



Shire of
Serpentine
Jarrahdale



Shire of
Serpentine
Jarrahdale

Special Council Meeting Agenda

7pm

Monday, 30 January 2023

Purpose: Considering submissions received on the Shire of Serpentine Jarrahdale Ward and Representation Review (SJ4038)

Contact Us

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In Person

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6 Paterson Street, Mundijong WA 6123
Open Monday to Friday 8.30am-5pm (closed public holidays)



www.sjshire.wa.gov.au

**Councillor Attendance Register**

In accordance with the 11 April 2022 Ordinary Council Meeting, Council Resolution OCM067/04/22, clause 1 – “That Council requests the Chief Executive Officer maintain a Councillor Attendance Register recording Councillor Attendances at Ordinary Council Meetings, Special Council Meetings, Q & A briefings for Ordinary Council Meetings, Q & A briefings for Special Council Meetings, Councillor Workshops held for Project Briefings, Councillor Workshops held for Budget Preparations and Policy Concept Forums”.

In accordance with the 12 December 2022 Ordinary Council Meeting, Council Resolution OCM313/12/22, clause 6 – “That Council requests that the Councillor Attendance Register published in the Agenda and Minutes displays attendances for the calendar year and notes that the full Councillor Attendance Register, including previous calendar years, will continue to be published on the Shire’s website.”

Council 1 January 2023 –

Date	Type	Cr Rich	Cr Atwell	Cr Byas	Cr Coales	Cr Dagostino	Cr Duggin	Cr Mack	Cr Strange	Cr Strautins

A – Apology

LoA – Leave of Absence

NA – Non Attendance

EPNG – Electronic Participation Not Granted



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The purpose of this Council Meeting is to discuss and, where possible, make resolutions about items appearing on the agenda. Whilst Council has the power to resolve such items and may in fact, appear to have done so at the meeting, no person should rely on or act on the basis of such decision or on any advice or information provided by a Member or Officer, or on the content of any discussion occurring, during the course of the meeting. Persons should be aware of the provisions of the *Local Government Act 1995* (section 5.25(1)(e)) and Council's *Standing Orders Local Law 2002 (as Amended)* – Part 14, Implementing Decisions. No person should rely on the decisions made by Council until formal advice of the Council resolution is received by that person.

The Shire of Serpentine Jarrahdale expressly disclaims liability for any loss or damage suffered by any person as a result of relying on or acting on the basis of any resolution of Council, or any advice or information provided by a Member or Officer, or the content of any discussion occurring, during the course of the Council meeting.

At the 20 June 2022 Ordinary Council Meeting, Council resolved that Council and Committee Meetings will be audio recorded in accordance with Council Policy. If you are asking a public question or making a statement or deputation to the meeting this will be audio recorded. Members of the public are reminded that no other visual or audio recording of this meeting by any other means is allowed.



Special Council Meeting Agenda Monday, 30 January 2023

Dear Elected Member

A Special Council Meeting of the Shire of Serpentine Jarrahdale will be held on Monday, 30 January 2023 in the Council Chambers, Civic Centre, 6 Paterson Street, Mundijong, commencing at 7pm.

A handwritten signature in blue ink, appearing to read 'Paul Martin', enclosed within a blue oval.

Paul Martin

Chief Executive Officer

20 January 2023

Agenda

1. **Attendances and apologies (including leave of absence):**
2. **Public question time:**
 - 2.1 **Public questions:**
3. **Public statement time:**
4. **Petitions and deputations:**
5. **Declaration of Councillors and Officers interest:**

**6. Receipt of Reports:****6.1 Reports**

6.1.1 – Considering submissions received on the Shire of Serpentine Jarrahdale Ward and Representation Review (SJ4038)	
Responsible Officer:	Manager Governance and Strategy
Senior Officer:	Chief Executive Officer
Disclosure of Officers Interest:	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

Authority / Discretion

Executive	The substantial direction setting and oversight role of the Council such as adopting plans and reports, accepting tenders, directing operations and setting and amending budgets.
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Report Purpose

The purpose of this report is to enable Council to consider making a submission to the Local Government Advisory Board under Schedule 2.2 of the *Local Government Act 1995* (the Act) following the Council's resolution to undertake a Ward and Representation Review to give effect to the Minister for Local Government's electoral reforms voluntarily.

Relevant Previous Decisions of Council

<p><i>Special Council Meeting – 7 November 2022 – SCM033/11/22 – COUNCIL RESOLUTION</i></p> <p><i>That Council:</i></p> <p>1. <i>Pursuant to the resolution made at the 24 October 2022 Special Council Meeting requesting that the Chief Executive Officer give local public notice of a Ward and Representation Review initiated by the Shire, APPROVES the draft Ward and Representation Review Discussion paper as attachment 1, subject to the following revision on page 2, 'Background', by deleting:</i></p> <p><i>"For the Shire, this means that the Shire will have a President elected by Electors rather than Council and will reduce the size of the elected Council by one member to account for the change in election method of the President.</i></p> <p><i>This is because under the reforms for local governments with a population of between 5,000 and 75,000 (which the Shire currently sits), legislative amendments are proposed to be introduced by the State Government that will cap on the number of Councillors at nine, including the President."</i></p> <p><i>and inserting:</i></p>



“For the Shire, this means that the Shire will have a President elected by Electors rather than Council and will reduce the size of the elected Council by at least one member to account for the change in election method of the President.

This is because under the reforms for local governments with a population of between 5,000 and 75,000 (which the Shire currently sits), legislative amendments are proposed to be introduced by the State Government that will cap the number of Councillors to no more than nine, including the President.”

to be published in conjunction with the local public notice per Regulation 3A of the Local Government (Administration) Regulations 1996; and

2. *APPROVES that community engagement will comprise the minimum statutory requirements of Regulation 3A of the Local Government (Administration) Regulations 1996.*

Special Council Meeting – 24 October 2022 – SCM028/10/22 - COUNCIL RESOLUTION
That Council:

1. *NOTES the correspondence from the Minister for Local Government dated 20 September 2022 in attachment 1.*
2. *AUTHORISES the Chief Executive Officer to ADVISE the Director General of the Department of Local Government, Sport and Cultural Industries by 28 October 2022 that the Shire WILL UNDERTAKE the voluntary process and WILL INITIATE a ward and representation review in the timeframes proposed by the Minister.*
3. *CHANGES the method of filling the office of mayor or president used by the local government from the election by the council method to the election by the elector's method.*
4. *NOTES that the change to the method of filling the office of mayor or president used by the local government from the election by the council method to the election by the electors method will commence at the 2023 ordinary local government election and remain in force even if the Minister's reforms are not progressed and that it can only be reversed through the provisions on s2.12A of the Act which involve regular formal polling of electors of the decision through the provisions of the legislation.*
5. *INITIATES a Ward and Representation Review in accordance with Schedule 2.2 of the Local Government Act 1995.*
6. *REQUESTS that the Chief Executive Officer give local public notice for a period that is not less than 6 weeks advising*
 - a) *that the review is to be carried out; and*
 - b) *that submissions may be made to the local government before a day fixed by the notice, being a day that is not less than 6 weeks after the notice is first given.*
7. *NOTES the local public notice will advise that the Shire is considering options for ward and representation being:*
 - *six councillors across three wards (no changes to current ward boundaries);*
 - *eight councillors across three wards (no changes to current ward boundaries);*
 - *six councillors with no wards; and*
 - *eight councillors with no wards.*



8. *NOTES that Council will be required in accordance with Schedule 2.2 of the Act following the closure of the public submission period to consider the following when making a determination on the matter:*

- *community of interests; and*
- *physical and topographic features; and*
- *demographic trends; and*
- *economic factors; and*
- *the ratio of councillors to electors in the various wards.*

9. *NOTES that the following activities will be deferred for the time being to enable the ward and representation review to occur and AGREES to their deferment being reflected in the Corporate Business Plan and CEO KPIs where required:*

Project Management Framework embedding and strengthening;

- *Implementation of findings of the Abernethy Road Inquiry including procurement enhancement*
- *Strategic Community Plan review;*
- *local government policy review; and*
- *preparation of the Shire's first Integrity Framework.*

Background

At a Special Council Meeting held on 7 November 2022, Council resolved to initiate a Ward and Representation Review in accordance with Schedule 2.2 of the Act and requested that the opportunity to provide a submission to the review be promoted via a local public notice.

The Ward and Representation Review was initiated at an earlier Special Council Meeting held on 24 October 2022, where the Council resolved to commence a process voluntarily to implement electoral reforms proposed by the Minister for Local Government that would result in the Shire President being elected at large (rather than by Council) and a reduction in the number of Councillor offices in line with population thresholds that are proposed to be set in legislation.

At the same meeting, Council resolved to change the method of electing the Shire President commencing at the 2023 ordinary local government election. This change in method of electing the Shire President is now 'locked in' regardless of the Ward and Representation Review process.

Following Council's resolution, a local public notice was issued in accordance with section 1.7 of the Act. A local public notice is required under section 1.7 of the Act to appear on the local government's website and at least three of the methods set out in Regulation 3A of the *Local Government (Administration) Regulations 1996*.

In this case the local public notice requirements set out in legislation were achieved via:

- publication on the Shire's website through its engagement platform Your Say SJ on 8 November 2022
- a social media post on the Shire's Facebook account on 9 November 2022
- publication on the Shire's noticeboards on 9 November 2022
- an advertisement in the Examiner newspaper circulating in the district on 10 November 2022
- an article in SJ Matters published on 30 November 2022.



The local public notice advised that all submissions must be received by 5pm on Friday, 23 December 2022. The public notice period met the minimum 6-week period required by the Act.

Community / Stakeholder Consultation

As highlighted above at the 7 November 2022 Special Council Meeting, Council approved that the community engagement would comprise the minimum statutory requirements of Regulation 3A of the *Local Government (Administration) Regulations 1996*. This was achieved through the local public notice methods listed above.

The results of the public submission period are discussed in a dedicated part of the comment section of this report.

Statutory Environment

The process for conducting a Ward and Representation Review is set out in Schedule 2.2 of the Act.

Section 7 of the Schedule provides that before carrying out a review, a local government has to give local public notice advising that submissions may be made to the local government before a day fixed by the notice, being a day that is not less than 6 weeks after the notice is first given and that the local government must consider the submissions received.

Section 8 of the Schedule sets out that before a local government proposes that an order be made it is to have regard, where applicable, to:

- community of interests
- physical and topographic features
- demographic trends
- economic factors
- the ratio of councillors to electors in the various wards.

Section 9 of the Schedule goes on to say that a local government is to make a report in writing to the Local Government Advisory Board proposing that the Board makes an order related to the composition of wards including if a district is to have wards, the name or wards or fixing or changing the number of offices of Councillor.

Having concluded the public notice period, this Officer's report has been prepared to enable Council to complete the remaining step in Section 7 and those in Sections 8 and 9 of the Act.

After a report is made to the Local Government Advisory Board, Section 10 of the Schedule provides that the Board, if in its opinion the submission correctly takes into account the matters referred to in the legislation (the five matters) it is to recommend to the Minister that an order be made.

If the Local Government Advisory Board does not believe that the submission correctly takes into account the five matters, the Board may request that the local government resubmit a proposal. Further, if the local government does not elect to resubmit, the Board may recommend an alternative proposal as the Board sees fit.

Section 11 of the Schedule provides that the Board may carry out an inquiry as it thinks necessary to assess the proposal against the five matters and recover the costs of this inquiry from the local government.



Section 12 provides that the Minister can accept or reject a recommendation of the Board.

Once the Minister makes a recommendation, Sections 2.2 and 2.18 of the Act provide the power for the Governor to make an order creating, changing or abolishing wards (including abolishing wards entirely) and/or changing the number of offices of Councillor on a Council or for a ward.

Elsewhere section 9.62 provides that where under the Act the Governor makes an order, the Governor may give any directions that the Governor thinks necessary to give effect to the order.

Directions given by the Governor under section 9.62 may modify the operation of the Act.

Comment

When inviting public submissions, Council approved an accompanying Discussion Paper. The Discussion Paper approved by Council set out options that would give effect to the Minister's proposed electoral reforms and reduce Councillor numbers by at least one.

Each option presented in the Discussion Paper included a Shire President elected at large (as previously resolved by Council) and:

- Option 1 - six Councillors across three wards
- Option 2 - eight Councillors across three wards
- Option 3 – six Councillors with no wards
- Option 4 – eight Councillors with no wards.

Option 2 itself contained three sub-options as eight Councillors cannot be split evenly across three wards leading to one of the following scenarios:

- Option 2a – eight Councillors across three wards with two Councillors in the North Ward and three Councillors in the remaining wards
- Option 2b – eight Councillors across three wards with two Councillors in the North West Ward and three Councillors in the remaining wards
- Option 2c – eight Councillors across three wards with two Councillors in the South Ward and three Councillors in the remaining wards.

Assessment against the five matters

Before proposing that an order be made, the local government is required by legislation to have regard to:

- community of interests
- physical and topographic features
- demographic trends
- economic factors
- the ratio of councillors to electors in the various wards.

The Department's Guideline to conducting Ward and Representation Reviews defines each of the matters in the following terms:

“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 of 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 the circulation areas 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.

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.

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.

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.

Ratio of Councillors to Electors in the various wards

It is expected that each local government will have similar ratios of electors to councillors across the wards of its district."

An assessment against the five matters was provided in the Discussion Paper approved by Council.

As the local government is required under Section 8 of the Schedule to have regard to these matters prior to making a proposal to the Local Government Advisory Board this analysis is presented again and expanded upon in this Officer's report below.

Option 1 – Six Councillors plus Shire President across three wards

Option 1 proposes a reduction of Councillors to six, with the Office of the President elected by electors. Under this option the Shire would have a total of seven elected officials.

Under this model, two Councillors would be elected from each of the wards.

As no amendments to ward boundaries are proposed, the comparative ratio of electors per Councillor between wards would be unchanged.

Table 1: Shire of Serpentine Jarrahdale elector to Councillor ratios with six Councillors across three wards (as of 13 September 2022)

Ward	Number of Electors	Number of Councillors	Councillor/Elector Ratio	% Ratio Deviation
North	7,501	2	1:3750	-5.7%
North West	7,472	2	1:3736	-5.3%
South	6,302	2	1:3151	11.1%



The number of votes in the affirmative for an absolute majority decision defined in the Act would be four. This approach could involve savings of approximately \$42,000 annually in Councillor fees and allowances (based on the rates set by Council in 2022) but any savings would be contingent on future Salary and Allowance Tribunal and Council decisions.

Community of interests

As Option 1 does not propose amendments to the ward boundaries there would be no immediate change in relation to community of interests.

Physical and topographic features

As Option 1 does not propose amendments to the ward boundaries there would be no immediate change in relation to physical and topographical features.

Demographic trends

The Shire is a high growth local government. In the 12-month period between the 2021 ordinary local government election and September 2022, the number of electors in the Shire increased by 4.1%. In this period the number of electors in every ward increased but population growth was the highest in the North Ward where it grew by 6.3%.

The Shire's North and North West Wards are known to feature higher density urban development than the more rural South Ward. In the longer term, population growth in the South Ward will increase more rapidly with the expansion of the Tonkin Highway.

Under this option, adjusting boundaries to manage these population changes would need to be something considered in future ward and representation reviews.

Economic factors

As Option 1 does not propose amendments to the ward boundaries there would be no immediate change in relation to economic factors.

Ratio of Councillors to electors in the various wards

While the ratio of Councillors to electors in various wards would be reduced overall, as there are no proposed amendments to the ward boundaries the comparative deviations currently present would not be changed as a result of the proposal.

Future changes in population between wards have not been contemplated as a thorough analysis of forecast data has not been possible in the timeframe required.

When considering options, the Local Government Advisory Board's guide states that the ratio of Councillors to electors in the various wards is significant and should be within the tolerance set by the Board:

"It is expected that each local government will have similar ratios of electors to councillors across its wards, generally falling within a deviation of plus or minus 10%."



The 10% tolerance level is not a legislation requirement and the Local Government Advisory Board's guide goes on to state that:

"If local governments consider that they have exceptional circumstances that justify ward councillor/elector ratio deviations greater than plus or minus 10%, they can present their argument to the Board for consideration. Councils experiencing high population growth should give consideration to the ratio deviations for wards at the time of the next ordinary election, especially if the review is conducted a year or more prior to implementation. Current and forecasted figures can be provided to the Board to justify ratio deviations greater than plus or minus 10% in areas with high population growth."

It is not uncommon for local governments to exceed the 10% threshold. As of 30 September 2022 the following metropolitan local governments have elector ratio deviations that exceed the 10% tolerance level:

- Belmont (11.8%)
- Canning (11.8%)
- Claremont (11.4%)
- Joondalup (17.0%)
- Mandurah (13.9%)
- Wanneroo (11.6%).

Ratio deviations above the Advisory Board's tolerance level are also common in regional local governments.

At the time of the Shire's last review of wards conducted in 2018 and considered by the Local Government Advisory Board in 2019, the elector representation of each of the Wards was within the 10% tolerance.

Table 2 Ward Councillor to Elector Deviations as of October 2018

Ward	Number of Councillors	Number of Electors	Ratio Deviation %
North West	3	6,330	-4.87%
North	3	6,102	-1.09%
South	3	5,678	5.91%

With the Shire's high growth, the population of each of the Shire's three wards can quickly change. This has resulted in the current ward configuration exceeding the 10% tolerance level set in the Department's policy. It also means that an adjustment to ward configuration that resets the elector deviation may only do so temporarily.

While a continuation of the current ward boundaries for the 2023 ordinary local government election would not improve the relative Councillor to elector threshold, it would also not exceed the 10% tolerance level greatly. The largest deviation is in the South Ward which as of September 2022 exceeded the threshold by 1.1%.

Given the high growth of the Shire maintaining a ratio under 10% for any extended period is difficult. However, in the short term it is recognised and recommended that a subsequent ward



and representation review be conducted prior to the 2025 local government election to restate more evenly distributed elector to Councillor deviations moving forward.

Option 2 – Eight Councillors plus Shire President across three wards

Option 2 proposes a reduction of Councillors to eight, with the Office of the President elected by electors. Under this option, the Shire would continue to have a total of nine elected officials.

Under this model, three Councillors would be elected from two of the wards and two Councillors would be elected from the remaining ward.

The number of votes in the affirmative for an absolute majority decision defined in the Act would continue to be five. This approach would not result in savings with Councillor fees and allowances.

Option 2 would involve an uneven distribution of Councillors with one of the wards featuring a sizeable deviation in excess of the preferred tolerance level set by the Local Government Advisory Board. Based on the elector figures from September 2022 the ratios would be as follows:

Option 2a:

Ward	Number of Electors	Number of Councillors	Councillor/Elector Ratio	% Ratio Deviation
North	7,501	2	1:3750	-41.0
North West	7,472	3	1:2490	6.3
South	6,302	3	1:2100	21.0

Option 2b:

Ward	Number of Electors	Number of Councillors	Councillor/Elector Ratio	% Ratio Deviation
North	7,501	3	1:2500	5.9
North West	7,472	2	1:3736	-40.4
South	6,302	3	1:2100	21.0

Option 2c:

Ward	Number of Electors	Number of Councillors	Councillor/Elector Ratio	% Ratio Deviation
North	7,501	3	1:2500	5.9
North West	7,472	3	1:2490	6.3
South	6,302	2	1:3151	-18.4

Due to the relative populations of the North and North West Wards, Options 2a and 2b would exacerbate the comparative ratio deviation with the South Ward. Option 2c would overcorrect the ratio deviation from -18.4.

Arithmetic dictates that eight does not divide evenly into three and option 2, without boundary changes, will result in an uneven distribution of Councillors.



Community of interests

As Option 2 does not propose amendments to the ward boundaries there would be no immediate change in relation to community of interests.

Physical and topographic features

As Option 2 does not propose amendments to the ward boundaries there would be no immediate change in relation to physical and topographical features.

Demographic trends

The Shire is a high growth local government. In the near 12 month period between the 2021 ordinary local government election and September 2022, the number of electors in the Shire increased by 4.4%. In this period the number of electors in every ward increased but population growth was the highest in the North Ward where it grew by 6.8%.

The Shire's North and North West Wards are known to feature higher density urban development than the more rural South Ward. In the longer term population growth in the South Ward will increase more rapidly with the expansion of the Tonkin Highway.

The deviation ratio associated with options 2a and 2b in the short to medium term would likely increase in future years, while in option 2c the over-corrected deviation ratio would likely decrease in the short and medium term. Long term development will alter demographics considerably, but these population changes would need to be something considered in future ward and representation reviews.

Economic factors

As Option 2 does not propose amendments to the ward boundaries there would be no change in relation to economic factors.

Ratio of Councillors to electors in the various wards.

As noted above, options 2a, 2b and 2c would result in an uneven distribution of Councillors between the wards. This disparity would be well in excess of the tolerance of 10% set by the Local Government Advisory Board. It would also be a significant deviation from the intent of the three ward approach previously adopted by Council which was predicated on even representation between the wards.

Option 3 – Six Councillors plus Shire President without wards

Option 3 proposes a reduction to six Councillors plus the President, elected by electors but without wards. This approach would mean that the six Councillor positions as well as the President would be filled through a general election across the entire district.

In general terms, the Local Government Advisory Board describes the advantages and disadvantages of a no ward system as:

The advantages of a no ward system may include:

- *Elected members are elected by the whole community not just a section of it. Knowledge and interest in all areas of the Council's affairs would result broadening the views beyond*



the immediate concerns of those in a ward.

- *The smaller town sites and rural areas have the whole Council working for them.*
- *Members of the community who want to approach an elected member can speak to any elected member.*
- *Social networks and communities of interest are often spread across a local government and elected members can have an overview of these.*
- *Elected members can use their specialty skills and knowledge for the benefit of the whole local government.*
- *There is balanced representation with each elected member representing the whole community.*
- *The election process is much simpler for the community to understand and for the Council to administer.*

The disadvantages of a no ward system may include:

- *Electors may feel that they are not adequately represented if they don't have an affinity with any of the elected members.*
- *Elected members living in a certain area may have a greater affinity and understanding of the issues specific to that area.*
- *There is potential for an interest group to dominate the Council.*
- *Elected members may feel overwhelmed by having to represent all electors and may not have the time or opportunity to understand and represent all the issues.*
- *It may be more difficult and costly for candidates to be elected if they need to canvass the whole local government area.*

This approach could involve savings of approximately \$42,000 annually in Councillor fees and allowances (based on the rates set by Council in 2022) but any savings would be contingent on future Salary and Allowance Tribunal and Council decisions.

Community of interests

This approach would negate any benefits or disbenefits associated with the community of interests derived from the current ward structure. As community of interests is defined by the Advisory Board as a sense of community identity and belonging which is inherently difficult to quantify, it is not possible to quantify the extent that the change will impact community of interests.

Physical and topographic features

This approach would negate any benefits or disbenefits associated with wards and physical and topographic features. The Shire's current ward structure does not employ physical or topographic features as a major factor in the current boundary alignment.

Demographic trends

This approach would negate any benefits or disbenefits associated with demographic trends derived from the current ward structure.



Economic factors

This approach would negate any benefits or disbenefits associated with economic factors derived from the current ward structure.

Ratio of Councillors to electors in the various wards

The ratio of Councillors to electors would be 1:3537. Comparatively, every elector would have the same level of representation as every other elector now and into the future regardless of the Shire's uneven growth across the district.

Option 4 – Eight Councillors plus Shire President without wards

Option 4 proposes a reduction to eight councillors plus the President, elected by electors but without wards.

This approach would mean that the eight Councillor positions as well as the President would be filled through a general election across the entire district.

This approach would not result in savings of Councillor fees and allowances.

Community of interests

This approach would negate any benefits or disbenefits associated with the community of interests derived from the current ward structure. As community of interests is defined by the Advisory Board as a sense of community identity and belonging which is inherently difficult to quantify, it is not possible to quantify the extent that the change will impact community of interests.

Physical and topographic features

This approach would negate any benefits or disbenefits associated with wards and physical and topographic features. The Shire's current ward structure does not employ physical or topographic features as a major factor in the currency boundary alignment.

Demographic trends

This approach would negate any benefits or disbenefits associated with demographic trends derived from the current ward structure.

Economic factors

This approach would negate any benefits or disbenefits associated with economic factors derived from the current ward structure.

Ratio of Councillors to electors in the various wards

The ratio of Councillors to electors would be 1:2653. Comparatively, every elector would have the same level of representation as every other elector now and into the future regardless of the Shire's uneven growth across the district.

Consideration of submissions received

In accordance with Schedule 2.2 of the Act, the public submission period ran from 8 November 2022 through to 23 December 2022. The public notice period meets the minimum period required by the Act of being not less than 6 weeks.



Special Council Meeting Agenda Monday, 30 January 2023

The public notice advised that submissions were invited through Your Say SJ, the Shire's online engagement website or alternatively in writing to the Shire or via email.

Responses were received from 23 individuals. One individual made two submissions (submissions 21 and 22).

All submissions were received through Your Say SJ. While submissions could be made in any form no submissions were received through other means.

Individuals who chose to respond through Your Say SJ were asked a series of questions.

Question	Available responses
Question 1 – Are you an elector in the Shire?	A- Yes B- No
Question 2 - What ward do you reside in? (Only asked if 'Yes' selected for Question 1)	A- North Ward B- North West Ward C- South Ward D- No
Question 3 – Which option is your preference?	A. Option 1 – Six Councillors plus Shire President across three wards B. Option 2 – Eight Councillors plus Shire President across three wards C. Option 3 – Six Councillors plus Shire President without wards D. Option 4 – Eight Councillors plus Shire President without wards
Question 4 - Which eight Councillor configuration do you prefer? (Only asked if Option 'B' selected for Question 2)	A. North 2 Councillors, North West 3 Councillors, South 3 Councillors B. North 3 Councillors, North West 2 Councillors, South 3 Councillors C. North 3 Councillors, North West 3 Councillors, South 2 Councillors
Question 5 – In making a decision regarding ward and representation, Council is required to give consideration to the following matters: community of interest; physical and topographic features; demographic trends; economic factors; and the ratio of Councillors to electors in the various wards. Please provide any supplementary information regarding these matters to support your preferred ward and representation configuration	Free text



Question	Available responses
Question 6 – How did you hear about this community consultation?	A. Social media B. Public notice C. Word of mouth D. Your Say SJ website E. eNewsletter F. Other (please specify)
Question 7 – I agree to the Terms of Use and Privacy Policy for using Engagement HQ	Check Box

The submissions received are provided verbatim in **attachment 1**.

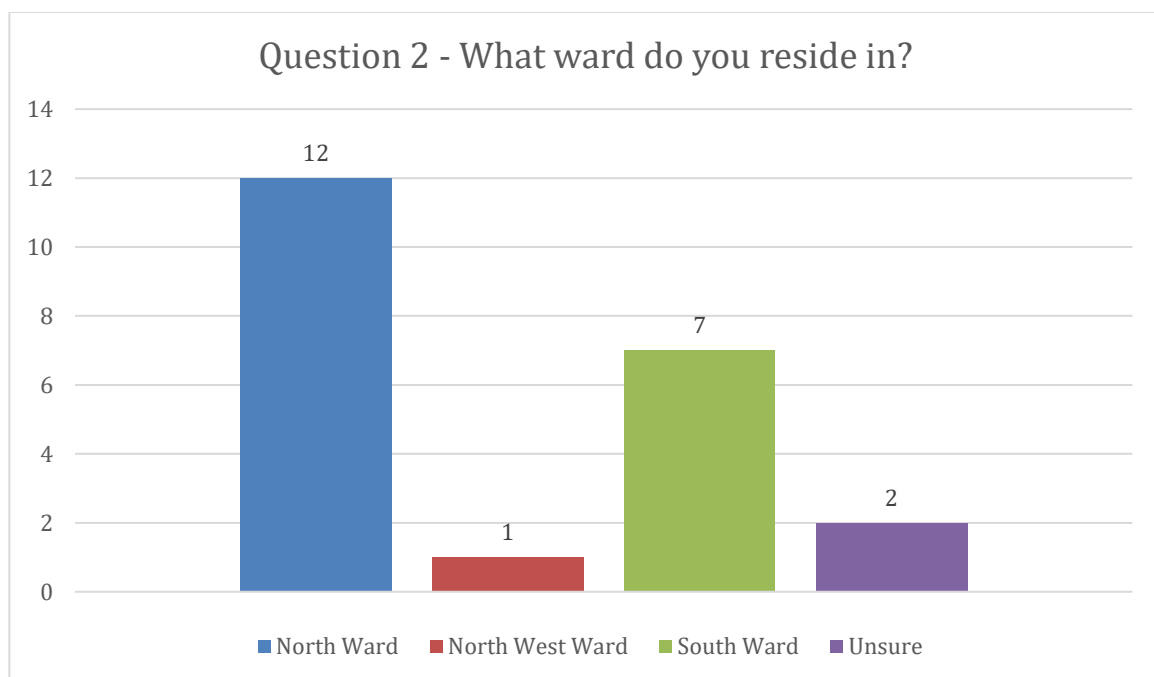
An analysis of the submissions is provided below. However, from a statistical perspective, the sample size would not be considered statistically significant.

For the purposes of statistical analysis, the two responses sent by the one individual have been merged so as not to double count these.

This means that while **attachment 1** shows the 24 submissions received in full, the statistical analysis below counts only unique individual responses, not the duplicate response.

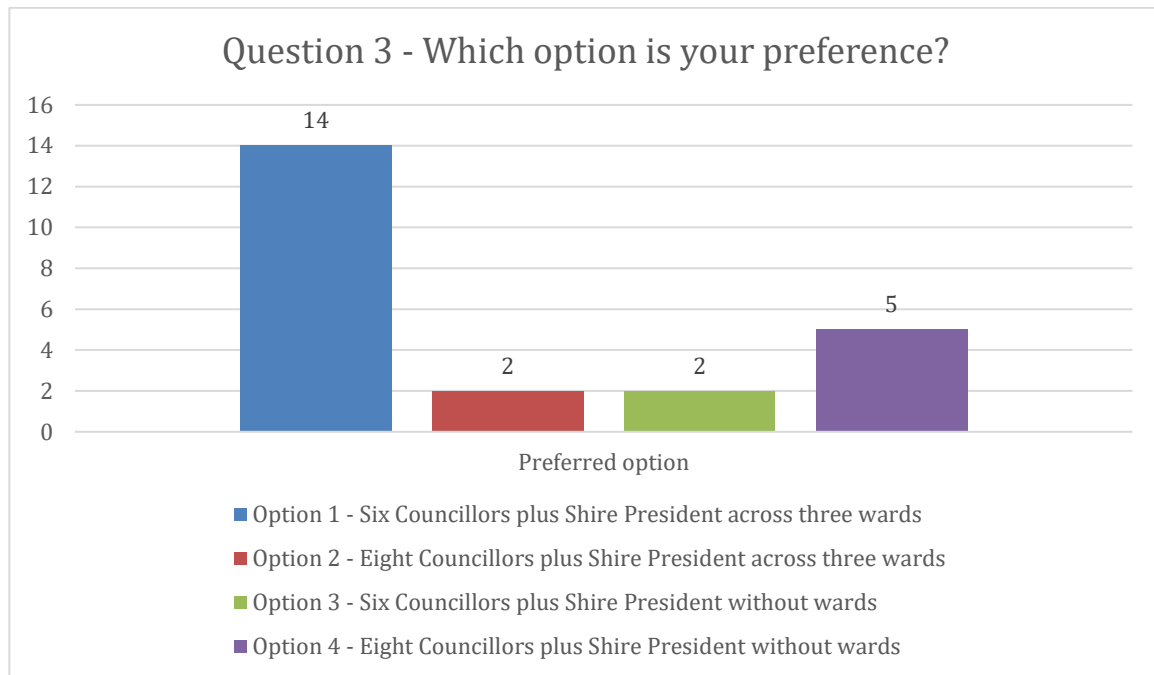
Question 1 asked whether the person was an elector. 22 respondents selected 'yes'.

Question 2 asked what ward does the person reside in. As shown below almost half of the responses received were from individuals stating that they resided in the North Ward.





In respect to ward and representation configuration posed by Question 3, the most frequently selected option was Option 1 - Six Councillors plus Shire President across three wards. This was selected by 14 respondents representing 60 per cent of individual submissions received. There was no correlation between ward residence and preferred configuration.



Question 5 provided an opportunity to comment generally when it asked:

“In making a decision regarding ward and representation, Council is required to give consideration to the following matters: community of interest; physical and topographic features; demographic trends; economic factors; and the ratio of Councillors to electors in the various wards. Please provide any supplementary information regarding these matters to support your preferred ward and representation configuration.”

Thirteen individuals responded to this opportunity to provide a response to this question.

The unedited submissions are provided in the table below and in **attachment 1**.

Respondent number	Question 5 – <i>In making a decision regarding ward and representation, Council is required to give consideration to the following matters: community of interest; physical and topographic features; demographic trends; economic factors; and the ratio of Councillors to electors in the various wards. Please provide any supplementary information regarding these matters to support your preferred ward and representation configuration</i>
1	Economic and to keep wards till South Ward is more developed



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Respondent number	Question 5 – <i>In making a decision regarding ward and representation, Council is required to give consideration to the following matters: community of interest; physical and topographic features; demographic trends; economic factors; and the ratio of Councillors to electors in the various wards.</i> <i>Please provide any supplementary information regarding these matters to support your preferred ward and representation configuration</i>
2	No Response
3	3 wards, 2 Councillors per ward. Ward boundaries may need to be realigned to reflect equality of size and ratepayers as close as is practical.
4	South Ward is very large with vastly differing features and needs to the other 2 wards, so requires better representation.
5	No Response
6	No Response
7	this states to be all about saving monies from having a lesser number of Councilors !! get rid of some dead wood in the office to make bigger savings.. Councilors MUST elect the President. I believe if you change the current system, it will be to our detriment , esp the South Ward.. you need to keep farmers to the front, esp when you espouse this to be a Rural Shire. Our rates keep increasing and we do not see much being spent in the South Ward, esp roads... so how will the new system improve this outcome ???
8	I agree that 6 councillors is enough and the president should be elected by rate payers
9	i think it is the community interest to stream line the number of councillors and 2 councillors a ward is enough
10	No Response
11	No Response
12	No Response
13	No Response
14	No Response
15	I like the idea of reducing thr number of councillors
16	Best idea ever
17	No Response
18	Like the American president election is in the community interest
19	None of the options presented are feasible. We need to have a full



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Respondent number	Question 5 – <i>In making a decision regarding ward and representation, Council is required to give consideration to the following matters: community of interest; physical and topographic features; demographic trends; economic factors; and the ratio of Councillors to electors in the various wards.</i> <i>Please provide any supplementary information regarding these matters to support your preferred ward and representation configuration</i>
	spill with no wards 8 councillors and 1 Shire President. This is what is fair for the community as a whole
20	Must be a total spill otherwise does not meet the guidelines once wards are put back in place of 50% spill. As this is totally new it's in the community's best interests as a whole to spill all sitting Councillors in all wards. Ward review after 23 election and reinstate wards. I support officers recommendation from October Council Meeting
21 & 22	<p>I strongly support Ward boundaries and elections as they more appropriately provide broad representation from across the Shire. However for the purpose of getting a decision in place for the longer term I support the choice of option 4 with 8 Councillors and a Shire President without Wards in order to retain nine Council positions. This choice is made provided there is a spill of all positions to start the new arrangements, a sensible beginning of reform for what is becoming a divided Council. When the dust settles and a proper full review can be undertaken the reintroduction of Wards would then be possible; desirable; and a new Ward representation system can be reintroduced, with an appropriate spread of (say) 4 Wards and 2 Councillors from each Ward. The Shire population is growing rapidly and these arrangements would appear to be a fairer way of having a Shire Council with fair representation from an expanding population in different pockets of the Shire. We don't want to reduce the size of the Council in these reforms as it will be almost impossible to get agreement on increasing the number of Councillors back to 8 once (if) we have gone backwards to 6 in the current interim reforms.</p> <p>I prefer to have Wards but I don't want the number of councillors to be reduced from 8 to 6. So option 4 seems the best choice right now. But when the current arrangements are settled and the shire can conduct a full proper review Wards could or should be reintroduced. I would like to see Wards reintroduced, perhaps with 4 wards to accommodate the growing population across the Shire. If option 4 is chosen I would want a full spill of all council positions to clean up the current adversarial character of the current council. It is pointless keeping some councillors on and taking some off. That is exactly the sort of weird decision that causes ratepayers to get angry.</p>



Respondent number	Question 5 – <i>In making a decision regarding ward and representation, Council is required to give consideration to the following matters: community of interest; physical and topographic features; demographic trends; economic factors; and the ratio of Councillors to electors in the various wards.</i> <i>Please provide any supplementary information regarding these matters to support your preferred ward and representation configuration</i>
23	The Ward and Representation Review Discussion Paper is inaccurate and some information is not compliant. It does not represent the community as a whole. None of the above options suit what we require. I refer to the Officers recommendation of 24 October 2022 to the position of council that is my preferred option.
24	<i>No Response</i>

Determining which submission to provide to the Local Government Advisory Board

In considering the form and composition of the ward and representation for the future of the Shire, Council is required to consider both the:

- ward and representation configuration
- method to enact the changes.

These are two separate but interconnected matters.

In relation to the first matter, for example, Council may agree that the ward configuration be six Councillors plus the Shire President distributed evenly across three wards but may recommend that this be achieved by either a no spill or a full spill of Council positions. This second matter, being the method to enact the changes, is discussed later in this paper.

Given these complexities, Officers recommend that under clause 10.6 of the Shire's Standing Orders that the matter be broken down into separate questions. In this way, the first question would be which ward and representation configuration to select and second which method by which the change would be enacted. This would be achieved through separate motions that could be moved and debated and resolved.

After a decision is made on the ward and representation configuration and the method to enact the changes, Council would be required to resolve to approve a submission to the Local Government Advisory Board that aligns to Council's preference.

In preparation Officers have drafted twelve (12) separate draft submissions for Council's consideration based on the options presented in the Discussion Paper. In preparing the submissions, Officers have taken into account the Department's guideline on the matter and met with representatives from the Department of Local Government, Sport and Cultural Industries to ensure compliance with the legislation and the Board's processes.

The draft submissions separately consider each of the factors being community of interests; physical and topographic features; demographic trends; economic factors; and the ratio of Councillors to electors in the various wards required to be considered in respect to wards.



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A summary of the submission and its relationship to the options in the Discussion Paper is provided in the table below:

Discussion Paper Option	Attachment	Draft LGAB Submission	Ward and Representation Configuration	Implementation method
1	2	A	6 Councillors plus Shire President distributed evenly across 3 wards	Positions to be abolished are to be taken from those offices that expire at the 2023 ordinary local government election
1	3	B	6 Councillors plus Shire President distributed evenly across 3 wards	Full spill
2a	4	C	8 Councillors plus Shire President across 3 wards (only 2 Councillors in North Ward and 3 Councillors each in the two other Wards)	Positions to be abolished are to be taken from those offices that expire at the 2023 ordinary local government election
2a	5	D	8 Councillors plus Shire President across 3 wards (only 2 in North Ward 3 Councillors each in the two other Wards)	Full Spill
2b	6	E	8 Councillors plus Shire President across 3 wards (only 2 Councillors in North West Ward 3 Councillors each in the two other Wards)	Positions to be abolished are to be taken from those offices that expire at the 2023 ordinary local government election
2b	7	F	8 Councillors plus Shire President across 3 wards (only 2 Councillors in North West Ward 3 Councillors each in the two other Wards)	Full Spill



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2c	8	G	8 Councillors plus Shire President across 3 wards (only 2 in South Ward 3 Councillors each in the two other Wards)	Positions to be abolished are to be taken from those offices that expire at the 2023 ordinary local government election
2c	9	H	8 Councillors plus Shire President across 3 wards (only 2 in South Ward 3 Councillors each in the two other Wards)	Full Spill
3	10	I	6 Councillors plus Shire President with no wards	Positions to be abolished are to be taken from those offices that expire at the 2023 ordinary local government election
3	11	J	6 Councillors plus Shire President with no wards	Full Spill
4	12	K	8 Councillors plus Shire President with no wards	Positions to be abolished are to be taken from those offices that expire at the 2023 ordinary local government election
4	13	L	8 Councillors plus Shire President with no wards	Full Spill

To voluntarily implement the Minister's electoral reform program, Council may select any of the 12 draft submissions (numbered as **attachments 2 through 13** in this report) and resolve that submissions be submitted to the Local Government Advisory Board.

In respect to the ward and representation configuration, Officers recommend any option that does not involve eight councillors across the three wards with the current ward boundaries. This is because eight councillors cannot be split evenly across three wards and this would skew elector to councillor representation levels outside the prescribed 10% threshold.



As such Officers recommend that Council approves either of the following options as set out in the Discussion Paper:

- Option 1 being 6 Councillors plus Shire President distributed evenly across three wards
- Option 3 being 6 Councillors plus Shire President with no wards
- Option 4 being 8 Councillors plus Shire President with no wards.

Officers do not recommend Option 2 being any option that involves 8 Councillors across 3 wards.

Implementation method

For each option Council may recommend whether the changes are implemented using a full spill of Council positions or through the positions that are to be abolished by taking those from offices that expire at the 2023 ordinary local government election

If a full spill is ordered then all positions on Council would be contested at the 2023 ordinary local government election, including those of Councillors whose term would have otherwise concluded in October 2025.

If the changes are to be implemented through no spill, then the reduction in Councillor numbers would be taken from offices that expire in October 2023 resulting in fewer council positions to be contested in October 2023. Councillors with a term of office that concludes in October 2025 would continue to complete their term without interruption.

For example, if Council was to resolve to reduce the number of Councillors to six (plus the Shire President elected at large) distributed evenly across three wards and an order was made to have that change implemented at the October 2023 election with no spill, then the 2023 ordinary election would have two Councillor positions contested (one in the South Ward and one in the North West Ward) as well as an election for the Shire President.

In this scenario the 2023 local government ordinary election could be contested with a reduced number of offices on Council as follows:

Office	Councillor
President	Elected at large term 2027
North West Ward Councillor	One position with a term expiring 2027
South Ward Councillor	One position with a term expiring 2027

In this scenario, no election would be held in the North Ward other than the election of the Shire President, although a subsequent extraordinary election for a position in the North Ward may be required if a sitting Councillor in a ward where an election for a councillor is not taking place is successful in President election contest.

Officers from the Department of Local Government have advised Shire Officers that the Local Government Advisory Board would not typically recommend a full spill scenario to the Minister as a full spill is not required to enact a reduction in Councillor numbers or ward boundary changes.

The Department's guideline on the matter states that:

"Section 2.35 of the Local Government Act 1995 deals with vacancies on the restructure of districts, wards and representation. This section provides that offices of council can be declared vacant where it is necessary to effect changes in boundaries or wards. It is very rare that a change to a local government's ward structure or boundaries and or representation will require any offices of councillor to become vacant, as councillors with



terms continuing beyond the next ordinary election have a right to complete their terms in office.”

The Department's guideline goes on to suggest that Councils wishing to achieve a full spill can be achieved through voluntary resignation of Councillors. However, Council cannot resolve for members to voluntarily resign.

Officers note that section 9.62 of the Act provides that the Governor can make any order to give effect to a ward and representation change which could include ordering a complete spill. The Department has advised at time of writing that it was unable to advise on the applicability of section 9.62. This advice dated 1 December 2022 is set out in full in **attachment 14** and states:

“In relation to the recommendations under submission B, the department is of the view that for a ‘complete spill’ of positions to occur, continuing councillors would need to resign ahead of the 2023 ordinary elections.

This is based on our understanding of the application of section 9.62 of the Act and point (6) “A Guide for Local Governments - How to conduct a review of wards and representation for local governments with and without a ward system”.

Declaring offices vacant

Section 2.35 of the Local Government Act 1995 deals with vacancies on the restructure of districts, wards and representation. This section provides that offices of council can be declared vacant where it is necessary to effect changes in boundaries or wards. It is very rare that a change to a local government's ward structure or boundaries and or representation will require any offices of councillor to become vacant, as councillors with terms continuing beyond the next ordinary election have a right to complete their terms in office.

A ‘complete spill’ of positions, could be effected if all of the continuing councillors agree to resign prior to the next ordinary election.

If a local government is considering declaring all offices vacant it is recommended that the local government seeks advice from the Department of Local Government prior to submitting a recommendation to the Board.

However, as we have discussed, the department will consider the application of section 9.62 further in relation to your query and provide feedback in due course.”

However, in subsequent conversations in January 2023, the Department's advice softened to state that it could not provide definitive advice on interpretation of the Act as its advice did not constitute legal advice.

Officers have also spoken to the Western Australian Local Government Association (WALGA) on the matter. WALGA has advised that it is up to the Council to resolve how they would like the changes to happen, either by a staged approach or be a full spill and that it is open for the Council to advise the Advisory Board accordingly. WALGA's advice is provided in **attachment 14**.

Given the advice provided, it is at least questionable that a recommendation from Council to enact a full spill to implement a Council preferred option would receive support from the Local Government Advisory Board.

Given the uncertainty both full spill and no spill options are presented for Council's consideration.



Officers do not have a position on the method of enacting the Council's preferred method, noting that the Department has advised that questions exist about the capacity for a full spill method to be enacted by the Governor.

In respect to costs of conducting an election because the election of the Shire President at large occurs across the entire district there would be no reduction in costs of conducting an election with either approach. In respect to the no spill option also there are scenarios where an extraordinary election may need to be held following the election of the Shire President.

The Department has not provided advice about what would occur if Council was to recommend the full spill method and the Local Government Advisory Board does not agree to make an order to that effect. However, if the Local Government Advisory Board does not make an order, it is the equivalent of the local government not making a submission and the future ward and representation of the Shire will be dependent on the passage of amendments to the Act.

The contents of the submission to the Local Government Advisory Board

The Local Government Advisory Board's Guideline specifies that a submission to the Board is required to have specified attachments in the Guideline. These attachments are:

1. Copy of Council Minutes recording the decision to undertake a review of wards and representation.
2. Copy of Council Minutes recording the consideration of public submissions received.
3. Copy of Council Minutes recording the assessment of options against the prescribed matters.
4. Copy of Council Minutes recording the final decision of Council.
5. Copy of the newspaper advertisement as it appeared in the press.
6. Copy of the discussion or information paper and any other materials circulated to the community.
7. Copy of the officer's report to Council.
8. A set of deposited plans clearly showing the current ward boundaries and any proposed changes. Ward boundaries need to follow cadastral boundaries.

Once finalised the draft submission to be provided to the Board will compile these attachments, noting that, for example, the Council Minutes recording the final decision of Council are not available until the conclusion of the meeting at which this paper is presented.

Future Ward and Representation Review

Section 6 of Schedule 2.2 of the Act requires a local government that has wards to conduct a review of ward boundaries at least every 8 years. This means that if Council was to make a submission to the Local Government Advisory Board from this process (that continued wards) it would not be required to complete another review until 2031.

Waiting until 2031 for another ward and representation review would not be recommended. As noted throughout the process, this Ward and Representation Review is being conducted following the Minister's request for local governments to voluntarily implement electoral reforms. As stated in the Minister's correspondence this results in a truncated review that is unable to consider modifications to ward boundaries.

If Council was to make a submission to the Local Government Advisory Board it is also recommended that Council consider requesting that a Ward and Representation Review process be commenced following the 2023 ordinary local government election with the review to be



completed in the 2024 calendar year. This Ward and Representation Review would enable a detailed analysis of ward boundary options and demographic analysis.

If Council does not make a submission at this time

Council may instead choose to request an alternative submission be prepared and resubmitted to Council for consideration. This option presents significant risk to delivery of the Ward and Representation Review as Councils have been asked to provide a submission to the Local Government Advisory Board by mid-February 2023.

In the event that Council does not make a submission to the Local Government Advisory Board there are two possibilities.

Scenario One - If Act amendments are passed by Parliament in time, the Shire 2023 local government election will be conducted without wards, the number of seats on Council reduced by one and all positions including the Shire President position elected at large would be contested.

Scenario Two – If Act amendments are not passed by Parliament in time, the Shire's 2023 local government election will be conducted with five Councillor positions contested as well as the Shire President elected at large. Following the election Council would have a membership of 10 elected members.

In both scenarios, Council could consider revising ward and representation through a subsequent review.

Options and Implications

As stated above, given the complexity of the matter, Officers recommend that under clause 10.6 of the Shire's Standing Orders that the matter be broken down into separate questions. In this way, the first question would be which ward and representation configuration to select and second which method by which the change would be enacted. This would be achieved through separate motions that could be moved and debated and resolved.

After a decision is made on the ward and representation configuration and the method to enact the changes, Council would be required to resolve to approve a submission to the Local Government Advisory Board that aligns to Council's preference that it had just resolved.

As such, it is recommended that if Option 1 is pursued, that point 1 and point 2 are separately debated and resolved as two discrete motions before considering points 3 through 8 as a single, discrete motion.

Option 1

That Council

1. Having CONSIDERED the submissions made to the local government during the public notice period in **Attachment 1** and HAVING REGARD to the following factors:
 - community of interests; and
 - physical and topographic features; and
 - demographic trends; and
 - economic factors; and
 - the ratio of councillors to electors in the various wards

ADOPTS, for the reasons of



[Reasons to be specified by the Councillor moving motion for inclusion in the submission to the Advisory Board]

the following as its preferred ward and representation configuration

[One of the following to be specified by Councillor moving the motion:]

- *Six Councillors plus Shire President distributed evenly across three wards with no changes to existing ward boundaries*
or
- *Eight Councillors plus Shire President distributed with two Councillors in the North Ward and three Councillors each in the North West and South Wards with no changes to existing ward boundaries*
or
- *Eight Councillors plus Shire President distributed with two Councillors in the North West Ward and three Councillors each in the North and South Wards with no changes to existing ward boundaries*
or
- *Eight Councillors plus Shire President distributed with two Councillors in the South Ward and three Councillors each in the North and North West Wards with no changes to existing ward boundaries*
or
- *Six Councillors plus Shire President with no wards (existing wards to be abolished)*
or
- *Eight Councillors plus Shire President with no wards (existing wards to be abolished)*

2. **ADOPTS** as its recommended approach of implementing the ward and representation configuration the following method *[to be specified as either]*

- *the order specifies that the Councillor positions to be abolished are to be taken from those offices that expire at the 2023 ordinary local government election*

or
- *in accordance with section 9.62 of the Act that the order declares that the terms of office for all Councillors to cease on 21 October 2023*

for the following reasons:

[Reasons to be specified by Councillor moving motion to incorporate in submission to the Local Government Advisory Board]



3. Having CONSIDERED the submissions made to the local government during the public notice period in **attachment 1** and HAVING REGARD to the following factors
- community of interests; and
 - physical and topographic features; and
 - demographic trends; and
 - economic factors; and
 - the ratio of councillors to electors in the various wards

ADOPTS draft submission [Submission A through L to be specified] in **attachment [corresponding attachment to be specified]** as its submission to the Local Government Advisory Board.

4. REQUESTS that the Chief Executive Officer remove the draft watermark from the adopted submission and make amendments required to finalise the submission, including INCORPORATING the reasons and rationale for Council's preferred approach described above and AUTHORISES the Chief Executive Officer to PROVIDE the submission and attachments specified in the submission to the Local Government Advisory Board noting that those attachments include the minutes of this meeting which will be available following the meeting's conclusion.
5. REQUESTS that the Chief Executive Officer provide all materials to the Local Government Advisory Board requested by the Minister, Department of Local Government or Board related to the submission.
6. NOTES that the Local Government Advisory Board may make a recommendation to the Minister recommending the making of an order to give effect to the changes and that the Minister may accept or reject a recommendation of the Advisory Board.
7. REQUESTS that the Chief Executive Officer prepare a report regarding a future ward and representation review to Council following the 2023 ordinary local government election and lists for consideration a ward and representation review as part of the 2023-24 Annual Budget and Corporate Business Plan process.
8. REQUESTS that the Chief Executive Officer write to members of the public who made a submission thanking them for their submission and advising of Council's resolution in relation to this matter.

Option 2

That Council:

1. NOTES the submissions made to the local government during the public submission period.
2. RESOLVES not to make a submission to the Local Government Advisory Board.
3. REQUESTS that the Shire President write to the Minister for Local Government advising of Council's resolution in this matter.
4. NOTES that this option will result in the electoral pathway being taken which pending the passage of supporting legislation will involve a complete spill of positions at the 2023 local government elections for eight Councillor positions plus the office of the Shire President elected at large with the election to be contested without wards.



Conclusion

In accordance with Council's resolution to implement the Minister's voluntary pathway to local government electoral reform and the opportunity to make a submission to Council on the Ward and Representation Review was advertised per the requirements of the Act. Council may consider the submissions received and with regard to the five matters set out in the Act resolve a position on the future ward and representation configuration to be recommended to the Local Government Advisory Board. If resolved by Council the submission would be considered by the Local Government Advisory Board who may recommend that the Minister makes an order to implement the change.

Attachments (available under separate cover)

- 6.1.1 - attachment 1** – Ward and Representation Review Public Submissions (E23/41)
- 6.1.1 - attachment 2** – draft Local Government Advisory Board Submission A (E23/479)
- 6.1.1 - attachment 3** - draft Local Government Advisory Board Submission B (E23/480)
- 6.1.1 – attachment 4** - draft Local Government Advisory Board Submission C (E23/481)
- 6.1.1 - attachment 5** - draft Local Government Advisory Board Submission D (E23/482)
- 6.1.1 - attachment 6** - draft Local Government Advisory Board Submission E (E23/483)
- 6.1.1 – attachment 7** - draft Local Government Advisory Board Submission F (E23/484)
- 6.1.1 - attachment 8** - draft Local Government Advisory Board Submission G (E23/485)
- 6.1.1 - attachment 9** - draft Local Government Advisory Board Submission H (E23/486)
- 6.1.1 – attachment 10** - draft Local Government Advisory Board Submission I (E23/487)
- 6.1.1 - attachment 11** - draft Local Government Advisory Board Submission J (E23/488)
- 6.1.1 - attachment 12** - draft Local Government Advisory Board Submission K (E23/489)
- 6.1.1 – attachment 13** - draft Local Government Advisory Board Submission L (E23/490)
- 6.1.1 – attachment 13** – Correspondence from the Department of Local Government, Sport and Cultural Industries dated 1 December 2022 (IN23/320)
- 6.1.1 – attachment 14** – Correspondence from the Western Australia Local Government Association dated 10 January 2023 (IN23/1109)

Alignment with our Strategic Community Plan

Outcome 4.2	A strategically focused Council
Strategy 4.2.3	Provide clear strategic direction to the administration

Financial Implications

There are no short term financial implications associated with this report. In the longer term Council's preferred option could result in higher or lower costs associated with Councillor fees and election related costs.

**Risk Implications**

Risk has been assessed on the Officer Options and Implications:

Officer Option	Risk Description	Controls	Principal Consequence Category	Risk Assessment			Risk Mitigation Strategies (to further lower the risk rating if required)
				Likelihood	Consequence	Risk Rating	
1	Each of the options available to Council involve varying degrees of reputational risk.		Reputation	Unlikely	Minor	MODERAT	
2	This would result in the regulatory pathway being taken after Council had committed to undertaking the voluntary pathway resulting the reputational loss.		Reputation	Likely	Moderate	SIGNIFICANT	

Voting Requirements: Absolute Majority (section 9 of Schedule 2.2 of the *Local Government Act 1995*)

Officer Recommendation

For Council's consideration.



- 7. Motions of which notice has been given:**
- 8. Urgent business:**
- 9. Closure:**