



COUNCIL MINUTES

CONFIRMED: 20 November 2024

Ordinary Meeting of Council

7pm, Wednesday 16 October 2024

Council Chambers, 6177 Great Northern Highway, Bindoon

PUBLIC QUESTION TIME

1. Time Permitted

A minimum of 15 minutes is permitted for Public Question Time at Council Meetings. If there are not sufficient questions to fill the allocated time, the Presiding Member will move to the next item. If there are more questions to be considered within 15 minutes, the Presiding Member will determine whether to extend Public Question Time. Each person seeking to ask questions during Public Question Time may address the Council for a maximum of two minutes each.

2. Protocol

No member of the public may interrupt the Council Meeting proceedings or enter into conversation.

Members of the public wishing to participate in Public Question Time at the Council Meeting who wish to submit written questions, are requested to lodge them with the Chief Executive Officer the Tuesday by **5pm on the day before the meeting**

The Presiding Member will control Public Question time and ensure that each person wishing to ask a question is given a fair and equal opportunity to do so. Members of the public wishing to ask a question must state his or her name and address before asking a question. If the question relates to an item of the Agenda, the item number and title should be stated.

3. General Rules

The following general rules apply to Public Question Time:

- Public Questions should only relate to the business of the local government and should not be a personal statement or opinion.
- Only questions relating to matters affecting the local government will be considered at a Council Meeting, and only questions that relate to the purpose of the meeting will be considered at a Special Council Meeting.
- Questions may be take on notice and responded to after the meeting.
- Questions may not be directed to specific Elected Members or a Shire employee.
- Questions are not to be framed in such a way as to reflect adversely on a particular Elected Member or Shire employee.
- First priority will be given to persons who have submitted their questions in writing.
- Second priority will be given to persons who are asking questions relating to items on the current Council Meeting Agenda.

DEPUTATIONS

1. Time permitted

A minimum of 10 minutes is permitted for Deputations.

2. Protocol

No member of the public may interrupt the Council Meeting proceedings or enter into conversation.

Members of the public make a Deputation at the Council Meeting are requested to lodge them with the Chief Executive Officer the Tuesday by **5pm on the day before the meeting**

The Presiding Member will control Deputation time and ensure that each person wishing to ask a question is given a fair and equal opportunity to do so. Members of the public making a Deputation must state his or her name, company (if applicable) and address before commencing. Members must also state the item number and title on the Agenda.

3. General Rules

The following rules apply when making a Deputation:

- (a) Deputation is not to exceed five persons, only two of whom may address the Council, although others may respond to specific questions from Members.
- (b) Deputations must not exceed 10 minutes without the agreement of the Council.
- (c) Additional members of the deputation may be allowed to speak with the agreement of the Presiding Member.

Council is unlikely to take any action on the matter discussed during the deputation without first considering an officer's report on that subject in a later Council agenda.

RECORDING AND ACCESS TO RECORDINGS OF COUNCIL MEETINGS POLICY

Objective

To ensure that there is a process in place to outline access to the recorded proceedings of Council.

To emphasise that the reason for the recording of Council Meetings is to ensure the accuracy of Council Minutes and that any reproduction is for the sole purpose of Council business.

Recording of Proceedings

1. Proceedings for meetings of the Council, Electors, and Public Question Time during Council meetings shall be recorded by the Shire on sound recording equipment, except in the case of meetings of the Council where the Council closes the meeting to the public.
2. Notwithstanding clause 1, proceedings of a meeting of the Council which is closed to the public shall be recorded where the Council resolves to do so.
3. No member of the public is to use any electronic, visual or vocal recording device or instrument to record the proceedings of the Council or a committee without approval as per ***Local Government (Council Meetings) Local Law 2014***, c6.15.

Access to Recordings

4. The record of proceedings is to be loaded on to the Shire's website once the minutes have been made available.

Retention of Recordings

5. Recordings pertaining to the proceedings of Council Meetings shall be retained in accordance with the ***State Records Act 2000***.

During the meeting, no member of the public may interrupt the meetings proceedings or enter into conversation.

Members of the public shall ensure that their mobile telephone and/or audible pager is not switched on or used during any meeting of the Council.

Members of the public are hereby advised that use of any electronic, visual or audio recording device or instrument to record proceedings of the Council is not permitted without the permission of the Presiding Member.

PREFACE

When the Chief Executive Officer approves these minutes for distribution they are in essence "Unconfirmed" until the following Ordinary Meeting of Council, where the minutes will be confirmed subject to any amendments.

The "Confirmed" minutes are then signed off by the Presiding Member.

Attachments that formed part of the agenda, in addition to those tabled at the Ordinary Meeting of Council are put together as an addendum to these Minutes.

UNCONFIRMED MINUTES

These minutes were approved for distribution on 17 October 2024.



Melinda Prinsloo
Chief Executive Officer

CONFIRMED MINUTES

These minutes were confirmed at a meeting held on 20 November 2024.

Signed _____ 

NOTE: the Presiding Member at the meeting at which these minutes are confirmed is the person who signs above.

Disclaimer

The purpose of this Council meeting is to discuss and, where possible, make resolutions about items appearing on the agenda.

Whilst Council has the power to resolve such items and may in fact, appear to have done so at the meeting, no person should rely on or act on the basis of such decision or on any advice or information provided by a member or officer, or on the content of any discussion occurring, during the course of the meeting.

Persons should be aware that the provisions of the *Local Government Act 1995* (section 5.25 (e)) establish procedures for revocation or rescission of a Council decision. No person should rely on the decisions made by Council until formal advice of the Council decision is received by that person.

The Shire of Chittering expressly disclaims liability for any loss or damage suffered by any person as a result of relying on or acting on the basis of any resolution of Council, or any advice or information provided by a member or officer, or the content of any discussion occurring, during the course of the Council meeting.



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Good evening ladies and gentlemen, we wish to acknowledge the traditional custodians of the land within the Shire of Chittering, the Yued and Whadjuk peoples. We would like to pay respect to the Elders of the Nyoongar nation, past and present, who have walked and cared for the land, we acknowledge and respect their continuing culture, and the contributions made to this region.

ITEM 1. DECLARATION OF OPENING OF MEETING / ANNOUNCEMENTS OF VISITORS

The Presiding Member declared the meeting open at 7.00pm.

ITEM 2. RECORD OF ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE / ANNOUNCEMENTS

Attendance

The following members will be in attendance:

Cr Aaron King	President
Cr Mary Angus	Deputy President
Cr Carmel Ross	
Cr Mark Campbell	
Cr Kylie Hughes	
Cr John Curtis	

The following staff will be in attendance:

Melinda Prinsloo	Chief Executive Officer
Scott Clayton	Deputy Chief Executive Officer
Jake Whistler	Executive Manager Development Services
Leo Pudhota	Executive Manager Technical Services
Anna Bateman	Executive Assistant

Members of the General Public: 0

Media: 0

Apologies

Cr David Dewar

Approved leave of absence

Nil

Announcements

Councillors to advise of their attendance in their role as an Elected Member at community activities and meetings. As the Chief Executive Officer's office looks after some (not all) appointments for the President and Deputy President; the Agenda includes only those meetings. Councillors are therefore requested to provide additional information at the Ordinary Meeting of Council for inclusion in the minutes.

Cr Aaron King

18 September 2024 Councillor Information Session
Ordinary Meeting of Council
20 September 2024 Citizenship Ceremony
4 October 2024 President and CEO Meeting
8 – 10 October WALGA Local Government Convention 2024
10 October 2024 Agenda Forum

Cr Mary Angus

18 September 2024 Councillor Information Session
Ordinary Meeting of Council
20 September 2024 Citizenship Ceremony
4 October 2024 President and CEO Meeting
8 – 10 October WALGA Local Government Convention 2024
10 October 2024 Agenda Forum
12 October 2024 Bindoon Show

Cr Kylie Hughes

18 September 2024 Councillor Information Session
Ordinary Meeting of Council
8 – 10 October WALGA Local Government Convention 2024
10 October 2024 Agenda Forum
12 October 2024 Bindoon Show

Cr Carmel Ross

18 September 2024 Councillor Information Session
Ordinary Meeting of Council
8 – 10 October WALGA Local Government Convention 2024
10 October 2024 Agenda Forum
12 October 2024 Bindoon Show

Cr John Curtis

18 September 2024 Councillor Information Session
Ordinary Meeting of Council
10 October 2024 Agenda Forum

Cr Mark Campbell

18 September 2024 Councillor Information Session
Ordinary Meeting of Council
10 October 2024 Agenda Forum

Cr David Dewar

18 September 2024 Councillor Information Session
Ordinary Meeting of Council

ITEM 3. DISCLOSURE OF INTEREST

Nil

ITEM 4. PUBLIC QUESTION TIME

Response to previous public questions taken on notice

Nil

Public question time

Nil

ITEM 5. PETITIONS/ PRESENTATIONS / DEPUTATIONS

Petitions

Nil

Presentations

Nil

Deputations

Nil

ITEM 6. APPLICATIONS FOR LEAVE OF ABSENCE

MOTION / COUNCIL RESOLUTION 011024

Moved Cr Campbell, seconded Cr Angus

That Council approve the following leave of absence:

- Cr Mark Campbell – Wednesday, 23 October 2024 through to Saturday, 16 November 2024 (inclusive).

CARRIED UNANIMOUSLY: 6 / 0

TIME: 7.02PM

For: Cr King, Cr Angus, Cr Campbell, Cr Curtis, Cr Ross, Cr Hughes

Against: Nil

ITEM 7. CONFIRMATION OF MINUTES

Ordinary Meeting of Council: 18 September 2024

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 021024

Moved Cr Ross, seconded Cr Campbell

That the minutes of the Ordinary Meeting of Council held on Wednesday 18 September 2024, as published on the Shire website, be confirmed.

CARRIED UNANIMOUSLY: 6 / 0

TIME: 7:03pm

For: Cr King, Cr Angus, Cr Hughes, Cr Ross, Cr Campbell, Cr Curtis

Against: Nil

ITEM 8. ANNOUNCEMENT FROM THE PRESIDING MEMBER

- Fire Season officially commences today, as is the deadline for the completion of firebreaks. Our dedicated rangers have begun their inspections and will continue to do so over the coming weeks. Also, the “Firebreak Friday Competition” is making a return on Facebook, weekly winners will be in the running for a grand prize – a battery-powered line trimmer kit.
- Congratulations to Councillor Angus, who recently received (on stage) her well-deserved Diploma of Local Government – Elected Member during the WALGA convention’s Annual General Meeting. This is a significant achievement, and we are proud to see her commitment to local governance recognised.
- A big congratulations to the Bindoon Agricultural Society for hosting a tremendously successful Bindoon Show this past Saturday. The turnout was truly outstanding, and it was wonderful to see so many people from our community and beyond enjoying all that our Shire has to offer. Events like these showcase the vibrancy of the Shire, and we are grateful to all who contributed to its success.
- A special Time Capsule Opening event will be happening in Wannamal on Sunday the 3rd of November. It has been 20 years since the second time capsule was sealed to commemorate the closing of the Wannamal Primary School. The hall will be open from 11am with afternoon tea being served after the official opening. There will also be a new time capsule made up, and everyone is encouraged to add items on the day.
- We welcomed seven new Australian Citizens on Friday, 20 September 2024, at a Citizenship Ceremony in our Shire Council Chambers. It is lovely to share the moment with our residents.

ITEM 9. REPORTS

DEVELOPMENT SERVICES

Nil

TECHNICAL SERVICES

Nil

CORPORATE SERVICES**CS01 – 10/24 List of Accounts Paid for the Period Ending 30 September 2024**

Applicant	Shire of Chittering
File ref	12/03/4
Author	Finance Officer - Accounts
Authorising Officer	Deputy Chief Executive Officer
Disclosure of interest	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure
Voting requirements	Simple Majority
Attachments	1. List of Accounts Paid as at 30 September 2024, inclusive of payments made using credit, debit or other purchasing cards

	Authority / Discretion	Definition
<input type="checkbox"/>	Advocacy	<i>When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>
<input type="checkbox"/>	Executive	<i>The substantial direction setting and oversight role of Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>
<input type="checkbox"/>	Legislative	<i>When Council initiates or adopts a policy position, or a local law</i>
<input type="checkbox"/>	Quasi-Judicial	<i>When Council determines an application/matter that directly affects a person's rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include development applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal</i>
<input checked="" type="checkbox"/>	Information	<i>Includes items for information purposes only and do not require a decision of Council (to 'note' only)</i>

Executive Summary

To present the list of accounts paid by the Chief Executive Officer under delegated authority for the period ending 30 September 2024.

To present the List of Payments made by authorised employees using credit, debit and other purchasing cards for the period ending 30 September 2024.

Background

Pursuant to *Local Government Act 1995 Section 6.8 (2)(b)*, where expenditure has been incurred by a local government, it is to be reported to the next ordinary meeting of Council.

Consultation/Communication ImplicationsLocal

Deputy Chief Executive Officer

State

Nil

Legislative ImplicationsState

Local Government Act 1995

Local Government (Financial Management) Regulations

Local

Nil

Policy Implications

State

Nil

Local

Nil

Financial Implications

All expenditure has been approved via adoption of the 2024-2025 Annual Budget, or resulting from a Council resolution for a budget amendment.

Strategic Implications

State

Nil

Local

Nil

Site Inspection

Not applicable

Environmental Consideration

Not applicable

Risk Assessment/Implications

Risk	Likelihood	Consequences	Risk Analysis	Mitigation
Compliance	Low	Minor	Low	Quality Assurance prior to publishing
Opportunity: None				

Officer Comment/Details

The attached "List of Accounts Paid as at 30 September 2024" is presented to Council, inclusive of payments made using credit, debit or other purchasing cards.

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 031024

Moved Cr Hughes, seconded Cr Campbell

That Council receive the List of Accounts Paid as per Attachment 1 totalling \$1,023,951.96, inclusive of payments made using credit, debit or other purchasing cards for the period ending 30 September 2024:

1. PR6697 & PR6703
2. EFT27377 – EFT27534; and
3. Direct Debits, Cheques as listed.
4. Purchasing Card as listed.

CARRIED 6 / 0

TIME: 7:07pm

For: Cr King, Cr Angus, Cr Hughes, Cr Ross, Cr Campbell, Cr Curtis

Against: Nil

CS02 – 10/24 Monthly Financial Report for the Period Ending 30 September 2024

File ref	12/03/4
Author	Finance Manager
Authorised by	Deputy Chief Executive Officer
Disclosure of interest	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure
Voting requirements	Simple Majority
Attachments	1. Monthly Financial Report for the Period Ending 30 September 2024

	Authority / Discretion	Definition
<input type="checkbox"/>	Advocacy	<i>When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>
<input type="checkbox"/>	Executive	<i>The substantial direction setting and oversight role of Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>
<input type="checkbox"/>	Legislative	<i>When Council initiates or adopts a policy position, or a local law</i>
<input type="checkbox"/>	Quasi-Judicial	<i>When Council determines an application/matter that directly affects a person's rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include development applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal</i>
<input checked="" type="checkbox"/>	Information	<i>Includes items for information purposes only and do not require a decision of Council (to 'note' only)</i>

Executive Summary

Council is requested to consider the financial statement for the period ending 30 September 2024.

Background

In accordance with *Local Government (Financial Management) Regulations 1996*, the Financial Activity Statement has been prepared in compliance with the following:

“Regulation 34(1) of the Local Government (Financial Management) Regulations 1996, which requires a local government to prepare a statement of financial activity each month, presented according to nature and type, by program, or by business unit. For the 2019/20 financial year the statement of financial activity will be presented by nature and type.

Regulation 34(5) of the Local Government (Financial Management) Regulations 1996, which requires a local government to adopt a percentage or value, calculated in accordance with Australian Accounting Standards, to be used in statements of financial activity for reporting material variances. For the 2019/20 financial year 10% and a value greater than \$100,000 will be used for the reporting of variances.”

Consultation/Communication Implications

This document has been prepared in consultation with Responsible Officers for review and analysis.

Legislative ImplicationsState

This monthly financial report complies with *Section 6.4 of the Act and Regulations 34(5) of the Local Government (Financial Management) Regulations 1996*.

Local

Nil

Policy Implications

Local

Finance Policy 2.1 Budget Preparation
 Finance Policy 2.2 Investment of Funds
 Finance Policy 2.7 Significant Accounting Policies

Financial Implications

Nil

Strategic Implications

- Strategic Community Plan 2022-2032
 Focus area: Strong leadership
 Objective: S5.2 Strong partnerships and relationships
 Strategy: S5.2.1 Built effective partnerships with stakeholders

 Objective: S5.3 Accountable governance
 Strategy: S5.3.1 Good governance, which supports efficient and effective service delivery

Site Inspection

Not applicable

Environmental Consideration

Not applicable

Risk Assessment/Implications

Risk	Likelihood	Consequences	Risk Analysis	Mitigation
Compliance	Rare	Minor	Low	Quality Assurance prior to publishing
Opportunity: None				

Risk	Likelihood	Consequences	Risk Analysis	Mitigation
Reputation: Providing transparent, accurate financial records.	Unlikely	Minor	Low	Adequate training for all Finance Officers, to ensure balanced reports each month.
Opportunity: None				

Officer Comment/Details

Council adopted the Annual Budget for the 2024/25 financial year on 19 June 2024 (Resolution 070624). The figures in this report are compared to the Adopted Budget.

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 041024
Moved Cr Angus, seconded Cr Campbell
That Council receives the Monthly Financial Report for period ending 30 September 2024, as per Attachment 1.

CARRIED 6 / 0
TIME: 7:08pm

For: Cr King, Cr Angus, Cr Hughes, Cr Ross, Cr Campbell, Cr Curtis
Against: Nil

CHIEF EXECUTIVE OFFICER**CEO01 – 10/24 Work Health and Safety Statistics Report – September 2024**

Applicant	N/A
File ref	GOV.REP.OSH
Author	Chief Executive Officer
Disclosure of interest	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure
Voting requirements	Simple Majority
Attachments	1. WHS Statistics Report – Quarter Ending September 2024 2. WHS Statistics Report – Monthly September 2024

	Authority / Discretion	Definition
<input type="checkbox"/>	Advocacy	<i>When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>
<input type="checkbox"/>	Executive	<i>The substantial direction setting and oversight role of Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>
<input type="checkbox"/>	Legislative	<i>When Council initiates or adopts a policy position, or a local law</i>
<input type="checkbox"/>	Quasi-Judicial	<i>When Council determines an application/matter that directly affects a person's rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include development applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal</i>
<input checked="" type="checkbox"/>	Information	<i>Includes items for information purposes only and do not require a decision of Council (to 'note' only)</i>

Executive Summary

Council is requested to receive the Shire of Chittering's Work Health and Safety Statistics Report for September 2024.

Background

At the Ordinary Meeting of Council held 17 November 2021, Council adopted the following resolution:

MOTION / COUNCIL RESOLUTION 231121

Moved Cr King, seconded Cr Angus

That:

1. "The Shire of Chittering" adopts the following position statement: "Council cares about the employees of the shire and want to ensure that all employees arrive safely home each day. This requires that everyone commits to their role in ensuring a safe workplace, starting with Council".
2. Council requires the Chief Executive Officer to provide a quarterly report (February (previous quarter), April, July and October of each calendar year) of the following key safety performance indicators (KPI's) for the Shire workforce and contractors; including but not limited to:
 - a. Number of safety observations;
 - b. Number of safety audits and inspections;
 - c. Number of working hours (total, workforce and contractors)
 - d. Number of training hours;
 - e. Number of toolbox talks;
 - f. Number of equipment breakdowns;

g. Average overtime per person by department.

3. Council requires the Chief Executive Officer to provide a monthly report to be tabled at each Ordinary Council Meeting, the following key safety performance indicators (KPI's) for the Shire workforce and contractors ; including but not limited to:

- a. Number of Drug and Alcohol tests performed;
- b. Number of positive Drug test and BAC Exceedances;
- c. Number of worker compensation claims;
- d. Number of "current" worker compensation claims;
- e. Number of Near Misses;
- f. Number of Medically Treated Injuries;
- g. Number of Restricted Work Injuries;
- h. Number of Lost Time Injuries.

CARRIED UNANIMOUSLY 7 / 0

TIME: 9.53pm

Consultation Summary

Local

Nil

State

Nil

Legislative Implications

State

- Work Health and Safety Act 2020

Local

Nil

Policy Implications

State

Nil

Local

- Shire of Chittering Policy 3.7 Work Health and Safety (WHS)

Financial Implications

Nil

Strategic Assessment / Implications

Local

- Strategic Community Plan 2022-2032

Focus area: Accountable governance

Objective: S5.3 Accountable Governance

Strategy: S5.3.1 Good governance which supports efficient and effective service delivery

State

Nil

Site Inspection

Not applicable

Environmental Consideration

Not applicable

Risk Assessment / Implications

Nil

Officer Comment/Details

Nil

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 051024

Moved Cr Angus, seconded Cr Campbell

That Council receive the Shire of Chittering Work Health and Safety Statistics Reports which include:

- 1. Quarterly Report ending September 2024**
- 2. Monthly Report for September 2024**

CARRIED 6 / 0

TIME: 7:10pm

For: Cr King, Cr Angus, Cr Hughes, Cr Ross, Cr Campbell, Cr Curtis

Against: Nil

CEO02 – 10/24 Local Government Elections – Review of WALGA Advocacy Positions

Applicant	Tony Brown, Executive Director Member Services - WALGA
File ref	SOCR-1845402348-26851
Author	Chief Executive Officer
Authorising Officer	Chief Executive Officer
Disclosure of interest	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure
Voting requirements	Simple Majority
Attachments	1. Local Advocacy Positions for a New Local Government Act 2. Local Government Reform Proposal Submission (February 2022)

	Authority / Discretion	Definition
<input type="checkbox"/>	Advocacy	<i>When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>
<input checked="" type="checkbox"/>	Executive	<i>The substantial direction setting and oversight role of Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>
<input type="checkbox"/>	Legislative	<i>When Council initiates or adopts a policy position, or a local law</i>
<input type="checkbox"/>	Quasi-Judicial	<i>When Council determines an application/matter that directly affects a person's rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include development applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal</i>
<input type="checkbox"/>	Information	<i>Includes items for information purposes only and do not require a decision of Council (to 'note' only)</i>

Executive Summary

Council is requested to provide a Council decision on WALGA's advocacy positions as they relate to the Local Government Elections, to see if the positions are still current.

Background

The Shire of Chittering received correspondence from Tony Brown, Executive Director Member Service WALGA on Friday 13 September 2024, requesting Council to provide their decision on WALGAs advocacy positions as they relate to the Local Government Elections, by Monday 28 October 2024.

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 Zones, 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:

PARTICIPATION

- (a) The sector continues to support voluntary voting at Local Government elections.
OR
- (b) The sector supports compulsory voting at Local Governments elections.

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.

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.

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.

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.

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 Summary

Local

Nil

State

WALGA recently undertook a comprehensive review and analysis of 5 ordinary election cycles up to and including the 2023 Local Government election against the backdrop of legislative reforms to the Local

Government electoral process. 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 of conducting Local Government elections in Western Australia.

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

Since 2008, WALGA has surveyed the sector on five occasions and at all times the sector has supported the following:

- first-past-the-post method of counting votes,
- voting at Local Government elections to be voluntary, and
- four-year terms with a two-year spill.

All Local Governments are now being asked to provide a Council decision on WALGAs advocacy positions as they relate to Local Government Elections, to see if the positions are still current.

Legislative Implications

State

- Local Government Amendment Act 2023

Local

Nil

Policy Implications

State

Nil

Local

Nil

Financial Implications

Nil

Strategic Assessment / Implications

Nil

Site Inspection

Site inspection undertaken: N/A

Environmental Consideration

Environment consideration given: N/A

Risk Assessment / Implications

Nil

Officer Comment/Details

Due to the complexity of the matter, it is recommended that Council consider each point individually, to all perspectives are thoroughly addressed, and to facilitate an inclusive discussion.

OFFICER RECOMMENDATION 1

Moved Cr Curtis, seconded Cr Angus

That Council recommends that WALGA adopt the following Local Government Election Advocacy Position regarding participation:

Council support advocacy position (a) *The sector continues to support voluntary voting at Local Government elections.*

Lost: 2 / 4

TIME: 7.18PM

For: Cr Angus, Cr Curtis

Against: Cr King, Cr Campbell, Cr Ross, Cr Hughes

FORESHADOWED MOTION / COUNCIL RESOLUTION 061024

Moved Cr Hughes, seconded Cr Ross

That Council recommends that WALGA adopt the following Local Government Election Advocacy Position regarding participation:

Council supports advocacy position (b) *The sector supports compulsory voting at Local Governments elections*

CARRIED: 4 / 2

TIME: 7.21PM

For: Cr King, Cr Campbell, Cr Ross, Cr Hughes

Against: Cr Curtis, Cr Angus

OFFICER RECOMMENDATION 2 / COUNCIL RESOLUTION 071024

Moved Cr Angus, seconded Cr Ross

That Council recommends that WALGA adopt the following Local Government Election Advocacy Position regarding terms of service:

Council support advocacy position (a) *The sector continues to support four-year terms with a two-year spill.*

CARRIED: 5 / 1

TIME: 7.26PM

For: Cr King, Cr Angus, Cr Campbell, Cr Ross, Cr Hughes

Against: Cr Curtis

OFFICER RECOMMENDATION 3 / COUNCIL RESOLUTION 081024

Moved Cr Hughes, seconded Cr Curtis

That Council recommends that WALGA adopt the following Local Government Election Advocacy Position regarding voting methods:

Council support advocacy position (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.*

CARRIED UNANIMOUSLY: 6 / 0

TIME: 7.29PM

For: Cr King, Cr Angus, Cr Campbell, Cr Curtis, Cr Ross, Cr Hughes

Against: Nil

OFFICER RECOMMENDATION 4 / COUNCIL RESOLUTION 091024

Moved Cr Angus, seconded Cr Campbell

That Council recommends that WALGA adopt the following Local Government Election Advocacy Position regarding internal elections:

Council support advocacy position (a) *The sector supports First Past the Post (FPTP) as the preferred voting method for all internal elections.*

CARRIED UNANIMOUSLY: 6 / 0

TIME: 7.30PM

For: Cr King, Cr Angus, Cr Campbell, Cr Curtis, Cr Ross, Cr Hughes

Against: Nil

OFFICER RECOMMENDATION 5 / COUNCIL RESOLUTION 101024

Moved Cr Ross, seconded Cr Campbell

That Council recommends that WALGA adopt the following Local Government Election Advocacy Position regarding voting accessibility:

Council support advocacy position (a), (b), and (c) – *The sector supports the option to hold elections through*

(a) Electronic voting; and

(b) Postal voting; and

(c) In person voting.

CARRIED UNANIMOUSLY: 6 / 0

TIME: 7.32PM

For: Cr King, Cr Angus, Cr Campbell, Cr Curtis, Cr Ross, Cr Hughes

Against: Nil

OFFICER RECOMMENDATION 6

Moved Cr Hughes, seconded Cr Campbell

That Council recommends that WALGA adopt the following Local Government Election Advocacy Position regarding method of election:

Council support advocacy position (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.*

Lost: 0 / 6

TIME: 7.40PM

For: Nil

Against: Cr King, Cr Angus, Cr Campbell, Cr Curtis, Cr Ross, Cr Hughes

FORESHADOWED MOTION / COUNCIL RESOLUTION 111024

Moved Cr Ross, seconded Cr Angus

That Council recommends that WALGA adopt the following Local Government Election Advocacy Position regarding method of election:

Council support advocacy position (b) *Return to previous legislated provisions – all classes of local governments can decide, by absolute majority, the method for electing their Mayor or President.*

CARRIED UNANIMOUSLY: 6 / 0

TIME: 7.45PM

For: Cr King, Cr Angus, Cr Campbell, Cr Curtis, Cr Ross, Cr Hughes

Against: Nil

CEO03 – 10/24 Tarmac West Tarmac Rally 2024 – Resident Feedback

Applicant	CEO
Author	Chief Executive Officer
Authorising Officer	Chief Executive Officer
Disclosure of interest	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure
Voting requirements	Simple Majority
Attachments	1. Tarmac West tarmac Rally 2024 Survey Results

	Authority / Discretion	Definition
<input type="checkbox"/>	Advocacy	<i>When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>
<input type="checkbox"/>	Executive	<i>The substantial direction setting and oversight role of Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>
<input type="checkbox"/>	Legislative	<i>When Council initiates or adopts a policy position, or a local law</i>
<input type="checkbox"/>	Quasi-Judicial	<i>When Council determines an application/matter that directly affects a person's rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include development applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal</i>
<input checked="" type="checkbox"/>	Information	<i>Includes items for information purposes only and do not require a decision of Council (to 'note' only)</i>

Executive Summary

The Shire of Chittering recently conducted a Survey Monkey poll to gauge resident attitudes towards the Tarmac West Tarmac Rally in Maryville Downs. With 95 responses, 82 were in favour of the event and 13 were against it. Concerns mainly focused on road closures and access. The survey results will help guide future decisions about the event.

Background

The Tarmac West Tarmac Rally has been an annual event in the Shire of Chittering for over ten years, drawing motorsport enthusiasts and boosting local tourism. With the current MOU between the Shire and the event organisers approaching its renewal date, a survey was initiated to gather feedback from the local community on the event's impact. The survey sought to understand residents' attitudes towards the rally and whether they would support its continuation. Given the event's significant history in Chittering and the potential to enhance community engagement and local economic activity, this feedback is essential in guiding the Shire's decision-making process.

Consultation SummaryLocal

A survey was conducted from 17 September to 26 September through online platform Survey Monkey, to gather feedback on the Tarmac West Tarmac Rally.

State

Nil

Legislative Implications

State

Nil

Local

Nil

Policy Implications

State

Nil

Local

Nil

Financial Implications

Nil

Strategic Assessment / Implications

Local

- Strategic Community Plan 2024 – 2034
- Strategy 5.3: Community Engagement and Participation

State

Nil

Site Inspection

Not Applicable.

Environmental Consideration

Not Applicable.

Risk Assessment / Implications

Risk	Likelihood	Consequences	Risk Analysis	Mitigation
Reputation	Unlikely	Insignificant	Low	Ensuring collaboration with event organisers, residents, and key stakeholders is essential to minimising reputational risks. This involves maintaining open communication, addressing concerns like road closures, and promoting the event's benefits to the community. Regular feedback, such as surveys, will help mitigate negative perceptions and build ongoing support.
Opportunity: Renewing the MOU for the Tarmac West Tarmac Rally allows the Shire to continue benefiting from increased visitation, community engagement, and local business support.				

Officer Comment/Details

A survey conducted via Survey Monkey received 95 responses from residents. Of these, 82 supported the Tarmac West Tarmac Rally in Maryville Downs, while 13 were against it.

Positive feedback highlighted the rally's contribution to community spirit, its potential to bring more events to the area, opportunities for residents to spend time with family and friends, and the increase in visitation to the region. Negative feedback was minimal and related to concerns about road closures, restricted access, and timing delays. Given the overall support and minimal concerns, renewing the MOU would allow the rally to continue benefiting the community. A full summary of the comments can be found in the attachment.

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 121024

Moved Cr Curtis, seconded Cr Angus

That Council receive the survey results contained in attachment 1 to this item; and will take results of the survey into consideration when deliberating the renewal of the Memorandum of Understanding to extend the event with Tarmac West.

CARRIED 6 / 0

TIME: 7:51pm

For: Cr King, Cr Angus, Cr Hughes, Cr Ross, Cr Campbell, Cr Curtis

Against: Nil

ITEM 10. REPORTS OF COMMITTEES**COM01 – 10/24 Chittering Tourist Advisory Group August Meeting Minutes**

Applicant	Shire of Chittering
File ref	ECDEV.TOUR.CTAG
Author	Tourism, Events & Marketing Officer
Authorising Officer	Deputy Chief Executive Officer
Disclosure of interest	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure
Voting requirements	Simple Majority
Attachments	1. August Meeting Minutes 2. Terms of Reference

	Authority / Discretion	Definition
<input type="checkbox"/>	Advocacy	<i>When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>
<input type="checkbox"/>	Executive	<i>The substantial direction setting and oversight role of Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>
<input type="checkbox"/>	Legislative	<i>When Council initiates or adopts a policy position, or a local law</i>
<input type="checkbox"/>	Quasi-Judicial	<i>When Council determines an application/matter that directly affects a person's rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include development applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal</i>
<input checked="" type="checkbox"/>	Information	<i>Includes items for information purposes only and do not require a decision of Council (to 'note' only)</i>

Executive Summary

CTAG.

Background

CTAG officially became an advisory group to Council at the September 2020 Ordinary Council Meeting. New members were elected in November 2023 as per the Terms of Reference (Attachment).

OBJECTIVES OF THE TOURISM ADVISORY GROUP

To make recommendations and advise Council on select matters relating to tourism;

- To make recommendations on economic development strategies related to tourism
- To suggest targets and track the progress made by the Shire in undertaking tourism development activities.

The Advisory Group will advise Council all matters in tourism relating to:

- Stakeholder engagement
- Marketing
- Business support & development
- Investment attraction & infrastructure implementation
- Visitor satisfaction

- Undertaking major projects
- Shire-led tourism-focused events coordination

Membership is made up of;

- a) One Shire of Chittering Councillor as member and one Councillor as proxy – Cr Mark Campbell & Cr Carmel Ross, respectively.
- b) One Chittering Tourism Association representative as a member – Tamieka Preston
- c) Five tourism industry personnel from the Chittering local government area – Chris Evans (RDA), Evelyn Brown (Alan & Eves B&B), Natalie Vallance (Muchea Tree Farm) and Chris Waldie (Bindoon & Districts Historical Society).

The Terms of Reference states that;

“At each Ordinary Council Election, all positions will be declared vacant and; expressions of interest for committee positions will be advertised every two years in line with Council Elections, at the first meeting following the Elections”.

The CTAG meeting held in February 2024 was the first meeting with the newly elected members.

Consultation Summary

Local

Nil

State

Nil

Legislative Implications

State

Nil

Local

Nil

Policy Implications

State

Nil

Local

Nil

If not applicable

Financial Implications

Nil

Strategic Assessment / Implications

Local

- Strategic Community Plan 2017-2027
 - Objective: S4.3 Increased Visitors
 - Strategy: S4.3.1 Support and promote accommodation options
 - S4.3.3 Facilitate, promote and support ecotourism

State

Nil

Site Inspection

Not Applicable

Environmental Consideration

Not Applicable.

Risk Assessment / Implications

Risk	Likelihood	Consequences	Risk Analysis	Mitigation
Reputation	Unlikely	Insignificant	Low	Ensuring positive collaboration and partnerships with Tourism, Business and Council.
Opportunity: Nil				

All Council decisions are subject to risk assessment according to the Shires Risk Framework.

Implications and comment will only be provided for the following assessed risks:

Customer Service / Project management / Environment: High and Extreme Risks

Finance / Personal Health and Safety: Medium, High and Extreme Risks

Officer Comment/Details

August 2024 meeting minutes for information.

Meeting welcomed new members, discussed visitor numbers, mountain bike park update, CTABA update and upcoming events.

<p>OFFICER RECOMMENDATION / COUNCIL RESOLUTION 131024 Moved Cr Campbell, seconded Cr Curtis That Council receives the August Meeting Minutes per Attachment 1.</p> <p style="text-align: right;">CARRIED 6 / 0 <small>TIME: 7:57pm</small> For: Cr King, Cr Angus, Cr Hughes, Cr Ross, Cr Campbell, Cr Curtis Against: Nil</p>

ITEM 11. MOTIONS, OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

ITEM 12. QUESTIONS FROM MEMBERS WITHOUT NOTICE

QMWN01 – 10/24 Cr John Curtis

Question: What was the payment for the Bindoon Landfill Rehabilitation Plan, and can Council see the plan?

Response: *The Chief Executive Officer advised that this plan was to determine the end of life of the Bindoon Landfill site. The plan is a licence requirement, and a requirement from our auditors to determine our accounting for the contingent liability at end of life. The Chief Executive Officer will share the plan with Council.*

ITEM 13. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING

Nil

ITEM 14. MEETING CLOSED TO THE PUBLIC

Matters for which the meeting may be closed

Nil

ITEM 15. CLOSURE

The Presiding Member declared the meeting closed at 7.59pm.