



SHIRE OF
DOWERIN
TIN DOG TERRITORY



MINUTES

Ordinary Council Meeting

Held in Council Chambers
13 Cottrell Street, Dowerin WA 6461
Tuesday 15 October 2024
Commencing 2:00pm

ABN: 35 939 977 194

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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 2:19pm. In opening the meeting, the Council, CEO, and Management acknowledges the passing of Anne Robson, and John Simpson with a minutes' silence.

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

Nil

5. Applications for Leave of Absence

Cr Metcalf - December

Voting Requirements

Simple Majority Absolute Majority

Officer's Recommendation/ Resolution - 5.1

Moved Cr Trepp **Seconded:** Cr Allsopp

1018 That, by Simple Majority pursuant to Sections 2.25(1) of the *Local Government Act 1995*, Cr Metcalf be granted Leave of Absence for December.

CARRIED 7/0

For: Cr Trepp, Cr McMorran, Cr Allsopp, Cr Hudson, Cr Metcalf, Cr Sewell, Cr Ward

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/ Resolution - 7

Moved Cr Ward **Seconded:** Cr McMorran

1019 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.

CARRIED 7/0

For: Cr Trepp, Cr McMorran, Cr Allsopp, Cr Hudson, Cr Metcalf, Cr Sewell, Cr Ward

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

Cr Trepp acknowledged the motion passed by the Council of Port Hedland on 11 October 2024, in relation to suspending two types of COVID vaccines.

11. OFFICER'S REPORTS - CORPORATE AND COMMUNITY SERVICES

11.1 Financial Activity Statements

<h1>Corporate and Community Services</h1>		 SHIRE OF DOWERIN TIN DOG TERRITORY
Date:	9 October 2024	
Location:	Not Applicable	
Responsible Officer:	Aaron Wooldridge, Deputy Chief Executive Officer	
Author:	As above	
Legislation:	<i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996</i>	
SharePoint Reference:	Organisation / Financial Management / Reporting / Financial Statements / 2024-2025 Monthly Financial Statements	
Disclosure of Interest:	Nil	
Attachments:	Attachment 11.1A - September MFR	

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

Risk Profiling Theme	Failure to fulfil statutory regulations or compliance requirements
Risk Category	Compliance
Risk Description	No noticeable regulatory or statutory impact
Consequence Rating	Insignificant (1)
Likelihood Rating	Rare (1)
Risk Matrix Rating	Low (1)
Key Controls (in place)	Governance Calendar, Financial Management Framework and Legislation
Action (Treatment)	Nil
Risk Rating (after treatment)	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/Resolution - 11.1

Moved: Cr Hudson

Seconded: Cr Ward

1020

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.

CARRIED 7/0

For: Cr Trepp, Cr McMorran, Cr Allsopp, Cr Hudson, Cr Metcalf, Cr Sewell, Cr Ward

UNCONFIRMED

11.2 List of Accounts Paid

Corporate & Community Services



Date:	9 October 2024
Location:	Not Applicable
Responsible Officer:	Aaron Wooldridge, Deputy Chief Executive Officer
Author:	As above
Legislation:	<i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996</i>
SharePoint Reference:	Organisation/Financial Management/Reporting/Financial Statements and Credit Cards
Disclosure of Interest:	Nil
Attachments:	Attachment 11.2A - September LOP Attachment 11.2B - September Credit and Caltex Card Statements

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

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

Financial Implications

Nil

Voting Requirements

Simple Majority Absolute Majority

Officer's Recommendation/Resolution - 11.2

Moved: Cr Allsopp **Seconded:** Cr Hudson

1021 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 12622 to EFT 12721	\$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

TOTAL \$458,951.47

CARRIED 7/0

For: Cr Trepp, Cr McMorran, Cr Allsopp, Cr Hudson, Cr Metcalf, Cr Sewell, Cr Ward

11.3 Recalcitrant Rates Debtors - September 2024

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

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

Risk Profiling Theme	Failure to fulfil statutory regulations or compliance requirements
Risk Category	Financial Impact
Risk Description	\$50,001 - \$200,000
Consequence Rating	Major (4)
Likelihood Rating	Likely (4)
Risk Matrix Rating	Extreme (20)
Key Controls (in place)	Financial Management Framework; Debt Recovery Procedures; Legislation
Action (Treatment)	Undertake debt recovery as per procedures and legislation
Risk Rating (after treatment)	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/Resolution - 11.3

Moved: Cr Metcalf **Seconded:** Cr McMorran

1022 That Council, by Simple Majority, receives the report of Recalcitrant Rates Debtors, as presented in Attachment 11.3A - Recalcitrant Rates Debtors Report.

CARRIED 7/0

For: Cr Trepp, Cr McMorran, Cr Allsopp, Cr Hudson, Cr Metcalf, Cr Sewell, Cr Ward

11.4 Fees & Charges - Dowerin Short Stay Accommodation

Corporate & Community Services



Date:	1 October 2024
Location:	Not Applicable
Responsible Officer:	Manisha Barthakur, Chief Executive Officer
Author:	Kahli Rose, Governance Coordinator
Legislation:	<i>Local Government Act 1995</i>
Sharepoint Reference:	N/A
Disclosure of Interest:	Nil
Attachments:	Attachment 11.4A - SSA Actuals

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

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

Financial Implications

As stated in the report.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation/Resolution - 11.4

Moved: Cr Ward

Seconded: Cr Hudson

1023 *That, by Absolute Majority in accordance with the local government act 1995, Council increases the fee for hire of Short Term Accommodation as below:*

<i>One Nights' Booking</i>		
	<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>

<i>Extended Stays</i>		
	<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>

CARRIED 7/0

For: Cr Trepp, Cr McMorran, Cr Allsopp, Cr Hudson, Cr Metcalf, Cr Sewell, Cr Ward

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 DOWERIN TIN DOG TERRITORY
Date:	9 October 2024	
Location:	Not Applicable	
Responsible Officer:	Manisha Barthakur, Chief Executive Officer	
Author:	Tony Brown, Executive Director Member Services (WALGA)	
Legislation:	<i>Local Government Act 1995</i>	
Sharepoint Reference:	Nil	
Disclosure of Interest:	Nil	
Attachments:	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/Resolution - 12.1

Moved: Cr Metcalf

Seconded: Cr McMorran

1024 *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 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.*
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.*

CARRIED 7/0

For: Cr Trepp, Cr McMorran, Cr Allsopp, Cr Hudson, Cr Metcalf, Cr Sewell, Cr Ward

13. OFFICER'S REPORTS - WORKS AND ASSETS

Nil

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

Nil

15. Elected Members' Motions

Nil

16. Matters Behind Closed Doors

Nil

17. Closure

The President thanked those in attendance and declared the meeting closed at 2:33pm.

UNCONFIRMED