



Heritage, Commerce and Lifestyle

SHIRE OF NORTHAM

**MINUTES
OF THE
SPECIAL COUNCIL MEETING
HELD ON
WEDNESDAY
4 JULY 2012**

SHIRE OF NORTHAM

Minutes of the Special Council Meeting held in the Council Chambers on WEDNESDAY, 4 JULY 2012 at 8:00 pm

1. DECLARATION OF OPENING AND WELCOME

Cr SB Pollard declared the Meeting open at 8:02 pm

2. DECLARATION OF INTEREST

Parts of Division 6 Subdivision 1 of the Local Government Act 1995 requires Council members and employees to disclose any direct or indirect financial interest or general interest in any matter listed in this agenda.

The Act also requires the nature of the interest to be disclosed in writing before the meeting or immediately before the matter being discussed.

NB A Council member who makes a disclosure must not preside or participate in, or be present during, any discussion or decision making procedure relating to the disclosed matter unless the procedures set out in Sections 5.68 or 5.69 of the Act have been complied with.

3. ATTENDANCE

3.1 Council

President	Cr S B Pollard
Councillors	T M Little
	K D Saunders
	J E Williams
	R W Tinetti
	R M Head
	A W Llewellyn
	D A Hughes
	D G Beresford
Chief Executive Officer	N A Hale
Executive Manager Development Services	P B Steven
Executive Manager Corporate Services	D R Gobbart
Executive Manager Engineering Services	F W (S) Lee
Executive Manager Community Services	J McGready
Project Manager Community Infrastructure	C B Hunt

3.2 Gallery

Nil

4. APOLOGIES

Cr U Rumjantsev

5. AGENDA ITEMS

5.1. Special Items

5.1.1 APPOINTMENT OF COUNCILLOR AS ACTING PRESIDENT

Name of Applicant:	Shire President
File Ref:	2.12.1
Officer:	Neville Hale
Officer Interest:	N/A
Policy:	N/A
Voting:	Simple Majority
Date	4 July 2012

PURPOSE

For Council to appoint a councillor to perform the functions of the Shire President in the absence of the President and Deputy President

BACKGROUND

Cr Pollard will be on leave for the period 5 July 2012 to 22 July 2012 and Cr Little is unavailable as he too will be on leave for urgent family reasons during this time.

STATUTORY REQUIREMENTS

The Local Government Act 1995, s5.34 and s5.35 provide direction on when, under what circumstances and what procedure is required to appoint.

5.34. When deputy mayors and deputy presidents can act

if —

- (a) the office of mayor or president is vacant; or
- (b) the mayor or president is not available or is unable or unwilling to perform the functions of the mayor or president, then the deputy mayor may perform the functions of mayor and the deputy president may perform the functions of president, as the case requires.

5.35. Who acts if no mayor, president or deputy

(1) If the circumstances mentioned in section 5.34(a) or (b) apply and —

- (a) the office of deputy mayor or deputy president is vacant; or
- (b) the deputy mayor or deputy president is not available or

is unable or unwilling to perform the functions of mayor or president, and the mayor or president or deputy will not be able to perform the functions of the mayor or president for a time known to the council, then the council may appoint a councillor to perform during that time the functions of mayor or president, as the case requires.

(2) If the circumstances mentioned in section 5.34(a) or (b) apply and —

(a) the office of deputy mayor or deputy president is vacant;
or

(b) the deputy mayor or deputy president is not available or is unable or unwilling to perform the functions of mayor or president, and a person has not been appointed under subsection (1), the CEO, after consultation with, and obtaining the agreement of, 2 councillors selected by the CEO, may perform the functions of mayor or president, as the case requires.

CONFORMITY WITH THE PLAN FOR THE FUTURE

Key Result Area: Developing Our Organisation

Goal: To ensure the residents of the Shire are informed, represented, engaged with and provided with services and facilities expected of a contemporary sub regional centre.

OUTCOMES STRATEGIES:

1. Provide good governance

BUDGET IMPLICATIONS

None

OFFICER'S COMMENT

It is important for the Council to be appropriately represented and for the functions of the President to be performed during the President's absence.

RECOMMENDATION/COUNCIL DECISION

Minute No C.1803

Moved: Cr R Head
Seconded: Cr R Tinetti

That in accordance with s5.35(1)(b) of the Local Government Act 1995, Cr K Saunders be appointed to perform the functions of the President during the period 5 July 2012 to 22 July 2012 in the absence of the Deputy President.

CARRIED 9/0

6. DECLARATION OF CLOSURE

There being no further business the Presiding Officer declared the meeting closed at 8:05pm.

“I certify that the Minutes of the Special Meeting of Council held on 4 July 2012 have been confirmed as a true and correct record.”

_____ Shire President

_____ Date