



SHIRE OF BEVERLEY NOTICE OF MEETING

Notice is hereby given that a Special Council Meeting will be held in the Council Chambers, Civic Centre, 132 Vincent Street, Beverley on Thursday 23 October 2025 at 10am for the purpose of Swearing in of Councillors; the Election of a President and Deputy President; and the selection of an Audit, Risk and Improvement Committee.

Program

10:00am

Special Council Meeting

A handwritten signature in black ink, appearing to be "S. Gollan", written over a horizontal line.

Stephen Gollan
Chief Executive Officer

20 October 2025

DISCLAIMER

The recommendations contained in the Agenda are subject to confirmation by Council. The Shire of Beverley warns that anyone who has any 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 the Council in respect of the application. No responsibility whatsoever is implied or accepted by the Shire of Beverley for any act, omission or statement or intimation occurring during a Council meeting.



23 OCTOBER 2025

SPECIAL COUNCIL MEETING

AGENDA

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1. OPENING

The Chief Executive Officer to declare the meeting open.

In accordance with Clause 3 of Schedule 2.3 of the *Local Government Act 1995* the Chief Executive Officer is to preside at the meeting until the office of President is filled.

The Shire of Beverley acknowledge the Traditional Owners of the land on which we meet, the Ballardong People. We pay our respects to Elders past and present.

Councillors and the public are advised this meeting is digitally recorded. All reasonable care is taken to maintain visitors privacy, however, as an attendee your presence may be recorded verbally. By staying in the meeting, it is assumed your consent is given to your voice being recorded. No visual recording is permitted.

2. ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

2.1 Council Members

Cr DL Brown
Cr CJ Lawlor
Cr DJ Ridgway

2.2 Councillors' Elect

Cr SW Martin
Cr JR Maxwell
Cr AFC Sattler
Cr AC Shaw

2.3 Staff

Mr Stephen Gollan	Chief Executive Officer
Mr SK Marshall	Deputy Chief Executive Officer
Mr BS de Beer	Manager of Planning

2.4 Invited Guests

Mr Fred Bremner JP

2.5 Observers and Visitors

2.6 Apologies and Approved Leave of Absence

Mrs A Lewis	Executive Assistant
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3. DECLARATION OF OFFICE OF COUNCILLOR

Successful candidates to make and subscribe the Declaration of Office of Councillor before Mr Fred Bremner, JP.

4. ELECTION OF SHIRE PRESIDENT

*Close of nominations.

Council is required to elect the Shire President from among the Councillors, as required in Section 2.11 and 2.15 of the *Local Government Act 1995* and as detailed in Schedule 2.3 of Division 1 of the Act:

4. How mayor or president is elected

- (1) The council is to elect a councillor to fill the office.
- (2) The election is to be conducted by the CEO in accordance with the procedure prescribed.
- (3) Nominations for the office are to be given to the CEO in writing before the meeting or during the meeting before the close of nominations.
- (3a) Nominations close at the meeting at a time announced by the CEO, which is to be a sufficient time after the announcement by the CEO that nominations are about to close to allow for any nominations made to be dealt with.
- (4) If a councillor is nominated by another councillor the CEO is not to accept the nomination unless the nominee has advised the CEO, orally or in writing, that the nominee is willing to be nominated for the office.
- (5) The councillors are to vote on the matter by secret ballot as if they were electors voting at an election.
- (6) Subject to clause 5(1), the votes cast under subclause (5) are to be counted, and the successful candidate determined, in accordance with Schedule 4.1 (which deals with determining the result of an election) as if those votes were votes cast at an election.
- (7) As soon as is practicable after the result of the election is known, the CEO is to declare and give notice of the result in accordance with regulations, if any.

(Nomination form at the end of agenda. Self-nomination is permitted.)

The elected Shire President is then required to take the Declaration of Office – President.

After the Declaration, the Shire President can resume the Chair.

5. ELECTION OF DEPUTY SHIRE PRESIDENT

*Close of nominations.

Council is required to elect the Deputy Shire President from among the Councillors, as required in Section 2.11 and 2.15 of the *Local Government Act 1995* and as detailed in Schedule 2.3 of Division 2 of the Act:

8. How deputy mayor or deputy president is elected

- (1) The council is to elect a councillor (other than the mayor or president) to fill the office.
- (2) The election is to be conducted by the CEO in accordance with the procedure prescribed.
- (3) Nominations for the office are to be given to the CEO in writing before the meeting or during the meeting before the close of nominations.
- (4) Nominations close at the meeting at a time announced by the CEO, which is to be a sufficient time after the announcement by the CEO that nominations are about to close to allow for any nominations made to be dealt with.
- (5) If a councillor is nominated by another council member, the CEO is not to accept the nomination unless the nominee has advised the CEO, orally or in writing, that they are willing to be nominated for the office.
- (6) The council members are to vote on the matter by secret ballot as if they were electors voting at an election.
- (7) Subject to clause 9(1), the votes cast under subclause (6) are to be counted, and the successful candidate determined, in accordance with Schedule 4.1 (which deals with determining the result of an election) as if those votes were votes cast at an election.
- (8) As soon as is practicable after the result of the election is known, the CEO is to declare and give notice of the result in accordance with regulations, if any.

(Nomination form at the end of agenda. Self-nomination is permitted.)

The elected Deputy Shire President is then required to take the Declaration of Office – Deputy President.

6. OFFICER REPORTS

6.1 Appointment of Councillors to the Audit, Risk and Improvement Committee

Submission To:	Special Council Meeting 23 October 2025
Report Date:	20 October 2025
Applicant:	Administration
File Reference:	ADM 0102
Author and Position:	Stephen Gollan, Chief Executive Officer
Previously Before Council:	Special Council Meeting 26 October 2023
Disclosure(s) Of Interest:	None
Attachments:	Nil

SUMMARY

Councillors to select the Audit, Risk and Improvement Committee for the 2025-2027 term and elect an interim Chairperson.

BACKGROUND

In accordance with Section 5.8 of the *Local Government Act 1995*, Council may convene committees of 3 or more persons.

It is essential that Council select the Audit, Risk and Improvement Committee (ARIC) at the Special Council Meeting as the Annual Report is to be reviewed by the ARIC prior to adoption by full Council at the 29 October 2025 Ordinary Council Meeting.

As of 1 July 2025 Council must elect the Chairperson of the ARIC by an absolute majority decision of Council.

Due to the *Local Government Amendment Act 2024 (the Amendment Act)* which amends the *Local Government Act 1995* (the Act) to advance various reforms, the appointment of the Chairperson will be of an interim nature as ARIC's are to be chaired by an independent person. This reform was assented in December 2024 and is expected to be commenced before the end of 2025.

Information from the reform fact sheet:

Audit committees will be revised as audit, risk and improvement committees (ARICs) and must have an independent presiding member to ensure a level of neutrality and impartial oversight in chairing these meetings. An independent presiding member must be a person who is not a council member of any local government or an employee of the local government. If a deputy presiding member is appointed, they must also be independent.

The introduction of an independent presiding member provides an opportunity for increased community confidence in a local government's financial and risk management. There may also be benefit to the local government through appointing an independent presiding member with risk and financial management expertise that may otherwise be unavailable.

This reform reflects modern governance practices in State Government authorities and agencies as well as private corporations.

Under the current provisions of the Act, an audit committee is required to be established comprising of 3 or more persons appointed by an absolute majority decision of the local government. The majority of the members must be council members. The CEO or a local government employee cannot be a member.

Audit, risk and improvement committee model

The Act provides for the following distinct committee member roles:

- Presiding Member — responsible for facilitating and chairing committee meetings (section 5.12).*
- Deputy Presiding Member — comparable to a Deputy Mayor/President, a deputy presiding member is a committee member who presides at meetings of the committee in the absence of the presiding member (section 5.12(2)).*
- Deputy Member — a deputy to a committee member who only performs the function of the ordinary member when they are unable to do so (section 5.11A).*

Under section 87 of the Amendment Act, a local government will be required to appoint an independent person as presiding member of the ARIC.

The reforms will require an ARIC to be structured as follows:

Independent Presiding Member

- A local government must appoint an independent person as presiding member of the ARIC.*

Independent Deputy Member/Deputy Presiding Member

- A local government must appoint an independent person as Deputy Member to the Presiding Member, stepping in when the Presiding Member is unavailable.*
- A local government may also appoint an independent committee member as Deputy Presiding Member.*

Other members

- The ARIC must have at least three members including the independent presiding member.*
- The CEO and other local government employees cannot be members of the ARIC.*

Smaller local governments may also now choose to share an ARIC to reduce the burden on their resources.

Staff will be advertising for Expression's of Interest for an Independent Presiding Member in the coming weeks.

COMMENT

An audit committee plays a key role in assisting a local government to fulfil its governance and oversight responsibilities in relation to financial reporting, internal control structure, risk management systems, legislative compliance, ethical accountability and the internal and external audit functions.

STATUTORY ENVIRONMENT

Part 5, Division 2, Section 5.8, 5.9 and 5.10 of the *Local Government Act 1995*:

5.8. Establishment of committees

A local government may establish* committees of 3 or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.

** Absolute majority required.*

5.9. Committees, types of

(1) In this section —

other person means a person who is not a council member or an employee.

(2) A committee is to comprise —

- (a) council members only; or
- (b) council members and employees; or
- (c) council members, employees and other persons; or
- (d) council members and other persons; or
- (e) employees and other persons; or
- (f) other persons only.

5.10. Committee members, appointment of

(1) A committee is to have as its members —

- (a) persons appointed* by the local government to be members of the committee (other than those referred to in paragraph (b)); and
- (b) persons who are appointed to be members of the committee under subsection (4) or (5).

** Absolute majority required.*

(2) At any given time each council member is entitled to be a member of at least one committee referred to in section 5.9(2)(a) or (b) and if a council member nominates himself or herself to be a member of such a committee or committees, the local government is to include that council member in the persons appointed under subsection (1)(a) to at least one of those committees as the local government decides.

(3) Section 52 of the *Interpretation Act 1984* applies to appointments of committee members other than those appointed under subsection (4) or (5) but any power exercised under section 52(1) of that Act can only be exercised on the decision of an absolute majority of the council.

(4) If at a meeting of the council a local government is to make an appointment to a committee that has or could have a council member as a member and the mayor or president informs the local government of his or her wish to be a member of the committee, the local government is to appoint the mayor or president to be a member of the committee.

- (5) If at a meeting of the council a local government is to make an appointment to a committee that has or will have an employee as a member and the CEO informs the local government of his or her wish —
- (a) to be a member of the committee; or
 - (b) that a representative of the CEO be a member of the committee,
- the local government is to appoint the CEO or the CEO's representative, as the case may be, to be a member of the committee.

7.1A. Audit committee

- (1) A local government is to establish an audit committee of 3 or more persons to exercise the powers and discharge the duties conferred on it.
- (2) The members of the audit committee of a local government are to be appointed* by the local government and at least 3 of the members, and the majority of the members, are to be council members.

** Absolute majority required.*

- (3) A CEO is not to be a member of an audit committee and may not nominate a person to be a member of an audit committee or have a person to represent the CEO as a member of an audit committee.
- (4) An employee is not to be a member of an audit committee.

[Section 7.1A inserted: No. 49 of 2004 s. 5; amended: No. 5 of 2017 s. 11.]

7.1B. Delegation of some powers and duties to audit committees

- (1) Despite section 5.16, the only powers and duties that a local government may delegate* to its audit committee are any of its powers and duties under this Part other than this power of delegation.

** Absolute majority required.*

- (2) A delegation to an audit committee is not subject to section 5.17.

[Section 7.1B inserted: No. 49 of 2004 s. 5.]

7.1C. Decisions of audit committees

Despite section 5.20, a decision of an audit committee is to be made by a simple majority.

FINANCIAL IMPLICATIONS

Nil

CONSULTATION

Council

STRATEGIC IMPLICATIONS

Strategic Pillar: 4. Civic Leadership

Strategic Priorities: 4.2 Continuous organisational improvement

POLICY IMPLICATIONS

EM008 – Standing Committees

RISK IMPLICATIONS

Low (4) – appointing the Audit, Risk and Improvement Committee mitigates the risk of future non-compliance.

Consequence	Insignificant	Minor	Moderate	Major	Catastrophic
Likelihood					
Almost Certain	Medium (5)	High (10)	High (15)	Severe (20)	Severe (25)
Likely	Low (4)	Medium (8)	High (12)	High (16)	Severe (20)
Possible	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)
Risk Rating	Action				
Low	Monitor for ongoing improvement.				
Medium	Comply with risk reduction measures to keep risk as low as reasonably practical.				
High	Review the risk and take additional measures to ensure risk is low as reasonably achievable.				
Severe	Unacceptable risk level, reduction measures must be introduced before proceeding.				

VOTING REQUIREMENTS

Absolute majority for both recommendations.

OFFICER RECOMMENDATION ONE

That Council appoint Cr's _____, _____, _____, and _____ to the Audit, Risk and Improvement Committee.

OFFICER RECOMMENDATION TWO

That Council, noting the incoming requirement to appoint an independent chair, appoint Cr _____ as the interim Chairperson of the Audit, Risk and Improvement Committee until an Independent Presiding member is selected.

7. NEW BUSINESS

New Business of an urgent matter only arising by order of the meeting.

8. CLOSURE

The Chairperson to declare the meeting closed.