



AGENDA

SPECIAL MEETING OF COUNCIL

to be held on

Monday, 20 October 2025 at 4:30pm

at the

**Shire of Morawa Council Chambers,
26 Winfield Street, Morawa**



**WESTERN AUSTRALIA'S
WILDFLOWER COUNTRY**

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DISCLAIMER

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DISCLOSURE OF FINANCIAL/ IMPARTIALITY/ PROXIMITY INTERESTS

*Local Government Act 1995 – Section 5.65, 5.70 and 5.71 Local
Government (Administration) Regulation 34C*

<i>This form is provided to enable members and officers to disclose an Interest in a matter in accordance with the regulations of Section 5.65, 5.70 and 5.71 of the Local Government Act and Local Government (Administration) Regulation 34C</i>			
Name of person declaring the interest			
Position			
Date of Meeting			
Type of Meeting (Please circle one)	Council Meeting/ Committee Meeting/ Special Council Meeting Workshop/ Public Agenda Briefing/ Confidential Briefing		
Interest Disclosed			
Item Number and Title			
Nature of Interest			
Type of Interest (please circle one)	Financial	Proximity	Impartiality
Interest Disclosed			
Item Number and Title			
Nature of Interest			
Type of Interest (please circle one)	Financial	Proximity	Impartiality
Interest Disclosed			
Item Number and Title			
Nature of Interest			
Type of Interest (please circle one)	Financial	Proximity	Impartiality

Signature: _____ **Date:** _____

Important Note:

Should you declare a **Financial** or **Proximity** Interest, in accordance with the Act and Regulations noted above, you are required to leave the room while the item is being considered.

For an **Impartiality** Interest, you must state the following prior to the consideration of the item:

“With regard to agenda item (read item number and title), I disclose that I have an impartiality interest because (read your reason for interest). As a consequence, there may be a perception that my impartiality on the matter may be affected. I declare that I will consider this matter on its merits and vote accordingly.”

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Item 1 Opening of Meeting

(The CEO is to assume the Chair, until the election for Shire President is completed.)

The CEO to declare the meeting open at 5:30pm.

Item 2 Acknowledgement of Traditional Owners and Dignitaries

The CEO acknowledges the traditional custodians, the Yamatji people, and recognises the contribution of Yamatji Elders past, present and future, in working together for the future of Morawa.

Item 3 Recording of Attendance**3.1 Attendance****Council**

Councillor Karen Chappel
Councillor Ken Stokes
Councillor Diana North
Councillor Grant Chadwick
Councillor Mark Coaker
Councillor Dean Clemson

Staff

Chief Executive Officer	Marty Symmons
Executive Manager Corporate & Community Services	Brad Douglas

Members of the Public**3.3 Apologies****3.4 Approved Leave of Absence****3.5 Disclosure of Interests****Item 4 Declaration by all Members to have given due consideration to All Matters Contained in the Business Paper before the Meeting**

The Elected Members to declare that they had given due consideration to all matters contained in the agenda.

Item 5 Confirmation of Declaration of Office**5.1 The Chief Executive Officer confirms that the re-elected Councillors completed their declarations.**

Cr Chappel, Karen	Term Expires 20 October 2029
Cr Stokes, Ken	Term Expires 20 October 2029
Cr Coaker, Mark	Term Expires 20 October 2029

Completed the declaration by Elected Member of Council in the presence of an authorised person prior to the commencement of this the first Council meeting, after the election date of 18 October 2025, and as such are duly authorised to undertake their official duties as Councillors of the Shire of Morawa.

Item 6 Election of Shire President and Deputy President**6.1 Election of the Shire President**

The election for the position of Shire President is by secret ballot. The CEO is responsible for the election.

6.1.1 The CEO is to call for nominations:

- 6.1.1.1 Announces nominations received in writing prior to the meeting
- 6.1.1.2 Calls for other nominations, which can be made verbally in the first instance, but then must be in writing.

6.1.2 Nominations must be accepted in writing – if a Councillor is nominated by another Councillor.**6.1.3 The CEO pursuant to Regulations will allocate the nominees on the ballot paper using the sealed balls and opaque bag method and document the outcome of ballot positions accordingly.****6.1.4 The CEO is then to make sufficient copies of the ballot papers and initial the back of each ballot paper accordingly.****6.1.5 Councillors will be invited to approach the voting table in alphabetical order:**

- 6.1.5.1 Approach the voting table.
- 6.1.5.2 Receive a ballot paper.
- 6.1.5.3 Utilise the optional preferential voting method to allocate their preferences to the nominees.
- 6.1.5.4 Place the ballot in the ballot box and return to their seat.

6.1.6 Once completed, the CEO is to count the votes, which are verified by another officer present.**6.1.7 The CEO is to announce the result.**

6.1.8 The Shire President is to undertake a declaration of office.

6.2 Election of Deputy Shire President

Once the election for the Shire President is completed, the President is to assume the chair and will then ask the CEO to conduct the election for the position of Deputy Shire President, which is by secret ballot.

The election for Deputy Shire President follows the same process as that for electing the Shire President.

Once the election for Deputy Shire President is completed, the Deputy Shire President must undertake a declaration of office.

The President is then to proceed with the Special Meeting as per the remainder of the agenda.

ATTACHMENTS

Attachment 1 - 6a Elected Member Nomination for President or Deputy President

Item 7 Election of Morawa Council Representatives to Committees and Groups**7.1 Morawa Council Representatives of WALGA Northern Country Zone**

Author: Chief Executive Officer

Authorising Officer: Chief Executive Officer

Disclosure of Interest: The Author/Authorising Officer declare that they have no conflicts of interest pertaining to this item.

OFFICER RECOMMENDATION

That Council:

1. **Appoint Cr _____ as the voting delegate for WALGA Northern Country Zone with Cr _____ as the proxy delegate.**

ABSOLUTE MAJORITY VOTE REQUIRED

PURPOSE

The purpose of this report is for Council to appoint delegates to the WALGA Northern Country Zone.

DETAIL

Councils review appointments to committees and external groups at the conclusion of each election period, every 2 years.

Councillors who nominate to represent the Shire of Morawa on groups must ensure they have the necessary time to allocate attending meetings and reviewing supporting documents to provide constructive inputs and vote appropriately.

The WALGA Northern Country Zone meetings are held every second month. Cr Chappel has been Morawa's representative on the group for several years and currently Chairs the zone meetings. Zones are groups of geographically aligned Member Councils and are responsible for the election of State Councillors, providing inputs into WALGA policy formation and providing advice on broad issues affecting the area to WALGA. Cr Chappel is currently the Zone's State Council representative and President of WALGA.

The Northern Country Zone are required to elect their State Council representatives at their November meeting, as such all member Council's are required to submit their zone delegates to WALGA by Friday 31 October 2025.

Given the nature of discussions at Zone meetings and the regional representative nature of the role, the CEO suggests that the Shire representative should be the Shire President unless they are unable to commit time to the meetings due to other commitments.

The governance structure of WALGA is designed to ensure it is representative of all 139 Member Local Governments.

Zones are autonomous groupings of geographically aligned Local Governments. The key functions of Zones are to elect one or more representative to State Council, consider the State Council Agenda and provide direction and feedback to State Council. Zones can also act independently in considering and advocating on regional issues.

State Council is the decision-making, representative body of WALGA, responsible for sector-wide policy making and strategic planning.

The relationship between State Council and Zones is critical as it underpins WALGA's advocacy on behalf of Local Government at the State and Federal Government levels. Zones have an integral role in shaping the political and strategic direction of WALGA.

Delegates are appointed to represent their Local Government on the Zone and make decisions at a regional level. Individual Zones determine how many Delegates represent each member Local Government and are responsible for electing a Zone Chair and Deputy Chair.

When a Delegate is appointed to a Zone, they become eligible to nominate for State Council. As this is an election year, November Zone meetings will hold elections for State Council representatives and Zone Chair.

There are no sitting fees or reimbursements paid to Zone Delegates. State Councillors are entitled to travel reimbursement related to meeting attendance and are paid an annual sitting fee.

The time commitment for a Zone Delegate varies from Zone to Zone. Zones meet five times per year (in February, April, June, August and November). Meetings run for approximately 90 minutes. Agendas are distributed a week before Zone meetings.

Northern Country Zone

There are ten Local Governments in the Northern Country Zone (NCZ).

The NCZ currently meet on the fourth Monday of the month (in February, April, June, August and November) at 10:00am. Hosting of NCZ meetings have recently rotated between each member Local Government to provide an opportunity to showcase their area.

Each member Local Government on the NCZ is entitled to appoint two voting Delegates and as many Deputy Delegates as they see fit. WALGA recommends that the Chief Executive Officer may be appointed as an additional Deputy Delegate where it may be beneficial, to ensure that representation from each member Local Government can always be achieved at Zone meetings. This is not proposed with the deliberation process being left to Council.

Given the nature of discussions at Zone meetings and the regional representative nature of the role, the CEO suggests that the Shire representative should be the Shire President unless they are unable to commit time to the meetings due to other commitments.

State Council Representatives

The Northern Country Zone are required to elect their State Council representatives at their November Zone meeting, an election will be held for the positions of State Councillor (one position) and Deputy State Councillor (one position).

The next meeting of the Northern Country Zone is on Monday, 24 November at 10:00am hosted by the Shire of Three Springs.

LEVEL OF SIGNIFICANCE

Medium – without appropriate representation, the Shire of Morawa's views may not be well articulated to the broader region when making decisions.

CONSULTATION

Nil

LEGISLATION AND POLICY CONSIDERATIONS

Local Government Act 1995

5.8. Establishment of committees

A local government may establish* committees of 3 or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.

** Absolute majority required.*

5.9. Committees, types of

(1) In this section —

other person means a person who is not a council member or an employee.

(2) A committee is to comprise —

- (a) council members only; or
- (b) council members and employees; or
- (c) council members, employees and other persons; or
- (d) council members and other persons; or
- (e) employees and other persons; or
- (f) other persons only.

5.10. Committee members, appointment of

(1) A committee is to have as its members —

(a) persons appointed* by the local government to be members of the committee (other than those referred to in paragraph (b)); and

(b) persons who are appointed to be members of the committee under subsection (4) or (5).

** Absolute majority required.*

(2) At any given time each council member is entitled to be a member of at least one committee referred to in section 5.9(2)(a) or (b) and if a council member nominates himself or herself to be a

member of such a committee or committees, the local government is to include that council member in the persons appointed under subsection (1)(a) to at least one of those committees as the local government decides.

(3) Section 52 of the *Interpretation Act 1984* applies to appointments of committee members other than those appointed under subsection (4) or (5) but any power exercised under section 52(1) of that Act can only be exercised on the decision of an absolute majority of the local government.

(4) If at a meeting of the council a local government is to make an appointment to a committee that has or could have a council member as a member and the mayor or president informs the local government of his or her wish to be a member of the committee, the local government is to appoint the mayor or president to be a member of the committee.

(5) If at a meeting of the council a local government is to make an appointment to a committee that has or will have an employee as a member and the CEO informs the local government of his or her wish —

(a) to be a member of the committee; or

(b) that a representative of the CEO be a member of the committee,

the local government is to appoint the CEO or the CEO's representative, as the case may be, to be a member of the committee.

FINANCIAL AND RESOURCES IMPLICATIONS

Nil

RISK MANAGEMENT CONSIDERATIONS

This report provides the opportunity to clearly delineate roles and responsibilities which is a key risk management action.

CONCLUSION

That Council appoint a suitable member and proxy to represent the Shire at the WALGA Northern Country Zone.

ATTACHMENTS

Attachment 1 – 7.1a Elected Member Prospectus - Becoming a Zone Delegate or State Councillor

7.2 Regional Road Group

Author: Chief Executive Officer

Authorising Officer: Chief Executive Officer

Disclosure of Interest: The Author/Authorising Officer declare that they have no conflicts of interest pertaining to this item.

OFFICER RECOMMENDATION

That Council:

1. **Appoint Cr _____ as the Council delegate for the Regional Road Group – North Midlands Subgroup with Cr _____ as the proxy delegate.**

ABSOLUTE MAJORITY VOTE REQUIRED

PURPOSE

The purpose of this report is for Council to appoint delegates to the WALGA Regional Road Group.

DETAIL

Councils review appointments to committees and external groups at the conclusion of each election period, every 2 years.

Councillors who nominate to represent the Shire of Morawa on groups must ensure they have the necessary time to allocate attending meetings and reviewing supporting documents to provide constructive inputs and vote appropriately.

WALGA Regional Road Groups are established under the State Road Funds to Local Government Agreement which is overseen by the State Advisory Council. The Shire of Morawa is part of the Mid-West Regional Road Group and the North Midlands sub-group. Regional Road Groups provide Local Government with a voice in how the State Government's contribution to local roads is spent. Cr Stokes is the Shire's current Regional Road Group representative.

The Mid-West Regional Road Group works on the Roads 2040 strategic plan, and votes on road funding, and other relevant road related items. The group is administered by Main Roads WA on behalf of the State.

The CEO recommends Councillors with a strong interest in road network planning, road safety, and cross boundary road improvements nominate to represent the Shire on this group.

Shire Officers with road management responsibilities also attend Regional Road Group meetings and can nominate to provide inputs as part of a technical working sub-group.

LEVEL OF SIGNIFICANCE

Medium – without appropriate representation, the Shire of Morawa's views may not be well articulated to the broader region when making decisions.

CONSULTATION

Nil

LEGISLATION AND POLICY CONSIDERATIONS

Local Government Act 1995

5.8. Establishment of committees

A local government may establish* committees of 3 or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.

** Absolute majority required.*

5.9. Committees, types of

(1) In this section —

other person means a person who is not a council member or an employee.

(2) A committee is to comprise —

- (a) council members only; or
- (b) council members and employees; or
- (c) council members, employees and other persons; or
- (d) council members and other persons; or
- (e) employees and other persons; or
- (f) other persons only.

5.10. Committee members, appointment of

(1) A committee is to have as its members —

- (a) persons appointed* by the local government to be members of the committee (other than those referred to in paragraph (b)); and
- (b) persons who are appointed to be members of the committee under subsection (4) or (5).

** Absolute majority required.*

(2) At any given time each council member is entitled to be a member of at least one committee referred to in section 5.9(2)(a) or (b) and if a council member nominates himself or herself to be a member of such a committee or committees, the local government is to include that council member in the persons appointed under subsection (1)(a) to at least one of those committees as the local government decides.

(3) Section 52 of the *Interpretation Act 1984* applies to appointments of committee members other than those appointed under subsection (4) or (5) but any power exercised under section 52(1) of that Act can only be exercised on the decision of an absolute majority of the local government.

(4) If at a meeting of the council a local government is to make an appointment to a committee that has or could have a council member as a member and the mayor or president informs the local government of his or her wish to be a member of the committee, the local government is to appoint the mayor or president to be a member of the committee.

(5) If at a meeting of the council a local government is to make an appointment to a committee that has or will have an employee as a member and the CEO informs the local government of his or her wish —

(a) to be a member of the committee; or

(b) that a representative of the CEO be a member of the committee,

the local government is to appoint the CEO or the CEO's representative, as the case may be, to be a member of the committee.

FINANCIAL AND RESOURCES IMPLICATIONS

Nil

RISK MANAGEMENT CONSIDERATIONS

Strong representation and inputs regarding road planning and safety is a clear risk reduction tactic.

CONCLUSION

That Council appoint appropriate representatives and proxies to the Mid-West Regional Road Group North Midlands Sub-Group

ATTACHMENTS

Nil

7.3 Council Representatives on Council Committees

Author: Chief Executive Officer

Authorising Officer: Chief Executive Officer

Disclosure of Interest: The Author/Authorising Officer declare that they have no conflicts of interest pertaining to this item.

OFFICER RECOMMENDATION

That Council:

1. Appoint Cr _____ as Chair and Cr _____ as the Council delegates for the Local Emergency Management Committee with Cr _____ as the proxy delegate.
2. Acknowledge Shire President, Cr _____ and Shire Deputy President, Cr _____ as the Council delegates for the Morawa Sinosteel Future Fund Committee.
 - 2.1. Authorise the CEO to seek public nominations for the two (2) Shire of Morawa community resident committee member vacancies.
3. Appoint Shire President, Cr _____, Cr _____, Cr _____ and Cr _____ as the Council delegates for the Audit, Risk and Improvement Committee.
 - 3.1. Appoint Mr Nils Hay as independent Chair for the Audit, Risk and Improvement Committee.

ABSOLUTE MAJORITY VOTE REQUIRED

PURPOSE

The purpose of this report is for Council to appoint delegates to Council endorsed Committees.

DETAIL

Councils review appointments to committees and external groups at the conclusion of each election period, every 2 years.

Councillors who nominate to represent the Shire of Morawa on groups must ensure they have the necessary time to allocate attending meetings and reviewing supporting documents to provide constructive inputs and vote appropriately.

The Shire of Morawa has three designated Committees that perform functions as prescribed and delegated, as relevant.

1. Local Emergency Management Committee (LEMC)
2. Sinosteel Future Fund Committee
3. Audit and Risk Management Committee

LEMC

The Local Emergency Management Committee (LEMC) is a committee established under Section 38 of the Emergency Management Act 2005. The LEMC works under the adopted Local Emergency Management Arrangements (LEMA) (*Attachment 1*) prepared in accordance with sS41(1) of the Emergency Management Act 2005 and endorsed by the Morawa LEMC.

The LEMC includes representatives from agencies, organisations and community groups that are relevant to the identified risks and emergency management arrangements for the community.

The LEMC is not an operational committee but rather the organisation established by the Shire of Morawa to ensure that local emergency management arrangements are written and placed into effect for the district.

The LEMC membership must include at least one local government representative and the identified Local Emergency Coordinator (LEC). Relevant government agencies and other statutory authorities will nominate their representatives to be members of the LEMC.

The term of appointment of LEMC members shall be determined by the local government in consultation with the parent organisation of the members.

The functions of LEMC are [s. 39 of the Act]: To advise and assist the local government in establishing local emergency managements for the district;

- to liaise with public authorities and other persons in the development, review and testing of the local emergency management arrangements; and
- To carry out other emergency management activities as directed by SEMC or prescribed by regulations.

A Shire of Morawa Council representative is appointed as the Chair of the Committee.

Historically, the LEMC has been chaired by the Shire President.

Preparedness Procedure 7 states that 'LEMC's shall meet every three months and as required.' The Morawa LEMC schedules meetings in February, May, August & November each year. The LEMC may convene a special meeting if required for example after any major emergency incident.

The CEO recommends Council nominate two Councillor representatives to the LEMC with one representative designated as Chair. The Deputy Chair of the LEMC is the Officer in Charge of the Morawa Police Station. The reason for appointing a second representative is due to the importance of emergency management and the increasing natural hazard risks. A second representative will ensure broader Council understanding of emergency issues.

Sinosteel Future Fund

The Morawa Sinosteel Future Fund seeks to provide funding to grass-roots community organisations, including sporting groups, educational organisations, and community support organisations. Funding opportunities are considered by the Morawa Sinosteel Future Fund Committee.

In line with the deed of Grant the committee must consist of the Shire President, the Deputy Shire President, the Chief Executive Officer, and two Shire of Morawa community residents that have been appointed to the committee.

Council Delegates the Management of the Sinosteel Future Fund to the Committee, essentially empowering the Committee to implement the resolutions of the Morawa Sinosteel Future Fund Committee (without requiring a resolution of Council), including the allocation of funds.

The Committee operates under the auspices of the Sinosteel Midwest Corporation Limited/Shire of Morawa – Deed of Agreement for the Future.

The current committee makeup was determined in 2020, with Mrs Elizabeth Leanne Grant Williams, and Mr Jamie Appleton appointed to the Community resident representative roles.

Mrs Williams is no longer working at the Morawa Agricultural College and has moved out of town. With this community representative change, the current Council elections, and the recent grant hiatus due to low interest income being earned on the reserve funds, it makes sense to re-elect community representatives.

The CEO suggests that moving forward community representatives are elected to 4-year terms for this committee.

After a Council resolution, the Shire CEO proposes to advertise the community role vacancies as per Attachment 2 to this report.

Audit, Risk and Improvement Committee

The Local Government Amendment Act 2024 (the Amendment Act) amends the Local Government Act 1995 (the Act) to advance various reforms, including changing audit committees to have an improved focus as “Audit, Risk and Improvement Committees” (ARIC) that will be independently chaired, with greater clarity on how council committees should operate.

In March 2025, the Audit Committee and Council reviewed the Terms of Reference of the Audit Committee to reflect the membership of the Committee.

The primary objective of the Audit and Risk Management Committee is to accept responsibility for the annual external audit and liaise with the local government's auditor so that Council can be satisfied with the performance of the local government in managing its financial affairs. As well as this financial audit function, the Audit and Risk Management Committee also retain oversight of the strategic risk register, risk framework, and associated control mechanisms.

Following the reforms to the Local Government Act 1995 which required all Audit Committees to have an independent Chair, the Shire appointed an independent Chair to become the 5th member of the Committee. The Council appointed Mr Nils Hay as independent Chair of the Audit and

Risk Management Committee in March 2025, and it is proposed he be re-appointed for a further term of 2 years.

It will also be necessary for the Shire to:

- Appoint by absolute majority an independent deputy of the presiding member (s.5.11A(1)), refer LG Amendment Act 2024 new s.7.1B.
 - The independent deputy of the presiding member, must be appointed, however will only attend an ARIC meeting where the independent presiding member is unable to attend. The deputy of the presiding member must then preside at that meeting.
- Review the Shire's ARIC terms of reference to align with expected amendments to Audit Reg.16 *Functions of Audit Committee*, which will be amended to align with the new ARIC title.

Local Governments have a period of up to 6 months in which to comply with the amended requirements. These further appointments and amendments to the terms of reference will be completed and referred to Council accordingly.

LEVEL OF SIGNIFICANCE

High – Committee membership must be adopted by Absolute Majority

CONSULTATION

Nil

LEGISLATION AND POLICY CONSIDERATIONS

Local Government Act 1995

5.8. Establishment of committees

A local government may establish* committees of 3 or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.

** Absolute majority required.*

5.9. Committees, types of

(1) In this section —

other person means a person who is not a council member or an employee.

(2) A committee is to comprise —

- (a) council members only; or
- (b) council members and employees; or
- (c) council members, employees and other persons; or
- (d) council members and other persons; or
- (e) employees and other persons; or
- (f) other persons only.

5.10. Committee members, appointment of

(1) A committee is to have as its members —

- (a) persons appointed* by the local government to be members of the committee (other than those referred to in paragraph (b)); and
(b) persons who are appointed to be members of the committee under subsection (4) or (5).

* *Absolute majority required.*

(2) At any given time each council member is entitled to be a member of at least one committee referred to in section 5.9(2)(a) or (b) and if a council member nominates himself or herself to be a member of such a committee or committees, the local government is to include that council member in the persons appointed under subsection (1)(a) to at least one of those committees as the local government decides.

(3) Section 52 of the *Interpretation Act 1984* applies to appointments of committee members other than those appointed under subsection (4) or (5) but any power exercised under section 52(1) of that Act can only be exercised on the decision of an absolute majority of the local government.

(4) If at a meeting of the council a local government is to make an appointment to a committee that has or could have a council member as a member and the mayor or president informs the local government of his or her wish to be a member of the committee, the local government is to appoint the mayor or president to be a member of the committee.

(5) If at a meeting of the council a local government is to make an appointment to a committee that has or will have an employee as a member and the CEO informs the local government of his or her wish —

(a) to be a member of the committee; or

(b) that a representative of the CEO be a member of the committee,

the local government is to appoint the CEO or the CEO's representative, as the case may be, to be a member of the committee.

FINANCIAL AND RESOURCES IMPLICATIONS

Nil

RISK MANAGEMENT CONSIDERATIONS

This report provides the opportunity to clearly delineate roles and responsibilities which is a key risk management action.

CONCLUSION

That Council appoint members of Committees of Council and external WALGA Committees.

ATTACHMENTS

Attachment 1 – 7.3a LEMA

Attachment 2 – 7.3b Sinosteel Community Representative Advertisement

Attachment 3 – 7.3c Audit and Risk Committee Terms of Reference

7.4 Council Representatives on Development Assessment Panel

Author: Chief Executive Officer

Authorising Officer: Chief Executive Officer

Disclosure of Interest: The Author/Authorising Officer declare that they have no conflicts of interest pertaining to this item.

OFFICER RECOMMENDATION

That Council:

1. **Appoint Shire President, Cr _____ and Cr _____ as the main Shire of Morawa Local Government representatives for the Development Assessment Panel, with Cr _____ and Cr _____ appointed as alternate members.**

ABSOLUTE MAJORITY VOTE REQUIRED

PURPOSE

The purpose of this report is for Council to appoint delegates to the Development Assessment Panel.

DETAIL

Councils review appointments to committees and external groups at the conclusion of each election period, every 2 years.

Councillors who nominate to represent the Shire of Morawa on groups must ensure they have the necessary time to allocate attending meetings and reviewing supporting documents in order to provide constructive inputs and vote appropriately.

Representation of local interests is a key part of the Development Assessment Panel (DAP) system. In accordance with this premise, under Regulation 24 of the *Planning and Development (Development Assessment Panels) Regulations 2011*, Councils are required to nominate, as soon as possible following elections, four (2 main and 2 proxy/alternate) Elected Members to sit as DAP members.

The Shire of Morawa would be covered under the Regional JDAP (Joint Development Assessment Panel). Development Assessment Panels are independent decision-making bodies and do not form part of the Department of Planning, Lands and Heritage or the Western Australian Planning Commission. Each development Assessment Panel (DAP) comprises five members; three specialist members, one of which is the presiding member, and two local members, nominated by the local government.

At a meeting of a DAP, a quorum is constituted by three members of the DAP, including the Presiding Member.

Given the type of planning decisions made by the Shire, it is unlikely the Regional JDAP would become involved on a regular basis, however when needed it is important the Shire has appropriate Local Government representation on the panel.

It is recommended that the Shire President be appointed to one of the main roles, with other panel representatives and alternative members encouraged to nominate if they have some knowledge of planning principles or a capacity to advocate strongly in relation to relevant items.

LEVEL OF SIGNIFICANCE

Medium – without appropriate representation, the Shire of Morawa's views may not be well articulated when making decisions.

CONSULTATION

Nil

LEGISLATION AND POLICY CONSIDERATIONS

Local Government Act 1995

5.8. Establishment of committees

A local government may establish* committees of 3 or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.

** Absolute majority required.*

5.9. Committees, types of

(1) In this section —

other person means a person who is not a council member or an employee.

(2) A committee is to comprise —

- (a) council members only; or
- (b) council members and employees; or
- (c) council members, employees and other persons; or
- (d) council members and other persons; or
- (e) employees and other persons; or
- (f) other persons only.

5.10. Committee members, appointment of

(1) A committee is to have as its members —

- (a) persons appointed* by the local government to be members of the committee (other than those referred to in paragraph (b)); and
- (b) persons who are appointed to be members of the committee under subsection (4) or (5).

** Absolute majority required.*

(2) At any given time each council member is entitled to be a member of at least one committee referred to in section 5.9(2)(a) or (b) and if a council member nominates himself or herself to be a member of such a committee or committees, the local government is to include that council member

in the persons appointed under subsection (1)(a) to at least one of those committees as the local government decides.

(3) Section 52 of the *Interpretation Act 1984* applies to appointments of committee members other than those appointed under subsection (4) or (5) but any power exercised under section 52(1) of that Act can only be exercised on the decision of an absolute majority of the local government.

(4) If at a meeting of the council a local government is to make an appointment to a committee that has or could have a council member as a member and the mayor or president informs the local government of his or her wish to be a member of the committee, the local government is to appoint the mayor or president to be a member of the committee.

(5) If at a meeting of the council a local government is to make an appointment to a committee that has or will have an employee as a member and the CEO informs the local government of his or her wish —

(a) to be a member of the committee; or

(b) that a representative of the CEO be a member of the committee,

the local government is to appoint the CEO or the CEO's representative, as the case may be, to be a member of the committee.

FINANCIAL AND RESOURCES IMPLICATIONS

Nil

RISK MANAGEMENT CONSIDERATIONS

If the Shire is not well represented on the Regional JDAP it could lead to bad planning outcomes for the district.

CONCLUSION

That Council appoint members to the Development Assessment Panel as recommended.

ATTACHMENTS

Attachment 1 – 7.4a Development Assessment Panels – Local Government Member Nomination

Item 8	Closure
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8.1 Date of Next Meeting

The next ordinary meeting of Council will be held on

8.2 Closure

There being no further business, the President to declare the meeting closed.