



MINUTES

SPECIAL COUNCIL MEETING



20 OCTOBER 2025

Commencing at 6.15pm in the
Shire of Wyalkatchem Council Chambers
27 Flint Street, Wyalkatchem

UNCONFIRMED MINUTES

These unconfirmed minutes are approved for distribution 21 October 2025.

Ian McCabe

ACTING CHIEF EXECUTIVE OFFICER

**Cr's Christy Petchell, Roderick Lawson-Kerr, Christopher Loton and councillor-elect
Mr Stephen Gamble made their (Form 7) Declarations of Office before Mr Don Eaton
JP prior to this meeting.**

DISCLAIMER

No responsibility whatsoever is implied or accepted by the Shire of Wyalkatchem for any act, omission or statement or intimation occurring during this meeting. It is strongly advised that persons do not act on what is heard at this meeting and should only rely on written confirmation of Council's decisions, which will be provided within ten days of this meeting.

DISCLOSURE OF INTEREST

Councillors and staff are reminded of the requirements of section 5.65 of the *Local Government Act 1995*, to disclose any interest or perceived interest in any matter to be discussed during a meeting, and also the requirement to disclose any item affecting impartiality.

Financial Interest:

Under section 5.60A of the *Local Government Act 1995*, a person is said to have a financial interest in a matter if it is reasonable to expect that the matter will, if dealt with by the Local Government in a particular way, result in a financial gain, loss, benefit or detriment for the person.

Proximity Interest:

Under section 5.60B of the *Local Government Act 1995*, a person is said to have a proximity interest in a matter if the matter concerns a proposed change to a planning scheme affecting land that adjoins the person's land; a proposed change to the zoning or use of land that adjoins the person's land; or a proposed development of land that adjoins the person's land.

Impartiality Interest:

To maintain transparency, it is important to disclose all interests, including impartiality interests which include interests arising from kinship, friendship and membership of associations. If it is possible that your vote on a matter may be perceived as impartial, you should disclose your interest.

Disclosing an Interest:

Disclosures must be made, in writing, to the Chief Executive Officer prior to the meeting at which the matter in which you have an interest is to be discussed.

If you disclose a Financial or Proximity Interest, you must leave the room while the matter is discussed and voted on. Only after a decision has been reached may you return to the meeting, at which time the Presiding Person will inform you of Council's decision on the matter.

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1. DECLARATION OF OPENING – ACTING CHIEF EXECUTIVE OFFICER

The Acting Chief Executive Officer, as Presiding Person, declared the meeting open at 6.15pm.

The Presiding Person acknowledged elected members, re-elected councillors and councillor elect, the public gallery and the attendance of former councillors.

2. ELECTION OF SHIRE PRESIDENT

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	15 October 2025
Reporting Officer:	Ian McCabe, Acting Chief Executive Officer
Disclosure of Interest:	No interest to disclose
File Number:	13.05.01
Attachment Reference:	Nil

SUMMARY

Council is to elect the President of the Council for a two (2) year term commencing immediately upon declaration into office.

BACKGROUND

Schedule 2.3 to the Local Government Act 1996 provides the legislative framework for how the positions of President are filled by the Council:

- The council is to elect a councillor to fill the office.
- The election is to be conducted by the CEO in accordance with the procedure prescribed.
- 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.
- 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.
- 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.
- The councillors are to vote on the matter by secret ballot as if they were electors voting at an election.
- The votes cast are to be counted, and the successful candidate determined.
- 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.

COMMENT

On receiving nominations and undertaking the Election process the newly Elected Shire President will be required to be declared into office by the Chief Executive Officer, in accordance with the *Local Government Act 1995* and *Local Government (Constitutional) Regulations 1998* (Form 7).

At the conclusion of electing the Shire President, the President will 'assume the chair'.

STATUTORY ENVIRONMENT

Local Government Act 1995, Division 1, Schedule 2.3 and 4.1

Local Government (Constitution) Regulations 1996 Regulation 13

Oaths, Affidavits and Statutory Declarations Act 2005 Schedule 2

POLICY IMPLICATIONS

There are no direct policy implications in relation to this item.

FINANCIAL IMPLICATIONS

There are no financial implications in relation to this item.

COMMUNITY AND STRATEGIC OBJECTIVES

The matter before Council generally accords with the following Shire desired outcome as expressed in the revised Shire of Wyalkatchem Strategic Community Plan

Goal 11. High Standard of Governance

Three nominations in writing were received prior to the meeting:

Cr Justin Begley

Cr Christopher Loton

Cr Christy Petchell

A secret ballot was conducted with the names of nominating councillors listed in alphabetical surname order. Seven votes were recorded. The results of the ballot were:

Cr Christy Petchell is duly elected as President with a majority of first preference votes. Cr Petchell made a Form 7 Declaration of office before Mr Don Eaton JP.

3. ELECTION OF DEPUTY SHIRE PRESIDENT

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	15 October 2025
Reporting Officer:	Ian McCabe, Acting Chief Executive Officer
Disclosure of Interest:	No interest to disclose
File Number:	13.07.06
Attachment Reference:	Nil

SUMMARY

Council is to elect the Deputy President of the Council for a two (2) year term of office, commencing immediately upon declaration into office.

BACKGROUND

Schedule 2.3 of the Local Government Act 1995 provides the legislative framework for how the positions of Deputy President are filled by the Council:

- The council is to elect a councillor to fill the office.
- The election is to be conducted by the CEO in accordance with the procedure prescribed.
- 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.
- 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.
- 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.
- The councillors are to vote on the matter by secret ballot as if they were electors voting at an election.
- The votes cast under are to be counted, and the successful candidate determined.
- 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.

COMMENT

On receiving nominations and undertaking the Election process the newly Elected Deputy Shire President will be required to be declared into office by the Chief Executive Officer, in accordance with the *Local Government Act 1995* and *Local Government (Constitutional) Regulations 1998* (Form 7).

At the conclusion of electing the Deputy Shire President, the Deputy President will 'assume their chair'.

STATUTORY ENVIRONMENT

Local Government Act 1995, Division 1, Schedule 2.3 and 4.1

Local Government (Constitution) Regulations 1996 Regulation 13

Oaths, Affidavits and Statutory Declarations Act 2005 Schedule 2

POLICY IMPLICATIONS

There are no direct policy implications in relation to this item.

FINANCIAL IMPLICATIONS

There are no financial implications in relation to this item.

COMMUNITY AND STRATEGIC OBJECTIVES

The matter before Council generally accords with the following Shire desired outcome as expressed in the revised Shire of Wyalkatchem Strategic Community Plan

Goal 11. High Standard of Governance

Schedule 4.1 Division 2 applies to one office elections (the election of a President or Deputy President is a one office election).

3. One office election: 3 or more candidates

Clauses 4 and 5 apply if there are 3 or more candidates in a one office election.

4. Count of first-preference votes

(1) The first-preference votes for each candidate must be counted.

(2) A candidate is elected if the number of first-preference votes for the candidate exceeds 50% of the total number of all the first-preference votes for candidates.

Four nominations in writing were received prior to the meeting:

Cr Justin Begley

Cr Christopher Loton

Cr Christy Petchell

Cr Mischa Stratford

Cr Christy Petchell withdrew as she was successful in her election as President.

A secret ballot was conducted with the names of nominating councillors listed in alphabetical surname order. The results of the ballot were:

First Round:

Cr Mischa Stratford recorded three first preference votes; Cr Justn Begley two first preference votes; Cr's Christopher Loton two first preference votes, a total of seven votes.

Local Government Act 1995, Schedule 4.1 Division 2 cl. 5 (2) (a) states that in failing to achieve 50% of first preference votes, that the candidate with the fewest first preference votes is to be excluded; both Cr Begley and Loton had two first preference votes and therefore, sub-clause 4) requires the application of subclause 6) which states:

(6) The returning officer must draw lots in accordance with regulations to determine, as the case requires —

(a) the candidate to be excluded

Lots were drawn which excluded Cr Loton.

The remaining votes did not fully allocate preferences, distributing one preference to Cr Mischa Stratford. This resulted in four preferential votes.

Cr Mischa Stratford is duly elected as Deputy President with a majority of preferential votes. Cr Stratford made her Form 7 Declaration of Office before Mr Don Eaton JP.

4. BALLOT FOR SEATING

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	15 October 2025
Reporting Officer:	Ian McCabe, Acting Chief Executive Officer
Disclosure of Interest:	No interest to disclose
File Number:	13.07.06
Attachment Reference:	Nil

SUMMARY

In accordance with clause. 8.2 of Local Law 14 'Standing Orders', a ballot will be conducted by the Acting Chief Executive Officer for the seating of Councillors in Chambers.

BACKGROUND

The Shire of Wyalkatchem Standing orders provides the framework on how the allocation of Council seating arrangements:

Clause 8.2 Members to Occupy Own Seats

'At the first meeting held after each ordinary Election Day, the CEO is to allot by random draw, a position at meetings of the Council until such time as there is a call by a majority of Councillors for a re-allotment of positions.'

COMMENT

After the conclusion of the ballot, the Shire President will invite Councillors to take their seats.

STATUTORY ENVIRONMENT

Local Government Act 1995

Shire of Wyalkatchem Local Law 14, Standing Orders, cl. 8.2 Members to Occupy Own Seats

POLICY IMPLICATIONS

There are no direct policy implications in relation to this item.

FINANCIAL IMPLICATIONS

There are no financial implications in relation to this item.

COMMUNITY AND STRATEGIC OBJECTIVES

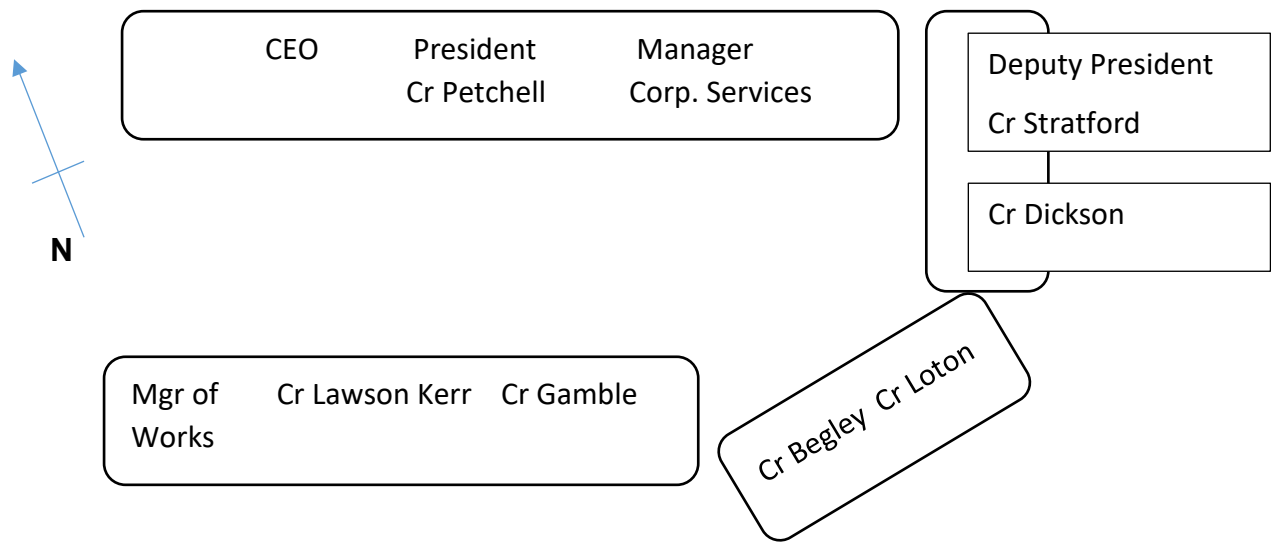
The matter before Council generally accords with the following Shire desired outcome as expressed in the revised Shire of Wyalkatchem Strategic Community Plan

Goal 11. High Standard of Governance

The Acting CEO prepared a ballot draw of six identical balls containing a number between one and six, placing that number inside the ball. All councillors other than the President then made a draw, the number drawn indicating a corresponding seat in chambers, commencing at the first elected member to the left of the President and rotating clockwise around the councillor table.

The councillors were invited to make a draw.

The seating arrangement is thus:



Entry to chambers

5. DECLARATIONS OF INTEREST

5.1. Financial and Proximity Interest

5.2. Impartiality Interests

6. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

7. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

8. URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

9. MATTERS BEHIND CLOSED DOORS

10. CLOSURE OF THE MEETING

There being no further business, the Presiding Member Cr Petchell closed the meeting at 6.34pm.