



Shire of
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Minutes

Special Council Meeting held Monday 21 October 2019

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Shire of Nannup
Special Meeting of Council Minutes: 21 October 2019

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1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The CEO declared the Special Meeting of Council open at 4.30pm and advised that the meetings purpose was to undertake the formalities of Swearing-In of Newly Elected and Returned Councillors and Elections of Shire President, Deputy Shire President and appointment of Councillor representatives on Committees.

The CEO welcomed Mr Norman Steer JP who had been invited to officiate in the Swearing-In processes and also welcomed those in the gallery who had attended to witness the above processes.

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

COUNCILLORS:

A Dean, R Mellema, P Fraser, C Stevenson, C Buckland, V Hansen, C Brown, V Corlett.

STAFF:

Mr D Taylor, Chief Executive Officer
Ms T Bishop, Manager Corporate Services

VISITORS: Mr R Longmore.

3. APOLOGIES:

Nil

4. LEAVE OF ABSENCE:

Nil.

5. PUBLIC QUESTION TIME:

Nil.

6. SWEARING-IN OF NEWLY ELECTED COUNCILLORS

The CEO individually called upon Councillors Dean, Fraser, Corlett and Brown to take the Oath of Office of Councillor of the Shire of Nannup in the presence of Mr Norman Steer JP.

Following the taking the Oath of Office the above Councillors were congratulated by acclamation.

7. ELECTION OF SHIRE PRESIDENT

The CEO advised Councillors that the Agenda document comprehensively outlined the process for the election of the Shire President position.

The CEO advised that he had received one (1) written nomination for the position as Shire President and prior to closing nominations invited any further nominations for this position. No further nominations were received.

The CEO advised that Cr Dean had submitted his own nomination. There being no further nominations received the CEO declared Cr Dean elected to the position of Shire President of the Shire of Nannup for the ensuing two (2) years.

Following the election, Cr Dean took the Oath of Office as Shire President in the presence of Mr Norman Steer JP.

Cr Dean was congratulated by acclamation.

The CEO vacated the Chair and Cr Dean as Shire President took the Chair.

ELECTION OF DEPUTY SHIRE PRESIDENT

The Shire President advised that the process for the election of the Deputy Shire President was the same as the Shire President.

The Shire President advised that that two (1) written nomination for the position of Deputy Shire President and prior to closing nominations invited any further nominations for this position. Cr Hansen nominated Cr Stevenson for the position of Deputy Shire President. Cr Stevenson verbally accepted the nomination. No further nominations were received.

The Shire President advised that in view of two (2) nominations being received, a secret ballot would be conducted to determine the successful candidate.

Following all Councillors submitting their ballot papers, the Shire President declared one (1) vote invalid due to the ballot paper being marked incorrectly. The remaining votes were counted as four (4) for Cr Mellema and three (3) for Cr Stevenson. Therefore, the Shire President declared Cr Mellema elected to the position of Deputy Shire President of the Shire of Nannup for the ensuing two (2) years.

Following the election, Cr Mellema took Oath of Office as Deputy Shire President in the presence of Mr Norman Steer JP.

Cr Mellema was congratulated by acclamation.

SUSPENSION OF STANDING ORDERS

19133 HANSEN/STEVENSON

That Council Suspends Standing Orders to allow discussion on the various Committees and representatives for same prior to them being officially resolved by Council.

CARRIED (8/0)

Councillors then proceeded to discuss representation on the following Committees with nominations being agreed upon.

The Shire President advised that once all appointments had been resolved, a motion to endorse representatives would be taken en-bloc following this process.

8. ELECTION OF COUNCILLORS TO VARIOUS ADVISORY COMMITTEES

• AUDIT ADVISORY COMMITTEE

Section 7.1A of the *Local Government Act* states the following in respect to the appointment of an Audit Committee: -

- (1) *A local government is to establish an audit committee of 3 or more persons to exercise the powers and discharge the duties conferred on it.*
- (2) *The members of the audit committee of a local government are to be appointed* by the local government and at least 3 of the members, and the majority of the members, are to be council members.*
** Absolute majority required.*
- (3) *A CEO is not to be a member of an audit committee and may not nominate a person to be a member of an audit committee or have a person to represent him or her as a member of an audit committee.*
- (4) *An employee is not to be a member of an audit committee.*

Previous Representation of the Audit Advisory Committee consisted of the whole of Council.

RECOMMENDATION:

That the Shire of Nannup Audit Advisory Committee be comprised of all Councillors.
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- **RISK MANAGEMENT ADVISORY COMMITTEE**

Councillors **Longmore and Steer** were Council's previous representatives on the Risk Management Advisory Committee.

RECOMMENDATION:

That Council appoints **Cr Hansen** as its representative on the Risk Management Advisory Committee.

- **BUSH FIRE ADVISORY COMMITTEE**

Crs **Stevenson and Fraser** were Council's previous representatives on the Bush Fire Advisory Committee.

Cr Mellema attends the BFAC meetings in his capacity of Chief Bush Fire Control Officer for the Shire of Nannup.

RECOMMENDATION:

That Council appoints **Cr Stevenson** and **Cr Fraser** as its representatives on the Bush Fire Advisory Committee.

- **LOCAL EMERGENCY MANAGEMENT ADVISORY COMMITTEE**

Crs **Dean and Longmore** were Council's previous representatives on the Local Emergency Management Advisory Committee.

RECOMMENDATION:

That Council appoints **Cr Dean** and **Cr Brown** as its representatives on the Local Emergency Management Advisory Committee.

- **LOCAL DRUG ACTION GROUP COMMITTEE**

Cr **Stevenson** was Council's previous representative on the Local Drug Action Group Committee.

RECOMMENDATION:

That Council appoints **Cr Stevenson** as its representative on the Local Drug Action Group Committee.

Council nominates **Cr Brown** as deputy to Cr Stevenson.

- **AUSTRALIA DAY ADVISORY COMMITTEE**

Crs **Buckland, Fraser, Hansen and Stevenson** were Council's previous representatives on the Australia Day Advisory Committee.

The purpose of this Committee is to assess the Nominations for the Citizen of the Year Awards.

For Councillors information, Policy No ADM 16 states the following in respect to the process for selection of the Awards: -

The Australia Day Advisory Committee will select recipients of awards in each category with assistance from the Economic and Community Development Officer. The Australia Day Advisory Committee's decision on the successful recipients is final and the decisions will be kept in confidence until the Australia Day ceremony.

RECOMMENDATION:

That Council appoints **Crs Buckland, Fraser, Hansen and Stevenson** to the Australia Day Advisory Committee.

ELECTION OF COUNCILLORS TO OCCASIONAL AND OTHER COMMITTEES

- **WARREN BLACKWOOD ALLIANCE OF COUNCILS**

Crs **Dean and Longmore** were previously elected as Council's representatives with **Cr Hansen as a Deputy**.

The CEO attends these meetings with the represented Councillors.

The Alliance Constitution, Clause 11.2, relating to Composition of the Board, states the following: -

11.2 Composition of Board

- (a) *The management and control of the Alliance and its affairs and property shall be vested in the Board of persons comprised of;*
 - (i) *Two nominated delegates from each of the participating Warren Blackwood Municipalities,*
- (b) *Each Municipal Member may nominate a permanent deputy to their Board delegate. In addition, the Chief Executive Officer shall act as deputy if the permanent deputy is not in attendance at a Board meeting.*

One would assume that the Shire President is automatically nominated by Council as one of its representatives on the Warren Blackwood Alliance of Councils with an additional Councillor to be appointed. Clause 11.2 of the Alliance Constitution indicates that Council may nominate a Deputy to attend

meetings in the absence of the appointed representatives. The CEO can also act in the deputy capacity.

RECOMMENDATION:

That Council appoints the **Shire President** and **Cr Hansen** as its representatives on the Warren Blackwood Alliance of Councils.

Council nominates **Cr Corlett** as a deputy to the above appointments as per the Alliance Constitution.

- **REGIONAL ROAD GROUP**

The Shire President was Council's previous representative on the Regional Road Group.

Attendance at any of the Regional Group Meetings would be accompanied by the Manager of Infrastructure.

RECOMMENDATION:

That Council appoints the **Deputy Shire President** as its representative on the Regional Road Group together with the Manager Infrastructure.

Council nominates **Cr Brown** as a deputy to the Deputy Shire President.

- **SOUTH WEST EMERGENCY MANAGEMENT ALLIANCE (SWEMA)**

Cr **Stevenson** together with the **Community Emergency Services Officer (CESO)** and the **Economic and Community Development Officer (ECDO)** were Council's previous representative on SWEMA.

Cr Steer was appointed as Cr Stevenson's deputy.

RECOMMENDATION:

Council removes the South West Emergency Management Alliance does from its list of occasional and other committees and as such no Councillor is nominated as a representative.

- **LOWER BLACKWOOD VERTEBRATE PEST MANAGEMENT GROUP**
Cr **Fraser** was Council's previous representative on the Lower Blackwood Vertebrate Pest Management Group.

RECOMMENDATION:

That Council removes the Lower Blackwood Vertebrate Pest Management Group from its list of occasional and other committees and as such no representative is nominated.

19134 STEVENSON/MELLEMA

That Council removes the Lower Blackwood Vertebrate Pest Management Group from its list of occasional and other committees and as such no representative is nominated.

CARRIED (8/0)

- **BLACKWOOD BASIN GROUP MANAGEMENT COMMITTEE**
Cr **Longmore** was Council's previous representative on the Blackwood Basin Group Management Committee

RECOMMENDATION:

That Council appoints Dr Robert Longmore as a community representative on the Blackwood Basin Group Management Committee who will report back to Council.

VOTING REQUIREMENTS:

Simple Majority

- **LOWER BLACKWOOD LAND CONSERVATION DISTRICT COMMITTEE**
Cr **Fraser** was Council's previous representative on the Lower Blackwood Land Conservation District Committee.

RECOMMENDATION:

That Council appoints Cr _____ as its representative on the Lower Blackwood Land Conservation District Committee.

That Council appoints Cr Fraser as its representative on the Lower Blackwood Land Conservation District Committee.

CARRIED (8/0)

- **WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION (WALGA) SOUTH WEST ZONE REPRESENTATIVE**

The Shire President is normally the Shire of Nannup's WALGA South West Zone representative and the CEO accompanies the President to these meetings.

Cr **Steer** was appointed as the deputy to the Shire President.

RECOMMENDATION:

That Council appoints the Shire President as its representative on the WALGA South West Zone and that Cr _____ be appointed as a deputy if the Shire President is unavailable to attend meetings.

That Council appoints the Shire President as its representative on the WALGA South West Zone and that Cr Corlett be appointed as a deputy if the Shire President is unavailable to attend meetings.

CARRIED (8/0)

- **BUSINESS INITIATIVE GROUP OF NANNUP (BIGN)**

Cr **Buckland** was Council's previous representative on the Business Initiative Group Nannup.

Cr **Stevenson** was appointed as the deputy to Cr Buckland.

RECOMMENDATION:

That Council reaffirms **Cr Buckland** as its representative on the Business Initiative Group Nannup.

Cr Brown is appointed as the deputy to Cr Buckland.

- **BLACKWOOD BIO-SECURITY GROUP**

Cr **Fraser** was Council's previous representative on the Blackwood Bio-Security Group.

RECOMMENDATION:

That Council removes its' representative from the Blackwood Bio-Security Group.

- **QUANNUP WORKING PARTY**

All Councillors together with designated Council Staff were appointed to the Quannup Working Party.

RECOMMENDATION:

All Councillors together with designated Council Staff were appointed to the Quannup Working Party.

- **DEVELOPMENT ASSESSMENT PANELS (DAPs) – LOCAL GOVERNMENT NOMINATIONS**

Council's current DAP members were as follows: -

Crs **Dean and Steer** were the Shire of Nannup's appointed DAP Members, with Crs **Buckland & Hansen** as alternative Members.

The current appointment of Cr Dean can remain however, Council will need to re-assess the remaining Member and Alternative members, dependent upon the outcome of the Council Elections, as the Department of Planning needs to be advised of the new Members and Alternative Members.

RECOMMENDATION:

That Council re-affirms **Cr Dean** as a current DAP member with **Cr Buckland** being appointed as the new Member with **Cr Hansen** and being appointed as Alternative Members.

RESUMPTION OF STANDING ORDERS

19135 MELLEMA/BUCKLAND

That Council Resumes Standing Orders to allow formal appointment of the above representatives to the various Committees of Council.

CARRIED (8/0)

APPOINTMENT OF COUNCIL REPRESENTATIVES TO ADVISORY AND OTHER OCCASIONAL COMMITTEES OF COUNCIL

19136 HANSEN/STEVENSON

That Council appoints en-bloc the nominated representatives as listed above to the Advisory, Occasional and other external Committees for the current term of this Council.

CARRIED BY ABSOLUTE MAJORITY (8/0)

9. ELECTED MEMBERS SEATING ARRANGEMENTS:

The Shire of Nannup's Local Laws relating to Standing Orders 2010, clause 7.2 states, the following in respect to Elected Member Seating Arrangements: -

“At the first meeting held after each ordinary elections day, the CEO is to allot by random draw, a position at the Council table to each Councillor and the Councillor is to occupy that position when present at meetings of the Council until such time as there is a call by a majority of Councillors for a re-allotment of positions”

Council needs to determine whether it wishes to impose clause 7.2 or alternatively, retain the status quo in respect to seating arrangements.

SUSPENSION OF STANDING ORDERS

19137 STEVENSON/BROWN

That Council Suspends Standing Orders to allow for discussion and a decision on conducting a ballot for seating arrangements as per Clause 7.2 of the Shire of Nannup Standing Orders.

CARRIED (8/0)

RESUMPTION OF STANDING ORDERS

19138 STEVENSON/BROWN

That Standing Orders are resumed.

CARRIED (8/0)

19139 DEAN/BUCKLAND

That Council conducts a ballot for seating arrangements as per Clause 7.2 of the Shire of Nannup Standing Orders.

CARRIED (8/0)

The CEO then conducted the ballot with Councillors taking their newly allocated seats.

10. CLOSURE OF MEETING:

There being no further business to discuss the Shire President declared the meeting closed at 5.35 pm.