



**AGENDA  
FOR  
ORDINARY MEETING OF COUNCIL  
Wednesday 21 October 2020**

**Council Chambers  
Lot 66 Railway Street  
Trayning WA 6488**

**Commencement: 4:00pm**

Forum Meeting – TBA





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Signed

Leanne Parola  
Chief Executive Officer



## AGENDA

Ordinary Meeting of the Trayning Shire Council,  
Held in the Council Chambers, Lot 66 Railway Street, Trayning,  
on Wednesday 21 October 2020, commencing at 4:00pm.

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**1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**

**2 ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE**

MEMBERS:

Cr Melanie Brown (Shire President)  
Cr Geoff Waters (Deputy Shire President)  
Cr Michelle McHugh  
Cr Freda Tarr  
Cr Jim Wilkins  
Cr Clayton Marchant

STAFF:

Mrs Leanne Parola (Chief Executive Officer)  
Miss Belinda Taylor (Manager of Corporate Services)  
Mr Parthiv Parekh (Manager of Financial Services)

APOLOGIES:

ON APPROVED LEAVE(S) OF ABSENCE:

ABSENT:

VISITORS:

**3 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE**

**4 PUBLIC QUESTION TIME**

**5 APPLICATIONS FOR, AND PREVIOUSLY APPROVED, LEAVE OF ABSENCE AND DISCLOSURES OF INTEREST**

**5.1 Applications Previously Approved**

**5.2 Leave of Absence**

**5.3 Disclosure of Interest**

**6 PETITIONS/DEPUTATIONS/PRESENTATIONS**

**6.1 Petitions**

**6.2 Deputations**



### **6.3 Presentations**

## **7 CONFIRMATION OF MINUTES**

### **7.1 Ordinary Meeting of Council**

#### **Officer Recommendation**

That the minutes of the Ordinary Meeting of Council held on 16 September 2020 be confirmed as a true and correct record of the proceedings.

## **8 ANNOUNCEMENT BY PRESIDING MEMBER WITHOUT DISCUSSIONS**

## **9 REPORTS OF OFFICERS**

### **9.1 REGULATORY SERVICES**



## 9.2 MANAGER OF FINANCE

### 9.2.1 Monthly Financial Report for September 2020

Date of Report:	16 October 2020
Proponent:	N/A
File Ref:	N/A
Officer	Parthiv Parekh – Manager of Financial Services
Senior Officer:	Leanne Parola –Chief Executive Officer
Officer's Disclosure of Interest:	Nil
Attachments:	9.2.1 Monthly Financial Report for September 2020
Voting Requirements:	Simple Majority

#### **Purpose of Report**

This report presents for consideration the Monthly Financial Report, for the period ending 30<sup>th</sup> September 2020.

#### **Background**

All financial reports are required to be presented to Council within two meetings following the end of the month that they relate to.

These reports are prepared after all the end of month payments and receipts have been processed.

#### **Consultation**

There has been consultation with the Chief Executive Officer.

#### **Statutory Environment**

##### Local Government Act 1995 -

##### 6.4. Financial report

- (1) A local government is to prepare an annual financial report for the preceding financial year and such other financial reports as are prescribed.

##### Local Government (Financial Management) Regulations 1996 -

##### 34. Financial activity statement required each month (Act 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); and
  - (b) budget estimates to the end of the month to which the statement relates; and
  - (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates; and
  - (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; and
  - (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 may 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.
- (5) 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.

The recommendation that follows is consistent with the legislative requirements.

### **Policy Implications**

This proposal incorporates the requirements of policy 7.11 – Investment of Surplus Funds, specifically the requirement to report on Councils investments within the Monthly Financial Report

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### **Financial Implications**

A copy of the Monthly Financial Report for the period ending 30<sup>th</sup> September 2020, including the report on significant variances, Investment of Councils reserve and surplus funds and the reconciliation of Councils bank accounts, has been provided to Council via attachment to this report.

### **Strategic Implications**

There are no strategic implications.

### **Environmental Implications**

There are no environmental implications.

### **Social Implications**

There are no social implications.

### **Officer's Comment**

Nil

### **Officer's Recommendation**

That Council accepts the Monthly Financial Report for the period ending 30<sup>th</sup> September 2020 as presented.





### 9.2.2 Monthly Payment List September 2020

Date of Report:	16 October 2020
Proponent:	N/A
File Ref:	3.2.2.3 – Accounts Payable (Creditors)
Officer:	Parthiv Parekh – Manager of Financial Services
Senior Officer:	Leanne Parola –Chief Executive Officer
Officer's Disclosure of Interest:	Nil
Attachments:	9.2.3 Monthly Payments and Sundry Debtor List
Voting Requirements:	Simple Majority

#### **Purpose of Report**

To meet legislative requirements under the Local Government (Financial Management) Regulations.

#### **Background**

The Local Government (Financial Management) Regulations 1996 requires that Council is to be presented with a Statement of Payments each month.

#### **Statutory Environment**

Local Government (Financial Management) Regulations 1996

#### **Officer's Comment**

The list of payments has been compiled for the month of September 2020 and is attached. These payments have already occurred and Council are not making a decision as to whether payments are to be made.

#### **Officer's Recommendation**

That Council receives the list of payments, as presented, for the month of September 2020, totalling \$318,689.79.



### 9.3 CHIEF EXECUTIVE OFFICER

#### 9.3.1 Appointment of Fire Control Officers

Date of Report:	12 October 2020
Proponent:	N/A
File Ref:	5.1.4.1
Officer:	Leanne Parola –Chief Executive Officer
Officer's Disclosure of Interest:	Nil
Attachments:	Draft Policy 8.1 Notification of Harvest Bans etc.
Voting Requirements:	Simple Majority

#### Purpose of Report

Council is requested to amend the appointment of Fire Control Officers.

#### Background

The Shire of Trayning appointed Fire Control Officers at Council's October 2016 Ordinary Meeting as follows:

<b>COUNCIL DECISION &amp; OFFICER RECOMMENDATION</b>	<b>ITEM 10.2.1 - 1</b>
<b>MOVED: Cr WR Knott</b>	<b>SECONDED: Cr AG Woodfield</b>
That, in accordance with the Bush Fire Act, 1954, the following appointments be made for the Shire of Trayning:	
<ul style="list-style-type: none"><li>• Kununoppin Bush Fire Control Officer</li><li>• Yelbeni Bush Fire Control Officer</li><li>• Trayning Bush Fire Control Officer</li><li>• Bush Fire Control Officer</li><li>• Bush Fire Control Officer</li><li>• Bush Fire Control Officer</li><li>• Bush Fire Control Officer</li><li>• Bush Fire Control Officer (for issuing burning permits only)</li><li>• Bush Fire Control Officer (for issuing burning permits only)</li><li>• Fire Weather officers</li></ul>	<ul style="list-style-type: none"><li>- Neil Adkins</li><li>- Marlon Hudson</li><li>- Colin Smeeton</li><li>- Peter Barnes</li><li>- Murray Leahy</li><li>- Dylan Tarr</li><li>- Marlon Hudson</li><li>- Pascoe Durtanovich</li><li>- Cameron Watson</li><li>- Pascoe Durtanovich</li><li>- Cameron Watson</li></ul>
<b>CARRIED: 5/0</b>	<b>Res: 10-2016.191</b>

<b>COUNCIL DECISION &amp; OFFICER RECOMMENDATION</b>	<b>ITEM 10.2.1 - 2</b>
<b>MOVED: Cr AG Woodfield</b>	<b>SECONDED: Cr GF Waters</b>
That Mr Dylan Tarr be appointed Chief Bush Fire Control Officer for the Shire of Trayning and Mr Marlon Hudson be appointed Deputy Chief Bush Fire Control for the Shire of Trayning.	
<b>CARRIED: 5/0</b>	<b>Res: 10-2016.192</b>



The minutes of Council's September 2017 Ordinary Meeting indicates that the following additional appointments were made:

Fire Control Officers, restricted for issuing of Permits to Set Fire to the Bush only:

- Mr Don Shaw – Manager of Asset Management
- Miss Belinda Taylor – Executive Assistant

### **Consultation**

As the Trayning VFES Unit Annual General Meeting held 5 October 2020, the following Office Bearers were elected:

- |   |                  |
|---|------------------|
| • Captain/Chief Bush Fire Control Officer | Dylan Tarr       |
| • Lieutenant                              | Peter Barnes     |
| • Trayning Fire Control Officer           | Peter Barnes     |
| • Yelbeni Fire Control Officer            | Murray Leahy     |
| • Kununoppin Fire Control Officer         | Dylan Tarr       |
| • Secretary                               | Melissa Van Dyke |

### **Statutory Environment**

Bush Fire Act, Section 38 (1) states, in part:

*A Local Government may from time to time appoint such persons as it thinks necessary to be its Bush Fire Control Officers under and for the purpose of this Act and of those officers shall appoint two as Chief Bush Fire Control Officer and Deputy Chief Bush Fire Control Officer.*

The relevance of this, in the issuance of permits, is that the Bush Fire Act 1954 allows permits to be issued by bush fire control officers and the CEO of a local government as per Section 18 (6):

18. *Restricted burning times may be declared by FES Commissioner*

*(6) Subject to this Act a person shall not set fire to the bush on land within a zone of the State during the restricted burning times for that zone of the State unless —*

- (a) he has obtained a permit in writing to burn the bush from a bush fire control officer of the local government in whose district the land upon which the bush proposed to be burnt is situated, or from the chief executive officer of the local government if a bush fire control officer is not available; and*
- (b) the conditions prescribed for the purposes of this section are complied with in relation to the burning of the bush.*



### **Policy Implications**

Policy 8.1 Notification of Harvest Bans etc. includes the Deputy Chief Executive Officer as a Fire Control Officer for the purpose of issuing permits, imposing and notifying of harvest bans. The current structure of the Shire of Trayning does not include the position of DCEO so it would be appropriate to amend it to specify the Manager of Corporate Services.

### **Financial Implications**

There are no financial implications.

### **Strategic Implications**

There are no strategic implications.

### **Environmental Implications**

There are no environmental implications.

### **Social Implications**

There are no social implications.

### **Officer's Comments**

The Officer Recommendation will ensure that the Shire's appointed Fire Control Officers reflect those of the Trayning VFES Unit, and allow staff members to also sign fire permits.

### **Officer Recommendation**

That:

1) in accordance with the Bush Fire Act 1954, the following appointments be made for the Shire of Trayning:

- |  |                |
|--|----------------|
| • Chief Bush Fire Control Officer          | Dylan Tarr     |
| • Deputy Chief Bush Fire Control Officer   | Peter Barnes   |
| • Bush Fire Control Officer                | Peter Barnes   |
| • Bush Fire Control Officer                | Murray Leahy   |
| • Bush Fire Control Officer                | Dylan Tarr     |
| • Bush Fire Control Officer (permits only) | Leanne Parola  |
| • Bush Fire Control Officer (permits only) | Belinda Taylor |

2) Policy 8.1 be amended as attached.



### 9.3.2 Eastern Wheatbelt Biosecurity Group Representative

Date of Report:	30 September 2020
Proponent:	N/A
File Ref:	4.1.1.10 Committees & Representatives
Officer:	Leanne Parola –Chief Executive Officer
Officer's Disclosure of Interest:	Nil
Attachments:	Nil
Voting Requirements:	<b>Absolute Majority</b>

#### **Purpose of Report**

To appoint a Shire of Trayning representative to the Eastern Wheatbelt Biosecurity Group.

#### **Background**

A letter of resignation has been received from Councillor Marlon Hudson. Councillor Hudson was the Shire of Trayning's representative on the Eastern Wheatbelt Biosecurity Group.

#### **Consultation**

There has been no consultation.

#### **Statutory Environment**

Local Government Act 1995, section 5.10. Committee members, appointment of

#### **Policy Implications**

Policy 1.5 External Organisations – Council Representatives and Expenses

#### **Financial Implications**

There are no direct financial implications.

#### **Strategic Implications**

Active participation in regional groupings is one of the strategies within the Strategic Community Plan.

#### **Environmental Implications**

There are no direct environmental implications.



### **Social Implications**

There are no direct social implications.

### **Officer's Comment**

The Eastern Wheatbelt Biosecurity Group meetings twice per year in Merredin. It is an incorporated organisation with eleven Shire representatives making up the EWBG membership. A management group of five is elected who direct and manage the day-to-day operations.

The management group work on a voluntary basis, with an in-kind contribution of approximately \$15,000 a year from each Shire (volunteer's contribution of time and travel to meetings, plus attending bait making days).

The EWBG employ an Executive Officer part time and two full time Licenced Pest Management Technicians, who are contracted to the group for 200 days per year. All wild dogs that are caught are dated and given GPS coordinates (which is entered into data loggers). This gives the exact number of dogs caught and where the main concentrations are. From 2008-2016 there were over 50,000 baits used, all made by volunteers together with the Licensed Pest Management Technicians.

The EWBG is supported financially by the mining company Western Areas LTD (WSA), the Department of Agriculture and Food, Australian Wool Innovation, Department of Parks and Wildlife (DPaW) and the State Governments Royalties for Regions program.

### **Officer's Recommendation**

That Councillor \_\_\_\_\_ be appointed as the Shire of Trayning's representative on the Eastern Wheatbelt Biosecurity Group.



### 9.3.3 NEWROC Deputy Member Vacancy

Date of Report:	17 September 2020
Proponent:	N/A
File Ref:	4.1.1.10 Committees & Representatives
Officer:	Leanne Parola –Chief Executive Officer
Officer's Disclosure of Interest:	Nil
Attachments:	Nil
Voting Requirements:	<b>Absolute Majority</b>

#### **Purpose of Report**

To appoint a Deputy Member to the North East Wheatbelt Regional Organisation of Councils (NEWROC).

#### **Background**

A letter of resignation has been received from Councillor Marlon Hudson. Councillor Hudson was the Shire of Trayning's Deputy Member on the NEWROC.

#### **Consultation**

There has been no consultation.

#### **Statutory Environment**

Local Government Act 1995, section 5.10. Committee members, appointment of

#### **Policy Implications**

Policy 1.5 External Organisations – Council Representatives and Expenses

#### **Financial Implications**

There are no direct financial implications.

#### **Strategic Implications**

Active participation in regional groupings is one of the strategies within the Strategic Community Plan and there are a number of Actions within the Corporate Business Plan relating specifically to NEWROC.

#### **Environmental Implications**

There are no direct environmental implications.



**Social Implications**

There are no direct social implications.

**Officer's Comment**

Nil

**Officer's Recommendation**

That Councillor \_\_\_\_\_ be appointed as the Shire of Trayning's Deputy Member on the North East Wheatbelt Regional Organisation of Councils.





### 9.3.4 KTY Development Association Inc. Community Grant Application

Date of Report:	23 September 2020
Proponent:	KTY Development Association Inc.
File Ref:	3.2.4.54 Community Grant
Officer:	Leanne Parola –Chief Executive Officer
Officer's Disclosure of Interest:	Nil
Attachments:	9.3.4 Community Grant Application Form
Voting Requirements:	Simple Majority

#### **Purpose of Report**

To consider an application from the KTY Development Association Inc. for grant funding.

#### **Background**

The KTY Development Association Inc. has made an application for funds totalling \$500 towards the annual Christmas Lights Competition and to hold community events.

#### **Consultation**

Each year the Shire advertises the opportunity for local Clubs and Groups to make an application for Community Grants up to a maximum of \$500 before 31 May as part of the budget process.

#### **Statutory Environment**

There are no statutory implications.

#### **Policy Implications**

The application does not meet the requirements of Policy 7.7 - Donations and Sponsorship so is being referred to Council for consideration.

#### **Financial Implications**

The 2020/21 Annual Budget includes an amount of \$1,000 for donations to community groups (GL 2081002). There have been no donations made at this time.

#### **Strategic Implications**

The Community Strategic Plan includes a strategy to 'Encourage community events'.

#### **Environmental Implications**

There are no direct environmental implications.



### **Social Implications**

The Christmas Lights Competition and community events have positive social implications for the community.

### **Officer's Comment**

The KTY Development Association Inc. have applied for a \$500 grant for the following:

- Christmas Lights \$200
- Community Events \$300

A copy of the application is attached, however no details have been provided regarding the community events. Staff are aware that the KTY Development Association have advertised a community event to occur on 31 October 2020, which would comply with the Shire's policy (i.e. free to attend and open to all Shire residents).

The Shire last made a donation/grant to the KTY Development Association of \$100 in January 2019 for the 2018 Christmas Lights Competition.

### **Officer's Recommendation**

That:

- 1) A donation of \$200 be made to the KTY Development Association Inc. to be used for the Christmas Lights Competition
- 2) A donation of up to \$300 be made to the KTY Development Association on receipt of proof of expenditure for an event or events that are free of charge for Shire residents to attend and participate.



### 9.3.5 Local Emergency Management Arrangements

Date of Report:	14 October 2020
Proponent:	Nil
File Ref:	5.1.2.4
Officer:	Leanne Parola –Chief Executive Officer
Officer's Disclosure of Interest:	Nil
Attachments:	9.3.5 Draft Local Emergency Management Arrangements
Voting Requirements:	Simple Majority

#### **Purpose of Report**

To consider the updated Local Emergency Management Arrangements.

#### **Background**

The Shire of Trayning Local Emergency Management Committee endorsed the attached draft Local Emergency Management Arrangements at its meeting held 13 October 2020.

#### **Consultation**

- District Emergency Management Advisor, Department of Fire and Emergency Services
- Senior Staff
- Shire of Trayning Local Emergency Management Committee

#### **Statutory Environment**

The Emergency Management Act 2005 is the prevailing legislation and the following extracts are relevant to this report and subsequent recommendation.

#### 36. *Functions of local government*

*It is a function of a local government —*

- (a) subject to this Act, to ensure that effective local emergency management arrangements are prepared and maintained for its district;*
- (b) to manage recovery following an emergency affecting the community in its district; and*
- (c) to perform other functions given to the local government under this Act.*

#### 41. *Emergency management arrangements in local government district*

- (1) A local government is to ensure that arrangements (**local emergency management arrangements**) for emergency management in the local government's district are prepared.*
- (2) The local emergency management arrangements are to set out —*

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- (a) *the local government's policies for emergency management;*
  - (b) *the roles and responsibilities of public authorities and other persons involved in emergency management in the local government district;*
  - (c) *provisions about the coordination of emergency operations and activities relating to emergency management performed by the persons mentioned in paragraph (b);*
  - (d) *a description of emergencies that are likely to occur in the local government district;*
  - (e) *strategies and priorities for emergency management in the local government district;*
  - (f) *other matters about emergency management in the local government district prescribed by the regulations; and*
  - (g) *other matters about emergency management in the local government district the local government considers appropriate.*
- (3) *Local emergency management arrangements are to be consistent with the State emergency management policies and State emergency management plans.*
- (4) *Local emergency management arrangements are to include a recovery plan and the nomination of a local recovery coordinator.*
- (5) *A local government is to deliver a copy of its local emergency management arrangements, and any amendment to the arrangements, to the SEMC as soon as is practicable after they are prepared.*

This report and proposed Local Emergency Management Arrangements are consistent with these requirements.

### **Policy Implications**

There are no policy implications.

### **Financial Implications**

There are no direct financial implications.

### **Strategic Implications**

There are no direct strategic implications.

### **Environmental Implications**

There are no direct environmental implications.

### **Social Implications**

There are no direct social implications.



**Officer's Comment**

The attached draft Local Emergency Management Arrangements have been updated with current information and with the assistance of senior staff and the District Emergency Management Advisor from the Department of Fire and Emergency Services

**Officer's Recommendation**

That the Shire of Trayning Local Emergency Management Arrangements be adopted as attached.



### **9.3.6 Review of Representation**

Date of Report:	21 September 2020
Proponent:	N/A
File Ref:	4.1.4.1 Structural Reform & Amalgamations
Officer:	Leanne Parola –Chief Executive Officer
Officer's Disclosure of Interest:	Nil
Attachments:	9.3.6 Riew of Representation
Voting Requirements:	Simple Majority

#### **Purpose of Report**

For Council to consider the proposed discussion paper on the Review of Representation.

#### **Background**

Every local government is required to conduct a review of its representation every eight years in accordance with Schedule 2.2 of the *Local Government Act 1995*. Council last reviewed its representation on 19 May 2004 and resolved to reduce its number of elected members to seven.

#### **Consultation**

If Council agrees to adopt the Review of Representation Discussion Paper, there will be a minimum six week period of consultation with the public.

#### **Statutory Environment**

Schedule 2.2 of the *Local Government Act 1995* is applicable

#### **Policy Implications**

There are no direct policy implications.

#### **Financial Implications**

There will be minimal costs associated with providing local public notice of the review, which can be accommodated within existing 2020/21 Budget allocations.

Amending the number of Councillors is likely to have a minor impact on the Shire's Long Term Financial Plan. An increase in number of Councillors will result in increased operating costs; less Councillors will result in savings.

#### **Strategic Implications**

The Shire of Trayning Corporate Business Plan includes an action to review the number of Councillors in 2020/21. The review would need to be completed by 30 January to allow any proposed changes to be implemented in time for the October 2021 election.

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### **Environmental Implications**

There are no direct environmental implications.

### **Social Implications**

There are no direct social implications. The number of electors within the Shire of Trayning has declined from 338 in 2001 to 239 in 2019.

### **Officer's Comment**

If a review of representation results in a decision to change the number of elected members, it will need to be concluded by 30 January 2021 so that any changes can be implemented in time for the 2021 Ordinary Elections to be held in October.

Clause 7 of Schedule 2.2 states that before conducting a representation review a local government is to give local public notice advising that the review is to be carried out and that members of the public are invited to make submissions to the local government for a period of not less than six weeks from the date of the notice.

To assist the public in considering the review, a Discussion Paper has been developed and is included as an Attachment.

The Discussion Paper is designed to assist the community in considering options and ideas as well as clarifying factors that will form part of the review. It is not intended to be prescriptive nor is it exhaustive. The community may consider these options and comment on them or may have alternative options that it feels should be considered by Council.

The electoral roll for the 2019 extraordinary election shows the Shire of Trayning has 7 Councillors and 239 Electors, being a Councillor/Elector ratio of one Councillor to each 34 Electors. The Shire does not currently have any wards.

Several factors are proposed to be considered as part of the review and include:

1. The advantages and disadvantages of reducing the number of councillors;
2. The advantages and disadvantages of maintaining a no ward structure;
3. The implications of any change to the councillor/elector ratio; and
4. The cost of councillors.

The options of each scenario will be assessed against the following criteria:

1. Community of interests;
2. Physical and topographic features;
3. Demographic;
4. Economic factors; and
5. Ratio of councillors to electors.

On completing a review, the local government is to submit a report to the Local Government Advisory Board (LGAB) and may propose (via an Absolute Majority resolution of Council) to the LGAB the making of an order for a change of councillor



numbers, a change to ward boundaries and/or change to ward or district names. The LGAB reports to the Minister for Local Government.

**Officer's Recommendation**

That, in accordance with Schedule 2.2 of the Local Government Act 1995, Council adopts the Review of Representation Discussion Paper, as presented in Attachment 9.3.6, for the purpose of conducting the statutory six week community consultation period relating to the Review.





### 9.3.7 Elected Members Vacancy

Date of Report:	17 September 2020
Proponent:	N/A
File Ref:	4.1.4.1 Structural Reform & Amalgamations
Officer:	Leanne Parola –Chief Executive Officer
Officer's Disclosure of Interest:	Nil
Attachments:	Nil
Voting Requirements:	<b>Absolute Majority</b>

#### **Purpose of Report**

To consider applying to the Electoral Commissioner to allow the vacancy created by the resignation of Councillor Marlon Hudson to remain unfilled.

#### **Background**

A letter of resignation has been received from Councillor Marlon Hudson and was presented to the Chief Executive Officer at the Ordinary Meeting of Council held 16 September 2020.

#### **Consultation**

Shire President and Councillors

#### **Statutory Environment**

A Local Government Act Panel Review Report was recently released which recommends to the Minister for Local Government that local governments with a population of less than 5,000 should only have five Councillors, including a President.

Council is able to apply to the Electoral Commission to leave a position vacant under Local Government Act 1995, section 4.17 Cases in which vacant offices can remain unfilled.

If an application to leave the position is not made/approved, an extraordinary election will need to be held within four months of 16 September 2020 to fill the vacancy, i.e. by 16 January.

Other relevant sections in the Local Government Act 1995:

- 2.18. Fixing and changing number of councillors
- Schedule 2.2 — Provisions about names, wards and representation

#### **Policy Implications**

There are no direct policy implications in this regard.



### **Financial Implications**

There is no provision within the 2020/21 annual budget to conduct an extraordinary election. There will be minor savings achieved in having a reduced number of elected members (meeting and training costs).

### **Strategic Implications**

The Shire of Trayning Corporate Business Plan includes an action to review the number of Councillors in 2020/21.

The process to review the numbers of Councillors is a formal one, which would require a report to Council, public consultation of at least six weeks before a second report to Council, then an application to the Local Government Advisory Board who would make a recommendation to the Electoral Commission. It would not be possible to achieve the review before an extraordinary election would have to be called.

### **Environmental Implications**

There are no direct environmental implications.

### **Social Implications**

There are no direct social implications.

### **Officer's Comment**

Given the proposed review of the number of Councillors this financial year and the uncertainty around the potential reduction of Councillors through the review of the Local Government Act, it would be prudent to leave Councillor Hudson's position vacant.

### **Officer's Recommendation**

That an application be made to the Electoral Commissioner under Section 4.17 of the Local Government Act 1995 to allow the vacancy of the position of elected member to remain unfilled until the next Ordinary or Extraordinary Election.

## **10 NEW BUSINESS OF AN URGENT NATURE BY DECISION OF MEETING**

## **11 MATTERS FOR WHICH THE MEETING MAY BE CLOSED**

## **12 CLOSURE**