



Shire of Northam  
*Heritage, Commerce and Lifestyle*

## **Shire of Northam**

### **Agenda**

### **Special Council Meeting**

**21 October 2019**



**NOTICE PAPER**  
**Ordinary Council Meeting**  
**21 October 2019**

President and Councillors

I inform you that a Special Council meeting will be held in the Council Chambers, located at 395 Fitzgerald Street, Northam on 21 October 2019 at 5:00pm.

Yours faithfully



**Jason Whiteaker**  
**Chief Executive Officer**

## DISCLAIMER

This agenda has yet to be dealt with by the Council. The Recommendations shown at the foot of each item have yet to be considered by the Council and are not to be interpreted as being the position of the Council. The minutes of the meeting held to discuss this agenda should be read to ascertain the decision of the Council.

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The Shire of Northam advises that anyone who has any application lodged with the Shire of Northam must obtain and should only rely on WRITTEN CONFIRMATION of the outcome of the application and any conditions attaching to the decision made by the Shire of Northam in respect of the application.

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## **SWEARING IN OF NEW COUNCILLORS / DECLARATION OF OFFICE**

All recently elected Councillors are required to undertake a declaration to office in accordance with the requirements of Section 2.29 of the Local Government Act 1995, section 13 of the Local Government (Constitution) Regulations 1998 and the Oaths, Affidavits and Statutory Declarations Act 2005.

In accordance with previous precedents the swearing in will be witnessed by the Chief Executive Officer of the Shire of Northam. The prescribed form will be provided by the Chief Executive Officer on the night of the Ordinary Council meeting.

Elected Members are encouraged to invite friends and family to attend the meeting to witness the swearing in ceremony. A light supper will be provided at the conclusion of the meeting. Newly elected members will be listed in alphabetical order.

### **1. DECLARATION OF OPENING**

### **2. ATTENDANCE**

**Council:**

Shire President  
Deputy Shire President  
Councillors

C R Antonio  
M P Ryan  
J E G Williams  
A J Mencshelyi  
T M Little  
C P Della

*Two Town Ward Councillors and one West Ward Councillor to be confirmed after the Local Government Elections on 19 October 2019.*

**Staff:**

Chief Executive Officer	J B Whiteaker
Executive Manager Engineering Services	C D Kleynhans
Executive Manager Development Services	C B Hunt
Executive Manager Community Services	R Rayson
Executive Manager Corporate Services	C Young
Executive Assistant – CEO	A C Maxwell

#### **2.1 APOLOGIES**

Nil.

## 2.2 APPROVED LEAVE OF ABSENCE

Cr S B Pollard has been granted leave of absence from 26 August 2019 to 1 November 2019 (inclusive).

## 3. DISCLOSURE OF INTERESTS

Item Name	Item No.	Name	Type of Interest	Nature of Interest

## 4. ANNOUNCEMENT BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

Nil.

## 5. ELECTION OF SHIRE PRESIDENT

<b>Address:</b>	N/A
<b>Owner:</b>	N/A
<b>Applicant:</b>	N/A
<b>File Reference:</b>	2.1.3.3
<b>Reporting Officer:</b>	Jason Whiteaker, Chief Executive Officer
<b>Responsible Officer:</b>	Jason Whiteaker, Chief Executive Officer
<b>Officer Declaration of Interest:</b>	Nil
<b>Voting Requirement:</b>	N/A
<b>Press release to be issued:</b>	Yes

### BRIEF

To elect the President of the Council for the following two (2) year term of office.

### ATTACHMENTS

Nil.

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### A. BACKGROUND / DETAILS

Schedule 2.3 provides the legislative framework for how the positions of President are filled by the Council;

- The council is to elect a councillor to fill the office.
- The election is to be conducted by the CEO in accordance with the procedure prescribed.
- Nominations for the office are to be given to the CEO in writing before the meeting or during the meeting before the close of nominations.
- Nominations close at the meeting at a time announced by the CEO, which is to be a sufficient time after the announcement by the CEO that nominations are about to close to allow for any nominations made to be dealt with.
- If a councillor is nominated by another councillor the CEO is not to accept the nomination unless the nominee has advised the CEO, orally or in writing, that he or she is willing to be nominated for the office.
- The councillors are to vote on the matter by secret ballot as if they were electors voting at an election.

- The votes cast under are to be counted, and the successful candidate determined, in accordance with Schedule 4.1 (which deals with determining the result of an election) as if those votes were votes cast at an election.
- As soon as is practicable after the result of the election is known, the CEO is to declare and give notice of the result in accordance with regulations, if any.

**B. CONSIDERATIONS**

**B.1 Strategic Community / Corporate Business Plan**

Theme Area 6: Governance and Leadership.

Outcome 6.4: The Elected Members of the Shire of Northam provide accountable, strong and effective community leadership.

**B.2 Financial / Resource Implications**

Nil.

**B.3 Legislative Compliance**

*Local Government Act 1995, Schedule 2.3.*

**B.4 Policy Implications**

N/A

**B.5 Stakeholder Engagement / Consultation**

N/A

**B.6 Risk Implications**

Risk Category	Description	Rating (consequence x likelihood)	Mitigation Action
Financial	Nil.	N/A	N/A
Health & Safety	Nil.	N/A	N/A
Reputation	Nil.	N/A	N/A
Service Interruption	Nil.	N/A	N/A
Compliance	Nil.	N/A	N/A
Property	Nil.	N/A	N/A
Environment	Nil.	N/A	N/A

**C. OFFICER'S COMMENT**

At the time of writing this report, one (1) nomination has been received from Cr Chris Antonio. On receiving nominations and undertaking the Election





process the newly Elected Shire President will be required to be declared into office by the Chief Executive Officer, in accordance with the Local Government Act 1995 and Local Government (Constitutional) Regulations 1998 (Form 7).

At the conclusion of electing the Shire President, the President will 'take the chair'.

## 6. ELECTION OF DEPUTY SHIRE PRESIDENT

<b>Address:</b>	N/A
<b>Owner:</b>	N/A
<b>Applicant:</b>	N/A
<b>File Reference:</b>	2.1.3.3
<b>Reporting Officer:</b>	Jason Whiteaker, Chief Executive Officer
<b>Responsible Officer:</b>	Jason Whiteaker, Chief Executive Officer
<b>Officer Declaration of Interest:</b>	Nil
<b>Voting Requirement:</b>	N/A
<b>Press release to be issued:</b>	Yes

### BRIEF

To elect the Deputy President of the Council for the following two (2) year term of office.

### ATTACHMENTS

Nil.

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### A. BACKGROUND / DETAILS

Schedule 2.3 provides the legislative framework for how the positions of Deputy President are filled by the Council;

- The council is to elect a councillor to fill the office.
- The election is to be conducted by the CEO in accordance with the procedure prescribed.
- Nominations for the office are to be given to the CEO in writing before the meeting or during the meeting before the close of nominations.
- Nominations close at the meeting at a time announced by the CEO, which is to be a sufficient time after the announcement by the CEO that nominations are about to close to allow for any nominations made to be dealt with.
- If a councillor is nominated by another councillor the CEO is not to accept the nomination unless the nominee has advised the CEO, orally or in writing, that he or she is willing to be nominated for the office.
- The councillors are to vote on the matter by secret ballot as if they were electors voting at an election.
- The votes cast under are to be counted, and the successful candidate determined, in accordance with Schedule 4.1 (which deals with

determining the result of an election) as if those votes were votes cast at an election.

- As soon as is practicable after the result of the election is known, the CEO is to declare and give notice of the result in accordance with regulations, if any.

## B. CONSIDERATIONS

### B.1 Strategic Community / Corporate Business Plan

Theme Area 6: Governance and Leadership

Outcome 6.4: The Elected Members of the Shire of Northam provide accountable, strong and effective community leadership.

### B.2 Financial / Resource Implications

Nil.

### B.3 Legislative Compliance

*Local Government Act 1995, Schedule 2.3.*

### B.4 Policy Implications

N/A.

### B.5 Stakeholder Engagement / Consultation

N/A.

### B.6 Risk Implications

Risk Category	Description	Rating (consequence x likelihood)	Mitigation Action
Financial	Nil.	N/A	N/A
Health & Safety	Nil.	N/A	N/A
Reputation	Nil.	N/A	N/A
Service Interruption	Nil.	N/A	N/A
Compliance	Nil.	N/A	N/A
Property	Nil.	N/A	N/A
Environment	Nil.	N/A	N/A

## OFFICER'S COMMENT

At the time of writing this report, one (1) nomination has been received from Cr Julie Williams. On receiving nominations and undertaking the Election process the newly Elected Deputy Shire President will be required to be declared into office by the Chief Executive Officer, in accordance with the

Local Government Act 1995 and Local Government (Constitutional) Regulations 1998 (Form 7).

At the conclusion of electing the Deputy Shire President, the Deputy Shire President will 'assume their chair'.

## **7. BALLOT FOR SEATING**

A ballot will be conducted by the Chief Executive Officer for seating of Councillors in the Chambers.

The Shire President will invite Councillors to take their seats after the ballot.

## **8. PUBLIC QUESTION TIME**

### **8.1 PUBLIC QUESTIONS**

## **9. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil.

## **10. RECEIVING OF PETITIONS, PRESENTATIONS AND DEPUTATIONS**

### **10.1 PETITIONS**

Nil.

### **10.2 PRESENTATIONS**

Nil.

### **10.3 DEPUTATIONS**

Nil.

## **11. APPLICATION FOR LEAVE OF ABSENCE**

Nil.

## **12. CONFIRMATION OF MINUTES**

Nil.

## **13. ITEMS BROUGHT FORWARD FOR THE CONVENIENCE OF THOSE IN THE PUBLIC GALLERY**

## **14. REPORTS OF COMMITTEE MEETINGS**

Nil.

## **15. SPECIAL ITEMS**

Nil.

**16. MATTERS BEHIND CLOSED DOORS**

Nil.

**17. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil.

**18. URGENT BUSINESS APPROVED BY DECISION**

Nil.

**19. DECLARATION OF CLOSURE**