

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

Glenn Bone, Acting Chief Executive Officer, declared the meeting open at 7.04pm.

2. RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

Present

Cr R. Stokes	Member
Cr L. Caffell	Member
Cr M. Greenwood	Member
Cr S. Jefferies JP	Member
Cr B Stokes	Member
Cr S Uppill	Member

Mr R.G. Bone Acting Chief Executive Officer

Visitors

Graham Stanley, Chief Executive Officer designate.

Note: Prior to the commencement of the meeting Crs Greenwood, Jefferies and Uppill were sworn in by Mr Glenn Bone, Acting Chief Executive Officer

Leave of Absence

Nil

3. ELECTION OF PRESIDENT & DEPUTY PRESIDENT

BACKGROUND

Council is required to elect the President and Deputy President as the first item at the first meeting following an ordinary election day.

COMMENT

The process of election is the same (*mutatis mutandis*) as for election of that of a Councillor.

The CEO is to preside at the meeting until the Office of President is filled.

STATUTORY IMPLICATIONS

Section 2 of Schedule 2.3 of the Local Government Act provides that, in relation to the Office of President:

- (1) The office is to be filled as the first matter dealt with —
 - (a) at the first meeting of the council after an inaugural election or a section 4.13 or 4.14 election or after an ordinary elections day.

Section 3 provides that the CEO is to preside at the meeting until the Office is filled.

Section 4 provides:

- (1) the Council is to elect a councillor to fill the office.
- (2) the election is to be conducted by the CEO in accordance with the procedure prescribed.
- (3) nominations for the Office are to be given to the CEO in writing before the meeting or during the meeting before the close of nominations.
- (3a) nominations close at the meeting at a time announced by the CEO, which is to be a sufficient time after the announcement by the CEO that nominations are about to close to allow for any nominations made to be dealt with.

- (4) if a councillor is nominated by another councillor the CEO is not to accept the nomination unless the nominee has advised the CEO, orally or in writing, that he or she is willing to be nominated for the office.
- (5) the councillors are to vote on the matter by secret ballot as if they were electors voting at an election.

In relation to the Office of Deputy President Section 7 provides:

- (2) If the local government has a councillor president the office of deputy president is to be filled —
 - (a) as the next matter dealt with after the president is elected at the first meeting of the council after an ordinary elections day; and

In relation to the role of the President Section 2.8 provides that:

- (1) The president —
 - (a) presides at meetings in accordance with this Act;
 - (b) provides leadership and guidance to the community in the district;
 - (c) carries out civic and ceremonial duties on behalf of the local government;
 - (d) speaks on behalf of the local government;
 - (e) performs such other functions as are given to the president by this Act or any other written law; and
 - (f) liaises with the CEO on the local government's affairs and the performance of its functions.

In relation to the role of the Deputy President Section 2.9 provides that the deputy President performs the functions of the President when authorised to do so under section 5.34.

Section 5.34 provides that if —

- (a) the office of President is vacant; or
 - (b) the President is not available or is unable or unwilling to perform the functions of the mayor or president,
- then the deputy President may perform the functions of President.

ELECTION OF PRESIDENT

The Acting Chief Executive Officer called for nominations for the position of President. Cr R Stokes was nominated in writing by Cr Caffell. Cr R Stokes accepted the nomination. There being no further nominations, the Acting Chief Executive Officer declared Cr R Stokes elected and then invited him to complete Form 7 – Declaration By An Elected Member for the Office of President. Cr R Stokes completed the declaration before Mr Glenn Bone and then assumed the chair.

Cr R Stokes thanked Councillors for their confidence in him and also welcomed to the meeting Mr Graham Stanley, the Chief Executive Officer designate.

ELECTION OF DEPUTY PRESIDENT

Cr R Stokes called for nominations for the position of Deputy President. Cr Caffell was nominated in writing by Cr Greenwood. Cr Caffell accepted the nomination. Cr Jefferies was nominated in writing by Cr B Stokes. Cr Jefferies accepted the nomination.

A secret ballot was then conducted resulting as follows:

- Cr Caffell 3 Votes
- Cr Jefferies 3 Votes

As a result of the tied vote, lots were then drawn to determine a successful candidate. This resulted in Cr Caffell being successful. Cr Caffell then completed Form 7 – Declaration By An Elected Member for the Office of Deputy President before Mr Glenn Bone.

4. PUBLIC QUESTION TIME

Nil

5. APPOINTMENT OF COMMITTEES AND REPRESENTATIVES

PREVIOUS REFERENCE

Item 12.1 – 15 November 2007

BACKGROUND

It is appropriate that the *new* Council appoint Committee members and delegates to represent the Shire of Tammin on non-Council committees for the next 2 years.

COMMENT

The following Committees and organisations are known to exist:

Council Committees

- TALEC Crs R Stokes & Caffell
- Audit Committee Crs R Stokes, Greenwood & B Stokes

Community Committees

- Kellerberrin Regional Road Sub Group Cr R Stokes, Deputy – Cr Greenwood
- Central Wheatbelt Enterprise Centre (BEC) Cr Jefferies
- WALGA Great Eastern Zone Crs R Stokes Cr Caffell
- Senior Citizens Management Committee (*Cr Wheeldon**)
- Tammin Landcare Committee Cr R Stokes
- Golden Pipeline Planning Advisory Group Cr R Stokes, Deputy – Cr Greenwood
- Tidy Towns Committee Crs (*Wheeldon**) & Jefferies
- Town Beautification Committee Crs (*Wheeldon**) & Jefferies
- WE-ROC Council Crs R Stokes & Caffell
- Be-Active Committee Cr R Stokes & C Crane
- Wheatbelt Sports Council Cr R Stokes

* *denotes previous councillor*

FINANCIAL IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY IMPLICATIONS

Section 5.8 of the Local Government Act provides that a local government may establish (by absolute majority) committees of 3 or more persons to assist the Council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.

Section 5.9 provides that:

- (1) In this section —
“other person” means a person who is not a council member or an employee.
- (2) A committee is to comprise —
 - (a) council members only;
 - (b) council members and employees;
 - (c) council members, employees and other persons;
 - (d) council members and other persons;
 - (e) employees and other persons; or
 - (f) other persons only.

Section 5.10 provides that:

- (1) A committee is to have as its members —
 - (a) persons appointed (by absolute majority) by the local government to be members of the committee (other than those referred to in paragraph (b)); and
 - (b) persons who are appointed to be members of the committee under subsection (4) or (5).
- (2) At any given time each council member is entitled to be a member of at least one committee referred to in section 5.9(2)(a) or (b) and if a council member nominates himself

or herself to be a member of such a committee or committees, the local government is to include that council member in the persons appointed under subsection (1)(a) to at least one of those committees as the local government decides.

(3) Section 52 of the Interpretation Act 1984 applies to appointments of committee members other than those appointed under subsection (4) or (5) but any power exercised under section 52(1) of that Act can only be exercised on the decision of an absolute majority of the local government.

(4) If at a meeting of the council a local government is to make an appointment to a committee that has or could have a council member as a member and the President informs the local government of his or her wish to be a member of the committee, the local government is to appoint the President to be a member of the committee.

(5) If at a meeting of the council a local government is to make an appointment to a committee that has or will have an employee as a member and the CEO informs the local government of his or her wish —

(a) to be a member of the committee; or

(b) that a representative of the CEO be a member of the committee,

the local government is to appoint the CEO or the CEO's representative, as the case may be, to be a member of the committee.

Section 5.11 provides that:

(1) Where a person is appointed as a member of a committee under section 5.10(4) or (5), the person's membership of the committee continues until —

(a) the person no longer holds the office by virtue of which the person became a member, or is no longer the CEO, or the CEO's representative, as the case may be;

(b) the person resigns from membership of the committee;

(c) the committee is disbanded; or

(d) the next ordinary elections day,

whichever happens first.

(2) Where a person is appointed as a member of a committee other than under section 5.10(4) or (5), the person's membership of the committee continues until —

(a) the term of the person's appointment as a committee member expires;

(b) the local government removes the person from the office of committee member or the office of committee member otherwise becomes vacant;

(c) the committee is disbanded; or

(d) the next ordinary elections day,

whichever happens first.

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

That Council appoint Committee members and delegates to represent the Shire of Tammin for the two years until the next ordinary election.

Absolute Majority Required

Council noted that the TALEC Committee had been disbanded.

MIN 194/09 MOTION – Moved Cr Uppill 2nd Cr B Stokes

That Council appoint the following committees:

Audit Committee

Crs R Stokes, Greenwood & Mr D Thomson

Housing Design Committee

Crs Caffell, Greenwood & Jefferies

CARRIED BY AN ABSOLUTE MAJORITY 6/0

MIN 195/09 MOTION – Moved Cr Greenwood 2nd Cr Jefferies

That Council appoint the following delegates & representatives:

- Kellerberrin Regional Road Sub Group Crs R Stokes, Deputy – Cr Uppill
- Central Wheatbelt Enterprise Centre (BEC) Cr Jefferies
- WALGA Great Eastern Zone Crs R Stokes & Caffell
- Senior Citizens Management Committee Crs B Stokes & Jefferies
- Tammin Landcare Committee Cr M Greenwood
- Golden Pipeline Planning Advisory Group Cr Uppill, Deputy – R Stokes
- Tidy Towns & Town Beautification Committee Crs B Stokes & Uppill
- WE-ROC Council Crs R Stokes & Caffell
- Be-Active/ Wheatbelt Sports Committee Crs R Stokes & B Stokes

CARRIED 6/0

6. CLOSURE OF MEETING

There being no further business the Presiding Person closed the meeting at 7.35pm.

Tabled before the Ordinary Council meeting on 19 November 2009

Cr RJ Stokes, Presiding Person