



COUNCIL MINUTES

Special Meeting of Council

8.00AM, Friday 27 October 2023

Council Chambers, 6177 Great Northern Highway, Bindoon



PUBLIC QUESTION TIME

1. Time Permitted

A minimum of 15 minutes is permitted for Public Question Time at Council Meetings. If there are not sufficient questions to fill the allocated time, the Presiding Member will move to the next item. If there are more questions to be considered within 15 minutes, the Presiding Member will determine whether to extend Public Question Time. Each person seeking to ask questions during Public Question Time may address the Council for a maximum of two minutes each.

2. Protocol

No member of the public may interrupt the Council Meeting proceedings or enter into conversation.

Members of the public wishing to participate in Public Question Time at the Council Meeting who wish to submit written questions, are requested to lodge them with the Chief Executive Officer the Tuesday by **5pm on the day before the meeting**

The Presiding Member will control Public Question time and ensure that each person wishing to ask a question is given a fair and equal opportunity to do so. Members of the public wishing to ask a question must state his or her name and address before asking a question. If the question relates to an item of the Agenda, the item number and title should be stated.

3. General Rules

The following general rules apply to Public Question Time:

- Public Questions should only relate to the business of the local government and should not be a personal statement or opinion.
- Only questions relating to matters affecting the local government will be considered at a Council Meeting, and only questions that relate to the purpose of the meeting will be considered at a Special Council Meeting.
- Questions may be taken on notice and responded to after the meeting.
- Questions may not be directed to specific Elected Members or a Shire employee.
- Questions are not to be framed in such a way as to reflect adversely on a particular Elected Member or Shire employee.
- First priority will be given to persons who have submitted their questions in writing.
- Second priority will be given to persons who are asking questions relating to items on the current Council Meeting Agenda.

DEPUTATIONS

1. Time permitted

A minimum of 10 minutes is permitted for Deputations.

2. Protocol

No member of the public may interrupt the Council Meeting proceedings or enter into conversation.

Members of the public making a Deputation at the Council Meeting are requested to lodge them with the Chief Executive Officer the Tuesday by **5pm on the day before the meeting**

The Presiding Member will control Deputation time and ensure that each person wishing to ask a question is given a fair and equal opportunity to do so. Members of the public making a Deputation must state his or her name, company (if applicable) and address before commencing. Members must also state the item number and title on the Agenda.

3. General Rules

The following rules apply when making a Deputation:

- (a) Deputation is not to exceed five persons, only two of whom may address the Council, although others may respond to specific questions from Members.
- (b) Deputations must not exceed 10 minutes without the agreement of the Council.
- (c) Additional members of the deputation may be allowed to speak with the agreement of the Presiding Member.

Council is unlikely to take any action on the matter discussed during the deputation without first considering an officer's report on that subject in a later Council agenda.

RECORDING AND ACCESS TO RECORDINGS OF COUNCIL MEETINGS POLICY

Objective

To ensure that there is a process in place to outline access to the recorded proceedings of Council.

To emphasise that the reason for the recording of Council Meetings is to ensure the accuracy of Council Minutes and that any reproduction is for the sole purpose of Council business.

Recording of Proceedings

1. Proceedings for meetings of the Council, Electors, and Public Question Time during Council meetings shall be recorded by the Shire on sound recording equipment, except in the case of meetings of the Council where the Council closes the meeting to the public.
2. Notwithstanding clause 1, proceedings of a meeting of the Council which is closed to the public shall be recorded where the Council resolves to do so.
3. No member of the public is to use any electronic, visual or vocal recording device or instrument to record the proceedings of the Council or a committee without approval as per ***Local Government (Council Meetings) Local Law 2014***, c6.15.

Access to Recordings

4. The record of proceedings is to be loaded on to the Shire's website once the minutes have been made available.

Retention of Recordings

5. Recordings pertaining to the proceedings of Council Meetings shall be retained in accordance with the ***State Records Act 2000***.

During the meeting, no member of the public may interrupt the meetings proceedings or enter into conversation.

Members of the public shall ensure that their mobile telephone and/or audible pager is not switched on or used during any meeting of the Council.

Members of the public are hereby advised that use of any electronic, visual or audio recording device or instrument to record proceedings of the Council is not permitted without the permission of the Presiding Member.

PREFACE

When the Chief Executive Officer approves these minutes for distribution they are in essence "Unconfirmed" until the following Ordinary Meeting of Council, where the minutes will be confirmed subject to any amendments.

The "Confirmed" minutes are then signed off by the Presiding Member.

Attachments that formed part of the agenda, in addition to those tabled at the Ordinary Meeting of Council are put together as an addendum to these Minutes.

UNCONFIRMED MINUTES

These minutes were approved for distribution on Tuesday 31 October 2023.

Melinda Prinsloo
Chief Executive Officer

CONFIRMED MINUTES

These minutes were confirmed at a meeting held on _____

Signed _____

NOTE: the Presiding Member at the meeting at which these minutes are confirmed is the person who signs above.

Disclaimer

The purpose of this Council meeting is to discuss and, where possible, make resolutions about items appearing on the agenda.

Whilst Council has the power to resolve such items and may in fact, appear to have done so at the meeting, no person should rely on or act on the basis of such decision or on any advice or information provided by a member or officer, or on the content of any discussion occurring, during the course of the meeting.

Persons should be aware that the provisions of the *Local Government Act 1995* (section 5.25 (e)) establish procedures for revocation or rescission of a Council decision. No person should rely on the decisions made by Council until formal advice of the Council decision is received by that person.

The Shire of Chittering expressly disclaims liability for any loss or damage suffered by any person as a result of relying on or acting on the basis of any resolution of Council, or any advice or information provided by a member or officer, or the content of any discussion occurring, during the course of the Council meeting.



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Good morning ladies and gentlemen, we wish to acknowledge the traditional custodians of the land within the Shire of Chittering, the Yued and Whadjuk peoples. We would like to pay respect to the Elders of the Nyoongar nation, past and present, who have walked and cared for the land, we acknowledge and respect their continuing culture, and the contributions made to this region.

ITEM 1. DECLARATION OF OPENING OF MEETING / ANNOUNCEMENTS OF VISITORS

The Chief Executive Officer declared the meeting open at 8.08am.

ITEM 2. ELECTION OF PRESIDENT AND DEPUTY PRESIDENT

ELEC01 – 10/21 Election of President

The Chief Executive Officer called for nominations for the office of Shire President.

The Shire President to be elected by the Council from amongst the Councillors.

Nominations for the position of Shire President are to be made in writing before the meeting, or during the meeting prior to the close of nominations. If a Councillor is nominated by another Councillor, the person conducting the election is not to accept the nomination unless the nominee has advised the person conducting the election, verbally or in writing, that he or she is willing to be nominated.

The Council members are to vote on the matter by secret ballot as if they were voting at an election. The Chief Executive Officer is to declare the result and the elected Shire President is to make a declaration pursuant to Regulation 13(3) of the Local Government (Constitution) Regulations 1998:

13. Oaths, affirmations and declarations (s. 2.29, 2.42)

(1) For the purposes of sections 2.29 and 2.42—

[(a), (b) deleted]

(c) *the form of declaration for a mayor, president, deputy mayor, deputy president or councillor is that in Form 7;*

(d) *the form of declaration for a commissioner is that in Form 8.*

(2) *A declaration required by section 2.29 to be made by a person elected as a mayor or president is to be made before—*

(a) *the immediate predecessor of the person in the office of mayor or president; or*

(b) *an authorised person.*

(3) *A declaration required by section 2.29 to be made by a person elected as a councillor, deputy mayor or deputy president is to be made before an authorised person.*

(4) *A declaration required by section 2.42 to be made by a person appointed as a commissioner is to be made before an authorised person.*

(5) *In this regulation—*

authorised person *means a person before whom a statutory declaration can be made under the Oaths, Affidavits and Statutory Declarations Act 2005.*

[Regulation 13 amended: Gazette 20 Jan 2006 p.380-1.]

The Chief Executive Officer declared Cr Aaron King as President.

The declaration of elected Shire President:

*I of
having been elected to the office of Shire President of the Shire of Chittering declare that I take
the office upon myself and will duly, faithfully, honestly, and with integrity, fulfill the duties of the
office for the people in the district according to the best of my judgment and ability, and will
observe the Local Government (Rules of Conduct) Regulations 2007.*

Declaration was witnessed by Hon Martin Aldridge MLC, Member for the Agricultural Region.

The Chief Executive Officer handed the meeting over to the newly elected Shire President.

ELEC02 – 10/21 Election of Deputy President

The President called for nominations for the office of Deputy Shire President.

The Deputy Shire President to be elected by the Council from amongst the Councillors.

Nominations for the position of Deputy Shire President are to be made in writing before the meeting, or during the meeting prior to the close of nominations. If a Councillor is nominated by another Councillor, the person conducting the election is not to accept the nomination unless the nominee has advised the person conducting the election, verbally or in writing, that he or she is willing to be nominated.

The Council members are to vote on the matter by secret ballot as if they were voting at an election. The Chief Executive Officer is to declare the result and the elected Deputy Shire President is to make a declaration pursuant to Regulation 13(3) of the Local Government (Constitution) Regulations 1998:

13. Oaths, affirmations and declarations (s. 2.29, 2.42)

(1) For the purposes of sections 2.29 and 2.42—

[(a), (b) deleted]

(c) the form of declaration for a mayor, president, deputy mayor, deputy president or councillor is that in Form 7;

(d) the form of declaration for a commissioner is that in Form 8.

(2) A declaration required by section 2.29 to be made by a person elected as a mayor or president is to be made before—

(a) the immediate predecessor of the person in the office of mayor or president; or

(b) an authorised person.

(3) A declaration required by section 2.29 to be made by a person elected as a councillor, deputy mayor or deputy president is to be made before an authorised person.

(4) A declaration required by section 2.42 to be made by a person appointed as a commissioner is to be made before an authorised person.

(5) In this regulation—

authorised person means a person before whom a statutory declaration can be made under the Oaths, Affidavits and Statutory Declarations Act 2005.

[Regulation 13 amended: Gazette 20 Jan 2006 p.380-1.]

The Chief Executive Officer declared Cr Mary Angus as Deputy President.

The declaration of the elected Deputy Shire President:

*I of
having been elected to the office of Deputy Shire President of the Shire of Chittering declare that I
take the office upon myself and will duly, faithfully, honestly, and with integrity, fulfill the duties of
the office for the people in the district according to the best of my judgment and ability, and will
observe the Local Government (Rules of Conduct) Regulations 2007.*

Declaration was witnessed by Hon Martin Aldridge MLC, Member for the Agricultural Region.

All members agreed to remain in their previous seats at the table.

*In accordance with Local Government (Council Meetings) Local Law 2014, c8.1 'Members to be in
their proper places:
(1) At the first meeting held after each election day, Council will, by consensus
determine a position at the Council table for each member*

ITEM 3. RECORD OF ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE

Attendance

The following members will be in attendance:

Cr Aaron King	President
Cr Mary Angus	Deputy President
Cr Carmel Ross	
Cr John Curtis	
Cr David Dewar	
Cr Mark Campbell	
Cr Kylie Hughes	

The following staff will be in attendance:

Melinda Prinsloo	Chief Executive Officer
Scott Clayton	Deputy Chief Executive Officer
Leo Pudhota	Executive Manager Technical Services
Jake Whistler	Executive Manager Development Services
Denaye Kerr	Executive Assistant

Observers:

Hon Martin Aldridge	Member for Agricultural Region
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Apologies

Nil

Approved leave of absence

Nil

TEM 4. DISCLOSURE OF INTEREST

Nil

ITEM 5. PUBLIC QUESTION TIME

Public question time

Nil

ITEM 6. PRESENTATIONS / PETITIONS / DEPUTATIONS

Petitions

Nil

Presentations

Nil

Deputations

Nil

ITEM 7. APPLICATION FOR LEAVE OF ABSENCE

MOTION / COUNCIL RESOLUTION 101023

Moved Cr Hughes, seconded Cr Campbell

That leave of absence be approved as follows:

- Cr Kylie HUGHES – Wednesday 1 November through to Friday 10 November 2023 (inclusive).

CARRIED UNANIMOUSLY 7 / 0

TIME: 8.24AM

MOTION / COUNCIL RESOLUTION 111023

Moved Cr Campbell, seconded Cr Angus

That leave of absence be approved as follows:

- Cr Mark CAMPBELL – Monday 13 November through to Sunday 19 November 2023 (inclusive).

CARRIED UNANIMOUSLY 7 / 0

TIME: 8.25AM

ITEM 8. PURPOSE OF MEETING

SCM01 – 11/23 Appointment of Delegates to Joint Development Assessment Panel

Applicant	Shire of Chittering
File ref	04/06/0001
Prepared by	Executive Assistant
Supervised by	Chief Executive Officer
Disclosure of interest	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure
Voting requirements	Absolute Majority
Attachments	1. Correspondence from Department of Planning, Lands and Heritage

Executive Summary

Council is requested to consider the appointment of representatives to Joint Development Assessment Panel.

Background

Correspondence received on 28 September from the Department of Planning, Lands and Heritage states “under Regulation 24 of the Planning and Development (Development Assessment Panels) Regulations 2011, Councils are required to nominate, as soon as possible following elections, four elected members to sit as DAP members.

In addition to the above, all existing local government DAP members are currently appointed for a term ending 26 January 2024. Prior to this expiry date, your local government is required to nominate four (4) DAP members for appointment by the Minister for Planning.”

Following local government elections on 21 October 2023, Council are required to submit their nominations including a copy of the Council Resolution by Friday 24 November 2023.

Consultation/Communication Implications

Local

Nil

State

Nil

Legislative Implications

State

- Local Government Act 1995

- (1) *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.*
- (2) *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.*
- (3) *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 mayor or president informs the local government of his or her wish to be a member of the committee, the local government is to appoint the mayor or president to be a member of the committee.

- (4) *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.

5.8 A Deputy committee members:

- (1) *The local government may appoint* a person to be a deputy of a member of a committee and may terminate such an appointment* at any time.*

** Absolute majority required.*

- (2) *A person who is appointed as a deputy of a member of a committee is to be:*
- (a) *if the member of the committee is a council member – a council member; or*
 - (b) *if the member of the committee is an employee – an employee; or*
 - (c) *if the member of the committee is not a council member or an employee – a person who is not a council member or an employee; or*
 - (d) *if the member of the committee is a person appointed under section 5.10(5) – a person nominated by the CEO.*
- (3) *A deputy of a member of a committee may perform the functions of the member when the member is unable to do so by reason of illness, absence or other cause.*
- (4) *A deputy member of a committee, while acting as a member, has all the functions of and all the protection given to a member.*

5.11 Committee membership, tenure of:-

- (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; or*
 - (b) *the local government removes the person from the office of committee member or the office of committee member otherwise becomes vacant; or*
 - (c) *the committee is disbanded; or*
 - (d) *the next ordinary elections day, whichever happens first."*

Local

Nil

Policy Implications

State

Nil

Local

- Elected Member Policy 4.3 Elected Members' – Entitlements and Training

The objective of this policy is to provide a clear outline of entitlements available to Council Members under the **Local Government Act 1995** (LG Act) and **Local Government (Administration) Regulations 1996** (LG Regulations) and within the prescribed ranges set by the Salaries and Allowances Tribunal through a determination published in the Government Gazette from time to time.

In addition to those entitlements available to Council Members (Member/s) under legislation, the policy outlines "approved expenses" the Shire will reimburse to Members if incurred in their capacity as a Council Member.

LG Regulations 32(1)(a) prescribes expenses that may be approved by a Local Government for reimbursement. The express authority of the Council is given to Council Members to perform the following functions to which an expense incurred can be reimbursed:

- a) attendance by an Elected Member at any working group meeting, ordinary or special briefing session and Council forum, notice of which has been given by the Chief Executive Officer;
- b) attendance by an Elected Member at any meeting of anybody to which the Elected Member has been appointed by the Council or to a secondary body as approved by the Chief Executive Officer;
- c) attendance by an Elected Member at any annual or special electors' meeting;
- d) attendance by an Elected Member at a Shire of Chittering civic function to which all Council members are invited;
- e) attendance by an Elected Member at a citizenship ceremony conducted by the Shire;
- f) attendance by an Elected Member at any ceremony for the presentation by the Shire of awards to school students by any member responsible for presentation of the awards;
- g) attendance by an Elected Member at any meeting of a ratepayer/residents association dealing with the interests of an area represented by that Elected Member;
- h) attendance by an Elected Member at any site where:
 - i) the site is the subject of an item of business on an agenda for a Council briefing session or a Council meeting; and
 - ii) the attendance occurs between the issue of the agenda and the Council briefing session or the Council meeting.
- i) attendance by an Elected Member at a meeting with the Chief Executive Officer or a Manager of the Shire at the request of the Chief Executive Officer or a Manager;
- j) attendance by an Elected Member at a meeting with a ratepayer/resident or a local body or group to discuss any local government matter; and
- k) attendance by an Elected Member at a funeral for those deceased persons recognised under the Shire of Chittering's Bereavement Recognition Policy.
- l) attendance by the Shire President at a meeting or function of anybody including any State Government body, in his or her capacity as the Shire President, including attendance by the Deputy Shire President or an Elected Member in place of the Shire President;
- m) any other function, meeting or event in their role as an Elected Member that is supported by a written invitation.

Financial Implications

Nil

Strategic Implications

Local

- Strategic Community Plan 2022-2032

Focus area: Administration and Governance
 Objective: S5.1 An Engaged Shire
 Strategy: S5.1.1 Continue to engage responsively with the community, using a variety of methods of inviting input

Objective: S5.2 Accountable and Transparent Governance
 Strategy: S5.3.1 Become a leader in the areas of transparency, disclosure and public accountability

State

Nil

Site Inspection

Not applicable

Environmental Consideration

Not applicable

Risk Assessment / Implications

Risk	Likelihood	Consequences	Risk Analysis	Mitigation
Risk Category: Compliance	Rare	Minor	Low (2)	Bringing to Council to appoint Delegates/Proxies will mitigate any compliance not being met.
Opportunity: Nil				

Officer Comment/Details

Representation on the Joint Development Assessment Panel assists the Council to perform its legislative responsibilities and allows the Shire of Chittering to have input into various issues that face the local government industry.

Where there are more nominations than vacancies for representation, a ballot will need to be conducted.

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 121023

Moved Cr Ross, seconded Cr Angus

That Council BY ABSOLUTE MAJORITY appoints the following elected members to the Joint Development Assessment Panel:

Delegates	Cr Angus	Cr Ross
Deputy Delegates	Cr King	Cr Hughes

CARRIED UNANIMOUSLY 7 / 0

TIME: 8.26AM

SCM02 – 11/23 Appointments of Delegates to Committees, Advisory Groups and External Organisations

Applicant	Shire of Chittering
File ref	04/06/0001
Prepared by	Executive Assistant
Supervised by	Chief Executive Officer
Disclosure of interest	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure
Voting requirements	Absolute Majority
Attachments	1. Council Committees and Advisory Group Booklet

Executive Summary

Council is requested to consider the appointment of representatives to various Council Committees, Advisory Groups and external committees/boards.

Background

The *Local Government Act 1995* (the Act), Section 5.11 states that where a person is appointed as a member of a committee under Section 5.10 the persons membership continues until the next ordinary election day.

Council establishes various committees and advisory groups to advise on specific matters within its authority. For the Shire of Chittering, Committees and Advisory Groups are not delegated a decision making power and are therefore limited to making recommendations to Council on matters for action.

The Act regulates Committees of Council and requires that the appointment of representatives is to be determined by Council. The Shire applies this same process to the appointment of representatives to its Advisory Groups, although these groups are not required to comply with the Act. Council may also appoint representatives to external committees/boards when requests are received to do so.

Following the Shire's Ordinary Election held 21 October 2023, all positions on Committees and Advisory Groups are vacated.

An Elected Member may request to be appointed to any Committee, Advisory Group or to represent Council on external organisations.

Council is now required to consider the appointment of representatives to its various Committees, Advisory Groups and external organisations.

Consultation/Communication Implications

Local

Nil

State

Nil

Legislative Implications

State

- Local Government Act 1995

"Establishment of committees:

5.9 *A local government may establish* 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.*

** Absolute majority required.*

5.10 *Types of committees:*

(1) *In this section:*

“other person” means a person who is not a council member or an employee.

(1) *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.*

5.11 *Committee members, appointment of:-*

(5) *A committee is to have as its members:*

- (a) persons appointed* 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).*

** Absolute majority required.*

(6) *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.*

(7) *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.*

(8) *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 mayor or president informs the local government of his or her wish to be a member of the committee, the local government is to appoint the mayor or president to be a member of the committee.*

(9) *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.

5.12A Deputy committee members:

- (5) The local government may appoint* a person to be a deputy of a member of a committee and may terminate such an appointment* at any time.*

** Absolute majority required.*

- (6) A person who is appointed as a deputy of a member of a committee is to be:*
 - (a) if the member of the committee is a council member – a council member; or*
 - (b) if the member of the committee is an employee – an employee; or*
 - (c) if the member of the committee is not a council member or an employee – a person who is not a council member or an employee; or*
 - (d) if the member of the committee is a person appointed under section 5.10(5) – a person nominated by the CEO.*
- (7) A deputy of a member of a committee may perform the functions of the member when the member is unable to do so by reason of illness, absence or other cause.*
- (8) A deputy member of a committee, while acting as a member, has all the functions of and all the protection given to a member.*

5.11 Committee membership, tenure of:-

- (3) 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.*
- (4) 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; or*
 - (b) the local government removes the person from the office of committee member or the office of committee member otherwise becomes vacant; or*
 - (c) the committee is disbanded; or*
 - (d) the next ordinary elections day, whichever happens first.”*

Local

Nil

Policy Implications

State

Nil

Local

- Elected Member Policy 4.3 Elected Members' – Entitlements and Training

The objective of this policy is to provide a clear outline of entitlements available to Council Members under the **Local Government Act 1995** (LG Act) and **Local Government (Administration) Regulations 1996** (LG Regulations) and within the prescribed ranges set by the Salaries and Allowances Tribunal through a determination published in the Government Gazette from time to time.

In addition to those entitlements available to Council Members (Member/s) under legislation, the policy outlines "approved expenses" the Shire will reimburse to Members if incurred in their capacity as a Council Member.

LG Regulations 32(1)(a) prescribes expenses that may be approved by a Local Government for reimbursement. The express authority of the Council is given to Council Members to perform the following functions to which an expense incurred can be reimbursed:

- n) attendance by an Elected Member at any working group meeting, ordinary or special briefing session and Council forum, notice of which has been given by the Chief Executive Officer;
- o) attendance by an Elected Member at any meeting of anybody to which the Elected Member has been appointed by the Council or to a secondary body as approved by the Chief Executive Officer;
- p) attendance by an Elected Member at any annual or special electors' meeting;
- q) attendance by an Elected Member at a Shire of Chittering civic function to which all Council members are invited;
- r) attendance by an Elected Member at a citizenship ceremony conduct by the Shire;
- s) attendance by an Elected Member at any ceremony for the presentation by the Shire of awards to school students by any member responsible for presentation of the awards;
- t) attendance by an Elected Member at any meeting of a ratepayer/residents association dealing with the interests of an area represented by that Elected Member;
- u) attendance by an Elected Member at any site where:
 - i) the site is the subject of an item of business on an agenda for a Council briefing session or a Council meeting; and
 - ii) the attendance occurs between the issue of the agenda and the Council briefing session or the Council meeting.
- v) attendance by an Elected Member at a meeting with the Chief Executive Officer or a Manager of the Shire at the request of the Chief Executive Officer or a Manager;

- w) attendance by an Elected Member at a meeting with a ratepayer/resident or a local body or group to discuss any local government matter; and
- x) attendance by an Elected Member at a funeral for those deceased persons recognised under the Shire of Chittering’s Bereavement Recognition Policy.
- y) attendance by the Shire President at a meeting or function of anybody including any State Government body, in his or her capacity as the Shire President, including attendance by the Deputy Shire President or an Elected Member in place of the Shire President;
- z) any other function, meeting or event in their role as an Elected Member that is supported by a written invitation.

Financial Implications

Nil

Strategic Implications

Local

- Strategic Community Plan 2022-2032

Focus area: Administration and Governance
 Objective: S5.1 An Engaged Shire
 Strategy: S5.1.1 Continue to engage responsively with the community, using a variety of methods of inviting input

Objective: S5.2 Accountable and Transparent Governance
 Strategy: S5.3.1 Become a leader in the areas of transparency, disclosure and public accountability

State

Nil

Site Inspection

Not applicable

Environmental Consideration

Not applicable

Risk Assessment / Implications

Risk	Likelihood	Consequences	Risk Analysis	Mitigation
Risk Category: Compliance	Rare	Minor	Low (2)	Bringing to Council to appoint Delegates/Proxies will mitigate any compliance not being met.
Opportunity: Nil				

Officer Comment/Details

The establishment of Committees and Advisory Groups assists the Council to perform its legislative responsibilities and representation on externally based committees allows the Shire of Chittering to have input into various issues that face the local government industry.

Where there are more nominations than vacancies for representation, a ballot will need to be conducted however Council has the discretion to amend the Terms of Reference for any Committee or Advisory Group should Council deem it appropriate to change the representation. There is no discretion to amend a terms of reference for external committees or boards.

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 131023

Moved Cr Hughes, seconded Cr Ross

That Council BY ABSOLUTE MAJORITY appoints the following elected members to committees, advisory groups and external committees/boards in accordance with their Terms of Reference where applicable:

- 1. WALGA Avon Midland Country Zone:**
 - i. one delegate (Cr King); and**
 - ii. one deputy delegate (Cr Angus);**
- 2. Bindoon and Districts Historical Society:**
 - i. one delegate (Cr Curtis); and**
 - ii. one deputy delegate (Cr Campbell);**
- 3. Chittering Valley Land Conservation District Committee (t/a Chittering Landcare Group):**
 - i. one delegate (Cr Hughes); and**
 - ii. one proxy (Cr Curtis);**
- 4. Ellen Brockman Integrated Catchment Committee:**
 - i. one delegate (Cr Hughes); and**
 - ii. one deputy delegate (Cr Curtis);**
- 5. Wannamal Community Centre:**
 - i. two representatives (Cr Dewar) and (Cr Ross); and**
- 6. Chittering Local Emergency Management Committee (LEMC):**
 - i. one delegate (Cr Hughes); and**
 - ii. one deputy delegate (Cr King);**
- 7. Chittering Bushfire Advisory Committee:**
 - i. one delegate (Cr Ross); and**
 - ii. one deputy delegate (Cr Dewar);**
- 8. Chittering Community Support Funding Advisory Group:**
 - i. one delegate (Cr King); and**
 - ii. one deputy delegate (Cr Angus);**
- 9. Chittering Education Scholarship Advisory Group:**
 - i. one delegate (Cr Angus); and**
 - ii. one deputy delegate (Cr Ross);**
- 10. Chittering Mining Advisory Group:**
 - i. one delegate (Cr King); and**
 - ii. one deputy delegate (Cr Hughes);**
- 11. Chittering Youth Krew:**
 - i. one delegate (Cr Angus); and**
 - ii. one deputy delegate (Cr Dewar);**
- 12. Chittering Tourism Advisory Group**
 - i. one delegate (Cr Campbell); and**
 - ii. one deputy delegate (Cr Ross);**
- 13. Muchea Recreation Centre User Group:**
 - i. one delegate (Cr Hughes); and**

- ii. one deputy delegate (Cr Dewar);
- 14. Northern Growth Alliance:
 - i. one delegate (Cr King); and
 - ii. one deputy delegate (Cr Angus);
- 15. Rural Water Council of WA (Inc):
 - i. one delegate (Cr Dewar); and
 - ii. one deputy delegate (Cr Campbell);
- 16. Wheatbelt North Regional Road Group
 - i. one delegate (Cr Curtis); and
 - ii. one deputy delegate (Cr Hughes).
- 17. Lower Chittering Hall Replacement Project Reference Group
 - i. one delegate (Cr Angus); and
 - ii. one deputy delegate (Cr Campbell);
 - iii. one observer (Cr King)
- 18. Sandown Park User Group
 - i. one delegate (Cr Hughes); and
 - ii. one deputy delegate (Cr Campbell).
- 19. Bindoon Mountain Bike Park Project Reference Group
 - i. one delegate (Cr Campbell); and
 - ii. one deputy delegate (Cr Curtis);
- 20. Bindoon Mountain Bike Park Advisory Group
 - i. one delegate (Cr Campbell); and
 - ii. one deputy delegate (Cr Curtis).

CARRIED UNANIMOUSLY 7 / 0

TIME: 8.31AM

ITEM 9. CLOSURE

The Presiding Member closed the meeting at 8.31am.