



Special Council Meeting  
Agenda  
20 April 2017

# NOTICE OF MEETING

Notice is hereby given that the

## Shire of Exmouth Special Council Meeting

will be held on

**Thursday 20 April 2017**

In the Council Chambers, behind the Administration Centre,  
22 Maidstone Crescent, Exmouth

Commencing at 2:00pm

---

**Keith Woodward**  
**Acting Chief Executive Officer**

**20 April 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.

Please note this agenda contains recommendations which have not yet been adopted by Council.

No responsibility whatsoever is implied or accepted by the Shire of Exmouth for any act, omission, statement or intimation occurring during the Council/Committee meetings or during formal/informal conversations with staff. The Shire of Exmouth disclaims any liability for any loss whatsoever and however caused arising out of reliance by any person or legal entity on any such act, omission, statement or intimation. Any person or legal entity who acts or fails to act in reliance upon any statement does so at that person's or legal entity's own risk.

In particular and without derogating in any way from the broader disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or limitation of approval made by a member or officer of the Shire of Exmouth during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire of Exmouth. The Shire of Exmouth warns that anyone who has an application lodged with the Shire of Exmouth must obtain and should only rely on **written confirmation** of the outcome of the application, and any conditions attached to the decision made by the Shire of Exmouth in respect of the application.

---

# SHIRE OF EXMOUTH

## DISCLOSURE OF INTEREST

**To: Chief Executive Officer**

As required by Section 5.65(1)(a) of the Local Government Act 1995, I \_\_\_\_\_ hereby declare my interest in the following matters included on the Agenda paper for the Council/Committee meeting to be held on \_\_\_\_\_ (Date).

| Item No. | Subject | Details of Interest | *Extent of Interest<br>(see below) |
|----------|---------|---------------------|------------------------------------|
|          |         |                     |                                    |
|          |         |                     |                                    |
|          |         |                     |                                    |
|          |         |                     |                                    |
|          |         |                     |                                    |

\*Extent of Interest only has to be declared if the Councillor also requests to remain present at a meeting, preside, or participate in discussions or the decision making process (see item 6 below)

Councillor / Employee Signature \_\_\_\_\_ Date \_\_\_\_\_

NB:

1. This notice must be given to the Chief Executive Officer prior to the meeting or at the meeting immediately before the matter in which you have an interest is discussed, Section 5.65(2)(a) & (b).
2. It remains Councillor's responsibility to make further declarations to the Council if a matter arises during the course of a meeting and no previous declarations have been made.
3. It is a Councillor's responsibility to ensure that the interest is brought to the attention of the Council/Committee when the Agenda item arises and to ensure that it is recorded in the minutes.
4. It remains the Councillor's responsibility to ensure that he/she does not vote on a matter in which a declaration has been made, unless specifically entitled under the Local Government Act 1995. This responsibility also includes the recording of particulars in minutes to ensure they are correct when such minutes are being confirmed.
5. It is recommended that when previewing Agendas, Councillors mark Agendas with items on which an interest is to be declared and complete the declaration form at the same time.
6. Councillors may be allowed to remain at meetings at which they have declared an interest and may also be allowed to preside (if applicable) and participate in discussions and the decision making process upon the declared matter subject to strict compliance with the enabling provisions of the Local Government Act 1995 and appropriately recorded resolutions of the Council. Where Councillor's request consideration of such Council approval the affected Councillor must vacate the Council Chambers in the first instance whilst the Council discusses and decides upon the Councillor's application.
7. Local Governments are required to include in their codes of conduct certain provisions in relation to the disclosure of interests that are perceived to affect the impartiality of elected members or employees. It is the Councillor's responsibility to declare those matters where they perceive they may have an Impartiality Interest – however Councillor's are entitled to stay in the room, participate in the debate and vote on matters where they have declared an Impartiality Interest.

Remember: The responsibility to declare an interest rests with individual Councillors. If Councillor's are in any doubt seek legal opinion or, to be absolutely sure, simply declare in any case.

**Office Use Only:**

**Date/Initial**

1. Particulars of declaration given to the meeting \_\_\_\_\_
  2. Particulars recorded in the minutes \_\_\_\_\_
- Signed by the Chief Executive Officer \_\_\_\_\_

# INDEX OF AGENDA

|      |  |          |
|------|--|----------|
| 1.   | <b>DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS .....</b>                   | <b>5</b> |
| 2.   | <b>RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE .....</b>          | <b>5</b> |
| 3.   | <b>RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE .....</b>             | <b>5</b> |
| 4.   | <b>PUBLIC QUESTIONS TIME.....</b>  | <b>5</b> |
| 5.   | <b>DECLARATIONS OF INTEREST .....</b>  | <b>6</b> |
| 6.   | <b>APPLICATIONS FOR LEAVE OF ABSENCE .....</b>                                 | <b>6</b> |
| 7.   | <b>CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS .....</b>                      | <b>6</b> |
| 8.   | <b>ANNOUNCEMENTS BY THE PRECIDING PERSON .....</b>                             | <b>6</b> |
| 9.   | <b>PETITIONS, DEPUTATION, PRESENTATOINS AND SUBMISSIONS .....</b>              | <b>6</b> |
| 10.  | <b>MATTERS ARISING FROM COMMITTEES OF COUNCIL .....</b>                        | <b>6</b> |
| 11.  | <b>REPORTS OF COUNCILLORS.....</b>   | <b>6</b> |
| 12.  | <b>REPORTS OF OFFICERS.....</b>  | <b>6</b> |
| 13.  | <b>ELECTED MEMBERS MOTION OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN .....</b>    | <b>6</b> |
| 14.  | <b>NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING.....</b> | <b>6</b> |
| 15.  | <b>MATTERS TO BE CONSIDERED BEHIND CLOSED DOORS.....</b>                       | <b>7</b> |
| 15.1 | <b>APPOINTMENT OF THE CHIEF EXECUTIVE OFFICER.....</b>                         | <b>7</b> |
| 16.  | <b>CLOSURE OF MEETING.....</b>   | <b>7</b> |

# SPECIAL COUNCIL MEETING AGENDA

## *Our Vision*

To support and develop a vibrant, welcoming community that embraces its past, values its present and plans for a sustainable future

## *Our Purpose*

To responsibly provide governance for the whole community in the best interest of current and future generations

## *Our Strategic Objectives*

- To provide sustainable management of the organisation
- To consistently apply the principles of Good Governance
  - To communicate effectively
  - To promote socioeconomic development
  - To value our environment and heritage

- 1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**
- 2. RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE**
- 3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**
- 4. PUBLIC QUESTIONS TIME**

In accordance with section 5.24 of the Local Government Act 1995, a 15 minute public question time is made available to allow members of the public the opportunity of questioning Council on matters concerning them.

Council Consideration Towards Public

When public questions necessitate resolutions of Council, out of courtesy and at the President discretion the matter is to be dealt with immediately to allow the public to observe the determination of the matter (obviates the need for the public to wait an undetermined period of time).

When a matter is listed on the Agenda and member/s of the public are in attendance to observe the determination of the matter, out of courtesy and at the discretion of the President the matter is to be brought forward on the agenda and dealt with immediately to allow the public to

observe the determination of the matter (again this obviates the need for the public to wait an indeterminate period of time).

The Deputy Shire President opened public question time. A number of people submitted similar questions in relation to the rate increase issue.

In accordance with section 11 of the *Local Government (Administration) Regulations 1996*:

**11 . Minutes, content of (Act s. 5.25(1)(f))**

***The content of minutes of a meeting of a council or a committee is to include —***

- (e) a summary of each question raised by members of the public at the meeting and a summary of the response to the question;***

## **5. DECLARATIONS OF INTEREST**

## **6. APPLICATIONS FOR LEAVE OF ABSENCE**

The Local Government Act 1995 (Section 2.25) provides that a Council may, by resolution, grant leave of absence to a member for Ordinary Council Meetings. A member who is absent, without first obtaining leave of the Council, throughout three consecutive Ordinary meetings of the Council is disqualified from continuing his or her membership of the Council.

Disqualification from membership of the Council for failure to attend Ordinary Meetings of the Council will be avoided so long as the Council grants leave prior to the member being absent. The leave cannot be granted retrospectively. An apology for non-attendance at a meeting is not an application for leave of absence.

## **7. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

## **8. ANNOUNCEMENTS BY THE PRECIDING PERSON**

## **9. PETITIONS, DEPUTATION, PRESENTATIONS AND SUBMISSIONS**

## **10. MATTERS ARISING FROM COMMITTEES OF COUNCIL**

## **11. REPORTS OF COUNCILLORS**

## **12. REPORTS OF OFFICERS**

## **13. ELECTED MEMBERS MOTION OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

## **14. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING**

**15. MATTERS TO BE CONSIDERED BEHIND CLOSED DOORS**

**15.1 APPOINTMENT OF THE CHIEF EXECUTIVE OFFICER**

**16. CLOSURE OF MEETING**