

SHIRE OF JERRAMUNGUP



MINUTES

SPECIAL MEETING OF COUNCIL

1st NOVEMBER 2017

SHIRE OF JERRAMUNGUP

SPECIAL MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS, JERRAMUNGUP ON WEDNESDAY 1st NOVEMBER 2017, COMMENCING AT 8:39AM.

1. SWEARING IN OF COUNCILLORS

The following Councillors elected were sworn in by Mrs Carolyn Daniel in her capacity as a Justice of the Peace;

- Cr Price was sworn in as a Councillor for a two year term, expiring October 2019
- Cr Bailey was sworn in as a councillor for a four year term, expiring October 2021
- Cr Leenhouders was sworn in as a Councillor for a four year term, expiring October 2021
- Cr Iffla was sworn in as a Councillor for a four year term, expiring October 2021

2. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

Mr Brent Bailey declared the meeting open at 8:39am.

3. RECORD OF ATTENDANCE

Cr R Lester	Member
Cr J Iffla	Member
Cr W Bailey	Member
Cr J Leenhouders	Member
Cr R Parsons	Member
Cr A Price	Member
Cr B Trevaskis	Member
Mr B Bailey	Chief Executive Officer
Mrs C Solomon	Deputy Chief Executive Officer
Miss E Hyde	Executive Assistant
Mrs C Daniel	Justice of the Peace

4. ELECTION OF PRESIDENT (2 YEAR TERM)

The Chief Executive Officer called for nominations for the position of Shire President. Cr Lester was nominated verbally by Cr Iffla for the position of Shire President.

Cr Lester accepted this nomination. There being no further nominations Cr Lester was elected to the position of Shire President for a period of two years expiring October 2019. Cr Lester's declaration was completed in front of Mrs Carolyn Daniel JP.

Cr Lester assumed the position of Chair for the remainder of the meeting.

5. ELECTION OF DEPUTY PRESIDENT (2 YEAR TERM)

The Shire President called for nominations for the position of Deputy Shire President. Cr Iffla was nominated verbally by Cr Trevaskis for the position of Deputy Shire President.

Cr Iffla accepted this nomination. There being no further nominations Cr Iffla was elected to the position of Deputy Shire President for a period of two years expiring October 2019. Cr Iffla was sworn in by Mrs Carolyn Daniel.

6. APOLOGIES

Nil

7. LEAVE OF ABSENCE PREVIOUSLY APPROVED

Nil

8. PUBLIC QUESTION TIME

Nil

9. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

10. PETITIONS / DEPUTATIONS / PRESENTATIONS

Nil

11. DECLARATIONS OF FINANCIAL INTEREST

Nil

12. OFFICER'S REPORTS

12.1 Council Committees

SUBMISSION TO:	Administration
AGENDA REFERENCE:	12.1
SUBJECT:	Council Committees
LOCATION/ADDRESS:	
NAME OF APPLICANT:	Shire of Jerramungup
FILE REFERENCE:	
AUTHOR:	Elizabeth Hyde
DISCLOSURE OF ANY INTEREST:	Nil
DATE OF REPORT:	26 th October 2017

SUMMARY

This report addresses Council's review of Committee appointments. Included in this report is a current listing of Council Committees.

ATTACHMENT

Nil

BACKGROUND

The current listing of Council committees and Councillor Delegates is listed below;

Council Committees appointed October 2016:

<u>Committee</u>	<u>Membership</u>	<u>Term</u>	<u>Purpose</u>	<u>Nominated Councillors</u>	<u>Powers</u>
CEO Review Committee	Shire President, Deputy Shire President, 1 other Councillor	2 years with terms of office being aligned with Local Government Councillor elections.	To undertake periodic review meetings with the incumbent CEO and prepare reports and recommendations for Council on the CEO's performance and contract terms.	Cr Lester, Cr Iffla, Delegate 1: Cr Leenhouders, Delegate 2: Cr Trevaskis	Nil, the committee will make recommendations to Council. The Shire President may, at his/her option, engage a consultant to assist in any relevant processes to the extent provided for in the annual budget.
Audit Committee	All members of Council	2 years with terms of office being aligned with Local Government Councillor elections.	To receive audit reports and meet annually with Council's auditors.	All Councillors	Nil, Makes recommendations to Council on the appointment of auditors and matters raised during audits.
Bremer Bay Community Development Committee	Two Councillors and one Proxy. Two member representatives from each	Two years with terms of office being aligned with Local Government Councillor elections. All non Councillor	To advise Council on issues of development within Bremer Bay	Delegate 1: Cr Lester, Delegate 2: Cr Iffla, Proxy: any	Nil, the committee will make recommendations to Council.

	community organisation	members of the committee membership is ongoing once Council has accepted their nomination until the organisation they represent advises otherwise or until Council disbands this committee which ever is the sooner.		other Councillor	
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<u>Organisation/Committee</u>	<u>Delegate Positions</u>	<u>Nominated Councillors</u>
Regional Road Group	Two Councillors and one Proxy	Delegate 1: Cr Lester Delegate 2: Cr Parsons Proxy: any other Councillor
Great Southern Zone of WALGA	Two Councillors and one Proxy	Delegate 1: Cr Daniel Delegate 2: Cr Lester Proxy: any other Councillor
Bush Fire Advisory Committee	One Councillor and one Proxy	Delegate: Cr Bailey Proxy: Cr Parsons or any other Councillor
Fitzgerald Biosphere Group	One Councillor and one Proxy	Delegate: Cr Parsons Proxy: Cr Bailey or any other Councillor
Regional Recreation Advisory Committee	One Councillor and one Proxy	Delegate: Cr Leenhouders Proxy: Cr Daniel or any other Councillor
South Coast Management Group	Two Councillors and one Proxy	Delegate 1: Cr Daniel Delegate 2: Cr Iffla Proxy: any other Councillor
Jerramungup VES Unit Management Committee	One Councillor and one Proxy	Delegate: Cr Bailey Proxy: Cr Parsons or any other Councillor
Bremer Bay VES Unit Management Committee	One Councillor and one Proxy	Delegate: Cr Leenhouders Proxy: Cr Iffla or any other Councillor

Development Assessment Panel	Two Councillor and one Proxy	Delegate 1: Cr Lester Delegate 2: Cr Iffla Proxy: Cr Trevaskis Proxy: Cr Leenhouders
Fitzgerald River National Park Advisory Group	One Councillor and one Proxy	Delegate: Cr Trevaskis Proxy: any other Councillor
Local Emergency Management Committee	One Councillor and one Proxy	Delegate: Cr Lester Proxy: Cr Iffla or any other Councillor

CONSULTATION

Current Committee Delegates Listing

COMMENT

The functions of Local Emergency Management Committees are [s. 39 of the Emergency Management Act 2005]:

- a) to advise and assist the local government in ensuring that local emergency management arrangements are established for its district;
- b) to liaise with public authorities and other persons in the development, review and testing of local emergency management arrangements; and
- c) to carry out other emergency management activities as directed by the SEMC or prescribed by the regulations.

It is a function of a local government —

- a) to ensure that effective local emergency management arrangements are prepared and maintained for its district;
- b) to manage recovery following an emergency affecting the community in its district; and
- c) to perform other functions given to the local government.

Council is required to elect a representative to the Local Emergency Management Committee. Appointments on Council Committees have been left open in the recommendation for the Council to resolve.

STATUTORY REQUIREMENTS

The following sections of the Local Government Act have application:

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. Types of committees

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

5.10. Appointment of committee members

(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 local government.

(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.

5.11. Tenure of committee membership

(1) Where a person is appointed as a member of a committee under section 5.10(4) or (5), the person's membership of the committee continues until —

- a) the person no longer holds the office by virtue of which the person became a member, or is no longer the CEO, or the CEO's representative, as the case may be;
 - b) the person resigns from membership of the committee;
 - c) the committee is disbanded; or
 - d) the next ordinary elections day, whichever happens first.
- (2) Where a person is appointed as a member of a committee other than under section 5.10(4) or (5), the person's membership of the committee continues until —
- a) the term of the person's appointment as a committee member expires;
 - b) the local government removes the person from the office of committee member or the office of committee member otherwise becomes vacant;
 - c) the committee is disbanded; or
 - d) the next ordinary elections day, whichever happens first.

STRATEGIC IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

VOTING REQUIREMENTS

Absolute Majority

RECOMMENDATION

That Council resolve to make the following appointments to Council and community committees;

<u>Committee</u>	<u>Membership</u>	<u>Term</u>	<u>Purpose</u>	<u>Nominated Councillors</u>	<u>Powers</u>
CEO Review Committee	Shire President, Deputy Shire President, 1 other Councillor	2 years with terms of office being aligned with Local Government Councillor elections.	To undertake periodic review meetings with the incumbent CEO and prepare reports and recommendations for Council on the CEO's performance and contract terms.	Shire President, Deputy Shire President, Delegate 1: _____ Delegate 2: _____	Nil, the committee will make recommendations to Council. The Shire President may, at his/her option, engage a consultant to assist in any relevant processes to the extent provided for in the annual budget.
Audit Committee	All members of Council	2 years with terms of office being aligned with Local Government Councillor elections.	To receive audit reports and meet annually with Council's auditors.	All Councillors	Nil, Makes recommendations to Council on the appointment of auditors and matters raised during audits.
Bremer Bay Community Development Committee	Two Councillors and one Proxy. Two member representatives from each community organisation	Two years with terms of office being aligned with Local Government Councillor elections. All non Councillor members of the committee membership is ongoing once Council has accepted their nomination until the organisation they represent advises otherwise or until Council disbands this committee which ever is the sooner.	To advise Council on issues of development within Bremer Bay	Delegate 1: _____ Delegate 2: _____ Proxy: _____ or any other Councillor	Nil, the committee will make recommendations to Council.

<u>Organisation/Committee</u>	<u>Delegate Positions</u>	<u>Nominated Councillors</u>
Regional Road Group	Two Councillors and one Proxy	Delegate 1: _____ Delegate 2: _____

		Proxy: _____ or any other Councillor
Great Southern Zone of WALGA	Two Councillors and one Proxy	Delegate 1: _____ Delegate 2: _____ Proxy: _____ or any other Councillor
Bush Fire Advisory Committee	One Councillor and one Proxy	Delegate: _____ Proxy: _____ or any other Councillor
Fitzgerald Biosphere Group	One Councillor and one Proxy	Delegate: _____ Proxy: _____ or any other Councillor
Regional Recreation Advisory Committee	One Councillor and one Proxy	Delegate: _____ Proxy: _____ or any other Councillor
South Coast Management Group	Two Councillors and one Proxy	Delegate 1: _____ Delegate 2: _____ Proxy: _____ or any other Councillor
Jerramungup VES Unit Management Committee	One Councillor and one Proxy	Delegate: _____ Proxy: _____ or any other Councillor
Bremer Bay VES Unit Management Committee	One Councillor and one Proxy	Delegate: _____ Proxy: _____ or any other Councillor
Development Assessment Panel	Two Councillor and one Proxy	Delegate 1: _____ Delegate 2: _____ Proxy: _____ Proxy: _____
Fitzgerald River National Park Advisory Group	One Councillor and one Proxy	Delegate: _____ Proxy: _____ or any other Councillor
Local Emergency Management Committee	One Councillor and one Proxy	Delegate: _____ Proxy: _____ or any other Councillor

SC171101 Moved Cr Parsons / Seconded Cr Price

That Council resolve to make the following appointments to Council and community committees, noting the removal of the Fitzgerald River National Park Advisory Group from Council Committees, the CEO will attend these meetings as a representative of the Shire;

<u>Committee</u>	<u>Membership</u>	<u>Term</u>	<u>Purpose</u>	<u>Nominated Councillors</u>	<u>Powers</u>
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Audit Committee	All members of Council	2 years with terms of office being aligned with Local Government Councillor elections.	To receive audit reports and meet annually with Council's auditors.	All Councillors	Nil, Makes recommendations to Council on the appointment of auditors and matters raised during audits.
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<u>Organisation/Committee</u>	<u>Delegate Positions</u>	<u>Nominated Councillors</u>
Regional Road Group	Two Councillors and one Proxy	Delegate 1: Cr Parsons Deputy: Cr Lester Proxy: Any other Councillor
Great Southern Zone of WALGA	Two Councillors and one Proxy	Delegate 1: Cr Price Delegate 2: Cr Lester Proxy: Any other Councillor
Bush Fire Advisory Committee	One Councillor and one Proxy	Delegate: Cr Bailey Proxy: Cr Parsons or any other Councillor
Fitzgerald Biosphere Group	One Councillor and one Proxy	Delegate: Cr Parsons Proxy: Cr Trevaskis or any other Councillor
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Development Assessment Panel	Two Councillor and one Proxy	Delegate 1: Cr Lester Delegate 2: Cr Iffla Proxy: Cr Trevaskis Proxy: Cr Price
Local Emergency Management Committee	One Councillor and one Proxy	Delegate: Cr Lester Proxy: Cr Iffla or any other Councillor

Carried by Absolute Majority 7-0

Note: The Shire's Chief Executive Officer will become the Council representative for the Fitzgerald River National Park Advisory Committee and elected members would participate as required.

13. NEXT MEETING/S

Ordinary Meeting to be held Wednesday 15th November 2017 commencing at 8:30am in the Council Chambers, Jerramungup.

Cr Trevaskis congratulated the re-elected Shire President and Deputy Shire President and welcomed the newest Elected Member, Cr Andrew Price. He noted that he was pleased to see a high level of community input into the 2017 elections and ongoing support for the elected group.

14. CLOSURE

The President declared the meeting closed at 9:18am.

I confirm these Minutes to be a true and accurate record of the proceedings of the Council.

Signed: Dated:
(Shire President)