



SHIRE OF  
**Chapman Valley**  
*love the rural life!*

## SPECIAL COUNCIL MEETING

Notice is hereby given that a special meeting  
of Council will be held on Monday 23 October 2017  
at the Council Chambers Nabawa, starting at 6:00pm

Maurice Battilana  
CHIEF EXECUTIVE OFFICER

# **CONFIRMED MINUTES**

**23 OCTOBER 2017**

# DISCLAIMER



No responsibility whatsoever is implied or accepted by the Shire of Chapman Valley for any act, omission or statement or intimation occurring during Council Meeting. The Shire of Chapman Valley disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council or Committee Meetings.

Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council Meeting does so at that person's or legal entity's own risk.

The Shire of Chapman Valley warns that anyone who has any application or request with the Shire of Chapman Valley must obtain and should rely on WRITTEN CONFIRMATION of the outcome of the application or request of the decision made by the Shire of Chapman Valley.

A handwritten signature in black ink, appearing to read "M. Battilana", is written over a large, light-colored circular scribble.

Maurice Battilana  
**CHIEF EXECUTIVE OFFICER**

**SHIRE OF CHAPMAN VALLEY  
CONFIRMED MINUTES FOR THE SPECIAL MEETING OF COUNCIL HELD IN THE  
COUNCIL CHAMBERS NABAWA ON MONDAY 23 OCTOBER 2017 AT 6:00pm**

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**Disclaimer (To be provided to Visitors Present)**

**ORDER OF BUSINESS:**

**1.0 DECLARATION OF OPENING/ANNOUNCEMENTS OF VISITORS**

The Chief Executive Officer, Mr Maurice Battilana welcomed Elected Members and Staff and declared the meeting open at 6.00pm.

**2.0 ANNOUNCEMENTS FROM THE PRESIDING MEMBER**

Nil

**3.0 RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE (PREVIOUSLY APPROVED)**

Present

a. Councillors

<b>Member</b>
Cr Anthony Farrell
Cr Pauline Forrester
Cr Trevor Royce
Cr Peter Humphrey
Cr Nicole Batten
Cr Kirrilee Warr
Cr Ian Maluish
Cr Darrell Forth

b. Staff

<b>Officer</b>	<b>Position</b>
Mr Maurice Battilana	Chief Executive Officer
Mr Simon Lancaster	Deputy Chief Executive Officer
Mrs Dianne Raymond	Manager of Finance & Corporate Services
Mrs Karen McKay	Executive Assistant (Minute Taker)

c. Visitors

<b>Name</b>	
John Collingwood	Sue Collingwood
Peter Batten	Pam Batten

Apologies

Nil	

#### 4.0 DISCLOSURE OF INTEREST - Nil

Members should fill in Disclosure of Interest forms for items in which they have a financial, proximity or impartiality interest and forward these to the Presiding Member before the meeting commences.

Section 5.60A:

*"a person has a **financial interest** in a matter if it is reasonable to expect that the matter will, if dealt with by the local government, or an employee or committee of the local government or member of the council of the local government, in a particular way, result in a financial gain, loss, benefit or detriment for the person."*

Section 5.60B:

*"a person has a **proximity interest** in a matter if the matter concerns –  
(a) a proposed change to a planning scheme affecting land that adjoins the person's land; or  
(b) a proposed change to the zoning or use of land that adjoins the person's land; or  
(c) a proposed development (as defined in section 5.63(5)) of land that adjoins the person's land."*

Regulation 34C (Impartiality):

*"**interest** means an interest that could, or could reasonably be perceived to, adversely affect the **impartiality** of the person having the interest and includes an interest arising from kinship, friendship or membership of an association."*

Item No.	Member/Officers	Type of Interest	Nature of Interest

#### 5.0 SWEARING IN OF COUNCILLORS

The Chief Executive Officer conducted the swearing in of the following Councillors:

- Cr Batten
- Cr Forth
- Cr Maluish
- Cr Warr

#### 6.0 ELECTIONS

##### 6.1 President – 2 year term

The Chief Executive Officer advised that the following nominations had been received (and accepted) for the position of President, with both Nominees confirming acceptance of their nominations:

- Cr Royce
- Cr Farrell

The Chief Executive Officer called for further nominations of which none were forthcoming.

After conducting a secret ballot in accordance with legislation Cr Farrell was declared as President of the Shire of Chapman Valley for a two year period expiring October 2019 and undertook the declaration in accordance with the Local Government (Constitution) Regulation 1998. Voting:

- Cr Farrell 5 Votes;
- Cr Royce 3 Votes

*Cr Farrell thanked Councillors for their support and said it was an honour to be elected President for the next two years and that he had big shoes to fill from outgoing President John Collingwood. He stated he was looking forward to moving onwards with the Shire.*

The President requested the Chief Executive Officer conduct the process for the election of Deputy President.

## 6.2 Deputy President – 2 year term

The Chief Executive Officer advised that the following nominations had been received for the position of Deputy President, with both Nominees confirming acceptance of their nominations:

- Cr Warr
- Cr Forrester

The Chief Executive Officer called for further nominations of which none were forthcoming.

After conducting a secret ballot in accordance with legislation Cr Warr was declared as Deputy President of the Shire of Chapman Valley for a two year period expiring October 2019 and undertook the declaration in accordance with the Local Government (Constitution) Regulation 1998. Voting:

- Cr Warr            5 Votes;
- Cr Forrester    3 Votes

The CEO vacated the chair and the newly elected President presided over the remainder of the meeting.

## **7.0 COMMITTEES**

The President called for nominations from Councillors for the following Committees:

	<b>Purpose/Delegations</b>	<b>Representatives</b>
<b>Building &amp; Disability Services Committee</b>	<p>Will meet at least annually to inspect all Shire Buildings/Properties and then subsequently to:</p> <ul style="list-style-type: none"> <li>~ Review preliminary costings for proposed works for consideration in draft Council Budget;</li> <li>~ Review the Capital &amp; Building Works Program;</li> <li>~ Disability Access &amp; Inclusion Plan; and</li> <li>~ Any other building/property items referred to the Committee by Council.</li> </ul> <p><b>Delegation – Nil</b></p>	<p><b>MOVED: CR WARR</b> <b>SECONDED: CR FORRESTER</b></p> <p><u>5 x Councillors</u></p> <ul style="list-style-type: none"> <li>• Cr Farrell</li> <li>• Cr Forrester</li> <li>• Cr Humphrey</li> <li>• Cr Maluish</li> <li>• Cr Forth</li> </ul> <p><u>Observers:</u></p> <ul style="list-style-type: none"> <li>~ CEO</li> <li>~ Building Surveyor</li> </ul> <p style="text-align: right;"><b>CARRIED</b> <b>Voting 8/0</b> <b>Minute Reference SCM 10/17-1</b></p>
<b>Finance &amp; Audit Committee</b>	<p>Will meet on an annual basis to provide a review of Council's ongoing financial situation, provide a forum for ongoing review of strategic management plan for Council operations and discuss the Audit System.</p> <p><b>Delegation – Nil</b></p>	<p><b>MOVED: CR FORRESTER</b> <b>SECONDED: CR MALUISH</b></p> <p><u>3 x Councillors</u></p> <ul style="list-style-type: none"> <li>• Cr Farrell</li> <li>• Cr Royce</li> <li>• Cr Forth</li> </ul> <p><u>Observers:</u></p> <ul style="list-style-type: none"> <li>~ CEO</li> <li>~ Manager Finance &amp; Corporate Services</li> <li>~ Accountant</li> </ul> <p style="text-align: right;"><b>CARRIED</b> <b>Voting 8/0</b> <b>Minute Reference SCM 10/17-2</b></p>

<p><b>Road Infrastructure Committee</b></p>	<p>Undertake an annual review the following:  ~ Road Works Program;  ~ Road Hierarchy;  ~ Heavy Haulage Vehicle Permit Roads; and  ~ Any other works infrastructure item referred to the Committee by Council.  ~ Review the plant replacement program</p> <p><b>Delegation – Nil</b></p>	<p><b>MOVED: CR FORTH</b>  <b>SECONDED: CR WARR</b></p> <p>All Councillors</p> <p><u>Observers:</u>  ~ CEO  ~ Manager Works &amp; Services  ~ Deputy CEO  ~ Works Leading Hand</p> <p style="text-align: right;"><b>CARRIED</b>  <b>Voting 8/0</b>  <b>Minute Reference SCM 10/17-3</b></p>
<p><b>Bush Fire Brigades Group Management Advisory Committee</b></p>	<p>Meet at least annually to:</p> <ul style="list-style-type: none"> <li>~ Elect Office Bearers;</li> <li>~ Review previous year fire season;</li> <li>~ Review the Shire’s Fire Notice;</li> <li>~ Liaise with external organisations (e.g. DFES, DPAW);</li> <li>~ Review the DFES Capital &amp; Operational Grants;</li> <li>~ Any other bush fire related items referred to the Committee by Council.</li> </ul> <p><b>Delegation – Nil</b></p>	<p><b>MOVED: CR MALUISH</b>  <b>SECONDED: CR HUMPHREY</b></p> <p><u>President (Presiding Member) and 2 x Councillor</u></p> <ul style="list-style-type: none"> <li>• Cr Farrell (President)</li> <li>• Cr Forrester</li> <li>• Cr Royce</li> </ul> <p>CBFCO  DCBFCO  All Brigade FCOs  Chief Executive Officer  Senior Ranger</p> <p><u>Observers</u>  1 x DFES Rep.  1 x DPAW Rep.</p> <p style="text-align: right;"><b>CARRIED</b>  <b>Voting 8/0</b>  <b>Minute Reference SCM 10/17-4</b></p>

<p><b>Regional Local Emergency Management Committee</b></p>	<p>Meet as required in accordance with legislation and Council endorsed Local Emergency Management Arrangements (LEMA) to:</p> <ul style="list-style-type: none"> <li>~ Review the LEMA &amp; Recovery Plan;</li> <li>~ Implement Emergency Exercises as required;</li> <li>~ Any other emergency management related items referred to the Committee by Council.</li> </ul> <p><b>Delegation – Nil</b></p>	<p><b>MOVED: CR BATTEN SECONDED: CR FORTH</b></p> <p><u>President (Presiding Member) and 1 x Councillor</u></p> <ul style="list-style-type: none"> <li>• Cr Humphrey</li> <li>• Cr Warr</li> </ul> <p>Chief Executive Officer</p> <p style="text-align: right;"><b>CARRIED Voting 8/0 Minute Reference SCM 10/17-5</b></p>
<p><b>Bill Hemsley Park Management Committee</b></p>	<p>The role of the Bill Hemsley Park Management Committee (Formerly Parkfalls Management Committee) as agreed at the 17 April 2013 Council meeting is to make recommendation to Council for its consideration as to development and expenditure within the park</p> <p><b>Delegation – Nil</b></p>	<p><b>MOVED: CR WARR SECONDED: CR FORTH</b></p> <p><u>2 x Councillors</u></p> <ul style="list-style-type: none"> <li>• Cr Royce</li> <li>• Cr Forrester</li> </ul> <p>2 x Parkfalls Residents Assoc. 1x Developer</p> <p><u>Observers:</u></p> <ul style="list-style-type: none"> <li>~ CEO</li> <li>~ Deputy CEO</li> </ul> <p style="text-align: right;"><b>CARRIED Voting 8/0 Minute Reference SCM 10/17-6</b></p>



<p><b>Landcare &amp; Environmental Advisory Group</b></p>	<p>To apply for grant funding from third party sources to finance appropriate projects within the Shire of Chapman Valley:</p> <p>a) Delegate authority to the Chief Executive Officer to endorse grant applications/projects if funding resources are available within the Council's adopted budget;</p> <p>b) If funding resources are not available within the adopted Council Budget for specific grant applications/projects, present the application to Council for endorsement, if possible, prior to the closure dates for the grant funding programs. Otherwise retrospective Council endorsement to commit funding resources will be required.</p> <p>All applications submitted, which require Council endorsement for additional funding resources, will be subject Council endorsement (i.e. the Committee does not have delegated authority to commit Council funding resources)."</p> <p>c) Provide advice and assistance to the Chief Executive Officer and Shire staff in the managing of the Landcare Grant funds.</p> <p>d) Provide recommendations to Council on any Landcare Contracts and Consultancy agreements.</p> <p>e) Provide a Draft Annual Budget for Landcare to Council for consideration as part of the Annual Budget process.</p>	<p><b>MOVED: CR WARR</b>  <b>SECONDED: CR HUMPHREY</b></p> <p><u>2 x Councillors</u></p> <ul style="list-style-type: none"> <li>• Cr Farrell</li> <li>• Cr Batten</li> </ul> <p><u>Observers</u></p> <p>Chief Executive Officer  Deputy CEO  NACC Rep.  Landcare &amp; Environment Consultant</p> <p style="text-align: right;"><b>CARRIED</b>  <b>Voting 8/0</b>  <b>Minute Reference SCM 10/17-7</b></p>
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<p><b>Community Growth Fund Advisory Group</b></p>	<p>Evaluate application received for funding under the Shire of Chapman Valley Community Growth Fund program in accordance with guideline, policies and procedures set by Council and make recommendations to Council to allocate funds</p> <p><b>Delegation – Nil</b></p>	<p><b>MOVED: CR WARR</b> <b>SECONDED: CR FORTH</b></p> <p><u>4 x Councillors (Members)</u></p> <ul style="list-style-type: none"> <li>• Cr Farrell</li> <li>• Cr Warr</li> <li>• Cr Forrester</li> <li>• Cr Maluish</li> </ul> <p><u>1 x Councillor (Proxy)</u></p> <ul style="list-style-type: none"> <li>• NIL</li> </ul> <p>Chief Executive Officer Manager Finance &amp; Corp Svc Comm. Develop. Officer</p> <p style="text-align: right;"><b>CARRIED</b> <b>Voting 8/0</b> <b>Minute Reference SCM 10/17-8</b></p>
<p><b>Tourism &amp; Events Working Group</b></p>	<p>Will meet on an ‘as needs’ basis only to:</p> <ul style="list-style-type: none"> <li>~ Evaluate annual Australia Day Award Nominations and submitting these to Council in readiness for presenting the awards at the Shire's annual Australia Day Function;</li> <li>~ Assist with coordinating the annual Australia Day function(s);</li> <li>~ Discuss all other item(s) referred to them by Council in the areas of tourism and events.</li> </ul> <p><b>Delegation – Nil</b></p>	<p><b>MOVED: CR WARR</b> <b>SECONDED: CR FORRESTER</b></p> <p><u>3 x Councillors</u></p> <ul style="list-style-type: none"> <li>• Cr Forrester</li> <li>• Cr Humphrey</li> <li>• Cr Batten</li> </ul> <p>CEO Deputy CEO Comm. Development Officer 2 x Community Representatives for Australia Day award nominations (recommend past winner as one rep.)</p> <p style="text-align: right;"><b>CARRIED</b> <b>Voting 8/0</b> <b>Minute Reference SCM 10/17-9</b></p>

<p><b>Chapman Valley Safety Team</b></p>	<p>Will meet every three months to discuss Occupational Health and Safety issues in accordance with requirement of Occupational Health and Safety Act 1984 and make recommendations to Council.</p> <p><b>Delegation – Nil</b></p>	<p><b>MOVED: CR WARR</b> <b>SECONDED: CR HUMPHREY</b></p> <p>Council remove the Elected Member representation on the Safety Team as this is an operational activity of the organisation.</p> <p style="text-align: right;"><b>CARRIED</b> <b>Voting 8/0</b> <b>Minute Reference SCM 10/17-10</b></p>
<p><b>MOVED: CR ROYCE</b> <b>SECONDED: CR FORTH</b></p> <p>That the following three (3) Groups be removed from the list as no longer relevant.</p>		
<p><b>Yuna Community Centre – Working Group</b></p>	<p>To oversee and steer the Yuna Community Centre Project under the condition any major variation to the project are to be brought back to Council for consideration.</p> <p><b>Delegation – Nil</b></p>	
<p><b>Nabawa Revitalisation Plan – Working Group</b></p>	<p>To oversee and steer the establishment of a Plan and associated activities that will produce a dynamic and inviting streetscape for residents and visitors and provide for greater connectivity between the facilities and the people of the town. The Plan is to be presented to Council for consideration.</p> <p><b>Delegation – Nil</b></p>	
<p><b>Coastal Management Strategy Steering Group</b></p>	<p>To undertake the review of the Shire of Chapman Valley Coastal Management Strategy.</p> <p><b>Delegation – Nil</b></p>	
<p style="text-align: right;"><b>CARRIED</b> <b>Voting 8/0</b> <b>Minute Reference SCM 10/17-11</b></p>		

<b>Yuna Memorial Hall Working Group</b>	To determine the future use of the Yuna Memorial Hall	<p><b>MOVED: CR FORRESTER</b> <b>SECONDED: CR HUMPHREY</b></p> <p><u>2x Councillors</u></p> <ul style="list-style-type: none"> <li>• Cr Humphrey</li> <li>• Cr Batten</li> </ul> <p>CEO DCEO Community Development Officer 2 x CABY / Community representatives</p> <p style="text-align: right;"><b>CARRIED</b> <b>Voting 8/0</b> <b>Minute Reference SCM 10/17-12</b></p>
<b>Northern Country Zone (WALGA)</b>	Not Applicable  <b>Delegation – Nil</b>	<p><b>MOVED: CR FORRESTER</b> <b>SECONDED: CR FORTH</b></p> <p><u>2 x Councillors</u></p> <ul style="list-style-type: none"> <li>• Cr Farrell</li> <li>• Cr Warr</li> </ul> <p>Chief Executive Officer</p> <p style="text-align: right;"><b>CARRIED</b> <b>Voting 8/0</b> <b>Minute Reference SCM 10/17-13</b></p>
<b>Sub-Regional Road Group Committee</b>	Not Applicable  <b>Delegation – Nil</b>	<p><b>MOVED: CR HUMPHREY</b> <b>SECONDED: CR FORTH</b></p> <p><u>2 x Councillors</u></p> <ul style="list-style-type: none"> <li>• Cr Farrell</li> <li>• Cr Warr</li> </ul> <p>Chief Executive Officer Manager Works &amp; Services</p> <p style="text-align: right;"><b>CARRIED</b> <b>Voting 8/0</b> <b>Minute Reference SCM 10/17-14</b></p>

<p><b>Chapman Valley Landcare District Committee</b></p>	<p>Not Applicable</p> <p><b>Delegation – Nil</b></p>	<p><b>MOVED: CR ROYCE</b> <b>SECONDED: CR WARR</b></p> <p>That Council advise it no longer wishes to have representation on this Committee due to its lack of activity over a number of years.</p> <p><b>CARRIED</b> <b>Voting 8/0</b> <b>Minute Reference SCM 10/17-15</b></p>
<p><b>Chapman Valley Agricultural Society</b></p>	<p>Not Applicable</p> <p><b>Delegation – Nil</b></p>	<p><b>MOVED: CR HUMPHREY</b> <b>SECONDED: CR BATTEN</b></p> <p><u>1 x Councillor</u></p> <ul style="list-style-type: none"> <li>• Cr Batten</li> </ul> <p><u>1 x Proxy</u></p> <ul style="list-style-type: none"> <li>• Cr Forth</li> </ul> <p><b>CARRIED</b> <b>Voting 8/0</b> <b>Minute Reference SCM 10/17-16</b></p>
<p><b>Mid West Development Assessment Panel (DAP)</b></p>	<p>Not Applicable</p> <p><b>Delegation – Nil</b></p>	<p><b>MOVED: CR ROYCE</b> <b>SECONDED: CR WARR</b></p> <p><u>2 x Councillors (Members)</u></p> <ul style="list-style-type: none"> <li>• Cr Farrell</li> <li>• Cr Forrester</li> </ul> <p><u>2 x Councillors (Proxies)</u></p> <ul style="list-style-type: none"> <li>• Cr Warr</li> <li>• Cr Humphrey</li> </ul> <p><b>CARRIED</b> <b>Voting 8/0</b> <b>Minute Reference SCM 10/17-17</b></p>

## **8.0 CLOSURE**

The President thanked everyone for their attendance and declared the meeting closed at 6.53pm.

### 5.8. Establishment of committees

A local government may establish\* committees of 3 or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.

\* Absolute majority required.

### 5.9. Committees, types of

- (1) In this section —  
**other person** means a person who is not a council member or an employee.
- (2) A committee is to comprise —
  - (a) council members only; or
  - (b) council members and employees; or
  - (c) council members, employees and other persons; or
  - (d) council members and other persons; or
  - (e) employees and other persons; or
  - (f) other persons only.

### 5.10. Committee members, appointment of

- (1) A committee is to have as its members —
  - (a) persons appointed\* by the local government to be members of the committee (other than those referred to in paragraph (b)); and
  - (b) persons who are appointed to be members of the committee under subsection (4) or (5).

\* Absolute majority required.
- (2) 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.
- (3) Section 52 of the Interpretation Act 1984 applies to appointments of committee members other than those appointed under subsection (4) or (5) but any power exercised under section 52(1) of that Act can only be exercised on the decision of an absolute majority of the local government.
- (4) 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.
- (5) If at a meeting of the council a local government is to make an appointment to a committee that has or will have an employee as a member and the CEO informs the local government of his or her wish —
  - (a) to be a member of the committee; or
  - (b) that a representative of the CEO be a member of the committee,

the local government is to appoint the CEO or the CEO's representative, as the case may be, to be a member of the committee.

**5.11A. Deputy committee members**

- (1) *The local government may appoint\* a person to be a deputy of a member of a committee and may terminate such an appointment\* at any time.*  
*\* Absolute majority required.*
- (2) *A person who is appointed as a deputy of a member of a committee is to be —*
  - (a) *if the member of the committee is a council member — a council member; or*
  - (b) *if the member of the committee is an employee — an employee; or*
  - (c) *if the member of the committee is not a council member or an employee — a person who is not a council member or an employee; or*
  - (d) *if the member of the committee is a person appointed under section 5.10(5) — a person nominated by the CEO.*
- (3) *A deputy of a member of a committee may perform the functions of the member when the member is unable to do so by reason of illness, absence or other cause.*
- (4) *A deputy of a member of a committee, while acting as a member, has all the functions of and all the protection given to a member.*  
*[Section 5.11A inserted by No. 17 of 2009 s. 20.]*

**5.11. Committee membership, tenure of**

- (1) *Where a person is appointed as a member of a committee under section 5.10(4) or (5), the person's membership of the committee continues until —*
  - (a) *the person no longer holds the office by virtue of which the person became a member, or is no longer the CEO, or the CEO's representative, as the case may be; or*
  - (b) *the person resigns from membership of the committee; or*
  - (c) *the committee is disbanded; or*
  - (d) *the next ordinary elections day,**whichever happens first.*
- (2) *Where a person is appointed as a member of a committee other than under section 5.10(4) or (5), the person's membership of the committee continues until —*
  - (a) *the term of the person's appointment as a committee member expires; or*
  - (b) *the local government removes the person from the office of committee member or the office of committee member otherwise becomes vacant; or*
  - (c) *the committee is disbanded; or*
  - (d) *the next ordinary elections day,**whichever happens first.*

**5.12. Presiding members and deputies, election of**

- (1) *The members of a committee are to elect a presiding member from amongst themselves in accordance with Schedule 2.3, Division 1 as if the references in that Schedule —*
  - (a) *to "office" were references to "office of presiding member"; and*
  - (b) *to "council" were references to "committee"; and*
  - (c) *to "councillors" were references to "committee members".*
- (2) *The members of a committee may elect a deputy presiding member from amongst themselves but any such election is to be in accordance with Schedule 2.3, Division 2 as if the references in that Schedule —*
  - (a) *to "office" were references to "office of deputy presiding member"; and*
  - (b) *to "council" were references to "committee"; and*
  - (c) *to "councillors" were references to "committee members"; and*



(d) to “mayor or president” were references to “presiding member”.

**5.13. Deputy presiding members, functions of**

If, in relation to the presiding member of a committee —

- (a) the office of presiding member is vacant; or
- (b) the presiding member is not available or is unable or unwilling to perform the functions of presiding member,

then the deputy presiding member, if any, may perform the functions of presiding member.

**5.14. Who acts if no presiding member**

If, in relation to the presiding member of a committee —

- (a) the office of presiding member and the office of deputy presiding member are vacant; or
- (b) the presiding member and the deputy presiding member, if any, are not available or are unable or unwilling to perform the functions of presiding member,

then the committee members present at the meeting are to choose one of themselves to preside at the meeting.

**5.15. Reduction of quorum for committees**

The local government may reduce\* the number of offices of committee member required for a quorum at a committee meeting specified by the local government if there would not otherwise be a quorum for the meeting.

\* Absolute majority required.

**5.16. Delegation of some powers and duties to certain committees**

- (1) Under and subject to section 5.17, a local government may delegate\* to a committee any of its powers and duties other than this power of delegation.  
\* Absolute majority required.
- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.
- (3) Without limiting the application of sections 58 and 59 of the Interpretation Act 1984 —
  - (a) a delegation made under this section has effect for the period of time specified in the delegation or if no period has been specified, indefinitely; and
  - (b) any decision to amend or revoke a delegation under this section is to be by an absolute majority.
- (4) Nothing in this section is to be read as preventing a local government from performing any of its functions by acting through another person.

**5.17. Limits on delegation of powers and duties to certain committees**

- (1) A local government can delegate —
  - (a) to a committee comprising council members only, any of the council’s powers or duties under this Act except —
    - (i) any power or duty that requires a decision of an absolute majority or a 75% majority of the local government; and
    - (ii) any other power or duty that is prescribed;

- and*
- (b) to a committee comprising council members and employees, any of the local government's powers or duties that can be delegated to the CEO under Division 4;  
and*
- (c) to a committee referred to in section 5.9(2)(c), (d) or (e), any of the local government's powers or duties that are necessary or convenient for the proper management of —*
  - (i) the local government's property; or*
  - (ii) an event in which the local government is involved.*
- (2) A local government cannot delegate any of its powers or duties to a committee referred to in section 5.9(2)(f).*  
*[Section 5.17 amended by No. 49 of 2004 s. 16(2).]*

## NORTHERN COUNTRY ZONE

Shires of –  
 CARNAMAH  
 CHAPMAN VALLEY  
 COOROW  
 CITY OF GREATER GERALDTON  
 IRWIN  
 MINGENEW  
 MOROWA  
 NORTHAMPTON  
 PERENJORI  
 THREE SPRINGS



ABN 75 305 122 944

7 St Dominics Rd  
 PORT DENISON WA 6525

Ph: (08) 99272243

email : Barrye.thompson@bigpond.com

Chief Executive Officer  
 Shire of Chapman Valley  
 PO Box 1  
 NABAWA WA 6532

Dear Maurice,

### Zone Office Bearer Elections 2013

The next meeting of the Northern Country Zone of WALGA will be the Annual General Meeting of the Zone at which the representative and the deputy representative to the WALGA State Council will be elected. This will be a “face to face” meeting to be held at Mingenew on Monday 25<sup>th</sup> November 2013 commencing at 10.00am.

The election will be the first item of business of that meeting.

To be able to comply with the timetable for the installation of the new State Council taking office on the 4<sup>th</sup> December 2013, Zone member councils will need to be mindful of the following:-

- Member Councils to elect/appoint their Zone Delegates and to advise the Zone Executive Officer, as soon as possible but preferably by on/or before the 8<sup>th</sup> November 2013.
- For the purpose of electing their representative and deputy representatives to the WALGA State Council, the Zones are required to hold these elections at the November 2013 meeting.
- Zones to advise WALGA, in writing, of their elected State Council representative and deputy representative immediately following the 2013 November Zone meeting.
- State Councillor induction Session – morning of 4<sup>th</sup> December 2013.
- New State Council will take office at the Ordinary Meeting of State Council on the 4<sup>th</sup> December 2013.
- The position of President and Deputy President of WALGA will be elected at the March 2014 State Council Meeting.

*Nominations are called from Member Council delegates of the Northern Country Zone of WALGA for the positions of representative and deputy representative to State Council.*

- *Nominations must be in writing and can only be received from Elected Members who are nominated Zone delegates.*
- *The time period for the receipt of nominations is to be **one week** prior to the Zone meeting at which the election is to be held, for the Northern Country Zone of WALGA the nominations must be received by close of business on **Monday 18<sup>th</sup> November 2013.***
- *Where there is more than one nomination for each vacant position, an election will be conducted using a secret ballot, with the Zone Executive Officer to represent WALGA as the returning officer for the election. Prior to the vote nominees for each position will be extended the opportunity to provide a 2 minute election bid to delegates.*

- *All voting delegates to the Zone are entitled to cast one (1) vote in the ballot process. The candidate with the greater or greatest number of votes is elected to the office.*
- *In the event of a **tied vote**, election will be determined by drawing names from a box. The Secretariat will put the names of the candidates concerned in a box and the first name drawn is the Elected Member.*
- *The Zone Executive Officer will advise WALGA in writing immediately following the Zone meeting of the outcome of the elections.*

Your advice of the names of delegates in due course would be appreciated and nomination for any of the positions vacant must be lodged prior or up to close of business Monday 18<sup>th</sup> November 2013.

Yours sincerely,

*BRTompson*

Barrye Thompson  
Executive Officer  
Northern Country Zone of WALGA  
16<sup>th</sup> October 2013