 November 2025 advising of the program.

Digital communications:

Multiple Facebook posts published on:

- 26 November 2025
- 3 December 2025
- 12 December 2025
- 30 December 2025
- 3 December 2025
- 12 December 2025
- 22 December 2025
- 9 January 2026
- 27 February 2026

Shire website updated on 19 November 2025, including:

- Updates to the “Rubbish Tip & Disposal Fees” page; and
- Publication of a public notice.

Printed communications:

Poster distribution (“poster run”) conducted on 3 December 2025.

Despite the above efforts, participation remained low, with only 17 of 184 eligible properties (9.2%) applying for passes.

From an organisational perspective, this indicates that while reasonable steps were taken to inform stakeholders, there may be:

- Opportunities to improve targeted engagement methods; and
- A need to better align communication channels with stakeholder preferences within the horticultural sector.

This will be an important consideration in the design of any future amnesty programs.

Statutory Environment

Local Government Act 1995 (WA)

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

6.12. Power to defer, grant discounts etc.

A local government may, on such conditions as it thinks fit —

- (a) defer the payment of a debt; or*
- (b) grant a discount in respect of a debt; or*
- (c) waive or write off a debt.*

Section 6.16 – Imposition of fees and charges

6.16. Fees and charges

A local government may impose fees or charges for goods or services it provides or undertakes, and may vary or waive those fees or charges in accordance with its resolutions and policies.

Section 3.1 – General functions of local governments

3.1. General function

The general function of a local government is —

- (a) to provide for the good government of persons in its district; and*
- (b) to plan for the future of its district; and*
- (c) to provide, build, maintain and operate facilities and services for the good government of persons in its district.*

Section 2.7 – Role of council

2.7. Role of council

- (1) The council governs the local government’s affairs and, as the local government’s governing body, is responsible for the performance of the local government’s functions.*
- (2) The council’s governing role includes —*
 - (a) overseeing the allocation of the local government’s finances and resources;*
 - (b) determining the local government’s policies; and*
 - (c) planning strategically for the future of the district.*

Relevant Plans and Policy

Nil.

Financial Implications

A total of 21.55 tonnes of waste was received under the program, with the following breakdown:

Waste Type	Tonnage	Charge	Total
Plastic	19.5 t	\$54.00 per tonne	\$1,053.00
Metal	1.8 t	Free	\$0.00
Truck Tyres (7 tyres)	0.25 t	\$44.00 per tyre	\$308.00
Total	21.55 t		\$1,361.00

The total amount of \$1,361.00 represents revenue foregone by the Shire as part of delivering the Tip Amnesty Program.

This cost was absorbed within existing operational budgets and reflects Council’s investment in supporting the horticultural sector, reducing environmental risk, and encouraging appropriate waste disposal practices.

While the direct financial impact is relatively low, it should be considered alongside:

- Administrative and operational resourcing; and
- The comparatively low participation rate.

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	Foregone revenue associated with waived disposal fees and internal resourcing costs.	2D – Low	Costs were minimal (\$1,361) and absorbed within existing budgets; future programs can be assessed through the annual budget process.
Health & Safety	Potential risks associated with handling and transporting waste materials at the facility.	2D – Low	Waste facility operates under established safety procedures; staff oversight and controlled access minimise risk.
Reputation	Low participation may be perceived as ineffective use of resources or limited stakeholder engagement.	2C – Moderate	Multiple communication channels were utilised; findings will inform improved engagement strategies for future programs.
Service Disruption	Increased demand on waste facility operations during the amnesty period.	2D – Low	Program was managed within normal operational capacity with no disruption reported.
Compliance	Risk of non-compliance with legislative requirements or adopted fees and charges.	2D – Low	Program delivered in accordance with Council resolution and the Local Government Act 1995 (WA); appropriate records maintained.
Property	Risk of damage to waste facility infrastructure due to increased or inappropriate waste disposal.	2D – Low	Waste acceptance controlled by staff; no infrastructure damage reported.
Environment	Improper disposal or low uptake limiting overall environmental benefit.	3C – High	Program enabled disposal of 21.55 tonnes of waste; increasing participation will improve environmental outcomes.

Fraud	Potential misuse of passes (e.g. unauthorised use or transfer).	2D – Low	Passes issued to eligible properties and monitored at point of redemption; low uptake reduced exposure.
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Community and Strategic Objectives

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

OBJECTIVES

In 2040 Carnarvon is a place where:

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

ADDITIONAL FOCUS AREAS:

- N/A

BIG IDEAS FOR THE FUTURE OF CARNARVON:

- N/A

Comments

This information is provided to support Council’s consideration of the cost-benefit of continuing or expanding similar programs in future budget cycles.

Councillor feedback raised during Agenda Briefing on 21 April 2026 suggested that future amnesty programs could consider simpler access arrangements for eligible growers, including whether tip passes could be issued following payment of annual rates, or upon payment of the first instalment, rather than requiring a separate application process. This feedback will be considered in future budget planning

Participation in the program was relatively low:

- 17 properties applied (9.2% of eligible properties);
- 34 passes issued;
- 16 passes redeemed (47% utilisation of issued passes).

This indicates:

- Limited engagement from eligible stakeholders;
- Potential barriers to participation (timing, awareness, perceived value, or operational constraints);
- Opportunity to review program design, communication, and incentives for future initiatives.

Despite low uptake, the program successfully facilitated the disposal of over 21 tonnes of waste, contributing to improved site management and reduced environmental risk.

From a broader organisational perspective, the program demonstrates Council’s commitment to supporting industry while balancing operational and financial sustainability. Future iterations may benefit from:

- Enhanced communication strategies;
- Review of eligibility criteria or incentives; and
- Alignment with seasonal or operational cycles of growers.

OFFICER’S RECOMMENDATION

That Council under section 2.7 of the Local Government Act 1995 (WA) note and receive this report for future budget considerations.

7.1.5 AWARD OF TENDER - RFT 04/2025 - MINILYA/LYNDON ROAD GRID REPLACEMENT

File No:	ADM2369
Location/Address:	Minilya/Lyndon Road
Name of Applicant:	N/A
Name of Owner:	Shire of Carnarvon
Author(s):	Colm Stanley, Executive Manager Infrastructure
Authoriser:	Amanda Dexter, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirement:	Simple Majority
Previous Report:	Nil
Schedules:	1. Evaluation & Recommendation - Confidential

Authority/Discretion:

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

Summary of Report

This report details the evaluation of submissions received for Request for Tender (RFT) 04/2025 Minilya-Lyndon Road Grid Replacement.

The works form part of the Shire's road safety improvement program and are being delivered to address identified safety risks associated with the existing grid infrastructure on Minilya-Lyndon Road.

It is recommended that Council accepts the submission from ABBL Contracting as it represents best value for money.

Background

The grids on Minilya-Lyndon Road were identified as a road safety hazard that could be addressed using *Blackspot* funding via Main Roads WA.

A Road Safety Inspection (RSI) was undertaken by PJA and a funding application was made to *Blackspot*, which was successful. Subsequently, RFT 04/2025 Minilya-Lyndon Road Grid Replacement was issued. Four submissions were received by the closing date of 5.00pm, Monday, 19 January 2026.

A panel evaluated the submissions received and a detailed Evaluation and Recommendation Report has been prepared. This Report is attached at **Schedule 1 (Confidential)**.

Stakeholder and Public Consultation

Nil

Statutory Environment

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

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 provision about tenders.

Local Government Act 1995 – Section 3.18 Performing executive functions.

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

Relevant Plans and Policy

Policy CF001 – Purchasing Policy.

Financial Implications

Blackspot funding is administered through Main Roads WA and the budget requires a one-third Local Government Contribution towards the cost of the project. Currently, the total cost of this Blackspot project is \$551,000 of which the Shire is required to contribute \$183,667 (on this occasion, via Roads to Recovery funding).

Risk Assessment

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

Risk Category	Description	Rating	Mitigating Action/s
Financial	N/A		
Health & Safety	The nine grids on Minilya-Lyndon Road have been identified as a road safety risk.	B:3 High	Increasing the grid area to accommodate 2-way traffic and renewing the “Grid” signage will improve safety.

Reputation	The condition of the narrow one-lane grids has the potential to cause serious accidents. This would reflect badly on the Shire’s maintenance activities.	B:3 High	Road users will be safer with the wider 2-way grids and improved signage, mitigating the likelihood of unfavourable public comment.
Service disruption	Inconvenience to road users during the removal and installation of the grids.	C:2 Moderate	Contractor will have traffic management procedures in place to safely guide vehicles around the work area.
Compliance	Ensure tender and award process is compliant.	D2-Low	Process is fully compliant with the Local Government Act and Policy.
Property	N/A		
Environment	N/A		
Fraud	N/A		

Community and Strategic Objectives

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

OBJECTIVES

In 2040 Carnarvon is a place where:

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

ADDITIONAL FOCUS AREAS:

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

BIG IDEAS FOR THE FUTURE OF CARNARVON:

- *N/A*

Comments

The Road Safety Inspection prepared by PJA identified the nine grids on Minilya-Lyndon Road as a risk given their condition at the time of inspection. Each of the grids is a narrow, one-lane cattle grid and the advance signage “Grid” is either faded or missing. New signage is ready to be installed once the new grids are in place.

PJA’s recommendation for this item of their Road Safety Inspection report is as follows:

“Upgrade all nine cattle grids to allow for safe two-way passage design according to Main Roads WA standards. Replace existing and add new advance warning “Grid” signs where missing.”

This *Blackspot* project will address the grid and signage hazard consistent with PJA’s recommendation.

OFFICER’S RECOMMENDATION

1. ***That Council by Simple Majority (in accordance with Section 3.57 of the Local Government Act 1995, and Division 2 of the Local Government (Functions and General) Regulations, 1996) accepts the***

submission and schedule of rates from ABBL Contracting and awards ABBL Contracting the contract for RFT 04/2025 Minilya-Lyndon Road Grid Replacement; and

2. *That Council, by Simple Majority (pursuant to Section 3.18 of the Local Government Act, 1995) authorises the CEO to make any necessary non-material amendments and finalise execution of a contract between the Shire of Carnarvon and ABBL Contracting for RFT 04/2025 Minilya-Lyndon Road Grid Replacement.*

7.2 CORPORATE SERVICES

7.2.1 MONTHLY FINANCIAL REPORT MARCH 2026

File No:	ADM0186
Location/Address:	N/A
Name of Applicant:	Shire of Carnarvon
Name of Owner:	N/A
Author(s):	Racheal King, Corporate Assurance and Finance Advisor
Authoriser:	Amanda Leighton, Executive Manager, Corporate Strategy & Performance
Declaration of Interest:	Nil
Voting Requirement:	Simple Majority
Previous Report:	OCM 24/03/2026
Schedules:	1. Monthly Financial Report - March 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 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

The Shire prepares a Statement of Financial Activity each month, reporting on the revenue and expenditure for the month as set out in the budget. The *Local Government (Financial Management) Regulations* provide that the statements be presented at an Ordinary Meeting of Council within two months after the end of the month to which the statement relates.

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

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*; and
 - Note 2 - Statement of Financial Position*.
- (* required by legislation)

Notes for other supporting Information include:

- Basis of Preparation;

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

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

Background

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*; and
- Note 2 - Statement of Financial Position*.

(* required by legislation)

Notes for other supporting Information include:

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

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

Stakeholder and Public Consultation

Internal

Corporate Strategy & Performance Directorate

External

MOORE Australia

Statutory Environment

Local Government Act 1995 (WA)

Section 6.4 – Preparation of financial reports

6.4. Financial reports

(1) A local government is to prepare an annual financial report for each financial year in the prescribed form and manner and containing the prescribed information.

(2) The annual financial report is to be audited by the Auditor General.

(3) The CEO is to present the annual financial report to the council within the prescribed time after the end of the financial year to which the report relates.

Local Government (Financial Management) Regulations 1996

Regulation 34 – Financial activity statement

34. Financial activity statement

(1) A local government is to prepare each month a financial activity statement showing —

(a) the revenue and expenditure for the month just ended; and

(b) the revenue and expenditure to date; and

(c) a statement of financial position as at the end of the month; and

(d) such other information as is prescribed.

(4) A statement of financial activity is to be presented to the council at the first ordinary meeting after the statement is prepared or at the next ordinary meeting if the first ordinary meeting is held within 2 months after the end of the month to which the statement relates.

(5) The statement is to be accompanied by explanations of any material variances between the predicted amounts and the actual amounts, where material variance has the meaning given by the local government.

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

Relevant Plans and Policy

CF013 Significant Accounting Policies

Financial Implications

Nil

Risk Assessment

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

Risk Category	Description	Rating (Consequence x likelihood)	Mitigating Action/s
Financial	Stakeholders may withdraw funding if the statements are not prepared according to the regulatory framework.	C1 - Low	Financial Statements are prepared on time and according to the applicable Legislation and Regulations
Health & Safety	N/A	N/A	
Reputation	The delay in achieving timely reporting has the potential to damage the Shire’s reputation.	B2 - High	High priority has been placed on preparing Statutory reporting within legislated timeframes
Service disruption	N/A	N/A	
Compliance	Local Government Act 1995 requires Council receives these statements within two months of the end of the applicable month.	C1 - Low	Financial Statements are prepared on time and according to the applicable Legislation and Regulations
Property	N/A	N/A	
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.

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

Key points of interest for Councillors' consideration:

Funding Position

As at 31 March 2026, the surplus position is \$2,777,201, representing a positive variance of \$2,458,291 against the original estimate. This variance does not relate to the opening surplus but to year-to-date timing differences

This variance is primarily attributable to investing activities totalling \$4,876,291 that are yet to be undertaken at this stage of the financial year. In addition, capital grant funding is \$3,141,534 below budget year to date, reflecting the timing of project delivery and associated funding receipts. The balance of the variance is attributable to favourable movements in operating revenue and expenditure.

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

Operating Activities

Year to date operating expenditure totals \$21,616,266, which is \$5,125,893 below budget, primarily reflecting the timing of expenditure and delayed program delivery rather than permanent savings.

Operating revenue totals \$16,268,670, being \$4,361,528 below budget, largely due to timing differences in revenue recognition and receipt.

A significant portion of both the revenue and expenditure variance relates to the ARGN and Roads to Recovery projects (approximately \$3 million), where the timing of grant funding and associated project delivery has contributed materially to the current position. However, it should be noted that the overall variance is not attributable to a single source, with a range of smaller variances across multiple operational areas also contributing to the result.

The net result in operating activities is a favourable variance of \$1,240,490 against budget at this point in time. This position is timing-related and expected to reduce as committed expenditure is incurred and outstanding revenue is received over the remainder of the financial year, rather than representing additional available funds.

Operating Revenue

- Grants, subsidies and contributions remain below YTD budget although this gap has closed since the previous month (down to 47.14% variance compared to 64.27% variance reported in February). This relates to funding not yet received at the time of reporting, including Roads to Recovery, Disaster Recover Funding Arrangements Western Australia, Coral Bay Settlement Structure Plan and strategic project income - This is a largely timing matter.
- Interest revenue is below YTD budget (variance of 14.83%) due to lower cash balances available for investment and slightly reduced interest earnings. Our current Term Deposits mature in April and May which will assist in closing the gap between Actuals and Budgeted values.
- Classifications of Other revenue, Rates and fee and charges remain in line with budgeted expectations with minimal variances overall.

Operating Expenditure

Employee costs are reported as \$8,070,608 with \$1,249,923 below YTD budget (13.41%). This variance is attributable to:

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

This represents a temporary underspend and will progressively reduce as recruitment is finalised.

Materials and contracts are reported as \$5,298,071, with \$3,651,097 below YTD budget (40.80%). This is largely a timing issue, including:

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

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

Investing Activities (Capital Works)

YTD capital expenditure totals \$4.59 million against a YTD budget of \$9.47 million.

Infrastructure expenditure is significantly below YTD budget, primarily due to:

- Roads projects (including Roads to Recovery and Blackspot programs) not yet aligned to budget phasing;

- Carnarvon Activation Plan expenditure occurring at different milestone stages;
- Footpath and drainage projects yet to commence; and
- Airport upgrade progressing but below YTD profiling.
- Preparation for recent cyclones impacting works crew ability to progress Capital Programs.

Capital grant income is below YTD budget (down from March reported variance of 64.27% to 58.74%) due to milestone-based funding arrangements where expenditure precedes reimbursement.

Key Point:

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

Cash and Investments

Total cash and financial assets as at 31 March 2026 are \$7.02 million, comprising:

- \$4.31 million unrestricted funds
- \$2.49 million reserve funds
- \$223k trust funds

Term deposits total \$3.02 and are held to maximise interest earnings while maintaining liquidity.

Cash levels remain sufficient to meet short-term obligations, with trade payables largely current (100% within 30 days).

Receivables

Debtor & Rates Receivables

Debtor receivables total \$4,910,423. While this represents a significant increase from previous month (*increase of \$4,416,683*), it is primarily attributable to recently issued invoices that remain current and are not overdue. A substantial portion comprises a \$3,910,344 invoice for capital grant milestones 3 and 4, together with an operating grant invoice of \$385,000.

Of the total balance, \$390,707 relates to a debtor (Rex Airlines) currently in administration. The Shire has submitted a grant application under the Regional and Remote Support Program to offset this amount, with the program closing on 14 March 2026. The outcome is currently pending.

The overall increase should be recognised as reflecting active progress against grant funding, milestone achievements, and the delivery of operational and capital programs. There are no concerns regarding the receipt of grant funding.

Net rates receivable as at 31 March 2026 is \$2,834,641. The rates collection rate is 70.3% at this stage of the financial year, the percentage of outstanding rates at this time remains comparative to the position held in March 2025. While the collection rate is slightly lower than the same period last financial year (previous year was 71.2%), this is largely explained by the pending revaluation which has remained unpaid during the process.

Pensioner Deferred Rates

As at 31 March 2026, the total outstanding Pensioner Rates is approximately \$284,310. It should be noted that approved pensioner deferred rates cannot be placed into debt recovery because, under the Rates and Charges (Rebates and Deferments) Act 1992, they are not overdue but legally deferred, meaning recovery provisions under the Local Government Act 1995 do not apply and the amount is instead secured against the property for future payment.

Deferred rates under the State pensioner scheme do not attract interest for the ratepayer; however, under the Rates and Charges (Rebates and Deferrals) Act 1992, the State pays the local government an annual interest amount on the outstanding deferred balance, calculated using a rate determined by the Minister based on Commonwealth bond yields, to offset the Shire's cash-flow impact. This is a nominal amount overall for the Shire's budget. Consideration before claiming this interest should be given to the additional audit costs, noting that the auditing of this account falls outside the standard audit scope.

Instalments Due

A total of 366 rate assessments elected to utilise the standard instalment payment option for the current financial year, a slight decrease from 389 assessments in the prior year. The instalment option for rate payments has now closed as of 18th March 2026. Any outstanding instalment balances will now be managed in accordance with the Shire's standard debt collection processes.

Rates Debt Recovery

The Shire undertakes a structured and escalating debt recovery process in accordance with the *Local Government Act 1995 (WA)* and internal policy.

The process involves:

- Issuance of rates notices and reminder notices in line with statutory due dates
- Follow-up actions including final demands and direct engagement with ratepayers
- Payment arrangements, including instalment options or agreed repayment plans where appropriate
- Escalation to legal recovery, including referral to debt collection agencies or legal proceedings
- Consideration of sale of land where rates remain unpaid for a continuous period of three years

Throughout the process, the Shire applies a risk-based and proportionate approach, taking into account individual circumstances such as hardship, disputes (e.g. Landgate revaluations), and the likelihood of recovery.

The overarching objective is to maximise collection while ensuring fairness, compliance, and appropriate use of enforcement mechanisms, with the sale of land remaining a last-resort option.

The Shire has been very proactive in following our debt collection process. As of 31 March 2026, we have 17 Assessments who have entered into payment arrangements with more being finalised in April. During March the Shire received a total of \$359,828, a combination of rate payments and pensioner rebates.

As at 31 March 2026, a total of 24 out of 2,171 rate assessments have outstanding balances exceeding \$20,000. These high-value debts represent a material portion (\$1,697,409) of total arrears and will be prioritised for targeted recovery action.

Of these:

- 7 assessments have balances exceeding \$50,000, with varying underlying circumstances influencing recovery approach.
- 3 of the high-value assessments (totalling \$576,454) are currently subject to Landgate revaluation processes or rating schedule reviews, and recovery action will be managed accordingly pending finalisation.

Interest has been temporarily suspended on the 3 assessments pending Landgate revaluation, as advice from Landgate indicates that the revised valuations are expected to be lower than current values, resulting in reduced rates payable.

Accordingly, interest is not being recognised as income on these assessments to avoid overstating revenue that will require reversal once the revaluations are finalised.

Assessment	Amount Outstanding	Earliest Outstanding Item	Last Payment	Debt Agreement	Meeting Debt Agreement	3 year Rule Triggered
AXXXX	\$51,061	11/11/2022	13/04/2026	Yes	Yes	Yes
AXXXX	\$72,646	13/10/2020	11/08/2022	No	-	Yes
AXXXX	\$88,254	<i>Interim Schedule pending</i>				
AXXXX	\$103,575	<i>Dispute in Progress – Pending investigation</i>				
AXXXX	\$198,416	<i>Revaluation Pending</i>				
AXXXX	\$289,784	<i>Revaluation Pending</i>				
AXXXX	\$388,264	26/08/2023	4/11/2025	Yes	Irregular	No
Total	\$1,192,000					

While, in accordance with the Valuation of Land Act 1978, the lodging of a valuation objection does not remove or defer the statutory obligation to pay rates when due, the property owners have elected to withhold payment pending the outcome of the revaluation process.

Under normal circumstances, the Shire retains the legal ability to pursue recovery action in line with the Local Government Act 1995, including the application of penalty interest and other recovery mechanisms. However, given the materiality of the assessments and the potential for retrospective adjustment once the valuation is finalised, the balances have been identified and monitored separately pending determination.

Upon receipt of the revised valuation from Landgate, any required adjustments to the rate record will be processed, with overpayments refunded or credited, or additional amounts levied where applicable. In the interim, the outstanding balance continues to be recognised as collectible revenue, with appropriate consideration given to recovery action in line with Council policy and administrative practice.

Debt recovery efforts will continue in line with legislative requirements and Council policy, with a risk-based and proportionate approach applied to each assessment, considering valuation disputes, payment capacity, and recovery feasibility.

Reserves

Total reserve balances are \$2,493,760. There has been no net movement since February 2026, other than interest allocations applied pro rata across the reserve accounts.

No unplanned transfers occurred during the reporting period.

Overall Financial Position

Overall, the financial position reflects positive cash flow, strong liquidity, and no immediate concerns regarding financial sustainability, with key variances attributable to timing rather than structural issues.

OFFICER'S RECOMMENDATION

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

7.2.2 ACCOUNTS PAID UNDER DELEGATION - MARCH 2026

File No:	ADM0186
Location/Address:	N/A
Name of Applicant:	Shire of Carnarvon
Name of Owner:	N/A
Author(s):	Sachin Kumar, Accountant
Authoriser:	Amanda Leighton, Executive Manager, Corporate Strategy & Performance
Declaration of Interest:	Nil
Voting Requirement:	Simple Majority
Previous Report:	OCM24/03/2026
Schedules:	<ol style="list-style-type: none"> 1. Schedule 1 - Credit Card Payments - Confidential 2. Schedule 2 - List of Accounts Paid Under Delegation 3. Schedule 3 - Direct Debits

Authority/Discretion:

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

Summary of Report

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

Background

Council has delegated to the Chief Executive Officer, the exercise of its power under *Financial Management Regulation 12* to make payments from Municipal Fund and Trust Fund (Delegation 1.2.20) with a statutory condition on the delegation that a list of all payments is to be recorded in the Council Minutes.

The list of payments is provided at **Schedule 1 - Credit Card Payments**, **Schedule 2 - List of Accounts Paid** and **Schedule 3 - Direct Debits** attached.

Stakeholder and Public Consultation

No Public Consultation is considered to be required.

Statutory Environment

Local Government Act 1995 S 5.42. Delegation of some powers and duties to CEO

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

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

* Absolute majority required.

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

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

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

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

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

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

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

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

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

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

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

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

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

13A. Payments by employees via purchasing cards

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

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

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

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

(b) recorded in the minutes of that meeting

Relevant Plans and Policy

Nil

Financial Implications

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

Risk Assessment

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

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

Community and Strategic Objectives

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

OBJECTIVES

In 2040 Carnarvon is a place where:

- N/A

ADDITIONAL FOCUS AREAS:

- 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. Receives the list of payments made under delegation, as per Schedule 1, 2 & 3 at a total value of \$1,925,609.44 as presented for the month of March 2026, incorporating the following;*

<u>PAYMENT REFERENCE FROM:</u>	<u>PAYMENT REFERENCE TO:</u>	<u>PAYMENT TYPE</u>	<u>PAYMENT AMOUNT</u>
<u>EFT47077</u>	<u>EFT47268</u>	<u>MUNI EFT</u>	<u>\$926,932.86</u>
<u>-</u>	<u>-</u>	<u>TRUST EFT</u>	<u>\$0.00</u>
<u>-</u>	<u>-</u>	<u>CHEQUE</u>	<u>\$0.00</u>
<u>DD42344.3</u>	<u>DD42470.1</u>	<u>BANK DIRECTS</u>	<u>\$965,213.51</u>
		<u>TOTAL</u>	<u>\$1,914,951.16</u>

- 2. Receives the copies of credit card statements for all such Shire Facilities for the period 23 January 2026 – 22 February 2026, paid on 9th March 2026 value of \$10,658.28, as per Schedule 1.*

7.3 DEVELOPMENT AND COMMUNITY SERVICES

7.3.1 SHIRE OF CARNARVON LOCAL PLANNING SCHEME AMENDMENT 14 - SHORT TERM RENTAL ACCOMMODATION (STRA)

File No:	ADM2148
Location/Address:	Shire of Carnarvon
Name of Applicant:	Shire of Carnarvon
Name of Owner:	N/A
Author(s):	Stefan Louw, Executive Manager, Community Planning and Sustainability
Authoriser:	Amanda Dexter, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirement:	Absolute Majority
Previous Report:	Nil
Schedules:	1. Scheme Amendment Documentation 2. Planning Bulletin 115

Authority/Discretion:

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

Summary of Report

The purpose of this report is to seek Council’s approval to initiate a Scheme Amendment to give effect to the State Government’s planning reforms relating to Short-Term Rental Accommodation (STRA).

The proposed amendment will update the Shire of Carnarvon’s Local Planning Scheme No. 13 (LPS13) to ensure consistency with the new ‘deemed’ and ‘model’ land use classes and general definitions prescribed under the Planning and Development (Local Planning Schemes) Regulations 2015. The draft Scheme Amendment No. 14 report is provided at **Schedule 1**, with the key components outlined below.

Background

Short-Term Rental Accommodation (STRA) refers to the practice of renting out a property (or part of a property) for a relatively short period of time, usually on a nightly or weekly basis. This type of accommodation is usually booked through online platforms and is popular among visitors seeking temporary lodging for holidays, business trips or other short stays.

In November 2023, the Western Australian Planning Commission (WAPC) released its *Position Statement: Planning for Tourism and Short-Term Rental Accommodation*, together with associated *Planning for Tourism*

Guidelines. The Position Statement forms part of a broader suite of State Government reforms aimed at strengthening the planning framework for tourism and STRA, following recommendations of the 2019 parliamentary inquiry *Levelling the Playing Field: Managing the impact of the rapid increase of short-term rentals in Western Australia*. A key outcome of these reforms was the introduction of a state-wide registration scheme for STRA.

The state-wide STRA Register was established under the Short-Term Rental Accommodation Act 2024 and is now operational. Registration became mandatory from 1 January 2025, with all STRA required to be registered prior to commencing or continuing operation. This requirement applies regardless of whether the accommodation is hosted or un-hosted, and irrespective of whether a development approval exemption applies under the Planning and Development (Local Planning Schemes) Regulations 2015. Registration may be completed by either the property owner or a tenant, subject to the owner's consent, and must be renewed annually.

While the registration scheme operates separately from the planning system, concurrent amendments to the LPS Regulations have introduced changes to STRA land use definitions and controls. These amendments necessitate corresponding updates to the Shire's local planning scheme to ensure consistency with the revised statutory framework.

Stakeholder and Public Consultation

Corporate Information Session (CIS)

The proposed scheme amendment was presented to Councillors at the Corporate Information Session on 17 March 2026. No concerns were raised as this is merely a procedural matter.

Advertising the amendment is required pursuant to Part 5, Division 3, Regulation 47 of the Planning and Development (Local Planning Schemes) Regulations 2015 for a minimum period of 42 days.

Should Council resolve to initiate this scheme amendment, the Shire will undertake community consultation in accordance with the above regulation.

Following referral to the WAPC and the Environmental Protection Authority as required by regulation, and the outcomes of consultation period, the scheme amendment will be presented to Council for consideration.

Statutory Environment

Local Government Act 1995 (WA)

Section 2.8 – Decisions to be made by absolute majority

2.8. Decisions to be made by absolute majority

(1) A decision of a local government is to be made by an absolute majority of the councillors if it is a decision to —

(a) adopt or amend a local planning scheme.

Planning and Development Act 2005 (WA)

Section 75 – Amendment of local planning schemes

75. A local planning scheme may be amended in accordance with this Act and the regulations.

Sections 81, 82 and 83A – Referral and approval process

These sections provide for the referral of a scheme amendment to the Western Australian Planning Commission, the Environmental Protection Authority (where applicable), and the Minister for Planning for approval and permission to advertise.

Planning and Development (Local Planning Schemes) Regulations 2015 (WA)

Regulation 35 – Classification of scheme amendments

35. A local government is to determine whether a proposed amendment is a basic, standard or complex amendment in accordance with the Regulations.

Part 5, Division 3 – Advertising of scheme amendments

Regulation 47 prescribes the minimum advertising requirements for scheme amendments.

Regulation 37 – Submission to the Western Australian Planning Commission

37. Following advertising and consideration, the proposed amendment is to be forwarded to the Western Australian Planning Commission.

Relevant Plans and Policy

- Shire of Carnarvon Local Planning Strategy 2017
- WAPC Position Statement: Planning for Tourism and Short-Term Rental Accommodation and associated Guidelines
- Planning Bulletin 115/2024 ‘Short-Term Rental Accommodation (STRA) (refer Schedule 2 attached)

Financial Implications

There are no financial implications associated with the proposed amendment.

Risk Assessment

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

Risk Category	Description	Rating	Mitigating Action/s
Financial		N/A	
Health & Safety		N/A	
Reputation		N/A	
Service disruption		N/A	
Compliance	Inconsistency with State planning legislation.	C2 - Moderate	Amending the local planning scheme to align with the State’s planning reform.
Property	Confusion for landowners and the community regarding the STRA framework.	C2 - Moderate	Amending the local planning scheme to align with the State’s planning reform.
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*
- *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

Scheme Amendment Classification

The proposed amendment has been prepared pursuant to section 75 of the *Planning and Development Act 2005*, with the process enacted under the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Regulation 34 of the Regulations defines scheme amendments as basic, standard or complex. It is considered that this proposal satisfies the criteria for a standard scheme amendment, being an amendment that:

- a) is consistent with the objectives of the applicable zones and reserves;*
- b) is consistent with the local planning strategy endorsed by the Western Australian Planning Commission;*
- c) would have minimal impact on land not subject to the amendment;*
- d) would not result in significant environmental, social, economic or governance impacts; or*
- e) is not otherwise classified as a basic or complex amendment.*

State Wide Planning Framework

The State Government's planning reforms for STRA are being implemented predominantly through the LPS Regulations. Amendments to both Schedules 1 (model provisions) and Schedule 2 (deemed provisions) of the Local Planning Scheme (LPS) Regulations have been made to facilitate the necessary planning changes of the State Government's STRA reform initiatives. These changes include:

- new 'deemed' land use classes of 'hosted short-term rental accommodation' and 'un-hosted short term rental accommodation' to ensure these are classified as dedicated land use classes in local planning schemes
- new 'deemed' general terms to define 'short-term rental accommodation' and link to the overarching Short-Term Rental Accommodation Act 2024, which provides the legal framework for the STRA Register
- a new 'model' land use class of 'tourist and visitor accommodation' to differentiate these use types from STRA, and consolidate a number of existing land use terms for tourist and visitor accommodation (aside from 'hotel'), and other changes to general definitions
- a state-wide development approval exemption for 'hosted short-term rental accommodation' (this includes ancillary dwellings)
- a 90-night (cumulative) exemption within a 12-month period for 'un-hosted short term rental accommodation' in the Perth metropolitan area (not applicable to the Shire of Carnarvon)

Planning Bulletin 115/2024 'Short-Term Rental Accommodation (STRA) – Guidance for local government' (Planning Bulletin 115) outlines the steps and timeframes for implementing recent changes to the Local Planning Scheme Regulations for STRA.

Deemed Land Uses

STRA uses are dwellings (inclusive of ancillary dwellings) being used under a short-term rental agreement. STRA is either hosted – where the host lives on the property during the short-term stay; or un-hosted – where guests have exclusive use of an entire dwelling, for example a whole house, unit or apartment. Accordingly, the LPS Regulations now include two ‘deemed’ definitions – ‘hosted short-term rental accommodation’ and ‘un-hosted short-term rental accommodation’.

These new ‘deemed’ land use classes are automatically read into LPS13 through the LPS Regulations, along with the exemptions (discussed below). However, these uses are still proposed to be incorporated into local planning scheme definitions and the Zoning Table at the direction of the WAPC. This is to ensure clarity from an interpretation perspective, particularly given these uses replace long-standing ‘model’ land use classes within LPS13.

The Position Statement and Planning Bulletin 115 provide further direction for how STRA should be dealt with in local planning schemes from a permissibility standpoint as discussed below.

Hosted short-term rental accommodation

‘Hosted short term rental accommodation’ is where the host lives on the property and includes ancillary dwellings, or ‘granny flats’, where the host lives in the primary dwelling on the property.

A host may alternatively live in the ancillary dwelling, with the primary dwelling being rented out as short-term rental accommodation. ‘Hosted short term rental accommodation’ is exempt from requiring development approval within Western Australia but still requires STRA registration.

The proposed land use permissibility for ‘hosted short term rental accommodation’ reflects the LPS Regulation exemptions (already operative) – being a ‘P’ (permitted) use in all zones where any type of dwelling is capable of approval.

Un-hosted short-term rental accommodation

Where it is not exempt, the proposed land use permissibility provides for ‘un-hosted short term rental accommodation’ to be an ‘A’ (discretionary after advertising) use where it may impact residential amenity, and an ‘A’ or ‘D’ (discretionary without advertising) use in other zones where residential land uses are permitted. This approach is consistent with the Position Statement and Planning Bulletin 115.

Model ‘Tourist and Visitor Accommodation’ Land Use

A new model land use class of ‘tourist and visitor accommodation’ has been introduced to the LPS Regulations to supersede various traditional accommodation land use types (excluding ‘hotel’) and provide a clearer delineation between these uses and STRA. STRA uses are dwellings being used under a short-term rental agreement, whereas ‘tourist and visitor accommodation’ are generally purpose-built short stay accommodation, such as a building or complex managed by a single person/body used to provide accommodation for guests (stays up to 3 months in duration).

In the context of LPS13, ‘tourist and visitor accommodation’ is a similar use to ‘tourist development’. ‘Tourist and visitor accommodation’ is not intended to replace other accommodation types such as lodging houses. These are not considered STRA or traditional accommodation for the purposes of these changes. Instead, they will be classed as ‘residential buildings’ (as defined in the Residential Design Codes) for the purposes of the planning framework, as outlined in Planning Bulletin 115.

It is intended to keep the permissibility of this new land use identical to that of tourist development.

Superseded Land uses

To implement the required changes, this amendment proposes deletion of the following superseded land use classes, consistent with Planning Bulletin 115:

- ‘bed and breakfast’ – replaced by hosted STR;
- ‘holiday house’ – replaced by hosted or unhosted STRA;
- ‘holiday accommodation’ – replaced by hosted or unhosted STRA;
- ‘motel’ – either ‘hotel’ or ‘tourist and visitor accommodation’;
- service apartments - replaced by ‘tourist and visitor accommodation’; and
- tourist development – replaced by ‘tourist and visitor accommodation’.

New and revised Land Use and General Definitions

As part of the LPS Regulation changes, amendments to some other model definitions were also introduced to avoid confusion or conflict with the new STRA land use terms. To reflect these, Amendment No.14 also proposes the following:

- Modifying general model definitions of ‘cabin’ and ‘chalet’ as follows, to be in line with the LPS regulations:

From:

Cabin - means a dwelling forming part of a tourist development or caravan park that is —

- (a) an individual unit other than a chalet; and*
- (b) designed to provide short-term accommodation for guests.*

Chalet - means a dwelling forming part of a tourist development or caravan park that is —

- (a) a self-contained unit that includes cooking facilities, bathroom facilities and separate living and sleeping areas; and*
- (b) designed to provide short-term accommodation for guests.*

To:

Cabin - means a building that -

- (a) is an individual unit other than a chalet; and*
- (b) forms part of -*
 - (i) tourist and visitor accommodation; or*
 - (ii) a caravan park;**and*
- (c) if the unit forms part of a caravan park - is used to provide accommodation for persons, on a commercial basis, with no individual person accommodated for a period or periods exceeding a total of 3 months in any 12-month period*

Chalet means a building that —

- (a) is a self-contained unit that includes cooking facilities, bathroom facilities and separate living and sleeping areas; and*
- (b) forms part of -*
 - (i) tourist and visitor accommodation; or*
 - (ii) a caravan park;*
- (c) and if the unit forms part of a caravan park - is used to provide accommodation for persons, on a commercial basis, with no individual person accommodated for a period or periods exceeding a total of 3 months in any 12-month period*

Conclusion

The officer’s recommendation considers the relevant planning matters associated with this proposal. Should the Scheme Amendment not proceed, the new ‘deemed’ land use classes will continue to be automatically read into the Local Planning Scheme and will override any existing scheme provision to the extent of any inconsistencies. Where there is a conflict between these provisions and the scheme, the deemed provisions prevail.

However, there will be no land use permissibility framework for non-exempt STRA, and the new land use of 'tourist and visitor accommodation'. There will also be numerous inconsistencies between the scheme and the State Planning Framework, creating confusion and uncertainty for landowners and the community regarding STRA and other land uses.

This amendment is basically an administrative process to integrate new State planning changes into the Shire's Local Planning Scheme No. 13 ensuring alignment with State planning policy and regulations.

OFFICER'S RECOMMENDATION

That Council by Absolute Majority, pursuant to section 75 of the Planning and Development Act 2005, resolves to adopt the amendment of Shire of Carnarvon Local Planning Scheme No. 13 by:

1. ***In Part 6, Division 1, Clause 37, 'Terms Used':***
 - A. ***Delete the definition for short-term accommodation;***
 - B. ***Amend the general definition for cabin to:***
means a building that -
 - (a) ***is an individual unit other than a chalet; and***
 - (b) ***forms part of -***
 - (i) ***tourist and visitor accommodation; or***
 - (ii) ***a caravan park;***
 - and
 - (c) ***if the unit forms part of a caravan park - is used to provide accommodation for persons, on a commercial basis, with no individual person accommodated for a period or periods exceeding a total of 3 months in any 12-month period;***
 - C. ***Amend the general definition for chalet to:***
means a building that —
 - (a) ***is a self-contained unit that includes cooking facilities, bathroom facilities and separate living and sleeping areas; and***
 - (b) ***forms part of –***
 - (c) ***tourist and visitor accommodation; or***
 - (d) ***a caravan park;***
 - (e) ***and if the unit forms part of a caravan park - is used to provide accommodation for persons, on a commercial basis, with no individual person accommodated for a period or periods exceeding a total of 3 months in any 12-month period;***
2. ***In Part 6, Division 1, Clause 38, 'Land Use Terms Used':***
 - A. ***Delete the definitions for:***
 - ***bed and breakfast;***
 - ***holiday accommodation;***
 - ***holiday house;***
 - ***motel;***
 - ***serviced apartment;***
 - ***tourist development;***
 - B. ***Amend the existing land use term for road house to:***
road house means premises that has direct access to a State road other than a freeway and which provides the services or facilities provided by a freeway service centre and may provide any of the following facilities or services —
 - (a) ***a full range of automotive repair services;***
 - (b) ***wrecking, panel beating and spray-painting services;***
 - (c) ***transport depot facilities;***

9. ***Accepts the report 'Scheme amendment No. 14 to the Local Planning Scheme No. 13', as formal documentation for the purpose of the proposed Scheme amendment;***
10. ***Pursuant to Regulation 35(2) of the Planning and Development (Local Planning Schemes) Regulations 2015 (The Regulations), resolves that the Local Planning Scheme Amendment No. 14 is a standard scheme amendment on the basis that it is:***
 - a. ***an amendment relating to a zone or reserve that is consistent with the objective identified in the scheme for that zone or reserve;***
 - b. ***an amendment that is consistent with a local planning strategy for the scheme that has been endorsed by the Commission;***
 - c. ***an amendment that would have minimal impact on land in the scheme area that is not the subject of the amendment;***
 - d. ***an amendment that does not result in any significant environmental, social, economic or governance impacts on land in the scheme area;***
 - e. ***any other amendment that is not a complex or basic amendment;***
11. ***Refers the Amendment to the Minister for Planning, pursuant to Section 83A of the Planning and Development Act 2005, for permission to advertise the proposed Scheme Amendment;***
12. ***Resolves to authorise the Shire President and the Chief Executive Officer to execute the relevant documentation for adoption to enable referral of the amendment, pursuant to Section 81 and 82 of the Planning and Development Act 2005, to the Environmental Protection Authority for the level of assessment to be set pursuant to Section 48A of the Environmental Protection Act 1986;***
13. ***Upon compliance with Sections 81, 82 and 83A of the Planning and Development Act 2005, advertises the proposed Amendment pursuant to the details prescribed within Part 5, Division 3, Regulation 47 of the Planning and Development (Local Planning Schemes) Regulations 2015 through the placement of an advertisement in the Mid-West Times, placement of a notice in the Shire Office, erection of a sign on-site and posting of notices to affected parties; and***
14. ***Pursuant to Regulation 37 of the Planning and Development (Local Planning Schemes) Regulations 2015, resolves to forward the proposal to the Western Australian Planning Commission.***

7.3.2 CORAL BAY PRECINCT STRUCTURE PLAN - COMMUNITY ENGAGEMENT PLAN

File No:	ADM2329
Location/Address:	Coral Bay
Name of Applicant:	Shire of Carnarvon
Name of Owner:	Various landowners
Author(s):	Stefan Louw, Executive Manager, Community Planning and Sustainability
Authoriser:	Amanda Dexter, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirement:	Simple Majority
Previous Report:	Nil
Schedules:	1. Community Engagement Plan Feb 2026

Authority/Discretion:

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

Summary of Report

The purpose of this report is to seek Council’s endorsement of the Community Engagement Plan (CEP) **Schedule 1** prepared to support the development of the Coral Bay Precinct Structure Plan (CBPSP).

Background

The Shire of Carnarvon has commenced the preparation of a Precinct Structure Plan (PSP) for Coral Bay.

The existing Coral Bay Settlement Structure Plan, adopted in 2015, is due to expire in 2028. The preparation of a new PSP will ensure that planning for Coral Bay aligns with the current Western Australian planning framework and responds to contemporary environmental, tourism, economic and community considerations.

The Shire has engaged Hames Sharley as the lead planning consultant, with Shape Urban responsible for the community engagement component of the project.

The Community Engagement Plan **Schedule 1** outlines how the Shire will consult with the community, landowners, Traditional Owners, government agencies and other stakeholders during the development of the PSP.

Stakeholder and Public Consultation

No engagement is required at this stage, however stakeholders identified for future engagement include:

- Baiyungu Aboriginal Corporation (Traditional Owners and landowners);
- Coral Bay residents and businesses;
- Property owners and tourism operators;
- State Government agencies;
- Environmental and community organisations; and
- Visitors and tourism stakeholders.

Public consultation associated with the PSP will be undertaken in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015.

The draft PSP will be formally advertised for public comment prior to final consideration by Council and submission to the Western Australian Planning Commission for approval.

Statutory Environment

Planning and Development Act 2005 (WA)

The Planning and Development Act 2005 provides for the preparation, consideration and approval of planning instruments, including structure plans, to guide the orderly and proper planning of land use and development.

Planning and Development (Local Planning Schemes) Regulations 2015 (WA)

Schedule 2 – Deemed provisions

Clause 25 – Structure plans

25. Structure plans

(1) A structure plan may be prepared to coordinate the subdivision and development of land.

(2) A structure plan may be prepared by or on behalf of a local government.

Clause 26 – Local government responsibilities

26. A local government may adopt and implement a structure plan in accordance with the requirements of the Regulations.

Clause 28 – Advertising of structure plans

28. A structure plan is to be advertised for public comment in the manner specified under the Regulations prior to final determination and referral to the Western Australian Planning Commission.

Relevant Plans and Policy

Coral Bay Settlement Structure Plan 2015.

Financial Implications

Funding for the preparation of the Coral Bay PSP, including community engagement activities, is provided within the adopted budget.

Risk Assessment

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

Risk Category	Description	Rating	Mitigating Action/s
Financial	N/A	N/A	N/A
Health & Safety	N/A	N/A	N/A
Reputation	Inconsistent or ad hoc community consultation. Reduced transparency in the planning process.	D2 - Low	The CEP provides a clear framework to mitigate these risks and ensure a structured engagement process.
Service disruption	N/A	N/A	N/A
Compliance	N/A	N/A	N/A
Property	N/A	N/A	N/A
Environment	Environmental concerns regarding future development.	D2 - Low	Mitigation strategies are proposed within the CEP to address this risk and ensure transparent communication throughout the project.
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 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:

- *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

Purpose of the Engagement Plan

The CEP establishes a structured framework to guide community and stakeholder consultation throughout the project.

The key objectives of the engagement are to:

- Raise awareness of the project;
- Understand community values, needs and aspirations;
- Engage a broad cross-section of stakeholders including a Council workshop;
- Provide opportunities for community input into the planning process; and
- Ensure feedback is considered during preparation of the PSP.

The engagement approach aligns with International Association for Public Participation (IAP2) principles and aims to involve the community in shaping the future planning framework for Coral Bay.

Engagement Approach

Community consultation will occur across four key stages:

Stage 1 – Project Inception occurred in February 2026 and the preparation and Council endorsement of the Community Engagement Plan.

Stage 2 – Preliminary Engagement will occur between April and September 2026.

Community input to inform preparation of the draft PSP will include the following:

- Online survey;
- Interactive mapping tool;
- Council workshop;
- Stakeholder meetings with government agencies;
- Meetings with key landowners; and
- Community drop-in session in Coral Bay.

Stage 3 – Council Consideration (Late 2026)

Council consideration of the draft PSP informed by community feedback.

Stage 4 – Statutory Advertising (2027)

Formal public advertising of the draft PSP in accordance with planning legislation.

Key Issues and Considerations

The engagement plan identifies several potential risks and mitigation strategies, including:

- Conflicting stakeholder aspirations regarding development;
- Environmental concerns associated with growth in Coral Bay;
- Consultation fatigue due to previous engagement activities; and
- Misunderstanding of the role and limitations of a Precinct Structure Plan.

The CEP includes communication strategies and clear messaging to manage these risks.

OFFICER'S RECOMMENDATION

That Council by Simple Majority endorses the Coral Bay Precinct Structure Plan – Community Engagement Plan, Feb 2026, to support the development of the Coral Bay Precinct Structure Plan.

7.3.3 AWARD OF TENDER RFT 01/2026 VAN DONGEN PARK STAGE ONE - LANDSCAPING AND CONSTRUCTION

File No:	ADM2278
Location/Address:	Robinson Street, Carnarvon
Name of Applicant:	Shire of Carnarvon
Name of Owner:	Shire of Carnarvon
Author(s):	Peta Greening, Project Manager Mark Davis, Project Manager
Authoriser:	Amanda Dexter, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirement:	Simple Majority
Previous Report:	27 January 2026
Schedules:	1. Schedule 1 - Evaluation Report - Confidential

Authority/Discretion:

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

Summary of Report

This report seeks Council's approval to award Request for Tender (RFT) 01/2026 Van Dongen Park Stage One – Landscaping and Construction.

This project includes the landscaping and construction of the park, including the *Big Banana* playground.

Funding for this project will be provided through external grant sources, specifically Lotterywest and the Australian Government's Regional Precincts and Partnerships Program (RPPP) and therefore does not rely on additional Shire funding beyond the committed project allocations.

Background

In December 2023, Council endorsed the Carnarvon Activation Plan (CAP). The CAP is a strategic initiative by the Shire and key stakeholders to revitalise Carnarvon's Central Business District (CBD) and surrounding public spaces by improving their amenity and connectivity. The plan focuses on developing identified priority projects to create a more vibrant, socially and economically beneficial town centre, featuring new public spaces, walking trails and event facilities. The 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; and
- 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 **is expected to** include toilet and car parking facilities – and consider indicative costings to support future funding approaches and opportunities.

The Shire undertook an initial tender process in late 2025, with the outcome and recommendation considered by Council at the Ordinary Council Meeting of 27 January 2026.

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

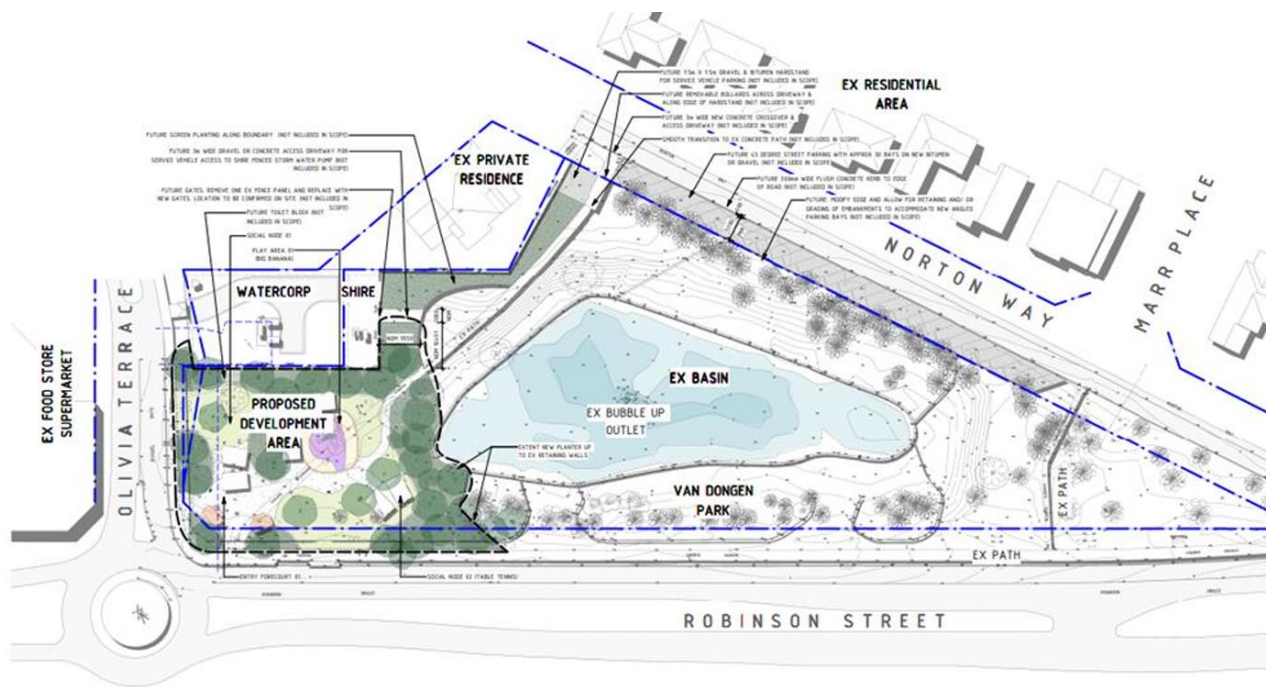
CARRIED BY SIMPLE MAJORITY 7/0

With only one submission to the tender invitation, it was noted that the available budget would not allow for the completion of the entire scope of works.

Subsequently, the Major Projects & Infrastructure Committee of Council meeting of 27 January 2026 discussed value management opportunities for the project and priority inclusions within the scope.

Council officers undertook due diligence investigations and further market testing to support the re-scoping of the project ready for re-tender.

The below schematic provides the indicative development area of the project.



An artist impression of the iconic play structure, the Big Banana, is below.



Stakeholder and Public Consultation

Communication has been underway since the early design phase of this project, including through the Shire’s Major Projects Committee.

Public communication has included:

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

In addition, Council has been engaged various times to provide direction around project scope and priorities. This included a:

- Major Projects Grant Funding Workshop held on 29 July 2025 and attended by President Eddie Smith, Cr Paul Kelly, Cr Burke Maslen and the Executive Leadership Team;
- Scope prioritisation session held during Major Projects & Infrastructure Committee of Council meeting of 27 January 2026; and
- Corporate Information Session held on 21 April 2026 with Councillors and the Executive Leadership Team.

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

This project can be delivered through funding received as part of the Community Infrastructure Grant from Lotterywest, in addition to funding allocated from the Regional Precincts and Partnerships Program (rPPP) funding agreement. Van Dongen Park was one of the successful sub-projects within both grant funding programs awarded to the Shire.

Risk Assessment

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

Risk Category	Description	Rating	Mitigating Action/s
Financial	Ability to account for total costs as part of Lotterywest and Regional Precincts and Partnership Program (rPPP) funding allocations	C2 - moderate	Budget to be controlled in line with individual grant funding allocation, with appropriate contingencies and value managing processes included within the overall project planning and delivery.
Financial	Project costs escalate due to unforeseen construction requirements or political issues (Middle East war impacting fuel prices; freight costs etc)	C3 - high	Due diligence has been undertaken throughout project stages to date, with cost estimates testing against market trends and quotes. Any unforeseen financial impact during construction will be managed by appropriately skilled and experienced staff and contractors working on project, with issues explored and addressed appropriately.
Health & Safety	The park or sections of the park are unsafe for public to access	C3 – high	Temporary closure of park, only to be reopened (in stages/sections if able) once works have been completed and area signed off as structurally safe for users and passersby.
Reputation	The park or sections of the park are closed and inaccessible to public and visitors	C3 – high	A staged approach (where able) will highlight to public the Shire’s commitment to ensuring access to the park and surrounding areas which are temporarily closed. Regular communication through Shire’s communications channels will ensure that the public are kept up to date with works.
Service disruption	N/A	N/A	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	N/A	N/A
Environment	Unforeseen weather impacts delays project progress	C3 – high	Contingency days are factored into delivery program to mitigate such impacts.
Fraud	N/A	N/A	N/A

Community and Strategic Objectives

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

OBJECTIVES

In 2040 Carnarvon is a place where:

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

ADDITIONAL FOCUS AREAS:

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

BIG IDEAS FOR THE FUTURE OF CARNARVON:

- *N/A*

Comments

This project was advertised through a public tender process. 23 proponents registered interest in the tender and downloaded tender documentation via *Tenderlink*. Three (3) submissions were received, of which two (2) were deemed conforming tenders and assessed accordingly.

Assessment was undertaken by an evaluation panel and an appropriately qualified contractor has been identified and recommended to deliver the scope of works, which includes the following:

- Demolition and site preparation;
- Earthworks;
- Concrete paving;
- Play equipment installation including play area and Softfall;
- Retaining walls;
- Shade structures and shelters;
- Fencing and gates;
- Furniture and fixtures; and
- Landscaping.

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

OFFICER’S RECOMMENDATION

That Council

1. ***Award Request for Tender 01-2026 Van Dongen Park Stage One – Landscaping and Construction to First Class Constructions WA Pty Ltd, to the value of \$2,654,450.99 ex GST;***

2. ***In accordance with Local Government Act 1995, S. 9.49A, authorises the CEO to make any necessary non-material amendments and finalise the execution of a contract between the Shire of Carnarvon and First-Class Constructions WA Pty Ltd; and***
3. ***Note that project updates will be provided to the Major Projects Committee of Council for monitoring throughout the construction phase of the project.***

7.3.4 GASCOYNE REGIONAL ARTS PLAN

File No:	ADM2294
Location/Address:	N/A
Name of Applicant:	N/A
Name of Owner:	N/A
Author(s):	Stephanie Leca, Executive Manager Lifestyle & Community
Authoriser:	Amanda Dexter, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirement:	Simple Majority
Previous Report:	CIS – 19 August 2025
Schedules:	1. Gascoyne Regional Arts Plan - Final

Authority/Discretion:

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

Summary of Report

This report presents the Gascoyne Regional Arts Plan (**Schedule 1**) for endorsement by the Shire of Carnarvon, as part of a coordinated commitment with the four Gascoyne region local governments to adopt the Plan and support future funding opportunities and program delivery directions for the Shire.

Background

The Gascoyne Regional Arts Plan (the Plan) has been developed as a collaborative, region-wide initiative to strengthen and grow arts and culture across the Gascoyne. The Plan provides a long-term framework to support identity, community wellbeing, economic diversification and tourism outcomes through arts and cultural development.

The Plan has been delivered in partnership with the four Gascoyne local governments: Shire of Carnarvon, Shire of Exmouth, Shire of Shark Bay and Shire of Upper Gascoyne in collaboration with the Gascoyne Development Commission and with support from the State Government.

Funding and strategic support for the development of the Plan has been provided through State Government investment, alongside regional coordination by the Gascoyne Development Commission, demonstrating a shared commitment to building a more connected and sustainable arts and cultural sector across the region.

The Plan was developed over a nine-month period throughout 2025 and was informed by a comprehensive process including:

- A review of relevant federal, state and local government policies and strategies;

- A regional audit of arts and cultural infrastructure, organisations, programs and events;
- Extensive stakeholder and community engagement, involving more than 300 participants across the region;
- Industry and government roundtables, workshops and surveys; and
- Benchmarking and best practice research to inform a strategic framework.

Engagement was undertaken in two key phases, including broad community consultation and targeted engagement with industry, government stakeholders and Traditional Custodians. This process ensured the Plan reflects local priorities, regional opportunities and a shared vision for the future of arts and culture in the Gascoyne.

The resulting Plan establishes a coordinated regional approach, supported by shared priorities and individual Shire actions, to guide future investment, partnerships and program delivery.

Stakeholder and Public Consultation

Stakeholder and Council Engagement

The development of the Gascoyne Regional Arts Plan was underpinned by a coordinated and regionally aligned stakeholder engagement process, led by the Gascoyne Development Commission in partnership with the four local governments: Shire of Carnarvon, Shire of Exmouth, Shire of Shark Bay and Shire of Upper Gascoyne. This collaborative approach ensured that the Plan reflects both regional priorities and place-based opportunities across the Gascoyne.

The engagement process was facilitated by Ink Strategy, who was engaged to undertake consultation and development of the Plan. A regional working group comprising representatives from each local government and key stakeholders provided strategic oversight, guidance and input throughout the process, ensuring alignment with local priorities, existing initiatives and future opportunities.

Stakeholder engagement was delivered in two key phases over a nine-month period in 2025 and included broad community engagement as well as targeted consultation with industry, government and Traditional Custodians.

Phase One – Community and Broad Stakeholder Engagement

The first phase focused on engaging the broader community and arts sector to understand current participation, barriers and opportunities. This included a region-wide survey, in-person “Think Tank” workshops across Carnarvon, Exmouth, Denham and Gascoyne Junction, and targeted engagement through existing community networks. More than 300 stakeholders were engaged across the region, including community members, artists, cultural organisations, youth and schools.

This phase identified key themes including the importance of arts and culture to community connection and wellbeing, challenges relating to access, infrastructure and funding, and a strong appetite for more coordinated programming and opportunities across the region.

Phase Two – Targeted Industry and Stakeholder Engagement

The second phase involved targeted consultation with key stakeholders, including local and state government representatives, industry bodies, tourism operators, event organisers and Traditional Custodians. This included a series of virtual roundtables and direct engagement sessions to refine priorities, test strategic directions and ensure alignment with broader economic, tourism and community development outcomes.

Engagement with Traditional Custodians was a critical component of the process, with a strong emphasis on Aboriginal-led cultural development, storytelling, and the integration of cultural knowledge into future programming and investment priorities.

This two-phase approach ensured the Plan is grounded in local insight while supported by a coordinated regional framework that strengthens collaboration between Shires, industry and government stakeholders.

Council Engagement

A draft of the Gascoyne Regional Arts Plan was presented to Council at a Corporate Information Session Tuesday, 19 August 2025 providing the opportunity for Councillors to review the document and provide feedback prior to final endorsement.

During this session, Council provided clear direction on the importance of strongly positioning Carnarvon as the regional leader in arts and culture within the Gascoyne. This feedback recognised Carnarvon's demonstrated success in delivering impactful arts and cultural initiatives, including the Community Art Hub, the continued growth and activation of the Carnarvon Library and Art Gallery, and broader art development opportunities delivered across the Shire.

Council emphasised the need for the Plan to reflect Carnarvon's role as a cultural anchor for the region, building on its existing infrastructure, programming success and capacity to lead regional collaboration, attract investment and support sector growth.

This feedback has been incorporated into the final Plan, ensuring that the Shire of Carnarvon's leadership role is clearly articulated and aligned with the broader regional vision and priorities.

Statutory Environment

LOCAL GOVERNMENT ACT 1995 - SECT 2.7

2.7. Role of council

- 1) *The council governs the local government's affairs and, as the local government's governing body, is responsible for the performance of the local government's functions.*
- 2) *The council's governing role includes the following —*
 - a) *overseeing the allocation of the local government's finances and resources;*
 - b) *determining the local government's policies;*
 - c) *planning strategically for the future of the district;*
 - d) *determining the services and facilities to be provided by the local government in the district;*
 - e) *selecting the CEO and reviewing the CEO's performance;*
 - f) *providing strategic direction to the CEO.*
- 3) *For the purpose of ensuring proper governance of the local government's affairs, the council must have regard to the following principles —*
 - a) *the council's governing role is separate from the CEO's executive role as described in section 5.41;*
 - b) *it is important that the council respects that separation.*
- 4) *The council must make its decisions —*
 - a) *on the basis of evidence, on the merits and in accordance with the law; and*
 - b) *taking into account the local government's finances and resources.*
- 5) *The council must have regard to the need to support an organisational culture for the local government that promotes the respectful and fair treatment of the local government's employees.*
- 6) *The council has the other functions given to it under this Act or any other written law.*

Relevant Plans and Policy

Community Strategic Plan 2022 - 2032

Carnarvon Activation Plan

Economic Development Strategy 2023 – 2028

Financial Implications

Endorsement of the Gascoyne Regional Arts Plan does not commit the Shire of Carnarvon to any immediate or ongoing financial expenditure. The Plan is intended to function as a strategic document to guide future planning, support advocacy and strengthen the Shire’s ability to secure external funding.

The Plan will provide a valuable framework for artists, community organisations and stakeholders across the region and state to leverage opportunities, develop programs and attract investment into the Gascoyne.

The Shire of Carnarvon has contributed \$5,000 in the 2024/2025 budget towards the development of the Plan, alongside financial contributions from the other Gascoyne local governments. In addition, the Shire successfully secured \$50,000 in funding from the Department of Creative Industries, Tourism and Sport, as well as funding support from the Gascoyne Development Commission to deliver the project.

Future financial implications associated with the implementation of specific actions identified within the Plan will be subject to separate consideration through the Shire’s annual budgeting process and external funding opportunities, with all funding commitments to be determined and approved by Council.

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	Perception that endorsement commits the Shire to future funding or financial obligations.	C-1 Low	The report clearly outlines that endorsement does not commit the Shire to financial expenditure. Any future investment will be considered through the annual budget process and subject to Council approval.
Health & Safety	N/A	N/A	N/A
Reputation	Opportunity to strengthen the Shire’s position as a regional leader in arts and culture.	B-2 High	Clear communication that the Plan is a strategic document, with implementation guided by priorities, partnerships and available funding.
Service disruption	N/A	N/A	N/A
Compliance	Endorsement aligns with the Shire’s governance responsibilities under the Local Government Act 1995 (WA).	B-2 High	Report prepared in accordance with legislative and governance requirements.
Property	N/A	N/A	N/A
Environment	N/A	N/A	N/A

Fraud	Nil		
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Community and Strategic Objectives

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

OBJECTIVES

In 2040 Carnarvon is a place where:

- *Our sustainable livelihoods create a community that can flourish into the future*
- *Our community acknowledges our history and celebrates our diverse cultures*
- *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 Gascoyne Regional Arts Plan represents a significant opportunity for the Shire of Carnarvon to strengthen its position as a regional leader in arts and culture, while contributing to a coordinated and collaborative vision across the Gascoyne.

The Shire of Carnarvon is uniquely positioned within the region, with established cultural infrastructure, strong community engagement and demonstrated success in delivering arts and cultural initiatives across its communities. Key priorities for the Shire of Carnarvon include continuing to build on the success of the Community Art Hub, further activating and growing the Carnarvon Library and Art Gallery, and expanding art development opportunities that support local artists, engage the community and attract visitors to the region.

The Plan provides a clear and evidence-based framework to support these priorities, aligning local initiatives with regional goals and strengthening the Shire of Carnarvon’s ability to advocate for funding, attract investment and develop partnerships across government and industry. Importantly, it enables the Shire of Carnarvon to continue playing a leading role in regional collaboration, supporting touring opportunities, shared programming and sector development across the Gascoyne.

Feedback provided by Councillors at the Corporate Information Session held on 19 August 2025 has been taken into consideration in finalising the Gascoyne Regional Arts Plan with:

- Clearer positioning of Carnarvon as the regional cultural anchor and touring hub, reflecting Council’s emphasis on Carnarvon’s leadership role in region wide arts and cultural initiatives.
- Stronger articulation of Carnarvon’s leadership role within the Gascoyne, supported by existing infrastructure, established programming and demonstrated delivery capacity.
- Enhanced visibility of Carnarvon specific priorities within the regional framework, ensuring local aspirations are clearly embedded alongside regional goals.
- Improved alignment with advocacy and funding objectives, strengthening the Plan’s effectiveness as a strategic tool to support future grant applications and intergovernmental engagement.

Endorsing the Plan positions the Shire of Carnarvon to take advantage of emerging opportunities in cultural tourism, community wellbeing and economic diversification, while ensuring that arts and culture remain a key contributor to liveability and regional identity.

Overall, the Gascoyne Regional Arts Plan is an important strategic document that supports long-term planning and sustainable growth of the sector, and its endorsement will enable the Shire of Carnarvon to continue building on its successes and lead the region into a strong and connected creative future.

OFFICER'S RECOMMENDATION

That Council:

- 1) Endorses the Gascoyne Regional Arts Plan as presented in Schedule 1;***
- 2) Supports the Shire of Carnarvon to actively use the document to leverage resources, attract funding and improve community and liveability outcomes; and***
- 3) Notes that endorsement of the Plan does not commit the Shire of Carnarvon to any financial expenditure, with any future initiatives to be subject to separate Council consideration through the annual budgeting process.***

7.4 INFRASTRUCTURE SERVICES

Nil

8 APPLICATIONS FOR LEAVE OF ABSENCE

9 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

10 QUESTIONS FROM MEMBERS WITHOUT NOTICE

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

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

Nil

13 DATE OF NEXT MEETING

14 CLOSURE