



SHIRE OF  
**DOWERIN**  
TIN DOG TERRITORY

# AGENDA

## Ordinary Council Meeting

To be held in Council Chambers  
13 Cottrell Street, Dowerin WA 6461  
Tuesday 15 October 2024  
Commencing 2.00pm



## NOTICE OF MEETING



Dear Elected Members,

The next Ordinary Meeting of Council of the Shire of Dowerin will be held on Tuesday, 15 October 2024 in the Shire of Dowerin Council Chambers, 13 Cottrell Street, Dowerin. The format of the day will be:

2.00pm	Council Meeting
Followed by:	Council Workshop

Manisha Barthakur  
Chief Executive Officer  
10 October 2024

### DISCLAIMER

Statements or decisions made at this meeting should not be relied or acted on by an applicant or any other person until they have received written notification from the Shire. Notice of all approvals, including planning and building approvals, will be given to applicants in writing. The Shire of Dowerin expressly disclaims liability for any loss or damages suffered by a person who relies or acts on statements or decisions made at a Council or Committee meeting before receiving written notification from the Shire.

The advice and information contained herein is given by and to Council without liability or responsibility for its accuracy. Before placing any reliance on this advice or information, a written inquiry should be made to Council giving entire reasons for seeking the advice or information and how it is proposed to be used.

It should be noted that the Attachment hyperlinks may not be functional from this document when sourced from the Shire of Dowerin's website. Attachment copies can be obtained by contacting the Shire Office on 08 9631 1202 or [dowshire@dowerin.wa.gov.au](mailto:dowshire@dowerin.wa.gov.au).

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Shire of Dowerin  
Ordinary Council Meeting  
2.00pm Tuesday 15 October 2024



1. Official Opening / Obituaries

The President welcomes those in attendance and declares the Meeting open at 2.00pm.

2. Record of Attendance / Apologies / Leave of Absence

**Councillors:**

Cr RI Trepp	President
Cr NP McMorrان	Deputy President
Cr WG Allsopp	
Cr DP Hudson	
Cr AJ Metcalf	
Cr JC Sewell	
Cr BA Ward	

**Staff:**

Ms M Barthakur	Chief Executive Officer
Mr A Wooldridge	Deputy Chief Executive Officer
Mr B Forbes	Asset & Works Coordinator
Ms K Rose	Governance Coordinator

**Members of the Public:**

**Apologies:**

**Approved Leave of Absence:**

3. Public Question Time

4. Disclosure of Interest

Councillors are to complete a Disclosure of Interest Form for each item they are required to disclose an interest in. The Form should be given to the Presiding Member before the meeting commences. After the meeting, the Form is to be provided to the Governance Coordinator for inclusion in the Disclosures Register.

5. Applications for Leave of Absence

6. Petitions and Presentations

7. Confirmation of Minutes of the Previous Meeting(s)

7.1 Ordinary Council Meeting held on 17 September 2024

[Attachment 7.1A](#)

7.2 Special Council Meeting held on 3 October 2024

[Attachment 7.2A](#)

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation - 7

That, by Simple Majority pursuant to Sections 5.22(2) and 3.18 of the *Local Government Act 1995*, the Minutes of the Ordinary Council Meeting held 17 September 2024, as presented in Attachment 7.1A, the Minutes of the Special Council Meeting held on 3 October 2024, as presented in Attachment 7.2A, be confirmed as a true and correct record of proceedings.

8. Minutes of Committee Meeting(s) to be Received

Nil

9. Recommendations from Committee Meetings for Council Consideration

Nil

10. Announcements by the President Without Discussion

**11. OFFICER'S REPORTS - CORPORATE AND COMMUNITY SERVICES**

**11.1 Financial Activity Statements**

<b>Corporate and Community Services</b>		 SHIRE OF <b>DOWERIN</b> TIN DOG TERRITORY
<b>Date:</b>	9 October 2024	
<b>Location:</b>	Not Applicable	
<b>Responsible Officer:</b>	Aaron Wooldridge, Deputy Chief Executive Officer	
<b>Author:</b>	As above	
<b>Legislation:</b>	<i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996</i>	
<b>SharePoint Reference:</b>	Organisation / Financial Management / Reporting / Financial Statements / 2024-2025 Monthly Financial Statements	
<b>Disclosure of Interest:</b>	Nil	
<b>Attachments:</b>	<a href="#">Attachment 11.1A - September MFR</a>	

**Purpose of Report**

Executive Decision
  Legislative Requirement

**Summary**

This item presents the Statement of Financial Activity to Council for the period September 2024.

**Background**

Section 6.4 of the *Local Government Act 1995* requires a local government to prepare financial reports.

Regulations 34 and 35 of the *Local Government (Financial Management) Regulations 1996* set out the form and content of the financial reports which have been prepared and are presented to Council.

**Comment**

In order to fulfil statutory reporting requirements and provide Council with a synopsis of the Shire of Dowerin's overall financial performance on a year-to-date basis, the following financial information is included in the Attachment.

The statements are draft financial statements with final end of year adjustments still to be processed. Employee costs are lower than YTD budget due to a payroll system error which staff are urgently attending to with the assistance of ReadyTech. The offset for this lower expenditure is disclosed in Note 5 Payables - Payroll Creditors. Statements of Financial Activity - Statutory Reports by Program and Nature or Type

The Statements of Financial Activity provide details of the Shire's operating revenues and expenditures on a year-to-date basis. The reports further include details of non-cash adjustments and capital revenues and expenditures, to identify the Shire's net current position.

Note 1 – Statement of Financial Activity

Notes supporting the Statement of Financial Activity by Program and by Nature and Type.

Note 2 – Cash and Financial Assets

This note provides Council with the details of the actual amounts in the Shire's bank accounts and/or investment accounts as at the reporting date.

Note 3 – Receivables

This note provides Council with both Rates Receivables and General Receivables outstanding as at the reporting date. This report has been expanded to further break down the detail of General Receivables.

Note 4 – Other Current Assets

This note provides details of other current assets that the Shire may hold.

Note 5 – Payables

This note provides details of Shire payables unpaid as at the reporting date. This Note is new to the financial statements.

Note 6– Rate Revenue

This note provides details of rates levied during the year.

Note 7 – Disposal of Assets

This note gives details of the capital asset disposals during the year.

Note 8– Capital Acquisitions

This note details the capital expenditure program for the year.

Note 9 – Borrowings

This note shows the Shire's current debt position and lists all borrowings.

Note 10 – Cash Backed Reserves

This note provides summary details of transfers to and from reserve funds, and associated interest earnings on reserve funds, on a year-to-date basis.

Note 11 – Other Current Liabilities

This note outlines any provisions the Shire has on hand relative to other current liabilities.

Note 12 – Operating Grants and Contributions Received

This note provides information on operating grants received.

Note 13 – Non-Operating Grants and Contributions Received

This note provides information on non-operating grants received.

Note 14 – Explanation of Material Variances

Council adopted (in conjunction with the Annual Budget) a material reporting variance threshold of 10% or \$10,000, whichever is the greater. This note explains the reasons for any material variances identified in the Statements of Financial Activity at the end of the reporting period.

**Consultation**

Manisha Barthakur, Chief Executive Officer

Aaron Wooldridge, Deputy Chief Executive Officer

Megan Shirt, Consultant

## Policy Implications

The Shire of Dowerin has a comprehensive suite of financial management policies. Finances have been managed in accordance with these policies.

## Strategic Implications

### Strategic Community Plan

Community Priority:	Our Organisation
Objective:	<i>We are recognised as a transparent, well governed, and effectively managed Local Government</i>
Outcome:	5.3
Reference:	5.3.2

### Asset Management Plan

Nil

### Long Term Financial Plan

Nil

## Statutory Implications

Council is required to adopt monthly statements of financial activity to comply with Regulation 34 of the *Local Government (Financial Management) Regulations 1996*.

## Risk Implications

<b>Risk Profiling Theme</b>	Failure to fulfil statutory regulations or compliance requirements
<b>Risk Category</b>	Compliance
<b>Risk Description</b>	No noticeable regulatory or statutory impact
<b>Consequence Rating</b>	Insignificant (1)
<b>Likelihood Rating</b>	Rare (1)
<b>Risk Matrix Rating</b>	Low (1)
<b>Key Controls (in place)</b>	Governance Calendar, Financial Management Framework and Legislation
<b>Action (Treatment)</b>	Nil
<b>Risk Rating (after treatment)</b>	Adequate

Timely preparation of the monthly financial statements within statutory guidelines is vital to good financial management. Failure to submit compliant reports within statutory time limits will lead to non-compliance with the *Local Government Act 1995* and the *Local Government (Financial Management) Regulations 1996*.



**Financial Implications**

Nil

**Voting Requirements**




Simple Majority



Absolute Majority

**Officer's Recommendation - 11.1**

That Council, by Simple Majority pursuant to Regulation 34 of the *Local Government (Financial Management) Regulations 1996*, receives the draft statutory Financial Activity Statement report for the period of September 2024, as presented in Attachment 11.1A.

11.2 List of Accounts Paid	
<b>Corporate &amp; Community Services</b>	
 SHIRE OF <b>DOWERIN</b> TIN DOG TERRITORY	
<b>Date:</b>	9 October 2024
<b>Location:</b>	Not Applicable
<b>Responsible Officer:</b>	Aaron Wooldridge, Deputy Chief Executive Officer
<b>Author:</b>	As above
<b>Legislation:</b>	<i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996</i>
<b>SharePoint Reference:</b>	Organisation/Financial Management/Reporting/Financial Statements and Credit Cards
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	<a href="#">Attachment 11.2A - September LOP</a> <a href="#">Attachment 11.2B - September Credit and Caltex Card Statements</a>

**Purpose of Report**

Executive Decision
  Legislative Requirement

**Summary**

This Item presents the List of Accounts Paid, paid under delegated authority, for September 2024.

**Background**

Nil

**Comment**

The List of Accounts Paid as presented have been reviewed by the Deputy Chief Executive Officer.

**Consultation**

Manisha Barthakur, Chief Executive Officer  
 Aaron Wooldridge, Deputy Chief Executive Officer

**Policy Implications**

The Shire of Dowerin has a comprehensive suite of financial management policies. Finances have been managed in accordance with these policies. Payments have been made under delegated authority.

## Strategic Implications

### Strategic Community Plan

Community Priority: Our Organisation

Objective: *We are recognised as a transparent, well governed, and effectively managed Local Government*

Outcome: 5.3

Reference: 5.3.2

### Asset Management Plan

Nil

### Long Term Financial Plan

Nil

## Statutory Implications

Regulation 12 and 13 of the *Local Government (Financial Management) Regulations 1996* requires that a separate list be prepared each month for Council showing creditors paid under delegated authority.

## Risk Implications

<b>Risk Profiling Theme</b>	Failure to fulfil statutory regulations or compliance requirements
<b>Risk Category</b>	Compliance
<b>Risk Description</b>	No noticeable regulatory or statutory impact
<b>Consequence Rating</b>	Insignificant (1)
<b>Likelihood Rating</b>	Rare (1)
<b>Risk Matrix Rating</b>	Low (1)
<b>Key Controls (in place)</b>	Governance Calendar
<b>Action (Treatment)</b>	Nil
<b>Risk Rating (after treatment)</b>	Adequate

## Financial Implications

Nil

### Voting Requirements

Simple Majority  Absolute Majority

### Officer's Recommendation - 11.2

That Council, by Simple Majority pursuant to Section 6.8(1)(a) of the *Local Government Act 1995* and Regulation 12 & 13 of the *Local Government (Financial Management) Regulations 1996*, receives the report from the Deputy Chief Executive Officer on the exercise of delegated authority in relation to creditor payments from the Shire of Dowerin Municipal Fund, as presented in Attachments 11.2A and 11.2B, and as detailed below:

#### List of Accounts Paid - September 2024

EFT 12493 to EFT 19621	\$344,881.50
Direct Debit: Exetel	\$560.00
Direct Debit: Gull Motorcharge	\$274.28
Direct Debit: National Australia Bank	\$5.84
Direct Debit: National Australia Bank - VISA Card	\$321.66
Direct Debit: Resonline	\$242.00
Direct Debit: Shire of Dowerin - Petty Cash	\$195.15
Direct Debit: Synergy	\$4,921.01
Direct Debit: Telstra	\$580.35
Direct Debit: Water Corporation	\$1,370.43
Direct Debit: Wesfarmers Kleenheat Gas	\$218.77
Direct Debit: Xenex Systems	\$470.53
PPE 10 September 2024 - Wages	\$43,812.06
PPE 10 September 2024 - Wages	\$766.02
PPE 24 September 2024 - Wages	\$47,560.34
Superannuation PPE - 10 September 2024	\$6,048.35
Superannuation PPE - 24 September 2024	\$6,723.18
<b>TOTAL</b>	<b>\$458,951.47</b>

11.3 Recalcitrant Rates Debtors – September 2024	
<h2 style="color: #E34A33;">Corporate &amp; Community Services</h2>	
 <p>SHIRE OF <b>DOWERIN</b> TIN DOG TERRITORY</p>	
<b>Date:</b>	09 October 2024
<b>Location:</b>	
<b>Responsible Officer:</b>	Aaron Wooldridge, Deputy Chief Executive Officer
<b>Author:</b>	As above
<b>Legislation:</b>	<i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996</i>
<b>SharePoint Reference:</b>	Organisation/Rates and Evaluations/Reporting/2024 Recalcitrant Rates Debtors
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	<a href="#">Attachment 11.3A – Recalcitrant Debtors Report</a>

**Purpose of Report**

Executive Decision
  Legislative Requirement

**Summary**

The Shire of Dowerin recalcitrant Rates Debtors report for September 2024 details assessments not paying on an arrangement, with a previous year’s balance of more than \$100.

**Background**

It is considered best practice for Council to have less than 4% (roughly \$64,000) of the rates levied outstanding at the end of the financial year. The Council did not achieve this due to several assessments holding large debts.

**Comment**

As at the end of the September 2024 quarter, the Shire of Dowerin’s recalcitrant list of properties shows 4 properties with outstanding rates for previous financial years totalling \$21,816.30.

All 4 properties were included in the Estimated Credit Loss provision as of 30 June 2024, with 2 properties under the 3-year rule to be seized and sold. Management have also included in the recalcitrant list (separate to the 4 properties), two properties that were outstanding as of 30 June 2024, but were sold under the 3-year rule in September recovering all costs associated to the properties.

Administrative processes are in place to ensure properties are updated on the rating system with correct and relevant contact details of owners that has resulted in frequent contact and payments being made.

As per the *Local Government Act 1995*, local governments are required to recover rates. By taking no action will be a breach of the *Local Government Act 1995*.

6.57. *Non-compliance with procedure in Act not to prevent recovery of rate or service charge.*

*In proceedings by or on behalf of a local government for the recovery of an amount due in respect of a rate or service charge, failure by the local government to comply in respect of the rate or service charge with the provisions of this Act, is not a defence, if it appears that it had the power to impose, and did in fact assent to the imposition of, the rate or service charge.*

### Consultation

Susan Dew, Rates Officer

Tara Donnelly, Casual Rates Officer

Aaron Wooldridge, Deputy Chief Executive Officer

Lauren Marsh, Senior Account Manager - AMPAC Debt Recovery

Damian Barr, Local Government Services, AMPAC Debt Recovery

Association of Rates Officers

### Policy Implications

Nil

### Statutory Implications

Nil

### Strategic Implications

#### Strategic Community Plan

Community Priority: Our Leaders

Objective: A thriving and progressive rural community enabled by innovation in leadership, a focus on continuous improvement and adaptability to evolving community needs

Outcome: 2 & 3

Reference: L3, L4 & L5

#### Asset Management Plan

Nil

#### Long Term Financial Plan

Nil

**Risk Implications**

<b>Risk Profiling Theme</b>	Failure to fulfil statutory regulations or compliance requirements
<b>Risk Category</b>	Financial Impact
<b>Risk Description</b>	\$50,001 - \$200,000
<b>Consequence Rating</b>	Major (4)
<b>Likelihood Rating</b>	Likely (4)
<b>Risk Matrix Rating</b>	Extreme (20)
<b>Key Controls (in place)</b>	Financial Management Framework; Debt Recovery Procedures; Legislation
<b>Action (Treatment)</b>	Undertake debt recovery as per procedures and legislation
<b>Risk Rating (after treatment)</b>	Effective

**Financial Implications**

The risk implications as set out above has now increased from \$5,001 - \$50,000 to \$50,001 - \$200,000 as this is the next bracket in our risk description and our long-term outstanding debts are over \$64,000.

**Voting Requirements**

Simple Majority  Absolute Majority

**Officer's Recommendation**

That Council, by Simple Majority, receives the report of Recalcitrant Rates Debtors, as presented in Attachment 11.3A - Recalcitrant Rates Debtors Report.

11.4 Fees & Charges - Dowerin Short Stay Accommodation	
<b>Corporate &amp; Community Services</b>	
	
<b>Date:</b>	1 October 2024
<b>Location:</b>	Not Applicable
<b>Responsible Officer:</b>	Manisha Barthakur, Chief Executive Officer
<b>Author:</b>	Kahli Rose, Governance Coordinator
<b>Legislation:</b>	<i>Local Government Act 1995</i>
<b>Sharepoint Reference:</b>	N/A
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	<a href="#">Attachment 11.4A - SSA Actuals</a>

**Purpose of Report**

Executive Decision                       Legislative Requirement

**Summary**

To consider increasing the fees for the Dowerin Short Stay Self-Contained Accommodation to better reflect rising operational costs and ensure the rates are in line with similar facilities in the region.

**Background**

Last year, Council approved a small rate increase for the Short Stay units:

One Bedroom Unit: from \$155 to \$160 per night

Studio Room: from \$135 to \$140 per night

However, these rates were not adjusted during the adoption of the 2024/25 Fees & Charges. Since then, ongoing increases in operational costs, particularly for utilities and cleaning, have impacted the overall probability of the service.



### Comment

The attached financial report provides a comprehensive overview of the financial performance of the Short Stay Accommodation complex. This includes all elements of the facility, such as the units, caravan park, ablution block, campers kitchen, laundry, and general grounds.

For the seven Short Stay units, direct operating costs—primarily cleaning and utilities—totalled \$119,035 for the 2023/24 financial year. The units were occupied for 1,596 nights in total, with 127 of those nights utilised for Shire-related purposes. Despite the continued utilisation of the units, the current rates are not adequately covering the rising operational expenses.

To address these increasing costs while ensuring the standard of service is maintained, it is recommended that Council considers increasing the nightly rates for both the Studio and One Bedroom units by \$10, bringing the new rates to \$170 and \$150, respectively.

It is also recommended that Council introduce a higher rate for single-night bookings, which incur additional cleaning and administrative costs. This premium would help offset these expenses and ensure the financial sustainability of the service.

### Consultation

Manisha Barthakur, Chief Executive Officer

Brian Jones, Acting Chief Executive Officer (prior)

### Policy Implications

nil

### Statutory Implications

Local Government Act

#### 6.16. Imposition of fees and charges

- (1) A local government may impose\* and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.

\* Absolute majority required.

- (2) A fee or charge may be imposed for the following —

- (a) providing the use of, or allowing admission to, any property or facility wholly or partly owned, controlled, managed or maintained by the local government;
- (b) supplying a service or carrying out work at the request of a person;
- (c) subject to section 5.94, providing information from local government records;
- (d) receiving an application for approval, granting an approval, making an inspection and issuing a licence, permit, authorisation or certificate;
- (e) supplying goods;
- (f) such other service as may be prescribed.

- (3) Fees and charges are to be imposed when adopting the annual budget but may be —

- (a) imposed\* during a financial year; and
- (b) amended\* from time to time during a financial year.

\* Absolute majority required

#### 6.17. Setting level of fees and charges

- (1) In determining the amount of a fee or charge for a service or for goods a local government is required to take into consideration the following factors —

- (a) the cost to the local government of providing the service or goods; and
- (b) the importance of the service or goods to the community; and
- (c) the price at which the service or goods could be provided by an alternative provider.

- (2) A higher fee or charge or additional fee or charge may be imposed for an expedited service or supply of goods if it is requested that the service or goods be provided urgently.

- (3) The basis for determining a fee or charge is not to be limited to the cost of providing the service or goods other than a service —

- (a) under section 5.96; or
- (b) under section 6.16(2)(d); or
- (c) prescribed under section 6.16(2)(f), where the regulation prescribing the service also specifies that such a limit is to apply to the fee or charge for the service.

- (4) Regulations may –
  - (a) prohibit the imposition of a fee or charge in prescribed circumstances; or
  - (b) limit the amount of a fee or charge in prescribed circumstances.

6.18. Effect of other written laws

- (1) If the amount of a fee or charge for a service or for goods is determined under another written law a local government may not –
  - (a) determine an amount that is inconsistent with the amount determined under the other written law; or
  - (b) charge a fee or charge in addition to the amount determined by or under the other written law.
- (2) A local government is not to impose a fee or charge for a service or goods under this Act if the imposition of a fee or charge for the service or goods is prohibited under another written law.

6.19. Local government to give notice of fees and charges

If a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of –

- (a) its intention to do so; and
- (b) the date from which it is proposed the fees or charges will be imposed.

**Strategic Implications**

**Strategic Community Plan**

Community Priority: Our Leaders

Objective: A thriving and progressive rural community enabled by innovation in leadership, a focus on continuous improvement and adaptability to evolving community needs

Outcome: 2 & 3

Reference: L3, L4 & L

**Asset Management Plan**

**Long Term Financial Plan**

**Risk Implications**

<b>Risk Profiling Theme</b>	Failure to fulfil statutory regulations or compliance requirements
<b>Risk Category</b>	Financial Impact
<b>Risk Description</b>	No noticeable regulatory or statutory impact
<b>Consequence Rating</b>	Minor (2)
<b>Likelihood Rating</b>	Almost Certain (5)
<b>Risk Matrix Rating</b>	Low (4)
<b>Key Controls (in place)</b>	
<b>Action (Treatment)</b>	
<b>Risk Rating (after treatment)</b>	Not Rated

### Financial Implications

As stated in the report.

### Voting Requirements

Simple Majority

Absolute Majority

### Officer's Recommendation

*That, by Absolute Majority in accordance with the local government act 1995, Council increase the fee for hire of Short Term Accommodation as below:*

#### *One Nights' Booking*

	<i>Current</i>	<i>Proposed</i>
<i>Studio Room</i>	<i>\$140</i>	<i>\$160</i>
<i>One Bedroom Unit</i>	<i>\$160</i>	<i>\$180</i>

#### *Extended Stays*

	<i>Current</i>	<i>Proposed</i>
<i>Studio Room</i>	<i>\$140</i>	<i>\$150</i>
<i>One Bedroom Unit</i>	<i>\$160</i>	<i>\$170</i>

**12. OFFICER'S REPORTS - GOVERNANCE AND COMPLIANCE**

**12.1 Local Government Elections - Review of WALGA Advocacy Positions**

<h2 style="color: red;">Governance and Compliance</h2>		 SHIRE OF <b>DOWERIN</b> TIN DOG TERRITORY
<b>Date:</b>	9 October 2024	
<b>Location:</b>	Not Applicable	
<b>Responsible Officer:</b>	Manisha Barthakur, Chief Executive Officer	
<b>Author:</b>	Tony Brown, Executive Director Member Services (WALGA)	
<b>Legislation:</b>	<i>Local Government Act 1995</i>	
<b>Sharepoint Reference:</b>	Nil	
<b>Disclosure of Interest:</b>	Nil	
<b>Attachments:</b>	Nil	

**Purpose of Report**

Executive Decision                       Legislative Requirement

**Summary**

To seek Council's endorsement of its Election Advocacy Positions to be provided to WALGA for tabling at their December 2024 State Council Meeting.

**Background**

The *Local Government Amendment Act 2023* introduced a range of electoral reforms that came into effect prior to the 2023 Local Government ordinary elections:

- the introduction of Optional Preferential Voting (OPV);
- extending the election period to account for delays in postal services;
- changes to the publication of information about candidates;
- backfilling provisions for extraordinary vacancies after the 2023 election;
- public election of the Mayor or President for larger Local Governments;
- abolishing wards for smaller Local Governments; and
- aligning the size of councils with the size of populations of each Local Government (change to representation)

Following requests from several Zone's, WALGA undertook a comprehensive review and analysis of 5 ordinary election cycles up to and including the 2023 Local Government election against the backdrop of these legislative reforms. The review and report focused on postal elections conducted exclusively by the Western Australian Electoral Commission (WAEC), with the analysis finding evidence of the rising cost and a reduction in service of conducting Local Government elections in Western Australia.

## Comment

The Elections Analysis Review and Report was presented to State Council 4 September 2024, with State Council supporting a review of WALGA's Local Government Elections Advocacy Positions.

WALGA is requesting Councils consider the current and alternative Elections Advocacy Positions and provide a response back to WALGA for the December 2024 State Council meeting.

WALGA State Council current advocacy positions:

The following is a summary of WALGA's current Advocacy Positions in relation to Local Government Elections:

### 2.5.15 ELECTIONS

#### *Position Statement*

The Local Government sector supports:

1. Four year terms with a two year spill
2. Greater participation in Local Government elections
3. The option to hold elections through:
  - Online voting
  - Postal voting, and
  - In-person voting
4. Voting at Local Government elections to be voluntary
5. The first past the post method of counting votes

The Local Government sector opposes the introduction of preferential voting, however if 'first past the post' voting is not retained then optional preferential voting is preferred.

#### *Background*

The first past the post (FPTP) method is simple, allows an expression of the electorate's wishes and does not encourage tickets and alliances to be formed to allocate preferences.

#### *State Council Resolution*

February 2022 - 312.1/2022

December 2020 - 142.6/2020

March 2019 - 06.3/2019

December 2017 - 121.6/2017

October 2008 - 427.5/2008

#### *Supporting Documents*

[Advocacy Positions for a New Local Government Act](#)

[WALGA submission: Local Government Reform Proposal \(February 2022\)](#)

## **2.5.16 METHOD OF ELECTION OF MAYOR**

### *Position Statement*

Local Governments should determine whether their Mayor or President will be elected by the Council or elected by the community.

### *State Council Resolution*

February 2022 - 312.1/2022

March 2019 - 06.3/2019

December 2017 - 121.6/2017

## **2.5.18 CONDUCT OF POSTAL ELECTIONS**

### *Position Statement*

The Local Government Act 1995 should be amended to allow the Australian Electoral Commission (AEC) and any other third party provider including Local Governments to conduct postal elections.

### *Background*

Currently, the WAEC has a legislatively enshrined monopoly on the conduct of postal elections that has not been tested by the market.

### State Council Resolution

May 2023 - 452.2/2023

March 2019 - 06.3/2019

December 2017 - 121.6/2017

March 2012 - 24.2/2012

**WALGA has requested the following advocacy positions be considered by Councils:**

### **1. PARTICIPATION**

(a) The sector continues to support voluntary voting at Local Government elections.

OR

(b) The sector supports compulsory voting at Local Governments elections.

### **2. TERMS OF OFFICE**

(a) The sector continues to support four-year terms with a two year spill;

OR

(b) The sector supports four-year terms on an all in/all out basis.

### 3. VOTING METHODS

- (a) The sector supports First Past the Post (FPTP) as the preferred voting method for general elections. If Optional Preferential Voting (OPV) remains as the primary method of voting, the sector supports the removal of the 'proportional' part of the voting method for general elections

OR

- (b) The sector supports Optional Preferential Voting (OPV) as the preferred voting method for general elections.

### 4. INTERNAL ELECTIONS

- (a) The sector supports First Past the Post (FPTP) as the preferred voting method for all internal elections.

OR

- (b) The sector supports Optional Preferential Voting (OPV) as the preferred voting method for all internal elections.

### 5. VOTING ACCESSIBILITY

The sector supports the option to hold general elections through:

- (a) Electronic voting; and/or  
(b) Postal voting; and/or  
(c) In-Person voting.

### 6. METHOD OF ELECTION OF MAYOR

The sector supports:

- (a) As per the current legislation with no change – Class 1 and 2 local governments directly elect the Mayor or President (election by electors method), with regulations preventing a change in this method.  
(b) Return to previous legislated provisions – all classes of local governments can decide, by absolute majority, the method for electing their Mayor or President.  
(c) Apply current provisions to all Bands of Local Governments – apply the election by electors method to all classes of local governments.

#### Consultation

Nil

This process is being led by WALGA for the purpose of determining the industry's advocacy agenda. Any changes to the Local Government Act 1995 to implement the positions would require public consultation by the State Government.

#### Policy Implications

The above advocacy positions are not currently contemplated in the Government's reform agenda. "Para" Full Reform Proposals provides an overview of the reform themes and all reforms topics consulted on. To ensure that key election related reforms were in place before the 2023 local government elections, the amendments to the Act were divided into 2 tranches.

The first tranche, the Local Government Amendment Act 2023, focused on electoral reform. The 2023 Amendment Bill was passed on 11 May 2023 and assented to 18 May 2023.

The second tranche focuses on introducing the new Local Government Inspector and monitors for early intervention and resolution of issues, as well as a range of other important reforms to the local government sector. The Local Government Amendment Bill 2024 is the second tranche of major reforms to the Act has recently been introduced to Parliament

**Statutory Implications**

Nil

**Voting Requirements**

Simple Majority



Absolute Majority

**Officer's Recommendation**

*That Council recommends WALGA adopt the following Local Government Election Advocacy Positions:*

1. ***PARTICIPATION** - The Shire continues to support voluntary voting at Local Government elections.*
2. ***TERMS OF OFFICE** - Council support advocacy position The sector continues to support four-year terms with a two year spill;*
3. ***VOTING METHODS** - Council support advocacy position he sector supports First Past the Post (FPTP) as the preferred voting method for general elections. If Optional Preferential Voting (OPV) remains as the primary method of voting, the sector supports the removal of the 'proportional' part of the voting method for general elections*
4. ***INTERNAL ELECTIONS** - The Shire supports First Past the Post (FPTP) as the preferred voting method for all internal elections.*
5. ***VOTING ACCESSIBILITY** - The Shire supports:*
  - a. *Electronic voting;*
  - b. *Postal voting; and*
  - c. *In-Person voting.*
6. ***METHOD OF ELECTION OF MAYOR** - The Shire supports the current legislation with no change - Class 1 and 2 local governments directly elect the Mayor or President (election by electors method), with regulations preventing a change in this method.*



**13. OFFICER'S REPORTS - ASSETS AND WORKS**

Nil

**14. Urgent Business Approved by the Person Presiding or by Decision**

**15. Elected Members' Motions**

Nil

**16. Matters Behind Closed Doors**

Nil

**17. Closure**

The President thanked those in attendance, and closed the meeting at X:XXpm