



26 OCTOBER 2023

SPECIAL MEETING of COUNCIL

MINUTES

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1. OPENING

The Acting Chief Executive Officer declared the meeting open at 9:30am.

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 (Elected as President)

2.2 Councillors' Elect

Mrs Dee Ridgway (Elected as Deputy President)
Mr Chris Lawlor
Mr Darryl Brown

2.3 Staff In Attendance

Mr SK Marshall Acting Chief Executive Officer
Mrs A Lewis Executive Assistant

2.4 Apologies and Approved Leave of Absence

Mr SP Gollan Chief Executive Officer
Mr BS de Beer Manager of Planning

2.5 Observers And Visitors

Mr Fred Bremner J.P
Father Philip Raymont

3. DECLARATION OF OFFICE OF COUNCILLOR

The successful candidates, Cr's Lawlor, Brown and Ridgway, made and subscribed the Declaration of Office of Councillor before Mr Fred Bremner, J.P.

4. ELECTION OF PRESIDENT

The Acting Chief Executive Officer advised he had received three written nominations:

Cr Martin nominated Cr White
Cr Lawlor nominated Cr White
Cr White self-nominated

Cr White accepted the nomination and was duly elected.
Cr White made and subscribed the Declaration of Office of President before Mr Fred Bremner, J.P.

The Shire President resumed the Chair.

5. ELECTION OF DEPUTY PRESIDENT

The President advised there were five nominations for the position of Deputy President.

Cr White nominated Cr Lawlor
Cr Sattler nominated Cr Lawlor
Cr Martin nominated Cr Ridgway
Cr Davis nominated Cr Ridgway
Cr Ridgway self-nominated

Cr Lawlor and Cr Ridgway both accepted the nominations. The Shire President declared a ballot would be held.

Ballot 1 - declared a tie 4 votes each.

Ballot 2 - declared a tie 4 votes each.

Ballot 3 - 5 votes to Cr Ridgway, 3 votes to Cr Lawlor. Cr Ridgway was declared Deputy President.

Cr Ridgway made and subscribed the Declaration of Office of Deputy President before Mr Fred Bremner, J.P.

6. APPRECIATION

At 9:56am Mr Fred Bremner congratulated Cr White and Cr Ridgway on their elected positions. He thanked Cr Lawlor for his previous two years as Deputy President.

Shire President, Cr David White thanked Mr Bremner for his attendance and contribution. He then thanked Council and the public gallery for their attendance and contribution to the community.

7. OFFICER REPORTS

7.1 Appointment of Councillors to Various Committees

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

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):

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

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
Likelihood					
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)
Risk Rating	Action				
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 & COUNCIL RESOLUTION

MSM1/1023

Moved Cr White

Seconded Cr Sattler

That Councillors self-nominate to the following Committees:

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

CARRIED BY ABSOLUTE MAJORITY 8/0

7. NEW BUSINESS

Short phone and internet service discussion.

8. CLOSURE

The Chairperson declared the meeting closed at 10:19am

I hereby certify these Minutes as being confirmed in accordance with Section 5.22 of the Local Government Act 1995.

PRESIDING MEMBER:

DATE: