

SHIRE OF SHARK BAY NOTICE OF MEETING

29 April 2026

ORDINARY COUNCIL MEETING
UNCONFIRMED MINUTES



29 April 2026



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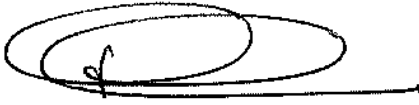
In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or intimation of approval made by a member or officer of the Shire of Shark Bay during the course of any meeting is not intended to be and is not to be taken as notice of approval from the Shire of Shark Bay.

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 UNCONFIRMED MINUTES

29 April 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 27 May 2026 commencing at 1.00 pm.



Dale Chapman
Chief Executive Officer
21 April 2026

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1.0 DECLARATION OF OPENING

The President declared the meeting open at 1.01pm

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 E Fenny	
Cr A Johns	
Cr G Ridgley	
Cr L Bellottie	
Cr C Cowell	

Mr D Chapman	Chief Executive Officer
Ms M Fanali	Executive Manager Community Development
Mr B Galvin	Works Manager
Ms R Ironside	Minute Taker

APOLOGIES

Ms J Green	Manager Finance and Administration
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VISITORS

ELEVEN (11) were recorded in the Gallery.

4.0 RESPONSE TO PREVIOUS PUBLIC QUESTIONS ON NOTICE

Nil responses from previous meeting.

5.0 PUBLIC QUESTION TIME

There were no Public Questions received prior to the meeting.

1.05pm public question time

ORDINARY COUNCIL MEETING UNCONFIRMED MINUTES

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Q1. What is the value of Community Submission. and why does TPI pull apart Community Submissions. *JG Leeds Court, Denham*

Q2. Why the Application for Planning Approval for 73 Hughes Street, being bought to Council? *BB Leeds Court, Denham*

Q3. Why have other applications like this not follow the same process?

Q4. Is Council aware of the legality around commercial and private use? DB citizen of Shire of Shark Bay.

Public Question closed at 1.18pm

29 April 2026

6.0 PETITIONS

Nil received.

7.0 APPLICATIONS FOR LEAVE OF ABSENCE

Nil received.

8.0 CONFIRMATION OF MINUTES

8.1 CONFIRMATION OF THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 25 MARCH 2026

Moved Cr Fenny
Seconded Cr Cowel

Officer Recommendation

That the minutes of the Ordinary Council meeting held on 25 March 2026, as circulated to all Councillors, be confirmed as a true and accurate record.

FOR: Cr's Bellottie, Cowell, Fenny, Johns, Ridgley, Smith and Stubberfield
AGAINST: Nil
ABSENT: Nil

CARRIED 7/0

9.0 ANNOUNCEMENTS BY THE CHAIR

No announcements by the Chair were made.

29 April 2026

10.0 FINANCE REPORT

10.1 SCHEDULE OF ACCOUNTS PAID TO BE RECEIVED
CM00017

Author

Finance Officer / Accounts Payable

Disclosure of any Interest

Declaration of Interest:

Nature of Interest:

Moved Cr Johns
Seconded Cr Ridgley

Officer Recommendation

That the cheques and electronic payments as per the attached schedules of accounts for payment totalling \$411,873.90 be accepted.

Comment

The schedules of accounts for payment covering -

Municipal fund BPay payment for the month of March 2026 totalling \$945.10.

Municipal fund credit card direct debits for the month of March 2026 totalling \$16,750.87.

Municipal fund direct debits to Council for the month of March 2026 totalling \$23,778.42.

Municipal fund account electronic payment numbers MUNI 33464 to 34756 totalling \$209,491.15; and

Municipal fund account for March 2026 payroll totalling \$160,908.36.

The schedule of accounts submitted to each member of Council on 29 April 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.

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.

29 April 2026

FINANCIAL IMPLICATIONS

The payments listed have been disbursed throughout the month.

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

21 April 2026

FOR: Cr's Bellottie, Cowell, Fenny, Johns, Ridgley, Smith and Stubberfield

AGAINST: Nil

ABSENT: Nil

CARRIED 7/0

29 April 2026

10.2 FINANCIAL REPORTS TO 31 MARCH 2026
CM00017

Author

Chief Executive Officer

Disclosure of Any Interest

Declaration of Interest:

Nature of Interest:

Moved Cr Smith

Seconded Cr Johns

Officer Recommendation

That the monthly financial report to 31 March 2026 as attached be received.

1.25pm one (1) Guest joined the meeting.

Comment

As per the requirements of Section 6.4 of the *Local Government Act 1995* and Regulation 34 of the *Local Government Accounting (Financial Management) Regulations 1996*, the following monthly financial reports to **31 March 2026** are attached.

VARIANCE ANALYSIS

Revenue from operating activities - Actual operating revenue as of 31 March 2026 was \$172,450 greater than year to date budget.

Revenue from Fees and Charges was \$263,019 greater than year to date budget, primarily driven by refuse site fees, SBDC merchandise, caravan park fees, and Main Roads WA Shark Bay Road and Monkey Mia Road income higher than year to date budget.

Interest revenue on investments was \$28,610 higher than year to date budget.

Expenditure from operating activities - Actual operating expenditure as of 31 March 2026 is less than year to date budget by \$1,882,014.

The operating expenditure variance is primarily due to less than year to date expenditure in Materials and Contracts and is predominantly timing related, year to date profiled as 9/12 of the annual budget.

Employee costs are \$407,905 less than year to date budget due to staff vacancies giving rise to salaries and wages and employment oncosts being lower than year to date budget.

Materials and Contracts expenditure is \$748,906 less than year to date budget, profiled at 9/112th of the annual budget. The year to date actuals of several expenditure areas within Materials and Contracts are tracking at less than year to date budget, the

29 April 2026

specifics are detailed within the Explanation of Material Variances within the financial statements attached.

Revenue from capital activities – Actual capital income as of 31 March 2026 is \$875,845 less than year to date budget due to major grants being held as capital liabilities until obligations are met.

Expenditure from capital activities – Actual expenditure from capital activities as of 31 March 2026 is \$3,995,889 less than year to date budget due to building projects not yet significantly commenced.

LEGAL IMPLICATIONS

Section 34 of the Local Government (Financial Management) Regulations 1996 requires a financial report to be submitted to Council monthly.

POLICY IMPLICATIONS

There are no policy implications associated with this item.

FINANCIAL IMPLICATIONS

The financial report shows that the finances of the Shire are in line with its adopted budget.

STRATEGIC IMPLICATIONS

Outcome 7 - A transparent, resilient organisation demonstrating leadership and governance.

Strategy 7.2 – Provide appropriate services to the community in a professional and efficient manner.

Action 7.2.2 – Maintain accountability and financial responsibility in accordance with Long Term Financial Plan.

RISK MANAGEMENT

The financial report reports on the current financial status, and this is currently viewed as a low risk to Council.

Voting Requirements

Simple Majority Required

Signature

Chief Executive Officer

D Chapman

Date of Report

17 April 2026

FOR: Cr's Bellottie, Cowell, Fenny, Johns, Ridgley, Smith and Stubberfield

AGAINST: Nil

ABSENT: Nil

CARRIED 7/0

29 April 2026

SHIRE OF SHARK BAY
MONTHLY FINANCIAL REPORT
(Containing the required statement of financial activity and statement of financial position)
For the period ended 31 March 2026

LOCAL GOVERNMENT ACT 1995
LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996

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Please refer to the compilation report

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ORDINARY COUNCIL MEETING UNCONFIRMED MINUTES

29 April 2026

SHIRE OF SHARK BAY
STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 MARCH 2026

Note	Amended Budget Estimates (a) \$	YTD Budget Estimates (b) \$	YTD Actual (c) \$	Variance* \$ (c) - (b)	Variance* % ((c) - (b))/(b)	Var.
OPERATING ACTIVITIES						
Revenue from operating activities						
	2,093,692	2,093,692	2,097,067	3,375	0.16%	
	2,330,398	1,649,375	1,570,926	(78,449)	(4.76%)	
	2,019,955	1,458,526	1,694,545	236,019	16.18%	▲
	281,514	211,122	239,732	28,610	13.55%	▲
	240,138	193,676	185,055	(8,621)	(4.45%)	
	54,377	49,861	41,377	(8,484)	(17.02%)	
	7,020,074	5,656,252	5,828,702	172,450	3.05%	
Expenditure from operating activities						
	(3,189,413)	(2,403,659)	(1,995,754)	407,905	16.97%	▲
	(3,426,639)	(2,395,671)	(1,646,765)	748,906	31.26%	▲
	(220,068)	(164,826)	(156,261)	8,565	5.20%	
	(5,539,681)	(4,154,553)	(3,512,999)	641,554	15.44%	▲
	(100,848)	(75,627)	(90,941)	(15,314)	(20.25%)	
	(257,560)	(257,560)	(241,147)	16,413	6.37%	
	(246,123)	(186,828)	(112,753)	74,075	39.65%	▲
	(20,275)	(2,727)	(2,727)	0	0.00%	
	(13,000,607)	(9,641,451)	(7,759,347)	1,882,104	19.52%	
	5,505,579	4,107,419	3,474,349	(633,070)	(15.41%)	▼
	(474,954)	122,220	1,543,704	1,421,484	1163.05%	
INVESTING ACTIVITIES						
Inflows from investing activities						
	1,563,424	1,108,035	232,190	(875,845)	(79.04%)	▼
	170,455	105,455	105,455	0	0.00%	
	1,733,879	1,213,490	337,645	(875,845)	(72.18%)	
Outflows from investing activities						
	(5,312,706)	(4,003,697)	(966,038)	3,037,659	75.87%	▲
	(1,512,368)	(1,131,893)	(173,663)	958,230	84.66%	▲
	(6,825,074)	(5,135,590)	(1,139,701)	3,995,889	77.81%	
	(5,091,195)	(3,922,100)	(802,056)	3,120,044	79.55%	
FINANCING ACTIVITIES						
Inflows from financing activities						
	1,560,000	0	0	0	0.00%	
	1,560,000	0	0	0	0.00%	
Outflows from financing activities						
	(200,500)	(140,584)	(140,584)	0	0.00%	
	(664,457)	(104,651)	(104,651)	0	0.00%	
	(864,957)	(245,235)	(245,235)	0	0.00%	
	2,000,000	0	0	0	0.00%	
	2,695,043	(245,235)	(245,235)	0	0.00%	
MOVEMENT IN SURPLUS OR DEFICIT						
	2,871,106	2,871,106	2,871,106	0	0.00%	
	(474,954)	122,220	1,543,704	1,421,484	1163.05%	▲
	(5,091,195)	(3,922,100)	(802,056)	3,120,044	79.55%	▲
	2,695,043	(245,235)	(245,235)	0	0.00%	
	0	(1,174,009)	3,367,519	4,541,528	386.84%	▲

KEY INFORMATION

- ▲ ▼ Indicates a variance between Year to Date (YTD) Budget and YTD Actual data outside the adopted materiality threshold.
 - ▲ Indicates a variance with a positive impact on the financial position.
 - ▼ Indicates a variance with a negative impact on the financial position.
- Refer to Note 3 for an explanation of the reasons for the variance.

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

Please refer to the compilation report

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**SHIRE OF SHARK BAY
STATEMENT OF FINANCIAL POSITION
FOR THE PERIOD ENDED 31 MARCH 2026**

	Actual 30 June 2025 \$	Actual as at 31 March 2026 \$
CURRENT ASSETS		
Cash and cash equivalents	10,595,904	11,698,913
Trade and other receivables	558,931	337,547
Inventories	135,734	135,734
Contract assets	405,331	194,629
TOTAL CURRENT ASSETS	11,695,900	12,366,823
NON-CURRENT ASSETS		
Trade and other receivables	11,720	11,720
Other financial assets	39,810	39,810
Property, plant and equipment	31,702,790	31,555,065
Infrastructure	69,741,338	67,448,960
TOTAL NON-CURRENT ASSETS	101,495,658	99,055,555
TOTAL ASSETS	113,191,558	111,422,378
CURRENT LIABILITIES		
Trade and other payables	828,735	380,360
Other liabilities	474,137	992,371
Borrowings	200,500	59,917
Employee related provisions	181,312	181,312
TOTAL CURRENT LIABILITIES	1,684,684	1,613,960
NON-CURRENT LIABILITIES		
Borrowings	2,352,095	2,352,094
Employee related provisions	36,862	36,862
TOTAL NON-CURRENT LIABILITIES	2,388,957	2,388,956
TOTAL LIABILITIES	4,073,641	4,002,916
NET ASSETS	109,117,917	107,419,462
EQUITY		
Retained surplus	40,822,326	39,019,220
Reserve accounts	5,340,610	5,445,261
Revaluation surplus	62,954,981	62,954,981
TOTAL EQUITY	109,117,917	107,419,462

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

SHIRE OF SHARK BAY
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 MARCH 2026

1 BASIS OF PREPARATION AND MATERIAL ACCOUNTING POLICIES

BASIS OF PREPARATION

This prescribed financial report 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 financial report 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 which would have required the Shire to measure any vested improvements at zero cost.

Local Government (Financial Management) Regulations 1996, regulation 34 prescribes contents of the financial report. Supplementary information does not form part of the financial report.

Accounting policies which have been adopted in the preparation of this financial report have been consistently applied unless stated otherwise. Except for cash flow and rate setting information, the financial report 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.

PREPARATION TIMING AND REVIEW

Date prepared: All known transactions up to 10 April 2026

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 financial report.

All monies held in the Trust Fund are excluded from the financial statements.

MATERIAL ACCOUNTING POLICIES

Material accounting policies utilised in the preparation of these statements are as described within the 2025-26 Annual Budget. Please refer to the adopted budget document for details of these policies.

Critical accounting estimates and judgements

The preparation of a financial report in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that effect 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 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.

As with all estimates, the use of different assumptions could lead to material changes in the amounts reported in the financial report.

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
- Impairment losses of non-financial assets
- Expected credit losses on financial assets
- Measurement of employee benefits

ORDINARY COUNCIL MEETING UNCONFIRMED MINUTES

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SHIRE OF SHARK BAY
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 MARCH 2026

2 NET CURRENT ASSETS INFORMATION

		Amended Budget Opening 1 July 2025	Actual as at 30 June 2025	Actual as at 31 March 2026
(a) Net current assets used in the Statement of Financial Activity				
Current assets	Note	\$	\$	\$
Cash and cash equivalents		10,595,904	10,595,904	11,698,913
Trade and other receivables		558,931	558,931	337,547
Inventories		135,734	135,734	135,734
Contract assets		405,331	405,331	194,629
		11,695,900	11,695,900	12,366,823
Less: current liabilities				
Trade and other payables		(828,735)	(828,735)	(380,360)
Other liabilities		(474,137)	(474,137)	(992,371)
Borrowings		(200,500)	(200,500)	(59,917)
Employee related provisions		(181,312)	(181,312)	(181,312)
		(1,684,684)	(1,684,684)	(1,613,960)
Net current assets		10,011,216	10,011,216	10,752,863
Less: Total adjustments to net current assets	2(b)	(7,140,110)	(7,140,110)	(7,385,344)
Closing funding surplus / (deficit)		2,871,106	2,871,106	3,367,519
(b) Current assets and liabilities excluded from budgeted deficiency				
Adjustments to net current assets				
Less: Reserve accounts		(5,340,610)	(5,340,610)	(5,445,261)
Less: Unspent loans		(2,000,000)	(2,000,000)	(2,000,000)
Add: Current liabilities not expected to be cleared at the end of the year				
- Current portion of borrowings		200,500	200,500	59,917
Total adjustments to net current assets	2(a)	(7,140,110)	(7,140,110)	(7,385,344)
(c) Non-cash amounts excluded from operating activities				
Adjustments to operating activities				
Less: Profit on asset disposals		(54,377)	(49,861)	(41,377)
Add: Loss on asset disposals		20,275	2,727	2,727
Add: Depreciation		5,539,681	4,154,553	3,512,999
Total non-cash amounts excluded from operating activities		5,505,579	4,107,419	3,474,349
(d) Non-cash amounts excluded from financing activities				
Adjustments to financing activities				
Unspent loans		2,000,000	0	0
Total non-cash amounts excluded from financing activities		2,000,000	0	0

CURRENT AND NON-CURRENT CLASSIFICATION

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. Unless otherwise stated assets or liabilities are classified as current if expected to be settled within the next 12 months, being the local governments' operational cycle.

Please refer to the compilation report

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ORDINARY COUNCIL MEETING UNCONFIRMED MINUTES

29 April 2026

AASB 101.10(e) **SHIRE OF SHARK BAY**
 AASB 101.51 **NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**
 AASB 101.112 **FOR THE PERIOD ENDED 31 MARCH 2026**

FM Reg 34 (2)(b) **3 EXPLANATION OF MATERIAL VARIANCES**

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date actual materially.
 The material variance adopted by Council for the 2025-26 year is \$20,000 and 10.00% whichever is the greater.

Description	Var. \$	Var. %	
	\$	%	
Revenue from operating activities			
Fees and charges			
Refuse removal and site fees, SBDC merchandise, caravan park fees, MRWA Shark Bay Road and MRWA Monkey Mia Road YTD actual is higher than YTD budget.	236,019	16.18%	▲
Development applications and rental shop 4 YTD actual lower than YTD budget.		Timing	
Interest revenue	28,610	13.55%	▲
Interest earnings on investments higher than budget.		Permanent	
Expenditure from operating activities			
Employee costs			
Staff vacancies, giving rise to salaries and wages and employment oncosts actual costs lower than YTD budget	407,905	16.97%	▲
		Timing	
Materials and contracts			
YTD profiled as 9/12th of the annual budget.	748,906	31.26%	▲
Audit fees, computer licence fees, reg 17 review, community events and festivals, domestic refuse collection, regional arts venues, Denham marina slipway haulage, fair value valuations, emergency management consultant, out of school programs, maintenance - Country Roads, independent living units, maintenance town streets, OHS reviews, website development YTD actual lower than YTD budget.		Timing	
Insurance claims, computer software support, private works, Useless Loop road maintenance YTD actuals higher than budget.		Timing	
Depreciation	641,554	15.44%	▲
Depreciation not processed for March 2026.		Timing	
Other expenditure	74,075	39.65%	▲
Council assistance program YTD actual lower than budget.		Timing	
Emergency Management Consultant, refunds expenditure YTD actual higher than budget - this has been addressed during the mid-year budget review.		Permanent	
Non cash amounts excluded from operating activities	(633,070)	(15.41%)	▼
Depreciation not processed for March 2026.		Permanent	
Inflows from investing activities			
Proceeds from capital grants, subsidies and contributions			
Major grants held as capital grant liabilities until obligations are met.	(875,845)	(79.04%)	▼
		Timing	
Outflows from investing activities			
Payments for property, plant and equipment			
Most buildings projects have not yet started. YTD budgets are profiled as 9/12th of the annual budget.	3,037,659	75.87%	▲
		Timing	
Payments for construction of infrastructure			
Infrastructure projects not yet started. YTD budgets are profiled as 9/12th of the annual budget.	958,230	84.66%	▲
Increase the drainage/sump construction budget.		Permanent	
Surplus or deficit after imposition of general rates	4,541,528	386.84%	▲
Due to variances described above.			

Please refer to the compilation report

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29 April 2026

SHIRE OF SHARK BAY
SUPPLEMENTARY INFORMATION
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BASIS OF PREPARATION - SUPPLEMENTARY INFORMATION

Supplementary information is presented for information purposes. The information does not comply with the disclosure requirements of the Australian Accounting Standards.

Please refer to the compilation report

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ORDINARY COUNCIL MEETING UNCONFIRMED MINUTES

29 April 2026

SHIRE OF SHARK BAY
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 MARCH 2026

1 KEY INFORMATION

Funding Surplus or Deficit Components

Funding surplus / (deficit)				
	Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
Opening	\$2.87 M	\$2.87 M	\$2.87 M	\$0.00 M
Closing	\$0.00 M	(\$1.17 M)	\$3.37 M	\$4.54 M

Refer to Statement of Financial Activity

Cash and cash equivalents		
	\$	% of total
Unrestricted Cash	\$6.25 M	53.5%
Reserve Accounts	\$5.45 M	46.5%

Refer to 3 - Cash and Financial Assets

Payables		% Outstanding
	\$	
Trade Payables	\$0.03 M	
0 to 30 Days		81.9%
Over 30 Days		18.1%
Over 90 Days		18.1%

Refer to 9 - Payables

Receivables		% Collected
	\$	
Rates Receivable	\$0.17 M	85.0%
Trade Receivable	\$0.17 M	
Over 30 Days		87.2%
Over 90 Days		3.0%

Refer to 7 - Receivables

Key Operating Activities

Amount attributable to operating activities			
Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
(\$0.47 M)	\$0.12 M	\$1.54 M	\$1.42 M

Refer to Statement of Financial Activity

Rates Revenue		
	\$	% Variance
YTD Actual	\$2.10 M	
YTD Budget	\$2.09 M	0.2%

Grants and Contributions		
	\$	% Variance
YTD Actual	\$1.57 M	
YTD Budget	\$1.65 M	(4.8%)

Refer to 12 - Grants and Contributions

Fees and Charges		
	\$	% Variance
YTD Actual	\$1.69 M	
YTD Budget	\$1.46 M	16.2%

Refer to Statement of Financial Activity

Key Investing Activities

Amount attributable to investing activities			
Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
(\$5.09 M)	(\$3.92 M)	(\$0.80 M)	\$3.12 M

Refer to Statement of Financial Activity

Proceeds on sale		
	\$	%
YTD Actual	\$0.11 M	
Amended Budget	\$0.17 M	(38.1%)

Refer to 6 - Disposal of Assets

Asset Acquisition		
	\$	% Spent
YTD Actual	\$0.17 M	
Amended Budget	\$1.51 M	(88.5%)

Refer to 5 - Capital Acquisitions

Capital Grants		
	\$	% Received
YTD Actual	\$0.23 M	
Amended Budget	\$1.56 M	(85.1%)

Refer to 5 - Capital Acquisitions

Key Financing Activities

Amount attributable to financing activities			
Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
\$2.70 M	(\$0.25 M)	(\$0.25 M)	\$0.00 M

Refer to Statement of Financial Activity

Borrowings	
	\$
Principal repayments	(\$0.14 M)
Interest expense	(\$0.09 M)
Principal due	\$2.41 M

Refer to 10 - Borrowings

Reserves	
	\$
Reserves balance	\$5.45 M
Net Movement	\$0.10 M

Refer to 4 - Cash Reserves

This information is to be read in conjunction with the accompanying Financial Statements and notes.

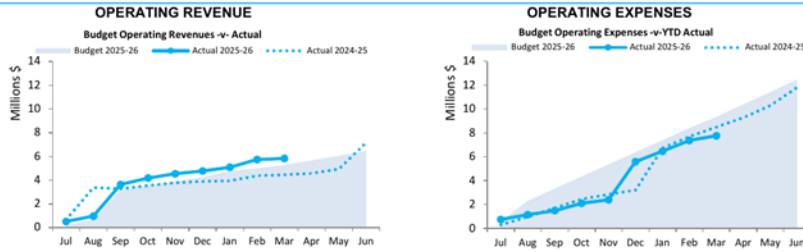
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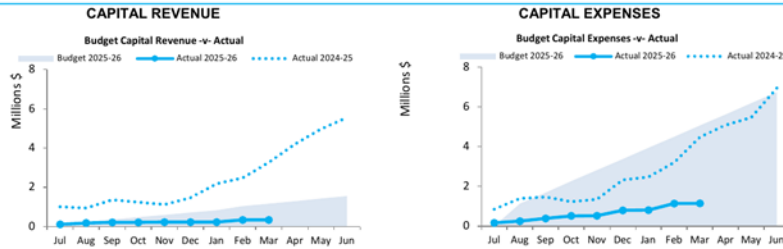
SHIRE OF SHARK BAY
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2 KEY INFORMATION - GRAPHICAL

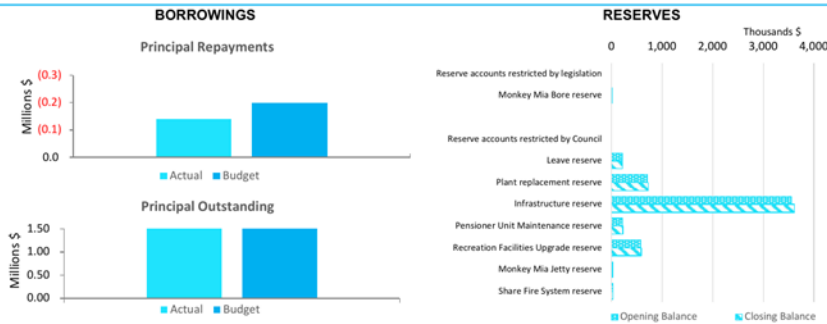
OPERATING ACTIVITIES



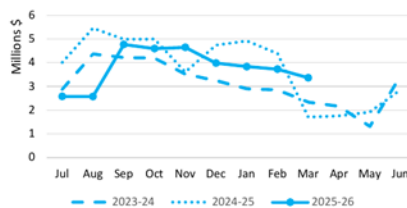
INVESTING ACTIVITIES



FINANCING ACTIVITIES



Closing funding surplus / (deficit)



This information is to be read in conjunction with the accompanying Financial Statements and Notes.

Please refer to the compilation report

ORDINARY COUNCIL MEETING UNCONFIRMED MINUTES

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**SHIRE OF SHARK BAY
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 MARCH 2026**

3 CASH AND FINANCIAL ASSETS AT AMORTISED COST

Description	Classification	Reserve		Total	Institution	Interest Rate	Maturity Date
		Unrestricted	Accounts				
Cash Float	Cash and cash equivalents	\$ 900	\$ 0	\$ 900	Cash on hand	Not applicable	Not applicable
Municipal Fund Bank	Cash and cash equivalents	2,072,932	0	2,072,932	CBA	Variable	Not applicable
Municipal Telenet Saver - 6555	Cash and cash equivalents	1,305,766	0	1,305,766	CBA	Variable	Not applicable
SHERP Telenet Saver - 6571	Cash and cash equivalents	87,730	0	87,730	CBA	Variable	Not applicable
Municipal Term Deposit - 6547	Cash and cash equivalents	24,952	0	24,952	CBA	Variable	Not applicable
Reserve Telenet Saver - 6555	Cash and cash equivalents	6,106	2,306,955	2,313,061	CBA	Variable	Not applicable
Reserve Bank Account - 6520	Cash and cash equivalents	164	0	164	CBA	Variable	Not applicable
Reserve Bank Account- 6547	Cash and cash equivalents	0	83,636	83,636	CBA	Variable	Not applicable
Reserve Bank Account - 6547	Cash and cash equivalents	(100)	1,054,670	1,054,570	CBA	Variable	Not applicable
CBA Term Deposit - 7106	Cash and cash equivalents	2,067,535	2,000,000	4,067,535	CBA	Variable	Not available
Muni Bank Deposit - 6566	Cash and cash equivalents	687,667	0	687,667	CBA	Variable	Not applicable
Total		6,253,652	5,445,261	11,698,913			
Comprising							
Cash and cash equivalents		6,253,652	5,445,261	11,698,913			
		6,253,652	5,445,261	11,698,913			

KEY INFORMATION

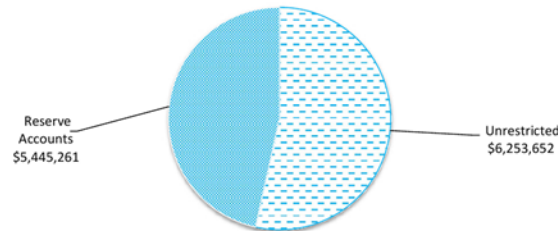
Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks and other short term highly liquid investments with original maturities of three months or less that are readily convertible to known amounts of cash and which are subject to an insignificant risk of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

Bank overdrafts are reported as short term borrowings in current liabilities in the statement of net current assets.

The local government 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.

Financial assets at amortised cost held with registered financial institutions are listed in this note other financial assets at amortised cost are provided in Note 8 - Other assets.



Please refer to the compilation report

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ORDINARY COUNCIL MEETING UNCONFIRMED MINUTES

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SHIRE OF SHARK BAY
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 MARCH 2026

4 RESERVE ACCOUNTS

Reserve account name	Budget				Actual			
	Opening Balance	Transfers In (+)	Transfers Out (-)	Closing Balance	Opening Balance	Transfers In (+)	Transfers Out (-)	Closing Balance
	\$	\$	\$	\$	\$	\$	\$	\$
Reserve accounts restricted by legislation								
Monkey Mia Bore reserve	14,999	15,000	0	29,999	14,999	0	0	14,999
Reserve accounts restricted by Council								
Leave reserve	211,638	6,772	0	218,410	211,638	4,162	0	215,800
Plant replacement reserve	713,619	22,836	0	736,455	713,619	14,023	0	727,642
Infrastructure reserve	3,546,044	592,516	(1,500,000)	2,638,560	3,546,044	69,679	0	3,615,723
Pensioner Unit Maintenance reserve	220,947	7,070	(60,000)	168,017	220,947	4,342	0	225,289
Recreation Facilities Upgrade reserve	577,289	18,473	0	595,762	577,289	11,344	0	588,633
Monkey Mia Jetty reserve	23,980	767	0	24,747	23,980	471	0	24,451
Share Fire System reserve	32,094	1,023	0	33,117	32,094	630	0	32,724
	5,340,610	664,457	(1,560,000)	4,445,067	5,340,610	104,651	0	5,445,261

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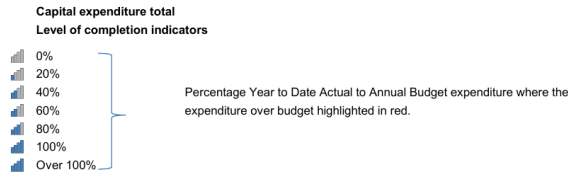
ORDINARY COUNCIL MEETING UNCONFIRMED MINUTES

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SHIRE OF SHARK BAY
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 MARCH 2026

INVESTING ACTIVITIES

5 CAPITAL ACQUISITIONS (CONTINUED) - DETAILED



		Amended	Year to Date	Year to Date	Variance	
		Current Budget	Year to Date Budget	Actual	(Under)/Over	
Capital Expenditure						
Buildings						
	25104775	SHERP - Community Housing Project	110,272	110,272	112,772	2,500
	35304736	Sport and Recreation Buildings Capital Works	267,000	200,250	119,418	(80,832)
	09128000	Capital Works Staff Housing	50,000	37,500	56,157	18,656
	05204750	Staff Housing Capital Works	100,000	74,997	0	(74,997)
	09102810	Capital Works - Essential Worker Accommodation	3,735,000	2,801,250	334,161	(2,467,089)
	10202691	Animal Shelter - Capital	40,000	29,997	0	(29,997)
	25104785	Independent Living Units Capital Works	30,000	22,500	0	(22,500)
	30105583	Refuse Site Shop Floor	15,000	11,250	0	(11,250)
	36004997	SBDC Lighting Upgrade	50,000	37,503	0	(37,503)
	36005002	SBDC Energy Efficiency Assessment	20,000	15,003	0	(15,003)
	Buildings Total		4,417,272	3,340,522	622,508	(2,718,015)
Furniture & Office Equip.						
	05204975	Office Furniture & Equipment	30,000	22,500	0	(22,500)
	35305506	Gymnasium Equipment	10,000	7,497	0	(7,497)
	35504903	LOTTERYWEST FUNDING - LIBRARY UPGRADE EXP	36,000	9,000	0	(9,000)
	Furniture & Office Equip. Total		76,000	38,997	0	(38,997)
Plant , Equip. & Vehicles						
	05205338	ADMIN Vehicle Replacement	51,500	51,500	58,295	6,795
	30400760	Mortuary Fridge Unit - Capital	7,000	5,247	0	(5,247)
	35405250	Digital TV Upgrade	100,000	74,997	0	(74,997)
	36004998	SBDC Airconditioner Upgrade	13,000	3,250	0	(3,250)
	36005003	SBDC Solar Inverters	15,000	11,250	0	(11,250)
	45156790	Electronic Road Closed Sign - Useless Loop Road	30,000	22,500	0	(22,500)
	45205475	Major Plant Items - Capital	20,000	15,003	4,375	(10,628)
	45205484	Water Tanker	160,000	119,997	0	(119,997)
	45205515	Rangers Vehicle	63,500	63,500	57,371	(6,129)
	45205516	Dual Cab Ute - Country	63,500	63,500	58,295	(5,205)
	45205520	Road Sweeper (Tow Along Broom)- Country Roads	67,000	67,000	66,465	(535)
	45205519	Waste Truck	40,434	40,434	40,434	0
	45205345	FORD RANGER UTE - EXTRA VEHICLE PURCHASE	63,500	63,500	58,295	(5,205)
	05205335	CEO Vehicle Replacement	95,000	0	0	0
	Plant , Equip. & Vehicles Total		789,434	601,678	343,530	(258,149)
Heritage Assets						
	35605182	Heritage Stables Refurbishment	30,000	22,500	0	(22,500)
	Heritage Assets Total		30,000	22,500	0	(22,500)
Roads (Non Town)						
	45165670	Regional Roads Group - RRG	636,309	477,234	0	(477,234)
	Roads (Non Town) Total		636,309	477,234	0	(477,234)
Footpaths						
	45145250	Town Footpaths - Dual Use Path Construction	60,000	45,000	0	(45,000)
	Footpaths Total		60,000	45,000	0	(45,000)
Town Streets						
	45156690	Roads To Recovery - R2R	475,582	356,688	0	(356,688)
	Town Streets Total		475,582	356,688	0	(356,688)
Public Facilities						
	35205541	Seawall Upgrade - Capital Works	72,477	72,477	72,477	(0)
	05204740	Community Precinct Placemaking Capital	20,000	15,003	0	(15,003)
	30105581	Refuse Site Bunding	15,000	11,250	0	(11,250)
	30405593	Cemetery Upgrade	10,000	7,497	0	(7,497)
	35205525	Foreshore Public Facilities Upgrade/Improvements	15,000	11,250	0	(11,250)
	35305511	Town Oval and Recreation Reticulation/Resurfacing	30,000	22,500	0	(22,500)
	35305586	Parks & Gardens Capital Exp	20,000	15,003	164	(14,839)
	45104725	Useless Loop Rd - Waste Fence	10,000	7,497	0	(7,497)
	45156789	Temporary Fencing - Capital	10,000	7,497	0	(7,497)
	45205319	Refuse Site Fuel Tank and Bowser	10,000	7,497	9,828	2,331
	35205524	Fish Cleaning Facility - Rec Fish West Grant EXP	40,000	10,000	19,496	9,496
	35205548	Foreshore BBQ Replacement	0	0	13,698	13,698
	60104001	CCTV Installation - Shark Bay Discovery Centre External	30,000	7,500	0	(7,500)
	Public Facilities Total		282,477	194,971	115,663	(79,308)
Drainage/Culverts						
	45105875	Drainage/Sump Construction	58,000	58,000	58,000	0
	Drainage/Culverts Total		58,000	58,000	58,000	0
	Grand Total		6,825,074	5,135,590	1,139,701	(3,995,891)

Please refer to the compilation report

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SHIRE OF SHARK BAY
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 MARCH 2026

INVESTING ACTIVITIES

5 CAPITAL ACQUISITIONS

Capital acquisitions	Amended		YTD Actual	YTD Variance
	Budget	YTD Budget		
	\$	\$	\$	\$
Buildings	4,417,272	3,340,522	622,508	(2,718,014)
Furniture & Office Equip.	76,000	38,997	0	(38,997)
Plant , Equip. & Vehicles	789,434	601,678	343,530	(258,148)
Heritage Assets	30,000	22,500	0	(22,500)
Acquisition of property, plant and equipment	5,312,706	4,003,697	966,038	(3,037,659)
Roads (Non Town)	636,309	477,234	0	(477,234)
Footpaths	60,000	45,000	0	(45,000)
Drainage/Culverts	58,000	58,000	58,000	0
Town Streets	475,582	356,688	0	(356,688)
Public Facilities	282,477	194,971	115,663	(79,308)
Acquisition of infrastructure	1,512,368	1,131,893	173,663	(958,230)
Total capital acquisitions	6,825,074	5,135,590	1,139,701	(3,995,889)
Capital Acquisitions Funded By:				
Capital grants and contributions	1,563,424	1,108,035	232,190	(875,845)
Other (disposals & C/Fwd)	170,455	105,455	105,455	0
Reserve accounts				
Infrastructure reserve	1,500,000	0	0	0
Pensioner Unit Maintenance reserve	60,000	0	0	0
Contribution - operations	3,531,195	3,922,100	802,056	(3,120,044)
Capital funding total	6,825,074	5,135,590	1,139,701	(3,995,889)

KEY INFORMATION

Initial recognition

An item of property, plant and equipment or infrastructure that qualifies for recognition as an asset is measured at its cost.

Upon initial recognition, cost is determined as the amount paid (or other consideration given) to acquire the assets, plus costs incidental to the acquisition. The cost of non-current assets constructed by the Shire includes the cost of all materials used in construction, direct labour on the project and an appropriate proportion of variable and fixed overheads. For assets acquired at zero cost or otherwise significantly less than fair value, cost is determined as fair value at the date of acquisition.

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 *Local Government (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.

Individual assets that are land, buildings and infrastructure acquired between scheduled revaluation dates of the asset class in accordance with the Shire's revaluation policy, are recognised at cost and disclosed as being at reportable value.

Measurement after recognition

Plant and equipment including furniture and equipment and right-of-use assets (other than vested improvements) are measured using the cost model as required under *Local Government (Financial Management) Regulation 17A(2)*. Assets held under the cost model are carried at cost less accumulated depreciation and any impairment losses being their reportable value.

Reportable Value

In accordance with *Local Government (Financial Management) Regulation 17A(2)*, the carrying amount of non-financial assets that are land and buildings classified as property, plant and equipment, investment properties, infrastructure or vested improvements that the local government controls.

Reportable value is for the purpose of *Local Government (Financial Management) Regulation 17A(4)* is the fair value of the asset at its last valuation date minus (to the extent applicable) the accumulated depreciation and any accumulated impairment losses in respect of the non-financial asset subsequent to its last valuation date.

Please refer to the compilation report

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ORDINARY COUNCIL MEETING UNCONFIRMED MINUTES

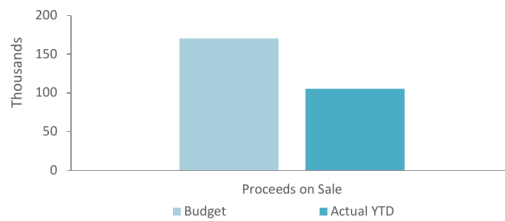
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SHIRE OF SHARK BAY
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 MARCH 2026

OPERATING ACTIVITIES

6 DISPOSAL OF ASSETS

Asset Ref.	Asset description	Budget				YTD Actual			
		Net Book		Profit	(Loss)	Net Book		Profit	(Loss)
		Value	Proceeds			Value	Proceeds		
\$	\$	\$	\$	\$	\$	\$	\$		
Plant and equipment									
	Water Tanker	32,548	20,000	0	(12,548)	0	0	0	0
MV211	Admin Vehicle	30,000	27,273	0	(2,727)	30,000	27,273	0	(2,727)
MV220	Dual Cab Ute- Ranger	20,468	40,000	19,532	0	20,468	40,000	19,532	0
MV218	Dual Cab Ute - Country	16,337	38,182	21,845	0	16,337	38,182	21,845	0
	Community Bus	10,000	5,000	0	(5,000)	0	0	0	0
	Admin Ford	27,000	40,000	13,000	0			0	0
		136,353	170,455	54,377	(20,275)	66,805	105,455	41,377	(2,727)



Please refer to the compilation report

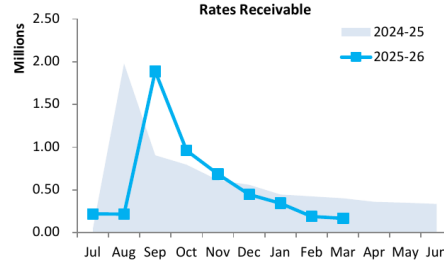
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SHIRE OF SHARK BAY
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 MARCH 2026

OPERATING ACTIVITIES

7 RECEIVABLES

Rates receivable	30 June 2025	31 Mar 2026
	\$	\$
Opening arrears previous year	39,466	161,185
Levied this year	1,779,510	2,097,067
Less - collections to date	(1,485,481)	(1,919,836)
Gross rates collectable	333,495	338,416
Allowance for impairment of rates receivable	(172,310)	(172,310)
Net rates collectable	161,185	166,106
% Collected	81.7%	85.0%



Receivables - general	Credit	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$	\$
Receivables - general	(4,434)	17,960	37,885	51,215	3,211	105,837
Percentage	(4.2%)	17.0%	35.8%	48.4%	3.0%	
Balance per trial balance						
Trade receivables						105,837
Other receivables						65,552
GST receivable						52
Total receivables general outstanding						171,441

Amounts shown above include GST (where applicable)

KEY INFORMATION

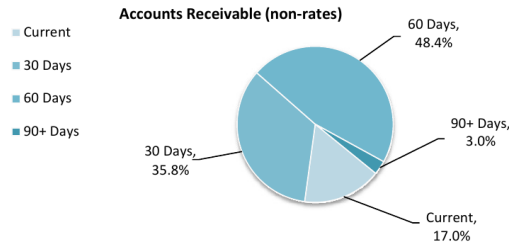
Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business.

Trade receivables are recognised at original invoice amount less any allowances for uncollectable amounts (i.e. impairment). The carrying amount of net trade receivables is equivalent to fair value as it is due for settlement within 30 days.

Classification and subsequent measurement

Receivables which are generally due for settlement within 30 days except rates receivables which are expected to be collected within 12 months are classified as current assets. All other receivables such as, deferred pensioner rates receivable after the end of the reporting period are classified as non-current assets.

Trade and other 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.



Please refer to the compilation report

ORDINARY COUNCIL MEETING UNCONFIRMED MINUTES

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SHIRE OF SHARK BAY
SUPPLEMENTARY INFORMATION
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OPERATING ACTIVITIES

8 OTHER CURRENT ASSETS

Other current assets	Opening Balance 1 July 2025	Asset Increase	Asset Reduction	Closing Balance 31 March 2026
	\$	\$	\$	\$
Inventory				
Stock on hand	135,734	0	0	135,734
Contract assets				
Contract assets	405,331	0	(210,702)	194,629
Total other current assets	541,065	0	(210,702)	330,363

Amounts shown above include GST (where applicable)

KEY INFORMATION

Inventory

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.

Contract assets

A contract asset is the right to consideration in exchange for goods or services the entity has transferred to a customer when that right is conditioned on something other than the passage of time.

**SHIRE OF SHARK BAY
SUPPLEMENTARY INFORMATION
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OPERATING ACTIVITIES

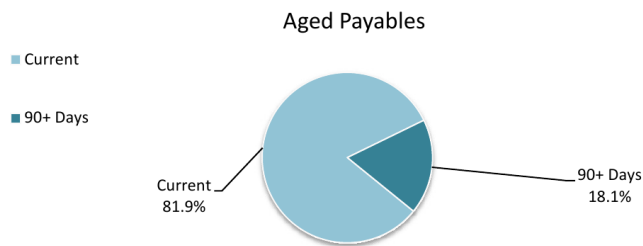
9 PAYABLES

Payables - general	Credit	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$	\$
Payables - general	0	24,541	0	0	5,412	29,953
Percentage	0.0%	81.9%	0.0%	0.0%	18.1%	
Balance per trial balance						
Sundry creditors						29,953
ATO liabilities						53,694
Other payables						90,022
Est Liability						418
Bond Liability						93,295
Prepaid Rates						11,172
Contract retentions held						101,806
Total payables general outstanding						380,360

Amounts shown above include GST (where applicable)

KEY INFORMATION

Trade and other payables represent liabilities for goods and services provided to the Shire prior to the end of the period 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.



ORDINARY COUNCIL MEETING UNCONFIRMED MINUTES

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SHIRE OF SHARK BAY
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FINANCING ACTIVITIES

10 BORROWINGS

Repayments - borrowings

Information on borrowings Particulars	Loan No.	1 July 2025 \$	New Loans		Principal Repayments		Principal Outstanding		Interest Repayments	
			Actual \$	Budget \$	Actual \$	Budget \$	Actual \$	Budget \$	Actual \$	Budget \$
Town Oval Bore	58	632,077	0	0	(17,844)	(35,888)	614,233	596,189	(11,514)	(13,959)
Essential Worker Accommodation	59	1,920,518	0	0	(122,740)	(164,612)	1,797,778	1,755,906	(79,427)	(86,889)
Total		2,552,595	0	0	(140,584)	(200,500)	2,412,011	2,352,095	(90,941)	(100,848)
Current borrowings		200,500					59,917			
Non-current borrowings		2,352,095					2,352,094			
		2,552,595					2,412,011			

All debenture repayments were financed by general purpose revenue.

KEY INFORMATION

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.

Please refer to the compilation report

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ORDINARY COUNCIL MEETING UNCONFIRMED MINUTES

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OPERATING ACTIVITIES

11 OTHER CURRENT LIABILITIES

Other current liabilities	Note	Opening Balance 1 July 2025 \$	Liability transferred from/(to) non current \$	Liability Increase \$	Liability Reduction \$	Closing Balance 31 March 2026 \$
Other liabilities						
Contract liabilities		74,537	0	360,089	(194,472)	240,154
Capital grant/contributions liabilities		399,600	0	504,807	(152,190)	752,217
Total other liabilities		474,137	0	864,896	(346,662)	992,371
Employee Related Provisions						
Provision for annual leave		99,323	0	0	0	99,323
Provision for long service leave		81,989	0	0	0	81,989
Total Provisions		181,312	0	0	0	181,312
Total other current liabilities		655,449	0	864,896	(346,662)	1,173,683

Amounts shown above include GST (where applicable)

A breakdown of contract liabilities and associated movements is provided on the following pages at Note 12 and 13

KEY INFORMATION

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 Related Provisions

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 calculation of net current assets.

Other long-term employee benefits

The Shire's obligations for employees' annual leave and long service leave entitlements are recognised as employee related provisions in the statement of financial position.

Long-term employee benefits 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 liabilities

An entity's obligation to transfer goods or services to a customer for which the entity has received consideration (or the amount is due) from the customer.

Capital grant/contribution liabilities

Grants to acquire or construct recognisable non-financial assets to identified specifications be constructed to be controlled by the Shire are recognised as a liability until such time as the Shire satisfies its obligations under the agreement.

Please refer to the compilation report

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ORDINARY COUNCIL MEETING UNCONFIRMED MINUTES

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SHIRE OF SHARK BAY
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OPERATING ACTIVITIES

12 GRANTS, SUBSIDIES AND CONTRIBUTIONS

Provider	Unspent grant, subsidies and contributions liability					Grants, subsidies and contributions revenue		
	Liability	Increase in	Decrease in	Liability	Current	Amended	YTD	YTD
	1 July 2025	Liability	Liability	31 Mar 2026	Liability	Budget	Budget	Revenue
	\$	\$	(As revenue)	\$	\$	\$	\$	\$
Grants and subsidies								
Grants Commission - General	0	0	0	0	0	1,100,880	825,660	825,660
Grants Commission - Roads	0	0	0	0	0	306,821	230,116	230,116
FESA Grant - Operating Bush Fire Brigade	0	7,704	(7,704)	0	0	10,796	8,091	7,705
Grant FESA - SES	0	23,600	(23,600)	0	0	47,200	35,397	40,638
Planning & Strategy - Regional North LG	42,149	0	(937)	41,212	41,212	42,149	31,608	938
DLGSC - Regional Arts Venues Support	4,412	55,240	(12,804)	46,848	46,848	59,651	44,730	12,803
Road Preservation Grant	0	0	0	0	0	171,485	171,485	171,485
Useless Loop Road - Mtce	0	132,000	(132,000)	0	0	330,000	247,500	264,000
Grants - Community Development	0	1,000	(1,000)	0	0	1,000	747	1,000
Every Club - Gaming & Wagering Com	2,966	0	(1,546)	1,420	1,420	10,166	7,623	1,545
Gaming & Wagering Com - Out of School Programs	0	0	0	0	0	30,000	22,500	0
Grant - Youth Life Skills Program -INC	10,000	0	(326)	9,674	9,674	10,000	7,497	326
Useless Loop Road - Extra Grades	0	136,000	0	136,000	136,000	170,000	0	0
DIGITAL LIBRARY BOARD - GRANT	0	4,545	(4,545)	0	0	5,000	5,000	4,545
Building condition assessments - DoH grant	0	0	0	0	0	20,000	0	0
	59,527	360,089	(184,462)	235,154	235,154	2,315,148	1,637,954	1,560,761
Contributions								
Donations - HMAS Sydney Exhibit	0	0	0	0	0	250	180	155
Coburn Resources Education Contribution	5,000	0	0	5,000	5,000	5,000	3,744	0
Contribution to Road Maintenance - Pipeline	10,010	0	(10,010)	0	0	10,000	7,497	10,010
	15,010	0	(10,010)	5,000	5,000	15,250	11,421	10,165
TOTALS	74,537	360,089	(194,472)	240,154	240,154	2,330,398	1,649,375	1,570,926

Please refer to the compilation report

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ORDINARY COUNCIL MEETING UNCONFIRMED MINUTES

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SHIRE OF SHARK BAY
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INVESTING ACTIVITIES

13 CAPITAL GRANTS, SUBSIDIES AND CONTRIBUTIONS

Provider	Capital grant/contribution liabilities					Capital grants, subsidies and contributions revenue		
	Liability	Increase in	Decrease in	Liability	Current	Amended	YTD	YTD
	1 July 2025	Liability	Liability	31 Mar 2026	Liability	Budget	Budget	Revenue
	\$	\$	(As revenue)	\$	\$	\$	\$	\$
Capital grants and subsidies								
Grant - Cyclone Seroja Resilience - Income	301,879	0	(119,418)	182,461	182,461	301,879	226,404	119,418
Grant - Essential Worker Accommodation - GDC	50,000	0	0	50,000	50,000	50,000	37,494	0
Roads To Recovery Grant - Cap	0	300,000	0	300,000	300,000	475,582	356,679	0
RRG Grants - Capital Projects	0	169,683	0	169,683	169,683	424,206	318,150	0
Local Road and Community Infrastructure Program	0	0	0	0	0	30,000	22,500	0
Grant - Seawall Revetment Capital Projects	0	0	0	0	0	20,036	15,021	0
Grant - SHERP Community Housing Project	47,721	0	(32,772)	14,949	14,949	127,721	95,787	112,772
Lotterywest Library Upgrade Grant	0	35,124	0	35,124	35,124	36,000	36,000	0
Fish Cleaning Facility - Rec Fish West Grant	0	0	0	0	0	40,000	0	0
Drainage/Sump Construction - DBCA grant	0	0	0	0	0	58,000	0	0
	399,600	504,807	(152,190)	752,217	752,217	1,563,424	1,108,035	232,190

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ORDINARY COUNCIL MEETING UNCONFIRMED MINUTES

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**SHIRE OF SHARK BAY
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14 BUDGET AMENDMENTS

Amendments to original budget since budget adoption. Surplus/(Deficit)

Description	Council Resolution	Classification	Non Cash Adjustment \$	Increase in Available Cash \$	Decrease in Available Cash \$	Amended Budget Running Balance \$
Budget adoption						0
Opening surplus	Res. OCM 25/03/26	Opening surplus(deficit)	0	2,658	0	2,658
Grants, subsidies and contributions	Res. OCM 25/03/26	Operating revenue	0	293,602	0	296,260
Fees and charges	Res. OCM 25/03/26	Operating revenue	0	147,160	0	443,420
Interest revenue	Res. OCM 25/03/26	Operating revenue	0	16,100	0	459,520
Other revenue	Res. OCM 25/03/26	Operating revenue	0	69,500	0	529,020
Profit on asset disposals	Res. OCM 25/03/26	Operating revenue	0	30,804	0	559,824
Employee costs	Res. OCM 25/03/26	Operating expenses	0	0	(196,303)	363,521
Materials and contracts	Res. OCM 25/03/26	Operating expenses	0	0	(317,388)	46,133
Other expenditure	Res. OCM 25/03/26	Operating expenses	0	0	(9,159)	36,974
Loss on asset disposals	Res. OCM 25/03/26	Operating expenses	0	8,177	0	45,151
Non-cash amounts excluded from operating activities	Res. OCM 25/03/26	Non cash item	(38,981)	0	0	6,170
Capital grants, subsidies and contributions	Res. OCM 25/03/26	Capital revenue	0	134,000	0	140,170
Proceeds from disposal of assets	Res. OCM 25/03/26	Capital revenue	0	50,455	0	190,625
Purchase of land and buildings	Res. OCM 25/03/26	Capital expenses	0	0	(18,551)	172,074
Purchase of plant and equipment	Res. OCM 25/03/26	Capital expenses	0	0	(113,434)	58,640
Purchase and construction of infrastructure-roads	Res. OCM 25/03/26	Capital expenses	0	0	(8,000)	50,640
Purchase and construction of infrastructure-other	Res. OCM 25/03/26	Capital expenses	0	52,559	0	103,199
Transfers to reserve accounts	Res. OCM 25/03/26	Capital expenses	0	0	(103,199)	0
				805,015	(766,034)	38,981

Please refer to the compilation report

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29 April 2026

11.0 TOWN PLANNING REPORT

11.1 PLANNING APPLICATION RESERVE 49809, LOT 8000 ON DEPOSITED PLAN 419413 AND LOT 908 ON DEPOSITED PLAN 408907 (SHIRE COMMON) RES49809

AUTHOR

Liz Bushby, Town Planning Innovations (TPI)

DISCLOSURE OF ANY INTEREST

Declaration of Interest: Liz Bushby, Town Planning Innovations (TPI)

Nature of Interest: Financial Interest as receive fees for advice to the Shire – Section 5.60A of *Local Government Act 1995*

Disclosure of Interest (Financial Interest)

Cr. Mark Smith

Cr Mark Smith left the room at 1.27pm

The President asked for a Mover and Seconder

Moved Cr Ridgley

Seconded Cr Fenny

Cr. Ridgley motioned to **defer**

Moved Cr Ridgley

Seconded Nil Received

Motion defeated

The President reinvited a Mover and a Seconder for the item 11.1.

Moved Cr Fenny

Seconded Cr Johns

Officer Recommendation

That Council:

A. Note that:

- (i) **The Shire has a Management Order over Reserve 49809 with the power to issue Licences to parties to use portions of the Common, for a maximum of 5 years, subject to consent by the Minister for Lands.**
- (ii) **The applicant, Mr Mark Smith, has a current Licence for use of an 8 hectare portion of Reserve 49809 for up to 8 horses. The current Licence is valid until the 31 October 2027.**
- (iii) **The horse arena (exercise and training area) is within the existing 8 hectare Licence area.**
- (iv) **Mr Mark Smith obtained planning approval for ‘animal establishment’ in 2020 within Reserve 49809.**
- (v) **As Reserve 49809 is crown land, the planning application for a horse arena (and associated development) has been accompanied by a letter (of owner consent) by the Department of Planning, Lands and Heritage.**

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- B. Note that the application has been advertised for public comment and 4 submissions have been received as outlined in Attachment 2.**
- C. Approve the application for a horse arena for the training and exercise of horses (animal establishment), and associated clearing/shade structure on a portion of Reserve 49809 subject to the following conditions and footnotes:**
- 1. 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.**
 - 2. This approval is issued based on a proposed land use of animal establishment which *'means premises used for the breeding, boarding, training or caring of animals for commercial purposes but does not include animal husbandry - intensive or veterinary centre.'***
 - 3. 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:

- (i) This is a planning consent only and the applicant needs to progress their separate building permit application prior to commencing any site works or construction.**
 - (ii) Clearing of native vegetation is controlled through the Environmental Protection Act 1986, and requires approval of a Clearing Permit from the Department of Water, Environment and Regulation (DWER) unless specifically exempted. DWER has provided advice indicating that the applicant will need to lodge a separate application for a Clearing Permit. It is recommended that the applicant pursue a clearing permit prior to commencing any works.**
- D. Authorise the Chief Executive Officer to advise the submitters of the Council decision.**

Adjournment to Regain Order

At 1.38PM, the Presiding Member adjourned the meeting pursuant to **Clause 15.9 of the Shire of Shark Bay Standing Orders Local Law 2001** for the purpose of regaining order.

The meeting resumed at 1.38PM. Debate continued from the point at which the meeting was adjourned.

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BACKGROUND

- **Reserve Details**

Reserve 49809 is crown land which comprises two lots:

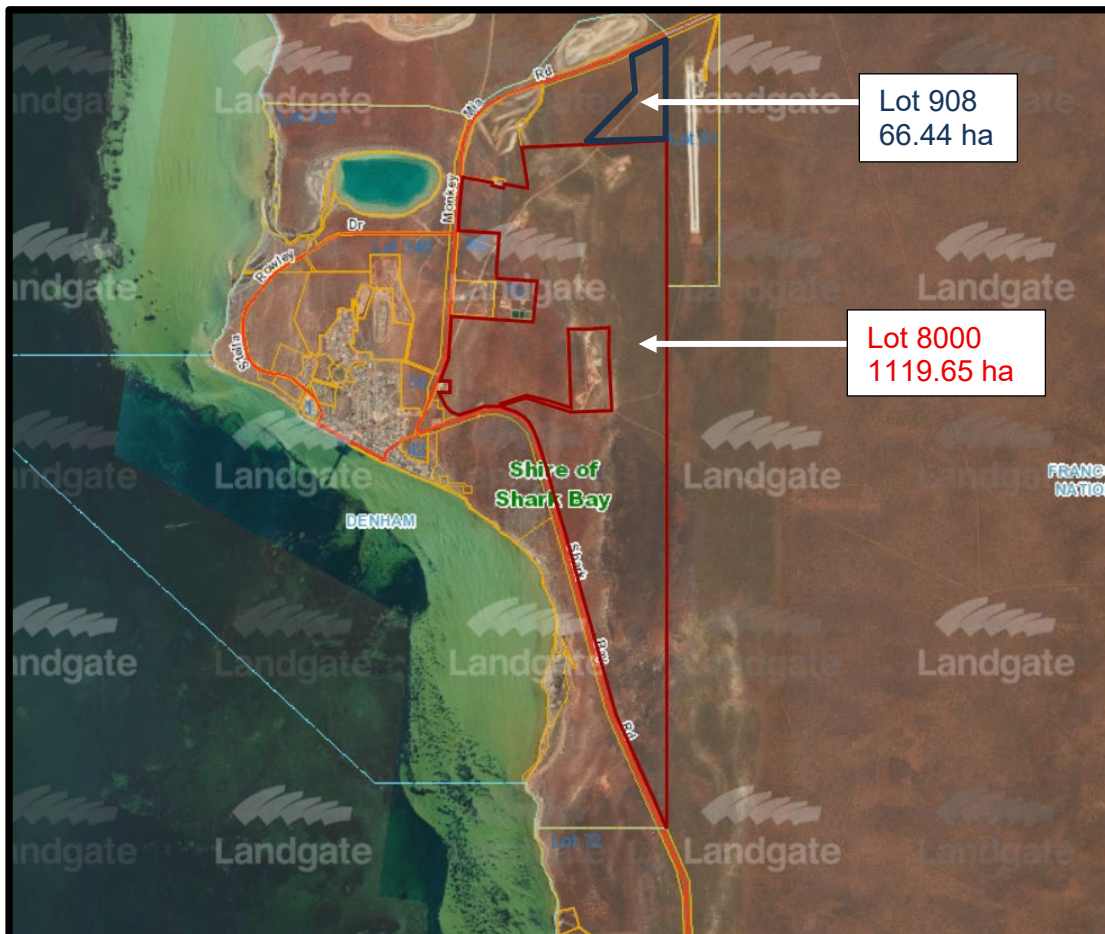
- Lot 908 on Deposited Plan 408907, and
- Lot 8000 on Deposited Plan 419413.

The Shire has a Management Order over the reserve which allows it to issue Licences to other parties, subject to written approval by the Minister for Lands. Licences can be for a maximum of 5 years, with Ministerial approval.

The Management Order includes conditions which state that:

- To be used for designated purpose of "Common" only.
- Power to Licence for the designated purpose is granted for the whole or any portion thereof for any term not exceeding five (5) years from the date of the Licence subject to the approval in writing of the Minister for Lands being first obtained to each and every licence pursuant also to the provisions of section 19 of the Land Administration Act 1997.

There is no clear definition of 'Common' or the activities that can be undertaken within the Common, however TPI is of the understanding that the area has historically been used for agistment of stock animals.



Above: Outline of Lot 908 in blue. Outline of Lot 8000 in Reserve 49809 in red.

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The total area of the reserve is 1186.09 hectares.

The Management Order is included as Attachment 1.

- **Current Licence (Mark Smith)**

There is a current Licence for Reserve 49809 issued to Mr Mark Smith, which is valid until 31 October 2027. The Licence was approved by the Minister for Lands and allows for up to 8 horses and the use of 8 hectares.

The horse arena/exercise area is proposed within the existing Licence area.

- **Existing Planning Approval (Animal Establishment)**

A planning application for an animal establishment, feed storage building and training arena was approved in 2020 within the existing 8ha Licence area.

- **Current Application to Expand Licence Area (Mr Mark Smith)**

Mr Smith has lodged a separate application proposing to expand the current Licence area, which is not related to this current horse arena application.

A preliminary report on the expanded Licence application was considered by Council at the Ordinary Meeting held on the 29 October 2025. It was supported 'in principle' noting that further actions had to be undertaken including advertising, draft licence conditions being prepared by the Shires solicitor and approval by the Minister for Lands.

A second report on the expanded Licence application was considered by Council on the 25 February 2026.

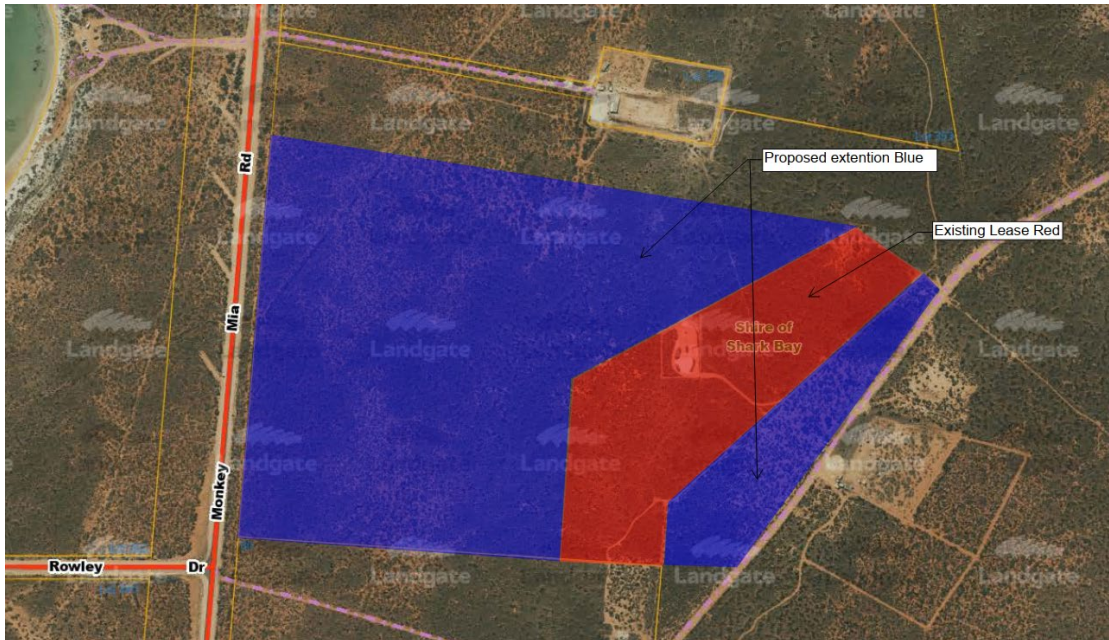
Council resolved as follows:

1. Note that:
 - (a) The Shire has a Management Order over Reserve 49809 with the power to issue Licences to parties to use portions of the Common, for a maximum of 5 years, subject to consent by the Minister for Lands.
 - (b) The applicant, Mr Mark Smith, has a current Licence for use of an 8 hectare portion of Reserve 49809 for up to 8 horses. The current Licence is valid until the 31 October 2027.
 - (c) A new 'expanded' Licence proposal was advertised for public comment and 3 objections were received. Objections are summarised in Attachment 2.
 - (d) The applicant, Mr Smith, has advised he no longer seeks approval for an orchard or the keeping of chickens in the expanded Licence area.
 - (e) Main Roads WA have no objections to a new crossover to Monkey Mia Road however it will have to be constructed to meet their specifications.
 - (f) The Shires solicitor is working on new draft Licence conditions in consultation with Shire Administration.
2. Note that the Licence will be referred to the Department of Planning, Lands and Heritage to seek separate approval by the Minister (once new Licence conditions have been agreed to by the Shire and applicant).

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3. Authorise the Chief Executive Officer to advise the objectors of the Council decision.

The map below shows the existing Licence area in red, and the proposed expanded Licence area in blue.



Above: Existing 8 hectare Licence shown in red. Proposed expanded new Licence shown in blue.

The Shire has not lodged any formal request to the Department of Planning, Lands and Heritage seeking Ministerial approval for the expanded Licence area yet.

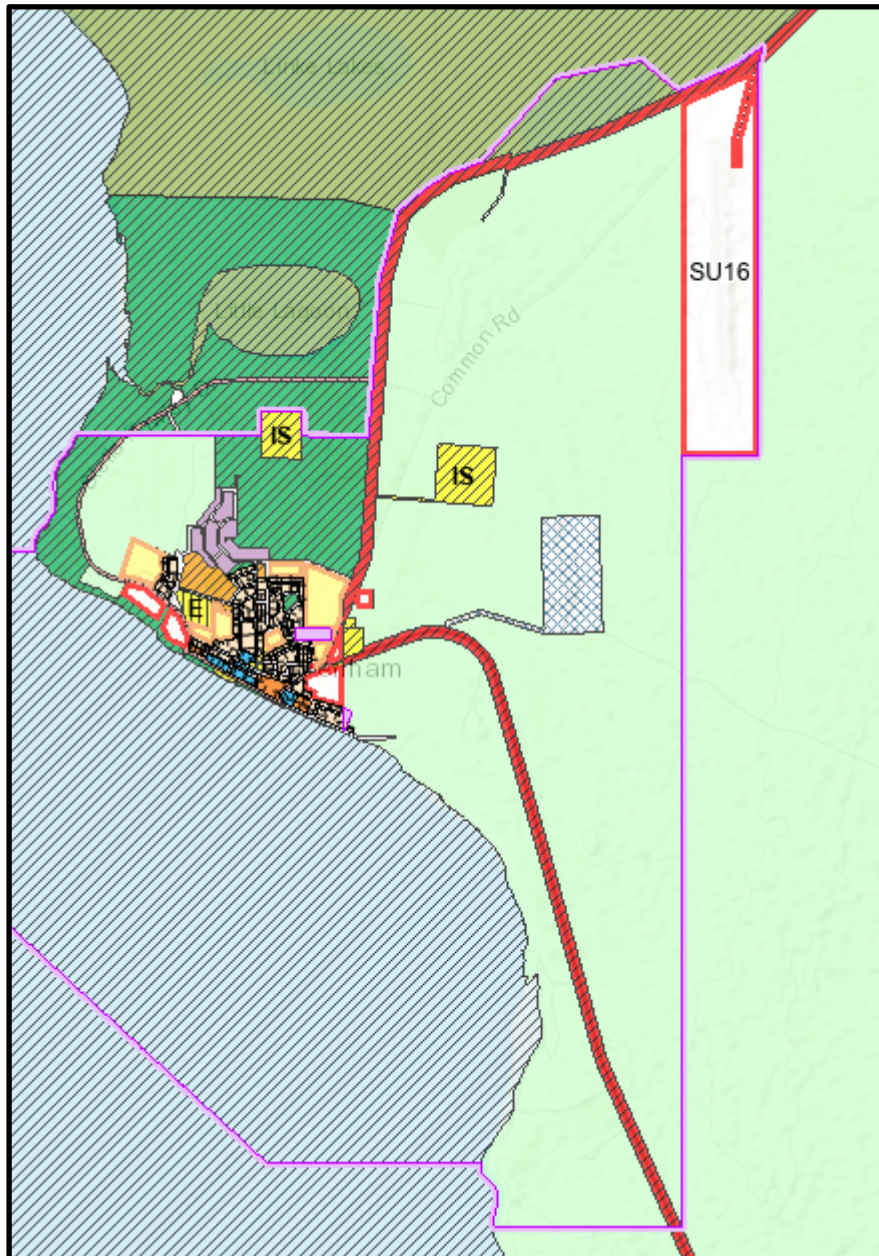
Hence the expanded Licence area is included as background information only (and because it is referred to in a public submission).

- **Zoning**

Reserve 4908 is zoned Rural under the Shire of Shark Bay Local Planning Scheme No 4 – refer map overpage.

It is located outside of the Special Control Area for the Shark bay World Heritage Property area.

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Above: Zoning Map
Source: PlanWA

COMMENT

- **Description of Proposed Development**

Mr Mark Smith has lodged a planning application for a horse arena (training/exercise area), fencing and an associated shade structure within the existing 8 hectare Licence area in Reserve 49809.

The application has been supported by a letter of consent for lodgement of the planning application, by the Department of Planning, Lands and Heritage (DPLH) due to Reserve 49809 being crown land.

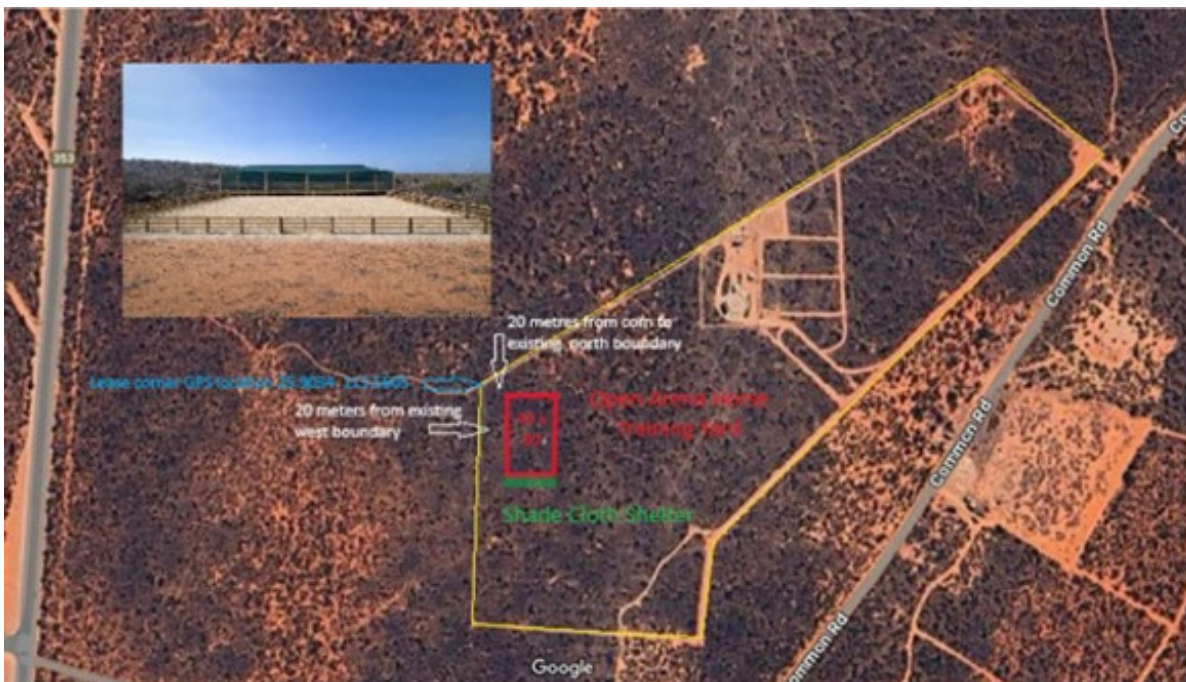
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The proposed fenced horse arena (training and exercise area) would measure 40 metres by 60 metres, and entail clearing of 2,400m² native vegetation. It would be setback 20 metres to the south and east of the existing Licence boundary.

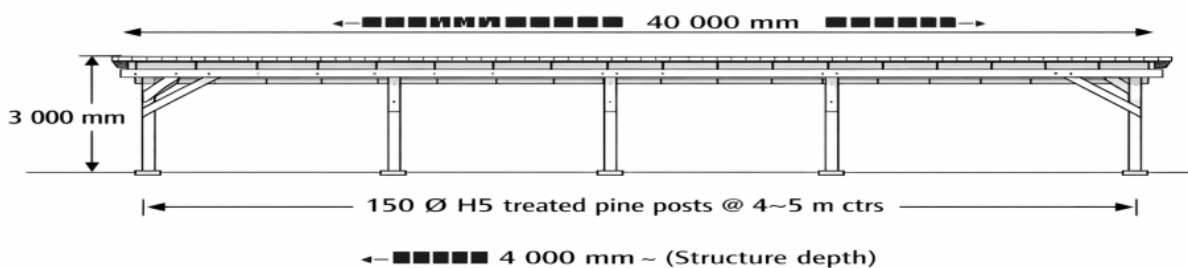
The horse arena would include post and rail fencing, and an entry gate. It will be used to exercise and train horses, whether it be visitors horses or the applicants own horses.

Training may relate to improved riding, handling, or specific skills. A clinician may conduct the training and provide focused, hands-on training to solve behavioural issues, improve communication, and advanced level training.

A site plan is included below.



A timber open sided shade shelter is proposed to the immediate south of the horse arena. The shelter is proposed to measure 40 metres in length, and 3 metres in height.



- **Land Use Permissibility under Shire of Shark Bay Local Planning Scheme No 4**

The primary use of the proposed horse arena is for the training and exercise of horses. Whilst some of this relates to the applicants own horses, it may also be open to other persons horses.

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The use is construed as ‘animal establishment’ defined in the Scheme as ‘*means premises used for the breeding, boarding, training or caring of animals for commercial purposes but does not include animal husbandry - intensive or veterinary centre.*’

An ‘animal establishment’ is listed as an ‘A’ use in the Rural zone under Table 1 – Zoning Table in the Shire of Shark Bay Local Planning Scheme No 4 (the Scheme).

USE AND DEVELOPMENT CLASS	Commercial	Tourism	Residential	Urban Development	Rural		Special use
					General Industry	Rural	
Animal establishment	X	X	X		A	A	

The ‘A’ symbol means that the use is not permitted unless the local government has exercised its discretion by granting development approval after giving special notice in accordance with Clause 64 of the deemed provisions (of the Planning and Development Local Planning Schemes Regulations 2015).

Essentially this means that Council has discretion to consider the proposed land use within the Rural zone, after the application has been advertised.

There is already an existing planning approval for an ‘animal establishment’ to operate within part of the 8 hectare Licence area (from 2020). This application facilitates development of a horse arena and shade structure, relating to an existing approved land use.

- **Consultation**

The planning application was advertised for public comment. One objection was received and three submissions in support of the proposal were received, as outlined in Attachment 2.

A full copy of the objector’s submission is included as Attachment 3. It contains extracts of documents and minutes which are difficult to include in a table.

- **Native Vegetation/ Environment**

One submission raises concerns over the impact of clearing of native vegetation for the proposed horse arena.

TPI does not dispute that the development will have some impact simply as it proposes to clear 2,400m² of native vegetation (within the 8 hectare Licence area).

In assessing the proposal TPI notes that:

- a) Impact on native vegetation or the environment by itself, does not necessarily justify a refusal of the planning application. Almost all development on uncleared land involves some clearing and/or impact. It is a question of whether Council

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considers the impact to be acceptable in context of the zoning, scale, location, and specific circumstances of the application.

- b) The Common has historically been used and Licenced for various forms of animal agistment. TPI is aware of Licences for the keeping of animals in the Common that date back to at least 2010.
- c) The combined area of the Common is 1,186.09 hectares. The 2400m² clearing area for the horse arena represents approximately 0.013% of the Common land area.
- d) The proposed clearing is not in any public drinking water area, wetland, near any creeks and is outside of the World Heritage area.
- e) The Department of Water, Environment and Regulation (DWER) has advised that the proposed clearing is not exempted under Section 6 of the Environmental Protection Act 1986. TPI is of the understanding from DWER's advice that (separate to the planning process), the applicant will need to lodge an application for a Clearing Permit to DWER. This advice has been relayed to the applicant.

TPI cannot fully assess environmental impact, however that could be undertaken by DWER as part of the separate clearing permit process.

Council has previously supported clearing in other reserves, such as the 2.89 hectares for the Monkey Mia Solar Array in Reserve 1686 (at Monkey Mia).

- **Commercial Activities**

One objection asserts that commercial activities are not permissible in the Common.

There is no obstruction to commercial activities in the Management Order for Reserve 49809, and that fact that all Licences are approved by the Minister adds an extra layer of compliance with other relevant legislation, such as the Land Administration Act 1997.

It should be noted that the applicant needs several different approvals such as:

- (a) A Licence approved by the Minister. There is an existing 8ha Licence area;
- (b) Owners consent for lodgement of any planning application (which has been provided by the Department of Planning, Lands and Heritage on behalf of the State of WA);
- (c) Planning approval for any land use and development;
- (d) Separate Building Permit for structures (including the horse arena shade structure).
- (e) Separate Clearing Permit from Department of Water, Environment and Regulation (DWER).

A range of 'commercial' type activities can be considered in the Rural zone under the Scheme.

LEGAL IMPLICATIONS

Planning and Development (Local Planning Schemes) Regulations 2015 –

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Clause 60 of the 'deemed provisions' requires that a person must not commence or carry out works on, or use, land in the Scheme area unless the person has obtained the development approval of the local government or it is exempt from the requirement for planning approval.

Clause 64 outlines advertising procedures. Advertising is required to be for a minimum of 14 days.

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 the body of this report.

The objectives of the Rural zone are:

- To provide for the maintenance or enhancement of specific local rural character.
- To protect broad acre agricultural activities such as cropping and grazing and intensive uses such as horticulture as primary uses, with other rural pursuits and rural industries as secondary uses in circumstances where they demonstrate compatibility with the primary use.
- To maintain and enhance the environmental qualities of the landscape, vegetation, soils and water bodies, to protect sensitive areas especially the natural valley and watercourse systems from damage.
- To provide for the operation and development of existing, future and potential rural land uses by limiting the introduction of sensitive land uses in the Rural zone.
- To provide for a range of non-rural land uses where they have demonstrated benefit and are compatible with surrounding rural uses.
- To ensure that Rural uses are compatible with World Heritage Values, minimise land degradation, promote soil conservation and ensure the sustainable use of land for rural purposes.
- To provide for tourism or ecotourism uses that are compatible with rural activities and the World Heritage Values.

Clause 32.6.1 outlines that setbacks are to the discretion of the local government, taking into consideration landform and road access.

POLICY IMPLICATIONS

There are no applicable Local Planning Policies.

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FINANCIAL IMPLICATIONS

The Shire pays consultancy fees to Liz Bushby of Town Planning Innovations for planning and general advice.

STRATEGIC IMPLICATIONS

There are no known strategic implications associated with the application.

RISK MANAGEMENT

None.

VOTING REQUIREMENTS

Simple Majority Required

SIGNATURES

Author

L Bushby

Chief Executive Officer

D Chapman

Date of Report

15 April 2026

For	Cr. Stubberfield, Johns, Bellottie, Fenny
Against	Cr. Cowell, Ridgley
Absent	Cr. Smith

Carried 4/2

Cr. Mark Smith rejoined the meeting at 1.42pm

ORDINARY COUNCIL MEETING UNCONFIRMED MINUTES

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Attachment 1

ORIGINAL

INSTRUCTIONS

1. If insufficient space in any section, Additional Sheet Form B1 should be used with appropriate headings. The boxed sections should only contain the words "See Annexure".
2. Additional Sheets shall be numbered consecutively and bound to this document by staples along the left margin prior to execution by parties.
3. No alteration should be made by erasure. The words rejected should be scored through and those substituted typed or written above them, the alteration being initialed by the person signing this document and their witnesses.

NOTES

1. RESERVE DESCRIPTION
Reserve number and details to be stated. The Volume and Folio numbers to be stated.
2. MANAGEMENT BODY
State the full name and address of the management body.
3. CONDITIONS
Specify all conditions to be observed by the lessee in the operation of the area affected by this permit.
4. EXECUTION
A separate attestation is required for every person signing this document. Each signature should be separately witnessed by an Adult Person. The address and occupation of the witness must be stated.

EXAMINED

K668081 XE
28 Jul 2008 15:18:13 Midland



MANAGEMENT ORDER (XE)

LODGED BY State Land Services

ADDRESS DPI - Mid West - Box 98C

PHONE No.
FAX No.

REFERENCE No. Cody Rampant 11819-1908-03RO Ph: 9347 5082 Fax: 9347 5003

ISSUING BOX No.

PREPARED BY State Land Services

ADDRESS DPI - Mid West - Box 98C

PHONE No. FAX No.

INSTRUCT IF ANY DOCUMENTS ARE TO ISSUE TO OTHER THAN LODGING PARTY

TITLES, LEASES, DECLARATIONS ETC LODGED HEREWITH

1. Duplicate M.O.	Received Items
2. _____	Nos. _____
3. _____	1
4. _____	Receiving Clerk
5. _____	
6. _____	

063671-003



Registered pursuant to the provisions of the TRANSFER OF LAND ACT 1893 as amended on the day and time shown above and particulars entered in the Register.



100% LAND AUSTRALIA REP
100% LAND AUSTRALIA REP
100% LAND AUSTRALIA REP

29 April 2026

ORIGINAL

FORM LAA-1023

SECTION 46

WESTERN AUSTRALIA
LAND ADMINISTRATION ACT 1997
TRANSFER OF LAND ACT 1893 AS AMENDED

MANAGEMENT ORDER (XE)

RESERVE DESCRIPTION (NOTE 1)

EXTENT

VOLUME

FOLIO

49809

Whole

3147

378

MANAGEMENT BODY (NOTE 2)

Shire of Shark Bay of PO Box 126, Denham WA 6537

CONDITIONS (NOTE 3)

(i) To be used for its designated purpose of "Common" only.
(ii) Power to licence for the designated purpose is granted for the whole or any portion thereof for any term not exceeding five (5) years from the date of licence subject to the approval in writing of the Minister for Lands being first obtained to each and every licence pursuant also to the provisions of Section 19 of the Land Administration Act 1997.

THE MINISTER FOR LANDS (IN THE NAME OF AND ON BEHALF OF THE STATE OF WESTERN AUSTRALIA) ORDERS THAT THE CARE, CONTROL AND MANAGEMENT OF THE ABOVE RESERVE BE PLACED WITH THE ABOVE DESCRIBED MANAGEMENT BODY FOR THE PURPOSE FOR WHICH THE LAND IS RESERVED UNDER SECTION 41 OF THE LAND ADMINISTRATION ACT 1997, AND FOR PURPOSES ANCILLARY OR BENEFICIAL TO THAT PURPOSE SUBJECT TO THE CONDITIONS STATED ABOVE

Dated this 28th day of July in the year 2008

ATTESTATION

[Signature]

[Signature]
#1 SENIOR STATE LAND OFFICER
STATE LANDS - MID WEST
STATE LAND SERVICES

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ATTACHMENT 2 Table of Submissions – Proposed horse arena/exercise area and ancillary development on Reserve

Submissions	Officer Comments:
Submission 1: Janine Guenther	
1a. I oppose the above application for the following reasons:	
1b. First of all, it is important that the Council considers the application for the horse arena in connection to the applicant's current licence (the one he was granted in October 2022). Smith's application for an extended portion of the Town Common (adding 34.5 hectares to his existing licence) lodged in October 2025 has nothing to do with this application. Especially as it hasn't even been approved by the Minister and it may never be approved by the Minister due to various circumstances. Therefore the Council must consider this application for what it currently is, namely an application for a second horse arena on a block of 8 hectares used for depasturing up to eight horses	1b Noted. As explained in the report to Council, the application is for a horse arena within the existing 8 hectare Licence area. The Department of Planning, Lands and Heritage has lodged a letter of consent to lodgement of the planning application, as Reserve 49809 is Crown land. The proposed Licence extension is subject to a separate process and it still requires (1) the applicant to agree to Licence conditions being prepared by the Shires solicitor and (2) Ministerial approval.
1c. As there is already a horse arena on the 8 ha block, there is no need to establish a second one. This is a Town Common after all and it belongs to the Community. Changes to the Common land should be minimised, this goes especially for the clearing of native vegetation. Having a second horse arena is not in line with the use of the Common. A second horse arena is also unnecessary as the number of horses (max. 8) plus the use of the Common (for private use only) has not changed since the applicant was granted the current licence in October 2022.	1c. TPI understand that the submitter has concerns over the extent of proposed clearing of native vegetation, and this matter is discussed in the body of the report to Council. It is not the Shires role to determine if the development is needed. As a decision maker it is Council's role to determine the application before it. Council may (1) approve the application with conditions or (2) refuse the application and provide reasons for refusal or (3) defer determination of the application.
1d. The building of a new horse arena would result in unwarranted clearing of native vegetation. The aerial photo shows already large areas which have been cleared by the applicant.	1d. TPI understand that the submitter has concerns over the extent of proposed clearing of native vegetation, and this matter is discussed in the body of the report to Council.

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<p>I would like to quote from the Management Order for Use of the Town Common.</p> <p><i>'Activities are to be controlled and maintained to ensure long term environmental sustainability and ultimate re-instatement of its land use'.</i></p>	<p>TPI has a copy of the Management Order which does not include the statement quoted by the submittor.</p> <p>The Management Order to the Shire has the following conditions:</p> <p>(i) To be used for its designated purpose of common only. (ii) Power to licence for the designated purpose is granted for the whole or any portion thereof for any term not exceeding five (5) years form the date of licence subject to the approval in writing of the Minister for Lands being first obtained to each and every licence pursuant also to the provisions of Section 19 of the Land Administration Act 1997.</p>
<p>1e. Shark Bay lies in the arid zone and bushland is precious. Once cleared it is very difficult to re-establish the natural vegetation cover.</p> <p>So what happens if Mark Smith's licence expires or is handed back? The applicant has already once changed his mind from camels to horses ... Will the Shire ask for a bond (around \$10,000 would be adequate) to revegetate the area?</p>	<p>1e. TPI understand that the submittor has concerns over the extent of proposed clearing of native vegetation, and this matter is discussed in the body of the report to Council.</p> <p>Bonds cannot legally be required as a condition of planning approval. Compliance issues must be dealt with in accordance with the available avenues under the Planning and Development Act 2005 and Planning and Development (Local Planning Schemes) Regulations 2015.</p>
<p>1f. In 2021 Cr Bellottie voted against another application by Mark Smith, namely the application for a letter of support (to walk his camels over Unallocated Crown Land). The reason Cr Bellottie voted against it was that he was concerned about the Councillors credibility.</p> <p>Cr Bellottie is recorded as voting against the motion Reason: <u>Cr Bellottie was concerned about Councillors credibility.</u></p>	<p>1f. The submittor raises an issue which does not directly relate to this planning application.</p> <p>The proposal voted on in 2021 related to walking camels on Unallocated Crown Land and is unrelated to this planning application on a portion of Reserve 49809.</p> <p>It is not clear why the submittor mentions this historical information.</p>
<p>1g. Although I cannot support this statement entirely, I have already received a taste of this by his partner who, after I objected to Mark Smith's earlier application for a Licence Extension, gave me a disrespectful gesture (the middle finger) when driving past me on Knight</p>	<p>1g. This is a statement therefore TPI provides no comment on this matter.</p>

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<p>Terrace. I don't believe that this is the way Community members should treat each other, no matter whether they are of different opinions or not.</p>	
<p>1h. The fact that the applicant has been misappropriating water on his Town Common block for a number of years by illegally tapping into the water pipeline leading to the airport, could also be seen supportive of Cr Bellottie's judgement.</p>	<p>1h. It is not clear what the submittor aims to achieve with this statement, and how it directly relates to the horse arena application.</p> <p>TPI is of the understanding that:</p> <ol style="list-style-type: none"> 1. The Shire may consider charging for water supply as part of any future Licences. The Shires fees and charges are reviewed annually; and 2. The general public also have had access to free water from the oval bore for an extended time period; 3. This is a broader issue that the Shire has to work through.
<p>1i. Most importantly, I object to the horse arena because the applicant already misunderstands what his current licence allows him to do and what he can't do. This became evident by the following comment (see also page 7) included in the Agenda February 2026 in his application for:</p> <p>11.2 APPLICATION FOR NEW LICENCE WITHIN RESERVE 49809, LOT 8000 ON DEPOSITED PLAN 419413 AND LOT 908 ON DEPOSITED PLAN 408907 (SHIRE COMMON) FILE # RES49809</p> <p>2f. Yes, this is a commercial venture—the lease allows for that, and the \$550 fee reflects it. Short-term agistment is part of the community service, giving Mark Smith</p> <p><i>Please note that the applicant's comment is in present tense ("the lease allows") and not in future ("the lease will allow"). Therefore it refers to his current lease on which he wants to build the horse arena and not on the extended area he applied for in 2025. And even if otherwise, his statement is wrong.</i></p>	<p>1i. It is not clear why the submittor is raising this issue for the planning application, or what is being gained by quoting the applicants advice on a separate application to expand the current Licence area.</p> <p>The submittor already stated in her submission that '<i>it is important that the Council considers the application for the horse arena in connection to the applicant's current licence (the one he was granted in October 2022).</i>'</p> <p>As explained in the report to Council, the application is for a horse arena within the current Licence area. The Department of Planning, Lands and Heritage has lodged a letter of consent to lodgement of the planning application, as Reserve 49809 is Crown land.</p> <p>The proposed Licence extension is a separate matter that is subject to a separate process. It still requires (1) the applicant to agree to Licence conditions being prepared by the Shires solicitor and (2) Ministerial approval.</p>
<p>1j. In general, there seems to be some gross misunderstandings by the applicant as well as by the Town Planner Liz Bushby of what can and can't be done on the Town Common.</p>	<p>1j. The basis and rationale behind the submitters statement that the applicant and TPI do not understand '<i>what can and can't be done in the Shire Common</i>' is not clear.</p>

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	<p>The comments appear to relate to the separate Licence process, rather than this planning application. Planning applications are assessed in accordance with the Shire of Shark Bay Local Planning Scheme No 4.</p>
<p>1k. After having studied the local history of the Town Common in general and the applicant's long application history in particular, I have compiled the following pages that prove that there is absolutely no evidence that commercial activity was allowed onsite on the Common, neither for Mark Smith nor for any other licence holder.</p> <p>In fact, Mark Smith has never even applied for a permit to allow commercial activity (until he lodged his most recent application, see item 11.2 above).</p>	<p>1k. This part of the submission provides comments relating to the separate Licence process, and not the current planning application for a horse arena.</p> <p>The Department of Planning, Lands and Heritage has lodged a letter of consent to lodgement of the planning application, as Reserve 49809 is Crown land.</p> <p>TPI informally liaised with DPLH and they advised that: (a) Approval of the Licence area by the Minister provides additional checks; and (b) Prior to providing written consent to lodgement of this planning application, the proposal was checked by the DPLH Pastoral Team, which again is an added check (by State Planning).</p>
<p>1l. The following pages are a vital piece in my submission and, I would like to see them reproduced in full in the Agenda and not just provided 'on demand' (by TPI) like it happened with some photos included in one of the previous submissions in regards to an application by Mark Smith.</p>	<p>1l. Comment noted. It is difficult to include visual photographs and extracts when provided in expansive submissions.</p> <p>A full copy of Ms Guenther's submission is included as Attachment 3.</p>
<p>1m Although, as stated earlier, the Council MUST consider this application in connection with Smith's current lease of 8 hectares (used for depasturing), it needs to be noted that the planned horse arena was part of his new licence application for a Hobby Farm and Equestrian Centre (lodged in October 2025).</p> <p>Therefore the Councillors need to consider in their decision making that the purpose of the arena is commercial (which makes sense given its enormous size).</p>	<p>1m. The proposed horse arena is within the existing 8 hectare licence area, which is clearly shown on the applicants site plan.</p> <p>No consideration is being given to any future (separate) expanded proposed Licence area. The proposed Licence extension is subject to a separate process and it still requires (1) the applicant to agree to Licence conditions being prepared by the Shires solicitor and (2) Ministerial approval.</p>
<p>1n.</p>	<p>As per 1k.</p>

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<p>Although the word 'commercial' has been carefully avoided in the development application, the planned horse arena is intended to be used for commercial activity. This is clear to everyone who is able to put 2 and 2 together (as George Orwell taught us ... don't trust those who tell you '5' is the correct answer).</p>	
<p>1o. Therefore it is important to understand that commercial activities ON the Town Common are NOT allowed and why therefore the building of a second horse arena is unreasonable.</p>	<p>1o. As per 1k.</p>
<p>1p. July 2008 The Shire received a Management Order for the Town Common with the condition that the land is (except for a small proportion used for material extraction by the Shire) to be used only for de-pasturing of animals.</p> <p>referred to as the common would as follows;</p> <p><i>Predominately the common will be only be for de-pasturing of animals under "license to occupy" however a small portion of the common has been used for material extraction by the Shire for Local Government requirements</i></p> <p>Subsequently the Shire in July 2008 received a Management Order with the following conditions:</p> <p>To be used for its designated purpose of "Common "only Power to licence for the designated purpose is granted for the whole or any portion thereof for any term not exceeding five (5) years from the date of license subject to the approval in writing of the Minister of lands being first obtained to each and every licence pursuant also to the provisions of section 19 of the <i>Land administration Act 1997</i>.</p> <p>The Council in 2009 to ensure there was a consistent approach to the use and controls of the common considered a policy and advertised the policy for comment.</p> <p>In other words commercial activity on the Town Common is not allowed. So far the Council has always made this clear when granting licences. Although some licence holder on the Common pay 'commercial rates' and are therefore classified as 'commercial</p>	<p>1p. This part of the submission provides comments relating to the separate Licence process, and not the current planning application for a horse arena</p> <p>The submission includes some form of document extract, however TPI does not know the source of the extract. If it is an old Shire agenda item and the quote is from some old officer comments, then its relevance is questioned give it is 18 years old.</p> <p>The quoted extract included in the submission is not from the Management Order. The Management Order to the Shire refers to the common, and includes conditions that any Licence be limited to a maximum of 5 years and be approved by the Minister.</p> <p>As per 1k.</p>

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<p>users' the meaning of the word 'commercial' is restricted to what the animals are used for.</p> <p>If they are used in a commercial business (operating OFF site), licence holders pay commercial rates, if they are used privately, licence holders pay private rates.</p>	
<p>1q.</p> <p>26 FEBRUARY 2020 In 2020 Mark Smith was granted a licence to use a proportion of the Town Common for the tenure of 4-8 camels used in a tourism venture. Because the animals were planned to be used in a business, he applied as a commercial user.</p> <p>Council Resolution That a license to occupy an area of 8 Hectares of Reserve 49890- Common as depicted on the application submitted by Mr Mark Smith as a commercial user be granted for a period of 5 years from the date of the license on the following conditions:</p> <ol style="list-style-type: none"> 1. Ongoing compliance with the guidelines of the Shires management statement for reserve 49809 and any subsequent policies of Council applicable to the reserve and/or the allocated area. 2. The allocated area being suitable fenced and maintained to ensure stock is contained within the boundaries of the approved area. 3. Any significant roofed or enclosed buildings/structures (in the opinion of the Chief Executive Officer) be referred to Council for consideration prior to construction and may be subject to any planning and/or building approval requirements. 4. The approval of the Minister of Lands is granted. <p style="text-align: right;">5/0 CARRIED</p>	<p>1q.</p> <p>The submitter makes comments on various approvals relating to Licences, however the purpose of this report is for Council to consider a planning application.</p> <p>The original camel proposal no longer operates, so it is not clear how that is relevant to the current planning application.</p> <p>In addition to an existing Licence for up to 8 horses, there is an existing planning approval for animal establishment for Mr Smiths existing 8ha Licence area.</p> <p>The landuse 'animal establishment' is defined in the Shires Scheme as <i>'means premises used for the breeding, boarding, training or caring of animals for commercial purposes but does not include animal husbandry - intensive or veterinary centre.'</i></p> <p>What needs to be understood is that the applicant needs several different approvals such as:</p> <ol style="list-style-type: none"> (a) A Licence approved by the Minister for the land area; (b) Planning approval for any land use and development; (c) Separate Building Permit for structures (including the horse arena shade structure). (d) Separate Clearing Permit from Department of Water, Environment and Regulation (DWER).

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<p>This is what Mark Smith applied for:</p> <p><small>Reserve 49889 - Common Use Please provide a short description of the activities that you wish to undertake at Reserve 49889 - Common. Eg: Stock tenure.</small></p> <p>STOCK TENURE OF 4-8 CAMELS FOR PURPOSE OF TOURISM WITHIN THE SHIRE OF SHARK BAY. + INTERNAL PENNING OF CAMELS. + WATER TANKS FOR STOCK. + SHED FOR STORAGE OF FEED AND CAMEL RELATED EQUIPMENT.</p>	
<p>1r.</p> <p>Under the same agenda item, then current licence holders were listed. The example of Mr Henk Van Eek illustrates perfectly what a commercial user is. While Mr Van Eek had his camel business (run at Monkey Mia), the camels were classified as commercial.</p> <p>After giving up his business, he became a private user. At no time was the commercial activity allowed onsite.</p>	<p>1r.</p> <p>The submitter makes comments on various approvals relating to Licences, however the purpose of this report is for Council to consider a planning application.</p> <p>The submission appears to relate to a 2020 agenda item.</p> <p>TPI has not checked the 2020 agenda as the submission does not directly relate to the current planning application.</p> <p>As explained in TPI's previous comments on this submission (under 1q), there are land use terms defined in the Shires Scheme, and Mr Smith has an existing planning approval for 'animal establishment'.</p>

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<p>Mr Henk Van Eek License issued 1 July 2015 expires 30 June 2020 Area 5 Hectare for stock Non-commercial, previously commercial</p> <p>Mr Gary Desmond and Mr Harold Hoult License Issued 1 July 2015 expires 30 June 2020 Area 15 hectares for stock Commercial</p> <p>There are conditions on the issued licenses relating to the tenure and stock control devices relevant to the license approval which will be further investigated to ensure compliance with the original approvals issued.</p> <p><u>Comment</u> A request for an area of the common has been submitted by Mr Mark Smith (attached at end of the item).</p> <p>Mr Smith has identified the area that he would like to occupy and has indicated that the area will be fenced to contain his animals. The attached map indicates the area requested.</p> <p>The requested use is for the agistment of stock, being 4-8 camels for use in a tourism venture and as such would be classified as a commercial venture.</p> <p>The conditions of occupation (copy attached) if a license is granted by council include a number of conditions including the need to control and maintain the area to ensure the long-term environmental sustainability and ultimate re- restatement of the land use.</p> <p>Please note that the word 'agistment' is used in the broader sense of pasturing animals. It is not meant in the sense of agistment for payment which is the usual use of the word. This was confirmed during a Special Meeting in 2021 (mentioned below).</p>	
<p>1s. 13 JANUARY 2021 / SPECIAL COUNCIL MEETING</p> <p>The fact that the licence does not allow any commercial activity onsite was clearly confirmed by the Council during a Special Council Meeting 13 January 2021 in which the applicant, in addition to his licence was seeking support to walk his camels over Unallocated Crown Land.</p>	<p>1s.</p> <p>This is not relevant to the current planning application for a horse arena, and relates to Unallocated Crown Land which is separate to the Common on Reserve 49809.</p> <p><u>TPI comment on 13 January 2021 Report</u></p>

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<p><u>Council Resolution</u> That Council:</p> <p>iii. Authorise the Chief Executive Officer to provide a letter to Mark and Taylah Smith, confirming that the Shire of Shark Bay support an application by the applicants to walk 4 tethered camels on Unallocated Crown Land (through the Department of Planning, Lands and Heritage) as shown on the attached map, subject to:</p> <p>(iii) The Shire of Shark Bay being indemnified and not being held responsible for any loss, damage accident or injury to property or persons and that the right to traverse the land does not interfere with the quiet enjoyment by others of the Unallocated Crown Land.</p> <p>(ii) The proposed route being generally in accordance with the map lodged with the Shire.</p> <p>(iii) An understanding that this support is for the purposes of exercising camels and acclimatising them to beach walking. It does not in any way confer support for a commercial license. 3/1 CARRIED</p> <p>Cr Bellottie is recorded as voting against the motion Reason: Cr Bellottie was concerned about Councillors credibility.</p> <p>Please note Cr Bellottie's reason for not voting for Mark Smith's application.</p> <p>Under Background it summarises his current licence agreement which confirms that his existing permit for the Town Common <i>allows for the tenure of stock for tourism purpose only and does not permit any trading from the allocated area.</i></p> <p><u>Background</u> At the Ordinary Meeting of Council on 26 February 2020, Council approved a 5 year permit for Mark Smith to use an 8 hectare section of Reserve 49809 (known as the Town Common) to de-pasture camels. This permit allows for the tenure of stock for tourism purposes only and does not permit any trading from the allocated area.</p>	<p>The submitters statement that the 2021 minutes confirm that no commercial activities are permitted in the Common appears to be incorrect.</p> <p>The 2021 application was only to exercise camels by walking them through Unallocated Crown Land (UCL), and not to hold tourist/commercial walking tours through the UCL.</p> <p>The UCL did not fall under the Shires jurisdiction.</p> <p>The 2021 report related to camels and that land use is no longer operational.</p> <p>As per 1d, 1i and 1k.</p>
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29 April 2026

1t.

26 OCTOBER 2022 / ORDINARY COUNCIL MEETING

The camels were changed into horses. Nothing else changed in the licence application:

This is what Mark Smith applied for in 2022:

Reserve 49909-Common, Use
Please provide a short description of the activities that you wish to undertake at
Reserve 49909 - Common. Eg: Stock tenure.

REF TO PREVIOUS.

Reserve 49909-Common, use
Please provide a short description of the activities that you wish to undertake at
Reserve 49909 - Common. Eg: Stock tenure.

*STOCK TENURE OF 4-8 CAMELS FOR PURPOSE
OF TOURISM WITHIN THE SHIRE OF SHARK BAY.
INTERNAL PENNING OF CAMELS.
WATER TANKS FOR STOCK.
SHED FOR STORAGE OF FEED AND CAMEL
RELATED EQUIPMENT.*

*Please note no
mentioning of
commercial activity*

1t.

There are two separate approvals granted for Mr Mark Smith – one is the current 8ha Licence and the second is a planning approval.

The submission appears to be trying to state that no commercial activities were approved by Council, however Council approved a planning application for animal establishment in 2020, which by definition allows for animal related commercial activities.

The current planning application is accompanied by a letter of consent (for lodgement of the planning application) by the Department of Planning, Lands and Heritage. The letter of consent provided by DPLH adds another 'check point' for the application.

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<p>Council Resolution That a license to occupy an area of 8 Hectares of Reserve 49809- Common, (Portion Lot 3005 on DP 54344) as depicted on the application submitted by Mr Mark Smith as a commercial user be granted for a period of 5 years from the date of the license on the following conditions: 1. Ongoing compliance with the guidelines of the Shires Management</p> <p>Comment A request for an area of the common has been submitted by Mr Mark Smith (attached at end of the item). Mr Smith was issued a Licence to Occupy by the Department/Minister on the 17 March 2020 to occupy the section of land as per the attached map. Licence # 1/2020 was approved by Council at the Ordinary Council meeting held on the 20 February 2020.</p> <p>Licence 1/2020 was for the agistment of stock, being 4-8 camels for use in a tourism venture and as such was classified as a commercial venture.</p> <p>Mr Smith has now requested that a change be made to the licence for the agistment of stock, being that the camels be replaced with 8 horses.</p> <p>Administration staff requested information from the Department of Lands and Council's Town Planner, Ms Liz Bushby, as to the change of stock on the licence.</p>	
<p>1u. 26 OCTOBER 2025 / ORDINARY COUNCIL MEETING</p> <p>Mark Smith applies for a A NEW LICENCE WITHIN RESERVE 49809, LOT 8000 ON DEPOSITED PLAN 419413 AND LOT 908 ON DEPOSITED PLAN 408907 (COMMON) RES49809 for the establishment of a hobby farm and a commercially used Equestrian Centre.</p> <p>After submissions from the Community were received objecting to his application, the application was 'scaled down' to just an Equestrian Centre.</p>	<p>1u. The submitter makes comments on various approvals relating to Licences, however the purpose of this report is for Council to consider a planning application.</p> <p>A report item on a proposed expanded Licence area was considered by Council, however the current planning application is for a horse arena in the existing 8ha Licence area.</p>

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Since then there is a lot of misinformation about whether commercial activity ONSITE on the Common is allowed or not. Mark Smith and the Town Planner Liz Bushby are fueling this misinformation with comments such as:

<p>2f. Yes, this is a commercial venture—the lease allows for that, and the \$550 fee reflects it. Short-term agistment is part of the community service, giving</p> <p>Mark Smith</p>	<p>3g. TPI reiterates that commercial activities are not precluded from the Common, as long as Licences are approved by the Minister.</p> <p>Liz Bushby</p>
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Please note that Liz Bushby refers to the zone the Common is located in (namely the rural zone). However, with the establishment of the Common, the Management Order defines what can be done on that land. The only thing the Minister can do is to grant an exemption (which would mean the setting of a precedent).

The documentation of the last pages has given clear evidence that both comments are wrong.

This part of the submission relates to applicant and officer comments on a proposed expanded Licence area. Council has already made a resolution on the proposed (future) Licence expansion, which requires separate Ministerial approval.

The common is located in the Rural zone under the Shire of Shark Bay Local Planning Scheme No 4 (the Scheme). Planning applications are determined in accordance with the Scheme.

The submitters remaining comments relate to opinions over what can and cannot be done in the Shire common.

As per 1j.

ORDINARY COUNCIL MEETING UNCONFIRMED MINUTES

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<p>At no time was Mark Smith granted a licence to run a business on the Town Common. At no time had Mark Smith even applied for the commercial use of the block he now wants to build a second horse arena on.</p> <p>And at no time was commercial activity included in the Management Order for the Use of the Common.</p> <p>If the Shire applies to the Minister to allow commercial activity on the Common, it would set a precedent. It would also open up the Council to legal action from the Community over what is allowed on a Common as this reduces the Communities open access and use of the Common.</p> <p>Therefore the building of a second (commercial scale) horse arena is not in line with the Town Common and Community needs.</p>	<p>As per 1q.</p> <p>Draft Licences have been lodged to DPLH prior to obtaining Ministerial approval. The last Draft Licence cites Mr Mark Smith as a commercial user.</p> <p>An added 'check' has been provided for this planning application, as a letter of consent by DPLH was lodged.</p> <p>Administration of the Land Administration Act 1997 falls under jurisdiction of the Minister (with advice from DPLH). TPI is confident that DPLH have done the appropriate checks prior to providing a letter of consent for lodgement of the current planning application. To the best of TPI's knowledge, the Minister has discretion to grant a Licence for any purpose over Crown Land under the Land Administration Act 1997.</p> <p>TPI does not question the Ministers approval of Licences and/or DPLH's letter of consent (lodged for this planning application).</p>
<p>Submission 2: Taysha Kasas</p>	
<p>2a. I am writing to support the development application submitted by Mr Mark Smith for the proposed horse arena and associated structures on Portion of Reserve 49809.</p> <p>As a young rider and trainer, I regularly work with the three horses on the property, assisting with their training, handling, and general care. This experience has given me a strong understanding of how important safe and appropriate facilities are for both horse welfare and effective training.</p>	<p>2a. Submission of support for the planning application is noted.</p> <p>The submitter offers an opinion on the benefits of the proposal for horse training and riding.</p>

ORDINARY COUNCIL MEETING UNCONFIRMED MINUTES

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<p>Having access to a proper arena would make a significant difference. It would provide a safe, controlled environment to work the horses consistently, improve their training, and reduce the risks that come with working on uneven or open ground. It would also allow for better progression in their education and behaviour.</p> <p>Facilities like this are especially valuable for young riders and trainers like myself. Opportunities to safely develop skills, gain experience, and work with horses in a structured environment are limited, particularly in regional areas. An arena would not only support the horses but also help people like me continue learning and improving.</p> <p>I strongly support this application and would love to see these improvements go ahead.</p>	
<p>Submission 3: Rumur Jean & Leon Hook</p>	
<p>3a.</p> <p>I am writing to express my support for the proposed development application submitted by Mr Mark Smith for the installation of a horse arena, fencing, and associated shade structures within Portion of Reserve 49809.</p> <p>As a part owner of the three horses currently occupying this lease area, I have a direct and ongoing role in their care and management. This provides me with a clear understanding of both the practical needs of the horses and the suitability of the land for equine use.</p> <p>The proposed improvements will significantly enhance safety, animal welfare, and land management. A designated arena and appropriate infrastructure will allow for controlled training and handling, reduce pressure on surrounding areas of the reserve, and provide necessary shelter from environmental conditions.</p> <p>Importantly, this development also presents valuable opportunities for the wider community. The addition of suitable facilities has the potential to support agistment for other local horse owners and visitors alike, creating access to safe and well-managed equine space within the area.</p>	<p>3a.</p> <p>Submission of support for the planning application is noted.</p> <p>The submitter offers an opinion on the benefits of the proposal for horse training and riding.</p> <p>It is not TPI's or Councils role to determine if there is a need for such a facility. It is Councils role to determine the application placed before it.</p>

ORDINARY COUNCIL MEETING UNCONFIRMED MINUTES

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<p>It may also enable small-scale clinics, lessons, and training sessions, which would contribute to local skill development, encourage responsible horsemanship, and foster a stronger equestrian community.</p> <p>These types of facilities are often limited in regional areas, and this a. proposal represents an opportunity to create a practical, multi-use space that benefits not only the current horses but also other community members with an interest in horses and land-based activities as well as travellers looking for a place to rest on a long horse trip, or simply for tourism.</p> <p>Mr Smith and myself have demonstrated a consistent commitment to maintaining both the horses and the reserve responsibly. This proposal is a positive and forward-thinking step that supports both animal welfare and b: roader community use, while remaining in keeping with the purpose of the reserve.</p> <p>I fully support this application and encourage the Shire to approve the proposal.</p>	
<p>Submission 4: Kristy Blackman</p>	
<p>I am writing to express my support for the proposed development application submitted by Mr Mark Smith for the installation of a horse arena, fencing, and associated shade structures within Portion of Reserve 49809.</p> <p>As a part owner of the three horses currently occupying this lease area, I have a direct and ongoing role in their care and management. This provides me with a clear understanding of both the practical needs of the horses and the suitability of the land for equine use.</p> <p>The proposed improvements will significantly enhance safety, animal welfare, and land management. A designated arena and appropriate infrastructure will allow for controlled training and handling, reduce pressure on surrounding areas of the reserve, and provide necessary shelter from environmental conditions.</p>	<p>4a. Submission of support for the planning application is noted.</p> <p>The submitter offers an opinion on the benefits of the proposal for horse training and riding.</p>

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Importantly, this development also presents valuable opportunities for the wider community. The addition of suitable facilities has the potential to support agistment for other local horse owners and visitors alike, creating access to safe and well-managed equine space within the area. It may also enable small-scale clinics, lessons, and training sessions, which would contribute to local skill development, encourage responsible horsemanship, and foster a stronger equestrian community.

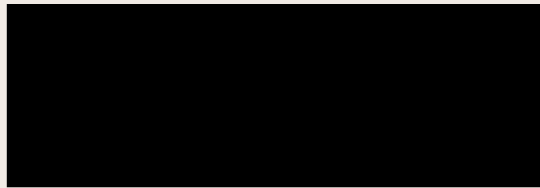
These types of facilities are often limited in regional areas, and this proposal represents an opportunity to create a practical, multi-use space that benefits not only the current horses but also other community members with an interest in horses and land-based activities as well as travellers looking for a place to rest on a long horse trip, or simply for tourism.

Mr Smith and myself have demonstrated a consistent commitment to maintaining both the horses and the reserve responsibly. This proposal is a positive and forward-thinking step that supports both animal welfare and broader community use, while remaining in keeping with the purpose of the reserve.

I fully support this application and encourage the Shire to approve the proposal.

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ATTACHMENT 3



Shark Bay, 12/04/2026

Submission for

DEVELOPMENT APPLICATION: HORSE ARENA AND ANCILLARY STRUCTURES
EXISTING LICENCE WITHIN PORTION OF RESERVE 49809, LOT 8000 ON DEPOSITED
PLAN 419413 AND LOT 908 ON DEPOSITED PLAN 408907

I oppose the above application for the following reasons:

◆ First of all, it is important that the Council considers the application for the horse arena in connection to the applicant's current licence (the one he was granted in October 2022). Smith's application for an extended portion of the Town Common (adding 34.5 hectares to his existing licence) lodged in October 2025 has NOTHING to do with this application. Especially as it hasn't even been approved by the Minister and it may never be approved by the Minister due to various circumstances.

Therefore the Council MUST consider this application for what it CURRENTLY is, namely an application for a second horse arena on a block of 8 hectares used for depasturing up to eight horses.

◆ As there is already a horse arena on the 8 ha block, there is no need to establish a second one. This is a Town Common after all and it belongs to the Community. Changes to the Common land should be minimised, this goes especially for the clearing of native vegetation. Having a second horse arena is not in line with the use of the Common. A second horse arena is also unnecessary as the number of horses (max. 8) plus the use of the Common (for private use only) has not changed since the applicant was granted the current licence in October 2022.

◆ The building of a new horse arena would result in unwarranted clearing of native vegetation. The aerial photo shows already large areas which have been cleared by the applicant.

I would like to quote from the Management Order for Use of the Town Common.

➤ *Activities are to be controlled and maintained to ensure long term environmental sustainability and ultimate re-instatement of its land use.*

◆ Shark Bay lies in the arid zone and bushland is precious. Once cleared it is very difficult to re-establish the natural vegetation cover. So what happens if Mark Smith's licence expires or is handed back? The applicant has already once changed his mind from camels to horses ... Will the Shire ask for a bond (around \$10,000 would be adequate) to revegetate the area?

◆ In 2021 Cr Bellottie voted against another application by Mark Smith, namely the

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application for a letter of support (to walk his camels over Unallocated Crown Land). The reason Cr Bellottie voted against it was that he was concerned about the Councillors credibility.

Cr Bellottie is recorded as voting against the motion
Reason: Cr Bellottie was concerned about Councillors credibility.

Although I cannot support this statement entirely, I have already received a taste of this by his partner who, after I objected to Mark Smith's earlier application for a Licence Extension, gave me a disrespectful gesture (the middle finger) when driving past me on Knight Terrace. I don't believe that this is the way Community members should treat each other, no matter whether they are of different opinions or not.

The fact that the applicant has been misappropriating water on his Town Common block for a number of years by illegally tapping into the water pipeline leading to the airport, could also be seen supportive of Cr Bellottie's judgement.

◆ Most importantly, I object to the horse arena because the applicant already misunderstands what his current licence allows him to do and what he can't do. This became evident by the following comment (see also page 7) included in the Agenda February 2026 in his application for:

11.2 APPLICATION FOR NEW LICENCE WITHIN RESERVE 49809, LOT 8000 ON DEPOSITED PLAN 419413 AND LOT 908 ON DEPOSITED PLAN 408907 (SHIRE COMMON)
FILE # RES49809

21. Yes, this is a commercial venture—the lease allows for that, and the \$550 fee reflects it. Short-term agistment is part of the community service offering.
Mark Smith

Please note that the applicant's comment is in present tense ("the lease allows") and not in future ("the lease will allow"). Therefore it refers to his current lease on which he wants to build the horse arena and not on the extended area he applied for in 2025. And even if otherwise, his statement is wrong.

In general, there seems to be some gross misunderstandings by the applicant as well as by the Town Planner Liz Bushby of what can and can't be done on the Town Common.

After having studied the local history of the Town Common in general and the applicant's long application history in particular, I have compiled the following pages that prove that there is absolutely no evidence that commercial activity was allowed ONSITE on the Common, neither for Mark Smith nor for any other licence holder.

In fact, Mark Smith has never even applied for a permit to allow commercial activity (until he lodged his most recent application, see item 11.2 above).

The following pages are a vital piece in my submission and, I would like to see them reproduced in full in the Agenda and not just provided 'on demand' (by TPI) like it happened with some photos included in one of the previous submissions in regards to an application by Mark Smith.

◆ Although, as stated earlier, the Council MUST consider this application in connection with Smith's current lease of 8 hectares (used for depasturing), it needs to be noted that the planned

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horse arena was part of his new licence application for a Hobby Farm and Equestrian Centre (lodged in October 2025). Therefore the Councillors need to consider in their decision making that the purpose of the arena is commercial (which makes sense given its enormous size).

Although the word 'commercial' has been carefully avoided in the development application, the planned horse arena is intended to be used for commercial activity. This is clear to everyone who is able to put 2 and 2 together (as George Orwell taught us ... don't trust those who tell you '5' is the correct answer).

Therefore it is important to understand that commercial activities ON the Town Common are NOT allowed and why therefore the building of a second horse arena is unreasonable.

July 2008

The Shire received a Management Order for the Town Common with the condition that the land is (except for a small proportion used for material extraction by the Shire) to be used ONLY for de-pasturing of animals.

referred to as the common would as follows;

Predominately the common will be only be for de-pasturing of animals under "license to occupy" however a small portion of the common has been used for material extraction by the Shire for Local Government requirements

Subsequently the Shire in July 2008 received a Management Order with the following conditions:

To be used for its designated purpose of "Common" only
Power to licence for the designated purpose is granted for the whole or any portion thereof for any term not exceeding five (5) years from the date of license subject to the approval in writing of the Minister of lands being first obtained to each and every licence pursuant also to the provisions of section 19 of the Land administration Act 1997.

The Council in 2009 to ensure there was a consistent approach to the use and controls of the common considered a policy and advertised the policy for comment.

In other words commercial activity on the Town Common is not allowed. So far the Council has always made this clear when granting licences. Although some licence holder on the Common pay 'commercial rates' and are therefore classified as 'commercial users' the meaning of the word 'commercial' is restricted to what the animals are used for.

If they are used in a commercial business (operating OFF site), licence holders pay commercial rates, if they are used privately, licence holders pay private rates.

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26 FEBRUARY 2020

In 2020 Mark Smith was granted a licence to use a proportion of the Town Common for the tenure of 4-8 camels used in a tourism venture. Because the animals were planned to be used in a business, he applied as a commercial user.

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Council Resolution

That a license to occupy an area of 8 Hectares of Reserve 49800- Common as depicted on the application submitted by Mr Mark Smith as a commercial user be granted for a period of 5 years from the date of the license on the following conditions:

1. Ongoing compliance with the guidelines of the Shires management statement for reserve 49800 and any subsequent policies of Council applicable to the reserve and/or the allocated area.
2. The allocated area being suitable fenced and maintained to ensure stock is contained within the boundaries of the approved area.
3. Any significant roofed or enclosed buildings/structures (in the opinion of the Chief Executive Officer) be referred to Council for consideration prior to construction and may be subject to any planning and/or building approval requirements.
4. The approval of the Minister of Lands is granted.

5/0 CARRIED

This is what Mark Smith applied for:

Reserve 49800-Common, use
Please provide a short description of the activities that you wish to undertake at Reserve 49800-Common for Stock tenure.

4 STOCK TENURE OF 4-8 CAMELS FOR PURPOSE OF TOURISM WITHIN THE SHIRE OF SHARK BAY.
- INTERNAL OPENING OF GATE.
- WATER TROUGH FOR STOCK.
- GRID FOR STORAGE OF FEED AND CAMEL RELATED EQUIPMENT.

Mr Henk Van Eek
Licence issued 1 July 2015 expires 30 June 2020
Area 5 Hectares for stock
Non-commercial, previously commercial

Mr Gary Deamond and Mr Harold Hoult
License issued 1 July 2015 expires 30 June 2020
Area 15 hectares for stock
Commercial

There are conditions on the issued licenses relating to the tenure and stock control devices relevant to the license approval which will be further investigated to ensure compliance with the original approvals issued.

Comment
A request for an area of the common has been submitted by Mr Mark Smith (attached at end of the item).

Mr Smith has identified the area that he would like to occupy and has indicated that the area will be fenced to contain his animals. The attached map indicates the area requested.

The requested use is for the agistment of stock, being 4-8 camels for use in a tourism venture and as such would be classified as a commercial venture.

The conditions of occupation (copy attached) if a license is granted by council include a number of conditions including the need to control and maintain the area to ensure the long-term environmental sustainability and ultimate re-instatement of the land use.

Under the same agenda item, then current licence holders were listed. The example of Mr Henk Van Eek illustrates perfectly what a commercial user is. While Mr Van Eek had his camel business (run at Monkey Mia), the camels were classified as commercial. After giving up his business, he became a private user.

At no time was the commercial activity allowed ONSITE.

Please note that the word 'agistment' is used in the broader sense of pasturing animals. It is not meant in the sense of agistment for payment which is the usual use of the word.

This was confirmed during a Special Meeting in 2021 (see next page).

13 JANUARY 2021 / SPECIAL COUNCIL MEETING

The fact that the licence does NOT allow ANY commercial activity ONSITE was CLEARLY confirmed by the Council during a Special Council Meeting 13 January 2021 in which the applicant, in addition to his licence was seeking support to walk his camels over Unallocated Crown Land.

Council Resolution

That Council:

- iii. Authorise the Chief Executive Officer to provide a letter to Mark and Taylah Smith, confirming that the Shire of Shark Bay support an application by the applicants to walk 4 tethered camels on Unallocated Crown Land (through the Department of Planning, Lands and Heritage) as shown on the attached map, subject to:
- (iii) The Shire of Shark Bay being indemnified and not being held responsible for any loss, damage accident or injury to property or persons and that the right to traverse the land does not interfere with the quiet enjoyment by others of the Unallocated Crown Land.
 - (ii) The proposed route being generally in accordance with the map lodged with the Shire.
 - (iii) An understanding that this support is for the purposes of exercising camels and acclimatising them to beach walking. It does not in any way confer support for a commercial license.

3/1 CARRIED

Cr Bellottie is recorded as voting against the motion

Reason: Cr Bellottie was concerned about Councilors credibility.

Cr Smith returned to the Council Chamber at 9.27 pm.

Background

At the Ordinary Meeting of Council on 26 February 2020, Council approved a 5 year permit for Mark Smith to use an 8 hectare section of Reserve 49809 (known as the Town Common) to de-pasture camels. This permit allows for the tenure of stock for tourism purposes only and does not permit any trading from the allocated area.

Please note Cr Bellottie's reason for not voting for Mark Smith's application!

Under Background it summarises his current licence agreement which confirms that his existing permit for the Town Common *allows for the tenure of stock for tourism purpose only and does not permit any trading from the allocated area.*

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26 OCTOBER 2022 / ORDINARY COUNCIL MEETING

The camels were changed into horses. Nothing else changed in the licence application:

This is what Mark Smith applied for in 2022:

Reserve 49809-Common, Shire
Please provide a short description of the activities that you wish to undertake at Reserve 49809-Common, Shire licence.

Ref to Previous

Previous

Reserve 49809-Common, Shire
Please provide a short description of the activities that you wish to undertake at Reserve 49809-Common, Shire licence.

STOCK TENURE OF 4-8 CAMELS FOR PURPOSE OF TOURISM WITHIN THE SHIRE OF SUNK BAY.
- INTERIM PENNING OF CAMELS.
- WATER TANKS FOR STOCK.
- SHED FOR STORAGE OF FEED AND CAMEL RELATED EQUIPMENT.

Please note no mentioning of commercial activity

Council Resolution

That a licence to occupy an area of 8 Hectares of Reserve 49809- Common, (Portion Lot 3005 on DP 54344) as depicted on the application submitted by Mr Mark Smith as a commercial user be granted for a period of 5 years from the date of the license on the following conditions:

1. Ongoing compliance with the guidelines of the Shires Management

Comment

A request for an area of the common has been submitted by Mr Mark Smith (attached at end of the item). Mr Smith was issued a Licence to Occupy by the Department/Minister on the 17 March 2020 to occupy the section of land as per the attached map. Licence # 1/2020 was approved by Council at the Ordinary Council meeting held on the 20 February 2020.

Licence 1/2020 was for the agistment of stock, being 4-8 camels for use in a tourism venture and as such was classified as a commercial venture.

Mr Smith has now requested that a change be made to the licence for the agistment of stock, being that the camels be replaced with 8 horses.

Administration staff requested information from the Department of Lands and Council's Town Planner, Ms Liz Bushby, as to the change of stock on the licence.

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26 OCTOBER 2025 / ORDINARY COUNCIL MEETING

Mark Smith applies for a

A NEW LICENCE WITHIN RESERVE 49809, LOT 8000 ON DEPOSITED PLAN 419413 AND LOT 908 ON DEPOSITED PLAN 408907 (COMMON) RES49809

for the establishment of a hobby farm and a commercially used Equestrian Centre. After submissions from the Community were received objecting to his application, the application was 'scaled down' to just an Equestrian Centre. Since then there is a lot of misinformation about whether commercial activity ONSITE on the Common is allowed or not. Mark Smith and the Town Planner Liz Bushby are fueling this misinformation with comments such as:

<p>21. Yes, this is a commercial venture—the lease allows for that, and the \$550 fee reflects it. Short-term agistment is part of the community service vision</p>	<p>22. IPI reiterates that commercial activities are not precluded from the Common, as long as Licences are approved by the Minister.</p>	<p><i>Please note that Liz Bushby refers to the zone the Common is located in (namely the rural zone). However, with the establishment of the Common, the Management Order defines what can be done on that land. The only thing the Minister can do is to grant an exemption (which would mean the setting of a precedent).</i></p>
<p>Mark Smith</p>	<p>Liz Bushby</p>	

The documentation of the last pages has given clear evidence that both comments are wrong.

At no time was Mark Smith granted a licence to run a business on the Town Common.

At no time had Mark Smith even applied for the commercial use of the block he now wants to build a second horse arena on.

And at no time was commercial activity included in the Management Order for the Use of the Common.

If the Shire applies to the Minister to allow commercial activity on the Common, it would set a precedent. It would also open up the Council to legal action from the Community over what is allowed on a Common as this reduces the Communities open access and use of the Common.

Therefore the building of a second (commercial scale) horse arena is not in line with the Town Common and Community needs.

Thank you for giving me the opportunity to submit my concerns.

29 April 2026

11.2 PROPOSED NEW ROOF MOUNTED SIGN WITHIN KNIGHT TERRACE ROAD RESERVE – ADJACENT TO STRATA LOT 2 (NO 51) KNIGHT TERRACE, DENHAM (POST OFFICE)

AUTHOR

Liz Bushby

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 Johns

Seconded Cr Fenny

Officer Recommendation

That Council:

- 1. Authorise the Chief Executive Officer to:**
 - (a) Process and determine the sign proposal as an application for a Permit under the Shire of Shark Bay Local Laws ‘Activities on Thoroughfares and Public Places’.**
 - (b) Prepare and sign a planning application form for the sign in the Knight Terrace road reserve.**
- 2. Pursuant to Clause 82(1) and 82(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* grant (by Absolute Majority) delegate authority to the Chief Executive Officer to determine any formal application for a roof sign for the post office in the Knight Terrace road reserve.**

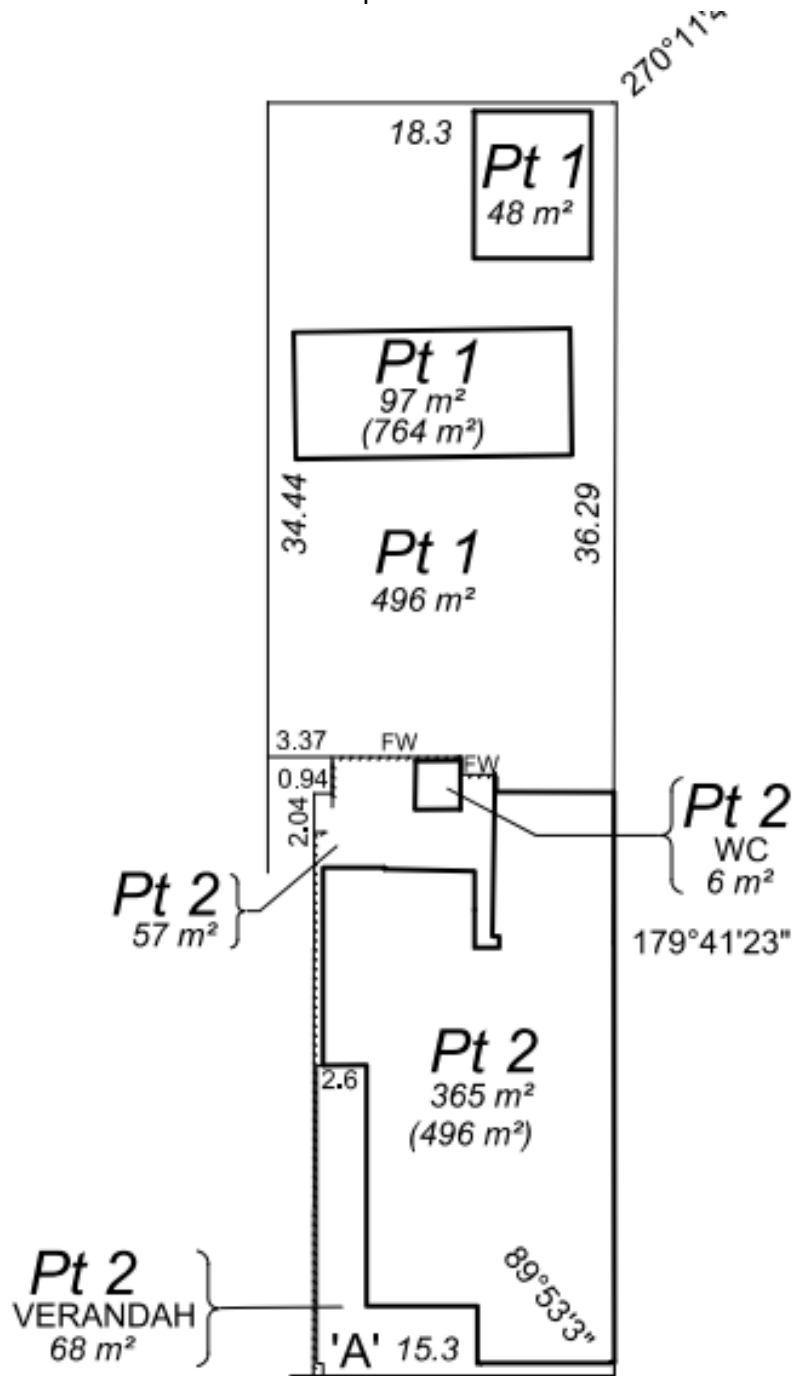
BACKGROUND

• ***Location and Strata Details***

The existing post office operates on Strata Lot 2 (No 51) Knight Terrace in Denham.

The property is subject to a two lot strata, and the post office building is located on the front Strata Lot No 2.

29 April 2026



EI

GROUND FLOOR PLAN

SCALE 1 : 500

29 April 2026

COMMENT

- ***Description of Proposal***

There is a post office sign on the roof of the existing building adjacent to Strata Lot 2 (No 51) Knight Terrace, Denham.



A planning application form has been lodged seeking approval for a second sign to be placed on the roof. The proposed sign would measure 44 centimetres by 142 centimetres and be for 'Lottery West'.

The planning application is for Strata Lot 2 (No 51) Knight Terrace, however the sign is proposed outside of the property boundary.

An aerial overpage shows that the verandah is within the Knight Terrace road reserve.

29 April 2026



- **Local Laws**

Part 3 of the Shire of Shark Bay Local Laws 'Activities on Thoroughfares and Trading in Public Places' has controls for advertising signs on Thoroughfares.

Under the Local Laws the term "thoroughfare" has the meaning given to it in the Act, but does not include a private thoroughfare which is not under the management control of the local government.

The Knight Terrace road reserve and footpath is construed as a 'thoroughfare' and therefore it is recommended that the proposal be processed as an application seeking a Permit under the Local Laws.

An 'advertising sign' cannot be placed within a thoroughfare without a Permit.

29 April 2026

Clause 3.2(3) of the Local Law states that:

‘Notwithstanding subclause (1), a person shall not erect or place an advertising sign -
(a) on a footpath,
(b) over any footpath where the resulting vertical clearance between the sign and the footpath is less than 2.5 metres,
(c) on or within 3 metres of a carriageway,
(d) in any other location where, in the opinion of the Local Government, the sign is likely to obstruct lines of sight along a thoroughfare or cause danger to any person using the thoroughfare, or
(e) on any natural feature, including a rock or tree, on a thoroughfare, or on any ridge or the structural approaches to a bridge.’

The Shire Chief Executive Officer has confirmed that his interpretation of the Shires Local Law for Thoroughfares, specifically the requirement for a sign to be more than 3 metres from a carriageway, is horizontally specific and does not apply vertically.

This advice seems to be reaffirmed by a separate Local Law requirement for a 2.5 metre vertical clearance for any sign over a footpath.

- ***Planning Implications***

The Knight Terrace road reserve is reserved for ‘Local Distributor Road’ under the Shire of Shark Bay Local Planning Scheme No 4 (the Scheme).

The objectives for a ‘Local Distributor Road’ are:

- (i) To set aside land required for a local distributor road being a road classified as a Local Distributor under the Western Australian Road Hierarchy.
- (ii) Cater for a wide variety of development to the discretion of the local government where there is economic or community benefit, particularly uses that will increase the enjoyment of the area for visitors without impacting on the amenity of the locality or negatively impacting on traffic and pedestrian safety.

There is a list of signs that are exempted from planning approval under Schedule C of the Scheme.

There is an exemption for signs for ‘shops’ where they are ‘*affixed to the building below the awning*’. As the sign is proposed on the roof, TPI has concluded that it requires planning approval, in addition to a permit under the Local Laws.

As Knight Terrace falls under the care and control of the Shire, the Shire is effectively the ‘owner’.

This means that the Shire has to consider whether to consent to lodgement of a planning application for the sign in the road reserve. The planning application form would need to be signed by the Chief Executive Officer.

If Council supports lodgement of a planning application for the sign in road reserve, then TPI recommends that delegated authority be provided to allow the Chief Executive Officer to determine the application.

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LEGAL IMPLICATIONS

Local Laws : Activities on Thoroughfares and Trading in Thoroughfares and Public Places – explained in the body of this report.

Clause 3.3 outlines 'Matters to be considered in determining an application for Permit' as follows:

In determining an application for a permit for the purpose of Clause 3.2(1), the Local Government is to have regard to –

- (a) any other written law regulating the erection or placement of signs within the district,
- (b) the dimensions of the sign,
- (c) other advertising signs already approved or erected in the vicinity of the proposed location of the sign,
- (d) whether or not the sign will create a hazard to persons using a thoroughfare, and
- (e) the amount of the public liability insurance cover, if any, to be obtained by the applicant.

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

Clause 32.17.3 requires consideration of the following:

- (a) The need to promote a high standard of design and presentation in outdoor advertising particularly along Knight Terrace and major tourist routes;
- (b) The visual impact on major tourist routes, the Shark Bay World Heritage Property and public places balanced with the commercial need to promote tourist accommodation, facilities and attractions in remote locations;
- (c) The relationship of the advertising sign and the location of the business being promoted;
- (d) The level of integration between of any on site advertising with the overall site development specifically in the Commercial and Tourism zones;
- (e) The need to protect visual quality and character of particular localities;
- (f) Vehicular and /or pedestrian traffic safety;
- (g) The potential for outdoor advertising to negatively impact on the amenity of an area or the attributes which make an area attractive to tourists by virtue of the colours, height, materials, prominence, exposure, size, relevance to the premises or location, number and content;
- (h) The general planning considerations under Clause 67 of the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

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 82(1) gives the local government the ability to delegate its powers to the Chief Executive Officer. Clause 82(2) requires any delegation to be by Absolute Majority.

29 April 2026

POLICY IMPLICATIONS

Not Applicable

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

14 April 2026

FOR: Cr's Bellottie, Cowell, Fenny, Johns, Ridgley, Smith and Stubberfield

AGAINST: Nil

ABSENT: Nil

CARRIED 7/0

29 April 2026

11.3 PROPOSED OFFICE – LOT 290 (No 52) VLAMINGH CRESCENT, DENHAM P4362

AUTHOR

Liz Bushby, Town Planning Innovations

DISCLOSURE OF ANY INTEREST

Declaration of Interest: Liz Bushby, Town Planning Innovations

Nature of Interest: Financial Interest as receive planning fees for advice to the Shire – Section 5.60A of *Local Government Act 1995*

Moved Cr Smith
Seconded Cr Ridgley

Officer Recommendation

That Council:

- A. Note that the Development Application for an ancillary office on Lot 290 (No 52) Vlamingh Crescent, Denham has been advertised for public comment as a variation to the setback requirements of the Shire of Shark Bay Local Planning Scheme are proposed.**

Advertising closed on the 14 April 2026 and no submissions have been received.

- B. Note that Lot 290 is within a declared bushfire prone area, and support the planning application without a Bushfire Attack Level assessment for the following reasons:**

- (a) The proposed office is ancillary to the existing business so there is no real intensification of land use;**
- (b) The use will not significantly increase bushfire risk; and**
- (c) A Bushfire Attack Level dictates any higher construction standards for habitable buildings only.**

- C. Approve the Development Application for an ancillary office on Lot 290 (No 52) Vlamingh Crescent, Denham subject to the following conditions and footnotes:**

- 1. 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.**
- 2. An informal carparking area with capacity to accommodate a minimum of 6 carparking bays is to be provided and maintained to**

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a trafficable standard on site to the satisfaction of the Shire's Chief Executive Officer in accordance with the attached approved plans.

3. 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
4. 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.

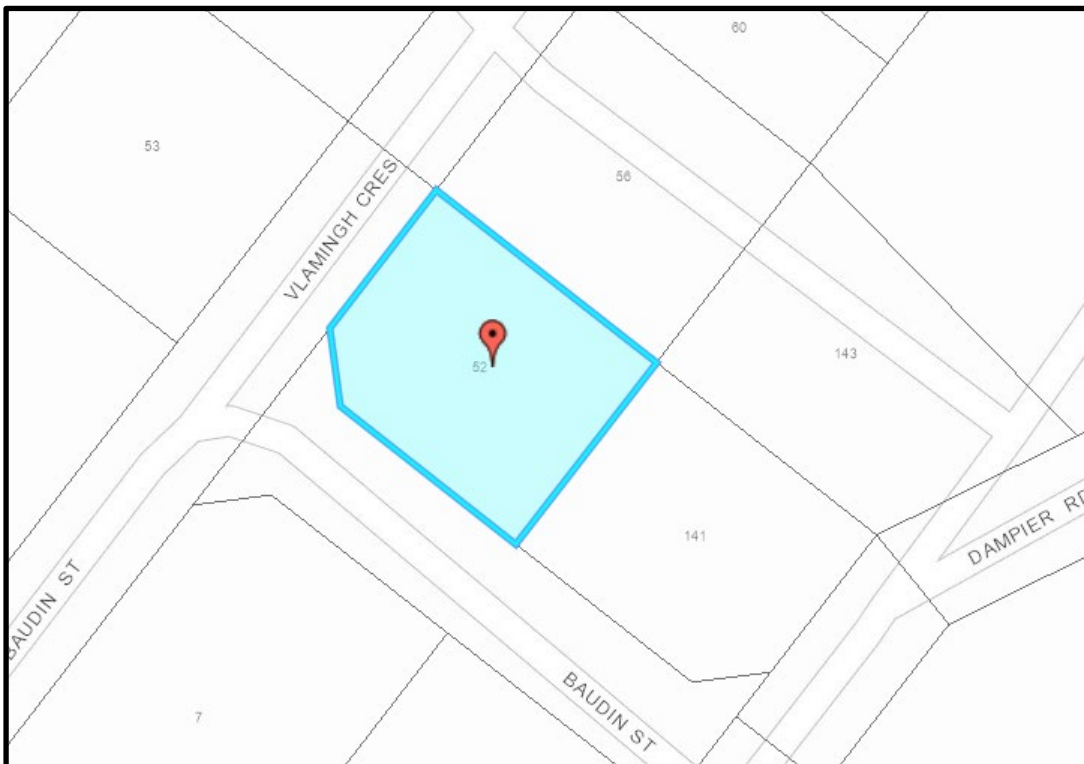
Footnote:

- (i). Planning consent is not an approval to commence construction. A building permit must be obtained for all work.

BACKGROUND

- **Location**

A location plan is included below for ease of reference.



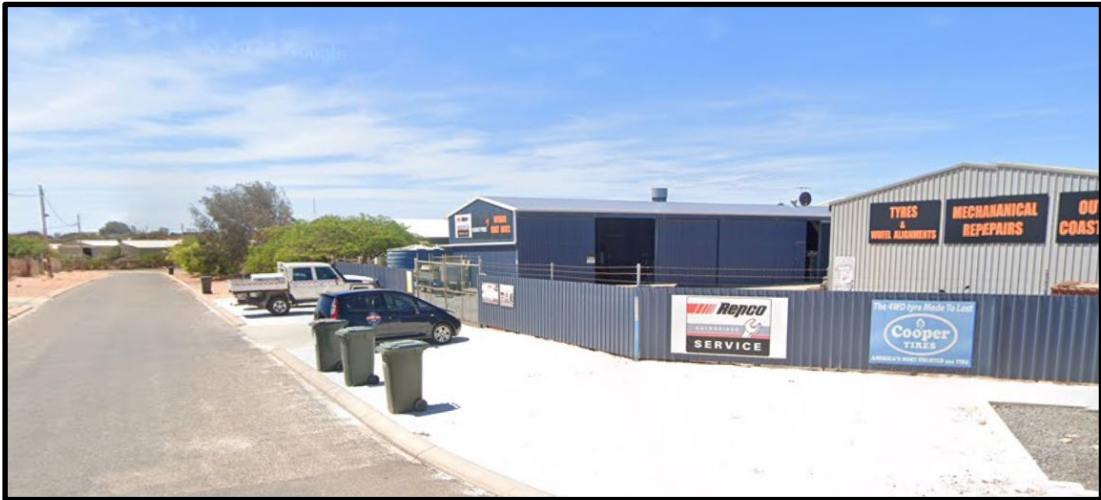
Above: Location Plan

- **Existing Development**

Lot 290 has been developed with industrial sheds used for mechanical repairs, and a caretakers dwelling.

ORDINARY COUNCIL MEETING UNCONFIRMED MINUTES

29 April 2026



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An aerial is included below.



- ***Records of Existing Approvals***

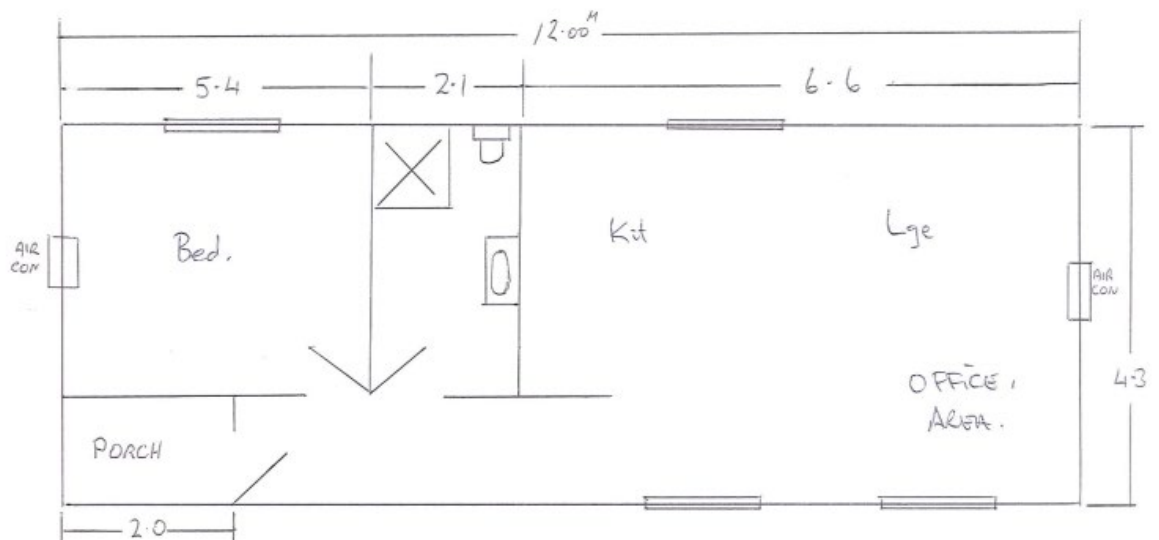
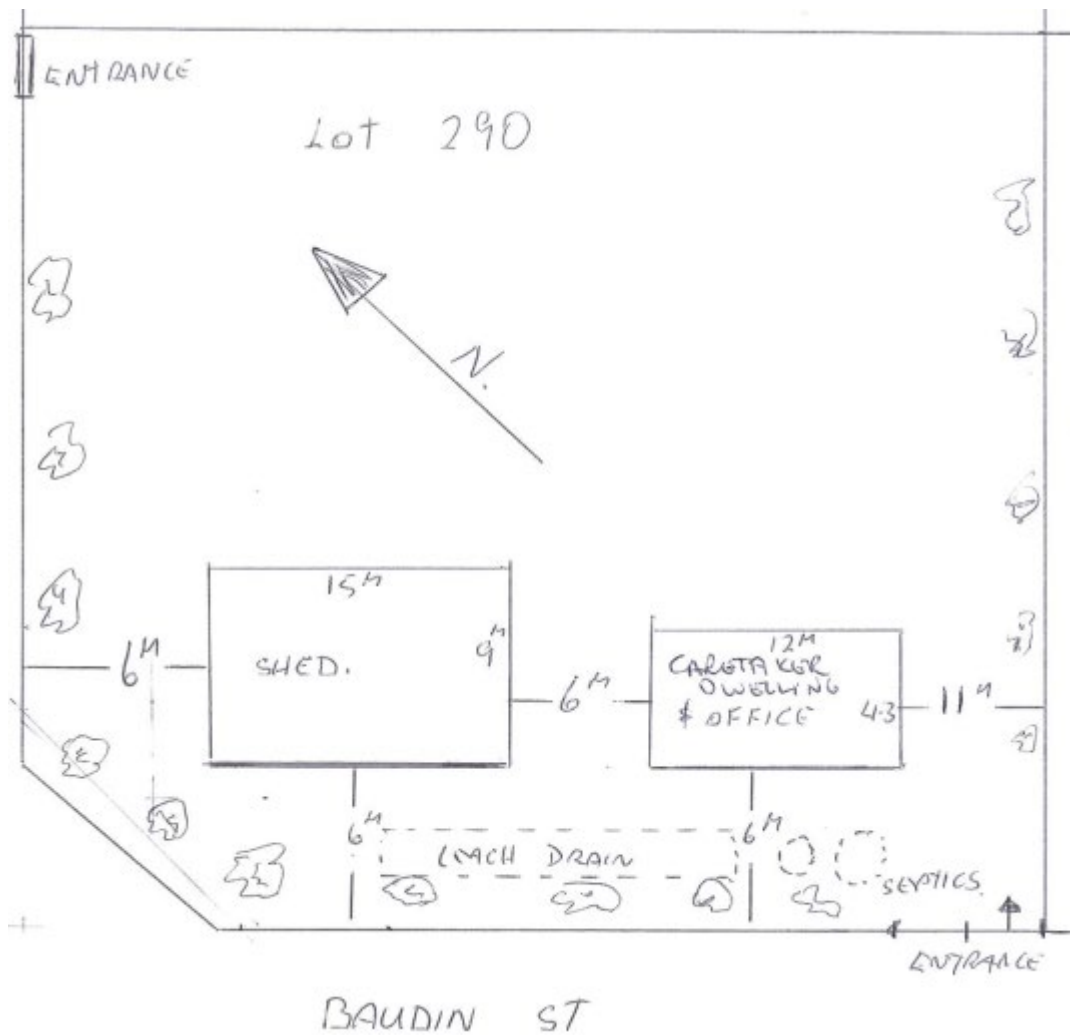
A planning application for an 'industrial shed, office and ablution block' was considered by Council at the meeting held on the 28 June 2000, and was conditionally approved subject to:

- (a) Four parking bays being provided.
- (b) Off street parking being provided for employees vehicles (with no number specified).

At the time, the Shire of Shark Bay Town Planning No 2 was operative. No approved carparking layout was on the plans.

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On the 28 June 2000, a Building Permit was subsequently issued for the office, storeroom and ablutions, however the plans showed the office building as a caretakers dwelling.

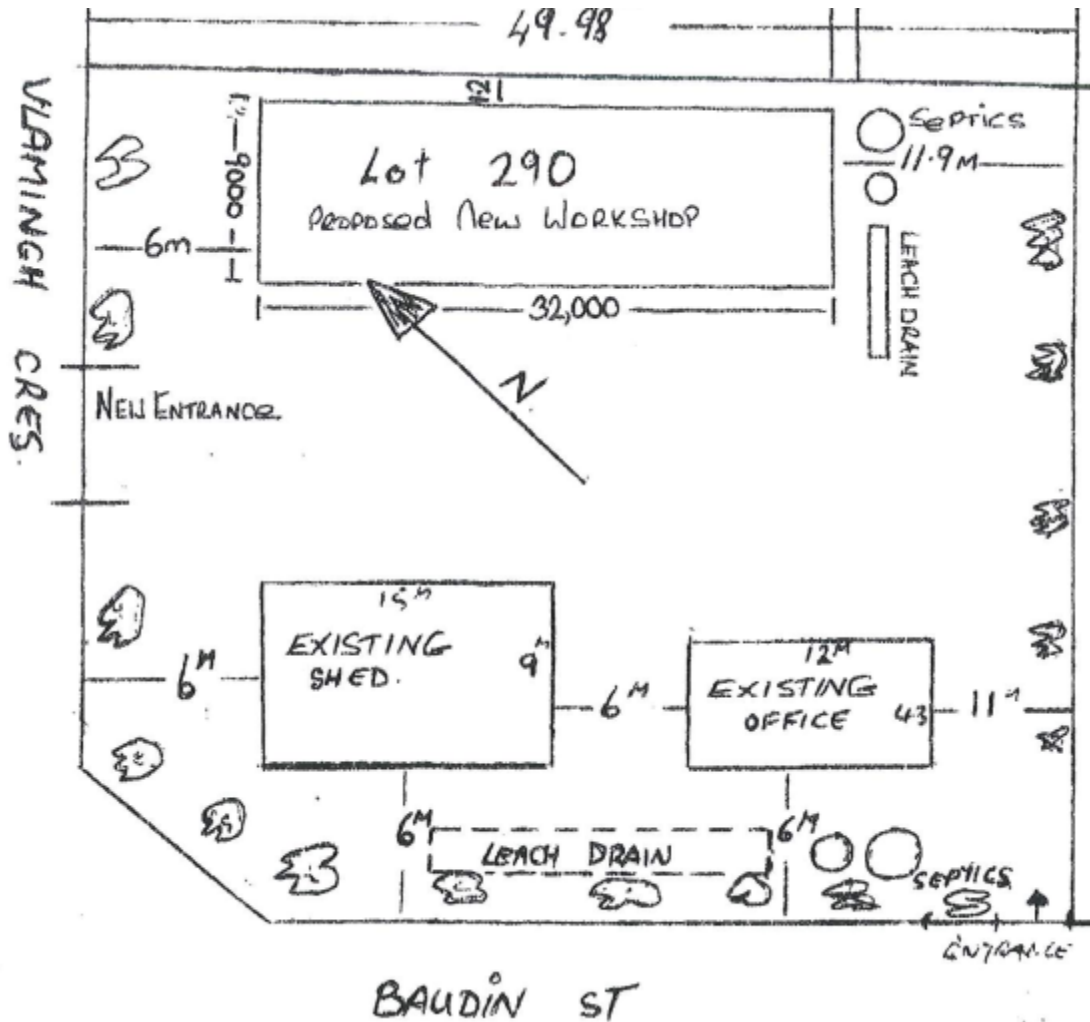


Above: Plans from Building Permit issued 28 June 2000

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On the 14 July 2000, planning approval was granted for a caretakers dwelling. It appears to have been approved as a variation to the previous June 2000 approval.

A Building Permit was issued on the 17 May 2006 for a 288m² workshop.



Shire Administration has not located any record of a planning approval, or approved parking layout for the 288m² main workshop. The only reference found of the workshop going to Council, is in a list of Building Permits issued, in the May 2006 Minutes.

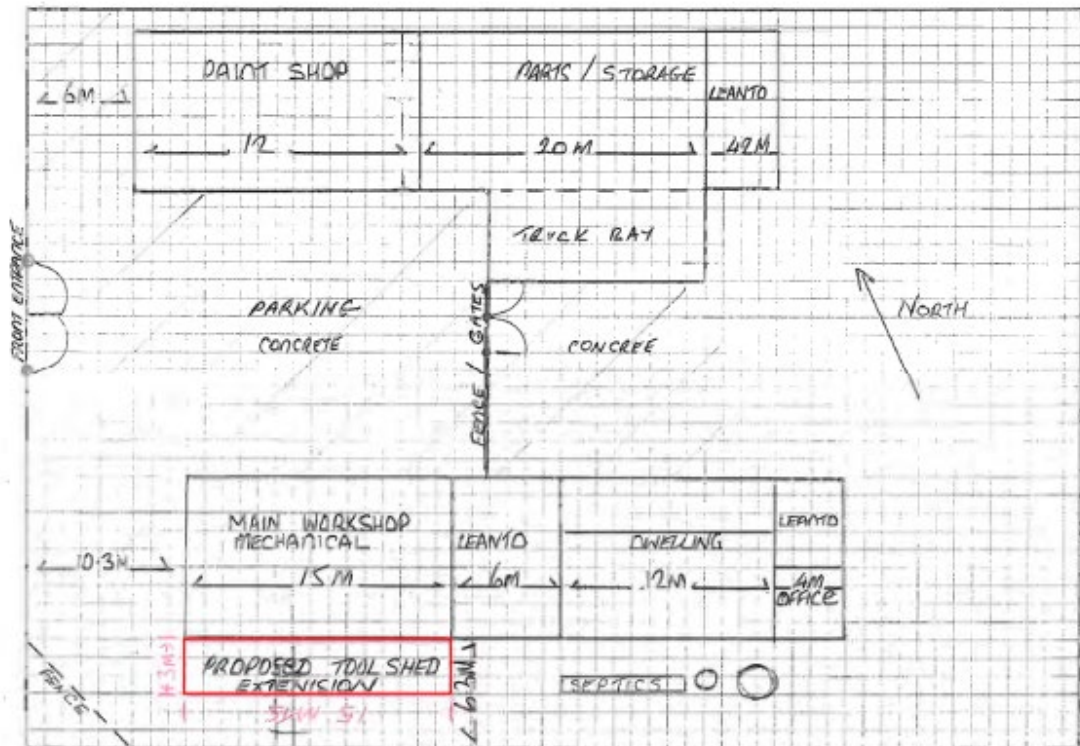
A rear lean-to was issued with a Building Permit on the 29 November 2007.

There is a letter from the Shire dated 11 January 2012 confirming that the premises was approved for motor vehicle repairs.

There is record of an application for a building extension considered by Council at the Ordinary Meeting held on the 26 August 2015, which was conditionally supported. No additional parking was required as the development was ancillary, and was proposed for tool storage.

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The 2015 plans show a 'dwelling' to the rear of a mechanical workshop.



- **Previous Town Planning Schemes**

The first original workshop approval dates back to the Shire of Shark Bay Town Planning No 2.

The Shire of Shark Bay Local Planning Scheme No 3 (Scheme No 3) was operative from the 7 March 2008 onwards, until a new Shire of Shark Bay Local Planning Scheme No 4 was gazetted on the 1 October 2018.

As some of the original buildings on this property were prior to Scheme 3 and 4, it makes undertaking any parking audit difficult. Different car parking requirements likely existed at the time of original development.

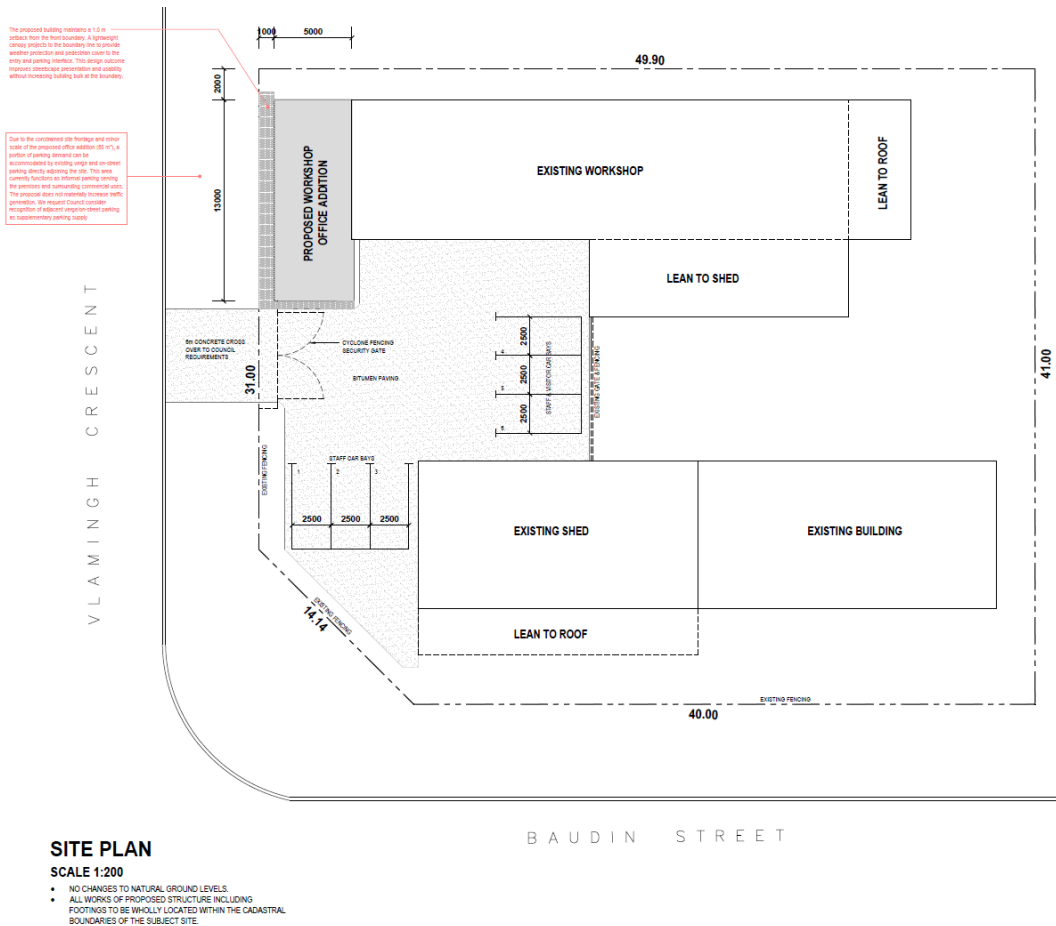
COMMENT

- *Description of Application*

The application is for an office extension to provide a staff room, reception/waiting area and staff toilet amenities.

The office is proposed to the front of the existing industrial shed, and will have a floor area of 65m².

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A set of plans are included as Attachment 1.

• **Setback variation**

Clause 32.5.1 of the Shire of Shark Bay Local Planning Scheme No 4 (the Scheme), requires a 6-metre front building setback. The office entails a setback variation as it is proposed to be 1 metre from the front lot boundary. The front awning would have a nil front setback.

Streetscapes in Industrial areas do not require a high level of amenity protection (unlike residential areas), therefore the front setback variation is supported.

• **Parking**

It is difficult to assess parking as planning approvals have not been located from when the two main original buildings/workshops were constructed. It is not known how many car parking bays were required for the existing buildings or how parking was assessed at the time.

Parking assessment is constrained however:

1. The June 2000 approval required four car parking bays;
2. It is clear from the 2015 plan that some parking was always to the front of the property.

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The site plan shows 6 car parking bays, and TPI is of the understanding that the business already relies on verge parking for customers dropping off and picking up their cars. Use of verge parking is not desirable for Industrial lots, as parking for businesses should be contained within the property.

The use of verge parking may be an outward indication that the existing business has insufficient onsite parking for staff and customers.

Notwithstanding the above, it is noted that the area in front of the existing workshop is only 6 metres wide, so it is insufficient to use for formal 90-degree carparking bays.

A parking statement is included on the site plan as follows:

- The site currently accommodates 6 onsite parking bays;
- The premises operates as a mechanical workshop where vehicles are primarily stored and serviced within enclosed work bays, rather than external parking areas;
- The proposed office addition is ancillary to the workshop and will not materially increase staffing or customer traffic;
- The site is located in the commercial area and on street parking is available and currently used.
- Due to the operational nature of the use of the small scale addition, the 6 onsite parking bays are considered adequate for the development.

Current parking requirements under the Scheme cannot be retrospectively applied to older buildings. In the absence of known approved past approved parking plans for the site it is difficult for TPI to provide advice on the historical approved carparking layout for this lot.

The Scheme has a parking requirement for 'office' of '1 bay for every 50m² floor area', therefore one additional car parking bay can be required.

Council has discretion over parking provision, therefore options are outlined as follows:

- **Option 1 – Support the current site plan and proposed office plan**

Consideration of parking needs to be practical. Council needs to consider whether the proposed office development will result in any increased need for parking.

The office extension partly caters for staff amenities, being a staff room and toilets. The remaining area is a reception area where customers can wait for their car and drop off keys.

On face value, the development is unlikely to significantly increase parking demand. TPI therefore recommends Council support Option 1.

29 April 2026

- **Option 2 – Require additional or revised parking plan**

Ongoing reliance on the verge for parking is not ideal. There is potential for one additional parking bay to be provided to the northwest of car bay 4.

Accordingly, Council can impose a condition requiring lodgement of a revised parking plan with one additional carparking bay. It is a question of whether that would be fair and reasonable, considering that the number of approved bays for existing development is unquantified.

- **Site Coverage**

The Scheme allows up to 75% of the lot as site coverage. The existing combined buildings equate to 41% site coverage, which would increase to 44% with the proposed front office.

The development complies with the site coverage restriction.

- *State Planning Policy 3.7 – Planning for Bushfire Protection*

Under the 'deemed provisions' of the *Planning and Development (Local Planning Schemes) Regulations 2015* Council is to have 'due regard' to any state planning policy. This essentially means Council has an obligation to give proper, genuine and realistic consideration to the requirements of 'State Planning Policy 3.7: Planning in Bushfire Prone Areas'.

The Shire has a mandatory obligation to consider State Planning Policy 3.7 when making a decision on any application where the lot is within a designated bushfire prone area.

Mapping identifying Bushfire Prone Areas is available through the Department of Fire and Emergency Services website. The front portion of the lot is within the declared bushfire prone area (pink area).

29 April 2026



Under the Policy planning applications in Bushfire Prone Areas are to be accompanied by a Bushfire Attack Level assessment.

Despite the above, application of the Policy is to be pragmatically applied by the decision maker.

TPI is of the view that an exemption to State Planning Policy 3.7 should be applied given that:

- (a) The proposed office is ancillary to the existing business so there is no real intensification of land use;
- (b) The use will not significantly increase bushfire risk and the building is not proposed for habitation;
- (c) A Bushfire Attack Level (BAL) dictates any higher construction standards for habitable buildings only;
- (d) The Policy is aimed at ensuring new development is not within the BAL-40 or Flame Zone. The new office will be 76.3 metres from the nearest vegetation to the northwest, and will not have a BAL exceeding 29. TPI is aware that:
 - (i) A Bushfire Attack Level Assessment for workers accommodation at nearby 45 Vlamingh Crescent achieved BAL-19 to BAL-29, and that building was closer to the vegetation on land to the northwest.
 - (ii) A strategic fire break was installed along the rear of lots to the north-west of Vlamingh Crescent to reduce BAL's for those lots and increase fire protection for the industrial area.
- (e) The higher the setback between development and the vegetation, the lower that the BAL will be.

29 April 2026



Above: Extract of vegetation assessment plan from the BAL Assessment/ Bushfire Management Plan for nearby Lot 287, No 45 Vlamingh Crescent, Denham.

It is recommended that Council support an exemption from a Bushfire Attack Level as part of the planning process.

LEGAL IMPLICATIONS

Planning and Development (Local Planning Schemes) Regulations 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 –

The lot is zoned 'General Industry' under the Shire of Shark Bay Local Planning Scheme No 4 (the Scheme).

An office is listed as an 'I' use in 'Table1: Zoning Table' which '*means that the use is permitted if it is incidental, ancillary or subordinate to the predominate use of the land and it complies with all relevant development standards or requirements of this Scheme*'.

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Site requirements such as setbacks and parking can be varied under Clause 34 where Council is satisfied that:

- (a) approval of the proposed development would be appropriate having regard to the matters that the local government is to have regard to in considering an application for development approval as set out in clause 67 of the deemed provisions; and
- (b) the non-compliance with the additional site and development standard will not have a significant adverse effect on the occupiers or users of the development, the inhabitants of the locality or the likely future development of the locality.

Setback and site coverage requirements are explained in the body of this report.

POLICY IMPLICATIONS

There are no policy implication relative to this report.

FINANCIAL IMPLICATIONS

The Shire pays consultancy fees to Liz Bushby of Town Planning Innovations for planning advice.

STRATEGIC IMPLICATIONS

There are no strategic implications relative to this report.

RISK MANAGEMENT

This is a low risk item to Council.

VOTING REQUIREMENTS

Simple Majority Required

SIGNATURES

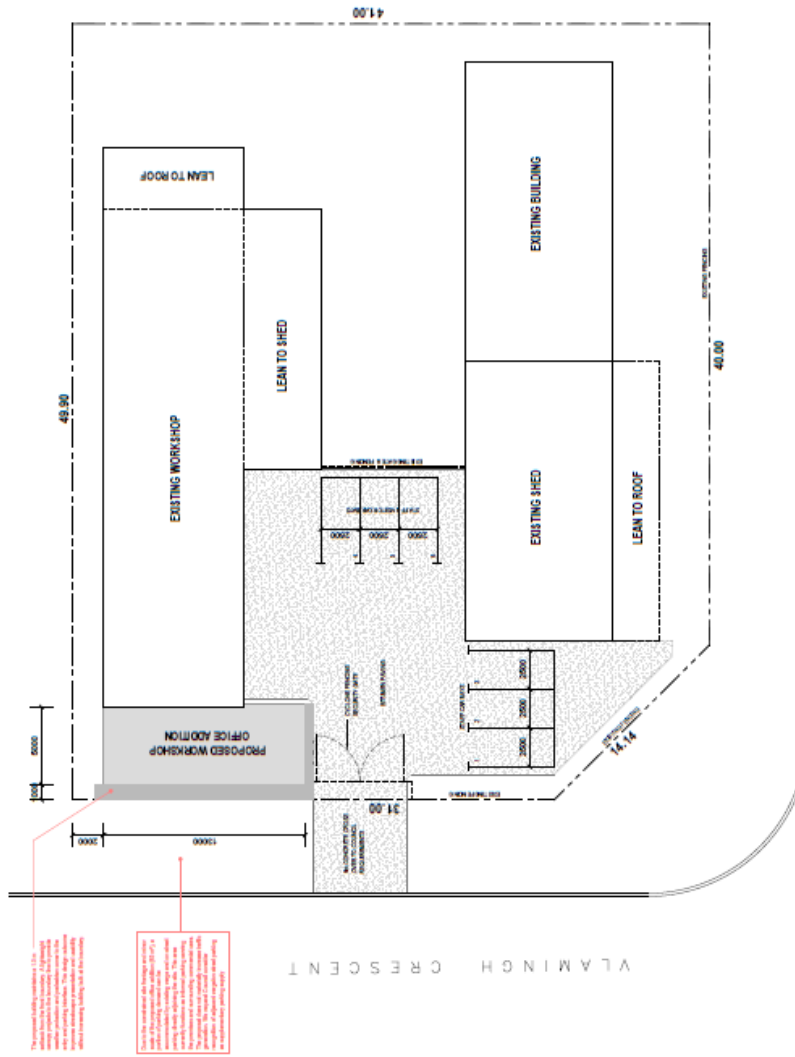
Author	<i>L Bushby</i>
Chief Executive Officer	<i>D Chapman</i>
Date of Report	21 April 2026

FOR: Cr's Bellottie, Cowell, Fenny, Johns, Ridgley, Smith and Stubberfield
AGAINST: Nil
ABSENT: Nil

CARRIED 7/0

29 April 2026

Attachment 1



STORMWATER NOTE
 DISPOSAL OF STORMWATER AS PER COUNCIL REQUIREMENTS AS PER INTERCONNECTING SUBURBS. TO BE CONNECTED TO THE MAIN DRAINAGE CONNECTION SHOWING AS LOOSE ONLY & TO BE COVERED BY CONTRACTOR ON SITE PRIOR TO CONSTRUCTION.

DISCLAIMER
 THESE ARCHITECTURAL DRAWINGS ARE PROVIDED AS PART OF THE OVERALL PROJECT INFORMATION AND DO NOT CONSTITUTE A CONTRACT. THE DRAWINGS AND REPORTS, INCLUDING STRUCTURAL, ENGINEERING, MECHANICAL, ELECTRICAL, PLUMBING, ENERGY ASSESSMENT, TRAFFIC TREATMENT SPECIFICATIONS, AND ANY OTHER CONSULTANT OR SPECIALIST REPORTS, ARE PROVIDED AS INFORMATION ONLY. THE CLIENT AGREES TO HOLD THE CONSULTANT HARMLESS FROM AND AGAINST ALL CLAIMS, DAMAGES, LOSSES AND EXPENSES, INCLUDING REASONABLE COSTS OF DEFENCE, INCURRED BY THE CONSULTANT IN CONNECTION WITH THESE DRAWINGS AND ASSOCIATED DOCUMENTATION BEFORE SO CALLED, ORDERING MATERIALS, OR COMMENCING ANY CONSTRUCTION ACTIVITIES. SHOULD ANY ISSUES REGARDING CONSTRUCTION FEASIBILITY OR LIABILITY ARISE, THEY MUST BE PROMPTLY COMMUNICATED TO THE APPROPRIATE PARTIES TO ALLOW FOR TIMELY RECALCULATION PRIOR TO THE COMMENCEMENT OF WORK. THE CONSULTANT AND CONSULTANTS DISCLAIM ANY LIABILITY TO ACCURATELY REVIEW AND COORDINATE ALL RELEVANT DOCUMENTS.

PARKING & OPERATIONS STATEMENT
 THE SITE CURRENTLY ACCOMMODATES SIX ON-SITE PARKING BAYS. THE PREMISES OPERATES AS A MECHANICAL WORKSHOP WHERE VEHICLES ARE PRIMARILY STORED AND SERVICED WITHIN ENCLOSED WORK BAYS RATHER THAN EXTERNAL PARKING AREAS. THE PROPOSED OFFICE ADDITION TO THE EXISTING WORKSHOP WILL NOT MATERIALLY INCREASE STAFFING OR CUSTOMER TRAFFIC. THE SITE IS LOCATED WITHIN THE COMMERCIAL AREA WHERE VERGE AND ON-STREET PARKING IS AVAILABLE AND CURRENTLY USED. DUE TO THE OPERATIONAL NATURE OF THE USE AND SMALL SCALE OF THE ADDITION, THE SIX ON-SITE BAYS ARE CONSIDERED ADEQUATE FOR THE DEVELOPMENT.

SITE PLAN
 SCALE 1:200
 * NOT CHANGED TO NATIONAL GROUND LEVELS
 * ALL WORKS OF PROPOSED STRUCTURE INCLUDING CONSTRUCTION SHALL BE SET OUT WITHIN THE LOCALITY BOUNDARIES OF THE SUBJECT SITE.

COORDINATION DISCLAIMER

THESE DRAWINGS ARE INTENDED TO PROVIDE A COORDINATED SET OF INFORMATION AND MUST BE USED IN CONJUNCTION WITH ALL OTHER RELEVANT SPECIFICATIONS, MECHANICAL, ELECTRICAL, PLUMBING, ENERGY ASSESSMENT, TRAFFIC TREATMENT SPECIFICATIONS, AND ANY OTHER CONSULTANT OR SPECIALIST REPORTS. THE CLIENT AGREES TO HOLD THE CONSULTANT HARMLESS FROM AND AGAINST ALL CLAIMS, DAMAGES, LOSSES AND EXPENSES, INCLUDING REASONABLE COSTS OF DEFENCE, INCURRED BY THE CONSULTANT IN CONNECTION WITH THESE DRAWINGS AND ASSOCIATED DOCUMENTATION BEFORE SO CALLED, ORDERING MATERIALS, OR COMMENCING ANY CONSTRUCTION ACTIVITIES.

CONDITIONS OF SITE

THE CONTRACTOR MUST VERIFY ALL SITE DIMENSIONS, LEVELS, AND EXISTING CONDITIONS PRIOR TO COMMENCEMENT OF WORK. THE CONSULTANT IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THE DRAWINGS OR FOR ANY DAMAGE TO ADJACENT PROPERTIES THROUGHOUT THE CONSTRUCTION PERIOD.

COMPLIANCE WITH LEGISLATION

ALL WORKS MUST COMPLY WITH CURRENT BUILDING, PLANNING, AND LOCAL GOVERNMENT REGULATIONS, INCLUDING BUT NOT LIMITED TO THE N.C. LOCAL PLANNING REGULATIONS, OCCUPATIONAL HEALTH AND SAFETY REGULATIONS, AND ANY OTHER APPLICABLE LEGISLATION.

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CONSTRUCTION TOLERANCES

ALL WORKS ARE TO BE CONSTRUCTED WITHIN ACCEPTABLE TOLERANCES AS SPECIFIED IN THE NATIONAL CONSTRUCTION CODE (NCC) AND AS SET OUT IN AS/NZS 4576:2012. THE CONSULTANT IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THE DRAWINGS OR FOR ANY DAMAGE TO ADJACENT PROPERTIES THROUGHOUT THE CONSTRUCTION PERIOD.

TEMPORARY WORKS AND SAFETY

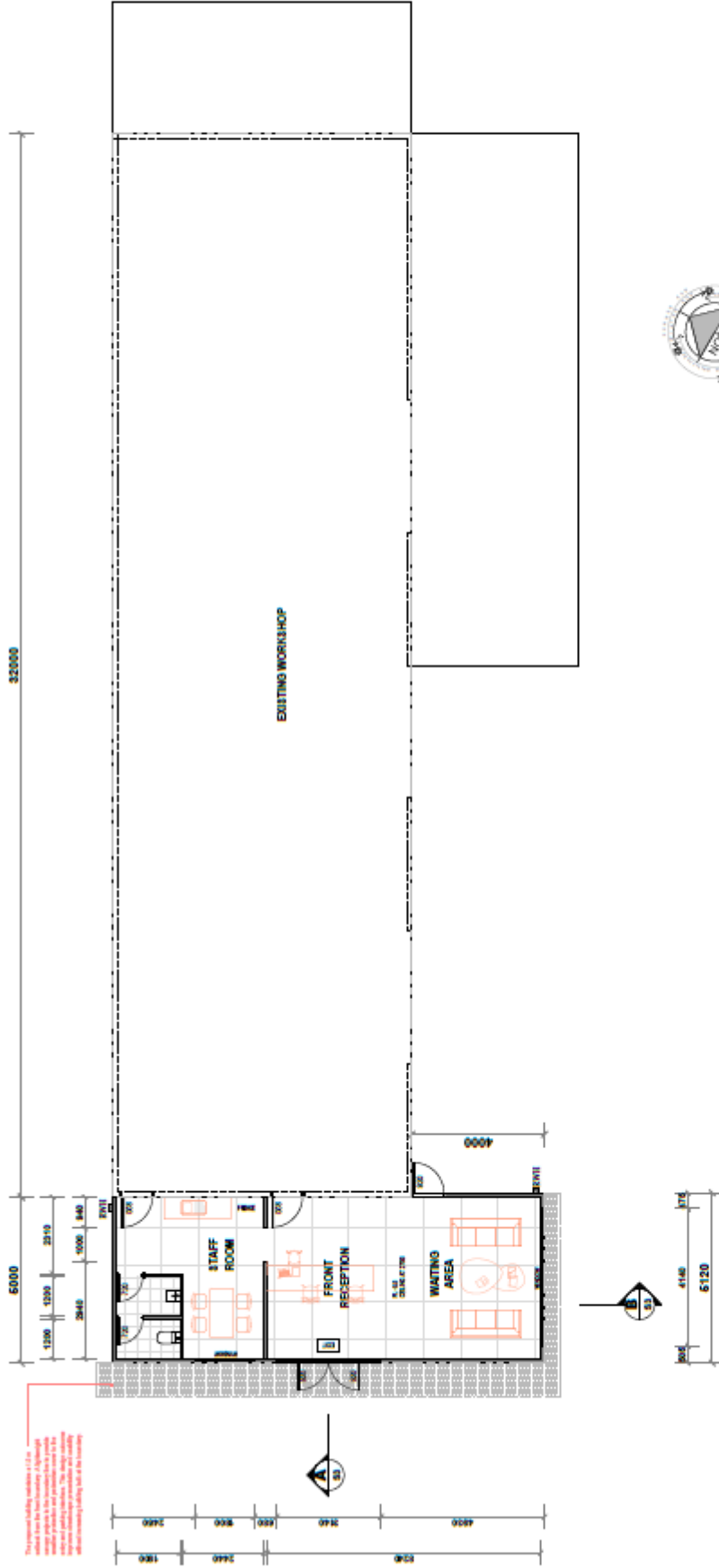
THE CONSULTANT IS RESPONSIBLE FOR ALL TEMPORARY WORKS AND SAFETY MEASURES REQUIRED TO PROTECT ADJACENT PROPERTIES THROUGHOUT THE CONSTRUCTION PERIOD.

DOCUMENTATION VALIDITY

THESE DRAWINGS AND ANY OTHER INFORMATION MUST BE USED IN CONJUNCTION WITH ALL OTHER RELEVANT NATIONAL CONSTRUCTION CODE (NCC) AND AS SET OUT IN AS/NZS 4576:2012. THE CONSULTANT IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THE DRAWINGS OR FOR ANY DAMAGE TO ADJACENT PROPERTIES THROUGHOUT THE CONSTRUCTION PERIOD.

		RESIDENTIALS	
		7/30/2025/26 E:\projects\residential\2025\26\260111\260111.dwg 26/01/2026 11:00 AM BY VLAMINGH CRESCENT ZENHAM	
DATE	26/01/2026	SCALE	1:200
BY	ZENHAM	NO.	260111-03

29 April 2026



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COORDINATION DISCLAIMER
THESE DRAWINGS ARE PRELIMINARY AND MUST BE COORDINATED WITH ALL OTHER CONSULTANT DRAWINGS AND CONDITIONS OF CONTRACT. ANY DISCREPANCIES OR CONFLICTS BETWEEN DOCUMENTS MUST BE REPORTED TO THE ARCHITECT OR RELEVANT CONSULTANT IMMEDIATELY.

VERIFICATION OF SITE CONDITIONS
THE DESIGNER AND CONTRACTOR MUST VERIFY ALL SITE DIMENSIONS, LEVELS AND EXISTING CONDITIONS PRIOR TO COMMENCING WORK. ANY DISCREPANCIES OR CONDITIONS DIFFERING FROM THOSE SHOWN ON THE DRAWINGS MUST BE REPORTED BEFORE PROCEEDING.

COMPLIANCE WITH LEGISLATION
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CONSTRUCTION TOLERANCES
ALL WORKS ARE TO BE CARRIED OUT WITHIN ACCEPTABLE CONSTRUCTION TOLERANCES AS SPECIFIED BY RELEVANT STANDARDS AND CODES OF PRACTICE. DIMENSIONS ARE TO FACE UNLESS OTHERWISE STATED. DIMENSIONS ARE TO STRUCTURAL SURFACES AND DO NOT INCLUDE ALLOWANCES FOR FINISHES. DIMENSIONS ARE TO BE SHOWN AS TO STRUCTURAL SLAB OR SUBSTRATE ONLY UNLESS OTHERWISE STATED. DIMENSIONS FOR FLOOR FINISHES UNLESS SPECIALLY NOTED.

TEMPORARY WORKS AND SAFETY
THE CONTRACTOR IS RESPONSIBLE FOR ALL TEMPORARY WORKS AND SAFETY MEASURES REQUIRED TO PROTECT ADJACENT PROPERTIES THROUGHOUT THE CONSTRUCTION PERIOD.

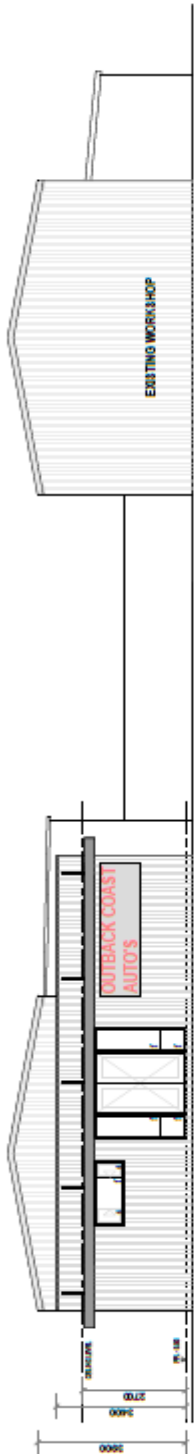
DOCUMENTATION VALIDITY
THESE DRAWINGS ARE PREPARED IN ACCORDANCE WITH THE MOST RELEVANT AUSTRALIAN STANDARDS AND NATIONAL CONSTRUCTION CODE (NCC) EXCEPT WHERE SPECIFICALLY NOTED. THE CONTRACTOR MUST VERIFY THE AUSTRALIAN STANDARDS, NCC, OR CODES OF PRACTICE REQUIREMENTS MAKE AT THE DATE OF ISSUE. NOT ALL REQUIREMENTS ARE REFLECTED IN THESE DRAWINGS. ANY SUCH CHANGES MAY INCUR ADDITIONAL DRAFTING FEES.

FLOOR PLAN
SCALE 1:100

No. CONSULTANTS: THREE	RESIDENTIAL
P. 0845 047 050 E. info@architect.com.au A. www.architect.com.au 15/1500 10th St MELB VIC 3048	15/1500 10th St MELB VIC 3048 15/1500 10th St MELB VIC 3048
DATE: 29 APR 2026 DRAWN BY: [Name] CHECKED BY: [Name]	SHEET NUMBER: 2 of 3

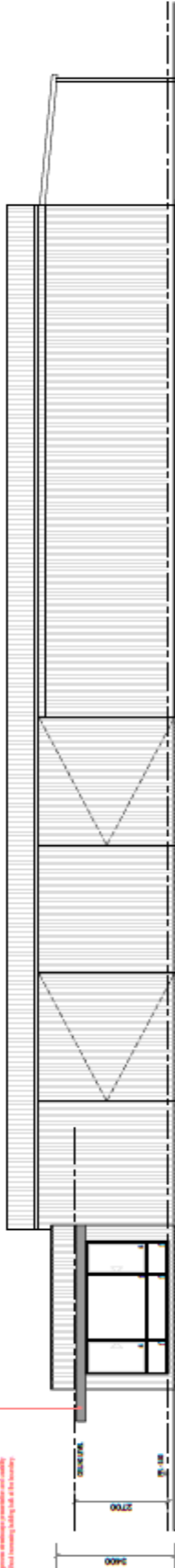
29 April 2026

SEYLAIRIGH DESIGN RESIDENTIAL	
P: 0845 207 020 E: info@seylairighdesign.co.uk W: www.seylairighdesign.co.uk A: Unit 10, 200 Hill Lane Dorking, Surrey GU10 2JH	SEYLAIRIGH DESIGN 08/04/2026 3 of 3

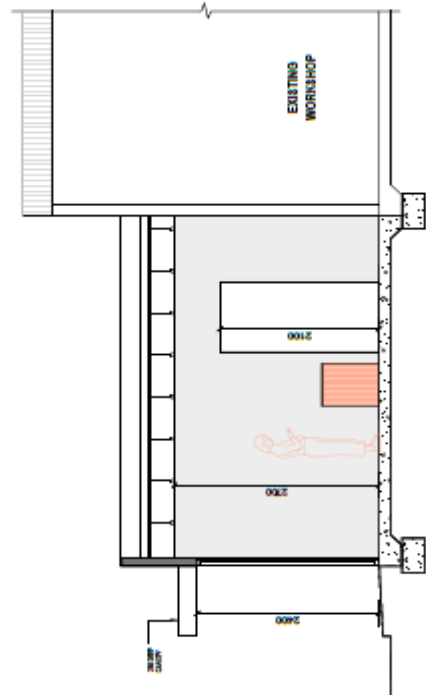


E1 - FRONT ELEVATION
SCALE 1:100

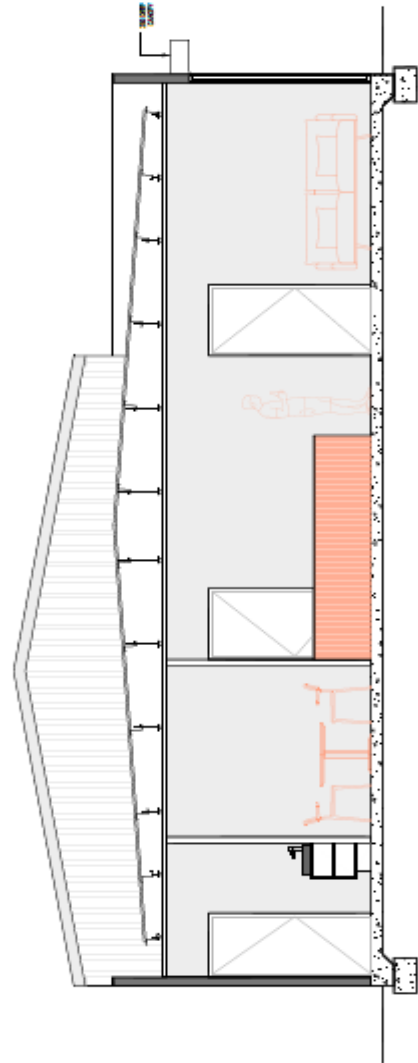
The proposed building measures 11.0m wide by 11.0m deep. The proposed building is a single storey building with a flat roof. The proposed building is a single storey building with a flat roof. The proposed building is a single storey building with a flat roof.



E2 - FRONT ELEVATION
SCALE 1:100



SECTION A
SCALE 1:50



SECTION B
SCALE 1:50

29 April 2026

11.4 APPLICATION SEEKING PLANNING APPROVAL/RENEWAL FOR A HOLIDAY HOUSE (WITH INCREASED GUEST NUMBERS) – LOT 33 (NO 73) HUGHES STREET, DENHAM

AUTHOR
Liz Bushby

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 5.1270A of *Local Government Act 1995*

Moved Cr Fenny
Seconded Cr Johns

Officer Recommendation

That Council:

- A. Note that the application for a Holiday House on Lot 33 (No 73) Hughes Street, Denham has been advertised for public comment. Advertising closed on the 14 April 2026, and one objection has been received from Ms Janine Guenther (who lives at 3 Leeds Court).**

No objections have been received from immediate neighbours who live near the premises.

- B. Note that approvals for the holiday house at Lot 33 (No 73) Hughes Street, Denham date back to August 2022. This application is seeking an increase in the number of guests from 8 to 10 people.**

- C. Approve the application seeking planning approval for the existing single house on Lot 33 (No 73) Hughes 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 Raymond Walker and Christine Clarke as the landowners of Lot 33 (No 73) Hughes Street, 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 33 this approval is cancelled and expires.

- 3. The plans lodged with this application shall form part of this approval.**

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4. **Car parking areas with capacity to accommodate a minimum of 4 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. **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 Hartog Crescent at any time.**
6. **The owner to make the existing outbuilding/ garage available to guests for car parking at all times.**
7. **This approval does not include any guest boat parking, No guests boats shall be parked on Lot 33, or the adjacent verge, at any time.**
8. **A laminated copy of the attached approved parking plan shall be displayed within the house at all times.**
9. **The owner shall implement the measures in the Management Plan lodged and approved as part of this application.**
10. **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 agent 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.
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 10.**
15. **If any sign is installed to advertise or identify the holiday house it shall only be located within the lot boundary and the sign face shall not exceed an area of 0.2 square metres.**

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- D. Resolve to advise the applicant in the covering Determination Letter that:**
- (i) The Shire will maintain a holiday house register. Where a planning approval is issued Lot 33 will automatically be listed on the holiday house register until such time as the approval expires.**
 - (ii) This initial approval (with an increase in guest numbers) is limited to a 12 month period in accordance with Clause 32.73.4 of the Shire of Shark Bay Local Planning Scheme No 4.**
- The Shire has discretion to issue subsequent approvals for a Holiday house for terms of one year, 3 years or up to a maximum of 5 years.**
- E. Authorise the Chief Executive Officer to write to the objector and advise Ms Guenther of the Council decision.**

29 April 2026

BACKGROUND

- ***Location and Existing development***

A location plan is included below for ease of reference. The lot has an area of 860m². It has been developed with a single house and ancillary outbuilding (used as a garage).



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- **Original Planning Approval (2022)**

An application was lodged in 2022 seeking to use part of the existing house for guests, and to keep part of the house closed off (for the owners' exclusive use).

The application was conditionally approved by Council at the Ordinary Meeting held on the 2 June 2022, for an initial 12 month period. One of the conditions limited the number of guests to 8 people.

Three car parking bays were required for the 2022 approval, including 2 bays within a garage and one bay to the rear of the existing house.

A condition was imposed on the 2022 approval, requiring construction of a crossover to the garage. That crossover has since been constructed.



Aerial showing approved parking bays in red outline

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Above: Constructed crossover

- **Second Planning Approval (2023)**

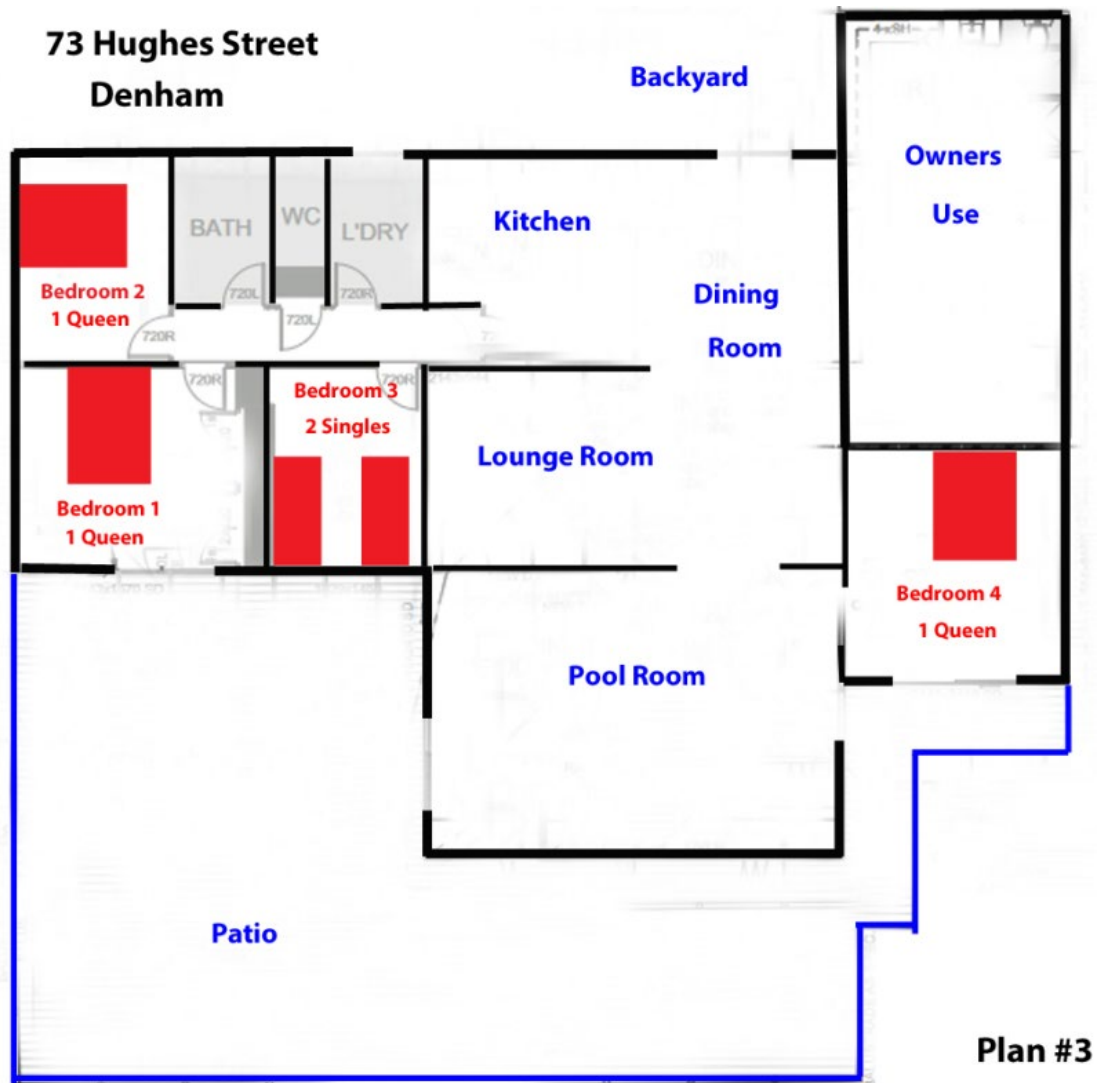
A second approval for a holiday house (identical to the 2022 application) was approved by the Chief Executive Officer under delegated authority, on the 3 August 2023.

The second approval was issued on the 3 August 2023, for a period of 3 years (expires 3 August 2026).

The owners have a current planning approval, however it limits the number of guests to 8 people.

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The 2022 plans still proposed to keep part of the house closed to guests, so it could continue to be used for the owners' exclusive use.



COMMENT

- ***Description of new proposal***

The owners have lodged a new application seeking to increase the number of guests from 8 to 10 people.

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.

They have lodged updated documents to reflect the increased guest numbers.

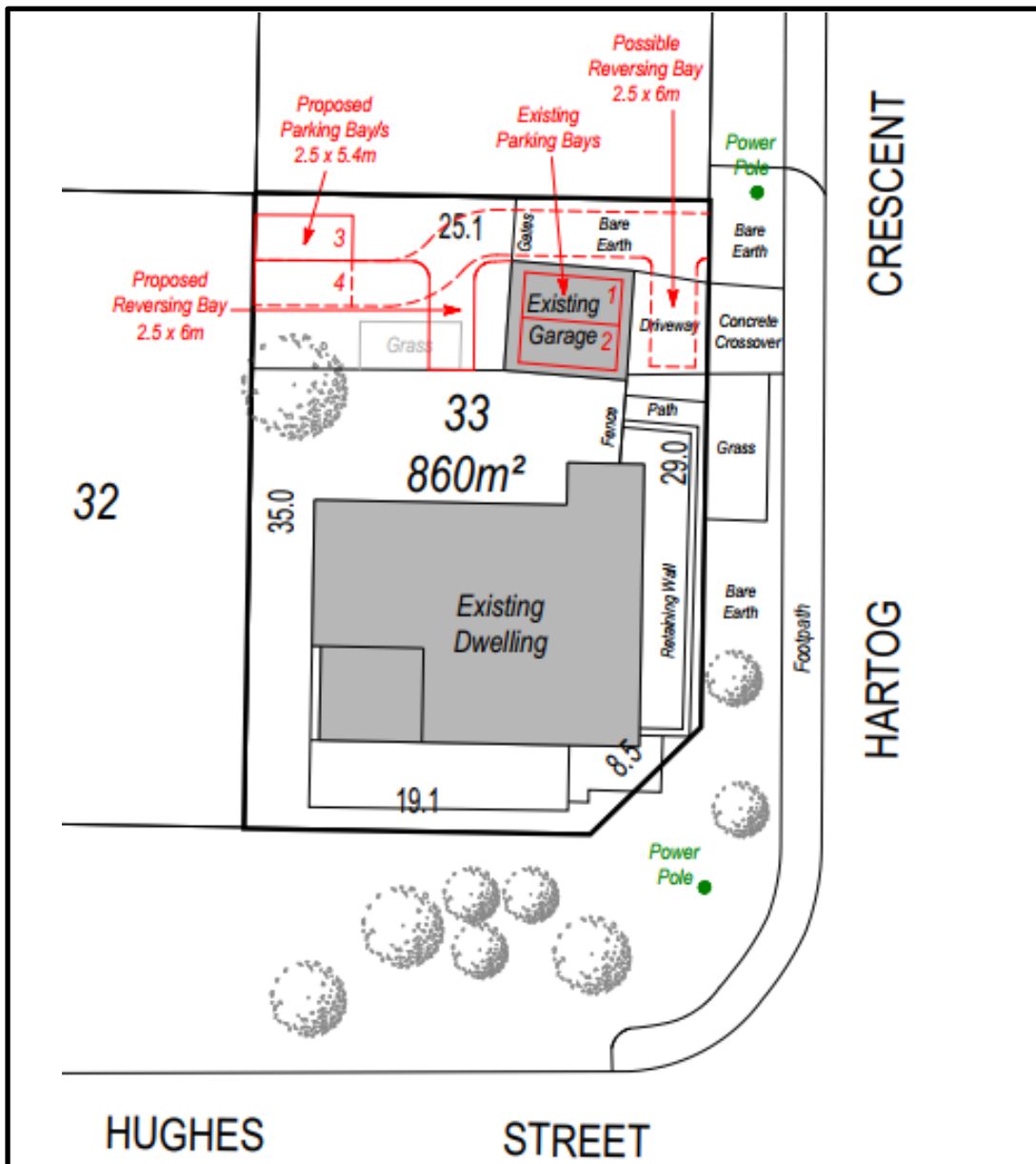
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- **Car Parking**

Car parking is to be provided at a rate of one (1) space per three (3) guests, or part thereof, with a minimum of two (2) spaces.

Due to a proposed increase in the number of guests, 4 car parking spaces are required for the revised proposal, in lieu of the previous 3 car parking bays.

The applicant has submitted a revised car parking plan (below). They propose to continue use the double garage/outbuilding on the lot for 2 car parking bays, and have 2 spaces to the rear of the house.



TPI has advised the owners that the parking plan does not allow for boats. It is recommended that a condition be imposed on any new approval (if granted by Council) to prohibit guest boat parking.

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- **Zoning and Proposed Land Use**

Lot 33 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.

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 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**

A summary of the policy requirements and compliance is included below:

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 new parking plans drawn to scale by a professional draftsman. TPI supports the parking plan, conditional on no boats being accommodated.

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<p>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).</p>	<p>The owners have lodged detailed floor plans showing all bedrooms and the number of beds per room.</p> <p>As explained in this report, the number of guests is proposed to be increased from 8 to 10.</p>
<p>3. Carparking to be provided at a rate of 1 space every 3 guests.</p>	<p>4 carparking bays are required and can be accommodated in the garage and to the rear of the house.</p>
<p>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.</p>	<p>A Management Plan has been prepared in consultation with both Ray White. It details all property manager responsibilities, booking procedures, and procedures for complaints. The plan also outlines some of the owners responsibilities.</p> <p>The Management Plan is identical to one previously approved for this property, with the exception that the maximum number of guests has been modified from 8 to 10.</p>
<p>5. A Fire and Emergency Response Plan that includes detailed fire escape route maps, provision of a fire extinguisher and emergency contact numbers.</p>	<p>The Policy includes an example Fire and Emergency Response Plan template that can be modified by owners to suit their premises.</p> <p>The owners have lodged revised detailed floor plans 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.</p> <p>The fire escape route plans can be displayed in the dwelling.</p>

- **Crossover**

The Shires Local Planning Policy requires that crossovers that relate to Holiday Houses can be required to be sealed, paved or concreted to comply with the construction specifications in the Shire's Crossover Policy.

A crossover to the garage was constructed to comply with the original 2022 approval.

- **Landscaping**

There is no significant landscaping in the front setback area, however the lot is kept in a tidy condition and has some artificial lawn along part of the Hartog Crescent frontage.


The quality of landscaping in Hughes Street appears to be mixed, therefore no landscaping upgrade is recommended. The existing development appears to blend in with the existing streetscape.

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• **Consultation**

The application was advertised for public comment and closed on the 14 April 2026. Advertising included publication on the Shire website, and letters to adjacent and nearby landowners.

An objection has been received as detailed below:

Summary of Objection	TPI Comment
1. Janine Guenther 3 Leeds Court Denham	
1a I would like to express my concerns about the raise of the number of guests from eight to ten. Eight guests is already a large number but it could be argued that two families (average number of kids is two) would make eight people. Fine by me. But having ten people is more like having a large group which increases the risk of group mentality, in other words rowdy behaviour and noise pollution.	1a. It is noted that: a) The objector will not be directly affected by the proposal, as they live over 365 metres away in Leeds Court. b) The property has been managed by Ray White since at least 2022 when the first planning approval was issued. No nearby or adjacent neighbours have complained about the holiday house use since the first approval. c) TPI cannot quantify the statement that the addition of 2 guests will result in unsociable behaviours. If there are any issues with the increased guest numbers, then complaints can be made to the property manager. d) Any new approval can be limited to a 1 year time period to allow for monitoring.
1b. Having ten guests in a so called Holiday House also starts seriously to compete with nearby commercial accommodation businesses.	1b. Commercial competition is not a planning consideration.
1c. I think there should be a maximum limit on the number of people allowed in a private STRA.	1c. The objectors personal opinion is noted. Ultimately Council is the decision maker.
1d. Looking at the parking plan, I also wonder how the cars get to the two additional proposed car parking bays.	1d. There is gated and adequate access for cars to access the rear yard. 

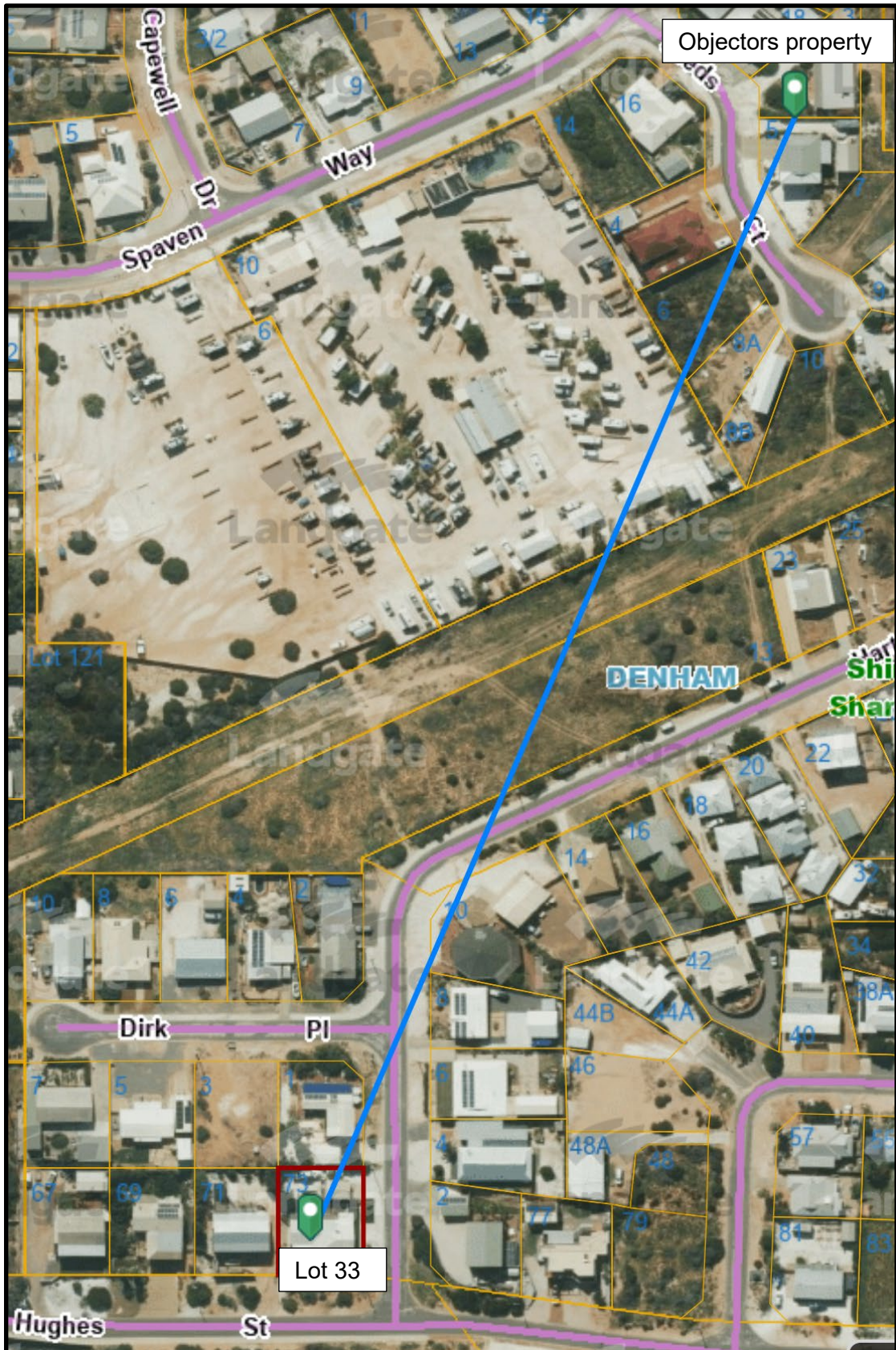
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<p>1e. The actual paved crossover (which I thought was a condition for a STRA) is in front of the existing garage ... so will the two cars (which are supposed to park in the back) also use the crossover? And if so how? To me it looks that they will drive over the footpath and the 'bare earth' next to the green power pole in order to get to the back.</p>	<p>1e. This is correct. The crossover to the garage was required to be constructed (by Council). Council has supported second accesses without formal crossovers for a number of applications. It is not uncommon to drive over footpaths to access properties and /or crossovers. Whilst part of a footpath can be removed to allow a crossover to the front lot boundary, there are also cases where the footpath remains, and crossovers extend from the footpath to the front lot boundary.</p>
<p>1f. Looking at the limited space in the back ... and the narrow proposed parking bay holiday makers are supposed to reverse into, I can see the additional parking plan is doomed to fail and cars will end up parking on the footpath as it is far more convenient.</p>	<p>1f. The parking plan has been drawn to scale. Parking in the garage and rear yard has previously been supported by the Shire. The parking plan is to scale. The 6 metre area provided for the reversing of cars (to the rear of the house) is sufficient. Parking on the footpath is not permitted under the Shires Local Laws. TPI has recommended a condition to prohibit any parking that interferes with the footpath.</p>
<p>1g. Last but not least I would like to remind you of your promise given during the May 2025 Council Meeting when the delegation was approved. When asked about the Public Consultation Process by the Cr Stubberfield, you reassured all Councillors passionately that, if any application was "contentious"*1 even "in the slightest way"*2, you would take it back to Council. (*1 *2quote from Dale Chapman, audio recording of Council Meeting May 2025, time: 33.39 min to 37.35 min).</p>	<p>1g. Noted. TPI is of the view that approval of the bulk of holiday house applications under delegated authority (by the Chief Executive Officer) streamlines the process, saves Shire resources, and is time efficient. It is less onerous, costly and time consuming to refer applications to the CEO, as opposed to preparing numerous reports for referral to each monthly Council meeting. It is recommended that Council reconsider its position on referring holiday houses to Council (where there is any objection), especially if the objection is not from a nearby landowner. The objector may have a different view, which is respected.</p>

The aerial overpage shows the objectors property in context of the location of Lot 33.

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Above: Map showing objectors property in context of the application site

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LEGAL IMPLICATIONS

Planning and Development (Local Planning Schemes) Regulations 2015 –

Regulation 67 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.

Under the Regulations the Shire cannot consider ‘*potential loss that may result from economic competition between new and existing businesses*’.

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.	Council must consider issues of amenity as part of all planning applications, combined with the other normal planning considerations such as the objectives of the residential zone, parking, management, complaint management etc Council also has to consider the application in accordance with the Shires Local Planning Policy No 1.
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 smoke detectors, provision of a fire extinguisher and emergency contact numbers.	These scheme requirements are also replicated in Local Planning Policy No 1 and are addressed in the body of this report.

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	(c) A detailed site plan which demonstrates adequate carparking can be provided on site.	
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 may have regard for. It does not use the term 'shall' or the term 'due regard' so provides some flexibility.
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. There was a Management Plan approved in 2022. The revised management Plan simply reflects a change in guest numbers.
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. Ray White manages the property.
32.15.3c	A Fire and Emergency Response Plan comprehensively address fire safety;	There was a Management Plan approved in 2022. The revised management Plan simply reflects a change in guest numbers and an additional part of the house being used for guests.
32.15.3d	The proximity of the lot to Denham townsite, the beach and/or any significant tourist attraction;	This report includes a plan showing the location of the property.
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 an aerial plan showing surrounding development, a photograph of the existing house and advice on the lot size.
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	Aerials are included in all agenda reports to Council, however access to neighbours'

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	surrounding dwellings in a suburban environment.	internal floor plans are limited. All 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. Car parking plans are now required to be drawn to scale.
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.

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A complete copy of the Scheme provisions is available to Councillors on request.

POLICY IMPLICATIONS

Explained in the body of this report.

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

There are no specific strategic implications associated with this application.

RISK MANAGEMENT

There are no known risks associated with the proposed development.

VOTING REQUIREMENTS

Simple Majority Required

SIGNATURES

Author	<i>L Bushby</i>
Chief Executive Officer	<i>D Chapman</i>
Date of Report	19 April 2026

FOR: Cr's Bellottie, Cowell, Fenny, Johns, Smith and Stubberfield
AGAINST: Cr Ridgley
ABSENT: Nil

CARRIED 6/1

29 April 2026

- 11.5 PROPOSED DECKS FOR CARAVAN SITES IN EXISTING CARAVAN PARK – Lot 100 (No 1) STELLA ROWLEY DRIVE, DENHAM
P4362

AUTHOR

Liz Bushby, Town Planning Innovations

DISCLOSURE OF ANY INTEREST

Declaration of Interest: Liz Bushby, Town Planning Innovations

Nature of Interest: Financial Interest as receive planning fees for advice to the Shire – Section 5.60A of *Local Government Act 1995*

Moved Cr Ridgley
Seconded Cr Bellottie

Officer Recommendation

That Council:

- A. Approve the Development Application for the construction of five decks/shade structures for caravan sites on Lot 100 (No 1) Stella Rowley Drive, Denham subject to the following conditions and footnotes:**
- 1. The plans lodged with the 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.**
 - 2. All stormwater from decks and/or paved areas shall be collected and disposed of on-site.**
 - 3. All development to be fully contained within the boundaries of Lot 100 at all times.**
 - 4. 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:

- (a) This is only a planning consent. A separate Building Permit may be required.**
- (b) The owners are advised to lodge a revised site plan with their annual application/renewal for a separate Caravan Park and Camping Ground Licence in accordance with the Caravan Parks and Camping Grounds Act 1995.**

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BACKGROUND

The Denham Seaside Caravan Park originally operated on Lot 309 and 310 Stella Rowley Drive Denham.

Planning approval for 20 overflow sites on Lot 309 Stella Rowley Drive Denham was approved by Council at the Ordinary Meeting held on the 30 June 2010.

An application for expansion of the caravan park by approximately 50 sites was approved on the 9 September 2019. A Bushfire Management Plan was approved as part of the 2019 application and included a requirement for the owner to maintain the verge to a low fuel standard.

Lot 309 and 310 were amalgamated and are now known as Lot 100 (No 1) Stella Rowley Drive, Denham. Planning approval for a desalination plant for water supply on Lot 100 was issued in November 2020.

A location plan is included over page for ease of reference.



Above: Location Plan

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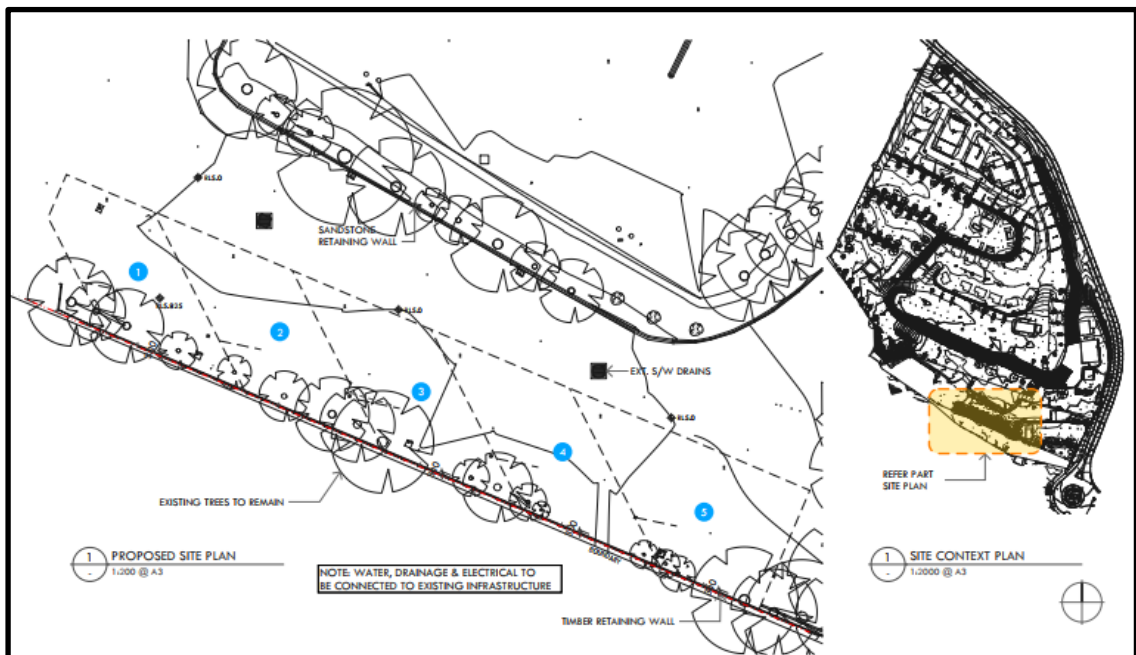
Various development approvals have been issued for the site. The last approval was for a swimming pool and other improvements as considered by Council at the Ordinary Meeting held on the 17 December 2026.

COMMENT

- *Description of Application*

Tasman Holiday Parks purchased Lot 100 in 2022 and have continued to pursue improvements and upgrading of the existing caravan park.

The proposed development seeks to replace 5 existing camping sites with caravan sites. The existing camping sites are shown below:



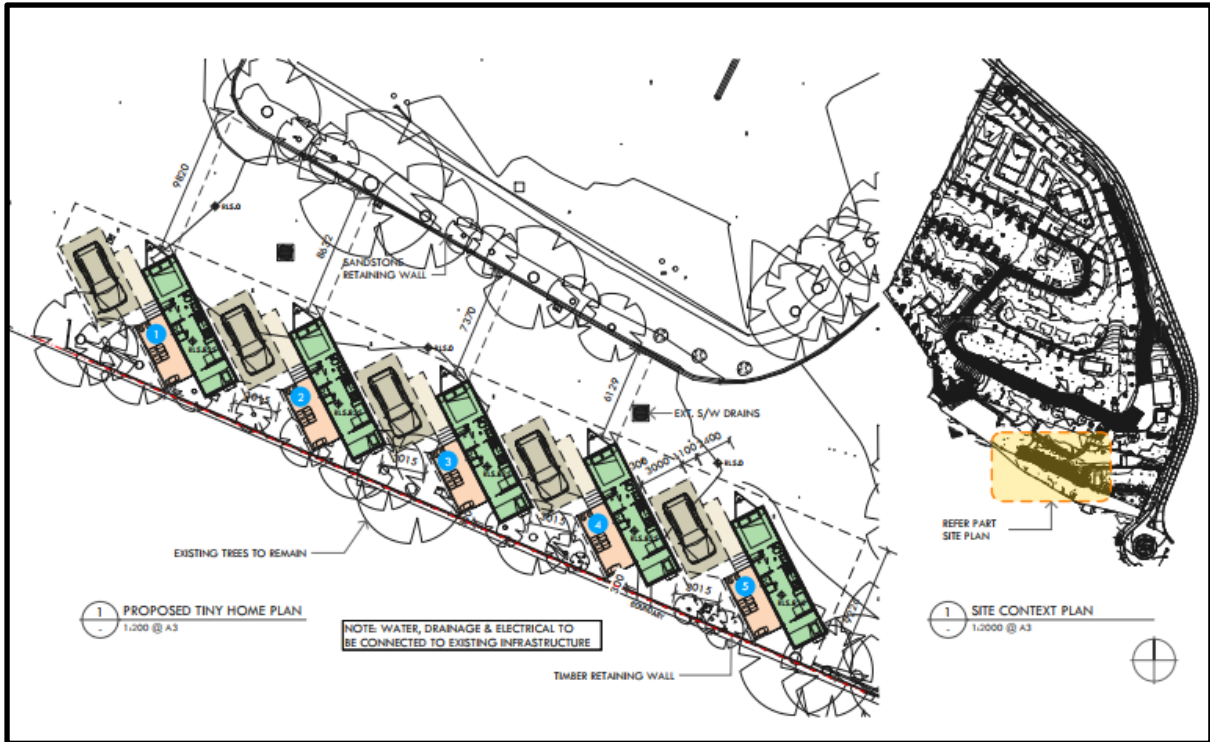
To facilitate the change, 5 decks and shade structures are proposed. Each deck will provide access to a future tiny house on wheels, which is categorised as a caravan (as it roadworthy and towable).

The applicant has liaised with the Shires Environmental Health Officer who has advised that *'Given the tiny homes on wheels are purpose built for habitation and are provided with wheels, chassis, drawbar and are registerable as vehicles for use on the road, they are considered to be caravans under the Caravan Parks and Camping Grounds Regulations 1997. As they are being placed in a registered caravan park there are no formal approvals required from the Shire with respect to caravan park related legislation'*.

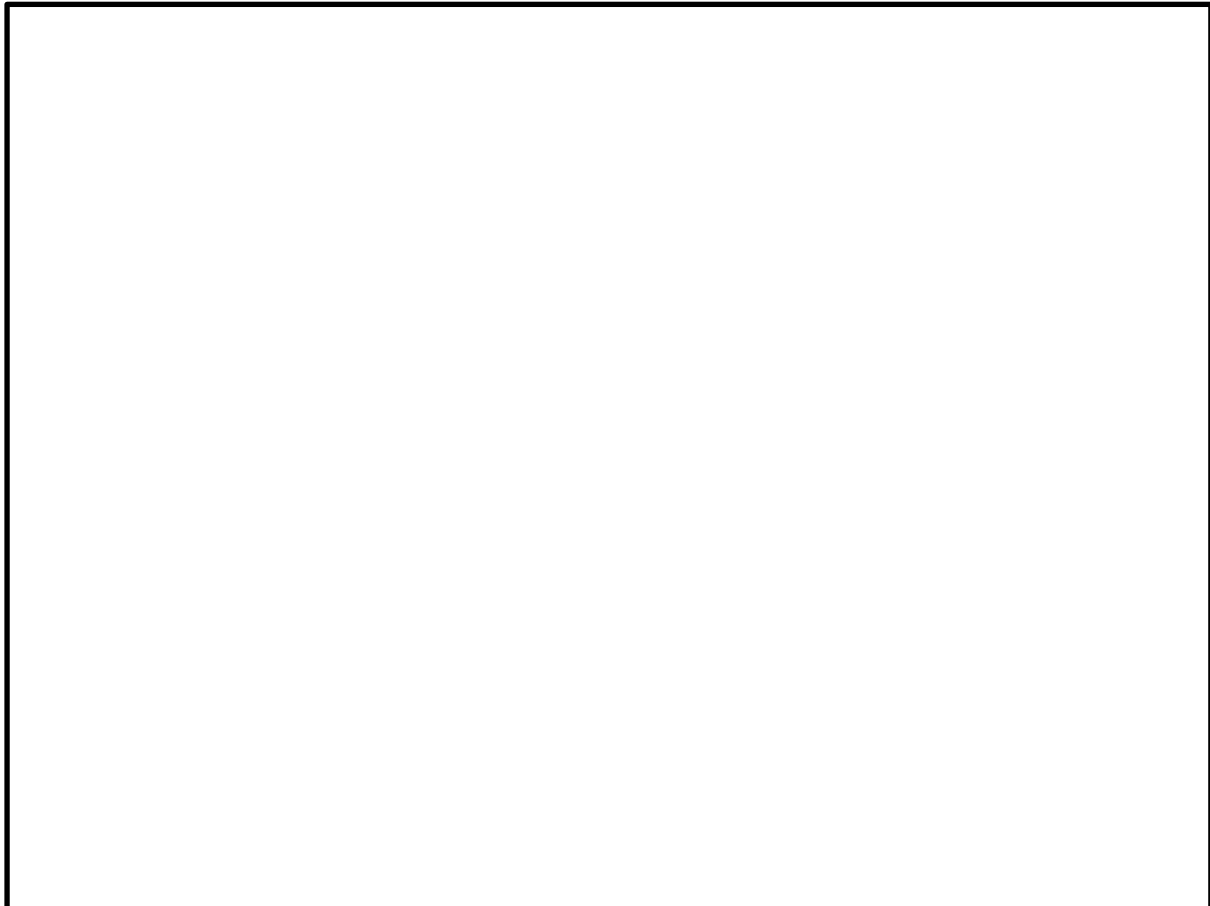
Development is proposed in the southern portion of the lot – refer to plan **over page**.

As part of the works an existing dump point will be removed and relocated within the existing lot, and five trees will be removed.

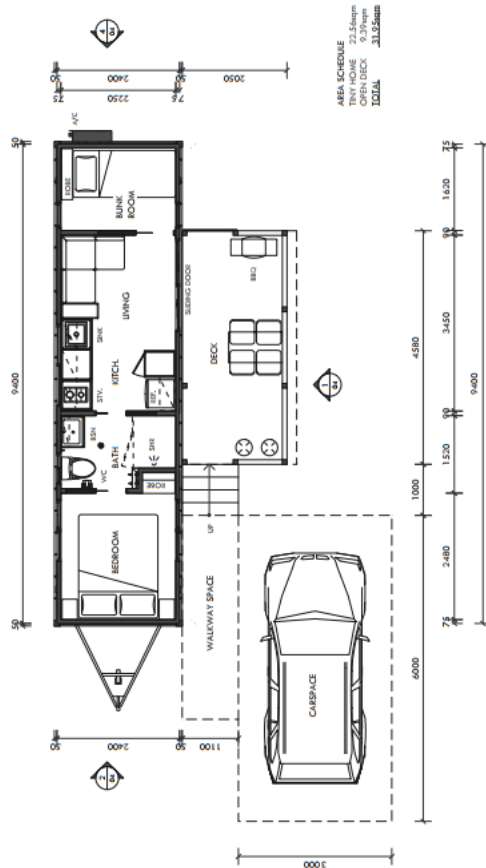
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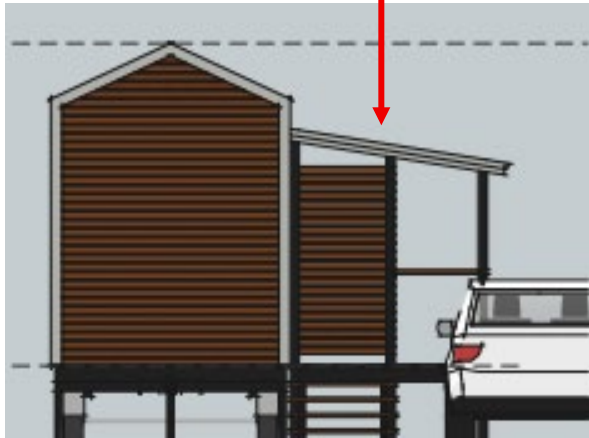
Plans showing the decks are included below.



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Proposed deck/shade structure next to future caravan (tiny home)



A 3D perspective has been provided.



- *Coastal Issues*

The natural ground levels surrounding the proposed development are not less than 15 metres so the decks will have a finished floor level well in excess of the requirements of the Shire of Shark Bay Local Planning Scheme No 4 for 'land subject to inundation'.

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The location of the proposed decks is considered acceptable given they will not be subject to any immediate coastal erosion and can be relocated.

LEGAL IMPLICATIONS

Caravan Parks and Camping Grounds Act 1995 – defines a caravan as ‘*means a vehicle that is fitted or designed for habitation, and unless the contrary intention appears, includes an annexe*’.

Planning and Development (Local Planning Schemes) Regulations 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 –

Lot 100 Stella Rowley Drive is zoned ‘Special Use’ (No 1) under the Shire of Shark Bay Local Planning Scheme No 4 (‘the Scheme’).

A caravan park is a ‘D’ use in the applicable Special Use zone which ‘*means that the use is not permitted unless the local government has exercised its discretion by granting development approval*’. In other words, Council has discretion to consider the proposed development as part of a caravan park under the Scheme.

Under Clause 32.1(b) ‘the local government shall require any new development within an area as being vulnerable to coastal storm surge inundation to comply with a minimum finished floor level not less than RL 4.2 metres AHD.’

POLICY IMPLICATIONS

There are no policy implication relative to this report.

FINANCIAL IMPLICATIONS

The Shire pays consultancy fees to Liz Bushby of Town Planning Innovations for planning advice.

STRATEGIC IMPLICATIONS

There are no strategic implications relative to this report.

RISK MANAGEMENT

This is a low risk item to Council.

VOTING REQUIREMENTS

Simple Majority Required

SIGNATURES

Author

L Bushby

Chief Executive Officer

D Chapman

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Date of Report 21 April 2026

FOR: Cr's Bellottie, Cowell, Fenny, Johns, Ridgley, Smith and Stubberfield

AGAINST: Nil

ABSENT: Nil

CARRIED 7/0

29 April 2026

11.6 APPLICATION SEEKING EXEMPTION FROM THE NEED FOR PLANNING APPROVAL FOR TEMPORARY FOOD VAN TO OPERATE FROM LOT 233 (NO 123) DAMPIER ROAD, DENHAM

AUTHOR

Liz Bushby, Town Planning Innovations

DISCLOSURE OF ANY INTEREST

Declaration of Interest: Liz Bushby, Town Planning Innovations

Nature of Interest: Financial Interest as receive planning fees for advice to the Shire – Section 5.60A of *Local Government Act 1995*

Moved Cr Johns
Seconded Cr Smith

Officer Recommendation

That Council:

- 1. Grant an exemption for a coffee van (known as Bay, Brew and Bites) to operate on Lot 233 (No 123) Dampier Road, Denham as ‘temporary works’ for a maximum period of 12 months in accordance with Clause 61(1) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.**

The exemption is conditional on the operator, Cathy Archibald, notifying the Shire in writing on:

- (i) The date of commencement of operation; and**
 - (ii) The date of cessation of operation; and**
 - (iii) Cessation of all sales and active operation/use of the coffee van from the property after 12 months; and**
 - (iv) Maintaining a current compliant Food Premises Registration.**
- 2. Note that the Shire of Shark Bay ‘Activities in Thoroughfares and Public places and Trading’ Local Laws will not be applied while the coffee van is operating lawfully in accordance with the ‘temporary works’ exemption.**

BACKGROUND

- *Activities in thoroughfares and public places and trading Local Laws***

The Shire of Shark Bay has Local Laws which control ‘Activities in thoroughfares and public places and trading’.

The Local Laws were last amended by Council on the 27 November 2014 and were published in the Government Gazette on the 12 August 2014.

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Trading within any public place is controlled through the Shires 'Activities in thoroughfares and public places and trading' Local Law ('the Local Law').

The Local Law places restrictions on trading in public places as:

- (1) No person can conduct a business within a distance of 300 metres of any shop or permanent place of business that is open for business and has for sale any goods or services of the kind being offered for sale by the stallholder or trader.

The 300-metre distance clearly prohibits traders from operating in most public places along and near to Knight Terrace.

It is most likely aimed at protecting permanent businesses.

- (2) No person can trade or operate a stall without a Permit from the Shire.
- (3) A 'public place' can include private property.

The Local Laws define a 'Public Place' as *'includes:*

- (a) *any thoroughfare or place which the public are allowed to use whether or not the thoroughfare or place is on private property; and*
- (b) *Local Government property, but does not include premises on private property from which trading is lawfully conducted under a written law.*

Under the definition any stall or trader that is lawfully operating under a written law on private property, is not considered to be a 'public place'.

Essentially this means that any stall holder or trader can operate on private property if:

1. They apply for and are granted a temporary or permanent planning approval; and / or;
2. They are granted an exemption from the need to obtain planning approval as 'temporary works'.

As long as they are operating legally under a written law, then the Local Laws will not apply as their premises are then not construed as a 'public place'.

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- **Relevant Council decisions**

Property	Council meeting date	Decision
Seaside Caravan Park Stella Rowley Drive, Denham	May 2018	<p>Granted exemption from the need to obtain planning approval for a coffee van to operate temporarily between the 21 June 2018 to the 21 July 2018.</p> <p>The van was to be removed after the school holidays and was restricted to serving guests.</p> <p>The caravan park was not construed to be a public place when that application was assessed, so the Local Laws were not applied.</p>
Shark Bay Caravan Park Lot 3 Spaven Way	June 2018	<p>Granted exemption from the need to obtain planning approval for a coffee van to operate temporarily between the 4th to 10th July 2018, and the 24th to 30th September 2018.</p> <p>The van was to be removed after the school holidays and was restricted to serving guests.</p> <p>The caravan park was not construed to be a public place when that application was assessed, so the Local Laws were not applied.</p>
Seaside Caravan Park Stella Rowley Drive, Denham	March 2022	<p>Council resolved to allow an exemption for a coffee van to operate on Lot 1 (100) Stella Rowley Drive as 'temporary works until the 31 January 2023, in accordance with Clause 61(1) of the Planning and Development (Local Planning Schemes) Regulations 2015.</p>

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- ***Recent Trader Enquiries***

The Shire has received two recent enquiries including:

- (1) Interest by Cathy Archibald about operating at the Lookout carpark that comes off Stella Rowley Drive in Denham townsite.

That location proved problematic as the carpark is on crown land, and the operator would need a Licence from the Department of Planning, Lands and Heritage.

There was also some staff concerns over the location due to the traffic speed in that part of Stella Rowley Drive.

Ms Archibald has now lodged this new request proposing to operate from a property that she owns at 123 Dampier Road, Denham.

- (2) There is also interest from Mira Vankova about leasing her coffee van out, and for the operator to potentially trade from the Information Bay on Shark Bay Road.

TPI has provided Ms Vankova with advice and an aerial, and is waiting for the customers advice on if they wish to proceed.

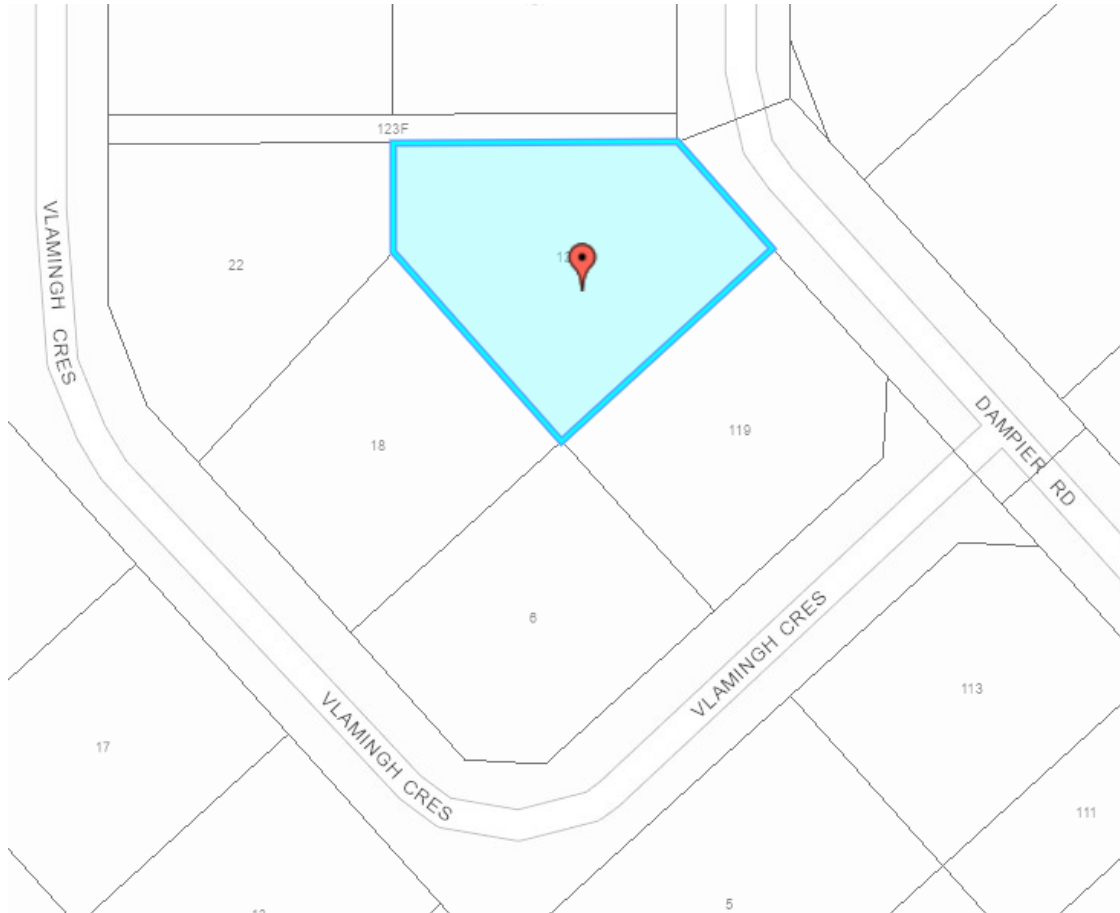
COMMENT

- ***Request for exemption from the need for planning approval to temporarily operate from 123 Dampier Road in Denham***

Cathy Archibald has lodged a written request seeking an exemption from the need for planning approval to temporarily operate her coffee van from 123 Dampier Road in the Industrial area for a maximum period of 12 months.

A location plan is included below.

29 April 2026



29 April 2026

Ms Archibald has advised that the van is 12 feet long, and that it would be parked within the lot boundary – refer to aerial below.



Photographs of the van are included below.



29 April 2026

If Council supports an exemption for the coffee van to operate as 'temporary works', then they would be operating legally for a limited time period as permissible under the *Planning and Development (Local Planning Schemes) Regulations 2015*.

The Local Laws would not apply if the coffee van can legally operate with a written exemption from the Shire.

As outlined in the background of this report, this approach has been supported for other coffee vans operating in Denham on a temporary basis.

LEGAL IMPLICATIONS

Planning and Development (Local Planning Schemes) Regulations 2015 – Clause 60 of the 'deemed provisions' requires that a person must not commence or carry out works on, or use, land in the Scheme area unless the person has obtained the development approval of the local government or it is exempt from the requirement for planning.

Clause 61(1) lists 'development for which development approval is not required'.

Under the Regulations, the Shire can give an exemption for 'temporary works' as long as *'the works are in existence for less than 48 hours, or a longer period agreed by the local government, in any 12 month period.'*

Shire of Shark Bay Local Planning Scheme No 4 – Lot 233 (No 123) Dampier Road is zoned General Industry.

POLICY IMPLICATIONS

There are no known policy implications associated with this report.

FINANCIAL IMPLICATIONS

The Shire pays consultancy fees to Liz Bushby of Town Planning Innovations for planning advice.

STRATEGIC IMPLICATIONS

There are strategic implications associated with this matter. Any precedent that is set may have implications for other Industrial lots, and trading on private property.

RISK MANAGEMENT

This is a low risk item to Council.

VOTING REQUIREMENTS

Simple Majority Required

SIGNATURES

Author

L Bushby

Chief Executive Officer

D Chapman

Date of Report

16 April 2026

ORDINARY COUNCIL MEETING UNCONFIRMED MINUTES

29 April 2026

FOR: Cr's Bellottie, Cowell, Fenny, Johns, Ridgley, Smith and Stubberfield
AGAINST: Nil
ABSENT: Nil

CARRIED 7/0

29 April 2026

11.7 PROPOSED AMALGAMATION OF LOTS 15 & 16 TERRY DESCHAMPS WAY, DENHAM (WAPC REFERENCE: 203011)

AUTHOR

Liz Bushby

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 Ridgley

Seconded Cr Smith

Officer Recommendation

That Council:

- 1. Recommend that the Western Australian Planning Commission unconditionally approve the application to amalgamate Lots 15 & 16 Terry Deschamps Way, Denham.**

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.

29 April 2026



Above: Denham Estate Outline Development Plan

- **Location and existing development**

Lot 15 has an area of approximately 631m² and has been developed with a single house, outbuilding and retaining walls.



29 April 2026

Above: Existing development on Lot 15.

Adjacent Lot 16 is vacant and has an approximate area of 630m².

A location plan is included below.



Above: Location Plan. Aerial may not be current.

- **Approved development (Lot 16)**

At the Ordinary Meeting held in December 2025, Council approved retaining walls on Lot 16 so as to continue the same lot levels already established on Lot 15.

- **Ownership**

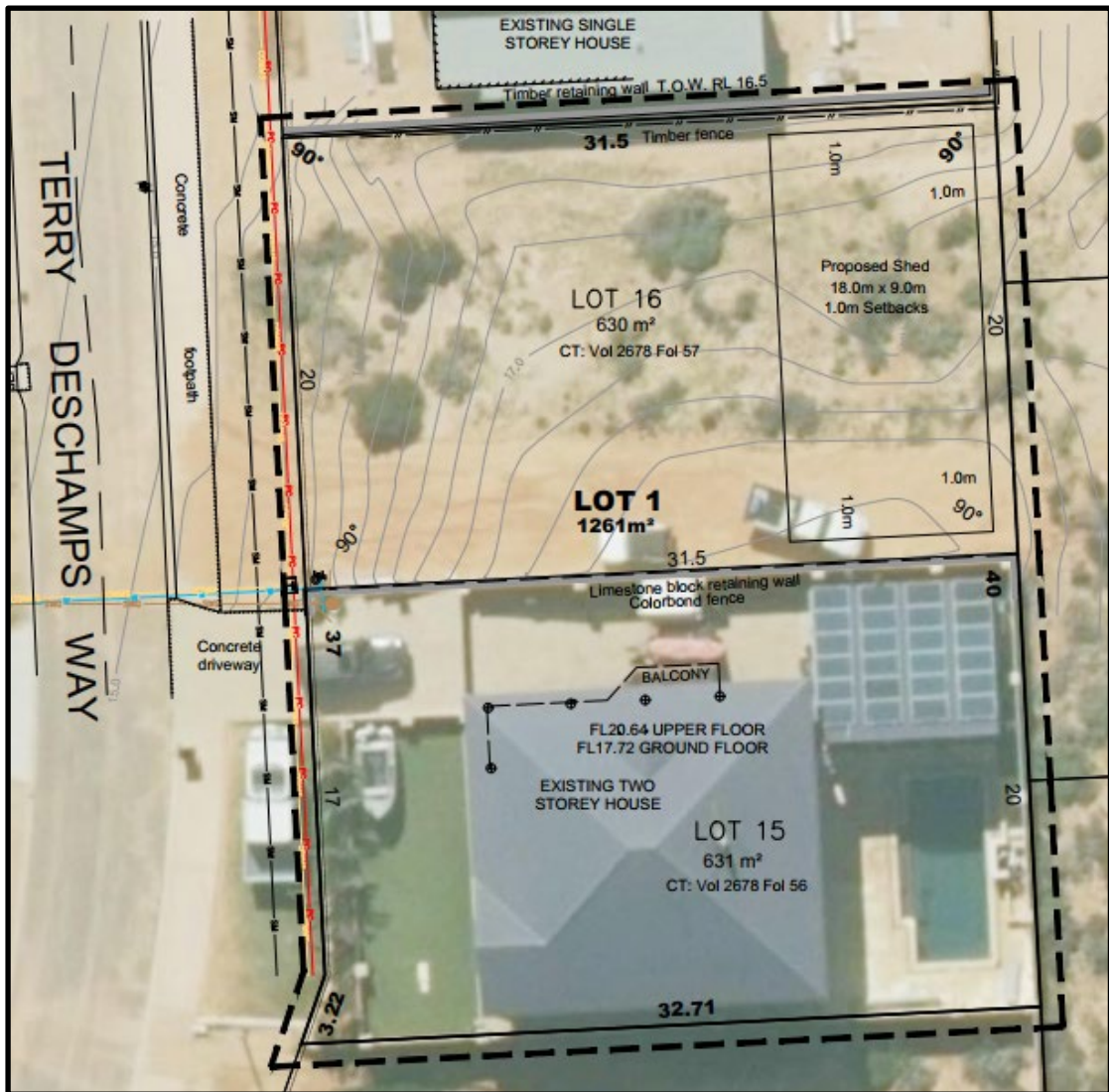
Lots 15 and 16 are under the same ownership. The lots are owned by Robert and Kellee Pedersen who would like to use both lots as one property.

29 April 2026

COMMENT

An application has been lodged to the Western Australian Planning Commission (WAPC) to amalgamate Lots 15 and 16. The owners seek to use both lots as one large property, so amalgamation will enable them to have one Certificate of Title for the lots.

The new lot will have an area of 1261m².



Above: Amalgamation Plan

The application will be determined by the WAPC, however they have referred it to the Shire for a recommendation and comments. Amalgamation applications go through the same process as a subdivision application.

In addition to the Shire, the WAPC have referred the application to Horizon Power, Water Corporation, and the Department of Biodiversity, Conservation and Attractions. Comments are requested by the 23 April 2026, however TPI has advised the WAPC that the Shire advice will be provided after the April 2026 Council meeting.

29 April 2026

TPI supports the application noting that both lots are under one ownership, and the owners simply seek to use both lots as one combined property.

LEGAL IMPLICATIONS

Planning and Development Act 2005 – Section 142, Part 10, Division 2 sets out the consultation requirements for subdivision.

Shire of Shark Bay Local Planning Scheme No 4 – The lots are zoned Residential with an R15 density code. For the R15 density code there is a minimum lot size of 580m² and an average lot size of 666m² required under the Residential Design Codes. Larger lots can be created subject to approval by the WAPC.

POLICY IMPLICATIONS

Not Applicable

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	<i>L Bushby</i>
Chief Executive Officer	<i>D Chapman</i>
Date of Report	21 April 2026

FOR: Cr's Bellottie, Fenny, Smith and Stubberfield
AGAINST: Cr's Cowell, Johns, Ridgley
ABSENT: Nil

CARRIED 4/3

29 April 2026

12.0 COMMUNITY DEVELOPMENT

12.1 COMMUNITY ASSISTANCE GRANTS – SIGNIFICANT EVENT SPONSORSHIP FUNDING FOR SHARK BAY FIESTA 2025
GS00001

AUTHOR

Community Development Officer

DISCLOSURE OF ANY INTEREST

Declaration of Interest:

Nature of Interest:

Moved Cr Ridgley

Seconded Cr Cowell

Officer Recommendation

Council approve the Shark Bay Community Resource Centre's 2025/2026 Community Assistance Grants application – Significant Event Sponsorship for the value of \$5,500 to contribute to the 2026 Shark Bay Fiesta.

BACKGROUND

The Shire of Shark Bay commenced advertising the 2025/2026 Community Assistance Grants following Council's endorsement of the Annual Budget on 27 August 2025. The funding pool for Significant Event Sponsorship Funding is available for the duration of the financial year and is allocated at Council's discretion. This funding supports established major events and new, innovative events that attract additional expenditure into the region and recognises the positive economic and social value these events bring to the Shark Bay community.

The Shire of Shark Bay received an application from the Shark Bay Community Resource Centre on 13 April 2026 requesting sponsorship for the 2026 Shark Bay Fiesta, to be held from 15 to 18 May 2026. The event was previously known as the Shark Bay Fishing Fiesta and was historically delivered by the Shark Bay Fishing Club. In 2022, the event was rebranded to the Shark Bay Fiesta and has since been coordinated by the Shark Bay Community Resource Centre.

COMMENT

The Shark Bay Fiesta has been delivered annually for over 30 years and remains a well-established and highly regarded event within Denham and the broader region. Historically centred around the fishing calendar, the event has consistently attracted strong community support, including sponsorship and in-kind contributions from local groups and individuals.

In response to current demersal fishing bans in areas south of Shark Bay, the 2026 event format has been revised. All fishing competitions have been removed, and the Fiesta has transitioned to a four-day, community-focused event, reduced from its

29 April 2026

previous eight-day duration. The revised program will run from 15–18 May 2026 and will feature entertainment, markets, and fundraising activities, with an emphasis on community connection and participation.

Following the 27th Shark Bay Fiesta held in May 2022, the Shark Bay Community Resource Centre undertook a survey of 188 registered participants to assess the event's local economic impact. The survey indicated that 82% of respondents were visitors to the region, with an estimated minimum expenditure in Denham exceeding \$440,000 across fuel, food, and accommodation. While the event format has evolved, it is anticipated that the Fiesta will continue to deliver meaningful social and economic benefits, supporting local businesses, tourism, and community groups.

Council has a history of supporting the Shark Bay Fiesta through both financial and in-kind contributions. In 2024, Council provided a total of \$11,000 toward the 29th Shark Bay Fishing Fiesta, comprising \$5,000 in cash and \$6,000 in in-kind support, including equipment and venue hire. In 2023, Council contributed \$8,000 in cash and \$6,000 in in-kind support, totalling \$14,000.

For the 2025/2026 financial year, Council has allocated \$6,000 for in-kind event support, including equipment and venue hire. The Shark Bay Community Resource Centre has submitted an application seeking an additional \$5,500 through the 2025/2026 Significant Event Sponsorship program to support delivery of the revised Shark Bay Fiesta.

APPLICATION

Group: **Shark Bay Community Resource Centre**
Amount requested: **\$5,500**
Project: **2026 Shark Bay Fiesta**
Funding category: **Funding for a specific event and prize money**
Strategic Community Plan (category): **Economic, Social and Environment**

The Shark Bay Community Resource Centre (CRC) is a not-for-profit organisation in Denham with extensive experience delivering community events. The application describes the Shark Bay Fiesta as a four-day community event delivering a vibrant program of entertainment, markets, and fundraising activities from 15–18 May 2026. The event provides significant social and economic benefits, bringing the community together while supporting local businesses, tourism, and community groups.

The application states that the Shark Bay Fiesta delivers economic, social, and environmental benefits to the region.

Economic Benefits

The application states that the Shark Bay Fiesta remains a key economic driver for the region, attracting visitors and increasing demand for local accommodation, fuel, retail, and hospitality services. While the 2026 event has been refined into a four-day format, it is designed to deliver a high-impact, concentrated program that maximises visitation and local spending. Community groups will continue to benefit through fundraising opportunities, with proceeds supporting local projects, youth programs, and community initiatives. The Fiesta remains an important contributor to the economic sustainability and vibrancy of Shark Bay.

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Environmental Benefits

The applicant states that, in response to recent changes to fishing regulations and evolving community expectations, the 2026 Fiesta will transition away from a competitive fishing focus. This presents an opportunity to strengthen its commitment to environmental sustainability and responsible coastal stewardship. The event will continue to promote awareness of Shark Bay's unique marine environment through community messaging, low-waste practices, and support for local environmental initiatives. This evolution ensures the Fiesta remains aligned with sustainable values and the long-term protection of natural assets.

Social Benefits

The application describes the Shark Bay Fiesta as a cornerstone of social connection within the remote community, providing inclusive opportunities for people of all ages and backgrounds to come together. The 2026 program will focus on entertainment, community participation, and shared experiences, including live music, markets, workshops, and fundraising events. These activities are designed to reduce social isolation, strengthen community belonging, and encourage multigenerational engagement. By creating accessible and welcoming spaces, the Fiesta continues to enhance community cohesion, celebrate local identity, and support overall wellbeing. Funding will contribute towards musicians, entertainment, and community workshops.

The grant application includes:

- Two project referees: Rebecca Moroney (Shark Bay P&C, School Secretary) and Shayne Thomson (Film Festival organiser/producer)
- Project budget
- Quotes
- Shark Bay Community Resource Centre 2024/2025 Financial Statements (refer to 'Confidential' attachments folder)

Officer Comment

The Shark Bay Fiesta is a community-oriented event that actively involves local organisations and community groups. It provides opportunities for fundraising while delivering economic and social benefits to the Shark Bay community.

It is recommended that Council approve funding of \$5,500 to the Shark Bay Community Resource Centre to support delivery of the 2026 Shark Bay Fiesta.

Should Council approve the application, the Shire's Community Development Officer will request that the Shark Bay Community Resource Centre acknowledge the Shire's sponsorship by including the Shire's logo and the wording "Proudly supported by the Shire of Shark Bay" in all promotional materials (e.g. print, digital, and social media).

29 April 2026

LEGAL IMPLICATIONS

There are no legal implications associated with this report.

POLICY IMPLICATIONS

These recommendations comply with Council Policy 2.2 Financial Assistance/ Donations.

FINANCIAL IMPLICATIONS

An allocation of \$50,000 has been included in the adopted 2025/2026 budget for Community Assistance Grants. This funding covers Round 1 (larger events), Round 2 (equipment and small projects), and Significant Event Funding.

To date, Council has approved \$20,995.45 under Round 1 and \$5,000 for Significant Events, bringing the total approved funding to \$25,995.45. This leaves a remaining balance of \$24,004.55 for the current financial year.

Should both Round 2 applications totalling \$1,900, along with a Significant Event application for \$5,500, be approved, the total funding allocated would increase to \$33,395.45. This would result in a remaining balance of \$16,604.55 in the Community Assistance Grants fund, with approximately two months remaining in the financial year.

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

Simple Majority Required

SIGNATURES

Executive Manager Community Development

M Fanali

Chief Executive Officer

D Chapman

Date of Report

22 April 2026

FOR: Cr's Bellottie, Cowell, Fenny, Johns, Ridgley, Smith and Stubberfield

AGAINST: Nil

ABSENT: Nil

CARRIED 7/0

29 April 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:

Significant Event Sponsorship Funding Year: 2026

ORGANISATION DETAILS

Organisation Name Shark Bay Community Resource Centre

Postal Address PO Box 58, Denham WA 6537

Contact Person Jamie Burton

Position/Title Executive Officer

Telephone 08 9948 1787

E-mail admin@sharkbaycrc.org.au

What category best describes your organisation?

- Sporting Club
 Community Group

ORDINARY COUNCIL MEETING UNCONFIRMED MINUTES

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Not-for-profit organisation & charity

Other: _____

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

- | | YES | NO |
|-------------------------------------------|-------------------------------------|--------------------------|
| • Incorporated | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| • GST Registered | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| • Have a current Association Constitution | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Australian Business Number (ABN): 31 964 552 684

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: Shark Bay Community Resource Centre

BSB: 066 512 Account Number: 10716823

FUNDING DETAILS

Project title: 31st Shark Bay Fiesta

Project description: The Shark Bay Fiesta 2026 is a four-day community event delivering a vibrant program of entertainment, markets, and fundraising activities from 15–18 May 2026. The event provides significant social and economic benefits, bringing the community together while supporting local businesses, tourism, and community groups.

Date(s) the project will take place: 15th - 18th May 2026

Location(s) where the project will take place: Denham Foreshore

Total project funds requested (including GST if applicable) \$5,500

29 April 2026

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

Yes

No

If Yes, Previous funding amount received: \$11,000

Round / Year funding was received: 2025

Funded project: Shark Bay Fiesta

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 UNCONFIRMED MINUTES

29 April 2026

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

Economic

The Shark Bay Fiesta continues to be a key economic driver for the region, attracting visitors and increasing demand for local accommodation, fuel, retail, and hospitality services. While the 2026 event has been refined into a four-day format, it is designed to deliver a high-impact, concentrated program that maximises visitation and local spending. Community groups will continue to benefit through fundraising opportunities, with proceeds supporting local projects, youth programs, and community initiatives. The Fiesta remains an important contributor to the economic sustainability and vibrancy of Shark Bay.

Environmental

In response to recent changes to fishing regulations and community expectations, the 2026 Fiesta will transition away from a competitive fishing focus. This presents an opportunity to strengthen our commitment to environmental sustainability and responsible coastal stewardship. The event will continue to promote awareness of Shark Bay's unique marine environment through community messaging, low-waste practices, and support for local environmental initiatives. This evolution ensures the Fiesta remains aligned with sustainable values and the long-term protection of our natural assets.

Social

The Shark Bay Fiesta remains a cornerstone of social connection in our remote community, providing inclusive opportunities for people of all ages and backgrounds to come together. The 2026 program will focus on entertainment, community participation, and shared experiences, including live music, markets, workshops, and fundraising events. These activities are designed to reduce social isolation, increase community belonging, and encourage multigenerational engagement. By creating accessible and welcoming spaces, the Fiesta continues to strengthen community cohesion, celebrate local identity, and enhance overall wellbeing.

Please list other organisations involved in this project (*if applicable*)

Name of Organisation	Project Involvement
Shire of Shark Bay	In-kind hire of events marquee, fencing, tables, chairs, stage and PA Equipment
Shark Bay SES	Utilising event to promote organisation – donates the use of smaller marquees, tables, chairs, bbq's, safety steps, witches hats and much more
Shark Bay Speedway Club	Provides storage of event sea container on their site whilst not in use
Friendly Hub	Hosts weekly seniors sessions/morning tea from events area and assists to support the Cancer Council Biggest Morning Tea Fundraiser
Shark Bay Bowling, Sport & Recreation Club	Donates the use of bar stools and tables for the high tea
War on Waste	Donates the use of their water fountain/refill bottles water station
Shark Bay P&C	Utilising event to fundraise – in the past catering and money boards
Shark Bay Arts Council	Utilising event to fundraising through art/craft workshops
Kindy Gym families	Fundraiser and dress up for Pirate Day (brain cancer in children) and host weekly session messy play and morning tea from the event venue
Recfishwest	Comes to interact and educate the youth in regards to fishing and fishing practices

ORDINARY COUNCIL MEETING UNCONFIRMED MINUTES

29 April 2026

Department of Transport	Will be in attendance to capitalise on checking all vessels in the area for their in date safety equipment and educate
DPIRD/Fisheries	Fisheries welcome additional staff including a community education officers who hosts information displays and engages with all recreational fishers at the market day.

2025 Event Sponsors included;

Batterymart Geraldton • Blue Lagoon Pearls • Brian Child Plumbing • Burton Tiling Maintenance & Renovations • Cancer Council • Cardile Fireworks • CDH Electrical • Cellarbrations Denham • Department of Biodiversity, Conservation & Attractions • Department of Primary Industries & Regional Development • Department of Transport • Effective Employee Solutions • Gascoyne Development Commission • Geoff Franz • Geraldton Sports Centre • GJ Freight • Linkwest • Lotterywest • Marine Rescue Shark Bay • National Volunteer Week • Pinjarra Sandblasting • RAC Monkey Mia Dolphin Resort • Ray White Shark Bay • Recfishwest • Regional Mens Health • Rex Airlines • Rob Burrows • Seagrass Restoration • SES Shark Bay • Shark Bay Bakery • Shark Bay Bowling, Sport & Recreation Club • Shark Bay Fuel, Fishing & Camping • Shark Bay Hotel • Shark Bay Mechanical & Towing • Shark Bay P & C Association • Shark Bay Pizza • Shark Bay Police • Shark Bay Services • Shark Bay Skip Bins • Shark Bay Speedway Club • Shire of Shark Bay • Surf 'N Dolphin • Sykes Transport • The Friendly Hub • Tideline Boat Hire Shark Bay • True Value Hardware • Volunteering WA • Tasman Holiday Parks • The Friendly Hub • True Value Hardware • West Coast Fireworks

Project Referees:

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
Rebecca Moroney	0409 331 728	rebecca.moroney@education.wa.edu.au	Shark Bay P&C, secretary
Shayne Thomson	0438 800 165	shaynethomson@gmail.com	Film Festival organiser/producer

SIGNIFICANT EVENT - ONLY

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 – the vast majority of entertainment is free however there are ticketed entry components

If **Yes**, how much? _____

ORDINARY COUNCIL MEETING UNCONFIRMED MINUTES

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PROJECT BUDGET

Please provide a budget description of how the Shire of Shark Bay funds, your organisation contribution and other funding source (*if applicable*). Please attach quotes with details of each expenditure item being spent.

Expenditure Item Description (i.e. materials, equipment, advertising, catering, prizes)	Shire of Shark Bay Grant (\$)	*In-Kind (\$)	Other Funding Amount (\$)	Other Funding Organisation Name (your organisation or external)
Entertainment/Workshops - Lands End, Festival of Film costs to date \$397.82 - Dean Haitani musician (\$700) - Remnants band (\$3,200 + accommodation 1 night 5 pax \$680 + meals @ \$15 each = \$75) - Hippy Campers musicians \$500 - TBC, additional musician/band for Friday 4pm-7pm entertainment, budget at \$1,000		Accommodation \$200.00	<ul style="list-style-type: none"> \$500 GDC – tbc 	Budgeted \$8,000 over entire weekend for entertainment. CRC to contribute balance of funds required. <i>We are still sourcing;</i> <ul style="list-style-type: none"> Another musician/band for Friday afternoon entertainment around \$1,000 budget Additional costs will be involved in the Lands End, Festival of Film including possibly hiring a Digital Screen
Total	\$5,500.00	\$200.00	\$500.00	\$2,000.00

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

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

Yes – accommodation, meals

No

29 April 2026

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	<u>Jamie Burton</u>
SIGNATURE	
POSITION IN ORGANISATION	<u>Executive Officer</u>
DATE	<u>13th April 2026</u>

29 April 2026

SHARK BAY 31st FIESTA



Proudly supported by



Department of
Primary Industries and
Regional Development



FRIDAY 15 MAY

- 4-7pm OUTDOOR LIVE MUSIC - Jordan Myers TBC
- 5pm DINNER
- 6pm CHALLENGE #1 - Nose Dive
- 7pm BINGO - \$3 booklets

SATURDAY 16 MAY

- 7am BREAKFAST/LUNCH - Bacon & egg burgers, sausage sizzle fundraiser
- 8am MARKETS
- 10am BIGGEST MORNING TEA - bring a \$5 donation & a plate of food to share
- 1pm WORKSHOPS - (TBC organised by Arts Council)
- 4pm OUTDOOR LIVE MUSIC - Dean Haitani
- 5pm DINNER
- 6pm CHALLENGE #2 - Bottle to Bottle
- 8pm BAND - REMNANTS live band performance

15-18
MAY
2026

SUNDAY 17 MAY

- 9am KIDS FISHING COMPETITION - Kids jetty fun \$5 entry, meet at jetty marquee
- 1pm BUBBLES & BITES, Black & White Afternoon Delight - \$40 tickets
- 3pm Hippy Campers - live music performance
- 5pm DINNER
- 6pm CHALLENGE #3 - Balance Beam
- 6:30pm LANDS END - FESTIVAL OF FILM

MONDAY 18 MAY

- 10am KINDY GYM - Pirate Day fundraiser, bring a \$5 donation & a plate of food to share
- 5pm DINNER
- 6pm CHALLENGE #4 - Just Eat It
- 6:30pm QUIZ NIGHT - tables of 8, \$10 per player

29 April 2026

LANDS END - Festival of Film 17th May 2026



Meeting with Jamie Burton - CRC

1/ Costs of the Festival

FilmFreeway - \$145.81 **\$397.82.**
WIX Website \$252.01

2/ Digital Screen in Marquee
65Thirty - Geraldton



3/ Festival host, comedian?

4/ Fundraising

Art Auction

Sponsorship packages \$250, \$500, \$1000

5/ Live Stream

6/ Perth Film Studio involvement
Shire of Shark Bay - Film Liaison Officer

7/ VR / Games Session using the Digital Screen

8/ Popcorn and Intermission food.

9/ Seating in the marquee 100 seats?



29 April 2026

SBCRC Admin

From: dean haitani <deanhaitani@hotmail.com>
Sent: Friday, 13 March 2026 3:52 PM
To: SBCRC Admin
Subject: Re: Hi

Categories: Natt

Hi Natt.

No problems .

My fee would be \$700 for 4 hrs .

I hope we can make something work, it looks like a great event .

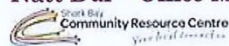
Thanks. Dean

From: SBCRC Admin <admin@sharkbaycrc.org.au>
Sent: Friday, 13 March 2026 6:33 PM
To: dean haitani <deanhaitani@hotmail.com>
Subject: RE: Hi

Awesome! Thanks so much for getting back to us so quickly...
If you could give us a quote for playing about 3-4 hours (looking at 4pm to 8pm with a break – we are pretty flexible though) we would go from there as we apply for funding and accommodation according to who we can get for entertainment. We have a Facey page if you want to check out the kind of gig it is – Shark Bay Fiesta. 😊

Kind Regards,

Natt Dul – Office Manager



OPEN: Monday to Friday: 9am to 4pm
My Days: Wednesday - Friday
Email : admin@sharkbaycrc.org.au
Website: www.sharkbaycrc.net.au
10 Denham Road - PO Box 58
DENHAM WA 6537
Phone: (08) 9948 1787

29 April 2026



We are proud and grateful to work by two waters Nhangaha Githarraguda

From: dean haitani <deanhaitani@hotmail.com>
Sent: Friday, 13 March 2026 3:21 PM
To: SBCRC Admin <admin@sharkbaycrc.org.au>
Subject: Hi

Hi Natt.

Thanks very much for making contact.

That sounds great, I am available on that day and am interested.

What's your budget for the show?

Thanks. Dean

29 April 2026

SBCRC Admin

From: peter marshall <yob_68@yahoo.com.au>
Sent: Tuesday, 7 April 2026 8:21 PM
To: sharkbaytc@westnet.com.au
Subject: Re: REMNANTS @ Shark Bay Fiesta

Hi again Jamie, so we are available to do your show if required on Saturday 16th May 2026 in Denham. As per my previous email, we will be travelling with 5 members (not 6 as previously mentioned). As usual we would require accommodation for 5 people and a meal each on the night.

The cost would be \$3200.

Price is a bit higher than last time unfortunately due to fuel price , truck hire and everything else that the price has gone up on, sorry about that.

Hope we can be of assistance for your show, and we await your reply to lock in the show or not.

Thanks again Jamie, much appreciated

Peter Marshall (Yobbo)
REMNANTS
Sent from my iPhone

On 7 Apr 2026, at 1:19 pm, peter marshall <yob_68@yahoo.com.au> wrote:

Hi Jamie,

Thanks for your email, I am just checking availability with all the members and will get straight back to you as soon as I can,

Just a heads up, we have an extra member now, as I have just had surgery to fix my shoulder, so we have a stand in drummer and I am out the front singing (instead of drumming and singing), until my shoulder is good again, so we will have 6 members(including soundcheck guy) travelling with us.

Cheers for now, chat soon

Peter Marshall (Yobbo)

REMNANTS

Sent from my iPhone

On 7 Apr 2026, at 9:01 am, Shark Bay Community Resource Centre <sharkbaytc@westnet.com.au> wrote:

Hi Peter

We are planning this years Fiesta and wondered if you guys might be interested in performing on Saturday 16th May at the Shark Bay Fiesta here in Denham. It would be that night, say 7pm onwards.

ORDINARY COUNCIL MEETING UNCONFIRMED MINUTES

29 April 2026

Warm regards
Jamie

Jamie Burton – Executive Officer
Shark Bay Community Resource Centre

10 Denham Road - PO Box 58
DENHAM WA 6537
Phone: (08) 9948 1787
Email: admin@sharkbaycrc.org.au
Website: sharkbaycrc.net.au

Open: Monday to Friday: 9am - 4pm
<image001.jpg>

From: peter marshall <yob_68@yahoo.com.au>
Sent: Monday, 5 May 2025 5:34 PM
To: sharkbaytc@westnet.com.au
Subject: Re: REMNANTS @ Shark Bay Fiesta

Hi Jamie,
Please find attached a copy of the invoice and Statement by a supplier form.
as per prior gigs, will there be a genset there for us for power, and would you like to use our PA set up, (microphone)
for your speeches.
no worries either way.
thanks again and I'll start promoting as well from our end, if that's ok.
cheers
Peters Marshall (Yobbo)
Remnants

On Monday 5 May 2025 at 10:29:24 am AWST, peter marshall
<yob_68@yahoo.com.au> wrote:

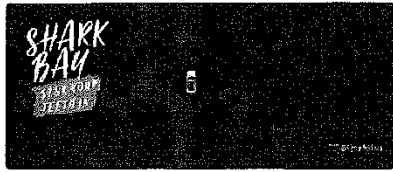
Hi Jamie, thanks for that, so as discussed the band will cost \$2200, plus accommodation
for 5 people and 5 x meals, we will be there around midday- 1 pm for set up and will be
set up and soundchecked by 4 pm at the latest, I will send you through an invoice and
Statement by supplier form after work , this afternoon,
Thanks again for reaching out to the band, and we are looking forward to coming back to
Shark bay for your festivities.

Cheers
Peter Marshall (Yobbo)
Remnants
0427381439
Sent from my iPhone

On 5 May 2025, at 9:52 am, Shark Bay Community Resource Centre
<sharkbaytc@westnet.com.au> wrote:

ORDINARY COUNCIL MEETING UNCONFIRMED MINUTES

29 April 2026



Shark Bay World Heritage Discovery & Visitor Centre

Address PO Box 126, Denham WA Australia 6537
Phone 08 9948 1590
Email sbdc@sharkbay.wa.gov.au
ABN 76 409 342 873

Jamie Burton
 Denham WA 6537 Australia
 +61427272560
 admin@sharkbaycrc.org.au
 REMNANTS Band booking for the Shark Bay Fiesta.

Tax Invoice 15540755
Booking Date Thursday, 9 April 2026
Booked By Jaimie

Booking #	Operator	Detail	Start Date	End Date	Guests	GST	Cost (Inc GST)	
16201835	Shark Bay Holiday Cottages	Bluebone	Saturday, 16 May 2026	Sunday, 17 May 2026	3A	\$28.18	\$310.00	
16201836	Shark Bay Holiday Cottages	Coral Trout	Saturday, 16 May 2026	Sunday, 17 May 2026	2A	\$33.64	\$370.00	
Payment #	Payment Type	Payment Date					Amount Paid	
24011935	Gateway	Thursday, 9 April 2026					\$680.00	
						Fees Inc GST	\$0.00	
						Total Inc GST	\$680.00	

Please see itinerary for full terms and conditions

29 April 2026

Hippy Campers

The screenshot shows a WhatsApp chat interface. At the top, there are icons for voice call, video call, and a contact information icon. The chat history includes:

- Feb 22, 2026, 1:52 PM**
 - Wendy Payne:** Hi Jamie, We're just mulling over options for gigs in Geraldton the weekend of 16th and 17th May but just wanted to check and see if there is any further movement on the fiesta entertainment that weekend?
 - Hippy Campers:** Cheers Wendy
- Feb 23, 2026, 12:39 PM**
 - Hippy Campers:** Hi Wendy, literally this morning I have been planning the Fiesta. Yes we want to lock you for a performance in I am just waiting for my colleague Natt to get back to work after being in Bali for several weeks so I can just show her the draft program and gather her thoughts. She is back in the office with me Wednesday. At this stage I have music penciled in for Friday, Saturday & Sunday early afternoon/evening (4hrs roughly). Is there a day that suits you better? Cheers
 - Wendy Payne:** That's awesome! Sunday would suit us best if possible? Looking forward to hearing back. Hi to Natt 🙌
 - Hippy Campers:** Perfect can I lock you in for Sunday then I am happy with that. That's our High Tea Party day so from 3pm to 6pm might be perfect thanks. That night we are hoping to have a film festival of some sort. Also how much will it roughly cost thanks Wendy.
 - Wendy Payne:** Thanks for that Jamie. We'll lock it in if you're happy for \$500?
 - Hippy Campers:** Triffic 🙌. Looking forward to bein' back in the bay! 🙌

At the bottom right of the chat, there is a blue button that says "Love it, done!".

29 April 2026

2.10pm One (1) guest left.

12.2 COMMUNITY ASSISTANCE GRANTS ROUND 2 2025/2026 – BOOLBARDIE COUNTRY CLUB

GS00001

AUTHOR

Community Development Officer

DISCLOSURE OF ANY INTEREST

Declaration of Interest:

Nature of Interest:

Moved Cr Johns
Seconded Cr Bellottie

2.11pm two (2) guests left.

Officer Recommendation

Council approves the Boolbardie Country Club Inc. application for the Shire's Community Assistance Grants Round 2 2025/2026 (Equipment and Minor Projects \$1,000) to the total value of \$1,000.00.

BACKGROUND

The Shire of Shark Bay's Community Assistance Grants are dedicated to ensuring local community-based organisations are supported to reach their full potential.

Applications for Round 2 (Community Projects) were open from 13 March until 7 April 2026 and were advertised to residents, associated clubs, and groups in the Shark Bay region through the following media outlets:

- Shire's website
- Facebook page and relevant community Facebook groups
- Inscription Post
- Targeted emails to community groups

There were two (2) grant applications received during this time. All applications meet the Shire's Community Assistance Grant Guidelines and are within the Shire's 2025/2026 allocated budget for Round 2 Community Assistance Grants.

APPLICATION

Organisation: **Boolbardie Country Club Inc.**
Amount requested: **\$1,000.00**
Total event budget: **\$4,500.00**
Project: **Golf Open Weekend Championship - Catering**
Date: **21-22 June 2026**
Funding category: **Equipment and Minor Projects**
Strategic Community Plan category: **Economic, Environment and Social**

Boolbardie Country Club Inc host the popular annual Denham Open Golf Tournament, which attracts residents and visitors to participate in the competition.

29 April 2026

Economically, visiting participants support local businesses by purchasing accommodation, food, and beverages. Food and Beverage provisions and prizes are sourced locally wherever possible.

Socially, visitors and residents alike enjoy socialising during a fun weekend of golf, with many permanent friendships having been formed over these weekends. The application also notes that many of the players are seniors who benefit from the healthy activity and from socialising at the event.

Environmentally, all empty cans and bottles are recycled, and solar power is connected to the club house and storage sheds. This event showcases Shark Bay's abundant flora and fauna, and private vehicles are prohibited from the course as a protective measure.

The proposed funding will contribute to the catering for the 2026 Denham Golf Open Weekend Championship and 60th Anniversary, which takes place on 21 and 22 June.

There are no catering quotes attached to the application as foodstuffs are bought closer to the event date and the cooking and serving is provided by Club volunteers. The estimate of the cost is based on previous years, which have received funding from Council and have all been adequately acquitted.

The budget for the event is a total of \$4,500 which includes a further \$500 from the Club towards the total cost of the catering, \$2,000 from local business for prizes, and \$1,000 from the Boolbardie Country Club to upgrade the fairways and greens in preparation for the event.

The grant application includes:

- Two project referees; Trish Moroney (Finance & Admin Coordinator, Department of Biodiversity, Conservation and Attractions) and Carol Whitby (Board Member of the Malgana Aboriginal Corporation)

A confidential attachment is supplied under separate cover with financial reports for this applicant.

OFFICER COMMENT

The Officer's recommendation is to approve Boolbardie Country Club's funding application for catering for the Denham Golf Open Weekend Championship. The funding application meets the selection criteria to involve and benefit the wider Shark Bay community, with the club providing opportunities for all ages to participate in golf, both socially and competitively.

It should be noted that Council have previously funded the Boolbardie Country Club Inc. for the Denham Golf Open. The most recent funding for the club was \$1,000 in April 2025, to assist with catering for the 2025 event.

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LEGAL IMPLICATIONS

There are no legal implications associated with this report.

POLICY IMPLICATIONS

These recommendations comply with current Policies made by Council 2.2 Financial Assistance/Donations.

FINANCIAL IMPLICATIONS

An allocation of \$50,000 has been included in the adopted 2025/2026 budget for Community Assistance Grants. This funding covers Round 1 (larger events), Round 2 (equipment and small projects), and Significant Event Funding.

To date, Council has approved \$20,995.45 under Round 1 and \$5,000 for Significant Events, bringing the total approved funding to \$25,995.45. This leaves a remaining balance of \$24,004.55 for the current financial year.

Should both Round 2 applications totalling \$1,900, along with a Significant Event application for \$5,500, be approved, the total funding allocated would increase to \$33,395.45. This would result in a remaining balance of \$16,604.55 in the Community Assistance Grants fund, with approximately two months remaining in the financial year.

STRATEGIC IMPLICATIONS

Social Objective: A safe, welcoming and inclusive community

Economic Objective: A progressive, resilient and diverse economy

RISK MANAGEMENT

These recommendations comply with the Shire's Community Assistance Grants guidelines.

VOTING REQUIREMENTS

Simple Majority Required

SIGNATURES

Executive Manager Community Development

M Janali

Chief Executive Officer

D Chapman

Date of Report

22 April 2026

FOR: Cr's Bellottie, Cowell, Fenny, Johns, Ridgley, Smith and Stubberfield

AGAINST: Nil

ABSENT: Nil

CARRIED 7/0

29 April 2026

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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:

- | | |
|----------------------------------------------------------------------------|-------------------|
| <input type="checkbox"/> Round 1 - Community Projects | Year: _____ |
| <input checked="" type="checkbox"/> Round 2 - Equipment and minor projects | Year: <u>2026</u> |
| <input type="checkbox"/> Significant Event Sponsorship Funding | Year: _____ |

ORGANISATION DETAILS

Organisation Name	<u>Boolbardie Country Club Inc</u>
Postal Address	<u>c/o Post Office DENHAM WA 6537</u>
Contact Person	<u>Lyn Harding</u>
Position/Title	<u>Secretary</u>
Telephone	<u>0488 504 518</u>
E-mail	<u>ajlg@westnet.com.au</u>

ORDINARY COUNCIL MEETING UNCONFIRMED MINUTES

29 April 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 | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| • GST Registered | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| • Have a current Association Constitution | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Australian Business Number (ABN): 811 234 880 15

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: Commonwealth Bank

BSB: 066 509 Account Number: 1021 4133

FUNDING DETAILS

Project title: Denham Open Golf Championship 2026

Project description: Boolbardie Country Club hosts the annual 2026 Denham Open Golf Championship attracting players and their families from Carnarvon, Geraldton and other locations across Western Australia.

Date(s) the project will take place: 20 and 21 June 2026

Location(s) where the project will take place: Boolbardie Country Club, Monkey Mia Road

Total project funds requested (including GST if applicable) \$1,000

29 April 2026

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

- Yes
 No

If Yes, Previous funding amount received: \$1,000
Round / Year funding was received: Round 2, 2025
Funded project: 2025 Denham Open

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 UNCONFIRMED MINUTES

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

Economic: Supporting local business including:

Visiting players and guests use local accommodation and purchase food and fuel locally.

Catering provisions and requirements and prizes are purchased locally wherever possible.

All beverages are purchased locally.

Environment: _____

Club is entirely powered by solar panels with battery back-up.

Private vehicles are prohibited on the course to protect local flora and fauna.

Bottles and cans are re-cycled.

Social: _____

The emphasis on the weekend is on social interaction. Many permanent friendships have been formed over these weekends of golf.

Many seniors benefit from the healthy activity and friendly socialising.

Please list other organisations involved in this project (*if applicable*)

Name of Organisation	Project Involvement
NIL	

Project Referees:

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
Trish Moroney	0428 580 189		DBCA Finance & Admin Coord.
Carole Whitby	0473 070 047		MAC Board Member

ORDINARY COUNCIL MEETING UNCONFIRMED MINUTES

29 April 2026

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? _____

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)
Catering	\$1,000		\$500	Boolbardie
Prizes		\$2,000		Local businesses
Course upgrade		\$1,000		Boolbardie
Total	\$1,000	\$3,000	\$500	

***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

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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.

The Oldie, Cellarbrations, IGA, Shark Bay Supermarket, Discovery Centre, Newsagency


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	<u>Peter Llewellyn</u>
SIGNATURE	<u></u>
POSITION IN ORGANISATION	<u>Club Captain</u>
DATE	<u>4 April 2026</u>

29 April 2026

12.3 COMMUNITY ASSISTANCE GRANTS ROUND 2 2025/2026 – SHARK BAY PISTOL CLUB
GS00001

AUTHOR

Community Development Officer

DISCLOSURE OF ANY INTEREST

Declaration of Interest:

Nature of Interest:

Moved Cr Smith

Seconded Cr Fenny

Officer Recommendation

That Council approve the Shark Bay Pistol Club application for the Shire's Community Assistance Grants Round 2 2025/2026 (Equipment and minor projects \$1,000) for the amount of \$900.

BACKGROUND

The Shire of Shark Bay's Community Assistance Grants are dedicated to ensuring local community-based organisations are supported to reach their full potential.

Applications for Round 2 (Equipment and Minor Projects) were open from 13 March until 7 April 2026 and were advertised to residents, associated clubs and groups in the Shark Bay region through the following media outlets:

- Shire's website
- Facebook page and relevant community Facebook groups
- Inscription Post
- Emails

There were two grant applications received during this time. Both applications meet the Shire's Community Assistance Grant Guidelines

APPLICATION

Organisation: **Shark Bay Pistol Club**
Amount requested: **\$900**
Total event budget: **\$950**
Project: **Purchasing goods and services**
Date: **April 2026**
Funding category: **Equipment and minor projects**
Strategic Community Plan category: **Economic, Environment and Social**

The Shark Bay Pistol Club is seeking funding for the purchase of a water pump for potential firefighting needs and dust suppression.

The application states the purchase will enable the club to host more events and competitions with other clubs in the Gascoyne, Midwest and Pilbara regions. These

29 April 2026

visiting clubs would provide a positive economic impact to local businesses during their visits.

The application states that the acquisition of a water pump will help the club effectively fight a fire that could spread and impact surrounding flora and fauna. Dust suppression will mitigate potential health risks to members and volunteers as well as provide stabilisation to soil, reducing dust damage to local flora.

Reducing dust and grit due to our high winds will encourage members to compete in usually adverse conditions.

Officer Recommendation:

The Officer's recommendation is to approve Shark Bay Pistol Club's funding application for the purchasing of goods and services. The funding application meets the selection criteria to involve and benefit the wider Shark Bay community.

In 2024 Council funded \$5,000 towards the replacement of a rainwater tank, bore water tank and Colourbond roof sheeting. A further \$800 was provided in early 2025 for additional roof sheeting plus an additional \$5,000 in late 2025 for upgrades to the club's pathway and new concrete pad in the generator shed. The proposed project is part of a continuous improvement plan for the Shark Bay Pistol Club facilities.

A confidential attachment is supplied under separate cover with financial reports for this applicant.

LEGAL IMPLICATIONS

There are no legal implications associated with this report.

POLICY IMPLICATIONS

These recommendations comply with current Policies made by Council 2.2 Financial Assistance/Donations.

FINANCIAL IMPLICATIONS

An allocation of \$50,000 has been included in the adopted 2025/2026 budget for Community Assistance Grants. This funding covers Round 1 (larger events), Round 2 (equipment and small projects), and Significant Event Funding.

To date, Council has approved \$20,995.45 under Round 1 and \$5,000 for Significant Events, bringing the total approved funding to \$25,995.45. This leaves a remaining balance of \$24,004.55 for the current financial year.

Should both Round 2 applications totalling \$1,900, along with a Significant Event application for \$5,500, be approved, the total funding allocated would increase to \$33,395.45. This would result in a remaining balance of \$16,604.55 in the Community Assistance Grants fund, with approximately two months remaining in the financial year.

STRATEGIC IMPLICATIONS

Social Objective: A safe, welcoming, and inclusive community

Economic Objective: A progressive, resilient, and diverse economy

ORDINARY COUNCIL MEETING UNCONFIRMED MINUTES

29 April 2026

RISK MANAGEMENT

This is a low risk item for Council

VOTING REQUIREMENTS

Absolute / Simple Majority Required

SIGNATURES

Executive Manager Community Development

M Fanali

Chief Executive Officer

D Chapman

Date of Report

22 April 2026

FOR: Cr's Bellottie, Cowell, Fenny, Johns, Ridgley, Smith and Stubberfield

AGAINST: Nil

ABSENT: Nil

CARRIED 7/0

29 April 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: 2026
- Round 2 - Equipment and minor projects Year:
- Significant Event Sponsorship Funding Year:

ORGANISATION DETAILS

Organisation Name SHARK BAY PISTOL and GUN CLUB _____

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 UNCONFIRMED MINUTES

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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 | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| • GST Registered | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| • Have a current Association Constitution | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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: SHARK BAY PISTOL CLUB_____

BSB: 066512____ Account Number: 10619505_____

FUNDING DETAILS

Project title: Petrol water pump_____

Project description: Purpose of acquiring a water pump is for potential fire fighting and dust suppression

Total project funds requested (including GST if applicable) \$900_____

Shire of Shark Bay Community Assistance Grants – Application Form

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Date(s) the project will take place: April 2026_____

Location(s) where the project will take place: Shark Bay Pistol Club, Monkey Mia Rd, Denham

29 April 2026

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

- Yes
 No

If Yes, Previous funding amount received: \$_5000_____

Round / Year funding was received:

_1/2025_____ Funded project: generator shed
refurbishment/roofing_____

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

- Yes
 No

If No, please outline why?

_Round 1 grant of \$5000 not expended due to summer weather, high temperatures and extreme winds_____

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 UNCONFIRMED MINUTES

29 April 2026

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

Economic: The improvements will enable to club to host more events and competitions with other clubs in the Gascoyne, Midwest and Pilbara regions. These visiting clubs would provide a positive economic impact to local businesses during their visits.

Environment: the acquisition of a water will help us effectively fight a fire that could spread and impact flora and fauna. Dust suppression will mitigate potential health risks to members and provide stabilization to soil reducing dust damage to local flora.

Social: Reducing dust and grit due to our high winds will encourage members to compete in usually adverse conditions.

Please list other organisations involved in this project (*if applicable*)

Name of Organisation	Project Involvement

Project Referees:

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	0429998944	cdhelectrics@gmail.com	Shark Bay Speedway President
Dave Cunningham	08 99481001	davetrout05@gmail.com	Shark Bay Marine and Hardware

ORDINARY COUNCIL MEETING UNCONFIRMED MINUTES

29 April 2026

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? _____

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)
petrol water pump	\$900			
			\$50 plus	Shark Bay Pistol and Gun Club
Total	\$ 900	\$	\$ 50	

***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

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29 April 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 23/03/2026

29 April 2026

TOTAL TOOLS Find your tools... Store Finder

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5YR PUMP WARRANTY



\$950

PRICE MATCH

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1

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29 April 2026

13.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN
NIL

14.0 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN
NIL

15.0 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION
NIL

16.0 MATTERS BEHIND CLOSED DOORS
NIL

17.0 DATE AND TIME OF NEXT MEETING

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 27 May 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.

2.12pm the President declared the meeting closed.