



AGENDA

Special Council Meeting

20 October 2025

**SHIRE OF BROOMEHILL-TAMBELLUP
NOTICE OF MEETING**

The Swearing In Ceremony for new and re-elected Councillors of the Shire of Broomehill-Tambellup will be held in the in the Tambellup Council Chambers, 46-48 Norrish Street, Tambellup, on 20 October 2025, commencing at 4.00pm.

At the conclusion of the Swearing In Ceremony a Special Meeting of the Council will be held.



Karen Callaghan
Chief Executive Officer

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This document is available in other formats on request for people with disability.



Shire of Broomehill–Tambellup

DISCLOSURE OF INTEREST FORM

To: Chief Executive Officer
Shire of Broomehill-Tambellup
46-48 Norrish Street
TAMBELLUP WA 6320

I, **(1)** _____ wish to disclose an interest in the
Following item to be considered by Council at its meeting to be held on **(2)** _____
Agenda Item **(3)** _____
The **type** of Interest I wish to declare is **(4)** _____

- ☐ Financial pursuant to Section 5.60A of the Local Government Act 1995
- ☐ Proximity pursuant to Section 5.60B of the Local Government Act 1995
- ☐ Indirect Financial pursuant to Section 5.61 of the Local Government Act 1995
- ☐ Impartiality pursuant to Clause 22 of the Shire's Code of Conduct for Council Members, Committee Members & Candidates.

The nature of my interest is **(5)** _____

The extent of my interest is **(6)** _____

I understand that the above information will be recorded in the minutes of the meeting and placed in the Disclosure of Financial and Impartiality of Interest Register.

Yours sincerely

Signed

Date

NOTES:

1. Insert your name (print)
2. Insert the date of the Council Meeting at which the item is to be considered.
3. Insert the Agenda Item Number and Title
4. Tick box to indicate type of interest
5. Describe the nature of your interest
6. Describe the extent of your interest (if seeking to participate in the matter under S. 5.68 & 5.69 of the Act)

DISCLOSURE OF INTERESTS (NOTES FOR YOUR GUIDANCE)

A Member, who has a Financial Interest in any matter to be discussed at a Council or Committee Meeting that will be attended by the Member, must disclose the nature of the interest:

- a) In a written notice given to the Chief Executive Officer before the Meeting or;
- b) At the Meeting, immediately before the matter is discussed.

A member, who makes a disclosure in respect to an interest, must not:

- a) Preside at the part of the Meeting, relating to the matter or;
- b) Participate in, or be present during any discussion or decision-making procedure relative to the matter, unless to the extent that the disclosing member is allowed to do so under Section 5.68 or Section 5.69 of the Local Government Act 1995.

NOTES ON FINANCIAL INTEREST (NOTES FOR YOUR GUIDANCE)

The following notes are a basic guide for Councillors when they are considering whether they have a Financial Interest in a matter. These notes will be included in each agenda for the time being so that Councillors may refresh their memory.

1. A Financial Interest requiring disclosure occurs when a Council decision might advantageously or detrimentally affect the Councillor or a person closely associated with the Councillor and is capable of being measured in money terms. There are exceptions in the Local Government Act 1995 but they should not be relied on without advice, unless the situation is very clear.
2. If a Councillor is a member of an Association (which is a Body Corporate) with not less than 10 members i.e. sporting, social, religious etc.), and the Councillor is not a holder of office of profit or a guarantor, and has not leased land to or from the club, i.e., if the Councillor is an ordinary member of the Association, the Councillor has a common and not a financial interest in any matter to that Association.
3. If an interest is shared in common with a significant number of electors or ratepayers, then the obligation to disclose that interest does not arise. Each case needs to be considered.
4. **If in doubt declare.**
5. As stated in (b) above, if written notice disclosing the interest has not been given to the Chief Executive Officer before the meeting, then it MUST be given when the matter arises in the Agenda, and immediately before the matter is discussed.
6. Ordinarily the disclosing Councillor must leave the meeting room before discussion commences.

The only exceptions are:

- 6.1 Where the Councillor discloses the extent of the interest, and Council carries a motion under s.5.68(1)(b)(ii) or the Local Government Act; or
- 6.2 Where the Minister allows the Councillor to participate under s.5.69(3) of the Local Government Act, with or without conditions.

INTERESTS AFFECTING IMPARTIALITY DEFINITION:

An interest that would give rise to a reasonable belief that the impartiality of the person having the interest would be adversely affected, but does not include an interest as referred to in Section 5.60 of the 'Act'. A member who has an Interest Affecting Impartiality in any matter to be discussed at a Council or Committee Meeting, which will be attended by the member, must disclose the nature of the interest;

- a) in a written notice given to the Chief Executive Officer before the Meeting; or
- b) at the Meeting, immediately before the matter is discussed

IMPACT OF AN IMPARTIALITY DISCLOSURE

There are very different outcomes resulting from disclosing an interest affecting impartiality compared to that of a financial interest. With the declaration of a financial interest, an elected member leaves the room and does not vote. With the declaration of this new type of interest, the elected member stays in the room, participates in the debate and votes. In effect then, following disclosure of an interest affecting impartiality, the member's involvement in the Meeting continues as if no interest existed.

Strategic Community Plan 2023-2033

'People Power'



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1. SWEARING IN OF COUNCILLORS

All newly elected Councillors must be sworn in. Section 2.29 of the *Local Government Act 1995* requires that all Councillors must make a declaration stating that they will undertake the duties of Councillor fairly and honestly before they can act in the office. Councillors must also agree to observe the Code of Conduct.

A copy of the declaration and Code of Conduct is attached (attachment 1A and 1B) for Councillors information.

Recently elected Councillors made their declaration before Mr Trevor Prout, JP, before commencing his/her duties.

Cr CM Dewar

Cr CJ Letter

Cr S Robinson

Cr C Witham

1.1 ELECTION OF THE SHIRE PRESIDENT (2 YEAR TERM)

NOTE: Nominations for the office of Shire President **must be made in writing to the Chief Executive Officer** at any time prior to the meeting and during the meeting up until the Election. A nomination form is attached to assist with this (attachment 1.1A).

The election of Shire President will be carried out in accordance with section 2.11(1)(b) and Schedule 2.3 of the *Local Government Act 1995*, and Regulation 11A of the *Local Government (Constitution) Regulations 1998*.

The successful nominee will then make a 'declaration of elected member' in the prescribed manner before Mr Trevor Prout, JP, before commencing his/her duties as the Shire President of the Council and presiding over the meeting.

1.2 ELECTION OF THE DEPUTY SHIRE PRESIDENT (2 YEAR TERM)

NOTE: Nominations for the office of Deputy Shire President **must be made in writing to the Chief Executive Officer** at any time prior to the meeting and during the meeting up until the Election. A nomination form is attached to assist with this (attachment 1.2A).

The election of Deputy Shire President will be carried out in accordance with section 2.11(1)(b) and Schedule 2.3 of the *Local Government Act 1995*, and Regulation 11A of the *Local Government (Constitution) Regulations 1998*.

The successful nominee will then make a 'declaration of elected member' in the prescribed manner before Mr Trevor Prout, JP, before commencing his/her duties as the Deputy Shire President of the Council.

1.3 ALLOCATION OF SEATING

The Chief Executive Officer will allocate each Council Member a designated seating position for Council Meetings, in accordance with Part 8 – Conduct of Members of the *Local Government (Council Meetings) Local Law 2020*, clause 8.1 – Members to be in their proper place.

(1) At the first meeting held after each election day, the Chief Executive Officer is to assign, in alphabetical order by ward, a position at the Council table to each Member.

Once, all council members are seated the Shire President will take the chair to open the Special Council Meeting.

**Agenda for the Special Council Meeting to be held on 20 October 2025 in the
Tambellup Council Chambers, 46-48 Norrish Street, Tambellup following the swearing in
ceremony which is scheduled for 4.00pm**

1. DECLARATION OF OPENING AND ANNOUNCEMENT OF GUESTS

The Presiding Member, Cr _____ shall declare the meeting open at ____ pm.

2. ATTENDANCE

3. DISCLOSURE OF INTEREST

4. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

5. PUBLIC QUESTION TIME

6. PRESENTATION/ PETITIONS/DEPUTATIONS

7. APPLICATION FOR LEAVE OF ABSENCE

8. ANNOUNCEMENTS FROM PRESIDING MEMBER

9. CONFIRMATION OF MINUTES

Nil.

10. KEY PILLAR 1: BROOMEHILL-TAMBELLUP POINT OF DIFFERENCE

Nil.

11. KEY PILLAR 2: BROOMEHILL-TAMBELLUP ECONOMY

Nil.

12. KEY PILLAR 3: BROOMEHILL-TAMBELLUP LIFESTYLE

Nil.

13. KEY PILLAR 4: BROOMEHILL-TAMBELLUP SHIRE SUPPORT

13.1 COMMITTEES – APPOINTMENT OF MEMBERS FOLLOWING ELECTION

ATTACHMENT(S)	Nil
FILE NO	ADM0109
AUTHOR	Karen Callaghan, Chief Executive Officer
DATE	14 October 2025
DISCLOSURE OF INTEREST	Nil

STRATEGIC IMPLICATIONS	
Strategic Community Plan 2023-2033	Corporate Business Plan 2024-2028
Community Outcomes	Corporate Actions
Key Pillar: SoBT Shire Support	
10. Grown Shire Leadership	No specific corporate action

SUMMARY

To review the committee structure and elected member representation on committees and groups following the October 2025 local government elections.

BACKGROUND

Section 5.8 of the *Local Government Act 1995* states that the Council, by an absolute majority decision, may establish committees of three or more persons. All appointments to committees, whether the person is an elected member, employee, or community member, expired on 18 October 2025 in line with the local government election.

COMMENT

Committee representation should be considered based on equitable distribution amongst Councillors, utilisation of specific skills where appropriate, or, to add diversity to existing groups to ensure the appropriate mix of skills are present.

Section 5.10 of the *Local Government Act 1995* states that individual Councillors are entitled to be members of at least one committee, which comprises elected members only or elected members and employees. A Councillor can nominate themselves for a committee. The President can exercise their right to be a member of a particular committee. Therefore, the Council needs to determine how many members should comprise each Committee.

The *Local Government Act 1995* does not specifically mention anything about deputies or proxies other than the Deputy President and Deputy Presiding Members. One of the pillars upon which the *Local Government Act 1995* is built is for better decision-making and more efficient and effective local government (section 1.3(2)). Consequently, there is nothing that precludes the Council from appointing one or two deputies for each committee.

There are four types of committees or groups that require the appointment of members following the election. They are:

- A. Formal Committees of the Council;
- B. Advisory Committees;

- C. Other Shire Committees; and
- D. Local and Regional Organisations

A. FORMAL COMMITTEES OF THE COUNCIL

Established under the *Local Government Act 1995*, these committees are an immediate extension of the Council. Each meeting shall be called, conducted and recorded in accordance with the *Local Government Act 1995* (i.e. local public notice of meetings, public question time, Standing Orders Local Law, formal minutes, etc.).

Minutes of these meetings will be presented to the Council, and all recommendations are considered through a written report.

The Council currently has two formal committees:

1. Audit and Risk Committee
2. Chief Executive Officer Performance Review Committee

Audit and Risk Committee

The Audit and Risk Committee, established under section 7.1A of the *Local Government Act 1995*, must be updated in line with recent reforms introduced through the *Local Government Amendment Bill 2024*. These reforms require the Committee to be renamed the Audit, Risk and Improvement Committee (ARIC), both the Presiding Member and Deputy Presiding Member to be independent appointments and revised Terms of Reference to be adopted.

These matters, including the appointment of committee members, will be considered separately in this agenda.

Chief Executive Officer Performance Review Committee

The Terms of Reference for the Chief Executive Officer Performance Review Committee were endorsed by the Council in August 2024 and are as follows:

Terms of Reference

Purpose

The purpose of the Chief Executive Officer Performance Review Committee (Committee) is to undertake the review of the Chief Executive Officer's (CEO) performance in accordance with the *Local Government Act 1995*, the Shire of Broomehill-Tambellup's Policy 1.1.4 CEO Recruitment, Performance and Termination Standards, Policy 1.1.5 CEO Performance Review, and the CEO's contract of employment.

Roles and Functions

The role of the Committee is to:

1. Assist the Council in the engagement and oversight of a consultant to work with the committee, CEO and Council in conducting the CEO performance review in line with the process agreed between the CEO and Council (or consistent with the Standards and Department of Local Government Guidelines).
2. Conduct with the CEO, elected members and the consultant, the performance review process and provide a recommendation to Council on the result of the performance review.

3. Establish any additional performance criteria for the CEO, with the agreement of CEO, for recommendation to Council arising from the performance review process.
4. Make any other relevant recommendations relating to the CEO's employment, with the agreement of the CEO.

Review Process

The review process must be a collaborative and constructive process and be aligned to the Shire's Strategic Community Plan and Corporate Business Plan.

Elected members participating in the review must:

- Show an ability to be fair and objective;
- Use good communications and evaluation skills; and
- Be able to concentrate on outcomes.

Council Policy 1.1.5 CEO Performance Review provides guidance for the review, and the Committee will set the procedure and timeline requirements for each review.

Membership

The Committee will consist of the Shire President and four elected members, appointed by a resolution of the Council. The Council is to appoint a Presiding Member to the committee from those nominated, by absolute majority.

Membership of the Committee will, unless determined otherwise, cease on the day of the next ordinary Council election. The Council will appoint new members to the Committee at the Council meeting following each Council election.

If for any reason, a member is unable to hold office for the full period of their appointment, the Council shall fill that vacancy. The member appointed shall hold office for the balance of the term of the member originally elected.

The CEO and employees are not members of the Committee.

The Governance and Compliance Officer shall provide secretariat and administrative support to the Committee, by preparing agendas, minutes and organising meetings.

There are no external independent members of the Committee.

Unless otherwise agreed between the CEO and the presiding members, an independent consultant will facilitate the performance review process.

Training

All elected members seeking appointment to the Committee must undertake, or have undertaken, the relevant CEO Performance Review training within six months of appointment.

Meetings

The Committee shall meet four times per year to undertake the assessment of the CEO's performance and review status reports. Additional meetings may be convened at the discretion of the presiding member.

Meetings are not open to the public.

A meeting quorum is at least three members of the Committee.

Each member of the Committee at a meeting will have one vote.

If a member is unable to attend a meeting, they must advise the presiding member as soon as reasonably practicable.

Meeting agenda papers will be provided to members not less than 72 hours prior to the meeting.

Reporting

Reports and recommendations of each Committee meeting shall be presented to the next Ordinary Council meeting to obtain a formal decision, where applicable.

Disclosures of Interest

Disclosures of Interest are to be made in accordance with the provisions of the *Local Government Act 1995*.

Current membership:

Cr White
Cr Barritt
Cr CJ Letter
Cr S Robinson

Appointments to the Chief Executive Officer Performance Review Committee now need to be considered.

B. ADVISORY COMMITTEES

The Council has two Advisory Committees as follows:

1. Bush Fire Advisory Committee; and
2. Local Emergency Management Committee.

Whilst not established under the *Local Government Act 1995*, these Advisory Committees do not require the same formalities as the two Committees above. Minutes of these meetings will also be presented to the Council and all recommendations considered through a written report.

The Terms of Reference for these two Advisory Committees are as follows:

Bush Fire Advisory Committee

Established under Section 67 of the *Bush Fires Act 1954* and the *Shire of Broomehill-Tambellup Bush Fire Brigades Local Law 2020* (clause 3.10 to 3.13). These two legislative items govern the Bush Fire Advisory Committee terms of reference as follows:

Functions

1. Advising the local government regarding all matters relating to:
 - a. The preventing, controlling and extinguishing of bush fires;
 - b. The planning of the layout of fire breaks in the district;

- c. Prosecutions for breaches of the *Bush Fires Act 1954*;
 - d. The formation of bush fire brigades and the grouping thereof under group brigade officers;
 - e. The ensuring of cooperation and coordination of bush fire brigades in their efforts and activities; and
 - f. Any other matter relating to bush fire control.
2. Advisory Committee to nominate bush fire control officers:
As soon as practicable after the annual general meeting of each bush fire brigade in the district, the Bush Fire Advisory Committee is to nominate to the local government from the persons nominated by each bush fire brigade a person for the position of a bush fire control officer for the brigade area.
3. Advisory Committee to consider bush fire brigade motions:
The Bush Fire Advisory Committee is to make recommendations to the local government on all motions received by the Bush Fire Advisory Committee from bush fire brigades.

Membership

4. The Committee shall comprise the following ten (10) members:
 - Shire Councillor;
 - Chief Bush Fire Control Officer
 - Deputy Chief Bush Fire Control Officer
 - Deputy Chief Bush Fire Control Officer
 - Fire Control Officer – Broomehill Central BFB
 - Fire Control Officer – Broomehill East BFB
 - Fire Control Officer – Broomehill West BFB
 - Fire Control Officer – Tambellup East BFB
 - Fire Control Officer – Tambellup West BFB
 - Fire Control Officer – Tambellup Volunteer Fire & Emergency Service
5. The members listed above may appoint a proxy for any meeting if they are unable to attend.

Operation

6. The quorum for the Committee shall be set at six (6) members and/or proxies.
7. The committee shall elect one of their number to be Chairman.
8. The Committee:
 - a. may from time to time meet and adjourn as the committee thinks fit;
 - b. shall not transact business at a meeting unless the quorum is present;
 - c. is answerable to the local government and shall, as and when required by the local government, report fully on its activities.

Current Membership – Cr White

Meeting Frequency – September and March each year.

Local Emergency Management Committee

Established under section 38 of the *Emergency Management Act 2005*. Section 39 of the *Emergency Management Act 2005* defines the functions of local emergency management committees as follows:

'The functions of a local emergency management committee are, in relation to its district or the area for which it is established:

1. *to advise and assist the local government in ensuring that local emergency management arrangements are established for its district; and*
2. *to liaise with public authorities and other persons in the development, review and testing of local emergency management arrangements; and*
3. *to carry out other emergency management activities as directed by the SEMC or prescribed by the regulations.'*

The Committee comprises membership representatives from the following emergency services lead agencies:

Shire (Councillor);
Shire (CEO);
Shire (Community Emergency Services Manager);
Shire (Ranger);
Shire (Works);
Bush Fire Brigades;
Tambellup Volunteer Fire & Emergency Service;
Department Fire & Emergency Services;
St John Ambulance;
Department of Communities;
WA Police; and
Department of Health

Current Membership – Shire President, Deputy Shire President (Proxy)

Meeting Frequency – quarterly in the months of February, May, August and November.

Appointments to these two Advisory Committees now need to be considered.

C. OTHER SHIRE COMMITTEES

These committees are less formal groups established by the Council. While they play an equally important advisory role to the Council's decision making process, they are not established in accordance with the *Local Government Act 1995* and are deliberately less formal than the Advisory Committee's to better reflect the subject matter concerned. Minutes of these meetings will be presented to the Council to ensure good governance and information flow.

Disability Access and Inclusion Committee

In 2023 the Council endorsed the establishment of the Disability Access and Inclusion Committee. The *Disability Services Act 1993* requires local government authorities to develop and implement a Disability Access and Inclusion Plan that provides the framework through which local governments can create accessible and inclusive communities.

The following Terms of Reference were endorsed by the Council:

Terms of Reference:

The purpose of the Disability Access and Inclusion Committee (DAIC) is to:

1. Provide technical/working advice relating to the implementation of the Disability Access and Inclusion Plan (DAIP), including seeking access to funding opportunities;
2. Provide community and agency feedback relating to the implementation of the DAIP;
3. Contribute to the review and reporting of the DAIP;
4. Identify issues relating to disability access and inclusion in the Shire; and

5. Raise awareness and community input about matters relating to disability access and inclusion in the Shire and with key organisations.

Membership:

The Committee aims to be inclusive to interested parties, therefore all interested residents are welcome to attend. Other members of the DAIC will specifically be targeted from the following organisations:

- Shire elected members – the Council will be represented by at least one Councillor who will act as Chair;
- Tambellup Community Resource Centre;
- Department of Health;
- Community members – the community will be represented by up to three community members with relevant interest and experience;
- Council staff – Council staff will attend as observers/administration support only, including the Chief Executive Officer (or their delegate) and one staff member from the Administration and one from the Works section.

Current Membership –

- Cr Robinson;
- Tambellup Community Resource Centre;
- Department of Health;
- The community will be represented by up to three community members with relevant interest and experience.

Meetings

Meetings of the DAIC will ordinarily take place on a six-monthly basis in April and October.

The DAIC has not convened since it was established. The Shire is required to complete a review of its DAIP in 2025/2026, which will involve broad and targeted community consultation. It is anticipated that this consultation will provide a core group of local residents who can be consulted on an ad hoc and ongoing basis, without the need for a formal committee structure.

It is recommended that the DAIC be disbanded.

D. LOCAL AND REGIONAL ORGANISATIONS

This category lists the outside organisations that the Shire is either:

- a) A member of, and therefore needs representatives to attend meetings; or
- b) Invited to have a delegate to represent the Shire.

The following local and regional organisations currently have the following Shire appointments:

Great Southern Zone of WALGA

Shire President and Deputy Shire President

Southern Link Voluntary Regional Organisation of Councils (VROC)

Shire President and Deputy Shire President

The VROC has recently amended the Memorandum of Understanding (MoU) in consultation with all member local governments and is now known as the Great Southern Voluntary Region of Councils.

The MoU was endorsed at its meeting on 28 July 2025, with the following inclusion regarding membership and voting rights:

- A Participating Local Government is to appoint one of its councillors to be the voting Member of the Great Southern VROC.
- A Participating Local Government may appoint up to an additional two of its councillors as Deputy Members who may attend and contribute to each meeting but who will not have a voting right unless the appointed Member is absent.
- A Participating Local Government has one vote.
- The CEO of a Participating Local Government is expected to attend and contribute to Great Southern VROC meetings but does not get a vote.

Great Southern Development Assessment Panel

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

Great Southern Regional Road Group

Cr Letter (Delegate), Cr Barritt (Proxy)

Great Southern Recreation Advisory Group

Cr Dewar (Delegate), Cr Barritt (Proxy)

This forum has recently changed its structure slightly in consultation with all member local governments and is now known as the Great Southern Sport and Recreation Group.

Terms of Reference were endorsed at its meeting held on 28 August 2025, with the following inclusion regarding membership and voting rights:

- A minimum of one representative (one officer and/or one elected member) from each local government authority.
- One vote per Local Government in attendance. Local Governments to nominate voting representative.

Great Southern Treasures

Chief Executive Officer

Broomehill Recreational Complex Management Committee

Cr Penny (Delegate) and Cr Barritt and Cr Robinson (Proxies)

Broomehill Heritage Group

Chief Executive Officer and Cr Barritt and Cr Penny (Proxies)

Tambellup Community Pavilion Committee

Cr Letter (Delegate) and Cr White and Chief Executive Officer (Proxy)

Nurse Turner/Snowy Wilson Awards

Cr White (Delegate), Cr Letter (Proxy)

Tambellup Community Resource Centre Management Committee

Cr Wills (Delegate), Cr Letter (Proxy)

Tambellup Business Centre Committee

Cr White (Delegate), Cr Dewar (Proxy)

The Council is requested to reconsider the need for formal representation on the following community-based committees:

- Broomehill Recreational Complex Management Committee
- Broomehill Heritage Group
- Tambellup Community Pavilion Committee

The Shire's relationship with each of these community organisations is already clearly defined through formal lease or management agreements, which outline responsibilities for maintenance, compliance, insurance, and improvements. Maintaining a Council or staff representative on these committees is now inconsistent with the Shire's role as lessor and regulator and has become increasingly difficult to manage from a governance perspective.

There are three key governance risks associated with continuing Council representation on these committees:

- Conflict of interest: The Shire has contractual and regulatory oversight responsibilities that conflict with the governance role of a voting committee member. This creates the potential for real or perceived bias when Council later considers matters involving these facilities.
- Decision-making integrity: Direct participation in community committee discussions can blur accountability and risk informal understandings or commitments that bypass formal Council decision-making and delegated authority.
- Probity and perception: Continued membership may create the perception that Council decisions are influenced or predetermined through committee discussions, undermining transparency and independence.

From a local government governance perspective, this dual role conflicts with the principles of transparency, independence, and clear separation of responsibilities under the *Local Government Act 1995*. It can also expose both the Council and individual members to reputational and procedural risks.

It is therefore recommended that the Council cease formal representation on these committees. These community organisations will continue to have direct communication with the Shire administration through established channels for lease management, maintenance requests, and community liaison. This approach preserves accountability, ensures consistency in decision-making, and strengthens governance integrity across all community partnerships.

CONSULTATION

Nil.

STATUTORY ENVIRONMENT

The appointment of members to Committees and their operation is set out in sections 5.8 to 5.25 of the Act and Regulations 14 to 14B of the *Local Government (Administration) Regulations 1995*.

A local government may by absolute majority establish committees comprising of three or more persons, be it elected members, employees and/or other persons, to exercise the powers and discharge the duties of the local government that can be delegated to committees.

Section 5.10 allows the Shire President to be a member on any committee that has an elected member and also the CEO (or their representative) to be on any committee that has an employee as a member.

FINANCIAL IMPLICATIONS

Nil.

POLICY IMPLICATIONS

Nil

RISK MANAGEMENT IMPLICATIONS

Nil.

ASSET MANAGEMENT IMPLICATIONS

Nil

VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION

1. That the Council disbands the Disability Access and Inclusion Committee
2. That the Council does not provide representation on the following Committees:
 - a) Broomehill Recreational Complex Management Committee
 - b) Broomehill Heritage Group
 - c) Tambellup Community Pavilion Committee
3. That the Council appoints the membership to the following committees:
 1. FORMAL COMMITTEES OF THE COUNCIL:

CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE

- Presiding Member Cr _____
- Shire President Cr _____
- Cr _____
- Cr _____
- Cr _____

2. ADVISORY COMMITTEES:

BUSH FIRE ADVISORY COMMITTEE

Cr _____;

Chief Bush Fire Control Officer

Deputy Chief Bush Fire Control Officer

Deputy Chief Bush Fire Control Officer

Fire Control Officer – Broomehill Central BFB

Fire Control Officer – Broomehill East BFB

Fire Control Officer – Broomehill West BFB

Fire Control Officer – Tambellup East BFB

Fire Control Officer – Tambellup West BFB

Fire Control Officer – Tambellup Volunteer Fire & Emergency Services Unit

LOCAL EMERGENCY MANAGEMENT COMMITTEE

Cr _____ (Delegate), Cr _____ (Proxy)

3. LOCAL AND REGIONAL ORGANISATIONS:

Great Southern Zone of WALGA

Shire President & Deputy Shire President

Great Southern Voluntary Regional Organisation of Councils (VROC)

Shire President & Deputy Shire President

Great Southern Development Assessment Panel

Cr _____ & Cr _____ (Delegate), Cr _____ & Cr _____ (Proxies)

Great Southern Regional Road Group

Cr _____ (Delegate), Cr _____ (Proxy)

Great Southern Sport and Recreation Group

Cr _____ (Delegate), Cr _____ (Proxy)

Great Southern Treasures

Chief Executive Officer

Nurse Turner/Snowy Wilson Awards

Cr _____ (Delegate), Cr _____ (Proxy)

Tambellup Community Resource Centre Management Committee

Cr _____ (Delegate), Cr _____ (Proxy)

Tambellup Business Centre Committee

Cr _____ (Delegate), Cr _____ (Proxy)

13.2 AUDIT AND RISK COMMITTEE – TERMS OF REFERENCE AND APPOINTMENT OF COMMITTEE MEMBERS

ATTACHMENT(S)	13.4.1 – Audit, Risk and Improvement Committee Terms of Reference
FILE NO	ADM0109
AUTHOR	Karen Callaghan, Chief Executive Officer
DATE	14 October 2025
DISCLOSURE OF INTEREST	Nil

STRATEGIC IMPLICATIONS	
Strategic Community Plan 2023-2033	Corporate Business Plan 2024-2028
Community Outcomes	Corporate Actions
Key Pillar: SoBT Shire Support	
10. Grown Shire Leadership	No specific corporate action

SUMMARY

The Council is requested to adopt the updated Audit, Risk and Improvement Committee Terms of Reference (attachment 13.4.1) in accordance with section 7.1A of the *Local Government Act 1995* and the new requirements introduced through the *Local Government Amendment Act 2024*, and to elect members to the Committee.

Adoption of the revised Terms of Reference and election of members will ensure the Shire complies with current legislative reforms and reflects best practice in local government governance, accountability, and performance improvement.

BACKGROUND

The State Government's Local Government Reform Program introduces significant legislative changes through the *Local Government Amendment Act 2024 (WA)*, aimed at strengthening accountability, transparency, and performance across the sector.

The reforms focus on five key themes:

1. Reducing red tape and increasing consistency.
2. Greater transparency and accountability.
3. Stronger local democracy and community engagement.
4. Clearer roles and responsibilities.
5. Improved financial management and reporting.

The reforms require each local government to:

- Rename the committee to the Audit, Risk and Improvement Committee.
- Establish an Audit, Risk and Improvement Committee (ARIC) under section 7.1A of the Act.
- Appoint an independent Presiding Member and an independent Deputy Presiding Member who are not elected members of any local government.

The Shire's previous Audit and Risk Committee Terms of Reference have been reviewed, and the updated Audit, Risk and Improvement Committee Terms of Reference now incorporates:

- Independent leadership through an independent Presiding Member and independent Deputy Presiding Member.
- Defined eligibility and selection criteria for independent members.
- Enhanced responsibilities covering financial management, internal control, risk, compliance, audit, and performance improvement.
- Alignment with Regulation 16 of the *Local Government (Audit) Regulations 1996*.

Recognising that regional local governments may face challenges in sourcing suitably qualified independent members, WALGA have established a pool of qualified independent candidates for local governments to access.

The Shire's previous independent member, Ms Connie Witham, was appointed at the 16 May 2024 Ordinary Council Meeting. Following her subsequent election to the Council, the Committee is now without an independent member.

COMMENT

The updated ARIC Terms of Reference now include provisions for:

- Appointment of independent Presiding and Deputy Presiding Members
- Five members comprising one independent Presiding Member, one independent Deputy Presiding Member, and three Council Members.
- A clear selection and appointment process
- A defined scope of responsibilities and functions comprising risk management, internal control, financial management, compliance, integrity, and audit processes.

The updated Terms of Reference allow flexibility for the Council to either select independent Presiding and Deputy Presiding Members from the WALGA Pool or conduct a local Expression of Interest (EOI) process. This dual approach ensures compliance with new legislative requirements while reducing the risk of being unable to appoint qualified independent members if an EOI process alone fails to attract suitable applicants.

To support this, candidates have been reviewed from the WALGA Independent Member Pool, and suitable applicants for the position of Independent Presiding Member will be presented to the Council for consideration at this Special Council Meeting.

A local EOI process will be conducted to seek nominations from the community for the position of Independent Deputy Presiding Member, and these will be presented to an upcoming Ordinary Council Meeting. In the interim, it is recommended that the Council nominates one of its members to the position.

CONSULTATION

Nil.

STATUTORY ENVIRONMENT

Local Government Act 1995 – Sections 7.1A to 7.1CA

Local Government Amendment Act 2024

Local Government (Audit) Regulations 1996

Local Government (Model Code of Conduct) Regulations 2021

FINANCIAL IMPLICATIONS

Meeting fees and reasonable expense reimbursements for the Independent Presiding Member and Independent Deputy Presiding Member will be included in the Shire's annual budget, consistent with the guidance of the Western Australian Salaries and Allowances Tribunal.

POLICY IMPLICATIONS

Adoption of the revised Terms of Reference supersedes the existing Audit and Risk Committee Terms of Reference.

RISK MANAGEMENT IMPLICATIONS

Adoption of the revised Terms of Reference mitigates the risk of non-compliance with the legislative reforms.

ASSET MANAGEMENT IMPLICATIONS

Nil

VOTING REQUIREMENTS

Absolute majority

OFFICER RECOMMENDATION

That the Council:

1. Adopts the revised Audit, Risk and Improvement Committee Terms of Reference as presented.
2. Appoints the membership to the Audit, Risk and Improvement Committee as follows:
 - Independent Presiding Member _____
 - Deputy Presiding Member _____
 - Cr _____
 - Cr _____
 - Cr _____

14. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

15. CLOSURE

There being no further business to discuss, the Presiding Member, Cr _____, declared the meeting closed at _____pm.