



AGENDA

SPECIAL MEETING OF COUNCIL

to be held on

**Thursday, 14 November 2019
at 5.30pm**



WESTERN AUSTRALIA'S
WILDFLOWER COUNTRY

'This meeting is being recorded on audio tape and to assist with minute taking purposes. The public is reminded that in accordance with Section 6.16 of the Shire of Morawa Meeting Procedures Local Law 2012 that nobody shall use any visual or vocal recording device or instrument to record the proceedings of Council without the written permission of the presiding member.'

DISCLAIMER

No responsibility whatsoever is implied or accepted by the Shire of Morawa for any act, omission, statement or intimation occurring during Council Meetings. The Shire of Morawa disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission, and statement of intimation occurring during Council Meetings.

Any person or legal entity that acts or fails to act in reliance upon any statement, act or omission occurring in a Council Meeting does so at their own risk. The Shire of Morawa advises that any person or legal entity should only rely on formal confirmation or notification of Council resolutions.

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		
Interest Disclosed			
Item No and Title			
Nature of Interest			
Type of Interest (please circle one)	Financial	Proximity	Impartiality
Interest Disclosed			
Item No and Title			
Nature of Interest			
Type of Interest (please circle one)	Financial	Proximity	Impartiality
Interest Disclosed			
Item No 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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Contents

Item 1	Opening of Meeting	7
Item 2	Acknowledgement of Traditional Owners and Dignitaries	7
Item 3	Recording of Attendance	7
3.1	Attendance	7
3.2	Attendance by Telephone / Instantaneous Communications	7
3.3	Apologies	7
3.4	Approved Leave of Absence	7
3.5	Disclosure of Interests	7
Item 4	Declarations of All Members to have Given Due Consideration to All Matters Contained in the Business Paper before the Meeting	8
Item 5	Confirmation of Minutes of Previous Meeting	8
Item 6	Reports of Officers	9
6.1	Chief Executive Officer	9
6.1.1	Appointment of Committee Members and Delegates	9
Item 7	Business of an Urgent Nature/Late Item	12
Item 8	Closure	12
8.1	Date of Next Meeting	12
8.2	Closure	12

Item 1 Opening of Meeting

The President to declare the meeting open.

Item 2 Acknowledgement of Traditional Owners and Dignitaries

The President 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.

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Item 3 Recording of Attendance

3.1 Attendance

Council

President Karen Chappel
Deputy President Dean Carslake
Councillor Jane Coaker
Councillor Debbie Collins
Councillor Shirley Katona
Councillor Ken Stokes

Staff

Chief Executive Officer
Executive Manager Corporate & Community Services
Principal Works Supervisor
Economic Development Manager
Executive Assistant to CEO

Chris Linnell
Jenny Goodbourn
Paul Buist
Ellie Cuthbert
Sandy Adams

Members of the Public

3.2 Attendance by Telephone / Instantaneous Communications

3.3 Apologies

Councillor Yvette Harris

3.4 Approved Leave of Absence

3.5 Disclosure of Interests

Item 4 Declarations of 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 have given due consideration to all matters contained in the agenda.

Item 5 Confirmation of Minutes of Previous Meeting

OFFICER RECOMMENDATION

That Council confirm that the Minutes of the Ordinary Council Meeting held on 17 October 2019 and the Special Council Meeting held on 21 October 2019 are a true and correct record.

SIMPLE MAJORITY VOTE REQUIRED

Disclaimer

Members of the public are cautioned against taking any action on Council decisions, on items in this agenda in which they may have an interest, until formal notification in writing from the Shire has been received. Decisions made at this meeting can be revoked pursuant to the Local Government Act 1995.

Item 6 Reports of Officers**6.1 Chief Executive Officer****6.1.1 Appointment of Committee Members and Delegates**

Author: Chief Executive Officer

Authorising Officer: Chief Executive Officer

Disclosure of Interest: The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

OFFICER'S RECOMMENDATION

That with respect to the appointment of committee members and delegates the following Councillors are nominated to represent the Shire of Morawa on the following Committees:

1. Resolve to appoint Cr and the CEO as delegates to the Northern Zone of WALGA with Cr as proxy.
2. Resolve to appoint Cr and the CEO as delegates to the North Midland Education & Industry Training Alliance (NMEITA) with Cr as proxy.
3. Resolve to appoint Cr and the CEO as delegates to the Regional Road Group with Cr as proxy.
4. Resolve to appoint the whole of Council as delegates to the Audit Committee.

ABSOLUTE MAJORITY VOTE REQUIRED

PURPOSE

Council to appoint members of committees of Council and delegates to committees.

DETAIL

Council reviews delegates to committees following Local Government Elections, which are held every two years. Ordinary Council elections were held on 19 October 2019, with two presiding members running for re-election and one new member being elected unopposed.

Appointments are for a period of two years.

Details of vacancies and previous appointees are listed below:

Committee	Number of Representatives	Current Representatives	Nominated Representatives
Audit Committee	All Councillors	All Councillors	
Northern Zone of WALGA	2 Representatives 1 Proxy	Cr Chappel CEO Proxy Cr Stokes	
North Midlands Education and Industry Training Alliance	2 Representatives 1 Proxy	Cr Chappel CEO Proxy Cr Coaker	
Regional Road Group	2 Representatives 1 Proxy	Cr Stokes CEO No current proxy	
Midwest Joint Development Assessment Panel (Morawa)	2 Representatives 2 Proxies	Cr Carslake Cr Chappel Proxy Cr Collins Proxy Cr Stokes	No nominations required. Current nominees remain in place until 26 April 2020.
Occupational Health and Safety Committee	1 Representative	CEO	

LEVEL OF SIGNIFICANCE

Low

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 —

- council members only; or
- council members and employees; or
- council members, employees and other persons; or
- council members and other persons; or
- employees and other persons; or
- 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.

- Shire of Morawa Strategic Community Plan

Outcome 4.3 A local government that is respected, professional and accountable.

FINANCIAL AND RESOURCES IMPLICATIONS

Budgeted in the 2019/20 financial year.

RISK MANAGEMENT CONSIDERATIONS

Shire of Morawa Risk Management Framework

Appropriate governance of risk management within the Shire of Morawa (the “Shire”) provides:

- Transparency of decision making.
- Clear identification of the roles and responsibilities of the risk management functions.
- An effective Governance Structure to support the risk framework.

CONCLUSION

That Council appoint members of committees of Council and delegates to committees.

ATTACHMENTS

Nil

Item 7 Business of an Urgent Nature/Late Item
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Item 8 Closure

8.1 Date of Next Meeting

The next ordinary meeting of Council will be held on Thursday, 21 November 2019 commencing at 5.30pm.

8.2 Closure

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