



## **Special Meeting of Council**

### **MINUTES**

**Friday 4 June 2021**

THIS DOCUMENT IS AVAILABLE IN OTHER FORMATS ON REQUEST FOR PEOPLE WITH DISABILITY.



**CONTENTS**

- 1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS ..... 2
- 2. ATTENDANCE..... 2
  - 2.1 APOLOGIES..... 2
- 3. DECLARATION OF INTEREST ..... 2
- 4. PUBLIC QUESTION TIME ..... 2
- 5. MATTERS FOR DECISION ..... 2
  - 5.1 GREAT SOUTHERN TREASURES ADMINISTRATION ..... 3
- 6. MATTERS FOR WHICH THE MEETING MAY BE CLOSED ..... 5
  - 6.1 TERMINATION OF CONTRACTS – BROOMEHILL HOUSING ..... 6
- 7. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING..... 7
- 8. CLOSURE ..... 7

**SHIRE OF BROOMEHILL-TAMBELLUP**

**Minutes of the Special Meeting of Council held in the  
Tambellup Council Chambers on Friday 4 June 2021 commencing at 4.38pm.**

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

**2. ATTENDANCE**

Cr MC Paganoni	President
Cr ME White	Deputy President
Cr DT Barritt	
Cr CJ Letter	
Cr KJ Holzknecht	
Cr SH Penny	
KB Williams	Chief Executive Officer (CEO)
KP O'Neill	Manager Finance and Administration
PA Hull	Strategic Support & Projects Officer

**2.1 APOLOGIES**

Cr MC Nazzari

**3. DECLARATION OF INTEREST**

Nil

**4. PUBLIC QUESTION TIME**

Nil

**5. MATTERS FOR DECISION**

---

<b>5.1</b>	<b>GREAT SOUTHERN TREASURES ADMINISTRATION</b>
<b>Attachment:</b>	Nil
<b>File Ref:</b>	Nil
<b>Author:</b>	Keith Williams - Chief Executive Officer
<b>Date:</b>	1 June 2021
<b>Disclosure of Interest:</b>	Nil

---

### SUMMARY

For Council to endorse the transition of Great Southern Treasures administration from the Shire of Broomehill-Tambellup to the Shire of Kojonup.

### BACKGROUND

Council has hosted financial administration of Great Southern Treasures for some 16 years.

The organisation presently does not exist as an entity, and has not been incorporated in any way.

Recent accounting changes mean that funding from Great Southern Treasures is included in the annual budget in Municipal funds rather than in a trust account. Council's auditor has indicated that there will be more scrutiny on the organisation as a result.

Great Southern Treasures has grown significantly over the last two to three years, with the amount contributed by participating Local Governments increasing, and the role and tasks that the organisation undertakes also expanding.

### COMMENT

The CEO has worked with the other participating Local Governments to encourage the organisation to develop an appropriate governance model. This has resulted in a Memorandum of Understanding (MOU) being developed between all participating Local Governments, with adoption of the MOU occurring late last year by the participants.

A strategic plan and operating plan have also been developed to guide the organisations activities.

However, the task for financial administration has increased, and the organisation is still some years away from becoming an 'entity' in its own right, as either an incorporated body or Regional Subsidiary.

Discussions with the Executive Officer and Chairperson have led to agreement that a larger Local Government would be best placed to undertake the management of Great Southern Treasures, and the Shire of Kojonup has generously agreed to take over this task.

Great Southern Treasures does not exist, as such, so no approval of Council is required, however, it is considered that endorsement of that outcome is desirable to ensure that Council support is demonstrated.

Endorsement of the transition of administration of Great Southern Treasures to the Shire of Kojonup is recommended.

### CONSULTATION

Great Southern Treasures  
Shire of Kojonup

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

There are no specific budget allocations for Great Southern Treasures, however, there is a significant time and cost impost from administering the organisation.

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION

**S210601**

***Moved Cr White, seconded Cr Letter***

***That Council endorses the transitioning of Great Southern Treasures administration from the Shire of Broomehill-Tambellup to the Shire of Kojonup***

**CARRIED 6/0**

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

**PROCEDURAL MOTION**

**S210602**

*Moved Cr White, seconded Cr Letter*

*Motion to Proceed Behind Closed Doors:*

*That in accordance with Section 5.23 (2) of the Local Government Act 1995 the meeting is closed to members of the public with the following aspect(s) of the Act being applicable to this matter:*

*(c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting;*

**CARRIED 6/0**

---

<b>6.1</b>	<b>TERMINATION OF CONTRACTS – BROOMEHILL HOUSING</b>
<b>Attachment:</b>	Nil
<b>File Ref:</b>	Nil
<b>Author:</b>	Keith Williams - Chief Executive Officer
<b>Date:</b>	1 June 2021
<b>Disclosure of Interest:</b>	Nil

---

## **COUNCIL DECISION**

**S210603**

***Moved Cr White, seconded Cr Penny***

***That Council, due to lack of sufficient progress and delaying tactics by Countryside Homes:***

- 1. Authorise the CEO to engage Lavan Legal to undertake the legal processes required to terminate the contracts under Clause 20.6 of each of the contracts issued to Countryside Homes for the design and construction of dwellings at Lot 5 Lathom Street and Lot 12 Leven Street, Broomehill;***
- 2. Authorise the CEO to Engage Lavan Legal to undertake legal action to apply liquidated damages under Clause 11 of the contract to offset losses caused by the delays in completing the contracts;***
- 3. Authorise the CEO to seek quotations and appoint contractors to undertake all necessary works to complete the dwellings, utilising funds allocated in the budget for these works as well as retention funds retained under the contracts;***
- 4. Allocate \$50,000 in the 2021/2022 Shire of Broomehill-Tambellup budget for legal advice and legal action for the actions required to complete the dwellings***

**CARRIED 6/0**

**Motion to Proceed in Public:**

**S210604**

***Moved Cr Letter, seconded Cr White***

***That Council re-opens the meeting to members of the public.***

**CARRIED 6/0**

**7. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING**

Nil

**8. CLOSURE**

There being no further business, the President thanked Councillors and staff for their attendance and closed the meeting at 5.10pm.