



Special Meeting of Council

MINUTES

21 October 2015

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SHIRE OF BROOMEHILL - TAMBELLUP

Minutes of the Special Meeting of Council of the Shire of Broomehill-Tambellup held in the Tambellup Council Chambers on Wednesday 21 October 2015 commencing at 4.03pm

1. ATTENDANCE AND APOLOGIES

Present:	Cr GM Sheridan	President
	Cr SJF Thompson	Deputy President
	Cr MR Batchelor	
	Cr CL Dennis	
	Cr MC Paganoni	
	Cr ME White	
	JM Trezona	Chief Executive Officer
	JA Stewart	Manager Corporate Services
	KP O'Neill	Manager Finance & Assets
	K Schlueter	JP

Apologies: Cr TW Prout

Leave of Absence: Nil

The Chief Executive Officer took the chair and declared the meeting open at 4.03pm.

2. SWEARING IN OF COUNCILLORS

Program:	Governance
Attachment:	Copy of Declaration by Elected Member of Council
File Ref:	ADM0109
Author:	JM Trezona Chief Executive Officer
Date:	16 October 2015
Disclosure of Interest:	Nil

Summary: All newly elected Councillors must be sworn in.

Background: Section 2.29 of the Local Government Act 1995 requires that all Councillors have to make a declaration stating that they will undertake the duties of Councillors fairly and honestly before they can act in the office. Councillors must also agree to observe the *Local Government (Rules of Conduct) Regulations 2007*.

Comment: A copy of the declaration is included for Councillors information. A copy of the Rules of Conduct Regulations has previously been provided to each Councillor.

Consultation: Nil

Statutory Environment: *Local Government Act 1995 sec 2.29*

Policy Implications: Nil

Strategic Implications: This issue is not dealt with in the Plan.

Asset Management Implications: This issue has no asset management implications for Council

Financial Implications: This issue has no financial implications for Council

Workforce Plan Implications: There are no workforce plan implications

Voting Requirements: Simple Majority

Officer Recommendation:

Council Decision: *Councillors Sheridan, Thompson and White read aloud the Declaration of Elected Member of Council before Kenneth Schlueter JP.*

Reason For Change to Recommendation:

3. ELECTION OF PRESIDENT

Program:	Governance
Attachment:	Copy of Nomination form for the position of President
File Ref:	ADM0109
Author:	JM Trezona Chief Executive Officer
Date:	16 October 2015
Disclosure of Interest:	Nil

Summary: Members are required to elect a President from amongst themselves.

Background: Schedule 2.3 of the *Local Government Act 1995* sets out the process for the election of President of the Council:

- The office is to be the first matter to be dealt with;
- The CEO is to preside until the office is filled and conduct the election;
- The Councillors elect the President;
- Nominations for the position are to be in writing and given to the CEO;
- If a Councillor is nominated by another Councillor, the CEO cannot accept the nomination unless the nominee has advised the CEO that they are willing to be nominated. This advice can be given in writing or orally;
- If there is more than one nomination, voting is by secret ballot;
- Under the current legislation, the count for such elections is to be conducted in accordance with Schedule 4.1 of the *Local Government Act 1995* (first past the post method);
- If there is a tied vote at the first ballot, the count is to be discontinued and the meeting is to be adjourned for not more than seven days. Any nomination for the office may be withdrawn and further nominations may be made, before or when the meeting resumes. When the meeting resumes, the Councillors are to vote again;
- If, when votes are cast a second time, there is an equality of votes between two candidates who are the only candidates in, or remaining in the count, lots are to be drawn to determine who is elected. The candidate whose name is drawn out is elected.

Comment: Nil

Consultation: Nil

Statutory

Environment: *Local Government Act 1995 Schedules 2.3 & 4.1*

Policy Implications: Nil

Strategic Implications: This issue is not dealt with in the Plan.

Asset Management Implications: This issue has no asset management implications for Council

Financial Implications: This issue has no financial implications for Council

Workforce Plan Implications: There are no workforce plan implications

Voting Results: *The Chief Executive Officer stated that one nomination had been received for the position of Shire President.
Cr Prout nominated Cr Sheridan, who accepted the nomination.*

There being no further nominations, the Chief Executive Officer declared Cr Sheridan elected to the position of Shire President.

Cr Sheridan read aloud the Declaration by Elected Member of Council before Kenneth Schlueter JP.

Cr Sheridan took the chair.

4. ELECTION OF DEPUTY PRESIDENT

Program:	Governance
Attachment:	Copy of nomination form for the position of Deputy President
File Ref:	ADM0109
Author:	JM Trezona Chief Executive Officer
Date:	16 October 2015
Disclosure of Interest:	Nil

Summary: Members are required to elect a Deputy President from amongst themselves.

Background: Schedule 2.3 of the *Local Government Act 1995* sets out the process for the election of Deputy President of the Council:

- The office is to be the second matter to be dealt with;
- The President or CEO is to preside until the office is filled and conduct the election;
- The Councillors elect the Deputy President;
- Nominations for the position are to be in writing and given to the CEO;
- If a Councillor is nominated by another Councillor, the CEO cannot accept the nomination unless the nominee has advised the CEO that they are willing to be nominated. This advice can be given in writing or orally;
- If there is more than one nomination, voting is by secret ballot;
- Under the current legislation, the count for such elections is to be conducted in accordance with Schedule 4.1 of the *Local Government Act 1995* (first past the post method);
- If there is a tied vote at the first ballot, the count is to be discontinued and the meeting is to be adjourned for not more than seven days. Any nomination for the office may be withdrawn and further nominations may be made, before or when the meeting resumes. When the meeting resumes, the Councillors are to vote again;
- If, when votes are cast a second time, there is an equality of votes between two candidates who are the only candidates in, or remaining in the count, lots are to be drawn to determine who is elected. The candidate whose name is drawn out is elected.

Comment: Nil

Consultation: Nil

Statutory Environment: *Local Government Act 1995 Schedule 2.3 and 4.1*

Policy Implications: Nil

Strategic Implications: This issue is not dealt with in the Plan.

Asset Management

Implications: This issue has no asset management implications for Council

Financial

Implications: This issue has no financial implications for Council

Workforce Plan

Implications: There are no workforce plan implications

Voting Results:

The Chief Executive Officer stated that there had been one nomination received for the position of Deputy Shire President. Cr Batchelor nominated Cr Thompson, who accepted the nomination.

There being no further nominations, Cr Sheridan declared Cr Thompson elected to the position of Deputy Shire President.

Cr Thompson read aloud the Declaration by Elected Member of Council before Kenneth Schlueter JP.

5. ELECTION OF COMMITTEE MEMBERS

Program:	Governance
Attachment:	Nil
File Ref:	ADM0109
Author:	JM Trezona Chief Executive Officer
Date:	16 October 2015
Disclosure of Interest:	Nil

Summary: Councillors to elect members to its Standing Committees.

Background: Section 5.8 of the *Local Government Act 1995* states that Council, by an absolute majority decision, may establish Committees of three or more persons.

Council at present has the following Standing Committees. The Policy Manual lists the terms of reference for the committees as follows:

Audit Committee

1. To provide guidance and assistance to the local government in the carrying out of its functions in relation to audits carried out under Part 7 of the Act;
2. Develop a process to be used to select and appoint a person to be an auditor;
3. Provide guidance and assistance to the local government on
 - Matters to be audited
 - The scope of the audits
 - Its function under Part 7 of the Act
 - The carrying out of its functions relating to other audits and other matters related to financial management
 - Administrations corrective action on matters of non compliance
4. Consider the CEO's report of a review of the appropriateness and effectiveness of the following systems and procedures:-
 - Risk management;
 - Internal control;
 - Legislative compliance;
 and report to the Council the results of that review.

Building, Planning and Economic Services Committee

The Building, Planning and Economic Services Committee will consist of four members with the quorum to be two members and will investigate and make recommendations, where appropriate on the following:

1. Building control
2. Land suitable for housing development
3. Planning, construction and maintenance of Councils housing and public buildings
4. Aged accommodation, other matters relating to Council owned and controlled buildings
5. Plan, develop and enhance the town, sport and recreation, youth, aged, health, heritage and arts matters towards the community

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6. Economic Services
 7. Town beautification
 8. All matters relating to Recreation and Sport
 9. Town planning and development
 10. Cemeteries
 11. Cultural development
 12. Protection of heritage
 13. Provision of youth services
 14. Tourism
 15. Health
 16. Other community and cultural issues

Technical Services Committee

The Technical Services Committee will consist of a minimum of four members with the quorum to be two members and will plan for the future of Transport services while maintaining a quality standard that takes into account cost effectiveness and revenue raising opportunities. To investigate and make recommendations, where appropriate on the following:

1. Fire control
2. Animal control
3. Waste management
4. Plant replacement
5. Road construction and maintenance
6. Maintenance and improvements to the Shire Works Depot
7. Private Works
8. Other matters relating to Council plant, works and transport services.

Independent Living Seniors Accommodation Committee

Investigate and make recommendations, where appropriate on the following:

- 1) Develop a management structure and operating guidelines for the management of existing and future Council owned units within the Shire of Broomehill-Tambellup;
- 2) Assist with disbanding of the current Tambellup Senior Citizens Unit Management Committee;
- 3) Make recommendations to Council on any matters relevant to existing and future Council owned accommodation for independently living seniors within the Shire of Broomehill-Tambellup, that may arise from time to time;
- 4) Manage the units as per operating guidelines determined by Council;
- 5) Liaise with the project manager on matters relating to the construction of the six new units on the Gnowangerup-Tambellup Road;
- 6) The membership of the Committee is to comprise of five members made up of the following:
 - a. three elected members
 - b. two community members
- 7) A quorum for the Committee shall be three members of the Committee;

- 8) Community membership of the Committee will be reviewed to coincide with the Local Government ordinary election cycle. Nominations for future community membership will be advertised with Council making the final selection.

The Committee shall meet as required.

Section 5.10 of the *Local Government Act 1995* states that at any given time each Council member is entitled to be a member of at least one committee. A Councillor can nominate themselves for a committee.

The President can exercise his/her right to be a member of a particular committee.

Comment: For Council action

Consultation: Nil

Statutory Environment: *Local Government Act 1995 sec 5.8*

Policy Implications: Nil

Strategic Implications: This issue is not dealt with in the Plan.

Asset Management Implications: This issue has no asset management implications for council

Financial Implications: Councillors are paid an annual meeting attendance fees which includes committee meetings.

Workforce Plan Implications: There are no workforce plan implications

Voting Requirements: Absolute Majority if Council wishes to amend the committee structure

Officer Recommendation: *“That Council elect members to the four standing committees of Council.”*

Council Decision:

Audit Committee

The previous Council had determined that membership of the Audit Committee was to be seven (all Councillors). The status quo was retained therefore the Audit Committee comprises the following

Cr Sheridan
Cr Thompson
Cr Prout
Cr Dennis
Cr Batchelor
Cr Paganoni
Cr White

Building, Planning and Economic Services Committee

Cr Sheridan exercised his ex-officio right to sit on this Committee in accordance with Section 5.10(4) of the Local Government Act 1995.

Cr Batchelor nominated himself.

Cr Paganoni nominated himself.

Cr White nominated himself.

All were duly elected

Technical Services Committee

Cr Sheridan exercised his ex-officio right to sit on this Committee in accordance with Section 5.10(4) of the Local Government Act 1995.

Cr Dennis nominated himself.

Cr Prout nominated himself.

Cr White nominated himself.

All were duly elected

Independent Living Seniors Accommodation Committee

Cr Batchelor nominated himself.

Cr Prout nominated himself.

Cr Thompson nominated himself

All were duly elected.

**Reason For Change to
Recommendation:**

6. ELECTION OF COUNCILLORS TO ADVISORY AND OCCASIONAL COMMITTEES

Program:	Governance	
Attachment:	Nil	
File Ref:	ADM0109	
Author:	JM Trezona	Chief Executive Officer
Date:	16 October 2015	
Disclosure of Interest:	Nil	

Summary: Council is required to elect members to Advisory and Occasional Committees.

Background: There are a number of Advisory and Occasional Committees that the Council provide one or more delegates to.

Following is the list of committees that Council had delegates and proxies to:

- Bush Fire Advisory Committee
- Great Southern Regional Recreational Advisory Committee
- Great Southern Regional Road Group
- Great Southern Zone of WALGA (2 delegates and 1 proxy)
- Road Wise Committee
- Tambellup Community Resource Centre Management Committee
- Development Assessment Panel
- Broomehill Recreational Complex and Management Committee
- Local Emergency Management Committee (President and Deputy President)
- Southern Link VROC (President and Deputy President)

Following is the list of committees that Council only had a delegate to:

- Nurse Turner / Snowy Wilson Awards Committee
- Tambellup Business Centre Committee
- Hidden Treasures

In the past the delegate to the Great Southern Zone of WALGA has been the presiding member of Council and one other.

Comment: For Council action

Consultation: Nil

Statutory Environment: Nil

Policy Implications: Nil

Strategic Implications: This issue is not dealt with in the Plan.

Asset Management

Implications: This issue has no asset management implications for Council

Financial

Implications: This issue has no financial implications for Council

Workforce Plan

Implications: There are no workforce plan implications

Voting Requirements: Simple Majority

Officer

Recommendation: *“That Council nominates delegates and proxies for the Advisory and Occasional Committees.”*

Council Decision:

Bushfire Advisory Committee
Cr Thompson (Delegate) Cr Paganoni (Proxy)

Great Southern Regional Recreational Advisory Committee
Cr Paganoni (Delegate) Cr Dennis (Proxy)

Great Southern Regional Road Group
Cr Dennis (Delegate) Cr Thompson (Proxy)

Great Southern Zone WALGA
Cr Sheridan and Cr Thompson (Delegates) Cr Batchelor (Proxy)

Road Wise Committee
Cr Batchelor (Delegate)

Tambellup Community Resource Centre Management Committee
Cr White (Delegate)

Development Assessment Panel
Cr Sheridan and Cr Thompson (Delegates)
Cr Dennis and Cr Batchelor (Proxies)

Broomehill Recreational Complex & Management Committee
Cr Paganoni (Delegate) Cr Dennis (Proxy)

Local Emergency Management Committee
Cr Sheridan (Delegate) Cr Thompson (Proxy)

Southern Link VROC
Cr Sheridan and Cr Thompson (Delegates)

Nurse Turner / Snowy Wilson Awards Committee
Cr Sheridan (Delegate)

Tambellup Business Centre Committee
Cr Prout (Delegate)

Hidden Treasures –
Council to advertise for a Community Representative

**Reason For Change to
Recommendation:**

Cr Sheridan thanked Ken Schlueter for his assistance in swearing in the Councillors and the positions of President and Deputy President.

7. CLOSURE

There being no further business, the President thanked Councillors and Staff and declared the meeting closed at 4.45pm.