



**MINUTES**

**SPECIAL MEETING OF COUNCIL**

held on

**Thursday, 14 November 2019**



---

**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.*

## Contents

Item 1	Opening of Meeting .....	5
Item 2	Acknowledgement of Traditional Owners and Dignitaries .....	5
Item 3	Recording of Attendance .....	5
3.1	Attendance.....	5
3.2	Attendance by Telephone / Instantaneous Communications .....	5
3.3	Apologies .....	5
3.4	Approved Leave of Absence.....	5
3.5	Disclosure of Interests .....	6
Item 4	Declarations of All Members to have Given Due Consideration to All Matters Contained in the Business Paper before the Meeting .....	6
Item 5	Confirmation of Minutes of Previous Meeting .....	6
Item 6	Reports of Officers .....	7
6.1	Chief Executive Officer .....	7
6.1.1	Appointment of Committee Members and Delegates .....	7
Item 7	Business of an Urgent Nature/Late Item .....	11
Item 8	Closure .....	11
8.1	Date of Next Meeting .....	11
8.2	Closure .....	11

**Item 1 Opening of Meeting**

The President declared the meeting open at 5.30pm.

**Item 2 Acknowledgement of Traditional Owners and Dignitaries**

The President acknowledged the traditional custodians, the Yamatji people, and recognised the contribution of Yamatji elders past, present and future, in working together for the future of Morawa.

*'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.'*

**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**

Nil

**3.3 Apologies**

Councillor Yvette Harris

**3.4 Approved Leave of Absence**

Nil

**3.5 Disclosure of Interests**

Nil

**Item 4 Declarations of All Members to have Given Due Consideration to All Matters Contained in the Business Paper before the Meeting**

The following Elected Members declared that they have given due consideration to all matters contained in the agenda:

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

**Item 5 Confirmation of Minutes of Previous Meeting****OFFICER RECOMMENDATION/RESOLUTION**

191106      **Moved: Cr Collins      Seconded: Cr Katona**

**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.**

***CARRIED BY SIMPLE MAJORITY VOTE 6/0***

*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.

---

**RESOLUTION**

191107 Moved: Cr Carslake Seconded: Cr Collins

That Standing Orders be suspended.

***CARRIED BY SIMPLE MAJORITY VOTE 6/0***

*Standing Orders were suspended at 5.31pm.*

**RESOLUTION**

191108 Moved: Cr Collins Seconded: Cr Carslake

***CARRIED BY SIMPLE MAJORITY VOTE 6/0***

*Standing Orders were resumed at 5.36pm.*

**OFFICER'S RECOMMENDATION/RESOLUTION**

191109 Moved: Cr Coaker Seconded: Cr Carslake

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 Chappel and the CEO as delegates to the Northern Zone of WALGA with Cr Stokes as proxy.
2. Resolve to appoint Cr Chappel and the CEO as delegates to the North Midland Education & Industry Training Alliance (NMEITA) with Cr Coaker as proxy.

3. Resolve to appoint Cr Stokes and the CEO as delegates to the Regional Road Group with Cr Collins as proxy.

4. Resolve to appoint the whole of Council as delegates to the Audit Committee.

**CARRIED BY ABSOLUTE MAJORITY 6/0**

## 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 —
  - (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.
- 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**

Nil

**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 declared the meeting closed at 5.37pm.

..... Presiding Member