

Special Council Meeting Minutes

21 October 2025



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SHIRE OF DALWALLINU

MINUTES of the Special Meeting of Council held at the Council Chambers, Shire Administration Centre, Dalwallinu on Tuesday 21 October 2025.

CHIEF EXECUTIVE OFFICER DECLARATION

"In accordance with the Local Government Act, this public meeting is being recorded. The recording will be archived and available on Councils website www.dalwallinu.wa.gov.au. Persons attending this meeting in the public gallery may be recorded.

Persons participating in public question time will be recorded as part of the meeting proceedings. I request all participants maintain a respectful and professional demeanour throughout the proceedings. Any use of profanity, disrespectful language, or disruptive behaviour may result in removal from the meeting.

Thank you for your cooperation."

1 OPENING & ANNOUNCEMENT OF VISITORS

The Chief Executive Officer, Ms Jean Knight opened the meeting at 3:30pm.

2 ANNOUNCEMENTS OF PRESIDING MEMBER

Ms Knight acknowledged and welcomed the newly elected Councillors, Keith Carter, Diane Cream, Jemma Counsel, Shannon Dawson and Shane Hickleton who will be sworn in today.

3 ATTENDANCE RECORD

3.1 Present

Councillors

Shire President

Deputy President

Cr KL Carter

Cr MM Harms

Cr SC Carter

Cr JL Counsel

Cr DS Cream

Cr S Dawson

Cr S Hickleton

Chief Executive Officer

Ms JM Knight

Manager Corporate Services

Mrs HK Jolly

Public

Nil

3.2 Apologies

Nil

3.3 Leave of Absence Previously Granted

Nil

4 SWEARING IN OF NEW COUNCILLORS

The newly elected Councillors, namely, Cr Keith Carter, Cr Diane Cream, Cr Jemma Counsel, Cr Shannon Dawson and Cr Shane Hickleton will now make a declaration and be sworn in before the Chief Executive Officer, Ms Jean Knight.



5 ELECTION OF PRESIDENT

The Chief Executive Officer conducted the Ballot for the Election of President.

Cr MM Harms nominated Cr KL Carter.
Cr KL Carter accepted the nomination.

Cr DS Cream nominated Cr SC Carter.
Cr SC Carter accepted the nomination.

3.35pm Meeting was adjourned by the Chief Executive Officer.

3.38pm Meeting was reopened by Chief Executive Officer.

Ballot papers were distributed to all Councillors. The Chief Executive Officer and Manager Corporate Services counted the ballot papers and Cr KL Carter received six (6) votes and Cr SC Carter received one (1) vote.

The Chief Executive Officer declared Cr KL Carter the President.

3.43pm The President, Cr KL Carter took the chair.

6 ELECTION OF DEPUTY PRESIDENT

The Shire President conducted the Ballot for the Election of Deputy President.

Cr JL Counsel nominated Cr MM Harms.
Cr MM Harms accepted the nomination.

Cr DS Cream nominated Cr SC Carter.
Cr SC Carter declined the nomination.

The Shire President declared Cr MM Harms as the Deputy President.

Cr KL Carter made the declaration of Shire President before Ms Jean Knight.

Cr MM Harms made the declaration of Deputy Shire President before Ms Jean Knight.

3.46pm The Deputy President, Cr MM Harms took the position next to the Shire President.



PROCEDURAL MOTION 10476

Moved Cr JL Counsel
Seconded Cr DS Cream

That Council suspend Standing Orders to discuss Councillor Memberships on Committees/Advisory Groups at 3.47pm.

CARRIED 7/0

For: President KL Carter, Deputy MM Harms, Cr SC Carter, Cr JL Counsel, Cr DS Cream,
 Cr S Dawson, Cr S Hickleton

Against Nil

PROCUDURAL MOTION 10477

Moved Cr SC Carter
Seconded Cr DS Cream

That Council resume Standing Orders at 3.57pm.

CARRIED 7/0

For: President KL Carter, Deputy MM Harms, Cr SC Carter, Cr JL Counsel, Cr DS Cream,
 Cr S Dawson, Cr S Hickleton

Against Nil

7 DECLARATIONS OF INTEREST

Nil

8 PUBLIC QUESTION TIME

8.1 Response to Previous Public Questions Taken on Notice

Nil

8.2 Public Question Time

Nil

9 MINUTES OF PREVIOUS MEETING

9.1 Ordinary Council Meeting – 30 September 2025

The Minutes of the previous Ordinary Council Meeting held on Tuesday 30 September 2025 will be adopted at the next Ordinary Council Meeting to be held on Tuesday 28 October 2025.

10 PETITIONS/PRESENTATIONS/DEPUTATIONS/DELEGATES/REPORTS/SUBMISSIONS

10.1 Petitions

Nil



10.2 Presentations

Nil

10.3 Deputations

Nil

10.4 Delegates Reports/Submissions

Nil

11 METHOD OF DEALING WITH AGENDA BUSINESS (Show of hands)

As agreed.



12. REPORTS
12.1 CHIEF EXECUTIVE OFFICER
12.1.1 Appointment of Delegates

Report Date	21 October 2025
Applicant	Shire of Dalwallinu
File Ref	GO/2 – Governance
Previous Meeting Reference	Nil
Prepared by	Jean Knight, Chief Executive Officer
Supervised by	Jean Knight, Chief Executive Officer
Disclosure of interest	Nil
Voting Requirements	Absolute Majority
Attachments	Nil

Purpose of Report

Council is requested to appoint members to community based organisations.

Background

Council has previously appointed delegates to various community based committees and state or local government groups.

Following the 18 October 2025 ordinary elections, it is necessary for Council to review these appointments and confirm its delegates.

Consultation

Nil

Legislative Implications

State

Local Government Act 1995

Policy Implications

Nil

Financial Implications

Nil

General Function Implications

Nil

Strategic Implications

Nil

Site Inspection

Site inspection undertaken: Nil

Sustainability & Climate Change Implications

Economic implications

There are no known significant economic implications associated with this proposal.

Social implications

There are no known significant social implications associated with this proposal.



Environmental implications

There are no known significant environment implications associated with this proposal.

Officer Comment

Council may agree to appoint a delegate to any recognised body in which it has an interest. Council have previously appointed delegates to the following:

WALGA – Avon Midland Country Zone

- Delegate Cr KL Carter
- Proxy Cr SC Carter

Wheatbelt North Regional Road Group – Moora Sub Group

- Delegate Cr SC Carter
- Proxy Cr KL Carter

Moore Catchment Council

- Delegate Cr SC Carter
- Proxy Cr MM Harms

Dalwallinu District Tourism Group

- Delegate Cr JL Counsel
- Proxy Cr JH Cruz

Dalwallinu Local Health Advisory Group

- Delegate Cr DS Cream
- Proxy Cr JL Counsel



Officer Recommendation/Council Resolution

MOTION 10478

Moved Cr JL Counsel
Seconded Cr S Dawson

That Council:

1. Appoint the following members as delegates for the **WALGA – Avon Midland Country Zone**
 Delegate Cr KL Carter
 Proxy Cr MM Harms
2. Appoint the following members as delegates for the **Wheatbelt North Regional Road Group – Moora Sub Group**
 Delegate Cr SC Carter
 Proxy Cr KL Carter
3. Appoint the following members as delegates for the **Dalwallinu District Tourism Group**
 Delegate Cr JL Counsel
 Proxy Cr S Hickleton
4. Appoint the following members as delegates for the **Moore Catchment Council**
 Delegate Cr MM Harms
 Proxy Cr SC Carter
5. Appoint the following members as delegates for the **Dalwallinu Local Health Advisory Group**
 Delegate Cr DS Cream
 Proxy Cr S Dawson

CARRIED BY ABSOLUTE MAJORITY 7/0

For: President KL Carter, Deputy MM Harms, Cr SC Carter, Cr JL Counsel, Cr DS Cream,
 Cr S Dawson, Cr S Hickleton

Against Nil



12.1.2 Appointment of Audit, Risk & Improvement Committee Members

Report Date	21 October 2025
Applicant	Shire of Dalwallinu
File Ref	GO/2 – Governance
Previous Meeting Reference	Nil
Prepared by	Jean Knight, Chief Executive Officer
Supervised by	Jean Knight, Chief Executive Officer
Disclosure of interest	Nil
Voting Requirements	Absolute Majority
Attachments	Nil

Purpose of Report

Council is requested to appoint members to the Shire of Dalwallinu Audit, Risk & Improvement Committee.

Background

Section 7.1(a)(1) of the *Local Government Act 1995* states:

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

Following the 18 October 2025 ordinary elections, it is necessary for Council to review these appointments and confirm its members.

Mr Ian Hyde was previously appointed as the Independent Chairperson and Mr Nat Wallis as the Deputy Independent Chairperson.

Consultation

Nil

Legislative Implications

State

Local Government Act 1995

Local Government (Audit) Regulations 1996

Policy Implications

Nil

Financial Implications

Nil

General Function Implications

Nil

Strategic Implications

Nil

Site Inspection

Site inspection undertaken: Nil



Sustainability & Climate Change Implications

Economic implications

There are no known significant economic implications associated with this proposal.

Social implications

There are no known significant social implications associated with this proposal.

Environmental implications

There are no known significant environment implications associated with this proposal.

Officer Comment

It is a requirement of the *Local Government Act 1995* that Council is to establish and appoint members to the Audit, Risk & Improvement Committee.

Functions of audit committee

An audit committee has the following functions —

- (a) *to guide and assist the local government in carrying out —*
 - (i) *its functions under Part 6 of the Act; and*
 - (ii) *its functions relating to other audits and other matters related to financial management;*
- (b) *to guide and assist the local government in carrying out the local government's functions in relation to audits conducted under Part 7 of the Act;*
- (c) *to review a report given to it by the CEO under regulation 17(3) (the **CEO's report**) and is to —*
 - (i) *report to the council the results of that review; and*
 - (ii) *give a copy of the CEO's report to the council;*
- (d) *(to monitor and advise the CEO when the CEO is carrying out functions in relation to a review under —*
 - (i) *regulation 17(1); and*
 - (ii) *the Local Government (Financial Management) Regulations 1996 regulation 5(2)(c);*
- (e) *to support the auditor of the local government to conduct an audit and carry out the auditor's other duties under the Act in respect of the local government;*
- (f) *to oversee the implementation of any action that the local government —*
 - (i) *is required to take by section 7.12A(3); and*
 - (ii) *has stated it has taken or intends to take in a report prepared under section 7.12A(4)(a); and*
 - (iii) *has accepted should be taken following receipt of a report of a review conducted under regulation 17(1); and*
 - (iv) *has accepted should be taken following receipt of a report of a review conducted under the Local Government (Financial Management) Regulations 1996 regulation 5(2)(c);*
- (g) *to perform any other function conferred on the audit committee by these regulations or another written law.*

Previous Audit Committee members have been:

Four (4) elected members

Cr KL Carter

Cr SC Carter

Cr MM Harms

Cr S Dawson

Independent Chairperson

Mr Ian Hyde

Independent Deputy Chairperson.

Mr Nat Wallis



Officer Recommendation

That Council appoint Cr KL Carter, Cr SC Carter, Cr MM Harms and Cr S Dawson as members, Mr Ian Hyde as Chairperson and Mr Nat Wallis as Deputy Chairperson of the Shire of Dalwallinu Audit, Risk & Improvement Committee.

Officer Recommendation/Council Resolution**MOTION 10479**

Moved Cr S Dawson
Seconded Cr JL Counsel

That Council appoint Cr KL Carter, Cr SC Carter, Cr MM Harms and Cr S Dawson as members, Mr Ian Hyde as Chairperson and Mr Nat Wallis as Deputy Chairperson of the Shire of Dalwallinu Audit, Risk & Improvement Committee.

CARRIED BY ABSOLUTE MAJORITY 7/0

For: President KL Carter, Deputy MM Harms, Cr SC Carter, Cr JL Counsel, Cr DS Cream,
 Cr S Dawson, Cr S Hickleton

Against Nil



12.1.3 Appointment of Advisory Committee/Working Group Members

Report Date	21 October 2025
Applicant	Shire of Dalwallinu
File Ref	GO/22 – Governance
Previous Meeting Reference	Nil
Prepared by	Jean Knight, Chief Executive Officer
Supervised by	Jean Knight, Chief Executive Officer
Disclosure of interest	Nil
Voting Requirements	Absolute Majority
Attachments	Nil

Purpose of Report

Council is requested to appoint members to Advisory Committees/Working Groups in accordance with the requirements of the *Local Government Act 1995* and community expectations.

Background

Council has previously established the following standing Committees:

- Bush Fires Advisory Committee
- Local Emergency Management Committee
- Youth Advisory Committee

plus the Chief Executive Officer Performance Review Working Group.

Following the 18 October 2025 ordinary elections, it is necessary for Council to review these appointments and confirm its members.

Consultation

Nil

Legislative Implications

State

Local Government Act 1995

Bush Fires Act 1954

Emergency Management Act 2005

Local

Local Government (Council Meetings) Local Law 2014

Policy Implications

Nil

Financial Implications

Nil

General Function Implications

Nil

Strategic Implications

Nil

Site Inspection

Site inspection undertaken: Not applicable



Sustainability & Climate Change Implications

Economic implications

There are no known significant economic implications associated with this proposal.

Social implications

There are no known significant social implications associated with this proposal.

Environmental implications

There are no known significant environmental implications associated with this proposal.

Officer Comment

Committees

Section 5.38 of the *Local Government Act 1995* provides that a local government may establish committees of three (3) or more persons to assist Council and to exercise the powers and discharge the duties of the local government that can be delegated to Committees.

Advisory Committee membership may comprise of council members, council members and employees, council members, employees and other persons, council members and other persons, employees and other persons or other persons only.

Advisory Committees have previously been comprised of a mix of Council members, employees and other persons.

Council have not previously given general delegated authority to its advisory committees. This means Council, at its Ordinary Meetings, has to consider and/or adopt committee recommendations before they are acted upon. It also means that advisory committee meetings, because they do not have delegated authority, are not open to the public.

Advisory Committee Presiding Members (Chairperson) are elected at the first meeting of the advisory committee.

Previous members were:

Bush Fires Advisory Committee

- Hanna Jolly (Manager Corporate Services)
- Aaron Mills (Chief Bushfire Control Officer)
- Cr MM Harms
- Cr NW Mills

Local Emergency Management Committee

- Hanna Jolly (Manager Corporate Services)
- Chairperson – Cr JL Counsel
- Cr JH Cruz
- Cr DS Cream
- Cr KL Carter

Youth Advisory Committee

- Cr Jemma Counsel (Chairperson)
- Vacant (Deputy Chairperson)
- Ms Jean Knight (CEO)
- Cr MM Harms



- Master Cooper Jones
- Master Jack Dougan

Working Group

As per the *Local Government Act 1995*, the Chief Executive Officer is to have a performance review at least annually. The Chief Executive Officer Performance Review Working Group is responsible for coordinating the review process and reporting its findings to full Council for their consideration and endorsement.

It is the Officers recommendation to appoint members to the Chief Executive Officer Performance Review Working Group at this time when appointing members to other advisory committees.

Previous members were:

- Cr KL Carter
- Cr SC Carter
- Cr MM Harms
- Cr DS Cream

Officer Recommendation/Council Resolution

MOTION 10480

Moved Cr DS Cream
Seconded Cr S Hickleton

That Council:

1. Appoint the following members to the **Bush Fire Advisory Committee**:
Members: Hanna Jolly (Manager Corporate Services), Aaron Mills (Chief Bushfire Control Officer), Cr MM Harms, & Cr JL Counsel;
2. Appoint the following members to the **Youth Advisory Committee**:
Members: Jean Knight (CEO), Master Cooper Jones, Master Jack Dougan, Ms Gillian Barnes, Cr MM Harms, and Cr DS Cream,
3. Appoint the following members to the **Local Emergency Management Committee**:
Members: Hanna Jolly (Manager Corporate Services), Shire President Cr KL Carter, and Cr JL Counsel,
Deputies: Cr S Hickleton, Cr S Dawson;
4. Appoint the following members to the **Chief Executive Officer Performance Review Working Group**:
Members: Shire President Cr KL Carter, Deputy Shire President Cr MM Harms, Cr DS Cream, and Cr S Dawson.

CARRIED BY ABSOLUTE MAJORITY 7/0

For: President KL Carter, Deputy MM Harms, Cr SC Carter, Cr JL Counsel, Cr DS Cream, Cr S Dawson, Cr S Hickleton
Against Nil



12.1.4 Appointment of Members to Development Assessment Panel

Report Date	21 October 2025
Applicant	Shire of Dalwallinu
File Ref	GO/2 – Governance
Previous Meeting Reference	Nil
Prepared by	Jean Knight, Chief Executive Officer
Supervised by	Jean Knight, Chief Executive Officer
Disclosure of interest	Nil
Voting Requirements	Absolute Majority
Attachments	Nil

Purpose of Report

Council is requested to appoint members to the Development Assessment Panel (DAP).

Background

Following the local government election on 21 October 2023, there may have been changes to local government DAP membership in WA councils. All existing DAP members are currently appointed for a term ending 26 January 2026. The Shire of Dalwallinu has one (1) appointed member (Cr SC Carter). Following the 18 October 2025 ordinary elections, it may be necessary for Council to review these appointments and confirm its members.

Consultation

Nil

Legislative Implications

State

Planning and Development (Development Assessment Panels) Regulations 2011

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Site Inspection

Site inspection undertaken: Nil

Sustainability & Climate Change Implications

Economic implications

There are no known significant economic implications associated with this proposal.

Social implications

There are no known significant social implications associated with this proposal.

Environmental implications

There are no known significant environment implications associated with this proposal.



Officer Comment

Development Assessment Panels meet and determine development applications within certain class and value thresholds set in the DAP regulations. There are three types of DAP applications:

Mandatory DAP applications

These are development applications which must be determined by a DAP and cannot be determined by a local government or the Western Australian Planning Commission (WAPC). Mandatory applications must meet the following value thresholds:

DAP	Mandatory value threshold
Perth and Peel region	\$20 million or more
Regional areas	\$5 million or more

Optional 'Opt In' DAP applications

These are development applications where the applicant may choose to have the application determined by a DAP, or by the local government or WAPC under the normal process. In order to be considered an 'opt in' application, the application must fit within the following thresholds:

DAP	Mandatory value threshold
City of Perth	Between \$2 million - \$20 million
Rest of the State	Between \$2 million - \$10 million

Local Government delegated applications

The WAPC and local governments may choose to delegate their decision making authority for applications which fit the optional 'opt in' criteria for DAP applications to a DAP. Therefore a DAP will also determine applications of a type upon which either of these bodies have chosen to delegate their authority.

Either of these bodies may take advantage of this option by following the process of formally delegating their authority to a DAP.

Excluded applications

Under DAP regulations, development applications relating to the following classes of development are "excluded development applications". These applications will not be able to be determined by a DAP:

- Construction of a single house
- Construction of less than 10 grouped dwellings or multiple dwellings
- Construction of carports, shade sails, outbuildings or sheds
- Development in an improvement scheme area
- Development by a local government or the WAPC.

All applications are first lodged with the local government as per standard practice.

Representation of local interest is a key aspect of the DAP's system. Under regulation 24 of the *Planning and Development (Development Assessment Panels) Regulations 2011*, Council is requested to nominate, as soon as possible following the elections, four (4) elected council members, two of whom must be designated as the local government DAP members for the local government and 2 of whom must be designated as the alternate local government DAP members for the local government.

A person who becomes a DAP member cannot perform the functions of a DAP member until the DAP Executive Director is of the opinion that the member has satisfactorily completed the training for DAP members provided by the Department.



The previous members were:

- Cr SC Carter
- Cr DS Cream
- Cr JH Cruz
- Cr JL Counsel

Officer Recommendation/Council Resolution

MOTION 10481

Moved Cr S Dawson
Seconded Cr DS Cream

That Council appoint the following members, effective from 26 January 2026, to the **Development Assessment Panel**:

Designated Members: Cr DS Cream, and Cr JL Counsel:
Designated Alternate Members: Cr KL Carter, and Cr SC Carter.

CARRIED BY ABSOLUTE MAJORITY 7/0

For: President KL Carter, Deputy MM Harms, Cr SC Carter, Cr JL Counsel, Cr DS Cream,
 Cr S Dawson, Cr S Hickleton
Against Nil



13 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

14 MOTIONS OF WHICH NOTICE HAS BEEN RECEIVED

Nil

15 QUESTIONS FROM MEMBERS WITHOUT NOTICE

Nil

16 NEW BUSINESS OF AN URGENT NATURE (introduced by decision of the meeting)

Nil

17 MEETING CLOSED TO THE PUBLIC – CONFIDENTIAL BUSINESS AS PER LOCAL GOVERNMENT ACT, 1995, SECTION 5.23(2)

Nil

18 SCHEDULING OF MEETING

The next Ordinary Meeting of Council will be held on 28 October 2025 at Council Chambers, Dalwallinu commencing at 5.00pm.

19 CLOSURE

There being no further business, the Chairperson closed the meeting at 4.02pm.

20 CERTIFICATION

I, Keith Leslie Carter, certify that the minutes of the Special Council meeting held on the 21 October 2025, as shown on page numbers 1 to 20 were confirmed as a true record at the Ordinary Council meeting held on 28 October 2025.


CHAIRPERSON

28.10.2025
DATE

