



SPECIAL COUNCIL MEETING MINUTES
SWEARING IN CEREMONY
MONDAY, 19th OCTOBER 2009

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- NOTE:**
- a) The Council Committee Minutes Item numbers may be out of sequence. Please refer to Section 10 of the Agenda – Information Report - Committee Decisions Under Delegated Authority for these items.
 - b) Declaration of Councillors and Officers Interest is made at the time the item is discussed.

MINUTES OF THE SPECIAL COUNCIL MEETING HELD IN THE COUNCIL CHAMBERS, 6 PATERSON STREET, MUNDIJONG ON MONDAY, 19TH OCTOBER 2009. THE CHIEF EXECUTIVE OFFICER DECLARED THE MEETING OPEN AT 9.02AM AND WELCOMED COUNCILLORS, STAFF AND THE MEMBERS OF THE GALLERY.

1. ATTENDANCE & APOLOGIES:

IN ATTENDANCE:

COUNCILLORS: S Twine Presiding Member (from 9.49am)

M Harris
WJ Kirkpatrick
K Murphy
C Buttfield (until 10.49am)
MJ Geurds
E Brown
C Randall
T Hoyer
A Lowry

OFFICERS: Ms J Abbiss Chief Executive Officer
Mr A Hart Director Corporate Services
Mrs S van Aswegen Director Strategic Community Planning
Mr B Gleeson Director Development Services
Mr R Gorbunow Director Engineering
Ms A Nolan Manager Executive Services (until 11.22am)
Mrs D Bridson Executive Services Support Officer (until 10.31am)
Mrs L Fletcher Minute Secretary

GUEST: Mr A Wigg Justice of the Peace

APOLOGIES: Nil

GALLERY: 7

2. PUBLIC QUESTION TIME:

Nil

3. PUBLIC STATEMENT TIME:

Nil

4. PETITIONS & DEPUTATIONS:

Nil

5. SWEARING IN OF ELECTED COUNCILLORS - by Mr A Wigg JP

The Chief Executive Officer thanked Councillors for attending this Special Council Meeting and welcomed ex Councillor Mr A Wigg JP to the meeting.

Under the witnessing hand of Mr A Wigg JP, the newly elected Councillors took the oath and affirmation and made the declaration in the following order:

Kevin Roger Murphy
Elizabeth Ellen Brown
Merrilyn Harris
Ann-Marie Lowry
Thomas Harry John Hoyer

6. DECLARATION BY ELECTED COUNCILLORS - by Mr A Wigg JP

Under the witnessing hand of Mr A Wigg, JP, the following Councillors made the declaration in accordance with the *Local Government (Official Conduct) Amendment Act 2007* in the following order:

Kevin Roger Murphy
Elizabeth Ellen Brown
Merrilyn Harris
Ann-Marie Lowry
Thomas Harry John Hoyer

7. ELECTION OF PRESIDENT FOR TWO YEARS

7.1 Declaration by President

The Chief Executive Officer (CEO) requested nominations for the office of President for a two (2) year term and distributed nomination forms.

The Chief Executive Officer received three (3) nominations in writing for President, one for Cr Twine and Twine accepted the nomination, the second nomination was for Cr Brown and Cr Brown accepted the nomination and the third nomination was for Cr Hoyer and Cr Hoyer accepted the nomination.

COUNCIL DECISION

**Moved Cr Hoyer, seconded Cr Lowry
Each nominee be given an opportunity to address the Council.
LOST 4/6**

A secret ballot was conducted and Cr Twine was declared Shire President for a two (2) year term – until October 2011.

7.2 Declaration by President

Cr Twine made the declaration of office of President witnessed by Mr A Wigg, JP.

The Chief Executive Officer vacated from the Chair of the meeting and Cr Twine took the Chair at 9.49am.

The Shire President thanked Councillors very much for voting for her and thanked those who voted against her - this will keep her grounded and honest. She also thanked members of the gallery.

The Shire President acknowledged that she has very large shoes to fill and will look to the Chief Executive Officer for support.

The Shire President also welcomed new Councillors, Tom Hoyer and Ann-Marie Lowry.

Manager Executive Services left the meeting at 9.55am.

8. ELECTION OF DEPUTY PRESIDENT FOR TWO YEARS

8.1 Declaration by Deputy President

The Presiding Member requested nominations for the office of Deputy Shire President for a two (2) year term.

The Presiding Member received four nominations in writing for Deputy Shire President, one for Cr Brown and Cr Brown accepted the nomination, the second for Cr Harris and Cr Harris accepted the nomination, the third for Cr Kirkpatrick and Cr Kirkpatrick accepted the nomination and the fourth for Cr Hoyer and Cr Hoyer accepted the nomination.

Director Engineering left the meeting at 10.01am and returned at 10.03am.

Cr Geurds left the meeting at 10.03am and returned at 10.05am.

The Shire President left the meeting at 10.03am and returned at 10.06am.

A secret ballot was conducted and Cr Harris was declared Deputy Shire President for a two (2) year term – until October 2011.

Manager Executive Services returned to the meeting at 10.11am.

8.2 Declaration by Deputy President

Cr Harris made the declaration of office of Deputy Shire President witnessed by Mr A Wigg, JP.

COUNCIL DECISION

**Moved Cr Murphy, seconded Cr Kirkpatrick that the meeting be adjourned at 10.13am.
CARRIED 10/0**

All those present at the start of the meeting were present in the room, after the adjournment except Mr A Wigg JP, Manager Executive Services and Executive Services Support Officer. The meeting reconvened at 10.31am.

SCM013/10/09 APPOINTMENT OF COMMITTEES, MEMBERS & DEPUTIES (A0429)		
Proponent:	Shire of Serpentine Jarrahdale	In Brief To elect Members and Deputies to Council's Standing Committees for 2009-2011 following the Local Government Elections held on 17 October 2009.
Owner:	Joanne Abbiss - Chief Executive Officer	
Officer:	Joanne Abbiss - Chief Executive Officer	
Signatures Author:		
Senior Officer:		
Date of Report	13 October 2009	
Previously	SCM010/10/07; SCM05/10/06; SCM03/09/06	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Council	

Background

At the Local Government Elections held on 17 October 2009, Cr John Price (Central Ward) retired. Councillors Denyse Needham (South Ward), Merri Harris (Byford Ward), Kevin Murphy (North/West Ward) and Beth Brown (North/West Ward) ran for election for another term.

The following person was elected unopposed to Council to represent the Byford Ward:

- Councillor elect Merri Harris

The following persons were elected unopposed to Council to represent the North/West Ward:

- Councillor elect Beth Brown
- Councillor elect Kevin Murphy

There is one (1) vacancy for the Central Ward, with three (3) nominations received and one (1) vacancy and two (2) nominations received contesting the seat in the South Ward.

The Standing Committees of Council are as follows:

- Sustainable Development (7 members and 3 deputies)
- Corporate Governance and Asset Management (7 members and 3 deputies)
- Audit Committee (5 members and 2 deputies)
- Jarrahdale Heritage Park Committee (2 members and 2 deputies)

Council is now requested to consider the appointment of Councillors, by resolution, to the Standing Committees, to fill all positions.

A copy of the Committees – Members and Deputies – 2007-2009 is with the attachments marked SCM013.1/10/09 (E07/4957).

Sustainability Statement

Not applicable

Statutory Environment:

Local Government Act 1995, Council's Standing Orders
Local Law 2002.

S5.10 (2) “Appointment of committee members” states - *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.*

S5.10 (4) “Appointment of committee members” further states – *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.*

**Policy/Work Procedure
Implications:**

CSWP11 – Disclaimer & Terms of Reference for use of
Delegation by Committee – Committee Meetings

Financial Implications:

Annual sitting fee allowances will be incurred by Council in relation to the members appointed and attending Committee meetings, in accordance with Local Government Act 1995.

Strategic Implications:

This proposal relates to the following Key Sustainability Result Areas:-

4. Governance

Objective 1: An effective continuous improvement program

Strategies:

1. Identify and implement best practice in all areas of operation.
2. Promote best practice through demonstration and innovation.
4. Balance resource allocation to support sustainable outcomes.

Objective 3: Compliance to necessary legislation

Strategies:

3. Comply with State and Federal policies and Legislation and the Local Government Act in the most cost-effective way.

Community Consultation:

Not required.

Comment:

To ensure compliance with section 5.9, 5.10 and 5.11 of the Local Government Act 1995 and Part 17 of the Council’s Standing Orders Local Law 2002, the membership of each committee is to be seven (7) elected members and three (3) elected members as deputies.

Council is required to consider the appointment of elected councillors to the various standing committee’s of Council.

Voting Requirements:

ABSOLUTE MAJORITY

Officer Recommended Resolution:

In accordance with Section 5.10 of the Local Government Act 1995, Council makes the following appointments to Council's Standing Committees:

Sustainable Development Committee:

Member: Cr.....
Cr.....
Cr.....
Cr.....
Cr.....
Cr.....
Cr.....
Deputy: Cr.....(1)
Cr.....(2)
Cr.....(3)

Corporate Governance & Asset Management Committee:

Member: Cr.....
Cr.....
Cr.....
Cr.....
Cr.....
Cr.....
Cr.....
Deputy: Cr.....(1)
Cr.....(2)
Cr.....(3)

Audit Committee:

Member: Cr.....
Cr.....
Cr.....
Cr.....
Cr.....
Deputy: Cr.....(1)
Cr.....(2)

Jarrahdale Heritage Park Committee:

Member: Cr.....
Cr.....
Deputy: Cr.....(1)
Cr.....(2)

Manager Executive Services entered the meeting at 10.35am.

SCM013/10/09 COUNCIL DECISION:

Moved Cr Kirkpatrick, seconded Cr Brown

In accordance with Section 5.10 of the Local Government Act 1995, Council makes the following appointments to Council's Standing Committees:

Sustainable Development Committee:

**Member: Cr Twine
Cr Randall
Cr Murphy
Cr Geurds**

Deputy: Cr Harris
Cr Brown
Cr Kirkpatrick
Cr Lowry
Cr Buttfield
Cr Hoyer

Corporate Governance & Asset Management Committee:

Member: Cr Kirkpatrick
Cr Brown
Cr Randall
Cr Murphy
Cr Hoyer
Cr Geurds
Deputy: Cr Harris
Cr Twine
Cr Buttfield
Cr Lowry

Audit Committee:

Member: Cr Murphy
Cr Brown
Cr Harris
Cr Kirkpatrick
Cr Lowry
Deputy: Cr Randall
Cr Buttfield

Jarrahdale Heritage Park Committee:

Member: Cr Kirkpatrick
Cr Twine
Deputy: Cr Hoyer
Cr Harris

CARRIED 10/0

Cr Buttfield left the meeting at 10.49am.

SCM014/10/09 APPOINTMENT OF DELEGATES TO WORKING GROUPS AND ORGANISATIONS (A0429)		
Proponent:	Shire of Serpentine Jarrahdale	In Brief To elect Councillor delegates to Council working groups and other organisations following the Local Government Elections held on 17 October 2009.
Owner:	Joanne Abbiss - Chief Executive Officer	
Officer:	Joanne Abbiss - Chief Executive Officer	
Signatures Author:		
Senior Officer:		
Date of Report	13 October 2009	
Previously	SCM010/10/07; SCM06/10/06; SCM04/09/06	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Council	

Background

At the Local Government Elections held on 17 October 2009, Cr John Price (Central Ward) retired. Councillors Denyse Needham (South Ward), Merri Harris (Byford Ward), Kevin Murphy (North/West Ward) and Beth Brown (North/West Ward) ran for election for another term.

The following person was elected unopposed to Council to represent the Byford Ward:

- Councillor elect Merri Harris

The following persons were elected unopposed to Council to represent the North/West Ward:

- Councillor elect Beth Brown
- Councillor elect Kevin Murphy

There is one (1) vacancy for the Central Ward, with three (3) nominations received and one (1) vacancy and two (2) nominations received contesting the seat in the South Ward.

Council is now requested to consider the appointment of Councillors, by resolution, to the various Working Groups and also appointment of delegates to other organisations.

A copy of the Appointment of Delegates to Working Groups – 2006 and Appointment of Delegates to Organisations – 2007 is with attachments marked SCM014.1/10/09 (E07/5131).

Comment:

The appointment of delegates will ensure a smooth transition of representation on the various organisational bodies within the district and region that Council interacts with.

Voting Requirements: Simple Majority

Officer Recommended Resolution:

That the following appointments be made:

Council Working Group:

That (4) Elected Members Cr, Cr, Cr..... and Cr be appointed as Council delegates to the Staff Management Working Group

Other Organisations:

1. That Cr be appointed as Council delegate to the Community Safety and Crime Prevention Committee and Cr be appointed the deputy.
2. That Cr be appointed as Council delegate to the Local Emergency Management Advisory Committee and Cr be appointed the deputy.
3. That Cr be appointed as Council delegate to the Armadale Home Help and Cr be appointed the deputy.
4. That Crbe appointed as Council delegate to the Armadale Hospital Community Advisory Council and Cr be appointed the deputy.
5. That Crand Cr be appointed as Council delegates to the Byford Progress Association.
6. That Crbe appointed as Council delegate to the Cemeteries Management Committee and Cr be appointed the deputy.

7. That Cr , Cr and Cr be appointed as Council delegates to the Australia Day Project Committee.
8. That Cr and Cr be appointed as Council delegates to the Darling Downs Management Committee.
9. That Cr and Cr be appointed as Council delegates to the Darling Range Regional Park Committee.
10. That Cr be appointed as Council delegate to the Jandakot Regional Park Community Advisory Committee and Cr as deputy.
11. That Cr be appointed as Council delegate to the Jarrahdale Community Association and Cr as deputy.
12. That Cr be appointed as Council delegate to the Jarrahdale Townscape Committee and Cr as deputy.
13. That Cr be appointed as Council delegate to the Landcare SJ Inc (Board).
14. That Cr be appointed as Council delegate to the Landcare Centre Management Committee and Cr as deputy.
15. That Cr be appointed as Council delegate to the Mundijong Community Forum and Cr as deputy.
16. That Cr be appointed as Council delegate to the Oakford/Oldbury Association Inc. and Cr as deputy.
17. That Cr be appointed as Council delegate to the Peel Economic Development Unit Executive Group Inc and Cr as deputy.
18. That Cr be appointed as Council delegate to the Peel Trails Group and Cr as deputy.
19. That Cr be appointed as Council delegate to the Peel Community Foundation.
20. That Cr and Cr be appointed as Council delegates to the Rivers Regional Council.
21. That Cr and Cr be appointed as Council delegates to the South East Regional Energy Group.
22. That Cr be appointed as Council delegate to the Reserves Advisory Group and Cr as deputy.
23. That Cr be appointed as Council delegate to the Roadwise Committee and Cr as deputy.
24. That Cr and Cr be appointed as Council delegates to the Serpentine & Districts Community Forum.
25. That Cr be appointed as Council delegate to the Serpentine Sports Reserve Management Committee and Cr as deputy.
26. That Cr be appointed as Council delegate to the Serpentine Jarrahdale Land Conservation District Committee and Cr as deputy.
27. That Cr be appointed as Council delegate to the Serpentine Jarrahdale Ratepayers & Residents Association and Cr as deputy.
28. That Cr and Cr be appointed as Council delegates to the Serpentine Jarrahdale Community Recreation Centre Management Group.
29. That Cr be appointed as Council delegate to the Serpentine Jarrahdale State Emergency Services Committee and Cr as deputy.
30. That Cr be appointed as Council delegate to the Serpentine Jarrahdale Tourism and Business Association.
31. That Cr be appointed as Council delegate to the South East District Planning Committee and Cr as deputy.
32. That Cr be appointed as Council delegate to the Telecentre Committee and Cr as deputy.
33. That Cr be appointed as Council delegate to the WA Blue Metal Community Committee and Cr as deputy.
34. That Cr and Cr be appointed as Council delegates to the Western Australian Local Government Association – South East Metropolitan Zone and Cr as deputy.

35. That Crand Cr be appointed as Council delegate to the Western Australian Local Government Association - Peel Zone (non voting) and Cr as deputy.
36. That Cr be appointed as Council delegate to the Serpentine Jarrahdale Trails Association Inc. and Cr as deputy.

Manager Executive Services left the meeting at 11.06am and returned to the meeting at 11.07am.

Manager Executive Services left the meeting at 11.22am.

SCM014/10/09 COUNCIL DECISION:

Moved Cr Randall, seconded Cr Kirkpatrick

That the following appointments be made:

Council Working Group:

That (4) Elected Members Cr Geurds, Cr Kirkpatrick, Cr Lowry and Cr Harris be appointed as Council delegates to the Staff Management Working Group.

Other Organisations:

1. That Cr Harris be appointed as Council delegate to the Community Safety and Crime Prevention Committee and Cr Randall be appointed the deputy.
2. That Cr Brown be appointed as Council delegate to the Local Emergency Management Advisory Committee and Cr Harris be appointed the deputy.
3. That Cr Twine be appointed as Council delegate to the Armadale Home Help and Cr Harris be appointed the deputy.
4. That Cr Brown be appointed as Council delegate to the Armadale Hospital Community Advisory Council and Cr Twine be appointed the deputy.
5. That Cr Randall and Cr Geurds be appointed as Council delegates to the Byford Progress Association.
6. That Cr Murphy be appointed as Council delegate to the Cemeteries Management Committee and Cr Kirkpatrick be appointed the deputy.
7. That Cr Harris, Cr Hoyer and Cr Twine be appointed as Council delegates to the Australia Day Project Committee.
8. That Cr Murphy and Cr Brown be appointed as Council delegates to the Darling Downs Management Committee.
9. That Cr Randall and Cr Hoyer be appointed as Council delegates to the Darling Range Regional Park Committee.
10. That Cr Murphy be appointed as Council delegate to the Jandakot Regional Park Community Advisory Committee and Cr Brown as deputy.
11. That Cr Kirkpatrick be appointed as Council delegate to the Jarrahdale Community Association and Cr Hoyer as deputy.
12. That Cr Twine be appointed as Council delegate to the Landcare SJ Inc (Board).
13. That Cr Randall be appointed as Council delegate to the Landcare Centre Management Committee and Cr Hoyer as deputy.
14. That Crs Kirkpatrick and Hoyer be appointed as Council delegate to the Mundijong Community Forum.
15. That Cr Murphy be appointed as Council delegate to the Oakford/Oldbury Association Inc. and Cr Brown as deputy.
16. That Cr Harris be appointed as Council delegate to the Peel Economic Development Unit Executive Group Inc and Cr Lowry as deputy.
17. That Cr Murphy be appointed as Council delegate to the Peel Trails Group and Cr Twine as deputy.

18. That Cr Harris be appointed as Council delegate to the Peel Community Foundation.
19. That Cr Kirkpatrick and Cr Murphy be appointed as Council delegates to the Rivers Regional Council.
20. That Cr Harris and Cr Hoyer be appointed as Council delegates to the South East Regional Energy Group.
21. That Cr Randall be appointed as Council delegate to the Reserves Advisory Group and Cr Murphy as deputy.
22. That Cr Buttfield be appointed as Council delegate to the Roadwise Committee and Cr Randall as deputy.
23. That Cr Buttfield and Cr Lowry be appointed as Council delegates to the Serpentine & Districts Community Forum.
24. That Cr Lowry be appointed as Council delegate to the Serpentine Sports Reserve Management Committee and Cr Buttfield as deputy.
25. That Cr Hoyer be appointed as Council delegate to the Serpentine Jarrahdale Land Conservation District Committee and Cr Buttfield as deputy.
26. That Cr Hoyer be appointed as Council delegate to the Serpentine Jarrahdale Ratepayers & Residents Association and Cr Harris as deputy.
27. That Cr Kirkpatrick and Cr Geurds be appointed as Council delegates to the Serpentine Jarrahdale Community Recreation Centre Management Group.
28. That Cr Brown be appointed as Council delegate to the Serpentine Jarrahdale State Emergency Services Committee and Cr Harris as deputy.
29. That Cr Hoyer be appointed as Council delegate to the Serpentine Jarrahdale Tourism and Business Association.
30. That Cr Geurds be appointed as Council delegate to the South East District Planning Committee and Cr Murphy as deputy.
31. That Cr Hoyer be appointed as Council delegate to the Telecentre Committee and Cr Brown as deputy.
32. That Cr Kirkpatrick be appointed as Council delegate to the WA Blue Metal Community Committee and Cr Hoyer as deputy.
33. That Cr Twine and Cr Harris be appointed as Council delegates to the Western Australian Local Government Association – South East Metropolitan Zone and Cr Geurds as deputy.
34. That Cr Twine and Cr Geurds be appointed as Council delegate to the Western Australian Local Government Association - Peel Zone (non voting) and Cr Brown as deputy.
35. That Cr Murphy be appointed as Council delegate to the Serpentine Jarrahdale Trails Association Inc. and Cr Lowry as deputy.
36. That Crs Randall and Harris be appointed as Council delegates to the International Womens Day Committee.
37. That Crs Randall and Harris be appointed as Council delegates to the South Western Highway Enhancement Committee.
38. That Crs Twine and Hoyer be appointed as Council delegates to the Jarrahdale Heritage Society.

CARRIED 9/0

Cr Buttfield was not present and did not vote.

Council note: The Officer Recommended Resolution was changed by removing part 12, changing part 15 to include two Council delegates and no deputy and the addition of parts 36, 37 and 38.

9. CLOSURE:

There being no further business, the meeting closed at 11.23am.

I certify that these minutes were confirmed at the
Ordinary Council Meeting held on 26 October 2009

.....
Presiding Member

.....
Date