



# Special Meeting of Council

## MINUTES

**18 October 2021**

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These minutes were confirmed at the Ordinary Meeting held on Thursday 21 October 2021.

Signed: ..... Cr White, Shire President  
Thursday 21 October 2021



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Swearing-In of newly Elected Members.

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# SHIRE OF BROOMEHILL-TAMBELLUP

Minutes of the Special Meeting of Council of the Shire of Broomehill-Tambellup held in the Tambellup Council Chambers on Monday 18 October 2021 commencing at 4.10pm.

## Swearing in Ceremony

### SUMMARY

It is necessary for Councillors elect to be sworn in prior to the commencement as Councillors.

Section 2.29 of the *Local Government Act 1995* requires that all Councillors have to make a declaration stating that they will undertake the duties of Councillors fairly and honestly, before they can act in the office. Councillors must also agree to observe the *Local Government (Rules of Conduct) Regulations 2007*.

*Newly elected Councillors were invited to make their Declaration of Office, in accordance with section 13 (1) and (3).*

*The following Members elect were sworn in as Councillors by Trevor Prout, JP.*

***Councillors Paganoni, Letter, Dewar and Wills read aloud the Declaration of Elected Member of Council before Trevor Prout JP.***

Trevor Prout JP welcomed the new Councillors and congratulated them on their important role for the Shire of Broomehill Tambellup.

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### 1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Chief Executive Officer took the chair and declared the meeting open at 4.00pm.

The Chief Executive Officer welcomed JP, Trevor Prout, to the meeting.

### 2. ATTENDANCE

Cr MC Paganoni

Cr CJ Letter

Cr ME White

Cr DT Barritt

Cr CM Dewar

Cr JL Wills

CG Jackson Chief Executive Officer (CEO)

KP O'Neill Manager Finance and Administration

HA Richardson Governance & Executive Assistant

#### 2.1 APOLOGIES

Cr SH Penny

P Hull, SSPO

**3. DECLARATION OF INTEREST**

**4. PUBLIC QUESTION TIME**

**5. MATTERS FOR DECISION**

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**5.1 SWEARING IN OF COUNCILLORS**

**Attachment:** [Copy of Declaration by Elected Member of Council](#)

**File Ref:** ADM0109

**Author:** Chris Jackson– Chief Executive Officer

**Date:** 30 September 2021

**Disclosure of Interest:** Nil

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*As per Swearing In Ceremony.*

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<b>5.2</b>	<b>ELECTION OF PRESIDENT</b>
<b>Attachment:</b>	Copy of Nomination form for the position of President
<b>File Ref:</b>	ADM0109
<b>Author:</b>	C Jackson – Chief Executive Officer
<b>Date:</b>	30 September 2021
<b>Disclosure of Interest:</b>	Nil

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## SUMMARY

Members are required to elect a President from amongst themselves.

## BACKGROUND

Schedule 2.3 of the *Local Government Act 1995* sets out the process for the election of President of the Council:

- The office is to be the first matter to be dealt with;
- The CEO is to preside until the office is filled and conduct the election;
- The Councillors elect the President;
- Nominations for the position are to be in writing and given to the CEO;
- If a Councillor is nominated by another Councillor, the CEO cannot accept the nomination unless the nominee has advised the CEO that they are willing to be nominated. This advice can be given in writing or orally;
- If there is more than one nomination, voting is by secret ballot;
- Under the current legislation, the count for such elections is to be conducted in accordance with Schedule 4.1 of the *Local Government Act 1995* (first past the post method);
- If there is a tied vote at the first ballot, the count is to be discontinued and the meeting is to be adjourned for not more than seven days. Any nomination for the office may be withdrawn and further nominations may be made, before or when the meeting resumes. When the meeting resumes, the Councillors are to vote again;
- If, when votes are cast a second time, there is an equality of votes between two candidates who are the only candidates in, or remaining in the count, lots are to be drawn to determine who is elected. The candidate whose name is drawn out is elected.

## CONSULTATION

Nil

## STATUTORY ENVIRONMENT

*Local Government Act 1995 Schedules 2.3 & 4.1*

## POLICY IMPLICATIONS

Nil

## STRATEGIC IMPLICATIONS

Strategic Community Plan 2018-2028

KRA One – Our People

## FINANCIAL IMPLICATIONS

This issue has no financial implications for Council

## **VOTING RESULTS**

*The Chief Executive Officer stated that one nomination had been received for the position of Shire President.*

***Cr Paganoni nominated Cr White, who accepted the nomination.***

***There being no further nominations, the Chief Executive Officer declare Cr White elected to the position of Shire President.***

*Cr White read aloud the Declaration by Elected Member of Council before Trevor Prout JP.*

*Cr White took the Chair.*

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<b>5.3</b>	<b>ELECTION OF DEPUTY PRESIDENT</b>
<b>Attachment:</b>	Copy of Nomination form for the position of Deputy President
<b>File Ref:</b>	ADM0109
<b>Author:</b>	C Jackson – Chief Executive Officer
<b>Date:</b>	30 September 2021
<b>Disclosure of Interest:</b>	Nil

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## SUMMARY

Members are required to elect a Deputy President from amongst themselves.

## BACKGROUND

Schedule 2.3 of the *Local Government Act 1995* sets out the process for the election of Deputy President of the Council:

- The office is to be the second matter to be dealt with;
- The President or CEO is to preside until the office is filled and conduct the election;
- The Councillors elect the Deputy President;
- Nominations for the position are to be in writing and given to the CEO;
- If a Councillor is nominated by another Councillor, the CEO cannot accept the nomination unless the nominee has advised the CEO that they are willing to be nominated. This advice can be given in writing or orally;
- If there is more than one nomination, voting is by secret ballot;
- Under the current legislation, the count for such elections is to be conducted in accordance with Schedule 4.1 of the *Local Government Act 1995* (first past the post method);
- If there is a tied vote at the first ballot, the count is to be discontinued and the meeting is to be adjourned for not more than seven days. Any nomination for the office may be withdrawn and further nominations may be made, before or when the meeting resumes. When the meeting resumes, the Councillors are to vote again;
- If, when votes are cast a second time, there is an equality of votes between two candidates who are the only candidates in, or remaining in the count, lots are to be drawn to determine who is elected. The candidate whose name is drawn out is elected.

## CONSULTATION

Nil

## STATUTORY ENVIRONMENT

*Local Government Act 1995 Schedule 2.3 and 4.1*

## POLICY IMPLICATIONS

Nil

## STRATEGIC IMPLICATIONS

Strategic Community Plan 2018-2028

KRA One – Our People

## FINANCIAL IMPLICATIONS

This issue has no financial implications for Council

## **VOTING RESULTS**

*The Chief Executive Officer stated that one nomination had been received for the position of Deputy Shire President.*

***Cr White nominated Cr Barritt, who accepted the nomination.***

***There being no further nominations, the Chief Executive Officer declare Cr Barritt elected to the position of Deputy Shire President.***

*Cr Barritt read aloud the Declaration by Elected Member of Council before Trevor Prout JP.*

Chief Executive Officer Chris Jackson thanked Trevor Prout JP for his assistance in swearing in the Councillors and the positions of President and Vice President.

Trevor Prout JP congratulated the members of becoming Councillors and to their commitment to the community and wished them every success for the coming years.



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<b>5.4</b>	<b>ELECTION OF COMMITTEE MEMBERS</b>
<b>Attachment:</b>	Nil
<b>File Ref:</b>	ADM0109
<b>Author:</b>	C Jackson – Chief Executive Officer
<b>Date:</b>	30 September 2021
<b>Disclosure of Interest:</b>	Nil

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## SUMMARY

Councillors to elect members to its Standing Committees.

## BACKGROUND

Section 5.8 of the *Local Government Act 1995* states that Council, by an absolute majority decision, may establish Committees of three or more persons.

Council at present has the following Standing Committees. The Policy Manual lists the terms of reference for the committees as follows:

### Audit Committee

1. Provide guidance and assistance to Council as to the carrying out of the functions of the local government in relation to audits;
2. Develop and recommend to Council an appropriate process for the selection and appointment of a person as the local government's auditor;
3. Develop and recommend to Council –
  - a list of those matters to be audited; and
  - the scope of the audit to be undertaken;
4. Recommend to Council the person or persons to be appointed as auditor;
5. Develop and recommend to Council a written agreement for the appointment of the external auditor. The agreement is to include–
  - the objectives of the audit;
  - the scope of the audit;
  - a plan of the audit;
  - details of the remuneration and expenses to be paid to the auditor; and
  - the method to be used by the local government to communicate with, and supply information to, the auditor;
6. Meet with the auditor once in each year and provide a report to Council on the matters discussed and outcome of those discussions;
7. Liaise with the CEO to ensure that the local government does everything in its power to –
  - assist the auditor to conduct the audit and carry out his or her other duties under the *Local Government Act 1995*; and
  - ensure that audits are conducted successfully and expeditiously;
8. Examine the reports of the auditor after receiving a report from the CEO on the matters to
  - determine if any matters raised require action to be taken by the local government; and
  - ensure that appropriate action is taken in respect of those matters;
9. Review the report prepared by the CEO on any actions taken in respect of any matters raised in the report of the auditor and presenting the report to Council for adoption prior to the end of the next financial year or 6 months after the last report prepared by the auditor is received, whichever is the latest in time;

10. Review the scope of the audit plan and program and its effectiveness;
11. Consider and recommend adoption of the annual financial report to Council. Review any significant changes that may arise subsequent to any such recommendation but before the annual financial report is signed;
12. Address issues brought to the attention of the Committee, including responding to requests from Council, for advice, that are within the parameters of the Committee's Terms of Reference;
13. Seek information or obtain expert advice through the CEO on matters of concern within the scope of the Committee's Terms of Reference following authorisation from the Council;
14. Review the annual Compliance Audit Return and report to the Council the results of that review, and
15. Consider the CEO's biennial reviews of the appropriateness and effectiveness of the local government's systems and procedures in regard to risk management, internal control and legislative compliance, required to be provided to the Committee, and report to Council the results of those reviews.

### **Building, Planning and Economic Services Committee**

The Building, Planning and Economic Services Committee will consist of four members with the quorum to be two members and will investigate and make recommendations, where appropriate on the following:

1. Building control
2. Land suitable for housing development
3. Planning, construction and maintenance of Councils housing and public buildings
4. Aged accommodation, other matters relating to Council owned and controlled buildings
5. Plan, develop and enhance the town, sport and recreation, youth, aged, health, heritage and arts matters towards the community vision
6. Economic Services
7. Town beautification
8. All matters relating to Recreation and Sport
9. Town planning and development
10. Cemeteries
11. Cultural development
12. Protection of heritage
13. Provision of youth services
14. Tourism
15. Health
16. Other community and cultural issues

**Technical Services Committee**

The Technical Services Committee will consist of a minimum of four members with the quorum to be two members and will plan for the future of Transport services while maintaining a quality standard that takes into account cost effectiveness and revenue raising opportunities.

To investigate and make recommendations, where appropriate on the following:

1. Fire control
2. Animal control
3. Waste management
4. Plant replacement
5. Road construction and maintenance
6. Maintenance and improvements to the Shire Works Depot
7. Private Works
8. Other matters relating to Council plant, works and transport services.

**Independent Living Seniors Accommodation Committee**

The Committee will consist of five members made up of three elected members and two community members. A quorum for the Committee shall be three members.

To investigate and make recommendations, where appropriate, on the following:

1. Review of the management structure and operating guidelines for the management of existing and future Council owned units within the Shire of Broomehill-Tambellup;
2. Make recommendations to Council on any matters relevant to existing and future Council owned accommodation for independently living seniors within the Shire of Broomehill-Tambellup, that may arise from time to time;
3. Management of the units as per operating guidelines determined by Council;
4. Community membership of the Committee will be reviewed to coincide with the Local Government ordinary election cycle. Nominations for community membership will be advertised with Council making the final selection.

The Committee shall meet as required.

Section 5.10 of the *Local Government Act 1995* states that at any given time each Council member is entitled to be a member of at least one committee. A Councillor can nominate themselves for a committee.

The President can exercise his/her right to be a member of a particular committee.

**COMMENT**

For Council action

**CONSULTATION**

Nil

**STATUTORY ENVIRONMENT**

*Local Government Act 1995 sec 5.8*

**POLICY IMPLICATIONS**

Nil

**STRATEGIC IMPLICATIONS**

Strategic Community Plan 2018-2028

KRA One – Our People

**FINANCIAL IMPLICATIONS**

Councillors are paid annual meeting attendance fees which includes committee meetings.

**VOTING REQUIREMENTS**

Absolute Majority if Council wishes to amend the committee structure.

**OFFICER RECOMMENDATION**

*That Council elect members to the four standing committees of Council.*

**COUNCIL DECISION**

**211001**

*Moved Cr Letter seconded Cr Paganoni*

*That Council elect members to the three current standing committees of Council. It was noted that the fourth 'Independent Living Seniors Accommodation Committee' has been disbanded.*

**CARRIED 6/0  
By Absolute Majority**

**Audit Committee**

Council Policy 1.21 Standing Committees of Council – Terms of Reference requires that membership of the Audit Committee shall consist of all Councillors, with the quorum to be four members; therefore the Audit Committee comprises the following Councillors -

*Cr Paganoni*

*Cr White*

*Cr Dewar*

*Cr Wills*

*Cr Letter*

*Cr Barritt*

*Cr Penny*

**Building, Planning and Economic Services Committee**

*Cr Paganoni*

*Cr Wills*

*Cr Dewar*

*Cr Letter*

**Technical Services Committee**

Cr White

Cr Paganoni

Cr Barritt

Cr Dewar

***All were duly elected.***

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<b>5.5</b>	<b>ELECTION OF COUNCILLORS TO ADVISORY AND OCCASIONAL COMMITTEES</b>
<b>Attachment:</b>	Nil
<b>File Ref:</b>	ADM0109
<b>Author:</b>	C Jackson – Chief Executive Officer
<b>Date:</b>	16 October 2021
<b>Disclosure of Interest:</b>	Nil

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## SUMMARY

Council is required to elect members to Advisory and Occasional Committees.

## BACKGROUND

There are a number of Advisory and Occasional Committees that the Council provide one or more delegates to.

Following is the list of committees that Council had delegates and proxies to:

- Bush Fire Advisory Committee
- Local Emergency Management Committee (President and Deputy President)
- Great Southern Regional Recreational Advisory Committee
- Great Southern Regional Road Group
- Great Southern Zone of WALGA (2 delegates and 1 proxy)
- Tambellup Community Resource Centre Management Committee
- Broomehill Recreational Complex and Management Committee
- Tambellup Community Pavilion Committee
- Development Assessment Panel
- Southern Link VROC (President and Deputy President)

Following is the list of committees that Council only had a delegate to:

- Nurse Turner / Snowy Wilson Awards Committee
- Tambellup Business Centre Committee
- Great Southern Treasures

In the past the delegate to the Great Southern Zone of WALGA has been the presiding member of Council and one other.

## COMMENT

For Council action

## CONSULTATION

Nil

## STATUTORY ENVIRONMENT

Nil

**POLICY IMPLICATIONS**

Nil

**CONSULTATION**

Nil

**STATUTORY ENVIRONMENT**

Nil

**POLICY IMPLICATIONS**

Nil

**STRATEGIC IMPLICATIONS**

Strategic Community Plan 2018-2028

KRA One – Our People

**FINANCIAL IMPLICATIONS**

This issue has no financial implications for Council.

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION***That Council nominates delegates and proxies for the Advisory and Occasional Committees.***COUNCIL DECISION****Statutory Committees of Council****211002***Moved Cr Paganoni seconded Cr Dewar**That Council elect members to the two Statutory Committees of Council, being the Bushfire Advisory Committee under Section 67 of the Bush Fires Act and the Local Emergency Management Committee under Section 38 of the Emergency Management Act 2005.*

**CARRIED 6/0**  
**By Absolute Majority**

***Bush Fire Advisory Committee****Cr White exercised his ex-officio right to sit on this Committee in accordance with Section 5.10(4) of the Local Government Act 1995.**Cr Letter renominated himself as Proxy.****Local Emergency Management Advisory Committee****Cr White exercised his ex-officio right to sit on this Committee in accordance with Section 5.10(4) of the Local Government Act 1995.**Cr Barritt nominated himself as Proxy.*

## **ADVISORY AND OCCASIONAL COMMITTEES**

**21003**

***Moved Cr Paganoni seconded Cr Dewar***

***That the following Councillors and CEO be elected as Council delegates and proxies to the following Advisory and Occasional Committee's.***

**CARRIED 6/0**

***Great Southern Regional Recreation Advisory Committee***

*Cr Barritt (Delegate) Cr Dewar (Proxy)*

***Southern Regional Road Group***

*Cr Paganoni (Delegate) Cr Barritt (Proxy)*

***Great Southern Zone of WALGA***

*Cr White (Delegate) Cr Letter (Proxy)*

***Great Southern Roads Statement Working Group***

*Cr Barritt (Delegate) Cr Wills (Proxy)*

***Tambellup Community Resource Centre Management Committee***

*Cr Wills (Delegate) Cr Letter (Proxy)*

***Broomehill Recreational Complex Management Committee***

*Cr Penny (Delegate) and Cr Barritt and Cr Paganoni (Proxies)*

***Tambellup Community Pavilion Committee***

*Cr Letter (Delegate) CEO C Jackson (Proxy)*

***Nurse Turner/Snowy Wilson Awards***

*Cr Letter (Delegate) Cr White (Proxy)*

***Great Southern Development Assessment Panel***

*Cr White and Cr Barritt (Delegate) Cr Letter and Cr Penny (Proxies)*

***Tambellup Business Centre Committee***

*Cr White (Delegate) Cr Paganoni (Proxy)*

***Voluntary Regional Organisation of Councils (VROC)***

*Cr White (Delegate) Cr Barritt (Proxy)*

***Great Southern Treasures***

*Cr Wills (Delegate) CEO C Jackson (Proxy)*



**6. MATTERS FOR WHICH THE MEETING MAY BE CLOSED**

Nil.

**7. APPLICATION FOR LEAVE OF ABSENCE**

Cr Penny has requested leave of absence from October to November 2021 inclusive from all Council Duties.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

***That Cr Penny be granted Leave of Absence from October to November 2021***

**8. CLOSURE**

On closing the Chief Executive Officer, Chris Jackson thanked the retiring Councillors and welcomed the new Councillors.

There being no further business, the President thanked Councillors and staff and declared the meeting closed at 4.52pm.