

Shire *of* Capel

AGENDA

SPECIAL COUNCIL MEETING
Wednesday, 21 October 2015

6.00pm – Council Chambers



Experience the
Shire of Capel



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SHIRE OF CAPEL

NOTICE OF SPECIAL MEETING

A Special Meeting of Council will be held in the Council Chambers on Wednesday 21 October 2015, commencing at 6.00pm.



P F SHEEDY
CHIEF EXECUTIVE OFFICER

16 October 2015

PURPOSE OF MEETING

- Swearing in of Councillors
- Election of President
- Election of Deputy President
- Appointment of Committees, Delegates and Representatives
- Setting of Meeting times and dates

A G E N D A

- 1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS
- 2 RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE (PREVIOUSLY APPROVED)
- 3 PUBLIC QUESTION TIME
- 4 DECLARATION OF RECENTLY ELECTED COUNCILLORS
- 5 ELECTION OF PRESIDENT
- 6 ELECTION OF DEPUTY PRESIDENT
- 7 NEW COUNCILLORS – POSITION AT THE COUNCIL TABLE
- 8 STANDING ORDERS
 - 8.1 Committee (of the Whole)
- 9 APPOINTMENT OF COMMITTEES, DELEGATES AND REPRESENTATIVES
 - 9.1 Council Committees
 - 9.2 Delegates and Representatives
- 10 SETTING OF MEETING TIMES AND DATES
- 11 STANDING ORDERS
 - 11.1 Committee (of the Whole)
- 12 PUBLIC QUESTION TIME
- 13 MEETING CLOSURE

1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

2 RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE (PREVIOUSLY APPROVED)

3 PUBLIC QUESTION TIME

4 DECLARATION OF RECENTLY ELECTED COUNCILLORS

CEO Comment: The Local Government Act 1995 Section 2.29(1) indicates that a person elected as an elected mayor or president or as a councillor has to make a declaration in the prescribed form before acting in the office.

The five councillors declared elected on 17 October 2015 are now required to make the declaration before participating in any part of the Special Meeting.

Mr Bill Spurr JP will officiate.

5 ELECTION OF PRESIDENT

CEO Comment: The Local Government Act 1995 Schedule 2.3, Division 1, Section 4 indicates in part that:

- The election is to be conducted by the CEO in accordance with the procedures prescribed.
- Nominations are to be given to the CEO in writing before the meeting or during the meeting before the close of nominations.
- Nominations close at the meeting at a time announced by the CEO.

6 ELECTION OF DEPUTY PRESIDENT

CEO Comment: The Local Government Act 1995 Schedule 2.3, Division 2, Section 8 indicates in part that:

- The election is to be conducted in accordance with the procedure prescribed by the President.
- Nominations are to be given to the President in writing before the meeting or during the meeting before the close of nominations.
- Nominations close at the meeting at a time announced by the President.

7 NEW COUNCILLORS – POSITION AT THE COUNCIL TABLE

CEO Comment: The Shire of Capel Standing Orders Local Law 2007 Clause 8.2 indicates that at the first meeting held after each ordinary election 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.

8 STANDING ORDERS

CEO Comment: Under the Shire of Capel Standing Orders Local Law 2007 Clause 17.6 "Standing Orders Apply to Committees" it indicates in part that the Standing Orders do not apply to the meetings of Committee for Clause 9.4 "limitation on the number of speeches".

Therefore to allow for free and open discussion on the following agenda items 9 and 10 a Council decision to move into a Committee of the Whole is required at this point.

Any decisions made during the time Council sits in Committee of the Whole must be formally agreed by a substantive motion when Council moves out of Committee of the Whole.

STAFF RECOMMENDATION

That Council move into a Committee of the Whole.

VOTING REQUIREMENTS

Simple majority

9 APPOINTMENT OF COMMITTEES, DELEGATES AND REPRESENTATIVES

CEO Comment: The following lists of Council Committees and Delegates, Representatives and Deputies are as endorsed by Council at the meeting on 23 October 2013 following the local government election.

Whilst current Councillors are listed against various committees and organisations, it is not to be taken that they are automatically elected to these positions as all nominations have to be considered as new at this meeting.

Where Committees or organisations no longer exist or a Council Delegate is not required, a "strikethrough" has been applied.

Where the retiring Councillor Cr Manley was on a committee or a delegate it has been indicated with the word "vacant". If other current Councillors are not successful in being re-elected on 17 October 2015, then further changes will be required to indicate vacant positions.

Finally, the Local Government Act 1995 Section 5.10(2) indicates that each Councillor is entitled to be a member of at least one committee where the membership involves Council members only, Council members and employees and Council members, employees and other persons.

RECOMMENDATION

That the following Council Committees, Committee members and quorums as listed be approved.

The existing Committees and Council members are:

Art Heritage & Culture Committee (Quorum 3)

**Cr M Scott
Cr J Scott
Cr B Hearne
Vacant**

Audit Committee (Quorum 3)

**Cr B Hearne
Cr G Norton
Cr M Scott
Cr S Baxi
Vacant**

Bushfire Advisory Committee (Quorum 4)

D Wetherell	Boyanup
C Scott	CBFCO
M Scott	DCBFCO
B Bell	Elgin
T Glen	Gelorup
N Scott	Capel
M Roberts	Stirling
Cr B Smith	Delegate
Cr P McCleery	Deputy

Climate Change Policy Advisory Committee (Quorum 5)

Cr B Hearne
 Cr J Scott
 Cr M Scott
 Cr G Norton
 Cr P McCleery
 Sustainability Officer
 Natural Resources Management Officer
 Executive Manager Engineering & Development Services
~~Environmental Health Officer~~
~~Planning Officer~~

~~**Shire of Capel Emergency Recovery Committee (Quorum 5)**~~

~~Cr B Bell~~
~~Cr M Scott~~
~~Cr J Scott~~
~~Cr B Smith~~
~~Local Emergency Coordinator (OIC Bunbury Police or their delegate)~~
~~District Emergency Services Officer – Department of Child Protection~~
~~Community Emergency Management Officer for the South West Region – EMWA~~
~~2 community representatives representing the area impacted by the emergency incident~~

VOTING REQUIREMENTS

Absolute majority

DELEGATES, REPRESENTATIVES AND DEPUTIES
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RECOMMENDATION

That the following Delegates, Representatives and Deputies be appointed to the organisations and working groups detailed.

Boyanup and Districts Farmers Markets Committee	Cr B Smith
Boyanup Foundation	Cr B Hearne
	Cr M Scott
Boyanup Hall Committee	Cr M Scott
	Cr B Smith
Boyanup Memorial Park and Sports Council	Cr B Smith
	Cr M Scott
Bunbury Wellington Economic Alliance	President

Bunbury Wellington Group of Councils	President
Capel Local Emergency Management Committee	Cr B Bell
	Cr M Scott
	Cr J Scott
	Cr McCleery
Capel Chamber of Commerce	Vacant
	Deputy Cr G Norton
Capel Land Conservation District Committee	Vacant
	Cr B Smith
	Deputy Cr M Scott
Capel Sports Council	Cr B Hearne
Capel Theme Working Group	Cr M Scott
	Cr G Norton
	Cr J Scott
Dalyellup Beach Sports Council	Cr P McCleery
	Deputy Cr S Baxi
Development Assessment Panel (DAP) – Local DAP Member	Cr P McCleery
Local DAP Member	Cr G Norton
DAP Alternate Local Member	Cr S Baxi
DAP Alternate Local Member	Cr B Hearne
Disability Access and Inclusion Plan Advisory Committee	
Reference Group	Cr G Norton
	Cr J Scott
	Cr S Baxi
GeoCatch	Vacant
	Deputy Cr B Hearne
Gelorup Community Centre Management Committee	Cr M Scott
	Deputy Cr P McCleery
Greater Bunbury Regional Bicycle Master Plan Working Group	Cr P McCleery
Home and Community Care Committee	Vacant
	Deputy Cr G Norton
Peppermint Grove Beach Community Association	Cr B Hearne
Peron Naturaliste Partnership	President
	Deputy D/President
South West Regional Road Group	Cr B Smith
	Deputy Cr B Bell
South West Zone, WA Local Government Association	Cr M Scott
	Deputy Cr B Hearne
Trails Working Group	Cr J Scott
	Cr P McCleery
Tuart Forest National Park Community Advisory Committee	Vacant

VOTING REQUIREMENTS

Absolute majority

10 **SETTING OF MEETING TIMES AND DATES**

CEO Comment: Currently the Council meetings are held on the 4th Wednesday of each month (except for December when the meeting is held on the 3rd Wednesday because the 4th Wednesday can be too close to Christmas Day) commencing at 4.30pm.

Whilst the current meeting time has been in place for some years it is important that the meeting time is one that best suits all Elected Members and also provides the maximum opportunity to allow members of the community to attend Council meetings (all or part).

STAFF RECOMMENDATION

That the Ordinary Meetings of Council be held on the 4th Wednesday of each month (except December) with all meetings commencing at

VOTING REQUIREMENTS

Simple majority

11 STANDING ORDERS

STAFF RECOMMENDATION

That Council move out of a Committee of the Whole.

VOTING REQUIREMENTS

Simple majority

STAFF RECOMMENDATION

That the Committee (of the Whole) recommendations contained within items SC..... and SC..... be adopted.

VOTING REQUIREMENTS

Absolute majority

12 PUBLIC QUESTION TIME

13 MEETING CLOSURE