



Shire of
Collie

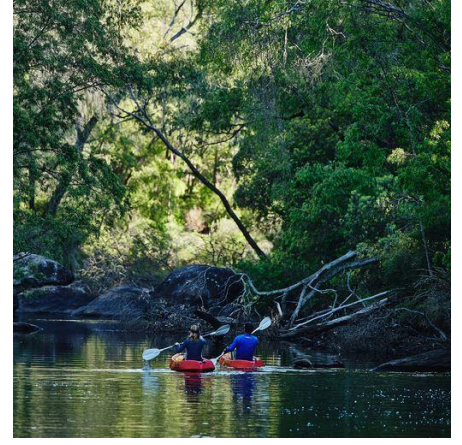
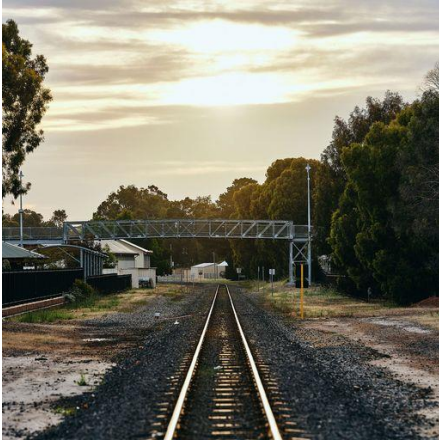
MINUTES

of the

ORDINARY MEETING OF COUNCIL

held on

Tuesday, 8 October 2024



Our Vision

Collie - *A progressive community, rich in opportunities and as diverse as its heritage and landscape.*

Our Values

The core values at the heart of the Council's commitment to the community are:

Integrity

Transparency

Accountability

Collaboration

Respect

Our Commitment to Community

We will lead the delivery of our vision

We will support local business wherever possible

We will consult and engage with our community on issues that affect them

We will encourage, welcome and value feedback

We will encourage, support and advocate for our community

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Minutes of the Ordinary Meeting of the Collie Shire Council held in the Council Chambers, 87 Throssell Street Collie, on Tuesday, 8 October 2024 commencing at 7:00pm.

1. OPENING/ATTENDANCE/APOLOGIES & LEAVE OF ABSENCE

PRESENT:	Ian Miffing OAM JP	Councillor (Presiding Member)
	Joe Italiano	Councillor
	John Kearney	Councillor
	Dale Hill-Power JP	Councillor
	Michelle Smith	Councillor
	Brett Hansen	Councillor
	Paul Moyses	Councillor
	Gary Faries	Councillor
	Leonie Scoffern	Councillor
	Matthew Young	Acting Chief Executive Officer/ Director Development Services
	Nicole Wasmann	Director Corporate Services
	Scott Geere	Acting Director Operational Services
	Amber Nikola	Executive Assistant/HR

APOLOGY: Nil

PRESS: 1 members of the press attended

GALLERY: Nil

1.1 Councillors granted Leave of Absence at previous meeting/s.

Nil

1.2 Councillors requesting Leave of Absence for future Ordinary Meetings of Council.

Nil

1.3 Councillors who are applying for Leave of Absence for this Ordinary Meeting of Council.

Nil

2. PUBLIC QUESTION TIME

Nil

3. RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

4. DISCLOSURE OF FINANCIAL INTEREST

Nil

5. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil

6. NOTIFICATION OF MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC

6.1 - Appointment of Director Operations

7. ITEMS BROUGHT FORWARD DUE TO INTEREST BY ATTENDING PERSONS

Nil

8. CONFIRMATION OF THE PREVIOUS MEETINGS OF COUNCIL MINUTES**8.1 Ordinary Council Meeting – 10 September 2024****Officer's Recommendation/Council Decision:****Resolution: 9478****Moved: Cr Hansen****Seconded: Cr Scoffern**

That Council confirms the Minutes of the Ordinary Meeting of Council held on 10 September 2024.

Carried: 9/0

For: Cr Miffing, Cr Italiano, Cr Hill-Power, Cr Moyses, Cr Faries, Cr Kearney,
Cr Smith, Cr Hansen, Cr Scoffern.

Against: Nil

8.2 Special Council Meeting – 17 September 2024**Officer's Recommendation/Council Decision:****Resolution: 9479****Moved: Cr Faries****Seconded: Cr Moyses**

That Council confirms the Minutes of the Special Meeting of Council held on 17 September 2024.

Carried: 9/0

For: Cr Miffing, Cr Italiano, Cr Hill-Power, Cr Moyses, Cr Faries, Cr Kearney,
Cr Smith, Cr Hansen, Cr Scoffern.

Against: Nil

8.3 Special Council Meeting – 24 September 2024**Officer's Recommendation/Council Decision:****Resolution: 9480****Moved: Cr Hill-Power****Seconded: Cr Scoffer**

That Council confirms the Minutes of the Special Meeting of Council held on 24 September 2024.

Carried: 9/0

For: Cr Miffling, Cr Italiano, Cr Hill-Power, Cr Moyses, Cr Faries, Cr Kearney,
Cr Smith, Cr Hansen, Cr Scoffern.

Against: Nil

9. BUSINESS ARISING FROM THE PREVIOUS MINUTES

Nil

10. RECEIPT OF MINUTES OF COMMITTEE MEETINGS HELD SINCE THE PREVIOUS MEETING OF COUNCIL

10.1 Community Safety and Wellbeing Committee Meeting – 22 August 2024

Officer's Recommendation/Council Decision:

Resolution: 9481

Moved: Cr Smith

Seconded: Cr Moyses

That Council receive the minutes of the Community Safety and Wellbeing Committee Meeting held on the 22 August 2024

Carried:9/0

For: Cr Miffling, Cr Italiano, Cr Hill-Power, Cr Moyses, Cr Faries, Cr Kearney,
Cr Smith, Cr Hansen, Cr Scoffern.

Against: Nil

11. CEO REPORTS

11.1 Draft Partnership and Sponsorship Program Policy, Guidelines and Program Priorities

Reporting Department:	Chief Executive Office
Reporting Officer:	Matthew Young – Acting Chief Executive Officer
Accountable Manager:	Matthew Young – Acting Chief Executive Officer
Legislation:	<i>Local Government Act 1995</i>
File Number:	GOV/001
Appendices:	11.1.A: Draft Partnership and Sponsorship Program Policy 11.1.B: Draft Partnership and Sponsorship Program Guidelines 11.1.C: Draft Partnership and Sponsorship Program Priorities 2024-2026
Voting Requirement:	Simple Majority

Report Purpose

To consider a draft Partnership and Sponsorship Program Policy, Guidelines and Program Priorities for the Shire of Collie for public advertising.

Officer's Recommendation:

That Council resolves to;

1. *Authorise officers to advertise for public comment the proposed draft Shire of Collie draft Partnership and Sponsorship Corporate Policy, draft Partnership and Sponsorship Guidelines and draft Partnership and Sponsorship Program Priorities for a period of 28 days;*
2. *Following 1. report back to Council on submissions.*

Council Decision:

Resolution: 9482

Moved: Cr Italiano

Seconded: Cr Smith

That Council resolves to;

1. *Authorise officers to advertise for public comment the proposed draft Shire of Collie draft Partnership and Sponsorship Corporate Policy, draft Partnership and Sponsorship Guidelines for a period of 28 days;*
2. *Following 1. report back to Council for workshopping submissions.*

Carried:9/0

For: Cr Miffing, Cr Italiano, Cr Hill-Power, Cr Moyses, Cr Faries, Cr Kearney, Cr Smith, Cr Hansen, Cr Scoffern.

Against: Nil

The officer's recommendation was changed to include opportunity for Council to workshop submissions received.

Background:

Council at its ordinary meeting held on 14 May 2024 resolved to prepare a partnership and sponsorship program for the Shire of Collie (resolution 9409) and also established an informal working group to develop the partnership and sponsorship opportunity, comprising Councillors Cr Harverson and Cr Smith.

These partnership and sponsorship arrangements can enable new and existing corporate entities within the Shire of Collie to contribute to the local community.

Along with the well-established industrial operations within the Shire, the Just Transition initiative is seeing substantial investments in new industries that will support the economy, create employment and sustain long-term prosperity of Collie.

This will present an opportunity for business to engage with the Shire to support the local community. It is apparent through conversations with proponents of major investments in Collie that there is an appetite to contribute to the community.

Governance Arrangements

A partnership and sponsorship program requires robust arrangements to ensure funding received from the corporate (private) sector is fully transparent and accountable for all parties. Considerations in this regard include:

- *Establishing Policy* – addressing the purposes and intentions of the program including:
 - Defining 'partnership' – a commercial agreement to provide financial support in exchange for agreed outcomes;
 - Defining 'sponsorship' – a form of marketing in which a company pays for the right to be associated with a project or program;
 - Initiatives – defining the nature and type of projects and initiatives that may be subject to arrangements;
 - Categories - of partnerships or sponsorships, such as levels of investment by a corporate partner;
 - Agreement requirements – the nature of legally binding written contracts approved by Council;
 - Administration – how the program will be implemented.
- *Establishing Guidelines* – providing the terms to implement agreements including:
 - Approved projects and initiatives – the range of capital works projects, environmental projects, services, facilities, events or other to which partnerships or sponsorships may apply;
 - Terms and conditions – that apply to various arrangements, including defined purposes and objectives, timeframes, exclusivity, naming rights, brand marks, logo usage, acquittal/auditing, dispute resolution and the like;
 - Financial values – publishes value ranges for categories of corporate support;
 - Probity assessments – ensuring arrangements are struck with reputable businesses who hold values that align with those of the Shire;
 - Decision-making – Council approval requirements.

By setting out suitable policy and guidelines, sound governance arrangements can provide business the opportunity to invest and for the community to benefit.

Statutory and Policy Implications:

The *Local Government Act 1995* provides the role of local government is to provide for the good government of persons in its district (s3.1). This includes consideration of the economic, social and environmental sustainability of the district. The Act provides that a liberal approach is to be taken to the construction of the scope of the general function of a local government (s3.1(3)).

Budget Implications:

A functioning partnership and sponsorship program will deliver financial benefit to the community.

Communications Requirements: (Policy No. CS 1.7)

It is recommended that the draft Policy, Guidelines and Project Priorities are advertise for 28 days public comment.

Strategic Community Plan/Corporate Business Plan Implications:

STRATEGIC COMMUNITY PLAN – ADOPTED DECEMBER 2022		
GOAL:	5	Our Business
Outcome:	5.1	Innovative leadership, forward planning and mutually beneficial partnerships

Relevant Precedents:

Nil

Comment:

The concept of corporate sponsorship was initially raised at the Councillor Forum on 26 March 2024 where support was indicated for the matter to be formally considered by Council.

On 14 May 2024 Council resolved to endorse the preparation of a partnership and sponsorship program for the Shire of Collie, appointing Crs Haverson and Smith to establish an informal working group to develop the framework for this opportunity. The working group was scheduled to meet in late August, however with Cr Haverson's passing the A/CEO invited Cr Miffing and Cr Italiano to stand in on this working group.

The overall intent behind this initiative is to establish a source funding outside of traditional rates and grants, that can assist the Shire to deliver more for the Collie community and to assist the Shire in relieving budget pressure. Such funding can also assist in seed-funding for major grants, where traditionally the Shire have either been excluded from grants that require match funding or where it has been required to provide in-kind support with very limited available staff resources.

The A/CEO presented the attached draft framework for a Partnership and Sponsorship Program, incorporating a Council Policy (refer **Attachment 11.1.A**) and Guidelines (refer **Attachment 11.1.B**) to the working group on 3 September 2024.

To provide clarity around the types of projects and initiatives the Shire is seeking to promote for the Collie community, officers also established a list of project / initiative priorities for the Shire (refer **Attachment 11.1.C** Partnership and Sponsorship Program Priorities 2024-2026), so that the corporate sector and other funders (including State Government through election commitments) could better understand these priorities and be able to align to their own preferred corporate directives. The principle of this was supported by the working group.

This list of program priorities provides a detailed outline for each project in the form of a prospectus. This has been contained to largely capital/special purpose projects and initiatives, and not recurrent budget amounts. Many of these projects are identified in the Strategic Community Plan, Corporate Business Plan or have been the subject of previous Council resolutions. A second list of Collie community and associations has been included.

During the development of the policy and guidelines, staff met with industry groups such as Synergy, Neoen and South32 as part of ongoing development discussions and these companies indicated that they wish to further engage with the Shire around community development programs. The Shire President and A/CEO also met with the Local Member Jodie Hanns, who indicated that the State government is keen to understand the Shire's top priority projects for funding/election commitments.

The working group discussed circulating a draft of the policy and guidelines to industry groups to gauge how this might be received as a potential funding partnership approach. Presently in Collie industry groups such as South32, Synergy, Premier Coal and Griffin Coal (required under the State Agreements) run their own community development programs, each is administered through their own processes.

As a result the A/CEO sought feedback on the partnership and sponsorship framework and program priority list from key Collie industry groups (outlined above) to ensure that it is designed to meet their business objectives and alignment to community development programs and to and prepare a report to the October 2024 OCM.

The draft documents were revised to accommodate the positive feedback received,

Once established, the partnership and sponsorship arrangements will provide a transparent and accountable means for business to partner with the Shire to deliver beneficial outcomes for the community.

11.2 Corporate Business Plan – Quarterly Progress Report

Reporting Department:	Chief Executive Office
Reporting Officer:	Matt Young – Acting Chief Executive Officer
Accountable Manager:	Matt Young – Acting Chief Executive Officer
Legislation:	<i>Local Government Act 1995</i>
File Number:	GOV/001
Appendices:	Appendix 11.2.A – Corporate Business Plan Quarterly Progress Report – July to August 2024
Voting Requirement:	Simple Majority

Report Purpose

To receive the quarterly report on progress of actions set out in the Corporate Business Plan 2022/23 – 2026/27.

Officer’s Recommendation/Council Decision:

Resolution: 9483

Moved: Cr Smith

Seconded: Cr Kearney

1. That Council resolve to receive the quarterly progress report on actions to give effect to the Strategic Priorities of the Corporate Business Plan 2022/23 – 2026/27 as contained at Appendix 11.2.A.

Carried :9/0

For: Cr Miffling, Cr Italiano, Cr Hill-Power, Cr Moyses, Cr Faries, Cr Kearney, Cr Smith, Cr Hansen, Cr Scoffern.

Against: Nil

Background:

At its meeting on 14 March 2023, Council resolved to adopt the Corporate Business Plan 2022/23 – 2026/27. The Plan sets out 56 actions that serve to give effect to the 28 strategic priorities. The strategic priorities are those set out in the adopted Strategic Community Plan, and address the themes of:

- Our Community
- Our Economy
- Our Built Environment
- Our Natural Environment
- Our Organisation

A quarterly progress report is an effective means to update Council and the community on progress against agreed priority actions.

Statutory and Policy Implications:

Corporate Business Plans are prepared and adopted under the terms of the *Local Government (Administration) Regulations 1996*.

Budget Implications:

Resourcing to deliver on the terms of the Corporate Business Plan are provided for in annual budget allocations.

Communications Requirements: (Policy No. CS 1.7)

The Strategic Community Plan was subject to communications through the community engagement process. This report will be published on the Shire website.

Strategic Community Plan/Corporate Business Plan Implications:

STRATEGIC COMMUNITY PLAN – ADOPTED DECEMBER 2022		
GOAL:	5	Our Business
Outcome:	5.1	Good governance and leadership

Relevant Precedents:

The Strategic Community Plan and Corporate Business Plan are adopted in accordance with the terms of the Act and Regulations. The report on progress against these plans is scheduled to occur quarterly.

Comment:

The progress report appended to this report identifies the status of each of the 56 actions for the period July to August this year. Overall, the report shows positive progress of actions with 42 tasks recorded as on track or complete, 3 items are listed as behind target or at risk, 6 pending, 3 marked as critical and 2 as deferred or not proceeding.

The quarterly progress report is recommended for noting.

11.3 Chief Executive Officer Certification of Appointment

Reporting Department:	Chief Executive Officer
Reporting Officer:	Matthew Young – Acting Chief Executive Officer
Accountable Manager:	Matthew Young – Acting Chief Executive Officer
Legislation:	<i>Local Government Act 1995 Shire of Collie Standards for Chief Executive Officer Recruitment, Performance and Termination</i>
File Number:	GOV/001
Appendices:	Nil
Voting Requirement:	Absolute Majority

Report Purpose

For Council to certify the CEO recruitment process following completion of the CEO employment contract.

Officer's Recommendation/Council Decision:

Resolution: 9484

Moved: Cr Faries

Seconded: Cr Smith

That Council certifies that the CEO recruitment process completed on execution of the CEO employment contract approved by Council on 17 September 2024 and dated 19 September 2024, was conducted in accordance with the Shire of Collie adopted standards for CEO recruitment.

Carried:9/0

For: Cr Miffing, Cr Italiano, Cr Hill-Power, Cr Moyses, Cr Faries, Cr Kearney, Cr Smith, Cr Hansen, Cr Scoffern.

Against: Nil

Background:

The new CEO Mr Phillip Anastasakis has entered into an employment contract on 19 September 2024 as approved by Council on 17 September 2024.

Council is required to certify that the person was employed in accordance with the local government's adopted standards in relation to the recruitment of CEOs in accordance with Regulation 18FB of the Local Government (Administration) Regulations 1996.

Statutory and Policy Implications:

Once a local government employs a person in the position of CEO of the local government, that resolution must be passed in accordance with Regulation 18FB of the Local Government (Administration) Regulations 1996, which states:

18FB. Certification of compliance with adopted standards for CEO recruitment (Act s. 5.39B(7))

- (1) *In this regulation —
adopted standards means —*
- (a) *the standards adopted by a local government under section 5.39B; or*

- (b) *if the local government has not adopted standards under that section, the standards taken under section 5.39B(5) to be the local government's adopted standards.*
- (2) *This regulation applies if —*
- (a) *a local government employs a person in the position of CEO of the local government; and*
- (b) *the local government's adopted standards in relation to the recruitment of CEOs apply to the employment.*
- (3) *As soon as practicable after the person is employed in the position of CEO, the local government must, by resolution*, certify that the person was employed in accordance with the local government's adopted standards in relation to the recruitment of CEOs.*
- * Absolute majority required.*
- (4) *The local government must give a copy of the resolution to the Departmental CEO within 14 days after the resolution is passed by the local government.*

Budget Implications:

Nil

Communications Requirements: (Policy No. CS1.7)

Nil

Strategic Community Plan/Corporate Business Plan Implications:

STRATEGIC COMMUNITY PLAN – ADOPTED DECEMBER 2022		
GOAL:	5	Our Organisation
Objective:	5.1	Innovative leadership, forward planning, and mutually beneficial partnerships.

Relevant Precedents:

Nil

Comment:

This final certification pursuant to Regulation 18FB of the Local Government (Administration) Regulations concludes the CEO recruitment and appointment process.

12. CORPORATE SERVICES REPORTS

12.1 Accounts Paid – September 2024	
Reporting Department:	Corporate Services
Reporting Officer:	Nicole Wasmann – Director Corporate Services
Accountable Manager:	Nicole Wasmann – Director Corporate Services
Legislation:	<i>Local Government Act 1995 & Local Government (Financial Management) Regulations 1996</i>
File Number:	FIN/024
Appendices:	Appendix 12.1.A – Accounts Paid – September 2024
Voting Requirement	Simple Majority

Report Purpose

To present the accounts paid during the month of September 2024.

Officer's Recommendation/Council Decision:

Resolution: 9485

Moved: Cr Hill-Power

Seconded: Cr Scoffern

That Council accepts the list of accounts as presented in Appendix 12.1.A totalling \$791,562.39 authorised and paid in September 2024.

Carried:9/0

For: Cr Miffling, Cr Italiano, Cr Hill-Power, Cr Moyses, Cr Faries, Cr Kearney, Cr Smith, Cr Hansen, Cr Scoffern.

Against: Nil

Background:

In accordance with Delegation 2.2.21- payments from the Municipal or Trust Funds adopted by Council on 8 August 2023, the Chief Executive Officer is authorised to incur expenditure in accordance with the Annual Budget provisions and limited over-expenditure subject to subsequent budget amendment. In doing so, section 13 of the Financial Management Regulations 1996 is to be adhered to with a list of accounts for approval to be presented to the Council each month.

Statutory and Policy Implications:

In accordance with Regulation 13 and 13A of the Local Government (Financial Management) Regulations 1996, 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. The list is to include the payee's name; the amount of the payment; the date of the payment; and sufficient information to identify the transaction.

Council Policy CS3.7 relates to the payment of creditors, and in particular item 5.0 which relates to the presentation of accounts paid. A list of all accounts paid shall be presented to Council within two months. The list shall comprise of details as prescribed in the Local Government Financial Management Regulations 1996.

Budget Implications:

All liabilities settled have been in accordance with the annual budget provisions.

Communications Requirements: (Policy No. CS1.7)

Nil

Strategic Community Plan/Corporate Business Plan Implications:

Nil

Relevant Precedents:

Not applicable.

Comment:

A listing of payments is included in Appendix 12.1 A

Where possible, questions on specific payments should be submitted to the Director Corporate Services before noon on the day of the scheduled meeting. This will ensure a response can be provided at the Council Meeting.

12.2 Financial Management Report – August 2024

Reporting Department:	Corporate Services
Reporting Officer:	Nicole Wasmann – Director Corporate Services
Accountable Manager:	Nicole Wasmann – Director Corporate Services
Legislation:	<i>Local Government Act 1995 & Financial Management Regulations 1996</i>
File Number:	FIN/024
Appendices:	Appendix 12.2.A – Financial Report – August 2024
Voting Requirement	Simple Majority

Report Purpose

To provide a summary of the financial position for the Shire of Collie for the month ending August 2024.

Officer’s Recommendation/Council Decision:

Resolution: 9486

Moved: Cr Hill-Power

Seconded: Cr Moyses

That Council accept the Financial Management Report for August 2024 as presented in Appendix 12.2.A.

Carried:9/0

For: Cr Miffling, Cr Italiano, Cr Hill-Power, Cr Moyses, Cr Faries, Cr Kearney, Cr Smith, Cr Hansen, Cr Scoffern.

Against: Nil

Background:

In accordance with Council policy and the provisions of the *Local Government Act 1995*, the Financial Report required for the end of the period is presented to Council for information. Refer to Appendix 12.2.A.

The report is to be presented to an Ordinary Meeting of Council within two months of the end of the reporting period.

Statutory and Policy Implications:

Regulation 34 (1) (a) of the *Local Government (Financial Management) Regulations 1996* states that a Local Government is to prepare monthly statement of financial activity including annual budget estimates; budget estimates to the end of the month to which the statement relates; actual amounts of expenditure, revenue and income to the end of the month to which to which the statement relates, material variances between monthly budget and actual figures, and net current assets on a monthly basis.

In accordance with section 34(5) of the *Local Government (Financial Management) Regulations 1996* each year a local government is to adopt a percentage or value to be used in statements of financial activity for reporting material variances. In this case, the Shire of Collie has adopted the material variance of 10% or \$10,000, whichever is greater, for reporting variations to the Budget in the monthly statement of financial activity reported to Council.

Budget Implications:

Nil

Communications Requirements: (Policy No. CS1.7)

Nil

Strategic Community Plan/Corporate Business Plan Implications:

Nil

Relevant Precedents:

Not applicable.

Comment:

The financial statements provided in Appendix 12.2.A reports on the following information for the reporting period:

- Rate Setting Statement by Nature and Type
- Material Variances
- Statement of Financial Positions
- Cash and Investments
- Receivables & Payables

End of year reconciliations for the 2023/24 financial year are still being finalised which may affect the figures in this report.

Where possible, questions relating the report should be submitted to the Director Corporate Services before noon on the day of the scheduled meeting. This will ensure a response can be provided at the Council Meeting.

12.3 WALGA Advocacy Positions – Local Government Elections

Reporting Department:	Corporate Services
Reporting Officer:	Nicole Wasmann – Director Corporate Services
Accountable Manager:	Matthew Young – Acting Chief Executive Officer
Legislation	<i>Local Government Act 1995</i>
File Number:	GOV/001
Appendices:	Nil
Voting Requirement	Simple Majority

Report Purpose

For Council to consider the Western Australian Local Government Association (WALGA) election advocacy positions.

Officer’s Recommendation/Council Decision:

Resolution: 9487

Moved: Cr Hansen

Seconded: Cr Italiano

That the Shire of Collie recommends that the Western Australian Local Government Association adopt the following local government election advocacy positions:

1. *Participation – Council support advocacy position (a), that the sector continues to support voluntary voting at local government elections.*
2. *Terms of Office - Council support advocacy position (a), that the sector continues to support four-year terms with a two year spill.*
3. *Voting Methods - Council support advocacy position (a) that the sector supports First Past the Post (FPTP) as the preferred voting method for general elections. If Optional Preferential Voting (OPV) remains as the primary method of voting, the sector supports the removal of the ‘proportional’ part of the voting method for general elections.*
4. *Internal Elections - Council support advocacy position (a) that the sector supports First Past the Post (FPTP) as the preferred voting method for all internal elections.*
5. *Voting Accessibility - Council support advocacy position (a), (b) and (c), being that the sector supports the option to hold general elections through:*
 - (a) *Electronic voting;*
 - (b) *Postal voting; and*
 - (c) *In-Person voting.*

Method of Election of Mayor or President- Council support advocacy position (a) that 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.

Carried:9/0

For: Cr Miffing, Cr Italiano, Cr Hill-Power, Cr Moyses, Cr Faries, Cr Kearney, Cr Smith, Cr Hansen, Cr Scoffern.

Against: Nil

Background:

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

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

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

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

Statutory and Policy Implications:

Local Government Act 1995 and Local Government (Elections) Regulations 1997.

Budget Implications:

There are no budget implications.

Communications Requirements: (Policy No. CS 1.7)

WALGA is requesting Councils consider the current and alternative elections advocacy positions and provide a response back to WALGA by Monday 28 October 2024 to enable a report to be presented to the December 2024 WALGA State Council meeting.

WALGA has provided the information included in this report. Local governments will also be able to provide feedback through the November round of zone meetings.

Strategic Community Plan/Corporate Business Plan Implications:

STRATEGIC COMMUNITY PLAN – ADOPTED DECEMBER 2022		
GOAL:	5	Our Organisation
Outcome:	5.1	Innovative leadership, forward planning, and mutually beneficial partnerships.

Relevant Precedents:

In February 2022, Council considered an item in relation to proposed reforms to the *Local Government Act 1995*. At that time, Council resolved to support:

- a) preferential voting; and
- b) that the Mayor or President for all band 1 and 2 councils is to be elected through a vote of the electors of the district and councils in bands 3 and 4 retain the system of either by the electors through a public vote or by the council as a resolution at a council meeting.

Comment:

WALGA's current advocacy positions are detailed below:

2.5.15 Elections

Position Statement

The Local Government sector supports:

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

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

Background

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

State Council Resolution

February 2022 – 312.1/2022
December 2020 – 142.6/2020
March 2019 – 06.3/2019
December 2017 – 121.6/2017
October 2008 – 427.5/2008

Supporting Documents

[Advocacy Positions for a New Local Government Act
WALGA submission: Local Government Reform Proposal
\(February 2022\)](#)

2.5.16 Method of Election of Mayor

Position Statement

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

State Council Resolution

February 2022 – 312.1/2022
March 2019 – 06.3/2019
December 2017 – 121.6/2017

2.5.18 Conduct of Postal Elections

Position Statement

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

Background

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

State Council Resolution

May 2023 – 452.2/2023
March 2019 – 06.3/2019
December 2017 – 121.6/2017

March 2012 – 24.2/2012

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

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

2. Terms of Office
 - (a) The sector continues to support four-year terms with a two year spill;
or
 - (b) The sector supports four-year terms on an all in/all out basis.

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

4. Internal Elections
 - (a) The sector supports First Past the Post (FPTP) as the preferred voting method for all internal elections.
or
 - (b) The sector supports Optional Preferential Voting (OPV) as the preferred voting method for all internal elections.

5. Voting Accessibility
The sector supports the option to hold general elections through:
 - (a) Electronic voting; and/or
 - (b) Postal voting; and/or
 - (c) In-Person voting.

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

The officer's recommendations is based on previous decisions of Council on local government reform and the view of the wider local government sector in general.

13. DEVELOPMENT SERVICES REPORTS

Nil

14. OPERATIONS REPORTS

Nil

15. MOTIONS FOR WHICH PRIOR NOTICE HAS BEEN GIVEN

Nil

16. QUESTIONS BY MEMBERS FOR WHICH DUE NOTICE HAS BEEN GIVEN

Nil

17. URGENT BUSINESS APPROVED BY THE PRESIDING MEMBER OR BY DECISION

Nil

18. ANNOUNCEMENTS BY THE PRESIDING MEMBER AND COUNCILLORSShire President Cr Miffling

- 11 Sept – attended CEO panel meeting
- 17 Sept – attended special budget meeting
- 19 Sept – met with new CEO at the council chambers
- 24 Sept – attended special budget meeting

Deputy Shire Cr Italiano

- 10 Sept – attended Chris Collie mural unveiling at Collie Community Radio
- 11 Sept – attended CEO panel meeting
- 17 Sept – attended special budget meeting
- 19 Sept – met with new CEO at the council chambers
- 24 Sept – attended special budget meeting
- 30 Sept – attended Collie Cemetery at request of a ratepayer

Cr Hill-Power

- Visitors Centre meeting

Cr Hansen

- 25 Sept - BFAC meeting

Cr Moyses

- 25 Sept - BFAC meeting

Cr Scoffern

- 8 October - Opening of the wambenger trails
- 8 October – Collie Adventure Trails reference group meeting

Mr Young

- 11 Sept - Met with DPLH regarding assistance to draft revised housing and industry chapters to the Shire of Collie Local Planning Strategy
- 12 Sept - Industrial Heritage and Mining Trail Community Partners Meeting

- 12 Sept - Attended Australia's South West Brand Launch
- 13 Sept - JTSI **lodged the Coolangatta Industrial Estate Structure Plan**, prepared by Urbis
- 16 Sept - Attended Industrial Heritage and Mining Trail Working Party Meeting
- 16 Sept - Attended DPLH review of renewing Shire of Collie Structure Plans
- 17 Sept - Attended JTWG Meeting
- 17 Sept - Collie Delivery Unit **released the Collie Land, Housing and Accommodation Options Analysis**, prepared by Urbis
- 17 Sept - Met with Collie Delivery Unit and JTSI
- 17 Sept - Met with Released Energy regarding project update
- 18 Sept - Met with Kerry Roberts RE Pre-lodgment DA Meeting
- 18 Sept - Met with Neoen regarding Rebranding Neoen's Collie BESS O&M Service Building as a 'Remanufacturing Facility'
- 18 Sept - Attended Design Review Manual – DPLH and Industry Working Group
- 20 Sept - Local Member Jodie Hanns announced that heating swimming pool election commitment previously allocated for Collie can be **allocated as \$1.5m to the Soldiers Park redevelopment and 250K towards facilities for the Collie Swimming Club**
- 25 Sept - Attended Tree Village Steering Group
- 2 Oct - Met with SWDC on regular catchup
- 2 Oct Met with Tesla / Neoen - Zoning and Land Use issues
- 7 Oct - Met with Neoen regarding opportunity for a community benefit sharing discussion
- 8 Oct - Met with Premier Cook, Minister Whitby and Local Member Jodie Hanns regarding Synergy BESS and Funding announcement for the Coolangatta industrial estate
- 8 Oct - Met with Premier Cook, Minister Whitby and Local Member Jodie Hanns at the Westrack training facility
- 8 Oct - Met with Premier Cook, Minister Whitby and Local Member Jodie Hanns, and Shire President regarding opening of Quantum Filtration plant
- 8 Oct - Met with Premier Cook, Minister Whitby and Local Member Jodie Hanns, and Shire President regarding opening of Collie Ridge Resort expansion
- 8 Oct - Met with Premier Cook, Minister Whitby and Local Member Jodie Hanns, and Shire President regarding opening of Wellington National Park MTB network
- 8 October - Premier Cook announced the allocation of **\$134 million from the Collie Industrial Transition Fund to activate Collie's Coolangatta Industrial Estate**

19. STATUS REPORT ON COUNCIL RESOLUTIONS

Summary reports on the status of Council's resolutions are:

- 'Closed Since Last Meeting' at Appendix 19.1.A
- 'All Open' at Appendix 19.1.B

20. CLOSURE OF MEETING TO MEMBERS OF THE PUBLIC

Council Decision:	Resolution:9488
Moved: Cr Kearney	Seconded: Cr Hansen
<i>That the meeting be closed to the public.</i>	
	Carried:8/0
For:	<i>Cr Miffling, Cr Italiano, Cr Smith, Cr Hill-Power, Cr Moyses, Cr Faries, Cr Scoffern, Cr Kearney.</i>
Against:	<i>Nil</i>

Ms Wasmann, Mr Geere & Ms Green left the chambers at 8.29pm

20.1 Appointment of Director Operations	
Reporting Department:	Chief Executive Officer
Reporting Officer:	Matthew Young – Acting Chief Executive Officer
Accountable Manager:	Matthew Young – Acting Chief Executive Officer
Legislation:	<i>Local Government Act 1995</i>
File Number:	GOV/001
Appendices:	20.1.A Assessment Report on Applicants
Voting Requirement:	Simple Majority

This report is confidential in accordance with Section 5.23(2)(c) of *the Local Government Act 1995*, which permits the meeting to be closed to the public for business relating a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.

A confidential report will be circulated to members under separate cover (Confidential Report 20.1.A). The report is not for circulation.

Report Purpose

To consider the appointment of a senior employee, namely appointment to the Director Operations.

Officer's Recommendation/Council Decision:	Resolution: 9489
Moved: Cr Hansen	Seconded: Cr Faries
<i>That Council accept the recommendation for appointment to senior officer, Director Operations as contained within the assessment report and authorise the Chief Executive Officer to negotiate terms of appointment.</i>	
	Carried:9/0
For:	<i>Cr Miffling, Cr Italiano, Cr Hill-Power, Cr Moyses, Cr Faries, Cr Kearney, Cr Smith, Cr Hansen, Cr Scoffern.</i>
Against:	<i>Nil</i>

Council Decision:**Resolution:9490****Moved: Cr Hansen****Seconded: Cr Kearney***That the meeting be reopened to the public.***Carried:8/0****For:** Cr Miffing, Cr Italiano, Cr Smith, Cr Hill-Power, Cr Moyses, Cr Faries,
Cr Scoffern, Cr Kearney.**Against:** Nil

Mr Geere re-entered the chambers at 8.40pm.

Cr Miffing acknowledged tonight being Matt's final meeting with the Shire of Collie and thanked him for his hard work and commitment over his time at the Shire of Collie.

Ms Wasmann returned at 8,43pm

21. CLOSE

The Shire President closed the meeting at 8.44pm.

I certify that these Minutes were confirmed at the Ordinary Meeting of Council held on Tuesday, 12 November 2024.


.....
Presiding Member

12-11-2024
.....
Date