

Shire of Perenjori

MINUTES

Special Council Meeting

Held in the Shire of Perenjori Council Chambers, Fowler Street, Perenjori on 24th October 2013, to commenced at 5.03pm.

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13101 PRELIMINARIES

13101.1 DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

Ali Mills the Returning Officer opened the meeting at 5.03pm.

13101.2 OPENING PRAYER

None

13101.3 DISCLAIMER READING

13101.4 RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

Cr CR King
Cr LC Butler
Cr LJ Smith
Cr RP Desmond
Cr HC Wass
Cr PJ Waterhouse
Ali Mills –CEO
Carla Parker – Executive Officer

Apologies

Cr JH Hirsch
Cr JR Cunningham
Cr GK Reid

Leave of Absence

None

13101.5 SWEARING IN OF COUNCILLORS

Each newly elected Councillor is required to swear an oath or affirmation of allegiance (Form 7)

The CEO Ali Mills witnessed the Declaration by Elected Members of the following Councillors;

Cr L Butler
Cr R Desmond
Cr L Smith

CEO Ali Mills noted that the above Councillors were elected unopposed for a 4 year term.

13101.6 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

13101.7 PUBLIC QUESTION TIME

13101.8 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.

13101.9 APPLICATIONS FOR LEAVE OF ABSENCE

13101.10 CONFIRMATION OF MINUTES

None

13101.11 ANNOUNCEMENTS BY PERSON PRESIDING WITHOUT DISCUSSION

13101.12 PETITIONS / DEPUTATIONS / PRESENTATIONS

13102 GOVERNANCE**13102.1 ELECTION OF PRESIDENT AND DEPUTY PRESIDENT**

APPLICANT:	SHIRE OF PERENJORI
FILE:	0
DISCLOSURE OF INTEREST:	0
AUTHOR:	ALI MILLS - CEO
RESPONSIBLE OFFICER	ALI MILLS - CEO
REPORT DATE:	22ND October 2013
ATTACHMENTS	Nil

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:

Caron/Latham Ward	1 Vacancy – 4 Year Term	Cr Jenny Hirsch - re-elected unopposed
Perenjori Ward	1 Vacancy – 4 Year Term, and 1 Vacancy – 4 Year Term 1 Vacancy – 4 Year Term	Cr Lisa Smith – re-elected unopposed Cr Laurie Butler – re-elected unopposed Cr Rodney Desmond – re-elected unopposed

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.

Shire President

Cr P Waterhouse nominated Cr C King to be Shire President.

Cr C King accepted the nomination.

There being no other nominations the CEO Ali Mills announced Cr C King to be elected unopposed as Shire President.

Cr C King swore the oath of Allegiance as Shire President, witnessed by the CEO Ali Mills.

The CEO Ali Mills handed the chair to the President Cr C King.

Deputy President

Cr R Desmond nominated Cr L Butler to be Deputy President

Cr L Butler accepted the nomination

There being no other nominations the President Cr C King announced Cr L Butler to be elected unopposed as the Shire Deputy President.

Cr L Butler swore the oath of Allegiance as Shire Deputy President, witnessed by CEO Ali Mills.

NOTE: Following the elections Elected Members will draw lots to determine sitting positions for the next 2 years.

13102.2 ELECTION OF MEMBERSHIP OF COMMITTEES

APPLICANT:	SHIRE OF PERENJORI
FILE:	0
DISCLOSURE OF INTEREST:	0
AUTHOR:	ALI MILLS - CEO
RESPONSIBLE OFFICER	ALI MILLS - CEO
REPORT DATE:	22ND October 2013
ATTACHMENTS	Terms of reference for Council Committees

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

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, MCDS, Senior Finance Officer and the following four elected member to the Finance Committee:

Cr C King

Cr J Hirsch

Cr L Smith

Cr H Wass

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

Cr R Desmond

Cr J Cunningham

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

Officer Recommendation

That Council appoint the CEO, Works Supervisor, Plant Mechanic and the following four elected member to the Plant & Works Committee:

Cr J Cunningham

Cr P Waterhouse

Cr L Butler

Cr G Reid

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

Cr H Wass

Cr R Desmond

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

Officer Recommendation

That Council appoint CEO, the Environmental Health & Building Officer and the following four elected member to the Health Building & Planning Committee:

Cr R Desmond

Cr L Smith

Cr H Wass

Cr P Waterhouse

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

Cr J Hirsch

Cr G Reid

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 L Butler

Cr J Hirsch

Cr L Smith

Cr H Wass

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

Cr R Desmond

Cr J Cunningham

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 P Waterhouse

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

Cr R Desmond

Cr L Smith

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 L Smith

Cr L Butler

COUNCIL RESOLUTION – Statutory Committee Members

Moved: Cr R Desmond

Seconded: Cr L Butler

That Council endorse the above Statutory Committee Members.

Carried: 6/0 - By Absolute Majority

13102.2 REGIONAL COUNCILS OF WHICH THE SHIRE OF PERENJORI 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 C King (Delegate)

Cr L Butler (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 L Butler (Delegate)

Cr G Reid (Deputy Delegate)

COUNCIL RESOLUTION – Regional Committee Members

Moved: Cr H Wass

Seconded: Cr L Smith

That Council endorse the above Regional Committee Members.

Carried: 6/0 – By Absolute Majority

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, Mingenev, 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 C King (Delegate)

Cr L Butler (Delegate)

Cr L Smith (Deputy Delegate)

13102.3.2 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 P Waterhouse (Delegate)

13102.3.3 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 L Butler (Delegate)

Cr P Waterhouse (Deputy Delegate)

COUNCIL RESOLUTION –External Committee Members

Moved: Cr L Butler

Seconded: Cr H Wass

That Council endorse the above External Committee Members.

Carried: 6/0

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 L Smith (Delegate)

CEO (Delegate)

Economic Community Development Coordinator

13102.4.2 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 C King (Delegate)

Cr L Butler (Deputy Delegate)

13102.4.3 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 G Reid (Delegate)

Cr P Waterhouse (Deputy Delegate)

13102.4.4 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 Desmond (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 L Smith (Delegate)

Cr R Desmond (Deputy Delegate)

13102.4.5 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.

Cr L Smith (Delegate)

Cr J Hirsch (Deputy Delegate)

COUNCIL RESOLUTION –Community Committee Members

Moved: Cr R Desmond

Seconded: Cr L Butler

That Council endorse the above Community Committee Members.

Carried: 6/0

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 Bendsdorp - Chief Bush Fire Control Officer (CBFCO)

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

Fire Control Officers inclusive of Permit Issuing;

Ms Ali Mills

Mr Ken Markham

Mr Robbie Green

Mr John Bendsdorp

Mr Rick Ryan

Mr Phil Page

Cr Peter Waterhouse

Mr 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 Bendsorp - Perenjori Fire Weather Control Officer

Cr P Waterhouse – Latham Fire Weather Control Officer

COUNCIL RESOLUTION – Appointments under the Bush Fires Act 1954
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Moved: Cr L Smith

Seconded: Cr H Wass

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

Carried: 6/0

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

None

13103.5 CLOSURE

Cr C King declared the meeting closed at 5.54 pm.

I certify that this copy of the Minutes is a true and correct record of the meeting held on 24th October 2013.

Signed: _____

Presiding Elected Member

Date: _____