

Please note: These minutes are yet to be confirmed as a true record of proceedings

SHIRE OF BUSSELTON

MINUTES OF A SPECIAL COUNCIL MEETING HELD ON 26 OCTOBER 2009

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SHIRE OF BUSSELTON**MINUTES OF A SPECIAL COUNCIL MEETING HELD IN COUNCIL CHAMBERS,
ADMINISTRATION BUILDING, SOUTHERN DRIVE, BUSSELTON, ON MONDAY, 26
OCTOBER 2009 AT 5:00 PM**

The A/Chief Executive Officer opened the meeting at 5.02 p.m.

1. ATTENDANCE, APOLOGIES & LEAVE OF ABSENCE

Presiding Member:	Mr Matthew Smith	A/Chief Executive Officer (until 5.40pm)
	Cr Ian Stubbs	Shire President (from 5.40pm)
Members:	Cr Ross Bromell	(from 5.05pm)
	Cr Len Boyling	
	Cr Ian Stubbs	(assumed the chair at 5.40pm)
	Cr Terry Best	
	Cr Anne Ryan	
	Cr Tom Tuffin	
	Cr Jackie Emery	
	Cr David Reid	
	Cr Grant Henley	
	Cr Gordon Bleechmore	
	Cr Don Hanran-Smith	
	Cr David Binks	
Officers:	Mr Matthew Smith	A/Chief Executive Officer
	Mr Paul Martin	A/Director, Community and Organisational Development (until 5.57pm)
	Miss Lynley Rich	Governance Manager
Apologies:	Nil	
Leave of Absence:	Cr Rob Underdown	
Absent:	Nil	
Media:	"Busselton-Dunsborough Times"	
	"Busselton-Dunsborough Mail"	
Public:	17	

2. PURPOSE OF THE MEETING

This meeting is for the purpose of the Council electing a new Shire President and Deputy Shire President and to determine Committees to be established in accordance with Section 5.8 of the Local Government Act 1995. The Council will also appoint members to any committees it establishes and nominate Councillors to represent the Council on various other internal groups and external organisations.

3. ELECTION OF SHIRE PRESIDENT

The A/Chief Executive Officer announced that he would be conducting the election of the Shire President and advised that two nominations had been received for the position.

Cr Ian Stubbs as nominated by Cr Tom Tuffin and accepted in writing.

Cr David Binks nominated in writing.

The A/CEO called for any further nominations and when there were none forthcoming advised that nominations were formally closed.

It was advised that the A/CEO considered the appropriate procedure for determining positions on the ballot paper to be the drawing of lots. This process was undertaken and the A/CEO announced that the positions on the ballot paper would be:

Stubbs, Ian

Binks, David

Ballot papers were produced and certified in this regard.

Both candidates were invited to address the Council on their qualifications and merit for the position, which they undertook.

Ballot papers and pens were distributed to the Councillors after the A/CEO announced that one ballot paper would be provided to each of the Councillors and to assist with the maintenance of secrecy of the ballot, each Councillor would be provided with the same type of pen. To vote, each Councillor should tick the box located next to the name of their preferred candidate.

Ballot papers were collected and the A/CEO and Governance Manager determined the outcome of the ballot. The A/CEO announced the successful candidate for the position of Shire President to be Cr Ian Stubbs.

4. DECLARATION BY SHIRE PRESIDENT

Cr Ian Stubbs was invited to swear a declaration before JP Beryle Morgan in attendance for this purpose. Before Mrs Morgan, Cr Stubbs made the following declaration:

I, Ian William Stubbs, of 4 Ibis Court Geographe, having been elected to the office of President of the Shire of Busselton, declare that I take the office upon myself and will duly, faithfully, honestly and with integrity, fulfil 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*.

5.40pm At this time Councillor Ian Stubbs, Shire President, assumed the chairmanship of the meeting.

5. ELECTION OF DEPUTY SHIRE PRESIDENT

The Shire President advised that two nominations had been received for the position of Deputy Shire President.

Cr Anne Ryan as nominated by Cr Tom Tuffin and accepted in writing.

Cr David Binks nominated in writing.

The Shire President called for any further nominations and when there were none forthcoming advised that nominations were formally closed. The Shire President declared that he would hand over to the A/CEO to conduct the election process.

The process of drawing lots for positions on the ballot paper was undertaken and the A/CEO announced that the positions on the ballot paper would be:

Binks, David

Ryan, Anne

Ballot papers were produced and certified in this regard.

Both candidates were invited to address the Council on their qualifications and merit for the position, which they undertook.

Ballot papers were distributed to the Councillors after the A/CEO announced that one ballot paper would be provided to each of the Councillors. To vote, each Councillor should tick the box located next to the name of their preferred candidate.

Ballot papers were collected and the A/CEO and Governance Manager determined the outcome of the ballot. The A/CEO announced the successful candidate for the position of Deputy Shire President to be Cr Anne Ryan.

6. DECLARATION BY DEPUTY SHIRE PRESIDENT

Cr Anne Ryan was invited to swear a declaration before JP Beryle Morgan in attendance for this purpose. Before Mrs Morgan, Cr Ryan made the following declaration:

I, Anne Dawn Ryan, of 90 Bussell Highway Busselton, having been elected to the office of Deputy President of the Shire of Busselton, declare that I take the office upon myself and will duly, faithfully, honestly and with integrity, fulfil 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*.

5.57pm The Presiding Member announced that the meeting would adjourn for a period of five minutes.

6.02pm At this time the meeting reconvened with all in attendance prior to the adjournment returning to the meeting, with the exception of the Acting Director, Community and Organisational Development.

7. PUBLIC QUESTION TIME

Nil.

8. DECLARATION OF DUE CONSIDERATION

The Presiding Member requested Councillors to acknowledge, in accordance with Clause 8.1 of the Standing Orders, that they had given due consideration to the matters contained within the Agenda.

Declared Due Consideration	No Declaration
Councillor Ian Stubbs	
Councillor Ross Bromell	
Councillor Len Boyling	
Councillor Gordon Bleechmore	
Councillor Terry Best	
Councillor Anne Ryan	
Councillor Tom Tuffin	
Councillor Jackie Emery	
Councillor David Reid	
Councillor Don Hanran-Smith	
Councillor Grant Henley	
Councillor David Binks	

9. DECLARATIONS OF INTEREST

Nil.

10. PRESENTATIONS BY PARTIES WITH AN INTEREST

Nil.

11. REPORTS OF OFFICERS**11.1 ESTABLISHMENT OF COMMITTEES AND APPOINTMENT OF MEMBERS;
APPOINTMENT OF COUNCILLORS AS REPRESENTATIVES ON INTERNAL
GROUPS AND EXTERNAL ORGANISATIONS**

SUBJECT INDEX:	Council Meetings and Committees
STRATEGIC INITIATIVE:	Further development of structures to support decision-making
BUSINESS UNIT:	Governance
SERVICE:	Council and Councillor Services
DATE OF COMPLETION:	31/12/2009
VOTING REQUIREMENT:	Absolute Majority (Recommendations 1-5) Simple Majority (Recommendations 6-7)
ATTACHMENT(S):	Proposed Committee Instruments of Appointment; Internal Groups and External Organisations list

The Presiding Member declared that each officer recommendation would be considered separately. Councillors would be invited to put their names forward for the formal committee positions and then a vote would be taken for each committee.

PRÉCIS

Under its Instrument of Appointment the term of each Council-constituted committee expires in conjunction with an Ordinary Local Government election given that committee membership discontinues automatically at that juncture in accordance with the *Local Government Act 1995*. As such, another Council decision (by absolute majority) is required if the Council requires its Committees to be reconstituted and to appoint members to these committees. This report is presented to enable the Council to determine those Advisory and Management Committees it may require. It also provides an overview of the internal groups and external organisations on which Councillors have represented the Council to seek interested Councillors to continue this internal representation and also the association with external groups.

COUNCIL DECISION 1 / OFFICER RECOMMENDATION 1**ABSOLUTE MAJORITY REQUIRED**

C0910/364

Moved Councillor Binks, seconded Councillor Tuffin:

That the Council establishes a Bush Fires Management Committee with a term to expire on 15 October, 2011, in accordance with the proposed Instrument of Appointment, with:

- a. All Fire Control Officers, by virtue of their position, being appointed as members of the Committee;

- b. Councillor Gordon Bleechmore, Councillor Anne Ryan and Councillor David Reid being appointed to the Committee.

CARRIED 12/0
By Absolute Majority

COUNCIL DECISION 2 / OFFICER RECOMMENDATION 2

ABSOLUTE MAJORITY REQUIRED

C0910/365 Moved Councillor Tuffin, seconded Councillor Boyling:

That the Council establishes a Meelup Regional Park Management Committee with a term to expire on 15 October, 2011, in accordance with the proposed Instrument of Appointment, with:

- a. Community representatives Don McDonald, Nik Selheim, Shirley Fisher, Andrew Webb, Rod Brown and Bob Jarvis being appointed to the Committee and John Slee and Jill Moyes being appointed Deputy Members;
- b. Councillor Don Hanran-Smith and Councillor David Binks being appointed to the Committee;

CARRIED 12/0
By Absolute Majority

COUNCIL DECISION 3

ABSOLUTE MAJORITY REQUIRED

C0910/366 Moved Councillor Tuffin, seconded Councillor Hanran-Smith:

That the Council establishes a Busselton Jetty Advisory Committee with a term to expire on 15 October, 2011, in accordance with the proposed Instrument of Appointment (IoA), subject to the IoA being updated by the inclusion of a fourth Councillor position, with:

- a. The BJECA president, deputy president and executive officer and community representatives Terry Alder and Ross Bromell being appointed to the Committee;
- b. Councillor Grant Henley, Councillor David Reid, Councillor Anne Ryan and Councillor Len Boyling being appointed to the Committee.

CARRIED 12/0
By Absolute Majority

COUNCIL DECISION 4 / OFFICER RECOMMENDATION 4**ABSOLUTE MAJORITY REQUIRED**

C0910/367 Moved Councillor Ryan, seconded Councillor Reid:

That the Council establishes a Heritage Advisory Committee with a term to expire on 15 October, 2011, in accordance with the proposed Instrument of Appointment, with;

- a. The WA Heritage Council Regional Heritage Advisor and community representatives Valma Baker, Judi Murray, Isabel Willmott and Anne Gardiner being appointed to the Committee;
- b. Councillors Jackie Emery and Terry Best being appointed to the Committee.

CARRIED 12/0

By Absolute Majority

COUNCIL DECISION 5**ABSOLUTE MAJORITY REQUIRED**

C0910/368 Moved Councillor Henley, seconded Councillor Tuffin:

That the Council establishes a Shire of Busselton Audit Committee with a term to expire on 15 October, 2011, in accordance with the proposed Instrument of Appointment, subject to the membership being updated to be three Councillors, and:

- a. Councillor Len Boyling, Councillor David Binks and Councillor Anne Ryan being appointed to the Committee.

CARRIED 12/0

By Absolute Majority

COUNCIL DECISION 6 / OFFICER RECOMMENDATION 6

C0910/369 Moved Councillor Ryan, seconded Councillor Boyling:

That the CEO be required to conduct a review of the Busselton Jetty Advisory Committee in consultation with its members and report back to Council with any recommendations on changes required or recommended in recognition of the Busselton Jetty agreements recently adopted by the Council.

CARRIED 12/0

The Presiding Member advised that he would seek expressions of interest from all Councillors with regard to the groups and organisations listed and then seek one motion to appoint all Councillors in accordance with these nominations.

COUNCIL DECISION 7

C0910/369 Moved Councillor Bromell, seconded Councillor Reid:

That the following Councillors are the Council's endorsed representatives for internal groups and external organisations:

GROUP / ORGANISATION	REPRESENTATIVE/S
Yallingup LCDC	Cr Don Hanran-Smith
Vasse-Wonnerup LCDC	Cr Gordon Bleechmore
Leeuwin-Naturaliste National Park Advisory Committee	Cr Don Hanran-Smith
Geographe Community Centre	Cr David Reid
Citizens' Advice Bureau	Cr Tom Tuffin
Shire of Busselton Sister City Associations	Cr David Binks Cr Rob Underdown
GeoCatch	Cr David Reid (representing Shire President)
Keep Busselton Beautiful Committee	Cr Don Hanran-Smith
Local Organising Committee - Ironman WA	Cr Rob Underdown Cr Grant Henley
Busselton Wetlands Interpretive Centre Project Team	Cr Tom Tuffin Cr Grant Henley
Port Geographe Community Consultation Forum chaired by Hon Barry House	Cr Gordon Bleechmore Cr Terry Best
Busselton Senior Citizens Centre Board of Management	Cr Terry Best
Geographe Bay Tourism Association	Cr Ross Bromell
Rural Roads Convention	Cr Anne Ryan Cr Gordon Bleechmore
Whicher Water Resources Management Committee	Cr Rob Underdown
Busselton Historical Society	Cr Jackie Emery
Busselton and Dunsborough Historians	Cr Jackie Emery
Community Resource Centre Reference Group	Cr Don Hanran-Smith Cr Tom Tuffin Cr Grant Henley
Busselton Foreshore Working Group	Cr Ian Stubbs

Airport Advisory Group	Cr Tom Tuffin Cr Jackie Emery Cr David Binks
Ludlow Reference Group	Cr Don Hanran-Smith Cr Terry Best
Margaret River Greater Tourism Taskforce	Cr David Binks Cr Ross Bromell
Local Environmental Planning Strategy Community and Industry Reference Group	Cr Don Hanran-Smith Cr Jackie Emery
Environmental Reference Group	Cr Don Hanran-Smith
Busselton 2020	Cr Ross Bromell Cr Grant Henley
Leisure Services Plan Working Group	Cr Don Hanran-Smith Cr Rob Underdown
Waste Advisory Group	Cr Don Hanran-Smith Cr Terry Best
Local Emergency Management Committee	Cr Terry Best Cr Rob Underdown Cr Gordon Bleechmore
Locke Estate Working Group	Cr Len Boyling Cr Grant Henley
Busselton Jetty Heritage Interpretation Selection Panel	Cr Hanran-Smith
Community Resource Centre - Museum Working Group	Cr Hanran-Smith Cr Best

CARRIED 12/0

12. CLOSURE

The meeting closed at 6.25pm.

THESE MINUTES CONSISTING OF PAGES 1 TO 9 WERE CONFIRMED AS A TRUE AND CORRECT RECORD ON _____

DATE: _____

PRESIDING MEMBER: _____