

Shire of Tammin

ORDINARY COUNCIL MEETING

AGENDA



NOTICE OF MEETING

Dear Elected Member

The next ordinary meeting of the Shire of Tammin will be held on **Thursday 22 July 2021** in Council Chambers, 1 Donnan Street Tammin, commencing at **5:00pm**.

Gary Martin
Acting Chief Executive Officer
16 July 2021

MISSION STATEMENT

"Together with the people of Tammin we will provide leadership, vision and progress to achieve sustainability and growth"

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AGENDA

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Shire President will declare the meeting open at _____ pm.

2. PRESENT / IN ATTENDANCE / LEAVE OF ABSENCE PREVIOUSLY GRANTED / APOLOGIES

Present:

Cr M Greenwood	Shire President
Cr G Batchelor	Member
Cr N Caffell	Member
Cr T Daniels	Member
Cr C Thomson	Member
Cr T Nicholls	Member

In Attendance:

Gary Martin	Acting Chief Executive Officer
Fabian Houbrechts	Manager of Works
Morgan Ware	Manager of Finance & Administration

Leave of Absence previously granted:

Apologies:

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

4. PUBLIC QUESTION TIME

5. APPLICATIONS FOR LEAVE OF ABSENCE

6. DECLARATION OF MEMBER'S INTERESTS IN AGENDA ITEMS

7. DECLARATION OF RELATED PARTY DISCLOSURE IN AGENDA ITEMS

8. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

8.1 Ordinary Council Meeting Minutes – 24 June 2021

Recommendation

That the minutes of the Ordinary Council Meeting held on 24 June 2021 be confirmed as a true and accurate record of proceedings.

Moved: Cr _____ Seconded: Cr _____

Vote: Simple Majority Carried/Lost: ___/___

8.2 Special Council Meeting Minutes – 30 June 2021

Recommendation

That the minutes of the Special Council Meeting held on 30 June 2021 be confirmed as a true and accurate record of proceedings.

Moved: Cr _____ Seconded: Cr _____

Vote: Simple Majority Carried/Lost: ___/___

9. ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

10. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

11. MATTERS FOR CONSIDERATION – FINANCE

11.1 List of Payments for May 2021

Location:	Shire of Tammin
Applicant:	Administration & Finance Officer
Date:	01 July 2021
Author:	Keira Wirth
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	FIN05
Attachment/s:	Attachment Item 11.1 – Payment List Attachment Item 11.1 - Credit Card Statement

Purpose of Report

For Council to ratify the accounts paid under delegated authority.

Background

The attached List of Accounts paid during the month of June 2021 totaling \$193,673.64 by way of:

Cheque numbers	6788 - 6791	\$3,561.04
Direct debit payments	01/06/21 – 30/06/21	\$7,937.76
Licensing transfers	01/06/21 – 30/06/21	\$8,928.50
Bank fees	01/06/21 – 30/06/21	\$72.52
VISA payments	01/06/21 – 30/06/21	\$6,640.23
EFT payments	EFT 4538 – EFT 4604	\$122,039.51
Salaries and wages	01/06/21 – 30/06/21	\$44,494.08
Total payments	01/06/21 – 30/06/21	\$193,673.64

The Shire of Tammin made the following significant purchases during the month of June 2021

SMEC Australia Consultation and engineering design for Tammin Southern Link for the month of May 2021	\$ 5,202.23
John Phillips Consulting Consultant Fees CEO Recruitment 2021	\$ 5,500.00
GB & LB McDonald & Son Reimbursement costs for planting, pest control, fencing materials and labor hire costs In conjunction with Connecting Corridors Wheatblet NRM Grant Funding	\$ 6,498.80
Gladiator Sports Supply and install Combination Basketball/ Netball towers with turning bar tower 140mm diam galv pipe with 2400mm arms as per your quote B1651	\$ 8,470.00
Anderson Munro & Wyllie Shire of Tammin Financial Management Review Audit 2020/21. As per Local Government (Financial Management) Regulation 5(2)(c). Anderson Munro & Wyllie, as quoted 28/01/2021 to undertake review, preparation of findings report, including disbursement for travel and accommodation.	\$ 8,800.00
Roads 2000 Supply and install 30mm thick red 1% asphalt AC10 as per quote 71250 (Vendor Panel) at info bay	\$ 11,469.13
Bungulla Farming Pty Ltd Supply gravel from Turon Rd pit as per extraction agreement	\$ 12,089.00
Sunny Sign Company Road signage for various roads	\$ 13,514.82

Comment

Nil

Financial Implications

All liabilities have been settled in accordance with the Shire of Tammin 2020/2021 Operating Budget

Policy Implications

Nil

Statutory Implications

Local Government (Financial Management) Regulations 1996

11. Payment of accounts

- (1) A local government is to develop procedures for the authorisation of, and the payment of, accounts to ensure that there is effective security for, and properly authorised use of —
 - a) cheques, credit cards, computer encryption devices and passwords, purchasing cards and any other devices or methods by which goods, services, money or other benefits may be obtained; and
 - b) Petty cash systems.
- (1) A local government is to develop procedures for the approval of accounts to ensure that before payment of an account a determination is made that the relevant debt was incurred by a person who was properly authorised to do so.
- (2) Payments made by a local government —
 - a) Subject to sub-regulation (4), are not to be made in cash; and
 - b) Are to be made in a manner which allows identification of —
 - (i) The method of payment;
 - (ii) The authority for the payment; and
 - (iii) The identity of the person who authorised the payment.
- (3) Nothing in sub-regulation (3) (a) prevents a local government from making payments in cash from a petty cash system.

[Regulation 11 amended in Gazette 31 Mar 2005 p. 1048.]

12. Payments from municipal fund or trust fund

- (1) A payment may only be made from the municipal fund or the trust fund —
 - a) If the local government has delegated to the CEO the exercise of its power to make payments from those funds — by the CEO; or
 - b) Otherwise, if the payment is authorised in advance by a resolution of the council.
- (2) The council must not authorise a payment from those funds until a list prepared under regulation 13(2) containing details of the accounts to be paid has been presented to the council.

[Regulation 12 inserted in Gazette 20 Jun 1997 p. 2838.]

13. Lists of accounts

- (1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —
 - a) The payee's name;
 - b) The amount of the payment;
 - c) The date of the payment; and
 - d) Sufficient information to identify the transaction.
- (2) A list of accounts for approval to be paid is to be prepared each month showing —
 - a) For each account which requires council authorisation in that month —
 - (i) The payee's name;
 - (ii) The amount of the payment; and
 - (iii) Sufficient information to identify the transaction; and
 - b) The date of the meeting of the council to which the list is to be presented.
- (3) A list prepared under sub-regulation (1) or (2) is to be —
 - a) Presented to the council at the next ordinary meeting of the council after the list is prepared; and

b) Recorded in the minutes of that meeting.

Strategic Plan & Corporate Business Plan Implications

Civic Leadership Strategies

Our Councillors and community leaders have vision, are accessible, act with transparency and integrity, and act in good faith on behalf of their constituents.

The following outcomes and strategies have been identified to achieve this vision.

Outcome 6.1 Strong governance and leadership, demonstrating fair and equitable community values

6.1.1 Deliver sustainable governance through transparent and robust policy and processes

6.1.2 Undertake the civic duties of Council with the highest degree of ethics

Outcome 6.2 An efficient and effective organisation

6.2.1 Ensure sound long-term financial management and deliver value for money

6.2.2 Provide community leadership and lobby Federal and State Government to strengthen service provision within the Shire. Explore diverse income streams including grants

Recommendation

That Council notes that during the month of June 2021, the Chief Executive Officer has made the following payments:

Municipal Fund payments totaling \$193,673.64 detailed:

Cheque numbers	6788 - 6791	\$3,561.04
Direct debit payments	01/06/21 – 30/06/21	\$7,937.76
Licensing transfers	01/06/21 – 30/06/21	\$8,928.50
Bank fees	01/06/21 – 30/06/21	\$72.52
VISA payments	01/06/21 – 30/06/21	\$6,640.23
EFT payments	EFT 4605 – EFT 4662	\$122,039.51
Salaries and wages	01/06/21 – 30/06/21	\$44,494.08

Moved: Cr _____ Seconded: Cr _____

Vote: Simple Majority Carried/Lost: ___/___

Payment List				
Ref	Date	Creditor	Description	Amount
Licensing				
73	01/06/2021	Department of Transport	Daily Licensing Fee	\$ 784.05
73	02/06/2021	Department of Transport	Daily Licensing Fee	\$ 237.75
73	03/06/2021	Department of Transport	Daily Licensing Fee	\$ 3,737.50
73	04/06/2021	Department of Transport	Daily Licensing Fee	\$ 148.65
73	08/06/2021	Department of Transport	Daily Licensing Fee	\$ 1,591.40
73	09/06/2021	Department of Transport	Daily Licensing Fee	\$ 93.75
73	10/06/2021	Department of Transport	Daily Licensing Fee	\$ 18.95
73	11/06/2021	Department of Transport	Daily Licensing Fee	\$ 26.65
73	14/06/2021	Department of Transport	Daily Licensing Fee	\$ 556.15
73	15/06/2021	Department of Transport	Daily Licensing Fee	\$ 1,049.50
73	21/06/2021	Department of Transport	Daily Licensing Fee	\$ 680.55
73	22/06/2021	Department of Transport	Daily Licensing Fee	\$ 3.60
			Subtotal	\$ 8,928.50
Bank Fees				
73	03/06/2021	MERCHANT FEES	MERCHANT FEES	\$ 72.52
			Subtotal	\$ 72.52
EFT Payments				
EFT4605	03/06/2021	Avon Waste	Domestic Refuse collection Cardboard only, Comingled recycling bin for 4 weeks for the month of May 2021	\$ 2,657.42
EFT4606	03/06/2021	Charmaine Thomson	Ordinary Council Meeting sitting and travel fee 27/05/2021	\$ 299.36
EFT4607	03/06/2021	Glenice Batchelor	Ordinary Council Meeting sitting and travel fee 27/05/2021	\$ 210.00
EFT4608	03/06/2021	John Phillips Consulting	Consultant Fees CEO Recruitment 2021	\$ 5,500.00
EFT4609	03/06/2021	LGIS (WA)	Actual wage adjustment for period 30/06/2019 - 30/06/2020 - Policy number 000078	\$ 363.35
EFT4610	03/06/2021	Michael Greenwood	Ordinary Council Meeting sitting and travel fee 27/05/2021	\$ 472.98
EFT4611	03/06/2021	Nicholas Caffell	Ordinary Council Meeting sitting and travel fee 27/05/2021	\$ 238.20
EFT4612	03/06/2021	Perfect Computer Solutions	Monthly monitoring fee - May	\$ 85.00
EFT4613	03/06/2021	STS West	Replace damaged tyre with new one of similar specifications Excavator Trailer	\$ 255.00
EFT4614	03/06/2021	Shire of Cunderdin	Velpic annual subscription online training platform shared costs 31/05/2021 - 30/05/2022	\$ 423.34
EFT4615	03/06/2021	Synergy	Electricity charges for the Depot, Oval, Bush fire repeater & Oval reticulation 27/03/2021 - 31/05/2021	\$ 2,412.90
EFT4616	03/06/2021	Tania Daniels	Ordinary Council Meeting sitting and travel fee 27/05/2021	\$ 245.84
EFT4617	03/06/2021	Tanya Nicholls	Ordinary Council Meeting sitting and travel fee 27/05/2021	\$ 242.02
EFT4618	03/06/2021	Tinwerx Engineering	Wheel chock for hoist at depot	\$ 475.00
EFT4619	03/06/2021	Wright Express Australia Pty Ltd (Puma)	Fuel charges for all vehicles for the month of May 2021	\$ 4,989.96
EFT4620	10/06/2021	Anderson Munro & Wyllie	Shire of Tammin Financial Management Review Audit 2020/21. As per Local Government (Financial Management) Regulation 5(2)(c). Anderson Munro & Wyllie, as quoted 28/01/2021 to undertake review, preparation of findings report	\$ 8,800.00
EFT4621	10/06/2021	Australia Post	Freight charges for the month of May and misc. items for Depot	\$ 67.45
EFT4622	10/06/2021	Bellburrow Farms	Supply gravel road construction as per extraction agreement.	\$ 2,024.00
EFT4623	10/06/2021	Centrecourt Renovators & Professional Painting	Repair on Netball Basketball court as per your emailed quote dated 11/05/2021.	\$ 3,850.00

EFT4624	10/06/2021	DHS Official Administered Receipts CSA Account	Payroll deductions	\$ 146.00
EFT4625	10/06/2021	Exurban Rural & Regional Planning	General Town Planning Services during the month of May	\$ 2,265.61
EFT4626	10/06/2021	Farmways Kellerberrin	Mortar Mix 20kg & Cement Rapid/fast set 20kg bag	\$ 308.00
EFT4627	10/06/2021	GB & LB McDonald & Son	Reimbursement costs for planting, pest control, fencing materials and labour hire costs In conjunction with Connecting Corridors Wheatblet NRM Grant Funding	\$ 6,498.80
EFT4628	10/06/2021	ITVision	Monthly SynergySoft license fee, May 2021	\$ 2,172.50
EFT4629	10/06/2021	Kellerberrin Farmers Co-Operative	Ordinary Council meeting refreshments 27 May 2021	\$ 166.20
EFT4630	10/06/2021	LGRCEU	Payroll deductions	\$ 20.50
EFT4631	10/06/2021	Promotional Exposure	Deposit Comedy Gold 2021 Thursday 19th August 2021	\$ 1,760.00
EFT4632	10/06/2021	Southern Cross Austereo Pty Ltd	12x Around the towns interviews campaign start 01/02/2021 - 31/01/2022	\$ 99.00
EFT4633	10/06/2021	Telstra	Office and Depot phone line and internet charges 23/05/2021 - 22/06/2021	\$ 895.96
EFT4634	10/06/2021	Toll Ipec	State Library books freight charges	\$ 10.73
EFT4635	10/06/2021	Wheatbelt Motors	Replace broken fuel line on vehicle TN4 & wiper blades, parts and labour	\$ 708.40
EFT4636	17/06/2021	Accwest Pty Ltd	Accounting assistance - Monthly financial report - April, assistance with preparation of 2021/2022 budget, Audit queries, asset disposal of vehicles addition of new vehicles and BAS review	\$ 1,595.00
EFT4637	17/06/2021	Farmways Kellerberrin	Prosafe P2V Trade mate face masks	\$ 59.00
EFT4638	17/06/2021	Gladiator Sports	Supply and install Combination Basketball/ Netball towers with turning bar tower 140mm diam galv pipe with 2400mm arms as per quote B1651	\$ 8,470.00
EFT4639	17/06/2021	ITVision	SynergySoft license fees, April 2021	\$ 2,172.50
EFT4640	17/06/2021	Landgate	Rural UV general revaluation 2020/2021	\$ 3,922.50
EFT4641	17/06/2021	Officeworks	Various office stationary supplies for Administration office and Depot	\$ 356.74
EFT4642	17/06/2021	Perfect Computer Solutions	02/06/2021 Admin - logged her off database server, 03/06/2021 complete IT Questionnaire and IT Controls questionnaire for MSA, 08/06/2021 - LH Phone set up	\$ 170.00
EFT4643	17/06/2021	Plastic Card Customization	Customized plastic tip passes 2021/2022 300 cards	\$ 591.80
EFT4644	17/06/2021	Roads 2000	Supply and install 30mm thick red 1% asphalt AC10 as per quote 71250 (Vendor Panel) at info bay	\$ 11,469.13
EFT4645	17/06/2021	SMEC Australia	Consultation and engineering design for Tammin Southern Link for the month of May 2021	\$ 5,202.23
EFT4646	17/06/2021	Sportspower Northam	Purchase of Nets for the Tammin Hockey Goals as a part of the Tammin Community Grant	\$ 1,100.00
EFT4647	17/06/2021	Sunny Sign Company	Road signage for various roads	\$ 13,514.82
EFT4648	17/06/2021	Wheatbelt Office and Business Machines	Fuji Xerox ApeosPort C4570 printed charges for period between 20/05/2021 - 11/06/2021	\$ 219.71
EFT4649	24/06/2021	Bungulla Farming Pty Ltd	Supply gravel from Turon Rd pit as per extraction agreement	\$ 12,089.00
EFT4650	24/06/2021	Corsign WA	PVC Flexible guide post white 1350mm with red/white delineation & Culvert marker post 100x1000mm	\$ 4,179.78
EFT4651	24/06/2021	DHS Official Administered Receipts CSA Account	Payroll deductions	\$ 146.00
EFT4652	24/06/2021	Farmways Kellerberrin	Sugar soap, BG Jetdry rap trd White 10l, Bordo Drill Set Metric, Tape threadseadseal Boston Blue 208453	\$ 371.90
EFT4653	24/06/2021	Hills Fire Equipment Service	2 x Fire Blankets (1.2x1.8m)	\$ 88.00
EFT4654	24/06/2021	LGRCEU	Payroll deductions	\$ 20.50
EFT4655	24/06/2021	LGnet	Shire of Tammin CEO Advertisement, Placed 05/04/2021 as per email quotation \$150 + GST	\$ 165.00

EFT4656	24/06/2021	Perfect Computer Solutions	10/06/2021 - forward works email to CEO, 10/06/2021 - Update audio file phone system, 11/06/2021 UPS reporting battery fault	\$ 212.50
EFT4657	24/06/2021	Sportspower Northam	4x Basketball Net regular	\$ 51.96
EFT4658	24/06/2021	Synergy	Electricity charges for various buildings period between 16/04/2021 - 18/06/2021	\$ 1,826.12
EFT4659	24/06/2021	Telstra	Office internet charges 01/05/2021 - 31/05/2021	\$ 75.00
EFT4660	24/06/2021	Thea Garner	Supply of already pushed gravel for O'Loughlin Rd	\$ 1,800.00
EFT4661	24/06/2021	Wheatbelt Plumbing & Gas	Replace SolarHart tank at 14 Russell Street	\$ 3,190.00
EFT4662	24/06/2021	Woodstock Electrical	Hire of Generator for FUSE Festival travel included	\$ 316.80
			Subtotal	\$122,039.51
Cheque Payments				
6788	03/06/2021	Shire of Tammin	Vehicle registration for 12 month for both TN1 & TN2	\$ 794.80
6789	10/06/2021	Water Corporation	Water charges for Barrack Road Standpipe 13/04/2021 - 08/06/2021	\$ 291.28
6790	17/06/2021	Water Corporation	Water charges various locations 12/04/2021 - 14/06/2021	\$ 2,057.77
6791	24/06/2021	Water Corporation	Water charges for Yorkrakine Hall & Standpipe Station road 12/04/2021 - 14/06/2021	\$ 417.19
			Subtotal	\$ 3,561.04
NAB Visa Payments				
DD1788.1	03/06/2021	NAB Business Visa	NAB Visa Transactions from 29/04/2021 to 28/05/2021	\$ 6,640.23
			Subtotal	\$ 6,640.23
Direct Debit				
DD1786.1	08/06/2021	Aware Super	Superannuation contributions	\$ 3,224.78
DD1786.2	08/06/2021	Australian Super	Superannuation contributions	\$ 364.36
DD1786.3	08/06/2021	Spirit Super	Superannuation contributions	\$ 188.54
DD1797.1	18/06/2021	Messages on Hold	Interactive Voice Recordings from 18/06/21- 17/07/21	\$ 177.45
DD1799.1	22/06/2021	Aware Super	Superannuation contributions	\$ 3,428.84
DD1799.2	22/06/2021	Australian Super	Superannuation contributions	\$ 364.59
DD1799.3	22/06/2021	Spirit Super	Superannuation contributions	\$ 189.20
			Subtotal	\$ 7,937.76
Salaries & Wages				
	08/06/2021	Shire of Tammin	Salaries & Wages	\$ 21,992.45
	22/06/2021	Shire of Tammin	Salaries & Wages	\$ 22,501.63
			Subtotal	\$ 44,494.08
Total Paid Municipal Account for the month of June				\$193,673.64

11.2 Financial Management Report for the month of June 2021

Location:	Shire of Tammin
Applicant:	Manager of Finance and Administration
Date:	15 July 2021
Author:	Morgan Ware
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Attachment Item 11.2 - June 2021 Monthly Financial Report

Purpose of Report

For Council to receive the Monthly Financial Statement.

Background

Enclosed is the Monthly Financial Report for the month of June 2021 inclusive of the Statement of Financial Activity, Current Ratios and Capital Expenditure Report.

Comment

At this stage of the budgeted income and expenditure cycle, we have received over 90% of our rates income together with the various grants. Council road works program completed and CAPEX program completed. Accordingly, our cash flow position is currently strong; additionally we have received an advance payment of the Financial Assistance Grants.

Financial Implications

There are currently no financial implications as income and expenditure is in accordance with Budget.

Statutory Implications

Local Government (Financial Management) Regulations 1996

34. Financial activity statement report — s. 6.4

*(1A) In this regulation — **committed assets** means revenue unspent but set aside under the annual budget for a specific purpose.*

(1) A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail —

- a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c);*

- b) *budget estimates to the end of the month to which the statement relates;*
- c) *actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;*
- d) *material variances between the comparable amounts referred to in paragraphs (b) and (c); and*
- e) *the net current assets at the end of the month to which the statement relates.*

(2) *Each statement of financial activity is to be accompanied by documents containing —*

- a) *an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;*
- b) *an explanation of each of the material variances referred to in sub regulation (1)(d); and*
- c) *such other supporting information as is considered relevant by the local government.*

(3) *The information in a statement of financial activity December be shown —*

- a) *according to nature and type classification; or*
- b) *by program; or*
- c) *by business unit.*

(4) *A statement of financial activity, and the accompanying documents referred to in sub regulation (2), are to be —*

- a) *presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and*
- b) *recorded in the minutes of the meeting at which it is presented.*

Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.

Policy Implications

Council resolved that in accordance with Regulation 34(5) of the *Local Government (Financial Management) Regulations 1996* a variance percentage of 10% or \$10,000, whichever is greater, be adopted for reporting material variances.

Strategic Plan & Corporate Business Plan Implications

Civic Leadership Strategies

Our Councillors and community leaders have vision, are accessible, act with transparency and integrity, and act in good faith on behalf of their constituents.

The following outcomes and strategies have been identified to achieve this vision.

Outcome 6.1 Strong governance and leadership, demonstrating fair and equitable community values

6.1.1 Deliver sustainable governance through transparent and robust policy and processes

6.1.2 Undertake the civic duties of Council with the highest degree of ethics

Outcome 6.2 An efficient and effective organisation

- 6.2.1 Ensure sound long-term financial management and deliver value for money
- 6.2.2 Provide community leadership and lobby Federal and State Government to strengthen service provision within the Shire. Explore diverse income streams including grants

Recommendation

That Council adopt the Monthly Financial Report for the period ending 30 June 2021 comprising;

- a) Statement of Financial Activity
- b) Note 1 to Note 12

Moved: Cr _____

Seconded: Cr _____

Vote: Simple Majority

Carried/Lost: ___/___

12. MATTERS FOR CONSIDERATION – ADMINISTRATION

12.1 Local Government Elections 2021

Location:	Shire of Tammin
Applicant:	Acting Chief Executive Officer
Date:	15 July 2021
Author:	Gary Martin – Acting CEO
Item Approved by:	Gary Martin – Acting CEO
Disclosure of Interest:	Impartial. The CEO is the Returning Officer unless the WAEC conducts the Election
File Reference:	ELE03
Attachment/s:	Attachment Item 12.1 - WAEC Letter 8 July 2021

Proposal/Summary

Local government elections are scheduled to be held on Saturday 16 October 2021. The term of Office for three Councillor positions expire at that time and it is necessary for the Shire to conduct the election process. In the current circumstances with the changeover of CEO personnel at that critical period, it is recommended that the election be conducted by the West Australian Electoral Commission (WAEC).

Background

There will be three normal vacancies to be filled in October due to the expiration of the terms of Office for the positions held by Councillors Greenwood, Caffell and Daniels. It is also possible that any extra ordinary election created by a resignation(s) could be conducted in conjunction with the Ordinary election and save the cost of a further election being required.

The election process is subject to a very comprehensive statutory process where compliance with dates and specified requirements is critical to avoid the election being declared invalid and resulting in the need for another election to be held.

The election is also subject to the nominations received on Nomination Day on the 9th September. If more nominations are received than vacancies the election process must proceed to a ballot. If the number of vacancies equals the number of nominations the positions can be declared filled on nomination day. If insufficient nominations are received a further election process must be commenced. These three options create a degree of uncertainty with the governance of the Shire with some risk that insufficient nominations could see the Council unable to form a quorum necessitating the appointment of a Commissioner to govern the Shire.

Normally the CEO is the Returning Officer for the Shire elections.

The conduct of the election process in the current environment is problematic with the resignation of the CEO, my Acting CEO position finishing on 30 September and the new permanent CEO commencing on 18 October – after the election. That could result in three different Returning Officer positions.

Comment

The completion of the electoral process in a straightforward manner is critical for the governance of the Shire however in the current circumstances there is a significant risk in the management of the electoral process including the involvement of different Returning Officers. The conduct of the election is a highly regulated process requiring strict observance of the significant technical requirements associated with the process. As the current CEO, I have not been involved in an election since 2015 and past experience has highlighted the pitfalls of conducting an election in-house.

The Council may appoint the WAEC to conduct the election on its behalf and that is strongly recommended. The WAEC is the professional organization which conducts numerous elections, including many local governments with its experienced staff. The election process is its bread and butter and its appointment removes much of the risk from the Shire.

There is a cost involved, but there is also a significant internal intangible cost if conducted by Shire staff, including time and resources diverted from other Shire priority projects. In the current environment it is strongly recommended that it is in the Shire's best interest to appoint the WAEC to conduct the election. The cost would be reduced if the positions were all filled on Nomination Day and an actual election did not proceed, it is also a relevant consideration of a risk of a second election needing to be held if conducted internally and then found invalid. An intangible benefit in having the election process conducted independent of the Shire CEO is the avoidance of any perception of bias.

The WAEC provides two options – the first being a postal ballot and the other an in-person ballot. At the time of preparing this report the WAEC has only agreed to a postal ballot and not an in-person ballot. Discussions are taking place with the Commission to obtain an agreement in respect of the in-person election and hopefully that will be obtained before the Council meeting. It is therefore proposed that, if necessary, the Council agree to both options with a preference to enable final agreement to be reached.

Consultation

This matter was discussed with the Shire President prior to my commitment to take on the role of Acting CEO.

The WAEC has also been consulted.

Policy Implications

There are no known policy implications however the WAEC experience may result in this becoming the arrangements for future elections in a similar manner as many other local governments.

The WAEC has provided agreement to be responsible for the conduct of the ordinary elections in 2021 in accordance with section 4.20(4) of the *Local Government Act 1995*, together with any other elections or polls that may be required.

Financial Implications

The estimated cost of the WAEC conduct of an in person ballot is \$11,000, on a full cost recovery basis, but that is likely to be less (\$5000) if the vacancies are filled on Nomination Day. It is likely that total internal costs would be of a similar amount including the redirection of time and energy away from other priority tasks.

The Shire has budgeted \$7000 for the election.

Strategic Implications

Recommendation

That the Council:

- Declare, in accordance with section 4.20(4) of the *Local Government Act 1995*, the Electoral Commissioner to be responsible for the conduct of the 2021 ordinary elections together with any other elections or polls which may be required
- In accordance with section 4.61(2) of the *Local Government Act 1995* that the method of conducting the election will be as a postal election.

OR

- In accordance with section 4.61(1) of the *Local Government Act 1995* that the method of conducting the election will be as an in-person election.

Moved: Cr _____

Seconded: Cr _____

Vote: Absolute Majority

Carried/Lost: __/__

13. MATTERS FOR CONSIDERATION – BUILDING & HEALTH

Nil

14. MATTERS FOR CONSIDERATION – TOWN PLANNING

Nil

15. ELECTED MEMBERS MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

16. MATTERS FOR WHICH THE MEETING MAY BE CLOSED (S`5.23)

Nil

17. CLOSURE OF MEETING

There being no further business the Shire President declared the meeting closed at ____.

