NOTICE OF SPECIAL COUNCIL MEETING

Dear Elected Member

A Special Council Meeting of the Shire of Perenjori will be held on Thursday 24th October 2013 in the Council Chambers, Fowler Street, Perenjori commencing at 5pm.

Ali Mills
Chief Executive Officer
21 October 2013

Shire of Perenjori
Special Council Meeting
24 October 2013

Agenda

21 October 2013
Copies forward to:

All Councilors

Cr CR King
Cr LC Butler
Cr RP Desmond
Cr GK Reid
Cr JH Hirsch
Cr JR Cunningham
Cr HC Wass
Cr LJ Smith
Cr PJ Waterhouse
Shire of Perenjori

AGENDA

Special Council Meeting

To be held in the Shire of Perenjori Council Chambers, Fowler Street, Perenjori on 24th October 2013, to commence at 5pm.

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AGENDA

24th October 2013

Shire of Perenjori

Special Council Meeting

Preliminaries

13101.1 Declaration of Opening and Announcement of Visitors

13101.2 Opening Prayer

13101.3 Disclaimer Reading

13101.4 Record of Attendance, Apologies and Leave of Absence

13101.5 Response to Previous Public Questions Taken on Notice

13101.6 Public Question Time

13101.7 Notations of Interest
   Financial Interest – Local Government Act s 5.60A
   Proximity Interest – Local Government Act s 5.60B
   Interest Affecting Impartiality – Local Government - Code of Conduct.

13101.8 Applications for Leave of Absence

13101.9 Confirmation of Minutes
   None

13101.10 Announcements by Person Presiding without Discussion

13101.11 Petitions / Deputations / Presentations
Executive Summary

Position of President, Deputy President, Statutory Committees and Community Committees are elected after each Council election.

Background

Position of President and Deputy President are elected after each ordinary election, and committees are formed.

All existing Elected Members who’s terms had expired and renominated were re-elected unopposed. The previous term of office has now expired, and the new term commenced from Saturday 19th October 2013.

The Election results are as follows:

<table>
<thead>
<tr>
<th>Caron/Latham Ward</th>
<th>1 Vacancy – 4 Year Term</th>
<th>Cr Jenny Hirsch - re-elected unopposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Perenjori Ward</td>
<td>1 Vacancy – 4 Year Term, and 1 Vacancy – 4 Year Term, and 1 Vacancy – 4 Year Term</td>
<td>Cr Lisa Smith – re-elected unopposed Cr Laurie Butler – re-elected unopposed Cr Rodney Desmond – re-elected unopposed</td>
</tr>
</tbody>
</table>

The CEO will preside over the meeting until elected Councillors have been sworn in, and the Shire President has been elected and sworn in. The President will preside over the remainder of the meeting.

Statutory Environment

Local Government Act 1995:
Schedule 2.3 sets out the procedures for the election of presidents and Deputy Presidents by Council.

**Policy Implications**
Nil

**Financial Implications**
Nil

**Strategic Implications**
Area 5: Investing in Councils Capacity – Our Leadership

Goal: Strengthen the Shire’s position as an innovative, independent local Government providing excellence in all areas of governance, management and leadership.

**Consultation**
Department of Local Government and WALGA

**Comment**
The CEO will preside at the meeting until the election of the President. After members commencing new term have been sworn in the CEO will preside over the election of a president.

**Voting Requirements – Simple Majority**

**Officers Recommendation - Item 13102.1**

That Council elect a Shire President and Deputy Shire President for a two year period commencing today.

*NOTE: Following the elections Elected Members will draw lots to determine sitting positions for the next years.*
Executive Summary

This item seeks Councillors consideration for membership to Statutory and community committees.

Background

A number of committees exist within Council and across the community which will either require or request participation from Councillors.

Statutory Environment

Local Government Act 1995:

Sections 5.8 – 5.11 sets out the provisions for forming committees and appointing members.

Elected Members should note that:

- Council may appoint Deputy Members to act when a committee member is absent. Council is to determine the order of seniority of Deputies if more than one is appointed. (Shire of Perenjori Local Law Standing Orders 2000)
- When staff members or non elected members are appointed to committees they are entitled (and required) to exercise a vote. They are also included in any determination of whether a quorum exists.
- A Council Committee consists of a minimum of 3 members
- Tenure of all committee membership ceases at an Ordinary Election

The President and CEO have particular rights under S5.10 in relation to Council committees:

(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.

The proposed process for the election for these positions is that Council and individual members agree by consensus, and that all appointments are moved as a single resolution at the end of discussion of this item.

**Policy Implications**
Nil

**Financial Implications**
Nil

**Strategic Implications**
Nil

**Consultation**
Nil

**Comment**
Nil

**Voting Requirements – Absolute Majority**

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**13102.1 STATUTORY COMMITTEES**

**13102.1.1 Finance Committee.**

Previous members were;

Cr C King
Cr J Hirsch
Cr R Desmond
Cr C Smith

The following are previous appointed as Deputy members in order of seniority.

Cr H Wass
Cr L Butler

**Officer Recommendation**

That Council appoint the CEO, Deputy CEO, Senior Finance Officer and the following four elected member to the Finance Committee:

Cr _____________
Cr _____________
Cr _____________
Cr _____________

The following are appointed as Deputy members in order of seniority.
Cr _______________
Cr _______________

13102.1.2 Plant & Works Committee
Previous members were CEO, Works Supervisor, Plant Mechanic,
Cr L Butler
Cr G Reid
Cr J Cunningham
Cr R Desmond
The following are appointed as Deputy members in order of seniority.
Cr H Wass
Deputy CEO

Officer Recommendation
That Council appoint the CEO, Works Supervisor, Plant Mechanic and the following four elected member to the Plant & Works Committee:
Cr _______________
Cr _______________
Cr _______________
Cr _______________
The following are appointed as Deputy members in order of seniority.
Cr _______________
Cr _______________

Manager Corporate and Development Services

13102.1.3 Health, Building & Planning Committee
Previous members were Manager Community Services,
Cr R Benton
Cr G Reid
Cr H Wass
Cr L Smith
The following are appointed as Deputy members in order of seniority.
Cr R Desmond
Cr J Hirsch
Deputy CEO
Officer Recommendation
That Council appoint CEO, the Environmental Health & Building Officer and the following four elected member to the Health Building & Planning Committee:

Cr _____________
Cr _____________
Cr _____________
Cr _____________

The following are appointed as Deputy members in order of seniority.

Cr _____________
Cr _____________

Manager Corporate and Development Services

13102.1.4 Audit Committee

Previous members were:
Cr L Butler
Cr J Hirsch
Cr H Wass
Cr R Desmond

The following are appointed as Deputy members in order of seniority.
Cr J Cunningham
Cr L Smith

Staff members, including the CEO, are not permitted to be members of the Audit Committee. It is also recommended, but not mandatory, that the President NOT be on the Audit Committee.

Officer Recommendation
That Council appoint the following four elected member to the Audit Committee:
Cr _____________
Cr _____________
Cr _____________
Cr _____________

The following are appointed as Deputy members in order of seniority.
Cr _____________
Cr _____________

13102.1.5 Bush Fire Advisory Committee

As this is a new committee there were no previous members:
Officer Recommendation
That Council appoint the CEO (or delegate) and following one elected member to the Bush Fire Advisory Committee:
Cr _______________
The following are appointed as Deputy members in order of seniority.
Cr _______________
Cr _______________

13102.1.6 Economic Development Committee
The Economic Development Committee has not met in recent times and Council may determine to revive this committee.

Officer Recommendation
That Council appoint the CEO (or delegate) and the following one elected member to the Economic Development Committee:
Cr _______________
The following are appointed as Deputy members in order of seniority.
Cr _______________
Cr _______________

COUNCIL RESOLUTION – Statutory Committee Members
That Council endorse the above Statutory Committee Members.

13102.2 REGIONAL COUNCILS OF WHICH THE SHIRE OF PERNJORI IS A MEMBER

13102.2.1 Midwest Regional Council
Previous delegate was Cr King, and deputy delegate was Cr Butler. Delegate respectively to the Wildflower Country Regional Council

Officer Recommendation
That Council appoint the following elected members as Delegate and Deputy Delegate respectively to the Wildflower Country Regional Council.
Cr _________________ (Delegate)
Cr _________________ (Deputy Delegate)
13102.2.2 Yarra Yarra Catchment Regional Council

Previous delegate was Cr Butler, and Deputy Delegate was Cr Reid.

**Officer Recommendation**

That Council appoint the following elected members as Delegate and Deputy Delegate respectively to the Yarra Yarra Catchment Regional Council.

- Cr ________________ (Delegate)
- Cr ________________ (Deputy Delegate)

**COUNCIL RESOLUTION – Regional Committee Members**

That Council endorse the above Regional Committee Members.

13102.3 COUNCIL DELEGATES TO EXTERNAL COMMITTEES

13102.3.1 Northern Zone

The Northern Country Zone of WALGA is the representative structure for the association. Member Councils are Carnamah, Chapman Valley, Coorow, Geraldton Greenough, Irwin, Mingenew, Morawa, Mullewa, Northampton, Perenjori and Three Springs.

Previously Cr King and Cr Butler were previous Delegates with Cr Hirsch as Deputy Delegate.

**Officer Recommendation**

That Council appoint the following three elected members as Delegate and Deputy Delegate respectively to the external Northern Zone Committee.

- Cr ________________ (Delegate)
- Cr ________________ (Delegate)
- Cr ________________ (Deputy Delegate)

13102.3.2 Yarra Yarra Catchment Management Group

This group manages NRM issues for the Yarra Yarra Catchment. Role may eventually be taken over entirely by the Regional Council. Previous delegate was Cr Butler, and deputy delegate was Cr Wass.

**Officer Recommendation**

That Council appoint the following elected members as Delegate and Deputy Delegate respectively to the Yarra Yarra Catchment Management Group.

- Cr ________________ (Delegate)
- Cr ________________ (Deputy Delegate)
13102.3.3 Moore Catchment Council

This group manages NRM issues for the Moore River Catchment. Ideally delegate should have some association with the Moore catchment, which covers the south west of the Shire of Perenjori. Prior to 2007 the delegate was the CEO, but the CEO did not have sufficient time for this task. Previous delegate was Cr P Waterhouse.

Officer Recommendation

That Council seek a volunteer from the South West of the Shire to take on this task.

Cr ___________________ (Delegate)

13102.3.4 North Midlands Sub-regional Road Group

This group helps develop regional roads policy and oversees the distribution of State road funds to priority local roads within the region. Previous delegate was Cr Reid, with Cr Butler as Deputy.

Officer Recommendation

That Council appoint the following elected members as Delegate and Deputy Delegate respectively to the North Midlands sub-Regional Road Group.

Cr ___________________ (Delegate)
Cr ___________________ (Deputy Delegate)

13102.3.5 Northern Barrier Fence Committee

The Northern Barrier fence runs from Kalbarri to Ravensthorpe and is an integral strategy to protect the South West Land division from the influx of vermin ie emus, kangaroos, goats and dogs especially in times of drought when these animals move into farm areas in search of water and food.

This group meets twice per year and previous delegate was Cr Cunningham and Cr Butler as Deputy.

Officer Recommendation

That Council appoint the following elected members as Delegate and Deputy Delegate respectively to the Northern Barrier Fence Committee.

Cr ___________________ (Delegate)
Cr ___________________ (Deputy Delegate)

COUNCIL RESOLUTION –External Committee Members

That Council endorse the above External Committee Members.
13102.4 COUNCIL DELEGATES TO COMMUNITY COMMITTEES

The committees below do not meet the requirements to be committees of Council constituted under the Local Government Act. They are however important forums on which Council should be represented.

13102.4.1 Tourism Committees

The Perenjori Tourist Bureau and Museum Committee meets twice per year, and the regional Wildflower Country Tourism Committee meets several times per year. Cr Smith is Council’s Delegate and the CEO also attends these meetings when available.

**Officer Recommendation**

That Council appoint the CEO (or delegate) and the following elected members as Delegates to the external tourism committees.

Cr ___________________ (Delegate)
CEO (Delegate)

Economic Community Development Coordinator

13102.4.2 Home and Community Care (HACC) Committee

The HACC Committee was formed to oversee the delivery of services to the aged and people with disabilities through the HACC program. This service has been subsumed by the Morawa Perenjori Multi Purpose Service (MPS) operated from Morawa Hospital.

The committee continues to meet as an advisory and advocacy service with Cr Butler as Delegate and Cr Benton as Deputy Delegate.

**Officer Recommendation**

That Council appoint the following elected members as Delegate and Deputy Delegate respectively to the external HACC Committee.

Cr ___________________ (Delegate)
Cr ___________________ (Deputy Delegate)

13102.4.3 Perenjori School Bus Committee

This committee is to facilitate the collection of school children from throughout the Shire and for the Committee to make recommendation to the Department of Transport for the provision of an appropriate School Children Bus Service.

Previous appointments were Cr Butler (Delegate) and Cr Desmond (Deputy Delegate).

**Officer Recommendation**

That Council appoint the following elected members as Delegate and Deputy Delegate respectively to the external Perenjori School Bus Committee.
Cr ___________________  (Delegate)
Cr ___________________  (Deputy Delegate)

13102.4.4  Latham School Bus Committee

This committee is to facilitate the collection of school children from throughout the Shire and for the Committee to make recommendation to the Department of Transport for the provision of an appropriate School Children Bus Service.

Previous appointments were Cr G Reid (Delegate) and Cr Benton (Deputy Delegate).

Officer Recommendation:
That Council appoint the following elected members as Delegate and Deputy Delegate respectively to the external Latham School Bus Committee.
Cr ___________________  (Delegate)
Cr ___________________  (Deputy Delegate)

13102.4.5  Perenjori Townscape Committee

This committee is to overview and make recommendation to Council on the appeal of the Main Street and street infrastructure of the township of Perenjori.

Previous appointments were CEO (Delegate), Cr Smith (Delegate) and Cr Despond (Delegate).

Officer Recommendation
That Council appoint the CEO (or delegate) and the following two elected members as Delegate and Deputy Delegate respectively to the Perenjori Townscape Committee.
CEO         (Delegate)
Cr ___________________  (Delegate)
Cr ___________________  (Deputy Delegate)

13102.4.6  Perenjori Road Wise Committee

This committee works with the community, the school, the police and mining company representatives to develop plans and strategies to support road safety.
Previous Delegates Cr King, CEO and Deputy Cr Cunningham.

Officer Recommendation
That Council appoint the CEO or delegate and the following two elected members as Delegate and Deputy Delegate respectively to the Perenjori Road Wise Committee.
COUNCIL RESOLUTION –Community Committee Members

That Council endorse the above Community Committee Members.

13102.5 APPOINTMENTS UNDER THE BUSH FIRES ACT 1954

13102.5.1 Chief Bush Fire Control Officer (CBFCO) and Deputy CBFCO

Section 38 (1) of the Bush Fires Act 1954 states as follows

A local government may from time to time appoint such persons as it thinks necessary to be its bush fire control officers under and for the purposes of this Act, and of those officers shall subject to section 38A(2) appoint 2 as the Chief Bush Fire Control Officer and the Deputy Chief Bush Fire Control Officer who shall be first and second in seniority of those officers, and subject thereto may determine the respective seniority of the other bush fire control officers appointed by it.

Officer Recommendation

That Council appoint the following persons as CBFCO and Deputy CBFCO respectively.

Mr John Bensdorp - Chief Bush Fire Control Officer (CBFCO)

Mrs Ali Mills – CEO – Deputy Chief Bush Fire Control Officer (Deputy CBFCO)

Fire Control Officers inclusive of Permit Issuing;

Mrs Ali Mills

Mr Ken Markham

Mr Robbie Green

Mr John Bensdorp

Mr Rick Ryan

Mr Phil Page

Cr Peter Waterhouse

Brian Campbell – Once training has been completed.

13102.5.2 Fire Weather Officer

Section 38 (1) of the Bush Fires Act 1954 states as follows

(c) An approved local government may appoint to the office of fire weather officer such number of senior bush fire control officers as it thinks necessary.

(h) A fire weather officer of an approved local government, or a deputy of that fire weather officer while acting in the place of that officer, may authorise a person who has received a permit under section 18(6)(a), to burn the bush in the district of the local government notwithstanding that for any day, or any period of a day, specified in the notice the fire danger forecast issued by the Bureau of Meteorology in Perth, in respect to the locality where the bush proposed to be burnt is situated, is “extreme” or “very high”, and upon the authority being given the person, if he has
otherwise complied with the conditions prescribed for the purposes of section 18, may burn the bush.

(i) This subsection does not authorise the burning of bush during the prohibited burning times or within the defined area during a bush fire emergency period.

**Officer Recommendation**

That Council appoint the following persons as Fire Weather Officer and Deputy Fire Weather Officer respectively.

Mr John Bensdorp  - Perenjori Fire Weather Control Officer

Cr P Waterhouse – Latham Fire Weather Control Officer

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**COUNCIL RESOLUTION – Appointments under the Bush Fires Act 1954**

That Council endorse the above Appointments under the Bush Fires Act 1954.

13103 OTHER BUSINESS

13103.1 MOTIONS OF WHICH DUE NOTICE HAVE BEEN GIVEN

13103.2 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

13103.3 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

13103.4 DATE OF NEXT MEETING / MEETINGS

13103.5 CLOSURE
Attachment
Terms of Reference of Council Committees

Special Council Meeting
Thursday 24th October 2013
SHIRE OF PERENJORI

Terms of Reference of Council Committees

- Roles
- Membership
- Scope
- Delegated Powers

DELEGATES TO NON-COUNCIL COMMITTEES
STATUTORY COMMITTEES

FINANCE COMMITTEE
PLANT AND WORKS COMMITTEE
ECONOMIC DEVELOPMENT COMMITTEE
AUDIT COMMITTEE
MOUNT GIBSON COMMUNITY BENEFIT FUND COMMITTEE
BUSH FIRE ADVISORY COMMITTEE

REGIONAL COMMITTEES

MIDWEST REGIONAL COUNCIL
YARRA YARRA CATCHMENT REGIONAL COUNCIL
NORTHERN COUNTRY ZONE – WALGA
YARRA YARRA CATCHMENT MANAGEMENT GROUP
MOORE CATCHMENT COUNCIL
REGIONAL ROAD GROUP – NORTH MIDLANDS SUB-REGIONAL GROUP
NORTHERN BARRIER FENCE COMMITTEE

DELEGATES TO WORKING GROUPS

Perenjori Parent and Early Childhood Centre Group
Business Incubator Project
Housing and land Development

DELEGATES TO NON-COUNCIL COMMITTEES

TOURISM COMMITTEES
HOME AND COMMUNITY CARE
PERENJORI SCHOOL BUS COMMITTEE
LATHAM SCHOOL BUS COMMITTEE COMMITTEE
PERENJORI TOWNSCAPE COMMITTEE
PERENJORI ROADWISE COMMITTEE
PLANT AND WORKS COMMITTEE

Role: To oversee and make recommendations to Council on all aspects of physical development, Road use planning, budgeted expenditure and policy development relative to the Engineering, Town Maintenance, Parks and Gardens portfolios.

Membership:

Method of Election: Councillors elected biennially.

Meeting Frequency: Monthly (Second Wednesday of each month)

Scope:
- To make recommendations to Council in regard to the planning, development and maintenance within the following activities:
  - Traffic management and planning
  - Roads, bridges and drainage
  - Parks and Gardens
  - Airport
  - Plant and plant depots
  - Council buildings and infrastructure
FINANCE COMMITTEE

Role: To recommend to Council aspects of financial management, oversee the delivery of Council's strategic financial aims; the development of the Annual Budget, development of Financial Policies including, Investment, Credit Card and Purchasing Policies, monitoring of financial reports, and expenditure for non-budgeted items.

Membership:

Method of Election: Councilors elected biennially.

Meeting Frequency: Monthly (third Thursday of each month, excluding January)

Scope:

- Prepare, review and consider estimates, budgets and recommendations based on projects and recommendations officers and other sources where specific financial provision has not been made in the budget

- Advise and recommend on issues relating to Financial Management functions of the Council

- Assess long term strategies, policies and plans in relation to:-
  - Financial Management and Services
  - Asset Management
  - Investments
  - Credit card use
  - planning

- To exercise delegated authority and to review the management, operation and performance of the above activities
MOUNT GIBSON COMMUNITY BENEFIT FUND
COMMITTEE

ROLE:
To consider applications for funding under the Mount Gibson Community Benefit Fund and report to Council the order of priority for allocation of funds.

MEMBERSHIP:
1. Perenjori Shire Council x 1
2. Chief Executive Officer or appointed delegate
3. Mount Gibson Representative x 2
4. Community Representative x 1

TERM OF OFFICE:
Appointment of Committee members will follow the biennial Council election.

MEETING FREQUENCY:
Immediately following the close of applications in August, November and February of each year.

SCOPE:
- An annual allocation will be made by Mount Gibson for the purpose of the Community Benefit Fund, with periodic funding submissions sought from the community
- The Committee has responsibility for the consideration of applications with a view to allocating funds for the benefit of the Perenjori community
BUSH FIRE ADVISORY COMMITTEE

COMMITTEE TYPE:
To advise Council on matters relating to the prevention and management of Bush Fires.

ROLE:
To provide advice and guidance to Bush Fire Brigades and the community in matters relating to the safe, efficient and effective fire prevention in the Shire of Perenjori.

MEMBERSHIP:
The Committee will comprise Delegates from:
1. Perenjori Shire Council
2. Delegates from each Bush Fire Brigade in the Shire of Perenjori.
3. The Chief Bush Fire Control Officer, Deputy Chief Bush Fire Control Officer and Fire Control Officers shall be members of the Committee.

TERM OF OFFICE:
Item 1 Every two (2) years

SCOPE:
To advise upon all matters relating to –
• the effective prevention, control and suppression of bush fires;
• the planning of the layout of firebreaks in the locality;
• policy development in relation to the Bush Fire Act, 1954
• the effective operation of Bush Fire Brigades, inclusive of co-operation and co-ordination of activities;
• any other matter relating to bush fire control.
ECONOMIC ADVISORY COMMITTEE

ROLE:
To advise Council on issues relating to the economy, and business development.

MEMBERSHIP:
1. Perenjori Shire Council x 1
2. CEO or delegate
3. MWCCI
4. Community Member

TERM OF OFFICE:
Appointment of Committee members will follow the biennial Council election.
Expression of Interest for Community Members to be called by Chief Executive Officer.

MEETING FREQUENCY:
As required.

SCOPE:
- Have input into strategic planning of economic issues;
- Advise Council on community opinion and attitude on economic issues within the Shire of Perenjori;
- The continued planning and development of residential and industrial land;
- Provide a reference point to Council for economic issues;
- Investigate funding opportunities that will benefit Council with regard to economic development
- Investigate and review policies and programs relevant to the economic values of the Shire for consideration of Council and the community.