

## 11. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

### 11.1 CR STEWART

Q1. *Recent questions asked by some members of the public during public question time have implied dishonesty of two specific elected members. These allegations include trespass, unpaid rates, unpaid fines that were said to be owed to the shire of Gingin, non attendance at training days and implied dishonesty when lodging travel claims. The shire of Gingin meeting procedures and the LG act restricts questions asked by members of the public that impute dishonesty of elected members and says these questions should be ruled out of order by the presiding member if the question was asked by another councillor, and would cause them to breach their code of conduct when asking the question. What is the shire President and CEO doing to ensure public questions are compliant and to assist the presiding member to maintain order during public question time?*

#### Response by Acting CEO

The administration has not identified any systemic issues with the conduct of Public Question Time to date.

Public Question Time will continue to be monitored on a meeting-by-meeting basis, with governance advice provided to the Presiding Member where required to assist in maintaining compliance with the applicable legislation and meeting procedures.

Q2. *Can the CEO confirm that there have been various staff members employed at the shire of Gingin over the last five years that were related to concurrently elected members at the time of their employment?*

#### Response by Acting CEO

It would be unsurprising that, over a five-year period in a regional community such as the Shire of Gingin, some employees may have been related to elected members at the time of their employment.

Q3. *What is the CEO doing to ensure questions asked by members of the public are being replied to in accordance with shire of Gingin policy and our customer service charter?*

#### Response by Acting CEO

It is unclear if this question relates to public questions from council meetings, or enquiries more broadly. In any event, Administration endeavours to achieve the response timeframes in the Customer Service Charter. This is not always possible within the Shire's available resources.

Q4. *CEO Scott Wildgoose informed some councillors that a stern letter of concern was sent to the West Australian Electoral Commission following the 2025 Shire of Gingin LG Election. In the agenda from 21 April 2026, Q14 asked on notice by Cr Wilkie, the response provided by you was that no communications had been sent. Which of the two statements is correct?*

### Response by Acting CEO

I am unable to comment on any verbal discussions that may have occurred prior to my commencement or outside of records available to me.

In responding to Question 14 at the 21 April 2026 Ordinary Council Meeting, I answered based on the records and correspondence able to be identified by the administration at that time. No correspondence matching the description referenced has been located within Council's records.

Q5. *Can the CEO please provide an update on councils resolution to provide a community grants officer that will "assist the community to write and submit grant applications"? Why has this council resolution not been implemented and when will the community grants officer be made available for the public to book appointments with?*

### Response by A/CEO

Refer to the response provided under Item 11.2 – question 1 of the Council Minutes from the 21 April 2026 Ordinary Meeting of Council.

Q6. *What is the CEO's formal statement to the public regarding the allegations of the stolen floor boards from the C U @ the park cafe and the missing cleat roller that was loaned to a senior staff members father for more than 2 years (whilst still on our asset list) without any contract, lease agreement or financial gain to the organisation?*

### Response by A/CEO

The A/CEO does not consider it appropriate or necessary to provide a formal public statement regarding matters framed as allegations.

Where any operational or asset management matters require administrative review or action, they are addressed through the Shire's normal internal processes.

Q7. *How much has the shire of Gingin spent on legal fees and advice, or the contracting of external complaints assessors regarding breach complaints since Jan 01 2026?*

### Response by A/CEO

The Shire of Gingin has incurred \$23,523 (ex. GST) at the time of writing this response in unplanned costs associated with complaint assessment processes since 1 January 2026. This figure is expected to increase significantly.

Q8. *Regarding Q11 submitted on notice by me in the April -26 OCM that remains unanswered. My questions are rephrased as follows. When was the last:*

- a) *Workplace safety assessment undertaken at the shire of Gingin administration building?*

- b) *Workplace safety assessment undertaken at the shires Depot in Gingin?*
- c) *Psychosocial hazard risk assessment undertaken regarding staff at the shire of Gingin?*
- d) *Psychosocial hazard risk assessment undertaken of elected members?*
- e) *Workplace culture review of: a) the shire of Gingin, and b) the elected members?*
- f) *Work health and safety assessment undertaken to ensure safety of elected members at the shire of Gingin?*

Response by A/CEO

The matters raised relate primarily to internal operational, staffing and workplace health and safety processes managed by the administration.

The CEO does not consider it appropriate to publicly detail internal assessments, reviews or staff-related risk management processes through public question time beyond confirming that the Shire undertakes its workplace obligations as required.

*Q9. Are elected members covered by the shires insurance policy for personal injury, professional indemnity or psychosocial injury?*

Response by A/CEO

As Cr Stewart is aware, the Shire's insurer is scheduled to present to Council on 19 May 2026 in relation to elected member coverage. The insurers are better positioned to respond to the questions raised.

*Q10. What is the CEO's responsibility under the (a) LG act, and (b) our insurance policy to provide a safe, hazard free and psychosocial risk free workplace for elected members at the shire of Gingin, or at any other site where we are performing our elected member functions?*

Response by A/CEO

The question appears to incorrectly characterise the role of the CEO. The CEO is an employee of the Council. It would be unusual for an employee to be personally responsible for their employer's overall workplace obligations.

In any event, Council is scheduled to be provided with an overview of elected member insurance coverage by the Shire's insurer, as Cr Stewart is aware, and it is appropriate that the insurer respond to councillor queries regarding coverage.

*Q11. Can the CEO provide an update to Q14 asked by me from the last OCM? Is the shire of Gingin an Eligible Local Government Body (ELGB)?*

Response by A/CEO

Whether the Shire is an Eligible Local Government Body is not a matter for the CEO's opinion. It is a status arising from actions and decisions of the Council. If Council considers it prudent to obtain legal advice on this matter, the CEO would then act in accordance with any Council resolution.

*Q12. Several rate payers have been charged "Waste management fees" on their rates notices over the last few years but have never received any waste services or tip passes. A) What advice is provided to these rate payers to have this discrepancy resolved. B) Will they be provided with a refund for services paid for but not provided and C) Can these rate payers make contact with the administration to obtain a tip pass for the waste services payments already paid on their current rates bill?*

Response by A/CEO

The matters raised are operational customer enquiries that are appropriately addressed directly between the affected ratepayer and the administration.

Any ratepayer with questions regarding waste charges, service eligibility or tip passes is encouraged to contact the Shire of Gingin administration so their individual circumstances can be reviewed and responded to accordingly.

You are also referred to the response provided under Item 11.2 – question 17 of the Council Minutes from the 21 April 2026 Ordinary Meeting of Council.

*Q13. Recent social media commentary provided specific details on what some councillors ate at the shire of Gingin elected members Christmas event at the Gingin hotel Skimpies night in Dec 2025. In reference to Q19 - from the 21 April OCM QON, you advised that the shire of Gingin does not have records of what each elected member consumed. How is this information being made publicly available on social media posts if the shire does not maintain these records?*

Response by A/CEO

The Administration is not aware of the social media commentary referred to in the question. As previously advised, the Shire of Gingin does not maintain records of what you personally consumed at the event.