



# MINUTES

## Special Council Meeting

10 April 2025

Shire of Victoria Plains  
Council Chambers, Calingiri  
AND  
via E-Meeting Protocol

Commencing – 3:33 PM



## **DISCLAIMER:**

The recommendations contained in this document are officers' recommendations only and should not be acted upon until Council has resolved to adopt those recommendations.

The resolutions of Council should be confirmed by perusing the minutes of the Council meeting at which these recommendations were considered. Resolutions are not considered final until the minutes of the meeting are confirmed or advised in writing by the CEO or authorised person.

Members of the public should also note that they act at their own risk if they enact any resolution prior to receiving official written notification of Council's decision.

### **Recording of Meeting**

Members of the public are advised that meetings of Council are audio recorded to assist with ensuring an accurate record of the meeting is provided for the formal minutes of the meeting. In terms of the Privacy Act 1998 this may involve the recording of personal information provided at the meeting. The provision of any information that is recorded is voluntary, however if any person does not wish to be recorded they should not address or request to address the meeting. By remaining in this meeting, you consent to the recording of the meeting.

You are not permitted to record this meeting with any recording device, unless you have the express authorisation of the Council of the Shire of Victoria Plains.

## **E – Disclaimer**

It is the Presiding Member's responsibility to preserve order in the meeting and this can be more difficult in an eMeeting. Therefore, each Council Member must consistently and respectfully follow the Local Government's Meeting Procedures Local Law, any additional eMeeting guidance provided by the Local Government and support the Presiding Member in their conduct of the eMeeting.

The pace of an eMeeting should be slow and orderly. The following practices will help avoid confusion and support effective eMeetings:

Speak clearly and slowly, as connections may be distorted or delayed;

Always state your name to indicate to the Presiding Member that you wish to speak. Restate your name if the Presiding Member has not heard you at first;

In debate, only speak after the Presiding Member has acknowledged you. Then state your name, so that others know who is speaking;

Follow the Presiding Member's directions and rulings;

If you are unclear about what is happening in an eMeeting, immediately state your name to draw the Presiding Member's attention and enable you to then seek clarification from the Presiding Member;

Avoid looking for opportunities to call Points of Order; instead, politely and respectfully gain the Presiding Member's attention and explain any deviation from your Meeting Procedures, the Local Government Act or any other relevant matter.

Commonly used abbreviations	
AAS / AASB	Australian Accounting Standard / Australian Accounting Standards Board
BF Act	Bush Fire Act 1954
BFB	Bush fire brigade
CEO	Chief Executive Officer
CDO	Community Development Officer
DBCA	Dept of Biodiversity, Conservation and Attractions
DFES	Dept of Fire and Emergency Services
DPLH	Dept of Planning, Lands and Heritage
DWER	Dept of Water and Environmental Regulation
EHO	Environmental Health Officer
EFT	Electronic Funds Transfer
FAM	Finance and Administration Manager
JSCDL	Parliamentary Joint Standing Committee on Delegated Legislation
LEMA	Local Emergency Management Arrangements
LEMC	Local Emergency Management Committee
LG Act	Local Government Act 1995
LGGC	WA Local Government Grant Commission
LPP	Local Planning Policy
LPS	Local Planning Scheme
MOU	Memorandum of Understanding
MRWA	Main Roads WA
NNTT	National Native Title Tribunal
OAG	Office of Auditor General
OCM	Ordinary Council Meeting
PTA	Public Transport Authority
RRG	Regional Roads Group
RTR	Roads to Recovery
SAT	State Administrative Tribunal
SEMC	State Emergency Management Committee
SGC	Superannuation Guarantee Contribution
SJAA	St John Ambulance Association
SWALSC	South West Aboriginal Land and Sea Council
WAEC	WA Electoral Commission
WALGA	WA Local Government Association
WSM	Works and Services Manager
WSFN	Wheatbelt Secondary Freight Network
EPA	Environmental Protection Authority
DPIRD	Department of Primary Industries and Regional Development
HCWA	Heritage Council of Western Australia
WAPC	Western Australian Planning Commission
WDC	Wheatbelt Development Commission

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# MINUTES

Special Council Meeting of the Victoria Plains Shire Council  
Held in the Shire of Victoria Plains, Council Chambers, Calingiri, AND, via E-  
Meeting Protocol  
on 10 April 2025 commencing at 3:33 PM

## 1 DECLARATION OF OPENING

### 1.1 Opening

The Meeting was declared open by the Presiding Member at 3.33PM

### 1.2 Announcements by Shire President

The Shire President reminded Elected Members that the meeting was being recorded for the purposes of Minute Taking and uploading of the recording to the Shire Website for public viewing and the meeting will be run in accordance with the Shire's Meeting Procedures Law 2018

## 2 REMOTE ATTENDANCE BY ELECTED MEMBERS

### THAT:

Under regulation 14C (2)(b) of the Admin Regulations, the Shire President can approve Elected Member attendance by electronic means;

In doing so, under r.14C (5) the Shire President must have regard as to whether the location that the Elected Member intends to attend the meeting, and the equipment intended to be used to attend the meeting, are suitable;

Electronic means includes, as per r.14CA(2) by telephone or video conference;

Suitable equipment would include an electronic device that can hold a Teams meeting, and perhaps, the use of headphones;

In accordance with r.14CA (5) the Elected Member must declare that they are able to maintain confidentiality during the meeting. Under r.14CA(7), the declaration by the Elected Member is recorded in the minutes of the meeting;

Summarily, according to Departmental guidance, a suitable location is one that is quiet and private e.g. a private room in your house. If there are other people at the location at the time of the meeting, an Elected Member may be required to close a door and wear headphones.

**Approval to Attend and Declaration of Confidentiality****THAT:**

**Cr D LOVELOCK** and **Cr S PENN** have been approved to **ATTEND** the 10 April 2025 Special Council Meeting by electronic means as approved by the Shire President and that a declaration has been received regarding confidentiality and other requirements as noted in Section 2 herewith.

**3 RECORD OF ATTENDANCE**

Members present	Cr P Bantock – Shire President and Presiding Member Cr D Lovelock – via teleconference Cr S Penn – via teleconference
Staff attending	Chief Executive Officer – Mr S Fletcher Ms J Klobas – Council -Support Officer – via teleconference Ms S Bell-Crookes – Records Officer
Apologies	Nil
Approved leave of absence	N/A
Visitors	Nil
Members of the public	Nil

**4 DISCLOSURE OF INTEREST**

*Refer – Local Government Act, Regulations, Code of Conduct, and Declaration Forms in Councillor folders.*

*Type      Item    Person / Details.*

Nil

**5 PRESENTATIONS AND DEPUTATIONS****5.1 Presentations**

N/A

**6 APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

**7 REPORTS REQUIRING DECISION****7 MEETING CLOSED TO PUBLIC****7.1 Meeting Closed to Public - Gillingarra Water Supply - Affixing of Common Seal**

<b>File Reference</b>	
<b>Report Date</b>	10 February 2025
<b>Applicant/Proponent</b>	SoVP
<b>Officer Disclosure of Interest</b>	Nil
<b>Previous Meeting Reference</b>	Nil
<b>Prepared by</b>	Julie Klobas – Council Support Officer
<b>Senior Officer</b>	Sean Fletcher – Chief Executive Officer
<b>Authorised by</b>	Sean Fletcher – Chief Executive Officer
<b>Attachments</b>	Nil

**PURPOSE**

For Council to move “in camera” (behind closed doors) and consider a matter regarding under item 7.2, “Gillingarra Water Supply - Affixing of Common Seal”.

**BACKGROUND**

Under section 5.23 (2) of the Local Government Act, Council may close a meeting, or part of a meeting if it deals with

- (a) under section 5.23(2) include: personal affairs of any person, a contract entered into, or which may be entered into, by the local government, legal advice obtained, or which may be obtained, by the local government, and matters that if disclosed, would reveal trade secrets, commercial value information, or information about the business, professional, commercial or financial affairs of a person.

**COMMENT**

Signing of the Kelly Deed of Licence and Convent by relevant parties.

**CONSULTATION**

Shire President and Elected Members

**STATUTORY CONTEXT**

As per the background to this item.

**CORPORATE CONTEXT**

N/A

**FINANCIAL IMPLICATIONS**

Nil

**VOTING REQUIREMENTS**

Simple Majority

**Officer Recommendation / Council Resolution SCM2504-019****Moved:** Cr S Penn**Seconded:** Cr D Lovelock

That Council **CLOSE** the meeting under section 5.23 (2) of the *Local Government Act* to consider a matter under item 7.2 "Gillingarra Water Supply - Affixing of Common Seal" at 3.35PM.

**CARRIED BY UNANIMOUS DECISION OF COUNCIL**

Voted For: Cr P Bantock, Cr D Lovelock and Cr S Penn

Voted Against : Nil

CONFIRMED PUBLIC MINUTES



**7.2 Gillingarra Water Supply - Affixing of Common Seal (Confidential)**

<b>File Reference</b>	
<b>Report Date</b>	8 April 2025
<b>Applicant/Proponent</b>	Emma, Shane and Peter Kelly
<b>Officer Disclosure of Interest</b>	N/A
<b>Previous Meeting Reference</b>	Nil
<b>Prepared by</b>	Colin Ashe – Deputy Chief Executive Officer
<b>Senior Officer</b>	Sean Fletcher – Chief Executive Officer
<b>Authorised by</b>	Sean Fletcher – Chief Executive Officer
<b>Attachments</b>	1. Deed of Licence and Covenant for Gillingarra Water Supply

**VOTING REQUIREMENTS**

Absolute Majority

**Officer Recommendation / Council Resolution SCM2504-020**

**Moved:** Cr D Lovelock  
**Seconded:** Cr S Penn

That Council **AUTHORISES** the affixing of the common seal to the Deed of Licence and Covenant for the Gillingarra Water Supply.

**CARRIED BY UNANIMOUS DECISION OF COUNCIL AND BY ABSOLUTE MAJORITY**

Voted For: Cr P Bantock, Cr D Lovelock and Cr S Penn

Voted Against : Nil

## 8 MEETING OPENED TO PUBLIC

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### Officer Recommendation / Council Resolution SCM2504-021

**Moved:** Cr S Penn

**Seconded:** Cr D Lovelock

That Council **MOVES OUT** of Closed Council into Open Council at 3:58 PM.

**CARRIED BY UNANIMOUS DECISION OF COUNCIL**

Voted For: Cr P Bantock, Cr D Lovelock and Cr S Penn

Voted Against : Nil

CONFIRMED PUBLIC MINUTES

## 9 CLOSURE OF MEETING

There being no further business, the Presiding Member declared the meeting closed at 3:58 PM.

These minutes were confirmed at the Special Council Meeting held on 30 April 2025

Signed



(Presiding member at the meeting which confirmed the minutes)

Date

30 April 2025

**Council Minutes are unconfirmed until they have been adopted at the following meeting of Council.**

CONFIRMED PUBLIC MINUTES