

SHIRE OF SHARK BAY NOTICE OF MEETING

26 August 2026

ORDINARY COUNCIL MEETING AGENDA



SHARK BAY WILDFLOWERS



26 AUGUST 2026



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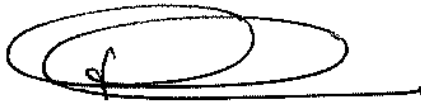
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The Shire of Shark Bay advises that no action should be taken on any application or item discussed at a Council meeting and should only rely on **WRITTEN ADVICE** of the outcome and any conditions attaching to the decision made by the Shire of Shark Bay.

ORDINARY COUNCIL MEETING AGENDA

26 AUGUST 2026

The next Ordinary meeting of the Shark Bay Shire Council will be held in the Council Chamber at the Shark Bay Recreation Centre, Francis Street, Denham on Wednesday 26 August 2026 commencing at 1.00 pm.



Dale Chapman
Chief Executive Officer
21 August 2026

TABLE OF CONTENTS

1.0	Declaration of Opening	4
2.0	Acknowledgement of Country	4
3.0	Record of Attendances / Apologies / Leave of Absence Granted	4
4.0	Response To Previous Public Questions On Notice	4
5.0	Public Question Time	4
6.0	Applications For Leave Of Absence	5
7.0	Petitions	5
8.0	Confirmation Of Minutes	5
8.1	Confirmation of the Minutes of the Ordinary Council meeting held on 29 July 2026 ...	5
9.0	Announcements By The Chair	5
10.0	Town Planning Report	6
10.1	Proposed Short Stay Rental Accommodation (Renewal) – Strata Lot 2 (7B) Fry Court, Denham	6
10.2	Proposed Holiday Accommodation – Lot 23 (11) and Lot 12 (9) Denham Road, Denham	14
10.3	Applications Seeking a First (Retrospective) Approval For An Existing Dwelling To Be Used As A Holiday House – Lot 217 (3) Poland Road, Denham	53
10.4	Proposed Outbuilding - Lots 15 (12) and Lot 16 (14) Terry Descamps Way, Denham	72
11.0	Administration Report	110
11.1	Annual Review of Register of Delegations	110
12.0	Finance Report	127
12.1	Schedule of Accounts Paid to be Received	127
12.2	Community Assistance Grants – Significant Event Sponsorship Funding - Shark Bay Pistol and Gun Club	129
12.3	Adoption of 2026/2027 Statutory Budget	141
13.0	Motions of Which Previous Notice Has Been Given	194
14.0	Questions by Members of Which Due Notice Has Been Given	194
15.0	Urgent Business Approved By The Person Presiding Or By Decision	194
16.0	Matters Behind Closed Doors	194
17.0	Date And Time Of Next Meeting	194
18.0	Closure of Meeting	194

26 AUGUST 2026

1.0 DECLARATION OF OPENING

The President will declare the Ordinary Council meeting open.

2.0 ACKNOWLEDGEMENT OF COUNTRY

I would like to acknowledge the Malgana People as the traditional custodians of the land and sea in and around the Shire of Shark Bay.

I pay my respects to their Elders past, present and emerging.

3.0 RECORD OF ATTENDANCES / APOLOGIES / LEAVE OF ABSENCE GRANTED

ATTENDANCES

Cr P Stubberfield	President
Cr M Smith	Deputy President
Cr L Bellottie	
Cr C Cowell	
Cr E Fenny	
Cr A Johns	
Cr G Ridgley	

Mr D Chapman	Chief Executive Officer
Ms M Fanali	Executive Manager Community Development
Mr B Galvin	Works Manager
Ms J Green	Manager Finance and Administration
Mrs R Mettam	Executive Assistant

APOLOGIES

VISITORS

4.0 RESPONSE TO PREVIOUS PUBLIC QUESTIONS ON NOTICE

5.0 PUBLIC QUESTION TIME

The President will open public question time.

26 AUGUST 2026

6.0 APPLICATIONS FOR LEAVE OF ABSENCE

7.0 PETITIONS

8.0 CONFIRMATION OF MINUTES

8.1 CONFIRMATION OF THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 29 JULY 2026

Moved Cr
Seconded Cr

Officer Recommendation

That the minutes of the Ordinary Council meeting held on 29 July 2026, as circulated to all Councillors, be confirmed as a true and accurate record.

9.0 ANNOUNCEMENTS BY THE CHAIR

26 AUGUST 2026

10.0 TOWN PLANNING REPORT

10.1 PROPOSED SHORT STAY RENTAL ACCOMMODATION (RENEWAL) – STRATA LOT 2 (7B) FRY COURT, DENHAM
P1498

AUTHOR

Liz Bushby Town Planning Innovations

DISCLOSURE OF ANY INTEREST

Declaration of Interest: Town Planning Innovations

Nature of Interest: Financial Interest as receive planning fees for advice to the Shire – Section 5.50A of *Local Government Act 1995*

Moved Cr
Seconded Cr

Officer Recommendation

That Council:

- A. Determine that the ‘short stay strata dwelling’ use may be consistent with the objectives of the Residential zone and give notice under clause 64 of the deemed provisions before determining an application for development approval for the use of the land.**
- B. Note that the application relating to Strata Lot 2 (7b) Fry Court, Denham is being advertised for public comment. Advertising closes on the 28 August 2026.**
- C. Pursuant to Clause 82(1) and 82(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* grant (by Absolute Majority) delegated authority to the Chief Executive Officer to determine the application seeking a new planning approval for the existing dwelling on Strata Lot 2 (7b) Fry Court, Denham to be used as a ‘short stay strata dwelling’.**

ABSOLUTE MAJORITY REQUIRED

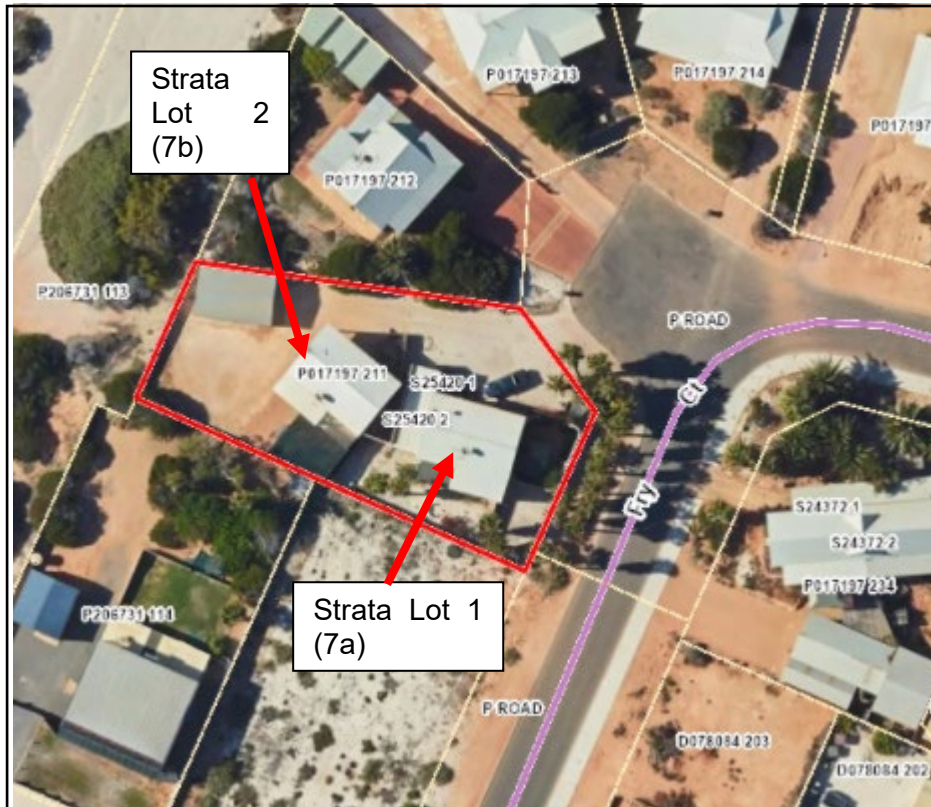
BACKGROUND

• ***Location***

The lot is located near the intersection of Fry Court and Knight Terrace. There is a dwelling at 7a Fry Court, and a dwelling to the rear known as 7b Fry Court in Denham.

A location plan is included overpage for ease of reference.

26 AUGUST 2026



Location Plan

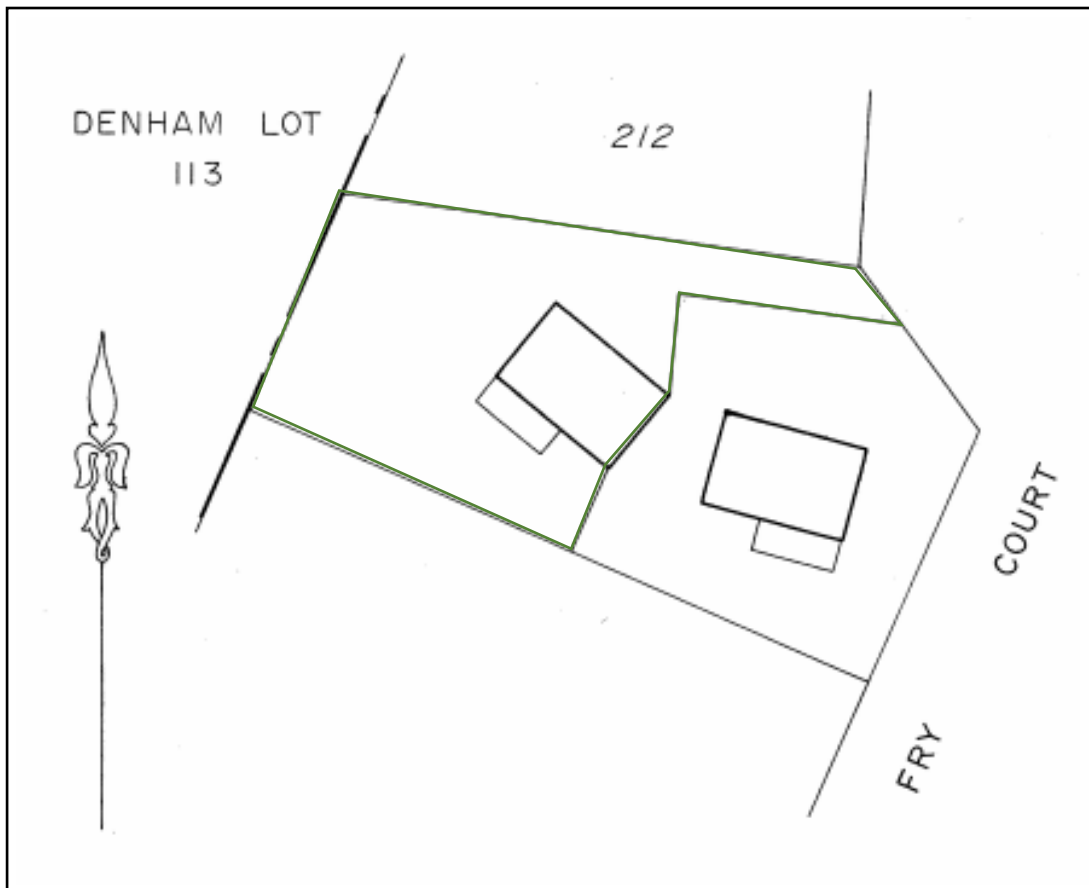
- **Strata Plan**

The existing dwelling is on a strata lot and it should be noted that:

- (a) The owners live at 7a Fry Court;
- (b) There is no common property;
- (c) Each strata lot has it's own certificate of title;
- (d) The title consists of both buildings and land shown on a strata plan. This is a form of 'built strata'.
- (e) Although both strata lots are currently under the same ownership, each lot can be sold separately.
- (f) The dwelling on Strata Lot 1 does not form part of this application.

Strata Lot 2 is outlined in orange on the strata plan over page. The 'orange' outline also represents the area for exclusive use associated with the dwelling on Strata Lot 2.

26 AUGUST 2026



- ***Original First Application (2022)***

A report on the original application to use the existing dwelling for short stay rental accommodation was considered by Council at the Ordinary Meeting held on the 23 February 2022.

Council resolved to support retention of the existing crossover, and delegated authority to the Chief Executive Officer to determine the application on completion of advertising.

Conditional planning approval was issued on the 8 March 2022 for a 12 month period.

- ***Second Application (2023)***

A report on the second (renewal) application to continue to use the existing dwelling for short stay rental accommodation was considered by Council at the Ordinary Meeting held on the 30 August 2023.

Council resolved to grant delegated authority to the Chief Executive Officer to determine the application on completion of advertising.

Conditional planning approval was issued on the 26 September 2023, and is valid for 3 years.

26 AUGUST 2026

COMMENT

• ***Description of proposal***

The owners of Strata Lot 2, Mr and Mrs Marinkovich, own and live permanently in the adjacent house on Strata Lot 1 (7a) Fry Court in Denham.

The owners also advise that they have rented out the dwelling on Strata Lot 2 as a holiday house for over 10 years, and they use Ray White as a property manager.

The application is summarised as follows:

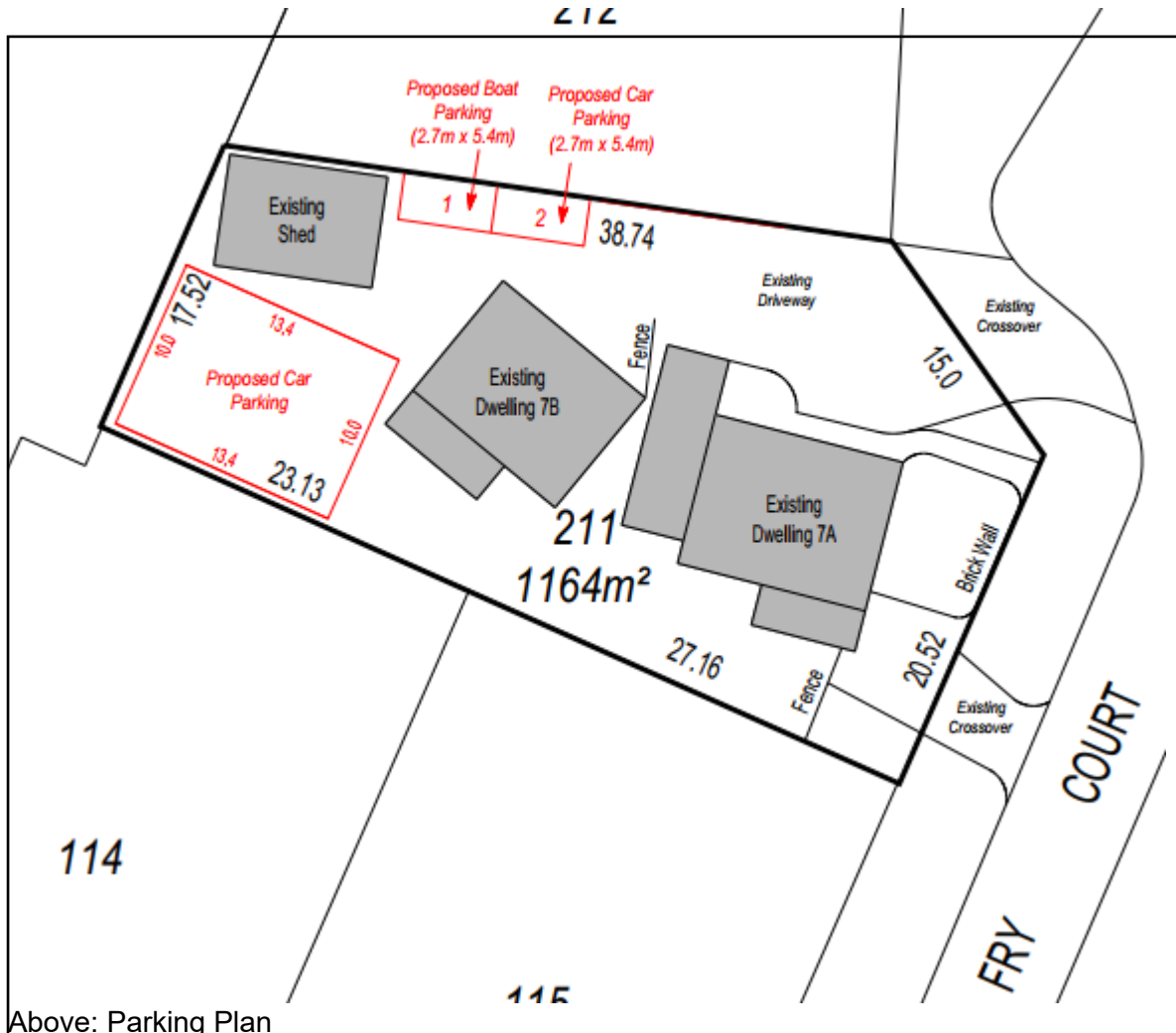
- (i) The house has 3 bedrooms and can accommodate a maximum of 6 persons at any one time.
- (ii) There is a long driveway to the side of the house which can accommodate at least 2 cars. There is additional parking available to the rear of the dwelling.
- (iii) The owners intend to continue to use Ray White as the property manager. The property manager is responsible for all bookings, provision of information to guests, monitoring the property, ongoing maintenance, and dealing with any complaints.
- (iv) The lot is connected to sewer.
- (v) The owners have installed a fire extinguisher and fire blanket in the dwelling.

As the owners live in the adjacent dwelling, it is their interest for guests to be quiet and well behaved.

The owners lodged a parking plan which is included overpage. They have advised they only like to cater for small to mid- sized boats, noting that there is shared driveway.

The parking complies with the Shires Holiday House Policy, which requires 1 bay per every 3 guests.

26 AUGUST 2026



Above: Parking Plan

- Zoning and Proposed Land Use**

Strata Lot 2 is zoned 'Residential' under the Shire of Shark Bay Local Planning Scheme No 4 (the Scheme).

Under the Scheme, Table 1 lists land uses in a table format with different symbols listed under different zones.

Each symbol has a different meaning and determines whether Council has discretion to consider a land use in the corresponding zone (ie if the land use is permitted, not permitted, discretionary or requires advertising).

Part of the planning assessment involves determining which land use definition from the Scheme 'best fits' the proposal.

A dwelling on a strata lot is not construed as a 'single house' under the Residential Design Codes. Accordingly the proposed land use is not construed as a 'holiday house' which is defined in the Scheme as '*means a single dwelling on one lot used to provide short-term accommodation but does not include a bed and breakfast*'.

26 AUGUST 2026

The Residential Design Codes define a single house as a dwelling on a green title or survey strata lot, without common property. Strata Lot 2 was created as part of a built strata, and not a survey strata.

This proposal is somewhat unusual as the short term rental accommodation is proposed on one strata lot, and the other strata lot is used for permanent habitation.

As both strata lots are under one ownership, it means that in addition to a property manager, the owners also have oversight of the Short Term Rental Accommodation.

- ***Use Not Listed***

The proposal is construed as 'short stay rental accommodation' which is not listed in 'Table 1-Zoning Table' of the Shire of Shark Bay Local Planning Scheme No 4 (the Scheme).

In accordance with Clause 18 (4) of the Scheme, as the use of the land for 'short stay rental accommodation' is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the interpretation of one of the other existing use land use definition categories the Council may:

- Option 1: Determine that the 'short stay rental accommodation' use is consistent with the objectives of the Residential zone and is therefore a use that may be permitted in the zone subject to conditions imposed by the local government; or
- Option 2: Determine that the 'short stay rental accommodation' use may be consistent with the objectives of the Residential zone and give notice under clause 64 of the deemed provisions before considering an application for development approval for the use of the land; or
- Option 3: Determine that the 'short stay rental accommodation' use is not consistent with the objectives of the Residential zone and is therefore not permitted in the zone.

Council already pursued Option 2, when considering the original application in 2022, and second application in 2023. Option 2 is therefore recommended for a consistency approach.

- ***Local Planning Policy No 1 : Holiday Houses***

The Local Planning Policy does not strictly apply to this application as the proposal is not considered to be a 'holiday house'. The Policy is being used as a general guide only for the planning assessment as follows:

Policy Requirement	Comment
1. A site plan or good quality clear aerial showing the existing house, existing buildings, driveway, and guest parking areas. The location, number and dimensions of parking areas should be clearly marked on the plan.	The owners have lodged a clear aerial and carparking plan. The owners have authorised the Shire to re-use all the documents that they lodged as part of their previous application.

ORDINARY COUNCIL MEETING AGENDA

26 AUGUST 2026

2. An internal floor plan showing the house layout, the use of each room, and number of double, single or bunk beds per room (including fold out couches).	There is a detailed floor plan showing all bedrooms and written advice on the number of bedrooms.
3. Carparking to be provided at a rate of 1 space every 3 guests.	2 carparking bays are required and can be accommodated to the side and rear of the existing dwelling.
4. A Management Plan that addresses how the land use will be managed on a day to day basis to maximise protection of residential amenity, including details of how noise issues will be addressed by the Manager (handling of complaints), and full contact details of the Manager or employee of the Manager.	A Management Plan was prepared in consultation with Ray White, and formed part of the 2022 and 2023 approval. The owners propose to continue to use the same management plan.
5. A Fire and Emergency Response Plan that includes detailed fire escape route maps, provision of a fire extinguisher and emergency contact numbers.	The owners propose to continue to use the Fire and Emergency Response Plan approved in 2023. The owners have a detailed floor plan that show the location of smoke detectors, a fire extinguisher, fire blanket, outdoor hose, escape routes and assembly point at the front of the lot.

- **Consultation**

The application is being advertised until the 28 August 2026.

It is recommended that Council delegate authority to the Chief Executive Officer to determine the application, to expedite the process.

The Chief Executive Officer has discretion to issue a new approval for a longer 5 year period.

LEGAL IMPLICATIONS

Planning and Development (Local Planning Schemes) Regulations 2015 –

Regulation 57 of the deemed provisions outlines '*matters to be considered by Council*' including but not limited to orderly and proper planning, the compatibility of the development with it's setting including the relationship to development on adjoining land, the amenity of the locality, the adequacy of proposed means of access to and from the site, the amount of traffic to be generated by the development, and any submission received.

Clause 64 outlines advertising requirements for different applications. Any application for a 'use not listed' is considered a complex application, and requires a longer 28 day advertising period.

26 AUGUST 2026

Shire of Shark Bay Local Planning Scheme No 4 – explained in the body of this report.

Clause 16(2) of the Scheme outlines the following objectives of the Residential Zone:

- To provide for a range of housing and a choice of residential densities to meet the needs of the community.
- To facilitate and encourage high quality design, built form and streetscapes throughout residential areas.
- To provide for a range of non-residential uses, which are compatible with and complementary to residential development.
- To provide for tourist development which is compatible with and complementary to residential development.

POLICY IMPLICATIONS

The Shire has a Local Planning Policy for Holiday Houses. Whilst this application is not technically a 'holiday house' it has been assessed taking into account the general Policy requirements.

FINANCIAL IMPLICATIONS

The Shire pays consultancy fees to Town Planning Innovations for general planning advice.

STRATEGIC IMPLICATIONS

There are no strategic implications relative to this report.

RISK MANAGEMENT

There are no known risks associated with the proposed development.

VOTING REQUIREMENTS

Absolute Majority Required

SIGNATURES

Author

L Bushby

Chief Executive Officer

D Chapman

Date of Report

13 August 2026

26 AUGUST 2026

10.2 PROPOSED HOLIDAY ACCOMMODATION – LOT 23 (11) AND LOT 12 (9) DENHAM ROAD, DENHAM
P1108

AUTHOR

Liz Bushby, Town Planning Innovations

DISCLOSURE OF ANY INTEREST

Declaration of Interest: Town Planning Innovations

Nature of Interest: Financial Interest as receive planning fees for advice to the Shire – Section 5.50A of *Local Government Act 1995*

Moved Cr
Seconded Cr

Officer Recommendation

That Council:

- A. Note that the application for holiday accommodation on Lots 12 and 23 has been advertised for public comment. Advertising closed on the 24 July 2026, and two objections were received. The objections relate to future development flagged by plan notations for a recreation area in the north west portion of Lot 23, which does not form part of this planning application.**

Submissions are outlined in Attachment 3.

- B. Approve the application for holiday accommodation on Lot 12 (9) and Lot 23 (11) Denham Road, Denham subject to the following conditions and footnotes:**

- 1. Lots 12 and 23 Denham Road, Denham shall be amalgamated and a new Certificate of Title obtained for the amalgamated lot within 12 months of the date of this approval, or an alternative time period agreed to in writing by the Chief Executive Officer.**
- 2. Lodgement of a detailed landscaping plan prepared to a professional standard shall be submitted to the Shire for separate written approval by the Chief Executive Officer.**

The plan shall show by numerical code, the vegetation species, and quantity of all plant types to be planted and shall include the landscaping areas shown on the attached approved plans.

The landscaping plan shall be submitted within 6 months of this approval unless otherwise agreed to in writing by the Chief Executive Officer.

- 3. Landscaping and plants shall be installed in accordance with the landscaping plan approved by the Chief Executive Officer (under Condition 2), within 12 months of the issue of a Building Permit**

26 AUGUST 2026

or alternative time period agreed to in writing by the Chief Executive Officer.

4. All approved landscaping/plants shall be nurtured and maintained until they reach their mature dimensions and shall thereafter be maintained at those mature dimensions unless the Chief Executive Officer approves otherwise in writing.
5. The plans lodged with the application shall form part of this planning approval (except for recreation areas). All development for the chalets shall generally be in accordance with the approved plans unless otherwise approved separately in writing by the Chief Executive Officer.
6. The owner/proponent and any engaged contractor(s) to take adequate precautions to protect trees that have been earmarked for retention on the attached approved plans, particularly for the mature trees along the Denham Road frontage.
7. The owner / applicant to upgrade and construct the existing crossover to Denham Road within 12 months from the date of this planning consent or an alternative time period approved separately by the Shire Chief Executive Officer in writing. The crossover shall be constructed out of:
 - a. A 150 mm compacted and water bound road base driveway, sealed with two coat of bitumen and topped with an approved aggregate; or
 - b. A minimum of 100 mm reinforced concrete over a compacted sub-base; or
 - c. A minimum of 50 mm thick brick pavers.
8. Vehicle parking, manoeuvring and circulation areas shall be designed in accordance with the approved plan, and installed to a trafficable standard to the satisfaction of the Chief Executive Officer.
9. All guest carparking and boat parking is to be fully accommodated on site within the lot boundaries at all times.
10. If external lighting is installed, all illumination shall be confined within the property boundaries.
11. Any portion of the existing limestone entry wall that encroaches into the Denham Road, road reserve, shall be demolished and removed to the satisfaction of the Chief Executive Officer within 3 months of the issue of a building permit for the development.
12. The owner/applicant shall lodge detailed plans for any new entry wall and signage adjacent to Denham Road for separate written approval by the Chief Executive Officer. Any new entry wall and signage shall be contained fully within the boundaries of Lots 12 and 23.

26 AUGUST 2026

13. This approval is for holiday accommodation. No guest shall be accommodated in the 'redipod' chalets for periods totalling more than 3 months in any 12 month period.
14. All stormwater from roofed and paved areas shall be collected and disposed of on-site and any associated drains and soak wells shall be maintained in a clean and clear condition. All drainage to be fully contained within the property boundaries with no water discharge into road reserve unless otherwise approved in writing by the Chief Executive Officer.
15. If the development the subject of this approval is not substantially commenced within a period of 2 years, the approval shall lapse and be of no further effect.

Footnotes/Advice Notes:

- (a) Any recreation areas do not form part of this planning assessment or approval. There are requirements for recreation areas, setbacks, road widths etc that have to be met under separate legislation for caravan parks, which do not form part of the planning application assessment.

The owner is advised to lodge a revised site plan showing the new facilities with their annual application for a separate Caravan Park and Camping Ground Licence in accordance with the *Caravan Parks and Camping Grounds Act 1995*. The application will be assessed by the Shires Environmental Health Officer.

- (b) This is only a planning consent. A separate Building Permit is required for all works.
- (c) In regards to Condition (7), the owner / applicant is advised that a Crossover Application and Reimbursement Pack is available on the **Shire website** - [Crossover Application and Reimbursement Pack.pdf \(sharkbay.wa.gov.au\)](https://sharkbay.wa.gov.au/Crossover%20Application%20and%20Reimbursement%20Pack.pdf)

This pack includes the Crossover Information Sheet, Checklists and Reimbursement Forms.

Once a crossover is constructed to the Shires requirements, an application can be lodged seeking a contribution from the Shire towards a portion of the construction cost.

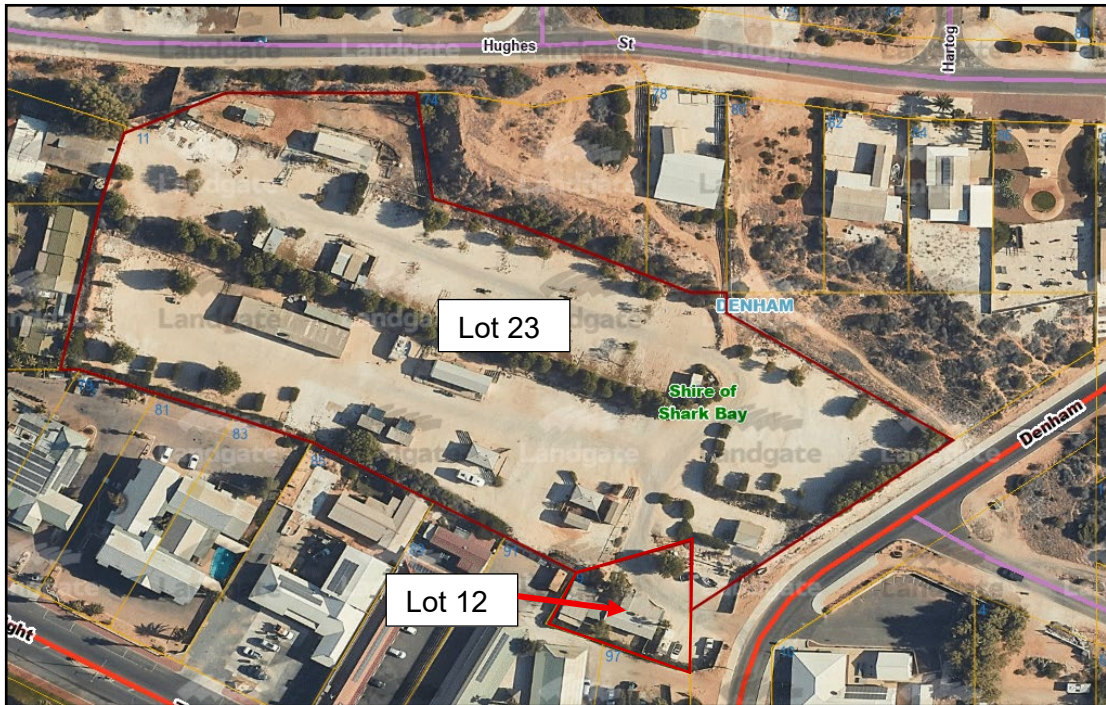
- (d) A separate demolition permit application (BA5 form) needs to be lodged to the Shire for approval. Refer to – [demo demolition application approval building](#) Any demolition work involving asbestos materials must be carried out in accordance with the Health (Asbestos) Regulations 1992.

BACKGROUND

- ***Location and Existing Land Use***

An existing caravan park operates from Lots 12 and 23 Denham Road. The caretakers dwelling, reception/office and entry is on Lot 12. There are caravan, camping sites and chalets on Lot 23.

Lot 12 has an area of approximately 817m², and Lot 23 has an area of 1.5 hectares.



Town Planning Innovations is of the understanding that the caravan park previously operated under the name 'Blue Dolphin Caravan Park', however ownership has changed, and it now operates as the 'Mia Mia Shark Bay Holiday Park'.

Information on the operators website indicates that there are currently 66 caravan/camping sites, 8 ensuite sites, and 6 chalets. The 'demolition' plan shows that 14 caravan/camp sites and 1 older chalet will be removed for the proposed development.

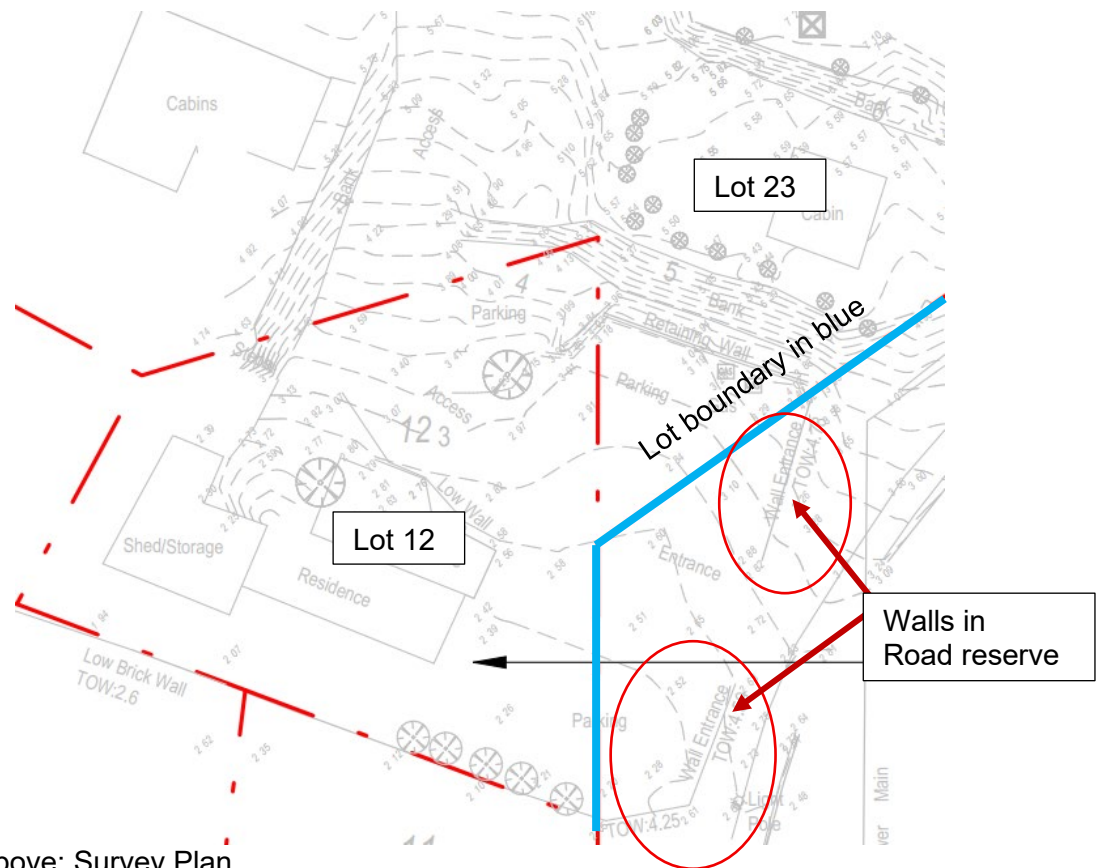
- ***Encroachments into Denham Road, road reserve***

When the applicant first lodged an application for these lots, they were requested to supply additional information.

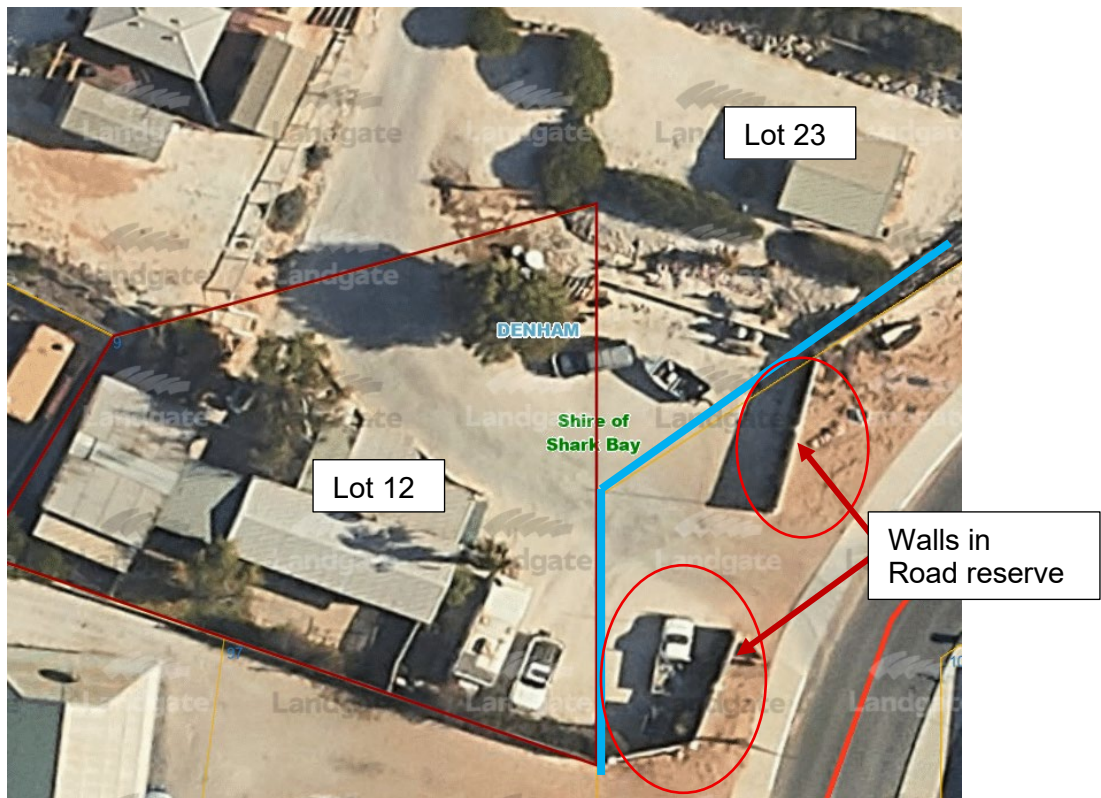
A survey plan showed that the limestone entry wall for the caravan park encroached into the Denham Road, road reserve – refer plans overpage.

The Shires records did not identify any approval for the encroachment.

26 AUGUST 2026



Above: Survey Plan



Above: Aerial

26 AUGUST 2026

The applicant was requested to address the wall encroachment, and they have advised the walls will be removed from the road reserve. The wall removal has been shown on the demolition plan lodged as part of this application.



Above: Limestone entry walls in Denham Road, road reserve

The demolition plan states '*existing wall to be demolished & existing signage to be reinstated with new entry wall*'.

COMMENT

- ***Description of Proposal***

New development is proposed in the eastern part of Lot 23. The development plans are included as Attachment 1.

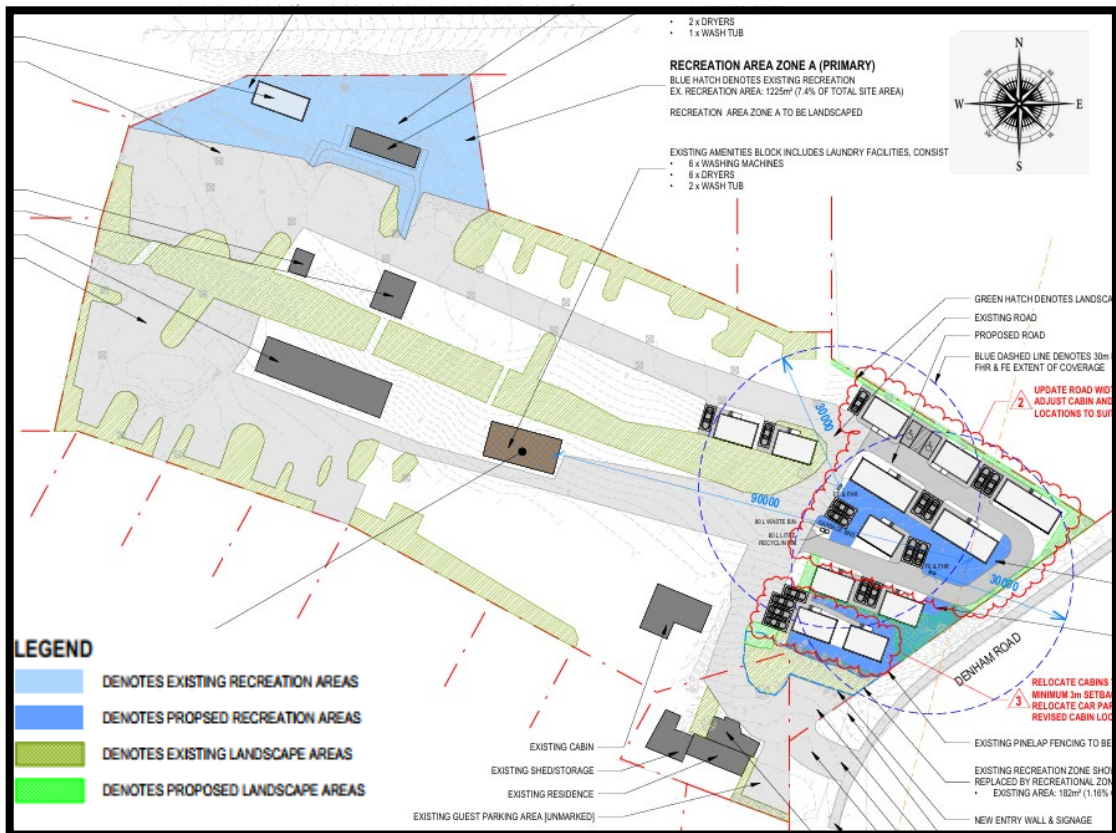


26 AUGUST 2026

The proposal consists of:

- Removal of an older style chalet and decommissioning approximately 14 caravan bays;
- Removal of approximately 13 trees within the caravan park. The larger existing trees along the Denham Road lot boundary are proposed to be retained, and some will be trimmed;
- 12 accommodation buildings, shown on the plans as Type 1, Type 2 or Type 3.
- New internal accessways, landscaping and parking.

An overall site plan (extract) is included below for ease of reference.

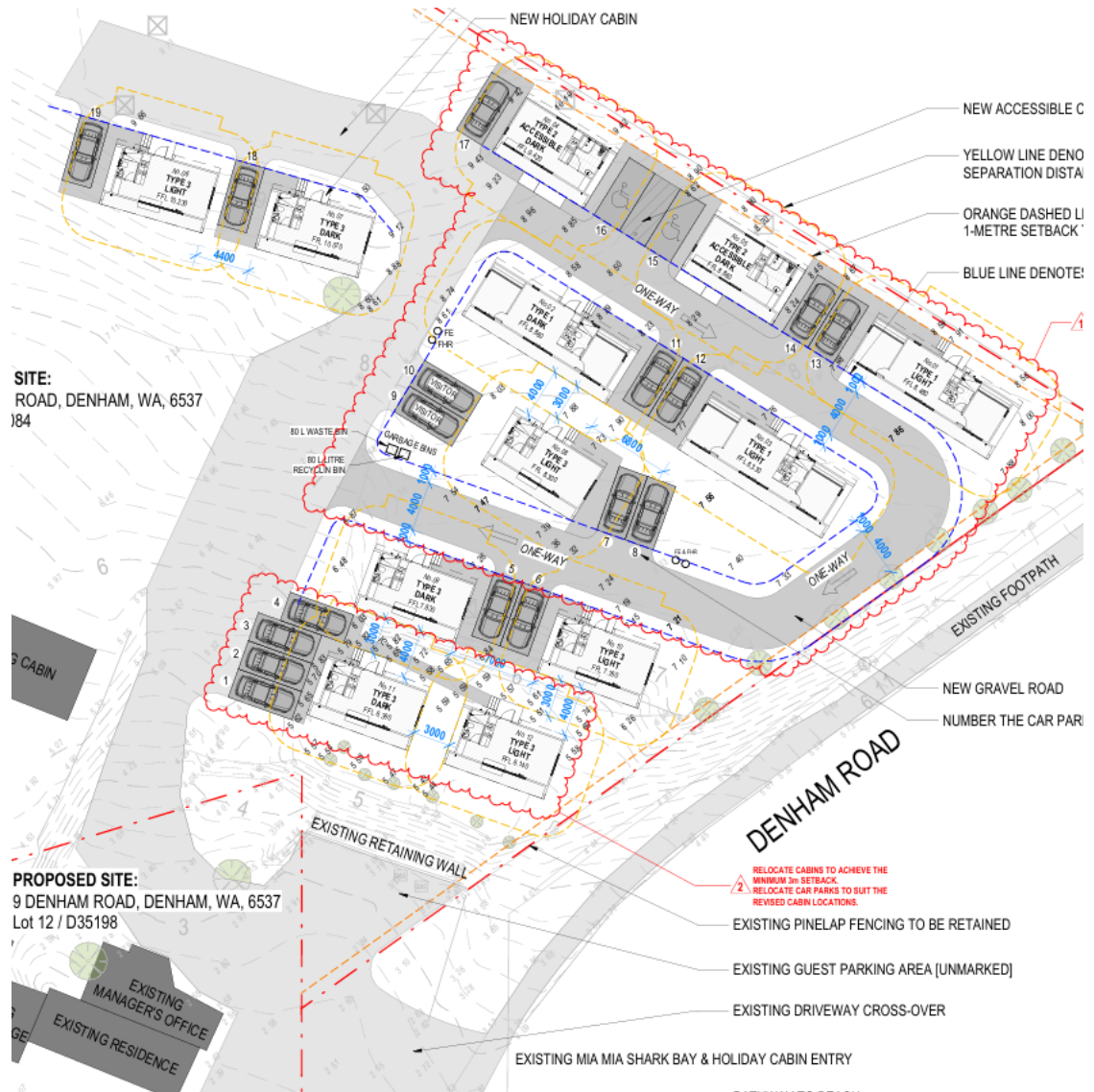


Although the site plan shows recreation areas, it is because there are minimum recreation area requirements assessed separately by the Shires Environmental Health Officer, as part of any caravan park licence.

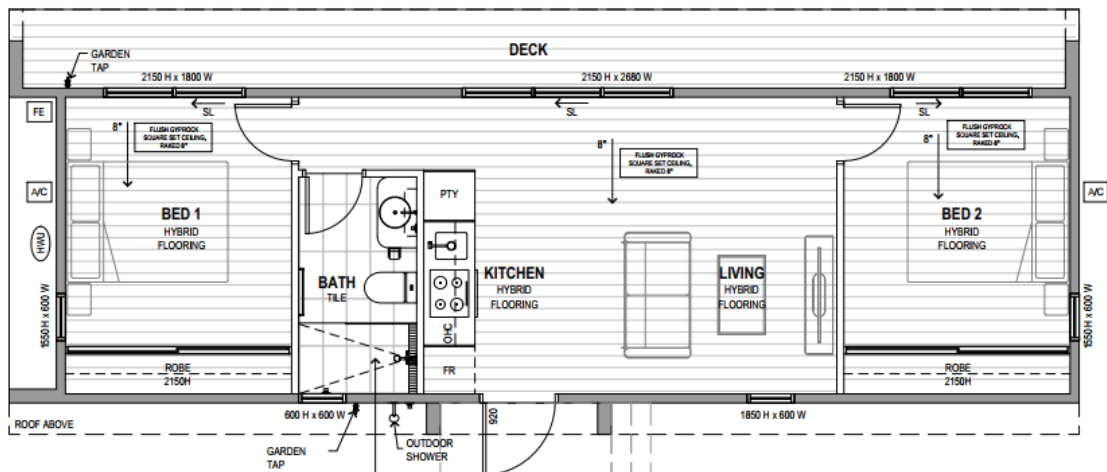
The planning application is only proposing development in the eastern part of Lot 23.

26 AUGUST 2026

A partial site plan (extract) is included below for ease of reference.

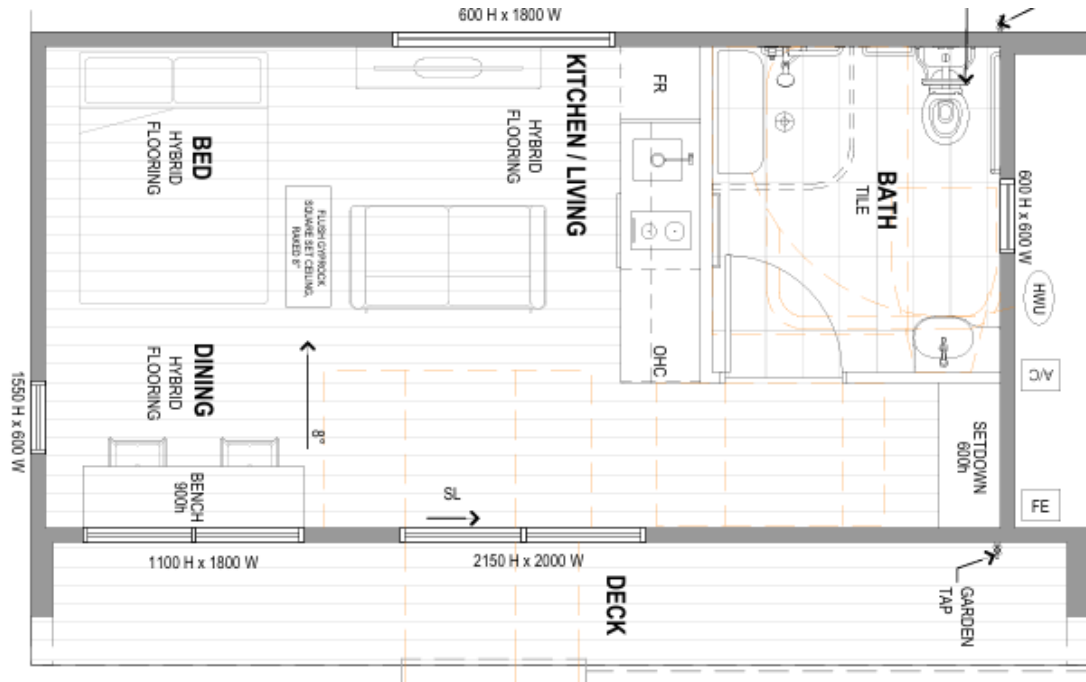


There are three Type 1 buildings proposed which are two bedroom chalets.

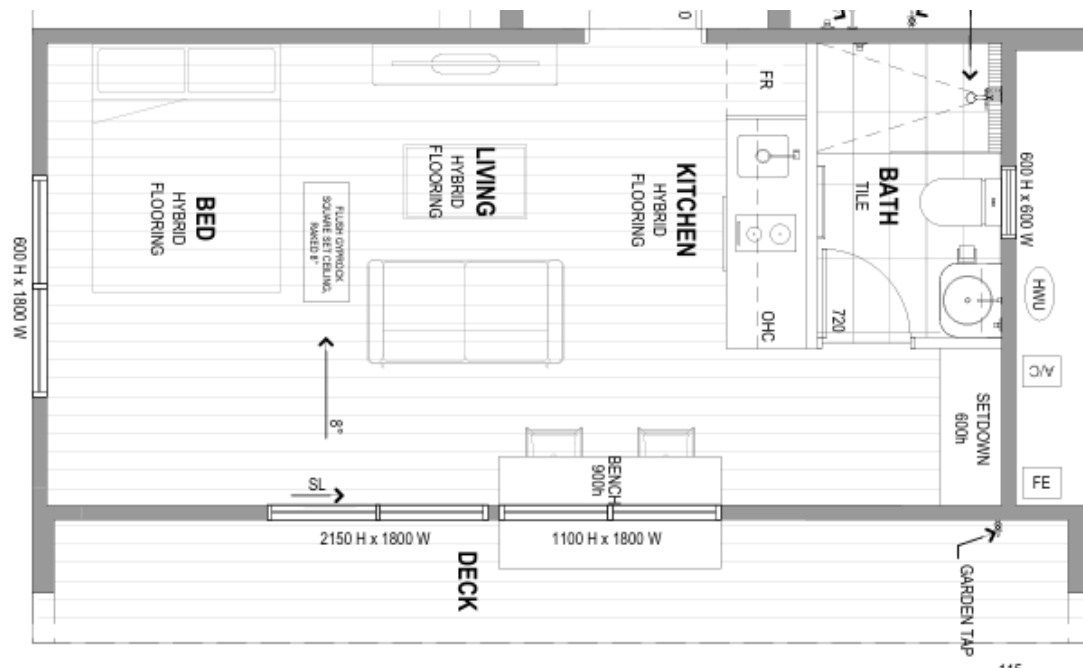


26 AUGUST 2026

There are two Type 2 buildings proposed, as accessible chalets.



There are seven Type 3 buildings proposed, which are one bedroom chalets.



- Zoning and Land Use Permissibility**

Lots 12 and 23 are zoned 'Tourism' under the Shire of Shark Bay Local Planning Scheme No 4 (the Scheme).

26 AUGUST 2026

The development is construed as 'holiday accommodation' defined in the Scheme as 'means 2 or more dwellings on one lot used to provide short term accommodation for persons other than the owner of the lot'.

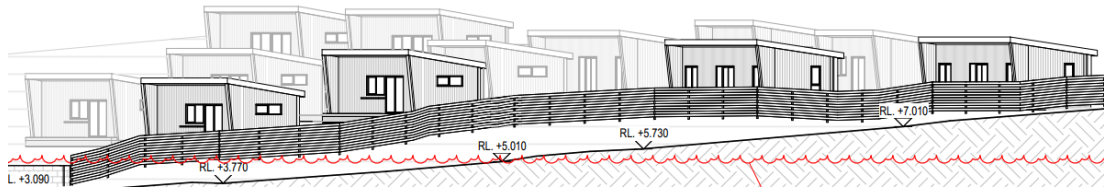
Holiday Accommodation is listed as 'D' Use in the Tourism zone under Table 1: Zoning Table of the Scheme:

USE AND DEVELOPMENT CLASS							
	Commercial	Tourism	Residential	Urban Development	General Industry	Rural	Special use
Holiday accommodation	A	D	A		X	X	

The 'D' symbol 'means that the use is not permitted unless the local government has exercised its discretion by granting development approval'.

- **Streetscape and Elevations**

The applicant has lodged detailed elevations showing the view of the development from Denham Road.



The buildings are 'redipods', low scale, and have modern finishes. An example elevation is included below, and 3D perspectives are provided as Attachment 2.

26 AUGUST 2026

CABIN TYPE 1

The existing timber lap fence is proposed to be retained along the Denham Road lot boundary, and Town Planning Innovations is of the view that the designs will fit in with and complement the existing streetscape.

- Site Requirements**

Site requirements are assessed in the table below.

	Clause 32.4.1 of the Scheme	Town Planning Innovations Comment
Setbacks	To the discretion of the local government	The setbacks are considered to be compatible with surrounding development.
Site Coverage	Not specific to holiday accommodation, however, allows 80% site coverage for caravan parks	Complies and is discretionary.
Landscaping	Not specific to holiday accommodation, however, requires 10% for caravan parks and short-term accommodation	Complies. Lodgement of a landscaping plan is recommended as a condition. New landscaping is proposed in the eastern portion of Lot 23 adjacent to the proposed new cabins.

- Car Parking**

Building Type	Total	Bedrooms	Total bedrooms
Type 1	3	2 double bedrooms (4 guests)	6

26 AUGUST 2026

Type 2	2	1 bedroom (1-2 guests)	2
Type 3	7	1 bedroom (1-2 guests)	7
Total buildings	12	Total bedrooms	15 bedrooms

There is no specific car parking requirement listed for 'holiday accommodation'. Table 3 of the Scheme requires one bay per bedroom for 'short term accommodation'.

A minimum of one carparking bay has been provided for each chalet, with an additional 2 accessible bays adjacent to the Type 2 chalets, and 2 overflow 'visitor' bays.

A total of 19 car parking bays has been provided, and there is an additional potential 'overflow' area adjacent to the main driveway, west of the new development.

Parking is not considered to be an impediment to the development.

- ***Amalgamation, access and crossover***

It is undesirable for development to traverse two separate lot boundaries, especially where the access to Lot 23 is reliant on Lot 12. Town Planning Innovations recommends that amalgamation be required as a condition of any approval, if granted by Council.

There is no formal constructed crossover, therefore construction of a crossover is recommended as a condition of development.

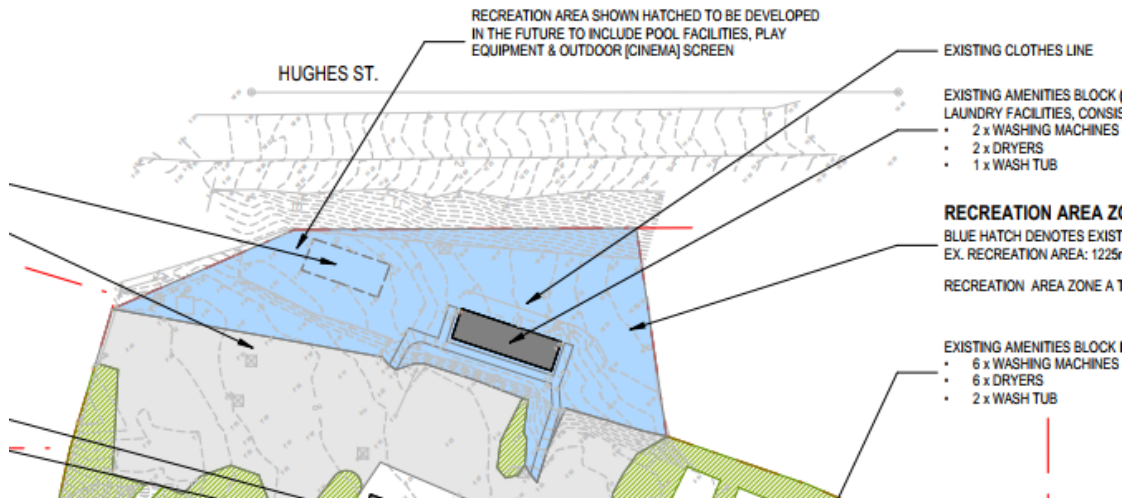
- ***Consultation/Submissions***

The application was advertised for public comment. Two objections were received and are outlined in Attachment 3.

It should be noted that:

- The application only proposes development in the eastern part of Lot 23.
- The advertised plans included a 'blue' recreation area in the north west part of Lot 23 and had a notation about a future swimming pool and outdoor cinema (which is not part of this planning application).

26 AUGUST 2026



Above: Extract of advertised plans with notation about future development of a swimming pool and outdoor cinema

- The two objections are not about the proposed chalets, but raise concerns over the 'blue' recreation area, any future planned swimming pool, outdoor cinema, noise, lights and amenity. Both objectors have subsequently been advised that the development does not include those elements.
- Town Planning Innovations is of the understanding that recreation areas near to Hughes Street were shown on the site plan, as they are required to be provided under separate legislation for any caravan park licence. They have not been assessed, and do not form part of, the planning application.

- ***Revised Plans / Separate Caravan Legislative requirements***

The advertised plans were referred to the Shires Environmental Health Officer for comment, and he advised that:

- (a) The one way roads are shown as 3 metres in width. The minimum requirement is 4.0m width for a one way facility road as per Schedule 7 Clause 15 of the *Caravan Parks and Camping Grounds Regulations 1997* (unless the distance was less than 4.0m on 1 July 1997).
- (b) There needs to be a minimum setback of at least 1.0m between any structure or building and a facility road as per Schedule 7 Clause 8 of the *Caravan Parks and Camping Grounds Regulations 1997* (unless the distance was less than 1.0m on 1 July 1997).
- (c) This should be highlighted to the proponent so that they can take this into consideration as part of finalising plans and specification for Shire approval.

The applicant made some minor adjustments to the plans after advertising, to address the Shires Environmental Health Officer comments, however the proposal has not

26 AUGUST 2026

substantially changed.

The applicant advises that:

- The drawings have been updated to allow for a 4-metre wide one-way access road, including the minimum 1-metre clearance zone on both sides. The cabins have shifted slightly to accommodate this.
- The general layout and arrangement of the cabins otherwise remains unchanged.
- Minor notation amendment to Recreational Zone A — reference to the outdoor cinema has been removed.

LEGAL IMPLICATIONS

Planning and Development (Local Planning Schemes) Regulations 2015 - The *Planning and Development (Local Planning Schemes) Regulations 2015* were gazetted on 25 August 2015, and became effective on 19 October 2015.

Clause 67 outlines 'matters to be considered by Council' including and not limited to the aims and provisions of the Scheme, orderly and proper planning, any approved state policy, the compatibility of the development with its setting including to development on adjoining land, amenity, loading, access, traffic and any submissions received on a proposal.

Shire of Shark Bay Local Planning Scheme No 4 – explained in this report.

POLICY IMPLICATIONS

There are no known policy implications relative to this report.

FINANCIAL IMPLICATIONS

The Shire pays consultancy fees to Town Planning Innovations for general planning advice.

STRATEGIC IMPLICATIONS

There are no known strategic implications associated with this item.

RISK MANAGEMENT

There are no known risks associated with this item.

VOTING REQUIREMENTS

Simple Majority Required

SIGNATURES

Author

L Bushby

Chief Executive Officer

D Chapman

Date of Report

13 August 2026

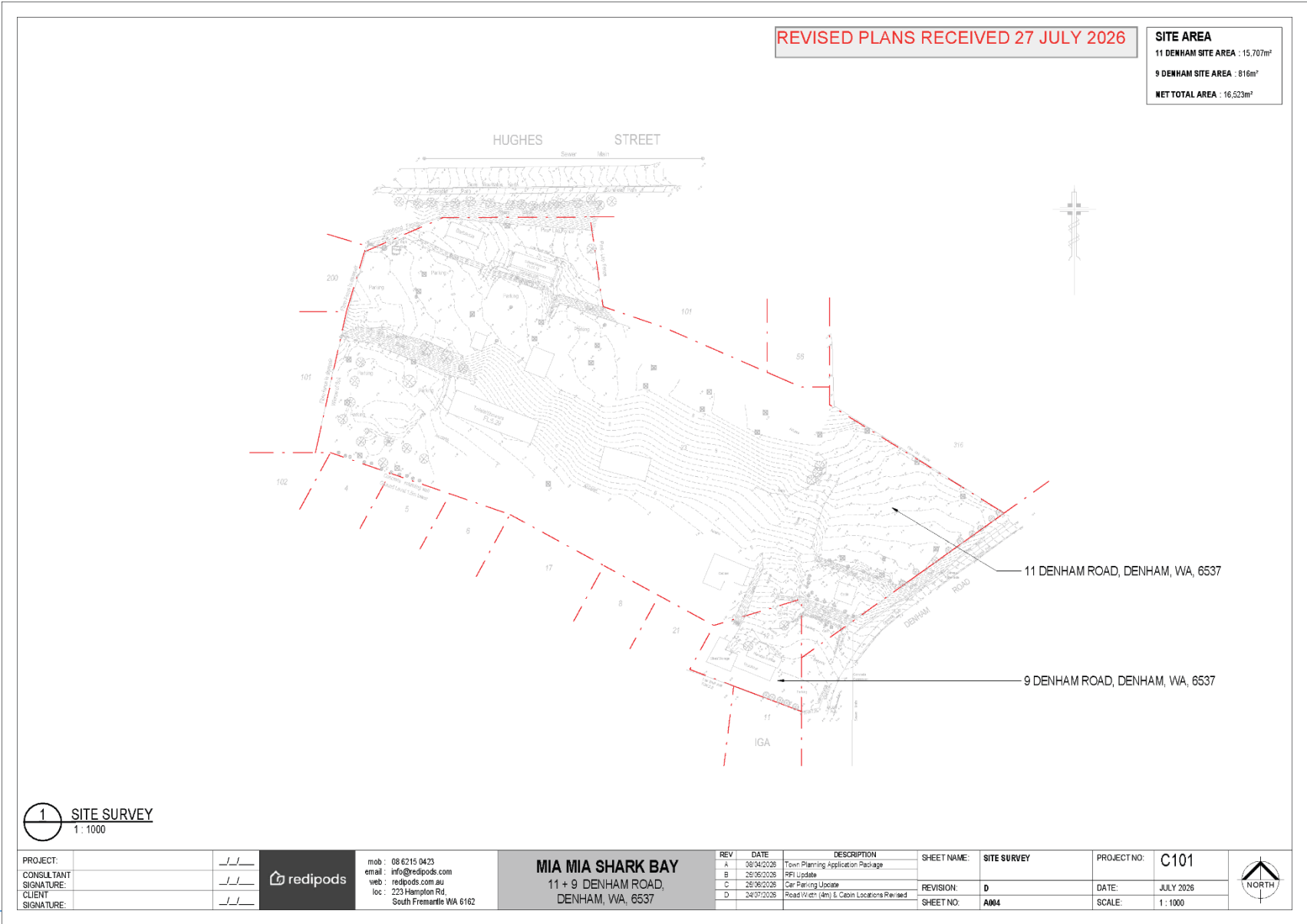
26 AUGUST 2026

ATTACHMENT # 1



ORDINARY COUNCIL MEETING AGENDA

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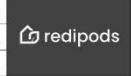


ORDINARY COUNCIL MEETING AGENDA

26 AUGUST 2026



PROJECT: _____
CONSULTANT: _____
SIGNATURE: _____
CLIENT: _____
SIGNATURE: _____



mob : 08 6215 0423
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web : redipods.com.au
loc : 223 Hampton Rd,
South Fremantle WA 6162

MIA MIA SHARK BAY
11 + 9 DENHAM ROAD,
DENHAM, WA, 6537

REV	DATE	DESCRIPTION
A	06/04/2026	Town Planning Application Package
B	25/05/2026	RFI Update
C	25/06/2026	Car Parking Update
D	24/07/2026	Road Width (4m) & Cabin Locations Revised

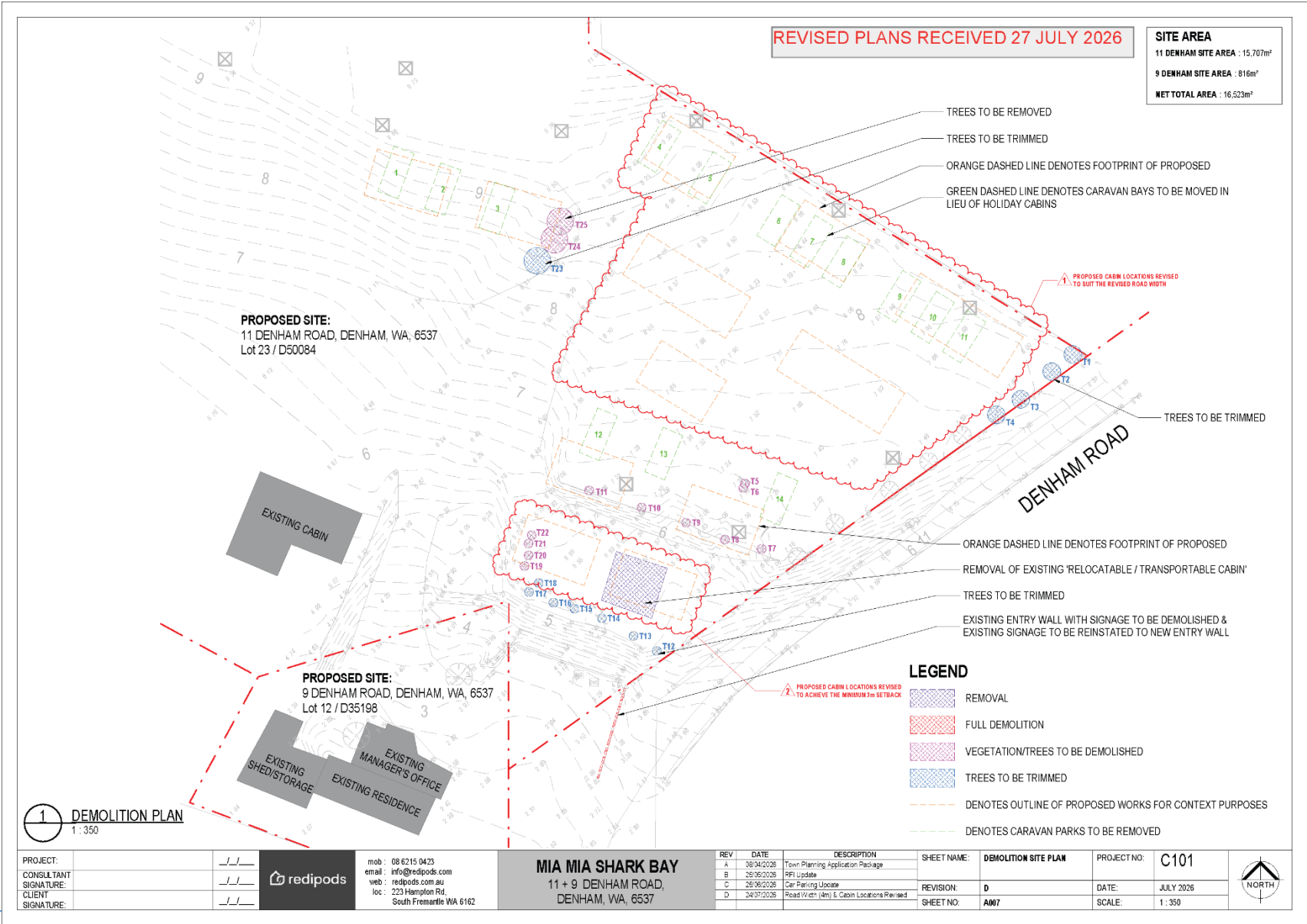
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LOCALITY PLAN
REVISION: D
SHEET NO: A005

PROJECT NO: C101
DATE: JULY 2026
SCALE: NTS

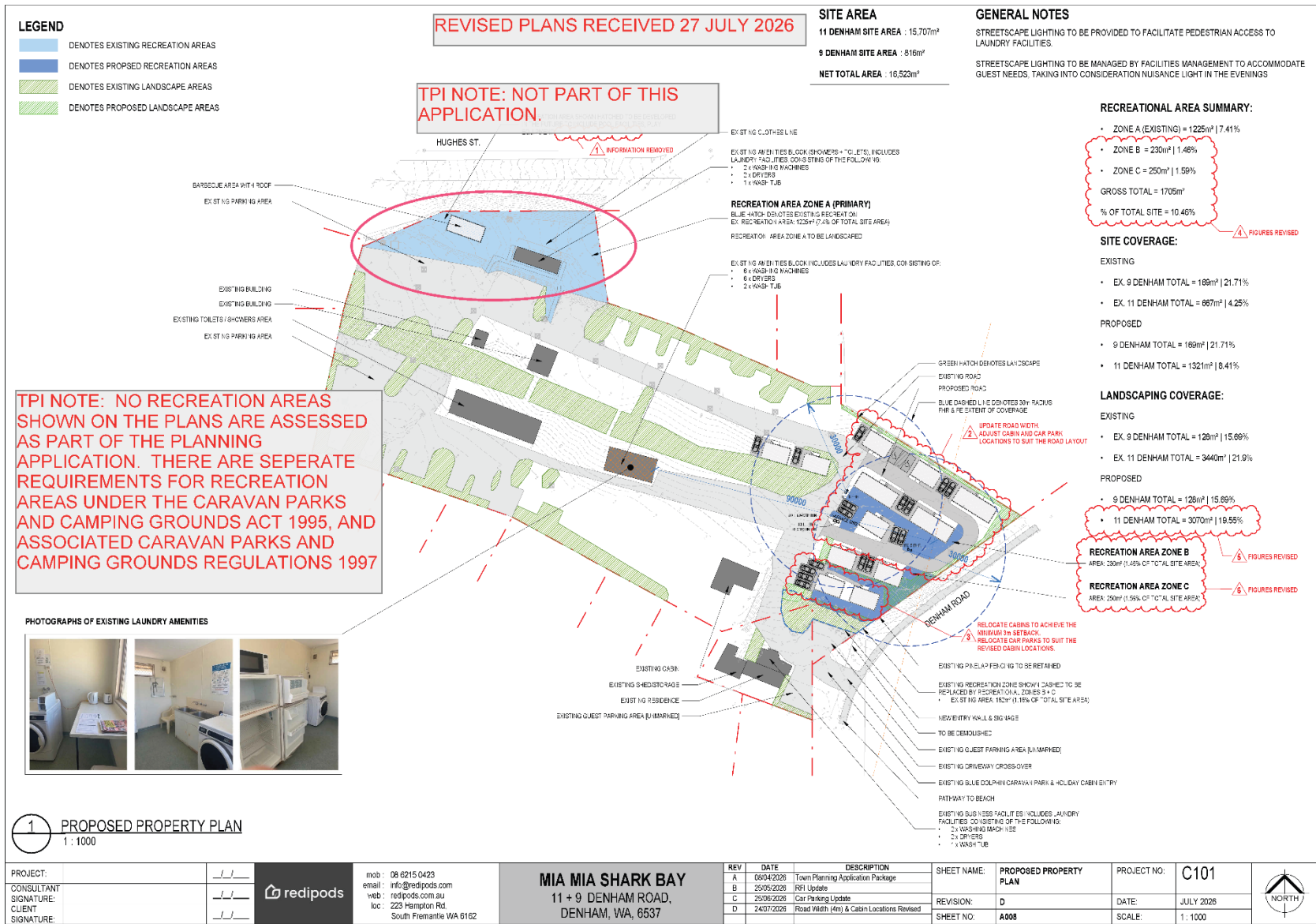


ORDINARY COUNCIL MEETING AGENDA

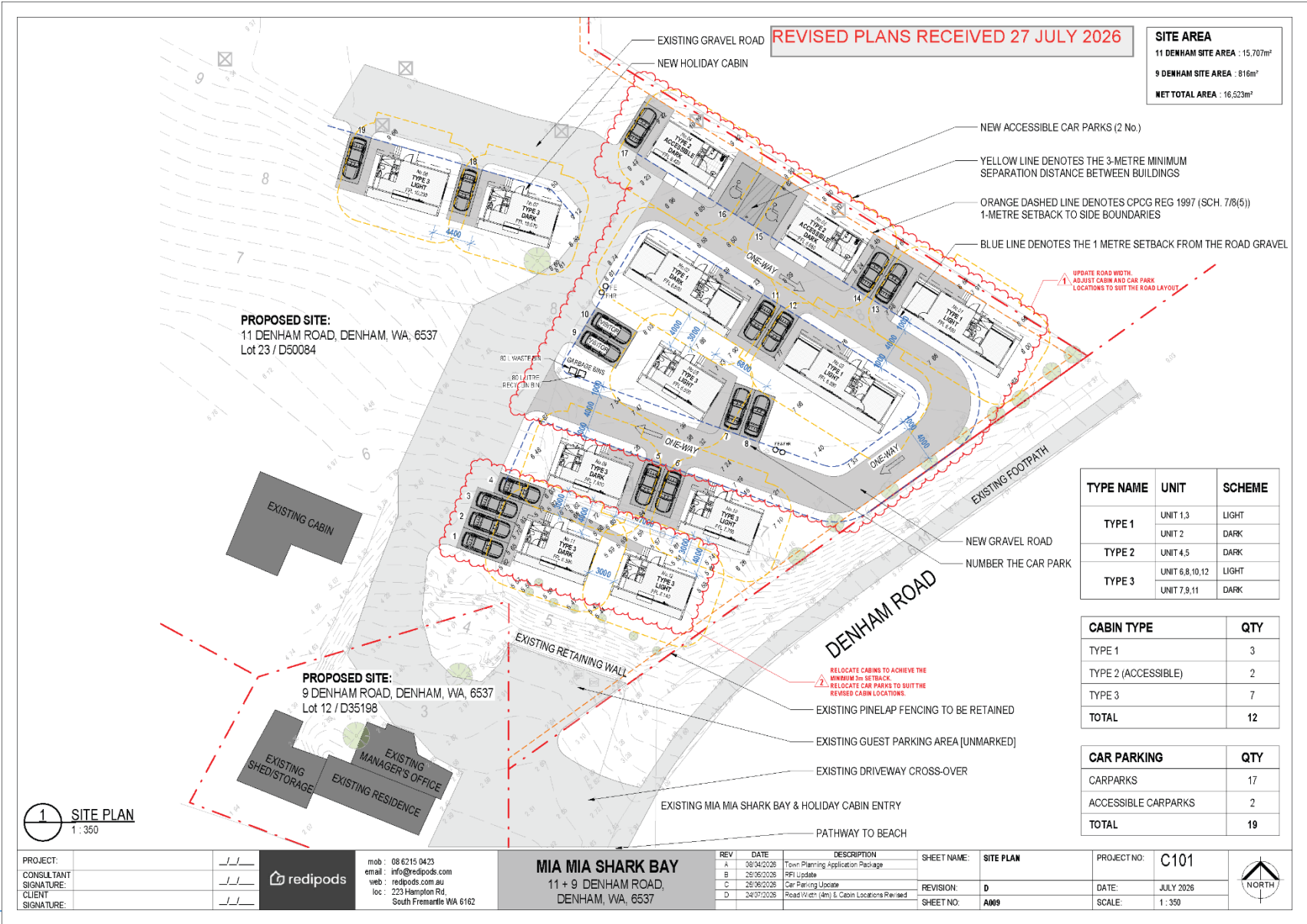
26 AUGUST 2026



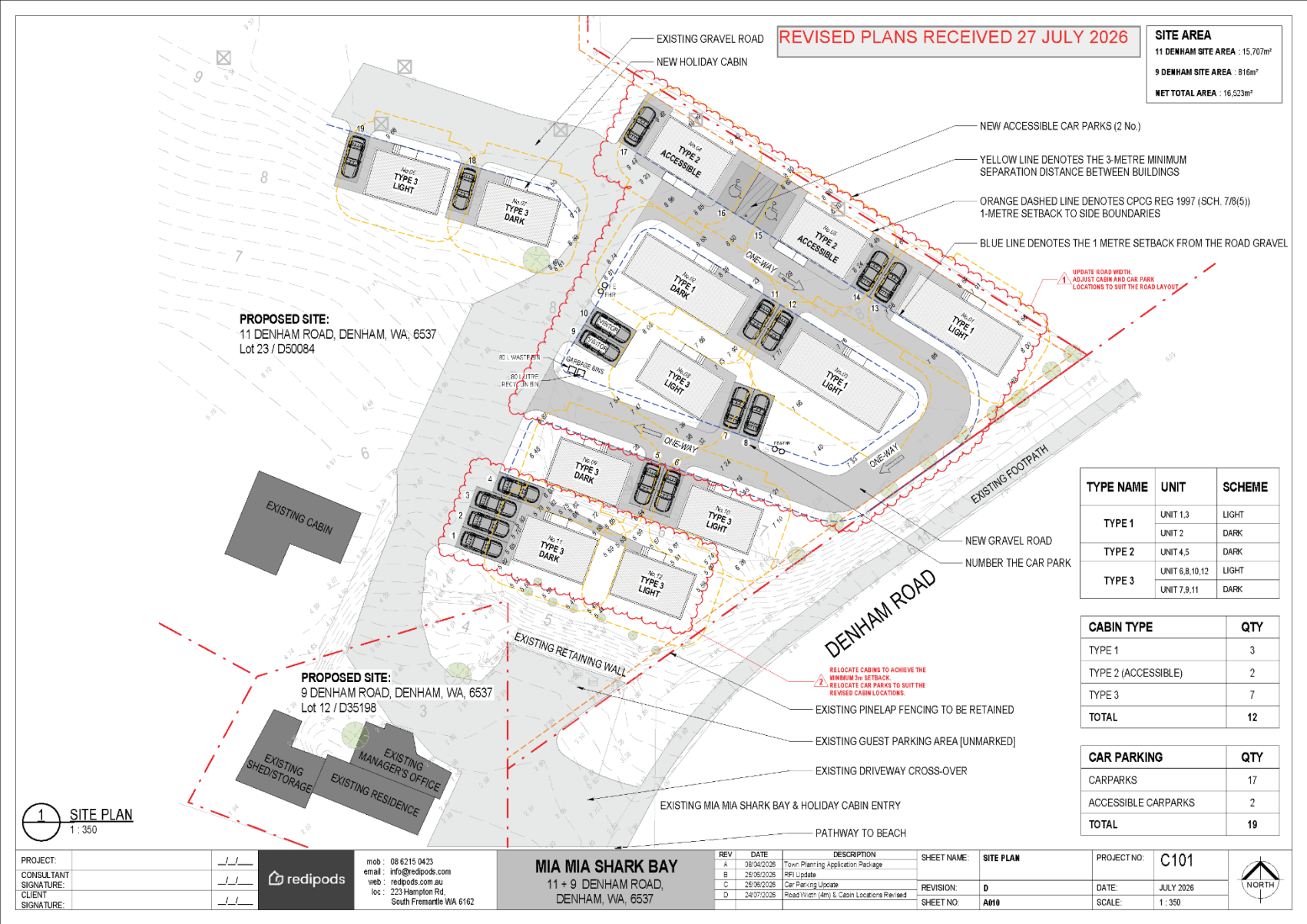
26 AUGUST 2026



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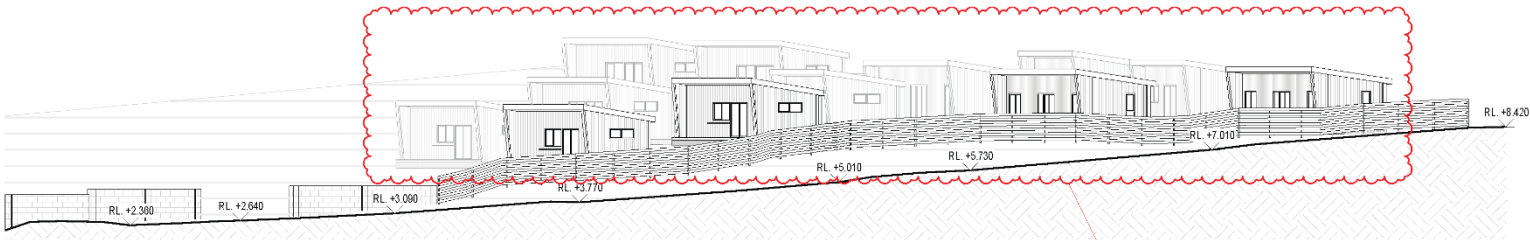
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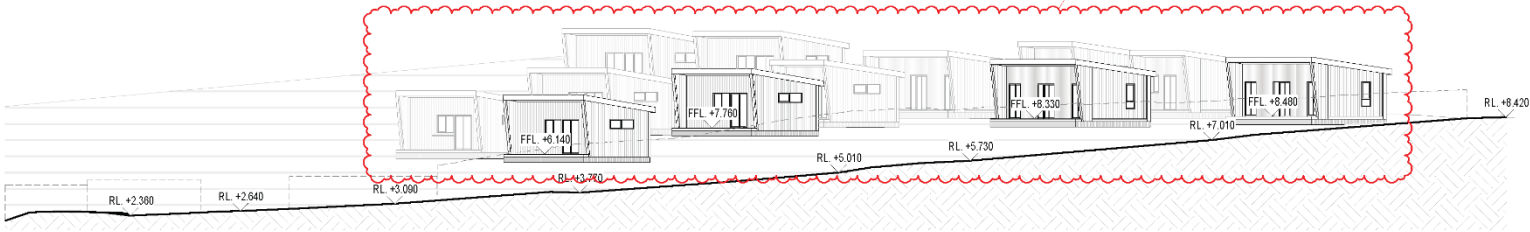
26 AUGUST 2026

REVISED PLANS RECEIVED 27 JULY 2026



1 STREET ELEVATION FROM DENHAM ROAD WITH FENCE
1:250

REVISE LOCATIONS OF CABINS No.01, No.02, No.03, No.04, No.05, No.06, No.11, No.12



2 STREET ELEVATION FROM DENHAM ROAD WITHOUT FENCE
1:250

PROJECT:					REV	DATE	DESCRIPTION	SHEET NAME:	SITE ELEVATIONS - SHT.	PROJECT NO:	C101
CONSULTANT					A	08.04.2026	Town Planning Application Package		01		
SIGNATURE:					B	25.05.2026	RFI Update	REVISION:	D	DATE:	JULY 2026
CLIENT					C	25.06.2026	Car Parking Update			SCALE:	1:250
SIGNATURE:					D	24.07.2026	Road Width (4m) & Cabin Locations Revised	SHEET NO:	A011		



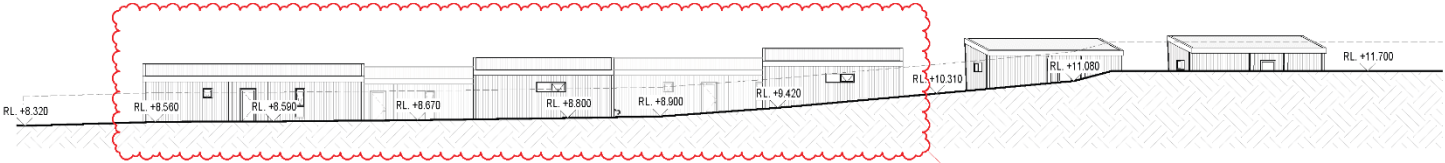
mob : 08 6215 0423
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web : redipods.com.au
loc : 223 Hampton Rd,
South Fremantle WA 6162

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11 + 9 DENHAM ROAD,
DENHAM, WA, 6537

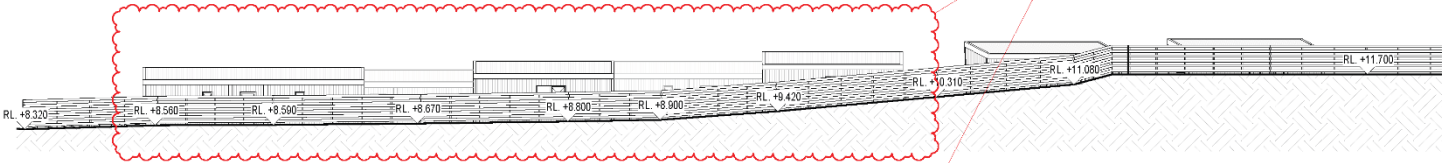
ORDINARY COUNCIL MEETING AGENDA

26 AUGUST 2026

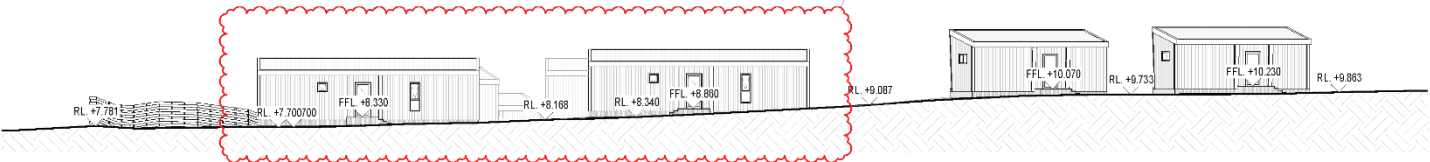
REVISED PLANS RECEIVED 27 JULY 2026



1 NORTHERN BOUNDARY SITE ELEVATION WITHOUT FENCE
1 : 250



2 NORTHERN BOUNDARY SITE ELEVATION WITH FENCE
1 : 250



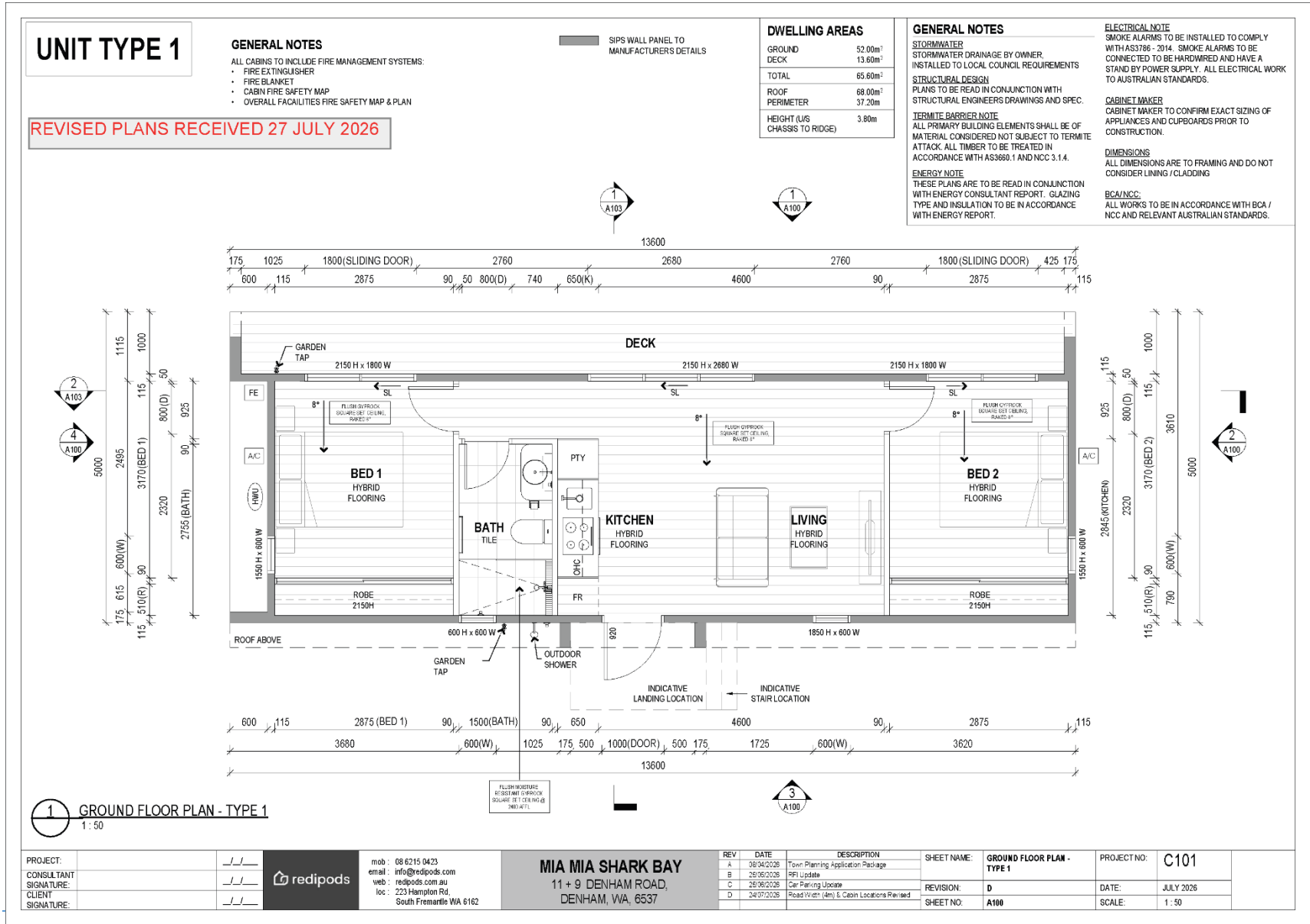
3 SITE ELEVATION DOWN THE MIDDLE
1 : 250

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CONSULTANT					A	08/04/2026	Town Planning Application Package		02		
SIGNATURE:					B	25/05/2026	RFI Update	REVISION:	D	DATE:	JULY 2026
CLIENT					C	25/06/2026	Car Parking Update			SCALE:	1 : 250
SIGNATURE:					D	24/07/2026	Road Width (4m) & Cabin Locations Revised	SHEET NO:	A012		



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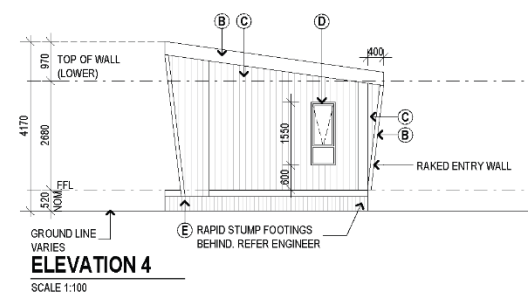
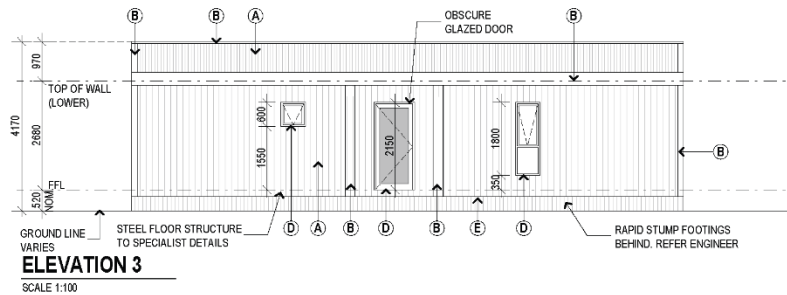
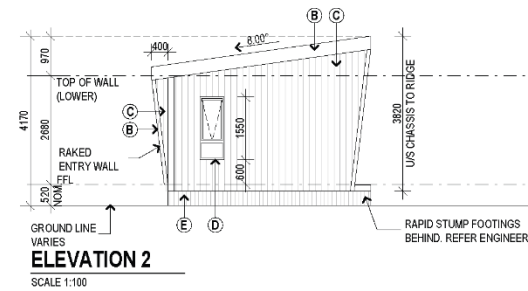
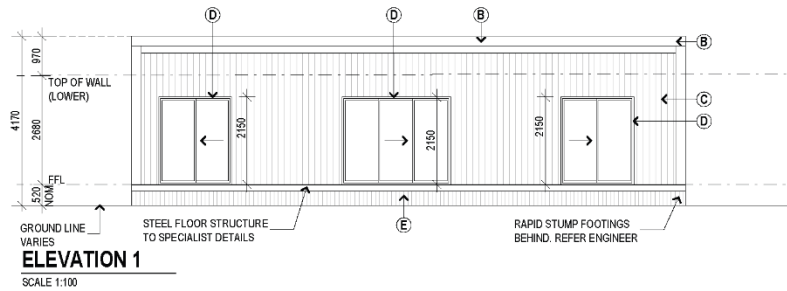
ORDINARY COUNCIL MEETING AGENDA

26 AUGUST 2026

UNIT TYPE 1

REVISED PLANS RECEIVED 27 JULY 2026

REF:	ITEM:	SCHEME: LIGHT		SCHEME: DARK		TYPE NAME	UNIT	SCHEME
		COLOUR	SUPPLIER / FINISHES	COLOUR	SUPPLIER / FINISHES			
(A)	METAL SHEETING	DUNE	COLORBOND	MONUMENT	COLORBOND	TYPE 1	UNIT 1,3	LIGHT
(B)	METAL PRESSING/ CAPPING	DUNE	COLORBOND	MONUMENT	COLORBOND		UNIT 2	DARK
(C)	CLADDING	DUNE	UNIT 1 & 3 - PAINTED 9.0mm AXON FIBRE CEMENT	MONUMENT	UNIT 1 & 3 - PAINTED 9.0mm AXON FIBRE CEMENT	TYPE 2	UNIT 4,5	DARK
(D)	P/COAT ALUMINIUM DOORS & WINDOWS	DUNE	PREMIUM	MONUMENT	PREMIUM	TYPE 3	UNIT 6,8,10,12	LIGHT
(E)	BATTEN SCREENING	BLONDE OAK	EKODECK CASTELLATED PANEL	CARBON	EKODECK CASTELLATED PANEL		UNIT 7,9,11	DARK



PROJECT:						REV	DATE	DESCRIPTION	SHEET NAME:	ELEVATIONS - TYPE 1	PROJECT NO:	C101
CONSULTANT SIGNATURE:						A	06/04/2025	Town Planning Application Package	REVISION:	D	DATE:	JULY 2026
CLIENT SIGNATURE:						B	26/05/2025	RFI Update	SHEET NO:	A102	SCALE:	1 : 100
						C	26/05/2025	Car Parking Update				
						D	24/07/2025	Road Width (4m) & Casing Locations Revised				



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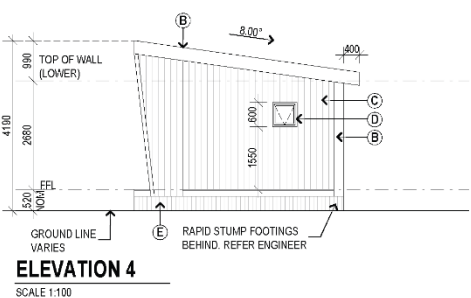
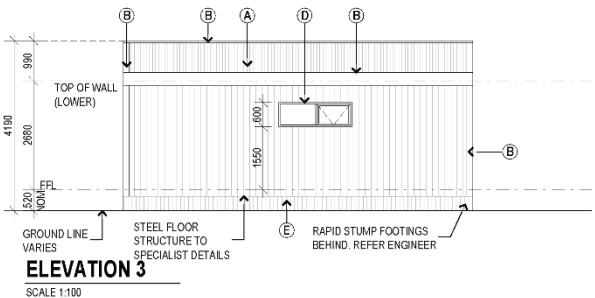
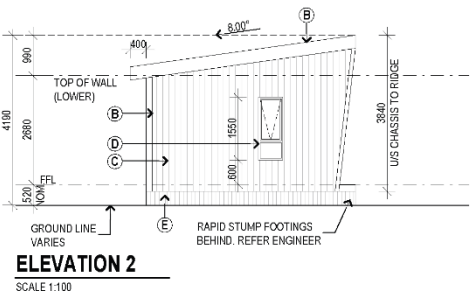
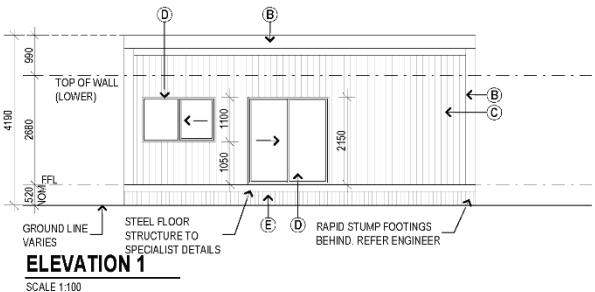
26 AUGUST 2026

UNIT TYPE 2

REVISED PLANS RECEIVED 27 JULY 2026

REF:	ITEM:	SCHEME: LIGHT		SCHEME: DARK	
		COLOUR	SUPPLIER / FINISHES	COLOUR	SUPPLIER / FINISHES
(A)	METAL SHEETING	DUNE	COLORBOND	MONUMENT	COLORBOND
(B)	METAL PRESSING/ CAPPING	DUNE	COLORBOND	MONUMENT	COLORBOND
(C)	CLADDING	DUNE	UNIT 1 & 3 - PAINTED 9.0mm AXON FIBRE CEMENT	MONUMENT	UNIT 1 & 3 - PAINTED 9.0mm AXON FIBRE CEMENT
(D)	P/COAT ALUMINIUM DOORS & WINDOWS	DUNE	PREMIUM	MONUMENT	PREMIUM
(E)	BATTEN SCREENING	BLONDE OAK	EKODECK CASTELLATED PANEL	CARBON	EKODECK CASTELLATED PANEL

TYPE NAME	UNIT	SCHEME
TYPE 1	UNIT 1,3	LIGHT
	UNIT 2	DARK
TYPE 2	UNIT 4,5	DARK
TYPE 3	UNIT 6,8,10,12	LIGHT
	UNIT 7,9,11	DARK



PROJECT:				REV	DATE	DESCRIPTION	SHEET NAME:	ELEVATIONS - TYPE 2	PROJECT NO:	C101
CONSULTANT:				A	08/04/2026	Town Planning Application Package				
SIGNATURE:				B	25/05/2026	RFI Update	REVISION:	D	DATE:	JULY 2026
CLIENT:				C	25/06/2026	Car Parking Update			SCALE:	1:100
SIGNATURE:				D	24/07/2026	Road Width (4m) & Cabin Locations Revised	SHEET NO:	A112		



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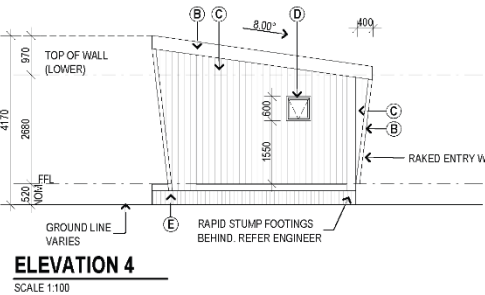
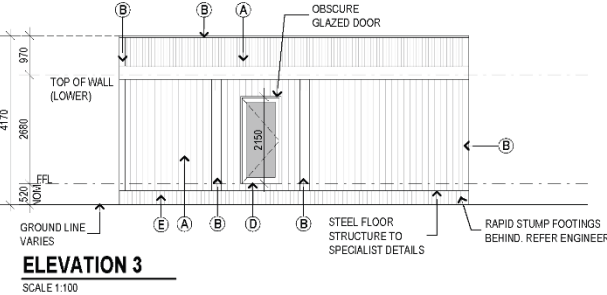
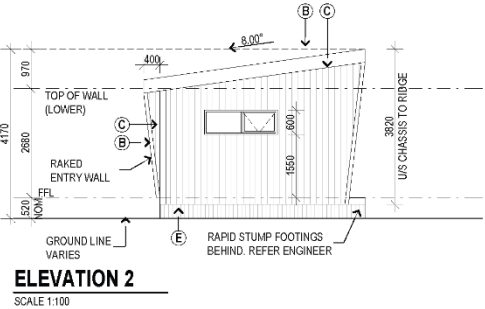
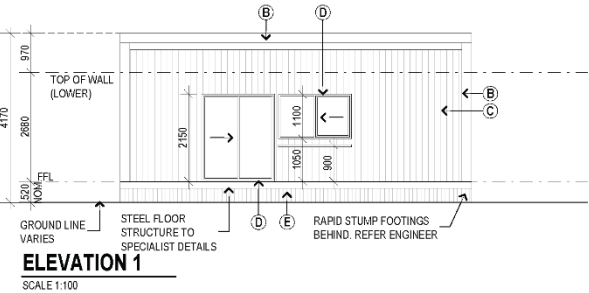
26 AUGUST 2026

UNIT TYPE 3

REVISED PLANS RECEIVED 27 JULY 2026

REF:	ITEM:	SCHEME: LIGHT		SCHEME: DARK	
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(A)	METAL SHEETING	DUNE	COLORBOND	MONUMENT	COLORBOND
(B)	METAL PRESSING/ CAPPING	DUNE	COLORBOND	MONUMENT	COLORBOND
(C)	CLADDING	DUNE	UNIT 1 & 3 - PAINTED 9.0mm AXON FIBRE CEMENT	MONUMENT	UNIT 1 & 3 - PAINTED 9.0mm AXON FIBRE CEMENT
(D)	P/COAT ALUMINIUM DOORS & WINDOWS	DUNE	PREMIUM	MONUMENT	PREMIUM
(E)	BATTEN SCREENING	BLONDE OAK	EKODECK CASTELLATED PANEL	CARBON	EKODECK CASTELLATED PANEL

TYPE NAME	UNIT	SCHEME
TYPE 1	UNIT 1,3	LIGHT
	UNIT 2	DARK
TYPE 2	UNIT 4,5	DARK
TYPE 3	UNIT 6,8,10,12	LIGHT
	UNIT 7,9,11	DARK



PROJECT:					REV	DATE	DESCRIPTION	SHEET NAME:	ELEVATIONS - TYPE 3	PROJECT NO:	C101
CONSULTANT SIGNATURE:					A	08/04/2026	Town Planning Application Package	REVISION:	D	DATE:	JULY 2026
CLIENT SIGNATURE:					B	25/05/2026	RFI Update	SHEET NO:	A122	SCALE:	1:100
					C	25/06/2026	Car Parking Update				
					D	24/07/2026	Road Width (4m) & Cabin Locations Revised				



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South Fremantle WA 6162

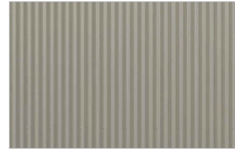
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DENHAM, WA, 6537

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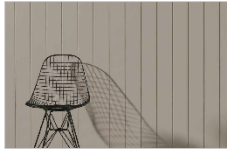
MATERIAL & FINISHES SCHEDULE

REVISED PLANS RECEIVED 27 JULY 2026

LIGHT COLOUR SCHEME

**A-01**

Roofing - Metal Sheetting Type 1
 Supplier / Finishes: Colorbond
 Colour: Dune
 Applicable: Type 1 (Unit 1 & 3)
 Type 3 (Unit 6,8,10,12)

**C-01**

Cladding Type 1
 Supplier / Finishes: Painted 9.0mm Axon fibre cement
 Colour: Dune
 Applicable: Type 1 (Unit 1 & 3)
 Type 3 (Unit 6,8,10,12)

**E-01**

Batten Screening Type 1
 Supplier / Finishes: Ekodeck castellated panel
 Colour: Blonde Oak
 Applicable: Type 1 (Unit 1 & 3)
 Type 3 (Unit 6,8,10,12)

**B-01**

Capping - Metal Pressing Type 1
 Supplier / Finishes: Colorbond
 Colour: Dune
 Applicable: Type 1 (Unit 1 & 3)
 Type 3 Type 3 (Unit 6,8,10,12)

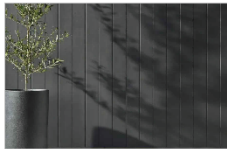
**D-01**

Pl/Coat Aluminium Doors & Windows Type 1
 Supplier / Finishes: Premium
 Colour: Dune
 Applicable: Type 1 (Unit 1 & 3)
 Type 3 (Unit 6,8,10,12)

DARK COLOUR SCHEME

**A-02**

Roofing - Metal Sheetting Type 2
 Supplier / Finishes: Colorbond
 Colour: Monument
 Applicable: Type 1 (Unit 2)
 Type 2
 Type 3 (Unit 7,9,11)

**C-02**

Cladding Type 2
 Supplier / Finishes: Painted 9.0mm Axon fibre cement
 Colour: Monument
 Applicable: Type 1 (Unit 2)
 Type 2
 Type 3 (Unit 7,9,11)

**E-02**

Batten Screening Type 2
 Supplier / Finishes: Ekodeck castellated panel
 Colour: Carbon
 Applicable: Type 1 (Unit 2)
 Type 2
 Type 3 (Unit 7,9,11)

**B-02**

Capping - Metal Pressing Type 2
 Supplier / Finishes: Colorbond
 Colour: Monument
 Applicable: Type 1 (Unit 2)
 Type 2
 Type 3 (Unit 7,9,11)

**D-02**

Pl/Coat Aluminium Doors & Windows Type 2
 Supplier / Finishes: Premium
 Colour: Monument
 Applicable: Type 1 (Unit 2)
 Type 2
 Type 3 (Unit 7,9,11)

FLOOR FINISHES

**HF-01**

Premium Hybrid Vinyl Plank Flooring
 Thickness: 6.5mm
 Applicable: Throughout and kitchen

**CF-01**

Ceramic tile flooring
 Size: 300mm x 600mm
 Applicable: Wet areas

PROJECT:  mob: 08 62 15 0423
 CONSULTANT: email: info@redipods.com
 SIGNATURE: redipods.com.au
 CLIENT: 223 Hampton Rd,
 SIGNATURE: South Fremantle WA 6162

MIA MIA SHARK BAY
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 DENHAM, WA, 6537

REV	DATE	DESCRIPTION	SHEET NAME:	MATERIALS & FINISHES SCHEDULE	PROJECT NO:	C101
A	08/04/2025	Town Planning Application Package			DATE:	JULY 2026
B	25/05/2026	RPI Update			SCALE:	NTS
C	25/06/2026	Car Parking Update	REVISION:	D		
D	24/07/2026	Road Width (4m) & Cabin Locations Revised	SHEET NO:	A200		

26 AUGUST 2026

ATTACHMENT # 2

CABIN TYPE 1



CABIN TYPE 2



CABIN TYPE 3



REVISD PLANS RECEIVED 27 JULY 2026

PROJECT:  email: 08 6215 5423
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SIGNATURE: redipods.com.au
CLIENT: 222 Hampton Rd.
SIGNATURE: South Fremantle WA 6162

MIA MIA SHARK BAY

11 + 9 DENHAM ROAD,

DENHAM, WA, 6537

REV	DATE	DESCRIPTION	SHEET NAME	3D PERSPECTIVES - SHT. 01	PROJECT NO:	C101
A	26/04/2026	Town Planning Application Package				
B	25/05/2026	RPI Update				
C	25/06/2026	Car Parking Update				
D	24/07/2026	Road Width (Int) & Cabin Locations Revised				

REVISION:	D	DATE:	JULY 2026
SHEET NO:	A201	SCALE:	NTS

ORDINARY COUNCIL MEETING AGENDA

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Design Impression

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CONSULTANT	—/—/—				A	08/04/2026	Town Planning Application Package	REVISION:	D	A202	DATE	JULY 2026
SIGNATURE:	—/—/—				B	25/06/2026	RFI Update					
CLIENT	—/—/—				C	25/06/2026	Car Parking Update					
SIGNATURE:	—/—/—			D	24/07/2026	Road Width (4m) & Cabin Locations Revised	SHEET NO:			SCALE	NTS	

ORDINARY COUNCIL MEETING AGENDA

26 AUGUST 2026

Design Impression

REVISÉD PLANS RECEIVED 27 JULY 2026



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CONSULTANT SIGNATURE:	.._/_/_			A	09/04/2026	Tenon Planning Application Package				
SIGNATURE:	.._/_/_			B	25/05/2026	RFT Update				
CLIENT SIGNATURE:	.._/_/_			C	25/06/2026	Car Parking Update	REVISION:	D	DATE:	JULY 2026
				D	24/07/2026	Road Width (4m) & Cabin Locations Revised	SHEET NO:	A203	SCALE:	NTS

ORDINARY COUNCIL MEETING AGENDA

26 AUGUST 2026

Design Impression

REVISÉD PLANS RECEIVED 27 JULY 2026



PROJECT:	—/—/—		mob: 08 6216 0423 email: info@redipods.com web: redipods.com.au loc: 223 Hampton Rd, South Fremantle WA 6162	MIA MIA SHARK BAY 11 + 9 DENHAM ROAD, DENHAM, WA, 6537	REV	DATE	DESCRIPTION	SHEET NAME:	3D PERSPECTIVES - SHT. 04	PROJECT NO:	C101
CONSULTANT SIGNATURE:	—/—/—				A	08/04/2026	Town Planning Application Package	REVISION:	D	DATE: JULY 2026	SCALE: NTS
					B	25/09/2026	RFI Update				
CLIENT SIGNATURE:	—/—/—				C	25/08/2026	Car Parking Update				
		D	24/07/2026	Road Width (4m) & Cabin Locations Revised							
					SHEET NO:	A204					

ORDINARY COUNCIL MEETING AGENDA

26 AUGUST 2026

Design Impression

REVISÉD PLANS RECEIVED 27 JULY 2026



PROJECT:	___/___/___		mob: 08 6215 0423	MIA MIA SHARK BAY 11 + 9 DENHAM ROAD, DENHAM, WA, 6537	REV	DATE	DESCRIPTION	SHEET NAME	3D PERSPECTIVES - SHT. 05	PROJECT NO:	C101
CONSULTANT:	___/___/___		email: info@redipods.com		A	08/04/2028	Town Planning Application Package				
CLIENT:	___/___/___		web: redipods.com.au		B	25/05/2028	RPI Update				
SIGNATURE:	___/___/___		loc: 223 Hampton Rd, 228 Fremantle WA 6162		C	25/09/2026	Car Parking Update	REVISION:	D	DATE: JULY 2026	
					D	24/07/2026	Road Width (Am) & Cabin Location Revised	SHEET NO:	A205	SCALE:	NTS

ATTACHMENT # 3

Submission	Town Planning Innovations Comment
Submission 1: Mick Lovell 69 Hughes Street, Denham	
We are the owners and residents of 69 Hughes Street, Denham, which is directly opposite the area identified on the plans as the: "RECREATION AREA SHOWN HATCHED TO BE DEVELOPED IN THE FUTURE TO INCLUDE POOL FACILITIES, PLAY EQUIPMENT & OUTDOOR CINEMA SCREEN." We wish to make clear that our concerns are not regarding the proposed construction of the 12 self-contained chalets. Our concerns relate specifically to the future recreation area shown on the plans and the potential impact that this type of development would have on the surrounding residential properties. The caravan park, formerly known as the Blue Dolphin Caravan Park, has historically operated as a quiet, low-key accommodation facility that has existed alongside the surrounding residential community. The site is bordered on three sides by privately owned homes, including properties on Denham Road, Hughes Street and Durlacher Street. The existing character of this area is one where residential amenity, privacy and a peaceful environment have been maintained. While we acknowledge that the recreation area shown hatched on the plans is identified as a future development and does not form part of the current application for the 12 chalets, its inclusion on the plans indicates an intended future use of this portion of the site. Given its location directly opposite established residential properties, we believe it is important that the potential impacts of this future use are recognised, considered and recorded as part of the current planning process. The introduction of a recreation area incorporating a pool facility, play equipment and an outdoor cinema would represent a significant change to the nature and intensity of activity occurring directly opposite established homes. Our concerns include: Noise impacts: A pool area, children's play facilities and an outdoor cinema have the potential to generate ongoing noise impacts, particularly during peak holiday periods, weekends and evening hours. Unlike the existing low-key operation, these facilities would introduce a more intensive recreational use immediately adjacent to residential properties, affecting residents' ability to enjoy the quiet use of their homes.	Noted. This does not relate to the planning application. Recreation areas are assessed and required separately under the relevant caravan park legislation. The Shires Environmental Health Officer assesses the annual caravan park licences and undertakes annual inspections. Non-objection to the development for chalets is noted. Submitters comment is noted. Town Planning Innovations emailed the submitter on the 22 July 2026 and confirmed that the recreation area is not part of the planning application. Council can only consider the application before it. As per comments above. As per comments above.

26 AUGUST 2026

Outdoor cinema impacts: An outdoor cinema is of particular concern due to the likelihood of evening and night-time operation. Noise from amplified sound, audience activity, late-night gatherings and vehicle movements associated with evening screenings could significantly affect nearby residents. The use of an outdoor cinema in this location has the potential to extend activity well beyond normal daytime caravan park operations and alter the existing amenity of the neighbourhood. Lighting impacts: The introduction of recreational facilities would likely require additional lighting for safety and operation purposes. Light spill from pool areas, pathways, play areas and an outdoor cinema could impact neighbouring homes, affecting privacy, sleep patterns and the enjoyment of residential properties. Loss of residential amenity and privacy: The proposed recreation area would place a high-activity visitor facility directly opposite private residences. Increased numbers of visitors congregating in this area may result in reduced privacy, increased overlooking and a loss of the quiet residential character that currently exists. Change in character of the area: While we recognise the importance of tourism and appropriate development within Denham, the scale and nature of the future recreation area shown on the plans appears inconsistent with the established residential surroundings. This area is not an isolated tourism precinct; it is a mixed-use environment where privately owned homes are immediately adjacent to the caravan park. We respectfully request that the Shire gives serious consideration to the concerns raised in this submission and acknowledges the potential future impacts of the recreation area shown on the plans. The proximity of this proposed high-activity recreational area to privately owned homes is a significant planning consideration and should not be overlooked. The potential impacts on noise, lighting, privacy, residential amenity and the ability of existing residents to peacefully enjoy their properties must be carefully weighed as part of the assessment process. We also request clarification as to whether the future recreation area shown on the plans is intended to form part of a future development application or whether its inclusion on the plans	As per comments above. As per comments above. As per comments above. As per comments above. It should be noted that the lots subject of this application are zoned 'Tourism'. As per comments above. Town Planning Innovations cannot provide advice on any potential future applications.
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ORDINARY COUNCIL MEETING AGENDA

26 AUGUST 2026

is simply indicative. Given the significant potential impacts on neighbouring residences, we believe surrounding residents should have the opportunity to formally comment should such a proposal be progressed in the future.

We request that this submission be formally acknowledged upon receipt and that confirmation be provided that our concerns have been recorded as part of the public consultation process for this application.

We also request that we be advised of the outcome of this application and provided with notification of any further planning processes or future applications relating to the proposed recreation area.

We also wish to raise a concern regarding the accessibility of the development application documentation during the public consultation period. After becoming aware of the proposal through the notice displayed in the window of the Shire office, we attempted to access the plans and supporting documents through the Shire of Shark Bay website; however, the advertised information and plans were not available through the website at that time. We contacted the Shire by telephone and were advised that staff were also unable to locate an accessible link, and a copy of the plans subsequently had to be provided to us directly by email.

We appreciate the assistance provided by the staff member who arranged for the plans to be sent, however, we believe that development application documents advertised for public comment should be readily accessible to all affected residents throughout the full consultation period. Access to the plans is essential to allow neighbouring property owners and members of the community to properly understand the proposal and provide informed submissions.

Given that affected residents may have been unable to view the relevant documentation during part of the advertising period, we respectfully request that the Shire ensure the complete application documentation is publicly accessible and consider whether an extension of the submission period is appropriate to allow all interested parties a fair opportunity to review the plans and provide comment.

On lodgement of the submission, it was formally acknowledged by email by Town Planning Innovations.

Any future consultation and/or advertising is to the discretion of the local government.

Town Planning Innovations is of the understanding that Shire Officers emailed copies of plans directly to persons who made enquiries, and when alerted of issues with the website advertising, fixed the problem as soon as practical.

Noted. This is an opinion expressed by the submitter.

Town Planning Innovations is of the understanding that Shire Officers emailed copies of plans directly to persons who made enquiries.

ORDINARY COUNCIL MEETING AGENDA

26 AUGUST 2026

Submission	Town Planning Innovations Comment
Submission 2: Dave Pearse 71 Hughes Street, Denham	
I note that the northwest corner is earmarked as a 'recreational' precinct with an outdoor pool and outdoor cinema.	Noted. This does not relate to the planning application. Recreation areas are assessed and required separately under the relevant caravan park legislation. The Shires Environmental Health Officer assesses the annual caravan park licences, and undertakes annual inspections.
This translates to more noise and lights which will affect the residents on Hughes Street opposite.	
I think it would be more appropriate to put the 'recreation' area on the next level down (south) closer to the established hotel precinct (the Heritage Resort).	The recreation area does not form part of this planning application. Council has to consider the application that has been lodged, which is for the chalets in the eastern part of Lot 23.
I wonder why no details of the zone are presented.	As per comments above.
I also wonder why no contact was made with Hughes Street residents who would be directly affected, while every other resident (Denham Road, Knight terrace, Durlacher Street) was.	As per comments above.
Please indicate in writing that these concerns have been received.	No email address was supplied so the Shire wrote to the submitter in July 2026 advising that the submission had received, that the application is for the chalets, and that the recreation area did not form part of the proposal.

26 AUGUST 2026

10.3 APPLICATIONS SEEKING A FIRST (RETROSPECTIVE) APPROVAL FOR AN EXISTING DWELLING TO BE USED AS A HOLIDAY HOUSE – LOT 217 (3) POLAND ROAD, DENHAM P1361

AUTHOR

Liz Bushby, Town Planning Innovations

DISCLOSURE OF ANY INTEREST

Declaration of Interest: Town Planning Innovations

Nature of Interest: Financial Interest as receive planning fees for advice to the Shire – Section 5.50A of *Local Government Act 1995*

Moved Cr
Seconded Cr

Officer Recommendation

That Council:

A. Note that:

- (i) **A previous application for a holiday house on this property was refused by Council at the Ordinary Meeting held on the 27 May 2026.**

The main reasons for refusal were based on an inadequate management plan that did not demonstrate compliance with the Shires Town Planning Scheme No 4, and did not demonstrate that the use would not cause nuisance.

- (ii) **A new application for the same proposal has been lodged with an improved Management Plan. The new application has been advertised for public comment and one objection has been received.**

B. Approve the application seeking planning approval for the existing single house on Lot 217 (No 3) Poland Street, Denham to be used as a Holiday House subject to the following conditions and footnotes:

- 1. This approval is valid for a maximum of 12 months from the date of this planning consent. Following the 12 month period this approval shall expire and become void.**
- 2. This approval for a Holiday House is issued to Nathan Matera as the landowner of Lot 217 (No 3) Poland Road, Denham. This approval shall not be transferred or assigned to any other person, and shall not be transferred from the land in respect of which it was granted.**

Should there be a change of ownership of Lot 217 this approval is cancelled and expires.

26 AUGUST 2026

3. The plans lodged with this application (as attached) shall form part of this approval.
4. Car parking areas with capacity to accommodate a minimum of 3 car parking bays are to be provided and maintained to a trafficable standard within the lot boundaries to the satisfaction of the Shire's Chief Executive Officer in accordance with the attached approved carparking plan.
5. A maximum of one guest boat shall be accommodated on site at any one time, and shall be in the designated boat parking bay shown on the attached approval parking plan at all times.
6. No car or other vehicle shall be parked in a manner that obscures, encroaches onto or interferes with pedestrian access to the existing footpath on Poland Road at any time.
7. A laminated copy of the attached approved parking plan shall be displayed within the house at all times.
8. The owner shall ensure implementation of the measures in the Management Plan lodged and approved as part of this application at all times.
9. The owner shall continue to engage a local property manager to manage the holiday house in accordance with the Management Plan approved as part of this application.

If an alternative manager is engaged (other than the agents stated in the Management Plan), then a revised Management Plan is to be lodged for separate written approval by the Chief Executive Officer with revised contact details for any new property manager.
10. The holiday house shall not operate unless:
 - (a) One of the property managers nominated in an approved Management Plan is present and residing in town; and
 - (b) It is in accordance with an approved Management Plan.
11. The owner shall keep and maintain a working fire extinguisher on the premises at all times in accordance with the Management Plan approved as part of this application, or any revised Management Plan approved separately in writing by the Chief Executive Officer.
12. An A3 laminated copy of the fire escape plan approved as part of this application shall be displayed in a prominent place within the existing dwelling.
13. No guest shall be accommodated for periods totalling more than 3 months in any 12 month period.
14. The maximum number of persons to be accommodated at any one shall be limited to 9.

26 AUGUST 2026



Above: Aerial view of Lot 217



Above: Streetview of Lot 217

- ***Existing Unauthorised Holiday House and Application History***

The Shire became aware that Lot 217 was being used as an unauthorised holiday house from a member of the public.

The history is summarised below:

Table 1	
Date	Summary
10 August 2025	The Shire was advised by a local resident that the house on Lot 207 was being advertised for short stay, and queried whether it had planning approval. The Shire verified that it was illegally operating as a holiday house, through bookings on the State Short Term Rental Accommodation Register. Town Planning Innovations can access booking records on the State Short Term Rental Accommodation Register.

ORDINARY COUNCIL MEETING AGENDA

26 AUGUST 2026

21 October 2025	The owner was requested to: - cease use of the holiday house immediately and cancel existing bookings; - lodge a planning application. The owner was provided with links to the holiday house application checklist and information on the Shire website, which is detailed.
7 November 2025	Checked Short Term Rental Accommodation register and notified the Department of Local Government, Industry and Regulation Safety that the unauthorised holiday house still operating.
10 November 2025	Shire advised the owner that as the unauthorised holiday house was still operating, it intended to lodge a Section 29 Certificate to Department of Local Government, Industry and Regulation Safety to seek cancellation and deregistration of the property from the State Short Term Rental Accommodation Register.
10 November 2025	Owner lodged an application form to the Shire on the 10 November 2025, without any accompanying information. The application was not accepted for processing as it was incomplete.
18 November 2025	Followed up owners written response to Shire letter dated 10 November 2025.
19 November 2025	Carol Marinkovich advice on intention to lodge planning application for owner.
23 November 2025	Owner advised of intention to lodge a planning application, engage Ray White and cancel current bookings
27 November 2025	TPI requested written advice from owners as bookings on State Short Term Rental Accommodation Register remained uncanceled.
1 December 2025	Owner advised bookings until December 2025 cancelled
19 December 2025	Shire advised owner that Section 29 Certificate on hold

• ***Previous Application and Council refusal***

The owner engaged Carol Marinkovich to lodge a formal planning application, which was completed and lodged on the 13 February 2026.

When the application was first lodged, the Shire was advised that the property would be managed by Ray White, and a Management Plan (for Ray White) accompanied the application.

During the course of the 'first' application, the owner change property managers 3 times. Three different management plans were lodged, and the last plan was deemed inadequate.

Council refused the first application at the ordinary Meeting held on the 27 May 2026 for the following reasons:

1. Continuation of use of the existing dwelling for short stay accommodation has the potential to impact on the residential amenity of the locality.
2. The application does not comply with Clause 32.15.2(a) of the Shire of Shark Bay Local Planning Scheme No 4, which states that the local government shall not consider a development application for a holiday house unless it is accompanied by *'a Management Plan that addresses how the landuse will be managed to maximize protection of residential amenity, includes details of how noise issues will be addressed by the Manager, and full contact details of the Manager or employee of the Manager.'*

26 AUGUST 2026

The revised Management Plan does not sufficiently address the Shire of Shark Bay Local Planning Scheme No 4 or protection of residential amenity.

3. The application does not comply with Clause 32.15.3(a) of the Shire of Shark Bay Local Planning Scheme No 4 as a Management Plan has not been lodged that adequately demonstrates that the landuse will be managed as to ensure that it will not cause nuisance or annoyance to the owners of adjoining or nearby residential properties.

- ***State Short Term Rental Accommodation Register***

The property was flagged on the State Short Term Rental Accommodation Register as operating without planning approval.

The State Short Term Rental Accommodation Register shows the registration status as 'expired' from the 27 January 2026.

COMMENT

- ***Description of proposal***

The new application is summarised as follows:

- (i) The dwelling has 4 bedrooms and can accommodate a maximum of 9 persons at any one time.
- (iii) The owner has lodged an improved Management Plan and nominated two local residents as the property managers – Gavin and Donnelle Oakley who live in Leeds Court in Denham.

A 'backup' manager has also been nominated in event that the property managers are out of town – Ms Sherri Smith who lives in Vlamingh Crescent in Denham.

The Management Plan is included as Attachment 1. Personal details have been omitted for the purpose of publication in the agenda.

A complaints procedure has been incorporated into the new Management Plan. It also requires the property managers to do regular drive by inspections during peak holiday periods.

Town Planning Innovations is generally supportive of the new Management Plan.

- (iv) A parking plan, internal floor plan, fire emergency plan and evacuation plan has been lodged in support of the application. These documents are generally supported by Town Planning Innovations.

- ***Zoning and Proposed Land Use***

Lot 217 is zoned 'Residential' under the Shire of Shark Bay Local Planning Scheme No 4 (the Scheme).

26 AUGUST 2026

Under the Scheme, Table 1 lists land uses in a table format with different symbols listed under different zones.

Each symbol has a different meaning and determines whether Council has discretion to consider a land use in the corresponding zone (ie if the land use is permitted, not permitted, discretionary or requires advertising).

Part of the planning assessment involves determining which land use definition from the Scheme 'best fits' the proposal.

The proposed land use is construed as a 'holiday house' which is defined in the Scheme as *'means a single dwelling on one lot used to provide short-term accommodation but does not include a bed and breakfast'*.

The Residential Design Codes define a single house as a dwelling on a green title or survey strata lot, without common property.

The land use of 'holiday house' is listed in Table 1 of the Scheme as an 'D' use in the Residential zone which *'means that the use is not permitted unless the local government has exercised its discretion by granting development approval'*.

An extract of Table 1 is included below.

TABLE 1

USE AND DEVELOPMENT CLASS							
	Commercial	Tourism	Residential	Urban Development	General Industry	Rural	Special use
Holiday house	A	A	D		X	X	

This essentially means that Council has discretion to consider an application for a holiday house in the Residential zone.

- **Local Planning Policy No 1 : Holiday Houses**

The application has been assessed in accordance with the Shires Local Planning Policy as follows.

TABLE A	
Policy Requirement	Comment
1. A site plan or good quality clear aerial showing the existing house, existing buildings, driveway, and guest parking areas. The location, number and dimensions of parking areas should be clearly marked on the plan.	The owners have lodged a scaled parking plan. Parking is discussed in the body of this report, and is not considered an impediment to the application.

26 AUGUST 2026

	The Management Plan states that parking must be contained in the property boundaries, and the parking plan will be provided to guests on booking.
2. An internal floor plan showing the house layout, the use of each room, and number of double, single or bunk beds per room (including fold out couches).	There is a detailed floor plan showing all bedrooms and the number of beds.
3. Carparking to be provided at a rate of 1 space every 3 guests.	Parking is discussed in the body of this report.
4. A Management Plan that addresses how the land use will be managed on a day to day basis to maximise protection of residential amenity, including details of how noise issues will be addressed by the Manager (handling of complaints), and full contact details of the Manager or employee of the Manager.	The Management Plan is discussed in the body of this report.
5. A Fire and Emergency Response Plan that includes detailed fire escape route maps, provision of a fire extinguisher and emergency contact numbers.	The application includes a Fire and Emergency Response Plan.

- ***Public Advertising and Consultation***

The new application and revised Management Plan was advertised for public comment, with one objection received, as outlined in Table B.

Public submissions on planning/development applications are generally considered as part of the assessment process, but the weight given to them depends on whether the issues raised are relevant planning matters, if the application has a direct impact (ie how significant the impact is likely to be), whether the matter is discretionary, and it is usual for town planners to assess and comment on submissions (to provide professional advice to Council, being the decision maker).

Issues such as loss of property value, competition with existing businesses, or personal dislike of a proposal generally carry little or no planning weight.

26 AUGUST 2026

Table B: Submission Table	
Submission 1: Ms Janine Guenther 3 Leeds Court, Denham	Town Planning Innovations (consultant Planner) Comments
1a) Although I am only a mere resident of the second class, namely those unwanted residents whose submission are not considered important enough anymore to be presented to the Council, I still would like to express my humble concerns about the proposed development of a short-term holiday rental in 3 Poland Road. 1b) NUMBER OF GUESTS Though the Management Plan has been altered, I understand that the application is still for a short term holiday rental and not for operating a Backpacker's. The application is for nine guests. I noticed that the applicant carefully avoided to include measurements of the house. Is that the kind of tourism that you want to encourage in Shark Bay? 1c) PARKING Past experience has already shown that the parking situation at this property is completely out of hand. I will refer to an email I sent to you in August 2025 with a photo taken of the property 3 Poland Road showing cars parked all over the public pavement. I have grave concern about the parking situation. Situations as pictured in my photo will cause constant problems 1d) TOWN PLANNING SCHEME NO 4 And yes, even if the Shire does not care about its Planning Scheme. Poland Road lies within the residential zone. Allowing the establishment of commercial short-term holiday houses within a residential zone denies people the protection and reliance upon the Town Planning Scheme. The Town Planning Scheme No 4 / 32.15.3 (e) states that short-term holiday rentals are supposed to be encouraged close to the	1a) The Shire takes into account all public submissions. Where an application is not referred to Council, and is determined under delegated authority, then the Chief Executive Officer considers submissions. In some cases, the issues raised in submissions have already been considered by Council as part of past agenda items on other holiday houses. 1b) Noted. The application is for a holiday house as explained in the body of this report. There is no minimum size for holiday houses, and no maximum 'cap' on guest numbers in the Shires Scheme or Local Planning Policy. Presumably guests view the house on advertised websites before staying at any property, and make their own decision on the adequacy of the house size when they book the premises. 1c) Parking is discussed in the body of this report. If Council conditionally approves the application, it will be limited to a one year period. 1d) Parking, zoning, land use permissibility and scheme requirements are discussed in the body of this report. The fact the land use is listed as 'D' use in the Zoning Table means that the Shires Local Planning Scheme contemplates holiday houses in the residential zone. Clause 32.15 of the Scheme is titled 'Holiday Homes in the residential zone'.

26 AUGUST 2026

Denham town centre and discouraged within established residential areas distant from the Denham town centre. Poland Road is at the 'back' of Denham. Approving a short term rental in the outskirts of town would contradict the Shire's own Town Planning Scheme.

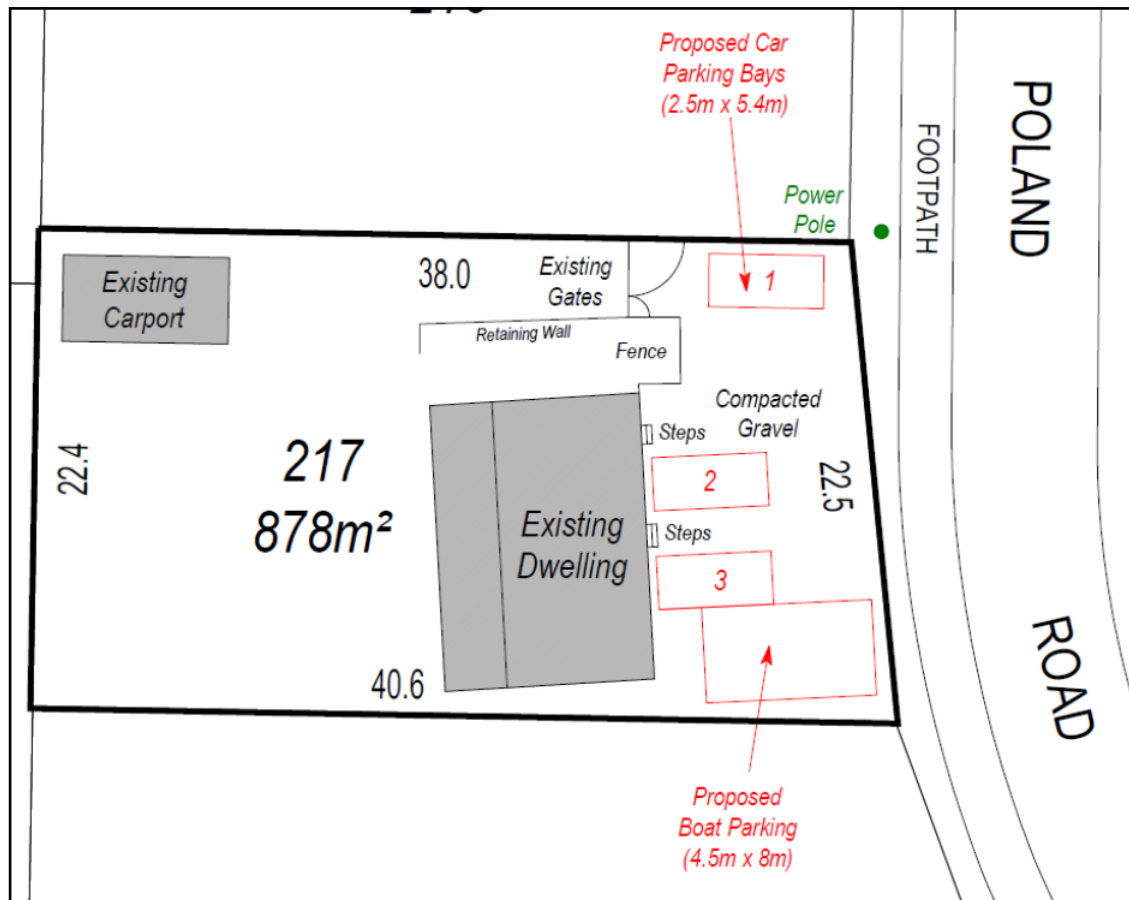
In terms of location, Council has discretion over that aspect. Town Planning Innovations has held separate workshops with Councillors where issues such as location have been discussed, and to date Council has supported a spread of holiday house locations across Denham townsite, rather than concentrating them in street blocks closer to Knight Terrace.

Whilst the submitter has a personal opinion on allowing holiday houses in residential zones, it is a land use that Council has the discretion to approve under it's Local Planning Scheme.

- **Parking Plan**

A scaled parking plan lodged with this application is included below.

It depicts 3 car parking bays in front of the house, and a 4.5 metre by 8 metre boat parking area.



The parking complies with the Shires Holiday House Policy, which requires 1 bay per every 3 guests.

26 AUGUST 2026

Clearly there is sufficient area in front of the house to accommodate parking, and there is some limited gated additional parking available to the rear.

Parking is not considered a major impediment to the application. The 'Code of Conduct' for guests states that parking must be within the property boundaries, no parking is allowed on the verge, and refers to the parking plan.

- **Crossover**

There is no formal crossover servicing the lot. Construction of a crossover would be required as a condition, if Council resolved to approve the application.

LEGAL IMPLICATIONS

Planning and Development (Local Planning Schemes) Regulations 2015 –

Regulation 57 of the deemed provisions outlines '*matters to be considered by Council*' including but not limited to orderly and proper planning, the compatibility of the development with it's setting including the relationship to development on adjoining land, the amenity of the locality, the adequacy of proposed means of access to and from the site, the amount of traffic to be generated by the development, and any submission received.

Shire of Shark Bay Local Planning Scheme No 4 –

There are specific provisions that apply to Holiday Houses in Residential zones under Clause 32.15. The most relevant scheme provisions are summarised in the following table.

Clause		Comment
32.15	The local government may permit a Holiday house within the Residential zone where, in its opinion, the use would not substantially spoil or detract from the residential character and amenity of the locality.	Town Planning Innovations is of the view that the proposal has potential to manage residential amenity of the area. A more comprehensive management plan and complaints procedure has been lodged.
32.15.2	The local government shall not consider an application for development approval for a Holiday house unless it is accompanied by: (a) A Management Plan that addresses how the land use will be managed to maximize protection of residential amenity, includes details of how noise issues will be addressed by the Manager, and full contact details of the Manager or employee of the Manager. (b) A Fire and Emergency Response Plan that includes detailed fire escape route maps and addresses the provision of safety features including hard wired	These scheme requirements are also replicated in Local Planning Policy No 1, and are discussed in the body of this report. It is considered that the application complies with Clause 32.15.2. Complies.

ORDINARY COUNCIL MEETING AGENDA

26 AUGUST 2026

	smoke detectors, provision of a fire extinguisher and emergency contact numbers. (c) A detailed site plan which demonstrates adequate carparking can be provided on site.	Complies.
32.15.3	The local government <u>may</u> have regard for the following matters when determining an application for development approval for a Holiday house:	This clause is worded to outline matters that Council <u>may</u> have regard for. It does not use the term 'shall' or the term 'due regard' so provides some flexibility and Council discretion.
32.15.3a	A Management Plan adequately demonstrates that the land use will be managed as to ensure that it will not cause nuisance or annoyance to the owners of adjoining or nearby residential properties;	This scheme requirement is replicated in Local Planning Policy No 1, and is addressed in the body of this report.
32.15.3b	A manager, caretaker or a contactable employee of the Manager permanently resides in Denham townsite or within one hours drive of Denham townsite;	This scheme requirement is replicated in Local Planning Policy No 1, and is addressed in the body of this report.
32.15.3c	A Fire and Emergency Response Plan comprehensively addresses fire safety;	This scheme requirement is replicated in Local Planning Policy No 1, and is addressed in the body of this report.
32.15.3d	The proximity of the lot to Denham townsite, the beach and/or any significant tourist attraction;	The lot is within approximately 970 metres of the main town centre and the beach. All lots in Denham are arguably close to the beach and amenities, however Council can take into account the location.
32.15.3e	The need to encourage holiday house's close to the Denham Town Centre and discourage these uses within established residential areas distanced from the Denham Town Centre;	As per above.
32.15.3f	The size of the lot and density of development in the surrounding area;	This report includes a photograph of the existing house. The lot has an area of 878m ² and is surrounded by similar sized properties.
32.15.3g	The potential for increased impact where adjacent land has been developed for grouped dwellings or there are small lots with dwellings in close proximity to each other;	There are no grouped dwellings on immediately adjacent lots.
32.15.3h	The potential for occupiers to have different behaviours and routines and the need to protect residents in suburban locations with daily work routines.	To address this the Scheme requires a local property manager, a Management Plan, and the ability to limit the term of any planning approval.
32.15.3i	The location of active outdoor areas and their relationship to sensitive bedrooms within	Access to neighbours' internal floor plans are limited. All

ORDINARY COUNCIL MEETING AGENDA

26 AUGUST 2026

	surrounding dwellings in a suburban environment.	applications are advertised for public comment so neighbours can raise any concerns over applications.
32.15.4	The local government shall limit any initial development approval for a Holiday house to a maximum 12 month period.	All 'first time' approvals are limited to 12 months through a condition of approval.
32.15.5	The local government may issue subsequent Development approvals for a Holiday house and has discretion to limit the term of approval to one year, 3 years or up to a maximum of 5 years as deemed appropriate by the local government.	The Shire can issue subsequent approval for terms of 3 or 5 years. Generally, second approvals have been limited to 3 years.
32.15.6	The local government may have regard for any substantiated written complaint or evidence about mismanagement of a Holiday house in considering the issue of subsequent Development approvals.	All applications are advertised to nearby and surrounding neighbours to ascertain whether issues have arisen for any approved holiday house.
32.15.7	Advertising signage associated with a Holiday house shall have a maximum area of 0.2m ² and be fully located within the lot boundary.	A condition is placed on all approvals to limit the size of any sign.
32.15.8	A Holiday house is to comply with the Residential Design Codes and/ or any existing Planning consent already granted for the dwelling or variation to the Residential Design Codes with the exception that Council has discretion to require a higher provision of carparking for any Holiday house having regard for the number of bedrooms and maximum number of persons to be accommodated at any one time.	Council has regard for factors such as number of bedrooms and maximum number of guests in assessing carparking.
32.15.9	Development approvals can be renewed when an owner/ applicant lodges a new Planning Application to the local government.	Renewals are only considered where a landowner lodges a new application.
32.15.10	A development approval for a Holiday house is issued to a specific owner of a particular parcel of land, it shall not be transferred or assigned to any other person, and shall not be transferred from the land in respect of which it was granted. Should there be a change of the owner of the land in respect of which planning consent is issued the planning consent is cancelled.	Conditions are placed on approvals for holiday houses to ensure they are specific to the current landowner(s). If ownership of a lot changes any existing approval lapses and expires.
3.15.11	A Holiday house shall not operate within the Residential zone unless it is registered in respect of the lot under Clause 32.15.12.	The Shire registers holiday houses if an approval is granted.
32.15.12	Outlines that all holiday houses have to be a register maintained by the Shire.	The Shire registers holiday houses if an approval is granted.
32.15.13	Outlines that Council may have a general regard for Clauses 32.15.2 and 32.15.3 in determining applications for a holiday house in the Commercial or Tourism zone.	This clause does not apply as this proposal is in a residential zone.

26 AUGUST 2026

POLICY IMPLICATIONS

The Shire has a Local Planning Policy for Holiday Houses.

The Western Australian Planning Commission has a 'Planning for Tourism and Short Term Rental Accommodation Guideline' which outlines that:

- The prevalence of residential properties being let as short-term rental accommodation in residential areas has increased rapidly in Western Australia since the emergence of online e-commerce booking platforms.
- Depending on the type and scale of the short-term rental accommodation proposed, a variety of controls may be applicable to manage the use.
- The Guidelines propose tailoring of local planning schemes, alongside preparation of local planning policies, to address the specific issues encountered by individual local governments in relation to short-term rental accommodation.

The Western Australian Planning Commission Guidelines outline that *'local government may require the applicant to prepare a management plan to address potential amenity impacts arising from short-term rental accommodation and necessary emergency protocols'*.

The requirement for a local management plan is embedded in the Shires Scheme, Local Planning Policy and is consistent with the Western Australian Planning Commission Guidelines.

FINANCIAL IMPLICATIONS

The Shire pays consultancy fees to Town Planning Innovations for general planning advice.

STRATEGIC IMPLICATIONS

There are no known strategic implications relative to this report.

RISK MANAGEMENT

There are no known risks associated with the proposed development.

VOTING REQUIREMENTS

Simple Majority Required

SIGNATURES

Author

L Bushby

Chief Executive Officer

D Chapman

Date of Report

13 August 2026

26 AUGUST 2026

ATTACHMENT # 1

Attachment 6

MANAGEMENT PLAN

1. PROPERTY ADDRESS: 3 POLAND ROAD, DENHAM

2. PROPERTY MANAGER DETAILS:

Name: Gavin & Donnelle Oakley

Address:

Mobile:

3. DETAILS OF RESERVATION ARRANGEMENTS (PLEASE TICK ALL APPLICABLE):

- ☒ Internet (please specify) : All bookings will be made via Air BnB.
(once we have an approved planning application the link will be reinstated)
- ☒ Property Manager : Refer to details in section 2 of this document.

4. PROPERTY MANAGER DUTIES

- When a booking is accepted and confirmed via Air BnB each guest will receive confirmation via the app and then be sent a copy of the documents being submitted with this application (management plan, code of conduct, parking plan and fire & emergency response plan).
- At the beginning of each month the Property Manager will be given the booking details for that period. This information will include names, dates of the stay and contact details for the guests.
 - If Gavin & Donnelle are out of town and unable to manage the property, we will have a temporary property manager during these periods, with all documentation being updated accordingly for guests.
 - Temporary Property Manager
 - Sherri Smith
 - [REDACTED]
 - [REDACTED]
 - Should Gavin & Donnelle and Sherri both be out of town during any of the proposed bookings they will be rejected via Air BnB. Bookings will only be accepted and confirmed if there is a Property Manager in town.
- During peak holiday periods or long duration stays drive by inspections will be conducted of the property to ensure the property is being well maintained and parking plan is being adhered to.
- The premises are inspected after guest checks out to ensure that it has been kept in a neat and tidy condition.
- Bins are put out weekly for standard Council pick up or as necessary.
- We arrange regular cleaning of the premises in between guest stays and ongoing maintenance of the property.
 - Cleaning Services
 - Beavis & Smith Cleaning & Chemicals (Sherri Smith)
 - [REDACTED]
 - [REDACTED]
- Any damage, safety or general maintenance issues are reported to the Property Owner by Property Manager.
 - Maintenance Services
 - Rick Moroney

ORDINARY COUNCIL MEETING AGENDA

26 AUGUST 2026

Attachment 6

- [REDACTED]
- Fire extinguishers and fire blankets are checked and certified on a 6 monthly basis as per Australian standards, including smoke alarms and fire emergency equipment.
 - Graeme Marinkivich
 - GCM Fire Protection Services
 - [REDACTED]
 - [REDACTED]

5. BOOKING PROCEDURE CONDUCT FOR GUESTS

Air BnB have terms and conditions which guests must acknowledge they have read and understood prior to proceeding with a booking [Terms of Service - Airbnb Help Centre](#)

ADDITIONAL TERMS AND CONDITIONS (House rules)

- Minimum: 3-night stay
- Maximum: 21 days
- Check in: 2:00pm
- Check out: 10:00am
- After Hour Key Pick Up: Lock box details given 24hrs prior to check-in
- Linen: Provided for guests. Cleaned and replaced following each stay, with spares available onsite in linen cupboard should guests need to change them during their stay.
- Cancellation Policy: As per Air BnB policy. Less than 24hrs notice no refund, prior to 24hrs discussion to be had with Property Owner and refund will be issued on a case-by-case basis.
- Pet Information: Allowed but strictly outside the property. Sufficient fencing surrounding the property.
- Rubbish collection: Beavis & Smith Cleaning & Chemicals place bins on the verge for collection as per Council schedule.
- Guest Numbers: Maximum 9 people.
- Excessive Noise: Should generally cease after 9:00pm Sunday to Thursday and 10:00pm Friday and Saturday.
- Left Items: Beavis & Smith Cleaning & Chemicals advises Property Owner, and guests are contacted via Air BnB.
- Feedback: Via SMS to Property Manager or Property Owner via Air BnB.
- Loss or Damage to Property: Following the cleaning service Beavis & Smith Cleaning & Chemicals advises if anything has been removed/damaged. If guest has not advised Property Manager a damage investigation will be opened with the Property Owner and standard Air BnB procedures will be followed.

CONFIRMATION:

When a booking is confirmed via Air BnB guests acknowledge the booking is for a total of **9 guests** and that there is a strict no smoking policy inside the premises. They also acknowledge that if house rules are broken or false or misleading information has been given then the Property Manager consults with the Property Owner, and they're given authority to order guests to vacate the property with no refunds given.

6. MAINTENANCE AND ACCESSIBILITY

Who will be responsible for ensuring that a fire extinguisher will be provided?	Property Manager or Fire Technician (already installed)
Who will inspect the premises regularly to ensure that the smoke alarms are in working order?	Owner or Property Manager (already installed)

ORDINARY COUNCIL MEETING AGENDA

26 AUGUST 2026

Attachment 6

Who will inspect the premises regularly to ensure that the fire extinguisher is in working order?	By registered Fire Test & Tag Technician at least 2 times per year as per Australian regulations. Currently GCM Fire Protection Services.
What arrangements are in place for cleaning the house before each booking?	Cleaning Services are booked following each stay.
Is there a working outdoor hose available to guests?	Yes (1 in total) – at the rear left hand side of the house. Additional tap at the front of the property.
If windows are fitted with locks, are the keys provided to guests?	Yes
Are guests given keys to all external lockable doors, including security doors?	Yes
What arrangements are in place for maintenance of external yard areas?	Property Manager to advise when works needs to be completed. Maintenance Services contact details can be found in section 4 of this document.

7. COMPLAINTS POLICY

- Please contact Property Manager. Details found in Section 2 of this document.
- All complaints are recorded in an electronic form with contact details of each guest and nature of complaint.
- Each complaint is assessed based on the individual situation taking into regard the seriousness of the complaint. Depending on the seriousness of the complaint the Property Manager will respond immediately or on the same day of the complaint being made, unless late at night which would be responded to the next day.
- The property would be inspected in person on receipt of a complaint, and the Property Manager would talk to the guests about any issue reported by a complainant.
- Depending on the nature of the issue the Property Manager may give the guests a warning or under extreme circumstances contact Property Owner and have the booking cancelled, guests evicted and reported to Air BnB due to breach of house rules.
- The complainant would be informed of the outcome of any inspection and action taken to respond to the complaint.
- Property Owner will be advised in writing of any serious or justified complaint and action taken to respond or resolve any complaint.
- If warranted, the Property Manager would liaise with police over any serious issues.

8. PARKING

Boat Parking for 3 Poland Road is to be within the boundaries of the property at all times. Please be sure that your Car and Boat are not protruding past the property boundaries as indicated on the Parking Plan. At no time are vehicles or boats to protrude onto the verge or be parked on the road.

Please refer to the Parking Plan clearly displayed at the property.

26 AUGUST 2026

**CODE OF CONDUCT FOR GUESTS
(SHARK BAY ABODE)**

PROPERTY ADDRESS: 3 POLAND ROAD, DENHAM WA 6537

PROPERTY MANAGER: GAVIN & DONNELLE OAKLEY (11 LEEDS COURT, DENHAM)

The following Code of Conduct governs guest behaviour and use of the property. All guests are to follow the Code of Conduct for themselves and any visitors they allow at the property.

GUESTS:

- A responsible adult (over 18 years of age) shall be on site at all times when children are present.
- No unauthorised people are permitted to stay overnight.
- There shall be a maximum of **9 guests** on the property at any one time.

NOISE AND NUISANCE:

- Guests are not to cause or permit nuisance at the property.
- This includes excessive noise, disruptive behaviour or anti-social behaviour.
- Noise should generally cease after 9:00pm Sunday to Thursday and 10:00pm Friday and Saturday.
- The Property Manager may contact any guests where noise levels are deemed unacceptable.

VEHICLE PARKING:

- Guests shall park all cars and any trailers, caravans or boats on the property at all times in the designated parking areas. Refer to the Parking Plan for further information (Attachment 2).
- Guests shall not park on the verge or on the street outside of the property.

PREMISE CONDITION AND CLEANLINESS:

- It is all guests responsibility to leave the premises in a clean and tidy condition upon vacating.
- All fittings and chattels are to be left in their original condition and position that they were in at the beginning of each stay.
- Guests are to notify the Property Manager of any damage or disrepair within 24 hours of this occurring.
- Any damage repairs or excessive cleaning that is attributed to guests stay will be paid for by the guests.

LINEN:

- Beavis & Smith Cleaning and Chemicals will wash and replace all linen after each stay and prior to the next guest arriving.

FIRES:

- No candles or open fires are permitted on the property.
- All guests should read the Fire and Emergency Response Plan.

RUBBISH DISPOSAL:

- All rubbish is to be placed in the bins provided.
- Guests are responsible for taking out the outdoor rubbish bin where their stay coincides with collection days.
- Beavis & Smith Cleaning and Chemicals will place the bins on the verge as per Council rubbish collection and bring them off the verge once emptied.

KEYS:

- At the end of your stay please lock the premises (including all doors and windows) and return the keys to the lock box as per details given on check-in.

TERMINATION OF ACCOMMODATION:

The Property Manager (in consultation with Property Owner) reserves the right to terminate accommodation if guests are found to have contravened any part of the Code of Conduct. No refunds will be made where termination is made due to a breach of the Code of Conduct.

26 AUGUST 2026

- 10.4 PROPOSED OUTBUILDING - LOTS 15 (12) AND LOT 16 (14) TERRY DESCAMPS WAY, DENHAM
P4198 / P4199

AUTHOR

Liz Bushby, Town Planning Innovations

DISCLOSURE OF ANY INTEREST

Declaration of Interest: Town Planning Innovations

Nature of Interest: Financial Interest as receive planning fees for advice to the Shire – Section 5.50A of *Local Government Act 1995*

Moved Cr
Seconded Cr

Officer Recommendation

That Council:

- A. Note that the application for an outbuilding was advertised for public comment, and one objection was received.**
- B. Note that the applicant has lodged additional information in support of the proposal. The full submission is included as Attachment 3.**
- C. Approve the application for an outbuilding on Lot 15 (12) and Lot 16 (14) Terry Deschamps Way, Denham subject to the following conditions and footnotes:**
 - 1. The property at Lot 16 Terry Deschamps Way must be amalgamated with the property at Lot 15 Terry Deschamps Way, and a new Certificate of Title obtained for the amalgamated lot prior to the issue of a Building Permit for the outbuilding.**
 - 2. The plans lodged with this application shall form part of this planning approval. All development shall generally be in accordance with the approved plans unless otherwise approved separately in writing by the Chief Executive Officer.**
 - 3. The outbuilding shall not be used for habitation at any time.**
 - 4. All stormwater from roofed and paved areas shall be collected and disposed of on-site and any associated drains and soak wells shall be maintained in a clean and clear condition. All drainage to be fully contained within the amalgamated property boundaries with no water discharge into road reserve unless otherwise approved in writing by the Chief Executive Officer.**
 - 5. If the development the subject of this approval is not substantially commenced within a period of 2 years, the approval shall lapse and be of no further effect.**

26 AUGUST 2026

Footnotes:

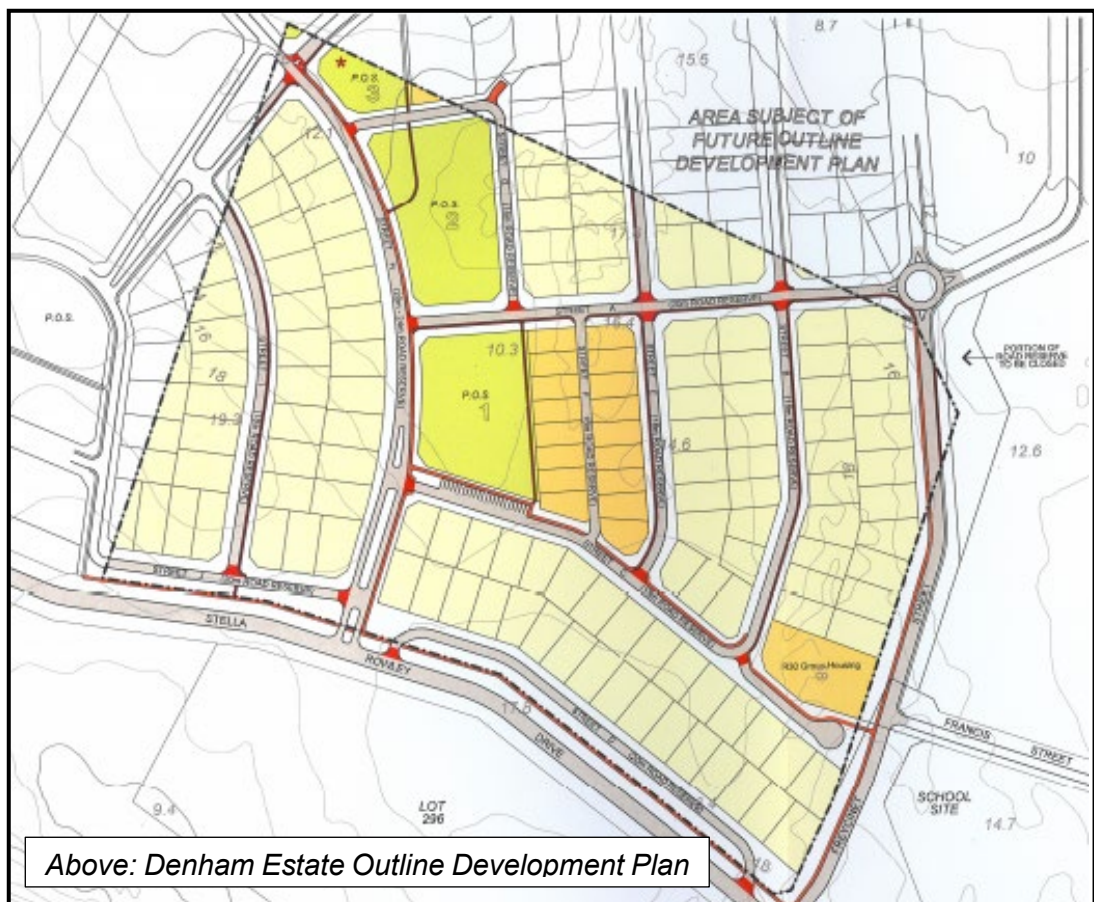
- (i) **Condition 1 has been imposed as there is discretion to approve an outbuilding on a vacant residential lot, and the outbuilding (on Lot 16) has to be associated with, and on the same lot as, the existing house (on Lot 15).**
- (ii) **This is a planning consent only and owners need to apply for a separate building permit prior to commencing any site works or construction.**

BACKGROUND

- ***Outline Development Plan***

Lots 15 and 16 form part of an area known as 'Denham Estate' which is land that was originally subdivided by LandCorp. Development WA is now the State Governments central development agency, and is responsible for the sale of land in Denham Estate.

There is an Outline Development Plan for the area and the existing Denham Estate subdivision which proceeded as Stage 1.



26 AUGUST 2026

There are Design Guidelines that apply to development in Denham Estate, which are administered by Development WA, with plans being assessed by their architects, Zuideveld Marchant Hur.

Zuideveld Marchant Hur have advised that they have no records of design guideline approvals being issued for the retaining walls and existing outbuilding on Lot 15 Terry Deschamps Way, Denham. Both these developments were approved by the Shire.

- ***Location and existing development***

Lot 15 has an area of approximately 631m² and has been developed with a single house, outbuilding and retaining walls. The Shire issued a Building Permit for retaining walls on Lot 15 on the 26 August 2008.



Above: Existing development on Lot 15.

Council considered an application for an outbuilding on Lot 15 at the Ordinary Meeting held on the 25 August 2010.

The building was conditionally approved with a floor area of 53.58m², and a skillion wall/roof height of 4.2 to 5.2 metres. The existing outbuilding is visible in the photograph above.

A site plan showing the approved outbuilding on Lot 15 is included overpage.

26 AUGUST 2026



Above: View of Lot 15 and 16 from the rear. Department of Housing premises on Lot 4 is shown on the right.

Adjacent Lot 16 is vacant and has an approximate area of 630m². At the Ordinary Meeting held in December 2025, Council approved retaining walls on Lot 16, to continue the same lot levels already established on Lot 15.



Above and below: View of retaining walls on Lot 15 and existing house with outbuilding on Lot 16

A location plan is included below.



Above: Location Plan. Aerial may not be current.

- **Ownership**

Lots 15 and 16 are under the same ownership. The lots are owned by Robert and Kellee Pedersen who would like to use both lots as one property.

- **Amalgamation**

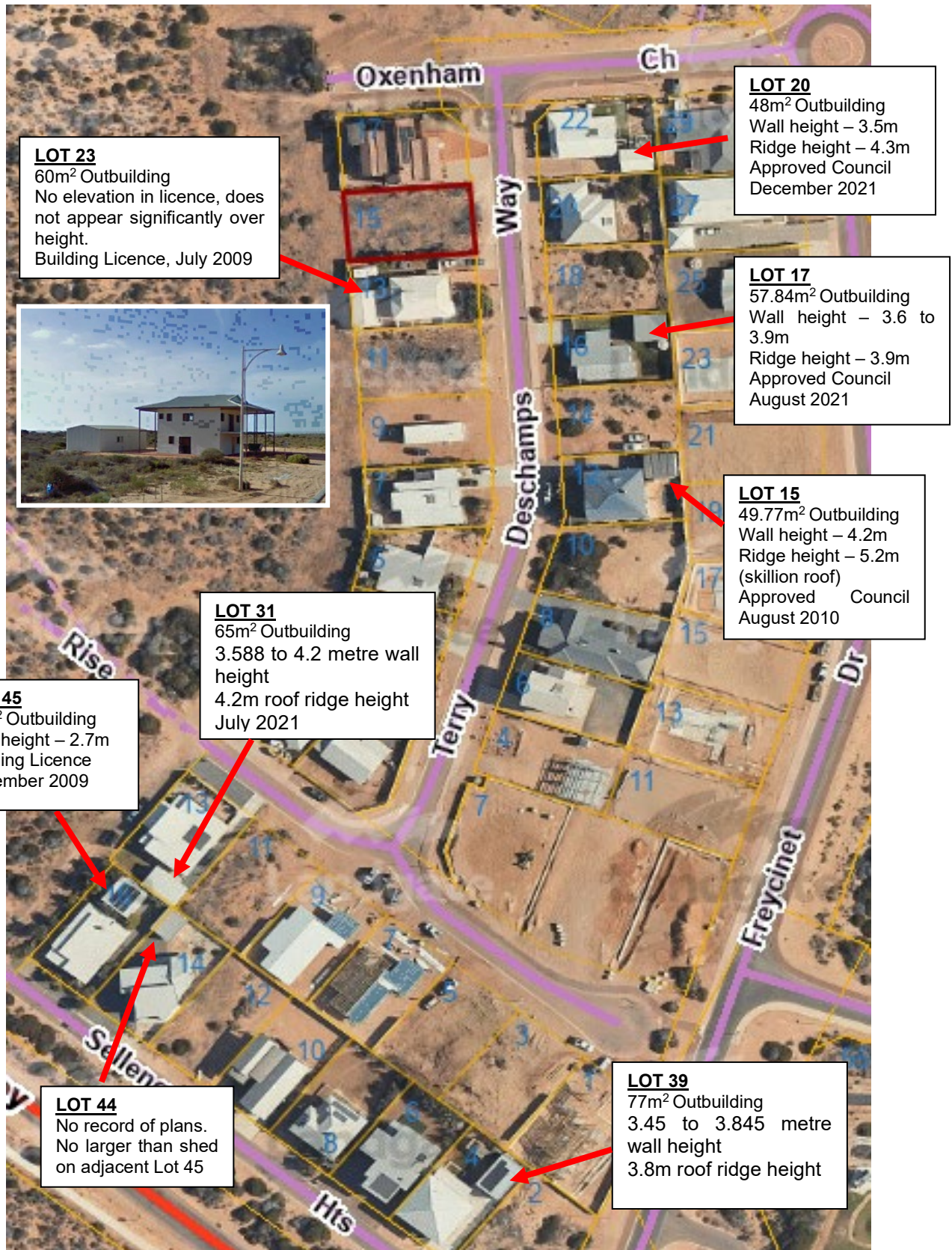
Council supported an application for amalgamation of Lots 15 and 16 Terry Deschamps Way at the Ordinary Meeting held on the 29 April 2026.

The Western Australian Planning Commission conditionally approved the amalgamation on the 6 May 2026.

The owners need to comply with the condition of the Western Australian Planning Commission approval and apply for a new Certificate of Title for one amalgamated land parcel. The new lot will have an area of 1261m².

26 AUGUST 2026

• **Surrounding Context and Existing Outbuildings in Denham Estate**



26 AUGUST 2026

COMMENT

- **Description of Outbuilding Application**

An application has been lodged for an outbuilding on existing Lot 16 Terry Deschamps Way.

The outbuilding is proposed to have a floor area of 126m², and includes an attached 36m² carport. The plans state that the carport will be open on 3 sides.

The eaves height is proposed to be 3.4 metres and the maximum roof height is 4.2 metres.

The plans are included as Attachment 1.

- **Land Use Permissibility and Options**

Ordinarily, Town Planning Innovations would not support an outbuilding on a vacant residential zoned lot unless it was being constructed at the same time as a house as;

1. There is an expectation that any outbuilding should be ancillary to a dwelling on the same lot.
2. An outbuilding on a vacant lot is construed as a 'warehouse/storage' use which is not permitted in the Residential zone under Table1: Zoning Table of the Shire of Shark Bay Local Planning Scheme No 4.
3. The Western Australian Planning Commission Fact Sheet on Outbuildings states that:

'An outbuilding is defined by the Residential Design Codes as "an enclosed non-habitable structure that is detached from any dwelling." Based on this definition, an outbuilding requires a dwelling.'

However, a shed with no dwelling and no other associated land use would be best described as 'warehouse / storage', as defined in the Regulations.'

Council can refuse an outbuilding on an existing vacant lot based on Table 1: Zoning Table:

USE AND DEVELOPMENT CLASS							
	Commercial	Tourism	Residential	Urban Development	General Industry	Rural	Special use
Warehouse/storage	D	I	X		P	X	

The 'x' symbol correlating to the residential zone *'means that the use is not permitted by this Scheme'*.

26 AUGUST 2026

Despite the above, there are specific circumstances for this application as:

1. The Western Australian Planning Commission has granted conditional approval for Lots 15 and 16 to be amalgamated. Whilst the lots are currently on 2 separate Certificates of Title, the owners propose to proceed with the amalgamation.
2. The application includes Lots 15 and 16, therefore Council can impose a condition on any planning approval that the two lots be amalgamated prior to the issue of a Building Permit for the outbuilding.

Ultimately the proposed outbuilding will be on the same lot as the existing house (built on existing Lot 15), once amalgamation of Lots 15 and 16 is complete.

3. The applicant has confirmed in writing that they will accept a condition of development requiring the amalgamation to be completed.

• **Residential Design Codes (Variation to Deemed to Comply requirements)**

The Residential Design Codes ('the Codes') have two separate options for the assessment of development including 'Deemed to Comply' criteria and 'Design Principles'.

Under the Residential Design Codes there are specific 'Deemed to Comply' requirements for outbuildings. The proposed outbuilding seeks variations to the Residential Design Codes as detailed below:

Clause 5.4.3 C3 B 'deemed to comply' criteria / Outbuildings that:	Officer Comment (Town Planning Innovations)
(i) individually or collectively does not exceed 60sqm in area or 10 percent in aggregate of the site area, whichever is the lesser	Variation. The existing outbuilding on Lot 15 has a floor area of 53.58m ² , and the proposed outbuilding will have a floor area of 126m ² excluding the attached carport). The total aggregate combined floor area of both outbuildings would be 179.58m ² (excluding the attached carport).
(ii) setback in accordance with Table 2a.	Complies.
(iii) does not exceed a wall height of 2.4 metres	Variation. A wall height of 3.4 metres is proposed. A wall height of 4.2 metres was already approved for the existing outbuilding on Lot 15.

26 AUGUST 2026

(iv) does not exceed a ridge height of 4.2 metres	Complies.
(vi) not located within the primary or secondary street setback area; and	Complies.
vi) do not reduce the open space and outdoor living area requirements in Table B.	Complies.

• **Residential Design Codes (Alternative Design Principle)**

The application proposes variations to the 'Deemed to Comply' requirements therefore Council has to determine if the outbuilding complies with the 'Design Principle' (5.4.3 P3) of the Codes which is:

"Outbuildings that do not detract from the streetscape or the visual amenity of residents of neighbouring properties".

The owners have engaged a planning consultant who has lodged supporting information to address the Design Principle as summarised below. A full copy of the submission is included as Attachment 2.

Summary of Applicant Submission - Refer Attachment 2.	Town Planning Innovations Comment
The landowner intends to complete the amalgamation after obtaining conditional approval of the outbuilding. This approach provides certainty that the significant investment in amalgamation, building design and associated site works can proceed with confidence	Noted. Amalgamation is not an impediment to the application, as a condition can be imposed requiring both lots to be amalgamated prior to the issue of a building permit for the outbuilding.
ZMHA's assessment of the proposed development on Lot 16 concluded that there were no further objections to the finished floor levels, setbacks, retaining works or primary street fencing, with these matters being referred back to the local government for statutory assessment.	Noted. ZMHA assesses compliance with the Denham Estate Design Guidelines and not any assessment of the Residential Design Codes.
The building will not dominate the streetscape and complies with the design principle in terms of streetscape due to: - There is unique topography and retaining arrangement already established on Lots 15 and 16. - The outbuilding is located well behind the street boundary (in line with the existing outbuilding on Lot 15) and sits on a site that has been previously approved	The applicant has provided a street view perspective of the outbuilding and confirms that it reasonably accurately depicts the proposed development. Town Planning Innovations agrees that the retaining walls will interrupt the sightlines to the outbuilding, as viewed at a pedestrian/street level. This is demonstrated by some recent photographs of the existing outbuilding

26 AUGUST 2026

and developed with substantial retaining works. Due to the height of the retaining wall at the street boundary and the significant setback of the proposed building from Terry Deschamps Way, only the upper portion of the structure will be visible from street level. - The retaining wall forms a substantial visual screen such that the lower half of the building will largely be obscured when viewed from the public realm. The visible portion of the building will therefore be limited primarily to the upper wall and roof form. - This significantly reduces the perceived bulk, scale and visual prominence of the development when viewed from Terry Deschamps Way.	on Lot 15 which are included in this report. The perspective drawing is included below this table.
Upon amalgamation, the outbuilding will become ancillary to the existing dwelling on Lot 15 and form part of one integrated residential property of approximately 1,261m². The assessment should therefore be undertaken in the context of the future amalgamated lot rather than as a stand-alone “warehouse” on a separate residential lot.	Although Town Planning Innovations has reservations about the combined outbuilding sizes, it is noted that ultimately the 2 existing lots will be amalgamated. The aggregate combined sizes of outbuildings is one consideration and speaks to whether the outbuildings are the ‘dominant’ use of both lots (for storage) or whether the outbuildings are ‘ancillary’ to the existing house. Town Planning Innovations is of the view that the combined size of the outbuildings relative to the house footprint has some relevance when it comes to considering the land use. It needs to be contemplated in context of other considerations such as streetscape, amenity and the proposed combined lot size. For example, the Shire (Chief Executive Officer) refused an application for a combined house and attached garage on Lot 144 (23) Oakley Ridge, Denham as in that case: - The house was 69m²; and - The garage was 180m²; and - The garage (for storage) was clearly the more dominant use of the lot; and

26 AUGUST 2026

	- The garage looked like an industrial building. The situation for this application is different (from the Oakley Ridge case) as the existing house is two storey and has a substantial footprint. It is noted that: - The house footprint on the ground floor, which includes an alfresco, is approximately 179.2m². - The house footprint on the ground floor without the alfresco is approximately 66.49m². - The house footprint for the upper floor is approximately 197m² (with a verandah); - The house footprint for the upper floor (without the verandah) is approximately 155.13m². The aggregate combined areas of the first and second storey for the house is approximately 376.2m² (including ground floor alfresco and second storey verandah). The total combined areas of the first and second storey for the house is approximately 221.62m² (excluding the ground floor alfresco and second storey verandah). In this context, Town Planning Innovations is of the view that the house remains the dominant use of the lots, and Council has discretion to consider the combined outbuildings (179.58m²) as ancillary.
The outbuilding complies with the applicable setback requirements and achieves a maximum roof height of 4.2 metres. The structure is positioned wholly within land owned by the applicant and is separated from adjoining dwellings by established lot boundaries and setbacks. No overshadowing, privacy or noise concerns have been identified through	Town Planning Innovations has prepared a list of outbuilding approvals, and has highlighted outbuildings with comparable wall heights and sizes to that proposed on Lot 16. This is included under a separate heading in this report.

26 AUGUST 2026

the planning assessment process. The concerns raised relate primarily to visual appearance rather than measurable amenity impacts. Given the already elevated landform, approved retaining and generous lot dimensions, the proposal is not expected to have any unreasonable impact on the residential amenity enjoyed by neighbouring land.	
The proposed 126m² outbuilding is reasonably sized when considered in the context of the future amalgamated lot area of approximately 1,261m² and its intended residential purpose. The structure is designed to accommodate the storage of a boat, caravan and four-wheel drive, which are common features of the Denham coastal lifestyle. Importantly, the outbuilding remains ancillary to the existing dwelling, complies with the maximum roof height requirements, and is setback behind the established retaining and future residential development. While the floor area exceeds the deemed-to-comply provisions, the size of the building alone does not determine compliance with Clause 5.4.3 P3. Rather, the relevant consideration is whether the outbuilding detracts from the streetscape or neighbouring amenity and, given the substantial screening, setback and residential use of the building, the proposed scale is considered appropriate for the site and its intended function	Town Planning Innovations agrees that the main considerations are the visual and amenity impact. Town Planning Innovations somewhat disagrees with the applicant on the issue of the combined size of the outbuildings. The lot size is one factor, and the size of outbuildings in context of the house footprint is another factor. As explained in the table above, the existing house has a substantial footprint. Agreed. Council needs to be satisfied that the proposed development will not unduly negatively impact on surrounding properties.
Most notably, a 100m² outbuilding was approved at Lot 11 (No. 4) Terry Deschamps Way in 2023, despite also requiring consideration against the performance-based provisions of the R-Codes. That approval was associated with the storage of a boat and established a clear precedent for larger residential outbuildings within the locality. The approved outbuilding at 4 Terry Deschamps Way is comparable in both	Noted. Noted.

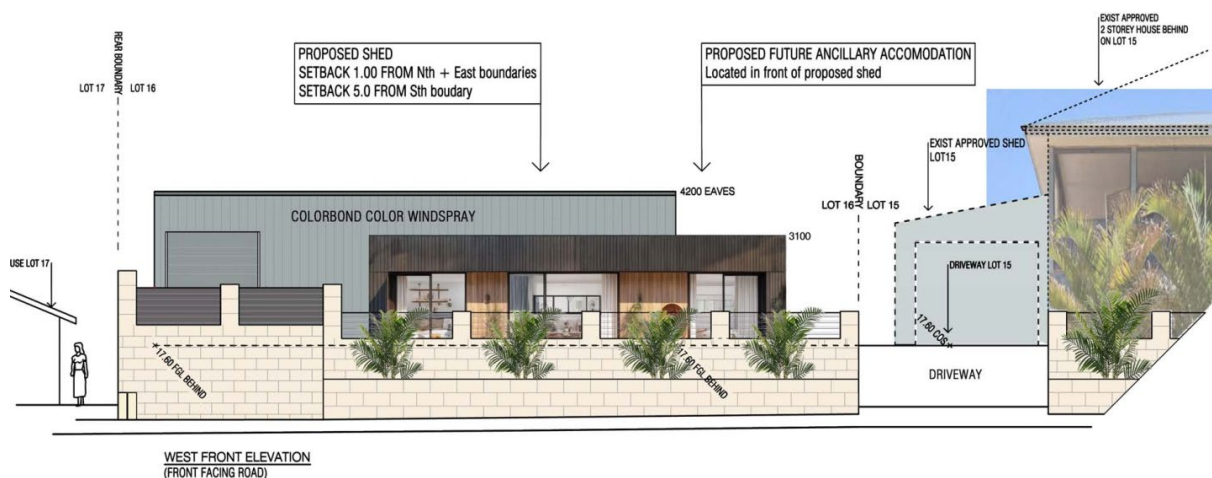
26 AUGUST 2026

scale and purpose to the outbuilding proposed at Lot 16. In both cases, the primary intent is the secure storage of large recreational vehicles and equipment associated with coastal living, specifically boats and caravans. As such, the development at 4 Terry Deschamps Way establishes a clear and recent precedent within the immediate locality for the approval of larger outbuildings where site conditions and intended use justify a variation from the deemed-to-comply standards.



Above: Perspective provided by applicant.

In support of the application, the applicant has provided a rendered elevation demonstrating the intended future development of the site, including an ancillary dwelling at the front of property that would screen the outbuilding from Terry Deschamps Way.



26 AUGUST 2026

The applicant advised Town Planning Innovations that the Councillors requested a perspective showing the future intended built form on-site, hence why the ancillary dwelling was included as an indication.

It is noted that as an ancillary dwelling has not been included in this application, Council should consider the application as submitted (ie the outbuilding in isolation).

- **Relevant Decisions on Outbuildings**

Each streetscape has different characteristics which need to be taken into account as part of specific assessments.

The outbuilding proposes a variation for the wall height of 3.4 metres, and its size.

The following table outlines the sizes of approved outbuildings in Denham townsite. Some outbuildings with comparable wall heights and sizes are highlighted in blue in the table.

Address	Wall Height	Ridge Height	Floor Area	Council meeting date
Lot 36 (5) Dirk Place Denham	4	4.6	54m ²	February 2017
Lot 182 (4) Fletcher Court, Denham	4.2	4.2	88m ²	Delegated authority after general report to Council in May 2015
Lot 83 (47) Hartog Crescent, Denham	4	4.611	94m ²	Delegated authority after general report to Council in March 2015
Lot 154 (7) Sunter Place Denham	3.7	4.2	88.07m ²	December 2015
Lot 249 (4) Talbot Street, Denham	3.425	4.232	78m ²	June 2015
Lot 210 (10) Edwards Street, Denham	3.5	4.088	36.3m ²	July 2014
Lot 294 (33) Hughes Street, Denham (abuts child care centre and church)	3.6	5	90m ²	September 2014
Lot 191 (Strata Lot 2 – 71A) Brockman Street, Denham	2.7	3.571	58.5m ²	August 2024
Lot 200 (39) Capewell Drive, Denham (alteration and extension of existing outbuilding)	2.7-2.9	3.504	54m ²	February 2024
Lot 264 (Unit 2) Mead Street, Denham	3	4.2	68m ²	August 2024
Lot 85 (43) Hartog Crescent, Denham	4.5	5.029	54m ²	April 2012
Lot 216 (5) Poland Road, Denham	4.1	4.95	80m ²	July 2012
Lot 39 (4) Sellenger Heights, Denham	4.2	4.9	89.9m ²	Refused February 2018

ORDINARY COUNCIL MEETING AGENDA

26 AUGUST 2026

Lot 39 (4) Sellenger Heights, Denham (Revised plans lodged after refusal issued in February 2018)	3.45 metres to 3.845 metres	3.845 metres	77m ²	February 2019
Lot 223 (10) Fry Court Denham	2.6 metres to 2.8 metres.	4.2	129m ²	Delegated authority after general report to Council in March 2019
Lot 4 (145) Knight Terrace, Denham	3 metres	4.7	73.73m ²	March 2020
Lot 159 (37) Durlacher Street, Denham	3.6 metres	4.31 metres	29.6m ² is proposed and the existing outbuilding is 44.4m ² .	August 2020
Lot 224 (9) Leeds Court, Denham	3.7 metres	4.16 metres	96m ² in addition to a 54m ² existing outbuilding.	September 2020
Lot 61 (8) Hartog Crescent, Denham	2.7 metres	4.065 metres	60m ²	December 2020
Lot 148 (71) Durlacher Street, Denham	2.7 metres	3.22 metres	60m ²	December 2020
Lot 105 (9) Oakley Ridge, Denham	3 metres	3.8 metres	72m ²	February 2021
Lot 160 (22) Capewell Drive, Denham	3.5 metres	4.11 metres	56m ²	March 2021
Lot 226 (24) Fry Court, Denham	3.981 to 4.41 metres	4.41 metres	84m ²	Refused May 2021
Lot 226 (24) Fry Court, Denham	4.086 to 4.319 metres	4.4 metres	75.6m ²	Refused July 2021
Lot 31 (13) Mitchell Rise, Denham	3.588 metres	4.2 metres	65m ²	Delegated authority after general report to Council in April 2021
Lot 17 (16) Terry Deschamps Way, Denham	3.6 to 3.9 metres	3.9 metres	57.84m ²	August 2021
Lot 226 (24) Fry Court, Denham	4.086m to 4.319 metres	4.4 metres	84m ²	October 2022
Lot 156 (1) Sunter Place, Denham	3.5	4.8	51.3m ²	Refused March 2022
Lot 209 (14) Edwards Street, Denham	2.59	2.59	14.7m ²	Approved August 2023
Lot 11 (4) Terry Deschamps Way, Denham	3.65 metres	4.15 metres	100m ²	August 2023 OCM/granted delegation to CEO
Lot 203 (131) Knight Terrace, Denham	4.1 metres	4.4 metres	73.5m ²	Approved September 2023

26 AUGUST 2026

			(31.5m ² portion is open sided)	
Lot 3 (25) Freycinet Drive, Denham	2.75	3.92	36m ²	Approved May 2024
Lot 3 (143) Knight Terrace, Denham	3.6m	4.2m	80m ²	Approved May 2024
Lot 126 (23) Capewell Drive, Denham	3	3.8	138m ²	30 September 2024
Lot 33 (23) Brockman Street, Denham	3.23	4.2	126m ² (includes lean to)	Approved 13 December 2024
Lot 227 (22) Fry Court, Denham	3.4-3.7	4.2	88m ²	Approved revised plans August 2025
Lot 221 (29) Fry Court, Denham	3	4.2	52.5m ²	Approved December 2025
Lot 196 (2) Poland Road, Denham	3	3.7	80m ²	Approved December 2025

- Consultation**

The application was advertised for public comment. Advertising closed on the 22 June 2026.

One objection was received from the Department of Housing and Works, as summarised in Attachment 3. The Department owns Lot 4 (23) Freycinet Drive, which shares part of their rear boundary with Lot 16 (where the outbuilding is proposed).



26 AUGUST 2026

Town Planning Innovations has examined the plans for the house on Lot 4, and the area to the south is a smaller side area with a proposed washing line. The main outdoor living areas and alfresco are planned to the north of the house for Lot 4.

The levels of Lot 4 are lower than the levels for Lots 15 and 16.



Above: View of existing outbuilding from Lot 4.

The proposed outbuilding on Lot 16 will be visible from Lot 4, however the retaining wall, different levels and future dividing fence will limit the sightlines.

- **Conclusion**

Having reviewed the additional information provided by the applicant, the footprint of the existing house, existing approvals, additional perspective drawing, recent site photographs and the layout of the planned Department of Housing premises for Lot 4, Town Planning Innovations recommends conditional approval of the application.

LEGAL IMPLICATIONS

Planning and Development Act 2005 - If an applicant is aggrieved by this determination, there is a right of review under Part 14 to the State Administrative Tribunal.

Shire of Shark Bay Local Planning Scheme No 4 – The lots are zoned Residential with an R15 density code.

POLICY IMPLICATIONS

There are no known policy implications relative to this report.

26 AUGUST 2026

FINANCIAL IMPLICATIONS

The Shire pays consultancy fees to Town Planning Innovations for general planning advice.

STRATEGIC IMPLICATIONS

There are no known strategic implications associated with this item.

RISK MANAGEMENT

There are no known risks associated with this item.

VOTING REQUIREMENTS

Simple Majority Required

SIGNATURES

Author

L Bushby

Chief Executive Officer

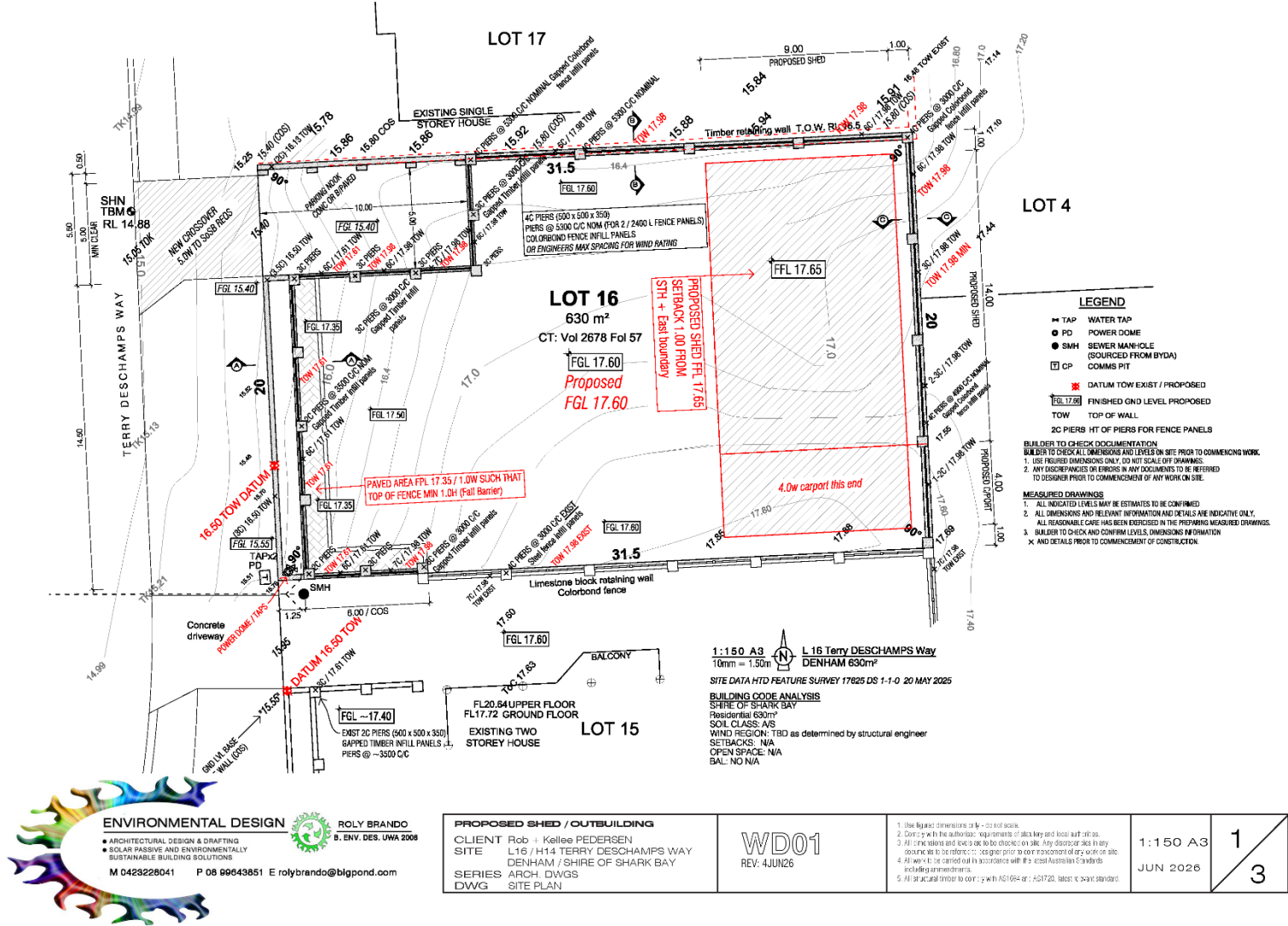
D Chapman

Date of Report

18 August 2026

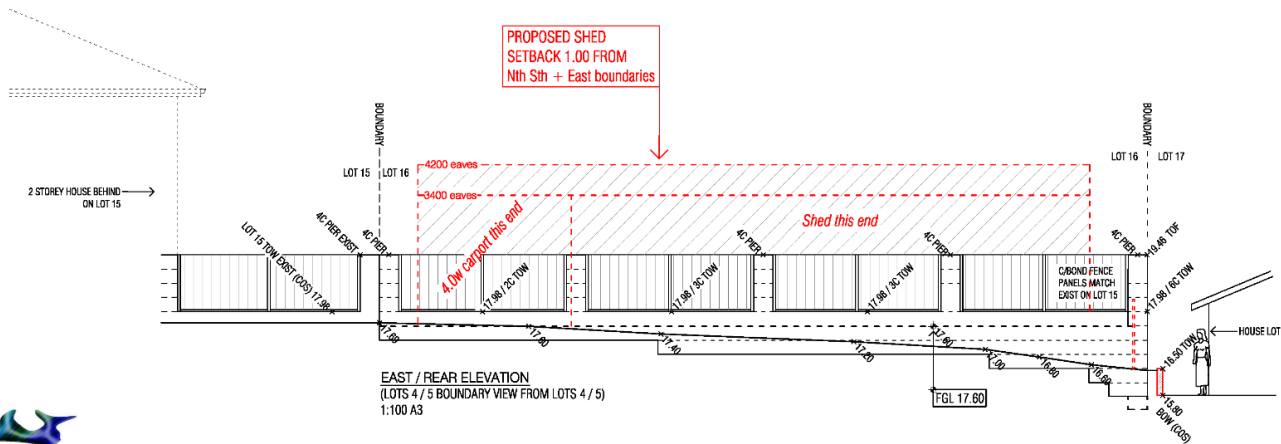
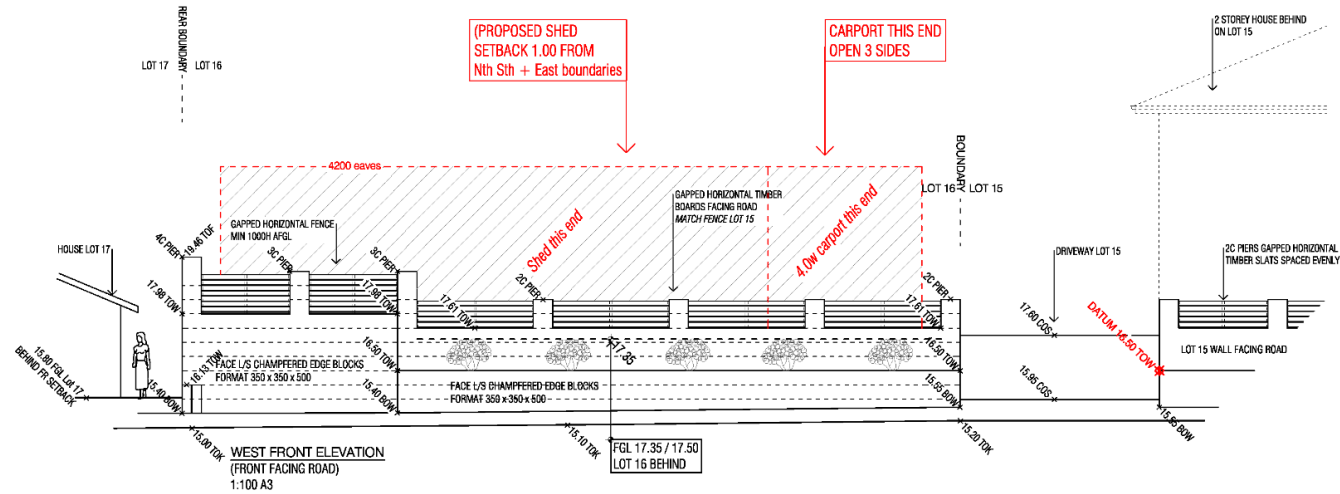
26 AUGUST 2026

ATTACHMENT # 1



ORDINARY COUNCIL MEETING AGENDA

26 AUGUST 2026



ENVIRONMENTAL DESIGN

- ARCHITECTURAL DESIGN & DRAFTING
- SOLAR PASSIVE AND ENVIRONMENTALLY SUSTAINABLE BUILDING SOLUTIONS

M 0423228041 P 06 99643851 E rolybrando@bigpond.com



ROLY BRANDO

B. ENV. DES. UWA 2008

PROPOSED SHED / OUTBUILDING

CLIENT Rob + Kellee PEDERSEN
SITE L16 / H14 TERRY DESCHAMPS WAY
DENHAM / SHIRE OF SHARK BAY
SERIES ARCH. DWGS
DWG ELEVATIONS FRONT AND REAR

WD02

REV: 4JUN26

1. Use figured dimensions only - do not scale.
2. Comply with the author's requirements of statutory and local authorities.
3. All dimensions and lines are to be checked on site. Any discrepancies in any documents to be referred to designer prior to construction or any work on site.
4. All work to be carried out in accordance with the latest Australian Standards including amendments.
5. All structural timber to comply with AS1884 and AS1720, latest relevant standard.

1:100 A3
JUN 2026

2
3

26 AUGUST 2026



26 AUGUST 2026

ATTACHMENT # 2



Liz Bushby
Shire of Shark Bay
65 Knight Terrace
Denham WA 6537
liz@tjplanning.com.au

Dear Liz,

Planning Justification Cover Letter – Lot 16 (No. 14) Terry Deschamps Way, Denham – Proposed Outbuilding

JPA Planning has been engaged by Kellee and Rob Pederson, the landowners of Lot 16 (No. 14) and Lot 15 (No. 12) Terry Deschamps Way, Denham, to assist with their application currently lodged over the subject site for the proposed outbuilding.

JPA Planning provides the following planning justification to address the proposal against the relevant planning framework to assist the Shire of Shark Bay (**Shire**) in its assessment of the development application.

Having reviewed the Agenda Item presented to Council in June, we respectfully submit that the proposed development satisfies the intent of Clause 5.4.3 P3 of the Residential Design Codes (R-Codes) and that the concerns raised regarding visual impact, streetscape presentation and amalgamation can be appropriately addressed.

Approved Amalgamation

A key consideration in the Officer's Report is that Lot 16 is currently a separate title and therefore vacant. However, the Western Australian Planning Commission has already approved the amalgamation of Lots 15 and 16 under WAPC Approval No. 203011. The report notes that the amalgamation was conditionally approved on 6 May 2026 and recognises that, once completed, the proposed outbuilding will be located on the same lot as the existing dwelling on Lot 15.

Importantly, the outstanding Horizon Power referral matter has now been resolved. Horizon Power has confirmed that it is satisfied for the existing power pillar to remain in its current location and has advised that the former condition relating to electricity infrastructure is to be removed and replaced with "No conditions to be applied" (refer to email at **Attachment 1**). As a consequence, there are no longer any third-party clearance requirements associated with the amalgamation process.

Accordingly, the amalgamation approval is effectively capable of proceeding, with the remaining administrative step being lodgement of the Deposited Plan with Landgate and the issue of a new Certificate of Title.

The landowner intends to complete this final stage immediately following conditional approval of the outbuilding. This approach provides certainty that the significant investment in amalgamation, building design and associated site works can proceed with confidence.

1



Should Council consider it necessary, the landowner would willingly accept a condition of approval requiring completion of the amalgamation process and issue of the new amalgamated title prior to the commencement of development or prior to the issue of a building permit.

This is consistent with the options identified within the Officer's Report, which acknowledges that Council can approve the application subject to amalgamation of Lots 15 and 16.

DevelopmentWA Approval

The Shire Agenda notes that Zuideveld Marchant Hur (ZMHA) advised they have no records of any Design Guideline approvals having been issued for the retaining walls or outbuilding on Lot 15. Importantly, the agenda does not identify any refusal or adverse determination by ZMHA in relation to the retaining works or outbuilding itself, but rather records the absence of approval records for the existing development on Lot 15.

As detailed in **Attachment 2**, ZMHA's assessment of the proposed development on Lot 16 concluded that there were no further objections to the finished floor levels, setbacks, retaining works or primary street fencing, with these matters being referred back to the local government for statutory assessment. While ZMHA initially raised concerns regarding the proposed roof colour and the omission of the 2 metre Dunal Heath Zone, DevelopmentWA subsequently confirmed its support for the Dunal Heath Zone variation, effectively resolving that issue. Accordingly, the only remaining matter identified through the Design Guideline assessment process is the selection of a compliant colour palette for the proposed outbuilding roof. We are happy to accept a condition requiring the outbuilding colours to comply with the applicable Design Guidelines prior to the issue of a Building Permit.

Response to Clause 5.4.3 P3 - Streetscape and Visual Amenity

The primary assessment issue identified in the Officer's Report is whether the proposal satisfies Design Principle P3 of Clause 5.4.3 of the R-Codes:

"Outbuildings that do not detract from the streetscape or the visual amenity of residents of neighbouring properties."

It is respectfully submitted that the proposed outbuilding satisfies this design principle for the following reasons.

1. The building will not dominate the streetscape as suggested

The report places considerable emphasis on the size of the outbuilding when viewed in elevation. However, the visual assessment does not fully account for the unique topography and retaining arrangement already established on Lots 15 and 16.

The outbuilding is located well behind the street boundary (in line with the existing outbuilding on Lot 15) and sits on a site that has been previously approved and developed with substantial retaining works. Due to the height of the retaining wall at the street boundary and the significant setback of the proposed building from Terry Deschamps Way, only the upper portion of the structure will be visible from street level (refer indicative render in **Figure 1** overleaf).



Figure 1 - Streetview perspective of proposed outbuilding on Lot 16

In practical terms, the retaining wall forms a substantial visual screen such that the lower half of the building will largely be obscured when viewed from the public realm. The visible portion of the building will therefore be limited primarily to the upper wall and roof form.

This significantly reduces the perceived bulk, scale and visual prominence of the development when viewed from Terry Deschamps Way.

In addition to Figure 1, the applicant has provided a rendered elevation demonstrating the intended future development of the site, including an ancillary dwelling at the front of property that will further screen the outbuilding from Terry Deschamps Way (refer to **Attachment 3**).

2. The proposal is ancillary to an existing dwelling

The Officer's Report repeatedly references the appearance of the building as a stand-alone structure on a vacant lot. While technically correct at present, this does not reflect the development outcome that will exist following completion of the already-approved amalgamation.

Upon amalgamation, the outbuilding will become ancillary to the existing dwelling on Lot 15 and form part of one integrated residential property of approximately 1,261m².

The assessment should therefore be undertaken in the context of the future amalgamated lot rather than as a stand-alone "warehouse" on a separate residential lot.

Viewed in this context, the proposal functions as a residential outbuilding serving a dwelling on a large residential holding, consistent with the intended use of the structure.

3. The proposal does not adversely affect neighbouring amenity

The R-Codes test extends beyond streetscape considerations and also requires assessment of impacts upon neighbouring properties.



The outbuilding complies with the applicable setback requirements and achieves a maximum roof height of 4.2 metres. The structure is positioned wholly within land owned by the applicant and is separated from adjoining dwellings by established lot boundaries and setbacks.

No overshadowing, privacy or noise concerns have been identified through the planning assessment process. The concerns raised relate primarily to visual appearance rather than measurable amenity impacts.

Given the already elevated landform, approved retaining and generous lot dimensions, the proposal is not expected to have any unreasonable impact on the residential amenity enjoyed by neighbouring landowners.

4. Building size alone does not determine compliance with P3

The proposed 126m² outbuilding is reasonably sized when considered in the context of the future amalgamated lot area of approximately 1,261m² and its intended residential purpose. The structure is designed to accommodate the storage of a boat, caravan and four-wheel drive, which are common features of the Denham coastal lifestyle. Importantly, the outbuilding remains ancillary to the existing dwelling, complies with the maximum roof height requirements, and is setback behind the established retaining and future residential development. While the floor area exceeds the deemed-to-comply provisions, the size of the building alone does not determine compliance with Clause 5.4.3 P3. Rather, the relevant consideration is whether the outbuilding detracts from the streetscape or neighbouring amenity and, given the substantial screening, setback and residential use of the building, the proposed scale is considered appropriate for the site and its intended function.

In this regard, the Officer's Report places significant weight on the floor area of the proposed outbuilding and comparisons with smaller outbuildings elsewhere in the Denham Estate. However, there are examples within the estate that demonstrate Council's willingness to support larger outbuildings where the circumstances of the site and the intended use justify a variation to the deemed-to-comply standards. Most notably, a 100m² outbuilding was approved at Lot 11 (No. 4) Terry Deschamps Way in 2023, despite also requiring consideration against the performance-based provisions of the R-Codes. That approval was associated with the storage of a boat and established a clear precedent for larger residential outbuildings within the locality.

The approved outbuilding at 4 Terry Deschamps Way is comparable in both scale and purpose to the outbuilding proposed at Lot 16. In both cases, the primary intent is the secure storage of large recreational vehicles and equipment associated with coastal living, specifically boats and caravans. As such, the development at 4 Terry Deschamps Way establishes a clear and recent precedent within the immediate locality for the approval of larger outbuildings where site conditions and intended use justify a variation from the deemed-to-comply standards.

Given the proximity of Lot 11 to the subject site and the similarity in the scale, height, and functional purpose of the outbuildings, it would be appropriate for the decision-maker to give substantial weight to this precedent when assessing the current application. Failure to consider a directly comparable approval within the same estate may result in inconsistent planning outcomes.



While size is a relevant consideration, Design Principle P3 is ultimately a performance-based assessment. The question is not whether the outbuilding exceeds the size of other sheds in the locality, but whether it detracts from the streetscape or neighbouring amenity.

In this instance:

- the building is located behind a significant retained frontage;
- the lower section of the structure will be obscured from public view;
- the proposal forms part of an approved amalgamated residential property;
- the building is setback from the street;
- the proposal will not create adverse amenity impacts on the streetscape; and
- the design incorporates a residential-scale roof form with a compliant maximum height.

These factors collectively support a conclusion that the development satisfies the intent of Clause 5.4.3 P3 despite exceeding the Deemed-to-Comply standards.

Conclusion

The proposed outbuilding should be considered in the context of an approved amalgamation that is now substantially complete, with Horizon Power confirming that no clearance conditions are required and only the final Landgate process remaining.

The development is appropriately located on a large future residential lot, will be ancillary to the existing dwelling, and will not result in unreasonable impacts on either the streetscape or neighbouring properties.

Importantly, the assessment of visual impact should recognise that the substantial retaining along the street frontage and the generous setback from Terry Deschamps Way mean that a significant portion of the building will be screened from public view, with only the upper section visible from street level. Consequently, the apparent bulk and scale of the building is considerably less than suggested by the front elevation alone.

For these reasons, it is submitted that the proposed outbuilding satisfies the objectives of Clause 5.4.3 P3 of the Residential Design Codes and should be approved.

Should Council have any concerns regarding title arrangements, the applicant is entirely supportive of a conditions requiring completion of the amalgamation and issue of the amalgamated Certificate of Title prior to commencement of development and the compliance of the outbuilding colour palette with the Denham Estate Design Guidelines.

Yours sincerely,

Josh Edwards-Arnott

Director



26 AUGUST 2026



Josh Arnott <josh@japlaning.com>

RE: Lot 16 (#14) Terry Deschamps Way, Denham: Design Guideline Resubmission Review/Assessment

2 messages

Approvals <Approvals@zmha.com.au>

23 September 2025 at 16:57

To: Josh Arnott <josh@japlaning.com>

Cc: Kellee & Rob PEDERSEN <cellarbrationsdenham@gmail.com>, liz <liz@tjplanning.com.au>

Afternoon Josh,

Confirming receipt of your correspondence below including the resubmission proposal for the development of [Lot 16 \(#14\) Terry Deschamps Way, Denham Estate](#).

With particular regards to the proposed amalgamation of this lot with the adjacent Lot 15 (#12)- noting we've not received and subsequent feedback from DevWA following our initial assessment for this Lot (24.07.25) advising of any additional considerations/comments. Acknowledging amalgamations appear to be out of the general remit of the Denham Design Guideline ("DG") particulars – accordingly, moving forward we'll revert adjudication of the proposal's compliance with any associated statutory particulars to the LGA/WAPC as appropriate.

With regards to the proposed shed/fence/retaining wall development on Lot 16, acknowledging those additional clarifications provided in this resubmission package - along with the DG deviation justification document for our/DevWA's consideration in this re-assessment.

We've summarised below our assessment for each of the five (5) items in question – noting we've implemented the following simple colour coding FYI to assist with navigating the bulk of the text:

- Our current review/assessment feedback in **Green**: indicates generally no further objections with regards to DG clause requirements or as otherwise noted and revert assessment for compliance with associated statutory requirements to the LGA.
- Our current review/assessment feedback in **Orange**: indicates the proposed DG requirements deviation is *not* supported - additional amendments/actioning required by the applicant as noted for DG compliance.
- **Item 01: Site Responsiveness**
 - Applicant Resubmission (09.09.25)
 - Confirming the resubmission now confirms the requested shed Finished Floor Lvl (FFL) at 17.65.
 - Whilst this appears to be min. 600mm higher than the natural ground lvls referred to in the DG's *Appendix 3 Finished Site Levels (Final Contour Plan)*, we acknowledge the reference to DG Cl 8.2.1 *Design Recommendations* advising of areas for vehicle / boat access, parking and storage areas as otherwise exempt for the requirement to retain natural ground lvls. We further acknowledge the levels appear to be in general alignment with the adjacent Lot 15 (#12) driveway existing levels noting the intent to facilitate vehicular access to/from the proposed shed.
 - **Current DG review/assessment on this Item:**
 - We have no further objections to the proposed FFL, further acknowledging the design intent to functionally maintain vehicular access from Lot 15 (#12) through to Lot 16 and the proposed vehicular shed.
- **Item 02: Shed Particulars (Materials & Setbacks)**
 - Applicant Resubmission (09.09.25)

26 AUGUST 2026

- Re Materials: Resubmission has retained the proposed shed's non-compliant roof colour selection as "Colorbond Deep Ocean".
 - Justification for retaining the non-compliant colour selection for " design consistency and visual integration with the existing dwelling" on the adjacent Lot 15 (#12).
 - Re Setbacks: Confirming the resubmission clarifies the shed side setback particulars for information.
 - **Our Current review/assessment on this item:**
 - **RE Materials:**
 - The proposal for the new shed structure to be constructed of the same or complimentary colour as the main dwelling is **not** a supported justification for the proposed roof colour to deviate from the approved colour selection stipulated in DG Cl8.1.6. This is with consideration that:
 - Lot 15 (#12) current roof colour is non-compliant with the DG requirements.
 - There is no Design Guideline Compliance approval on file for the existing constructed dwelling on Lot 15 (#12).

Accordingly, we confirm the proposed roof colour "Colorbond Deep Ocean" as non-compliant with the DG CL 8.1.6 Materials and Colours Design Criteria "Approved Colorbond Colours" and not a supported DG deviation. Reselection is required for conformance with the DG requirements.
 - **RE Setbacks:** Acknowledging the proposed setback clarifications requested - we have no further comment/clarification requests on this item and revert assessment for compliance with associated statutory requirements to the LGA.
- **Item 03: Proposed Retaining and Fencing**
 - Applicant Resubmission (09.09.25)
 - Whilst the retaining wall top-of-walls originally proposed have generally been maintained, clarity on the originally natural grounds levels have been clearly indicated for consideration.
 - Per Item 01 above, justification put forward for consideration includes reference to *DG Cl 8.2.1 Design Recommendations* which acknowledges areas for vehicle / boat access, parking and storage areas may otherwise be exempt for the requirement to retain natural ground levels. We further acknowledge the levels appear to be in general alignment with the adjacent Lot 15 (#12) driveway existing levels noting the intent to facilitate vehicular access to/from the proposed shed.
 - **Current DG review/assessment on this item:**
 - Acknowledging the proposed setback clarifications requested - we have no further comment/clarification requests on this item and revert assessment for compliance with associated statutory requirements to the LGA.
- **Item 04: Dunal Heath Retention Zone (Landscaping)**
 - Applicant Resubmission (09.09.25)
 - Confirming this resubmission package has retained the originally proposed retaining wall extents to the property boundary - forgoing the DG requirement for a 2m deep Dunal Heath Zone identified in *CL 8.3.1 Landscaping*.
 - Justification for this DG deviation includes:
 - i. *Established Precedent: Suggesting an apparent non-compliance of a number of surrounding developments in the estate.*
 - ii. *Site Amalgamation Context: Suggesting a design consistency and visual integration with the existing dwelling on the adjacent 15 (#12).*
 - iii. *Visual and functional integration: Again, suggesting an alignment with the existing development on adjacent Lot 15 (#12).*
 - **Current DG review/assessment on this item:**
 - On review of the provided justification, we note:
 - i. *Established Precedent:* RE the suggested non-compliance of a number of surrounding developments within the estate. We note the requirement for conformance with DG CL 8.3.1 Landscaping requirement for the retention of a 2m wide dunal heath strip along the length of the front boundary has not previously been waived in DG Compliance Assessments. Any perceived post-approval DG non-compliances constructed falls outside the remit of this Design Guideline compliance assessment and accordingly not a supported justification to deviate from the DGs.

ORDINARY COUNCIL MEETING AGENDA

26 AUGUST 2026

The applicant may however wish to raise this item with Development WA directly as a separate exercise moving forward, noting any audits may include an investigation of purported non-compliant lot developments within the estate including that on Lot 15 (#12).

ii. Site Amalgamation Context: RE Design consistency and visual integration with the existing dwelling on the adjacent Lot 15 (#12): The proposal to omit a 2m dunal heath zone from the proposed development on Lot 16 for consistency with the adjacent Lot 15 (#12) development is not a supported justification to deviate from the requirements of *DG Cl 8.3.1 Landscaping*. This is with consideration that:

- Lot 15 (#12) existing retaining wall extents over and into the required dunal heath zone is non-compliant with the DG requirements.
- There is no Design Guideline Compliance approval on file for the existing constructed development on Lot 15 (#12).

iii. Visual and functional integration: RE General consistency with the existing development on Lot 15 (#12).

- This is not a supported justification – our comments/reasoning per item ii above.

Accordingly, we confirm the proposed omission of a 2m dunal heath zone on the proposed development on Lot 16 is not supported due to its non-compliance with the *DG CL 8.3.1 Landscaping* – adjustment of the proposed retaining wall extents is required for conformance with the DG requirements.

- **Item 05: Primary Street Fencing**

- Applicant Resubmission (09.09.25)
 - Confirming the applicant has resubmitted the drawing set confirming Primary Street fencing as permeable per the existing development on adjacent Lot 15 (#12).
- **Our Current review/assessment on this item:**
 - Acknowledging the proposed primary street fencing particulars - we have no further comment/clarification requests on this item and revert assessment for compliance with associated statutory requirements to the LGA.

We trust the above assessment summary is sufficiently clear with regards to DevWA's expectation and requirements RE this proposal's conformance requirements with regards to the Denham Estate Guidelines particulars. We've also provided the submitted checklist assessment along with markups/comments on the updated drawing set submitted noting the two primary non compliances discussed above:

- The requirement for a revised roof colour selection in compliance with *DG CL 8.1.6 Materials and Colours Design Criteria* (Per Item 02 Comments above)
- The requirement for a 2m Dunal Heath Zone in compliance with *DG CL 8.3.1 Landscaping* (Per Item 04 Comments above)

Any additional queries on the above/attached we're available to further discuss as required.

Liz – FYI/records.

Regards,

Approvals

26 AUGUST 2026

ZUIDVELD MARCHANT HUR
ARCHITECTURE PLANNING INTERIOR DESIGN

64 Fitzgerald Street

PO Box 110

Northbridge WA 6800

T 81 8 8227 0800

F 81 8 8227 0800

approvals@zmha.com.au

 Before printing, think about the environment

From: Josh Arnott <josh@jpatownplanning.com>
Sent: Tuesday, 9 September 2025 12:24 PM
To: Approvals <Approvals@zmha.com.au>; liz <liz@jpatownplanning.com.au>
Cc: Kellee & Rob PEDERSEN <cellarbrationsdenham@gmail.com>; Kristy Blackman <ao@sharabay.wa.gov.au>; rolybrando@bigpond.com
Subject: Re: Lot 18 (#14) Terry Deschamps Way, Denham

Hi Zmha and Llz,

Thank you for clarifying the additional information required and outstanding form and checklist.

Please see attached the following for your review and consideration:

- Amended development plans
- Planning Justification
- Denham Design Guidelines Application Form
- Denham Design Guidelines Checklist

Please do not hesitate to contact me if you have any questions or concerns.

Kind regards,

Josh Arnott

Director

0420707055

www.jpatownplanning.com

26 AUGUST 2026

I'm writing to you today because I've been engaged by Kellee and Rob Pederson to manage their application for the proposed outbuilding and retaining at [14 Terry Deschamps Way, Denham](#).

I will be preparing a submission to address the concerns identified in last month's correspondence and will also provide the required DG application forms.

Could you please let me know whether I should direct the submission and any future correspondence to you, Liz, or to Zmha?

Kind regards,

Josh Arnott

Director

0420707058

2 attachments

 **Lot 16 (14) Terry Deschamps Way - DG Checklist AMU2.1.pdf**
3950K

 **Lot 16 (14) Terry Deschamps Way - Retaining Wall & Shed AMU2.1.pdf**
4016K

Josh Arnott <josh@japanning.com>

30 October 2025 at 10:52

To: Ciaran.Devereux@developmentwa.com.au

Cc: liz <liz@tjplanning.com.au>, Dale Chapman <dale@sharkbay.wa.gov.au>, Kellee & Rob PEDERSEN <cellarbrationsdenham@gmail.com>

Hi Ciaran,

I hope you're well. Dale Chapman from the Shire of Shark Bay passed on your details.

We currently have an application with ZMHA for Lot 16 (#14) Terry Deschamps Way, Denham, within DevelopmentWA's Denham Estate. While ZMHA is largely supportive of the proposal, their correspondence below indicates a requirement for a 2m Dunal Heath Zone in accordance with Design Guideline (DG) Clause 8.3.1 Landscaping.

We are requesting a variation to this provision for the following reasons:

- * The proposal aims to retain Lot 16 at the same height as the adjacent Lot 14 to the south, allowing both lots to be amalgamated and used as a single property by the landowners.
- * More broadly, we understand that despite the intent of DG Clause 8.3.1, a Dunal Heath Zone has not been consistently implemented anywhere within the Denham Estate. Requiring this strip ad-hoc does not seem to offer any benefit if there is no consistent precedent within the estate. The Shire's planning officer has acknowledged and agreed with this observation.

Furthermore, the Shire informed me that Stage 1 of the Denham Estate is nearing completion, with the final lots currently being built out. After this, the stage will transition to the Shire for all planning and compliance matters. Given the Shire's support for not implementing the Dunal Heath Zone, we anticipate no issues with this variation to the design guidelines moving forward.

26 AUGUST 2026

Could you please advise if DevelopmentWA supports this variation and if this can be communicated to ZMHA to finalize the approval?

Please do not hesitate to contact me if you have any questions.

Kind regards,

Josh Arnott
Director
0420707058
www.jpatownplanning.com



[Quoted text hidden]

2 attachments

Lot 16 (14) Terry Deschamps Way - DG Checklist AMU2.1.pdf
3950K

Lot 16 (14) Terry Deschamps Way - Retaining Wall & Shed AMU2.1.pdf
4016K

Josh Arnott <josh@jpaPlanning.com> 11 November 2025 at 10:17
To: Ciaran.Devereux@developmentwa.com.au
Cc: liz <liz@tpiplanning.com.au>, Dale Chapman <dale@sharkbay.wa.gov.au>, Kellee & Rob PEDERSEN <cellarbrationsdenham@gmail.com>

Hi Ciaran,

I hope you're well.

Just following up my email from a few weeks back to see if we can discuss a variation to the Denham Design Guidelines.

Please feel free to get in touch.

Kind regards,

Josh Arnott
Director
0420707058
www.jpatownplanning.com



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Ciaran Devereux <Ciaran.Devereux@developmentwa.com.au> 11 November 2025 at 11:04
To: Josh Arnott <josh@jpaPlanning.com>
Cc: liz <liz@tpiplanning.com.au>, Dale Chapman <dale@sharkbay.wa.gov.au>, Kellee & Rob PEDERSEN <cellarbrationsdenham@gmail.com>, Brenton Pham <Brenton.Pham@developmentwa.com.au>

Hi Josh,

Apologies for the late response. I have let our architect know that DevWA supports the variation to the DG's in relation to the 2m deep Dunal Heath Zone. I hope this assists in closing out the assessment for this site.

26 AUGUST 2026

Feel free to give me a call if you wish to discuss.

Cheers,

Claran Devereux

Program Manager



Whadjuk Noongar Country

Mia Yellagonga Tower 2, Level 7/5 Spring St, Perth WA 6000

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developmentwa.com.au

We acknowledge the Traditional Custodians of the land on which we operate across Western Australia and their continuing connection to land, water and community, as we continue our journey together towards a bright future.

From: Josh Arnott <josh@japlanning.com>
Sent: Tuesday, 11 November 2025 10:17 AM
To: Claran Devereux <Claran.Devereux@developmentwa.com.au>
Cc: Iiz <Iiz@japlanning.com.au>; Dale Chapman <dale@sharkbay.wa.gov.au>; Kellee & Rob PEDERSEN <cellarbrationsdenham@gmail.com>
Subject: Re: Lot 16 (#14) Terry Deschamps Way, Denham: Design Guideline Resubmission Review/Assessment

You don't often get email from josh@japlanning.com. [Learn why this is important](#)

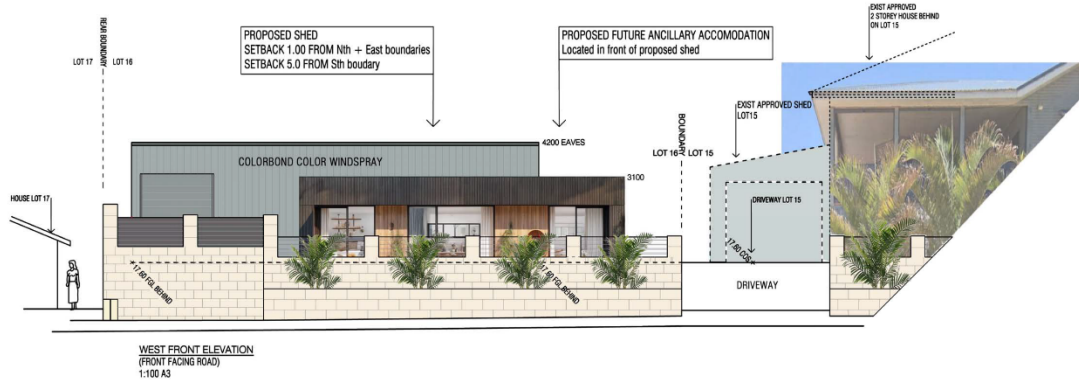
Hi Claran,

I hope you're well.

Just following up my email from a few weeks back to see if we can discuss a variation to the Denham Design Guidelines.

ORDINARY COUNCIL MEETING AGENDA

26 AUGUST 2026



WEST FRONT ELEVATION
(FRONT FACING ROAD)
1:100 A3



ENVIRONMENTAL DESIGN

ARCHITECTURAL DESIGN & DRAFTING
SOLAR PASSIVE AND ENVIRONMENTALLY
SUSTAINABLE BUILDING SOLUTIONS

M 0429228041

P 08 90643851

E rolybrando@bigpond.com



ROLY BRANDO

S. ENV. DES. LMA 2008

PROPOSED SHED AND (FUTURE) ANCILLARY ACCOMMODATION ON APPROVED RETAINED SITE

PROPOSED SHED AND ANC ACCOM

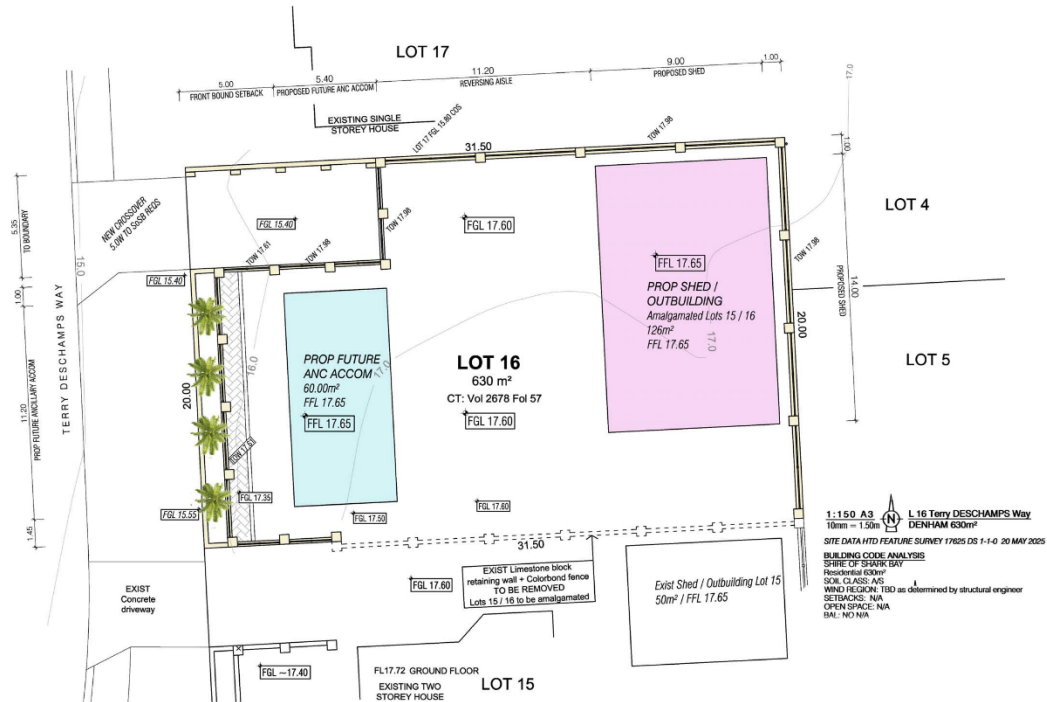
CLIENT Rob + Kellie PEDERSEN
SITE L15 / L14 TERRY DESCHAMPS WAY
DENHAM / SHIRE OF SHARK BAY
SERIES ARCH DWGS
DWG FRONT ELEVATION

A101
REV: 18JUL25

ARTISTIC IMPRESSION VIEW FROM
TERRY DESCHAMPS WAY

1:100 A3
JUL 2026

1
2



ENVIRONMENTAL DESIGN

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ROLY BRANDO

S. ENV. DES. LMA 2008

PROPOSED SHED AND (FUTURE) ANCILLARY ACCOMMODATION ON APPROVED RETAINED SITE

PROPOSED SHED AND ANC ACCOM

CLIENT Rob + Kellie PEDERSEN
SITE L15 / L14 TERRY DESCHAMPS WAY
DENHAM / SHIRE OF SHARK BAY
SERIES ARCH DWGS
DWG SITE PLAN

A102
REV: 18JUL25

SCHEMATIC SITE PLAN SHOWING
PROPOSED AND FUTURE BUILDINGS

1:150 A3
JUL 2026

2
2

26 AUGUST 2026

ATTACHMENT # 3

Submission	Applicant JPA Response	Town Planning Innovations Comment
1a. The proposal lacks sufficient detail to enable a thorough assessment of the development's impact and suitability within its local context. Details which are lacking include: ○ External materials and finishes. ○ Whether a future dwelling is proposed between the Outbuilding and Terry Deschamps Way. ○ The use of the Outbuilding and its relationship to an existing or future dwelling – is it ancillary to an approved dwelling?	1a. Please see responses below: - The external materials and colour of the outbuilding will be colorbond and windspray colour. This colour scheme will allow the outbuilding to match in colour with the existing house on Lot 15 to the immediate south. The colour and material is depicted on the revised street elevation provided. - A future ancillary dwelling is intended on Lot 16 and has been indicatively included in the revised street elevation but is not proposed as part of this development application. - Lot 16 and Lot 15 (to the immediate south) have received conditional subdivision approval to amalgamate into one lot of approximately 1260m². The outbuilding will be ancillary to	TPI has provided the Department with additional advice on the materials, the proposed amalgamation of Lots 15 and 16, and that a dwelling in front of the outbuilding is not proposed at this time. The existing house was shown on the plans. TPI does not agree with the submitter that sufficient detail has not been provided.

26 AUGUST 2026

	the existing dwelling on Lot 15 once amalgamated. The applicant is happy to accept a condition requiring the completion of the amalgamation prior to obtaining building permit or commencing construction on-site.	
1b. Although large Outbuildings are reasonably anticipated in Denham, at 126sqm the proposed Outbuilding is excessive in scale and not compatible with its residential context. Given that no dwelling appears to be proposed in front of the Outbuilding, the structure will be clearly visible from the street and will detract from the amenity of the streetscape. The structure is therefore not considered to meet Design Principle P3 Clause 5.4.3 of the R-Codes Part B. The extent of fill and retaining is excessive as it proposes a fill-based approach rather than a balance of cut and fill. These site works are therefore not considered to meet the Design Principles of Clause 5.3.7 of the R-Codes Part B.	1b. The 126m2 outbuilding will be 10% of the amalgamated site area of Lot 16 and 15. The 126m2 outbuilding will be for the landowner's caravan, boat and 4WD, which are standard recreation vehicles within Denham. The additional justification letter provided details how the outbuilding meets the relevant design principles of Clause 5.3.7 of the R-Codes Part B. The fill and retaining was approved under O-CR-24136 in February 2026 and is not part of this development application.	1b. TPI acknowledges the objectors reservations about the height and scale of the proposed outbuilding, however notes that: - The wall height of the proposed outbuilding is less than the approved wall height for the existing outbuilding on Lot 15. - The Shire has already supported a number of other outbuildings of a similar wall height in Denham. - The situation is unusual and the amalgamated lot size is larger than any other lot in Denham Estate. - The existing house on Lot 15 has a substantial footprint. - The outbuilding is closer to the

26 AUGUST 2026

		southern side of the house planned for Lot 4. The main alfresco outdoor area for Lot 4 is further north. TPI has advised the Department that the retaining has already been approved and constructed. Consultation letters only requested comment on the proposed outbuilding.
- The scale and context of the development is similar in nature to State Administrative Tribunal Decision – NESS and Town of Port Hedland [2010] WASAT 151. Details of this decision include: 121sqm Outbuilding proposed on a 639sqm residential lot. - The Tribunal found that the scale and bulk of the outbuilding were excessive in the context of the site and the locality and the refusal of the development was therefore upheld. We trust that the Shire of Shark Bay will assess and determine the proposal in accordance with the applicable planning framework, with consideration given to our comments above.	The State Administrative Tribunal (SAT) matter referenced was a large outbuilding of similar size on a 639m2 lot, whereas this application is realistically a 126m2 outbuilding on a 1260m2 amalgamated lot.	Noted. The circumstances of this application are slightly different, however it is noted that SAT has refused several large outbuildings on residential zoned lots. SAT considers the merits of each individual application. It is difficult to compare SAT cases unless the circumstances are exactly the same.

26 AUGUST 2026

11.0 ADMINISTRATION REPORT

11.1 ANNUAL REVIEW OF REGISTER OF DELEGATIONS
CM00039

Author

Executive Assistant

Disclosure of Any Interest

Nil

Moved

Cr

Seconded

Cr

Officer Recommendation

That Council adopt the Delegations to the Chief Executive Officer as reviewed in this report in accordance with the *Local Government Act 1995*.

ABSOLUTE MAJORITY REQUIRED

Background

Section 5.42 of the ***Local Government Act 1995*** (the Act) provides that a Council may delegate to the Chief Executive Officer the exercise of any of its powers or the discharge of any of its duties under the Act other than those referred to in Section 5.43. Any decision to make, amend or revoke a delegation is to be by an absolute majority - see Section 5.45(1) (b) below.

5.45. Other matters relevant to delegations under this Division

(1) Without limiting the application of sections 58 and 59 of the Interpretation Act 1984 –

(b) *any decision to amend or revoke a delegation by a local government under this Division is to be by an absolute majority.*

The Register of Delegations is required to be reviewed once every financial year, as required by Section 5.46(2) of the Act. The Register of Delegations was last reviewed in full at the Ordinary Council meeting held on 27 August 2025.

Comment

The purpose of the review is to consider the operational effectiveness of the current delegations, whether each delegation is necessary, whether each delegation is appropriate and whether legislative amendments necessitate any changes.

All delegations have been reviewed to ensure format consistency with other Shire documents (such as Policies) and with a view to ensuring consistency with references to statutory references and any changes to relevant legislation that describes the power or duty being delegated.

26 AUGUST 2026

Legal Implications

Section 5.46 of the **Local Government Act 1995** states that -

- (1) *The Chief Executive Officer is to keep a register of the delegation made under this Division to the Chief Executive Officer and to the employees.*
- (2) *At least once every financial year, delegations made under this Division are to be reviewed by the delegator.*
- (3) *A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty.*

Policy Implications

The current Policy Manual adopted by Council at the Ordinary Council meeting held on the 27 August 2014, item 1.7 Instrument of Delegation (2) States: "When powers and duties are delegated by the Council to the Chief Executive Officer the Instrument of Delegation be signed by the President or the person presiding".

Financial Implications

There are no known financial implications relevant to this item.

Strategic Implications

There are no Strategic Implications related to this report.

Risk Management

This is a low risk item to Council.

Voting Requirements

Absolute Majority Required

Signatures

Chief Executive Officer

D Chapman

Date of Report

6 August 2026

ORDINARY COUNCIL MEETING AGENDA

26 AUGUST 2026

Section / Regulation	RELEVANT EXERCISABLE POWER or DISCHARGEABLE DUTY OF LOCAL GOVERNMENT	To the Chief Executive Officer	Scope, conditions or Limitations
Part 2 - Constitution of local government			
2.8 (1)(f)	Representing the Shire - President liaises with the Chief Executive Officer on the local government's affairs and the performance of its functions	✓	The President and Chief Executive Officer may decide suitable functions for Council to meet and show hospitality to official visitors Chief Executive Officer may approve applications from all groups for the use of the Shire logo on promotional material, provided that the words "Shire of" must not be included for commercial use or products.
2.8	Representing the Shire - use of Shire logo	✓	
Part 3 - Functions of local government			
3.22(1)	A local government that causes damage through the performance of its function must pay compensation to the owner or occupier	✓	
3.25(1)	A local government may give an occupier a notice requiring them to do something to the land if it is specified in Schedule 3.1. The local government must also inform the owner if the occupier is not the owner	✓	
3.26(2)	In order to make a person comply with a notice, a local government may do anything it considers necessary to achieve the purpose for which the notice was given	✓	
3.26(3)	A local government may continue to undertake works that are not carried out by the owner or occupier and recover the costs as a debt	✓	
3.27(1)	A local government may go onto private land in the circumstances prescribed in Schedule 3.2 and carry out works, even if it does not have the consent of the owner	✓	
3.31(2)	After a local government has given notice, it may authorise a person to enter land, premises or thing without consent, unless the owner or occupier has objected to the entry	✓	
3.34(1)	A local government may enter land in an emergency without notice or consent	✓	

ORDINARY COUNCIL MEETING AGENDA

26 AUGUST 2026

3.40A(1)	Local government may authorise a person to remove and impound an abandoned vehicle wreck	✓
3.40A(4)	Local government may declare that a vehicle is an abandoned vehicle wreck	✓
3.47(1)	The local government may sell or otherwise dispose of any goods that have been ordered to be confiscated under section 3.43	✓
3.47(2)	The local government may sell or otherwise dispose of any vehicle that has not been collected within 2 months of a notice having been given under section 3.40(3) or 7 days of a declaration being made that a vehicle is an abandoned vehicle wreck	✓
3.47(2a)	The local government may sell or otherwise dispose of impounded goods that have not been collected within the period specified in section 3.47(2b) of the date a notice is given under sections 3.42(1)(b) or 3.44	✓
3.47A(1)	If an impounded animal is ill or injured to such an extent that treating it is not practicable, the local government may humanely destroy the animal and dispose of the carcass	✓
3.48	If goods are removed or impounded under section 3.39 and the offender is convicted, the local government may recover any expenses incurred in removing and impounding the goods	✓
3.50(1)	A local government may close a thoroughfare to vehicles, wholly or partially, for a period not exceeding 4 weeks	✓
3.50(1a) and 3.50(4)	A local government may, after providing public notice of its intention and reasons, inviting submissions and then considering submissions, order a thoroughfare to be wholly or partially closed to vehicles for a period exceeding 4 weeks	✓
3.50A	A local government may partially and temporarily close a thoroughfare, without giving local public notice, if the closure is for the purpose of carrying out repairs or maintenance and is unlikely to have a significant adverse effect on users of the thoroughfare	✓
Functions & General Reg 6(3)	A local government may, by local public notice, revoke an order under regulation 6(1) that closed a thoroughfare or alter it to make it less restrictive	✓

ORDINARY COUNCIL MEETING AGENDA

26 AUGUST 2026

3.51(3)	Before fixing, altering or realigning a public thoroughfare or draining water onto adjoining land, the local government must give notice of its proposal, invite submissions and consider those submissions	✓
3.53(3)	If an unvested facility lies within 2 or more districts, the local governments concerned can agree on its control and management	✓
3.54(1)	A local government may do anything it could do under the Parks and Reserves Act 1895 if it were a Board appointed under that Act, to control and manage any land reserved under the Land Act 1933 and vested in or placed under the control and management of the local government	✓
3.57(1)	A local government must invite tenders before it enters into a contract for goods or services with a value of \$250,000 or more (Functions and General Reg 11)	✓
Functions & General Reg 14 (2a)	Where a local government is inviting tenders, the local government must determine in writing the criteria for accepted tenders	✓
Functions & General Reg 18 (4) & (5)	A local government must consider any tender that has not been rejected and decide which one to accept. It may decline to accept any tender	✓
Functions & General Reg 20	A local government may, with the approval of the tenderer, make a minor variation in a contract for goods or services before it enters the contract with the successful tenderer	✓
Functions & General Reg 20 (2)	If the successful tenderer does not want to accept the contract with the variation or the local government and the tenderer cannot reach agreement, the local government can select the next most appropriate tenderer	✓
Functions & General Reg 21 (1)	A local government may seek expressions of interest before entering the tender process	✓
Functions & General Reg 23 (3)	A local government must consider any submissions of interest that have not been rejected and decide which ones could satisfactorily supply the goods or services	✓

ORDINARY COUNCIL MEETING AGENDA

26 AUGUST 2026

Functions & General Reg 24E(1)	Where a local government intends to give a regional price preference the local government is to prepare a regional price preference policy	✓
Functions & General Reg 24E(4)	A local government cannot adopt a regional price policy until the local government has considered submissions received	✓
	To make variation in the goods or services required, after it has entered into a contract for the supply of the goods or services required subject to such variations in the contract as may be agreed with the contractor.	✓
3.58(2)	A local government can only dispose of property to the highest bidder at public auction or the most suitable public tender	✓
3.58(3)	A local government can dispose of property by private treaty but must follow the process set out in section 3.58(3)	✓
Part 5 – Administration		
5.18	A local government must review all delegations made to a committee	✓
5.27(2)	General meeting of electors to be held on a day selected by a local government but not more than 56 days after the local government accepts the annual report for the previous financial year	✓
5.37(1)	A local government may designate any employee to be a senior employee	✓
Admin Reg 18(D)	A local government is to consider, accept or reject a review of the CEO's performance	✓
5.50(1)	A local government must prepare a policy for employees whose employment is finishing, setting out the circumstances in which the local government would pay a gratuity and how that gratuity would be assessed, and give local public notice of the policy	✓
5.50(2)	A local government may make a payment to an employee whose employment is finishing, that is in addition to the amount set out in its policy, provided that local public notice of the payment is given	✓
5.53(1)	A local government must prepare an annual report for each financial year	✓
5.56	A local government is to prepare a plan for the future	✓

Approval of variations necessary to achieve the outcome of the scope of the project and within the adopted budget of the project

ORDINARY COUNCIL MEETING AGENDA

26 AUGUST 2026

Admin Reg 19C(4)	A local government is to review its current plan for the future every 2 years	✓
Admin Reg 29A(2)	Information prescribed as confidential but that, under 5.95(7), may be available for inspection if a local government so resolves	✓
5.98(2)(b)	A local government may approve expenses which are to be reimbursed to its councillors, provided that the expenses are of the kind prescribed as those which the local government can approve for reimbursement [subject to section 5.98(3)]	✓
5.98(4)	A local government may approve the reimbursement to a council member of an approved expense, either generally or in a particular case	✓
5.100(2)	A local government may decide to reimburse expenses to committee members who are not council members or employees	✓
5.103(2)	A local government must review its code of conduct within 12 months of every ordinary elections day	✓
Part 6 – Financial Management		
Financial M'gment Reg 19(1)	A local government must establish and document internal control procedures to ensure control over investments	✓
6.7(2) Financial M'gment Reg 12(1)	To make payments from the municipal fund or the trust fund for the performance of functions and exercise of powers	✓
6.9(4)	A local government may transfer money held in trust for 10 years to its municipal fund, but must repay it to a person who establishes a right to the repayment, together with any interest earned on the investment	✓
6.12(1)(b)	A local government may waive or grant concessions in relation to any amount of money or write off any amount of money that it is owed to the local government [subject to section 6.12(2)]	✓

- (i) Payment of salaries up to the amount required to meet the Council's employee entitlements obligations;
- (ii) All other payments not to exceed \$250,000 unless supported by an appropriate procurement process;
- (iii) In accordance with Council policies and adopted budget; and
- (iv) Payment within the scope of Budgeted project and within the adopted budget of the project.

ORDINARY COUNCIL MEETING AGENDA

26 AUGUST 2026

6.12(3)	The local government may determine what conditions apply to the granting of a concession	✓
6.14(1)	A local government may invest money in its municipal or trust funds that is not being used, in accordance with Part III of the Trustees Act 1962	✓
6.49	A local government may make an agreement with a person to pay their rates and service charges	✓
6.50(1) and 6.50(2)	A local government may determine the due date that rates and charges become due, but which date cannot be sooner than 35 days after the date noted on the rate notice	✓
6.56(1)	A local government may recover an unpaid rate or service charge and the cost of proceedings in court of competent jurisdiction	✓
6.60(2)	A local government may give notice (to a lessee of land in respect of which there is an unpaid rate or service charge, requiring the lessee to pay its rent to the local government in satisfaction of the rate or service charge)	✓
6.60(3)	If a local government gives notice to a lessee, under section 6.60(2), the local government must give a copy of the notice to the lessor	✓
6.60(4)	If a local government gives notice to a lessee, under section 6.60(2), and the lessee fails to pay rent to the local government, the local government may recover the rate or service charge as a debt from the lessee	✓
6.64(1)	If any rates or service charges have remained unpaid for at least 3 years, a local government may take possession of the land and hold the land against a person having an estate or interest in the land, and may lease or sell the land or subject to transfer it to the Crown or itself 5.43(d)	✓ subject to 5.43 (d)
6.64(3)	A local government may lodge a caveat in respect of any land for which rates and service charges are outstanding	✓
6.71(1)	If a local government is unable to sell land under Part 6 Division 6 Subdivision 6 within 12 months, it may transfer the land to the Crown or itself	✓ subject to 5.43 (d)
6.74(1)	A local government may apply in the prescribed form to the Minister to have land revested in the Crown if it is rateable vacant land and rates or service charges in respect of it have remained unpaid for at least 3 years	✓
Financial M'gment Reg 77(3)	A local government must consider any objections it receives in relation to a reinvestment under regulation 77	✓

ORDINARY COUNCIL MEETING AGENDA

26 AUGUST 2026

6.76(5)	The local government must consider any objections to the rates record and may disallow or allow the objection either wholly or in part	✓
6.76(6)	The local government is to provide the person with notice of its decision	✓
7.12A(3)	A local government is to examine the auditor's report, under section 7.9(1) and any report under section 7.9(3), and must determine if any matters raised by the report require action and ensure that appropriate action is taken.	✓
7.12A(4)	A local government must prepare a report on any action taken in response to an auditor's or section 7.9(3) report, and provide it to the Minister	✓
Part 8 – Scrutiny of the affairs of local governments		
8.14(3)	A local government must give the Minister advice of what things it has done or will do to comply with an enquiry report from the Minister, or a person authorised by the Minister, within 35 days of receiving the report	✓
8.23(4)	A local government must give the Minister advice of what things it has done, or will do, to comply with an Inquiry Panel's report within 35 days of receiving the report, or give its comment on a recommendation to dismiss the council	✓
Part 9 – Miscellaneous provisions		
9.6(5)	The local government is to ensure that the person who made the objection is given notice in writing of how it has been decided to dispose of the objection and the reasons for disposing of it in that way.	✓
9.10(1) & (2)	The local government may appoint persons or classes of persons to be authorised to perform certain functions and must issue them with a certificate stating they are authorised	✓
9.60(4)	A local government is to administer any regulation made under section 9.60 as if it were a local law	✓

ORDINARY COUNCIL MEETING AGENDA

26 AUGUST 2026

9.56	Certain persons protected from liability for wrongdoing - legal costs indemnification		
		✓	Where there is a need for the provision of urgent legal services before an application can be considered by Council, the Chief Executive Officer may give an authorisation to the value of \$5,000 provided that: (1) where it is the Chief Executive Officer who is seeking urgent financial support for legal services, the Council shall deal with the application; and (2) subject to any other conditions Council may set in its policy regarding costs indemnification for legal representation.
6.76(5)	The local government must consider any objections to the rates record and may disallow or allow the objection either wholly or in part	✓	
6.76(6)	The local government is to provide the person with notice of its decision	✓	
	Schedule 2.1 – Provisions about creating, changing the boundaries of, and abolishing districts		
11(2)	Any local governments affected by an order made under clause 2.1 are to negotiate any adjustment or transfer between them of property, rights and liabilities	✓	
	Schedule 2.2 – Provisions about wards and representation		
8	The council must have regard to community of interests, physical and topographical features, demographic trends, economic factors and the ratio of councillors to electors in respect of considerations about wards	✓	I believe that we can delete Schedule 202 Provisions about wards and representation as we no
9	When a ward review is complete, the local government must prepare a report for the Advisory Board and may propose the making of an order under clauses 2.2(1), 2.3(3) or 2.18(3)	✓	Longer have WARDS and so we no longer have to review
	Schedule 6.2 – Provisions relating to lease of land where rates or service charges unpaid		

ORDINARY COUNCIL MEETING AGENDA

26 AUGUST 2026

1(1)	A local government may lease the land with any conditions for a term that does not exceed 7 years	✓ subject to 5.43 (d)
Schedule 6.3 - Provisions relating to the sale or transfer of land where rates or service charges are unpaid		
1(4)	The local government must appoint a time at which the land may be offered for sale by public auction, not less than 3 months and not more than 12 months from the service of the notice under clauses 1(1) or 1(2)	✓
2(3)	The local government must give the Registrar of Titles or the Registrar of Deeds a memorial of the Statewide notice	✓
4(1)	A local government may transfer or convey to the purchaser of the land an indefeasible estate in fee simple	✓ subject to 5.43 (d)
Planning and Development (Local Planning Schemes) Regulations 2015 , Deemed provisions for local planning schemes, Part 10, Schedule 2 ('the Regs 2015')		
Clause 79 of the Regs 2015	That Council authorise the Chief Executive Officer to enter and inspect any building or land for the purposes of ascertaining whether the local planning scheme is being complied with	✓
Clause 82(1) of the Regs 2015	That Council grant delegated authority to the Chief Executive Officer to issue deemed refusal letters for applications where an application is deemed refused in accordance with Clause 75(2) of the Planning and Development (Local Planning Schemes) Regulations 2015	✓

ORDINARY COUNCIL MEETING AGENDA

26 AUGUST 2026

Clause 82(1) of the Regs 2015

That Council grant delegated authority to the Chief Executive Officer to determine an application for planning approval where it is established prior to, or at, an Ordinary Council meeting that the minimum number of Councillors needed for a quorum will not be available to vote on an application at a scheduled Council meeting (due to absence or planned declaration of interest).

1. The use is a 'P' or 'D' use under the Shire of Shark Bay Local Planning Scheme No. 4 ('the Scheme'); or
2. The proposed use or development is ancillary to existing development; or
3. For residential development, the application complies with the 'deemed to comply' requirements of the Residential Design Codes or satisfies the 'Design Criteria' of the Residential Design Codes ; and
4. The application generally complies with the Scheme with no major variations to setback, site coverage or car parking requirements; and
5. The use or development complies with any relevant Local Planning Policy.

This delegation must not be exercised by the Delegated officer where:

- a) The development entails a variation to the Scheme or Residential Design Codes that is considered by the Delegate to be significant;
- b) The Delegate considers the development will have the potential to negatively impact on the amenity of the locality;
- c) The height of the development exceeds two storeys;

✓

Clause 82(1) of the Regs 2015

Conditions Continued

- d) A written objection has been lodged during a formal advertising period;
- e) The Delegate considers an application should be advertised for public comment and no advertising has been conducted;
- f) Development proposals are considered by the Delegate to have a strategic impact and as a result involve issues in which Council has a direct interest;
- g) The estimated cost of development exceeds \$500,000;
- h) The development is located in a Special Use zone; and

ORDINARY COUNCIL MEETING AGENDA

26 AUGUST 2026

Clause 82(1) of the Regs 2015

That Council grant delegated authority to the Chief Executive Officer to determine if development approval is not required for a temporary use which is not in existence for less than 48 hours, or a longer period agreed by the local government, in any 12 month period, in accordance with Clause 61(2)(d) of the Planning and Development (Local Planning Schemes) Regulations 2015.

i) The Delegate considers the proposal has potential to negatively impact on World Heritage values.

This delegation must not be exercised by the Delegated officer where:a) The proposal is for a mobile trader;b) The Delegate considers the development will have the potential to negatively impact on the amenity of the locality;c) A written objection has been lodged during a formal advertising period;d) The Delegate considers an application should be advertised for public comment and no advertising has been conducted;e) Development proposals are considered by the Delegate to have a strategic impact and as a result involve issues in which Council has a direct interest;f) The Delegate considers the proposal has potential to negatively impact on World Heritage values.

Dog Act 1976		
10AA (2)	The delegation must be in writing	✓
10AA (3)	The delegation may expressly authorise the delegate to further delegate the power or duty	✓
	Council delegate authority to the Chief Executive Office to further delegate any power or duty of the Dog Act 1976	✓

ORDINARY COUNCIL MEETING AGENDA

26 AUGUST 2026

10AA (4)	A local government's chief executive officer who is exercising or performing a power or duty that has been delegated as authorised under this section, is to be taken to do so in accordance with the terms or the delegation unless the contrary is shown	✓
10AA (5)	Nothing in the section limits the ability of a local government's chief executive officer to perform a function through an officer or agent	✓
10AB (1)	The Chief Executive Officer of a local government is to keep a register of: (a) delegations made under section 10AA(1); and (b) further delegations made under the authority of a delegation made under section 10AA(1).	✓
10AB (2)	At least once every financial year - (a) delegations made under section 10AA(1); and (b) further delegations made under the authority of a delegation made under section 10AA(1), are to be reviewed by the delegator.	

Cat Act 2011		✓
Section 3	A local government may approve in writing an operator of a cat management facility	✓
Section 9	A local government may grant, renew or refuse an application for cat registration	✓
Section 9(5)	A local government may require an applicant to give documents or information relating to registration, within a specified time of not more than 21 days and may require information to be verified by statutory declaration	✓
Section 10	A local government may cancel the registration of a cat	✓
Section 11	A local government is to issue a registration number, certificate and tag, including a replacement certificate or tag	✓
Section 12	A local government must keep a cat register	✓
Section 13	A local government must notify the owner of cat the outcome of a decision	✓
Section 26	A local government may issue a cat control notice	✓

ORDINARY COUNCIL MEETING AGENDA

26 AUGUST 2026

Section 37	A local government may grant, renew or refuse an approval to breed application	✓
Section 37(3)	A local government may require an applicant to give document or information relating to a breeder application, within a specified time of not more than 21 days and may require information to be verified by statutory declaration	✓
Section 38	A local government may cancel an approval to breed	✓
Section 39	A local government must issue a certificate to an approved breeder	✓
Section 40	A local government must notify the person affected by the decision in writing of the outcome	✓
Section 42	A local government is to administer local laws	✓
Section 47	A CEO needs to keep a register of delegations	✓
Section 48	A local government may appoint, in writing, authorised persons	✓
Section 49	A local government may recover the costs of having to destroy a cat	✓
Section 37, reg 22	A local government may refuse an application to breed if the applicant has had an infringement in the past 12 months	✓
	Council delegate authority to the Chief Executive Office to further delegate any power or duty of the Cat Act 2011	✓
Health Act 2016		
Section 21(1)(b)(i)	A power or duty conferred or imposed on an enforcement agency may be delegated if the enforcement agency is a local government, to the chief executive officer of the local government.	✓
Bush Fires Act 1954		
Section 48 Part V (1)	A local Government may, in writing, delegate to its chief executive officer the performance of any of its functions under this Act.	✓
(2)	Performance by the chief executive officer of a local government of a function delegated under subsection (1) - (a) is taken to be in accordance with the terms of a delegation under this section, unless the contrary is shown, and (b) is to be treated as performance by the local government	✓

Refer Ordinary Council meeting held on the 19 December 2016
Item 15.1 for delegation authority

ORDINARY COUNCIL MEETING AGENDA

26 AUGUST 2026

(3)	A delegation under this section does not include the power to subdelegate	✓
(4)	Nothing in this section is to be read as limiting the ability of a local government to act through its council, members of staff or agents in the normal course of business.	✓

Graffiti Vandalism Act 2016		
Part 3 Division 1 16 (1)	The local government may delegate to its chief executive officer the exercise of any of its powers or the discharge of any of its duties under another provision of this Part.	✓
Part 3 Division 1 16 (2)	A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.	✓
Part 3 Division 1 16 (3)	A decision to delegate under this section is to be made by an absolute majority.	✓
Part 3 Division 1 17 (1)	A chief executive officer may delegate to any employee of the local government the exercise of any of the chief executive officer's powers or the discharge of any of the chief executive officer's duties under another provision of this Part other than this power of delegation.	✓
Part 3 Division 1 17 (2)	A delegation under this section is to be in writing any may be general or as otherwise provided in the instrument of delegation.	✓
Part 3 Division 1 17 (3)	This section extends to a power or duty the exercise or - discharge of which has been delegated by a local government to the chief executive officer under section 16, but in case of such a power or duty- (a) the chief executive officer's power under this section to delegate the exercise of that power or the discharge of that duty; and (b) the exercise of that power or the discharge of the duty by the chief executive officer's delegate, are subject to any conditions imposed by the local government on its delegation to the chief executive officer.	✓

ORDINARY COUNCIL MEETING AGENDA

26 AUGUST 2026

Part 3 Division 1 17 (4)	Subsection (3)(b) does not limit the chief executive officer's power to impose conditions or further conditions on a delegation under this section.	✓
Part 3 Division 1 17 (5)	In subsections (3) and (4) - conditions includes qualifications, limitations or exceptions.	✓

26 AUGUST 2026

12.0 FINANCE REPORT

12.1 SCHEDULE OF ACCOUNTS PAID TO BE RECEIVED
CM00017

Author

Manager Finance and Administration

Disclosure of any Interest

Declaration of Interest:

Nature of Interest:

Moved Cr

Seconded Cr

Officer Recommendation

That the cheques and electronic payments as per the attached schedules of accounts for payment totalling \$1,389,110.05 be accepted.

Comment

The schedules of accounts for payment covering -

Municipal fund BPay payments for the month of July 2026 totalling \$600.00

Municipal fund credit card direct debits for the month of July 2026 totalling \$19,111.06

Municipal fund direct debits to Council for the month of June 2026 totalling \$23,047.84

Municipal fund account electronic payment numbers MUNI 35095 to 35204 totalling \$1,203,875.89; and

Municipal fund account for July 2026 payroll totalling \$142,475.26.

The schedule of accounts submitted to each member of Council on 21 August 2026 has been checked and are fully supported by vouchers and invoices. All vouchers and invoices have been duly certified as to the receipt of goods and services and the cost of goods and services received. Please refer to the **confidential attachment**.

LEGAL IMPLICATIONS

Section 13.3 of the Local Government (Financial Management) Regulations 1996, requires that a list of payments be presented to Council on a monthly basis.

POLICY IMPLICATIONS

There are no policy implications associated with this item.

FINANCIAL IMPLICATIONS

The payments listed have been disbursed throughout the month.

26 AUGUST2026

STRATEGIC IMPLICATIONS

Outcome 1.2 To improve fiscal management practices and procedures and maximise operating revenue and social capital.

RISK MANAGEMENT

These payments have been paid and are subject to internal checks and appraisals and therefore are considered a low risk to council.

Voting Requirements

Simple Majority Required

Signature

Chief Executive Officer

D Chapman

Date of Report

17 August 2026

26 AUGUST 2026

12.2 COMMUNITY ASSISTANCE GRANTS – SIGNIFICANT EVENT SPONSORSHIP FUNDING - SHARK BAY PISTOL AND GUN CLUB
GS00001

AUTHOR

Community Development Officer

DISCLOSURE OF ANY INTEREST

Declaration of Interest:

Nature of Interest:

Moved Cr

Seconded Cr

Councillor Recommendation

That Council:

- 1. Approves funding of \$3,700 to the Shark Bay Pistol and Gun Club through the Community Assistance Grants – Significant Event Sponsorship Funding program to support the 2026 Tri Shoot – Annual Target Competition; and**
- 2. Notes that the application was received prior to the adoption of the Shire's 2026/2027 Annual Budget and that the approved expenditure will be included in the 2026/2027 Annual Budget.**

ABSOLUTE MAJORITY REQUIRED

BACKGROUND

The Shire of Shark Bay's Community Assistance Grants program provides financial assistance to eligible community organisations, projects, programs and events that contribute to the social and economic wellbeing of the Shark Bay community.

Significant Event Sponsorship Funding is intended to support established major events and new or innovative events that attract visitors and expenditure to Shark Bay and provide broader economic and social benefits to the community.

An application from the Shark Bay Pistol and Gun Club was received on 13 August 2026, seeking \$3,700 in sponsorship towards its 2026 Tri Shoot – Annual Target Competition to be held on the 19 - 20 September 2026.

The application was received during the 2026/2027 financial year but before Council's adoption of the 2026/2027 Annual Budget. Accordingly, no funding allocation for the 2026/2027 Community Assistance Grants program had been formally adopted at the time the application was received. The application is therefore presented for consideration at Council's discretion, with any approved expenditure to be incorporated into the 2026/2027 Annual Budget.

The requested sponsorship would contribute towards the purchase of clay targets, trophies, ammunition and catering required to deliver the competition.

26 AUGUST 2026

The Shark Bay Pistol and Gun Club previously received \$800 through Round 2 of the 2024/25 Community Assistance Grants program to upgrade the Generator Shed and has been successfully delivered and acquitted.

COMMENT

The Shark Bay Pistol and Gun Club operates on a weekly basis with an established and active membership base.

The competition was previously known as the 'Heritage Shoot' and was conducted successfully for many years. The annual competition rotates between participating clubs, with Shark Bay hosting approximately every three years. It was last held in Shark Bay in 2023 for the first time in a number of years and is proposed to return again in 2026 under the name 2026 Tri Shoot – Annual Target Competition.

The event is expected to attract local and regional competitors, including participants from shooting clubs in Northampton, Geraldton, Dongara and Perenjori. Historically, the event has attracted approximately 100 attendees, comprising competitors, club members and spectators.

Visiting participants and spectators are expected to generate economic activity through the use of local accommodation, hospitality venues, retail businesses and other services. While the application does not quantify anticipated visitor expenditure, the expected level of regional participation indicates that the event is likely to provide a positive economic benefit to the Shark Bay community.

The two-day competition will also provide opportunities for recreation, social interaction and relationship-building between local participants and shooting clubs from across the Gascoyne and Mid-West regions. Entry fees will contribute towards event costs and support the Club's ongoing financial sustainability.

The Club considers that successfully delivering the event may also assist in attracting future competitions, involving clubs from the metropolitan area, Gascoyne, Mid-West and Pilbara regions. The event will also provide useful competition experience for participants preparing for a future Gascoyne Games event.

GRANT APPLICATION DETAILS

Group:	Shark Bay Pistol and Gun Club
Amount requested:	\$3,700
Project:	2026 Tri Shoot – Annual Target Competition
Funding category:	Funding for a specific event or program
Strategic Community Plan (category):	Economic and Social

The application states that the competition will attract clubs from Northampton, Geraldton, Dongara and Perenjori. It states that these visiting clubs will provide a positive economic impact to local businesses during their visit. This will also enable the club to host more events and competitions with other clubs from the Metropolitan, Gascoyne, Midwest and Pilbara regions. The application describes the event as the ideal platform for preparation when the next Gascoyne Games is held.

The application describes the social benefit as: the ability for competitors and spectators to socialise and promote the Shark Bay region as an obvious benefit to the

26 AUGUST 2026

community. Historically the event attracted approximately 100 people made up of competitors, club members and spectators.

The grant application includes:

- Two project referees; Dave Harrower – President, Shark Bay Speedway Club
Dave Cunningham – Owner, Shark Bay Hardware
- Quotes and Estimates
- Current Bank Statement – refer to 'Confidential Attachment'

Officer Recommendation:

The Shark Bay Pistol and Gun Club has an established membership base and has demonstrated its commitment to providing regular sporting and recreational opportunities for its members and the broader community.

The proposed competition aligns with the objectives of the Significant Event Sponsorship Funding program by attracting regional visitors, supporting local economic activity and providing social and recreational benefits.

The requested amount is considered reasonable in relation to the anticipated community and economic benefits of the event. It is therefore recommended that Council approve sponsorship of \$3,700 to support the 2026 Tri Shoot – Annual Target Competition.

If the application is approved, the Club will be required to acknowledge the Shire's sponsorship by displaying the Shire's logo and the words "Proudly supported by the Shire of Shark Bay" on relevant promotional material, including printed material, event signage and social media.

The Club will also be required to comply with the standard conditions and acquittal requirements of the Community Assistance Grants program.

LEGAL IMPLICATIONS

Section 6.8(1)(a) of the *Local Government Act 1995* permits expenditure to be incurred during a financial year before the annual budget for that year has been adopted.

Section 6.8(2)(a) requires expenditure incurred in these circumstances to be subsequently included in the annual budget for that financial year.

POLICY IMPLICATIONS

The application has been assessed in accordance with Council Policy 2.2 – Financial Assistance/Donations.

Approval of funding remains at Council's discretion and is subject to any conditions imposed by Council.

FINANCIAL IMPLICATIONS

Council has historically adopted an annual allocation of \$50,000 for the Community Assistance Grants program. This funding supports community projects, equipment and minor projects, and Significant Event Sponsorship Funding.

26 AUGUST 2026

During the 2025/2026 financial year, Council approved Community Assistance Grants totalling \$43,850. The allocation for the Significant Event Sponsorship Funding category was \$20,000.

The current application relates to the 2026/2027 financial year. At the time of preparing this report, Council had not adopted its 2026/2027 Annual Budget and had therefore not formally adopted an allocation for the 2026/2027 Community Assistance Grants program.

Council has previously approved \$1,177 in Significant Event Sponsorship Funding for the 2026/2027 financial year. If the current application is approved, committed expenditure within this category will total \$4,877.

Based on the Shire's historical allocations of \$20,000 for Significant Event Sponsorship Funding and \$50,000 for the overall Community Assistance Grants program, approval of the application would leave indicative balances of:

- **\$15,123** within the Significant Event Sponsorship Funding category; and
- **\$45,123** across the overall Community Assistance Grants program.

These balances are subject to Council adopting the historical allocations as part of the 2026/2027 Annual Budget.

Given the amount requested and the Shire's historical allocation to the program, approval is not expected to have a material impact on the Shire's overall financial position.

STRATEGIC IMPLICATIONS

Social Objective: A safe, welcoming and inclusive community

Economic Objective: A progressive, resilient and diverse economy

RISK MANAGEMENT

This is a low risk item for Council

VOTING REQUIREMENTS

Absolute Majority Required

SIGNATURES

Executive Manager Community Development

M Fanali

Chief Executive Officer

D Chapman

Date of Report

17 August 2026

26 AUGUST 2026



Shire of Shark Bay Community Assistance Grants APPLICATION FORM

Please complete and return the signed application form to the Shire of Shark Bay with the advertised timeframe. **Late submissions will not be considered**

Applications to be addressed to: Chief Executive Officer
Shire of Shark Bay
PO Box 126
Denham WA 6537

Applications can be delivered: Shire of Shark Bay
65 Knight Terrace
Denham WA 6537

Email: cdo@sharkbay.wa.gov.au

For further information, please contact the Community Development Officer on 9948 1218

Please ensure you have read the Shire of Shark Bay Community Assistance Grants – Guidelines before completing the application form to confirm your organisation's eligibility.

FUNDING ROUND

Please indicate which funding round you are applying for:

- ☐ Round 1 - Community Projects Year: _____
- ☐ Round 2 - Equipment and minor projects Year: _____
- ☐ Significant Event Sponsorship Funding Year: 2026_____

ORGANISATION DETAILS

Organisation Name _SHARK BAY PISTOL AND GUN CLUB INC_____

Postal Address PO BOX 67 DENHAM WA 6537_____

Contact Person _DAVE ROCK_____

Position/Title _SECRETARY/TREASURER_____

Telephone _0427341430_____

E-mail _ceo@rtau.com.au_____

ORDINARY COUNCIL MEETING AGENDA

26 AUGUST 2026

What category best describes your organisation?

- ☒ Sporting Club
☐ Community Group
☐ Not-for-profit organisation
☐ Other: _____

Which of the following best describes your organisation's status?

- | | YES | NO |
|---|-------------------------------------|-------------------------------------|
| • Incorporated | ☒ | ☐ |
| • GST Registered | ☐ | ☒ |
| • Have a current Association Constitution | ☒ | ☐ |

Australian Business Number (ABN): 69576429200

Please note the Shire of Shark Bay requires applicants to have an ABN. Applicants who do not have one may be subjected to withholding tax of 48.5%. If you are unsure, please contact the Shire to discuss how to best proceed.

Bank details

Account Name: CBA GERALDTON _____

BSB: 066512 _____ Account Number: 10619505 _____

FUNDING DETAILS

Project title: TRI SHOOT

Project description: ANNUAL TARGET COMPETITION; Event competitors from Northampton, Geraldton, Dongara and Perenjori. This competition involves several state representatives and attracts a significant spectator base.

Date(s) the project will take place: 19th & 20th September 2026

Location(s) where the project will take place: SHARK BAY PISTOL AND GUN CLUB

Total project funds requested (including GST if applicable) \$ 3700

ORDINARY COUNCIL MEETING AGENDA

26 AUGUST 2026

Has your organisation previously received funding from the Shire of Shark Bay?

☒ Yes

☐ No

If **Yes**, Previous funding amount received: \$1000 _____

Round / Year funding was received: 2026__ ____

Funded project: _FIRE FIGHTING PUMP SHED_____

Has your organisation acquitted all previous Shire of Shark Bay funding?

☒ Yes

☐ No

If **No**, please outline why?

***Please Note:** Your organisation is not eligible to receive new funding from the Shire of Shark Bay, until previous Shire of Shark Bay funding has been acquitted.*

PROJECT DETAILS

What is the funding to be used for?

☐ Leveraging a grant from a State or Federal agency

☐ Purchasing goods and services (i.e. equipment and/or engaging a professional for the purpose of instruction)

If your funding application involves purchasing equipment, can the equipment be used by other community groups in the future?

☐ Yes

☐ No

☐ Infrastructure (i.e. significant construction or improvement of facilities). Please include Planning Approvals from the Shire

☒ Funding for a specific event or program

☐ Prize money.

Does the project meet the objectives of the Shire of Shark Bay Strategic Community Plan 2020-2030? Copy of the Plan can be found on the Shire's website.

☒ Economic A progressive, resilient and diverse economy

☐ Environment Help protect our unique natural and built environment

☒ Social A safe, welcoming and inclusive community

ORDINARY COUNCIL MEETING AGENDA

26 AUGUST 2026

Outline the project goals and how they will benefit Shark Bay community (*minimum of one objective*):

Economic: Attending clubs are Northampton, Geraldton, Dongara and Perenjori. These visiting clubs would provide a positive economic impact to local businesses during their visit. This will also enable the club to host more events and competitions with other clubs from the Metropolitan, Gascoyne, Midwest and Pilbara regions. This event is the ideal platform for preparation of the Gascoyne Games.

Social: Whilst safety is a priority, the ability for competitors and spectators to socialise and promote the Shark Bay region is an obvious benefit to the community. This event was last held in 2023 with. During the matches I estimate approx 100 people in attendance made up of competitors, club members and spectators_____

Name of Organisation	Project Involvement

Project Referees: Organisations involved in this project (*if applicable*)

Please provide two referees (*that is not associated with your organisation*) that are in support of your application, alternatively you can attach letters of support.

Name	Phone	Email	Organisation and position held
Dave Harrower	042998944	cdhelectrics@gmail.com	Shark Bay Speedway President
Dave Cunningham	08 99481001	davetrout05@gmail.com	Shark Bay Hardware owner

ORDINARY COUNCIL MEETING AGENDA

26 AUGUST2026

SIGNIFICANT EVENT – ONLY

All Significant Event applications will be required to do a presentation to Council about their project, prior to consideration of the grant application. Please speak with the Shire of Shark Bay Community Development Officer for more details and to secure a time. Council meets on the last Wednesday of each month.

If your project is a **Significant Event** will it attract additional visitors to town? If so, how many additional visitors are you planning for?

- ☒ 50-100
☐ 100-200
☐ 200-300
☐ Over 500

Will you be charging an entry fee to attend the event?

- ☒ Yes
☐ No

If **Yes**, how much? _\$20 registration fee for

competitors. Please ensure this is shown as income in the

budget below.

PROJECT BUDGET

Please provide a total event/program budget outlining all funding sources (eg Shire of Shark Bay funds, your organisation contribution and other funding sources where applicable). Please attach quotes/evidence of cost for every expenditure item listed.

Expenditure Item Description (i.e. materials, equipment, advertising, catering, prizes)	Shire of Shark Bay Grant (\$)	*In-Kind (\$)	Other Funding/Income Amount (\$)	Other Funding Organisation Name (your organisation or external)
.22 Ammunition	700		95	SBPGC
12G Ammunition	700		80	SBPGC
Precision Targets	500		80	SBPGC
Clay targets	500		50	SBPGC
Registration fee \$20			400	
Trophies	300		46.70	SBPGC
Catering	1000		1460	SB Supermarket & SBPGC
12 volunteers x 24 hrs		7200		SBPGC members
Total	\$ 3700	\$ 7200	\$ 2211.70	

***In-Kind value:** Number of volunteers x hours worked directly on project x \$25 per hour

Shire of Shark Bay Community Assistance Grants – Application Form

Page 5 of 6

26 AUGUST 2026

Will any of your expenditure items be spent locally with **Shark Bay businesses**?

☒ Yes

☐ No

Please describe which business(es) you will be spending money with and how much will be spent with each business.

PART 6 – ADDITIONAL INFORMATION

Please attach a copy of the following:

- Organisation's most recent (Audited) Financial Statement
- Quotations for expenditure items

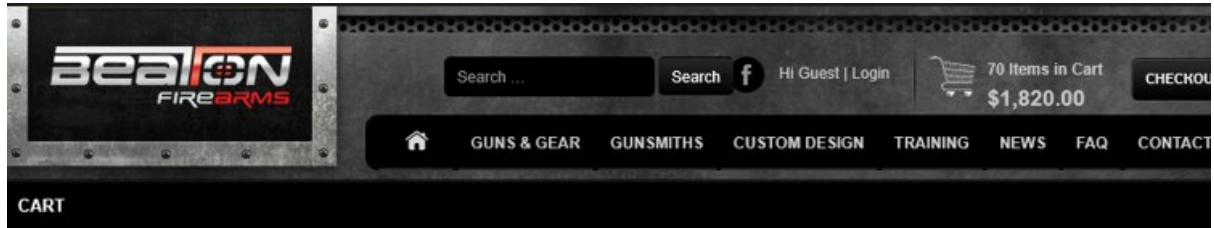
PART 7 – DECLARATION

I hereby certify that I am the authorised person to sign on behalf of the organisation and that the information is correct. I have read, understand and agree to abide by the conditions set out in the Shire of Shark Bay Community Assistance Grants guidelines.

NAME	DAVE ROCK _____
SIGNATURE	 _____
POSITION IN ORGANISATION	_____ _SECRETARY/TREASURER _____
DATE	_____ _9/8/2026 _____

ORDINARY COUNCIL MEETING AGENDA

26 AUGUST2026



Due to the limited availability of some of the products listed on our website, some items might not be promptly available in store. We will advise of product availability when an online order is placed. Alternatively, please feel free to call or email us to confirm availability and/or estimated delivery times.

Unfortunately we are no longer able to ship dangerous goods (pressurized bottles, etc), firearms parts (including magazines), ammunition (including air pellets), or ammunition components (powder, brass, projectiles, etc) under any circumstances.

✓ Cart updated.

Product	Price	Quantity	Subtotal
 Federal 20g #7.5 Topgun 25pk	\$26.00	30	\$780.00
Update cart			

Cart totals

Subtotal	\$780.00
Shipping	One of our friendly staff will manually calculate and advise of any relevant shipping costs via email/phone when your order is placed. We will not process payment for your order until we have heard back from you, and we have agreed upon a total price.
Total	\$780.00

26 AUGUST 2026



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Box (50 rounds) Slab (500 rounds) Carton (5000 rounds)
Ammo Specifications

Type	Rimfire
Calibre	.22 LR
Rounds per box	5000

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26 AUGUST 2026

12.3 ADOPTION OF 2026/2027 STATUTORY BUDGET
FM52627

Author
Chief Executive Officer

Disclosure of Interest
Nil

PART 1 – Differential Rates for 2026/2027

Moved: Cr.
Seconded: Cr.

Officer Recommendation

That, with regards to proposed differential rates for the 2026/2027 financial year, Council

1. Notes proposed differential rates for 2026/2027 were advertised on 28 May 2026 for a submission period of 21 days.
2. Notes no submissions were received prior to closing date of 19 June 2026.

Absolute Majority Required

PART 2 - Budget for 2026/2027

Moved: Cr
Seconded: Cr

Officer Recommendation

That, with regards to adoption of the Statutory Budget for the financial year ending 30 June 2027, Council:

1. Resolves, in accordance with Section 6.2 of the Local Government Act 1995 and Part 3 of the Local Government (Financial Management) Regulations 1996, council adopt the Budget as contained in Attachment 1, for the Shire of Shark Bay, which includes the following:
 - Statement of Comprehensive Income.
 - Statement of Cash Flows.
 - Statement of Financial Activity.

26 AUGUST 2026

- Notes to and Forming Part of the Budget.
- Transfers to and from reserve accounts as set out in Note 8 to the Budget.

Absolute Majority Required

PART 3 – General Rates, Minimum Payments, Instalment Payment Arrangements, Discounts and Interest

Moved: Cr
Seconded: Cr

Officer Recommendation

That, with regards to adoption of General Rates, Minimum Payments, Instalment Payment Arrangements, Discounts and Interest for the financial year ending 30 June 2027, Council:

1. Resolves, for the purpose of yielding the deficiency disclosed by the Municipal Fund Budget adopted at Recommendation 2 above, council, pursuant to Sections 6.32, 6.33, 6.34 and 6.35 of the *Local Government Act 1995* impose the following differential general rates and minimum payments on Gross Rental and Unimproved Values.

Rates Category	Minimum Rates (\$)	Rate in the Dollar (\$)
GRV Rateable Property	1,100.00	0.12305
GRV Other	1,100.00	0.14766
UV Rateable Property	1,100.00	0.21750
UV Rateable Property Pastoral	1,100.00	0.14500
UV Rateable Property Mining/Exploration	1,100.00	0.29000

2. Resolves, that pursuant to Section 6.45 of the Local Government Act 1995 and regulation 64(2) of the Local Government (Financial Management) Regulations 1996, council nominates the following due dates for the payment in full by instalments:
 - Option 1 (Full Payment)

26 AUGUST 2026

- i. Full amount of rates and charges including arrears, to be paid on or before 12 October 2026 or 35 days after the date of issue appearing on the rate notice whichever is the later.
- Option 2 (Two Instalments)
 - i. First instalment to be made on or before 12 October 2026 or 35 days after the date of issue appearing on the rate notice whichever is later, including all arrears and half the current rates and service charges; and
 - ii. Second instalment to be made on or before 15 February 2027, or 2 months after the due date of the first instalment, whichever is later.
- Option 3 (Four Instalments)
 - i. First instalment to be made on or before 12 October 2026 or 35 days after the date of issue appearing on the rate notice, whichever is later, including all arrears and a quarter of the current rates and service charges;
 - ii. Second instalment to be made on or before 14 December 2026, or 2 months after the due date of the first instalment, whichever is later;
 - iii. Third instalment to be made on or before 15 February 2027, or 2 months after the due date of the second instalment, whichever is later; and
 - iv. Fourth instalment to be made on or before 19 April 2027, or 2 months after the due date of the third instalment, whichever is later.
- 3. Resolves, that pursuant to Section 6.45 of the Local Government Act 1995 and regulation 67 of the Local Government (Financial Management) Regulations 1996, council adopts an instalment administration charge where the owner has elected to pay rates (and service charges) through an instalment option of \$20 for each instalment.
- 4. Resolves, that pursuant to Section 6.45 of the Local Government Act 1995 and regulation 68 of the *Local Government (Financial Management) Regulations 1996*, council adopts an interest rate of 5.0% where the owner has elected to pay rates and service charges through an instalment option.
- 5. Resolves, that pursuant to Section 6.51(1) and subject to Section 6.51(4) of the *Local Government Act 1995* and regulation 70 of the *Local Government (Financial Management) Regulations 1996*, council adopts an interest rate of 11.0% for rates (and service charges) and costs of proceedings to recover such charges that remains unpaid after becoming due and payable.
- 6. Resolves, that pursuant to Section 6.47 of the Local Government Act 1995, council offers a concession to two properties on application by the relevant ratepayer, being a concession of 25% (\$1,576) in recognition of the use of a portion of the land for charitable purposes and a concession of 100% (\$3,341) for use of the land as a landing point.

Absolute Majority Required

26 AUGUST2026

PART 4 – Specified Area Rates

Moved: Cr

Seconded: Cr

Officer Recommendation

That, with regards to adoption of Specified Area Rates for the financial year ending 30 June 2027, Council:

1. Resolve, that pursuant to Section 6.32(1)(b) and Section 6.37 of the Local Government Act 1995, council impose a specified area rate on the properties described below, to be applied to the future replacement and major maintenance of the bore at Monkey Mia, with the budgeted revenue of \$14,999 to be set aside to the Monkey Mia Bore reserve:

Rates Category	Rate in the Dollar (\$)
Specified Area Rate – Monkey Mia Bore maintenance/replacement (Lot 130 Monkey Mia Road)	0.01063

Absolute Majority Required**PART 5 – Fees and Charges for 2026/2027**

Moved: Cr

Seconded: Cr

Officer Recommendation

That, with regards to adoption of Fees and Charges for the financial year ending 30 June 2027, Council:

1. Resolves, that pursuant to Section 6.16 of the Local Government Act 1995 and other relevant legislation, adopts the 2026/2027 Fees and Charges included on page 25 of the Statutory Budget at Attachment 2.

Absolute Majority Required

26 AUGUST2026

PART 6 – Material Variance Reporting for 2026/2027

Moved: Cr

Seconded: Cr

Officer Recommendation

That, with regards to adoption of Material Variance Reporting for the financial year ending 30 June 2027, Council:

1. Resolves, that in accordance with regulation 34(5) of the Local Government (Financial Management) Regulations 1996, adopt the level to be used in statements of financial activity in 2026/2027 for reporting material variances shall be greater than 10% and \$50,000.

Absolute Majority Required

PART 7 – Council member fees and allowances for 2026/2027

Moved: Cr.

Seconded: Cr.

Officer Recommendation

That, with regards to adoption of Council member fees and allowances for the financial year ending 30 June 2027, Council:

1. Resolves, that in accordance with Section 5.98(1)(b) of the Local Government Act 1995, Regulation 30 Local Government (Administration) Regulations 1996, Part 6.5 (1) of the Determination for Local Government Elected Members pursuant to Section 7B of the Salaries and Allowances Act 1975, the annual attendance fees for Council members in lieu of council meeting, committee meeting and prescribed meeting attendance fees be set at \$8,818.
2. Resolves, that in accordance with Section 5.98(1)(b) of the Local Government Act 1995, Regulation 30 Local Government (Administration) Regulations 1996, Part 6.5 (1) of the Determination for Local Government Elected Members pursuant to Section 7B of the Salaries and Allowances Act 1975, the annual attendance fees for Council members in lieu of council meeting, committee meeting and prescribed meeting attendance fees for the President be set at \$18,605 per year.
3. Resolves, that in accordance with Section 5.98(5) of the Local Government Act 1995 and Part 7.2 (1) of the Determination for Local Government Elected Members pursuant to Section 7B of the Salaries and Allowances Act 1975, the annual allowance for the President be set at \$18,116.

26 AUGUST 2026

- 4. Resolves, that in accordance with Section 5.98A(1) of the Local Government Act 1995 and Part 7.3 (1) of the Determination for Local Government Elected Members pursuant to Section 7B of the Salaries and Allowances Act 1975, the annual allowance for the Deputy President be set at \$4,529.**
- 5. Resolves, that in accordance with Section 5.99A(b) of the Local Government Act 1995, Regulation 31 Local Government (Administration) Regulations 1996, and Part 9.2 (2) of the Determination for Local Government Elected Members pursuant to Section 7B of the Salaries and Allowances Act 1975, the annual allowance for ICT expenses for Council members be set at \$2,898.**

Absolute Majority Required

Summary

To consider and adopt the Shire of Shark Bay Statutory Budget for the 2026/2027 financial year together with supporting schedules, including imposition of differential general rates and minimum payments, imposition of the specified area rate, adoption of fees and charges, approval of transfers to and from reserve accounts, setting of council member fees and allowances for the year, adoption of the material variance reporting level and other consequential matters arising from the budget papers.

Background

The draft 2026/2027 budget has been compiled based on the principles contained in the Shire of Shark Bay Council Plan 2023-2033. The 2026/2027 draft budget has been prepared in accordance with the presentations made to councillors at the budget workshops held on 13 May 2026 and 29 July 2026.

During the budget workshops, fees, expenses and allowances to be paid to council members were considered in response to the most recent Determination of the Salaries and Allowances Tribunal on Local Government Chief Executive Officers and Elected Members, issued on 2 April 2026 and taking effect from 1 July 2026. The Determination of the Salaries and Allowances Tribunal requires local governments to set an amount within the relevant range determined for fees, expenses or allowances each year.

The proposed differential general rates were approved by the council at the ordinary meeting of council held on 27 May 2026 ([insert resolution number]). The intention to impose differential rates was advertised through local public notice on 28 May 2026 seeking submissions from the public in accordance with section 6.36 of the Local Government Act 1995. No submissions were received during the submission period of 21 days which closed on 19 June 2026. The highest differential general rate is 1.2 times the lowest on the gross rental value basis and twice the lowest on the unimproved value basis, so neither exceeds the limit in section 6.33(3) of the Local Government Act 1995 and the approval of the Minister is not required.

26 AUGUST 2026

Comment

The budget has been prepared to include information required by the *Local Government Act 1995, Local Government (Financial Management) Regulations 1996* and Australian Accounting Standards. The main features of the draft budget include:

- The budget has been prepared with an increase of \$204,702 (9.78%) in total rate yield in line with the forward financial plans contained in the Plan for the Future. The rate in the dollar increases by 7.0% for GRV Rateable Property, 11.7% for GRV Other and 7.4% for each of the unimproved value categories, and the minimum payment increases from \$1,020 to \$1,100.
- Fees and charges are forecast to increase by 12.0% to \$2,097,807 as compared to 2025/26 budget and are itemised in the schedule of fees and charges to the draft budget.
- Household waste charges are proposed to change by 5% and are itemised in the proposed schedule of fees and charges.
- The operating budget exclusive of depreciation includes an overall increase in estimated expenditure of 8.6% to \$7,514,238 (although individual line items may vary from this based on specific factors affecting each of these) and continues the focus on improved service delivery to the community.
- A capital works program totalling \$9.8m for investment in infrastructure, buildings, plant and equipment and furniture and equipment is planned. To achieve this program \$2.9m is required to be received in capital grants, subsidies and contributions. Expenditure on non-specialised buildings of \$5.7m is the major component of the program.
- Unspent loan borrowings of \$2m to fund essential workers accommodation are proposed to be utilised in full. No new borrowings are proposed, and borrowings reduce from \$2,352,095 to \$2,142,958 over the year.
- No new reserve accounts are proposed and no change is proposed to the purpose of any existing reserve. A transfer to reserves of \$14,999 and transfers from reserves of \$1,524,608 are proposed, being a net transfer from reserves of \$1,509,609 to part fund the capital works program.
- Councillor fees, allowances and expenses for 2026/2027 are budgeted at \$114,444, are included in the budget document and are to be adopted as part of this item.
- An estimated surplus of \$4.7m is anticipated to be brought forward from 30 June 2026. However, this is unaudited and may change. Any change will be addressed as part of a future budget review.
- Principal additional grant funding for the year is estimated at \$1,514,345 in operating grants, subsidies and contributions and \$2,912,435 in capital grants, subsidies and contributions.
- The draft 2026/2027 budget continues to deliver on other strategies adopted by the council and maintains a high level of service across all programs while ensuring an

26 AUGUST 2026

increased focus on road and associated infrastructure as well as improving housing supply in the district and renewing all assets at sustainable levels.

Statutory Environment

Section 6.2 of the *Local Government Act 1995* requires that not later than 31 August in each financial year, or such extended time as the Minister allows, each local government is to prepare and adopt, (Absolute Majority required) in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the next following 30 June.

Divisions 5 and 6 of Part 6 of the *Local Government Act 1995* refer to the setting of budgets and raising of rates and charges. The *Local Government (Financial Management) Regulations 1996* details the form and content of the budget. The draft 2024/2025 budget as presented is considered to meet statutory requirements.

Section 67 of the *Waste Avoidance and Resource Recovery Act 2007* enables a local government to impose an annual charge in respect of premises provided with a waste service by the local government.

Section 7B(2) of the *Salaries and Allowances Act 1975* requires the Salaries and Allowances Tribunal, at intervals of not more than 12 months, to inquire into and determine –

- the amount of fees to be paid to Council members;
- the amount of expenses to be reimbursed to Council members;
- the amount of allowances to be paid to Council members.

The Determination of the Salaries and Allowances Tribunal on Local Government Chief Executive Officers and Elected Members requires local governments to set an amount within the relevant range determined for fees, expenses or allowances.

- Section 5.98 of the *Local Government Act 1995* sets out fees, expenses and reimbursements etc payable to Council members as determined by the Tribunal.
- Section 5.98A of the *Local Government Act 1995* sets out allowances which may be paid to deputy Presidents or deputy Mayors up to a percentage determined by the Tribunal (Absolute Majority required).
- Section 5.99 provides a local government may pay an annual fee in lieu of fees for attending meetings, as determined by the Tribunal (Absolute Majority required).
- Section 5.99A sets out a local government may pay an annual allowance for Council members in lieu of reimbursement of expenses, as determined by the Tribunal (Absolute Majority required).

26 AUGUST 2026

- Regulations 30, 31, 32, and 34ACA of the *Local Government (Administration) Regulations 1996* set the limits, parameters and types of allowances that can be paid to Council members.

Policy Implications

There are no known policy implications for this matter.

Financial Implications

Specific financial implications are as outlined in the body of this report and as itemised in the draft 2026/2027 Budget attached for adoption.

Strategic Implications

Council Plan 2023 - 2033

- Outcome 7: A transparent, resilient organisation demonstrating leadership and governance.
 - o Strategy 7.2 Provide appropriate services to the community in a professional manner.

Risk Management

This item has been evaluated against the Shire's Risk Management Framework, Risk Assessment Matrix. The perceived level of risk is High prior to treatment. The adoption of the recommendations as presented will result in reassessed Low level of risk.

Consultation

Moore Australia WA

Attachments

Shire of Shark Bay 2025/26 Statutory Budget

Voting Requirements

Recommendation 1 – Simple Majority Required

Recommendation 2 – Absolute Majority Required

Recommendation 3 – Absolute Majority Required

Recommendation 4 – Absolute Majority Required

Recommendation 5 – Absolute Majority Required

Recommendation 6 – Simple Majority Required

Recommendation 7 - Absolute Majority Required for some of the parts of the recommendation

Signature

Chief Executive Officer

D Chapman

Date of Report

20 August 2026

26 AUGUST 2026

ATTACHMENT # 1

**SHIRE OF SHARK BAY
ANNUAL BUDGET
FOR THE YEAR ENDED 30 JUNE 2027
LOCAL GOVERNMENT ACT 1995
TABLE OF CONTENTS**

Statement of Comprehensive Income	2
Statement of Cash Flows	3
Statement of Financial Activity	4
Index of Notes to the Budget	5
Schedule of Fees and Charges	25

The Shire of Shark Bay a Class 4 local government conducts the operations of a local government with the following community vision:

Shark Bay is a proud, unified community, respecting and sharing our pristine environment and great lifestyle.

26 AUGUST 2026

**SHIRE OF SHARK BAY
STATEMENT OF COMPREHENSIVE INCOME
FOR THE YEAR ENDED 30 JUNE 2027**

	Note	2026/27 Budget	2025/26 Actual	2025/26 Budget
Revenue		\$	\$	\$
Rates	2(a)	2,298,394	2,097,765	2,093,692
Grants, subsidies and contributions		1,514,345	4,588,940	2,036,796
Fees and charges	13	2,097,807	2,070,464	1,872,795
Interest revenue	9(a)	200,470	376,429	265,414
Other revenue		173,496	334,860	170,638
		6,284,512	9,468,458	6,439,335
Expenses				
Employee costs		(3,216,277)	(2,600,820)	(2,993,110)
Materials and contracts		(3,384,452)	(2,558,424)	(3,109,251)
Utility charges		(264,826)	(241,610)	(220,068)
Depreciation	6	(5,255,294)	(5,255,294)	(5,539,681)
Finance costs	9(c)	(108,791)	(118,823)	(100,848)
Insurance		(269,050)	(241,147)	(257,560)
Other expenditure		(270,842)	(123,916)	(236,964)
		(12,769,532)	(11,140,034)	(12,457,482)
		(6,485,020)	(1,671,576)	(6,018,147)
Capital grants, subsidies and contributions		2,912,435	1,026,436	1,429,424
Profit on asset disposals	5	0	43,879	23,573
Loss on asset disposals	5	(49,350)	(2,727)	(28,452)
Fair value adjustments to financial assets at fair value through profit or loss		0	37,779	0
		2,863,085	1,105,367	1,424,545
Net result for the period		(3,621,935)	(566,209)	(4,593,602)
Total other comprehensive income for the period		0	0	0
Total comprehensive income for the period		(3,621,935)	(566,209)	(4,593,602)

This statement is to be read in conjunction with the accompanying notes.

26 AUGUST 2026

**SHIRE OF SHARK BAY
STATEMENT OF CASH FLOWS
FOR THE YEAR ENDED 30 JUNE 2027**

		2026/27	2025/26	2025/26
	Note	Budget	Actual	Budget
CASH FLOWS FROM OPERATING ACTIVITIES				
Receipts		\$	\$	\$
Rates		2,298,394	2,365,946	2,213,692
Grants, subsidies and contributions		1,395,376	4,594,696	2,412,889
Fees and charges		2,097,807	2,070,464	1,872,795
Interest revenue		200,470	376,429	265,414
Goods and services tax received		331,945	503,084	492,562
Other revenue		173,496	334,860	170,638
		6,497,488	10,245,479	7,427,990
Payments				
Employee costs		(3,216,277)	(2,527,221)	(2,993,110)
Materials and contracts		(3,319,452)	(2,761,385)	(3,211,057)
Utility charges		(264,826)	(241,610)	(220,068)
Finance costs		(108,791)	(118,823)	(100,848)
Insurance paid		(269,050)	(241,147)	(257,560)
Goods and services tax paid		(331,945)	(579,680)	(492,562)
Other expenditure		(270,842)	(123,916)	(236,964)
		(7,781,183)	(6,593,782)	(7,512,169)
Net cash provided by (used in) operating activities	4	(1,283,695)	3,651,697	(84,179)
CASH FLOWS FROM INVESTING ACTIVITIES				
Payments for purchase of property, plant & equipment	5(a)	(6,288,961)	(1,286,991)	(5,210,721)
Payments for construction of infrastructure	5(b)	(3,514,525)	(1,318,971)	(1,526,927)
Proceeds from capital grants, subsidies and contributions		2,640,850	898,421	949,824
Proceeds from disposal of property, plant and equipment	5(a)	130,000	159,091	120,000
Net cash (used in) investing activities		(7,032,636)	(1,548,450)	(5,667,824)
CASH FLOWS FROM FINANCING ACTIVITIES				
Repayment of borrowings	7(a)	(209,137)	(200,500)	(200,500)
Net cash (used in) financing activities		(209,137)	(200,500)	(200,500)
Net increase (decrease) in cash held		(8,525,468)	1,902,747	(5,952,503)
Cash at beginning of year		12,498,651	10,595,904	10,555,805
Cash and cash equivalents at the end of the year	4	3,973,183	12,498,651	4,603,302

This statement is to be read in conjunction with the accompanying notes.

ORDINARY COUNCIL MEETING AGENDA

26 AUGUST 2026

SHIRE OF SHARK BAY STATEMENT OF FINANCIAL ACTIVITY FOR THE YEAR ENDED 30 JUNE 2027

OPERATING ACTIVITIES

Revenue from operating activities

	Note	2026/27 Budget	2025/26 Actual	2025/26 Budget
General rates	2(a)(i)	\$ 2,166,212	\$ 1,969,363	\$ 1,965,289
Rates excluding general rates	2(a)	132,182	128,402	128,403
Grants, subsidies and contributions		1,514,345	4,588,940	2,036,796
Fees and charges	13	2,097,807	2,070,464	1,872,795
Interest revenue	9(a)	200,470	376,429	265,414
Other revenue		173,496	334,860	170,638
Profit on asset disposals	5	0	43,879	23,573
Fair value adjustments to financial assets at fair value through profit or loss		0	37,779	0

Expenditure from operating activities

Employee costs		(3,216,277)	(2,600,820)	(2,993,110)
Materials and contracts		(3,384,452)	(2,558,424)	(3,109,251)
Utility charges		(264,826)	(241,610)	(220,068)
Depreciation	6	(5,255,294)	(5,255,294)	(5,539,681)
Finance costs	9(c)	(108,791)	(118,823)	(100,848)
Insurance		(269,050)	(241,147)	(257,560)
Other expenditure		(270,842)	(123,916)	(236,964)
Loss on asset disposals	5	(49,350)	(2,727)	(28,452)

Non cash amounts excluded from operating activities

	3(c)	5,304,644	5,172,284	5,544,560
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Amount attributable to operating activities

INVESTING ACTIVITIES

Inflows from investing activities

Proceeds from capital grants, subsidies and contributions		2,912,435	1,026,436	1,429,424
Proceeds from disposal of property, plant and equipment	5(a)	130,000	159,091	120,000

Outflows from investing activities

Acquisition of property, plant and equipment	5(a)	(6,288,961)	(1,286,991)	(5,210,721)
Acquisition of infrastructure	5(b)	(3,514,525)	(1,318,971)	(1,526,927)

Amount attributable to investing activities

FINANCING ACTIVITIES

Inflows from financing activities

Transfers from reserve accounts	8(a)	1,524,608	0	1,560,000
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Outflows from financing activities

Repayment of borrowings	7(a)	(209,137)	(200,500)	(200,500)
Transfers to reserve accounts	8(a)	(14,999)	(139,505)	(561,258)

Non-cash amounts excluded from financing activities

	3(d)	2,000,000	0	2,000,000
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Amount attributable to financing activities

MOVEMENT IN SURPLUS OR DEFICIT

Surplus remaining at the start of the financial year

Amount attributable to operating activities	3	4,690,305	2,871,106	2,868,448
Amount attributable to investing activities		(1,229,726)	3,579,639	(478,466)
Amount attributable to financing activities		(6,761,051)	(1,420,435)	(5,188,224)

Surplus remaining after the imposition of general rates

	3	3,300,472	(340,005)	2,798,242
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This statement is to be read in conjunction with the accompanying notes.

26 AUGUST2026

**SHIRE OF SHARK BAY
FOR THE YEAR ENDED 30 JUNE 2027
INDEX OF NOTES TO THE BUDGET**

Note 1	Basis of Preparation	6
Note 2	Rates and Service Charges	7
Note 3	Net Current Assets	11
Note 4	Reconciliation of cash	13
Note 5	Property, Plant and Equipment	14
Note 6	Depreciation	15
Note 7	Borrowings	16
Note 8	Reserve Accounts	18
Note 9	Other Information	19
Note 10	Council Members Remuneration	20
Note 11	Revenue and Expenditure	21
Note 12	Program Information	23
Note 13	Fees and Charges	24

SHIRE OF SHARK BAY
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30 JUNE 2027

1 BASIS OF PREPARATION

The annual budget of the Shire of Shark Bay which is a Class 4 local government is a forward looking document and has been prepared in accordance with the *Local Government Act 1995* and accompanying regulations.

Local Government Act 1995 requirements

Section 6.4(2) of the *Local Government Act 1995* read with the *Local Government (Financial Management) Regulations 1996* prescribe that the annual budget be prepared in accordance with the *Local Government Act 1995* and, to the extent that they are not inconsistent with the Act, the Australian Accounting Standards. The Australian Accounting Standards (as they apply to local governments and not-for-profit entities) and Interpretations of the Australian Accounting Standards Board were applied where no inconsistencies exist.

The *Local Government (Financial Management) Regulations 1996* specify that vested land is a right-of-use asset to be measured at cost, and is considered a zero cost concessionary lease. All right-of-use assets under zero cost concessionary leases are measured at zero cost rather than at fair value, except for vested improvements on concessionary land leases such as roads, buildings or other infrastructure which continue to be reported at fair value, as opposed to the vested land which is measured at zero cost. The measurement of vested improvements at fair value is a departure from AASB 16 Leases which would have required the Shire to measure any vested improvements at zero cost.

Accounting policies which have been adopted in the preparation of this annual budget have been consistently applied unless stated otherwise. Except for cash flow and rate setting information, the annual budget has been prepared on the accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and liabilities.

The local government reporting entity

All funds through which the Shire controls resources to carry on its functions have been included in the financial statements forming part of this annual budget.

2025/26 actual balances

Balances shown in this budget as 2025/26 Actual are estimates as forecast at the time of preparation of the annual budget and are subject to final adjustments.

Budget comparative figures

Unless otherwise stated, the budget comparative figures shown in the budget relate to the original budget estimate for the relevant item of disclosure.

Comparative figures

Where required, comparative figures have been adjusted to conform with changes in presentation for the current financial year.

Rounding off figures

All figures shown in this statement are rounded to the nearest dollar.

Statement of Cashflows

Investing and financing transactions that do not require the use of cash or cash equivalents shall be excluded from a statement of cash flows. Such transactions shall be disclosed elsewhere in the financial statements in a way that provides all the relevant information about these investing and financing activities.

Initial application of accounting standards

During the budget year, the below revised Australian Accounting Standards and Interpretations are expected to be compiled, become mandatory and be applicable to its operations.

- AASB 2026-1 Amendments to Australian Accounting Standards – Disclosures about Uncertainties in the Financial Statements
- AASB 2024-2 Amendments to Australian Accounting Standards – Classification and Measurement of Financial Instruments
- AASB 2024-3 Amendments to Australian Accounting Standards – Standards – Annual Improvements Volume 11
- AASB 2025-1 Amendments to Australian Accounting Standards – Contracts Referencing Nature-dependent Electricity

It is not expected these standards will have an impact on the annual budget on initial application.

New accounting standards for application in future years

The following new accounting standards will have application to local government in future years:

- AASB 2014-10 Amendments to Australian Accounting Standards – Sale or Contribution of Assets between an Investor and its Associate or Joint Venture
- AASB 2024-4b Amendments to Australian Accounting Standards – Effective Date of Amendments to AASB 10 and AASB 128 [deferred AASB 10 and AASB 128 amendments in AASB 2014-10 apply]

It is not expected these standards will have an impact on the annual budget on initial application.

- AASB 18 Presentation and Disclosure in Financial Statements
 - AASB 18 (NFP/super) Presentation and Disclosure in Financial Statements – (Appendix D) [for not-for-profit and superannuation entities]
- These accounting standards will materially change the presentation of the annual financial report and annual budget

Critical accounting estimates and judgements

The preparation of the annual budget in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that affect the application of policies and reported amounts of assets and liabilities, income and expenses.

The estimates and associated assumptions are based on historical experience and various other factors that are believed to be reasonable under the circumstances; the results of which form the basis of making the judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results may differ from these estimates.

The annual budget is a forward-looking statement and is comprised of management estimates. As with all estimates, the use of different assumptions could lead to material changes in the amounts reported in the annual budget.

The following are estimates and assumptions that have a significant risk of causing a material adjustment to the carrying amounts of assets and liabilities within the next financial year and further information on their nature and impact can be found in the relevant note:

- Fair value measurement of assets carried at reportable value including:
 - Property, plant and equipment
 - Infrastructure
 - Expected credit losses on financial assets
 - Impairment losses of non-financial assets
 - Measurement of employee benefits

ORDINARY COUNCIL MEETING AGENDA

26 AUGUST 2026

SHIRE OF SHARK BAY NOTES TO AND FORMING PART OF THE BUDGET FOR THE YEAR ENDED 30 JUNE 2027

2. RATES AND SERVICE CHARGES

(a) Rating Information

Rate Description	Basis of valuation	Rate in dollar	Number of properties	Rateable value*	2026/27 Budgeted rate revenue	2026/27 Budgeted interim rates	2026/27 Budgeted total revenue	2025/26 Actual total revenue	2025/26 Budget total revenue
				\$	\$	\$	\$	\$	\$
(i) General rates									
GRV Rateable Property	Gross rental valuation	0.12305	355	5,018,024	617,468	0	617,468	574,158	570,084
GRV Other	Gross rental valuation	0.14766	148	5,591,906	825,701	0	825,701	739,530	739,530
UV Rateable Property	Unimproved valuation	0.21750	11	1,213,031	263,834	0	263,834	230,785	230,785
UV Rateable Property Pastoral	Unimproved valuation	0.14500	11	537,740	77,972	0	77,972	69,945	69,945
UV Rateable Property Mining/Exploration	Unimproved valuation	0.29000	12	1,314,611	381,237	0	381,237	354,945	354,945
Total general rates			537	13,675,312	2,166,212	0	2,166,212	1,969,363	1,965,289
(ii) Minimum payment									
		Minimum \$							
GRV Rateable Property	Gross rental valuation	1,100.00	88	285,295	96,800	0	96,800	91,800	91,800
GRV Other	Gross rental valuation	1,100.00	20	109,770	22,000	0	22,000	20,400	20,400
UV Rateable Property	Unimproved valuation	1,100.00	2	7,300	2,200	0	2,200	5,100	5,100
UV Rateable Property Pastoral	Unimproved valuation	1,100.00	0	0	0	0	0	0	0
UV Rateable Property Mining/Exploration	Unimproved valuation	1,100.00	1	1,001	1,100	0	1,100	1,020	1,020
Total minimum payments			111	403,366	122,100	0	122,100	118,320	118,320
Total general rates and minimum payments			648	14,078,678	2,288,312	0	2,288,312	2,087,683	2,083,609
(iii) Specified area rates									
Monkey Mia Bore Replacement	Gross rental valuation	0.01063	1	1,411,050	14,999	0	14,999	14,999	15,000
					2,303,311	0	2,303,311	2,102,682	2,098,609
Concessions (Refer note 2(f))							(4,917)	(4,917)	(4,917)
Total rates							2,298,394	2,097,765	2,093,692
Instalment plan charges							7,000	6,473	7,000
Late payment of rate or service charge interest							15,000	15,068	15,000
							22,000	21,541	22,000

*Rateable Value at time of adopting budget.

All rateable properties within the district used predominately for non-rural purposes are rated according to their Gross Rental Valuation (GRV), all other properties are rated according to their Unimproved Valuation (UV).

The general rates detailed for the 2026/27 financial year have been determined by Council on the basis of raising the revenue required to meet the estimated deficiency between the total estimated expenditure proposed in the budget and the estimated revenue to be received from all sources other than general rates and also considering the extent of any increase in rating over the level adopted in the previous year.

The minimum payments have been determined by Council on the basis that all ratepayers must make a reasonable contribution to the cost of local government services/facilities.

**SHIRE OF SHARK BAY
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30 JUNE 2027**

2. RATES AND SERVICE CHARGES (CONTINUED)

(b) Interest Charges and Instalments - Rates and Service Charges

The following instalment options are available to ratepayers for the payment of rates and service charges.

Option 1 (Full Payment)

Full amount of rates and charges including arrears, to be paid on or before 12 October 2026 or 35 days after the date of issue appearing on the rate notice whichever is the later.

Option 2 (Two Instalments)

First instalment to be made on or before 12 October 2026 or 35 days after the date of issue appearing on the rate notice whichever is later including all arrears and half the current rates and service charges; and
Second instalment to be made on or before 15 February 2027, or 2 months after the due date of the first instalment, whichever is later.

Option 3 (Four Instalments)

First instalment to be made on or before 12 October 2026 or 35 days after the date of issue appearing on the rate notice, whichever is later including all arrears and a quarter of the current rates and service charges;
Second instalment to be made on or before 14 December 2026, or 2 months after the due date of the first instalment, whichever is later;
Third instalment to be made on or before 15 February 2027, or 2 months after the due date of the second instalment, whichever is later; and
Fourth instalment to be made on or before 19 April 2027, or 2 months after the due date of the third instalment, whichever is later.

Instalment options	Date due	Instalment plan admin charge	Instalment plan interest rate	Unpaid rates interest rates
		\$	%	%
Option one				
Single full payment	12/10/2026	0	0.0%	11.0%
Option two				
First instalment	12/10/2026	20	5.0%	11.0%
Second instalment	15/02/2027	20	5.0%	11.0%
Option three				
First instalment	12/10/2026	20	5.0%	11.0%
Second instalment	14/12/2026	20	5.0%	11.0%
Third instalment	15/02/2027	20	5.0%	11.0%
Fourth instalment	19/04/2027	20	5.0%	11.0%

**SHIRE OF SHARK BAY
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30 JUNE 2027**

2. RATES AND SERVICE CHARGES (CONTINUED)

(c) Objectives and Reasons for Differential Rating

To provide equity in the rating of properties across the Shire the following rate categories have been determined for the implementation of differential rating.

Differential general rate

Description	Characteristics	Objects	Reasons
GRV	All properties where the basis of rate is the Gross Rental Value (GRV) and the land use is solely residential as defined by Local Planning Policy No 1.	This rate is to contribute to services desired by the community.	This is considered the base rate above which all other GRV rated properties are assessed.
GRV Other	Residential properties where the basis of the rate is the Gross Rental Value (GRV) and the land uses is anything other than residential as defined by Local Planning Policy No 1. This includes commercial, industrial, tourism accommodation, holiday houses etc.	Obtain an appropriate contribution from non-residential properties toward the budgeted deficiency.	Recognise the impact of non-residential activities within the district.
UV Rural	All properties where the basis of rate is the Unimproved Value (UV) and not within any other rating category.	Obtain an appropriate contribution from rural activities toward the budgeted deficiency.	Recognise the impact of non-pastoral activities within the district.
UV Pastoral	All properties where the basis of rate is the Unimproved Value (UV) and the predominant land use is pastoral activities.	Obtain an appropriate contribution from Pastoral activities toward the budgeted deficiency.	This is considered the base rate above which all other UV rated properties are assessed.
UV Mining	Properties where the basis of rate is the Unimproved Value (UV) and a land use associated with exploration /prospecting or mining leases/tenements.	Obtain an appropriate contribution from mining and exploration activities toward the budgeted deficiency.	Due to the difference in valuation methodology and recognise the impact of mining related activities on the Shire.

ORDINARY COUNCIL MEETING AGENDA

26 AUGUST 2026

SHIRE OF SHARK BAY NOTES TO AND FORMING PART OF THE BUDGET FOR THE YEAR ENDED 30 JUNE 2027

2. RATES AND SERVICE CHARGES (CONTINUED)

(d) Specified Area Rate

	Budgeted rate applied to costs	Budgeted rate set aside to reserve	Reserve Amount to be applied to costs	Purpose of the rate	Area or properties rate is to be imposed on
Specified area rate	\$	\$	\$		
Monkey Mia Bore Replacement	0	14,999	0	The specified area rate is designed for the future replacement and major maintenance of the bore at Monkey Mia.	Lot 130 Monkey Mia Road
	0	14,999	0		

(e) Service Charges

The Shire did not raise service charges for the year ended 30th June 2027.

(f) Waivers or concessions

Rate, fee or charge to which the waiver or concession is granted	Type	Waiver/Concession	Discount %	Discount (\$)	2026/27 Budget	2025/26 Actual	2025/26 Budget	Circumstances in which the waiver or concession is granted	Objects and reasons of the waiver or concession
General rates	Rate	Concession	25.0%	1,576	\$ 1,576	\$ 1,576	\$ 1,576	On application by ratepayer.	To recognise that the use of the land is partly used for charitable purposes.
General rates	Rate	Concession	100.0%	3,341	3,341	3,341	3,341	On application by ratepayer.	To recognise the use of the land as a landing point.
					4,917	4,917	4,917		

ORDINARY COUNCIL MEETING AGENDA

26 AUGUST2026

SHIRE OF SHARK BAY NOTES TO AND FORMING PART OF THE BUDGET FOR THE YEAR ENDED 30 JUNE 2027

3. NET CURRENT ASSETS

(a) Composition of estimated net current assets

Current assets

Cash and cash equivalents
Receivables
Inventories
Other assets

Less: current liabilities

Trade and other payables
Contract liabilities
Capital grant/contributions liabilities
Long term borrowings
Employee provisions
Other provisions

Net current assets

Less: Total adjustments to net current assets

Net current assets used in the Statement of Financial Activity

(b) Current assets and liabilities excluded from budgeted deficiency

The following current assets and liabilities have been excluded from the net current assets used in the Statement of Financial Activity in accordance with *Financial Management Regulation 32* to agree to the surplus/(deficit) after imposition of general rates.

Adjustments to net current assets

Less: Reserve accounts

Add: Current liabilities not expected to be cleared at end of year

- Current portion of borrowings
- Unspent loans

Total adjustments to net current assets

EXPLANATION OF DIFFERENCE IN SURPLUS/(DEFICIT)

Items excluded from calculation of budgeted deficiency

When calculating the budget deficiency for the purpose of Section 6.2 (2)(c) of the *Local Government Act 1995* the following amounts have been excluded as provided by *Local Government (Financial Management) Regulation 32* which will not fund the budgeted expenditure.

(c) Amounts excluded from operating activities

Less: Profit on asset disposals

Less: Fair value adjustments to financial assets at fair value through profit and loss

Add: Loss on asset disposals

Add: Depreciation

Non-cash movements in non-current assets and liabilities:

- Pensioner deferred rates

Non cash amounts excluded from operating activities

(d) Amounts excluded from financing activities

Non-cash movement in unspent loans

Non cash amounts excluded from financing activities

Note	2026/27 Budget 30 June 2027 Carried forward	2025/26 Actual 30 June 2026 Carried forward	2025/26 Budget 30 June 2026 Carried forward
	\$	\$	\$
4	3,973,183	12,498,651	4,603,302
	401,943	401,943	451,091
	135,734	135,734	120,918
	214,629	214,629	0
	4,725,489	13,250,957	5,175,311
	(595,171)	(530,171)	(617,386)
	0	(118,969)	0
	0	(271,585)	0
7	(218,164)	(209,137)	(209,137)
	(159,812)	(159,812)	(190,205)
	0	0	(25,852)
	(973,147)	(1,289,674)	(1,042,580)
	3,752,342	11,961,283	4,132,731
3(b)	(3,752,342)	(7,270,978)	(4,132,731)
	0	4,690,305	0
8	(3,970,506)	(5,480,115)	(4,341,868)
	218,164	209,137	209,137
	0	(2,000,000)	0
	(3,752,342)	(7,270,978)	(4,132,731)
5	0	(43,879)	(23,573)
		(37,779)	0
5	49,350	2,727	28,452
6	5,255,294	5,255,294	5,539,681
	0	(4,079)	0
	5,304,644	5,172,284	5,544,560
	2,000,000	0	2,000,000
	2,000,000	0	2,000,000

**SHIRE OF SHARK BAY
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30 JUNE 2027**

3. NET CURRENT ASSETS (CONTINUED)

(e) MATERIAL ACCOUNTING POLICIES

CURRENT AND NON-CURRENT CLASSIFICATION

The asset or liability is classified as current if it is expected to be settled within the next 12 months, being the Shire's operational cycle. In the case of liabilities where the Shire does not have the right to defer settlement beyond 12 months, such as vested long service leave, the liability is classified as current even if not expected to be settled within the next 12 months. Inventories held for trading are classified as current or non-current based on the Shire's intentions to release for sale.

TRADE AND OTHER PAYABLES

Trade and other payables represent liabilities for goods and services provided to the Shire prior to the end of the financial year that are unpaid and arise when the Shire becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured, are recognised as a current liability and are normally paid within 30 days of recognition. The carrying amounts of trade and other payables are considered to be the same as their fair values, due to their short-term nature.

PREPAID RATES

Prepaid rates are, until the taxable event has occurred (start of the next financial year), refundable at the request of the ratepayer. Rates received in advance are initially recognised as a financial liability. When the taxable event occurs, the financial liability is extinguished and the Shire recognises revenue for the prepaid rates that have not been refunded.

INVENTORIES

General

Inventories are measured at the lower of cost and net realisable value.

Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

INVENTORY - LAND HELD FOR RESALE

Land held for development and sale is valued at the lower of cost and net realisable value. Cost includes the cost of acquisition, development, borrowing costs and holding costs until completion of development. Finance costs and holding charges incurred after development is completed are expensed.

Gains and losses are recognised in profit or loss at the time of signing an unconditional contract of sale if significant risks and rewards, and effective control over the land, are passed on to the buyer at this point.

Inventory - land held for resale is classified as current except where it is held as non-current based on the Shire's intentions to release for sale.

SUPERANNUATION

The Shire contributes to a number of superannuation funds on behalf of employees. All funds to which the Shire contributes are defined contribution plans.

GOODS AND SERVICES TAX (GST)

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office (ATO).

Receivables and payables are stated inclusive of GST receivable or payable. The net amount of GST recoverable from, or payable to, the ATO is included with receivables or payables in the statement of financial position.

Cash flows are presented on a gross basis. The GST components of cash flows arising from investing or financing activities which are recoverable from, or payable to, the ATO are presented as operating cash flows.

CONTRACT LIABILITIES

Contract liabilities represent the Shire's obligation to transfer goods or services to a customer for which the Shire has received consideration from the customer.

Contract liabilities represent obligations which are not yet satisfied. Contract liabilities are recognised as revenue when the performance obligations in the contract are satisfied.

TRADE AND OTHER RECEIVABLES

Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for grants, contributions, reimbursements, and goods sold and services performed in the ordinary course of business.

Trade and other receivables are recognised initially at the amount of consideration that is unconditional, unless they contain significant financing components, when they are recognised at fair value.

Trade receivables are held with the objective to collect the contractual cashflows and therefore the Shire measures them subsequently at amortised cost using the effective interest rate method.

Due to the short term nature of current receivables, their carrying amount is considered to be the same as their fair value. Non-current receivables are indexed to inflation, any difference between the face value and fair value is considered immaterial.

The Shire applies the AASB 9 simplified approach to measuring expected credit losses using a lifetime expected loss allowance for all trade receivables. To measure the expected credit losses, rates receivable are separated from other trade receivables due to the difference in payment terms and security for rates receivable.

PROVISIONS

Provisions are recognised when the Shire has a present legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reliably measured.

Provisions are measured using the best estimate of the amounts required to settle the obligation at the end of the reporting period.

EMPLOYEE BENEFITS

Short-term employee benefits

Provision is made for the Shire's obligations for short-term employee benefits. Short term employee benefits are benefits (other than termination benefits) that are expected to be settled wholly before 12 months after the end of the annual reporting period in which the employees render the related service, including wages, salaries and sick leave. Short-term employee benefits are measured at the (undiscounted) amounts expected to be paid when the obligation is settled.

The Shire's obligations for short-term employee benefits such as wages, salaries and sick leave are recognised as a part of current trade and other payables in the determination of the net current asset position.

The Shire's obligations for employees' annual leave and long service leave entitlements are recognised as provisions in the determination of the net current asset position.

Other long-term employee benefits

Long-term employee benefits provisions are measured at the present value of the expected future payments to be made to employees. Expected future payments incorporate anticipated future wage and salary levels, durations of service and employee departures and are discounted at rates determined by reference to market yields at the end of the reporting period on government bonds that have maturity dates that approximate the terms of the obligations. Any remeasurements for changes in assumptions of obligations for other long-term employee benefits are recognised in profit or loss in the periods in which the changes occur.

The Shire's obligations for long-term employee benefits are presented as non-current provisions in its statement of financial position, except where the Shire does not have an unconditional right to defer settlement for at least 12 months after the end of the reporting period, in which case the obligations are presented as current provisions.

CONTRACT ASSETS

Contract assets primarily relate to the Shire's right to consideration for work completed but not billed at the end of the period.

ORDINARY COUNCIL MEETING AGENDA

26 AUGUST 2026

SHIRE OF SHARK BAY NOTES TO AND FORMING PART OF THE BUDGET FOR THE YEAR ENDED 30 JUNE 2027

4. RECONCILIATION OF CASH

(a) Reconciliation of cash

For the purposes of the Statement of Cash Flows, cash includes cash and cash equivalents, net of outstanding bank overdrafts. Estimated cash at the end of the reporting period is as follows:

	Note	2026/27 Budget	2025/26 Actual	2025/26 Budget
Cash and cash equivalents		\$ 3,973,183	\$ 12,498,651	\$ 4,603,302
Restrictions				
The following classes of financial assets have restrictions imposed by regulations or other externally imposed requirements which limit or direct the purpose for which the resources may be used:				
Cash and cash equivalents		3,970,506	7,870,669	0
Restricted financial assets at amortised cost - term deposits		0	0	4,341,868
		3,970,506	7,870,669	4,341,868
The restricted financial assets are a result of the following specific purposes to which the assets may be used:				
Reserve accounts	8	3,970,506	5,480,115	4,341,868
Contract liabilities		0	118,969	0
Capital grant/contributions liabilities		0	271,585	0
Unspent borrowings	7(c)	0	2,000,000	0
Total restricted financial assets		3,970,506	7,870,669	4,341,868

(b) Reconciliation of net cash provided by operating activities

Net result		(3,621,935)	(566,209)	(4,593,602)
Non-cash items:				
Depreciation	6	5,255,294	5,255,294	5,539,681
(Profit)/loss on sale of assets	5	49,350	(41,152)	4,879
Adjustments to fair value of financial assets at fair value through profit and loss		0	(37,779)	0
Changes in assets and liabilities:				
Decrease in receivables		0	152,909	376,000
Decrease in other assets		0	190,702	194,629
Increase/(decrease) in trade and other payables		65,000	(298,564)	(101,806)
Increase/(decrease) in contract liabilities		(118,969)	44,432	(74,536)
(Decrease) in capital grant/contributions liabilities		(271,585)	(128,015)	(479,600)
(Decrease) in employee related provisions		0	(21,500)	0
Capital grants, subsidies and contributions		(2,640,850)	(898,421)	(949,824)
Net cash provided by/(used in) operating activities		(1,283,695)	3,651,697	(84,179)

MATERIAL ACCOUNTING POLICES

CASH AND CASH EQUIVALENTS

Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks, other short term highly liquid investments that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value.

Term deposits are presented as cash equivalents if they have a maturity of three months or less from the date of acquisition and are repayable with 24 hours notice with no loss of interest.

Bank overdrafts are shown as short term borrowings in current liabilities in Note 3 - Net Current Assets.

FINANCIAL ASSETS AT AMORTISED COST

The Shire classifies financial assets at amortised cost if both of the following criteria are met:

- the asset is held within a business model whose objective is to collect the contractual cashflows, and
- the contractual terms give rise to cash flows that are solely payments of principal and interest.

Interest received is presented under cashflows from operating activities in the Statement of Cash Flows where it is earned from financial assets that are held for cash management purposes.

ORDINARY COUNCIL MEETING AGENDA

26 AUGUST 2026

SHIRE OF SHARK BAY NOTES TO AND FORMING PART OF THE BUDGET FOR THE YEAR ENDED 30 JUNE 2027

5. PROPERTY, PLANT AND EQUIPMENT

	2026/27 Budget				2025/26 Actual					2025/26 Budget				
	Additions	Disposals - Net Book Value	Disposals - Sale Proceeds	Disposals - Loss	Additions	Disposals - Net Book Value	Disposals - Sale Proceeds	Disposals - Profit	Disposals - Loss	Additions	Disposals - Net Book Value	Disposals - Sale Proceeds	Disposals - Profit	Disposals - Loss
(a) Property, Plant and Equipment	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Buildings - non-specialised	5,668,961	0	0	0	691,833	0	0	0	0	4,494,721	0	0	0	0
Furniture and equipment	203,000	0	0	0	0	0	0	0	0	40,000	0	0	0	0
Plant and equipment	417,000	(179,350)	130,000	(49,350)	595,158	(117,939)	159,091	43,879	(2,727)	676,000	(124,879)	120,000	23,573	(28,452)
Total	6,288,961	(179,350)	130,000	(49,350)	1,286,991	(117,939)	159,091	43,879	(2,727)	5,210,721	(124,879)	120,000	23,573	(28,452)
(b) Infrastructure														
Infrastructure - roads other	669,525	0	0	0	635,110	0	0	0	0	636,309	0	0	0	0
Infrastructure - roads town	450,000	0	0	0	427,586	0	0	0	0	525,582	0	0	0	0
Infrastructure - footpaths	60,000	0	0	0	60,060	0	0	0	0	60,000	0	0	0	0
Infrastructure - drainage	50,000	0	0	0	58,000	0	0	0	0	0	0	0	0	0
Infrastructure - public facilities	2,285,000	0	0	0	138,215	0	0	0	0	305,036	0	0	0	0
Total	3,514,525	0	0	0	1,318,971	0	0	0	0	1,526,927	0	0	0	0
Total	9,803,486	(179,350)	130,000	(49,350)	2,605,962	(117,939)	159,091	43,879	(2,727)	6,737,648	(124,879)	120,000	23,573	(28,452)

MATERIAL ACCOUNTING POLICIES

RECOGNITION OF ASSETS

Assets for which the fair value as at the date of acquisition is under \$5,000 are not recognised as an asset in accordance with *Financial Management Regulation 17A (5)*. These assets are expensed immediately.

Where multiple individual low value assets are purchased together as part of a larger asset or collectively forming a larger asset exceeding the threshold, the individual assets are recognised as one asset and capitalised.

GAINS AND LOSSES ON DISPOSAL

Gains and losses on disposals are determined by comparing proceeds with the carrying amount. These gains and losses are included in profit or loss in the period which they arise.

ORDINARY COUNCIL MEETING AGENDA

26 AUGUST 2026

SHIRE OF SHARK BAY NOTES TO AND FORMING PART OF THE BUDGET FOR THE YEAR ENDED 30 JUNE 2027

6. DEPRECIATION

By Class

Buildings - non-specialised
Furniture and equipment
Plant and equipment
Heritage assets
Infrastructure - roads other
Infrastructure - roads town
Infrastructure - footpaths
Infrastructure - drainage
Infrastructure - public facilities
Infrastructure - Streetscapes

By Program

Governance
Law, order, public safety
Housing
Community amenities
Recreation and culture
Transport
Economic services
Other property and services

2026/27 Budget	2025/26 Actual	2025/26 Budget
\$	\$	\$
1,020,456	1,020,456	1,164,884
144,248	144,248	145,656
402,648	402,648	320,018
13,541	13,541	19,377
2,393,912	2,393,912	2,459,896
233,350	233,350	506,448
63,490	63,490	121,973
77,055	77,055	484,710
881,846	881,846	294,516
24,748	24,748	22,203
5,255,294	5,255,294	5,539,681
5,183	5,183	7,157
45,147	45,147	16,569
220,644	220,644	172,983
71,140	71,140	47,293
1,141,559	1,141,559	804,105
3,163,068	3,163,068	4,047,264
234,670	234,670	173,675
373,883	373,883	270,635
5,255,294	5,255,294	5,539,681

MATERIAL ACCOUNTING POLICIES

DEPRECIATION

The depreciable amount of all fixed assets including buildings but excluding freehold land, are depreciated on a straight-line basis over the individual asset's useful life from the time the asset is held ready for use. Leasehold improvements are depreciated over the shorter of either the unexpired period of the lease or the estimated useful life of the improvements.

The assets residual values and useful lives are reviewed, and adjusted if appropriate, at the end of each reporting period.

An asset's carrying amount is written down immediately to its recoverable amount if the asset's carrying amount is greater than its estimated recoverable amount.

Major depreciation periods used for each class of depreciable asset are:

Buildings - non-specialised	2 to 70 years
Furniture and equipment	5 to 18 years
Plant and equipment	5 to 25 years
Heritage assets	25 to 100 years
Infrastructure - roads other	20 to 80 years
Infrastructure - roads town	20 to 80 years
Infrastructure - footpaths	4 to 70 years
Infrastructure - drainage	1 to 60 years
Infrastructure - public facilities	30 to 75 years
Infrastructure - Streetscapes	10 to 50 years

AMORTISATION

The depreciable amount of all intangible assets with a finite useful life, are depreciated on a straight-line basis over the individual asset's useful life from the time the asset is held for use.

The assets residual value of intangible assets is considered to be zero and useful live and amortisation method are reviewed at the end of each financial year.

Amortisation is included within Depreciation on non-current assets in the Statement of Comprehensive Income.

ORDINARY COUNCIL MEETING AGENDA

26 AUGUST 2026

SHIRE OF SHARK BAY NOTES TO AND FORMING PART OF THE BUDGET FOR THE YEAR ENDED 30 JUNE 2027

7. BORROWINGS

(a) Borrowing repayments

Movement in borrowings and interest between the beginning and the end of the current financial year.

Purpose	Loan Number	Institution	Interest Rate	Budget Principal 1 July 2026	2026/27 Budget New Loans	2026/27 Budget Principal Repayments	Budget Principal outstanding 30 June 2027	2026/27 Budget Interest Repayments	Actual Principal 1 July 2026	2025/26 Actual New Loans	2025/26 Actual Principal Repayments	Actual Principal outstanding 30 June 2026	2025/26 Actual Interest Repayments	Budget Principal 1 July 2026	2025/26 Budget New Loans	2025/26 Budget Principal Repayments	Budget Principal outstanding 30 June 2026	2025/26 Budget Interest Repayments
				\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Town Oval Bere	50	WATC	2.2%	596,189	0	(38,898)	559,493	(17,334)	632,077	0	(35,098)	596,189	(18,393)	632,078	0	(35,888)	596,188	(13,959)
Essential Worker Accommodation	59	WATC	4.7%	1,755,906	0	(172,441)	1,583,465	(61,457)	1,620,518	0	(164,812)	1,755,606	(100,430)	1,620,518	0	(164,812)	1,755,906	(68,869)
				2,352,095	0	(209,137)	2,142,958	(108,791)	2,552,595	0	(200,500)	2,352,095	(118,823)	2,552,594	0	(200,500)	2,352,094	(100,848)

All borrowing repayments, other than self supporting loans, will be financed by general purpose revenue.

SHIRE OF SHARK BAY
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30 JUNE 2027

7. BORROWINGS (CONTINUED)

(b) New borrowings - 2026/27

The Shire does not intend to undertake any new borrowings for the year ended 30th June 2027

(c) Unspent borrowings

Loan Details	Purpose of the loan	Year loan taken	Amount b/fwd.	Amount used 2026/27 Budget	New loans unspent at 30 June 2027	Amount as at 30 June 2027
			\$	\$	\$	\$
Loan 59	Essential Worker Accommodation	2024	2,000,000	(2,000,000)	0	0
			2,000,000	(2,000,000)	0	0

(d) Credit Facilities

	2026/27 Budget	2025/26 Actual	2025/26 Budget
	\$	\$	\$
Undrawn borrowing facilities			
credit standby arrangements			
Bank overdraft limit	50,000	50,000	50,000
Bank overdraft at balance date	0	0	0
Credit card limit	27,500	20,000	20,000
Credit card balance at balance date	0	9,978	0
Total amount of credit unused	77,500	79,978	70,000
Loan facilities			
Loan facilities in use at balance date	2,142,958	2,352,095	2,352,094
Unused loan facilities at balance date	0	2,000,000	2,000,000

MATERIAL ACCOUNTING POLICIES

BORROWING COSTS

The Shire has elected to recognise borrowing costs as an expense when incurred regardless of how the borrowings are applied.

Fair values of borrowings are not materially different to their carrying amounts, since the interest payable on those borrowings is either close to current market rates or the borrowings are of a short term nature.

Borrowings fair values are based on discounted cash flows using a current borrowing rate.

ORDINARY COUNCIL MEETING AGENDA

26 AUGUST 2026

SHIRE OF SHARK BAY NOTES TO AND FORMING PART OF THE BUDGET FOR THE YEAR ENDED 30 JUNE 2027

8. RESERVE ACCOUNTS

(a) Reserve Accounts - Movement

	2026/27 Budget				2025/26 Actual				2025/26 Budget			
	Opening Balance	Transfer to	Transfer (from)	Closing Balance	Opening Balance	Transfer to	Transfer (from)	Closing Balance	Opening Balance	Transfer to	Transfer (from)	Closing Balance
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Restricted by legislation												
(a) Monkey Mia Bore reserve	14,999	14,999	0	29,998	14,999	0	0	14,999	14,999	15,000	0	29,999
	14,999	14,999	0	29,998	14,999	0	0	14,999	14,999	15,000	0	29,999
Restricted by council												
(b) Leave reserve	217,185	0	0	217,185	211,638	5,547	0	217,185	211,638	6,772	0	218,410
(c) Plant replacement reserve	732,312	0	0	732,312	713,619	18,693	0	732,312	713,619	22,836	0	736,455
(d) Infrastructure reserve	3,638,931	0	(1,500,000)	2,138,931	3,546,044	92,887	0	3,638,931	3,546,044	489,317	(1,500,000)	2,535,361
(e) Pensioner unit maintenance reserve	226,735	0	0	226,735	220,947	5,788	0	226,735	220,947	7,070	(60,000)	168,017
(f) Recreation facilities upgrade reserve	592,411	0	0	592,411	577,289	15,122	0	592,411	577,289	18,473	0	595,762
(g) Monkey Mia jetty reserve	24,608	0	(24,608)	0	23,980	628	0	24,608	23,980	767	0	24,747
(h) Shared fire system reserve	32,934	0	0	32,934	32,094	840	0	32,934	32,094	1,023	0	33,117
	5,465,116	0	(1,524,608)	3,940,508	5,325,611	139,505	0	5,465,116	5,325,611	546,258	(1,560,000)	4,311,869
	5,480,115	14,999	(1,524,608)	3,970,506	5,340,610	139,505	0	5,480,115	5,340,610	561,258	(1,560,000)	4,341,868

(b) Reserve Accounts - Purposes

In accordance with Council resolutions in relation to each reserve account, the purpose for which the reserves are set aside are as follows:

Reserve name	Anticipated date of use	Purpose of the reserve
Restricted by legislation		
(a) Monkey Mia Bore reserve	Ongoing	To be used to fund the replacement and maintenance of the Monkey Mia Bore.
Restricted by council		
(b) Leave reserve	Ongoing	To be used for the provision of employee leave.
(c) Plant replacement reserve	Ongoing	To be used for the purchase of plant and equipment.
(d) Infrastructure reserve	Ongoing	To be used to fund the future replacement and replacement and construction of buildings and infrastructure in the Shire.
(e) Pensioner unit maintenance reserve	Ongoing	To be used to fund the replacement and maintenance of the pensioner units.
(f) Recreation facilities upgrade reserve	Ongoing	To be used to fund the upgrade/maintenance of the Shire recreation facilities.
(g) Monkey Mia jetty reserve	2026/27	To be used for the upgrade and maintenance of the Monkey Mia Jetty.
(h) Shared fire system reserve	Ongoing	Shared with the Department of Biodiversity, Conservation and Attractions and to be used to fund the future system replacement.

26 AUGUST 2026

**SHIRE OF SHARK BAY
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30 JUNE 2027**

9. OTHER INFORMATION

The net result includes as revenues

(a) Interest earnings

	2026/27 Budget	2025/26 Actual	2025/26 Budget
	\$	\$	\$
Investments	185,470	361,361	250,414
Other interest revenue	15,000	15,068	15,000
	200,470	376,429	265,414

The net result includes as expenses

(b) Auditors remuneration

Audit services	52,000	40,650	42,000
Other services	0	0	10,000
	52,000	40,650	52,000

(c) Interest expenses (finance costs)

Borrowings (refer Note 7(a))	108,791	118,823	100,848
	108,791	118,823	100,848

(d) Write offs

General rate	0	180	0
	0	180	0

ORDINARY COUNCIL MEETING AGENDA

26 AUGUST 2026

SHIRE OF SHARK BAY NOTES TO AND FORMING PART OF THE BUDGET FOR THE YEAR ENDED 30 JUNE 2027

10. COUNCIL MEMBERS REMUNERATION

	2026/27 Budget	2025/26 Actual	2025/26 Budget
	\$	\$	\$
Cr. P Stubberfield			
President's allowance	18,116	12,956	0
Deputy President's allowance	0	2,247	4,494
Meeting attendance fees	18,605	13,248	8,520
Annual allowance for ICT expenses	2,898	2,800	2,800
	39,619	31,251	15,814
Cr. M Smith			
Deputy President's allowance	4,529	3,037	0
Meeting attendance fees	8,818	8,756	8,520
Annual allowance for ICT expenses	2,898	2,800	2,800
	16,245	14,593	11,320
Cr. C Cowell			
President's allowance	0	8,988	17,979
Meeting attendance fees	8,818	9,939	17,504
Annual allowance for ICT expenses	2,898	1,400	2,800
	11,716	20,327	38,283
Cr. L Bellottie			
Meeting attendance fees	8,818	8,756	8,520
Annual allowance for ICT expenses	2,898	2,800	2,800
	11,716	11,556	11,320
Cr. E Fenny			
Meeting attendance fees	8,818	8,756	8,520
Annual allowance for ICT expenses	2,898	2,800	2,800
	11,716	11,556	11,320
Cr. G Ridgley			
Meeting attendance fees	8,818	8,756	8,520
Annual allowance for ICT expenses	2,898	2,800	2,800
	11,716	11,556	11,320
Cr. A Johns			
Meeting attendance fees	8,818	6,250	0
Annual allowance for ICT expenses	2,898	1,400	0
	11,716	7,650	0
Cr. M Vankova			
Meeting attendance fees	0	2,871	8,520
Annual allowance for ICT expenses	0	933	2,800
	0	3,804	11,320
Total Council Member Remuneration	114,444	112,293	110,697
President's allowance	18,116	21,944	17,979
Deputy President's allowance	4,529	5,284	4,494
Meeting attendance fees	71,513	67,332	68,624
Annual allowance for ICT expenses	20,286	17,733	19,600
	114,444	112,293	110,697

**SHIRE OF SHARK BAY
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30 JUNE 2027**

11. REVENUE AND EXPENDITURE

(a) Revenue and Expenditure Classification

REVENUES

RATES

All rates levied under the *Local Government Act 1995*. Includes general, differential, specific area rates, minimum payment, interim rates, back rates, ex-gratia rates, less discounts offered. Exclude administration fees, interest on instalments, interest on arrears, service charges and sewerage rates.

GRANTS, SUBSIDIES AND CONTRIBUTIONS

All amounts received as grants, subsidies and contributions that are not capital grants.

CAPITAL GRANTS, SUBSIDIES AND CONTRIBUTIONS

Amounts received specifically for the acquisition, construction of new or the upgrading of non-current assets paid to a local government, irrespective of whether these amounts are received as capital grants, subsidies, contributions or donations.

REVENUE FROM CONTRACTS WITH CUSTOMERS

Revenue from contracts with customers is recognised when the local government satisfies its performance obligations under the contract.

FEES AND CHARGES

Revenues (other than service charges) from the use of facilities and charges made for local government services, sewerage rates, rentals, hire charges, fee for service, photocopying charges, licences, sale of goods or information, fines, penalties and administration fees. Local governments may wish to disclose more detail such as rubbish collection fees, rental of property, fines and penalties, other fees and charges.

SERVICE CHARGES

Service charges imposed under *Division 6 of Part 6 of the Local Government Act 1995*. Regulation 54 of the *Local Government (Financial Management) Regulations 1996* identifies the charges which can be raised. These are television and radio broadcasting, underground electricity and neighbourhood surveillance services and water. Exclude rubbish removal charges which should not be classified as a service charge. Interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest on rate arrears and interest on debtors.

INTEREST REVENUE

Interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest on rate arrears and interest on debtors.

OTHER REVENUE

Other revenue, which cannot be classified under the above headings, includes dividends, discounts, rebates etc.

PROFIT ON ASSET DISPOSAL

Gain on the disposal of assets including gains on the disposal of long-term investments.

EXPENSES

EMPLOYEE COSTS

All costs associated with the employment of person such as salaries, wages, allowances, benefits such as vehicle and housing, superannuation, employment expenses, removal expenses, relocation expenses, worker's compensation insurance, training costs, conferences, safety expenses, medical examinations, fringe benefit tax, etc. Note: *AASB 119 Employee Benefits* provides a definition of employee benefits which should be considered.

MATERIALS AND CONTRACTS

All expenditures on materials, supplies and contracts not classified under other headings. These include supply of goods and materials, legal expenses, consultancy, maintenance agreements, communication expenses (such as telephone and internet charges), advertising expenses, membership, periodicals, publications, hire expenses, rental, leases, postage and freight etc. Local governments may wish to disclose more detail such as contract services, consultancy, information technology and rental or lease expenditures.

UTILITIES (GAS, ELECTRICITY, WATER)

Expenditures made to the respective agencies for the provision of power, gas or water. Exclude expenditures incurred for the reinstatement of roadwork on behalf of these agencies.

INSURANCE

All insurance other than worker's compensation and health benefit insurance included as a cost of employment.

LOSS ON ASSET DISPOSAL

Loss on the disposal of fixed assets.

DEPRECIATION ON NON-CURRENT ASSETS

Depreciation and amortisation expenses raised on all classes of assets.

FINANCE COSTS

Interest and other costs of finance paid, including costs of finance for loan debentures, overdraft accommodation and refinancing expenses.

OTHER EXPENDITURE

Statutory fees, taxes, provision for bad debts, member's fees or levies including DFES levy and State taxes. Donations and subsidies made to community groups.

**SHIRE OF SHARK BAY
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30 JUNE 2027**

11. REVENUE AND EXPENDITURE (CONTINUED)

(b) Revenue Recognition

Recognition of revenue from contracts with customers is dependant on the source of revenue and the associated terms and conditions associated with each source of revenue and recognised as follows:

Revenue Category	Nature of goods and services	When obligations typically satisfied	Payment terms	Returns/Refunds/Warranties	Timing of Revenue recognition
Grant contracts with customers	Community events, minor facilities, research, design, planning evaluation and services	Over time	Fixed terms transfer of funds based on agreed milestones and reporting	Contract obligation if project not complete	Output method based on project milestones and/or completion date matched to performance obligations as inputs are shared
Licences/ Registrations/ Approvals	Building, planning, development and animal management, having the same nature as a licence regardless of naming.	Single point in time	Full payment prior to issue	None	On payment and issue of the licence, registration or approval
Waste management entry fees	Waste treatment, recycling and disposal service at disposal sites	Single point in time	Payment in advance at gate or on normal trading terms if credit provided	None	Monthly accounts or cash at the time of disposal
Fees and charges for other goods and services	Cemetery services, library fees and private works	Single point in time	Payment in full in advance or on completion of job	None	Output method based on provision of service or completion of works
Sale of stock	Visitor centre stock	Single point in time	At time of purchase	Refund for faulty goods	Output method based on goods

**SHIRE OF SHARK BAY
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30 JUNE 2027**

12. PROGRAM INFORMATION

Key Terms and Definitions - Reporting Programs

In order to discharge its responsibilities to the community, Council has developed a set of operational and financial objectives. These objectives have been established both on an overall basis, reflected by the Shire's Community Vision, and for each of its broad activities/programs.

OBJECTIVE

ACTIVITIES

Governance

To provide a decision making process for the efficient allocation of scarce resources.

Expenses associated with the provision of services to members of council and elections.

General purpose funding

To collect revenue to allow for the provision of services.

Rates and associated revenues, general purpose government grants, interest revenue and other miscellaneous revenues such as commission on Police Licensing. This also includes the costs associated with raising these revenues e.g. valuation expenses, debt collection and overheads.

Law, order, public safety

To provide services to help ensure a safer and environmental and community health.

Enforcement of Local Laws, fire prevention, animal control and the provision of ranger services.

Health

To provide an operational framework for environmental and community health.

Health inspection services, food quality control and mosquito control.

Housing

To provide and maintain housing for the elderly and staff.

Provision and maintenance of rented housing accommodation for pensioners and employees.

Community amenities

To provide service required by the community.

Sanitation, stormwater drainage, protection of the environment, public conveniences, cemeteries and town planning.

Recreation and culture

To establish and effectively manage infrastructure and resources which will help the social wellbeing of the community.

Parks, gardens and recreation reserves, library services, television and radio re-broadcasting, swimming facilities, walk trails, youth recreation, Shark Bay World Heritage Discovery and Visitor Centre, foreshore, public halls and the Shark Bay Recreation Centre.

Transport

To provide safe, effective and efficient transport services to the community.

Construction and maintenance of roads, footpaths, drainage, parking facilities, traffic control, depot operations, marine facilities and street cleaning.

Economic services

To help promote the Shire and its economic wellbeing.

Tourism, community development, building services, visitor centre stock and private works.

Other property and services

To monitor and control council's overhead operating accounts.

Plant maintenance, administration, labour overheads and stock.

26 AUGUST 2026

**SHIRE OF SHARK BAY
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30 JUNE 2027**

13. FEES AND CHARGES

	2026/27 Budget	2025/26 Actual	2025/26 Budget
	\$	\$	\$
By Program:			
Governance	0	1,125	0
General purpose funding	12,900	14,936	12,300
Law, order, public safety	6,300	23,586	6,300
Health	1,565	1,277	1,320
Housing	204,880	187,289	194,020
Community amenities	547,317	498,298	477,200
Recreation and culture	372,750	338,723	318,780
Transport	74,600	65,864	64,498
Economic services	877,495	939,366	798,377
	2,097,807	2,070,464	1,872,795

The subsequent pages detail the fees and charges proposed to be imposed by the local government.

26 AUGUST 2026

ATTACHMENT # 2

ORDINARY COUNCIL MEETING AGENDA

26 AUGUST 2026

Building	Particulars	Charge Type	GST	2025/26 Inc GST where		Column2	2026/2027	Frequency	GL
				Applicable	ADD 5%				
	Search Fees - Property Enquiries	Council	Y	23	1.15	24.15	25	Per Property	50303703
	Application for copies of building permits and certificates	Council	Y	62	3.1	65.1	66	Per Permit/Application	50303703
	Application for residential design code compliance certification - Private Certification	Council	Y	119	5.95	124.95	125	Per Hour	50303703
	Single copies at photocopy rates - See Sundry Expenses (to a maximum of 4 A4 pages)								
	Occupancy Permits and Building Approval Certificates								
	Application for an occupancy permit for a completed building (s. 46)	Statutory	N	110		110	110	Per Application	50303853
	Application for a temporary occupancy permit for an incomplete building (s. 47)	Statutory	N	110		110	110	Per Application	50303853
	Application for modification of an occupancy permit for additional use of a building on a temporary basis (s. 48)	Statutory	N	110		110	110	Per Application	50303853
	Application for a replacement occupancy permit for permanent change of the building's use, classification (s. 49)	Statutory	N	110		110	110	Per Application	50303853
	Application for an occupancy permit or building approval certificate for registration of strata scheme, plan of subdivision (s. 50(1) and (2))	Statutory	N	Min. \$115.00			Min. \$115.00	The fee is \$11.60 for each strata unit covered by each application, but not less than \$115.00	50303853
	Application for an occupancy permit for a building in respect of which unauthorised work has been done (s. 51 (2))	Statutory	N	Min 110.00			Min 110.00	The fee is 0.18% of the estimated value of the unauthorised work as determined by the relevant permit authority but not less than \$110.00	50303853
	Application for a building approval certificate for a building in respect of which unauthorised work has been done (s. 51(3))	Statutory	N	Min 110.00			Min 110.00	The fee is 0.38% of the estimated value of the unauthorised work as determined by the relevant permit authority but not less than \$110.00	50303853
	Application to replace an occupancy permit for an existing building (s.52(1))	Statutory	N	110			110	Per Application	50303853
	Application for a building approval certificate for an existing building where unauthorised work has not been done (s. 52(2))	Statutory	N	110			110	Per Application	50303853

ORDINARY COUNCIL MEETING AGENDA

26 AUGUST 2026

2025/26 Inc GST where									
Particulars	Charge Type	GST	Applicable	ADD 5%	Column2	2026/2027	Frequency	GL	
Application to extend the time during which an occupancy permit or building approval certificate has effect (s. 65(3)(a))	Statutory	N	110			110	Per Application	50303853	
Building Permits and Demolition Permits									
Certified application for a building permit for building work for a Class 1 or Class 10 (s. 16(1))	Statutory	N	Min \$110.00			Min \$110.00	The fee is 0.19% of the estimated value of the building work as determined by the relevant permit authority, but not less than \$110.00	50303853	
Certified application for a building permit for building work for a Class 2 to Class 9 building or incidental structure (S.16(1))	Statutory	N	Min \$110.00			Min \$110.00	The fee is 0.09% of the estimated value of the building work as determined by the relevant permit authority, but not less than \$110.00	50303853	
Uncertified application for a building permit (s.16(1))	Statutory	N	Min \$110.00			Min \$110.00	The fee is 0.32% of the estimated value of the building work as determined by the relevant permit authority, but not less than \$110.00	50303853	
Application for a demolition permit for demolition work in respect of a Class 1 or Class 10 building or incidental structure (s. 16(1))	Statutory	N	110			110	Per Application	50303853	
Application for a demolition permit for demolition work in respect of a Class 2 to Class 9 building or incidental structure (s. 16(1))	Statutory	N	110			110	For each storey of the building	50303853	
Application to extend the time during which a building or demolition permit has effect (s. 32(3)(f))	Statutory	N					Per Application	50303853	
Application as defined in regulation 31 (for each building standard in respect of which a declaration is sought)	Statutory	N	2160.15			2160.15	Per Application	50303853	
Application for approval of battery powered smoke alarms (regulation 61)	Statutory	N	179.40			179.40	Per Application	50303853	
Materials on Street	Statutory	N	1				per meter per month	50303853	
Roads, Kerb and Footpath damage deposit: Residential	Statutory	N	1000			1000	Per Lot for \$100,000 and over (Trust)	Create New Trust	
Roads, Kerb and Footpath damage deposit: Larger Projects (up to)	Statutory	N	2000			2000	Per Lot (Trust)	Create New Trust	
Initial Inspection of Pool Enclosures (regulation 53)	Statutory	N	58.45			60	Per Application	50303793	

ORDINARY COUNCIL MEETING AGENDA

26 AUGUST 2026

Particulars	Charge Type	GST	2025/26 Inc GST where Applicable	ADD 5%	Column2	2026/2027	Frequency	GL
Swimming Pool Annual Inspection – Public and Private Facilities, added to the rates notice	Statutory	N	55			55	Per Year for 4 yearly inspection	Rates Notice
BCITF (CTF) Levy								
Building Act Fee	Statutory	N	0.002			0.002	Levied on the Total Value of Construction, for all works valued at more than \$100,000	Create New Trust
BSL < \$45,000 (Minimum Fee)	Statutory	N	Min \$61.65			61.65		Create New Trust
BSL > \$45,000.00 0.137% value of application								
Town Planning Services								
Determining an application for advice for a single house or additions to a single house	Statutory	N	295			295	Per application	New
Determining an application to amend or cancel development approval	Statutory	N	295			295	Per Application	30303761
Search Fee - Planning Approvals	Council	Y	23	1.15	24.15	25	Per Property	30303761
Applications for copies of Planning Approvals	Council	Y	62	3.1	65.1	66	Per Approval	30303761
Single page copy of Planning Approval - See Sundry Expenses								
Home Business Occupation Licence								
Application Fee	Statutory	N	222			222	Per Application	30303865
If the home occupation has commenced, an additional amount by way of penalty will apply	Statutory	N	666			666	Per Application	30303865
Annual Renewal Fee	Statutory	N	73			73	Per Financial Year	30303865
If the approval to be renewed has expired, an additional amount by way of penalty	Statutory	N	219			219	Per Application	30303865
Providing a zoning certificate	Statutory	N	73			73	Per Application	30303759
Issue of written planning advice	Statutory	N	73			73	Per Advice	30303759
Development Application Approval								
Change of use where no building work is proposed or a change to a non conforming use is proposed	Statutory	N	295			295	Per Application	30303716
If the change of use or the alteration or extension or change of the non-conforming use has commenced, an additional amount by way of penalty	Statutory	N	885			885	Per Application	30303716
Determination of Development Application where the estimated cost of the development is -								
(a) Value of Project not more than \$50,000	Statutory	N	147			147		30303716
(b) Value of Project \$50,000 but no more than \$500,000	Statutory	N	0.0032			0.0032	Of Project Value	30303716
(c) Value of Project \$500,000 but not more than \$2,500,000	Statutory	N	1700			1700		30303716
Plus 0.257% for every dollar in excess of \$500,000	Statutory	N	0.00257			0.00257	Of Project Value	30303716
(d) Value of Project \$2,500,000 but not more than \$5,000,000	Statutory	N	7161			7161		30303716
Plus 0.206% for every dollar in excess of \$2,500,000	Statutory	N	0.00206			0.00206	Of Project Value	30303716

ORDINARY COUNCIL MEETING AGENDA

26 AUGUST 2026

Particulars	Charge Type	GST	2025/26 Inc GST where Applicable	ADD 5%	Column2	2026/2027	Frequency	GL
(e) Value of Project \$5,000,000 but not more than \$21,500,000	Statutory	N	12633			12633		30303716
Plus 0.123% for every dollar in excess of \$5,000,000	Statutory	N	0.00123			0.00123	Of Project Value	30303716
(f) Value of Project more than \$21,500,000	Statutory	N	34196			34196		30303716
And, if the development for an extractive industry has been commenced or been carried out, an additional amount, by way of penalty, that is twice the amount of the maximum fee payable for determination of the application under paragraph (a), (b), (c), (d), (e) or (f), PLUS the initial maximum application fee.	Statutory	N						30303716
Determination of Development Application for an Extractive Industry	Statutory	N	739			739		30303716
And, if the development has been commenced or been carried out, an additional amount by way of penalty	Statutory	N	2217			2217		30303716
Subdivision Clearance - Including Strata Title								
Not more than 5 Lots	Statutory	N	73			73	Per Lot	30303716
More than 5 Lots but not more than 195 Lots	Statutory	N	73			73	Per lot for the first five lots, then \$35.00 per lot	30303716
Plus 35 per Lot as per item above	Statutory	N	35			35	\$35 per lot as per above	30303716
More than 195 Lots	Statutory	N	7393			7393		30303716
Residential buildings of 2 or more dwelling units								
Rate to be charged on value of development	Statutory	N						30303716
Advertising Charges for SA & AA uses								
Advertisement cost plus 15% administration fee	Statutory	N						30303716
Scheme Amendments, Structure Plans and Local Development Plans								
Total fee to be calculated in accordance with Schedule 2 of the Planning and Development Regulations 2009. Costs of staff time will be as per the Schedule of Charge out rates for officers (see below)	Statutory	Y	To be Calculated				Plus Advertising (including newspaper publications)	30303781
Scheme Amendments / Structure Plans / Re-Zoning/ Local Development Plans								
CEO/Share Planner	Statutory	Y	88			88	Per Hour	30303781
Manager/Senior Planner	Statutory	Y	66			66	Per Hour	30303781
Planning Officer	Statutory	Y	36.86			36.86	Per Hour	30303781
Other staff eg environmental health officer	Statutory	Y	36.86			36.86	Per Hour	30303781
Secretary/administration clerk	Statutory	Y	30.2			30.2	Per Hour	30303781
Refund any monies not spent of fee paid if unsuccessful prior to advertising period	Statutory	N						30303781
Liquor Licence								
Section 40 Liquor Act Certification Local Authority	Statutory	N	73			73	Per Application	30303867

ORDINARY COUNCIL MEETING AGENDA

26 AUGUST 2026

2025/26 Inc GST where									
Particulars	Charge Type	GST	Applicable	ADD 5%	Column2	2026/2027	Frequency	GL	
Section 39 Liquor Act Certification Local Authority	Statutory	N	73			73	Per Application	30303868	
Health									
Offensive Trade Licence - Fish Processing	Statutory	N	298			298	Per Financial Year	15103875	
Septic Tanks									
Search Fee	Council	Y	23	1.15	24.15	25	Per Request	15103884	
Copies of Septic Applications	Council	Y	63	3.15	66.15	67	Per Copy of Plan	15103884	
Health Department Septic Tank Installation Application and Inspection Fee	Statutory	N	236			236	Per Application	15103884	
Health Department Installation of Onsite Waste Water Disposat System Application	Statutory	N	85			110	Per Application	Paid Directly to Health Department	
Septic Tank Plans See Sundry Expenses									
Food Act 2008									
Permit to Trade									
Food Premises Registrations (Fixed or Mobile)	Statutory	N	240			255	Per Application	15103871	
				1.15	1.15	0			
Health Act Public Buildings									
Public Building Permit (Meeting Place)	Statutory	N	110			110	Per Application	15103871	
Housing									
(Aligned with Centrelinks Rental Assistance Eligibility Requirements)									
Pensioner Units Units 1 - 13									
Rental - Single	Council	N	135	6.75	141.75	145	Per Week based on lease	various	
Rental - Couple	Council	N	200	10	210	215	Per Week based on lease	various	
Pensioner Units Units 14-25									
Rental - Single	Council	N	165	8.25	173.25	175	Per Week based on lease	various	
Rental - Couple	Council	N	250	12.5	262.5	265	Per Week based on lease	various	
Garage Rental - per space	Council	N	10	0.5	10.5	11	Per week based on lease	various	
Cemetery Charges									
Burial Fees									
Plot Reservation	Council	Y	62	3.1	65.1	66	Per Application	30403706	
Application Fee	Council	Y	62	3.1	65.1	66	Per Application	30403706	

ORDINARY COUNCIL MEETING AGENDA

26 AUGUST 2026

Particulars	Charge Type	GST	2025/26 Inc GST where		Column2	2026/2027	Frequency	GL
			Applicable	ADD 5%				
Burials - Weekday Excavation	Council	Y	1400	70	1470	1500	Per Occurrence	30403706
Backfill Weekdays (if required)	Council	Y	700	35	735	750	Per Occurrence	30403706
Backfill Weekends (if required)	Council	Y				At Cost +10%	Per Occurrence	30403706
Niche Wall Internments								
Plot Reservation	Council	Y	62	3.1	65.1	66	Per Reservation	30403706
Application Fee	Council	Y	62	3.1	65.1	66	Per Reservation	30403706
First Internment	Council	Y	62	3.1	65.1	66	Per Occurrence	30403706
Second Internment	Council	Y	62	3.1	65.1	66	Per Occurrence	30403706
Other Cemetery Charges								
Application Fee - Permit to Construct Tombstone	Council	N	62	3.1	65.1	66	Per Occurrence	30403706
Application for placement of Monumental Plaques along Cemetery fence	Council	N	78	3.9	81.9	82	Per Application	30403706
Internment of Ashes into Existing Grave	Council	Y	Cost + 10%			Cost + 10%	Per Occurrence	30403706
Exhumation	Council	Y	Cost + 10%			Cost + 10%	Per Occurrence	30403706
Funeral Directors Licence	Council	N	Free				Yearly Permit	30403860
Sanitation								
MGB – Green 240 litre	Council	Y	160	8	168	170	Per Bin	30203775
MGB Lids	Council	Y	65	3.25	68.25	70	Each	30203775
MGB Bin Wheels	Council	Y	35	1.75	36.75	38	Each	30203775
MGB Axles	Council	Y	31	1.55	32.55	33	Each	30203775
MGB Lid Pins	Council	Y	5	0.25	5.25	6	Each	30203775
MGB Delivery Fee (within townsite)	Council	Y	50	2.5	52.5	60	Per Delivery	30203775
Waste Disposal								
Refuse removal (Charged via Rates Notice)								
120 or 240 litre Rubbish Bins collected Twice Weekly								30103769
Domestic	Council	N	496	24.8	520.8	530	Per Bin Per Annum	30103769
Commercial & Industrial Properties	Council	N	496	24.8	520.8	530	Per Bin Per Annum	30103769
Non Rateable Property	Council	N	800	40	840	850	Per Bin Per Annum	30103769
Domestic Charges (General Waste) At Refuse Site								
Domestic utes, vans, wagons or trailers per M3 (Minimum charge \$8.00)	Council	Y	6	0.3	6.3	8	Per Cubic Metre or part thereof	30203720
Domestic clean green waste including grass clippings and sawdust	Council	Y	No Charge			No Charge	Per Cubic Metre or part thereof	
Domestic contaminated green waste (Green waste mixed with other waste) (Minimum charge \$16.00)	Council	Y	6	0.3	6.3	16	Per Cubic Metre or part thereof	30203720
Commercial Charges (General Waste) At Refuse Site								

ORDINARY COUNCIL MEETING AGENDA

26 AUGUST 2026

Particulars	Charge Type	GST	2025/26 Inc GST where Applicable	ADD 5%	Column2	2026/2027	Frequency	GL
Builders Waste Pit - only to be used for Demolition Works, Block CleanUps, (Must be Clean Waste)	Council	Y			NEW	20	Per Cubic Metre or part thereof	30203720
Builders Waste Pit - Unsorted Contaminated Waste					NEW	40	Per Cubic Metre or part thereof	30203720
Commercial utes, vans, wagons or trailers per M3 (Minimum charge \$20.00)	Council	Y	16	0.8	16.8	20	Per Cubic Metre or part thereof	30203720
Commercial clean green waste including grass clippings and sawdust (Minimum charge \$8.00)	Council	Y	6	0.3	6.3	8	Per Cubic Metre or part thereof	30203720
Commercial contaminated Green Waste (Green waste mixed with other waste) (Minimum Charge \$20.00)	Council	Y	16	0.8	16.8	20	Per Cubic Metre or part thereof	30203720
Commercial cardboard (Minimum Charge \$6.00)	Council	Y	6	0.3	6.3	8	Per Cubic Metre or part thereof	30203720
Liquid Waste Including grease trap, sewage and offal	Council	Y	57	2.85	59.85	60	Per Kilolitre or part thereof	30203720
Used Oil Per 20L Container or part thereof	Council	Y	6	0.3	6.3	7	20 Litres or part thereof (20L Container)	30203720
Used Oil Per 200L Container or part thereof	Council	Y	57	2.85	59.85	60	200 Litres or part thereof (200L Container)	30203720
Oil and Fuel Filters	Council	Y	3	0.15	3.15	4	Per Filter	30203720
Small Items (bikes, prams, chairs,)	Council	Y			NEW	5	Per Item	30203720
Car / light truck tyres	Council	Y	11.5	0.575	12.075	13	Per Tyre	30203720
Truck / tractor tyres	Council	Y	22	1.1	23.1	25	Per Tyre	30203720
Car batteries	Council	Y	Free			Free	Per Item	30203720
Gas bottles	Council	Y	Free			Free	Per Item	30203720
Gassed refrigeration unit (<i>De-gassing of refrigeration units are regulated and is a specialised service</i>) inclusive of airconditioning units	Council	Y	55	2.75	57.75	60	Per item	30203720
De-gassed refrigeration unit (<i>Certification of Degassing by a Licenced Provider required</i>) inclusive of airconditioning units	Council	Y	9	0.45	9.45	10	Per Item	30203720
White Goods (Not Fridges or Freezers or Air Conditioners)	Council	Y	7	0.35	7.35	10	Per Item	30203720
Car bodies, trailers, small boats, caravans	Council	Y	44	2.2	46.2	50	Per Item	30203720
Truck bodies, large equipment	Council	Y	65	3.25	68.25	70	Per Item	30203720
MCB 240L - Domestic	Council	Y	6	0.3	6.3	8	Per Bin	30203720
MCB 240L - Commercial	Council	Y	16	0.8	16.8	20	Per Bin	30203720
Mattress	Council	Y	6	0.3	6.3	8	Set or Part Thereof	30203720
Couch/Lounge Suite	Council	Y	15	0.75	15.75	18	Per Item	30203720
Pallet	Council	Y	3	0.15	3.15	4	Per item	30203720
200L Drums (Empty)	Council	Y	2.5	0.125	2.625	3	Per Item	30203720

ORDINARY COUNCIL MEETING AGENDA

26 AUGUST 2026

2025/26 Inc GST where										
Particulars	Charge Type	GST	Applicable	ADD 5%	Column2	2026/2027	Frequency	GL		
Hot Water System	Council	Y	6	0.3	6.3	8	Per Item	30203720		
Special Burials - (Asbestos waste, animal remains, etc) At Refuse Site										
Asbestos per kg up to 20Kg	Council	Y	0.3	0.015	0.315	0.5	Per KG	30203720		
Asbestos per sheet	Council	Y	3	0.15	3.15	5	Per sheet or part thereof	30203720		
Flat fee: Inclusive of tipping, plant and labour fees	Council	Y	95	4.75	99.75	100	Per Cubic Metre	30203720		
Animal remains inclusive of Offal (Not liquid)	Council	Y	6	0.3	6.3	8	Per Cubic Metre or part thereof	30203720		
Closed Fee At Refuse Site										
Refuse Site closed additional fee	Council	Y	150	7.5	157.5	200	Per Visit	30203720		
Animal Control										
Cats										
a) Annual registration of a cat	Statutory	N	20			20	Per Annum	10203859		
Pensioners	Statutory	N	10			10	Per Annum	10203859		
b) Three year registration period	Statutory	N	42.5			42.5	Per 3 Year	10203859		
Pensioners	Statutory	N	21.25			21.25	Per 3 Year	10203859		
c) Lifetime registration period	Statutory	N	100			100	Per Lifetime	10203859		
Pensioners	Statutory	N	50			50	Per Lifetime	10203859		
d) Registration after 31 May in any year for registration until next 31 October	Statutory	N	10			10	Per Occurrence	10203859		
Pensioners	Statutory	N	5			5	Per Occurrence	10203859		
Annual application for approval or renewal of approval to breed cats (per cat)	Statutory	N	100			100	Per breeding cat (male or female)	10203859		
Pensioners	Statutory	N	50			50	Per breeding cat (male or female)	10203859		
Dogs										
Registration Fees (3 Years) - Not in Concessional Category										
(a) Unsterilised Dog or Bitch	Statutory	N	120			120	Per 3 Year Period	10203858		
Pensioners	Statutory	N	60			60	Per 3 Year Period	10203858		
(b) Sterilised Dog or Bitch	Statutory	N	42.5			42.5	Per 3 Year Period	10203858		
Pensioners	Statutory	N	21.25			21.25	Per 3 Year Period	10203858		
Registration Fees (1 Year) - Not in Concessional Category										
(a) Unsterilised Dog or Bitch	Statutory	N	50			50	Per Annum	10203858		
Pensioners	Statutory	N	25			25	Per Annum	10203858		
(b) Sterilised Dog or Bitch	Statutory	N	20			20	Per Annum	10203858		
Pensioners	Statutory	N	10			10	Per Annum	10203858		

ORDINARY COUNCIL MEETING AGENDA

26 AUGUST2026

Particulars	Charge Type	GST	2025/26 Inc GST where Applicable	ADD 5%	Column2	2026/2027	Frequency	GL
(c) Dangerous Dog	Statutory	N	50			50	Per Annum	10203858
Concessions								
				1.15	1.15	0		
Assistance Dog	Statutory	N	Nil			Nil	Per Annum	
Working Farm Dog (Dogs used for droving or tending stock)	Statutory	N	25% of Fee			25% of Fee	Per Annum	10203858
Registration after the 31st of May for the first year of registration	Statutory	N	50% of Fee			50% of Fee	Per Annum	10203858
Sterilisation of Dogs after Initial Registration - Refunds applicable as per regulations			Per Regulations			Per Regulations		
Lifetime Registration period								
(a) Sterilised Dog or Bitch	Statutory	N	100			100	Per Lifetime	10203858
Pensioner	Statutory	N	50			50	Per Lifetime	10203858
(b) Unsterilised Dog or Bitch (Unless a concessional rate applies)	Statutory	N	250			250	Per Lifetime	10203858
Pensioner	Statutory	N	125			125	Per Lifetime	10203858
Sterilisation papers must be produced to claim discount								
Infringement Notices								
As prescribed by Regulations							Per Infringement	
Release Fees	Council	N	57	2.85	59.85	60	Per Animal	10203810
Sustenance Fees	Council	N	6	0.3	6.3	10	Per Day	10203719
Other Law, Order and Public Safety								
Impounding Fees - Vehicles								
Administration Fee	Council	N	160	8	168	170	Per Infringement	10303820
Daily Storage Fee	Council	N	22	1.1	23.1	25	Per Day	10303820
Towing Charge	Council	N	At Cost			AT COST +10%	As per Invoice from Towing Company	10303820
Advertising Signs on Thoroughfares								
Signs - Permits								
Policy Assessable Signs	Council	N	171	8.55	179.55	180	Per Sign	50303887
Impact Assessable Signs	Council	N			NEW	175	Per Sign	50303887
Footpath Signs - Permits								
Application Fee	Council	N	171	8.55	179.55	180	Per Sign	50303887
Per annum per sign	Council	N	83	4.15	87.15	90	Per Sign	50303887
Portable Signs - Permits								
Application Fee	Council	N	171	8.55	179.55	180	Per Sign	50303887
Per annum per sign	Council	N	83	4.15	87.15	90	Per Sign	50303887

ORDINARY COUNCIL MEETING AGENDA

26 AUGUST 2026

Particulars	Charge Type	GST	2025/26 Inc GST where Applicable	ADD 5%	Column2	2026/2027	Frequency	GL
Impounding Fees - Illegal Signs								
Administration Fee	Council	N	46	2.3	48.3	50	Per Infringement	10303823
Local Government Property Local Law								
1. Low risk impact - Readily assessable - No advertising	Council	N	267	13.35	280.35	281	Per Year or prorata part thereof	30303716
2. Medium risk impact/moderate time assessable/With advertising/No objections received	Council	N	800	40	840	850	Per Year or prorata part thereof	30303716
3. High risk impact/Difficult assessment/Community objection/With advertising/Monitoring Required	Council	N	1600	80	1680	1700	Per Year or prorata part thereof	30303716
4. Other, as determined by Council	Council	N						30303716
Application fee for Permit to Trade for Mobile Vendors, Street Traders and Temporary Businesses (includes Food Permit where applicable)								
				1.15	1.15	0		
Application fee for Mobile Vendors and Street Traders 1 Day	Council	Y	30	1.5	31.5	40	Per Day	15103870
Application fee for Mobile Vendors and Street Traders 1 Week	Council	Y	100	5	105	110	Per Week or part thereof	15103870
Application fee for Mobile Vendors and Street Traders 1 Month	Council	Y	250	12.5	262.5	265	Per Month or part thereof	15103870
Application fee for Mobile Vendors and Street Traders 1 Year	Council	Y	2000	100	2100	2150	Per Year or part thereof	15103870
Application Fee for Permit to Trade for Marketstall holders (organised events, festivals). Registered charitable organisations exempt as per S6.7(2)(b) Activities in Thoroughfares and Public Places and Trading Local Law 2014	Council	Y	12	0.6	12.6	13	Per Application/Per event	50103120
Food Permit	Council	Y	-			40	Per Event	50103120
Venue hire - Short term/one-off bookings								
Denham Town Hall Room Hire								
Daily Hire (includes Ablution Block Clean)	Council	Y	156	7.8	163.8	200	Per Day	35103911
Weekly Hire	Council	Y	520	26	546	550	Per Week	35103911
Funeral Service Hire (not available for wakes)	Council	Y	260	13	273	275	Per Event	35103911
Venue Bond (Without Alcohol)	Council	N	300	15	315	320	Per Function	Create New Trust
Venue Bond (With Alcohol) Liquor Licence rules apply and obtain Shire Permission	Council	N	1000	50	1050	1100	Per Function	Create New Trust
Key/Tag Bond	Council	N	100	5	105	110	Per Key/Tag	Create New Trust
Surcharge for Additional Cleaning and / or Rubbish Removal	Council	Y	110	5.5	115.5	120	Per Hour	35103911

ORDINARY COUNCIL MEETING AGENDA

26 AUGUST 2026

Particulars	Charge Type	GST	2025/26 Inc GST where Applicable	ADD 5%	Column2	2026/2027	Frequency	GL
Shark Bay Recreation Centre Indoor Court Hire								
Daily Hire	Council	Y	156	7.8	163.8	200	Per Day	35303820
Weekly Hire	Council	Y	520	26	546	550	Per Week	35303820
Venue Bond (Without Alcohol)	Council	N	300	15	315	320	Per Function	Create New Trust
Venue Bond (With Alcohol) Liquor Licence rules apply and obtain Shire Permission	Council	N	1000	50	1050	1100	Per Function	Create New Trust
Key/Tag Bond	Council	N	100	5	105	100	Per Key/Tag	Create New Trust
Surcharge for Additional Cleaning and / or Rubbish Removal	Council	Y	110	5.5	115.5	120	Per Hour	35303820
Denham Oval Hire (exclusive use of area)								
Daily Hire	Council	Y	93	4.65	97.65	200	Per Day	35303913
Weekly Hire	Council	Y	208	10.4	218.4	520	Per Week	35303913
Travelling Carnivals	Council	Y	300	15	315	320	Per Event	35303913
Venue Bond (Without Alcohol)	Council	N	1000	50	1050	1100	Per Function	Create New Trust
Venue Bond (With Alcohol) Liquor Licence rules apply and obtain Shire Permission	Council	N	100	5	105	110	Per Function	Create New Trust
Surcharge for Additional Cleaning and / or Rubbish Removal	Council	Y	110	5.5	115.5	120	Per Hour	35303913
George Wear Park Hire (exclusive use of area)								
Hourly Hire	Council	Y	16	0.8	16.8	17	Per Hour	35303740
Daily Hire	Council	Y	93	4.65	97.65	200	Per Day	35303740
Weekly Hire	Council	Y	208	10.4	218.4	520	Per Week	35303740
Venue Bond (Without Alcohol)	Council	N	300	15	315	320	Per Function	Create New Trust
Venue Bond (With Alcohol) Liquor Licence rules apply and obtain Shire Permission	Council	N	1000	50	1050	1100	Per Function	Create New Trust
Surcharge for Additional Cleaning	Council	Y	110	5.5	115.5	120	Per Hour	35303740
Venue hire - Long term/regular bookings								
All facilities - \$5.00 or less per participant (<i>Venues must be booked through reception and booking may be cancelled for a paid hire</i>)	Council	N	No Charge			No Charge		
Denham Town Hall - \$5.01 - \$20.00 per participant								
1 x weekly booking	Council	Y	62	3.1	65.1	66	Per Month	35103911
1 x weekly booking	Council	Y	124	6.2	130.2	135	Per Term	35103911
2 x weekly booking	Council	Y	83	4.15	87.15	90	Per Month	35103911
2 x weekly booking	Council	Y	166	8.3	174.3	180	Per Term	35103911
3 or more x weekly booking	Council	Y	104	5.2	109.2	110	Per Month	35103911
3 or more x weekly booking	Council	Y	208	10.4	218.4	220	Per Term	35103911

ORDINARY COUNCIL MEETING AGENDA

26 AUGUST 2026

2025/26 Inc GST where									
Particulars	Charge Type	GST	Applicable	ADD 5%	Column2	2026/2027	Frequency	GL	
Key/Tag Bond	Council	N	100	5	105	110	Per Key/Tag	Trust A/C	
Surcharge for Additional Cleaning and / or Rubbish Removal	Council	Y	110	5.5	115.5	120	Per Hour	35103911	
Shark Bay Recreation Centre Indoor Courts - \$5.01 - \$20.00 per participant									
1 x weekly booking	Council	Y	62	3.1	65.1	66	Per Month	35303820	
1 x weekly booking	Council	Y	124	6.2	130.2	135	Per Term	35303820	
2 x weekly booking	Council	Y	83	4.15	87.15	90	Per Month	35303820	
2 x weekly booking	Council	Y	166	8.3	174.3	180	Per Term	35303820	
3 or more x weekly booking	Council	Y	104	5.2	109.2	110	Per Month	35303820	
3 or more x weekly booking	Council	Y	208	10.4	218.4	220	Per Term	35303820	
Key/Tag Bond	Council	N	100	5	105	110	Per Key/Tag	Trust A/C	
Surcharge for Additional Cleaning and / or Rubbish Removal	Council	Y	110	5.5	115.5	120	Per Hour	35303820	
Town Oval - \$5.01 - \$20.00 per participant (exclusive use of area)									
1 x weekly booking	Council	Y	31	1.55	32.55	66	Per Month	35303913	
1 x weekly booking	Council	Y	62	3.1	65.1	135	Per Term	35303913	
2 x weekly booking	Council	Y	41.5	2.075	43.575	90	Per Month	35303913	
2 x weekly booking	Council	Y	83	4.15	87.15	180	Per Term	35303913	
3 or more x weekly booking	Council	Y	62	3.1	65.1	110	Per Month	35303913	
3 or more x weekly booking	Council	Y	124	6.2	130.2	220	Per Term	35303913	
Surcharge for Additional Cleaning and / or Rubbish Removal	Council	Y	110	5.5	115.5	120	Per Hour	35303913	
George Wear Park - \$5.01 - \$20.00 per participant (exclusive use of area)									
1 x weekly booking	Council	Y	31	1.55	32.55	66	Per Month	35303740	
1 x weekly booking	Council	Y	62	3.1	65.1	135	Per Term	35303740	
2 x weekly booking	Council	Y	41.5	2.075	43.575	90	Per Month	35303740	
2 x weekly booking	Council	Y	83	4.15	87.15	180	Per Term	35303740	
3 or more x weekly booking	Council	Y	62	3.1	65.1	110	Per Month	35303740	
3 or more x weekly booking	Council	Y	124	6.2	130.2	220	Per Term	35303740	
Surcharge for Additional Cleaning and / or Rubbish Removal	Council	Y	110	5.5	115.5	120	Per Hour	35303740	
Rose de Freycinet Gallery (Functions)									
Facility Hire - function/meeting (exclusive use of room - theatre not in use)	Council	Y	26	1.3	27.3	200	Per Day	35103911	
Facility Hire - function/meeting (exclusive use of room - theatre not in use)	Council	Y	156	7.8	163.8	520	Per Week	35103911	

ORDINARY COUNCIL MEETING AGENDA

26 AUGUST2026

2025/26 Inc GST where									
Particulars	Charge Type	GST	Applicable	ADD 5%	Column2	2026/2027	Frequency	GL	
Event equipment set up and pack away (includes staff cleaning of crockery items)- 1 to 20 pax	Council	Y	104	5.2	109.2	200	Per Function	35103911	
Event equipment set up and pack away (includes staff cleaning of crockery items)- 21 to 70 pax	Council	Y			NEW	300	Per Function	35103911	
Staff surcharge for all events held outside of Centre operating hours - Minimum of 2 staff members	Council	Y	83	4.15	87.15	90	Per staff member / per hour.	35103911	
Venue Bond (Without Alcohol) no wakes permitted	Council	N	300	15	315	350	Perfunction	Trust A/C	
Venue Bond (With Alcohol) Liquor Licence rules apply and obtain Shire Permission - No wakes permitted	Council	N	1000	50	1050	1100	Perfunction	Trust A/C	
SBDC - Rose de Freycinet Gallery Hire (Art exhibit) install / remove of art work is required to be completed by and/or supervised by Centre staff within Centre operating hours									
Art Exhibit - Option 1 - Local Artists	Council	N	150	150	156	No Fee	Per Week	35103911	
Art Exhibit - Option 1 - Commission on sales	Council	N	0.1	0.1	0.2	40%	Per Sale	35103911	
Art Exhibit - Option 2 - Local Artists	Council	N	150	150	156	160	Per Week	35103911	
Art Exhibit - Option 2 - Commission on sales	Council	N	0.1	0.1	0.2	20%	Per Sale	35103911	
Art Exhibit - Other Artists	Council	N	250	250	260	300	Per Week		
Art Exhibit - Commission on sales	Council	N	0.1	0.1	0.2	20%	Per Sale		
Reserve 49809 (Denham Common - Approved designated areas only)									
Licence to Occupy - Commercial 5 years	Council	Y			NEW	3100	Once at commencement of 5 year licence	35303946	
Licence modification/variation mid licence term - Commercial	Council	Y			NEW	300	Charge per licence modification/variation	35303946	
Licence to Occupy -Non-Commercial 5 years	Council	Y			NEW	1600	Once at commencement of 5 year licence	35303946	
Licence modification/variation mid licence term - Non-Commercial	Council	Y			NEW	150	Charge per licence modification/variation	35303946	
						0			
Equipment Hire						0			
A-Frame Power Box	Council	Y	20	1	21	80	Per Day	35103912	
Air Balloons (per balloon)	Council	Y	15	0.75	15.75	20	Per Day	35103912	
Bin (240L)	Council	Y	10	0.5	10.5	15	Per Day	35103912	
Chairs (Used) Per 50 or Part Thereof	Council	Y			NEW	80	Per Day	35103912	
Trestle Tables (Used) (per Table)	Council	Y	5	0.25	5.25	6	Per Day	35103912	

ORDINARY COUNCIL MEETING AGENDA

26 AUGUST 2026

2025/26 Inc GST where									
Particulars	Charge Type	GST	Applicable	ADD 5%	Column2	2026/2027	Frequency	GL	
Electronic Street Signage (Speed Awareness Monitor)	Council	Y	20	1	21	30	Per Day	35103912	
SAM setup	Council	Y			NEW	100	Per Setup	35103912	
Lectern with inbuilt Microphone	Council	Y	30	1.5	31.5	35	Per Day	35103912	
Portable Stage	Council	Y	80	4	84	85	Per Day	35103912	
Cordless speaker	Council	Y	50	2.5	52.5	55	Per Day	35103912	
Inflatable screen			50	2.5	52.5	55	Per Day	35103912	
Full wired sound system (see bond below)			100	5	105	110	Per Day	35103912	
Temporary Fence Panels (per panel - minimim 5 day hire)	Council	Y	2	0.1	2.1	3	Per Panel Per Day	35103912	
Fence Panel Set Up Fee	Council	N				At Cost + 10%		35103912	
Equipment Hire Bond Less than \$100	Council	N	100	5	105	110	Per Hire	Create New Trust	
Equipment Hire Bond Less more than \$101	Council	N	200	10	210	210	Per Hire	Create New Trust	
Equipment Hire Bond Full Wired Sound System	Council	N	1000	50	1050	1100	Per Hire	Create New Trust	
Equipment Delivery Fee	Council	Y	175	8.75	183.75	185	Per Event	35103912	
Equipment Return Fee (Equipment to neatly sacked prior to collection)	Council		175	8.75	183.75	185	Per Event	35103912	
		Y							
Pentaly Fee if Equipment not Pre-Stacked prior to collection	Council	Y	110	5.5	115.5	116	Per Event	35103912	
Marquee (minimum 5 day hire fee)									
5 day hire	Council	Y	1400	70	1470	4000	Per Event	35303738	
Marquee Mobe and Demobe	Council	N			NEW	At Cost + 10%		35303738	
Additional Days	Council	Y	155	7.75	162.75	165	Per Day	35303738	
Marquee Bond	Council	N	1000	50	1050	1100	Per Event	Create New Trust	
Gymnasium Membership	Council	Y							
Adult									
3 Months	Council	Y	80	4	84	90		35303810	
6 Months	Council	Y	125	6.25	131.25	150			
12 Months	Council	Y	230	11.5	241.5	275			
Family - 2 Adults and 2 Children 15-17 Years of age	Council	Y						35303810	
3 Months	Council	Y	125	6.25	131.25	150			
6 Months	Council	Y	230	11.5	241.5	275			
12 Months	Council	Y	425	21.25	446.25	495			
Student (15 to 17) Must be accompanied with Adults	Council	Y						35303810	
3 Months	Council	Y	50	2.5	52.5	55			
6 Months	Council	Y	65	3.25	68.25	75			
12 Months	Council	Y	95	4.75	99.75	105			
Pensioner / Concession Card Holder	Council	Y						35303810	
3 Months	Council	Y	65	3.25	68.25	75			
6 Months	Council	Y	95	4.75	99.75	105			
12 Months	Council	Y	155	7.75	162.75	175			

ORDINARY COUNCIL MEETING AGENDA

26 AUGUST 2026

Particulars	Charge Type	GST	2025/26 Inc GST where Applicable	ADD 5%	Column2	2026/2027	Frequency	GL
Access Key/Tag Bond	Council	N	100	5	105	100	Per Key/Tag Trust	
Accommodation, Caravan Parks and Camping Charges								
Bed and Breakfast Accommodation (Lodging or Boarding of six (6) or less persons, for not more than 14 consecutive days. More than 6 guests in a deemed to be a lodging house)								
Registration	Council	Y	205	10.25	215.25	220	Per Application	50203863
Annual Renewal	Council	Y	140	7	147	150	Per Annum	50203863
Caravan Parks								
Application for grant or renewal of licence \$200 or the amount calculated by multiplying the relevant amount set out in column 2 by the maximum number of sites (including any sites that may be used in an overflow area) of the particular type specified in the application	Statutory	N	Min 200.00			Min 200.00	Per Financial Year	50203855
Licence Transfer Fee	Statutory	N	100			100	Per Application	50203855
Licence under 15 residents	Statutory	N	90			90	Per Annum	50203863
Licence over 15 residents	Statutory	N	170			170	Per Annum	50203863
Overflow Camping (overnight only)								
Unpowered Tent (up to 2 persons)	Council	Y	47	2.35	49.35	50	Per Day	50203850
Caravan (up to 2 persons)	Council	Y	47	2.35	49.35	50	Per Day	50203850
Additional persons (per person)	Council	Y	8	0.4	8.4	10	Per Day	50203850
Library								
Library Card Replacement Fee	Council	Y	6	0.3	6.3	10	Per Replacement	35503705
Library Book Withdrawal Deposit non Shire residents	Council	N	57	2.85	59.85	60	Trust	Create New Trust
Library Book Damage/Replacement Fee as per LISWA Catalogue	Council	N	At Cost			At Cost + 10%	Per Item	35503813
Shark Bay Discovery Centre								
Museum Entrance Fee - Adult	Council	Y	13	0.65	13.65	14	Per Person	36003722
Museum Entrance Fee - Child over 6 (Must be accompanied by adult)	Council	Y	7	0.35	7.35	7	Per Person	36003722
Museum Entrance Fee - Concession (Seniors, Students, Veterans, Health Care Card)	Council	Y	9	0.45	9.45	10	Per Person	36003722
Museum Entrance Fee - Companion Card (Must be with person with disability)	Council	Y	No Charge			No Charge	Per Person	36003722

ORDINARY COUNCIL MEETING AGENDA

26 AUGUST2026

2025/26 Inc GST where									
Particulars	Charge Type	GST	Applicable	ADD 5%	Column2	2026/2027	Frequency	GL	
Museum Entrance Fee - Group	Council	Y	7	0.35	7.35	7	Per Person	36003722	
Museum Entrance Fee - Coach	Council	Y	7	0.35	7.35	7	Per Person	36003722	
Museum Entrance Fee - Family (2 Adults & 2 Children over 6)	Council	Y	32	1.6	33.6	32	Per Person	36003722	
Museum Entrance Fee - Locals (Refer Council Policy for Eligibility)	Council	Y	No Charge			No Charge	Per Person	36003722	
Special Tours - Opening outside of opening hours (Min. 1 hour prior to guest arrival)	Council	Y				90	Per staff member / per hour (minimum 2 staff)	36003722	
Special Tours - Outside of opening hours (Min. 1 hour Tour duration)	Council	Y				90	Per staff member / per hour (minimum 2 staff)	36003722	
Special Tours - Closing outside of opening hours (Min. 1 hour post guest departure)	Council	Y				90	Per staff member / per hour (minimum 2 staff)	36003722	
Merchandise	Council	Y	Retail Prices			Retail Prices		36003770	
Visitor Centre Fees and Commission									
Commission Rates - Locals (Bookeasy Gold / Others)	Council	Y	0.125	0.00625	0.13125	12.50%	Per Booking	36003791	
Commission Rates - (Bookeasy 24hrs)	Council	Y	0.15	0.0075	0.1575	15.00%	Per Booking	36003791	
Membership Package - Premium	Council	Y			NEW	475	Per Annum	36003790	
Membership Package - Small Business	Council	Y			NEW	250	Per Annum	36003790	
Membership Package - Essential	Council	Y			NEW	100	Per Annum	36003790	
Marine Facility Charges									
Monkey Mia Jetty Fees									
Annual Fee	Council	Y	102	5.1	107.1	110	Per Metre of Vessel Length, No pro rata	45403708	
Daily Casual Berthing Fee	Council	Y	10	0.5	10.5	11	Per Day Per Metre of Vessel Length	45403708	
Jinker Fees - Haulage Fees - Monday to Friday (Excl. Public Holidays)									
Slipway Lift Out	Council	Y	353	17.65	370.65	400	Per Lift	45503785	
Slipway Lift In	Council	Y	353	17.65	370.65	400	Per Lift	45503785	
Slipway Lift Out with bow beam	Council	Y	514	25.7	539.7	550	Per Lift	45503785	
Slipway Lift In with bow beam	Council	Y	514	25.7	539.7	550	Per Lift	45503785	
Use of Jinker for Survey of Vessel Only (No Work)	Council	Y	83	4.15	87.15	90	Per hour or part thereof	45503785	
Jinker Fees - Haulage Fees - Outside of Normal Working Hours									
Slipway Lift Out	Council	N	700	35	735	At Cost + 10%	Per Lift	45503785	
Slipway Lift In	Council	N	700	35	735	At Cost + 10%	Per Lift	45503785	

ORDINARY COUNCIL MEETING AGENDA

26 AUGUST 2026

Particulars	Charge Type	GST	2025/26 Inc GST where		Column2	2026/2027	Frequency	GL
			Applicable	ADD 5%				
Slipway Lift Out with bow beam	Council	N	850	42.5	892.5	At Cost + 10%	Per Lift	45503785
Slipway Lift In with bow beam	Council	N	850	42.5	892.5	At Cost + 10%	Per Lift	45503785
Jinker Travel								
Travel Fee (Includes Tow Vehicle, Jinker, Lead Vehicle with Operators)	Council	Y	317	15.85	332.85	350	Per hour or part thereof	45503785
Sundry Income and Enquiry Charges								
Printing/Scanning/Photocopying								
A4 black and white	Council	Y	2	0.1	2.1	2.1	Per Sheet	00403755
A4 black and white double-sided	Council	Y	3	0.15	3.15	3.15	Per Sheet	00403755
A4 colour	Council	Y	4.5	0.225	4.725	4.75	Per Sheet	00403755
A4 colour double-sided	Council	Y	5.5	0.275	5.775	5.75	Per Sheet	00403755
A4 laminate	Council	Y	5.5	0.275	5.775	5.75	Per Sheet	00403755
A3 black and white	Council	Y	3	0.15	3.15	3.15	Per Sheet	00403755
A3 black and white double-sided	Council	Y	4	0.2	4.2	4.2	Per Sheet	00403755
A3 colour	Council	Y	8	0.4	8.4	8.5	Per Sheet	00403755
A3 colour double-sided	Council	Y	9.5	0.475	9.975	10	Per Sheet	00403755
Rates and Property								
Account Enquiry & Advice of Sale (EAS Enquiry)	Council	N	80	80	80	120	Per Enquiry	00103765
Rate Book Enquiry (Non Ratepayer)	Council	N	70	70	70	110	Per Enquiry	00103765
Rate Instalment Fee	Council	N	15	0.75	15.75	20	Per Instalment	00103767
Reply to Property Settlement Questionnaire (Orders & Requisitions)	Council	N	120	6	126	130	Per Enquiry	00103765
Search Fee (Electronic)	Council	N	6	0.3	6.3	6.5	Per Search	00103765
Search Fee (Physical Records)	Council	N	55	2.75	57.75	60	Per Search	00103765
Freedom of Information								
Application fee for other application (non personal)	Statutory	N	30			30	Per Application	5203727
Time taken by staff dealing with the application (per hour or pro rata or part thereof)	Statutory	N	30			30	Per Application	5203727
Access time supervised by staff.	Statutory	N	30			30	Per Hour	5203727
Photocopying - per hour or pro rata or part thereof for staff time	Statutory	N	30			30	Per Hour	5203727
Plus	Statutory	N	0.2			0.2	Per Copy	5203727
Time taken by staff transcribing information from a tape or other device (per hour or pro rata or part thereof)	Statutory	N	30			30	Per Hour	5203727
Charge for duplicating tape, film or computer information	Council	N	Actual Cost			Cost + 10%		5203727
Charge for delivery, packaging and postage	Council	N	Actual Cost			Cost + 10%		5203727

ORDINARY COUNCIL MEETING AGENDA

26 AUGUST 2026

Particulars	Charge Type	GST	2025/26 Inc GST where Applicable	ADD 5%	Column2	2026/2027	Frequency	GL
Building Supplies Charges								
Materials								
Brickies Sand	Council	Y	18.5	0.925	19.425	20	Per Cubic Metre or part thereof	50403902
Gravel	Council	Y	18.5	0.925	19.425	20	Per Cubic Metre or part thereof	50403902
Pindan Sand	Council	Y	10.5	0.525	11.025	12	Per Cubic Metre or part thereof	50403902
Crushed Concrete	Council	Y	31	1.55	32.55	35	Per Cubic Metre or part thereof	50403902
Wood Chips	Council	Y	8.5	0.425	8.925	10	Per Cubic Metre or part thereof	50403902
Loading Fee	Council	Y	57	2.85	59.85	75	Per Load	50403902
Engineering and Works Services								
Private Works / Reinstatement / Reimbursement								
All Private Works	Council	N	Cost Plus 30%			Cost Plus 30%		50504010
Reinstatement of road reserves	Council	N	Cost Plus 30%			Cost Plus 30%		50504010
CrossOver Reimbursement	Council	N	Not to exceed 50% of Cost			Not to exceed 50% of Cost	Minimum 3m wide and distance from boundary to kerb line (as per policy)	45101941
CrossOver - Two Coat Seal	Council	Y	87	4.35	91.35	90	per square metre	50504010
CrossOver - Pavers	Council	Y	98	4.9	102.9	105	per square metre	50504010
CrossOver - Concrete	Council	Y	135	6.75	141.75	145	per square metre	50504010
				0	0			
Subdivision Related Fees				0	0			
Supervision Fee - % of total value of all road and drainage works other than future lots.	Council	Y		0	0			30303716
Consulting Engineer and Clerk of Works fully supervises.	Council	Y	0.015	0.00075	0.01575	0.020		30303716
Consulting Engineer with no Clerk of Works	Council	Y	0.03	0.0015	0.0315	0.05		30303716
Subdivision Works – Maintenance Bonds								
% Of total value of all works – held for 12 months from practical completion and until all items are satisfactorily completed.	Council	N						
\$0 - \$100,000	Council	N	0.05	0.0025	0.0525	0.05		50303788
\$100,000 - \$200,000	Council	N	0.04	0.002	0.042	0.04		50303788
\$200,000 - \$400,000	Council	N	0.035	0.00175	0.03675	0.035		50303788

ORDINARY COUNCIL MEETING AGENDA

26 AUGUST 2026

2025/26 Inc GST where									
Particulars	Charge Type	GST	Applicable	ADD 5%	Column2	2026/2027	Frequency	GL	
\$400,000 - \$600,000	Council	N	0.03	0.0015	0.0315	0.03		50303788	
Over \$600,000	Council	N	0.025	0.00125	0.02625	0.025		50303788	
Engineering and Works Services									
Local Authority Plates									
Plate Fee - Payable to DOT	Council	N	225	11.25	236.25	240		1555044600	
Plate Fee - Administration Process Fee	Council	N	75	3.75	78.75	80		1052007730	

26 AUGUST 2026

13.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

14.0 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

15.0 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

16.0 MATTERS BEHIND CLOSED DOORS

17.0 DATE AND TIME OF NEXT MEETING

The next Ordinary meeting of the Shark Bay Shire Council will be held on the 30 September 2026, commencing at 1.00 pm.

18.0 CLOSURE OF MEETING

When there is no further business, the President will close the Ordinary Council meeting.