

SHIRE OF SHARK BAY

MINUTES

30 October 2019

SPECIAL COUNCIL MEETING



SHARK BAY DUGONG



30 OCTOBER 2019



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The Shire of Shark Bay advises that no action should be taken on any application or item discussed at a Council meeting and should only rely on **WRITTEN ADVICE** of the outcome and any conditions attaching to the decision made by the Shire of Shark Bay.

MINUTES OF THE SPECIAL COUNCIL MEETING

30 OCTOBER 2019

The minutes of the Special meeting of the Shark Bay Shire Council held in the Council Chamber at the Shark Bay Recreation Centre, Francis Street, Denham, on Wednesday 30 October 2019, commencing at 1.00 pm.

PURPOSE I advise that a special meeting of Council is called in accordance with Section 5.4 (a), (i) of the Local Government Act 1995, to swear in Councillors elect, elect the President, elect the Deputy President, and appoint Committee and delegate members.

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MINUTES OF THE SPECIAL COUNCIL MEETING

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1.0 DECLARATION OF OPENING

The Chief Executive Officer declared the Special Council meeting open at 1.00pm.

2.0 ATTENDANCES AND APOLOGIES

ATTENDANCES

Cr Cowell	President – Denham Ward
Cr Fenny	Deputy President – Useless Loop / Pastoral Ward
Cr L Bellottie	Denham Ward
Cr J Burton	Denham Ward
Cr G Ridgley	Useless Loop / Pastoral Ward
Cr M Smith	Denham Ward
Cr P Stubberfield	Denham Ward

Mr P Anderson	Chief Executive Officer
Ms A Pears	Executive Manager Finance and Administration
Mr B Galvin	Works Manager
Mrs R Mettam	Executive Assistant
Ms K Knott	EA Assistant

APOLOGIES

VISITORS

4 visitors in the gallery

3.0 PUBLIC QUESTION TIME

The Chief Executive Officer opened public question time at 1.00 pm and as no question were put forward the Chief Executive Officer closed public question time at 1.01pm.

4.0 SWEARING IN OF NEWLY ELECTED COUNCILLORS

Pursuant to Section 2.29 of the *Local Government Act 1995* and before the Chief Executive Officer, Councillor's Elect Cowell, Smith, Stubberfield and Ridgley signed their Declarations of Office of Councillor for the Shire of Shark Bay.

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5.0 ELECTION OF PRESIDENT

Under Section 2.28 and Schedule 2.3 of the *Local Government Act 1995* the Chief Executive Officer will invite nominations in writing for the position of President for a period of two (2) years.

Nominations were received from the following:

Cr Ridgley nominated Cr Cowell

The Chief Executive Officer confirmed with Cr Cowell that she was prepared to accept the nomination.

There being no further nominations the Chief Executive Officer declared Cr Cowell elected as the President of the Shire of Shark Bay for a period of two (2) years.

The newly elected President Cr Cowell read and signed the Declaration of Office of President before the Chief Executive Officer as the authorised person.

The newly elected President assumed the Chair.

6.0 ELECTION OF DEPUTY PRESIDENT

Under Section 2.29 and Schedule 2.3 of the *Local Government Act 1995* the President will invite nominations in writing for the position of Deputy President for a period of two (2) years.

Nominations were received from the following:

Cr Smith nominated Cr Fenny

The Chief Executive Officer confirmed with Cr Fenny that he was prepared to accept the nomination.

There being no further nominations the President declared Cr Fenny elected as the Deputy President of the Shire of Shark Bay for a period of two (2) years.

The newly elected Deputy President Cr Fenny read and signed the Declaration of Office of Deputy President before the President as the authorised person.

7.0 ELECTION TO COMMITTEES

All Council Committees dissolved on the 19 October 2019 pursuant to Schedule 9.3 of the *Local Government Act 1995*.

Council Committees must now be reviewed and Committee members appointed in accordance with Sections 5.8, 5.9, 5.10 and 5.11 of the *Local Government Act 1995*.

Councillors are advised of their entitlement to be a member of at least one Committee (Section 5.10(2)).

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In the event that there are more nominations than positions on committees, an election to the committee will be undertaken by the Chief Executive Officer.

The Council has one standing committee being the Audit Committee.

STANDING COMMITTEE

7.1 AUDIT COMMITTEE

To comply with Section 7.1A *Local Government Act 1995*

The Audit Committee is a standing committee that the Council is required by legislation to have in place previously all councillors have been elected to the Audit Committee.

The Council has the option to appoint all Council members or reduce the numbers. The Council also has the option to appoint external persons to the committee if it considers this will assist the committee in its deliberations.

Moved Cr Burton
Seconded Cr Bellottie

Council Resolution

That all Councillors be appointed to the Audit Committee

7/0 CARRIED BY ABSOLUTE MAJORITY

ADVISORY COMMITTEES

All advisory committees of Council have been disbanded previously.

OCCASIONAL COMMITTEES

Council appoints members on the following Committees set up other than by Council.

7.2 GASCOYNE DEVELOPMENT COMMISSION BOARD

Shark Bay is currently represented on the Gascoyne Development Commission Board by Cr Cowell whose position is on appointment from the Minister.

Moved Cr Bellottie
Seconded Cr Fenny

Council Resolution

That Council endorse the representation of Cr Cowell on the Gascoyne Development Commission Board.

7/0 CARRIED

30 OCTOBER 2019

7.3 GASCOYNE REGIONAL ROAD GROUP

The Gascoyne Regional Road Group is managed by Main Roads
Current Membership - *One elected member. The Works Manager and/or the Chief Executive Officer also attend this meeting as observers.*
*The Chairperson of this Group is elected **annually.***

Moved Cr Bellottie

Seconded Cr Fenny

Council Resolution

That Councillor Bellottie be appointed as Council's representative on the Gascoyne Regional Road Group.

That Councillor Fenny be appointed as deputy delegate on the Gascoyne Regional Road Group

And the Works Manager and/or Chief Executive Officer are authorised to attend the Gascoyne Regional Road Group meeting as observers.

7/0 CARRIED

7.4 WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION - GASCOYNE COUNTRY ZONE

The Western Australian Local Government Association manage this committee.
Current Membership - One elected member.
The Chief Executive Officer and/or Works Manager also attend this meeting as observers.

Moved Cr Fenny

Seconded Cr Bellottie

Council Resolution

That Councillor Fenny be appointed as Council's representative on the Western Australian Local Government Association Gascoyne Country Zone.

That Councillor Bellottie be appointed as deputy delegate on the Western Australian Local Government Association Gascoyne Country Zone.

And the Chief Executive Officer and/or Works Manager are authorised to attend the Western Australian Local Government Association Gascoyne Country Zone meetings as observers.

7/0 CARRIED

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- 7.5 SHARK BAY BUSINESS AND TOURISM ASSOCIATION INCORPORATED
A Councillor is elected to this committee in accordance with the Association's constitution.

Moved Cr Ridgley
Seconded Cr Stubberfield

Council Resolution

That Councillor Ridgley be nominated as Council's representative on the Shark Bay Business and Tourism Association Inc. Committee.

7/0 CARRIED

- 7.6 SHARK BAY ARTS COUNCIL INCORPORATED
A Councillor is elected to this committee in accordance with the committee's constitution.

Moved Cr Burton
Seconded Cr Ridgley

Council Resolution

That Councillor Burton be appointed as Council's representative on the Shark Bay Arts Council Inc.

7/0 CARRIED

- 7.7 SHARK BAY COMMUNITY RESOURCE CENTRE COMMITTEE
A Councillor is elected to this committee in accordance with the committee's constitution.

Declaration of Interest: Cr Burton

Nature of Interest: Impartiality Interest as the Shark Bay Community Resource Centre is employer

Moved Cr Ridgley
Seconded Cr Fenny

Council Resolution

That Councillor Stubberfield be appointed as Council's representative on the Shark Bay Community Resource Centre Committee.

7/0 CARRIED

30 OCTOBER 2019

7.8 DEVELOPMENT ASSESSMENT PANEL

(Established: 01/07/2011)

Once Councillors have been elected to this panel they then have to be approved as this is a ministerial appointment.

The objective of the Development Assessment Panel is to determine applications made to local government that meet the type and value thresholds specified under the Planning and Development (Development Assessment Panels) Regulations 2011.

Moved Cr Cowell

Seconded Cr Stubberfield

Council Resolution

That Councillor Cowell and Councillor Fenny be confirmed as Council's representatives and Councillor Bellottie is the Deputy delegate for Councillor Cowell and Councillor Burton is the Deputy delegate for Councillor Fenny on the Development Assessment Panel.

That the nominations be forwarded to the Development Assessment Panel's secretary for approval by the Minister. The appointment to the Development Assessment Panel will have a term ending on the 26 January 2022.

7/0 CARRIED

30 OCTOBER 2019



Government of Western Australia
Development Assessment Panels

16 OCT 2019

SHIRE OF SHARK BAY

Our Ref: DP/12/00609
Enquiries: DAP Secretariat
Telephone: 6551 9919

Mr Paul Anderson
Chief Executive Officer
Shire of Shark Bay
PO Box 126
DENHAM WA 6537


Dear Mr Anderson,

DEVELOPMENT ASSESSMENT PANELS – LOCAL GOVERNMENT NOMINATIONS

Following the upcoming local government elections to be held on 19 October 2019, there may be a change in your local government DAP membership if the composition of your council changes. In this instance, your local government will need to nominate replacement DAP members for appointment by the Minister for Planning.

Each DAP comprises of five members, being three specialist members and two local government members. All current local government DAP members were appointed on the 26 July 2018, for a term ending 26 January 2020.

Representation of local interests is a key aspect of the DAPs system. Under regulation 24 of the *Planning and Development (Development Assessment Panels) Regulations 2011* your local council is requested to nominate, as soon as possible following the elections, four elected council members to sit as DAP members for your local government. Using the attached form, nominations should be submitted via email to the DAPs Secretariat at daps@dph.wa.gov.au.

All local government councils are requested to provide nominations for local government DAP members by Friday 8 November 2019, to ensure local interests are represented in future DAP determinations. If you are unable to provide nominations by the above date, please contact the DAPs Secretariat to discuss alternative arrangements and implications. If there is no change to your local government DAP representation following the local government elections, confirmation of this should be provided to the DAPs Secretariat as soon as possible. Once nominations are received, the Minister will appoint local government DAP members for the term ending 26 January 2022.

The McGowan Government launched OnBoardWA as part of its commitment to increase the diversity and backgrounds of Government board and committees along with the total number of women appointed to 50 per cent by 2019.

Postal address: Locked Bag 2506 Perth WA 6001 Street address: 140 William Street Perth WA 6000
Tel: (08) 6551 8002 info@dph.wa.gov.au www.dph.wa.gov.au
ABN 68 565 723 484
wa.gov.au

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I encourage you to consider diversity of representation when putting forward your local government nominations in supporting this important election commitment. Further information about OnBoardWA can be found at <http://www.onboardwa.jobs.wa.gov.au>.

The Action Plan for Planning Reform has been released to ensure the Western Australian planning system continues to deliver great outcomes and great places for Western Australians. Changes to the DAP system have been identified as part of the reform initiatives to provide a more robust DAP process that promotes consistency and transparency in decision-making. Please note that the local government membership configuration on the DAP will not be affected by the reform initiatives.

If you have any queries regarding this request for nominations, please contact the DAPs secretariat on (08) 6551 9919 or email daps@dplh.wa.gov.au. Further information is available online at <https://www.dplh.wa.gov.au/daps>.

Yours sincerely



Gail McGowan PSM
Director General

10 October 2019

30 OCTOBER 2019

7.9 AVIATION COMMUNITY CONSULTATION GROUP

(Established: 31/03/2011)

Current Membership – One Councillor and Chief Executive Officer.

The Aviation Community Consultation Group for Carnarvon, and Shark Bay is required under the “Deed for the Provision of Regulated Regular Public Transport Air Service to Nominated Regional Centres in Western Australia – Monkey Mia and Carnarvon. The committee is chaired by the Department of Transport.

Moved Cr Burton

Seconded Cr Smith

Council Resolution

That Councillor Fenny and the Chief Executive Officer be appointed as members to the Community Consultation Group with Councillor Cowell being the General Deputy be confirmed as Council's representative.

7/0 CARRIED

7.10 UPPER GASCOYNE LAND CONSERVATION DISTRICT COMMITTEE

Current Membership – Mr Sam Fenny to 31 October 2018.

The Upper Gascoyne Land Conservation Committee's representative is Mr Sam Fenny. Council appointed Mr Fenny at the Ordinary meeting of the Shark Bay Shire Council held on the 27 July 2015 from 31 October 2015 to the 31 October 2018.

Cr Fenny Declared and Impartiality Interest as family member

Declaration of Interest: Cr Fenny

Nature of Interest: Impartiality Interest as brother is the delegate.

Moved Cr Burton

Seconded Cr Smith

Council Resolution

That Mr Sam Fenny's appointment, if accepted, to the Upper Gascoyne Land Conservation District Committee be extended until the 17 October 2021.

7/0 CARRIED

30 OCTOBER 2019

7.11 GASCOYNE DISTRICT HEALTH ADVISORY COUNCIL

Council at the Ordinary meeting held on the 27 March 2019 resolved to have a member and a deputy member for this committee.

District Health Advisory Councils work closely with their local health services to provide consumer, carer and community perspective into, Health information and publications, Facilities planning, Safety and Quality Improvements and Health programs and policies.

District Health Advisory Councils give country residents a say in how their health services are planned and delivered. Here you can find out more about the role of District Health Advisory Councils, how you can become a member, and the training and resources provided to assist District Health Advisory Councils undertake community engagement and consumer advocacy.

Moved Cr Fenny
Seconded Cr Stubberfield

Council Resolution

That Councillor Smith be appointed as Council's representative on the Gascoyne District Health Advisory Council and Councillor Bellottie be appointed as the General Deputy.

7/0 CARRIED

7.12 LOCAL EMERGENCY MANAGEMENT ADVISORY COMMITTEE

Council representative is the President or Person delegated by Council on the Local Emergency Management Advisory Committee and that the President or delegated Person is the Chair of the committee. Also members come from the Administration staff of Council and local emergency community groups.

Moved Cr Fenny
Seconded Cr Ridgley

Council Resolution

That the President Cr Cowell be appointed as Council's representative as the Chair of the Local Emergency Management Advisory Committee and the Delegate member is Cr Ridgley.

That the Chief Executive Officer, Works Manager, Executive Manager Finance and Administration, Executive Manager, Community Development and Council Community Development Officer also be appointed to the Local Emergency Management Advisory Committee.

7/0 CARRIED

30 OCTOBER 2019

7.13 ZUYTDORP CLIFFS TRACK STAKEHOLDER REFERENCE GROUP

REF OCM 27 February 2019 Item 17.1

Purpose and Function:

The function of the Group is to assist the Mid West and Gascoyne Development commissions in the planning and development of the Zuytdorp Track Project. The group will act as a network for defining and realising project benefits, risks, governance and provide input in the engagement of consultants associated with the Zuytdorp Track Project.

Moved Cr Smith

Seconded Cr Fenny

Council Resolution

That Councillor Stubberfield be nominated as a representative to participate in the Zuytdorp Cliffs Track Stakeholder Reference Group which has been established by the Gascoyne Development commission and Councillor Fenny is to be the deputy delegate.

70/ CARRIED

7.14 SHARK BAY BOWLING, SPORT AND RECREATION CLUB INCORPORATED

Council representative on the Shark Bay Bowling Club committee is due to the clubs constitution to have a Council member on the committee. The constitution was changed to include a Council member due to a self-supporting loan agreement which commenced in 2016 with the Shire of Shark Bay, but has since been paid out.

Moved Cr Fenny

Seconded Cr Ridgley

Council Resolution

That Councillor Smith be appointed as Council's representative on the Shark Bay Bowling, Sport and Recreation Club Incorporated Committee.

7/0 CARRIED

8.0 CLOSURE OF MEETING

As there was no further business the President closed the Special Council meeting at 1.35 pm.