



# AGENDA

## SPECIAL COUNCIL MEETING



Thursday 6 November 2025

Commencing at 4.00pm in the  
Shire of Wyalkatchem Council Chambers  
27 Flint Street, Wyalkatchem

## **NOTICE OF SPECIAL COUNCIL MEETING**

A Special Meeting of Council will be held on Thursday 6 November 2025 in the Council Chambers, 27 Flint Street Wyalkatchem, commencing at 4.00pm.

An Agenda for this meeting will be made available from the Shire Administration Office and on our website [www.wyalkatchem.wa.gov.au](http://www.wyalkatchem.wa.gov.au)

## **ORDER OF EVENTS**

### **4.00pm – Special Council Meeting**

I have reviewed this agenda and am aware of all recommendations made to Council and support each as presented.

**Ian McCabe**

**ACTING CHIEF EXECUTIVE OFFICER**

## **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**

**2. PUBLIC QUESTION TIME**

- 2.1. Response to Public Questions Previously Taken on Notice**
- 2.2. Declaration of Public Question Time opened**
- 2.3. Declaration of Public Question Time closed**

**3. ATTENDANCE, APOLOGIES, LEAVE OF ABSENCE**

- 3.1. Attendance**
- 3.2. Apologies**
- 3.3. Approved Leave of Absence**
- 3.4. Applications for Leave of Absence**

**4. OBITUARIES**

**5. PETITIONS, DEPUTATIONS, PRESENTATIONS**

- 5.1. Petitions**
- 5.2. Deputations**
- 5.3. Presentations**

**6. DECLARATIONS OF INTEREST**

- 6.1. Financial and Proximity Interest**
- 6.2. Impartiality Interests**

**7. ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION**

**8. MATTERS FOR WHICH THE MEETING MAY BE CLOSED**

Item 13.1 Request from WA Planning Commission to comment on planned Sub-Division

## **9. REPORTS**

### **9.1 GOVERNANCE**

#### **9.1.1 APPOINTMENT OF PRESIDING MEMBER AND DEPUTY PRESIDING MEMBER – AUDIT, RISK AND IMPROVEMENT COMMITTEE**

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	5 November 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 required to establish an audit, risk and improvement committee (s. 7.1A (1), Local Government Act 1995).

The appointment of members to Committees by Council is addressed by Part 5, section 5.10 (1) of the Local Government Act 1995 ('the Act'). The decision is to be by absolute majority.

#### **BACKGROUND**

Members of the audit, risk and improvement committee were recently confirmed by Council by Absolute Majority. This item appoints the Presiding Member and Deputy Presiding Member.

#### **COMMENT**

The tenure of the audit, risk and improvement committee terminates with the local government election (the Act, s.5.11 (1) (d)). Accordingly, the committee membership was appointed by council.

It is the usual practice of the Shire of Wyalkatchem to appoint the Deputy President as Presiding Member of the Audit, Risk and Improvement. However, all members of Council are appointed to the Audit, Risk and Improvement Committee. It should be noted that within the short term it will be a requirement for the committee to have an independent chair and possibly an expanded independent membership.

#### **STATUTORY ENVIRONMENT**

Part 5 Local Government Act 1995 (Administration)  
Part 7 Local Government Act (Audit)

#### **POLICY IMPLICATIONS**

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

**FINANCIAL IMPLICATIONS**

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

**RISK IMPLICATIONS**

The maintenance of this committee will reduce risk by improving oversight, facilitating audit processes and creating public record.

**COMMUNITY AND STRATEGIC OBJECTIVES**

*Goal 11. High Standard of Governance*

**Voting Requirement:**

Absolute Majority

**Officer Recommendation:**

**Moved:**

**Seconded:**

**That Council resolve to:**

1. Appoint Cr \_\_\_\_\_ as Presiding Member of the Audit, Risk and Improvement Committee; and,
2. Appoint Cr \_\_\_\_\_ as the Deputy Presiding Member of the Audit, Risk and Improvement Committee.

**10. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

**11. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN**

**12. URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY  
DECISION**

**13. MATTERS BEHIND CLOSED DOORS**

Officer's Recommendation:

Moved:

Seconded:

That Council moves behind closed doors in accordance with s. 5.23 (2)(b) of the Local Government Act 1995, to deal with matters relating to the personal affairs of a person.



### 13.1 REQUEST FOR COMMENT – SUBDIVISION AT BENJABERRING

Applicant: RM Surveys  
Location: Lots 137, 9274 & 9278 Old Nalkain Road, Benjaberring  
Date: 5 November 2025  
Reporting Officer: Ian McCabe, Acting Chief Executive Officer  
Disclosure of Interest: No interest to disclose  
File Number: 18.13 Sub-Division  
Attachment Reference: 1. Pages from the Minutes of 14.1 16 September 2021  
**Confidential Attachment.**

#### SUMMARY

The WA Planning Commission has referred a subdivision application (202255) to the Shire of Wyalkatchem and requested any comment by 11 November 2025.

#### BACKGROUND

The same subdivision was considered by the Commission in 2021 and approved it. The owner did not complete the process and has re-applied.

#### COMMENT

Council considered this same sub-division proposal in September 2021 with the advice to support the application (and), raise no objections or conditions.

The WA Planning Commission approved the sub-division, but the owner did not proceed to titles with Landgate, and the sub-division lapsed.

There is no change to the application.

There is no change to advice provided to Council.

The item is recommended for support with no objection or condition.

#### STATUTORY ENVIRONMENT

Planning and Development Act 2005

#### POLICY IMPLICATIONS

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

#### FINANCIAL IMPLICATIONS

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

#### RISK IMPLICATIONS

There are no risk implications in relation to this item.

#### COMMUNITY AND STRATEGIC OBJECTIVES

Goal 11. High Standard of Governance.

**Voting Requirement:**

Simple Majority

**Officer Recommendation:**

**Moved:**

**Seconded:**

- 1. That Council supports the subdivision application 202255 Lots 137, 9274, 9278 Old Nalkain Road Benjaberring, as outlined in the application to the WA Planning Commission; and,**
- 2. Advises the WA Planning Commission that Council has no objections to the proposed sub-division and no conditions to impose on the proposal.**

Officer's Recommendation:

Moved:

Seconded:

That Council moves from behind closed doors and returns the meeting to being open to the public.

#### **14. CLOSURE OF THE MEETING**