



# SHIRE OF CARNARVON

# MINUTES

## ORDINARY COUNCIL MEETING

## TUESDAY 28 JANUARY 2025

### **CONFIRMATION OF MINUTES**

These minutes were confirmed by the Council on  
25 February 2025  
as a true and accurate record

Shire Council Chambers  
Stuart Street Carnarvon, West Australia  
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Chairman

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## DISCLAIMER

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

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

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

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### **INFORMATION ON PUBLIC QUESTION TIME**

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

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

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

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

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

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

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

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

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

### **SPECIAL MEETINGS OF COUNCIL**

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

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

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

## 1 ATTENDANCE, APOLOGIES & APPROVED LEAVE OF ABSENCE

Mr Eddie Smith ..... Presiding Member/Shire President  
 Cr Burke Maslen ..... Councillor, Gascoyne/Minilya Ward  
 Cr Marco Ferreira ..... Councillor, Plantation Ward  
 Cr Luke Skender ..... Councillor, Town Ward  
 Cr Luke Vandeleur ..... Councillor, Town Ward  
 Cr Paul Kelly ..... Councillor, Town Ward  
 Cr Dudley Maslen ..... Councillor, Town Ward  
 Cr Adam Cottrell ..... , Councillor, Coral Bay Ward

Mrs Amanda Dexter ..... Chief Executive Officer  
 Mr Stefan Louw ..... Manager, Regulatory Services  
 Mrs Amanda Leighton ..... Manager, People Culture & Systems  
 Mrs Renee Louw ..... ICT Support Officer  
 Mrs Dannielle Hill ..... Senior Executive Officer

### Apologies

Mr David Nielsen ..... Executive Manager, Infrastructure Services

### Leave of Absence

Nil

Press..... Nil

Observers ..... Inspector Scott Morrissey WAPOL

## 2 DECLARATIONS OF INTEREST

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

Nil

## 3 PUBLIC QUESTION TIME

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

There were no public in attendance.

### 3.1 QUESTIONS TAKEN ON NOTICE FROM PREVIOUS MEETING

Nil

### 3.2 PUBLIC QUESTION TIME

Public Question Time was closed at 9.02am

## 4 CONFIRMATION AND RECEIVING OF MINUTES

### CONFIRMATION OF MINUTES

4.1 Minutes of the Ordinary Council Meeting - 17 December 2024

4.2 Minutes of the Special Council Meeting - 20 December 2024

#### COUNCIL RESOLUTION OCM 01/01/25

Moved: Cr Paul Kelly

Seconded: Cr Dudley Maslen

*That the minutes of Ordinary Council Meeting held on 17 December 2024 and the minutes of Special Council Meeting held on 20 December 2024 be confirmed as a true record of proceedings.*

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

AGAINST: Nil

**CARRIED BY SIMPLE MAJORITY 8/0**

### RECEIVING OF MINUTES

4.3 Minutes of the Audit & Risk Management Committee - 11 December 2024

#### COUNCIL RESOLUTION OCM 02/01/25

Moved: Cr Luke Vandeleur

Seconded: Cr Paul Kelly

*That the minutes of the Audit & Risk Management Committee Meeting held on Wednesday 11 December 2024 be received.*

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

AGAINST: Nil

**CARRIED BY SIMPLE MAJORITY 8/0**

## 5 ANNOUNCEMENTS BY THE PRESIDENT WITHOUT DISCUSSION

Nil

## 6 PRESENTATIONS, PETITIONS AND MEMORIALS IS A RISK OF ESCULATED VIOLENCE)

### 6.1 WA POLICE - CARNARVON CRIME UPDATE

Inspector Scott Morrissey from the WA Police Carnarvon Branch, provided a general overview on the current crime situation in Carnarvon. Points of interest raised and discussed included –

- Carnarvon is experiencing an increase in criminal activity, largely attributed to funeral-related gatherings and the influx of extended community members.
- This pattern is not unique to Carnarvon but reflects a broader trend observed across Western Australia.
- Carnarvon Police have measures in place to deter **escalated violence** in large gatherings.
- If required, **crowd control strategies** include the deployment of **increased volumes of pepper spray** to disperse disorderly groups.
- The Carnarvon Police Force currently has a high number of probationary and newly inducted officers, who have adapted well to local issues.
- However, a lack of experienced officers can limit operational effectiveness and increase workload pressures.
- Regional Shield Operations provides temporary assistance through the secondment of senior officers on a fortnightly basis, offering critical support in complex policing situations.
- Police data shows that more offenders have been arrested this year than in the past three years, indicating increased enforcement activity.
  - Some youth offenders deliberately obscure their identity using balaclavas, hoodies, and socks on their hands, making it difficult for police to confirm identities and process arrests.
- There has been a notable increase in the theft of motorbikes and quad bikes.
- Police adopt a non-pursuit policy to prevent accidents and mitigate the risk of injury to offenders and the public.
- Introduction of Weapon Detection Scanners
  - Weapons such as knives and machetes pose a significant safety risk.
  - Police have introduced scanners to detect concealed weapons.
  - Scanning is conducted within a 3km radius, subject to approval from Perth Operations.
  - Confiscated weapons result in education interventions for offenders, highlighting the legal and social consequences of carrying weapons.
- Attracting long-term police officers to Carnarvon remains a challenge, with many newly recruited officers reluctant to accept positions in the region.
- A major constraint is the lack of available housing, impacting the ability to recruit and retain officers.
- Incentive programs and targeted recruitment campaigns are being explored to address this issue.

**President Smith** asked the Inspector if he thought the liquor restrictions were working. President Smith had received many complaints from the community – Key concerns were:

- The inability to purchase alcohol on Sunday and Mondays was deterring visitors from staying in the town – affecting the economics of the community
- The liquor restrictions were detrimental to all business due to the effect it is having on tourism.
- Responsible people are being penalised for the mistakes of others.

**Inspector Morrissey** responded and advised as a WA Police Officer, he personally thinks that the liquor restrictions are working - however the restrictions are governed by the State and therefore the WA Police have no influence over these restrictions.



**CEO Mandy Dexter** enquired as to whether the Shire of Carnarvon could assist WAPOL to attract police officers to Carnarvon.

**Inspector Morrissey** said the major factor was the lack of housing in Carnarvon and this is something the Shire can assist with.

**President Smith** enquired as to liaison with the Department Communities and what is being done by the Department to assist with the juvenile offenders.

**Inspector Morrissey** stated that WAPOL does work with the Department on occasions but they have their own policies by which they operate under. He agrees that like WAPOL, the Department of Communities is under resourced for the issues that Carnarvon is experiencing.

**Councillor Dudley Maslen** reiterated that there is a lack of Government support for these Departments to run effectively and something needs to be done state and nationwide, not just Carnarvon. Carnarvon Police are doing an excellent job under the circumstances.

**Inspector Morrissey** left the meeting with the President thanking him for addressing Council and reiterated that WAPOL has Council's support.

## 7 DEPARTMENTAL REPORTS

### 7.1 GOVERNANCE

#### **7.1.1 ACTIONS PERFORMED UNDER DELEGATED AUTHORITY FOR THE MONTHS OF NOVEMBER AND DECEMBER 2024 AND JANUARY 2025**

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

#### **Authority/Discretion:**

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

#### **Summary of Item**

To report on actions performed under delegated authority for the months of November and December 2024 and January 2025.

#### **Background**

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

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

#### **Stakeholder and Public Consultation**

Nil

## Statutory Environment

*Local Government Act 1995 - Section 9.49A*

*Planning & Development Act 2005 – Part 10 Div. 2*

*TPS No. 10 – Section 2.4*

*Shire of Carnarvon Local Government Act Local Laws S.29*

*Health Act 1911 – S.107; Health Act 1911, Part VI*

*Health (Public Buildings) Regulations 1992*

## Relevant Plans and Policy

Nil

## Financial Implications

There are no financial implications arising from receiving this report.

## Risk Assessment

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

Risk Category	Description	Rating (Consequence x likelihood)	Mitigating Action/s
Financial	N/A		
Health & Safety	N/A		
Reputation	Non-compliance with statutory requirements would result in reputational damage to the Shire	C-1 Low	This agenda item aims to ensure that the Shire is compliant.
Service disruption	N/A		
Compliance	That the performed delegations are not reported to Council	C-1 Low	This agenda item aims to ensure that the Shire is compliant in reporting delegated authority actions
Property	N/A		
Environment	N/A		
Fraud	N/A		

## Community and Strategic Objectives

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

### OBJECTIVES

**In 2040 Carnarvon is a place where:**

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

**ADDITIONAL FOCUS AREAS:**

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

**BIG IDEAS FOR THE FUTURE OF CARNARVON:**

- N/A

**Comments**

The following table detailing the actions performed within the organisation under delegated authority for the months of November and December 2024 and January 2025 are submitted to Council for information.

**LAND USE AND DEVELOPMENT**

Planning and Development Act (Local Planning Schemes) Regulations 2015 Schedule 2 Clause 68 Applications to use/develop land					
File Ref:	Application Ref:	Subject Land (Incl. Scheme No)	Purpose	Applicant/Proponent	Date Granted
A564	P49/24	LOT167 (101) OLIVIA TCE CARNARVON WA 6701	SHED	RAYMOND MILNER	22/11/2024
A3055	P50/24	LOT 547 ON HN C54 ROBINSON ST	SEA CONTAINER	MATHEW CHOWN	27/11/2024
A96	P53/24	LOT 566 (111) CORNISH ST, MASSEY BAY	STORAGE SHED	BEN DEI GUIDICI	13/12/2024

LIQUOR CONTROL ACT 1988 - SECTION 40 Certificate of Local Planning Authority					
File Ref:	Subject Land	Purpose	Applicant/Proponent	Advice Given	Advice Sent
A3954	LOT 97 ON PLAN 204556	SPECIAL FACILITY LICENSE – TOURISM	RACHAEL STEADMAN	SECTION 40 CERTIFICATE ISSUED	09/12/2024

**BUILDING SERVICES**

Application No.	Owners Name	Lot & Street	Type of Building Work
B24/027	JULIAN ANDREOLI & RICKY ANDREOLI	LOT 927 (352) ROBINSON STREET, EAST CARNARVON	SOLAR PANELS
B24/081	PETER & ANNA BROOKS	LOT 29 (8) HOPE STREET, EAST CARNARVON	ENCLOSED LEAN TO
B24/089	MICHELE RASO	1035 NORTH RIVER RD, NORTH PLANTATIONS	SOLAR PANELS
B24/091	DR ALEXANDER FULLARTON	LOT 100 (118) BOOR ST, GREYS PLAIN WA 6701	ELEVATED DECK
B24/092	REGIONAL POWER CORPORATION	LOT 315 (115) SANCTUARY ROAD, LYNDON	OCCUPANCY PERMIT FOR COMMERCIAL STORAGE SHED
B24/096	RAC TOURISM ASSESTS PTY LTD	LOT 1 (14) & LOT 54 (6) ROBINSON STREET, CORAL BAY	STAGE 1 - RETAINING WALLS
B24/097	DEPT. BIODIVERSITY, CONSERVATION & ATTRACTIONS	LOT 525 on DP 407153 SANCTUARY ROAD, LYNDON	3 X TRANSPORTABLE ACCOMMODATION UNITS
B24/099	THO VAN PHAM & THAM THI DINH	LOT 200 (550) SOUTH RIVER ROAD, SOUTH PLANTATIONS	SOLAR PANELS

## ENVIRONMENTAL HEALTH

**On-site wastewater management—Health Act 1911, s.107***Health (Apparatus for treatment of sewage and disposal of effluent and liquid waste) Regulations 1974*

Date of decision	Decision Ref.	Decision details	Applicant	Other affected person(s)
19/11/24	HOS24/007	APPROVAL TO INSTALL APPARATUS FOR TREATMENT OF SEWAGE—NEW HOUSE AT 57 CAREY ST, SOUTH CARNARVON	AK WATERS PTY LTD	STATE HOUSING COMMISSION
6/1/2025	HOS25/001	APPROVAL TO INSTALL APPARATUS FOR TREATMENT OF SEWAGE—412 ROBINSON ST, EAST CARNARVON	CORAL COAST PLUMBING	JENKINS, UEL

**Other**

Date of decision	Decision Ref.	Decision details	Applicant	Other affected person(s)
13/1/2025	HPB25/001	APPROVAL TO CONSTRUCT PUBLIC PLACE/EVENT—OCCASIONAL FESTIVALS AND EVENTS AT CARDABIA STATION FOR PERIOD 2025–2028, UP TO 2500 PERSONS WITH TEMPORARY EVENT CAMPING UP TO 1250 PERSONS	BANG BANG CO	BAIYUNGU ABORIGINAL CORPORATION

**OFFICER'S RECOMMENDATION**

*That Council, by Simple Majority, in accordance with Section 5.46 of the Local Government Act, resolves to accept the reports outlining the actions performed under delegated authority for the months of November and December 2024 and January 2025.*

**COUNCIL RESOLUTION OCM 03/01/25****Moved:** Cr Marco Ferreirinha**Seconded:** Cr Burke Maslen

*Council, by Simple Majority, in accordance with Section 5.46 of the Local Government Act, resolves to accept the reports outlining the actions performed under delegated authority for the months of November and December 2024 and January 2025.*

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

**AGAINST:** Nil

**CARRIED BY SIMPLE MAJORITY 8/0**

**7.1.2 2025 LOCAL GOVERNMENT ORDINARY ELECTION - CONDUCT AND VOTING**

File No:	ADM1834
Location/Address:	Shire of Carnarvon
Name of Applicant:	WA Electoral Commission
Name of Owner:	N/A
Author(s):	Amanda Dexter, Chief Executive Officer
Authoriser:	Amanda Dexter, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirement:	Absolute Majority
Previous Report:	February 2023
Schedules:	<ol style="list-style-type: none"> <li>1. WAEC - Cost Estimate - 2025 Ordinary Elections</li> <li>2. Written Agreement to Conduct Elections - WAEC</li> </ol>

**Authority/Discretion:**

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

**Summary of Report**

The *Local Government Act 1995* allows for Local Governments to conduct elections as either; an in-person election or a postal election. Legislation provides that if a Council decides to conduct a postal election, the Western Australian Electoral Commission (WAEC) must conduct the election, with the cost of the election to be reimbursed to the Commission on the basis of full cost recovery. This report presents a proposal from the WAEC for Council consideration. The officer's recommendation is that the WAEC proposal is accepted by Council.

**Background**

All Western Australian Local Government Ordinary Elections are conducted on the third Saturday in October, in every second year. The next ordinary election day for all Western Australian local governments, is therefore Saturday 18 October 2025. The electoral process is comprehensively regulated by the *Local Government Act* and its associated Electoral Regulations.

One of the first election processes requires the local government to decide on what voting format the election should use ("in person" or "postal") and who should be the Returning Officer (and therefore be responsible for the conduct of an election). The legislation requires that where a local government opts for a postal election, the election must be conducted by the WAEC.

The 2023 Shire of Carnarvon elections were conducted by the WA Electoral Commissioner and the method of conducting the voting was “postal”. This protocol has been consistently applied in previous election years 2017, 2019 and 2021.

The Shire President and Councillors are elected for four-year terms, with half the Councillors’ terms concluding at each biennial election.

The WAEC has written to the Shire offering to undertake the 2025 election on a fee-for-service basis. See **Schedule 1**. The written agreement from the WAEC to conduct the elections is also attached at **Schedule 2**.

### **Stakeholder and Public Consultation**

Nil

### **Statutory Environment**

*S4.20 of the Local Government Act 1995*

*Part 4 of the Local Government Act 1995*

*The Local Government (Elections) Regulations 1997*

*The Local Government (Constitution) Regulations 1998*

### **Relevant Plans and Policy**

Nil

### **Financial Implications**

Should Council resolve to engage the WAEC, the WAEC will conduct the 2025 election on a full cost recovery basis; a copy of correspondence from the WAEC estimating the cost to be \$32,100 (incl. GST) is attached **Schedule 1**.

Should Council choose to conduct the election in-house, staff resources, printing and other associated costs are likely to be similar to the quote received by the WAEC.

Several of the Shire’s staff members are likely to be invited to work in the polling places and for the vote count on Election Day and these costs are included in the Electoral Commission’s \$32,100 (incl. GST) estimate.

Outside of this amount there will be some additional staff and operational costs incurred throughout the election process (like taking early votes at the Shire Offices, count room set up, telephone calls, etc). These additional costs (estimated to be in the order of \$2–3,000) will be funded from existing salary/administrative budget allocations.

It is recommended that provision be made in the budget for 2025-2026 in the sum of \$36,000.

## Risk Assessment

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

Risk Category	Description	Rating	Mitigating Action/s
Financial	Electoral Commission costs could exceed the estimated \$36,000.	Moderate	Maintain communication with Electoral Commission to monitor costs. Budget for a 10% overrun
Health & Safety	N/A		
Reputation	Process of elections might be disrupted by third parties or inadequately conducted by the Electoral Commissioner	Moderate	Maintain communications with Electoral Commission (and the Returning Officer) to monitor process, progress and any potential for third party intrusions.
Service disruption	N/A		
Compliance	N/A		
Property	N/A		
Environment	N/A		
Fraud	N/A		

## Community and Strategic Objectives

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

OBJECTIVES

In 2040 Carnarvon is a place where:

- *Our community is engaged, inclusive and supportive*

## ADDITIONAL FOCUS AREAS:

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

## BIG IDEAS FOR THE FUTURE OF CARNARVON:

- *N/A*

## Comments

Many local government authorities in Western Australia utilise postal voting for the local elections to achieve efficiencies of costs, better utilisation of staff, accessibility for electors and in circumstances where there are a significant proportion of absentee landowners, postal voting can be a practical, fair, and equitable method, with the aim to achieve the best possible rate of return.

The turnout for Local Government elections continues to hover around the 30% rate in Western Australia. The Shire of Carnarvon sits at approximately 45% elector turnout – 15% above the state average. Given the



non-compulsory nature of Local Government elections the Commission continues to look for creative ways to engage with electors, promoting the importance of Local Government elections at every opportunity and simplifying processes to make it as straightforward as possible for electors to participate.

At the October 2023 Local Government postal elections, the average cost per elector was \$5.17 compared to \$4.06 at the 2021 postal elections. The cost increase was largely due to postage costs associated with the delivery and return of election packages. Cost increases also arose due to inflationary impacts for example e.g. Increases in salaries for Returning Officers and other casual staff and printing, packaging and distribution costs.

The Commission also introduced improved processing procedures and additional resources to supplement the Commission's education and complaints management efforts as well as support to ROs which contributed to some additional costs allocated across all local government clients.

The Commission is required under the Act to conduct Local Government elections on a full accrual cost recovery basis. Whilst cost estimates are provided to local governments prior to the election, the actual cost incurred must be passed on. The cost estimate is based on an approximation of candidate numbers, electors, mailing delivery service used, staffing requirements and the number of returned votes by electors.

The cost recovery nature of the Commission's operations for local government elections means that increased marketing and advertising activities by the Commission are not possible, without those costs being passed on to local governments. The Commission continues to focus on stakeholder and community engagement and strong working relationships with relevant organisations such as the Office of Multicultural Interests, WALGA and DLSGC in an endeavour to deliver more positive results in the future.

The Commission is keen for the sector to undertake research into the reasons behind elector disinterest in local government elections in an effort to develop targeted communications and marketing approaches.

The four positions that will be created in the 2025 election cycle are as follows:

Position	Incumbent
Town Ward Councillor	Luke Skender
Town Ward Councillor	Dudley Maslen
Plantation Ward Councillor	Marco Ferreira
Coral Bay Ward Councillor	Adam Cottrell

The Electoral Commissioner has provided a written agreement to conduct the 2025 local government elections, subject to the proviso that the election is conducted as a postal election. This agreement is the first step required under the *Local Government Act 1995*.

### **OFFICER'S RECOMMENDATION**

***That Council, by Absolute Majority, resolves to:***

- 1. declare, in accordance with section 4.20(4) of the Local Government Act 1995, that the Electoral Commissioner be responsible for the conduct of the Shire of Carnarvon 18 October 2025 ordinary elections together with any other elections or polls which may be required for the Shire of Carnarvon;***
- 2. decide, in accordance with section 4.61(2) of the Local Government Act 1995, that the method of conducting the election for the Shire of Carnarvon will be as a postal election; and***
- 3. accept the quotation provided by the Western Australian Electoral Commission of \$32.100 to conduct the 2025 Local Government Election for the Shire of Carnarvon and ensure that a provision of \$36,000 is made in the 2025/26 annual budget to cover the costs and allow for a 10% overrun.***

**COUNCIL RESOLUTION OCM 04/01/25****Moved:** Cr Paul Kelly**Seconded:** Cr Luke Vandeleur***That Council, by Absolute Majority, resolves to:***

- 1. declare, in accordance with section 4.20(4) of the Local Government Act 1995, that the Electoral Commissioner be responsible for the conduct of the Shire of Carnarvon 18 October 2025 ordinary elections together with any other elections or polls which may be required for the Shire of Carnarvon;***
- 2. decide, in accordance with section 4.61(2) of the Local Government Act 1995, that the method of conducting the election for the Shire of Carnarvon will be as a postal election; and***
- 3. accept the quotation provided by the Western Australian Electoral Commission of \$32.100 to conduct the 2025 Local Government Election for the Shire of Carnarvon and ensure that a provision of \$36,000 is made in the 2025/26 annual budget to cover the costs and allow for a 10% overrun.***

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

**AGAINST:** Nil

**CARRIED BY ABSOLUTE MAJORITY 8/0**

**7.1.3 ANNUAL REPORT FOR THE YEAR ENDED 30 JUNE 2024 AND ELECTORS MEETING**

File No:	ADM0032
Location/Address:	N/A
Name of Applicant:	Shire of Carnarvon
Name of Owner:	N/A
Author(s):	Amanda Dexter, Chief Executive Officer
Authoriser:	Amanda Dexter, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirement:	Absolute Majority
Previous Report:	January 2024
Schedules:	1. Annual Report 2023/2024

**Authority/Discretion:**

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

**Summary of Item**

The purpose of this report is for Council to consider accepting the 2023/24 Annual Report for the Shire of Carnarvon and to set a date and time for the Annual General Meeting of Electors. Refer **Schedule 1** attached.

**Background**

Sections 5.53 and 5.54 of the *Local Government Act 1995* (the Act) and Regulation 19B of the *Local Government (Administration) Regulations 1996* require the preparation of an Annual Report and details the contents required within that report which includes the audited Annual Financial Report. Section 5.54 requires that the Annual Report for each financial year be accepted no later than 31 December after that financial year or within two months of receiving the auditor's report.

The auditor's report for 2022/2023, provided by contract auditor William Buck, was received from the Office of the Auditor General (OAG) and provided to Council at the 17 December 2024 Ordinary Meeting of Council. The Annual Report was not ready at this time.

The *Local Government Act 1995* requires that an Electors' General Meeting is to be held within 56 days of acceptance of the Annual Report. Pending adoption of the Annual Report, the Electors' General Meeting will be scheduled for 12 noon on the 18<sup>th</sup> February 2025 at the Shire of Carnarvon's, Council Chambers.

**Stakeholder and Public Consultation**

William Buck Accountants & Advisors  
The Office of the Auditor General

**Statutory Environment****Local Government Act, 1995****Division 5 – Annual reports and planning****5.53 Annual reports.**

(1) *The local government is to prepare an annual report for each financial year.*

(2) *The annual report is to contain —*

*(a) a report from the mayor or president; and*

*(b) a report from the CEO; and*

*[(c), (d) deleted]*

*(e) an overview of the plan for the future of the district made in accordance with section 5.56, including major initiatives that are proposed to commence or to continue in the next financial year; and*

*(f) the financial report for the financial year; and*

*(g) such information as may be prescribed in relation to the payments made to employees; and*

*(h) the auditor's report prepared under section 7.9(1) or 7.12AD (1) for the financial year; and*

*(ha) a matter on which a report must be made under section 29(2) of the Disability Services Act 1993; and*

*(hb) details of entries made under section 5.121 during the financial year in the register of complaints, including —*

*(i) the number of complaints recorded in the register of complaints; and*

*(ii) how the recorded complaints were dealt with; and*

*(iii) any other details that the regulations may require.*

*(i) such other information as may be prescribed.*

**5.54 Acceptance of annual reports. Absolute majority required.**

*(1) Subject to subsection*

*(2) the annual report for a financial year is to be accepted\* by the local government no later than 31 December after that financial year.*

*\* Absolute majority required.*

*(3) If the auditor's report is not available in time for the annual report for a financial year to be accepted by 31 December after that financial year, the annual report is to be accepted by the local government no later than 2 months after the auditor's report becomes available.*

**5.55 Notice of annual reports**

*The CEO is to give local public notice of the availability of the annual report as soon as practicable after the report has been accepted by the local government.*

**5.55A. Publication of annual reports**

*The CEO is to publish the annual report on the local government's official website within 14 days after the report has been accepted by the local government.*

*[Section 5.55A inserted by No. 5 of 2017 s. 8.]*

**Division 2 – Council meetings, committees and their meetings and electors' meetings Subdivision 4 – Electors' meetings****5.27 Electors' general meeting.**

*(1) A general meeting of the electors of a district is to be held once every financial year.*

*(2) A general meeting is to be held on a day selected by the local government but not more than 56 days after the local government accepts the annual report for the previous financial year.*

*(3) The matters to be discussed at general electors' meetings are to be those prescribed.*

**5.29. Convening electors' meetings**

- (1) *The CEO is to convene an electors' meeting by giving –*
  - (a) *at least 14 days' local public notice; and*
  - (b) *each council member at least 14 days' notice, of the date, time, place and purpose of the meeting.*
- (2) *The local public notice referred to in subsection (1)(a) is to be treated as having commenced at the time of publication of the notice under section 1.7(1)(a) and is to continue by way of exhibition under section 1.7(1)(b) and (c) until the meeting has been held.*

### **Disability Services Act 1993**

#### **29. Report about disability access and inclusion plan**

- (2) *A local government or regional local government that has a disability access and inclusion plan must include in its annual report prepared under section 5.53 of the Local Government Act 1995 a report about the implementation of the plan.*

### **State Records Commission Standard 2 – Record keeping Plans**

#### **Principle 6 – Compliance**

*Government organisations ensure their employees comply with the recordkeeping plan.*

#### **Rationale**

*An organisation and its employees must comply with the organisations recordkeeping plan. Organisations should develop and implement strategies for ensuring that each employee is aware of the compliance responsibilities.*

#### **Minimum Compliance Requirements**

*The recordkeeping plan is to provide evidence to adduce that:*

1. *The efficiency and effectiveness of the organisation's recordkeeping systems is evaluated not less than once every 5 years.*
2. *The organisation conducts a recordkeeping training program.*
3. *The efficiency and effectiveness of the recordkeeping training program is reviewed from time to time.*
4. *The organisation's induction program addresses employee roles and responsibilities in regard to their compliance with the organisation's recordkeeping plan.*
5. *The organisation includes within its annual report an appropriate section that addresses points 1-4.*

#### **Relevant Plans and Policy**

N/A

#### **Financial Implications**

Production of the Annual Report and any costs associated with advertising and conducting the Annual Electors Meeting have been provided for in the 2024/25 Annual Budget.

## Risk Assessment

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

Risk Category	Description	Rating (Consequence x likelihood)	Mitigating Action/s
Financial	N/A	N/A	N/A
Health & Safety	N/A	N/A	N/A
Reputation	The delay in calling an Electors' General Meeting (Annual Electors' Meeting) has the potential to raise concerns about the Shire's financial management and cause reputational damage.	Moderate	Open and transparent reporting of the reason for the delay in this report which is made publicly available.
Service disruption	N/A	N/A	N/A
Compliance	Adoption of the Annual Report is an annual compliance obligation. Reputational damage may result should statutory timeframes not be met although consequence is minimal.	Extreme	Adoption of the Annual Report within statutory timeframes will satisfy compliance obligations.  The Shire of Carnarvon has an established history of being able to meet this compliance obligation.
Property	N/A	N/A	N/A
Environment	N/A	N/A	N/A
Fraud	N/A	N/A	N/A

## Community and Strategic Objectives

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

OBJECTIVES

In 2040 Carnarvon is a place where:

- *Our community is engaged, inclusive and supportive*

## ADDITIONAL FOCUS AREAS:

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

## BIG IDEAS FOR THE FUTURE OF CARNARVON:

- *N/A*

**Comments**

The 2023/2024 Annual Report has been prepared in compliance with Section 5.53 of the Local Government Act, which outlines the minimum content requirements. This year's report highlights the Shire's achievements over the past financial year, including the successful delivery of quality local government services and the completion of major capital works projects.

Upon adoption by Council, the Annual Report will be made available to the public in preparation for the Annual Electors Meeting. This meeting is proposed to take place at 12:00 noon on 18 February 2025, at the Shire of Carnarvon Council Chambers.

The Audit and Risk Committee convened on 11 December 2024 to review the audited annual financial report and management letter. Following their review, the Committee resolved to recommend the report's receipt and adoption by Council.

**OFFICER'S RECOMMENDATION**

***That Council, by Absolute Majority, pursuant to Section 5.54, 5.27, 5.29 5.55 and 5.55A of the Local Government Act 1995, resolves to:***

- 1. endorses the Shire of Carnarvon Annual Report for the 2023/2024 Financial Year, incorporating the Shire President's Report, CEO's Report, Financial Statements and Auditors Report, presented at Schedule 1 and make the Annual Report publicly available via the Shire website, at the Shire Administration Centre and at the Carnarvon Regional Library;***
- 2. endorses the date for the Annual Electors' General Meeting at 12:00 noon on 18 February 2025, at the Shire of Carnarvon Council Chambers, Stuart Street, Carnarvon; and***
- 3. requests that the CEO provide local public notice of the availability of the Shire of Carnarvon Annual Report 2023/24 and that it be published on the Shire's official Website.***

**COUNCIL RESOLUTION OCM 05/01/25**

**Moved:** Cr Marco Ferreira

**Seconded:** Cr Paul Kelly

***That Council, by Absolute Majority, pursuant to Section 5.54, 5.27, 5.29 5.55 and 5.55A of the Local Government Act 1995, resolves to:***

- 1. endorses the Shire of Carnarvon Annual Report for the 2023/2024 Financial Year, incorporating the Shire President's Report, CEO's Report, Financial Statements and Auditors Report, presented at Schedule 1 and make the Annual Report publicly available via the Shire website, at the Shire Administration Centre and at the Carnarvon Regional Library;***
- 2. endorses the date for the Annual Electors' General Meeting at 12:00 noon on 18 February 2025, at the Shire of Carnarvon Council Chambers, Stuart Street, Carnarvon; and***
- 3. requests that the CEO provide local public notice of the availability of the Shire of Carnarvon Annual Report 2023/24 and that it be published on the Shire's official Website.***

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

**AGAINST:** Nil

**CARRIED BY ABSOLUTE MAJORITY 8/0**

#### 7.1.4 STATUS OF COUNCIL DECISIONS - DECEMBER 2024

File No:	ADM0308
Location/Address:	Nil
Name of Applicant:	Nil
Name of Owner:	Nil
Author(s):	Amanda Dexter, Chief Executive Officer
Authoriser:	Amanda Dexter, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirement:	Simple
Previous Report:	Nil
Schedules:	<ol style="list-style-type: none"> <li>December 2024 Outstanding Agenda Items</li> <li>Council Actions Completed - November 2024</li> </ol>

#### Authority/Discretion:

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

#### Summary of Report

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

It is therefore recommended that Council NOTES the Status of Council Decisions Report for the month of December 2024, as provided in **Schedule 1** to this Report.

#### Background

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

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

#### Stakeholder and Public Consultation

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



**Statutory Environment**

Nil

**Relevant Plans and Policy**

Nil

**Financial Implications**

Nil

**Risk Assessment**

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

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

**Community and Strategic Objectives**

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

**OBJECTIVES**

In 2040 Carnarvon is a place where:

- *Our community is engaged, inclusive and supportive*

**ADDITIONAL FOCUS AREAS:**

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

**BIG IDEAS FOR THE FUTURE OF CARNARVON:**

- N/A

**Comments**

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

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

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

The Status of Council Decisions Report also includes the completed items for the prior month. Refer **Schedule 2**.

**OFFICER'S RECOMMENDATION**

***That Council notes the Status of Council Decisions Report for the month of December 2024 (Schedule 1) and completed actions for the month of November 2024 (Schedule 2) to this report.***

**COUNCIL RESOLUTION OCM 06/01/25**

**Moved:** Cr Luke Vandeleur

**Seconded:** Cr Dudley Maslen

***That Council notes the Status of Council Decisions Report for the month of December 2024 (Schedule 1) and completed actions for the month of November 2024 (Schedule 2) to this report.***

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

**AGAINST:** Nil

**CARRIED BY SIMPLE MAJORITY 8/0**

## 7.2 CORPORATE SERVICES

### 7.2.1 ACCOUNTS PAID UNDER DELEGATION DECEMBER 2024

File No:	ADM0186
Location/Address:	N/A
Name of Applicant:	Shire of Carnarvon
Name of Owner:	N/A
Author(s):	Giang Nguyen, Creditors Officer Sarah Driscoll, Senior Finance - Operations
Authoriser:	Amanda Dexter, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirement:	Simple Majority
Previous Report:	Monthly Report
Schedules:	1. Schedule 1 - Accounts for Payments in December 2024 2. Schedule 2 - Credit Card Reconcilliation 25.11.2024 - 22.12.2024

#### Authority/Discretion:

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

#### Summary of Report

To present the listing of accounts paid under delegation from the Municipal Fund and Trust Fund, in accordance with the requirements of the *Local Government (Financial Management) Regulations 1996*, for the month of December 2024.

#### Background

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

#### Stakeholder and Public Consultation

Nil

#### Statutory Environment

*Local Government Act 1995 – Section 5.42*

*Local Government (Financial Management) Regulations 1996 – Regulations 12 and 13*

**Relevant Plans and Policy**

Nil

**Financial Implications**

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

**Risk Assessment**

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

Risk Category	Description	Rating	Mitigating Action/s
Financial	Payments are made without appropriate budget authority	Low	Internal controls are in place to manage this potential risk
Health & Safety	N/A	N/A	N/A
Reputation	N/A	N/A	N/A
Service disruption	N/A	N/A	N/A
Compliance	N/A	N/A	N/A
Property	N/A	N/A	N/A
Environment	N/A	N/A	N/A
Fraud	Accounting Fraud	Moderate	Internal controls are in place, including background checks and regular updates of Sundry Creditors. Any creditor changes are independently reviewed

**Community and Strategic Objectives**

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

**OBJECTIVES**

In 2040 Carnarvon is a place where:

- N/A

**ADDITIONAL FOCUS AREAS:**

- N/A

**BIG IDEAS FOR THE FUTURE OF CARNARVON:**

- N/A

**Comments**

Along with the monthly Credit Card statement, Council is usually provided with a reconciliation detailing the nature of the expenditure incurred on Credit Cards during the month.

Due to the timing of staff leave, the detailed expenditure reconciliation and certified copies of the credit card statement will be provided in the February 2025 Council Meeting

**OFFICER'S RECOMMENDATION**

***That Council, by simple majority in accordance with S.5.42 of the Local Government Act – 1995, resolves to:***

- 1. receive the list of payments made under delegation, as per Schedule 1 at a total value of \$3,126,439.73 as presented for the month of December 2024, incorporating the following; and***

<i>Payment Reference from:</i>	<i>Payment Reference to:</i>	<i>Payment Type</i>	<i>Payment Amount</i>
<i>EFT42984</i>	<i>EFT43179</i>	<i>Muni EFT</i>	<i>\$2,173,924.18</i>
-	-	<i>Trust EFT</i>	<i>\$0.00</i>
-	-	<i>Cheque</i>	<i>\$0.00</i>
<i>DD41255.1-DD41255.4, DD41257.1, DD41261.1-DD41261.6, DD41262.1, DD41273.1, DD41274.1, DD41276.1, DD41278.1-DD41278.4, DD41281.1, DD41284.1, DD41284.2, DD41291.1, DD41293.1, DD41297.1, DD41298.1-DD41298.4, DD41299.1, DD41302.1, DD41302.2, DD41304.1, DD41307.1-DD41307.4</i>	<i>DD41307.4</i>	<i>Bank Directs</i>	<i>\$952,515.55</i>
		<i>TOTAL</i>	<i>\$3,126,439.73</i>

- 2. receive the copies of credit card statements for all such Shire Facilities for the period 25.11.2024 – 22.12.2024***

**COUNCIL RESOLUTION OCM 07/01/25**

**Moved:** Cr Marco Ferreira

**Seconded:** Cr Paul Kelly

***That Council, by simple majority in accordance with S.5.42 of the Local Government Act – 1995, resolves to:***

- 1. receive the list of payments made under delegation, as per Schedule 1 at a total value of \$3,126,439.73 as presented for the month of December 2024, incorporating the following; and***

<i>Payment Reference from:</i>	<i>Payment Reference to:</i>	<i>Payment Type</i>	<i>Payment Amount</i>
<i>EFT42984</i>	<i>EFT43179</i>	<i>Muni EFT</i>	<i>\$2,173,924.18</i>
-	-	<i>Trust EFT</i>	<i>\$0.00</i>
-	-	<i>Cheque</i>	<i>\$0.00</i>
<i>DD41255.1-DD41255.4, DD41257.1, DD41261.1-DD41261.6, DD41262.1, DD41273.1, DD41274.1, DD41276.1, DD41278.1-DD41278.4, DD41281.1, DD41284.1, DD41284.2, DD41291.1, DD41293.1, DD41297.1, DD41298.1-DD41298.4, DD41299.1, DD41302.1, DD41302.2, DD41304.1, DD41307.1-DD41307.4</i>	<i>DD41307.4</i>	<i>Bank Directs</i>	<i>\$952,515.55</i>
		<i>TOTAL</i>	<i>\$3,126,439.73</i>

**2. receive the copies of credit card statements for all such Shire Facilities for the period 25.11.2024 – 22.12.2024**

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

AGAINST: Nil

**CARRIED BY SIMPLE MAJORITY 8/0**

**7.2.2 MONTHLY FINANCIAL REPORT DECEMBER 2024**

File No:	ADM0186
Location/Address:	N/A
Name of Applicant:	Shire of Carnarvon
Name of Owner:	N/A
Author(s):	Sarah Driscoll, Senior Finance - Operations
Authoriser:	Amanda Dexter, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirement:	Simple Majority
Previous Report:	Nil
Schedules:	1. Monthly Financial Report - December 2024

**Authority/Discretion:**

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

**Summary of Item**

This item presents the Statement of Financial Activity for the period ending 31 December 2024 for Council to consider. The officer's recommendation is that the Statement of Financial Activity be received by Council.

**Background**

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

**Stakeholder and Public Consultation**

Nil

**Statutory Environment**

*Local Government (Financial Management) Regulations 1996 - Regulation 34.*

**Relevant Plans and Policy**

Nil

**Financial Implications**

Nil

**Risk Assessment**

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

Risk Category	Description	Rating (Consequence x likelihood)	Mitigating Action/s
Financial	Stakeholders may withdraw funding if the statements are not prepared according to the regulatory framework.	Low	Financial Statements are prepared on time and according to the applicable Legislation and Regulations
Health & Safety	N/A	N/A	
Reputation	The delay in achieving timely reporting has the potential to damage the Shire's reputation.	High	High priority has been placed on preparing Statutory reporting within legislated timeframes
Service disruption	N/A	N/A	
Compliance	<i>Local Government Act 1995</i> requires Council receives these statements within 2 months of the end of the applicable month.	N/A	Financial Statements are prepared on time and according to the applicable Legislation and Regulations
Property	N/A	N/A	
Environment	N/A	N/A	
Fraud	N/A	N/A	

**Community and Strategic Objectives**

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



**OBJECTIVES**

In 2040 Carnarvon is a place where:

- N/A

**ADDITIONAL FOCUS AREAS:**

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

BIG IDEAS FOR THE FUTURE OF CARNARVON:

- N/A

**Comments**

The officer advises that the December 2024 Statement of Financial Activity being presented at the December 2024 Ordinary Meeting of Council complies with the *Local Government Act 1995*. **Schedule 1** attached for consideration is the Statement of Financial Activity, legislative notes, and supporting notes for the period ended 31 December 2024.

Monthly Financial Report – contains:

- Statement of Financial Activity (by Nature or Type) - with Explanation of Material Variances\*
  - Note 1 Composition of Net Current Assets\*
  - Note 2 Statement of Financial Position\*
- (\* required by legislation)

Notes for other supporting Information include:

- Basis of Preparation
- Statement of Financial Activity by Program
- Cash and Financial Assets
- Cash Reserves
- Capital Acquisition and Disposals
- Receivables
- Payables
- Rate Revenue
- Non-operating grants and contributions
- Operating grants and contributions
- Borrowings
- Lease Liabilities

*Key points of interest for Councillors consideration:*

- Last year's closing audited surplus has resulted in a \$424K lower than budget result. This difference is due to the recognition of doubtful debts related to REX voluntary administration and doubtful rates. The mid-year budget review will need to address this gap in funds by reducing overall planned expenditure. The \$399,901 of General Receivables in 90+ days outstanding, shown in Note 8, is made up of \$391,000 outstanding debts for Regional Express (REX) and the remaining miscellaneous debtors. Debt collection attempts are being undertaken by Shire staff for these miscellaneous debts.
- \$8.6M is invested in term deposits at an average of 4.44%. This comprises \$4M of Reserve funds and \$4.7M of Municipal Funds.
- Loan funds of \$500K have been acquired from Treasury to assist with funding the RED housing project.
- Excluding the Airport upgrade, 20% of the capital works program is complete, with a further 30% of the program committed with purchase orders or contracts

**OFFICER'S RECOMMENDATION**

*That Council, pursuant to Regulation 34 of the Local Government (Financial Management) Regulations, resolves to receive the Draft Statement of Financial Activity for December 2024 as per attached Schedule 1.*

**COUNCIL RESOLUTION OCM 08/01/25**

**Moved:** Cr Paul Kelly

**Seconded:** Cr Luke Skender

*That Council, pursuant to Regulation 34 of the Local Government (Financial Management) Regulations, resolves to receive the Draft Statement of Financial Activity for December 2024 as per attached Schedule 1.*

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

**AGAINST:** Nil

**CARRIED BY SIMPLE MAJORITY 8/0**

**7.2.3 BUDGET ADJUSTMENTS - JANUARY 2025**

File No:	ADM0027
Location/Address:	N/A
Name of Applicant:	Shire of Carnarvon
Name of Owner:	N/A
Author(s):	Sarah Beresford, Finance Officer - Procurement Sarah Driscoll, Senior Finance - Operations
Authoriser:	Amanda Dexter, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirement:	Absolute Majority
Previous Report:	Monthly report
Schedules:	1. Budget Adjustments January 2025

**Authority/Discretion:**

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

**Summary of Item**

This item presents officers' requested budget adjustments arising after the adoption of the 2024/2025 Budget for Council to consider. It is recommended that Council approve the budget adjustments as the adjustments have no impact on the closing budget surplus. (Refer **Schedule 1**)

**Background**

The Council adopted the Annual Budget for the Shire on 27 August 2024.

In accordance with *Section 6.8(1) of the Local Government Act 1995* a local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure:

- is incurred in a financial year before the adoption of the annual budget by the local government;
- is authorised in advance by Council resolution - absolute majority required; and
- is authorised in advance by the Mayor or President in an emergency.

It is good management practice to revise the adopted budget when it is known that circumstances have changed. In keeping with this practice, budgets are reviewed by Officers regularly. Officers have two adjustments for the month of January 2025.

**Stakeholder and Public Consultation**

N/A

## Statutory Environment

Local Government Act – Section 6.8(1).

## Relevant Plans and Policy

N/A

## Financial Implications

The proposed adjustments for Council to consider will result in no change to the projected budget closing position.

## Risk Assessment

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

Risk Category	Description	Rating (Consequence x likelihood)	Mitigating Action/s
Financial	Potential for reduction in budget.	Low	The adjustments recommended in this report do not impact the net position of Council.
Health & Safety	N/A	N/A	
Reputation	Delay in identifying known expenditure changes has the potential to damage the Shire's reputation.	High	Identify changing circumstances and action budget variations as soon as practicable
Service disruption	N/A	N/A	
Compliance	Local Government Act requires that a local government is not to incur expenditure unless approved by Council.	High	This report to Council for approval ensures compliance requirements are met.
Property	N/A	N/A	
Environment	N/A	N/A	

**Community and Strategic Objectives**

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

**OBJECTIVES**

In 2040 Carnarvon is a place where:

- N/A

**ADDITIONAL FOCUS AREAS:**

- N/A

**BIG IDEAS FOR THE FUTURE OF CARNARVON**

- N/A

**Comments**

The two proposed adjustments are attached in **Schedule 1** for Council to consider for the month of January 2025.

As the adjustments propose an equal increase of both income and expenditure, they have no impact on closing budget position.

**OFFICER'S RECOMMENDATION**

*That Council, by Absolute Majority, in accordance with section 6.8(1) of the Local Government Act, resolves to approve the adjustments to the 2024/2025 adopted Shire budget as detailed in this report and attached as per Schedule 1.*

**COUNCIL RESOLUTION OCM 09/01/25**

**Moved:** Cr Luke Skender

**Seconded:** Cr Paul Kelly

*That Council, by Absolute Majority, in accordance with section 6.8(1) of the Local Government Act, resolves to approve the adjustments to the 2024/2025 adopted Shire budget as detailed in this report and attached as per Schedule 1.*

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

**AGAINST:** Nil

**CARRIED BY ABSOLUTE MAJORITY 8/0**

### 7.3 DEVELOPMENT AND COMMUNITY SERVICES

Nil

### 7.4 INFRASTRUCTURE SERVICES

Nil

## 8 APPLICATIONS FOR LEAVE OF ABSENCE

#### COUNCIL RESOLUTION OCM 10/01/25

Moved: Cr Luke Skender

Seconded: Cr Luke Vandeleur

*That Councillor Skender be granted leave of absence for the February 2025 Ordinary Council Meeting.*

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

AGAINST: Nil

CARRIED BY SIMPLE MAJORITY 8/0

## 9 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

## 10 QUESTIONS FROM MEMBERS WITHOUT NOTICE

Nil

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

Nil

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

Nil

## 13 DATE OF NEXT MEETING

The next meeting will be held on Tuesday 25 February 2025 at Shire Council Chambers, Stuart Street Carnarvon commencing at 9.00am

## 14 CLOSURE

The Presiding Member declared the meeting closed at 9.59am.