



“good country for hardy people”

Minutes

Special Meeting of Council

22nd October

2019

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1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The CEO declared the Special Meeting of Council open at 5pm and advised that the meeting purpose was to undertake the formalities of Swearing-In of Newly Elected and Returned Councillors and Elections of Shire President, Deputy Shire President and appointment of Councillor representatives on Committees.

The CEO welcomed Mrs Susann Bosenberg JP who had been invited to officiate in the Swearing-In processes and also welcomed those in the gallery who had attended to witness the above processes.

The CEO advised that following the election of the Shire President, he will vacate the Chair and the newly elected Shire President will take the Chair and undertake the election process for the Deputy Shire President position.

2. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

Nil

3. ATTENDANCE

| | | |
|----------------------|--|--|
| Councillors | Cr B Close Cr J Cobden Cr G Guerini Cr P Nolan Cr L Rose Cr S Shaw | |
| Council Officers | P Clarke C Watson R Bosenberg N Warren Laura Della Bosca | Chief Executive Officer Executive Manager Corporate Services Executive Manager Infrastructure Executive Manager Regulatory Services Minute Taker |
| Justice of the Peace | Susann Bosenberg | |
| Apologies: | Cr W Della Bosca | |
| Observers: | K Crafter, A Lin, L Gethin, R Stevens, N Beaton, D Dixon, P Cobden and S Rose. O Truran arrived 5.01pm | |

4. APPLICATION FOR LEAVE OF ABSENCE

Nil

5. DECLARATION OF INTEREST

Nil

6. PUBLIC QUESTION TIME

Nil

7. SWEARING-IN OF NEWLY ELECTED AND RETURNED COUNCILLORS

The CEO individually called upon returned and newley elected Councillors Philip Nolan, Jodie Cobden and Linda Rose to make the Declaration of Elected Member in the presence of Mrs Susann Bosenberg JP.

Following the taking of the Declaration Councillors were congratulated.

8. ELECTION OF SHIRE PRESIDENT POSITION

The CEO advised that he had not received any written nominations for the Shire President position prior to the commencement of the meeting and therefore, called for nominations for Shire President prior to the closure of nominations.

No nominations were received.

The CEO then advised Councillors that he would adjourn the meeting for a brief period to allow Councillors an opportunity to discuss this situation. Upon Councillors return to the meeting and its re-commencement, he would again call for nominations.

At 5.07pm the CEO Adjourned the meeting with all Councillors leaving the Chamber.

At 5.10pm all Councillors returned to the Chamber with the CEO re-convening the meeting.

The CEO again called for nominations for the position of Shire President. Cr Nolan did nominate Cr Della Bosca, who was an apology for this meeting however, the CEO could not accept this nomination as Cr Della Bosca had not confirmed his willingness to accept the nomination verbally or in writing to the CEO in accordance with Schedule 2.3 4(4) of the *Local Government Act 1995*.

As a nomination for the Shire President position was not forthcoming, the CEO advised that he would adjourn the meeting and re-convene it in 7 days in the hope that all Councillors would be present.

At 5.11pm the CEO adjourned the meeting for a period of 7 days with the meeting to be re-convened at 5.00pm on Tuesday, 29 October 2019.

The CEO declared the Special Meeting of Council re-convened at 5pm on Tuesday, 29th October 2019.

In attendance;

Councillors Cr B Close
 Cr J Cobden
 Cr W Della Bosca
 Cr G Guerini
 Cr L Rose
 Cr S Shaw

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|------------------|-------------------|---------------------------------------|
| Council Officers | P Clarke | Chief Executive Officer |
| | C Watson | Executive Manager Corporate Services |
| | R Bosenberg | Executive Manager Infrastructure |
| | N Warren | Executive Manager Regulatory Services |
| | Laura Della Bosca | Minute Taker |

Justice of the Peace: Susann Bosenberg

Apologies: Cr P Nolan

Observers: K Crafter, D Della Bosca

The CEO welcomed back Mrs Susann Bosenberg JP who had been invited to officiate in the Swearing-In processes and also welcomed those in the gallery who had attended to witness the above processes.

The CEO then informed the meeting he had received a written nomination from Cr Phil Nolan for the election of Cr Wayne Della Bosca to the position of Shire President.

The CEO asked if Cr Wayne Della Bosca would accept the nomination.

Cr Wayne Della Bosca verbally accepted the nomination.

The CEO then called for any further nominations.

With there being no further nominations Cr Wayne Della Bosca was called upon to make the Declaration of Elected Member in the presence of Mrs Susann Bosenberg JP.

The CEO vacated the Chair with the newly elected Shire President taking the chair.

9. ELECTION OF DEPUTY SHIRE PRESIDENT POSITION

Cr Wayne Della Bosca thanked Council for their faith in him to preside and called for nominations for Deputy Shire President.

Cr Gary Guerini verbally nominated Cr Bryan Close for the position of Deputy Shire President.

Cr Bryan Close verbally accepted the nomination.

Cr Wayne Della Bosca then called for any further nominations.

With there being no further nominations Cr Bryan Close was called upon to make the Declaration of Elected Member in the presence of Mrs Susann Bosenberg JP.

10. ELECTION OF COUNCILLORS TO VARIOUS ADVISORY COMMITTEES OF COUNCIL

10.1 SHIRE OF YILGARN AUDIT COMMITTEE

Section 7.1A of the *Local Government Act 1995* states the following in respect to the appointment of an Audit Committee

- (1) A local government is to establish an audit committee of 3 or more persons to exercise the powers and discharge the duties conferred on it.
- (2) The members of the audit committee of a local government are to be appointed* by the local government and at least 3 of the members, and the majority of the members, are to be council members.

** Absolute majority required.*

- (3) A CEO is not to be a member of an audit committee and may not nominate a person to be a member of an audit committee or have a person to represent the CEO as a member of an audit committee.
- (4) An employee is not to be a member of an audit committee.

Previous representation of the Shire of Yilgarn Audit Committee consisted of the whole of Council.

A recommendation that arose from a report issued by the Office of Auditor General on 15 March 2019 indicated that as far as practicable, the Audit Committee should include a few Council members rather than the entire Council.

Recommendation and Council Decision

185/2019

Moved Cr Close/Seconded Cr Guerini

That Council appoints the Shire President together with Cr Shaw and Cr Cobden to the Shire of Yilgarn Audit Committee and reconfirms Mrs Julie Della Bosca as the Community representative on the Audit Committee.

CARRIED BY ABSOLUTE MAJORITY (6/0)

10.2 SHIRE OF YILGARN BUSH FIRE ADVISORY COMMITTEE

Crs Della Bosca and Guerini were Council's previous representatives on Bush Fire Advisory Committee.

The Executive Manager Regulatory Services also attends the meetings and undertakes the secretarial work of the Committee

Recommendation and Council Decision

186/2019

Moved Cr Shaw/Seconded Cr Cobden

That Council appoints Cr Guerini and Cr Rose as its representatives on the Shire of Yilgarn Bush Fire Advisory Committee with the Executive Manager Regulatory Services being responsible for secretarial duties associated with the Committee.

CARRIED (6/0)

10.3 SHIRE OF YILGARN LOCAL EMERGENCY MANAGEMENT ADVISORY COMMITTEE

The Shire President (by virtue of the position) together with Crs Della Bosca and Pasini were Council's previous representatives on the Local Emergency Management Advisory Committee.

The CEO and Executive Manager Regulatory Services also attend the meetings.

Recommendation and Council Decision

187/2019

Carried Cr Guerini/Seconded Cr Cobden

That Council appoints the Shire President together with Cr Close as its representatives on the Shire of Yilgarn Local Emergency Management Advisory Committee with the CEO and Executive Manager Regulatory Services attending and being responsible for secretarial duties associated with the Committee.

CARRIED (6/0)

10.4 SHIRE OF YILGARN HISTORY MUSEUM ADVISORY COMMITTEE

Crs Truran and Pasini were Council's previous representatives on the History Museum Advisory Committee.

It should be noted that the Yilgarn Historical Society became an Advisory Committee of the Shire in December 2018 following a request to Council as it was not meeting its obligations under its incorporated status.

Recommendation and Council Decision

188/2019

Moved Cr Guerini/Seconded Cr Shaw

That Council appoints Cr Cobden and Cr Rose as its representatives on the Shire of Yilgarn History Museum Advisory Committee.

CARRIED (6/0)

11. ELECTION OF COUNCILLORS TO VARIOUS COMMITTEES OF COUNCIL AND EXTERNAL COMMITTEES

11.1 HEALTH AGENCIES OF THE YILGARN

Crs Nolan, Shaw and the CEO were Council's previous representatives on the Health Agencies of the Yilgarn (HAY) Committee.

Since the CEO's appointment he has never received advice on scheduling of meetings and has not attended any HAY Committee meetings.

In speaking with the Secretary/Treasurer of the HAY Committee she was unaware of Council's representatives and therefore no advice was made to them of scheduled meetings.

The CEO questioned the above office holder whether they required Council representation to which she indicated that it would be preferable but only one representative was necessary.

Recommendation and Council Decision

189/2019

Moved Cr Close/Seconded Cr Guerini

That Council appoints Cr Cobden as its representative on the Health Agencies of Yilgarn Committee.

CARRIED (6/0)

11.2 LOCAL ACTION GROUP SKELETON WEED COMMITTEE

Crs Della Bosca and Guerini were Council's previous representatives on the Local Action Group Skeleton Weed Committee.

Recommendation and Council Decision

190/2019

Moved Cr Shaw/Seconded Cr Cobden

That Council appoints Cr Guerini and Cr Rose as its representatives on the Local Action Group Skeleton Weed Committee.

CARRIED (6/0)

11.3 WINDARLING/MT. JACKSON COMMUNITY REFERENCE GROUP

Crs Close, Guerini and Nolan were Council's previous representatives on the Windarling/Mt.Jackson Community Reference Group.

It is understood that these Reference Groups are no longer operational and therefore Council representation is no longer required

11.4 YILGARN OCCASIONAL CHILD CARE MANAGEMENT COMMITTEE

Crs Shaw, Pasini and Truran were Council's previous representatives on the Yilgarn Occasional Child Care Management Committee.

As this Committee is no longer operational, with REED Child Care taking over these services, Council representation is no longer required.

11.5 WHEATBELT EAST REGIONAL ORGANISATION OF COUNCILS (WEROC)

The Shire President and CEO were Council's previous representatives on the Wheatbelt East Regional Organisation of Councils.

With WEROC proposing to become an Incorporated body, the Draft Constitution indicates that two (2) representatives from participating Councils are eligible to be on the Board. Therefore, if two (2) Councillors are interested in being members of the WEROC Board, the CEO would accompany the Councillors to meetings and would only have observer status.

Recommendation and Council Decision

191/2019

Moved Cr Guerini/Seconded Cr Shaw

That Council appoints the Shire President and the CEO as its representatives on the Wheatbelt East Regional Organisation of Councils.

CARRIED (6/0)

The Shire President did indicate that Councillors were welcome to accompany the above representatives to WEROC meetings to observe proceedings.

11.6 GREAT EASTERN COUNTRY ZONE (GECZ) OF WALGA

The Shire President and Deputy Shire President were Council's previous representatives on the GECZ with the CEO accompanying them to these meetings.

Recommendation and Council Decision

192/2019

Moved Cr Cobden/Seconded Cr Shaw

That Council appoints the Shire President and Deputy Shire President as its representatives on the Great Eastern Country Zone of WALGA with the CEO accompanying the above representatives to these meetings.

CARRIED (6/0)

The Shire President did indicate that Councillors were welcome to accompany the above representatives to GECZ meetings to observe proceedings.

11.7 MT. WALTON INTRACTABLE WASTE DISPOSAL FACILITY COMMUNITY LIAISON COMMITTEE

Cr Truran was the appointed Member to the above Committee, with Cr Nolan as Deputy Member along with the Executive Manager Regulatory Services.

Recommendation and Council Decision

193/2019

Moved Cr Shaw/Seconded Cr Guerini

That Council appoints the Cr Close as its appointed representative on the Mt. Walton Intractable Waste Disposal Facility Community Liaison Committee with Cr Nolan and the Executive Manager Regulatory Services as Deputy Members.

CARRIED (6/0)

11.8 GREAT WESTERN WOODLANDS REFERENCE GROUP

Cr Pasini was Council's previous representative on the Great Western Woodlands Reference Group.

Recommendation and Council Decision

194/2019

Moved Cr Shaw/Seconded Cr Cobden

That Council appoints the Cr Close as its representative on the Great Western Woodlands Reference Group.

CARRIED (6/0)

11.9 WHEATBELT NORTH REGIONAL ROAD GROUP AND SUB-GROUP

Crs Della Bosca and Close were Council's previous representatives on the Wheatbelt North Regional Road Group and Sub-Group.

The Executive Manager Infrastructure accompanied the above Councillors to these meetings.

Recommendation and Council Decision

195/2019

Moved Cr Della Bosca/Seconded Cr Cobden

That Council appoints the Shire President and Deputy Shire President as its representatives on the Wheatbelt North Regional Road Group and Sub-Group.

CARRIED (6/0)

11.10 EASTERN WHEATBELT DECLARED SPECIES GROUP

Cr Della Bosca was Council's previous representative on the Eastern Wheatbelt Declared Species Group.

Recommendation and Council Decision

196/2019

Moved Cr Shaw/Seconded Cr Close

That Council appoints the Cr Guerini as its representative on the Eastern Wheatbelt Declared Species Group.

CARRIED (6/0)

11.11 RURAL HEALTH WEST

Crs Truran and Shaw were Council's previous representative on Rural Health West.

Recommendation and Council Decision

197/2019

Moved Cr Close/Seconded Cr Rose

That Council appoints Cr Shaw and Cr Cobden as its representatives on Rural Health West.

CARRIED (6/0)

11.12 DISTRICT HEALTH ADVISORY COMMITTEE - LOCAL HEALTH ADVISORY COMMITTEE

Cr Truran was Council's previous representative on the District Health Advisory Committee. It is understood that Ms Truran will be continuing her role on this Committee as she is also the Chair of DHAC.

It would be more preferable for the Shire to have a representative on the Local Health Advisory Committee, a community based Committee.

Recommendation and Council Decision

198/2019

Moved Cr Close/Seconded Cr Rose

That Council appoints Cr Cobden as its representative on the Local Health Advisory Committee.

CARRIED (6/0)

11.13 WHEATBELT AGCARE COMMITTEE

Cr Nolan was Council's previous representative on Wheatbelt AgCare.

Recommendation and Council Decision

199/2019

Moved Cr Shaw/Seconded Cr Cobden

That Council appoints Cr Nolan as its representative on the Wheatbelt AgCare Committee.

CARRIED (6/0)

11.14 CENTRAL EAST AGED CARE ALLIANCE INC. (CEACA)

The Deputy Shire President (Cr Della Bosca) was Council's appointed representative on CEACA with the CEO as Deputy Member.

CEACA adopted a new Constitution which now only allows Council to appoint a Member and does not provide for Deputy Members to be appointed although the CEO would always accompany Council's representatives to CEACA meetings.

Recommendation and Council Decision

200/2019

Moved Cr Guerini/Seconded Cr Shaw

That Council appoints the Shire President as its Member on the Central East Aged Care Alliance (CEACA) Inc.

CARRIED (6/0)

11.15 WHEATBELT COMMUNITIES INC.

The Shire President was Council's appointed Member to Wheatbelt Communities Inc. with the Deputy Shire President as the Deputy Member.

WEROC will soon become the Incorporated body and Wheatbelt Communities Inc. will cease to exist however, until the process has been completed, it will be necessary to make appointments as previously undertaken.

Recommendation and Council Decision

201/2019

Moved Cr Guerini/Seconded Cr Close

That Council appoints the Shire President as its representative on Wheatbelt Communities Inc., with Cr Rose as the Deputy Member.

CARRIED (6/0)

11.16 SHIRE OF YILGARN ROADS COMMITTEE

At the Ordinary meeting of Council held on Thursday, 17 May 2019 Council established a Roads Committee, consisting of Crs Pasini, Close and Della Bosca together with the CEO and Executive Manager Infrastructure.

Whilst this Committee was primarily established to work with Covalent Lithium regarding transportation routes associated with its operations at Mt. Holland, the need for this Committee is ongoing as other road issues relating to mining operations within the district has increased considerably.

Recommendation and Council Decision

202/2019

Moved Cr Shaw/Seconded Cr Cobden

That Council appoints Cr Nolan, Cr Close and Cr Guerini as its representatives on the Shire of Yilgarn Roads Committee.

CARRIED (6/0)

11.15 DEVELOPMENT ASSESMENT PANEL

Cr Truran and Cr Pasini were the Councils appointed Members on the DAP with Crs Della Bosca and Nolan being alterative members.

Recommendation and Council Decision

203/2019

Moved Cr Guerini/Seconded Cr Della Bosca

That Council appoints Cr Shaw and Cr Cobden as members to the Development Assessment Panel with Crs Close and Rose as alternative members.

CARRIED (6/0)

12 APPLICATION FOR LEAVE OF ABSENCE

Nil

13 MOTIONS FOR WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

14 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING

Nil

15 MEETING CLOSED TO THE PUBLIC-CONFIDENTIAL ITEMS

Nil

16 CLOSURE

As there was no further business to discuss, the Shire President declared the meeting closed at 5.37pm.