



SHIRE OF
DOWERIN
TIN DOG TERRITORY

MINUTES

Ordinary Council Meeting

Held in Council Chambers
13 Cottrell Street, Dowerin WA 6461
Tuesday 24 June 2025
Commencing 4:00pm



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| | |
|-----|---------|
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|-----|---------|

Shire of Dowerin
Ordinary Council Meeting
4:00pm Tuesday 24 June 2025



1. Official Opening / Obituaries

The Deputy President welcomes those in attendance and declares the Meeting open at 4:00pm.

2. Record of Attendance / Apologies / Leave of Absence

Councillors:

| | |
|----------------|--------------------------|
| Cr NP McMorran | Deputy President - Chair |
| Cr WG Allsopp | |
| Cr DP Hudson | |
| Cr AJ Metcalf | Via Teams |
| Cr JC Sewell | |
| Cr BA Ward | |

Staff:

| | |
|----------------|--|
| Ms M Barthakur | Chief Executive Officer |
| Mr B Forbes | Manager of Infrastructure and Projects |
| Ms K Rose | Manager of Governance and Community Services |
| Mr S Mwale | Manager of Corporate Services |

Members of the Public: Nil

Apologies: Nil

Approved Leave of Absence:

| | |
|-------------|-----------|
| Cr RI Trepp | President |
|-------------|-----------|

3. Public Question Time

Nil

4. Disclosure of Interest

Nil

| | |
|----|-----------------------------------|
| 5. | Applications for Leave of Absence |
|----|-----------------------------------|

Nil

| | |
|----|-----------------------------|
| 6. | Petitions and Presentations |
|----|-----------------------------|

Nil

| | |
|----|--|
| 7. | Confirmation of Minutes of the Previous Meeting(s) |
|----|--|

7.1 Ordinary Council Meeting held on 27 May 2025

[Attachment 7.1A](#)

| | |
|--|---------------------|
| | Voting Requirements |
|--|---------------------|



Simple Majority



Absolute Majority

| |
|--|
| Officer's Recommendation/ Resolution - 7 |
|--|

Moved Cr Hudson

Seconded: Cr Allsopp

1124

That, by Simple Majority pursuant to Sections 5.22(2) and 3.18 of the Local Government Act 1995, the Minutes of the Ordinary Council Meeting held 27 May 2025, as presented in Attachment 7.1A, be confirmed as a true and correct record of proceedings.

CARRIED 6/0

For: Cr McMorran, Cr Allsopp, Cr Hudson, Cr Metcalf, Cr Sewell, Cr Ward

| | |
|----|--|
| 8. | Minutes of Committee Meeting(s) to be Received |
|----|--|

8.1 Audit & Risk Committee Meeting held on 5 June 2025

[Attachment 8.1A](#)

| | |
|--|---------------------|
| | Voting Requirements |
|--|---------------------|



Simple Majority



Absolute Majority

| |
|--|
| Officer's Recommendation/ Resolution - 8 |
|--|

Moved Cr Ward

Seconded: Cr Hudson

1125

That, by Simple Majority pursuant to Sections 5.22(2) and 3.18 of the Local Government Act 1995, the Minutes of the Audit & Risk Committee Meeting held on 5 June 2025, as presented in Attachment 8.1A be received.

CARRIED 6/0

For: Cr McMorran, Cr Allsopp, Cr Hudson, Cr Metcalf, Cr Sewell, Cr Ward

9.1.1 Risk Dashboard Review

Attachment 9.1.1A -Risk Dashboard Review - June 2025

Simple Majority

7

Absolute Majority

Moved

Cr Ward

Seconded:

Cr Allsopp

1126

That, in accordance with Regulations 16 and 17 of the Local Government (Audit) Regulations 1996, the Audit and Risk Committee:

1. Receives the Risk Dashboard Quarterly Report – June 2025, as presented in Attachment 9.1.1A, detailing significant risks and required mitigation actions; and
2. Recommends to Council that it adopts the Risk Dashboard Quarterly Report – June 2025, with ongoing sufficient allocation of resources and budget to address them effectively.

CARRIED 6/0

For:

Cr McMorran, Cr Allsopp, Cr Hudson, Cr Metcalf, Cr Sewell, Cr Ward

Refer to A&RC Meeting minutes dated 5 June 2025

11

Simple Majority

5

Absolute Majority

Moved

Cr Ward

Seconded:

Cr Hudson

1127

That, by Absolute Majority, the Audit and Risk Committee:

1. Recommends to Council that the current "Audit & Risk Committee" be renamed the Audit, Risk, and Improvement Committee (ARIC) in line with the Local Government Act 1995 reforms.
2. Notes that updated Terms of Reference will be presented to the Committee for endorsement prior to the next formal meeting cycle.

CARRIED 6/0

For:

Cr McMorran, Cr Allsopp, Cr Hudson, Cr Metcalf, Cr Sewell, Cr Ward

9.1.3 Appointment of Independent Chair

Refer to A&RC Meeting minutes dated 5 June 2025

Voting Requirements

☐

Simple Majority

☒

Absolute Majority

Committee Recommendation – 9.1.3

Moved Cr Sewell **Seconded:** Cr Ward

1128 That, by Absolute Majority, the Audit and Risk Committee:

1. Recommends to Council that an Independent Presiding Member (Chair) position be established for the Audit, Risk, and Improvement Committee (ARIC), in accordance with the *Local Government Act 1995* reforms; and
2. Recommends to Council that Ms Tracy Jones be appointed as the Independent Presiding Member (Chair) of the Audit, Risk, and Improvement Committee (ARIC), effective immediately.

CARRIED 6/0

For: Cr McMorran, Cr Allsopp, Cr Hudson, Cr Metcalf, Cr Sewell, Cr Ward

10.

Announcements by the Chair Without Discussion

11. OFFICER'S REPORTS - CORPORATE AND COMMUNITY SERVICES

11.1 Financial Activity Statements

Corporate and Community Services



| | |
|--------------------------------|---|
| Date: | 15 June 2025 |
| Location: | Not Applicable |
| Responsible Officer: | Manisha Barthakur, Chief Executive Officer |
| Author: | Solomon Mwale, Manager of Corporate Services |
| Legislation: | <i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996</i> |
| SharePoint Reference: | Organisation / Financial Management / Reporting / Financial Statements / 2024-2025 Monthly Financial Statements |
| Disclosure of Interest: | Nil |
| Attachments: | Attachment 11.1A – May Monthly Financial Report |

Purpose of Report



Executive Decision



Legislative Requirement

Summary

This item presents the Statement of Financial Activity to Council for the period May 2025.

Background

Section 6.4 of the *Local Government Act 1995* requires a local government to prepare financial reports.

Regulations 34 and 35 of the *Local Government (Financial Management) Regulations 1996* set out the form and content of the financial reports which have been prepared and are presented to Council.

Comment

To fulfil statutory reporting requirements and provide Council with a synopsis of the Shire of Dowerin's overall financial performance on a year-to-date basis, the following financial information is included in the Attachment.

The statements are draft financial statements with end of year adjustments still to be processed. Employee costs are lower than YTD budget due to a payroll system error which staff are urgently attending to with the assistance of ReadyTech. The offset for this lower expenditure is disclosed in Note 5 Payables - Payroll Creditors. Statements of Financial Activity – Statutory Reports by Program and Nature or Type

The Statements of Financial Activity provide details of the Shire's operating revenues and expenditures on a year-to-date basis. The reports further include details of non-cash adjustments and capital revenues and expenditures, to identify the Shire's net current position.

Note 1 – Statement of Financial Activity

Notes supporting the Statement of Financial Activity by Program and by Nature and Type.

Note 2 – Cash and Financial Assets

This note provides Council with the details of the actual amounts in the Shire's bank accounts and/or investment accounts as at the reporting date.

Note 3 – Receivables

This note provides Council with both Rates Receivables and General Receivables outstanding as at the reporting date. This report has been expanded to further break down the detail of General Receivables.

Note 4 – Other Current Assets

This note provides details of other current assets that the Shire may hold.

Note 5 – Payables

This note provides details of Shire payables unpaid as at the reporting date. This Note is new to the financial statements.

Note 6– Rate Revenue

This note provides details of rates levied during the year.

Note 7 – Disposal of Assets

This note gives details of the capital asset disposals during the year.

Note 8– Capital Acquisitions

This note details the capital expenditure program for the year.

Note 9 –Borrowings

This note shows the Shire's current debt position and lists all borrowings.

Note 10 – Cash Backed Reserves

This note provides summary details of transfers to and from reserve funds, and associated interest earnings on reserve funds, on a year-to-date basis.

Note 11 – Other Current Liabilities

This note outlines any provisions the Shire has on hand relative to other current liabilities.

Note 12 – Operating Grants and Contributions Received

This note provides information on operating grants received.

Note 13 – Non-Operating Grants and Contributions Received

This note provides information on non-operating grants received.

Note 14 – Explanation of Material Variances

Council adopted (in conjunction with the Annual Budget) a material reporting variance threshold of 10% or \$10,000, whichever is the greater. This note explains the reasons for any material variances identified in the Statements of Financial Activity at the end of the reporting period.

Consultation

Manisha Barthakur, Chief Executive Officer
Solomon Mwale, Manager of Corporate Services
Megan Shirt, Consultant

Policy Implications

The Shire of Dowerin has a comprehensive suite of financial management policies. Finances have been managed in accordance with these policies.

Strategic Implications

Strategic Community Plan

| | |
|---------------------|--|
| Community Priority: | Our Organisation |
| Objective: | <i>We are recognised as a transparent, well governed, and effectively managed Local Government</i> |
| Outcome: | 5.3 |
| Reference: | 5.3.2 |

Asset Management Plan

Nil

Long Term Financial Plan

Nil

Statutory Implications

Council is required to adopt monthly statements of financial activity to comply with Regulation 34 of the *Local Government (Financial Management) Regulations 1996*.

Risk Implications

| | |
|-------------------------------|---|
| Risk Profiling Theme | Failure to fulfil statutory regulations or compliance requirements |
| Risk Category | Compliance |
| Risk Description | No noticeable regulatory or statutory impact |
| Consequence Rating | Insignificant (1) |
| Likelihood Rating | Rare (1) |
| Risk Matrix Rating | Low (1) |
| Key Controls (in place) | Governance Calendar, Financial Management Framework and Legislation |
| Action (Treatment) | Nil |
| Risk Rating (after treatment) | Adequate |

Timely preparation of the monthly financial statements within statutory guidelines is vital to good financial management. Failure to submit compliant reports within statutory time limits will lead to non-compliance with the *Local Government Act 1995* and the *Local Government (Financial Management) Regulations 1996*.

Financial Implications

Nil

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation/Resolution – 11.1

Moved: Cr Hudson


Seconded: Cr Sewell

1129

That Council, by Simple Majority pursuant to Regulation 34 of the *Local Government (Financial Management) Regulations 1996*, receives the draft statutory Financial Activity Statement report for the period of May 2025, as presented in Attachment 11.1A.

CARRIED 6/0

For: Cr McMorran, Cr Allsopp, Cr Hudson, Cr Metcalf, Cr Sewell, Cr Ward

| 11.2 List of Accounts Paid | |
|---|---|
| <div>Corporate & Community Services</div> | |
|  | |
| Date: | 15 June 2025 |
| Location: | Not Applicable |
| Responsible Officer: | Manisha Barthakur, Chief Executive Officer |
| Author: | Solomon Mwale, Manager of Corporate Services |
| Legislation: | <i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996</i> |
| SharePoint Reference: | Organisation/Financial Management/Reporting/Financial Statements and Credit Cards |
| Disclosure of Interest: | Nil |
| Attachments: | Attachment 11.2A – May 2025 LOP Attachment 11.2B – April Credit and Caltex Card Statements |

Purpose of Report



Executive Decision



Legislative Requirement

Summary

This Item presents the List of Accounts Paid, paid under delegated authority, for May 2025.

Background

Nil

Comment

The List of Accounts Paid as presented have been reviewed by the Chief Executive Officer.

Consultation

Manisha Barthakur, Chief Executive Officer
Solomon Mwale, Manager of Corporate Services
Susan Dew, Finance and Administration Officer

Policy Implications

The Shire of Dowerin has a comprehensive suite of financial management policies. Finances have been managed in accordance with these policies. Payments have been made under delegated authority.

Strategic Implications

Strategic Community Plan

Community Priority: Our Organisation

Objective: *We are recognised as a transparent, well governed, and effectively managed Local Government*

Outcome: 5.3

Reference: 5.3.2

Asset Management Plan

Nil

Long Term Financial Plan

Nil

Statutory Implications

Regulation 12 and 13 of the *Local Government (Financial Management) Regulations 1996* requires that a separate list be prepared each month for Council showing creditors paid under delegated authority.

Risk Implications

| | |
|-------------------------------|--|
| Risk Profiling Theme | Failure to fulfil statutory regulations or compliance requirements |
| Risk Category | Compliance |
| Risk Description | No noticeable regulatory or statutory impact |
| Consequence Rating | Insignificant (1) |
| Likelihood Rating | Rare (1) |
| Risk Matrix Rating | Low (1) |
| Key Controls (in place) | Governance Calendar |
| Action (Treatment) | Nil |
| Risk Rating (after treatment) | Adequate |

Financial Implications

Nil

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation/Resolution – 11.2

Moved: Cr Allsopp

Seconded: Cr Ward

1130

That Council, by Simple Majority pursuant to Section 6.8(1)(a) of the *Local Government Act 1995* and Regulation 12 & 13 of the *Local Government (Financial Management) Regulations 1996*, receives the report from the Chief Executive Officer on the exercise of delegated authority in relation to creditor payments from the Shire of Dowerin Municipal Fund, as presented in Attachments 11.2A and 11.2B, and as detailed below:

List of Accounts Paid – May 2025

| | |
|---|-----------------------|
| EFT 13536 to EFT 13675 | \$955,094.66 |
| Direct Debit: Australian Taxation Office | \$51,515.00 |
| Direct Debit: Bookeasy | \$242.00 |
| Direct Debit: Gull Motorcharge | \$184.18 |
| Direct Debit: National Australia Bank (VISA) | \$1,300.12 |
| Direct Debit: National Australia Bank (Square Fees) | \$2.03 |
| Direct Debit: Superloop | \$395.00 |
| Direct Debit: Synergy | \$3,444.16 |
| Direct Debit: Telstra | \$609.91 |
| Direct Debit: Water Corporation | \$23,610.62 |
| Direct Debit: WA Treasury – Loan 102 | \$9,710.75 |
| Direct Debit: WA Treasury – Loan 103 | \$11,005.52 |
| Direct Debit: Xenex Systems | \$467.45 |
| PPE 06 May 2025 – Wages | \$56,408.79 |
| PPE 20 May 2025 – Wages | \$51,435.95 |
| Superannuation PPE – 27 May 2025 | \$8,764.98 |
| TOTAL | \$1,174,191.12 |

CARRIED 6/0

For: Cr McMorran, Cr Allsopp, Cr Hudson, Cr Metcalf, Cr Sewell, Cr Ward

11.3 2025/2026 Schedule of Fees and Charges

Corporate and Community Services



| | |
|--------------------------------|--|
| Date: | 9 June 2025 |
| Location: | Nil |
| Responsible Officer: | Solomon Mwale, Manager of Corporate Services |
| Author: | Solomon Mwale, Manager of Corporate Services |
| Legislation: | <i>Local Government Act 1995;</i> <i>Local Government (Financial Management) Regulations 1996</i> |
| SharePoint Reference: | Nil |
| Disclosure of Interest: | Nil |
| Attachments: | |

Purpose of Report



Executive Decision



Legislative Requirement

Summary

This item presents the proposed Fees and Charges schedule for the 2025/26 financial year for Council's review, consideration, and adoption.

Background

Under the Local Government Act 1995 (WA), local governments are authorized to impose and recover fees and charges for services they provide. This is outlined in Section 6.16 of the Act. Traditionally, the Shire of Dowerin has adopted the Fees and Charges schedule alongside the annual budget. However, for the 2025/26 financial year, it is proposed that the Fees and Charges be adopted earlier—in June 2025. This approach is intended to:

- Allow for appropriate community consultation and meet public notice requirements under Section 6.19 of the Local Government Act 1995;
- Enable the Shire to implement the updated schedule from early July 2025, aligning with the start of the new financial year;

Avoid operational delays or confusion around what fees are applicable in early July, which often occurs when the budget and fees are adopted later in the month.

Comment

Early adoption ensures a smoother administrative transition and gives clarity to staff and the community on the applicable charges for the new financial year.

Consultation

Manisha Barthakur, Chief Executive Officer

Solomon Mwale, Manager of Corporate Services

Ben Forbes, Manager of Infrastructure and Projects

Kahli Rose, Manager of Governance and Community Services

Susan Dew, Finance Officer

Shire of Dowerin Council Workshop May 2025

Policy Implications

This item aligns with Policy 3.5 – Financial Management, which outlines Council's responsibility for sound fiscal planning and management. Adoption of the Fees and Charges Schedule is a standard annual requirement to support responsible budgeting and revenue collection practices.

Strategic Implications

Strategic Community Plan

| | |
|---------------------|--|
| Community Priority: | Our Organisation |
| Objective: | We are recognised as a transparent, well governed, and effectively managed Local Government. |
| Outcome: | 5.4 |
| Reference: | 5.4.2 |

Asset Management Plan

Nil

Long Term Financial Plan

The proposed 2025/26 Fees and Charges are slightly higher than originally projected in the Shire's Long-Term Financial Plan, which was prepared prior to the economic impacts of COVID-19. The adjustments reflect current cost pressures and ensure the Shire can maintain financial sustainability while continuing to deliver essential services.

Statutory Implications

Local Government Act 1995

6.16. Imposition of fees and charges

1. a local government may impose and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.*

** Absolute majority required.*

- 3. Fees and charges are to be imposed when adopting the annual budget but may be –*
- a. imposed* during a financial year*
 - b. amended* from time to time during a financial year*

** Absolute majority required*

6.19. Local government to give notice of fees and charges

If a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of-

- a. Its intention to do so; and*
- b. The date from which it is proposed the fees or charges will be imposed.*

Risk Implications

| | |
|--------------------------------------|--|
| Risk Profiling Theme | Failure to fulfil statutory regulations or compliance requirements |
| Risk Category | Compliance |
| Risk Description | Short term non-compliance but with significant regulatory requirements imposed |
| Consequence Rating | Moderate (3) |
| Likelihood Rating | Possible (3) |
| Risk Matrix Rating | Moderate (9) |
| Key Controls (in place) | Governance Calendar |
| Action (Treatment) | Nil |
| Risk Rating (after treatment) | Adequate |

Financial Implications

The adoption of the 2025-26 Schedule of Fees and Charges will have a direct impact on the Shire's revenue stream for the financial year. These fees and charges form a significant component of the Shire's own-source income, and their endorsement ensures that cost recovery, statutory requirements, and service delivery expenses are appropriately addressed. In addition, adoption of the fees and charges supports the Shire's ongoing financial sustainability and its ability to fund core services.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation/Resolution - 11.3

Moved: Cr Ward

Seconded: Cr Sewell

1131

That Council, by Absolute Majority, in accordance with Section 6.16 and Section 6.19 of the Local Government Act 1995, resolves to:

1. Approves an overall increase of 4.5% to the 2025-26 Schedule of Fees and Charges;
2. Confirms that fees relating to Short Stay accommodation will remain unchanged;
3. Directs the Chief Executive Officer to undertake a review of rental charges with the aim of aligning them with current market value;
4. Approves the imposition of the adopted fees and charges effective from 1 July 2025; and
5. Endorses the giving of seven (7) days' public notice of the intent to vary the fees and charges in accordance with section 6.19 of the Local Government Act 1995.

CARRIED 6/0

For: Cr McMorran, Cr Allsopp, Cr Hudson, Cr Metcalf, Cr Sewell, Cr Ward

| 11.4 Policy Review – 3.2 – Investment Policy | |
|--|--|
| <div>Corporate and Community Services</div> <div> SHIRE OF DOWERIN TIN DOG TERRITORY</div> | |
| Date: | 12 June 2025 |
| Location: | Nil |
| Responsible Officer: | Solomon Mwale, Manager of Corporate Services |
| Author: | Solomon Mwale, Manager of Corporate Services |
| Legislation: | <i>Local Government Act 1995;</i> <i>Local Government (Financial Management) Regulations 1996</i> |
| SharePoint Reference: | Nil |
| Disclosure of Interest: | Nil |
| Attachments: | Attachment 11.4A – Policy 3.2 – Investment Policy |

Purpose of Report



Executive Decision



Legislative Requirement

Summary

This item brings a draft Investment Policy before Council and seeks a Council resolution to adopt the policy.

Background

Council currently invests funds that are not immediately needed (e.g. reserves, trust and surplus municipal funds). These investments provide a revenue stream for Council via interest. The draft Investment Policy (see attached) will ensure appropriate Council direction for investment decisions.

Comment

This policy will ensure investments decisions are made in a manner that seeks to ensure security and safeguarding of the investment portfolio. The investment portfolio will ensure there is sufficient liquidity to meet all reasonably anticipated cash flow requirements, while ensuring the investment maximises revenue against Council's risk tolerance.

Consultation

Manisha Barthakur, Chief Executive Officer
Solomon Mwale, Manager of Corporate Services
Macri Partners, Auditors

Policy Implications

Should Council adopt this Policy it will be included in the Shire of Dowerin Policy Manual and inform future investment decisions.

Strategic Implications

Strategic Community Plan

| | |
|---------------------|--|
| Community Priority: | Our Organisation |
| Objective: | We are recognised as a transparent, well governed, and effectively managed Local Government. |
| Outcome: | |
| Reference: | |

Asset Management Plan

Long Term Financial Plan

This item aligns with Policy 3.5 – Financial Management, which outlines Council's responsibility for sound fiscal planning and management. Adoption of the Investment Policy is a legislative requirement to support financial management of the organisation.

Statutory Implications

Investments decisions by Councils are regulated by legislative requirements as follows:

Local Government Act 1995 – Section 6.14; The Trustees Act 1962 – Part III Investments; Local Government (Financial Management) Regulations 1996 – Regulation 19, Regulation 28, and Regulation 49; and Australian Accounting Standards. This policy establishes that all investments will be in accordance with legislation.

Risk Implications

| | |
|--------------------------------------|--|
| Risk Profiling Theme | Failure to fulfil statutory regulations or compliance requirements |
| Risk Category | Compliance |
| Risk Description | Short term non-compliance but with significant regulatory requirements imposed |
| Consequence Rating | Moderate (3) |
| Likelihood Rating | Possible (3) |
| Risk Matrix Rating | Moderate (9) |
| Key Controls (in place) | Governance Calendar |
| Action (Treatment) | Nil |
| Risk Rating (after treatment) | Adequate |

Financial Implications

Funds invested attract about \$50,000 per annum. Therefore, investment decisions can have a significant financial implication. This policy aims to ensure the financial returns are maximised, whilst insuring Council against risk.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation/Resolution – 11.4


Moved: Cr Sewell

Seconded: Cr Hudson

1132 That Council, by Absolute Majority and in accordance with Section 6.14 of the Local Government Act 1995, adopts Policy 3.2 – Investment Policy, incorporating the amendments outlined in Attachment 11.4A.

CARRIED 6/0

For: Cr McMorran, Cr Allsopp, Cr Hudson, Cr Metcalf, Cr Sewell, Cr Ward

| 11.5 Dowerin Amateur Swimming Club – Reserve Account | |
|---|--|
| <div>Corporate and Community Services</div> | |
|  | |
| Date: | 9 June 2025 |
| Location: | Nil |
| Responsible Officer: | Solomon Mwale, Manager of Corporate Services |
| Author: | Kahli Rose, Manager of Governance and Community Services |
| Legislation: | <i>Local Government Act 1995;</i> <i>Local Government (Financial Management) Regulations 1996</i> |
| SharePoint Reference: | Nil |
| Disclosure of Interest: | Nil |
| Attachments: | Nil |

Purpose of Report



Executive Decision



Legislative Requirement

Summary

For Council to consider establishing a Reserve Fund to hold community-raised funds on behalf of the Dowerin Amateur Swimming Club, to be available should the Club re-establish in future.

Background

The Dowerin Amateur Swimming Club has historically operated during the pool season, with strong participation from local youth. In recent years, membership numbers have declined as older members moved away for schooling, and the Club has now chosen to go into recess until interest renews.

The Club President has approached the Shire with a request to establish a Reserve Fund to securely hold the Club's remaining funds for future use, should the Club be reactivated.

Comment

Establishing a dedicated Reserve Fund will allow the Shire to transparently hold and manage the funds on behalf of the Club, in accordance with the *Local Government Act 1995*.

This approach ensures the funds remain available for the Club's intended purpose and provides a clear mechanism for access through Council approval if and when the Club resumes activities.

Consultation

Manisha Barthakur, Chief Executive Officer
Solomon Mwale, Manager of Corporate Services
Kahli Rose, Manager of Governance and Community Services
Council Workshop, 27 May 2025

Policy Implications

Nil

Strategic Implications

Strategic Community Plan

| | |
|---------------------|--|
| Community Priority: | Our Organisation |
| Objective: | We are recognised as a transparent, well governed, and effectively managed Local Government. |
| Outcome: | 5.4 |
| Reference: | 5.4.2 |

Asset Management Plan

Nil

Long Term Financial Plan

Nil

Statutory Implications

Local Government Act

6.11. Reserve accounts

(1) Subject to subsection (5), where a local government wishes to set aside money for use for a purpose in a future financial year, it is to establish and maintain a reserve account for each such purpose.

(2) Subject to subsection (3), before a local government –

(a) changes the purpose of a reserve account; or*

(b) uses the money in a reserve account for another purpose, it must give one month's local public notice of the proposed change of purpose or proposed use.*

** Absolute majority required.*

(3) A local government is not required to give local public notice under subsection (2) –

(a) where the change of purpose or of proposed use of money has been disclosed in the annual budget of the local government for that financial year; or

(b) in such other circumstances as are prescribed.

(4) A change of purpose of, or use of money in, a reserve account is to be disclosed in the annual financial report for the year in which the change occurs.

Risk Implications

| | |
|--------------------------------------|--|
| Risk Profiling Theme | Failure to fulfil statutory regulations or compliance requirements |
| Risk Category | Compliance |
| Risk Description | Some temporary non compliances |
| Consequence Rating | Insignificant (1) |
| Likelihood Rating | Unlikely (2) |
| Risk Matrix Rating | Low (2) |
| Key Controls (in place) | Nil |
| Action (Treatment) | Nil |
| Risk Rating (after treatment) | Adequate |

Financial Implications

Funds to be held securely within the established Reserve account, with access controlled through Council resolution.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation/Resolution – 11.5

Moved: Cr Hudson

Seconded: Cr Allsopp

1133

That, by Absolute Majority in accordance with the Local Government Act 1995 and Local Government (Financial Management) Regulations 1996, Council:

1. Establish a “Dowerin Amateur Swimming Club Reserve Fund” for the purpose of holding funds raised by the Dowerin Amateur Swimming Club;
2. Note that the purpose of the Reserve is to hold funds on behalf of the Dowerin Amateur Swimming Club for future use should the Club re-establish;
3. Advise the Dowerin Amateur Swimming Club that funds may only be accessed through formal request and approval by Council.

CARRIED 6/0

For: Cr McMorran, Cr Allsopp, Cr Hudson, Cr Metcalf, Cr Sewell, Cr Ward

12. OFFICER'S REPORTS – GOVERNANCE AND COMPLIANCE

12.1 Australia Day Honours Committee – Terms of Reference

Governance & Compliance



| | |
|-------------------------|---|
| Date: | 9 June 2025 |
| Location: | Nil |
| Responsible Officer: | Kahli Rose, Manager of Governance and Community Services |
| Author: | Kahli Rose, Manager of Governance and Community Services |
| Legislation: | <i>Local Government Act 1995</i> |
| SharePoint Reference: | Nil |
| Disclosure of Interest: | |
| Attachments: | Attachment 12.1A – Draft Australia Day Awards TOR |

Purpose of Report



Executive Decision



Legislative Requirement

Summary

For Council to consider endorsement of the Australia Day Awards Terms of Reference, as reviewed and supported by the Australia Day Awards Committee.

Background

The Shire of Dowerin delivers an annual Australia Day Awards program to acknowledge individuals and community groups who contribute positively to the local community.

Historically, the program has operated without a formally adopted Terms of Reference (TOR). In 2025, members of the Australia Day Awards Committee requested that a Terms of Reference be developed to provide transparency, consistency, and clear guidelines for the panel's decisions and recommendations to Council.

A draft Terms of Reference was prepared by the Manager of Governance and Community Services and circulated to the Committee for review and input. The committee reviewed the draft TOR and has endorsed it for formal adoption by Council.

Comment

Endorsing the Terms of Reference will:

- Provide a clear governance framework for the program;
- Ensure transparency of process for the community;
- Support consistency in nomination assessment and award selection;
- Clarify the role and responsibilities of the Judging Panel; and
- Formalise program structures, including categories, eligibility, and selection criteria.

A copy of the proposed Terms of Reference is attached to this report for Council's consideration.

If adopted, the Terms of Reference will be made available on the Shire website and provided to future Committee Members as part of their committee membership.

Consultation

Manisha Barthakur, Chief Executive Officer

Kahli Rose, Manager of Governance and Community Services

Australia Day Awards Committee Members

Policy Implications

Nil

Statutory Implications

Local Government Act 1995 – Section 2.7 Role of Council

Council is responsible for the governance of the local government, including setting policies and making decisions for the good of the community.

Formalising a Terms of Reference for the Australia Day Awards Program supports Council's role in providing clear and transparent governance for civic recognition programs.

Strategic Implications

Strategic Community Plan

Community Priority: Our Organisation

Objective: We are recognised as a transparent, well governed, and effectively managed Local Government

Outcome: 5.4

Reference: 5.4.2

Asset Management Plan

Nil

Long Term Financial Plan

Nil

Risk Implications

| | |
|-------------------------------|--|
| Risk Profiling Theme | Compliance, Transparency |
| Risk Category | Governance |
| Risk Description | Failure to meet statutory and community expectations |
| Consequence Rating | Moderate (3) |
| Likelihood Rating | Possible (3) |
| Risk Matrix Rating | Medium (9) |
| Key Controls (in place) | Governance Calendar |
| Action (Treatment) | Nil |
| Risk Rating (after treatment) | Adequate |

Financial Implications

Nil – the program is funded through Council's annual operational budget.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation/Resolution – 12.1

Moved: Cr Ward

Seconded: Cr Sewell

1134 That, by Simple Majority, in accordance with the *Local Government Act 1995*, Council:

1. Endorses the Australia Day Awards – Terms of Reference as attached; and
2. Notes that the Terms of Reference will be made publicly available and provided to future Australia Day Awards Judging Panels as the governance framework for the program.

CARRIED 6/0

For: Cr McMorran, Cr Allsopp, Cr Hudson, Cr Metcalf, Cr Sewell, Cr Ward

12.2 Endorsement of the 2025-2035 Integrated Strategic Plan

Governance & Compliance



| | |
|--------------------------------|---|
| Date: | 15 June 2025 |
| Location: | Nil |
| Responsible Officer: | Manisha Barthakur, Chief Executive Officer |
| Author: | Kahli Rose, Manager of Governance and Community Services |
| Legislation: | <i>Local Government Act 1995</i> |
| SharePoint Reference: | Organisation > Corporate Management > Integrated Planning |
| Disclosure of Interest: | |
| Attachments: | Attachment 12.2A DRAFT - 2025-2035 Strategic Community Plan |

Purpose of Report



Executive Decision



Legislative Requirement

Summary

For Council to endorse the draft Integrated Strategic Plan 2025-2035 for public consultation, in accordance with the *Local Government Act 1995* and the Integrated Planning and Reporting Framework.

Background

The Shire's current Strategic Community Plan (SCP) was last reviewed in 2021. Under the *Local Government (Administration) Regulations 1996*, local governments are required to review their SCP at least once every four years.

In line with this requirement, and to better integrate long-term strategic planning with corporate and financial planning, the Shire has developed a new Integrated Strategic Plan 2025-2035 (ISP), which replaces and integrates the previous Strategic Community Plan and Corporate Business Plan.

The new draft ISP has been developed through:

- Community and stakeholder engagement, including community workshops, surveys, and targeted consultation;
- Input from Elected Members and staff;
- Alignment with regional strategies and informing plans (e.g. NEWROC Economic Development Plan, Long Term Financial Plan, Asset Management Plan).

Council has reviewed the draft ISP through a Council Workshop and is now requested to endorse the draft for public comment prior to final adoption.

Comment

The draft Integrated Strategic Plan 2025-2035 outlines the Shire's strategic vision, priorities and actions under four strategic pillars:

- Economy
- Community
- Environment
- Civic Leadership

It reflects the key priorities identified by the community and Council during the consultation process, as well as the challenges and opportunities facing the Shire over the coming decade.

Endorsement of the draft ISP for public consultation will allow the community to provide final feedback prior to Council considering the Plan for formal adoption.

It is proposed to advertise the draft ISP for a minimum period of 21 days, through the Shire website, social media, and local noticeboards, with hard copies available at the Shire office and CRC.

Consultation

Dowerin Community

Councillors

Manisha Barthakur, Chief Executive Officer

Kahli Rose, Manager of Governance and Community Services

Ben Forbes, Manager of Infrastructure and Projects

Solomon Mwale, Manager of Corporate Services

Staff

Policy Implications

Nil

Statutory Implications

Local Government Act 1995 – Section 5.56: Planning for the future

Local Government (Administration) Regulations 1996 – Regulation 19C and 19DA: Requirements for Strategic Community Plan and Corporate Business Plan

The development of the draft Integrated Strategic Plan 2025-2035 aligns with the statutory requirements for local government strategic planning and consultation.

Strategic Implications

Strategic Community Plan

The Strategic Community Plan is Council's primary strategic document, from which all others are derived. As such, the final product has wide-ranging strategic implications for the Shire, as it should serve to guide strategic decision-making for the coming decade.

An updated Corporate Business Plan will be developed to facilitate the delivery of the first four years of Strategic Community Plan activity as the Shire works through this process.

Community Priority: Our Organisation

Objective: We are recognised as a transparent, well governed, and effectively managed Local Government

Outcome: 5.4

Reference: 5.4.2

Asset Management Plan

Nil current

Long Term Financial Plan

Nil current

Risk Implications

| | |
|--------------------------------------|---|
| Risk Profiling Theme | Engagement Practices |
| Risk Category | Compliance |
| Risk Description | Some Temporary Non-Compliances |
| Consequence Rating | Insignificant (2) |
| Likelihood Rating | Unlikely (2) |
| Risk Matrix Rating | Low (4) |
| Key Controls (in place) | Council endorsement. Clear limitation of scope to signage only. Scheduled rebranding review in 2025/2026. |
| Action (Treatment) | Nil |
| Risk Rating (after treatment) | Adequate |

Financial Implications

Implementation of the ISP will guide long-term financial planning and be supported through the annual budget process, Long Term Financial Plan and other informing strategies.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation/Resolution – 12.2

Moved: Cr Allsopp


Seconded: Cr Ward

1135 That, by Absolute Majority, in accordance with the *Local Government Act 1995*, Council:

1. Endorses the draft Integrated Strategic Plan 2025–2035 for the purpose of public consultation;
2. Approves public advertising of the draft Plan for a minimum period of 21 days; and
3. Notes that following the close of the consultation period, a report will be presented to Council on any submissions received, with a final version of the Plan for adoption.

CARRIED 6/0

For: Cr McMorran, Cr Allsopp, Cr Hudson, Cr Metcalf, Cr Sewell, Cr Ward

| 12.3 WA Electoral Commission – 2025 Local Government Ordinary Election | |
|--|--|
| <div><h2>Governance & Compliance</h2></div> <div> SHIRE OF DOWERIN TIN DOG TERRITORY</div> | |
| Date: | 9 June 2025 |
| Location: | Not Applicable |
| Responsible Officer: | Manisha Barthakur, Chief Executive Officer |
| Author: | Kahli Rose, Manager of Governance and Community Services |
| Legislation: | <i>Local Government Act 1995</i> |
| SharePoint Reference: | |
| Disclosure of Interest: | Nil |
| Attachments: | Attachment 12.3A – Written Agreement 2025 LG Ordinary Election |

Purpose of Report



Executive Decision



Legislative Requirement

Summary

This item seeks Council resolution to declare the Electoral Commissioner be responsible for the Local Government Ordinary Election by a Postal Election.

Background

Local government ordinary elections are held on the third Saturday in October every two years. The next local government ordinary election will be held on 18 October 2025.

Councillors are elected for four-year terms in Western Australia. Elections are held every two years for half of the Council, using the first-past-the-post voting system. Where a vacancy occurs during a term, an extraordinary election is held.

The Western Australian Electoral Commission (WAEC) is responsible for conducting all local government postal elections in Western Australia. By appointing the Electoral Commissioner to conduct the election, Council ensures that the process is run independently and impartially.

Postal elections are more convenient for many electors and typically result in higher voter participation than in-person ballots. Eligible electors will receive a postal voting package approximately three weeks before polling day, which includes candidate profiles, ballot papers, voting instructions, and a declaration.

Comment

The Shire has received written agreement from the Electoral Commissioner to conduct the Shire of Dowerin's 2025 ordinary election, as well as any other elections or polls that may be required.

This appointment is subject to Council formally resolving to appoint the WAEC to conduct the election as a postal election, as per the requirements of the *Local Government Act 1995*.

Consultation

Manisha Barthakur, Chief Executive Officer
Kahli Rose, Manager of Governance and Community Services
Western Australian Electoral Commission

Policy Implications

Nil

Strategic Implications

Strategic Community Plan

Community Priority: Our Organisation
Objective: We are recognised as a transparent, well governed, and effectively managed Local Government
Outcome: 5.3
Reference: 5.3.2

Asset Management Plan

Nil

Long Term Financial Plan

Nil

Statutory Implications

Section 4.20(4) Local Government Act 1995
Section 4.61(2) Local Government Act 1995

Risk Implications

| | |
|--------------------------------------|--|
| Risk Profiling Theme | Failure to fulfil statutory regulations or compliance requirements |
| Risk Category | Compliance |
| Risk Description | Non-compliance results in litigation, criminal charges or significant damages or penalties to Shire / Officers |
| Consequence Rating | Extreme (5) |
| Likelihood Rating | Unlikely (2) |
| Risk Matrix Rating | High (10) |
| Key Controls (in place) | Governance Framework |
| Action (Treatment) | Document Governance Framework |
| Risk Rating (after treatment) | Adequate |

Financial Implications

The estimated cost for the 2025 local government ordinary election is \$11,830 (ex GST).

This cost is based on the following assumptions provided by the WAEC:

- Postal election method
- 4 Councillor vacancies
- 500 electors
- Approximate response rate of 55%
- Appointment of a local Returning Officer
- Vote count conducted at the Shire office using CountWA

An additional contingency of \$1,500 will be budgeted to cover incidentals, including advertising or any unforeseen election-related costs.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation/Resolution - 12.3

Moved: Cr Ward

Seconded: Cr Hudson


1136

That Council:

1. Declare, in accordance with section 4.20(4) of the Local Government Act 1995, the Electoral Commissioner be responsible for the conduct of the 2025 ordinary election, together with any other elections or polls which may be required;
2. Decide, in accordance with Section 4.61(2) of the Local Government Act 1995, that the method of conducting the Election will be as a Postal election.

CARRIED 6/0

For: Cr McMorran, Cr Allsopp, Cr Hudson, Cr Metcalf, Cr Sewell, Cr Ward

| 12.4 Elected Member Remuneration Review – 2025/26FY | |
|---|--|
| <div><h2>Governance & Compliance</h2></div> <div>SHIRE OF DOWERIN TIN DOG TERRITORY</div> | |
| Date: | 9 June 2025 |
| Location: | Not Applicable |
| Responsible Officer: | Manisha Barthakur, Chief Executive Officer |
| Author: | Kahli Rose, Manager of Governance and Community Services |
| Legislation: | <i>Local Government Act 1995</i> |
| SharePoint Reference: | Nil |
| Disclosure of Interest: | Nil |
| Attachments: | Nil |

Purpose of Report



Executive Decision



Legislative Requirement

Summary

This item seeks Council approval to adopt updated meeting attendance fees and annual allowances for elected members, in accordance with the Salaries and Allowances Tribunal Determination No. 1 of 2025.

Background

The Salaries and Allowances Tribunal (SAT) reviews and determines the range of fees and allowances payable to elected members in Western Australian local governments. The most recent determination, issued in April 2025 and effective from 1 July 2025, outlines updated parameters for meeting fees and annual allowances, classified by local government band.

The Shire of Dowerin is a Band 4 local government. Under the SAT Determination, Council may adopt elected member payments within the prescribed range. The proposed update ensures alignment with industry expectations and recognises the increased time commitment and responsibilities of elected members.

Councillor and committee meeting allowances, as well as the annual allowances for the Shire President and Deputy President, are reviewed and adopted each financial year as part of the budget process. In 2020/21, the meeting allowances were set at \$200 per Council meeting for Councillors, \$270 for the President, and \$75 for committee meetings. The annual allowances were \$3,200 for the President and \$800 for the Deputy President. As part of the 2021/22 budget adoption, the President's meeting allowance increased to \$350, while the Councillor and committee meeting rates remained unchanged. The annual allowances were also revised in 2021/22, with the President's allowance rising to \$7,500 and the Deputy President's to \$1,875.

Comment

The proposed schedule of payments includes increases to Council meeting fees, special meeting fees, and committee sitting fees. Annual allowances for the Shire President and Deputy President have also been reviewed.

| Council Meeting Fee | Current Amount | Proposed Amount | Increase |
|---------------------------------------|-------------------|-------------------|----------|
| - <i>President</i> | \$350 per meeting | \$400 per meeting | 14.3% |
| - <i>Councillor</i> | \$200 per meeting | \$230 per meeting | 15.0% |
| Special Meeting Fee | | | |
| - <i>President</i> | \$350 per meeting | \$400 per meeting | 14.3% |
| - <i>Councillor</i> | \$200 per meeting | \$230 per meeting | 15.0% |
| Committee Fees | | | |
| - <i>Committee Member Sitting Fee</i> | \$75 per meeting | \$100 per meeting | 33.3% |
| - <i>Independent ARIC Member</i> | \$0 per meeting | \$250 per meeting | NEW |
| Allowances | | | |
| - President Annual | \$7,500 per annum | \$8,000 per annum | 6.7% |
| - Deputy President Annual | \$1,875 per annum | \$4,500 per annum | 140% |

These figures remain within the allowable limits for Band 4 local governments as per the Tribunal's 2025 determination and reflect the increased level of engagement required from elected members, especially in strategic planning, governance, and external representation.

Total budget allocation for elected member payments in 2025/26 is projected at \$49,100.

Consultation

Manisha Barthakur, Chief Executive Officer
Kahli Rose, Manager of Governance and Community Services
Solomon Mwale, Manager of Corporate Services

Policy Implications

Nil

Strategic Implications

Strategic Community Plan

| | |
|---------------------|---|
| Community Priority: | Our Organisation |
| Objective: | We are recognised as a transparent, well governed, and effectively managed Local Government |
| Outcome: | 5.3 |
| Reference: | 5.3.2 |

Asset Management Plan

Nil

Long Term Financial Plan

Nil

Statutory Implications

Local Government Act 1995, s5.98-s5.100

Salaries and Allowances Act 1975

Salaries and Allowances Tribunal Determination No. 1 of 2025

Risk Implications

| | |
|--------------------------------------|--|
| Risk Profiling Theme | Failure to fulfil statutory regulations or compliance requirements |
| Risk Category | Compliance |
| Risk Description | Non-compliance results in litigation, criminal charges or significant damages or penalties to Shire / Officers |
| Consequence Rating | Moderate (3) |
| Likelihood Rating | Possible (3) |
| Risk Matrix Rating | Moderate (9) |
| Key Controls (in place) | Governance Framework |
| Action (Treatment) | Align with SAT Determination |
| Risk Rating (after treatment) | Effective |

Financial Implications

The total annual cost of councillor payments under the proposed model is estimated at \$49,100. This has been incorporated into the draft 2025/26 budget.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation/Resolution – 12.4

Moved: Cr Hudson

Seconded: Cr Ward

1137 That, by Absolute Majority, in accordance with s5.98-s5.100 of the *Local Government Act 1995*, *Salaries and Allowances Act 1975*, and *Salaries and Allowances Tribunal Determination No. 1 of 2025*, Council:

1. Notes the Salaries and Allowances Tribunal Determination No. 1 of 2025, effective from 1 July 2025;
2. Adopts the following meeting fees for elected members, effective from 1 July 2025:
 - a. \$400 per Council meeting for the President;
 - b. \$230 per Council meeting for Councillors;
 - c. \$400 per Special Council meeting for the President;
 - d. \$230 per Special Council meeting for Councillors;
 - e. \$100 per Committee meeting for all members;
 - f. \$250 per Committee meeting for Independent ARIC members;
3. Sets the following annual allowances:
 - a. \$8,000 per annum for the Shire President;
 - b. \$4,500 per annum for the Deputy Shire President.

CARRIED /

For:

Councillor Hudson petitioned an amended motion due to general consensus of the Council being to keep Councillor payments at the current rates, however, to include the ARIC Independent Chair into the schedule of allowances and attendance rates.

Voting Requirements



Simple Majority



Absolute Majority

AMENDED MOTION 12.4

Moved: Cr Hudson


Seconded: Cr Ward

1137 That Council, by Absolute Majority, in accordance with Sections 5.98 to 5.100 of the *Local Government Act 1995*, the *Salaries and Allowances Act 1975*, and the *Salaries and Allowances Tribunal Determination No. 1 of 2025*:

1. Notes the *Salaries and Allowances Tribunal Determination No. 1 of 2025*, effective from 1 July 2025.
2. Agrees that no amendments will be made to the meeting fees for Council, Special, or Committee meeting attendances, effective from 1 July 2025.
3. Adopts a meeting fee of \$250 per Committee meeting for the Independent Presiding Member of the Audit Risk and Improvement Committee (ARIC), effective from 1 July 2025.

CARRIED 6/0

For: Cr McMorran, Cr Allsopp, Cr Hudson, Cr Metcalf, Cr Sewell, Cr Ward

| 12.5 Local Government Amendment Act 2024 – Election of Committee Presiding Member | |
|---|---|
| <div style="display: flex; justify-content: space-between; align-items: center;"> <div style="text-align: center;"> <h2 style="color: red;">Governance & Compliance</h2> </div> <div style="text-align: right;">  <p>SHIRE OF DOWERIN TIN DOG TERRITORY</p> </div> </div> | |
| Date: | 11 June 2025 |
| Location: | Not Applicable |
| Responsible Officer: | Manisha Barthakur, Chief Executive Officer |
| Author: | Kahli Rose, Manager of Governance and Community Services |
| Legislation: | <i>Local Government Act 1995;</i> <i>Local Government Amendment Act 2024;</i> <i>Bush Fires Act 1954;</i> <i>Emergency Management Act 2005</i> |
| SharePoint Reference: | Nil |
| Disclosure of Interest: | Nil |
| Attachments: | Nil |

Purpose of Report



Executive Decision



Legislative Requirement

Summary

This item seeks Council's formal appointment of Presiding and Deputy Presiding Members for the Asset & Works Committee and the Australia Day Honours Committee in accordance with the *Local Government Amendment Act 2024*, which requires these appointments to be made by absolute majority of Council.

Background

The *Local Government Amendment Act 2024* introduced mandatory requirements for the appointment of committee leadership positions by Council, as part of a broader reform to improve governance and accountability across the sector.

Section 5.12 of the Local Government Act 1995 (as amended) now states:

- (1) *The local government must appoint* a member of a committee to be the presiding member of the committee.*

** Absolute majority required.*

- (2) *The local government may appoint* a member of a committee to be the deputy presiding member of the committee.*

** Absolute majority required,*

As a result, Presiding and Deputy Presiding Members of any committee formed under section 5 of the Act must be formally appointed by an absolute majority of Council. They can no longer be elected solely by committee members at their first meeting.

At the March 2025 meeting of the Asset & Works Committee, the committee internally re-elected a Presiding Member and Deputy Presiding Member following the resignation of the nominated chair. However, these appointments were not made by Council resolution and therefore do not satisfy the legislative requirements introduced by the *Local Government Amendment Act 2024*. Formal reappointment by Council is now required.

This requirement applies to Council-established committees, including:

- Asset & Works Committee
- Australia Day Honours Committee

The Local Government Amendment Act 2024 does not apply to:

- The Bush Fire Advisory Committee
 - * formed under section 67 of the *Bush Fires Act 1954*.
- The Local Emergency Management Committee
 - * established under section 38 of the *Emergency Management Act 2005*.

These committees remain subject to the provisions of their respective governing legislation.

In line with the reforms, following each ordinary local government election, Council will be required to appoint committee members and elect the Presiding and Deputy Presiding Members by absolute majority at the first Council meeting after the election result is declared.

Comment

To ensure compliance with the *Local Government Amendment Act 2024*, Council must formally appoint a Presiding Member and *may* appoint a Deputy Presiding Member for the Asset & Works Committee and the Australia Day Honours Committee.

This will correct the oversight from the March Asset & Works committee meeting and align with legislative expectations moving forward. Management recommends that Council formally include the appointment of the Deputy Presiding Member to ensure good governance practices.

Consultation

Manisha Barthakur, Chief Executive Officer

Kahli Rose, Manager of Governance and Community Services

Ben Forbes, Manager of Infrastructure and Projects

Policy Implications

Nil

Strategic Implications

Strategic Community Plan

| | |
|---------------------|---|
| Community Priority: | Our Organisation |
| Objective: | We are recognised as a transparent, well governed, and effectively managed Local Government |
| Outcome: | 5.3 |
| Reference: | 5.3.2 |

Asset Management Plan

Nil

Long Term Financial Plan

Nil

Statutory Implications

Local Government Act 1995,

Section 5.10 – Appointment of committee members

Local Government Act 1995,

Section 5.12 (as amended by the *Local Government Amendment Act 2024*) –

“The local government must appoint* a member of a committee to be the presiding member of the committee.

** Absolute majority required*

The local government may appoint* a member of a committee to be the deputy presiding member of the committee.

** Absolute majority required.”*

Bush Fires Act 1954,

Section 67 – Advisory committees

Emergency Management Act 2005

Section 38 – Local emergency management committees

Risk Implications

| | |
|--------------------------------------|--|
| Risk Profiling Theme | Failure to fulfil statutory regulations or compliance requirements |
| Risk Category | Compliance |
| Risk Description | Short term non-compliance but with significant regulatory requirements imposed |
| Consequence Rating | Moderate (3) |
| Likelihood Rating | Possible (3) |
| Risk Matrix Rating | Moderate (9) |
| Key Controls (in place) | Governance Framework |
| Action (Treatment) | Align with Local Government Amendment Act 2024 |
| Risk Rating (after treatment) | Effective |

Financial Implications

Nil.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation/Resolution – 12.5

Moved: Cr Hudson

Seconded: Cr Allsopp

1138

That, by Absolute Majority, in accordance with Section 5.12 of the *Local Government Amendment Act 2024*, Council:

1. Notes that the election of the Presiding and Deputy Presiding Members by the Asset & Works Committee at its March 2025 meeting does not comply with the requirements of section 5.12 of the *Local Government Act 1995*, as amended by the *Local Government Amendment Act 2024*, and is therefore invalid.
2. Appoints Cr Robert Trepp as the Presiding Member of The Asset & Works Committee.
3. Appoints Cr Wayne Allsopp as the Deputy Presiding Member of the Asset & Works Committee.
4. Appoints Cr Bev Ward as the Presiding Member of the Australia Day Honours Committee.
5. Appoints Cr Nadine McMorran as the Deputy Presiding Member of the Australia Day Honours Committee.
6. Notes that the Bush Fire Advisory Committee and Local Emergency Management Committee are not subject to the requirements of section 5.12, as they are established under the *Bush Fires Act 1954* and *Emergency Management Act 2005* respectively.
7. Confirms that following each ordinary local government election, Council will appoint committee members and elect the relevant Presiding and Deputy Presiding Members by absolute majority at the first Council meeting after the declaration of election results, in line with the *Local Government Act 1995* and current legislative requirements.

CARRIED 6/0

For: Cr McMorran, Cr Allsopp, Cr Hudson, Cr Metcalf, Cr Sewell, Cr Ward

| | |
|-----|---|
| 13. | OFFICER'S REPORTS - ASSET & WORKS |
| | Nil |
| 14. | Urgent Business Approved by the Person Presiding or by Decision |
| | Nil |
| 15. | Elected Members' Motions |
| | Nil |
| 16. | Matters Behind Closed Doors |
| | Nil |
| 17. | Closure |

The Deputy President thanked those in attendance and declared the meeting closed at 4:19pm.