



## **Special Meeting of Council**

# **Minutes**

**21 October 2013**

MINUTES OF SPECIAL MEETING OF COUNCIL  
HELD IN COUNCIL CHAMBERS ON 21 OCTOBER 2013

## 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 made by the Council.

The "Confirmed" Minutes are then signed off by the Presiding Person.

Attachments that formed part of the Agenda, in addition to those tabled at the Council Meeting are put together as an addendum to these Minutes with the exception of Confidential Items.

Confidential Items or attachments that are confidential are compiled as separate Confidential Minuted Agenda Items.

## Unconfirmed Minutes

These minutes were approved for distribution on 22 October 2013.



Stan Scott  
**CHIEF EXECUTIVE OFFICER**

22 October 2013.

## Confirmed Minutes

These minutes were confirmed at a meeting held on ..... 19 Nov 2013

Signed: ..... David A. Dea .....

Presiding person at the meeting at which the minutes were confirmed.

Date: ..... 19 Nov 2013 .....

## CONTENTS

<b>1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS</b>	<b>1</b>
<b>2. RECORDS OF ATTENDANCE</b>	<b>1</b>
<b>3. DISCLOSURE OF INTERESTS</b>	<b>1</b>
<b>4. PUBLIC QUESTIONS (relating to the purpose of the meeting)</b>	<b>2</b>
<b>5. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS (relating to the purpose of the meeting)</b>	<b>2</b>
<b>6. PURPOSE OF MEETING</b>	<b>3</b>
This Special Meeting of Council is for the following purpose:	
6.1 Election of Shire President / Deputy President and Allocation of Seats in Chambers.	3
6.2 Nomination of Members / Delegates to external bodies and Council Committees	6
6.3 Returning Officer's Report to be tabled at the meeting.	32
<b>7. CLOSURE OF MEETING</b>	<b>35</b>

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**ADDENDUM** *with separate index follows Item 7.*

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# Shire of Toodyay

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## SPECIAL MEETING – 21 OCTOBER 2013

### MINUTES

#### 1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Chief Executive Officer declared the meeting open at 2.04 pm.

#### 2. RECORDS OF ATTENDANCE

##### Members

Cr P Greenway  
Cr B Lloyd  
Cr C Firms  
Cr S Craddock  
Cr R Madacsi  
Cr A McCann  
Cr D Dow  
Cr B Rayner  
Cr T Chitty

##### Staff

Mr S Scott	Chief Executive Officer
Ms C Delmage	Manager Corporate Services
Ms A Bell	Manager Community Development
Mr L Vidovich	Manager Works and Services
Mr G Bissett	Manager Planning and Development
Ms K Jolly	Executive Services Officer
Mrs M Rebane	Executive Assistant

##### Visitors

P Robinson  
K Robinson  
F Panizza  
J Dow  
J Young  
M Greenway

#### 2.1 APOLOGIES

Nil

#### 3. DISCLOSURE OF INTERESTS

The Chief Executive Officer advised that no disclosures of interest in the form of a written notice had been received prior to the commencement of the meeting.

**4. PUBLIC QUESTIONS  
(relating to the purpose of the meeting)**

Nil

**5. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS  
(relating to the purpose of the meeting)**

**5.1 Petitions**

Nil

**5.2 Deputations**

Nil

**5.3 Presentations**

Nil

**5.4 Submissions**

Nil

## 6. PURPOSE OF MEETING

### 6.1 Election of Shire President / Deputy President and Allocation of Seats in Chambers.

Date of Report:	18 October 2013
Proponent:	Shire of Toodyay
File Ref:	MTG6
Author:	Stan Scott – Chief Executive Officer
Responsible Officer:	Stan Scott – Chief Executive Officer
Officer's Disclosure of Interest:	Nil
Attachments:	Nil.
Voting Requirements:	Absolute Majority

#### INTRODUCTION

The purpose of this report is to elect the positions of Shire President and Deputy President and allocate seats in the Council Chamber following the local government election.

#### BACKGROUND

Nil.

#### CONSULTATION

Nil.

#### STATUTORY ENVIRONMENT

Schedule 2.3 of the *Local Government Act 1995* sets out the procedures for the election of presidents and Deputy Presidents by Council.

#### POLICY IMPLICATIONS

This proposal does not contain any notable policy implications.

#### FINANCIAL IMPLICATIONS

This proposal does not contain any notable financial implications.

#### STRATEGIC IMPLICATIONS

This proposal does not contain any notable strategic implications.

#### ENVIRONMENTAL IMPLICATIONS

This proposal does not contain any notable environmental implications.

**SOCIAL IMPLICATIONS**

This proposal does not contain any notable social implications.

**OFFICER'S COMMENT**

The CEO will preside over the meeting until elected Councillors have been sworn in, and the Shire President has been elected and sworn in. The President will preside over the remainder of the meeting.

**OFFICER'S RECOMMENDATION**

It is recommended that:

1. Council elect Cr .....as Shire President for a two year period commencing today;
2. Council elect Cr .....as Deputy Shire President for a two year period commencing today; and

Following the elections Elected Members will draw lots to determine sitting positions for the next 2 years.

The seating arrangement for a two year period commencing today (around the table from right to left) is as follows:

- Cr ....., Cr .....,
- Cr ....., Cr .....,
- Cr ....., Cr .....,
- Cr .....,

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The Chief Executive Officer advised that he had received two nominations for the position of Shire President.

Cr Madacsi was nominated for the position of Shire President. Cr Madacsi accepted the nomination.

Cr Dow was nominated for the position of Shire President. Cr Dow accepted the nomination.

Time was given for further nominations to be submitted. As there were no further nominations a secret ballot was conducted.

The CEO counted the nominations at 2.10 pm.



MINUTES OF SPECIAL MEETING OF COUNCIL  
HELD IN COUNCIL CHAMBERS ON 21 OCTOBER 2013

The CEO declared Cr Dow was elected as Shire President for the Shire of Toodyay.

Cr Dow assumed the Chair.

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

The Chief Executive Officer advised that he had received two nominations for the position of Deputy Shire President.

Cr Lloyd was nominated for the position of Deputy Shire President. Cr Lloyd accepted the nomination.

Cr McCann was nominated for the position of Deputy Shire President. Cr McCann accepted the nomination.

As there were no further nominations a secret ballot was conducted.

The CEO counted the nominations at 2.16 pm.

The Shire President declared that Cr Lloyd was elected as Deputy Shire President. Cr Lloyd assumed the Deputy President Chair.

The seating arrangement for a two year period commencing today (around the table from right to left) is as follows:

Cr McCann, Cr Craddock, Cr Rayner, Cr Madacsi, Cr Greenway,  
Cr Firms, Cr Chitty.

**COUNCIL RESOLUTION NO 318/10/13**

**MOVED** Cr Greenway

That Standing Order 7.9 be suspended to the extent that it will allow free and open discussion on this matter and for Members to address the Council more than once

**MOTION CARRIED 9/0**

*Standing Order 7.9 was suspended at 2.28 pm.*

**COUNCIL RESOLUTION NO 319/10/13**

**MOVED** Cr Craddock

That Council suspend Standing Order 7.5(1) (b) in relation to the requirement when invited by the Presiding Member to speak, for Members to stand during proceedings and when addressing the meeting through the Presiding Member.

**MOTION CARRIED 9/0**

*Standing Order 7.5(1) (b) was suspended at 2.29 pm.*

**6.2 Nomination of Members / Delegates to external bodies and Council Committees**

Date of Report:	18 October 2013
Proponent:	Shire of Toodyay
File Ref:	MTG6/OAM10993
Author:	Maria Rebane – Executive Assistant
Responsible Officer:	Stan Scott – Chief Executive Officer
Officer's Disclosure of Interest:	Nil
Attachments:	1. Correspondence from Director General in relation to Development Assessment Panel Members.
Voting Requirements:	Absolute Majority for Committee Membership, Simple Majority otherwise

**INTRODUCTION**

The purpose of this report is, as is normal practice following each Ordinary Local Government Election, to determine membership of all Committees.

**BACKGROUND**

Nil.

**CONSULTATION**

There has been consultation with the CEO in relation to this report.

Yvette Grigg, Community Emergency Management Officer, SEMC Secretariat was consulted in relation to the LEMC Meeting Schedule. She confirmed that she has tabled the dates for the first two LEMC meetings in 2014 at the DEMC (this information is submitted to her from the LEMC Annual Report. She also verified that there is nothing in the state Emergency Management framework that indicates that the LEMC Meetings should NOT be open to the public therefore if Council has resolved they be open to the public they can continue to be.

The Bush Fire Advisory Committee met on 24 September 2013 and made a recommendation to Council as follows:

*The Bush Fire Advisory Committee recommends to Council the following:*

*That the Bush Fire Advisory Committee meets at 6.00 pm on the fourth Tuesday of each of the months of March, May, July and September.*

## **STATUTORY ENVIRONMENT**

Section 5.8 of the *Local Government Act 1995* provides for the establishment of committees of 3 or more persons. Sections 5.9 and 5.10 provide for the types of committees and membership.

Section 7.1A of the *Local Government Act 1995* provides for the establishment of an Audit Committee.

Part V, Section 67 of the *Bush Fires Act 1954* provides for the establishment of a Bush Fire Advisory Committee.

Part 3 (Division 1) Section 38 of the *Emergency Management Act 2005* provides for the establishment of a Local Emergency Management Committee. Section 38(3) of the *Emergency Management Act 2005* provides for the membership of a LEMC subject to Section 38(4) of the *Emergency Management Act 2005* whereby the constitution and procedures of a local emergency management committee, and the terms and conditions of appointment of members, are to be determined by the SEMC.

Sections 16 to 20 of *State Emergency Management Policy No. 2.5 – Emergency Management in Local Government Districts* provides guidelines to local government in relation to the membership of a Local Emergency Management Committee.

## **POLICY IMPLICATIONS**

This proposal does not contain any notable policy implications.

## **FINANCIAL IMPLICATIONS**

This proposal does not contain any notable financial implications.

## **STRATEGIC IMPLICATIONS**

This proposal does not contain any notable strategic implications.

## **ENVIRONMENTAL IMPLICATIONS**

This proposal does not contain any notable environmental implications.

## **SOCIAL IMPLICATIONS**

This proposal does not contain any notable social implications.

## OFFICER'S COMMENT

### Audit Committee (AC)

The purpose of the Audit Committee is stated as follows:

- (a) *to provide guidance and assistance to the local government –*
  - (i) *as to the carrying out of its functions in relation to audits carried out under Part 7 of the Act; and*
  - (ii) *as to the development of a process to be used to select and appoint a person to be an auditor; and*
  
- (b) *the Audit Committee may provide guidance and assistance to the local government as to –*
  - (i) *matters to be audited;*
  - (ii) *the scope of audits;*
  - (iii) *its functions under Part 6 of the Act; and*
  - (iv) *the carrying out of its functions relating to other audits and other matters related to financial management.*

The previous membership of the Audit Committee is as follows:

- Cr Hogg
- Cr Firms
- Cr Craddock
- Cr McCann
- Mrs B Ruthven
- Mr F Panizza

Mr Panizza indicated that he would be willing to continue on the Audit Committee if Council would like him to but foreshadowed his resignation in six to nine months' time (most likely following the Budget Review).

This committee was established under Section 7.1A of the *Local Government Act 1995*. *This committee does not have delegated authority.*

### **OFFICER'S RECOMMENDATION 1– AC**

It is recommended that:

1. The purpose of the Audit Committee is stated as follows:
  - (a) to provide guidance and assistance to the local government –
    - (i) as to the carrying out of its functions in relation to audits carried out under Part 7 of the Act; and
    - (ii) as to the development of a process to be used to select and appoint a person to be an auditor; and
  
  - (b) the Audit Committee may provide guidance and assistance to the local government as to –
    - (i) matters to be audited;

- (ii) the scope of audits;
  - (iii) its functions under Part 6 of the Act; and
  - (iv) the carrying out of its functions relating to other audits and other matters related to financial management.
2. Council appoint the following members to the Audit Committee:
- Councillor .....
- Councillor .....
- Councillor .....
- Councillor .....
- Mr F Panizza
- Mrs B Ruthven
3. Council appoint Deputy Members in order of seniority as follows:
- Councillor .....
- Councillor .....
4. The Audit Committee meet at 2.00 pm on the fourth Tuesday of each of the months of February, May, August and November;
5. Council advertise seeking expressions of interest from community members willing to be representatives upon the Audit Committee.

Bush Fire Advisory Committee (BFAC)

The purpose of the Bush Fire Advisory Committee is as follows:

*To provide advice to the local government on matters pertaining to obligations contained within the Bush Fires Act, organising, managing, resourcing and training volunteer bush fire brigades”.*

This committee is established under Section 67 of the *Bush Fires Act 1954*. This committee does not have delegated authority.

The previous membership of the Bush Fire Advisory Committee is as follows:

- Cr K Hogg - Shire President;
- Cr B Lloyd
- Chief Bushfire Control Officer;
- Deputy Chief Bushfire Control Officer 1;
- Deputy Chief Bushfire Control Officer 2;
- Deputy Chief Bushfire Control Officer 3;
- Toodyay Central Brigade representative;
- Coondle-Nunile Brigade representative;
- Julimar Brigade representative;
- Morangup Brigade representative;
- Bejoording Brigade representative;

- Fire Control Officer representative; and
- Toodyay Fire & Rescue representative

**OFFICER'S RECOMMENDATION 2– BFAC**

It is recommended that:

1. The purpose of the Bush Fire Advisory Committee is stated as follows:

To provide advice to the local government on matters pertaining to obligations contained within the Bush Fires Act, organising, managing, resourcing and training volunteer bush fire brigades.

2. Council appoint the following members to the Bush Fire Advisory Committee:

Councillor .....  
Councillor .....  
Chief Bushfire Control Officer;  
Deputy Chief Bushfire Control Officer 1;  
Deputy Chief Bushfire Control Officer 2;  
Bejoording Brigade representative;  
Morangup Brigade representative;  
Coondle-Nunile Brigade representative;  
Julimar Brigade representative;  
Toodyay Central Brigade representative;  
Toodyay Volunteer Fire & Rescue representative;  
Fire Control Officer representative;  
Bush Fire Volunteer Training Officer representative;  
Chief Executive Officer Shire of Toodyay;  
Community Emergency Services Manager.  
Department of Parks & Wildlife representative; and  
Department of Fire and Emergency Services (DFES) representative.

3. Council appoint Deputy Members in order of seniority as follows:

Councillor .....  
Councillor .....

4. The Bush Fire Advisory Committee meet at 6.00 pm on the fourth Tuesday of each of the months of March, May, July and September.

Local Emergency Management Committee (LEMC)

The purpose of the LEMC is stated as follows:

*"to advise and assist the Local Government in ensuring that the Local Emergency Management arrangements are established for its district; to liaise with public authorities and other persons in the development, review and testing of Local Emergency Management arrangements; and to carry out other emergency management activities as directed by the SEMC or prescribed by the Regulations."*

The previous membership of the LEMC is as follows:

- Cr Hogg
- Cr Dow
- Cr Madacsi
- Police Officer in Charge – Toodyay
- Chief Executive Officer – Shire of Toodyay
- Local Recovery Coordinator
- Deputy Recovery Coordinator
- St John Ambulance representative
- DFES Representative
- Silver Chain Representative
- Toodyay Volunteer Fire & Rescue representative
- Chief Bush Fire Control Officer
- Department of Child Protection representative
- Principal, Toodyay District High School
- Community Emergency Services Manager

This committee is established under Section 38 of the *Emergency Management Act 2005*. This committee does not have delegated authority.

On 26 September 2013 a representative of the Red Cross forwarded information in respect to becoming another LEMC Representative which is within the guidelines set by the SEMC.

Stan Scott has also liaised with the GP of the Wheatbelt GP Network who has indicated that if available they would agree to acting as the Health/Medical representative on the LEMC.

Secretariat and administration support to the LEMC is provided by the Shire of Toodyay in accordance with the State Emergency Management Policy No 2.5 – Emergency Management in Local Government Districts which also state that LEMCs shall meet every three (3) months and as required.

**OFFICER'S RECOMMENDATION 3 – LEMC**

It is recommended that:

1. The purpose of the Local Emergency Management Committee is stated as follows:

to advise and assist the Local Government in ensuring that the Local Emergency Management arrangements are established for its district; to liaise with public authorities and other persons in the development, review and testing of Local Emergency Management arrangements; and to carry out other emergency management activities as directed by the SEMC or prescribed by the Regulations.

2. Council appoint the following members to the Local Emergency Management Committee:

Councillor .....  
Councillor .....  
Councillor .....  
Police Officer in Charge – Toodyay  
Chief Executive Officer – Shire of Toodyay  
Local Recovery Coordinator  
Deputy Recovery Coordinator  
St John Ambulance representative  
DFES Representative  
Silver Chain Representative  
Toodyay Volunteer Fire & Rescue representative  
Red Cross Representative  
Chief Bush Fire Control Officer  
Department of Child Protection representative  
Principal, Toodyay District High School  
Community Emergency Services Manager  
Health/Medical Representative.

3. Council appoint Deputy Members in order of seniority as follows:

Councillor .....  
Councillor .....

4. The Local Emergency Management Committee meets at 5.00 pm on the second Wednesday of each of the months of February, May, August and November.



Local Recovery Committee (LRC)

The Local Recovery Committee is a subcommittee of the LEMC tasked with aspects of Recovery and its purpose is to assist the local government in the recovery process following a local emergency.

The purpose of this committee is "to coordinate and support local management of the recovery processes within the community subsequent to a major emergency in accordance with State Emergency Management policy and the Local Recovery Plan."

The responsibility of this committee is "to ensure a coordinated multi-agency approach to community recovery and make appropriate recommendations, based on lessons learnt, to the Local Emergency Management Advisory Committee to improve the community's recovery preparedness."

The previous membership of the LRC is as follows:

- Shire President
- Local Recovery Coordinator
- Deputy Recovery Coordinator
- Chief Executive Officer
- Community Emergency Services Manager

This committee is established under Section 5.8 of the *Local Government Act 1995*. This committee does not have delegated authority.

**OFFICER'S RECOMMENDATION 4 – Local Recovery Committee**

It is recommended that:

1. The purpose of the Local Recovery Committee is stated as follows:  
  
To assist the local government in the recovery process following a local emergency.
2. Council appoint the following members to the Local Recovery Committee:
  - Shire President
  - Local Recovery Coordinator
  - Deputy Recovery Coordinator
  - Chief Executive Officer
  - Community Emergency Services Manager
3. The Local Recovery Committee meets as and when required to do so.

Works Advisory Committee (WAC)

The purpose of the Works Advisory Committee is stated as follows:

*To provide guidance and assistance to the Local Government on matters relating to maintaining and developing transport and other infrastructure assets of the Shire in ways that are socially, financially and environmentally responsible.*

The previous membership of the Works Advisory Committee is as follows:

- Cr B Lloyd
- Cr Craddock
- Cr Prater
- Cr Dow
- Chief Executive Officer and/or his nominated representative.

This committee is established under Section 5.8 of the *Local Government Act 1995*. This committee does not have delegated authority.

**OFFICER'S RECOMMENDATION 5 – WAC**

It is recommended that:

1. The purpose of the Works Advisory Committee is stated as follows:  
  
To provide guidance and assistance to the Local Government on matters relating to maintaining and developing transport and other infrastructure assets of the Shire in ways that are socially, financially and environmentally responsible.
2. Council appoint the following members to the Works Advisory Committee:  
  
Councillor .....  
Councillor .....  
Councillor .....  
Councillor .....  
Chief Executive Officer and/or his nominated representative.
3. Council appoint Deputy Members in order of seniority as follows:  
  
Councillor .....  
Councillor .....
4. The Works Advisory Committee meets at 4.00 pm on the fourth Thursday of each of the months of January, April, July and October.

Museum Advisory Committee (MAC)

The purpose of the Committee is stated as follows:

*The purpose of the Museum Advisory Committee is to provide guidance and assistance to the Council on matters affecting the selection, interpretation or display of the museums artefacts and matters relating to the promotion of the Museum.*

The previous membership of the Committee is as follows:

- Cr Craddock
- Cr Prater
- Cr McCann
- Cr Greenway
- Mrs S Hesse
- B Shepherd
- J Edgecombe
- Museum Curator

This committee is established under Section 5.8 of the *Local Government Act 1995*. This committee does not have delegated authority.

**OFFICER'S RECOMMENDATION 6 – MAC**

It is recommended that:

1. The purpose of the Museum Advisory Committee is stated as follows:

The purpose of the Museum Advisory Committee is to provide guidance and assistance to the Council on matters affecting the selection, interpretation or display of the museums artefacts and matters relating to the promotion of the Museum.

2. Council appoint the following members to the Museum Advisory Committee:

Councillor .....  
Councillor .....  
Councillor .....  
Councillor .....  
Museum Curator  
Mrs S Hesse  
Dr B Shepherd  
Ms J Edgecombe  
Chief Executive Officer and/or his nominated representative.

3. Council appoint Deputy Members in order of seniority as follows:

Councillor .....  
Councillor .....

4. The Museum Advisory Committee meets at 4.00 pm on the second Thursday of each of the months of February, May, August and November.
5. Council advertise seeking expressions of interest from the community members willing to be representatives upon the Museum Advisory Committee.

#### Recreation Advisory Committee

The purpose of the Recreation Advisory Committee is to advise the Council on matters involving the establishment and construction of recreation facilities.

This committee is established under Section 5.8 of the *Local Government Act 1995*. This committee does not have delegated authority. The previous membership of the Committee is all Councillors.

There is no community representation on the committee. It is recommended that Council consider closure of this committee as any matters relating to its purpose can be dealt with either through an Ordinary or Special Meeting of Council.

Alternatively, Council may consider the opportunity of seeking expressions of interest from the community and re-setting the membership of the Recreation Advisory Committee.

#### **OFFICER'S RECOMMENDATION 7.1 – RAC**

It is recommended that Council discontinue this committee.

#### **ALTERNATIVE OFFICER'S RECOMMENDATION 7.2 – RAC**

It is recommended that:

1. Membership on the Recreation Advisory Committee be as follows:  
Councillor .....  
Councillor .....  
  
Councillor .....  
Councillor .....  
CEO and/or his nominated representative; and  
A maximum of six (6) representatives from the Community.
2. Council advertise seeking expressions of interest from community members and/or representatives of community sporting groups willing to be representatives upon the Recreation Advisory Committee.

3. Council appoint Deputy Members in order of seniority as follows:  
Councillor .....  
Councillor .....
4. The Recreation Advisory Committee meets at 5.30 pm as and when required.

**COUNCIL RESOLUTION NO 320/10/13**

**MOVED** Cr Firms

That Council discontinue this committee and considers establishing such a committee in due course.

**MOTION CARRIED 9/0**

Community Depot Management Advisory Committee (CDMAC)

The purpose of the Committee is stated as follows:

*To advise Council on the set-up and operation of the Community Depot.*

The previous membership of this committee was resolved at an Ordinary Meeting of Council held on 17 September 2013 (Council Resolution No 283/09/13) to be as follows:

- Cr R Madacsi
- Cr A McCann
- Cr P Greenway
- Toodyay Seed Orchard Group Representative
- Toodyay Theatre Group Representative
- Toodyay Community Singers Inc Representative
- Toodyay Community Radio Representative
- Toodyay Festivals Inc Representative
- Avon Woodturning Group Representative
- CEO or delegated Senior Manager

This committee is established under Section 5.8 of the *Local Government Act 1995*. This committee does not have delegated authority.

**OFFICER'S RECOMMENDATION 8 – CDMAC**

It is recommended that:

1. The purpose of the Community Depot Management Advisory Committee is stated as follows:

To advise Council on the set-up and operation of the Community Depot.

2. Council appoint the following members to the Community Depot Management Advisory Committee:

Councillor .....  
Councillor .....  
Councillor .....  
Toodyay Seed Orchard Group Representative  
Toodyay Theatre Group Representative  
Toodyay Community Singers Inc Representative  
Toodyay Community Radio Representative  
Toodyay Festivals Inc Representative  
Avon Woodturning Group Representative  
CEO or delegated Senior Manager

3. Council appoint Deputy Members in order of seniority as follows:

Councillor .....  
Councillor .....

4. The Community Depot Management Advisory Committee meet at 5.30 pm on the third Thursday of each of the months of January, April, July and October.

#### Local Laws Advisory Committee (LLAC)

The purpose of the Local Laws Advisory Committee is to advise on the following:

- I. Review of Local Laws; and
- II. Adoption of new Local Laws.

The previous membership of this committee is as follows:

- Cr Craddock
- Cr McCann
- Cr Firms
- Cr Greenway

This committee is established under Section 5.9(2)(a) of the *Local Government Act 1995*. This committee does not have delegated authority.

#### **OFFICER'S RECOMMENDATION 9 – LLAC**

It is recommended that:

1. The purpose of the Local Laws Advisory Committee is stated as follows:

To advise to advise on the following:

- I. Review of Local Laws; and

- II. Adoption of new Local Laws.
2. Council appoint the following members to the Local Laws Advisory Committee:
- Councillor .....
- Councillor .....
- Councillor .....
- Councillor .....
3. Council appoint Deputy Members in order of seniority as follows:
- Councillor .....
- Councillor .....
4. The Local Laws Advisory Committee meet at 2.00 pm on the second Tuesday of each of the months of February, March, April, May, July, September, October and November.

Foggarthorpe Estate Design Advisory Committee (FEDAC)

The purpose of the Foggarthorpe Estate Design Advisory Committee is stated as follows:

*To review the provisions of LPP No. 5 Foggarthorpe Design in relation to the building guidelines with a view to bringing this matter back to Council for further consideration on any changes proposed.*

The previous membership of the FEDAC is as follows:

- Cr McCann
- Cr Dow
- Cr Craddock
- Cr Prater

This committee is established under Section 5.8 of the *Local Government Act 1995*. This committee does not have delegated authority.

**OFFICER'S RECOMMENDATION 10.1 – FEDAC**

It is recommended that Council discontinue this committee.

**ALTERNATE OFFICER'S RECOMMENDATION 10.2 – FEDAC**

It is recommended that:

1. The purpose of the Foggarthorpe Estate Design Advisory Committee is stated as follows:

*To review the provisions of LPP No. 5 Foggarthorpe Design in relation to the building guidelines with a view to bringing this matter back to Council for further consideration on any changes proposed.*

2. Council appoint the following members to the Foggarthorpe Estate Design Advisory Committee:

Councillor .....  
Councillor .....  
Councillor .....  
Councillor .....

3. Council appoint Deputy Members in order of seniority as follows:

Councillor .....  
Councillor .....

4. The Foggarthorpe Estate Design Advisory Committee meet as and when required.

**OFFICER'S RECOMMENDATION 10.1 – FEDAC/COUNCIL RESOLUTION NO 321/10/13**

**MOVED** Cr Craddock

That Council discontinue this committee.

**MOTION CARRIED 9/0**

Organisations on which Council is represented

In relation to organisations on which Council is represented the previous membership will be listed under the headings below.

The proposed process for the election for these positions is that Council and individual members agree by consensus, and that all appointments are moved as a single resolution at the end of discussion of this item.

Toodyay Community Bus

Current Councillor Representation on this committee is as follows:



- Cr Dow

Toodyay Land and Conservation District Committee

Current Councillor Representation on this committee is as follows:

- Cr Lloyd
- Cr Craddock
- Cr Jackson ) *Note: These positions were not replaced following*
- Cr Wilkinson ) *resignation of these members from Council.*

Avon Midland Zone

Current Councillor Representation on this committee is as follows:

- Cr Hogg (Primary)
- Cr Madacsi (Deputy)

Wheatbelt North Regional Road Group

Current Councillor Representation on this committee is as follows:

- Cr Firms
- Cr Lloyd

**OFFICER'S RECOMMENDATION 11 – External Organisations**

It is recommended that the nominees listed hereunder be elected to represent the Council on the following external organisations:

*Toodyay Community Bus;*

- Councillor ..... (Delegate)
- Councillor ..... (Deputy Delegate)

*Toodyay Conservation and Land Committee;*

- Councillor ..... (Delegate)
- Councillor ..... (Deputy Delegate)

*Avon Midland Zone;*

- Primary Delegate Shire President
- Deputy Delegate Councillor .....

*Wheatbelt North Regional Road Group;*

- Councillor ..... (Delegate)
- Councillor ..... (Deputy Delegate)

Council Representation - Nominations to External Boards

In relation to Council Nominations to External Boards information to be noted by Members will be listed under the headings below.

Avon Tourism

At an Ordinary Meeting of Council held on 17 September 2013 Council resolved (Council Resolution No 282/09/13) as follows:

1. *Council nominate an Elected Member to serve on the Avon Tourism Board for 2 years, at the Special Council Meeting Monday 21 October, 2013, following Local Government Elections.*
2. *Nomination Form must be completed and given to the Manager of Community Development following this meeting for the Avon Tourism AGM Tuesday 22 October, 2013.*

**OFFICER'S RECOMMENDATION 12 – Avon Tourism Board**

It is recommended that the nominees listed hereunder be elected to represent the Council on the Avon Tourism Board.

- Councillor ..... (Delegate)

*The Shire President adjourned the meeting at 3.20 pm.*

*The Shire President resumed the meeting at 3.55 pm.*

Development Assessment Panels

Current Councillor Representation on this committee is as follows:

- Cr McCann
- Cr Firns
- Cr Greenway
- Cr Madacsi

Correspondence received from the Director General in relation to current Councillor representation on the Development Assessment Panels stated as follows:

*Please be aware that Councillors currently representing your respective Joint Development Assessment Panel (both local government members and alternate members), appointed by the Minister for a term of up to two years to 26 April, 2015, will retain their positions as representatives of the JDAP to which they have been appointed, unless they are not returned on Saturday, 19 October, 2013. (Refer to Attachment 1).*

Therefore there is no recommendation to be made.

**OFFICER'S RECOMMENDATION 1– AUDIT COMMITTEE / COUNCIL  
RESOLUTION NO 322/10/13**

**MOVED** Cr Lloyd

That, as amended:

1. The purpose of the Audit Committee is stated as follows:
  - (a) to provide guidance and assistance to the local government –
    - (i) as to the carrying out of its functions in relation to audits carried out under Part 7 of the Act; and
    - (ii) as to the development of a process to be used to select and appoint a person to be an auditor; and
  - (b) the Audit Committee may provide guidance and assistance to the local government as to –
    - (i) matters to be audited;
    - (ii) the scope of audits;
    - (iii) its functions under Part 6 of the Act; and
    - (iv) the carrying out of its functions relating to other audits and other matters related to financial management.
2. Council appoint the following members to the Audit Committee:

Councillor McCann  
Councillor Rayner  
Councillor Madacsi  
Councillor Firms  
Mr F Panizza  
Mrs B Ruthven
3. Council appoint Deputy Members in order of seniority as follows:

Councillor Greenway  
Councillor Dow

The Audit Committee meet at 2.00 pm on the fourth Tuesday of each of the months of February, May, August and November unless otherwise determined by the Committee
4. Council advertise seeking expressions of interest from community members willing to be representatives upon the Audit Committee.

**MOTION CARRIED 9/0**

**OFFICER'S RECOMMENDATION 2– BUSH FIRE ADVISORY COMMITTEE  
/ COUNCIL RESOLUTION NO 323/10/13**

**MOVED** Cr Craddock

That, as amended:

1. The purpose of the Bush Fire Advisory Committee is stated as follows:

To provide advice to the local government on matters pertaining to obligations contained within the Bush Fires Act, organising, managing, resourcing and training volunteer bush fire brigades.

2. Council appoint the following members to the Bush Fire Advisory Committee:

Councillor Lloyd  
Councillor Rayner  
Chief Bushfire Control Officer;  
Deputy Chief Bushfire Control Officer 1;  
Deputy Chief Bushfire Control Officer 2;  
Bejoording Brigade representative;  
Morangup Brigade representative;  
Coondle-Nunile Brigade representative;  
Julimar Brigade representative;  
Toodyay Central Brigade representative;  
Toodyay Volunteer Fire & Rescue representative;  
Fire Control Officer representative;  
Bush Fire Volunteer Training Officer representative;  
Chief Executive Officer Shire of Toodyay;  
Community Emergency Services Manager.  
Department of Parks & Wildlife representative; and  
Department of Fire and Emergency Services (DFES) representative.

3. Council appoint Deputy Members in order of seniority as follows:

Councillor Craddock  
Councillor McCann

4. The Bush Fire Advisory Committee meet at 6.00 pm on the fourth Tuesday of each of the months of March, May, July and September unless otherwise determined by the Committee.

**MOTION CARRIED 9/0**

**OFFICER'S RECOMMENDATION 3 – LOCAL EMERGENCY  
MANAGEMENT COMMITTEE / COUNCIL RESOLUTION NO 324/10/13**

**MOVED** Cr Greenway

That, as amended:

1. The purpose of the Local Emergency Management Committee is stated as follows:

to advise and assist the Local Government in ensuring that the Local Emergency Management arrangements are established for its district; to liaise with public authorities and other persons in the development, review and testing of Local Emergency Management arrangements; and to carry out other emergency management activities as directed by the SEMC or prescribed by the Regulations.

2. Council appoint the following members to the Local Emergency Management Committee:

Councillor McCann  
Councillor Dow  
Councillor Chitty  
Police Officer in Charge – Toodyay  
Chief Executive Officer – Shire of Toodyay  
Local Recovery Coordinator  
Deputy Recovery Coordinator  
St John Ambulance representative  
DFES Representative  
Silver Chain Representative  
Toodyay Volunteer Fire & Rescue representative  
Red Cross Representative  
Chief Bush Fire Control Officer  
Department of Child Protection representative  
Principal, Toodyay District High School  
Community Emergency Services Manager  
Health/Medical Representative (Wheatbelt GP Network).

3. Council appoint Deputy Members in order of seniority as follows:

Councillor Greenway  
Councillor Madacsi

4. The Local Emergency Management Committee meets at 5.00 pm on the second Wednesday of each of the months of February, May, August and November unless otherwise determined by the Committee.

**MOTION CARRIED 9/0**

**OFFICER'S RECOMMENDATION 4 – LOCAL RECOVERY COMMITTEE/  
COUNCIL RESOLUTION NO 325/10/13**

**MOVED** Cr Madacsi

That, as amended:

1. The purpose of the Local Recovery Committee is stated as follows:  
  
To assist the local government in the recovery process following a local emergency.
2. Council appoint the following members to the Local Recovery Committee:
  - Shire President
  - Councillor Madacsi
  - Councillor McCann
  - Councillor Firms
  - Local Recovery Coordinator
  - Deputy Recovery Coordinator
  - Chief Executive Officer
  - Community Emergency Services Manager
3. The Local Recovery Committee meets as and when required to do so.

**MOTION CARRIED 9/0**

**OFFICER'S RECOMMENDATION 5 – WORKS ADVISORY COMMITTEE/  
COUNCIL RESOLUTION NO 326/10/13**

**MOVED** Cr Lloyd

That, as amended:

1. The purpose of the Works Advisory Committee is stated as follows:  
  
To provide guidance and assistance to the Local Government on matters relating to maintaining and developing transport and other infrastructure assets of the Shire in ways that are socially, financially and environmentally responsible.
2. Council appoint the following members to the Works Advisory Committee:  
  
Councillor Dow  
Councillor Lloyd  
Councillor Greenway  
Councillor Craddock  
Chief Executive Officer and/or his nominated representative.
3. Council appoint Deputy Members in order of seniority as follows:  
  
Councillor Rayner  
Councillor Chitty
4. The Works Advisory Committee meets at 4.00 pm on the fourth Thursday of each of the months of January, April, July and October unless otherwise determined by the Committee.

**MOTION CARRIED 9/0**

**OFFICER'S RECOMMENDATION 6 – MUSEUM ADVISORY COMMITTEE /  
COUNCIL RESOLUTION NO 327/10/13**

**MOVED** Cr Craddock

That, as amended:

1. The purpose of the Museum Advisory Committee is stated as follows:

The purpose of the Museum Advisory Committee is to provide guidance and assistance to the Council on matters affecting the selection, interpretation or display of the museums artefacts and matters relating to the promotion of the Museum.

2. Council appoint the following members to the Museum Advisory Committee:

Councillor Craddock  
Councillor Greenway  
Councillor Lloyd  
Museum Curator  
Mrs S Hesse  
Dr B Shepherd  
Ms J Edgecombe  
Chief Executive Officer and/or his nominated representative.

3. Council appoint Deputy Members in order of seniority as follows:

Councillor Dow  
Councillor McCann

4. The Museum Advisory Committee meets at 4.00 pm on the second Thursday of each of the months of February, May, August and November unless otherwise determined by the Committee.

5. Council advertise seeking expressions of interest from the community members willing to be representatives upon the Museum Advisory Committee.

**MOTION CARRIED 9/0**



**OFFICER'S RECOMMENDATION 8 – COMMUNITY DEPOT  
MANAGEMENT ADVISORY COMMITTEE / COUNCIL RESOLUTION NO  
328/10/13**

**MOVED** Cr McCann

That, as amended:

1. The purpose of the Community Depot Management Advisory Committee is stated as follows:

To advise Council on the set-up and operation of the Community Depot.

2. Council appoint the following members to the Community Depot Management Advisory Committee:

Councillor McCann  
Councillor Madacsi  
Councillor Greenway  
Toodyay Seed Orchard Group Representative  
Toodyay Theatre Group Representative  
Toodyay Community Singers Inc Representative  
Toodyay Community Radio Representative  
Toodyay Festivals Inc Representative  
Avon Woodturning Group Representative  
CEO or delegated Senior Manager

3. Council appoint Deputy Members in order of seniority as follows:

Councillor Dow

4. The Community Depot Management Advisory Committee meet at 5.30 pm on the third Thursday of each of the months of January, April, July and October unless otherwise determined by the Committee.

**MOTION CARRIED 9/0**

**OFFICER'S RECOMMENDATION 9 – LOCAL LAWS ADVISORY COMMITTEE / COUNCIL RESOLUTION NO 329/10/13**

**MOVED** Cr Rayner

That, as amended:

1. The purpose of the Local Laws Advisory Committee is stated as follows:

To advise to advise on the following:

- III. Review of Local Laws; and
- IV. Adoption of new Local Laws.

2. Council appoint the following members to the Local Laws Advisory Committee:

Councillor Greenway  
Councillor McCann  
Councillor Madacsi  
Councillor Firms

3. Council appoint Deputy Members in order of seniority as follows:

Councillor Chitty  
Councillor Dow

4. The Local Laws Advisory Committee meet at 2.00 pm on the second Tuesday of each of the months of February, March, April, May, July, September, October and November unless otherwise determined by the Committee.

**MOTION CARRIED 9/0**

**OFFICER'S RECOMMENDATION 11 – EXTERNAL ORGANISATIONS /  
COUNCIL RESOLUTION NO 330/10/13**

**MOVED** Cr Craddock

That, as amended the nominees listed hereunder be elected to represent the Council on the following external organisations:

*Toodyay Community Bus;*

- Councillor Dow (Delegate)

*Toodyay Land Conservation District Committee;*

- Councillor Lloyd (Delegate)
- Councillor Craddock (Delegate)
- Councillor Dow (Delegate)
- Councillor Greenway (Deputy Delegate)

*Avon Midland Zone;*

- Primary Delegate Shire President
- Deputy Delegate Councillor Greenway
- Deputy Delegate Councillor Madacsi
- Deputy Delegate Councillor Craddock

*Wheatbelt North Regional Road Group;*

- Councillor Firms (Delegate)
- Councillor Lloyd (Deputy Delegate)

**MOTION CARRIED 9/0**

**OFFICER'S RECOMMENDATION 12 – AVON TOURISM BOARD /  
COUNCIL RESOLUTION NO 331/10/13**

**MOVED** Cr Madacsi

The nominee listed hereunder be elected to represent the Council on the Avon Tourism Board.

- Councillor Greenway (Delegate)

**MOTION CARRIED 9/0**

**6.3 Local Government Ordinary Election – Report of the Returning Officer – Election held on Saturday 19 October 2013.**

Date of Report:	28 August 2013
Proponent:	Shire of Toodyay
File Ref:	ELT1
Author:	Narelle Rodger – Deputy Returning Officer
Returning Officer:	Stan Scott –Chief Executive Officer
Officer's Disclosure of Interest:	Nil
Attachments:	Nil
Voting Requirements:	Absolute majority

**INTRODUCTION**

This report is to brief elected members on the conduct of the election held on Saturday 19 October 2013 and to provide an overview of statistics that relate to the election.

**BACKGROUND**

Nominations opened on Thursday 5 September 2013 and closed at 4.00pm Thursday 12 September 2013. The CEO conducted a Public Information Session on running for Council on 4 September 2013.

The electoral structure of the district is that the Shire is divided into four wards: North, Central, East and West.

The number of Councillors for the Shire of Toodyay is currently nine (9). Four (4) positions were vacant at the time of the election. There was one (1) Polling Place used on the day of election which was as follows:

- Shire of Toodyay Administration Centre

**CONSULTATION**

Not applicable.

**STATUTORY ENVIRONMENT**

For this election the CEO acted as returning officer. The Rates/Finance Officer acted as Deputy Returning Officer. The election was conducted on the basis of electors voting in person. Part 4 of the *Local Government Act 1995 and Local Government (Elections) Regulations 1997* specify the way local government elections are to be conducted.

## **POLICY IMPLICATIONS**

This proposal does not contain any notable policy implications.

## **FINANCIAL IMPLICATIONS**

The total cost of conducting the election this year will be approximately \$3,333.67. This compares with \$9,957.00 for the last election. Last year was an extraordinary election. All costs for advertising were borne by the Shire of Toodyay. The 2013 election was a joint advertising campaign with WALGA which reduced costs dramatically.

## **STRATEGIC IMPLICATIONS**

Not applicable.

## **ENVIRONMENTAL IMPLICATIONS**

This proposal does not contain any notable environmental implications.

## **SOCIAL IMPLICATIONS**

This proposal does not contain any notable social implications.

## **OFFICER'S COMMENT**

A total of two (2) staff worked on Election Day. Most staff worked from 7.30am to 6.15 pm at the close of poll. Two (2) of staff worked at the count that finished at 7.00 pm.

## **Results and statistics**

### **North Ward**

Candidate elected: Brian Rayner

Term of office: 2017

<b>Number of Candidates</b>	<b>Total number eligible voters on the roll</b>	<b>Total valid votes cast</b>	<b>Total informal votes</b>	<b>Total votes cast</b>	<b>Percentage turnout</b>
2	802	218	0	218	27%

MINUTES OF SPECIAL MEETING OF COUNCIL  
HELD IN COUNCIL CHAMBERS ON 21 OCTOBER 2013

**East Ward**

Candidate elected: Therese Chitty  
Term of office: 2017

Number of Candidates	Total number eligible voters on the roll	Total valid votes cast	Total informal votes	Total votes cast	Percentage turnout
2	765	70	0	70	9%

**West Ward**

Candidate elected: Paula Greenway  
Term of office: 2017

Number of Candidates	Total number eligible voters on the roll	Total valid votes cast	Total informal votes	Total votes cast	Percentage turnout
1	1010	0	0	0	0%

**Central Ward**

Candidate elected: David Dow)  
Term of office: 2017

Number of Candidates	Total number eligible voters on the roll	Total valid votes cast	Total informal votes	Total votes cast	Percentage turnout
1	667	0	0	0	0%

*The election was conducted successfully this year. Voter numbers were down in the East Ward however, the cause may relate to one candidate wishing to withdraw his nomination after nominations had closed. The candidates name remained on the ballot paper as there are no provisions for a candidate to withdraw after close of nominations.*

**OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION NO 332/10/13**

**MOVED** Cr Craddock

That Council receive the Returning Officer's Report.

**MOTION CARRIED 9/0**

**7. CLOSURE OF MEETING**

The Shire President declared the meeting closed at 4.36 pm.







## **ADDENDUM**

Attachments to Minutes of the

**SPECIAL MEETING OF COUNCIL**

**21 October 2013**



**ADDENDUM**  
ATTACHMENTS TO MINUTES OF SPECIAL MEETING OF COUNCIL  
HELD IN COUNCIL CHAMBERS ON 22 OCTOBER 2013

## **CONTENTS**

**PURPOSE OF MEETING** **1**

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Nomination of Members / Delegates to external bodies and Council  
Committees

Attachment 1: Correspondence from Director General in relation to  
Development Assessment Panel Members. 1





Our ref: DP/13/00682  
Enquiries: Karen Newman  
Telephone: 6551 9604

## URGENT

### ALL LOCAL GOVERNMENT CHIEF EXECUTIVE OFFICERS

### LOCAL GOVERNMENT ELECTIONS

### DEVELOPMENT ASSESSMENT PANEL REPRESENTATIVES

It has been brought to my attention that a number of Local Government Councilors representing the Development Assessment Panels for their respective authorities will be candidates at the forthcoming Local Government elections to be held on Saturday, 19 October, 2013.

Please be aware that Councilors currently representing your respective Joint Development Assessment Panel (both local government members and alternate members), appointed by the Minister for a term of up to two years to 26 April, 2015, will retain their positions as representatives of the JDAP to which they have been appointed, unless they are not returned on Saturday, 19 October, 2013

This notification is to draw your attention to the *Planning and Development (Development Assessment Panels) Regulations 2011*, particularly to Regulations 29 and 32 which read as follows:

**29. Term of Office**

- (1) A DAP member holds office for the term specified in the member's instrument of appointment.
- (2) The term of office specified in an instrument of appointment must not exceed 2 years.

**32. Casual Vacancies**

- (1) The office of a DAP member becomes vacant if the member –
  - a. Dies, resigns or is removed from office under this regulation; or



*(2) A DAP member may at any time resign from office by giving a written resignation to the Minister.*

I trust the above information clarifies the position regarding your local government representatives on the Development Assessment Panels. If you have any further queries regarding the above, please do not hesitate to contact Ms Karen Newman on 6551 9604 or email at [karen.newman@planning.wa.gov.au](mailto:karen.newman@planning.wa.gov.au).

Yours sincerely

A handwritten signature in black ink, appearing to read 'Eric Lumsden'.

Eric Lumsden PSM  
DIRECTOR GENERAL

16 October, 2013.

