

**SHIRE OF CAPEL**

**NOTICE OF SPECIAL MEETING**

A Special Meeting of Council will be held in the Council Chambers, Forrest Road, Capel on Monday 23 October 2017, commencing at 6.00pm.



**P F SHEEDY  
CHIEF EXECUTIVE OFFICER**

12 October 2017

**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

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**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 four Councillors declared elected on 21 October 2017 are now required to make the declaration before participating in any part of the Special Meeting.

Mr Bill Spurr JP and Freeman of the Shire 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 2016 Clause 7.2 indicates that 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."

**8 STANDING ORDERS**

CEO Comment: The Shire of Capel Standing Orders Local Law 2016 Clause 7.11(1) states “Only the mover of a motion or an amendment may speak twice on the same motion or the same amendment, unless permitted by the meeting (on a majority vote).”

The Shire of Capel Standing Orders Local Law 2016 Clause 15.2(1) states “A member may, at any time, move that the operation of one or more of the clauses in this local law be suspended.”

Therefore to allow for Councillors to speak more than once, if required during discussion on items 9 and 10 below, it is proposed that the following motion be endorsed to suspend Clause 7.11(1) of the Standing Orders Local Law as permitted under Clause 15.2(1).

**OFFICER’S RECOMMENDATION**

**That Clause 7.11(1) of the Standing Orders Local Law 2016 be suspended to allow Councillors to speak more than once if required when discussing agenda items 9 and 10.**

**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 such as Cr Baxi 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 21 October 2017, 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.

**OFFICER’S RECOMMENDATION**

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

**VOTING REQUIREMENTS**

Simple majority

The existing Committees and Council members are:

**Art Heritage & Culture Committee (Quorum 3)**

**Cr M Scott  
Cr J Scott  
Cr B Hearne  
Cr S Schiano**

CEO Comment: Is this Committee still required and necessary as the Committee has not met in the last two years and there is no longer any funding allocated in the annual budget for Art Acquisitions?

**Audit Committee (Quorum 3)**

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

**Bush Fire Advisory Committee (Quorum 4)**

|                      |   |
|----------------------|---|
| <b>D Wetherell</b>   | <b>Boyanup</b>                          |
| <b>C Scott</b>       | <b>Chief Bush Fire Control Officer</b>  |
| <b>M Scott</b>       | <b>Deputy Bush Fire Control Officer</b> |
| <b>B Bell</b>        | <b>Elgin</b>                            |
| <b>T Glen</b>        | <b>Gelorup</b>                          |
| <b>N Scott</b>       | <b>Capel</b>                            |
| <b>M Roberts</b>     | <b>Stirling</b>                         |
| <b>Cr B Smith</b>    | <b>Delegate</b>                         |
| <b>Cr P McCleery</b> | <b>Deputy</b>                           |

**Climate Change Policy Advisory Committee (Quorum 3)**

**Cr B Hearne  
Cr J Scott  
Cr M Scott  
Cr G Norton  
Cr P McCleery  
Advisory Role only  
Sustainability Officer  
Natural Resources Management Officer  
Executive Manager Engineering & Development Services  
Chief Executive Officer**

CEO Comment: It is suggested that the Committee members be restricted to Councillors, with staff to attend in an advisory role only and not have voting rights.

**VOTING REQUIREMENTS**

Absolute majority

**OFFICER’S RECOMMENDATION**

**That the following Delegates, Representatives and Deputies as listed be approved.**

The existing Delegates, Representatives and Deputies are:

|   |               |                      |
|---|---------------|----------------------|
| <b>Boyanup and Districts Farmers Markets Committee</b>              |               | <b>Cr B Smith</b>    |
| <b>Boyanup Foundation</b>   |               | <b>Cr B Hearne</b>   |
|   |               | <b>Cr M Scott</b>    |
| <b>Boyanup Hall Committee</b>                                       |               | <b>Cr M Scott</b>    |
|   |               | <b>Cr B Smith</b>    |
| <b>Boyanup Memorial Park and Sports Council</b>                     |               | <b>Cr B Smith</b>    |
|   |               | <b>Cr M Scott</b>    |
| <b>Bunbury Geographe Growth Plan Partnership Steering Committee</b> |               | <b>President</b>     |
|   | <b>Deputy</b> | <b>D/President</b>   |
| <b>Bunbury Wellington Economic Alliance</b>                         |               | <b>President</b>     |
|   | <b>Deputy</b> | <b>D/President</b>   |
| <b>Bunbury Wellington Group of Councils</b>                         |               | <b>President</b>     |
| <b>Local Emergency Management Committee</b>                         |               | <b>Cr B Bell</b>     |
|   |               | <b>Cr M Scott</b>    |
|   |               | <b>Cr J Scott</b>    |
| <b>Capel Chamber of Commerce</b>                                    |               | <b>Cr G Norton</b>   |
|   | <b>Deputy</b> | <b>Cr J Scott</b>    |
| <b>Capel Land Conservation District Committee</b>                   |               | <b>Cr B Hearne</b>   |
|   |               | <b>Cr B Smith</b>    |
| <b>Capel Theme Working Group</b>                                    |               | <b>Cr M Scott</b>    |
|   |               | <b>Cr G Norton</b>   |
|   |               | <b>Cr J Scott</b>    |
| <b>Development Assessment Panel (DAP) – Local DAP Member</b>        |               | <b>Cr P McCleery</b> |
| <b>Local DAP Member</b>   |               | <b>Cr G Norton</b>   |
| <b>DAP Alternate Local Member</b>                                   |               | <b>Vacant</b>        |
| <b>DAP Alternate Local Member</b>                                   |               | <b>Cr B Hearne</b>   |
| <b>Disability Access and Inclusion Reference Group</b>              |               | <b>Cr G Norton</b>   |
|   |               | <b>Cr J Scott</b>    |
|   |               | <b>Vacant</b>        |
| <b>GeoCatch</b>   |               | <b>Cr B Hearne</b>   |
|   | <b>Deputy</b> | <b>Cr P McCleery</b> |
| <b>Gelorup Community Centre Management Committee</b>                |               | <b>Cr M Scott</b>    |
|   | <b>Deputy</b> | <b>Cr P McCleery</b> |
| <b>Greater Bunbury Regional Bicycle Master Plan Working Group</b>   |               | <b>Cr P McCleery</b> |
| <b>Peppermint Grove Beach Community Association</b>                 |               | <b>Cr B Hearne</b>   |
| <b>Peron Naturaliste Partnership</b>                                |               | <b>President</b>     |
|   | <b>Deputy</b> | <b>Cr G Norton</b>   |
| <b>South West Regional Road Group</b>                               |               | <b>Cr B Smith</b>    |
|   | <b>Deputy</b> | <b>Cr B Bell</b>     |
| <b>South West Zone WA Local Government Association</b>              |               | <b>President</b>     |
|   | <b>Deputy</b> | <b>D/President</b>   |
| <b>Trails Working Group</b>   |               | <b>Cr J Scott</b>    |
|   |               | <b>Cr P McCleery</b> |
| <b>Tuart Forest National Park Community Advisory Committee</b>      |               | <b>Cr S Schiano</b>  |

**VOTING REQUIREMENTS**

Absolute majority

**10 SETTING OF MEETING TIMES AND DATES**

CEO Comment: Currently the Council meetings are held on the 4<sup>th</sup> Wednesday of each month (except for December when the meeting is held on the 3<sup>rd</sup> Wednesday because the 4<sup>th</sup> Wednesday can be too close to Christmas Day, i.e. and the Administration Office is closed) 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).

**OFFICER’S RECOMMENDATION**

**That the Ordinary Meetings of Council be held on the 4th Wednesday of each month (except December – 3<sup>rd</sup> Wednesday) with all meetings commencing at .....**

**VOTING REQUIREMENTS**

Simple majority

**11 PUBLIC QUESTION TIME**

**12 MEETING CLOSURE**