



Notice of Special Meeting of Council

Purpose: Swearing in of New Councillors and Selection of Committees and Delegates

TO:

ALL COUNCILLORS

To be held on

Monday 23 October 2017

Commencing at 6.00pm

In the Function Room, Donnybrook Recreation Centre,
Steere Street, Donnybrook WA 6239

A handwritten signature in black ink, appearing to read "Greg Harris".

Greg Harris
A/Chief Executive Officer

13 October 2017

Disclaimer

The advice and information contained herein is given by and to the Council without liability or responsibility for its accuracy. Before placing any reliance on this advice or information, a written inquiry should be made to the Council giving entire reasons for seeking the advice or information and how it is proposed to be used.



SPECIAL COUNCIL MEETING AGENDA

23 October 2017

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SHIRE OF DONNYBROOK-BALINGUP

SPECIAL MEETING of COUNCIL AGENDA

To be held at the Donnybrook Recreation Centre
on Monday, 23 October 2017 at 6.00pm

Prior to the commencement of the meeting the Councillors elect will make their Oath or Affirmation of Allegiance and Declaration of Office.

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The CEO to declare the meeting open at _____ pm welcome the public gallery and advise them of the meeting procedures.

MEMBERS PRESENT

COUNCILLORS

Cr King
Cr Mills
Cr Tan
Cr Van Der Heide

STAFF

Ben Rose – CEO
Greg Harris – Manager Finance & Administration
Kate O’Keeffe – Executive Assistant

PUBLIC GALLERY

NOMINATION OF PRESIDING OFFICER

The Chief Executive Officer invited nominations for the position of Shire President for the ensuing two years.

_____ nominated _____ to the position of Presiding Officer.

NOMINATION OF DEPUTY PRESIDING OFFICER

_____ nominated _____ to the position of Deputy Presiding Officer.

SEATING ARRANGEMENTS FOR COUNCILLORS

In accordance with s.8.1 of the *Shire of Donnybrook-Balingup Meeting Procedures Local Law 2017*, the CEO will allot, alphabetically, a position at the Council table to each Member.

2 ATTENDANCE

2.1 APOLOGIES

2.2 APPROVED LEAVE OF ABSENCE

3 ANNOUNCEMENTS FROM THE PRESIDING MEMBER

4 DECLARATION OF FINANCIAL/IMPARTIALITY INTEREST

Division 6: Sub-Division 1 of the *Local Government Act 1995*. Care should be taken by all Councillors to ensure that a financial/impartiality interest is declared and that they refrain from voting on any matter, which is considered to come within the ambit of the Act.

5 PUBLIC QUESTION TIME

6 PRESENTATIONS

N/A

7 CONFIRMATION OF MINUTES

N/A

8 REPORTS OF COMMITTEES

N/A

9 REPORTS OF OFFICERS

9.1 CHIEF EXECUTIVE OFFICER

9.1.1 REVIEW OF COMMITTEE'S

Location	Shire of Donnybrook-Balingup
Applicant	Shire of Donnybrook-Balingup
File Reference	ADM 06
Author	Ben Rose, Chief Executive Officer (<i>Lucy Bourne – Governance Officer</i>)
Attachments	9.1.1 – Current Council Committee's
Voting Requirements	Simple Majority
Executive Summary	A review and rationalisation of Council Committees is in progress. It was intended to bring a recommendation to the October Council Meeting, but the review has not been completed. It is recommended that Council appoint only those committees that are required under legislation at this meeting and that the review is continued, with the involvement of the new Council, so that a recommendation regarding other Committees can be brought to the November Ordinary Council Meeting.

STRATEGIC ALIGNMENT

The proposal aligns with the following objective within the Corporate Business Plan:

Provide accountable and strategic leadership	4.1.1.3	Review Council, Committee and Working Group governance structures and meeting programs
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BACKGROUND

The Shire of Donnybrook Balingup currently has 22 Committees, requiring 25-30 committee meetings a year. Committees provide significant assistance to Council by allowing community input and detailed discussion to occur outside of the formal Council Meeting process. Committees typically make a recommendation to Council for a decision.

At the same time, the high number of committee meetings requires a substantial time commitment from Elected Members, staff and Committee Members, with each meeting requiring agenda preparation and distribution, minutes, room set-up and staff (and Committee Member) attendance.

At its August meeting, Council resolved to:

Instruct the Chief Executive Officer to conduct a review of Committees and to present findings and recommendations to the October 2017 Ordinary Meeting of Council.

The aim of this review is to determine the number of committees necessary to achieve efficiency and effectiveness benefits.

DETAILS

A workshop was held with key staff to start the review process. However, over the past two months there have been a high number of additional meetings, elections and caretaker provisions have been in place. As a result there has not been time for the appropriate consultation with Elected Members and community representatives.

The only Committee the Shire is required to establish through this process under legislation is the Audit Committee (*Local Government Act 1995*, s.7.1A).

CONSULTATION

Elected Member, staff and local government sector consultation is recommended to review and refine any committee structures.

FINANCIAL IMPLICATIONS

Depending on the extent of the review, cost savings may result, without impacting levels of community engagement.

POLICY COMPLIANCE

Council Policy 1.15 – Committee Membership - states that Committees should be established in line with the election cycle.

STATUTORY COMPLIANCE

Local Government Act 1995

CONCLUSION

A thorough review of the existing committee structure

RECOMMENDATION

That Council:

- **Appoint the Audit Committee, as required under legislation, and defer the appointment of other Committees until the review of Committees has been completed; and**
- **Instruct the CEO to continue the review of Committees and to present findings and recommendations to the November 2017 Ordinary Meeting of Council**

9.1.2 APPOINTMENT OF AUDIT COMMITTEE 2017 - 2019

Location	Shire of Donnybrook-Balingup
Applicant	Shire of Donnybrook-Balingup
File Reference	ADM 06
Author	Ben Rose, Chief Executive Officer (<i>Lucy Bourne – Governance Officer</i>)
Attachments	9.1.2 - Audit Committee Terms of Reference
Voting Requirements	Absolute Majority
Executive Summary	In accordance with item 9.1, the Audit Committee for 2017-2019 is appointed. The Terms of Reference for this Committee are attached. Details of other Committees currently under review are also attached for Councillors' information.

BACKGROUND

The existing Audit Committee is comprised of the following members

GENERAL COMMITTEE	Current Members	Appointees
<p>Audit Committee (All Councillors)</p> <p>Meet twice a year to consider and discuss the interim audit and Audit Report and any other items applicable to the Auditors review of Councils financial position.</p>	<p>Cr Bailey Cr Crowley Cr Dilley Cr King Cr Logiudice Cr Mills Cr Mitchell Cr Tan Cr Van Der Heide</p>	

Moved:

Seconded:

That the Audit Committee be appointed for the ensuing two years, as follows:

Absolute Majority Required

9.1.3 APPOINTMENT OF DELEGATES 2017 - 2019

Location	Shire of Donnybrook-Balingup
Applicant	Shire of Donnybrook-Balingup
File Reference	ADM 06
Author	Ben Rose, Chief Executive Officer (<i>Lucy Bourne – Governance Officer</i>)
Attachments	Nil
Voting Requirements	Simple Majority
Executive Summary	Council appoints delegates (Elected Members or Employees) to sit on a number of external committees for a two-year period.

COUNCIL DELEGATES	Current	Appointees
Apple Festival	Cr Bailey	
Balingup Tourism Association	Cr King	
Blackwood Valley Tourism Association	Nil	
Bunbury Wellington Economic Alliance (Shire President or Deputy) Board member required to attend bi-monthly meetings. BWEA comprises 6 Local Governments and businesses addressing unity of development issues.	Cr Logiudice Cr Mills	
Bushfire Advisory	Cr Bailey	
Chamber of Commerce	B. Rose	
Donnybrook District High School Council (1 Councillor) Linkage between Council and Donnybrook District High School.	Cr King	
Development Assessment Panels	Cr Dilley Cr Bailey Cr Mills Cr Tan	
Community Resource Centre Committee To be a bridge for partnering opportunities Meets monthly - every 3rd Monday at 3pm	Cr Tan	
Local Emergency Management Committee (LEMC) & District Emergency Management Advisory (Shire President or Deputy)	Cr Logiudice Cr Mills	
Recovery Coordinator	L Guthridge	
South West Regional Road Group	Cr Dilley	

COUNCIL DELEGATES	Current	Appointees
SW Ward of the WALGA (Shire President or Deputy) To attend SW WALGA Board meetings – bi monthly, last Friday of the month.	Cr Logiudice Cr Mills	
Donnybrook Tourist Association	Cr Logiudice Cr King	
Leschenault Catchment Council Linkage between the two Councils. Meetings Bi-monthly (even months) on the 3 rd Wednesday 1pm-3pm.	EO to attend when relevant to Shire	

In a situation where a Councillor is unable to attend a particular meeting, or act as a delegate to a meeting, another Councillor willing to attend that meeting is authorised to deputise if requested.

Moved:

Seconded:

That the following Delegates be appointed for the ensuing two years.

10 CLOSURE OF MEETING

The Shire President advises that the next Ordinary Council Meeting will be held on Wednesday, 25 October 2017, commencing at 5.00pm at the Balingup Recreation Centre, Balingup.

Shire President declared the meeting closed at _____.

Shire of Donnybrook Balingup Council Committee's

Council Committee	Current Membership
<p>Balingup Townscape (2 Councillors & 6 Community Members)</p> <p>Meetings are held every 2 months on the 2nd Wednesday commencing at 8.30am at the Workspace Building, Balingup.</p> <p>To make recommendations to Council on Balingup townscape developments within the townscape boundaries and focussing on the Balingup Our Town Development Plan.</p>	<p>Cr Mills Cr Bailey N King W Ayers G McMullen H Christensen P Hicks D Cortis</p>
<p>Donnybrook Townscape (4 Councillors & 2 Community Members)</p> <p>Meetings are held every 2 months on 4th Wednesday commencing at 3.30pm in Council Chambers.</p> <p>To make recommendations to Council on Donnybrook townscape developments and improvement works and to make recommendations to Council on specific Parks and Reserves development issues .</p> <p>Generally on the South Western Highway within the townscape boundary including Clifford Road, Collins Street and Preston River in the same area.</p>	<p>Cr Logiudice Cr Dilley Cr Tan Cr Bailey J Scott J Thomson</p>
<p>Admin/Depot Building Development Committee (5 Councillors)</p> <p>Meets as required to make recommendations to Council on strategic planning issues relating to Administration Centre development.</p>	<p>Cr Bailey Cr Crowley Cr Dilley Cr King Cr Logiudice Cr Mills Cr Mitchell Cr Tan Cr Van Der Heide</p>

Council Committee	Current Membership
<p>Audit Committee (All Councillors)</p> <p>Meet twice a year to consider and discuss the interim audit and Audit Report and any other items applicable to the Auditors review of Councils financial position.</p>	<p>Nominations</p> <p>Cr Bailey Cr Crowley Cr Dilley Cr King Cr Logiudice Cr Mills Cr Mitchell Cr Tan Cr Van Der Heide</p>
<p>Balingup Town Hall Library Advisory Committee (2 Councillors, 5 Community Members, President Balingup Progress Association, Representative Balingup Town Hall Committee, 2 Officers)</p> <p>Meets as required to assist Council in the development of the Balingup Town Hall Library.</p>	<p>Cr Bailey Cr Mills N King W Ayers H Christensen D Cortis</p>
<p>Cemetery Committee (3 Councillors & 4 Community Members)</p> <p>Meets as required to make recommendations to Council on improvements/development at Donnybrook and Balingup cemeteries.</p>	<p>Cr Mitchell Cr Van Der Heide Cr Crowley N King R Carr</p>
<p>Chief Executive Officer Review Committee (President, Deputy President & 1 Councillor)</p> <p>Meets as required to make recommendations to Council on the performance indicators for 12 months, conduct review process.</p>	<p>Cr Logiudice Cr Mills Cr Crowley Cr King</p>
<p>Community Awards & Grants Committee (4 Councillors)</p> <p>Meets as required to make recommendations to Council on Community Awards/formats/selection and Community Grants selection</p>	<p>Cr Tan Cr Mitchell Cr King Cr Dilley</p>

Council Committee	Current Membership
<p>Disability Access & Inclusion Planning Committee (1 Councillor & 4 Community Members)</p> <p>Meets as required to review and comment upon the disability access and inclusion plan and to assist the Shire Council to create and implement policies and structures that encompass the needs of all members of the community.</p>	<p>Cr Bailey A Rohrbach G Nidd L Runeckles K Langdon</p>
<p>Donnybrook Cultural Planning Advisory Group (5 Community Members)</p> <p>Meets as required to make recommendations to Council on implementation of the Donnybrook Cultural Plan.</p>	<p>J Stannard P Foster C Austin D Fawcett</p>
<p>Donnybrook Recreation Centre Advisory Committee (1 Councillor & 7 Community Members)</p> <p>Meets bi-annually at Donnybrook Recreation centre on Monday nights at 7.30pm to make recommendations to Council on operational issues at the Donnybrook Recreation Centre and ongoing capital improvements.</p>	<p>Cr Dilley R Horton R Licciardello A Julian L McCabe W Brown J Tuia</p>
<p>Donnybrook Community Library Committee (Council – 1 Councillor, CEO, 2 Community Members)</p> <p>(High School – Principal, 2 High School Members)</p> <p>Meets at least twice a year to consider operational matters at the Donnybrook Community Library.</p>	<p>Cr Bailey B Rose</p> <p>High School J Milne D St Laurenz G Nidd (Snrs) N Pemberton-Ovens</p>
<p>Donnybrook Balingup Road Safety Committee (Council – 2 Councillors, 1 Police, 1 Fire & Rescue, 1 Roadwise, 2 Community Members)</p> <p>To assist Council to work towards achieving safe road usage within the Shire based on the Governments endorsed Towards Zero Road Safety Strategy 2008-2020 by aspiring towards improving road safety.</p>	<p>Cr Mills R Jones (Fire & Rescue) G Hayllar (Roadwise) B Colton (St Johns) B Anderson (Fire & Rescue) Alan Roberts (Main Roads) R Van Der Heide (Police)</p>
<p>Legislative (Local Laws) Committee (4 Councillors)</p> <p>Meets as required to make recommendations to Council on review of Local Laws/new Local Laws.</p>	<p>Cr Mitchell Cr Bailey Cr Van Der Heide Cr Tan</p>

Council Committee	Current Membership
<p>Local Heritage Advisory Committee (1 Councillor, 4 Community Members)</p> <p>To assist Council in reviewing the Municipal Heritage Inventory (known herein as the “Local Heritage Inventory”) and Heritage List and update these documents to reflect contemporary requirements and circumstances.</p>	<p>Cr Bailey J Thomson M Hickman J Scott</p>
<p>Parks and Reserves (4 Councillors) Combine with Donnybrook Townscape Meets as required to make recommendations to Council on specific Parks and Reserves development issues.</p> <p><i>Committee disbanded. The functions of this committee have been merged with the Donnybrook Townscape Committee</i></p>	
<p>Preston Village Project Management Team (CEO, 2 Councillors & 3 Members of Donnybrook-Balingup Aged Care Board)</p> <p>Meets as required to make recommendations to Council to assess and manage the extension of Tuia Lodge and retirement village in Sharp Street, Donnybrook.</p>	<p>Cr Crowley Cr Van Der Heide B Rose</p>
<p>Preston Retirement Village Operations Committee (1 Councillor, CEO, 3 Community Members)</p> <p>Meets as required to make recommendations to Council on the consultation with residents and management of Preston Retirement Village.</p>	<p>Cr Crowley J Wringe S Radford</p>
<p>Shire Sustainability Development Strategy Committee (4 Councillors)</p> <p>Meets as required to assist with the formulation of a Shire Wide Environmental Sustainability Strategy for presentation to Council.</p>	<p>Cr Logiudice Cr Bailey Cr Mitchell Cr Mills</p>
<p>Strategic Rating Committee (4 Councillors)</p> <p>Meets as required to make recommendations to Council on strategic rating issues.</p>	<p>Cr Logiudice Cr Crowley Cr Van Der Heide</p>

Council Committee	Current Membership
<p>Upper Preston Cemetery Advisory Committee (6 Community Members – Lowden Area)</p> <p>Meets as required to advise Council on capital improvements, beautification and to assist Council by undertaking the majority of maintenance at the Upper Preston Cemetery.</p>	<p>F J Atherton C J Atherton N Murat J G Atherton C Wesling</p>
<p>Waste Management Committee (3 Councillors)</p> <p>Meets as required to make recommendations to Council on waste management issues.</p>	<p>Cr Dille Cr Mitchell Cr Logiudice</p>

SHIRE OF DONNYBROOK-BALINGUP**AUDIT COMMITTEE****TERMS OF REFERENCE****1. Objectives of Audit Committee**

The primary objective of the Audit Committee is to accept responsibility for the annual external audit and liaise with the local government's auditor so that Council can be satisfied with the performance of the local government in managing its financial affairs.

Reports from the committee will assist Council in discharging its legislative responsibilities of controlling the local government's affairs, determining the local government's policies and overseeing the allocation of the local government's finances and resources. The committee will ensure openness in the local government's financial reporting and will liaise with the CEO to ensure the effective and efficient management of local government's financial accounting systems and compliance with legislation.

The committee is to facilitate:

- the enhancement of the credibility and objectivity of internal and external financial reporting;
- effective management of financial and other risks and the protection of Council assets;
- compliance with laws and regulations as well as use of best practice
- the provision of an effective means of communication between the external auditor, the CEO and the Council.

2. Powers of the Audit Committee

The committee is a formally appointed committee of Council and is responsible to that body. The committee does not have executive powers or authority to implement actions in areas over which the CEO has legislative responsibility and does not have any delegated financial responsibility. The committee does not have any management functions and cannot involve itself in management processes or procedures.

The committee is to report to Council and provide appropriate advice and recommendations on matters relevant to its term of reference in order to facilitate informed decision-making by Council in relation to the legislative

functions and duties of the local government that have not been delegated to the CEO.

3. Membership

The committee will consist of *all elected members of Council*. All members shall have full voting rights.

The CEO and employees are not members of the committee.

The CEO *and the Manager, Finance and Administration* is to attend all meetings to provide advice and guidance to the committee.

The local government shall provide secretarial and administrative support to the committee.

4. Meetings

The committee shall meet at least *twice per calendar year*. Additional meetings shall be convened at the discretion of the presiding person.

5. Reporting

Reports and recommendations of each committee meeting shall be presented to the next ordinary meeting of the Council.

6. Duties and Responsibilities

The duties and responsibilities of the committee will be –

- a) Provide guidance and assistance to Council as to the carrying out the functions of the local government in relation to audits.
- b) Develop and recommend to Council an appropriate process for the selection and appointment of a person as the local government's auditor.
- c) Develop and recommend to Council –
 - a list of those matters to be audited; and
 - the scope of the audit to be undertaken.
- d) Recommend to Council the person or persons to be appointed as auditor.
- e) Develop and recommend to Council a written agreement for the appointment of the auditor. The agreement is to include –
 - the objectives of the audit;
 - the scope of the audit;
 - a plan of the audit;

- details of the remuneration and expenses to be paid to the auditor; and
 - the method to be used by the local government to communicate with, and supply information to, the auditor.
- f) Meet with the auditor at least once in each year.
- g) Liaise with the CEO to ensure that the local government does everything in its power to –
- assist the auditor to conduct the audit and carry out his or her other duties under the Local Government Act 1995; and
 - ensure that audits are conducted successfully and expeditiously.
- h) Examine the reports of the auditor after receiving a report from the CEO on the matters and –
- determine if any matters raised require action to be taken by the local government; and
 - ensure that appropriate action is taken in respect of those matters.
- i) Review the report prepared by the CEO on any actions taken in respect of any matters raised in the report of the auditor and presenting the report to Council for adoption prior to the end of the next financial year or 6 months after the last report prepared by the auditor is received, whichever is the latest in time.
- j) Review the scope of the audit plan and program and its effectiveness.
- k) Review the implementation of recommendations made by the Auditor and reviewing the extent to which Council and management reacts to matters raised.
- l) Address issues brought to the attention of the committee, including responding to requests from Council for advice that are within the parameters of the committee's terms of reference.
- m) Seek information or obtain expert advice through the CEO on matters of concern within the scope of the committee's terms of reference following authorisation from the Council.
- n) Review the Statutory Compliance Return and make a recommendation on its adoption to Council.