



Agenda

Special Council Meeting

Wednesday, 25 October 2023

Date:	Wednesday 25 October 2023
Time:	1;15pm
Location:	Clem Thompso Pavilion , Stadium Road, Tom Price
Distribution Date:	Thursday 19 October 2023



**Shire of Ashburton
Special Council Meeting**

Please be informed a Special Council Meeting will be held at 1;15pm on Wednesday 25 October 2023 at Clem Thompso Pavilion , Stadium Road, Tom Price.

A handwritten signature in black ink, appearing to read 'Kenn Donohoe'.

Kenn Donohoe
Chief Executive Officer
20 October 2023

Disclaimer

The Shire of Ashburton warns anyone who has an application lodged with Council must obtain, and should only rely on, written confirmation of the outcomes of the application following the Council meeting, and any conditions attaching to the decision made by Council in respect of the application. No responsibility whatsoever is implied, or accepted, by the Shire of Ashburton for any act, omission, statement, or intimation occurring during a Council meeting.

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1 Declaration Of Opening

The Presiding Member declared the meeting open at [enter time](#).

1.1 Acknowledgement Of Country

As representatives of the Shire of Ashburton Council, we respectfully acknowledge the local Indigenous people, the traditional custodians of this land where we are meeting upon today and pay our respects to them and all their elders past, present and emerging.

2 Election of Deputy Shire President

Nominations for the position of Deputy Shire President to be invited. Nominations can be made in writing prior to the meeting or, made during the meeting.

If more than one nomination is received a ballot will undertaken to be determined the order of draw on the ballot paper. Following this an election by secret vote will be undertaken.

At the conclusion of the vote the Shire President will declare the result and announce the Deputy Shire President and declare the result in accordance the regulations.

3 Announcement Of Visitors

To be informed at the meeting.

4 Attendance

4.1 Present

Elected Members:	*	Shire President
	*	Onslow Ward
	Cr R De Pledge	Ashburton Ward
	Cr M Gallanagh	Pannawonica Ward
	*	Paraburdoo Ward
	*	Paraburdoo Ward
	*	Tom Price Ward
	*	Tom Price Ward
	*	Tom Price Ward

* Elected member details to be confirmed following the 2023 local government elections.

Employees:	K Donohoe C McGurk D Kennedy R Miller A Johnston J Bray A Furfaro	Chief Executive Officer Director Community Development Director Corporate Services Director Infrastructure Services Manager Media and Communications Manager Governance Governance Officer
Guests:	Enter names	
Members of Public:	There were enter number members of the public in attendance at the commencement of the meeting.	
Members of media:	There were enter number members of the media in attendance at the commencement of the meeting.	

4.2 Apologies

To be informed at the meeting.

4.3 Approved Leave Of Absence

5 Question Time

5.1 Public Question Time

To be informed at the meeting.

6 Declaration By Members

6.1 Due Consideration By Councillors To The Agenda

Councillors will be requested to note they have given due consideration to all matters contained in this agenda.

6.2 Declaration Of Interest

A member who has an Impartiality, Proximity or Financial interest in any matter to be discussed at this meeting must disclose the nature of the interest either in a written notice, given to the Chief Executive Officer, prior to the meeting, or at the meeting immediately before the matter is discussed.

A member who makes a disclosure in respect to an interest must not preside at the part of the meeting which deals with the matter, or participate in, or be present during any discussion or decision-making process relative to the matter, unless the disclosing member is permitted to do so under Section 5.68 or Section 5.69 of the *Local Government Act 1995*.

The following declarations of interest are disclosed –

Nil

7 Announcements By The Presiding Member And Councillors Without Discussion

To be informed at the meeting.

8 En Bloc Resolutions

8.1 Agenda Items Adopted En Bloc

To be advised at the meeting.

9 Corporate Services Reports

9.1 Appointment of Elected Members to Committees of Council

File Reference	GV04
Applicant or Proponent(s)	Not Applicable
Author	A Furfaro, Governance Officer
Authorising Officer	D Kennedy, Director Corporate Services
Previous Meeting Reference	Ordinary Council Meeting - 8 August 2023 - Item 13.4 – (157/2023) Ordinary Council Meeting – 19 October 2021 – Item 11.1 – (161/2021)
Disclosure(s) of interest	Author – Nil
	Authorising Officer – Nil
Attachments	1. Committees Terms of Reference

Report Purpose

The purpose of this report is to provide information on each of the committees of Council and the number of members required on each committee.

Council is requested to appoint elected members to the following committees:

- Audit and Risk Management Committee,
- Chief Executive Officer’s Recruitment and Performance Review Committee,
- Community Grants Committee, and
- Economic and Tourism Development Committee.

Background

Council may establish committees in accordance with the *Local Government Act 1995* to assist the Council and to exercise the powers and discharge the duties of the local government that can be delegated to committees. Elected members are appointed to each of the committees for the term of two years following each local government elections.

Elected members were last appointed to committees at the Ordinary Council Meeting on 19 October 2021.

The Shire recently undertook a comprehensive review of the Council’s current committees and working groups and at the Ordinary Council Meeting on 8 August 2023, Council established the following committees and endorsed new terms of reference for each:

- Audit and Risk Management Committee,
- Chief Executive Officer’s Recruitment and Performance Review Committee,
- Community Grants Committee, and
- Economic and Tourism Development Committee.

The established committees do not have delegated decision-making powers therefore, will be advisory committees which will make recommendations to Council.

Comments

Elected member membership to committees of Council is at the discretion of the Council. Appointment of elected members to committees is done by way of nomination. Where the number of nominees exceed the positions available, an election will be held.

In accordance with section 5.11A of the *Local Government Act 1995*, a deputy member of a committee may perform the functions of the member when they are unable to do so by reason of illness, absence or other cause.

The details of each of the committees are as follows –

Committee	Purpose	Membership
Audit and Risk Management Committee	<p>In line with the <i>Local Government (Audit) Regulations 1996</i>, the purpose of the Audit and Risk Management Committee is to:</p> <ol style="list-style-type: none"> 1. Support Council in fulfilling its governance and oversight responsibilities in relation to financial reporting, internal control structure, risk management systems, external audit functions and ethical accountability, 2. Examine the audit and management reports from external audits, and ensure that the Shire of Ashburton (Shire) appropriately implements any actions, and 3. Receive and review reports prepared by the Chief Executive Officer (CEO) in accordance with the Regulations and provide recommendations to Council on its findings and proposed actions. 	<ul style="list-style-type: none"> • Five members • Four deputies (all other Councillors)
Chief Executive Officer's Recruitment and Performance Review Committee	<p>The purpose of the Chief Executive Officer's Recruitment and Performance Review Committee is to support Council in fulfilling its obligations to:</p> <ol style="list-style-type: none"> 1. recruit and select a Chief Executive Officer (CEO); and 2. review the performance of the CEO at least once in relation to each year of the person's employment, where the CEO is employed for a term of more than one year, <p>in accordance with the <i>Local Government Act 1995</i>, and the adopted model Standards for CEO Recruitment, Performance and Termination.</p>	<ul style="list-style-type: none"> • Five members • Four deputies (all other Councillors)

Community Grants Committee	The Community Grants Committee's purpose is to receive, assess and determine applications received for grants under the Council Policy – Community Donations, Grants and Funding with the exception of Small Assistance Donations.	<ul style="list-style-type: none"> • Four members with representation from (Onslow Ward, Pannawonica Ward, Paraburdoo Ward, Tom Price Ward) • Five deputies (all other Councillors)
Economic and Tourism Development Committee	The Economic and Tourism Development Committee's purpose is to identify strategies/opportunities that promote economic development and tourism within the Shire of Ashburton.	<ul style="list-style-type: none"> • Four members • Five deputies (all other Councillors)

Terms of reference for each committee are detailed in the Committee and Working Groups Booklet endorsed by Council on 8 August 2023 and as shown in Attachment 1.

Consultation

Nil

Strategic Community Plan

Shire of Ashburton Strategic Community Plan 2022-2032

Strategic Objective	4. Performance - We will lead the organisation, and create the culture, to deliver demonstrated performance excellence to the community.
Strategic Outcome	4.6 Visionary community leadership with sound, diligent and accountable governance
Strategy	3 Deliver best practice governance and risk management.

Council Policy

[Council Policies » Shire of Ashburton](#)

Nil

Financial Implications

Current Financial Year

Nil

Future Financial Year(s)

Nil

Legislative Implications

Section 5.8 of the *Local Government Act 1995* provides Council the power to establish committees of three or more persons to assist with, and to exercise the powers and discharge the duties of the Council.

Section 5.10 of the *Local Government Act 1995* prescribes a committee is to have as its member persons appointed by the Council. Each Council member is entitled to be a member of at least one committee. If the Shire President informs the Council, they wish to be a member of a committee, the Council is to appointment them to the committee.

Section 5.11 of the *Local Government Act 1995* prescribes that committee membership and tenure of appointments to committees continue until next ordinary election day.

Section 5.11A of the *Local Government Act 1995* specifies obligations and duties of the deputy member of a committee.

Section 7.1A of the *Local Government Act 1995* prescribes a local government is to establish an audit committee of three or more persons.

Risk Management

Risk has been assessed against the Shire of Ashburton Risk Management Framework.

Theme	Risk	Likelihood	Consequence	Inherent Risk Rating	Risk Treatment
Compliance	Council not being appropriately appointed to committees of Council.	Unlikely (2)	Minor (2)	Low (1-4)	Elected members requested to nominate for vacancies, as recommended.

Based on the inherent risk rating and risk treatments, the residual risk to the Shire is considered to be low.

Voting Requirements

Absolute Majority

Officer Recommendation

That with respect to appointment of elected members to committees of Council, and pursuant to sections 5.10 and 5.11A of *Local Government Act 1995*, Council, appoints the following elected members to the following committees, for the term of 25 October 2023 to 18 October 2025 -

1. Audit and Risk Management Committee
 - (a) _____
 - (b) _____
 - (c) _____
 - (d) _____
 - (e) _____
 - (f) And all other elected members as deputies.
2. Chief Executive Officer's Recruitment and Performance Review Committee
 - (a) _____
 - (b) _____
 - (c) _____
 - (d) _____
 - (e) _____
 - (f) And all other elected members as deputies.
3. Community Grants Committee
 - (a) _____
 - (b) _____
 - (c) _____
 - (d) _____
 - (e) And all other elected members as deputies.
4. Economic and Tourism Development Committee
 - (a) _____
 - (b) _____
 - (c) _____
 - (d) _____
 - (e) And all other elected members as deputies.

9.2 Appointment of Elected Members to Working Groups and External Groups

File Reference	GV04
Applicant or Proponent(s)	Not Applicable
Author	A Furfaro, Governance Officer
Authorising Officer	D Kennedy, Director Corporate Services
Previous Meeting Reference	Ordinary Council Meeting 8 August 2023 - Item 13.4 – (157/2023) Ordinary Council Meeting 19 October 2021 – Item 11.2 – (162/2021)
Disclosure(s) of interest	Author – Nil
	Authorising Officer – Nil
Attachments	1. Working and External Groups Terms of Reference

Report Purpose

Council is required to have elected member representation to Council working groups and external groups. Elected members are appointed to each of the groups for the term of two years following the local government elections.

The purpose of this report is to provide information on each of the working and external groups and the number of members required on each.

Council is requested to nominate and appoint elected members to each group.

Background

Following from the Local Government Ordinary Elections in 2021 at the Ordinary Council Meeting on 19 October 2021, elected members were appointed to each of the working groups.

Recently, the Shire undertook a comprehensive review of the Shire's current committees and working groups and at the Ordinary Council Meeting on 8 August 2023, Council endorsed representative for the following groups:

Council Working Groups

- Inland Local Emergency Management Committee
- Onslow Local Emergency Management Committee
- Pannawonica Local Emergency Management Committee
- Onslow Senior Citizens and Carinya Units Working Group
- Pilbara Regional Waste Management Facility Alliance Board
- Tom Price Sporting Working Group
- Working Together Onslow Steering Group

External Groups

- Regional Development Assessment Panel
- Regional Road Group
- Western Australian Local Government Association Pilbara Country Zone

Comments

Working groups are not intended to be constrained by the procedural requirements of the *Local Government Act 1995* (the Act) and *Local Government (Administration) Regulations 1996* however, many best practice meeting procedures used under the Act can be practised for working group meetings.

Any recommendations emanating from working groups are to be endorsed by Council through an officer report and subsequent recommendation. A working group has no other power.

The details of each of the working groups are as follows –

Shire Working Group	Purpose	Membership
Inland Local Emergency Management Committee	<p>The Inland Local Emergency Management Committee (LEMC) is established in accordance with the <i>Emergency Management Act 2005</i> and comprises the Tom Price and Paraburdoo townships and surrounding communities.</p> <p>The aim of the LEMC is to collaborate with local support organisations, hazard management agencies and industry representatives to collectively build a resilient community that is prepared to respond and recover from an emergency.</p>	<ul style="list-style-type: none"> • Two members • Two deputies
Onslow Local Emergency Management Committee	<p>The Onslow Local Emergency Management Committee (LEMC) is established in accordance with the <i>Emergency Management Act 2005</i> and comprises the Onslow town site and surrounding communities.</p> <p>The aim of the LEMC is to collaborate with local support organisations, hazard management agencies and industry representatives to collectively build a resilient community that is prepared to respond and recover from an emergency.</p>	<ul style="list-style-type: none"> • Two members • Two deputies

Pannawonica Local Emergency Management Committee	<p>The Pannawonica Local Emergency Management Committee (LEMC) is established in accordance with the <i>Emergency Management Act 2005</i> and comprises the 'closed' town of Pannawonica.</p> <p>The aim of the LEMC is to collaborate with local support organisations, hazard management agencies and industry representatives to collectively build a resilient community that is prepared to respond and recover from an emergency.</p>	<ul style="list-style-type: none"> • Two members • Two deputies
Onslow Senior Citizens and Carinya Units Working Groups	<p>The purpose of the Onslow Senior Citizens and Carinya Units Working Group is to provide means to consider applications lodged for residential occupancy of the Onslow Senior Citizens Units and the Carinya Units (Units) by eligible persons, and to broadly support ongoing effective operations at the Units.</p>	<ul style="list-style-type: none"> • Onslow Ward Councillor (chairperson of meeting)
Pilbara Regional Waste Management Facility Alliance Board	<p>The purpose and duties of the Pilbara Regional Waste Management Facility Alliance Board is to ensure that the parties, Pilbara Environmental Services and Shire of Ashburton work collaboratively and best for project approach to all decision making for the Onslow Pilbara Management Waste Facility.</p>	<ul style="list-style-type: none"> • Shire President (chairperson of meeting)
Tom Price Sporting Working Group	<p>The purpose of the Tom Price Sporting Working Group is to:</p> <ol style="list-style-type: none"> 1. provide guidance to sport and recreation issues within the Tom Price Sporting precinct (Tom Price Oval and Minna Oval); 2. provide a forum for discussion of matters relating to sport and recreation within the town of Tom Price, including the identification of issues and opportunities and ensuring equitable access to sport and recreation opportunities for all members of the community; and 3. provide direction on all matters relating to the clubs and facilities. 	<ul style="list-style-type: none"> • Two members (Tom Price Ward Councillor) • Deputy (Tom Price Ward Councillor)
Working Together Onslow Steering Group	<p>The purpose of the Working Together Onslow Steering Committee is to provide oversight of the Working Together Onslow Agreement funding allocations.</p>	<ul style="list-style-type: none"> • Shire President (chairperson of meeting) • Onslow Ward Councillor

Council provide representation on a number of external groups. These groups are administered by parties other than the Shire of Ashburton therefore, information provided and operation of these groups is at the discretion of the convening bodies.

The details of each of the external working groups are as follows –

External Working Group	Purpose	Membership
Regional Development Assessment Panel	A Development Assessment Panel is an independent decision-making body comprised of technical experts and elected local government members. These panels determine development applications made under local and region planning schemes, in the place of the original decision maker.	<ul style="list-style-type: none"> • Two members • Two deputies
Regional Road Group	There are 10 Regional Road Groups (RRG) in WA, established under the State Road Funds to Local Government Agreement which is overseen by a State Advisory Committee (SAC). The RRGs make recommendations to the SAC regarding the Annual Local Government Roads Program for their Region and any other relevant issues.	<ul style="list-style-type: none"> • Two members • Two deputies
Western Australian Local Government Association (WALGA) Pilbara Country Zone	<p>WALGA's Constitution outlines that the functions of Zones are to:</p> <ul style="list-style-type: none"> • Elect one or more State Councillors; • Consider the State Council agenda; • Provide direction and feedback to their State Councillor; and, • Any other function deemed appropriate by the Zone. 	<ul style="list-style-type: none"> • Two members • Two deputies

Terms of reference for each working group are detailed in the Committee and Working Groups Booklet endorsed by Council on 8 August 2023 and as shown in Attachment 1.

Consultation

Nil

Strategic Community Plan

Shire of Ashburton Strategic Community Plan 2022-2032

Strategic Objective	4. Performance - We will lead the organisation, and create the culture, to deliver demonstrated performance excellence to the community.
Strategic Outcome	4.6 Visionary community leadership with sound, diligent and accountable governance
Strategy	3 Deliver best practice governance and risk management.

Council Policy[Council Policies » Shire of Ashburton](#)

Nil

Financial ImplicationsCurrent Financial Year

Any associated costs for elected members required to travel to attend external group meetings is provided for in the Annual Budget.

Future Financial Year(s)

Any associated costs for elected members required to travel to attend external group meetings is provided for in the Annual Budget.

Legislative Implications

Section 38 of the *Emergency Management Act 2005* prescribes a local government is to establish one or more local emergency management committees for the district.

Risk Management

Risk has been assessed against the Shire of Ashburton Risk Management Framework.

Theme	Risk	Likelihood	Consequence	Inherent Risk Rating	Risk Treatment
Reputation (social/community)	Council not being appropriately represented at working and external groups.	Unlikely (2)	Minor (2)	Low (1-4)	Elected members requested to nominate for vacancies, as recommended.

Based on the inherent risk rating and risk treatments, the residual risk to the Shire is considered to be low.

Voting Requirements

Simple Majority

Officer Recommendation

That with respect to appointment of Appointment of Elected Members to Working Groups and External Groups, Council, appoints the following elected members for the term of 25 October 2023 to 18 October 2025, to the following groups -

1. Inland Local Emergency Management Committee
 - (a) _____
 - (b) _____
 - (c) _____ (Deputy)
 - (d) _____ (Deputy)
2. Onslow Local Emergency Management Committee
 - (a) _____
 - (b) _____
 - (c) _____ (Deputy)
 - (d) _____ (Deputy)
3. Pannawonica Local Emergency Management Committee
 - (a) _____
 - (b) _____
 - (c) _____ (Deputy)
 - (d) _____ (Deputy)
4. Onslow Senior Citizens and Carinya Units Working Groups
 - (a) Onslow Ward Councillor
5. Pilbara Regional Waste Management Facility Alliance Board
 - (a) Shire President
6. Tom Price Sporting Working Group
 - (a) Tom Price Ward Councillor
 - (b) Tom Price Ward Councillor
 - (c) Tom Price Ward Councillor (Deputy)
7. Working Together Onslow Steering Committee
 - (a) Shire President
 - (b) Onslow Ward Councillor
8. Regional Development Assessment Panel
 - (a) _____
 - (b) _____
 - (c) _____ (Deputy)
 - (d) _____ (Deputy)

9. Regional Road Group

- (a) _____
- (b) _____
- (c) _____ (Deputy)
- (d) _____ (Deputy)

10. Western Australian Local Government Association Pilbara Country Zone

- (a) _____
- (b) _____
- (c) _____ (Deputy)
- (d) _____ (Deputy)

10 Next Meeting

The next Ordinary Council Meeting will be held at 1:00pm on Tuesday 14 November 2023 at Ashburton Hall, Ashburton Avenue, Paraburdoo.

11 Closure Of Meeting

There being no further business, the Presiding Member closed the meeting at [enter time](#).