



Special Meeting of Council

Agenda

21 October 2025

Shire of Yilgarn NOTICE OF MEETING



Special Meeting of Council

Will be held in the Council Chambers on
Tuesday, 21 October 2025 Commencing
at 5:00 pm

The purpose of the meeting will be to:

- Swear in Newly Elected Members;
- Elect President and Deputy President;
- Elect Councillor Committee Representation

This meeting will be open to members of the public and the agenda will be publicly available on Council's website 72 hours prior to the meeting date.

Nicholas Warren
Chief Executive Officer

14/10/2025

DISCLAIMER

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

Any Plans or documents in agendas or minutes may be subject to copyright. The express permission of the copyright owner must be obtained before copying any copyright material, as per the Copyright Act 1968.

Any statement, comment or decision made at a Council meeting regarding any application for an approval, consent or licence, including the resolution of approval, is not effective as an approval of any application and must not be relied upon as such.

Any person or entity who has an application before the Shire of Yilgarn must obtain, and should rely on, written notice of the Shire of Yilgarn's decision and any conditions attaching to the decision, and cannot treat as an approval anything said or done in a Council meeting.

Any advice provided by an employee of the Shire of Yilgarn on the operation of a written law, or the performance of a function by the Shire of Yilgarn, is provided in the capacity of an employee, and to the best of the persons knowledge and ability. It does not constitute, and should not be relied upon, as legal advice or representation by the Shire of Yilgarn. Any advice on a matter of law, or anything sought to be relied upon as a representation by the Shire of Yilgarn should be sought in writing and should make clear the purpose of the request. Any plans or documents in Agendas and Minutes may be subject to copyright.

RECORDS MANAGEMENT

Guidelines for Elected Members

Introduction

Elected members have a unique and pivotal role within the local government and the community. They represent the interests of electors, residents and ratepayers, participate in local government decision making at council and committee meetings, and facilitate communication between the community and the Council.

The State Records Commission policy regarding the records of local government elected members requires the creation and retention of records of the:

"...communications and transactions of elected members which constitute evidence affecting the accountability of the Council and the discharge of its business."

This policy applies regardless of a record's format or where it was received.

Under the *Local Government Act 1995*, the CEO of a local government is responsible for ensuring that all records of that local government are kept in accordance with relevant legislation. Accurately created and managed records provide reliable, legally verifiable evidence of decisions and actions.

Records created or received by elected members that relate to local government business must be captured as part of the local government's corporate memory in accordance with the local government's Recordkeeping Plan.

1 What is a record?

A **record** can be defined as any record of information, in any medium, including letters, files, emails, word processed documents, databases, photographs, text messages, and social media posts relevant to the business of the organisation. **Government records** are those records created or received by a government organisation, or by an employee or contractor in the course of their work for that organisation.

2 Why do I need to keep records?

Records provide evidence of what an organisation has done, and why. Keeping records of business activity enables an organisation to account for its actions, meet legislative requirements, and make informed and consistent decisions.

Government records include:

- Correspondence and communications
- File notes made after verbal communications, meetings, phone calls etc.

- Video and audio recordings
- Photographs
- Email
- Social Media posts (e.g. Facebook, Twitter)
- Databases
- Websites
- Messages from Apps (e.g. WhatsApp, Messenger)
- TXT messages

When to create and capture a record:

- Information is related to council business
- An action is required
- A decision or commitment is made
- Business need: for future reference by yourself or others
- Historical: identifies Council activity over time.

3 Which records should be captured?

YES – forward to your local government administration
Communications, such as: • complaints and compliments • correspondence concerning corporate matters • submissions, petitions and lobbying • information for Council's interest relating to local government business activity and functions
Lobbying – correspondence or petitions, relating to lobbying matters
Telephone, meetings and other verbal conversations – regarding local government projects or business activities
Social Media – where the posts: • create interest from the public or media • communicate decisions or commit the local government to an action • seek feedback • address issues of safety, and/or • relate to sensitive or contentious issues
Work diaries / Appointment books – containing information that may be significant to the conduct of the elected member on behalf of the local government
Allowances, benefits and gifts records
Addresses / Speeches / Presentations – delivered as part of an elected member's official duties

NO – do not need to be forwarded to your local government
Duplicate copies – of Council meeting agenda, minutes and papers
Draft documents or working papers – which are already captured at the local government
Publications – such as newsletters, circulars and journals
Invitations – to community events where an elected member is not representing Council or the local government
Telephone, meetings and other verbal conversations which: - convey routine information only; or - do not relate to local government business or functions
Electioneering – or party-political information
Personal records – not related to an elected member's official duties

4 Confidential Documents / Records

Records held within an information management system (IMS) or on hard copy files can be restricted so that only the appropriate officers can access them. If the elected member believes that some of the documentation required for capture into the IMS is of a highly sensitive or confidential nature, the Elected Member should advise the CEO to treat the information as confidential and restrict access to those records.

5 What do I do with records once they are created?

Records of business activity should be entered into Councils official recordkeeping system by forwarding them to Councils Administrative Services Officer (ASO) for processing, confidential records should be forwarded to the CEO.

By doing this, records relating to particular work matters are kept together and are available for all relevant staff to refer to.

Table of Content

1 Declaration of Opening/Announcement of Visitors	1
2 Announcements from the Presiding Member	1
3 Attendance	1
4 Declaration of Interest	1
5 Public Question time	1
6 Swearing-In of Newly Elected and Returned Councillors	1
7 Election of Shire President Position	2
8 Election of Deputy Shire President Position	3
9 Election of Councillors to Various Advisory Committees of Council	4
10 Election of Councillors to Various Committees of Council and External Committees	8
11 Confirmation of Minutes	12
12 Presentations, Petitions, Deputations	12
13 Application for Leave of Absence	12
14 Motions for Which Previous Notice Has Been Given	12
15 New Business of An Urgent Nature Introduced by Decision of The Meeting	12
16 Meeting Closed to The Public-Confidential Items	12
17 Closure	12

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

As this meeting is the first official meeting of Council following the formal Council Election date on Saturday, 18 October 2025 and the official commencement of duties for the re-elected members, the CEO will open the meeting and Chair the process of the Swearing-In of newly elected and returned Councillors and the election of the Shire President and Swearing-In of this position.

Following the election of the Shire President, the CEO will vacate the Chair and the newly elected Shire President will take the Chair and undertake the election process for the Deputy Shire President position.

2. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

3. ATTENDANCE

Members

Cr B Bradford
Cr B Close
Cr L Granich
Cr G Guerini
Cr D Newbury
Cr L Rose

Council Officers	N Warren	Chief Executive Officer
	C Watson	Executive Manager Corporate Services
	G Brigg	Executive Manager Infrastructure
	F Mudau	Finance Manager
	N Beaton	Minute Taker

Apologies:

Observers:

Leave of Absence:

4. DECLARATION OF INTEREST

5. PUBLIC QUESTION TIME

6. SWEARING-IN OF NEWLY ELECTED AND RETURNED COUNCILLORS

Newly elected Councillors will be individually called upon to make the Declaration of Elected Member in the presence of Mr. Nicholas Warren, Chief Executive Officer of the Shire of Yilgarn.

7. ELECTION OF SHIRE PRESIDENT POSITION

In accordance with Schedule 2.3 of the *Local Government Act 1995*, the following process applies to the election of Shire President:-

2. When council elects mayor or president

- (1) The office is to be filled as the first matter dealt with —
 - (a) at the first meeting of the council after an inaugural election or a section 4.13 or 4.14 election or after an ordinary elections day; and
 - (b) at the first meeting of the council after an extraordinary vacancy occurs in the office.
- (2) If the first ordinary meeting of the council is more than 3 weeks after an extraordinary vacancy occurs in the office, a special meeting of the council is to be held within that period for the purpose of filling the office.

3. CEO to preside

The CEO is to preside at the meeting until the office is filled.

4. How mayor or president is elected

- (1) The council is to elect a councillor to fill the office.
- (2) The election is to be conducted by the CEO in accordance with the procedure prescribed.
- (3) Nominations for the office are to be given to the CEO in writing before the meeting or during the meeting before the close of nominations.
- (3a) Nominations close at the meeting at a time announced by the CEO, which is to be a sufficient time after the announcement by the CEO that nominations are about to close to allow for any nominations made to be dealt with.
- (4) If a councillor is nominated by another councillor the CEO is not to accept the nomination unless the nominee has advised the CEO, orally or in writing, that he or she is willing to be nominated for the office.
- (5) The councillors are to vote on the matter by secret ballot as if they were electors voting at an election.
- (6) Subject to clause 5(1), the votes cast under subclause (5) are to be counted, and the successful candidate determined, in accordance with Schedule 4.1 (which deals with determining the result of an election) as if those votes were votes cast at an election.
- (7) As soon as is practicable after the result of the election is known, the CEO is to declare and give notice of the result in accordance with regulations, if any.

[Clause 4 amended: No. 49 of 2004 s. 69(2)-(5); No. 66 of 2006 s. 14.]

5. Votes may be cast a second time

- (1) If when the votes cast under clause 4(5) are counted there is an equality of votes between 2 or more candidates who are the only candidates in, or remaining in, the count, the count is to be discontinued and the meeting is to be adjourned for not more than 7 days.
- (2) Any nomination for the office may be withdrawn, and further nominations may be made, before or when the meeting resumes.
- (3) When the meeting resumes the councillors are to vote again on the matter by secret ballot as if they were electors voting at an election.
- (4) The votes cast under subclause (3) are to be counted, and the successful candidate determined, in accordance with Schedule 4.1 as if those votes were votes cast at an election.

Tied Vote after Second Election

If a tied vote occurs at the resumed meeting, in accordance with Schedule 4.1 of the *Act*, the CEO is to draw lots to decide the matter. The draw should also be conducted by two persons and if available, verified by an independent person.

Following the election, the Shire President will make the Declaration of Office in the presence of Mr Nicholas Warren, CEO

CEO to vacate the Chair with the newly elected Shire President taking the Chair.

8. ELECTION OF DEPUTY SHIRE PRESIDENT POSITION

The process for the election of the Deputy Shire President is the same as for the Shire President however, the Shire President is the returning officer for this process.

Following the election, the Deputy Shire President will make the Declaration of Office in the presence of Mr Nicholas Warren, CEO

9. ELECTION OF COUNCILLORS TO VARIOUS ADVISORY COMMITTEES OF COUNCIL

9.1 SHIRE OF YILGARN AUDIT, RISK AND IMPROVEMENT COMMITTEE

Section 7.1A of the *Local Government Act 1995* states the following in respect to the appointment of an Audit Committee

- (1) A local government is to establish an audit committee of 3 or more persons to exercise the powers and discharge the duties conferred on it.
- (2) The members of the audit committee of a local government are to be appointed* by the local government and at least 3 of the members, and the majority of the members, are to be council members.

** Absolute majority required.*

- (3) A CEO is not to be a member of an audit committee and may not nominate a person to be a member of an audit committee or have a person to represent the CEO as a member of an audit committee.
- (4) An employee is not to be a member of an audit committee.

***A recommendation that arose from a report issued by the Office of Auditor General on 15 March 2019 indicated that as far as practicable, the Audit & Risk Committee should include a few Council members rather than the entire Council.**

Mrs Jodie Cobden has indicated she will no longer be in a position to continue to serve as the community representative.

The Audit, Risk and Improvement Committee meet generally 2 – 3 times a year.

Recommendation

That Council, by absolute majority, appoints Crs.....,, and to the Shire of Yilgarn Audit, Risk and Improvement Committee and confirms as the Community representative on the Audit & Risk Committee.

9.2 SHIRE OF YILGARN BUSH FIRE ADVISORY COMMITTEE

The Shire of Yilgarn Bush Fire Advisory Committee is chaired by the Chief Bush Fire Control Officer, Council members may participate in discussion where necessary.

The Bush Fire Advisory Committee meets twice a year.

Crs Guerini and Rose were Council's previous representatives on the Bush Fire Advisory Committee.

The Regulatory Services Officer undertakes the secretarial work of the Committee and attends meetings, with the CEO attending as necessary.

Recommendation

That Council appoints Cr and Cr..... as its representatives on the Shire of Yilgarn Bush Fire Advisory Committee with the Regulatory Services Officer being responsible for secretarial duties associated with the Committee.

9.3 SHIRE OF YILGARN LOCAL EMERGENCY MANAGEMENT ADVISORY COMMITTEE

The Shire President (by virtue of the position) together with Cr Close were Council's previous representatives on the Local Emergency Management Advisory Committee.

The Regulatory Services Officer undertakes the secretarial work of the Committee and attends meetings, with the CEO attending as necessary.

The LEMAC meets generally every quarter.

Recommendation

That Council appoints the Shire President together with Cr as its representatives on the Shire of Yilgarn Local Emergency Management Advisory Committee with the Chief Executive Officer and Regulatory Services Officer attending and being responsible for secretarial duties associated with the Committee.

9.4 SHIRE OF YILGARN HISTORY MUSEUM ADVISORY COMMITTEE

The Shire of Yilgarn History Museum Advisory Committee meets generally 6 times a year

Cr Granich was Council's previous representatives on the History Museum Advisory Committee.

Recommendation

That Council appoints Crs and as its representatives on the Shire of Yilgarn History Museum Advisory Committee.

9.5 SHIRE OF YILGARN TOURISM ADVISORY COMMITTEE

The Shire of Yilgarn Tourism Advisory Committee meets ad-hoc as required, generally no more than once a quarter.

Crs Rose and Granich were Council's previous representatives on the Tourism Advisory Committee.

Recommendation

That Council appoints Crs and as its representatives on the Shire of Yilgarn Tourism Advisory Committee.

9.6 SHIRE OF YILGARN ROADS ADVISORY COMMITTEE

Crs Close, Guerini and Rose were Councils appointed representative on the Shire of Yilgarn Roads Committee together with the Chief Executive Officer and Executive Manager Infrastructure.

The Roads Advisory Committee meets as required when complex matters arise relating to road use or upgrades.

Recommendation

*That Council appoints Crs, and
..... as its representatives on the Shire of Yilgarn Roads Committee.*

9.7 SHIRE OF YILGARN COMMUNITY ENHANCEMENT FUND ADVISORY COMMITTEE

The Shire's Community Enhancement Fund Advisory Committee – Terms of Reference calls for a minimum of three (3) Council appointed elected members to be represented on the advisory committee.

Despite advertising, no community members have nominated, however a new round of advertising will be undertaken.

Recommendation

*That Council appoints Crs, and
..... as its representatives on the Community Enhancement Fund Advisory Committee.*

10. ELECTION OF COUNCILLORS TO VARIOUS COMMITTEES OF COUNCIL AND EXTERNAL COMMITTEES

10.1 YILGARN COMMUNITY SUPPORT GROUP INC.

Cr Newbury was Council's previous representatives on the Yilgarn Community Support Group Inc. Committee.

*The Yilgarn Community Support Group Inc. Committee is previously the Health Agencies of the Yilgarn (HAY) Committee.

Recommendation

That Council appoints Cr as its representative on the Health Agencies of Yilgarn Committee.

10.2 LOCAL ACTION GROUP SKELETON WEED COMMITTEE

Crs Della Bosca and Rose were Council's previous representatives on the Local Action Group Skeleton Weed Committee.

Recommendation

That Council appoints Crs and as its representatives on the Local Action Group Skeleton Weed Committee.

10.3 WHEATBELT EAST REGIONAL ORGANISATION OF COUNCILS (WEROC)

Crs Della Bosca and the CEO were Council's previous representatives on the Wheatbelt East Regional Organisation of Council.

WEROC Constitution indicates that two (2) representatives from participating Councils are eligible to be on the Board.

Recommendation

That Council appoints Cr and the Chief Executive Officer as its representatives on the Wheatbelt East Regional Organisation of Councils board.

10.4 GREAT EASTERN COUNTRY ZONE (GECZ) OF WALGA

Cr Della Bosca (Shire President) and Cr Close (Deputy President) were Council's previous representatives on the GECZ with the Chief Executive Officer accompanying them to these meetings.

Recommendation

That Council appoints the Shire President and Cr as its representatives on the Great Eastern Country Zone of WALGA with the Chief Executive Officer accompanying the above representatives to these meetings.

10.5 MT. WALTON INTRACTABLE WASTE DISPOSAL FACILITY COMMUNITY LIAISON COMMITTEE

The committee meets every quarter, either in person at Coolgardie or via electronic means.

Cr Close was the appointed Member to the above Committee, with Cr Guerini and the Regulatory Services Officer as Deputy Members.

Recommendation

That Council appoints Cr as its appointed representative on the Mt. Walton Intractable Waste Disposal Facility Community Liaison Committee with Cr..... and the Regulatory Services Officer as Deputy Members.

10.6 GREAT WESTERN WOODLANDS REFERENCE GROUP

Cr Close was Council's previous representative on the Great Western Woodlands Reference Group.

Recommendation

That Council appoints Cr as its representative on the Great Western Woodlands Reference Group.

10.7 WHEATBELT NORTH REGIONAL ROAD GROUP AND SUB-GROUP

Cr Della Bosca (Shire President) and Cr Close (Deputy Shire President) were Council's previous representatives on the Wheatbelt North Regional Road Group and Sub-Group.

The Executive Manager Infrastructure accompanied the above Councillors to these meetings.

Recommendation

That Council appoints Crs and as its representatives on the Wheatbelt North Regional Road Group and Sub-Group.

10.8 EASTERN WHEATBELT DECLARED SPECIES GROUP

Cr Guerini was Council's previous representative on the Eastern Wheatbelt Declared Species Group.

Recommendation

That Council appoints Cr as its representative on the Eastern Wheatbelt Declared Species Group.

10.9 RURAL HEALTH WEST

Cr Newbury and Cr Granich were Council's previous representative on Rural Health West committee.

Recommendation

That Council appoints Crs and as its representatives on Rural Health West.

10.10 LOCAL HEALTH ADVISORY COMMITTEE

Cr Newbury was Council's previous representative on the Local Health Advisory Committee

Council currently has no representative on the District Health Advisory Committee. The WA Country Health Service has sought a local representative, and it is envisaged the LHAC representative could also represent Council on the DHAC.

Recommendation

That Council appoints Cr as its representative on the Local Health Advisory Committee and District Health Advisory Committee.

10.11 WHEATBELT AGCARE COMMITTEE

Cr Newbury was Council's previous representative on Wheatbelt AgCare.

Recommendation

That Council appoints Cr as its representative on the Wheatbelt AgCare Committee.

10.12 CENTRAL EAST AGED CARE ALLIANCE INC. (CEACA)

Cr Della Bosca (Shire President) was Council's appointed representative on CEACA

CEACA's Constitution only allows Council to appoint a Member and does not provide for Deputy Members to be appointed although the Chief Executive Officer would always accompany Council's representatives to CEACA meetings.

Recommendation

That Council appoints Cr as its Member on the Central East Aged Care Alliance (CEACA) Inc.

10.13 DEVELOPMENT ASSESSMENT PANEL

Crs Close and Bradford were the Councils appointed Members on the DAP with Crs Granich and Rose being alterative members.

Recommendation

That Council appoints Cr.....and Cr..... as members to the Development Assessment Panel with Crand Cr as alternative members.

11. CONFIRMATION OF MINUTES

12. PRESENTATIONS, PETITIONS, DEPUTATIONS

13. APPLICATION FOR LEAVE OF ABSENCE

14. MOTIONS FOR WHICH PREVIOUS NOTICE HAS BEEN GIVEN

15 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING

16 MEETING CLOSED TO THE PUBLIC-CONFIDENTIAL ITEMS

17 CLOSURE