



AGENDA

and

Notice of Special Council Meeting

to be held on

Tuesday 6 November 2025

at

5.00pm

at the

Irwin Recreation Centre

Ridley Street, Port Denison

The purpose of this meeting is to swear in the newly Elected Members, elect the Shire President & Deputy Shire President and nominate Councillors to Committees.

A handwritten signature in black ink, appearing to read 'Shane Ivers'.

Shane Ivers
Chief Executive Officer
3 November 2025

Disclaimer

The Shire of Irwin:

- advises that the purpose of an Ordinary Council Meeting is to discuss and, where possible, make resolutions about items appearing in the agenda. No person should rely or act on the basis of any decision, advice or information provided by an Elected Member or Officer, or on the content of any discussion occurring during the course of the meeting. No person should rely on the decisions made by Council until formal written advice of the Council is received by that person.
- expressly disclaims any liability for any loss or damage whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Agenda Forums, Council or Committee Meetings.
- disclaims any liability for any loss arising from any person or body relying on any statement, discussion, recommendation or decision in the audio recording. Council minutes provide the definitive record of Council's resolutions.

Nature of Council's Role in Decision Making

Advocacy	When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
Executive	The substantial direction setting and oversight role of the Council e.g., performance of the Local Government's function under law, administration of Local Laws, adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
Legislative	Includes adopting local laws and local planning schemes.
Review	When Council reviews decisions made by Officers.
Quasi-judicial	When Council determines an application/matter that directly affects a person's rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice e.g., local planning applications, building permits, other permits/licences (e.g. under the Health Act, Dog Act or local laws) and other decisions that may be appealable to the State Administrative Tribunal (SAT).

By allocating these roles, the Shire ensures that the Council's decision-making is structured and aligned with its legal responsibilities, allowing it to effectively govern, serve its community, and maintain compliance with applicable laws.

Notes for Members of the Public

Meeting Formalities

Shire of Irwin Council Meetings are governed by legislation and regulations. During the meeting, no member of the public may interrupt the meetings proceedings or enter into conversation.

Members of the public shall ensure that their mobile phones are switched off and not used during any Shire meeting.

Members of the public are hereby advised that in line with Council Policy CP48 – Recording of Council Minutes, no person is to use any electronic, visual or audio recording device or instrument to record the proceedings of a Council Meeting without the written permission of the Council.

Audio Recordings

This Meeting will be audio recorded. The recording will be made publicly available on the Shire's website within ten (10) days of the meeting being held.

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SPECIAL COUNCIL MEETING

to be held on

Thursday 6 November 2025

at 5.00pm

AGENDA

Section 2.29 of the *Local Government Act 1995* requires a person who has been elected as a Councillor to make a declaration before acting in the office.

The declaration is to be made before a person whom a statutory declaration can be made under the *Oaths, Affidavits and Statutory Declarations Act 2005*.

Mr Ian West JP will perform the Swearing in Ceremony.

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

In accordance with the provision of the *Local Government Act 1995*, the Chief Executive Officer will declare the meeting open and preside until the election of the Shire President.

2. RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

Members

Councillor P Summers
Councillor J Melsom
Councillor A J Gillam
Councillor S Hansen
Councillor L Berecz

Newly Elected Members (To be Sworn In)

Councillor I Scott
Councillor L Musulin

Staff

Mr S D Ivers
Mr M Connell
Ms F Boksmati
Mr M Jones
Miss P Machaka
Mr M Antony
Ms S Mearns

Chief Executive Officer
Manager Development
Manager Community Services
Manager Operations
Manager Finance
Community Emergency Services Manager
Executive Assistant

Guests

Mr Ian West JP

Apologies

Approved Leave of Absence

Gallery

3. ELECTION OF SHIRE PRESIDENT

A nomination form for the office of Shire President has been provided to Councillors. Nominations are to be lodged in writing, indicating consent of the nominee, prior to, or at the meeting.

The election of Shire President will be conducted by the CEO in accordance with the following procedure:

- The CEO will advise receipt of written nominations for the office of Shire President.
- The CEO will invite any further nominations then declare the nomination period closed.
- If a Councillor is nominated by another Councillor, the CEO will not accept the nomination unless the nominee advises the CEO, orally or in writing, that he or she is willing to be nominated for the office.
- Councillors will vote on the matter by secret ballot as if they were electors voting at an election.
- Votes will be counted and the successful candidate announced by the CEO.
- In the event of an equality of votes, the count will be discontinued and the meeting will be adjourned for not more than 7 days. Nominations may be withdrawn. When the meeting resumes, Councillors will vote again on the matter by secret ballot.

4. ELECTION OF DEPUTY PRESIDENT

A form for the nomination of a Councillor for the office of Deputy Shire President has been provided to Councillors. Nominations are to be lodged in writing, indicating consent of the nominee, prior to, or at the meeting.

The election of Deputy Shire President will be conducted by the Shire President in accordance with the following procedure:

- The Shire President will advise receipt of written nominations for the office of Deputy Shire President.
- The Shire President will invite any further nominations then declare the nomination period closed.
- If a Councillor is nominated by another Councillor, the Shire President will not accept the nomination unless the nominee advises the Shire President, orally or in writing, that he or she is willing to be nominated for the office.
- Councillors will vote on the matter by secret ballot as if they were electors voting at an election.
- Votes will be counted and the successful candidate will be announced by the Shire President.
- In the event of an equality of votes, the count will be discontinued and a special meeting of council will be held no more than 7 days later. Nominations may be withdrawn. When the special meeting is held, councillors will vote again on the matter by secret ballot.

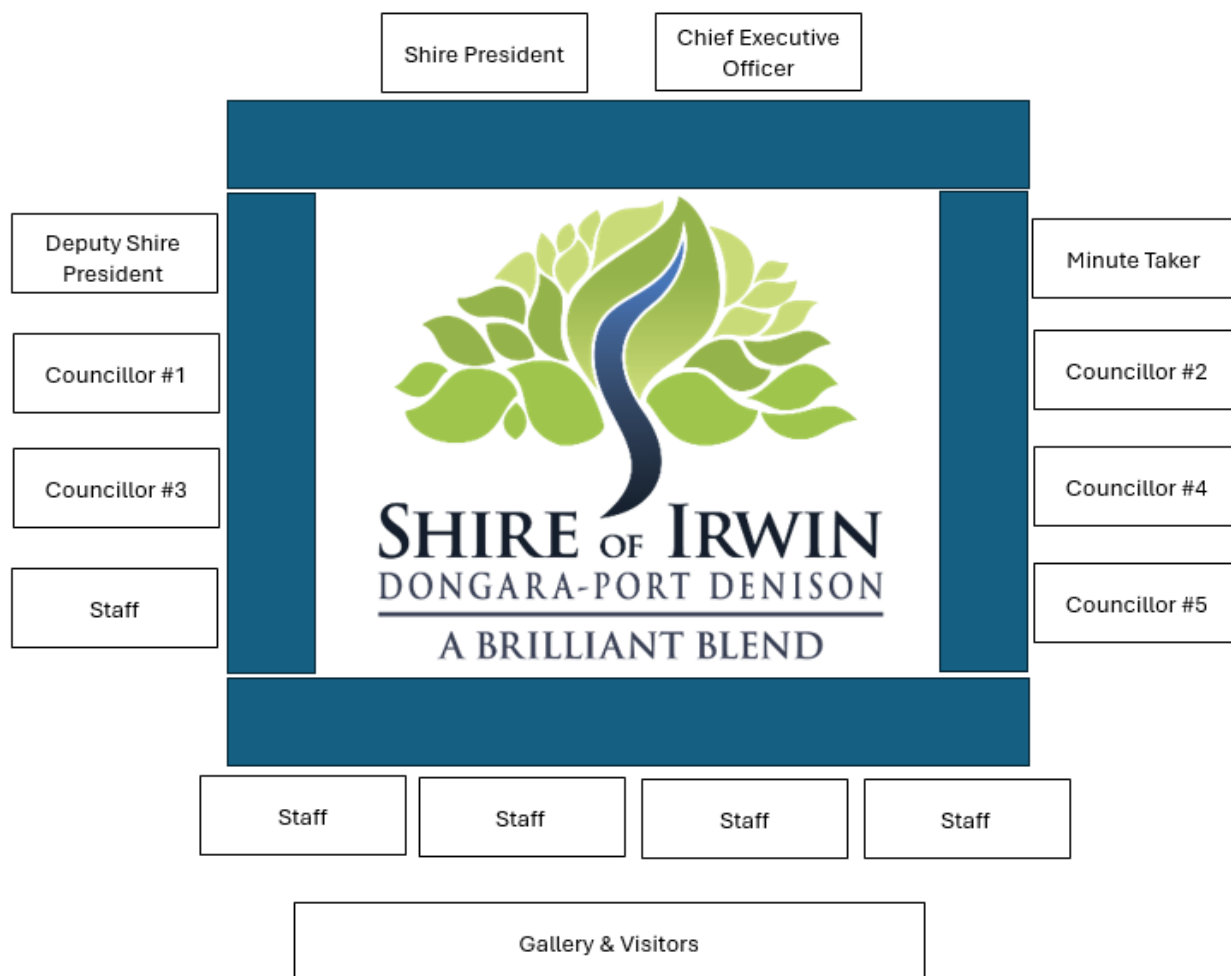
5. COUNCILLOR SEATING ALLOCATION

Councillor seating allocation will be in accordance with Clause 8.1 of the Shire of Irwin *Meeting Procedures Local Law 2016*. The Chief Executive Officer is to allocate Councillor seating positions 1, 2, 3, 4 & 5 by random draw:

Seat 1: _____ Seat 4: _____

Seat 2: _____ Seat 5: _____

Seat 3: _____



6. OFFICE OF THE CEO REPORT

CEO 01-11/25 Council Delegates to Committees and Groups	
Author:	S Mearns, Executive Assistant
Responsible Officer:	S Ivers, Chief Executive Officer
File Reference:	3.0230
Council Role:	Executive
Voting Requirements:	Absolute Majority

Report Purpose:

To seek Council approval for appointing Councillor delegates to Committees of Council and external committees, and Councillor representatives to external groups for a two (2) year term.

Council is also asked to note that, as part of the Local Government reforms announced by the Department of Local Government, Sport and Cultural Industries (DLGSC), local governments in Western Australia are now required to rename their existing Audit Committee to the Shire of Irwin Audit, Risk and Improvement Committee (ARIC).

Officer Recommendations:

RECOMMENDED: That Council, by Absolute Majority, appoints the following Councillors as Committee delegates for a two (2) year term to the <u>Audit Committee</u>: <i>Voting Members</i> Cr _____ Cr _____ Cr _____ Cr _____ <i>Non-voting Members</i> Chief Executive Officer Manager Finance

RECOMMENDED: That Council, by Absolute Majority, appoints: - Cr _____ as the Presiding Member; and - Cr _____ as the Deputy Presiding Member of the Shire of Irwin Audit Committee.
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RECOMMENDED:

That Council, by Simple Majority notes the change of name of the Shire of Irwin Audit Committee to the Shire of Irwin Audit, Risk & Improvement Committee.

RECOMMENDED:

That Council, by Absolute Majority, appoints the following Councillors as Committee delegates for a two (2) year term to the Community Assistance Scheme & Events Committee (CASE):

- *Voting Members*

Cr _____

Cr _____

Community Member

Community Member

- *Non-voting Members*

Manager Community Services

Community Development Officer

RECOMMENDED:

That Council, by Absolute Majority, appoints:

- Cr _____ as the Presiding Member; and
- Cr _____ as the Deputy Presiding Member

of the Shire of Irwin Community Assistance Scheme & Events Committee.

RECOMMENDED:

That Council, by Absolute Majority, appoints the following Councillors as Committee delegates for a two (2) year term to the Bush Fire Advisory Committee (BFAC):

- *Voting Members*

Cr _____

Cr _____

RECOMMENDED:

That Council, by Absolute Majority, appoints the following Councillor as the Shire of Irwin proxy representative for a two (2) year term to the Local Emergency Management Committee (LEMC):

- *Voting Members*

Shire President

Cr _____ as proxy

Chief Executive Officer

Community Emergency Services Manager (CESM)

RECOMMENDED:

That Council, by Absolute Majority, confirms the following Councillors as Shire of Irwin representatives for a two (2) year term to the Northern Country Zone of the WA Local Government Association (NCZ):

- *Voting Members*

Shire President

Deputy Shire President as proxy

- *Non-voting Members*

Chief Executive Officer

RECOMMENDED:

That Council, by Absolute Majority, appoints the following Councillors as Shire of Irwin representatives for a two (2) year term to the Development Assessment Panel (DAP):

- *Voting Members*

Cr _____

Cr _____

Cr _____ as proxy

Cr _____ as proxy

RECOMMENDED:

That Council, by Absolute Majority, appoints the following Councillor as a Shire of Irwin representative for a two (2) year term to the Midwest Regional Road Group:

- *Voting Members*

Cr _____

- *Non-voting Members*

Chief Executive Officer

Background:

Following each Local Government election, the positions for both internal and external committees within the Shire of Irwin are spilled. This process allows for fresh perspectives, new ideas, and ensures that committee representation reflects the current priorities and direction of the Council.

Each committee has a responsible officer who will facilitate any appropriate administrative tasks, including additional community representatives to be formerly appointed under section 5.10 of the *Local Government Act 1995* until the full delegations list is considered again. Any matters relating to a committee without a designated responsible officer should be referred to the Development & Executive Officer if the Chief Executive Officer is the appointed delegate.

Below is an overview of the functions performed by the Shire of Irwin's internal and external committees:

Audit Committee

The Shire of Irwin Audit Committee plays a key role in assisting the Shire of Irwin to fulfil its governance and oversight responsibilities in relation to financial reporting, internal control structure, risk management systems, legislative compliance, ethical accountability and the internal and external audit functions.

Community Assistance Scheme and Events (CASE)

The Shire of Irwin Community Assistance Scheme aims to provide assistance to not-for-profit community based organisations, event organisers and individuals to support the promotion and development of social, economic, recreational, art and cultural projects that make a positive contribution to the quality of life within the Shire of Irwin.

The Community Assistance Scheme provides the framework for the Shire of Irwin to administer community sponsorship. This framework will ensure a consistent approach to all applicants who apply for assistance.

Bushfire Advisory Committee

The Shire of Irwin Bushfire Advisory Committee (BFAC) is established pursuant to Section 67 of the *Bush Fires Act 1954*.

The purpose of the BFAC is to:

- Prevent, control and extinguish bush fires;
- plan the layout of fire-breaks in the district;
- form bush fire brigades and the grouping thereof under group brigade officers;
- ensure co-operation and co-ordination of bush fire brigades in their efforts and activities; and
- any other matter relating to bush fire control.

Local Emergency Management Committee

Under section 38 of the *Emergency Management Act 2005*, the Shire of Irwin has established a Local Emergency Management Committee (LEMC) to oversee and coordinate emergency management activities within the Shire. The Shire of Irwin LEMC brings together representatives from key local organisations, emergency services, and government agencies to plan for, prepare for, respond to, and recover from emergencies affecting the community.

The Committee is managed and chaired by the Shire of Irwin and works collaboratively to ensure effective local emergency management arrangements are in place.

Northern Country Zone (NCZ) of the WA Local Government Association (WALGA)

The Northern Country Zone (NCZ) of the WA Local Government Association (WALGA) represents local governments in the Mid West/Gascoyne region, acting as a political and strategic link between them and the state WALGA body. Its main functions include advocating for regional issues, developing policy initiatives for local government, electing State Councillors, and sharing information and networking opportunities for its member councils.

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.

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.

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. It is recommended that the Chief Executive Officer 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.

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

Development Assessment Panel

A Development Assessment Panel (DAP) is an independent decision-making body that determines certain development applications in place of the original decision maker, such as the local government and/or the Western Australian Planning Commission (WAPC).

DAPs were created by the WAPC to enhance planning expertise in decision-making by improving the balance between technical advice and local knowledge for larger-scale developments. DAPs consist of three specialist members and two local government Councillors (plus two proxies) by Ministerial appointment.

When a DAP covers more than one municipality, it is referred to as a Joint Development Assessment Panel (JDAP). DAP regulations state that mandatory DAP applications cannot be determined by the local government or the Western Australian Planning Commission (WAPC).

Midwest Regional Road Group

The Western Australian Midwest Regional Road Group (RRG) works to manage and prioritize the allocation of state road funding for local government roads in the region, ensuring the road network is maintained and improved to meet the needs of the community. As a member of the RRG, the Shire of Irwin's representative(s) play an active role in making recommendations to the State Road Funds to Local Government Advisory Committee (SAC) regarding the annual roads program.

The RRG also assists in the distribution of funds and provides input on local road funding priorities. The group is made up of elected representatives from the local governments across the region, with the Shire of Irwin contributing to regional road planning and decision-making.

Officer's Comment:

Councillors have been provided an opportunity to consider these appointments and have been asked to forward any expressions of interest prior to the meeting.

The designated responsible officers have been named to clarify the current representation, however, Councillor appointments have been left blank for Council to consider at this meeting.

In regard to the Local Emergency Management Committee, it is preferable that one of the delegates is the Shire President, however this is not essential.

Reforms proclaimed late last year require Local Governments to appoint Committee Presiding Members and Deputy Presiding Members by absolute majority Council decision. This applies to all current Committees established under section 5.8 of the *Local Government Act 1995* (LG Act), including Audit Committees.

The amended section 5.12 and 5.13 provisions mean that any new Committees, and Committees that are re-established following the 2025 Local Government Election, will no longer elect their Presiding Member / Deputy Presiding Member. Instead, the Council is required to appoint, by absolute majority, the Presiding Member / Deputy Presiding Member for each committee, which may occur at the time Council appoints the Committee Membership.

Additional reforms announced also include the requirement that local governments in Western Australia are now required to rename their existing Audit Committee to Audit, Risk and Improvement Committees (ARICs). This change reflects a broader focus on not only financial audits but also on overseeing risk management, internal controls, and continuous improvement processes with the local government. The officer recommendation for Council to note this change appears above while the necessary changes to the Committee's Terms of Reference will be discussed by Shire Officers and Committee Members prior to them being endorsed by Council at an upcoming Ordinary Council Meeting.

Consultation:

All Councillors were invited to submit an expression of interest via email prior to the meeting.

Statutory Environment:

Local Government Act 1995

- Section 5.9
- Section 5.10
- Section 5.11

Policy Implications:

Nil

Financial/Resource Implications:

Nil

Strategic Implications:

Our Brilliant Future – Strategic Community Plan 2021 – 2031

Strategy 4.1.2 Utilise contemporary communication strategies and tools to enhance public participation

Strategy 4.1.3 Maintain effective working relationships with relevant stakeholders

Attachments:

Nil

7. CLOSURE