



MINUTES

SPECIAL MEETING
OF COUNCIL

TUESDAY
24 OCTOBER 2017



**MINUTES OF THE
SPECIAL MEETING OF THE SHIRE OF GINGIN
HELD IN THE COUNCIL CHAMBER
ON TUESDAY, 24 OCTOBER 2017,
COMMENCING AT 3.06PM**

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SHIRE OF GINGIN

MINUTES OF THE SPECIAL MEETING OF THE SHIRE OF GINGIN HELD IN COUNCIL CHAMBERS, 7 BROCKMAN STREET, GINGIN ON 24 OCTOBER 2017 COMMENCING AT 3.06PM

DISCLAIMER

Members of the Public are advised that decisions arising from this Council Meeting can be subject to alteration.

Applicants and other interested parties should refrain from taking any action until such time as written advice is received confirming Council's decision with respect to any particular issue.

SWEARING IN OF COUNCILLORS-ELECT

In accordance with section 2.29 of the *Local Government Act 1995*, a person elected as a Councillor is to make a declaration in the prescribed form before acting in the Office.

Mr Frank Johnson, having been elected to the office of Councillor of the Shire of Gingin, declared that he would duly, faithfully, honestly and with integrity fulfil the duties of the office for the people in the district according to the best of his judgement and ability, and observe the *Local Government (Rules of Conduct) Regulations 2007*.

Ms Jacqueline Christine Lobb, having been elected to the office of Councillor of the Shire of Gingin, declared that she would duly, faithfully, honestly and with integrity fulfil the duties of the office for the people in the district according to the best of her judgement and ability, and observe the *Local Government (Rules of Conduct) Regulations 2007*.

Mr James Edward Morton, having been elected to the office of Councillor of the Shire of Gingin, declared that he would duly, faithfully, honestly and with integrity fulfil the duties of the office for the people in the district according to the best of his judgement and ability, and observe the *Local Government (Rules of Conduct) Regulations 2007*.

Mr Justin Kimberley Rule, having been elected to the office of Councillor of the Shire of Gingin, declared that he would duly, faithfully, honestly and with integrity fulfil the duties of the office for the people in the district according to the best of his judgement and ability, and observe the *Local Government (Rules of Conduct) Regulations 2007*.

All declarations were made in the presence of Mrs Margaret Greenwell, JP.

ORDER OF BUSINESS

1. DECLARATION OF OPENING

The Chief Executive Officer declared the meeting open at 3.06pm and welcomed those in attendance.

2. RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

2.1 ATTENDANCE

Councillors – I B Collard, J Court, J W Elgin, C W Fewster, F Johnson, J C Lobb, J E Morton, F J Peczka and J K Rule

Staff – J Edwards (Chief Executive Officer, K Lowes (Executive Manager Corporate and Community Services), A Butcher (Executive Manager Operations-Construction), L Edwards (Executive Manager Planning and Development), R Rasool (Executive Manager Assets), Z Edwards (Coordinator Corporate Services), M Taylor (Corporate Communications and Marketing Officer), O Edwards (Governance Support Officer) and L Burt (Governance/Minute Officer)

Gallery – There were two members of the public present in the gallery.

2.2 APOLOGIES

Nil

2.3 LEAVE OF ABSENCE

Nil

3. ELECTION OF SHIRE PRESIDENT

Schedule 2.3, Division 1 of the *Local Government Act 1995* requires that an election be conducted for the position of Shire President as the first item of business at the first meeting of Council following an ordinary local government election.

The Chief Executive Officer is to preside at the meeting until the office of Shire President is filled and is to act as Returning Officer for the electoral process.

The election must be conducted by the Chief Executive Officer in accordance with the prescribed procedure.

In essence, the election will be conducted as follows:

1. Nomination forms have been previously provided to all Councillors to assist with the election process and, where possible, should be lodged with the Chief Executive Officer prior to the commencement of the meeting. The Chief Executive Officer will, however, announce the closing time for the submission of nominations at the commencement of the meeting and will continue to receive nomination forms up until that time.
2. If a Councillor is nominated by another Councillor, then the Chief Executive Officer is not to accept the nomination unless the nominee has confirmed to the Chief Executive Officer, either verbally or in writing, that he or she is willing to be nominated for the office.
3. If more than one nomination is received, then Councillors will be required to vote on the matter by secret ballot, as if they were electors voting at an election. Positions on the ballot paper will be drawn at the meeting and ballot papers will be compiled and distributed at that time. Councillors will be asked to indicate their vote by placing a tick against the name of their preferred candidate as shown on the ballot paper and to place their completed ballot paper in the ballot box provided.
4. Once all votes have been cast, the ballot box will be opened, all votes counted and the successful candidate determined as if those votes were votes cast at an election.
5. As soon as is practicable after the result of the election is known, the Chief Executive Officer will declare and give notice of the result.
6. If there is an equality of votes between two or more candidates who are the only candidates in, or remaining in, the count then the meeting will be adjourned for a period of five minutes. At the recommencement of the meeting, the voting process will be commenced again.
7. At this point, any nomination previously submitted may be withdrawn and new nominations will be received by the Chief Executive Officer up to a specified time.
8. If there is still more than one nomination for the position then Councillors will be required to vote again by secret ballot. New ballot papers will be prepared and distributed at that time and Councillors will be asked to indicate their vote by placing a tick against the name of their preferred candidate as shown on the ballot paper and to place their completed ballot paper in the ballot box provided.
9. Once all votes have been cast for a second time, the ballot box will be opened, all votes counted and the successful candidate determined as if those votes were votes cast in an election.
10. If there is still an equality of votes following the second count, then in accordance with Schedule 4.1 of the *Local Government Act 1995* and Regulation 77A of the *Local Government (Election) Regulations 1997* the Chief Executive Officer will draw lots to determine which candidate is elected.

The result will be declared by the Chief Executive Officer. The successful candidate will be called upon to make their Declaration of Office and will then assume the Chair as Presiding Member for the remainder of the meeting.

The Chief Executive Officer advised that he had received two nominations for the position of President, being for Councillor Fewster and Councillor Collard. He then called for further nominations.

No further nominations being received, the Chief Executive Officer advised that an election would be conducted for the position of President of the Shire of Gingin, in accordance with Schedule 2.3 of the Local Government Act 1995.

Both candidates confirmed that they were happy for names to appear on the ballot paper in alphabetical order.

Ballot papers were prepared in accordance with Schedule 10 of the Local Government (Elections) Regulations 1997 and issued to all Councillors. Once all votes had been cast, a count of ballot papers was conducted, with the following result being declared:

1. Cr Collard – 6 votes
2. Cr Fewster – 3 votes

The Chief Executive Officer accordingly declared Councillor Collard elected to the Office of President of the Shire of Gingin for a term of two years, expiring in October 2019.

Councillor Collard, having been elected to the position of President of the Shire of Gingin, made his declaration of office before Mrs Margaret Greenwell JP and then assumed the Chair at 3.17pm.

4. ELECTION OF DEPUTY SHIRE PRESIDENT

Schedule 2.3, Division 2 of the *Local Government Act 1995* requires that an election be conducted for the position of Deputy Shire President as the next item of business after the election of the Shire President at the first meeting of Council following an ordinary local government election.

The election must be conducted in accordance with the procedure prescribed by the Shire President, as follows, with the Chief Executive Officer acting as Returning Officer:

1. Nomination forms have been previously provided to all Councillors to assist with the election process and, where possible, should be lodged with the Chief Executive Officer prior to the commencement of the meeting. The Chief Executive Officer will, however, announce the closing time for the submission of nominations at the commencement of the meeting and will continue to receive nomination forms up until that time.

2. If a Councillor is nominated by another Councillor, then the Chief Executive Officer is not to accept the nomination unless the nominee has confirmed to the Chief Executive Officer, either verbally or in writing, that he or she is willing to be nominated for the office.
3. If more than one nomination is received, then Councillors will be required to vote on the matter by secret ballot, as if they were electors voting at an election. Positions on the ballot paper will be drawn at the meeting and ballot papers will be compiled and distributed at that time. Councillors will be asked to indicate their vote by placing a tick against the name of their preferred candidate as shown on the ballot paper and to place their completed ballot paper in the ballot box provided.
4. Once all votes have been cast, the ballot box will be opened, all votes counted and the successful candidate determined as if those votes were votes cast at an election.
5. As soon as is practicable after the result of the election is known, the Chief Executive Officer will declare and give notice of the result.
6. If there is an equality of votes between two or more candidates who are the only candidates in, or remaining in, the count then the meeting will be adjourned for a period of five minutes. At the recommencement of the meeting, the voting process will be commenced again.
7. At this point, any nomination previously submitted may be withdrawn and new nominations will be received by the Chief Executive Officer up to a specified time.
8. If there is still more than one nomination for the position then Councillors will be required to vote again by secret ballot. New ballot papers will be prepared and distributed at that time and Councillors will be asked to indicate their vote by placing a tick against the name of their preferred candidate as shown on the ballot paper and to place their completed ballot paper in the ballot box provided.
9. Once all votes have been cast for a second time, the ballot box will be opened, all votes counted and the successful candidate determined as if those votes were votes cast in an election.
10. If there is still an equality of votes following the second count, then in accordance with Schedule 4.1 of the *Local Government Act 1995* and Regulation 77A of the *Local Government (Election) Regulations 1997* the Chief Executive Officer will draw lots to determine which candidate is elected.

The result will be declared by the Returning Officer. The successful candidate will be called upon to make their Declaration of Office and will then assume the seat reserved for the Deputy Shire President.

The Chief Executive Officer advised that he had received one nomination for the position of Deputy President, being for Councillor Elgin. He then called for further nominations.

No further nominations being received, the Chief Executive Officer accordingly declared Councillor Elgin elected to the Office of Deputy President of the Shire of Gingin for a term of two years, expiring in October 2019.

Councillor Elgin, having been elected to the position of Deputy President of the Shire of Gingin, made his declaration of office before Mrs Margaret Greenwell JP.

5. ALLOCATION OF COUNCILLOR SEATING

Clause 7.1 of the Shire of Gingin Meeting Procedures Local Law 2014 states as follows:

- (1) Seating arrangements for members at council meetings are to be determined -
 - (a) at the first council meeting after each ordinary election day –
 - (i) by member consensus; or*
 - (ii) in the absence of member consensus, by the CEO allotting, by random draw, a position at the Council table to each member; and**
 - (b) at any time, by a council resolution.**
- (2) During a council meeting, a member must sit only in the seat allocated to him or her under subclause (1).*

Following previous elections, it has been customary for any new Councillors to occupy the seats of outgoing Councillors.

Councillors will be requested to indicate their satisfaction with the current seating positions. In the event that a consensus cannot be reached, then a draw will be conducted by the Chief Executive Officer to allocate seating in the Council Chambers.

Once seating positions have been determined, Councillors will continue to occupy the same position at all meetings of Council until such time as there is a call by a majority of Councillors for a re-allotment of positions, or until the next local government election.

At the request of the Shire President, all Councillors indicated their satisfaction with the seating positions as placed.

6. DISCLOSURES OF INTEREST

Nil

7. PUBLIC QUESTION TIME

7.1 RESPONSES TO PUBLIC QUESTIONS PREVIOUSLY TAKEN ON NOTICE

Not applicable.

7.2 PUBLIC QUESTIONS

Nil

8. PETITIONS, DEPUTATIONS AND PRESENTATIONS

8.1 PETITIONS

Nil

8.2 DEPUTATIONS

Nil

8.3 PRESENTATIONS

Nil

9. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

10. CONFIRMATION OF MINUTES

Not applicable

11. ANNOUNCEMENTS BY THE PRESIDING MEMBER

Nil

12. UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS

Nil

13. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

14. REPORTS

14.1. OFFICE OF THE CEO

14.1.1 AUDIT COMMITTEE - APPOINTMENT OF MEMBERS

LOCATION:	SHIRE OF GINGIN
FILE:	GOV/33
AUTHOR:	LEE-ANNE BURT – GOVERNANCE OFFICER
REPORTING OFFICER:	JEREMY EDWARDS – CHIEF EXECUTIVE OFFICER
REPORT DATE:	24 OCTOBER 2017
REFER:	N/A

OFFICER INTEREST DECLARATION

Nil

PURPOSE

To consider the appointment of members to the Audit Committee.

BACKGROUND

Council has established a number of committees to provide it with advice on specific matters. The *Local Government Act 1995* requires that all appointments to committees of Council must fall vacant at the next ensuing Election Day, with new appointments to be made subsequent to the election.

Council also appoints representatives to a number of external bodies and these appointments are also reviewed following each Election Day.

In appointing committee members, Council is also requested to appoint a corresponding number of deputy members for each committee. The appointment of deputies who can attend a meeting if a sitting member is unavailable lessens the risk of a quorum not being achieved and enables committee meetings to proceed in a timely manner without undue delay.

Deputy members do not participate in committee meetings unless requested to do so in place of a sitting member. However, they are welcome to attend meetings as observers, and are included in meeting invitations and provided with copies of all relevant agendas and minutes so that they remain aware of the issues under discussion by a particular committee. This ensures that they are able to have meaningful input into discussions in the event that they are required to attend a meeting in an official capacity.

COMMENT

Section 7.1A of the *Local Government Act 1995* (the Act) requires each local government to establish an audit committee consisting of three or more persons to exercise the powers and discharge the duties conferred on it. Members of the Audit Committee must be appointed by an Absolute Majority of the Council and at least three of the members (and the majority of the members) must be Councillors.

Audit Committee membership cannot include the Chief Executive Officer or any other employee of the Shire.

The *Local Government (Audit) Regulations 1996* (Reg 16) specify as follows:

An Audit Committee is to:

- (a) Provide guidance and assistance to the local government –*
 - (i) as to the carrying out of its functions in relation to audits carried out under Part 7 of the Act; and*
 - (ii) as to the development of a process to be used to select and appoint a person to be an auditor;*
- and*
- (b) may provide guidance and assistance to the local government as to –*
 - (i) matters to be audited; and*
 - (ii) the scope of audits; and*
 - (iii) its functions under Part 6 of the Act; and*
 - (iv) the carrying out of its functions relating to other audits and other matters related to financial management; and*
- (c) is to review a report given to it by the CEO under regulation 17(3) (the CEO's report) and is to –*
 - (i) report to the council the results of that review; and*
 - (ii) give a copy of the CEO's report to the council.*

Under Reg. 14 the Audit Committee must also review the Shire's annual compliance audit return and report the results of that review to Council.

Council's Audit Committee currently consists of three elected members. Councillors Roe, Elgin and Smiles were appointed to the Committee at the Special Meeting of Council held 20 October 2015, with Councillors Ammon, Court and Peczka appointed as deputy members.

At its meeting on 19 September 2017, Council resolved to amend the Audit Committee's Terms of Reference to include an external Committee member. It will be necessary to advertise for nominations for this position, and Administration is currently developing a set of selection criteria to be addressed by nominees. The Audit Committee will continue to meet concurrent with this process taking place.

A copy of the current Terms of Reference is attached for Council's information (**Appendix 1**).

Council's attention is drawn to the fact that there is a meeting of the Audit Committee scheduled for Tuesday, 21 November 2017 for the purpose of considering the audited Financial Statements for the 2016/2017 financial year.

STATUTORY ENVIRONMENT

Local Government Act 1995

Part 5 – Administration

Division 2 – Council meetings, committees and their meetings and electors' meetings

Subdivision 2 – Committees and their meetings

Part 7 – Audit

Division 1A – Audit committee

Local Government Audit Regulations 1996

Regulation 14 – Compliance audits by local governments

Regulation 16 – Audit committee, functions of

POLICY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS – ABSOLUTE MAJORITY

RECOMMENDATION

It is recommended that Council resolve to appoint the following Councillors as members and deputy members of the Audit Committee for a term of two years ending at the 2019 local government elections:

Members		Deputy Members	
1.		1.	
2.		2.	
3.		3.	

RESOLUTION

Moved Councillor Morton, seconded Councillor Johnson that Council resolve to appoint the following Councillors as members and deputy members of the Audit Committee for a term of two years ending at the 2019 local government elections:

Members		Deputy Members	
1.	Councillor Elgin	1.	Councillor Johnson
2.	Councillor Peczka	2.	Councillor Lobb
3.	Councillor Court	3.	Councillor Collard

CARRIED BY ABSOLUTE MAJORITY

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APPENDIX 1



TERMS OF REFERENCE

AUDIT COMMITTEE

19 September 2017

Name:	Audit Committee
Role/Purpose:	<p>To accept responsibility for the annual external audit and liaise with the Shire's auditor so that Council can be satisfied with the performance of the Shire in managing its financial affairs.</p> <p>Reports from the Committee will assist Council in discharging its legislative responsibilities of controlling the Shire's affairs, determining the Shire's policies and overseeing the allocation of the Shire's finances and resources. The Committee will ensure openness in the Shire's financial reporting and will liaise with the CEO to ensure the effective and efficient management of the Shire's financial accounting systems and compliance with legislation.</p> <p>To facilitate:</p> <ul style="list-style-type: none"> the enhancement of the credibility and objectivity of external financial reporting; compliance with laws and regulations as well as use of best practice guidelines relative to auditing; and the provision of an effective means of communication between the external auditor, the CEO and the Council.
Aims & Functions:	<ol style="list-style-type: none"> 1. Provide guidance and assistance to Council as to the carrying out of the functions of the Shire in relation to audits; 2. Develop and recommend to Council an appropriate process for the selection and appointment of a person as the local government's auditor; 3. Develop and recommend to Council – <ul style="list-style-type: none"> a list of those matters to be audited; and the scope of the audit to be undertaken; 4. Recommend to Council the person or persons to be appointed as auditor; 5. Develop and recommend to Council a written agreement for the appointment of the auditor. The agreement is to include: <ul style="list-style-type: none"> the objectives of the audit; the scope of the audit; a plan of the audit; details of the remuneration and expenses to be paid to the auditor; and the method to be used by the local government to communicate with, and supply information to, the auditor;

	<p>6. Meet with the auditor once in each year and provide a report to Council on the matters discussed and outcome of those discussions;</p> <p>7. Liaise with the CEO to ensure that the Shire does everything in its power to –</p> <ul style="list-style-type: none"> • assist the auditor to conduct the audit and carry out his or her other duties under the <i>Local Government Act 1995</i>; and • ensure that audits are conducted successfully and expeditiously; <p>8. Examine the reports of the auditor after receiving a report from the CEO on the matters and –</p> <ul style="list-style-type: none"> • determine if any matters raised require action to be taken by the Shire; and • ensure that appropriate action is taken in respect of those matters; <p>9. Review the report prepared by the CEO on any actions taken in respect of any matters raised in the report of the auditor and presenting the report to Council for adoption prior to the end of the next financial year or six months after the last report prepared by the auditor is received, whichever is the latest in time;</p> <p>10. Review the scope of the audit plan and program and its effectiveness;</p> <p>11. Review the local government's draft annual financial report, focusing on -</p> <ul style="list-style-type: none"> • accounting policies and practices; • changes to accounting policies and practices; • the process used in making significant accounting estimates; • significant adjustments to the financial report (if any) arising from the audit process; • compliance with accounting standards and other reporting requirements; and • significant variances from prior years; <p>12. Consider and recommend adoption of the annual financial report to Council. Review any significant changes that may arise subsequent to any such recommendation but before the annual financial report is signed;</p> <p>13. Address issues brought to the attention of the Committee, including responding to requests from Council for advice that are within the parameters of the Committee's terms of reference;</p> <p>14. Seek information or obtain expert advice through the CEO on matters of concern within the scope of the Committee's terms of reference following authorisation from the Council;</p> <p>15. Review the Statutory Compliance Return and make a recommendation on its adoption to Council; and</p> <p>16. Review the outcome of audits undertaken by Administration with respect to various internal controls and risk-related issues, as determined by the Committee in liaison with the CEO.</p>
Membership:	<p>1. The Committee shall consist of the following representation:</p> <ul style="list-style-type: none"> • three Councillor representatives; and • one external person.

	<ol style="list-style-type: none"> 2. The CEO and employees are not members of the Committee (s7.1.A(3) and (4) <i>Local Government Act 1995</i>). 3. The CEO and Executive Manager Corporate and Community Services will attend all meetings to provide technical advice and guidance to the Committee. 4. A nominated deputy member may attend in place of an endorsed representative member. 5. Membership shall be for a period of up to two years terminating on the day of the next ordinary Council elections, with retiring members eligible to re-nominate. 6. Committee membership shall be appointed or removed by the Council. 7. Members must comply with the Shire's Code of Conduct. 8. The Committee has authority to second individuals from outside of the Committee, on a voluntary basis, for their expert advice.
Operating procedures:	<ol style="list-style-type: none"> 1. Presiding Member: <ol style="list-style-type: none"> a) The members of the Committee are to elect a presiding member and deputy presiding member from amongst themselves at the first meeting of the Committee and in accordance with the <i>Local Government Act 1995</i>, Schedule 2.3, Division 1. b) The CEO or his delegated nominee will attend the first meeting to conduct the election of the Presiding Member or at a subsequent meeting if a new Presiding Member is to be elected. c) The Presiding Member will preside at all meetings. d) In the absence of the Presiding Member, the Deputy Presiding Member will assume the chair, and in his/her absence, a person is to be elected by the Committee members present to assume the Chair. e) The Presiding Member is responsible for the proper conduct of the Committee. 2. Meetings: <ol style="list-style-type: none"> a) The Committee shall meet as required, but must hold a minimum of two meetings in any one calendar year. b) Additional meetings can be scheduled by decision of the Council or the Committee. c) A Notice of Meeting, including an agenda, will be circulated to the Committee members (including deputy members) at least 72 hours prior to each meeting where possible. d) The Presiding Member shall ensure that detailed minutes of all meetings are kept and shall provide the Committee members (including deputy members) with a copy of such minutes. e) All Committee meetings will be conducted in accordance with the Shire of Gingin Meeting Procedures Local Law 2014.

	<p>3. Quorum:</p> <p>The quorum for a meeting shall be at least 50% of the number of endorsed members.</p> <p>4. Reporting:</p> <p>a) The Minutes of every Committee meeting will be circulated for the information of all Councillors.</p> <p>b) Any Committee resolution requiring action on the part of the Council or requiring a Council commitment will be listed as a separate report on the Agenda for the next ordinary Council meeting.</p>
Appointing legislation:	The Committee is established under section 7.1A of the <i>Local Government Act 1995</i> .
Delegated Authority:	The Committee has no delegated power and has no authority to implement its recommendations without approval of Council.

Version	Decision Reference	Synopsis
1.	06/09/2005 – Item 10.2.1	Committee established and Terms of Reference adopted.
2.	22/10/2013 – Item 10.2	Terms of Reference reviewed.
3.	18/08/2015 – Item 11.1.6	Terms of Reference reviewed.
4.	19/09/2017 – Item	Terms of Reference reviewed. Aims & Functions cl. 16 added. Operating procedures cl. 2c deleted. Membership cl. 1 amended to include one external person.

14.1.2 BUSH FIRE ADVISORY COMMITTEE - APPOINTMENT OF MEMBERS

LOCATION:	SHIRE OF GINGIN
FILE:	GOV/33
AUTHOR:	LEE-ANNE BURT – GOVERNANCE OFFICER
REPORTING OFFICER:	JEREMY EDWARDS – CHIEF EXECUTIVE OFFICER
REPORT DATE:	24 OCTOBER 2017
REFER:	N/A

OFFICER INTEREST DECLARATION

Nil

PURPOSE

To consider the appointment of members to the Bush Fire Advisory Committee.

BACKGROUND

Council has established a number of committees to provide it with advice on specific matters. The *Local Government Act 1995* requires that all appointments to committees of Council must fall vacant at the next ensuing Election Day, with new appointments to be made subsequent to the election.

Council also appoints representatives to a number of external bodies and these appointments are also reviewed following each Election Day.

In appointing committee members, Council is also requested to appoint a corresponding number of deputy members for each committee. The appointment of deputies who can attend a meeting if a sitting member is unavailable lessens the risk of a quorum not being achieved and enables committee meetings to proceed in a timely manner without undue delay.

Deputy members do not participate in committee meetings unless requested to do so in place of a sitting member. However, they are welcome to attend meetings as observers, and are included in meeting invitations and provided with copies of all relevant agendas and minutes so that they remain aware of the issues under discussion by a particular committee. This ensures that they are able to have meaningful input into discussions in the event that they are required to attend a meeting in an official capacity.

COMMENT

Section 67 of the *Bush Fires Act 1954* provides a local government with the power to *appoint such persons as it thinks fit as a bush fire advisory committee for the purpose of advising the local government regarding all matters relating to the preventing, controlling and extinguishing of bush fires, the planning of the layout of fire-breaks in the district, prosecutions for breaches of this Act, the formation of bush fire brigades and the grouping thereof under group brigade officers, the ensuring of co-operation and co-ordination of bush fire brigades in their efforts and activities, and any other matter relating to bush fire control...*

If a local government establishes a BFAC under Section 67 then it must also appoint a member of the Council as its representative on the Committee. It is Council's practice to appoint the Shire President as its representative on the BFAC to ensure continuity of representation on this Committee and the Shire's Local Emergency Management Committee (see Item 15.16), and this practice is reflected in the Committee's Terms of Reference.

In the event that Council wishes to appoint a Councillor other than the Shire President as its representative on the Bush Fire Advisory Committee, then it will be necessary to also resolve to amend the Terms of Reference.

Councillor Collard was appointed as Council's deputy representative on the Bush Fire Advisory Committee following the 2015 elections.

A copy of the current Terms of Reference is attached for Council's information (**Appendix 1**).

STATUTORY ENVIRONMENT

Local Government Act 1995

Part 5 – Administration

Division 2 – Council meetings, committees and their meetings and electors' meetings

Subdivision 2 – Committees and their meetings

Bush Fires Act 1954

Part V - Miscellaneous

Section 67 – Advisory committees

Shire of Gingin Bush Fire Brigades Local Law 2004

Division 4 – Bush Fire Advisory Committee

POLICY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS – ABSOLUTE MAJORITY

RECOMMENDATION

It is recommended that Council resolve to appoint the following Councillors as member and deputy member of the Bush Fire Advisory Committee for a term of two years ending at the 2019 local government elections:

Member	Deputy Member
Shire President	

RESOLUTION

Moved Councillor Peczka, seconded Councillor Elgin that Council resolve to appoint the following Councillors as member and deputy member of the Bush Fire Advisory Committee for a term of two years ending at the 2019 local government elections:

Member	Deputy Member
Shire President	Councillor Morton

**CARRIED BY ABSOLUTE MAJORITY
9-0**

APPENDIX 1



TERMS OF REFERENCE

BUSH FIRE ADVISORY COMMITTEE

19 September 2017

Name:	Bush Fire Advisory Committee
Role/Purpose:	To advise Council with regard to matters relating to bush fire control within the Shire of Gingin.
Aims & Functions:	<ol style="list-style-type: none"> 1. To make recommendations to Council with respect to the appointment of Fire Control Officers; 2. To determine training requirements and strategies; and 3. To consider and make recommendation to Council with respect to all bush fire mitigation issues.
Membership:	<ol style="list-style-type: none"> 1. The Committee shall consist of the following representation: <ul style="list-style-type: none"> <u>Voting</u> <ul style="list-style-type: none"> • Shire President or delegate; • Chief Bush Fire Control Officer; • Deputy Chief Bush Fire Control Officers; and • One nominated representative from each volunteer bush fire brigade. <u>Non-Voting</u> <ul style="list-style-type: none"> • Chief Executive Officer or delegate; • One representative - Department of Fire and Emergency Services; • One representative – Department of Parks and Wildlife; • One representative – Department of Agriculture and Food; • One representative – Gingin Volunteer Fire and Rescue Service; and • One representative – Lancelin Volunteer Fire and Rescue Service. 2. A nominated deputy member may attend in place of the endorsed representative member. 3. Membership shall be for a period of up to two years terminating on the day of the next ordinary Council elections, with retiring members eligible to re-nominate. 4. Committee membership shall be appointed or removed by the Council. 5. Members must comply with the Shire's Code of Conduct.

	6. The Committee has authority to second individuals from outside of the Committee, on a voluntary basis, for their expert advice.
Operating procedures:	<p>1. Presiding Member:</p> <ul style="list-style-type: none"> a) Council's nominated representative shall fill the position of Presiding Member at all meetings. b) In the absence of the Presiding Member, the Community Emergency Services Manager/Chief Bush Fire Control Officer will assume the Chair for the duration of that meeting. c) The Presiding Member is responsible for the proper conduct of the Committee. <p>2. Meetings:</p> <ul style="list-style-type: none"> a) The Committee shall meet as required, but must hold a minimum of four meetings in any one calendar year (March, June, September and December). b) Additional meetings can be scheduled by decision of the Council or the Committee, or at the discretion of the Committee's Presiding Member. c) A Notice of Meeting, including an agenda, will be circulated to the Committee members (including deputy members) at least 72 hours prior to each meeting where possible. d) The Presiding Member shall ensure that detailed minutes of all meetings are kept and shall provide the Committee members (including deputy members) with a copy of such minutes. e) All Committee meetings will be conducted in accordance with the Shire of Gingin Meeting Procedures Local Law 2014. <p>3. Quorum:</p> <p>The quorum for a meeting shall be at least 50% of the number of endorsed members.</p> <p>4. Reporting:</p> <ul style="list-style-type: none"> a) The Minutes of every Committee meeting will be circulated for the information of all Councilors. b) Any Committee resolution requiring action on the part of the Council or requiring a Council commitment will be listed as a separate report on the Agenda for the next ordinary Council meeting.
Appointing legislation:	The Committee is established under section 67 of the <i>Bush Fires Act 1954</i> .
Delegated Authority:	The Committee has no delegated power and has no authority to implement its recommendations without approval of Council.

Version	Decision Reference	Synopsis
1.	22/10/2013 - Item 10.3	Committee structure reviewed and Terms of Reference adopted.
2.	17/12/2013 – Item 11.1.1	Amended to include volunteer bush fire brigade representatives as voting members.
3.	18/08/2015 – Item 11.1.6	Terms of Reference reviewed. Reference to Standing Orders Local Law deleted from Operating Procedure 2b and replaced with Meeting Procedures Local Law 2014. Reference to provision of Committee Minutes via Information Bulletin deleted from Operating Procedure 4a.
4.	19/01/2016 – Item 11.1.3	Operating Procedures Clause 1b amended to specify that Community Emergency Services Manager/Chief Bush Fire Control Officer to assume the Chair in the absence of the Presiding Member.
5.	19/09/2017 – Item	Terms of Reference reviewed. Operating Procedures cl. 2c deleted.

14.1.3 LOCAL EMERGENCY MANAGEMENT COMMITTEE - APPOINTMENT OF MEMBERS

LOCATION:	SHIRE OF GINGIN
FILE:	GOV/33
AUTHOR:	LEE-ANNE BURT – GOVERNANCE OFFICER
REPORTING OFFICER:	JEREMY EDWARDS – CHIEF EXECUTIVE OFFICER
REPORT DATE:	24 OCTOBER 2017
REFER:	N/A

OFFICER INTEREST DECLARATION

Nil

PURPOSE

To consider the appointment of members to the Local Emergency Management Committee.

BACKGROUND

Council has established a number of committees to provide it with advice on specific matters. The *Local Government Act 1995* requires that all appointments to committees of Council must fall vacant at the next ensuing election day, with new appointments to be made subsequent to the election.

Council also appoints representatives to a number of external bodies and these appointments are also reviewed following each election day.

In appointing committee members, Council is also requested to appoint a corresponding number of deputy members for each committee. The appointment of deputies who can attend a meeting if a sitting member is unavailable lessens the risk of a quorum not being achieved and enables committee meetings to proceed in a timely manner without undue delay.

Deputy members do not participate in committee meetings unless requested to do so in place of a sitting member. However, they are welcome to attend meetings as observers, and are included in meeting invitations and provided with copies of all relevant agendas and minutes so that they remain aware of the issues under discussion by a particular committee. This ensures that they are able to have meaningful input into discussions in the event that they are required to attend a meeting in an official capacity.

COMMENT

Section 38 of the *Emergency Management Act 2005* requires every local government to establish at least one local emergency management committee (LEMC) within its district.

The functions of the LEMC are:

- a. To advise and assist the local government in ensuring that local emergency management arrangements are established for its district;

- b. To liaise with public authorities and other persons in the development, review and testing of local emergency management arrangements; and
- c. to carry out other emergency management activities as directed by the State Emergency Management Committee or prescribed by the regulations.

State Emergency Management Policy 2.5 requires that the LEMC must meet at least once every three months. The Shire of Gingin LEMC currently holds meetings in March, June, September and December and membership includes representatives from the following agencies:

Voting

- Shire of Gingin
- WA Police (OIC Gingin and OIC Lancelin);
- Department of Fire and Emergency Services;
- Department for Child Protection and Family Support;
- Red Cross; and
- St John Ambulance.

Non-Voting

- WA Police (Inspector Wheatbelt District)
- Department of Parks and Wildlife;
- Western Power;
- Main Roads WA;
- Empire Oil Company (WA) Limited;
- Royal Australian Air Force Base Pearce;
- Lancelin Volunteer Marine Rescue Group Inc;
- Gingin District High School;
- Lancelin Primary School;
- Yanchep District High School
- Two Rocks Primary School
- Silver Chain;
- Tronox;
- State Emergency Management Committee;
- Department of Agriculture and Food; and
- Department of Health – WA Country Health Service

The Western Australia Local Emergency Management Committee (LEMC) Administration Guide recommends that the LEMC should be chaired by the Shire President or Chief Executive Officer and this requirement is reflected in the Terms of Reference. Following the 2015 elections the Shire President was appointed as Chairperson and Council's representative on the LEMC, with Councillor Collard being appointed as deputy member.

A copy of the current Terms of Reference is attached for Council's information (**Appendix 1**).

STATUTORY ENVIRONMENT

Local Government Act 1995

Part 5 – Administration

Division 2 – Council meetings, committees and their meetings and electors' meetings

Subdivision 2 – Committees and their meetings

Emergency Management Act 2005

Part 3 – Local arrangements

Division 1 – Local emergency authorities

Section 38 – Local emergency management committees

POLICY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2017-2027

Focus Area	<i>Community Wellbeing</i>
Objective	<i>1. To support the Shire of Gingin community to be inclusive, vibrant, healthy and safe through the Shire's service delivery.</i>
Outcome	<i>1.3 Health and Safety Our community has access to quality health and community safety programs, services and initiatives that promote resilience. (>WDC)</i>
Key Service Areas	<i>Local Emergency Services</i>

VOTING REQUIREMENTS – ABSOLUTE MAJORITY

RECOMMENDATION

It is recommended that Council appoint the following Councillors as member and deputy member of the Local Emergency Management Committee for a term of two years ending at the 2019 local government elections:

Member	Deputy Member
Shire President	

RESOLUTION

Moved Councillor Elgin, seconded Councillor Johnson that Council appoint the following Councillors as member and deputy member of the Local Emergency Management Committee for a term of two years ending at the 2019 local government elections:

Member	Deputy Member
Shire President	Councillor Morton

CARRIED BY ABSOLUTE MAJORITY
9-0

APPENDIX 1



TERMS OF REFERENCE

LOCAL EMERGENCY MANAGEMENT COMMITTEE

19 September 2017

Name:	Local Emergency Management Committee
Role/Purpose:	To advise and assist Council in the development, review and testing of the Shire of Gingin Local Emergency Management Arrangements.
Aims & Functions:	<ol style="list-style-type: none"> 1. To advise and assist Council in establishing local emergency management arrangements for the district; 2. To liaise with public authorities and other persons in the development, review and testing of the local emergency management arrangements; and 3. To carry out other emergency management activities as directed by the State Emergency Management Committee or prescribed by regulations.
Membership:	<ol style="list-style-type: none"> 1. The Committee shall consist of the following representation: <ul style="list-style-type: none"> <u>Voting Members</u> Shire of Gingin <ul style="list-style-type: none"> Shire President (Chairperson) Community Emergency Services Manager/Chief Bush Fire Control Officer (Executive Officer) Coordinator Community Services (Local Recovery Coordinator) WA Police <ul style="list-style-type: none"> OIC Gingin (Local Emergency Coordinator) OIC Lancelin (Local Emergency Coordinator) Department of Fire and Emergency Services Department for Child Protection and Family Support Red Cross St John Ambulance Chittering/Gingin Sub-Centre St John Ambulance Lancelin and Coastal Districts Sub-Centre <u>Non-Voting Members</u> WA Police <ul style="list-style-type: none"> Inspector Wheatbelt District Department of Parks and Wildlife Western Power Main Roads WA Empire Oil Company (WA) Limited Royal Australian Air Force Base Pearce Lancelin Volunteer Marine Rescue Group Inc Department of Education <ul style="list-style-type: none"> Gingin District High School

	<p>Lancelin Primary School Yanchep District High School Two Rocks Primary School Silver Chain Tronox State Emergency Management Committee Department of Agriculture and Food Department of Health – WA Country Health Service</p> <p>2. A nominated deputy member may attend in place of the endorsed representative member.</p> <p>3. The Shire's Chief Executive Officer will act as deputy member for the Shire President.</p> <p>4. Membership shall be for a period of up to two years terminating on the day of the next ordinary Council elections, with retiring members eligible to re-nominate.</p> <p>5. Committee membership shall be appointed or removed by the Council.</p> <p>6. Members must comply with the Shire's Code of Conduct.</p> <p>7. The Committee has authority to second individuals from outside of the Committee, on a voluntary basis, for their expert advice.</p>
Operating procedures:	<p>1. Presiding Member:</p> <p>a) The Shire President shall fill the position of Presiding Member at all meetings.</p> <p>b) In the absence of the Shire President, the Chief Executive Officer, as Council's appointed deputy member, will attend and assume the Chair as Presiding Member for the duration of that meeting.</p> <p>c) In the event that neither the Shire President or the Chief Executive Officer are present, the Community Emergency Services Manager/Chief Bush Fire Control Officer will assume the Chair as Presiding Member for the duration of that meeting.</p> <p>d) The Presiding Member is responsible for the proper conduct of the Committee.</p> <p>2. Meetings:</p> <p>a) The Committee shall meet as required, but must hold a minimum of one meeting every three months (March, June, September and December).</p> <p>b) Additional meetings can be scheduled by decision of the Council or the Committee, or at the discretion of the Committee's Presiding Member.</p> <p>c) A Notice of Meeting, including an agenda, will be circulated to the Committee members (including deputy members) at least 72 hours prior to each meeting where possible.</p> <p>d) The Presiding Member shall ensure that detailed minutes of all meetings are kept and shall provide the Committee members (including deputy members) with a copy of such minutes.</p>

	<p>e) All Committee meetings will be conducted in accordance with the Shire of Gingin Meeting Procedures Local Law 2014.</p> <p>3. Quorum:</p> <p>The quorum for a meeting shall be at least 50% of the number of voting¹ members.</p> <p>4. Reporting:</p> <p>a) The Minutes of every Committee meeting will be circulated for the information of all Councillors.</p> <p>b) Any Committee resolution requiring action on the part of the Council or requiring a Council commitment will be listed as a separate report on the Agenda for the next ordinary Council meeting.</p>
Appointing Legislation:	The Committee is established under section 38 of the <i>Emergency Management Act 2005</i> .
Delegated Authority:	The Committee has no delegated power and has no authority to implement its recommendations without approval of Council.

Version	Decision Reference	Synopsis
1.	22/10/2013 - Item 10.7	Terms of Reference adopted.
2.	16/12/2014 – Item 11.1.10	Amendments to membership and who shall chair meeting in absence of Shire President.
3.	18/08/2015 – Item 11.1.6	Terms of Reference reviewed. Reference to Standing Orders Local Law deleted from Operating Procedure 2b and replaced with Meeting Procedures Local Law 2014. Reference to provision of Committee Minutes via Information Bulletin deleted from Operating Procedure 4a.
4.	21/03/2017 – Item 11.1.1	Amendments to membership and who shall chair meeting in absence of Shire President.
5.	19/09/2017 – Item	Terms of Reference reviewed. Operating procedures cl. 2c deleted.

14.1.4 GINGIN RETIREMENT VILLAGE COMMITTEE - APPOINTMENT OF MEMBERS

LOCATION:	SHIRE OF GINGIN
FILE:	GOV/33
AUTHOR:	LEE-ANNE BURT – GOVERNANCE OFFICER
REPORTING OFFICER:	JEREMY EDWARDS – CHIEF EXECUTIVE OFFICER
REPORT DATE:	24 OCTOBER 2017
REFER:	N/A

OFFICER INTEREST DECLARATION

Nil

PURPOSE

To consider the appointment of members to the Gingin Retirement Village Committee.

BACKGROUND

Council has established a number of committees to provide it with advice on specific matters. The *Local Government Act 1995* requires that all appointments to committees of Council must fall vacant at the next ensuing election day, with new appointments to be made subsequent to the election.

Council also appoints representatives to a number of external bodies and these appointments are also reviewed following each election day.

In appointing committee members, Council is also requested to appoint a corresponding number of deputy members for each committee. The appointment of deputies who can attend a meeting if a sitting member is unavailable lessens the risk of a quorum not being achieved and enables committee meetings to proceed in a timely manner without undue delay.

Deputy members do not participate in committee meetings unless requested to do so in place of a sitting member. However, they are welcome to attend meetings as observers, and are included in meeting invitations and provided with copies of all relevant agendas and minutes so that they remain aware of the issues under discussion by a particular committee. This ensures that they are able to have meaningful input into discussions in the event that they are required to attend a meeting in an official capacity.

COMMENT

At its meeting on 6 December 2011, Council resolved to support the formation of the Gingin Retirement Village Committee for the purpose of facilitating retirement accommodation in the Gingin townsite. The Committee's membership currently consists of the Shire President, four Councillors and up to six members of the Gingin Pensioners' Social Club Inc.

Prior to the 2017 elections, the Shire President and Councillors Ammon, Aspinall, Collard and Elgin held the position of Committee member, with Councillors Court, Fewster, Peczka and Smiles as deputy members.

A copy of the current Terms of Reference is attached for Council's information (**Appendix 1**).

STATUTORY ENVIRONMENT

Local Government Act 1995

Part 5 – Administration

Division 2 – Council meetings, committees and their meetings and electors' meetings

Subdivision 2 – Committees and their meetings

POLICY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2017-2027

Focus Area	<i>Community Wellbeing</i>
Objective	<i>1. To support the Shire of Gingin community to be inclusive, brant, healthy and safe through the Shire's service delivery</i>
Outcome	<i>1.1 Inclusive Our community has access to a range of community programs, services and initiatatives that support wellbeing and inclusion. (>WDC)</i>
Key Service Areas	<i>Independent Living Units</i>
Priorities	<i>1.1.1 Support ageing in place by developing the 'four planks' of Aging in the Bush (>RCI) (>WDC).</i>

VOTING REQUIREMENTS – ABSOLUTE MAJORITY

RECOMMENDATION

It is recommended that Council appoint the following Councillors as members and deputy members of the Gingin Retirement Village Committee for a term of two years ending at the 2019 local government elections:

Member		Deputy Member	
1.	Shire President	1.	
2.		2.	
3.		3.	
4.		4.	
5.			

RESOLUTION

Moved Councillor Morton, seconded Councillor Elgin that Council appoint the following Councillors as members and deputy members of the Gingin Retirement Village Committee for a term of two years ending at the 2019 local government elections:

Member		Deputy Member	
1.	Shire President	1.	Councillor Lobb
2.	Councillor Rule	2.	Councillor Peczka
3.	Councillor Court	3.	Councillor Elgin
4.	Councillor Johnson	4.	Councillor Morton
5.	Councillor Fewster		

CARRIED BY ABSOLUTE MAJORITY

9-0

APPENDIX 1



TERMS OF REFERENCE

GINGIN RETIREMENT VILLAGE COMMITTEE

19 September 2017

Name:	Gingin Retirement Village Committee
Role/Purpose:	To identify opportunities for the provision of improved aged care services to the town of Gingin and to provide recommendations in relation to same for Council's consideration.
Aims & Functions:	To investigate options for the provision of retirement village-style accommodation in the town of Gingin.
Membership:	<ol style="list-style-type: none"> The Committee shall consist of the following representation: <ul style="list-style-type: none"> Shire President; Four Councillors; and A maximum of six representatives from the Gingin Pensioners' Social Club Inc. The Chief Executive Officer and Coordinator Community Services will attend all meetings of the Committee to provide technical advice and guidance only. A nominated deputy member may attend in place of the endorsed representative member. Membership shall be for a period of up to two years terminating on the day of the next ordinary Council elections, with retiring members eligible to re-nominate. Committee membership shall be appointed or removed by the Council. Members must comply with the Shire's Code of Conduct. The Committee has authority to second individuals from outside of the Committee, on a voluntary basis, for their expert advice.
Operating procedures:	<ol style="list-style-type: none"> Presiding Member: <ol style="list-style-type: none"> The members of the Committee are to elect a presiding member and deputy presiding member from amongst themselves at the first meeting of the Committee and in accordance with the <i>Local Government Act 1995</i>, Schedule 2.3, Division 1. The CEO or delegated nominee will attend the first meeting to conduct the election of the Presiding Member or at a subsequent meeting if a new Presiding Member is to be elected.

	<p>c) The Presiding Member will preside at all meetings.</p> <p>d) In the absence of the Presiding Member, the Deputy Presiding Member will assume the chair, and in his/her absence, a person is to be elected by the Committee members present to assume the Chair.</p>
	<p>e) The Presiding Member is responsible for the proper conduct of the Committee.</p> <p>2. Meetings:</p> <p>a) The Committee shall meet as required, but must hold a minimum of two meetings in each calendar year.</p> <p>b) Additional meetings can be scheduled by decision of the Council or the Committee.</p> <p>c) A Notice of Meeting, including an agenda, will be circulated to the Committee members (including deputy members) at least 72 hours prior to each meeting where possible.</p> <p>d) The Presiding Member shall ensure that detailed minutes of all meetings are kept and shall provide the Committee members (including deputy members) with a copy of such minutes.</p> <p>e) All Committee meetings will be conducted in accordance with the Shire of Gingin Meeting Procedures Local Law 2014.</p> <p>3. Quorum:</p> <p>The quorum for a meeting shall be at least 50% of the number of endorsed members.</p> <p>4. Reporting:</p> <p>a) The Minutes of every Committee meeting will be circulated for the information of all Councillors.</p> <p>b) Any Committee resolution requiring action on the part of the Council or requiring a Council commitment will be listed as a separate report on the Agenda for the next ordinary Council meeting.</p>
Appointing legislation:	The Committee is established under section 5.8 of the <i>Local Government Act 1995</i> .
Delegated Authority:	The Committee has no delegated power and has no authority to implement its recommendations without approval of Council.

Version	Decision Reference	Synopsis
1.	06/12/2011 – Item 11.3.5	Committee established.
2.	20/12/2011 – Item 11.3.3	Committee membership amended.
3.	22/10/2013 – Item 10.4	Terms of Reference adopted.
4.	18/08/2015 – Item 11.1.6	Terms of Reference reviewed. Operating Procedure 2a amended by reducing the minimum number of meetings from 3 to 2. Reference to Standing Orders Local Law deleted from Operating Procedure 2b and replaced with Meeting Procedures Local Law 2014. Reference to provision of Committee Minutes via Information Bulletin deleted from Operating Procedure 4a.
5.	19/09/2017 – Item	Terms of Reference reviewed. Operating procedures cl. 2c deleted.

14.1.5 GINGIN WATER ADVISORY COMMITTEE - APPOINTMENT OF MEMBERS

LOCATION:	SHIRE OF GINGIN
FILE:	GOV/33
AUTHOR:	LEE-ANNE BURT – GOVERNANCE OFFICER
REPORTING OFFICER:	JEREMY EDWARDS – CHIEF EXECUTIVE OFFICER
REPORT DATE:	24 OCTOBER 2017
REFER:	N/A

OFFICER INTEREST DECLARATION

Nil

PURPOSE

To consider the appointment of members to the Gingin Water Advisory Committee.

BACKGROUND

Council has established a number of committees to provide it with advice on specific matters. The *Local Government Act 1995* requires that all appointments to committees of Council must fall vacant at the next ensuing election day, with new appointments to be made subsequent to the election.

Council also appoints representatives to a number of external bodies and these appointments are also reviewed following each election day.

In appointing committee members, Council is also requested to appoint a corresponding number of deputy members for each committee. The appointment of deputies who can attend a meeting if a sitting member is unavailable lessens the risk of a quorum not being achieved and enables committee meetings to proceed in a timely manner without undue delay.

Deputy members do not participate in committee meetings unless requested to do so in place of a sitting member. However, they are welcome to attend meetings as observers, and are included in meeting invitations and provided with copies of all relevant agendas and minutes so that they remain aware of the issues under discussion by a particular committee. This ensures that they are able to have meaningful input into discussions in the event that they are required to attend a meeting in an official capacity.

COMMENT

At its meeting on 18 July 2017, Council resolved to support the formation of the Gingin Water Advisory Committee for the purpose of advising Council and the Shire of Gingin community on matters relevant to understanding and protecting the water resource of the Shire. The Committee's membership currently consists of one Councillor representative, two representatives from the Gingin Water Group, one representative from the Department of Water, one representative from Perth NRM (Natural Resource Management), one representative from NACC, one representative from Moore Catchment Council, one representative from Chittering Landcare (Ellen Brockman Integrated Catchment Group) and two Shire of Gingin ratepayers/residents.

Councillors Smiles and Collard were appointed as Council's representative and deputy representative to the Committee.

The ratepayer/resident members were appointed by Council at its meeting on 19 September 2017, and arrangements will now need to be made for the Committee's inaugural meeting.

A copy of the current Terms of Reference is attached for Council's information (**Appendix 1**).

STATUTORY ENVIRONMENT

Local Government Act 1995

Part 5 – Administration

Division 2 – Council meetings, committees and their meetings and electors' meetings

Subdivision 2 – Committees and their meetings

POLICY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2017-2027

Focus Area	<i>Natural Environment</i>
Objective	<i>2. To develop the Shire's capacity to support the conservation of natural assets and undertake sustainable resource management.</i>
Outcome	<i>2.1 Conservation The Shire's ecological services and natural assets are respected and enhanced.</i>
Key Service Areas	<i>Conservation and Environmental Management</i>
Priorities	<i>2.1.2 Improving the Shire's Natural Areas Management. (>RCI) (>WDC)</i>

VOTING REQUIREMENTS – ABSOLUTE MAJORITY

RECOMMENDATION

It is recommended that Council appoint the following Councillors as member and deputy member of the Gingin Water Advisory Committee for a term of two years ending at the 2019 local government elections:

Member		Deputy Member	
1.		1.	

RESOLUTION

Moved Councillor Peczka, seconded Councillor Johnson that Council appoint the following Councillors as member and deputy member of the Gingin Water Advisory Committee for a term of two years ending at the 2019 local government elections:

Member		Deputy Member	
1.	Councillor Collard	1.	Councillor Elgin

**CARRIED BY ABSOLUTE MAJORITY
9-0**

APPENDIX 1



TERMS OF REFERENCE

GINGIN WATER ADVISORY COMMITTEE

19 September 2017

Name:	Gingin Water Advisory Committee
Role/Purpose:	To advise Council and the Shire of Gingin community on matters relevant to understanding and protecting the water resource of the Shire.
Aims & Functions:	<ol style="list-style-type: none"> 1. To advise Council and ratepayers/residents of the Shire on current trends and issues relating to the economic, environmental, social and cultural perspectives of the Shire's water resource (including monitoring); 2. To advise Council on matters for consultation with and information for residents of emerging priorities and strategies to manage the water resource (communication strategy and relevant information); 3. To advise Council and ratepayers/residents of the Shire on actions that can be taken to protect the water resource; 4. To monitor and report to Council on processes/actions referred to the Committee by Council; and 5. To recommend to Council issues to be considered for inclusion within the Shire's planning framework.
Membership:	<ol style="list-style-type: none"> 1. The committee shall consist of the following representation: <ul style="list-style-type: none"> • one Councillor representative; • two representatives from the Gingin Water Group; • one representative from the Department of Water; • one representative from Perth NRM (Natural Resource Management); • one representative from NACC • one representative from Moore Catchment Council • one representative from Chittering Landcare (Ellen Brockman Integrated Catchment Group) • two Shire of Gingin ratepayers/residents 2. The Executive Manager Operations-Construction will attend all meetings of the Committee to provide technical advice and guidance only 3. A nominated deputy member may attend in place of an endorsed representative member. 4. Membership shall be for a period of one year from the date of establishment of the Committee. 5. Committee membership shall be appointed or removed by the Council.

	<p>6. Members must comply with the Shire's Code of Conduct.</p> <p>7. The Committee has authority to second individuals from outside of the Committee, on a voluntary basis, for their expert advice.</p>
Operating procedures:	<p>1. Presiding Member:</p> <ul style="list-style-type: none"> a) The members of a committee are to elect a presiding member and deputy presiding member from amongst themselves at the first meeting of the committee and in accordance with the <i>Local Government Act 1995</i>, Schedule 2.3, Division 1. b) The CEO or delegated nominee will attend the first meeting to conduct the election of the Presiding Member or at a subsequent meeting if a new Presiding Member is to be elected. c) The Presiding Member will preside at all meetings. d) In the absence of the Presiding Member, the Deputy Presiding Member will assume the chair, and in his/her absence, a person is to be elected by the committee members present to assume the Chair. e) The Presiding Member is responsible for the proper conduct of the committee. <p>2. Meetings:</p> <ul style="list-style-type: none"> a) The committee shall meet on an as required basis. Meetings may be scheduled as considered necessary by the Chief Executive Officer, or by resolution of the Committee. b) A Notice of Meeting, including an agenda, will be circulated to the committee members (including deputy delegates) at least 72 hours prior to each meeting where possible. c) The Presiding Member shall ensure that detailed minutes of all meetings are kept and that all Committee members (including deputy delegates) are provided with a copy of the minutes. d) All committee meetings will be conducted in accordance with the Shire of Gingin Meeting Procedures Local Law 2014. <p>3. Working Groups</p> <ul style="list-style-type: none"> a) The Committee may establish working groups (volunteer basis) for specific tasks or processes. b) Working groups will report on progress in their work program to the Committee. c) Working groups will meet on an as required basis. d) Working groups will be disbanded once their specific task/process is completed, or by decision of the Committee. <p>3. Quorum:</p> <p>The quorum for a meeting shall be at least 50% of the number of endorsed members.</p>

	<p>5. Reporting:</p> <p>a) The Minutes of every Committee meeting will be circulated for the information of all Councillors.</p> <p>b) Any Committee resolution requiring action on the part of the Council or requiring a Council commitment will be listed as a separate report on the Agenda for the next ordinary Council meeting.</p>
Appointing legislation:	The committee is established under section 5.8 of the <i>Local Government Act 1995</i> .
Delegated Authority:	The Committee has no delegated power and has no authority to implement its recommendations without approval of Council.

Version	Decision Reference	Synopsis
1.	18/07/2017 – Item 12.1	Establishment of Committee
2.	19/09/2017 – Item 11.1.3	Amendment of Membership cl. 2 – replacement of reference to Executive Manager Planning and Development with Executive Manager Operations-Construction

14.1.6 GUILDERTON CARAVAN PARK MANAGEMENT COMMITTEE - APPOINTMENT OF MEMBERS

LOCATION: SHIRE OF GINGIN
FILE: GOV/33
AUTHOR: LEE-ANNE BURT – GOVERNANCE OFFICER
REPORTING OFFICER: JEREMY EDWARDS – CHIEF EXECUTIVE OFFICER
REPORT DATE: 24 OCTOBER 2017
REFER: N/A

OFFICER INTEREST DECLARATION

Nil

PURPOSE

To consider the appointment of members to the Guilderton Caravan Park Management Committee.

BACKGROUND

Council has established a number of committees to provide it with advice on specific matters. The *Local Government Act 1995* requires that all appointments to committees of Council must fall vacant at the next ensuing election day, with new appointments to be made subsequent to the election.

Council also appoints representatives to a number of external bodies and these appointments are also reviewed following each election day.

In appointing committee members, Council is also requested to appoint a corresponding number of deputy members for each committee. The appointment of deputies who can attend a meeting if a sitting member is unavailable lessens the risk of a quorum not being achieved and enables committee meetings to proceed in a timely manner without undue delay.

Deputy members do not participate in committee meetings unless requested to do so in place of a sitting member. However, they are welcome to attend meetings as observers, and are included in meeting invitations and provided with copies of all relevant agendas and minutes so that they remain aware of the issues under discussion by a particular committee. This ensures that they are able to have meaningful input into discussions in the event that they are required to attend a meeting in an official capacity.

COMMENT

The Guilderton Caravan Park Management Committee was originally established by resolution of Council at its meeting on 19 July 2011 to consider management options for the Guilderton Caravan Park.

Following the resolution of this issue, Council's desire to retain the Committee and expand its scope to consider the future development of the Park and other issues associated with the management of this important Shire asset was recognised and Terms of Reference were subsequently adopted to reflect this new role.

The Guilderton Caravan Park Management Committee currently has four elected member representatives. Prior to the 2017 elections, the Shire President and Councillors Ammon, Collard and Fewster held the position of Committee member, with Councillors Aspinall, Elgin, Peczka and Smiles as deputy members.

A copy of the current Terms of Reference is attached for Council's information (**Appendix 1**).

STATUTORY ENVIRONMENT

Local Government Act 1995

Part 5 – Administration

Division 2 – Council meetings, committees and their meetings and electors' meetings

Subdivision 2 – Committees and their meetings

POLICY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2017-2027

Focus Area	<i>Economic Development</i>
Objective	<i>4. To support economic development through the Shire's service delivery</i>
Outcome	<i>4.1 Tourist Playground</i>
Key Service Areas	<ul style="list-style-type: none">• Caravan Parks• Economic Development and Tourism Infrastructure
Priorities	<i>4.1.1 Support the development of the Shire of Gingin as a premier tourist destination for ocean and sand adventures.</i>

VOTING REQUIREMENTS – ABSOLUTE MAJORITY

RECOMMENDATION

It is recommended that Council appoint the following Councillors as members and deputy members of the Guilderton Caravan Park Management Committee for a term of two years ending at the 2019 local government elections:

Members		Deputy Members	
1.		1.	
2.		2.	
3.		3.	
4.		4.	

RESOLUTION

Moved Councillor Court, seconded Councillor Fewster that Council appoint the following Councillors as members and deputy members of the Guilderton Caravan Park Management Committee for a term of two years ending at the 2019 local government elections:

Members		Deputy Members	
1.	Councillor Elgin	1.	Councillor Collard
2.	Councillor Fewster	2.	Councillor Lobb
3.	Councillor Johnson	3.	Councillor Rule
4.	Councillor Court	4.	Councillor Morton

CARRIED BY ABSOLUTE MAJORITY
9-0

APPENDIX 1



TERMS OF REFERENCE

GUILDERTON CARAVAN PARK MANAGEMENT COMMITTEE

19 September 2017

Name:	Guilderton Caravan Park Management Committee
Role/Purpose:	To receive information on the operations of the Guilderton Caravan Park.
Aims & Functions:	<ol style="list-style-type: none"> To explore expansion and growth models for the Caravan Park site and operations. To consider officers' reports and provide input on any issues related to the management and operations of the Guilderton Caravan Park that may be presented to the Committee.
Membership:	<ol style="list-style-type: none"> The Committee shall consist of the following representation: <ul style="list-style-type: none"> Four Councillors; The CEO and Executive Manager Planning and Development will attend all meetings of the Committee to provide technical advice and guidance only. The Caravan Park Manager will attend meetings by invitation only. A nominated deputy member may attend in place of the endorsed representative member. Membership shall be for a period of up to two years terminating on the day of the next ordinary Council elections, with retiring members eligible to re-nominate. Committee membership shall be appointed or removed by the Council. Members must comply with the Shire's Code of Conduct. The Committee has authority to second individuals from outside of the Committee, on a voluntary basis, for their expert advice.
Operating procedures:	<ol style="list-style-type: none"> Presiding Member: <ol style="list-style-type: none"> The members of a Committee are to elect a presiding member and deputy presiding member from amongst themselves at the first meeting of the Committee and in accordance with the <i>Local Government Act 1995</i>, Schedule 2.3, Division 1.

	<ul style="list-style-type: none"> b) The CEO or delegated nominee will attend the first meeting to conduct the election of the Presiding Member or at a subsequent meeting if a new Presiding Member is to be elected. c) The Presiding Member will preside at all meetings. d) In the absence of the Presiding Member, the Deputy Presiding Member will assume the chair, and in his/her absence, a person is to be elected by the Committee members present to assume the Chair. e) The Presiding Member is responsible for the proper conduct of the Committee. <p>2. Meetings:</p> <ul style="list-style-type: none"> a) The Committee shall meet as required, but must hold a minimum of two meetings in any one calendar year. b) Additional meetings can be scheduled by decision of the Council or the Committee, or at the discretion of the Committee's Presiding Member. c) A Notice of Meeting, including an agenda, will be circulated to the Committee members (including deputy members) at least 72 hours prior to each meeting where possible. d) The Presiding Member shall ensure that detailed minutes of all meetings are kept and shall provide the Committee members (including deputy members) with a copy of such minutes. e) All Committee meetings will be conducted in accordance with the Shire of Gingin Meeting Procedures Local Law 2014. <p>3. Quorum:</p> <p>The quorum for a meeting shall be at least 50% of the number of endorsed members.</p> <p>4. Reporting:</p> <ul style="list-style-type: none"> a) The Minutes of every Committee meeting will be circulated for the information of all Councillors. b) Any Committee resolution requiring action on the part of the Council or requiring a Council commitment will be listed as a separate report on the Agenda for the next ordinary Council meeting.
Appointing legislation:	The Committee is established under section 5.8 of the <i>Local Government Act 1995</i> .
Delegated Authority:	The Committee has no delegated power and has no authority to implement its recommendations without approval of Council.

Version	Decision Reference	Synopsis
1.	19/07/2011 – Item 14.2	Committee established.
2.	22/10/2013 – Item	Terms of Reference adopted.
3.	18/08/2015 – Item 11.1.6	Terms of Reference reviewed. Aims and Functions amended by deleting 1. <i>To facilitate effective communication between the Caravan Park management body and Council</i> , renumbering 2. as 1. and inserting a new 2. Membership amended by inclusion of Caravan Park Manager as a non-voting member. Reference to Standing Orders Local Law deleted from Operating Procedure 2b and replaced with Meeting Procedures Local Law 2014. Reference to provision of Committee Minutes via Information Bulletin deleted from Operating Procedure 4a.
4.	19/09/2017 – Item	Terms of Reference reviewed. CEO, EMPD and Caravan Park Manager removed from committee membership. New Membership cl. 3 added. Operating Procedures cl. 2c deleted.

14.1.7 PLANT COMMITTEE - APPOINTMENT OF COMMITTEE MEMBERS

LOCATION:	SHIRE OF GINGIN
FILE:	GOV/33
AUTHOR:	LEE-ANNE BURT – GOVERNANCE OFFICER
REPORTING OFFICER:	JEREMY EDWARDS – CHIEF EXECUTIVE OFFICER
REPORT DATE:	24 OCTOBER 2017
REFER:	N/A

OFFICER INTEREST DECLARATION

Nil

PURPOSE

To consider the appointment of members to the Plant Committee.

BACKGROUND

Council has established a number of committees to provide it with advice on specific matters. The *Local Government Act 1995* requires that all appointments to committees of Council must fall vacant at the next ensuing election day, with new appointments to be made subsequent to the election.

Council also appoints representatives to a number of external bodies and these appointments are also reviewed following each election day.

In appointing committee members, Council is also requested to appoint a corresponding number of deputy members for each committee. The appointment of deputies who can attend a meeting if a sitting member is unavailable lessens the risk of a quorum not being achieved and enables committee meetings to proceed in a timely manner without undue delay.

Deputy members do not participate in committee meetings unless requested to do so in place of a sitting member. However, they are welcome to attend meetings as observers, and are included in meeting invitations and provided with copies of all relevant agendas and minutes so that they remain aware of the issues under discussion by a particular committee. This ensures that they are able to have meaningful input into discussions in the event that they are required to attend a meeting in an official capacity.

COMMENT

The Plant Committee was originally established by resolution of Council at its Special Meeting on 22 October 2013 to provide input and advice to Council with respect to the Shire of Gingin's plant replacement program.

The Plant Committee currently has five elected member representatives. Prior to the 2017 elections Councillors Collard, Elgin, Fewster, Peczka and Smiles held the position of Committee member, with Councillors Ammon, Aspinall, Court and Roe as deputy members.

A copy of the current Terms of Reference is attached for Council's information (**Appendix 1**).

STATUTORY ENVIRONMENT

Local Government Act 1995

Part 5 – Administration

Division 2 – Council meetings, committees and their meetings and electors' meetings

Subdivision 2 – Committees and their meetings

POLICY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS – ABSOLUTE MAJORITY

RECOMMENDATION

It is recommended that Council appoint the following Councillors as members and deputy members of the Plant Committee for a term of two years ending at the 2019 local government elections:

Members		Deputy Members	
1.		1.	
2.		2.	
3.		3.	
4.		4.	
5.			

RESOLUTION

Moved Councillor Elgin, seconded Councillor Court that Council appoint the following Councillors as members and deputy members of the Plant Committee for a term of two years ending at the 2019 local government elections:

Members		Deputy Members	
1.	Councillor Elgin	1.	Councillor Peczka
2.	Councillor Rule	2.	Councillor Johnson
3.	Councillor Morton	3.	Councillor Court
4.	Councillor Fewster	4.	Councillor Collard
5.	Councillor Lobb		

CARRIED BY ABSOLUTE MAJORITY
9-0

APPENDIX 1



TERMS OF REFERENCE

PLANT COMMITTEE

19 September 2017

Name:	Plant Committee
Role/Purpose:	To provide input and advice to Council with respect to the Shire of Gingin's plant replacement program.
Aims & Functions:	To assist Council in obtaining the most appropriate and cost effective plant to undertake projects and provide services within the Shire of Gingin.
Membership:	<ol style="list-style-type: none"> The Committee shall consist of the following representation: <ul style="list-style-type: none"> Five Councillors The Chief Executive Officer, Executive Manager Operations and Plant Mechanic will attend all meetings of the Committee to provide technical advice and guidance only. A nominated deputy member may attend in place of the endorsed representative member. Membership shall be for a period of up to two years terminating on the day of the next ordinary Council elections, with retiring members eligible to re-nominate. Committee membership shall be appointed or removed by the Council. Members must comply with the Shire's Code of Conduct. The Committee has authority to second individuals from outside of the Committee, on a voluntary basis, for their expert advice.
Operating procedures:	<ol style="list-style-type: none"> Presiding Member: <ol style="list-style-type: none"> The members of a Committee are to elect a presiding member and deputy presiding member from amongst themselves at the first meeting of the Committee and in accordance with the <i>Local Government Act 1995</i>, Schedule 2.3, Division 1. The CEO or delegated nominee will attend the first meeting to conduct the election of the Presiding Member or at a subsequent meeting if a new Presiding Member is to be elected. The Presiding Member will preside at all meetings.

	<p>d) In the absence of the Presiding Member, the Deputy Presiding Member will assume the chair, and in his/her absence, a person is to be elected by the Committee members present to assume the Chair.</p> <p>e) The Presiding Member is responsible for the proper conduct of the Committee.</p> <p>2. Meetings:</p> <p>a) The Committee shall meet as required, but must hold a minimum of two meetings in any one calendar year.</p> <p>b) Additional meetings can be scheduled by decision of the Council or the Committee, or at the discretion of the Committee's Presiding Member.</p> <p>c) A Notice of Meeting, including an agenda, will be circulated to the Committee members (including deputy members) at least 72 hours prior to each meeting where possible.</p> <p>d) The Presiding Member shall ensure that detailed minutes of all meetings are kept and shall provide the Committee members (including deputy members) with a copy of such minutes.</p> <p>e) All Committee meetings will be conducted in accordance with the Shire of Gingin Meeting Procedures Local Law 2014.</p> <p>3. Quorum:</p> <p>The quorum for a meeting shall be at least 50% of the number of endorsed members.</p> <p>4. Reporting:</p> <p>a) The Minutes of every Committee meeting will be circulated for the information of all Councillors.</p> <p>b) Any Committee resolution requiring action on the part of the Council or requiring a Council commitment will be listed as a separate report on the Agenda for the next ordinary Council meeting.</p>
Appointing legislation:	The Committee is established under section 5.8 of the <i>Local Government Act 1995</i> .
Delegated Authority:	The Committee has no delegated power and has no authority to implement its recommendations without approval of Council.

Version	Decision Reference	Synopsis
1.	22/10/2013 – Item	Committee established and Terms of Reference adopted.
2.	18/08/2015 – Item 11.1.6	Terms of Reference reviewed. Membership amended to include Plant Mechanic as non-voting member. Operating Procedure 2a amended to reduce the minimum number of meetings from 3 to 2. Reference to Standing Orders Local Law deleted from Operating Procedure 2b and replaced with Meeting Procedures Local Law 2014. Reference to provision of Committee Minutes via Information Bulletin deleted from Operating Procedure 4a.
3.	16/08/2016 – Item 11.1.4	Chief Executive Officer, Executive Manager Operations and Plant Mechanic removed from Committee membership.
4.	19/09/2017 – Item	Terms of Reference reviewed. Operating Procedures cl. 2c deleted.

14.1.8 MID-YEAR COMMUNITY GRANT SCHEME ASSESSMENT PANEL - APPOINTMENT OF COMMITTEE MEMBERS

LOCATION: SHIRE OF GINGIN
FILE: GOV/33
AUTHOR: LEE-ANNE BURT – GOVERNANCE OFFICER
REPORTING OFFICER: JEREMY EDWARDS – CHIEF EXECUTIVE OFFICER
REPORT DATE: 24 OCTOBER 2017
REFER: N/A

OFFICER INTEREST DECLARATION

Nil

PURPOSE

To consider the appointment of members to the Mid-Year Community Grant Scheme Assessment Panel.

BACKGROUND

Council has established a number of committees to provide it with advice on specific matters. The *Local Government Act 1995* requires that all appointments to committees of Council must fall vacant at the next ensuing election day, with new appointments to be made subsequent to the election.

Council also appoints representatives to a number of external bodies and these appointments are also reviewed following each election day.

In appointing committee members, Council is also requested to appoint a corresponding number of deputy members for each committee. The appointment of deputies who can attend a meeting if a sitting member is unavailable lessens the risk of a quorum not being achieved and enables committee meetings to proceed in a timely manner without undue delay.

Deputy members do not participate in committee meetings unless requested to do so in place of a sitting member. However, they are welcome to attend meetings as observers, and are included in meeting invitations and provided with copies of all relevant agendas and minutes so that they remain aware of the issues under discussion by a particular committee. This ensures that they are able to have meaningful input into discussions in the event that they are required to attend a meeting in an official capacity.

COMMENT

The Mid-Year Community Grant Scheme Assessment Panel was established by resolution of Council at its meeting on 16 December 2014 to assess applications received for funding under the Shire's Mid-Year Community Grant Scheme and make recommendations to the Chief Executive Officer, who has delegated authority from Council (under Delegation 1.18 Approving or Rejecting Applications for Funding Under the Mid-Year Community Grant Scheme) to approve or reject applications in accordance with the Panel's recommendations..

The body was established as a Panel rather than a formal Committee of Council because the nature of its role requires a more free flowing discussion process than would be possible for a Committee that is bound to operate under Council's Meeting Procedures Local Law 2014. The Panel does not have a Terms of Reference.

Prior to the 2017 elections Councillors Court, Fewster and Smiles held the position of Panel member, with Councillors Ammon, Elgin and Peczka appointed as deputy members.

The Panel was originally established to consist of three Councillors, the Executive Manager Corporate and Community Services and the Coordinator Community Services (now the Coordinator Community Services and Engagement). However, in the intervening period it has become recognised practice for officers to attend meetings of committees and other Council bodies in a technical advisory capacity, rather than as a member of the body itself. This eliminates any officer involvement in the actual decision making process, but still allows committees to receive the expert advice necessary to assist in making informed recommendations.

Although the Panel has not been established as a formal committee of Council and therefore does not have a Terms of Reference, it is considered that, in the interests of good governance it would be appropriate to amend the Panel's membership in keeping with the now-established protocol for committees.

It is therefore recommended that Council give consideration to amending the membership of the Mid-Year Community Grant Scheme Assessment Panel to consist of four Councillors only, with the Executive Manager Corporate and Community Services and the Coordinator Community Services and Engagement to attend meetings in a technical advisory capacity only.

STATUTORY ENVIRONMENT

Local Government Act 1995

Part 5 – Administration

Division 2 – Council meetings, committees and their meetings and electors' meetings

Subdivision 2 – Committees and their meetings

POLICY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS – ABSOLUTE MAJORITY

RECOMMENDATION

It is recommended that Council:

1. Appoint the following Councillors as members and deputy members of the Mid-Year Community Grant Scheme Assessment Panel for a term of two years ending at the 201 local government elections:

Members		Deputy Members	
1.		1.	
2.		2.	
3.		3.	

2. Amend the membership of the Mid-Year Community Grant Scheme Assessment Panel to consist of three Councillors only, with the Executive Manager Corporate and Community Services and the Coordinator Community Services and Engagement to attend all meetings in a technical advisory capacity only.

RESOLUTION

Moved Councillor Elgin, seconded Councillor Peczka that Council:

1. **Appoint the following Councillors as members and deputy members of the Mid-Year Community Grant Scheme Assessment Panel for a term of two years ending at the 201 local government elections:**

Members		Deputy Members	
1.	Councillor Court	1.	Councillor Morton
2.	Councillor Rule	2.	Councillor Johnson
3.	Councillor Lobb	3.	Councillor Peczka

2. **Amend the membership of the Mid-Year Community Grant Scheme Assessment Panel to consist of three Councillors only, with the Executive Manager Corporate and Community Services and the Coordinator Community Services and Engagement to attend all meetings in a technical advisory capacity only.**

CARRIED BY ABSOLUTE MAJORITY

9-0

14.1.9 OLD NORTH TRACK WORKING GROUP

LOCATION: SHIRE OF GINGIN
FILE: GOV/33
AUTHOR: LEE-ANNE BURT – GOVERNANCE OFFICER
REPORTING OFFICER: JEREMY EDWARDS – CHIEF EXECUTIVE OFFICER
REPORT DATE: 24 OCTOBER 2017
REFER: N/A

OFFICER INTEREST DECLARATION

Nil

PURPOSE

To consider the appointment of members to the Old North Track Working Group

BACKGROUND

Council has established a number of committees to provide it with advice on specific matters. The *Local Government Act 1995* requires that all appointments to committees of Council must fall vacant at the next ensuing election day, with new appointments to be made subsequent to the election.

Council also appoints representatives to a number of external bodies and these appointments are also reviewed following each election day.

In appointing committee members, Council is also requested to appoint a corresponding number of deputy members for each committee. The appointment of deputies who can attend a meeting if a sitting member is unavailable lessens the risk of a quorum not being achieved and enables committee meetings to proceed in a timely manner without undue delay.

Deputy members do not participate in committee meetings unless requested to do so in place of a sitting member. However, they are welcome to attend meetings as observers, and are included in meeting invitations and provided with copies of all relevant agendas and minutes so that they remain aware of the issues under discussion by a particular committee. This ensures that they are able to have meaningful input into discussions in the event that they are required to attend a meeting in an official capacity.

COMMENT

The Old North Track Committee was established in conjunction with the Neergabby Community Association for the purpose of progressing the establishment of a walk trail following a portion of the old North Road Stock Route which formally ran from Geraldton to the Metropolitan Area.

The Committee was not established by a formal decision of Council, does not have a Terms of Reference, and has tended to operate on a reasonably informal basis since its inception. On that basis, at its meeting on 19 September 2017 Council resolved to re-identify the Committee as the Old North Track Working Group.

Prior to the 2017 elections, Councillors Ammon and Collard served as Council's representative and deputy representative (respectively) on the Old North Track Working Group.

STATUTORY ENVIRONMENT

Local Government Act 1995

Part 5 – Administration

Division 2 – Council meetings, committees and their meetings and electors' meetings

Subdivision 2 – Committees and their meetings

POLICY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS – ABSOLUTE MAJORITY

RECOMMENDATION

It is recommended that Council appoint the following Councillors as member and deputy member of the Old North Track Working Group for a term of two years ending at the 2019 local government elections:

Members		Deputy Members	
1.		1.	

RESOLUTION

Moved Councillor Elgin, seconded Councillor Fewster that Council appoint the following Councillors as member and deputy member of the Old North Track Working Group for a term of two years ending at the 2019 local government elections:

Members		Deputy Members	
1.	Councillor Morton	1.	Councillor Peczka

CARRIED BY ABSOLUTE MAJORITY
9-0

14.1.10 EXTERNAL BODIES - APPOINTMENT OF COUNCIL REPRESENTATIVES

LOCATION: SHIRE OF GINGIN
FILE: GOV/33
AUTHOR: LEE-ANNE BURT – GOVERNANCE OFFICER
REPORTING OFFICER: JEREMY EDWARDS – CHIEF EXECUTIVE OFFICER
REPORT DATE: 24 OCTOBER 2017
REFER: N/A

ADDENDUM – SPECIAL MEETING OF COUNCIL – 24 OCTOBER 2017
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Additional Information:

As advised in the Agenda, the Shire of Gingin is required to provide two members and two alternate members to represent it on the Wheatbelt Joint Development Assessment Panel. At its meeting on 21 February 2017, Council resolved to nominate Councillors Aspinall and Court as members and Councillors Elgin and Ammon as alternative members to be included on a register of local government members for the Wheatbelt JDAP for a term of up to three years expiring on 26 April 2020.

If a Councillor who is appointed as a DAP member is not re-elected to Council, during their term, then one of the alternate members is required to take that member's place on the DAP. If an alternate member is not returned to Council then Council must nominate a new alternative member and submit that nomination for the Minister's approval.

Given that Councillors Ammon and Aspinall were not returned to Council at the 2017 local government elections, Councillor Elgin will be required to assume Councillor Aspinall's place as a member for the Shire of Gingin on the Wheatbelt JDAP (Councillor Court retains her position as the other member representing the Shire on the JDAP). In addition, Council will also need to nominate two new alternate members to take the places formerly held by Councillor Elgin and Councillor Ammon.

The Officer's Recommendation has been amended accordingly, and the revised recommendation is provided below.

OFFICER INTEREST DECLARATION

Nil

PURPOSE

To consider the appointment of Council representatives to a number of external committees, groups and boards.

BACKGROUND

Council appoints representatives to a number of external bodies, usually in response to a request from the particular organisation in question or because there is a requirement for Council to provide representation (for example the Avon-Midland Country Zone of WALGA).

Although there is no explicit requirement to do so in the *Local Government Act 1995* (the Act), in the interests of good governance local governments as a general rule review their appointed representatives to external bodies following each local government election, in conjunction with the appointment of committee members required under Subdivision 2 of the Act.

This practice not only provides an opportunity for the local government to fill any vacancies that may have occurred as a result of an existing Councillor either retiring or not being re-elected to Council, but also allows newly-elected Councillors to nominate as representatives to any particular body or bodies in which they may have an interest.

Apart from the external bodies identified above, Council may also from time to time endorse the nomination of a Councillor to serve on a group whose members are selected via Ministerial appointment. In the event that the nomination is accepted, then the Councillor is appointed for a set term (usually two years) that often runs outside the biennial election cycle. In these circumstances the Councillor continues to serve out their term (unless they retire from or are not re-elected to Council) and new nominations are not sought until such time as a call for same is received.

Council currently has elected members serving on three such committees (being the Control of Vehicles (Off-Road Areas Act) Advisory Committee, the Wheatbelt Joint Development Assessment Panel and the Wheatbelt Development Commission), however only the Joint Development Assessment Panel will be affected by the 2015 election process.

COMMENT

A summary is provided below of all external bodies for which Council is required to appoint representatives following the 2017 elections.

1. Gingin Community Resource Centre Management Committee

The Gingin CRC is a not-for-profit organisation which provides access to a range of services, government information and training opportunities to the Gingin and Chittering communities and travellers to the region. Services provided include:

- a. Access to Government and agency (ie Centrelink, Australian Tax Officer, Veterans' Affairs etc) information;
- b. Administration (ie photocopying, printing, laminating and secretarial) services;
- c. Community services such as producing the Gingin Community News, Gingin Business Directory, events calendar etc;
- d. Delivery terminal for various courier services;
- e. Presence of employment agency on a monthly basis;
- f. Access to internet and IT facilities (including video conferencing); and
- g. Training and development opportunities.

The Management Committee consists of ten members, including a Council representative. The committee meets on a monthly basis and is responsible for overseeing the CRC's strategic direction, setting the organisation's policies and monitoring operational management in collaboration with the Coordinator/Manager.

Prior to the 2017 elections, Council's representative and deputy representative on the Gingin Community Resource Centre Management Committee were Councillors Roe and Collard, respectively.

2. Gingin District High School Council

At the request of the Gingin District High School, Council resolved at its meeting on 5 April 2011 to appoint a Council representative to serve on the Gingin District High School Council.

The purpose of the School Council is to be a widely representative body that acts as the major decision making group and provides effective governance to the School.

The Council meets approximately four to six times per year. Meeting dates are determined at the first meeting of the school year.

From Council's point of view, membership on this body gives Council the opportunity to gain a better perspective of School operations, particularly in relation to determining funding requests during annual Budget deliberations.

Prior to the 2017 elections, Council's representative and deputy representative on the Gingin District High School Council were Councillors Fewster and Elgin, respectively.

3. Gingin Water Group

The Gingin Water Group was formed on 27 October 2010 at a public meeting of interested stakeholders with concerns about the sustainability of existing streams and aquifers in the Gingin area, given current usage rates and the continuing approval by the State of water licences for irrigated horticulture.

The aim of the Committee, as described in the Minutes of that meeting, is to:

... consult the various Departments and scientists involved in authorising these large scale water consuming developments and get a feel about the nature of the science underpinning the approvals, as well as the effectiveness of the interdepartmental communication and long-term monitoring processes.

Prior to the 2017 elections, Council's representative and deputy representative on the Gingin Water Group were Councillors Smiles and Ammon, respectively.

Given that the Group is now represented on Council's newly-formed Gingin Water Advisory Committee, in order to provide continuity it is recommended that the Councillors appointed as member and deputy member of the Advisory Committee should also fill the role of Council's representative and deputy representative on the Gingin Water Group.

4. Lancelin Community Resource Centre Management Committee

The Lancelin CRC is a not-for-profit organisation which provides access to a range of services, government information and training opportunities to the Lancelin community and surrounding areas and to travellers to the region. Services provided include:

- a. Access to Government and agency (ie Centrelink, Australian Tax Officer, Veterans' Affairs etc) information;
- b. Administration (ie photocopying, printing, laminating and secretarial) services;
- c. Community services such as producing the Coastal Business Directory, "Follow the Rainbow" travel companion diary etc;
- d. Presence of employment agency on a fortnightly basis;
- e. Access to internet and IT facilities (including video conferencing); and
- f. Training and development opportunities.

The Management Committee consists of nine members, including a Council representative. The committee meets on a bi-monthly basis and is responsible for overseeing the CRC's strategic direction, setting the organisation's policies and monitoring operational management in collaboration with the Coordinator/Manager.

Prior to the 2017 elections, Council's representative and deputy representative on the Lancelin Community Resource Centre Management Committee were Councillors Ammon and Peczka, respectively.

5. Lancelin Defence Training Area Management Advisory Committee

The aim of the LMAC is to provide a consultative forum and focal point through which local environmental and social issues, commensurate with the Department of Defence's objective for sustainable military use of the Lancelin Defence Training Area, are highlighted and directed to the Department for inclusion in its consideration of planning and management activities.

The tasks of the LMAC include, but are not limited to, the following:

- a. Preparing advice on environmental, heritage and social management matters arising from the use and development of the Lancelin Defence Training Area;
- b. Providing advice on the implementation of the Lancelin Defence Training Area Environmental Management System; and
- c. Providing advice on the development of research priorities affecting the Lancelin Defence Training Area region.

Membership of the LMAC is as follows:

Full Members

- Department of Defence;
- Department of Environment and Conservation;
- Shire of Gingin;
- Shire of Dandaragan;
- Yued Working Group;
- WA Farmers' Federation Beekeepers' Section;
- Ocean Farm Community and Recreation Association;
- Lancelin Residents' and Ratepayers' Association;
- Wedge Island crayfishing industry;
- Western Rock Lobster Advisory Council; and
- Adjacent landowners.

Associate Members

- Environment Australia/Australian Heritage Commission;
- Wheatbelt Development Commission;
- Main Roads WA;
- Tiwest Cooljarloo;
- Department of Fire and Emergency Services;
- Fisheries WA;
- Wedge Island Protection Association; and
- Department of Agriculture and Food.

Observers and Advisers

- Department of Defence Environment Officer – Perth Metro (Committee Secretary);
- Western Australian Speleological Group;
- Transfield Services Limited (Department of Defence garrison support contractor);
- Royal Australian Navy Fleet Base West Gunnery and Operations;
- Department of Defence Directorate of Operations and Training Area Management;
- Royal Australian Air Force RAAF Pearce Legal and Operations; and
- Western Australia Police Service – OIC Lancelin.

The LMAC Terms of Reference specify that the Committee shall meet at least once every four months.

Prior to the 2017 elections, Council's representative and deputy representative on the Lancelin Defence Training Area Management Advisory Committee were Councillors Ammon and Court, respectively.

6. Western Australian Local Government Association (WALGA) Avon-Midland Country Zone

WALGA lobbies and negotiates on behalf of 139 WA local governments. As the peak lobbying and advocacy organisation for local government, WALGA has a strong influence on how policy decisions are made that affect the sector.

There are 17 WALGA zones across the state, including the Avon-Midland Country Zone which covers the local governments of Chittering, Dalwallinu, Dandaragan, Gingin, Goomalling, Moora, Northam, Toodyay, Victoria Plains, Wongan-Ballidu and York.

Each Council in the Zone is required to appoint a delegate to attend Zone meetings, which normally occur on a bi-monthly basis, as well as a deputy delegate who will attend meetings if the delegate is unavailable.

Prior to the 2017 elections, Council's representative and deputy representative on the Western Australian Local Government Association (WALGA) Avon-Midland Country Zone were Councillors Court and Ammon, respectively.

7. Wheatbelt North Regional Road Group – Moora Sub Group

Regional Road Groups are a requirement of the State Road Funds to Local Government Agreement 2011/12-2015/16. The role of Regional Road Groups is to make recommendations to the State Road Funds to Local Government Advisory Committee in relation to the Annual Local Government Roads Program for their Region.

The Wheatbelt North Regional Road Group is divided into the Avon, North-East, Kellerberrin and Moora sub groups, with the Moora Sub Group consisting of the Shires of Chittering, Dalwallinu, Dandaragan, Gingin, Moora, Victoria Plains and Wongan-Ballidu. Each member Shire is required to appoint a delegate and deputy delegate to their Sub Group following each local government election.

Prior to the 2017 elections, Council's representative and deputy representative on the Wheatbelt North Regional Road Group – Moora Sub Group were Councillors Aspinall and Smiles, respectively.

8. Wheatbelt Joint Development Assessment Panel

Joint Development Assessment Panels (JDAP) are panels of technical experts and local government representatives from two or more local government districts with the power to determine applications for development within those districts under the following circumstances:

- a. Where a proposed development has a value of \$7 million or over; or
- b. Where a proposed development has a value of \$3 million or more and the applicant elects to have the application considered by a DAP rather than the relevant local government.

Each Council represented on a JDAP is required to nominate a specific number of members and alternative members as its representatives.

At its meeting on 21 February 2017, Council resolved to nominate Councillors Aspinall and Court as members and Councillors Elgin and Ammon as alternative members to be included on a register of local government members for the Wheatbelt JDAP for a term of up to three years expiring on 26 April 2020.

It is a mandatory requirement for all DAP members to attend training before they can sit on a DAP and determine applications. Local government representatives who have previously been appointed to a DAP and who have undertaken training are not required to attend further training.

Local DAP members are entitled to be paid for their attendance at DAP training and meetings.

If a Councillor who is appointed as a DAP member is not re-elected to Council during their term, then one of the alternate members is required to take that member's place on the DAP. If an alternate member is not returned to Council then Council must nominate a new alternative member and submit that nomination for the Minister's approval.

Depending on the outcome of elections on 21 October 2017, it may be necessary for Council to appoint an existing alternate member to fill the member position currently held by Councillor Aspinall, and/or nominate a new alternate member to fill the position currently held by Councillor Ammon.

STATUTORY ENVIRONMENT

Local Government Act 1995

Part 5 – Administration

Division 2 – Council meetings, committees and their meetings and electors' meetings

Subdivision 2 – Committees and their meetings

POLICY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS – ABSOLUTE MAJORITY

RECOMMENDATION

It is recommended that Council:

1. Appoint the following Councillors as Council's representative and deputy representative on the Gingin Community Resource Centre Management Committee for a term of two years ending at the 2019 local government elections:

Member	Deputy Member

2. Appoint the following Councillors as Council's representative and deputy representative on the Gingin District High School Council for a term of two years ending at the 2019 local government elections:

Member	Deputy Member

3. Appoint the following Councillors as Council's representative and deputy representative on the Gingin Water Group for a term of two years ending at the 2019 local government elections:

Member	Deputy Member
Gingin Water Advisory Committee Member (Councillor)	Gingin Water Advisory Committee Deputy Member (Councillor)

4. Appoint the following Councillors as Council's representative and deputy representative on the Lancelin Community Resource Centre Management Committee for a term of two years ending at the 2019 local government elections:

Member	Deputy Member

5. Appoint the following Councillors as Council's representative and deputy representative on the Lancelin Defence Training Area Management Advisory Committee for a term of two years ending at the 2019 local government elections:

Member	Deputy Member

6. Appoint the following Councillors as Council's representative and deputy representative on the Western Australian Local Government Association Avon-Midland Country Zone for a term of two years ending at the 2019 local government elections:

Member	Deputy Member

7. Appoint the following Councillors as Council's representative and deputy representative on the Wheatbelt North Regional Road Group – Moora Sub Group for a term of two years ending at the 2019 local government elections:

Member	Deputy Member

8. Nominate the following Councillors as the replacement member and alternate members for the Shire of Gingin on the Wheatbelt Joint Development Assessment Panel for a term expiring on 26 April 2020:

Member	Alternate Member
Councillor Elgin	
N/A	

RESOLUTION

Moved Councillor Morton, seconded Councillor Johnson that Council:

1. **Appoint the following Councillors as Council's representative and deputy representative on the Gingin Community Resource Centre Management Committee for a term of two years ending at the 2019 local government elections:**

Member	Deputy Member
Councillor Fewster	Councillor Rule

2. **Appoint the following Councillors as Council's representative and deputy representative on the Gingin District High School Council for a term of two years ending at the 2019 local government elections:**

Member	Deputy Member
Councillor Rule	Councillor Fewster

3. **Appoint the following Councillors as Council's representative and deputy representative on the Gingin Water Group for a term of two years ending at the 2019 local government elections:**

Member	Deputy Member
Councillor Collard	Councillor Elgin

4. **Appoint the following Councillors as Council's representative and deputy representative on the Lancelin Community Resource Centre Management Committee for a term of two years ending at the 2019 local government elections:**

Member	Deputy Member
Councillor Lobb	Councillor Peczka

5. Appoint the following Councillors as Council's representative and deputy representative on the Lancelin Defence Training Area Management Advisory Committee for a term of two years ending at the 2019 local government elections:

Member	Deputy Member
Councillor Elgin	Councillor Court

6. Appoint the following Councillors as Council's representative and deputy representative on the Western Australian Local Government Association Avon-Midland Country Zone for a term of two years ending at the 2019 local government elections:

Member	Deputy Member
Councillor Court	Councillor Collard Councillor Elgin

7. Appoint the following Councillors as Council's representative and deputy representative on the Wheatbelt North Regional Road Group – Moora Sub Group for a term of two years ending at the 2019 local government elections:

Member	Deputy Member
Councillor Collard	Councillor Johnson

8. Nominate the following Councillors as the replacement member and alternate members for the Shire of Gingin on the Wheatbelt Joint Development Assessment Panel for a term expiring on 26 April 2020:

Member	Alternate Member
Councillor Elgin	Councillor Johnson
N/A	Councillor Rule

14.2. CORPORATE AND COMMUNITY SERVICES

Nil

14.3. PLANNING AND DEVELOPMENT

Nil

14.4. OPERATIONS-CONSTRUCTION

Nil

14.5. ASSETS

Nil

15. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

16. COUNCILLORS' OFFICIAL REPORTS

Nil

17. NEW BUSINESS OF AN URGENT NATURE

Nil

18. MATTERS FOR WHICH MEETING IS TO BE CLOSED TO THE PUBLIC

Nil

19. CLOSURE

There being no further business, the Shire President declared the meeting closed at 3.54pm

The next Ordinary Meeting of Council will be held in the Council Chamber at the Shire of Gingin Administration Office, 7 Brockman Street, Gingin on Tuesday, 21 November 2017.

Councillor Collard
Shire President
21 November 2017