



AGENDA

Special Council Meeting

26 October 2023

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

**A Special Meeting of the Council of the Shire of Broomehill-Tambellup will be held
in the Tambellup Council Chambers 46-48 Norrish Street, Tambellup
on 26 October 2023 commencing at 4.30pm.**



**Anthony Middleton
Chief Executive Officer**

DISCLAIMER

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In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or intimation of approval made by a member or officer of the Shire of Broomehill-Tambellup during the course of any meeting is not intended to be and is not to be taken as notice of approval from the Shire of Broomehill-Tambellup. The Shire of Broomehill-Tambellup warns that anyone who has any application lodged with the Shire of Broomehill-Tambellup must obtain and should only rely on written confirmation of the outcome of the application, and any conditions attaching to the decision made by the Shire of Broomehill-Tambellup in respect of the application.

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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**Agenda for the Special Council Meeting to be held on 26 October 2023
in the Tambellup Council Chambers, 46-48 Norrish Street, Tambellup.**

1. DECLARATION OF OPENING AND ANNOUNCEMENT OF GUESTS

The Chief Executive Officer shall declare the meeting open at 4.30pm.

2. ATTENDANCE

Councillors

Cr ME White

Cr DT Barritt

Cr CJ Letter

Cr JL Wills

Cr CM Dewar

Cr SH Penny

Cr S Robinson

Staff

AP Middleton Chief Executive Officer

KP Squibb Manager of Finance & Administration

P Vlahov Manager of Works

PA Hull Strategic Support & Projects Officer

TO Korthuis Governance & Executive Assistant

Apologies

3. 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 Councillors 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 3.1 and 3.2) for Councillors information.

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

Cr ME White

Cr DT Barritt

Cr SH Penny

Cr S Robinson

4. DISCLOSURE OF INTEREST

Nil

5. PUBLIC QUESTION TIME

6. PRESENTATIONS/PETITIONS/DEPUTATIONS

Nil

7. APPLICATION FOR LEAVE OF ABSENCE

Not applicable being a Special Meeting.

8. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

Not applicable – there is no Presiding Member due to the elections.

9. CONFIRMATION OF MINUTES

Not applicable being a Special Meeting.

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 ELECTION OF 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 13.1.1).

The election of Shire President will be carried out in accordance with the Local Government Act 1995, Section 2.6(3), Schedule 2.3 & 4.1 and 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.

13.2 ELECTION OF 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 13.2.1).

The election of Deputy Shire President will be carried out in accordance with the Local Government Act 1995, Section 2.6(3), Schedule 2.3 & 4.1 and 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.

The Shire President will now take the Chair.

13.3 COMMITTEES – APPOINTMENT OF MEMBERS FOLLOWING ELECTION

ATTACHMENT(S)	Nil
FILE NO	ADM0109
APPLICANT	n/a
AUTHOR	Anthony Middleton – Chief Executive Officer
DATE	3 October 2023
DISCLOSURE OF INTEREST	Nil

STRATEGIC IMPLICATIONS	
Strategic Community Plan 2023-2033	Corporate Business Plan 2023 -2027
Community Outcomes	Corporate Actions
Key Pillar: SoBT Shire Support	
10. Grown Shire Leadership n/a	n/a

SUMMARY

To review the Committee structure and elected member representation on committees and groups following the October 2023 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 20 October 2023 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 his/her 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 (s1.3 (2)). Consequently, there is nothing that precludes the Council from appointing one or two deputies for each Committee.

There are four types of Committee’s 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 & 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 the following Formal Committees:

1. Audit Committee;
2. Building, Planning and Economic Services Committee; and
3. Technical Services Committee.

The terms of reference for these three (3) Formal Committees are as follows:

Audit Committee

Established under Section 7.1 of the *Local Government Act 1995* (every local government must have an 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.

Current Membership – all seven (7) Councillors

Meeting Frequency – As required.

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 the Council's 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

Current Membership – Cr Wills, Cr Paganoni, Cr Dewar & Cr Letter

Meeting Frequency – As required.

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.

Current Membership – Cr White, Cr Paganoni, Cr Dewar & Cr Barritt

Meeting Frequency – As required.

Since the appointment of members to Committees following the 2021 local government elections, the Audit Committee is the only formal committee of the Council to have met. The need to have the other two committees is therefore questioned, with the preference being for the current practice of all issues coming before the full Council.

Council meetings are currently efficiently run and are not long in duration. As such, the need for a standing Committee to make recommendation to the Council on items relation to building, planning, economic services or technical services is questionable.

As such, it is recommended that the following Committees be repealed:

- 1. Building, Planning and Economic Services Committee; and**
- 2. Technical Services Committee.**

With regards to the Audit Committee, it is recommended that the following changes be made to refine the focus of the Committee:

Name

Audit & Risk Committee

Duties and responsibilities

The duties and responsibilities of the committee will be:

- a. Provide guidance and assistance to council as to the carrying out the functions of the local government in relation to audits;
- b. Meet with the auditor once in each year and provide a report to council on the matters discussed and outcome of those discussions;
- c. 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;
- d. 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;
- e. 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;
- f. Review the scope of the audit plan and program and its effectiveness;
- g. 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;
- h. Review the annual Compliance Audit Return and report to the council the results of that review, and
- i. 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 the Council the results of those reviews.

Membership

The committee will consist of four members with three elected members and one external person. All members shall have full voting rights.

- External persons appointed to the committee will preferably have business or financial management/reporting knowledge and experience, and be conversant with financial and other reporting requirements.
- Appointment of external persons shall be made by Council by way of a public advertisement and be for a term of two years. The terms of the appointment should be arranged to ensure an orderly rotation and continuity of membership despite changes to council's elected representatives.
- Reimbursement of approved expenses will be paid to each external person who is a member of the committee.
- The CEO and employees are not members of the committee.
- The CEO or his/her nominee is to be available to attend meetings to provide advice and guidance to the committee.
- The local government shall provide secretarial and administrative support to the committee.

Meetings

The committee shall meet at least quarterly. Additional meetings shall be convened at the discretion of the presiding person.

Reporting

Reports and recommendations of each committee meeting shall be presented to the next ordinary meeting of the Council.

Appointments to the Audit 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 three 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 (2) 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, proxy Cr Letter

Meeting Frequency – September & 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 – Cr White, proxy Cr Barritt

Meeting Frequency – quarterly in the months of February, May, August & 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

The Disability Services Act 1993 requires local government authorities to develop and implement a Disability Access and Inclusion Plan (DAIP) that provides the framework through which Local Governments can create accessible and inclusive communities.

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.

Meetings

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

D. LOCAL & 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

Cr White (Delegate) Cr Letter (Proxy)

Southern Link Voluntary Regional Organisation of Councils (VROC)

Cr White (Delegate), Cr Barritt (Proxy)

Great Southern Development Assessment Panel

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

Great Southern Regional Road Group

Cr Paganoni (Delegate), Cr Barritt (Proxy)

Great Southern Roads Statement Working Group

Cr Barritt (Delegate), Cr Wills (Proxy)

Great Southern Recreation Advisory Group

Cr Barritt (Delegate), Cr Dewar (Proxy)

Great Southern Treasures

Cr Wills (Delegate), Chief Executive Officer (Proxy)

Broomehill Recreational Complex Management Committee

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

Broomehill Heritage Group

Chief Executive Officer and Cr Barritt

Tambellup Community Pavilion Committee

Cr Letter (Delegate), Chief Executive Officer (Proxy)

Nurse Turner/Snowy Wilson Awards

Cr Letter (Delegate), Cr White (Proxy)

Tambellup Community Resource Centre Management Committee

Cr Wills (Delegate), Cr Letter (Proxy)

Tambellup Business Centre Committee

Cr White (Delegate), Cr Paganoni (Proxy)

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 3 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 his 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 Council disbands the following Committees:
 - a) Building, Planning and Economic Services Committee; and
 - b) Technical Services Committee.

2. That the Audit Committee Terms of Reference be amended as follows:
Name
Audit & Risk Committee

Duties and responsibilities

The duties and responsibilities of the committee will be:

- a. Provide guidance and assistance to council as to the carrying out the functions of the local government in relation to audits;
- b. Meet with the auditor once in each year and provide a report to council on the matters discussed and outcome of those discussions;
- c. 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;
- d. 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;
- e. 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;
- f. Review the scope of the audit plan and program and its effectiveness;
- g. 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;

- h. Review the annual Compliance Audit Return and report to the council the results of that review, and
- i. 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 the council the results of those reviews.

Membership

The committee will consist of four members with three elected members and one external person. All members shall have full voting rights.

- External persons appointed to the committee will preferably have business or financial management/reporting knowledge and experience, and be conversant with financial and other reporting requirements.
- Appointment of external persons shall be made by council by way of a public advertisement and be for a term of two years. The terms of the appointment should be arranged to ensure an orderly rotation and continuity of membership despite changes to council's elected representatives.
- Reimbursement of approved expenses will be paid to each external person who is a member of the committee.
- The CEO and employees are not members of the committee.
- The CEO or his/her nominee is to be available to attend meetings to provide advice and guidance to the committee.
- The local government shall provide secretarial and administrative support to the committee.

Meetings

The committee shall meet at least quarterly. Additional meetings shall be convened at the discretion of the presiding person.

Reporting

Reports and recommendations of each committee meeting shall be presented to the next ordinary meeting of the Council.'

- 3. That the Terms of Reference of the following Committees as listed in this agenda item be endorsed:
 - Bush Fire Advisory Committee;
 - Local Emergency Management Committee; and
 - Disability Access and Inclusion Committee.

- 4. That Council appoints the membership to the following committees:
 - A. FORMAL COMMITTEES OF THE COUNCIL:

AUDIT COMMITTEE

- Community Member _____
- Cr _____
- Cr _____
- Cr _____

B. 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

Shire President (Delegate), Deputy Shire President (Proxy)

C. OTHER SHIRE COMMITTEES:

DISABILITY ACCESS AND INCLUSION COMMITTEE

• Cr _____.

• Tambellup Community Resource Centre;

• Department of Health;

• The community will be represented by up to three community members with relevant interest and experience;

D. LOCAL & REGIONAL ORGANISATIONS:

Great Southern Zone of WALGA

Shire President & Deputy Shire President

Southern Link 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 Recreation Advisory Group

Cr _____ (Delegate), Cr _____ (Proxy)

Great Southern Treasures

Chief Executive Officer

Broomehill Recreational Complex Management Committee

Cr _____ (Delegate) and Cr _____ and Cr _____ (Proxies)

Broomehill Heritage Group

Chief Executive Officer and Cr _____

Tambellup Community Pavilion Committee

Cr _____ (Delegate), Chief Executive Officer (Proxy)

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)

14. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

14.1 CHIEF EXECUTIVE OFFICER RECRUITMENT

ATTACHMENT(S)	14.1.1 - Terms of Reference (TOR) Shire of Broomehill-Tambellup Chief Executive Officer (CEO) Selection Panel 14.1.2 - Policy 1.28 - CEO Recruitment, Performance and Termination Standards 14.1.3 – CEO Remuneration Package 14.1.4 – CEO Job Description and Selection Criteria
FILE NO	ADM0650
APPLICANT	n/a
AUTHOR	Anthony Middleton – Chief Executive Officer
DATE	23 October 2023
DISCLOSURE OF INTEREST	Nil

STRATEGIC IMPLICATIONS	
Strategic Community Plan 2023-2033	Corporate Business Plan 2023 -2027
Community Outcomes	Corporate Actions
Key Pillar: SoBT Shire Support	
10. Grown Shire Leadership n/a	n/a

15. CLOSURE

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