



# Minutes

## SPECIAL MEETING OF COUNCIL

For the Purpose of Swearing in of newly elected (or re-elected) members,  
Election of the Shire President & Election of the Deputy Shire President.

HELD IN THE COUNCIL CHAMBERS,  
953 SOUTH COAST HIGHWAY, DENMARK  
ON TUESDAY, 24 OCTOBER 2017.

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# Special Council Meeting

24 October 2017

## DISCLAIMER

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## **SWEARING IN CEREMONY OF NEW COUNCILLORS**

Newly elected Councillors were sworn in by Mr Bob Smith JP prior to the commencement of the meeting as follows;

	<b>Name</b>	<b>Ward</b>	<b>Term Expiring</b>
Elected:	Cr Mark Allen	(Scotsdale/Shadforth Ward)	October 2021
	Cr Peter Caron	(Scotsdale/Shadforth Ward)	October 2021
	Cr Kingsley Gibson	(Scotsdale/Shadforth Ward)	October 2019
	Cr Ian Osborne	(Town Ward)	October 2021
	Cr Roger Seeney	(Kent/Nornalup Ward)	October 2021

### **1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**

*4.15pm – The Chief Executive Officer declared the meeting open and announced that he would be presiding over the meeting until such time as the Shire President was elected.*

### **2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE**

#### MEMBERS:

Cr Mark Allen  
 Cr Peter Caron  
 Cr Ceinwen Gearon  
 Cr Kingsley Gibson  
 Cr Jan Lewis  
 Cr Ian Osborne  
 Cr Janine Phillips  
 Cr Roger Seeney  
 Cr Rob Whooley

#### STAFF:

Mr Bill Parker (Chief Executive Officer)  
 Mr Graham Blackmore (Acting Director of Community & Regulatory Services)  
 Mr Cary Green (Director of Finance & Administration)  
 Mrs Annette Harbron (Director of Planning & Sustainability)  
 Ms Claire Thompson (Executive Assistant)

#### APOLOGIES:

Mr Gilbert Arlandoo (Director of Infrastructure Services)

#### ON LEAVE OF ABSENCE:

Nil

#### ABSENT:

Nil

#### VISITORS:

Mr Robert Smith JP

#### DECLARATIONS OF INTEREST:

Nil

### 3. ELECTION OF SHIRE PRESIDENT & DEPUTY SHIRE PRESIDENT

#### 3.1 ELECTION OF SHIRE PRESIDENT

A Nomination for the office of Shire President must be made in writing, on a Nomination of Shire President Form (Attachment 3.1), to the CEO at any time prior to the meeting or during the meeting up until the election. The Councillor nominated must advise the CEO, either orally or in writing that he or she is willing to be nominated for the office.

The process for determining the result of any election for the position (in the event of there being more than one accepted nomination) will be in accordance with Schedule 2.3 of the Local Government Act 1995. Voting for the position will be by secret ballot and all Councillors in attendance must vote.

The Councillor elected as the Shire President is to assume the role of Chair (Presiding Officer) upon being declared elected and having completed the Declaration of Office.

The Shire President, if so elected, is to commence Presiding over the Meeting.

#### **Declaration of President**

*Cr Lewis nominated Cr Gearon, in writing, who accepted the nomination.*

*There being no further nominations for the position, the Chief Executive Officer declared Cr Gearon elected as President of the Shire of Denmark until October 2019.*

*Cr Gearon was duly sworn into the Office of President, in the presence of Mr Robert Smith JP, and assumed the chair as the Presiding Person.*

#### 3.2 ELECTION OF DEPUTY SHIRE PRESIDENT

A Nomination for the office of Deputy Shire President must be made in writing, on a Nomination of Deputy Shire President Form (Attachment 3.2), to the CEO at any time prior to the meeting and during the meeting up until the election. The Councillor nominated must advise the CEO, either orally or in writing that he or she is willing to be nominated for the office.

The process for determining the result of any election for the position (in the event of there being more than one accepted nomination) will be in accordance with Schedule 2.3 of the Local Government Act 1995. Voting for the position will be by secret ballot and all Councillors in attendance must vote.

The Councillor elected as the Deputy Shire President is to assume the role upon being declared elected and having completed the Declaration of Office.

#### **Declaration of Deputy President**

*Cr Seeney nominated Cr Caron, in writing, who accepted the nomination.*

*Cr Whooley nominated Cr Lewis, in writing, who declined the nomination.*

*There being no further nominations for the position, the Chief Executive Officer declared Cr Caron elected as Deputy President of the Shire of Denmark until October 2019.*

*Cr Caron was duly sworn into the Office of President, in the presence of Mr Robert Smith JP.*

**4. TABLE SEATING DRAW**

Pursuant to Clause 8.2 of the Shire of Denmark Standing Orders Local Law 2000, the names of Councillors, with the exception of the Shire President (who will sit at the top of the table), will be drawn randomly by the Chief Executive Officer for the purpose of seating arrangements.

*Cr Seeney advised that he had a hearing impairment and requested that he be permitted to sit close to the Shire President. The Shire President agreed that Cr Seeney could sit at the seat to her right.*

*The Chief Executive Officer drew the names of each Councillor, apart from Cr Seeney and Cr Gearon whose seats had been predetermined. Starting from the north western side of the table, the names were drawn in the following order;*

*Cr Osborne  
Cr Lewis  
Cr Whooley  
Cr Phillips  
Cr Gibson  
Cr Caron  
Cr Allen*

**5. COUNCIL TO DETERMINE MEETING SCHEDULE**

Pursuant to Clause 2.1 of the Shire of Denmark Standing Orders Local Law 2000, the Council shall determine, at the first meeting after each ordinary election;

- (a) The day or days in each month when an ordinary meeting is to be held; and
- (b) The hours during which an ordinary meeting is to be held; and
- (c) The place at which each ordinary meeting is to be held.

The Council may change this determination at a time thereafter, by resolution and the meeting schedule for 2018 is proposed for inclusion and deliberation at the November 2017 Ordinary Council meeting.

<b>COUNCIL RESOLUTION &amp; OFFICER RECOMMENDATION</b>	<b>ITEM 5</b>
MOVED: CR SEENEY	SECONDED: CR LEWIS
That pursuant to Clause 2.1 of the Shire of Denmark Standing Orders Local Law 2000, the Council determines that the Council will ordinarily meet as follows;	
<ul style="list-style-type: none"> <li>a) Every third Tuesday of every month commencing 21 November 2017; and</li> <li>b) Commencing at 4.00pm; and</li> <li>c) At the Council Chambers, 953 South Coast Highway, Denmark; and</li> <li>d) Determine, by resolution, the meeting schedule for 2018 at its meeting scheduled for 21 November 2017.</li> </ul>	
CARRIED UNANIMOUSLY: 9/0	Res: 131017

**6. ANNOUNCEMENT BY THE PERSON PRESIDING**

*The Shire President, Cr Gearon, welcomed new Councillors and noted that she believed that the Council offered a well-balanced representation of the community.*

*Cr Gearon acknowledged the former Shire President, David Morrell, and the contribution that he had made not only in his recent term as Shire President but in his previous terms on Council.*

*Cr Gearon expressed thanks to former Councillor, Clem Wright and acknowledged his diligence and effort he had put into his role as a Councillor.*

*Cr Gearon announced that she was glad to see returning Councillors Allen, Caron, Osborne and Seeney and welcomed Cr Gibson and noted his vast experience in local government as a Councillor for the Shire of Capel for 12 years.*

*Cr Gearon stated that she was excited to be working with the new Council and acknowledged the large amount of work which the previous Council and Shire Administration had already done reviewing the Shire of Denmark's Strategic Community Plan. Cr Gearon noted that the draft plan was currently being advertised for public comment.*

## **7. PUBLIC QUESTION TIME**

### **7.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil

### **7.2 PUBLIC QUESTIONS**

In accordance with Section 5.24 of the Local Government Act 1995, Council conducts a public question time to enable members of the public to address Council or ask questions of Council.

For a Special Meeting of Council, such as this, they must however relate to the item(s) on the Agenda.

Questions from the public are invited and welcomed at this point of the Agenda.

Should you wish to address Council please note that the Presiding Person (the Shire President) may have to limit the time of individual speakers in order to allow sufficient time for all speakers present at the meeting to address Council. The rules of this process and the time allocated will be determined by the Presiding Person at the Meeting dependent upon the indicative number of speakers.

#### Questions from the Public

##### **7.2.1 Mrs Lydia Kenyon – Participatory Democracy & President Nominations**

Mrs Kenyon stated that she was a local advocate for participatory democracy and asked if the newly elected Councillors could provide her with their views on this topic.

*Cr Osborne stated that he had worked for many years in the public sector and was committed to participatory democracy.*

*Cr Gibson stated that he understood that there were sometimes statutory constraints on Council however he believed strongly in participatory democracy.*

*Cr Caron stated that he believed that Denmark had a very diverse community with diverse views which he believed was well represented on Council.*

Mrs Kenyon commended Cr Lewis and Cr ~~Wheoley~~ Seeney on their nominations for the President and Deputy and asked whether they could describe the criteria that they had based their nominations on.

*Cr Lewis responded that she believed that Cr Gearon had the experience having previously been the Deputy Shire President and that she worked well with Cr Gearon who was intelligent and articulate.*

*Cr ~~Wheoley~~ Seeney declined to comment.*

**CORRECTION TO MINUTES.**  
Pursuant to Council Resolution No. 031117

**7.2.2 Mrs Fiona Ross – Social Media**

Mrs Ross noted that the newly elected Shire President was actively involved with social media and asked whether Cr Gearon would seek to control some of it.

*Cr Gearon responded stating that she was aware that recently some of the comments on social media surrounding the election had become unpleasant however she did not believe that anyone could control it as people were responsible for their own actions. Cr Gearon commended Mrs Kenyon who had transferred the election material to an alternative Facebook page.*

**7.3 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN**

Nil

**7.4 PRESENTATIONS & DEPUTATIONS**

Nil

**8. CLOSURE OF MEETING**

4.44pm – *There being no further business to discuss the Shire President, Cr Gearon, declared the meeting closed.*

The Chief Executive Officer recommends the endorsement of these minutes at the next meeting.

Signed: \_\_\_\_\_  
*Bill Parker – Chief Executive Officer*

Date: \_\_\_\_\_

These minutes were confirmed at a meeting on the \_\_\_\_\_.

Signed: \_\_\_\_\_  
*(Presiding Person at the meeting at which the minutes were confirmed.)*