



## SHIRE OF BEVERLEY NOTICE OF MEETING

Notice is hereby given that a Special Meeting of Council will be held in the Council Chambers, 136 Vincent Street Beverley, Thursday 26 October 2023 for the purpose of Swearing in of Councillors; the Election of a President and Deputy President; and appointment of Councillors to various Committee's.

### **Program**

9:30am – 10:00am	Special Meeting of Council
10:00am – 10:30am	Light Morning Tea

A handwritten signature in black ink, appearing to read 'S. Marshall'.

Simon Marshall  
Acting Chief Executive Officer

23 October 2023

### **DISCLAIMER**

*The recommendations contained in the Agenda are subject to confirmation by Council. The Shire of Beverley warns that anyone who has any application lodged with Council must obtain and should only rely on written confirmation of the outcomes of the application following the Council meeting, and any conditions attaching to the decision made by the Council in respect of the application. No responsibility whatsoever is implied or accepted by the Shire of Beverley for any act, omission or statement or intimation occurring during a Council meeting.*



**26 OCTOBER 2023**

**SPECIAL MEETING of COUNCIL**

**AGENDA**

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## **1. OPENING**

The Acting Chief Executive Officer to declare the meeting open.

## **2. ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE**

### **2.1 Members**

Cr DW Davis  
Cr SW Martin  
Cr J Maxwell  
Cr A Sattler  
Cr DC White

### **2.2 Councillors' Elect**

Dee Ridgway  
Chris Lawlor  
Darryl Brown

### **2.3 Staff In Attendance**

Mr SK Marshall	Acting Chief Executive Officer
Mr BS de Beer	Manager of Planning
Mrs A Lewis	Executive Assistant

### **2.4 Observers And Visitors**

Mr Fred Bremner J.P

### **2.6 Apologies and Approved Leave of Absence**

Mr SP Gollan	Chief Executive Officer
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## **3. DECLARATION OF OFFICE OF COUNCILLOR**

Successful candidates to make and subscribe the Declaration of Office of Councillor before Mr Fred Bremner, J.P.

## **4. ELECTION OF PRESIDENT**

Council is required to elect the Shire President from among the Councillors, as required in Section 2.15 of the Local Government Act 1995 and as detailed in Schedule 2.3 of Division 2 of the Act.

Nominations for the Office of Shire President must be in writing and presented to the Acting Chief Executive Officer at the commencement of the meeting.  
(Nomination form at the end of agenda. Self-nomination is permitted.)

The elected Shire President is then required to take the Declaration of Office – President.

The Shire President can now resume the Chair.

**5. ELECTION OF DEPUTY PRESIDENT**

Nominations for the Office of Deputy Shire President must be in writing and presented to the Acting Chief Executive Officer at the commencement of the meeting.

The elected Deputy President is then required to take the Declaration of Office – Deputy President.

(Nomination form at the end of agenda. Self-nomination is permitted.)

## **6. OFFICER REPORTS**

### **6.1 Appointment of Councillors to Various Committees**

<b>Submission To:</b>	<b>Special Council Meeting 24 October 2023</b>
<b>Report Date:</b>	<b>6 October 2023</b>
<b>Applicant:</b>	<b>Administration</b>
<b>File Reference:</b>	<b>ADM 0102</b>
<b>Author and Position:</b>	<b>Simon Marshall, Acting Chief Executive Officer</b>
<b>Previously Before Council:</b>	<b>February 2022</b>
<b>Disclosure(s) Of Interest:</b>	<b>None</b>
<b>Attachments:</b>	<b>Nil</b>

#### **SUMMARY**

Councillors to nominate to various committees for the 2023-2025 term.

#### **BACKGROUND**

In accordance with Section 5.8 of the *Local Government Act 1995*, Council may convene committees of 3 or more persons.

#### **COMMENT**

Below are the previous committees that Councillors were elected as representatives to, in February 2022 (after the extraordinary election):

<b>Committees of Council</b>	<b>Elected Members</b>
<b>Audit and Risk Committee</b>	<b>Cr Norman, Cr White, Cr Lawlor</b>
<b>Corporate Strategy Committee</b>	<b>All members</b>
<b>Works Committee</b>	<b>Cr Davis, Cr Sattler, Cr Lawlor, Cr Seed</b>
<b>Cropping Committee</b>	<b>Cr Seed, Cr White, Cr Sattler</b>
<b>Legislative Committees</b>	
<b>WALGA – Central Country Zone (CCZ) (President &amp; Deputy President)</b>	<b>Cr White and Cr Lawlor Proxy: Cr Seed</b>
<b>Fire Control Officer's (BFAC) Meeting (President + 1 councillor)</b>	<b>Cr White and Cr Maxwell</b>
<b>Local Emergency Management Committee (President + 1 councillor)</b>	<b>Cr White and Cr Lawlor</b>
<b>Council Working Groups</b>	
<b>Vincent Street Streetscape Project</b>	<b>Cr White, Cr Martin</b>
<b>Reconciliation Action Plan Working Group</b>	<b>Cr White and Cr Davis</b>
<b>Community (Councillor rep requested)</b>	
<b>Early Child Years Network</b>	<b>Cr Martin</b>
<b>Avondale Museum Committee (min. 2)</b>	<b>Cr Davis, Cr Maxwell, Cr Sattler</b>
<b>Tourism Advisory Group</b>	<b>Cr Maxwell</b>
<b>Hotham Dale Sub Group</b>	<b>Cr Davis and Cr White</b>
<b>Local Health Advisory Group</b>	<b>Cr Gogol and Cr Maxwell</b>
<b>Alex Miles Frail Aged Lodge Committee</b>	<b>Cr Gogol</b>
<b>Beverley 2022 Working Group</b>	<b>Cr Martin and Cr Lawlor</b>

## **Committees of Council**

Audit and Risk Committee  
Corporate Strategy Committee  
Cropping Committee

At the first meeting of each Council Committee, the Committee will elect a Chairperson.

## **Legislative Committees**

Central Country Zone of WALGA – 2 Councillors (President and Deputy President)  
Fire Control Officers Meeting – President + 1 Councillor  
Local Emergency Management Committee – President + 1 Councillor

Should a non-Council Committee (ie Community as above) want a Councillor on their Committee, they write to Council requesting a representative. All the above community committees in the table have written requesting Councillor involvement.

If and when a Councillor attends a Community Committee they should provide the Executive Assistant with a short typed update to be included in the Information Bulletin.

A brief guide of the roles and discussion points for each Committee of Council:

### **Audit & Risk Committee**

- Financial Reporting
- Internal Control & Risk Management Systems
- Annual Business Plans
- Internal Audits
- External Audits

### **Corporate Strategy Committee**

- Strategic Planning
- Budget
- Asset Management (including Capital Works, Roads, Plant)
- Policies
- Integrated Planning (eg Workforce Plan, Strategic Community Plan etc)

### **Cropping Committee**

- Evaluate Lease rates with Department to determine if lease is viable
- Advertise Cropping Leases
- Make recommendation to Council to award leases

### **Works Committee**

- Visit and evaluate potential machinery for tender process
- Complete annual roads inspection prior to new budget preparations
- Asset Management (including Capital Works, Roads, Plant)

For the benefit of new Councillors, a previous Committee called Economic & Community Development Committee was in place but has not been convened for over three years as smaller working groups became more effective e.g. Long Term Financial Plan Committee, Tourism Advisory Group and Vincent Street Streetscape Project Committee.

Previous items covered by E & C Committee:

- Community Development (eg opportunities and initiatives as referred by government, business or community)
- Economic Development (eg business / promotion of Beverley)
- Industrial Development
- Land Use Planning
- Tourism

## STATUTORY ENVIRONMENT

Part 5, Division 2, Section 5.8, 5.9 and 5.10 of the *Local Government Act 1995*:

### 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. Committees, types of

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

### 5.10. Committee members, appointment of

(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 council.
- (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.

## FINANCIAL IMPLICATIONS

Nil

## CONSULTATION

Council

## STRATEGIC IMPLICATIONS

Council Leadership - Support volunteers and encourage community involvement

## POLICY IMPLICATIONS

EM008 – Standing Committees

## RISK IMPLICATIONS

Low (4) – The risk of appointing Councillors to committees is minimal.

Consequence	Insignificant	Minor	Moderate	Major	Catastrophic
<b>Likelihood</b>					
Almost Certain	Medium (5)	High (10)	High (15)	Severe (20)	Severe (25)
Likely	Low (4)	Medium (8)	High (12)	High (16)	Severe (20)
Possible	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)
<b>Risk Rating</b>	<b>Action</b>				
Low	Monitor for ongoing improvement.				
Medium	Comply with risk reduction measures to keep risk as low as reasonably practical.				
High	Review the risk and take additional measures to ensure risk is low as reasonably achievable.				
Severe	Unacceptable risk level, reduction measures must be introduced before proceeding.				

## VOTING REQUIREMENTS

Absolute Majority

## OFFICER RECOMMENDATION

That Councillors self-nominate to the following Committees:

Committees of Council	Elected Members
Audit and Risk Committee (3 Councillors)	
Corporate Strategy Committee	All Councillors
Works Committee (3-5 Councillors)	
Cropping Committee (3-5 Councillors)	
<b>Legislative Committees</b>	
WALGA – Central Country Zone (CCZ) (President & Deputy President)	
Fire Control Officer's (BFAC) Meeting (President + 1 councillor)	
Local Emergency Management Committee (President + 1 councillor)	
WALGA RoadWise (2 Councillors)	
<b>Council Working Groups</b>	
Reconciliation Action Plan Working Group	
Long Term Financial Plan Working Group	
Community (Councillor rep requested)	
Early Child Years Network	
Avondale Museum Committee (min. 2)	
Tourism Advisory Group	
Hotham Dale Sub Group	
Local Health Advisory Group	
Alex Miles Frail Aged Lodge Committee	

**7. NEW BUSINESS**

**8. CLOSURE**

The Chairperson to declare the meeting closed.

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President Nomination

To: Acting Chief Executive Officer, Mr Simon Marshall

I, \_\_\_\_\_

wish to nominate \_\_\_\_\_  
for the **Office of President** for the Shire of Beverley.

Signed \_\_\_\_\_

Date \_\_\_\_\_

Deputy President Nomination

To: Acting Chief Executive Officer, Mr Simon Marshall

I, \_\_\_\_\_

wish to nominate \_\_\_\_\_  
for the **Office of Deputy President** for the Shire of Beverley.

Signed \_\_\_\_\_

Date \_\_\_\_\_