



SPECIAL COUNCIL MEETING

MINUTES

Special Meeting of the Council
held at Frost Pavilion, McDonald Avenue, Mount Barker
10:00am Tuesday 10 May 2005

SPECIAL BUSINESS

Election Of Shire President
Election Of Deputy Shire President
And
Appointment of Committees & Council Nominees

Rob Stewart
CHIEF EXECUTIVE OFFICER

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1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

At the expiration of thirty (30) minutes after the scheduled commencement time, there being no quorum present, Ms Donna Stevens, Senior Administration Officer for the Shire of Plantagenet, as authorised by the Chief Executive Officer, adjourned the meeting to recommence at 10:30am on 10 May 2005 at the Council Chambers Lowood Road, Mount Barker.

Attendance

Ms Donna Stevens

RESUMPTION

10:30am The Chief Executive Officer reconvened the adjourned meeting.

The Chief Executive Officer, Mr Rob Stewart, read aloud the following disclaimer:

'No responsibility whatsoever is implied or accepted by the Shire of Plantagenet for any act, omission or statement or intimation occurring during Council / Committee meetings or during formal / informal conversations with staff.'

The Shire of Plantagenet disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission, or statement of intimation occurring during Council / Committee meetings or discussions. Any person or legal entity who acts or fails to act in reliance upon any statement does so at that person's or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or limitation or approval made by a member or officer of the Shire of Plantagenet during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire of Plantagenet. The Shire of Plantagenet warns that anyone who has an application with the Shire of Plantagenet must obtain and should only rely on WRITTEN CONFIRMATION of the outcome of the application, and any conditions attaching to the decision made by the Shire of Plantagenet in respect of the application.'

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

Present

Cr K Forbes	Rocky Gully / West Ward
Cr D Williss	East Ward
Cr M Skinner	East Ward
Cr J Cameron	Rocky Gully / West Ward
Cr K Hart	Kendenup Ward

Record of Attendance / Apologies / Leave of Absence (Previously Approved) (Cont.)

Cr K Clements	Town Ward
Cr B Hollingworth	Town Ward
Cr J Mark	Town Ward
Cr J Moir	South Ward
Mr R Stewart	Chief Executive Officer
Mr S Bell	Executive Director Technical and Development Services
Mr J Byrne	Executive Director Corporate and Community Services
Mrs K Skinner	Executive Secretary
Ms D Stevens	Senior Administration Officer
Ms C Delmage	Administration Officer Minutes and Agenda

Visitors

Mr Geoff De Pledge JP

There were two (2) members of the public present.

There were no members of the media present.

3 ELECTION OF SHIRE PRESIDENT

The Chief Executive Officer advised that he had received three (3) written nominations for the position of Shire President, all nominating Cr Kevin Forbes. Cr Forbes had signed the nominations indicating his willingness to stand for the position of Shire President.

The Chief Executive Officer invited further nominations for the position.

There being none, the Chief Executive Officer declared Cr Forbes elected unopposed to the position of Shire President, and invited Mr Geoff De Pledge (JP) to swear-in Cr Forbes.

Cr Forbes made a declaration in the prescribed form pursuant to S2.29 of the Act before Mr De Pledge and assumed the chair.

4 ELECTION OF DEPUTY SHIRE PRESIDENT

The Shire President advised that he had received one (1) written nomination for the position of Shire Deputy President, this being Cr David Williss. Cr Williss had signed the nomination form indicating his willingness to stand for the position of Deputy Shire President.

The Shire President invited further nominations for the position.

There being none, the Shire President declared Cr Williss elected unopposed to the position of Deputy President, and invited Mr De Pledge (JP) to swear-in Cr Williss.

Cr Williss made a declaration in the prescribed form pursuant to S2.29 of the Act before Mr De Pledge and assumed the chair.

The Shire President thanked Mr De Pledge for his assistance during the swearing in and election of Councillors, President and Deputy President.

5 REPORTS OF COMMITTEES & OFFICERS

5.1 EXECUTIVE SERVICES REPORTS

5.1.1 COUNCIL INTERNAL COMMITTEE REPRESENTATIVES

Location / Address:	N / A
Name of Applicant:	N / A
File Reference:	Various
Author:	Cherie Delmage - Administration Officer Minutes & Agenda
Authorised By:	Rob Stewart – Chief Executive Officer
Date of Report:	8 March 2005

Purpose

The purpose of this report is to consider the memberships of the Shire of Plantagenet's internal and external committees.

Background

The representatives and formation of the Council's committees were last considered at a Special Meeting of the Council held 6 May 2003. It is a requirement of the Local Government Act 1995 that all committee memberships be declared vacant at the time of the next ordinary elections. This also applies to any committees created since 6 May 2003.

Statutory Environment

Section 5.11 (1) of the Local Government Act 1995 provides:

(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.'*

Further, Section 5.8 and Section 5.10 of the Act require that committees be elected by Absolute Majority as well as appointments to committees.

Consultation

Consultation has occurred with Mr Rob Stewart, Chief Executive Officer.

Policy Implications

There are no policy implications for this report.

Financial Implications

There are no financial implications for this report.

Strategic Implications

There are no strategic implications for this report.

Voting Requirements

Simple Majority

OFFICER'S RECOMMENDATION / COUNCIL DECISION

Moved Cr M Skinner, seconded Cr J Mark:

That the Chief Executive Officer's report relating to the formation / creation of committees be received.

CARRIED (9/0)

No. 97/05

5.1.2 AUDIT COMMITTEE (FM/103/1)

Type: Section 5.9(2)(a) LGA (1995) - Council Members

Existing Members: Cr Forbes
Cr Skinner
Cr Moir

Brief:

The duties of the Committee shall be:

- To review the Council's audit processes in conjunction with the Council's appointed auditor and the CEO;
- To meet with the Council's appointed auditor at least annually; and
- To advise the Council on matters relating to the Council's auditing processes.

Officer Comment

The Local Government Act 1995 has now been amended such that an Audit Committee must be appointed by all local governments, pursuant to Section 7.1.A.

The Committee must be comprised of at least three (3) Council members. The Chief Executive Officer and / or any other staff member is prohibited from being a member.

The Council's auditors advise that the intention of the legislation is to allow councils to appoint outside people to the Committee to provide independence from the Council's Management.

The new duties of the Committee pursuant to Regulation 16 of the Local Government (Audit) Regulations will be:

- Recommending the appointment of the auditor to Council;
- Assisting the auditor to ensure audits are conducted successfully and timely;
- Examine the audit report and ensuring appropriate action is taken;
- Preparing reports on actions taken and forwarding to the Minister; and

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr D Williss, seconded Cr B Hollingworth:

THAT:

- (1) **The existing Audit Committee be disbanded.**
- (2) **A committee of the Council, to be known as the Audit Committee, be created pursuant to Section 7.1A of the Local Government Act 1995.**
- (3) **Membership of the Committee be set at three (3) Councillors, these being Cr K Forbes, Cr M Skinner and Cr J Mark.**
- (4) **The duties of the Audit Committee be to:**
 - **Recommend the appointment of the auditor to the Council;**
 - **Assist the auditor to ensure audits are conducted successfully and timely;**
 - **Examine the audit report and ensure appropriate action is taken;**

- **Prepare reports on actions taken and forward to the Minister; and**
- **Meet with the auditor at least once a year.**
- **Review enhanced scope of Audit.**

CARRIED (9/0)
(Absolute Majority)
No. 98/05

5.1.3 ADMINISTRATION OFFICES ADVISORY COMMITTEE (CP/103/1)

Type: Section 5.9(2)(b) LGA 1995 - Council Members & Employees

Existing Members: Cr Forbes
 Cr Cameron
 Cr Moir
 Mr R Stewart - Chief Executive Officer
 Ms D Baesjou - Manager Development Services

Brief:

The duties of the committee shall be to advise the Council regarding:

- Appropriate location for the new Council administration buildings;
- The design and construction costs;
- Any joint shared facilities available with other government bodies;
- Construction time;
- Alternate accommodation facilities available for continuing administration function during construction if necessary.

COUNCIL DECISION

Moved Cr D Williss, seconded Cr J Moir:

That the Administration Offices Advisory Committee be re-formed as a Committee of the Whole.

CARRIED (9/0)
No. 101/05
(Absolute Majority)

5.1.4 BUSH FIRE ADVISORY COMMITTEE (ES/103/6)

Type: Bush Fires Act (1954) Section 67

Members: Cr Williss
Cr Hart
Mr David Burcham – Chief Bush Fire Control Officer
Mr Vern Drage – Base Radio Operator
Mr Ron Sounness – Chief Fire Weather Officer
Mr Gavin Smith – Denbarker Bush Fire Brigade
Mr Len Handasyde – Forest Hill Bush Fire Brigade
Mr Geoff DePledge – Kendenup Bush Fire Brigade
Mr Peter Stevens – Middle West Bush Fire Brigade
Mr Don Steven – Narpyn Bush Fire Brigade
Mr Warren Forbes – Narrikup Bush Fire Brigade
Mr Robin Ditchburn – Perillup Bush Fire Brigade
Mr John Russell – Porongurup Bush Fire Brigade
Mr Richard Stan-Bishop – Porongurup South Bush Fire Brigade
Mr Robin Higgins – Rocky Gully Bush Fire Brigade
Mr Graeme Pyle – South Stirling Bush Fire Brigade
Mr Brenden Warburton – South Stirling Bush Fire Brigade
Mr Darryl Pearce – Woogenellup Bush Fire Brigade

Brief:

To advise 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 the Bush Fire Act 1954, the formation of bush fire brigades and the grouping thereof under group brigade officers and the ensuring of co-operation and co-ordination of bush fire brigades in their efforts and activities.

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr J Cameron, seconded Cr K Hart:

THAT:

- (1) The existing membership of the Bush Fire Advisory Committee be declared vacant.**
- (2) The membership of the Bush Fire Advisory Committee be set at two (2) Councillors, one (1) delegate from each Bush Fire Brigade, Chief Bush Fire Control Officer or Deputy, Base Radio Operator or Deputy and Chief Fire Weather Officer or Deputy.**
- (3) The duties of the Committee shall be:**
 - To advise 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 the Bush Fire Act 1954, the formation of bush fire brigades and the grouping thereof under group brigade officers and the ensuring of co-operation and co-ordination of bush fire brigades in their efforts and activities.'**

- (4) A further report be presented to the Council when the brigade delegates are known.

CARRIED (9/0)

No. 102/05

(Absolute Majority)

FURTHER MOTION / COUNCIL DECISION

Moved Cr J Moir, seconded Cr K Hart:

THAT:

- (1) Cr D Williss and Cr K Hart be appointed as the Council's representatives on the Bush Fire Advisory Committee; and
- (2) Cr B Hollingworth be appointed as Deputy for either elected Member.

CARRIED (9/0)

No. 103/05

(Absolute Majority)

5.1.5 CHILLINUP LANDFILL SITE MANAGEMENT COMMITTEE (WM/103/3)

Type: Section 5.9(2)(a) LGA 1995 - Council Members

Existing Members: Cr J Moir (Plantagenet)
Cr R Hitsert (Gnowangerup)
Cr J Wakka (Denmark)
Cr P Drage (Cranbrook)

Brief:

To make recommendations and provide advice to the owners in trust of Lot 501 Chillinup Road (Waste Disposal Site) regarding the use of that land.

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr K Clements, seconded Cr B Hollingworth:

THAT:

- (1) The existing memberships of the Chillinup Landfill Site Management Committee be declared vacant.**
- (2) Membership of the Chillinup Landfill Site Management Committee be set at one (1) Councillor representative for the Shire of Plantagenet, the Shire of Cranbrook, the Shire of Gnowangerup and the Shire of Denmark.**
- (3) The duties of the Chillinup Landfill Site Management Committee shall be:**
 - To make recommendations and provide advice to the owners in trust of Lot 501 Chillinup Road (Waste Disposal Site) regarding the use of that land.**
- (4) Cr J Moir be appointed as the Shire's representative on the Chillinup Landfill Site Management Committee and Cr K Clements be appointed as Deputy.**

CARRIED (9/0)

No. 104/05

(Absolute Majority)

5.1.6 COMMUNITY RECREATION CENTRE ADVISORY COMMITTEE (CS/103/1)

Type: Required pursuant to Deed of Arrangement between the Council and the Minister for Education relating to the operation of the Community Recreation Centre.

Existing Members: Cr K Clements
Executive Director Corporate & Community Services
Mark Bird
Murray Hammond
Andrew Fraser
Shirley Reynolds
Karen Webb
Jenny Berliner

Brief:

The role of the Committee will be to provide advice to the Parties:

- As to how disputes in connection with the Facilities could be dealt with;
- As to how this Agreement can be improved or varied; and
- On the day-to-day operations of the facilities.

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr K Clements, seconded Cr D Williss:

That Cr J Mark and the Executive Director Corporate and Community Services be appointed as the Council's representatives to the Community Recreation Centre Advisory Committee.

CARRIED (9/0)

No. 105/05

(Absolute Majority)

5.1.7 DISABILITY SERVICES COMMITTEE (CS/103/2)

Type: Section 5.9(2)(b) LGA 1995 - Council Members & Employees

Existing Members: Cr Clements
Executive Director Corporate & Community Services

Brief:

The duties of the Disability Services Committee shall be:

- To advise the Council of the status of the Council's Disability Services Plan; and
- Any actions necessary to effect such plan.

Officer Comment

It is recommended that this Committee be disbanded as its duties come within the area of responsibility of the Executive Director Corporate and Community Services.

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr J Mark, seconded Cr M Skinner:

That the existing Disability Services Committee be disbanded.

CARRIED (9/0)

No. 106/05

(Absolute Majority)

5.1.8 ENTERPRISE BARGAINING NEGOTIATION COMMITTEE (PE/103/2)

Type: Section 5.9(2)(b) LGA (1995 - Council Members & Employees)

Existing Members: Cr K Forbes
Cr J Cameron
Chief Executive Officer

Administration

Mr David Blurton – Accountant
Ms Hazel Rutter – Librarian
Ms Kerry Bain – Records Officer

Outside

Mr Jim Stone – Plant Operator
Mr Geoff Scott – Plant Operator
Mr Matt Nicholls - Gardener

Brief:

The duties of the Enterprise Bargaining Agreement Committee shall be:

- Administration - to make recommendations to the Council regarding any existing Shire of Plantagenet Administrative Staff Certified Enterprise Bargaining Agreement and to further advise the Council regarding renewal of the agreement.
- Outside - to make recommendations to the Council regarding the existing Outside Workers Certified Enterprise Bargaining Agreement and to further advise the Council regarding renewal of the agreement.

Officer Comment

There is no need to appoint staff members to this Committee. The Chief Executive Officer handles the negotiations and staff members appoint their own representatives / negotiators to work with either the Chief Executive Officer or the Council representatives.

It is therefore recommended that the Enterprise Bargaining Committee be comprised of two (2) Councillors and the Chief Executive Officer.

OFFICER RECOMMENDATION

Moved Cr D Willis, seconded J Moir:

THAT:

- (1) The existing memberships of the Enterprise Bargaining Agreement Committee for Administration staff and Outside staff be declared vacant.
- (2) The Enterprise Bargaining Agreement Committee membership be set at Cr K Forbes, Cr J Cameron and the Chief Executive Officer.
- (3) The duties of the Enterprise Bargaining Agreement Committee shall be:
 - To make recommendations to the Council regarding any existing Shire of Plantagenet Administrative Staff Certified Enterprise Bargaining Agreement and to further advise the Council regarding renewal of such agreements.
- (4) That Cr B Hollingworth be appointed as deputy for either elected Member.

CARRIED (9/0)

No. 107/05

(Absolute Majority)

5.1.9 FROST PARK ADVISORY COMMITTEE (CP/103/3)

Type: Section 5.9 (2)(c) LGA 1995 - Council Members, Employees & Other Persons

Existing Members: Cr Skinner
Cr Clements
Chief Executive Officer or nominee

Mount Barker Turf Club
Mount Barker Football Club
Equine Industry
Machinery Field Day

Brief:

The duties of the Frost Park Advisory Committee shall be to advise the Council regarding all matters pertaining to the efficient and effective running of Frost Park including:

- Hire charges;
- Uses;
- Future uses; and
- Maintenance.

Officer Comment

This Committee meets on a very irregular basis and should be disbanded and re-assessed after the Chief Executive Officer has investigated other avenues of administration.

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr K Clements, seconded Cr D Williss:

That the Frost Park Advisory Committee be disbanded.

CARRIED (9/0)
No. 108/05
(Absolute Majority)

FURTHER MOTION / COUNCIL DECISION

Moved Cr K Clements, seconded Cr J Mark:

THAT:

- (1) Cr K Clements and Cr M Skinner be appointed as Council representatives of any future advisory committee created that relates to any of the Shire of Plantagenet's outside sporting grounds; and**
- (2) Cr B Hollingworth be appointed as Deputy for either elected Member.**

CARRIED (9/0)
No. 109/05
(Absolute Majority)

5.1.10 MUNICIPAL INVENTORY ADVISORY COMMITTEE (LP/103/1)

Type: Section 5.9(2)(b) LGA 1995 - Council Members & Employees

Existing Members: Cr K Forbes
Cr K Hart
Cr J Cameron
Chief Executive Officer
Manager Development Services

Brief:

The duties of the Municipal Inventory Advisory Committee shall be to advise the Council regarding the Shire of Plantagenet Municipal Heritage Inventory and in particular:

- Inclusions;
- Deletions;
- Reviews; and
- Statutory obligations.

Officer Comment

Heritage advice is a direct responsibility of the Manager of Development Services (Ms Delma Baesjou) and recommendations regarding heritage matters can come directly to the Council.

OFFICER RECOMMENDATION

That the Municipal Inventory Advisory Committee be disbanded.

COUNCIL DECISION

Moved Cr J Cameron, seconded Cr K Hart:

THAT:

- (1) Cr J Mark, Cr J Cameron and Cr K Forbes be appointed as members of the Municipal Inventory Advisory Committee; and**
- (2) Cr Hart be appointed as Deputy for any elected member.**

CARRIED (9/0)

No. 110/05

(Absolute Majority)

Reason For Change

Councillors decided that a Municipal Inventory Advisory Committee was still required.

5.1.11 TIDY TOWNS COMMITTEE (CR/103/1)

Type: Section 5.9(2)(b) LGA 1995 - Council Members & Employees

Existing Members: Executive Director Technical & Development Services

Brief:

The duties of the Committee shall be to:

- Advise the Council regarding the optimum methods which should be employed to meet the criteria requirements of the Tidy Towns Awards.

Officer Comment

Since the departure of Councillor Liz Farmer, this Committee has not met and, unless a Councillor is willing to take on quite a heavy workload in this regard, responsibility for such activities as Clean Up Australia Day can be left to Administration.

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr K Clements, seconded Cr J Moir:

That the Tidy Towns Committee be disbanded.

CARRIED (9/0)

No. 112/05

(Absolute Majority)

5.1.12 TOWNSCAPE REVIEW STEERING COMMITTEE (LP/103/3)

Type: Section 5.9(2)(c) LGA 1995 - Council Members, Employees, Other Persons

Existing Members: Cr K Clements
Cr M Skinner
Chief Executive Officer
Manager Development Services
Peter Thorn
John Mark
Roger Bartley
Karen McKenzie

Brief:

The duties of the Townscape Review Steering Committee shall be to:

- (1) Guide the process of reviewing the Townscape Improvement Plan for the Shire of Plantagenet that will:
 - Serve as an overall framework for streetscape upgrading projects over the next ten years; and
 - Lead to the enhancement of the visual and practical amenity of the area.

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr K Clements, seconded Cr M Skinner:

THAT:

- (1) The existing memberships of the Townscape Review Steering Committee be declared vacant.**
- (2) Membership of the Townscape Review Steering Committee be set at two (2) Councillors, the Manager Development Services and four (4) members of the public.**
- (3) The duties of the Townscape Review Steering Committee shall be to:**
Guide the process of reviewing the Townscape Improvement Plan for the Shire of Plantagenet that will:
 - **Serve as an overall framework for streetscape upgrading projects over the next ten years; and**
 - **Lead to the enhancement of the visual and practical amenity of the area.**
- (4) Cr J Mark and Cr K Clements be appointed as members and Cr B Hollingworth be appointed as Deputy.**

CARRIED (9/0)

No. 113/05

(Absolute Majority)

5.1.13 WASTE MANAGEMENT COMMITTEE (WM/103/2)

Type: Section 5.9(2)(a) LGA 1995 - Council Members

Existing Members: Cr J Moir Presiding Member
Cr K Hart
Cr K Clements

Brief:

The duties of the Waste Management Committee shall be:

To Advise the Council relating to waste management in the Shire of Plantagenet, including but not limited to:

- The Council's role in the Great Southern Regional Council;
- Current technology / trends relating to waste management;
- Waste management techniques; and
- Recycling.

Officer Comment

The Waste Management Committee was created by the Council on 7 October 2003 with the recommendation that the committee be abolished on 29 April 2005 unless disbanded earlier by the Council.

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr K Clements, seconded Cr J Cameron:

THAT:

- (1) The Waste Management Committee be reconstituted.**
- (2) Cr J Moir, Cr K Hart and Cr K Clements be appointed as members.**
- (3) The words 'in the Great Southern Regional Council' be deleted from the Committee's duties and replaced with the words 'with adjoining Councils relating to waste management.'**

CARRIED (9/0)

No. 115/05

(Absolute Majority)

5.1.14 KAMBALLUP HALL MANAGEMENT COMMITTEE (CP/103/6)

Type: Section 5.9(2)(d) LGA 1995 – Council Members & Other Persons

Existing Members: Cr M Skinner
Mr Brent Counsel
Ms Karen Counsel
Ms Kaye Lewis
Ms Janine Bailey

Brief :

The duties of the Committee shall be;

- Have responsibility for taking bookings at the Hall;
- Issuing receipts in relation to Hall bookings, on behalf of the Council;
- Forwarding Hall booking receipts to the Council;
- Advising the Council of maintenance requirements for the Hall;
- Assisting the Council in the preparation of its budget with relation to the Hall;
- Ensuring that the Hall is clean, tidy and undamaged after any function;
- Advising the Council regarding the refund of Hall Booking Bonds.

OFFICER RECOMMENDATION

Moved Cr D Williss, seconded Cr J Cameron:

THAT:

- (1) The existing memberships of the Kamballup Hall Management Committee be declared vacant.
- (2) The membership of the Kamballup Hall Management Committee be set at:
 - (a) One (1) Councillor, being Cr M Skinner; and
 - (b) Four (4) members as nominated by the Kamballup Progress Association these being Mr Brent Counsel, Ms Karen Counsel, Ms Kaye Lewis and Ms Janine Bailey.
- (3) The duties of the Kamballup Hall Management Committee be to:
 - Have responsibility for taking bookings at the Hall;
 - Issuing receipts in relation to Hall bookings, on behalf of the Council;
 - Forwarding Hall booking receipts to the Council;
 - Advising the Council of maintenance requirements for the Hall;
 - Assisting the Council in the preparation of its budget with relation to the Hall;
 - Ensuring that the Hall is clean, tidy and undamaged after any function;
 - Advising the Council regarding the refund of Hall Booking Bonds.

CARRIED (9/0)

No. 116/05

(Absolute Majority)

5.1.15 PORONGURUP HALL MANAGEMENT COMMITTEE (CP/103/5)

Type: Section 5.9(2)(d) LGA 1995 – Council Members & Other Persons

Existing Members: Cr M Skinner
Mr Scott Drummond
Ms Dee Herbert
Ms Fiona Glen
Ms Lucia Quearry

Brief :

The duties of the Committee shall be;

- Have responsibility for taking bookings at the Hall;
- Issuing receipts in relation to Hall bookings, on behalf of the Council;
- Forwarding Hall booking receipts to the Council;
- Advising the Council of maintenance requirements for the Hall;
- Assisting the Council in the preparation of its budget with relation to the Hall;
- Ensuring that the Hall is clean, tidy and undamaged after any function;
- Advising the Council regarding the refund of Hall Booking Bonds.

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr D Williss, seconded Cr K Hart:

THAT:

- (1) The existing memberships of the Porongurup Hall Management Committee be declared vacant.**
- (2) The membership of the Porongurup Hall Management Committee be set at:**
 - (a) One (1) Councillor, being Cr M Skinner; and**
 - (b) Four (4) members as nominated by the Porongurup Community Association these being Mr Scott Drummond, Ms Dee Herbert, Ms Fiona Glen and Ms Lucia Quearry.**
- (3) The duties of the Porongurup Hall Management Committee be to:**
 - **Have responsibility for taking bookings at the Hall;**
 - **Issuing receipts in relation to Hall bookings, on behalf of the Council;**
 - **Forwarding Hall booking receipts to the Council;**
 - **Advising the Council of maintenance requirements for the Hall;**
 - **Assisting the Council in the preparation of its budget with relation to the Hall;**
 - **Ensuring that the Hall is clean, tidy and undamaged after any function;**
 - **Advising the Council regarding the refund of Hall Booking Bonds.**

CARRIED (9/0)

No. 117/05

(Absolute Majority)

5.1.16 WOOGENELLUP HALL MANAGEMENT COMMITTEE (CP/103/2)

Type: Section 5.9(2)(d) LGA 1995 – Council Members & Other Persons

Existing Members: Cr D Williss
Mr Mark Adams
Mr Grant Cooper
Mr Chris Enright
Mr Martin Wiehl

Brief :

The duties of the Committee shall be;

- Have responsibility for taking bookings at the Hall;
- Issuing receipts in relation to Hall bookings, on behalf of the Council;
- Forwarding Hall booking receipts to the Council;
- Advising the Council of maintenance requirements for the Hall;
- Assisting the Council in the preparation of its budget with relation to the Hall;
- Ensuring that the Hall is clean, tidy and undamaged after any function;
- Advising the Council regarding the refund of Hall Booking Bonds.

OFFICER RECOMMENDATION

Moved Cr M Skinner, seconded Cr J Mark:

THAT:

- (1) The existing memberships of the Woogenellup Hall Management Committee be declared vacant.**
- (2) The membership of the Woogenellup Hall Management Committee be set at:**
 - (a) One (1) Councillor, being Cr D Williss; and**
 - (b) Four (4) members as nominated by the Woogenellup Progress Association these being Mr Mark Adams, Mr Grant Cooper, Mr Chris Enright and Mr Martin Wiehl**
- (3) The duties of the Woogenellup Hall Management Committee be to:**
 - **Have responsibility for taking bookings at the Hall;**
 - **Issuing receipts in relation to Hall bookings, on behalf of the Council;**
 - **Forwarding Hall booking receipts to the Council;**
 - **Advising the Council of maintenance requirements for the Hall;**
 - **Assisting the Council in the preparation of its budget with relation to the Hall;**
 - **Ensuring that the Hall is clean, tidy and undamaged after any function;**
 - **Advising the Council regarding the refund of Hall Booking Bonds.**

CARRIED (9/0)

No. 118/05

(Absolute Majority)

5.2 COUNCIL EXTERNAL COMMITTEES**5.2.1 Albany Port Authority User Liaison Group (GR/103/3)**

Existing Member: Cr Cameron

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr J Cameron, seconded Cr J Mark:

THAT:

- (1) Cr J Cameron's continuing membership of the Albany Port Authority User Liaison Group be noted; and**
- (2) Cr B Hollingworth be appointed as Deputy.**

CARRIED (9/0)

No. 119/05

5.2.2 Albany Port Authority – Community Liaison Group (GR/103/4)

Existing Member: Cr Cameron

OFFICER RECOMMENDATION

Moved Cr M Skinner, seconded Cr D Williss:

THAT:

- (1) Cr J Cameron's continuing membership of the Albany Port Authority Community Liaison Group be noted; and**
- (2) Cr B Hollingworth be appointed as Deputy.**

CARRIED (9/0)

No. 120/05

5.2.3 Bush Fire Brigade Capital Grants Committee (GS/103/1)

Existing Member: Cr Forbes

OFFICER RECOMMENDATION

Moved Cr D Williss, seconded Cr J Cameron:

That Cr K Forbes' continuing membership on the Bush Fire Brigade Capital Grants Committee be noted.

CARRIED (9/0)

No. 121/05

5.2.4 Community Agriculture Centre (GR/103/2)

Existing Member: Cr Cameron

OFFICER RECOMMENDATION

Moved Cr J Cameron, seconded Cr M Skinner:

That Cr J Cameron be appointed as the Council's representative on the Community Agriculture Centre Committee.

CARRIED (9/0)

No. 122/05

5.2.5 Government Dam Committee (GR/103/6)

Existing Member: Cr K Clements

Officer Comment

Consultation with Cr Clements has indicated that the Government Dam Committee is no longer required.

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr K Clements, seconded Cr B Hollingworth:

That the Government Dam Committee be disbanded.

CARRIED (9/0)

No. 123/05

5.2.6 Great Southern Regional Cattle Saleyards Committee (City Of Albany) (CA/103/1)

Type: Section 5.9(2)(c) LGA 1995 - Council Members & Other Persons
(Committee appointment by City of Albany)

Existing Members: Cr Forbes
Cr Skinner
Cr Moir
Cr Williss (Deputy)
Chief Executive Officer

Officer Comment

This Committee no longer exists and therefore no appointments are necessary.

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr D Williss, seconded Cr K Clements:

That the disbanding of the City of Albany Great Southern Regional Cattle Saleyards Committee be noted.

CARRIED (9/0)

No. 124/05

5.2.7 GREAT SOUTHERN REGIONAL CATTLE SALEYARDS - ADVISORY COMMITTEE

Location / Address:	N / A
Name of Applicant:	N / A
File Reference:	CA/103/1
Author:	Rob Stewart - Chief Executive Officer
Authorised By:	Rob Stewart – Chief Executive Officer
Date of Report:	29 March 2005

Purpose

The purpose of this report is to recommend to the Council the creation of an Advisory Committee to assist with the strategic direction setting of the Great Southern Regional Cattle Saleyards.

Background

The Shire of Plantagenet purchased the City of Albany's fifty per cent share of the Saleyards effective from 1 April 2005.

Statutory Environment

Pursuant to Section 5.8 of the Local Government Act 1995 a Local Government may establish committees of three (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.

The creation of a committee and the appointment of members to that committee must be by *absolute majority*.

Further, pursuant to Section 5.9 of the Act the Council can decide the membership of a committee and it will be recommended in this report that the membership of the Great Southern Regional Cattle Saleyards Advisory Committee be comprised of Council members only.

Policy Implications

There are no policy implications for this report as it will be recommended that part of the duties of the Advisory Committee will be to make policy recommendation to the Council.

Financial Implications

There are no financial implications for this report.

Strategic Implications

Councillors will recall that on 22 March 2005, a Strategic 'TOWS' session was held with elected members and senior members of the staff to assist with the strategic direction setting of the saleyards. It will be recommended that the committee now proposed to be created will make recommendation to the Council regarding the strategic direction of the saleyards. With the purchase of the saleyards as a business unit, it is crucially important that the strategic direction of that business unit be set down. This is a function of the Council. Making recommendations to the Council regarding this strategic direction should be a core responsibility of the Committee. In this way the Committee will also be able to work closely with the staff in setting that strategic direction and in this way ensure that operational issues align with the

Great Southern Regional Cattle Saleyards – Advisory Committee (Cont.)

strategic direction and that sufficient resources are available to achieve desired outcomes.

It is also crucial that the expertise that exists with some Councillors regarding the cattle industry should be made available to staff. In fact this was a crucial component of the Chief Executive Officer's request of the Department of Local Government to allow Councillors to vote on the issue of the saleyards.

Voting Requirements

Absolute Majority

OFFICER'S RECOMMENDATION / COUNCIL DECISION

Moved Cr D Williss, seconded Cr K Hart:

THAT:

- (1) A Committee of the Council, to be known as the Great Southern Regional Cattle Saleyards Advisory Committee be created pursuant to Section 5.9(2)(a) of the Local Government Act 1995.
- (2) The membership of the Committee shall comprise four (4) Councillors.
- (3) The duties of the Great Southern Regional Cattle Saleyards Advisory Committee shall be to:
 - (a) make recommendation to the Council regarding the strategic direction of the saleyards;
 - (b) make recommendation to the Council regarding the environmental action plan for the saleyards;
 - (c) bring to the attention of the Chief Executive Officer, industry matters regarding the cattle industry that may not be readily available to persons external to that industry; and
 - (d) make recommendation to the Council regarding development works on the site.

CARRIED (9/0)

No. 125/05

(Absolute Majority)

MOTION TO ADJOURN QUESTION

Moved Cr J Mark, seconded Cr B Hollingworth:

That the question relating to the committee membership be adjourned until further advice has been received from the Department of Local Government regarding financial interests relating to the Cattle Saleyards.

CARRIED (8/1)

No. 126/05

5.2.8 Local Emergency Management Committee (ES/103/7)

Existing Members: Cr K Forbes
 Cr Williss (Nominee for Cr Forbes)
 Mr R Parry - Ranger

Officer Comment

The Shire of Plantagenet Local Emergency Management Plan, adopted by the Council on 13 April 2004, details the arrangements to be undertaken in the event of an emergency including representation on the Local Emergency Management Committee.

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr K Hart, seconded Cr B Hollingworth:

That Cr K Forbes, (nominee Cr D Williss) and the Executive Director Technical and Development Services be appointed as the Council's representatives on the Local Emergency Management Committee.

CARRIED (9/0)

No. 127/05

5.2.9 Lower Great Southern Plantation Fire Advisory Committee (ES/103/9)

Existing Members: Cr Cameron
 Cr Williss

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr D Williss, seconded Cr J Cr J Mark:

THAT:

- (1) Cr J Cameron's and Cr D Williss' membership on the Lower Great Southern Plantation Fire Advisory Committee be noted.**
- (2) Cr K Forbes be appointed as Deputy to act on behalf of either member if unable to attend any meeting.**

CARRIED (9/0)

No. 128/05

5.2.10 Mount Barker Tourist Bureau Board (ED/103/4)

Existing Member: Cr Moir

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr J Cameron, seconded Cr K Hart:

THAT:

- (1) Cr B Hollingworth be appointed as the Council's representative on the Mount Barker Tourist Bureau Board.
- (2) Cr J Mark be appointed as Deputy to act on behalf of the member if unable to attend any meeting.

CARRIED (9/0)**No. 129/05****5.2.11 Plantagenet Historical Society (CS/103/5)**

Existing Member: Cr Williss

OFFICER RECOMMENDATION

Moved Cr J Moir, seconded Cr B Hollingworth:

That joint representatives, Cr B Hollingworth and Cr M Skinner be appointed as the Council's representatives on the Plantagenet Historical Society Committee.

CARRIED (9/0)**No. 130/05**

5.2.12 Porongurup Range National Park Fire Advisory Committee (ES/103/10)

Existing Member: Cr Williss
Chief Bush Fire Control Officer

OFFICER RECOMMENDATION

Moved Cr D Williss, seconded Cr J Mark:

THAT:

- (1) Cr D Williss and the Chief Bush Fire Control Officer be appointed as the Council's representatives on the Porongurup Range National Park Fire Advisory Committee.
- (2) Cr K Hart be appointed as Deputy to act on behalf of the elected member if unable to attend any meeting.

CARRIED (9/0)

No. 131/05

5.2.13 Rainbow Coast Regional Council (RCRC) (ED/103/5)

Existing Members: Cr Forbes
Cr Cameron

OFFICER RECOMMENDATION

Moved Cr J Moir, seconded Cr B Hollingworth:

THAT:

- (1) Cr K Forbes and Cr J Cameron be appointed as the Council's representatives on the Rainbow Coast Regional Council.
- (2) Cr D Williss be appointed as Deputy to act on behalf of either elected member if unable to attend any meeting.

CARRIED (9/0)

No. 132/05

5.2.14 Regional District Emergency Management Advisory Committee (ES/103/8)

Existing Member: Cr Williss

OFFICER RECOMMENDATION**Moved Cr J Moir, seconded Cr D Williss:****That Cr Williss' continuing membership on the Regional District Emergency Management Advisory Committee be noted.****CARRIED (9/0)****No. 133/05****5.2.15 Great Southern Regional Recreation Advisory Group (CS/103/12)**Existing Member: Cr Clements
Executive Director Corporate & Community Services**OFFICER RECOMMENDATION****Moved Cr D Williss, seconded Cr J Moir:****THAT:**

- (1) The membership of Cr Clements and the Executive Director Corporate and Community Services on the Great Southern Regional Recreation Advisory Group be noted.**
- (2) Cr J Moir be appointed as Deputy to act on behalf of either member if unable to attend any meeting.**

CARRIED (9/0)**No. 134/05****5.2.16 Regional Roads Group (RO/103/1)**Existing Members: Cr Forbes
Cr Williss (Deputy)**OFFICER RECOMMENDATION****Moved Cr D Williss, seconded Cr J Moir:****THAT:**

- (1) Cr K Forbes be appointed as the Council's representative on the Regional Roads Committee.**
- (2) Cr D Williss be appointed as Deputy to act on behalf of an elected member if unable to attend any meeting.**

CARRIED (9/0)**No. 135/05**

5.2.17 School Bus Committee (CS/103/7)

Existing Members: Cr Hart (Kendenup)
Cr Moir (Mount Barker)
Cr Cameron (Frankland)

OFFICER RECOMMENDATION

Moved Cr K Hart, seconded Cr B Hollingworth:

THAT:

- (1) Cr Hart's membership on the Kendenup School Bus Committee be noted.**
- (2) Cr Moir's membership on the Mount Barker School Bus Committee be noted.**
- (3) Cr Cameron's membership on the Frankland School Bus Committee be noted.**

CARRIED (9/0)

No. 136/05

5.2.18 Southern Agcare Committee (CS/103/13)

Existing Members: Mr Tom Donaldson

Officer Comment

At its meeting held 8 February 2005, the Council was advised that retiring Councillor Mr Tom Donaldson, would continue as the Shire of Plantagenet's representative on the Southern AgCare Committee until the May 2005 Elections.

OFFICER RECOMMENDATION

Moved Cr B Hollingworth, seconded Cr J Mark:

That Cr B Hollingworth be appointed as the Council's representative on the Southern AgCare Committee.

CARRIED (9/0)

No. 137/05

5.2.19 Stirling Range National Park Fire Advisory Committee (ES/103/11)

Existing Members: Cr Williss
Chief Bush Fire Control Officer

OFFICER RECOMMENDATION

Moved Cr D Williss, seconded Cr J Moir:

THAT:

- (1) Cr Williss and the Chief Bush Fire Control Officer's membership on the Stirling Range National Park Fire Advisory Committee be noted.
- (2) Cr K Hart be appointed as Deputy to act on behalf of the elected member if unable to attend any meeting.

CARRIED (9/0)

No. 138/05

5.2.20 Timber 2020 Committee (LP/103/4)

Existing Member: Cr Cameron

OFFICER RECOMMENDATION

Moved Cr J Moir, seconded Cr B Hollingworth:

THAT:

- (1) Cr Cameron's membership in the Timber 2020 Committee be noted.
- (2) Cr J Mark be appointed as appointed to act on behalf of the elected member if unable to attend any meeting.

CARRIED (9/0)

No. 139/05

5.2.21 Timber Industry Road Evaluation Strategy (TIRES) (RO/103/2)

Existing Members: Cr Forbes
Cr Williss (Deputy)

OFFICER RECOMMENDATION

Moved Cr K Hart, seconded Cr M Skinner:

THAT:

- (1) Cr K Forbes be appointed as the Council's representative on the Timber Industry Road Evaluation Strategy (TIRES).
- (2) Cr D Williss be appointed as Deputy to act on behalf of the elected member if unable to attend any meeting.

CARRIED (9/0)

No. 140/05

5.2.22 WALGA Voting Delegates (Annual Conference & Zone Meeting) (GR/103/5)

Existing Members: Cr Forbes
Cr Williss (Deputy)

OFFICER RECOMMENDATION

Moved Cr J Cameron, Cr K Clements:

That Cr K Forbes and Cr D Williss be appointed as the Council's WALGA Voting Delegates (Annual Conference and Zone Meetings).

CARRIED (9/0)

No. 141/05

5.2.23 Walpole Wilderness Community Advisory Committee

Existing Member: Cr Cameron

OFFICER RECOMMENDATION

Moved Cr D Williss, seconded Cr B Hollingworth:

That Cr J Cameron's membership and Cr D Williss' appointment as Deputy to the Walpole Wilderness Community Advisory Committee be noted.

CARRIED (9/0)

No. 142/05

5.2.24 War Memorial Warden (CR/104/1)

Existing Member: Cr Moir

OFFICER RECOMMENDATION / COUNCIL DECISION**Moved Cr M Skinner, seconded Cr D Williss:****That Cr J Moir be appointed as War Memorial Warden.****CARRIED (9/0)****No. 143/05****5.2.25 Zone Control Authority – APB (Agriculture Protection Board) (GR/103/9)**

Existing Member: Cr M Skinner

OFFICER RECOMMENDATION / COUNCIL DECISION**Moved Cr D Williss, seconded Cr J Cameron:****That Cr Skinner's continuing membership of the Zone Control Authority – APB be noted.****CARRIED (9/0)****No. 144/05****5.2.26 Mount Barker Senior High School Farm Committee****Moved Cr B Hollingworth, seconded Cr K Hart:****That Cr D Williss' Ministerial Appointment to the Mount Barker Senior High School Farm Committee be noted.****CARRIED (9/0)****No. 145/05****5.2.27 One Community, One College****Moved Cr J Cameron, seconded Cr J Mark:****That Cr K Forbes and Cr D Williss' attendance as Shire representatives on several of the 'One Community, One College' committees be noted.****CARRIED (9/0)****No. 146/05**

5.2.28 Miscellaneous Representatives

Moved Cr J Cameron, seconded Cr K Hart:

THAT:

- (1) The membership of Cr J Cameron on the Frankland River (below Gordon) Land Conservation District Committee be noted.
- (2) The membership of Cr K Forbes on the Wilson Inlet Management Authority be noted.
- (3) The membership of Cr J Cameron on the Kent River Land Conservation District Committee be noted.
- (4) The membership of Cr K Forbes on the Plantation Industry Management Committee be noted.

CARRIED (9/0)

No. 147/05

6 CLOSURE OF MEETING

12:18pm The Presiding Member declared the meeting closed.

CONFIRMED: CHAIRPERSON_____ **DATE:/..../....**