



UNCONFIRMED MINUTES

SPECIAL MEETING OF COUNCIL

6 JULY 2026

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SHIRE OF MANJIMUP

Minutes of the Special Council Meeting held in the Council Chamber, Monday, 6 July 2026.

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Shire President declared the meeting open at 5.00pm and made an Acknowledgement of Country.

2. ANNOUNCEMENTS BY THE PRESIDENT

The Shire President acknowledged the passing of Cr Susanne Peet and passed on her condolences to Cr Peet's family. The Shire President also congratulated Cr Andy Burns on the recent birth of his child.

3. ATTENDANCE

Councillors

D Buegge (Shire President)
Cr S Miolin (Deputy Shire President)
Cr J Bettink
Cr A Burns
Cr J Darin
Cr W De Campo
Cr H Tempra

Staff

Mr Benjamin (Ben) Rose (Chief Executive Officer)
Mr Greg Lockwood (Director Business)
Ms Gail Ipsen Cutts (Director Community Services)
Mr Jason Giadresco (Director Development Services)
Mrs Catherine Mills (Director Infrastructure Services)
Mrs Shammara Markotis (Manager Governance and Executive Services)

Gallery

There was no one in attendance in the Gallery.

3.1 Apologies

Councillor Jennifer Willcox is an apology for this meeting.

3.2 Leave of Absence

Nil.

4. DECLARATIONS OF INTEREST

Nil.

5. PUBLIC QUESTION TIME

5.1 Public Question Time

Nil.

6. PRESENTATIONS

6.1 Deputations

Nil.

7. COUNCIL OFFICER REPORTS

ATTACHMENT

7.1.1 Extraordinary Election - Appointment and Method of Election

PROPONENT	Shire of Manjimup
OWNER	N/A
LOCATION / ADDRESS	N/A
WARD	Rural Ward
ZONE	N/A
DIRECTORATE	Executive Services
FILE REFERENCE	F260113
LEGISLATION	Local Government Act 1995
AUTHOR	Shammara Markotis (Manager Governance and Executive Services)
DATE OF REPORT	1 July 2026
DECLARATION OF INTEREST	Nil

BACKGROUND

A vacancy has arisen in the Shire of Manjimup Rural Ward following the passing of Councillor Susanne Peet on 15 June 2026.

Councillor Peet had been elected to Council on 13 June 2026 through backfill provisions under Schedule 4.1A of the Local Government Act 1995 (the Act), following the earlier disqualification of former Councillor Brayden Daniele. Councillor Peet's passing has resulted in a further vacancy requiring an extraordinary election to be held in accordance with the Act.

The purpose of this report is to seek Council's endorsement to declare the WA Electoral Commissioner responsible for conducting the election and to determine that the election be conducted as a postal election.

PUBLIC CONSULTATION UNDERTAKEN

Nil.

COMMENT

The Local Government Act 1995 prescribes the process for conducting an extraordinary election to fill a vacancy on Council.

Under section 4.9(1)(a) of the Act, the Shire President may determine the election day by notice in writing. Section 4.9(2) further requires the election to be held within four months of the vacancy occurring unless the Electoral Commissioner approves a later date. As the vacancy occurred on 15 June 2026, the election must be held no later than 15 October 2026, unless such approval is obtained.

Where Council wishes the Western Australian Electoral Commission (WAEC) to conduct the election, section 4.20(4) of the Act requires Council to resolve, by absolute majority and with the written agreement of the Electoral Commissioner, that the Electoral Commissioner be responsible for the conduct of the election. In conjunction with this resolution, Council may determine under section 4.61(2) of the Act, also by absolute majority, that the election be conducted as a postal election. These resolutions must be made at least 80 days before election day.

Conducting the election as a postal election through the WAEC supports broader voter participation, particularly in the Rural Ward given the dispersed geographical distribution of electors, noting that in-person voting can still be facilitated on election day. Postal elections also provide improved accessibility for voters who may face barriers to attendance in person. In addition, it ensures the election is administered by an independent statutory authority with established electoral expertise and removes the need to divert staff resources away from other core functions.

To assist in determining the most appropriate arrangements for the extraordinary election, Shire staff sought advice from WAEC regarding the legislative process, available election dates and election delivery options. WAEC advised that it has two scheduled extraordinary election dates available, 24 September 2026 and 3 December 2026. Conducting the election on either of these dates would enable the election to be delivered as part of WAEC's coordinated extraordinary election program, allowing participating local governments to share resources and reduce costs.

WAEC further advised that while an alternative election date could be requested, it could not guarantee its availability and, if able to accommodate the request, the cost of conducting the election would likely be significantly higher as it would fall outside the coordinated election program.

Having considered the advice provided by WAEC and the statutory timeframes under the Act, the Shire President has fixed 24 September 2026 as the extraordinary election day.

ATTACHMENT: 7.1.1 (1)

This date falls within the four-month statutory period and enables the election to be conducted as part of WAEC's scheduled election program. WAEC has confirmed its capacity to conduct the election on 24 September 2026, has supplied a cost estimate for conducting the election as a postal election, and has provided its written agreement to be responsible for the conduct of the election.

ATTACHMENT: 7.1.1 (2)

ATTACHMENT: 7.1.1 (3)

To meet this proposed election date, Council must, no later than 80 days prior to the election, declare the Electoral Commissioner responsible for conducting

the election and resolve that the election be held as a postal election. This deadline falls on Monday, 6 July 2026.

WAEC has advised that the required motions must be presented to, and adopted by, Council exactly as drafted, and cannot be amended. Failure to adopt these resolutions will prevent WAEC from progressing election arrangements. The recommendations in this report are therefore necessary to satisfy the legislative requirements enabling WAEC to proceed with the conduct of the election.

STATUTORY ENVIRONMENT

The relevant provisions of the Local Government Act 1995 include:

- Section 4.9 - Election day for extraordinary elections
The Shire President may fix the election day and the election must occur within four months of the vacancy unless approved by the Electoral Commissioner.
- Section 4.20(4) - Conduct of election by Electoral Commissioner
Council may, by absolute majority and with written agreement of the Electoral Commissioner, declare that the Electoral Commissioner is responsible for conducting the election.
- Section 4.61(2) - Method of election
Council may resolve to conduct the election as a postal election, provided the resolution is made in conjunction with the section 4.20(4) declaration and within statutory timeframes.

POLICY / STRATEGIC IMPLICATIONS

Nil.

ORGANISATIONAL RISK MANAGEMENT

There is a risk of non-compliance with the Act if statutory timeframes and requirements are not met, which is mitigated through adherence to the required processes and by engaging WAEC to conduct the election. Operational risks associated with diverting internal resources are reduced through the use of WAEC to manage the election process, while timing risks are managed through early planning and alignment with WAEC's scheduled election program. Overall, the proposed approach reduces organisational risk by ensuring the election is conducted in accordance with legislative requirements and established electoral processes.

FINANCIAL IMPLICATIONS

WAEC has provided a cost estimate of \$29,000 for conducting the extraordinary election as shown in Attachment: 7.1.1 (3). The cost estimate is based on a number of assumptions as outlined in the attachment.

WAEC conducts elections on the basis of full accrual cost recovery, in accordance with the Local Government (Elections) Regulations 1997. This means if the actual costs to conduct the election are less or greater than what has been estimated, the final cost may differ from the estimate.

The 2025/26 Election Expenses budget includes \$18,972 in unspent funds, which is proposed to be carried forward into the 2026/27 Annual Budget to fund the cost of the extraordinary election. The balance of the costs will be met through the normal 2026/27 Election Expenses budget.

SUSTAINABILITY

Environmental: Nil.

Economic: Nil.

Social: Nil.

VOTING REQUIREMENTS: ABSOLUTE MAJORITY

OFFICER RECOMMENDATION

That Council:

- 1. Note the vacancy in the office of Councillor in the Rural Ward.**
- 2. Note that the Shire President has fixed 24 September 2026 as the election day for the extraordinary election under section 4.9(1)(a) of the Local Government Act 1995.**
- 3. Declare in accordance with section 4.20(4) of the Local Government Act 1995, the Electoral Commissioner to be responsible for the conduct of the 2026 extraordinary election, together with any other elections or polls which may be required.**
- 4. 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.**

COUNCIL RESOLUTION**MOVED: Cr De Campo SECONDED: Cr Darin****29955****That Council:**

- 1. Note the vacancy in the office of Councillor in the Rural Ward.**
- 2. Note that the Shire President has fixed 24 September 2026 as the election day for the extraordinary election under section 4.9(1)(a) of the Local Government Act 1995.**
- 3. Declare in accordance with section 4.20(4) of the Local Government Act 1995, the Electoral Commissioner to be responsible for the conduct of the 2026 extraordinary election, together with any other elections or polls which may be required.**
- 4. 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 7/0

For: Shire President Buegge, Cr Bettink, Cr Burns, Cr Darin, Cr De Campo, Cr Miolin, Cr Tempra.

Against: Nil.

8. CLOSURE

There being no further business to discuss the Shire President thanked those in attendance and closed the meeting at 5.03pm.

SIGNED:.....DATE:

**Donelle Buegge
Shire President**