



**Ordinary Council Meeting
Attachments
Tuesday, 23 June 2020**

ATTACHMENTS		
9.4	CHIEF EXECUTIVE OFFICER/ADMIN	Page No
9.4.1	Local Government Legislation Amendment Act 2019	2
9.4.2	Elected Members Representation	3

Western Australia

Local Government Regulations Amendment (Consequential) Regulations 2020

Contents

Part 1 — Preliminary

1.	Citation	1
2.	Commencement	1

Part 2 — *Caravan Parks and Camping Grounds Regulations 1997* amended

3.	Regulations amended	2
4.	Regulation 6 replaced	2
6.	Performance of local government functions by authorised persons	2
5.	Schedule 1 amended	2

Part 3 — *Control of Vehicles (Off- road Areas) Regulations 1979* amended

6.	Regulations amended	4
7.	Regulation 14 amended	4
8.	Regulation 36 amended	4
9.	Regulation 37 amended	5
10.	First Schedule amended	5

Part 4 — *Dog Regulations 2013* amended

11.	Regulations amended	7
12.	Regulation 35 amended	7
13.	Schedule 1 Form 1 replaced	8

Contents

**Part 5 — Local Government
(Administration)
Regulations 1996 amended**

14.	Regulations amended	9
15.	Part 1A inserted	9
Part 1A — Public notices		
3A.	Requirements for local public notice (Act s. 1.7)	9
3B.	Requirements for Statewide public notice (Act s. 1.8)	10
16.	Regulation 10 amended	11
17.	Regulation 11 amended	11
18.	Regulations 12 and 13 replaced	12
12.	Publishing date, time and place of meetings (Act s. 5.25(1)(g))	12
13.	Publishing unconfirmed minutes of meetings (Act s. 5.25(1)(i))	13
19.	Regulation 14 amended	13
20.	Regulations 19B and 19CA replaced	14
19B.	Information to be included in annual report (Act s. 5.53(2)(g) and (i))	14
21.	Regulation 19D replaced	15
19D.	Public notice of adoption of strategic community plan	15
22.	Regulation 29 amended	16
23.	Regulation 29A amended	16
24.	Regulations 29C and 29D inserted	16
29C.	Information to be published on official website (Act s. 5.96A(1)(i))	16
29D.	Period for which information to be kept on official website (Act s. 5.96A(5))	18
25.	Regulation 34B amended	19

**Part 6 — Local Government
(Elections) Regulations 1997
amended**

26.	Regulations amended	20
27.	Regulation 30G amended	20
28.	Regulation 30I amended	20
29.	Regulation 43 amended	21
30.	Regulation 73 amended	21

Contents

**Part 7 — *Local Government
(Financial Management)
Regulations 1996* amended**

31.	Regulations amended	22
32.	Regulation 27 amended	22
33.	Regulation 44 amended	22

**Part 8 — *Local Government
(Functions and General)
Regulations 1996* amended**

34.	Regulations amended	23
35.	Regulation 15 amended	23
36.	Regulation 17 amended	23
37.	Regulation 22 amended	24
38.	Regulation 24AE amended	24
39.	Regulation 24E amended	24
40.	Regulation 24F amended	25
41.	Regulation 30 amended	25

**Part 9 — *Local Government (Regional
Subsidiaries) Regulations 2017
amended***

42.	Regulations amended	26
43.	Regulation 18 amended	26

Caravan Parks and Camping Grounds Act 1995
Control of Vehicles (Off-road Areas) Act 1978
Dog Act 1976
Local Government Act 1995

Local Government Regulations Amendment (Consequential) Regulations 2020

Made by the in Executive Council.

Part 1 — Preliminary

1. Citation

These regulations are the *Local Government Regulations Amendment (Consequential) Regulations 2020*.

2. Commencement

These regulations come into operation as follows —

- (a) Part 1 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day on which the *Local Government Legislation Amendment Act 2019* sections 5, 13, 14, 16, 17, 20, 24, 57, 64 to 66, 68, 74(1) and (2) and Part 4 come into operation.

Part 2 — *Caravan Parks and Camping Grounds Regulations 1997* amended

3. Regulations amended

This Part amends the *Caravan Parks and Camping Grounds Regulations 1997*.

4. Regulation 6 replaced

Delete regulation 6 and insert:

6. Performance of local government functions by authorised persons

A function conferred on a local government by these regulations may be performed by an authorised person appointed under the *Local Government Act 1995* section 9.10(2) for the purposes of the Act or these regulations.

5. Schedule 1 amended

- (1) In Schedule 1 delete the List of Forms.
- (2) Delete the reference before the heading to Schedule 1 Form 1 and insert:

[r. 43, 46, 63, 64 and 68.]

(3) In Schedule 1 Form 5:

(a) delete the passage that begins with "Department" and ends with "government]." and insert:

Department of Local Government, Sport and Cultural Industries.

***Local Government Regulations Amendment (Consequential)
Regulations 2020***

Caravan Parks and Camping Grounds Regulations 1997
amended

Part 2

r. 5

(b) delete “* Delete whichever is not applicable.”.

Consultation Draft

**Part 3 — *Control of Vehicles (Off-road Areas)*
Regulations 1979 amended**

6. Regulations amended

This Part amends the *Control of Vehicles (Off-road Areas) Regulations 1979*.

7. Regulation 14 amended

In regulation 14:

(a) delete “officer” and insert:

person

(b) delete “he” and insert:

the authorised person

Note: The heading to amended regulation 14 is to read:

Authorised person may seize and take possession of number plates

8. Regulation 36 amended

In regulation 36:

(a) delete “he is an authorised officer” and insert:

the person is an authorised person

(b) delete “his” and insert:

the person’s

9. Regulation 37 amended

In regulation 37(a) delete “officer” and insert:

person

Note: The heading to amended regulation 37 is to read:

**Certificates of appointment and notices prohibiting use of
vehicles**

10. First Schedule amended

In the First Schedule:

(a) in Form 3 delete “officer” (each occurrence) and insert:

person

(b) in Form 4 delete “authorised officer” and insert:

person authorised by the local government

r. 10

(c) delete Form 5 and insert:

Form 5

WESTERN AUSTRALIA

Control of Vehicles (Off-road Areas) Act 1978

CERTIFICATE OF APPOINTMENT OF AUTHORISED PERSON

[Photograph of
authorised
person]

This is to certify that
[name of authorised person]
whose signature appears below has been appointed
by the Minister for Local Government as an
authorised person under the *Control of Vehicles*
(Off—road Areas) Act 1978, and that the area of
jurisdiction entrusted to the person under that Act is
.....

.....
Signature (authorised person)

.....
Signature (Minister for Local Government)

.....
Date

(d) in Form 7 delete “officer” (each occurrence) and insert:

person

Part 4 — *Dog Regulations 2013* amended

11. Regulations amended

This Part amends the *Dog Regulations 2013*.

12. Regulation 35 amended

Delete regulation 35(6) and insert:

(6) An authorised person who serves an infringement notice under subregulation (1) cannot withdraw the infringement notice on behalf of the local government under subregulation (5).

consultation draft

r. 13

13. Schedule 1 Form 1 replaced

Delete Schedule 1 Form 1 and insert:

Form 1

[r. 14]

Dog Act 1976 s. 11(3)

Certificate of authorisation

(1)

[Photograph of
authorised
person]

This is to certify that ⁽²⁾
has been appointed by the ⁽¹⁾
..... to exercise the powers of a
registration officer in accordance with the provisions
of the *Dog Act 1976*.

Signed

CEO of the ⁽¹⁾

.....
Signature of authorised person

.....
Date

Insert:

(1) name of local government;
 (2) name of authorised person.

Note: The heading to regulation 14 is to read:

Certificates of authorisation

Part 5 — Local Government (Administration) Regulations 1996 amended

14. Regulations amended

This Part amends the *Local Government (Administration) Regulations 1996*.

15. Part 1A inserted

After regulation 3 insert:

Part 1A — Public notices

3A. Requirements for local public notice (Act s. 1.7)

- (1) For the purposes of section 1.7(a), notice of a matter must be published on the local government's official website for —
 - (a) the period specified in or under the Act in relation to the notice; or
 - (b) if no period is specified in relation to the notice — a period of not less than 7 days.
- (2) For the purposes of section 1.7(b), each of the following ways of giving notice of a matter is prescribed —
 - (a) publication in a newspaper circulating generally in the State;
 - (b) publication in a newspaper circulating generally in the district;
 - (c) publication in 1 or more newsletters circulating generally in the district;
 - (d) publication on the official website of the Department or another State agency, as appropriate having regard to the nature of the

matter and the persons likely to be affected by it, for —

- (i) the period specified in or under the Act in relation to the notice; or
- (ii) if no period is specified in relation to the notice — a period of not less than 7 days;
- (e) circulation by the local government by email, text message or similar electronic means, as appropriate having regard to the nature of the matter and the persons likely to be affected by it;
- (f) exhibition on a notice board at the local government offices and each local government library in the district for —
 - (i) the period specified in or under the Act in relation to the notice; or
 - (ii) if no period is specified in relation to the notice — a period of not less than 7 days;
- (g) posting on a social media account administered by the local government for —
 - (i) the period specified in or under the Act in relation to the notice; or
 - (ii) if no period is specified in relation to the notice — a period of not less than 7 days.

**3B. Requirements for Statewide public notice
(Act s. 1.8)**

- (1) For the purposes of section 1.8, one of the ways in which Statewide public notice of a matter must be given is the way prescribed in regulation 3A(2)(a) or (d).

(2) If Statewide public notice of a matter is required to be given by the Electoral Commissioner —

- (a) regulation 3A(2)(e) applies in relation to the Electoral Commissioner as if the reference to circulation by the local government by email, text message or similar electronic means were a reference to circulation by the Electoral Commissioner by email, text message or similar electronic means; and
- (b) regulation 3A(2)(g) applies in relation to the Electoral Commissioner as if the reference to posting on a social media account administered by the local government were a reference to posting on a social media account administered by the Electoral Commissioner.

16. Regulation 10 amended

Delete regulation 10(2) and insert:

(2) If a decision is made at a council or committee meeting, any decision to revoke or change the decision must be made by an absolute majority.

17. Regulation 11 amended

In regulation 11:

- (a) in paragraph (f) delete “interest.” and insert:
interest; and

r. 18

(b) after paragraph (f) insert:

(g) any document attached to a council or committee meeting agenda unless the meeting or that part of the meeting to which the document refers is closed to members of the public.

18. Regulations 12 and 13 replaced

Delete regulations 12 and 13 and insert:

**12. Publishing date, time and place of meetings
(Act s. 5.25(1)(g))**

(1) In this regulation —

meeting details means the date and time when, and the place where, a meeting is to be held.

(2) The CEO must publish on the local government's official website the meeting details for the following meetings before the beginning of the year in which the meetings are to be held —

- ordinary council meetings;
- committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public.

(3) Any change to the meeting details for a meeting referred to in subregulation (2) must be published on the local government's official website as soon as practicable after the change is made.

(4) If a local government decides that a special meeting of the council is to be open to members of the public, the

CEO must publish the meeting details for the meeting and the purpose of the meeting on the local government's official website as soon as practicable after the decision is made.

**13. Publishing unconfirmed minutes of meetings
(Act s. 5.25(1)(i))**

- (1) The CEO must publish on the local government's official website —
 - (a) the unconfirmed minutes of each council and committee meeting open to members of the public; and
 - (b) if a council or committee meeting is closed to members of the public — that part of the unconfirmed minutes of the meeting that is a record of decisions made at the meeting.
- (2) The unconfirmed minutes of a council meeting must be published within 14 days after the meeting.
- (3) The unconfirmed minutes of a committee meeting must be published within 7 days after the meeting.

19. Regulation 14 amended

- (1) In regulation 14(1) after "public" insert:

and published on the local government's official website

- (2) In regulation 14(2) delete "Nothing in subregulation (1) entitles members of the public to inspect the information referred to in that subregulation" and insert:

Subregulation (1) does not apply

r. 20

20. Regulations 19B and 19CA replaced

Delete regulations 19B and 19CA and insert:

**19B. Information to be included in annual report
(Act s. 5.53(2)(g) and (i))**

- (1) In this regulation —
remuneration has the meaning given in the *Salaries and Allowances Act 1975* section 4(1).
- (2) For the purposes of section 5.53(2)(g) and (i), the annual report is to contain the following —
 - (a) the number of employees of the local government entitled to an annual salary of \$100 000 or more;
 - (b) the number of employees of the local government entitled to an annual salary that falls within each band of \$10 000 over \$100 000;
 - (c) any remuneration and allowances paid by the local government under Schedule 5.1 clause 9;
 - (d) any amount ordered under section 5.110(6)(b)(iv) to be paid by a person against whom a complaint was made under section 5.107(1), 5.109(1) or 5.114(1) to the local government;
 - (e) the remuneration paid or provided to the CEO during the financial year;
 - (f) the number of council and committee meetings attended by each council member;
 - (g) an overview of the gender, linguistic background and country of birth of council members;

- (h) the number of council members who are aged —
 - (i) between 18 years and 24 years; and
 - (ii) between 25 years and 34 years; and
 - (iii) between 35 years and 44 years; and
 - (iv) between 45 years and 54 years; and
 - (v) between 55 years and 64 years; and
 - (vi) over the age of 64 years;
- (i) the number of council members who identify as Aboriginal or Torres Strait Islander;
- (j) details of any modification made to a local government's strategic community plan during the financial year;
- (k) details of any significant modification made to a local government's corporate business plan during the financial year.

21. Regulation 19D replaced

Delete regulation 19D and insert:

19D. Public notice of adoption of strategic community plan

- (1) If a strategic community plan is adopted, the CEO must —
 - (a) give local public notice that the plan has been adopted; and
 - (b) publish the plan on the local government's official website.

r. 22

- (2) If modifications to a strategic community plan are adopted, the CEO must —
 - (a) give local public notice that modifications to the plan have been adopted; and
 - (b) publish the modified plan on the local government's official website.

22. Regulation 29 amended

- (1) Delete regulation 29(1)(baa), (c) and (d).
- (2) Delete regulation 29(2) and (3).

23. Regulation 29A amended

Delete regulation 29A(1).

24. Regulations 29C and 29D inserted

At the end of Part 7 insert:

**29C. Information to be published on official website
(Act s. 5.96A(1)(i))**

- (1) In this regulation —
annual return means a return required by section 5.76;
oversight entity means any of the following —
 - (a) the Corruption and Crime Commission established under the *Corruption, Crime and Misconduct Act 2003*;
 - (b) an Inquiry Panel;
 - (c) the Public Sector Commissioner;
 - (d) a Royal Commission;
 - (e) a standards panel established under section 5.122(1) or (2);

(f) the State Administrative Tribunal;

primary return means a return required by section 5.75.

(2) For the purposes of section 5.96A(1)(i), the following information is prescribed —

- (a) any adverse recommendation made by an authorised person under section 8.13(2) and provided to the local government in respect of the local government, its council, a council member or the CEO;
- (b) any adverse finding, recommendation or proposition made by an oversight entity and made available to the public in respect of the local government or its council, a council member or the CEO;
- (c) an up-to-date version of each policy of the local government that relates to deciding applications made to the local government and any previous version of that policy;
- (d) the name of each council member who lodged a primary return or annual return for a financial year;
- (e) the position of each employee who lodged a primary return or annual return for a financial year;
- (f) the type, and the amount or value, of any fees, expenses or allowances paid to each council member during a financial year.

(3) An adverse recommendation referred to in subregulation (2)(a) must be published on the local government's official website within 14 days after the adverse recommendation is provided to the local government.

r. 24

- (4) An adverse finding, recommendation or proposition referred to in subregulation (2)(b) must be published on the local government's official website within 14 days after the finding, recommendation or proposition is made available to the public.
- (5) The information referred to in subregulation (2)(d) and (e) must be published on the local government's official website —
 - (a) if the return is lodged with the local government on or before 31 August immediately following the financial year to which the return relates — on or before 14 September immediately following the end of that financial year; or
 - (b) if the return is lodged with the local government after 31 August immediately following the financial year to which the return relates — within 14 days after the return is lodged with the local government.
- (6) The information referred to in subregulation (2)(f) must be published on the local government's official website on or before 14 July immediately following the end of the financial year to which the information relates.

29D. Period for which information to be kept on official website (Act s. 5.96A(5))

For the purposes of section 5.96A(5), a period of not less than 5 years, beginning on the day on which the information is first published on the local government's official website, is prescribed for the following information —

- (a) the annual report;
- (b) the annual budget;

- (c) confirmed minutes of council and committee meetings;
- (d) minutes of electors' meetings;
- (e) information referred to in section 5.96A(1)(h);
- (f) information referred to in regulation 29C(2).

25. Regulation 34B amended

(1) In regulation 34B(1) insert in alphabetical order:

employee does not include the CEO;

(2) In regulation 34B(4)(d) delete “is an employee” and insert:

accepted the gift

**Part 6 — Local Government (Elections)
Regulations 1997 amended**

26. Regulations amended

This Part amends the *Local Government (Elections) Regulations 1997*.

27. Regulation 30G amended

After regulation 30G(4) insert:

- (5) The CEO must publish an up-to-date version of the electoral gift register on the local government's official website.
- (6) The version of the electoral gift register published under subregulation (5) must not include the address of an individual included in a "disclosure of gifts" form and must instead include the town or suburb mentioned in the address.

Note: The heading to amended regulation 30G is to read:

Electoral gift register

28. Regulation 30I amended

In regulation 30I(2) delete the definition of ***publish*** and insert:

publish has the meaning that the term has in the law of tort (as modified by the *Defamation Act 2005*) relating to defamation.

29. Regulation 43 amended

In regulation 43(1)(ba) delete “gifts” and insert:

gift

30. Regulation 73 amended

Delete regulation 73(5) and insert:

- (5) The notice under subregulation (1) or (3) must be published on the local government’s official website for a period of not less than 3 days.
- (5A) If the notice under subregulation (1) or (3) is given in a way prescribed in the *Local Government (Administration) Regulations 1996* regulation 3A(2)(d), (f) or (g), the period specified in relation to the notice is not less than 3 days.

**Part 7 — *Local Government (Financial Management)
Regulations 1996* amended**

31. Regulations amended

This Part amends the *Local Government (Financial Management) Regulations 1996*.

32. Regulation 27 amended

In regulation 27(l) delete “president —” and insert:

president, for each person —

33. Regulation 44 amended

In regulation 44 delete “include —” and insert:

include, for each person —

Part 8 — Local Government (Functions and General) Regulations 1996 amended

34. Regulations amended

This Part amends the *Local Government (Functions and General) Regulations 1996*.

35. Regulation 15 amended

(1) Delete regulation 15(1) and insert:

- (1) If a notice under regulation 14(1) is given, the date and time referred to in regulation 14(3)(d) must be at least 14 days after the notice is —
 - (a) published on the local government's official website; and
 - (b) published in at least 3 of the ways prescribed in the *Local Government (Administration) Regulations 1996* regulation 3A(2).

(2) In relation 15(2) delete “given.” and insert:

given to the person.

36. Regulation 17 amended

After regulation 17(1) insert:

- (1A) The CEO must publish the tenders register on the local government's official website.

r. 37

37. Regulation 22 amended

In regulation 22 delete the passage that begins with “is first published” and continues to the end of the regulation and insert:

is —

- (a) published on the local government’s official website; and
- (b) published in at least 3 of the ways prescribed in the *Local Government (Administration) Regulations 1996* regulation 3A(2).

38. Regulation 24AE amended

In regulation 24AE delete the passage that begins with “is first published” and continues to the end of the regulation and insert:

is —

- (a) published on the local government’s official website; and
- (b) published in at least 3 of the ways prescribed in the *Local Government (Administration) Regulations 1996* regulation 3A(2).

39. Regulation 24E amended

In regulation 24E(1):

- (a) in paragraph (c) delete “notice.” and insert:
notice; and

r. 40

(b) after paragraph (c) insert:

(d) publish the proposed regional price preference policy on the local government's official website.

40. Regulation 24F amended

Delete regulation 24F(4)(b) and insert:

(b) published on the local government's official website.

41. Regulation 30 amended

Delete regulation 30(2b) and insert:

(2b) Details of a disposition of property under subregulation (2a) must, for a period of 1 year beginning on the day of the initial auction or tender —

- (a) be made available for public inspection; and
- (b) be published on the local government's official website.

**Part 9 — Local Government (Regional Subsidiaries)
Regulations 2017 amended**

42. Regulations amended

This Part amends the *Local Government (Regional Subsidiaries) Regulations 2017*.

43. Regulation 18 amended

Delete regulation 18(7) and (8) and insert:

(7) The *Local Government (Administration) Regulations 1996* regulation 19B(2)(a), (b) and (e) apply in relation to a regional subsidiary as if amended by the general modifications.

Clerk of the Executive Council

Discussion Paper
Elected Member Representation

This discussion paper is to review the Elected member representation to ensure they best meet the governance requirements of the Shire of Dalwallinu.

In 2009 the wards were abolished and Elected Member representation was reduced from ten (10) members to nine (9) members.

At the Ordinary Council Meeting held 23 June 2009, a recommendation was put to Council:

'That Council remove ward boundaries and reduce the number of Councillors to seven (7) to be applied from the Local Government Elections in 2009 (subject to endorsement by the Local Government Advisory Board)'

LOST 3/6'

'That Council remove ward boundaries and reduce the number of Councillors to nine (9) to be applied from the Local Government Elections in 2009 (subject to endorsement by the Local Government Advisory Board)'

CARRIED BY ABSOLUTE MAJORITY 7/2'

Since 2009 there has been little interest in Council nominations for the elections which are held every two years, unless it is an extraordinary election. (See table below)

Election Date	No. of Vacancies	No. of Nominations
May 2020	1	0
October 2019	4	5
October 2017	5	6
June 2016	1	2
October 2015	4	5
October 2013	5	5
October 2011	5	6
July 2010	1	1
October 2009	5	5
October 2007	4	4

Advantages of reducing Councillor numbers:

1. The decision making process may be more effective and efficient if the number of elected members is reduced. There is more scope for team spirit and co-operation amongst a smaller number of people;
2. The cost of maintaining elected members would be reduced. Budgeted costs for attendance fees in 2019-2020 were \$45,239. The attendance fees would be reduced by approximately \$5,026 if numbers were reduced by one (1);

3. A reduction in the number of elected members may result in an increased commitment and interest and participation in Council's affairs by elected members generally;
4. Fewer elected members are more readily identifiable to the community;
5. The increase in the ratio of Councillors to Electors is not significant (1:90 to 1:116);
6. Fewer positions on Council may lead to greater interest in elections with contested elections and those elected obtaining a greater level of support from the community;
7. There is a state wide trend in reductions in the number of elected members and many local governments have found that fewer elected members has improved their decision making process.

Disadvantages of reducing Councillor numbers:

1. A reduction may limit diversity around the table;
2. There is potential for dominance in a Council by a particular interest group;
3. A smaller number of elected members may lead to an increased workload and may lessen effectiveness.

A comparison of Elected Member representation has been undertaken on neighbouring and similar Local Governments, see table below.

LGA	Population	No. Electors	No. EM	Electors per EM	Population per EM
Ravensthorpe	1,733	1,080	5	216	347
Wongan Ballidu	1,331	923	6	154	222
Boddington	1,844	1,146	6	191	307
Exmouth	2,728	1,600	6	267	455
Meekatharra	1,067	336	7	48	152
Yilgarn	1,202	643	7	92	172
York	3,606	2,660	7	380	515
Coorow	1,036	743	8	93	130
Nannup	1,328	1,030	8	129	166
Chapman Valley	1,422	979	8	122	178
Kojonup	1,985	1,274	8	159	248
Gnowangerup	1,215	744	9	83	135
Lake Grace	1,268	898	9	100	141
Dalwallinu	1,429	810	9	90	159
Boyup Brook	1,701	1,199	9	133	189
Beverley	1,745	1,330	9	148	194
Moora	2,428	1,640	9	182	270
Dalwallinu	1,429	810	7	116	204

EM – Elected Member

The October 2021 election will see five (5) vacancies. Given that the extraordinary election did not attract one (1) nomination it may be difficult to attract enough nominations to force an election or even fill the vacancies unopposed.

PROCESS

- Council resolves to undertake the review;
- The review is to be advertised for public submissions;
- The community are to be given at least six (6) weeks to make a submission;
- Council to consider all submissions and relevant factors and makes a decision;
- Council submits a report to the Local Government Advisory Board for its consideration;
- If a change is proposed, the Board submits a recommendation to the Minister for Local Government.

TIMEFRAME

The timeframe for the completion of the administrative process is usually within three (3) months from when a proposal is considered by the Board, however it can vary.

If a local government expects changes to be in place in time for an ordinary election, it must submit its report to the Board by the **end of January** in the year of the ordinary election.

An agenda item will be included in the Agenda for discussion at next weeks briefing.

Jean Knight

CHIEF EXECUTIVE OFFICER

15 April 2020

Local Government Name

Shire of Dalwallinu

Outcome of Council Deliberations

At the Ordinary Council Meeting held 26 June 2020, Council resolved the following:

Insert Motion

Summary of Proposal to Board

At the Ordinary Council Meeting held 28 April 2020, Council resolved the following:

'MOTION 9546

Moved Cr KM McNeill

Seconded Cr KL Carter

That Council:

- 1. Gives local public notice of its intention to carry out a review of Elected Member representation and invites submissions as required under Clause 6(1) of Schedule 2.2 of the Local Government Act 1995;*
- 2. Endorses the Elected Member Representation Discussion Paper for the purposes of seeking public submissions.*

CARRIED BY 8/0 BY ABSOLUTE MAJORITY'

Background

In 2009 the Shire of Dalwallinu wards were abolished and Elected Member representation was reduced from ten (10) members to nine (9) members.

	No. of Electors	No. of Elected Members	Ratio
Shire of Dalwallinu	845	9	1:94

Currently the Shire of Dalwallinu has nine (9) Councillor positions with only eight (8) filled due to a resignation in February 2020.

	No. of Electors	No. of Elected Members	Ratio
Shire of Dalwallinu	810	9	1:90

When considering changes to representation, Schedule 2.2 of the Act specified five factors that must be taken into account by a local government as part of the review process. The Local Government Advisory Board has provided explanatory comments with respect to the five factors. These are set out in *italics* followed by further information specific to the Shire of Dalwallinu.

Community of Interest

The term community of interest has a number of elements. These include a sense of community identity and belonging, similarities in the characteristics of the residents and a community and similarities in the economic activities. It can also include dependence on the shared facilities in a district as reflected in the catchment areas of local schools and sporting teams, or in the circulation area of local newspapers. Neighbourhoods, suburbs and towns are important units in the physical, historical and social infrastructure and often generate a feeling of community and belonging.

The district contains segments of the community ranging from traditional broad acre farmers, manufacturing and industrial businesses, hospital, tourism and other small businesses .

Dalwallinu is the main town and administrative centre for the Shire of Dalwallinu. Dalwallinu has experienced significant growth due to it being a central hub on the Great Northern Highway servicing the agricultural and mining industries.

Other townships in the Shire are Pithara, located 12kms south of Dalwallinu, Kalannie located 53kms north east of Dalwallinu, Wubin located 21kms north of Dalwallinu and Buntine located 38kms north of Dalwallinu.

There are two (2) schools located in the Shire. Dalwallinu District High School and Kalannie Primary School.

Dalwallinu has a hospital which services the entire district.

Physical and topographic features

These may be natural or man made features that will vary from area to area. Water features such as rivers and catchment boundaries may be relevant considerations. Coastal plain and foothills regions, parks and reserves may be relevant as may other man made features such as railway lines and freeways.

Apart from the Great Northern Highway there are no physical or topographic features that are seen as influencing factors and have no bearing on elected member representation within the Shire.

Demographic trends

Several measurements of the characteristics of human populations, such as population size and its distribution by age, sex, occupation and location provide important demographic information. Current and projected population characteristics will be relevant as well as similarities and differences between areas within the local government.

The table below shows the change to the Shire's population data over the past three (3) census's.

Year	2016	2011	2006
Shire Population	1,429	1,266	1,368
Median Age	38	40	36
Male	782	678	719
Female	647	588	649

The following table shows the Shire's age breakdown from the 2016 Census:

Age Bracket	No. Persons	% of Population	WA %
0-4 years	99	6.9%	6.5%
5-9 years	119	8.3%	6.6%
10-14 years	74	5.2%	6.1%
15-19 years	52	3.6%	6.1%
20-24 years	80	5.6%	6.5%
25-29 years	111	7.8%	7.5%
30-34 years	105	7.3%	7.9%
35-39 years	111	7.8%	7.0%
40-44 years	96	6.7%	7.0%
45-49 years	68	4.8%	7.0%
50-54 years	107	7.5%	6.6%
55-59 years	109	7.6%	6.1%
60-64 years	95	6.6%	5.3%
65-69 years	53	3.7%	4.7%
70-74 years	53	3.7%	3.4%
75-79 years	31	2.2%	2.5%
80-84 years	37	2.6%	1.7%
85 years and older	30	2.1%	1.7%

The following table shows the Occupations of the residents from the 2016 Census:

Year	No. Persons	% of Pop	WA %
Managers	255	35.0%	12.0%
Technicians and Trade Workers	105	14.4%	16.2%
Labourers	97	13.3%	9.7%
Clerical and Admin Workers	76	10.4%	13.0%
Machinery Operators and Drivers	56	7.7%	7.5%
Professionals	54	7.4%	20.5%
Sales Workers	43	5.9%	8.8%
Community and Personal Service Workers	35	4.9%	10.6%

The Western Australian Planning Commission (WAPC) (WA Tomorrow population report) forecasts the Shire of Dalwallinu to have a population of 960 in 2026 down to 930 in 2031. Given that the Shire of Dalwallinu has increased its population by 12% from the 2011 to the 2016 census it is unlikely that the Shire's population will have dropped to the forecasts by WAPC. If they did drop to those projections it would seem that the Shire would be overly represented if it was to continue with nine Elected Members.

Economic factors

Economic factors can be broadly interpreted to include any factor that reflects the character of economic activities and resources in the area. This may include the industries that occur in a local government area (or the release of land for these) and the distribution of community assets and infrastructure such as road networks.

The Shire of Dalwallinu has a relatively small local economy with the principal industry being agriculture (predominantly wheat and sheep), manufacturing, tourism and local service industries.

It is not considered that any economic factors within the Shire would have a bearing on Elected Member representation.

Ratio of Councillors to Electors

	No. of Electors	No. of Elected Members	Ratio
Shire of Dalwallinu	810	9	1:90

Conclusion

At the Ordinary Meeting of Council held 23 June 2020 Council considered the following when considering the number of Councilors:

Advantages of reducing Councillor numbers:

1. The decision making process may be more effective and efficient if the number of elected members is reduced. There is more scope for team spirit and co-operation amongst a smaller number of people;
2. The cost of maintaining elected members would be reduced. Budgeted costs for attendance fees in 2019-2020 were \$45,239. The attendance fees would be reduced if there was a reduction in numbers;
3. A reduction in the number of elected members may result in an increased commitment and interest and participation in Council's affairs by elected members generally;
4. Fewer elected members are more readily identifiable to the community;
5. The increase in the ratio of Councillors to Electors is not significant (1:90 to 1:116);
6. Fewer positions on Council may lead to greater interest in elections with contested elections and those elected obtaining a greater level of support from the community;

7. There is a state wide trend in reductions in the number of elected members and many local governments have found that fewer elected members has improved their decision making process.

Disadvantages of reducing Councillor numbers:

1. A reduction may limit diversity around the table;
2. There is potential for dominance in a Council by a particular interest group;
3. A smaller number of elected members may lead to an increased workload.

Council considered the number of candidates in previous elections over the past ten (10) elections. Although the majority had enough to call an election, they were not overran with candidates. Reducing the numbers may create more interest.

Election Date	No. of Vacancies	No. of Nominations
May 2020	1	0
October 2019	4	5
October 2017	5	6
June 2016	1	2
October 2015	4	5
October 2013	5	5
October 2011	5	6
July 2010	1	1
October 2009	5	5
October 2007	4	4

Given that no public submissions were received, it was evident that a reduction in Councillor numbers would not have a negative effect on the community and also the change in Councillor to Elector ratio from 1:90 to 1:116 would have no material effect on the community or to the level of service provided to the community.