



**SHIRE OF MENZIES**

# Minutes

**OF THE SPECIAL MEETING OF THE COUNCIL  
HELD ON**

**MONDAY, 14 OCTOBER 2024**

**Commencing at 11.00am**

**At the Council Chambers,  
124 Shenton Street, Menzies**

A handwritten signature in black ink, appearing to read "Glenda Teede".

Glenda Teede  
Chief Executive Officer

**Resolution Number 138/24 to 142/24**

## **DISCLAIMER**

No responsibility whatsoever is implied or accepted by the Shire of Menzies for any act, omission or statement or intimation occurring during Council / Committee meetings or during formal / informal conversations with staff. The Shire of Menzies disclaims any liability for any loss 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 Council / Committee meetings or discussions. Any person or legal entity that acts or fails to act in reliance upon any statement does so at person's or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a license, any statement or limitation of approval made by a member or officer of the Shire of Menzies during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire of Menzies. The Shire of Menzies warns that anyone who has an application lodged with the Shire of Menzies must obtain and only should rely on written confirmation of the outcome of the application, and any conditions attaching to the decision made by the Shire of Menzies in respect of the application.

## **DECLARATIONS OF INTEREST**

A member who has an Impartiality, Proximity or Financial interest in any matter to be discussed at this meeting must disclose the nature of the interest either in a written notice, given to the Chief Executive Officer, prior to the meeting, or at the meeting immediately before the matter is discussed.

A member who makes a disclosure in respect to a Proximity or Financial interest must not preside at the part of the meeting which deals with the matter, or participate in, or be present during any discussion or decision-making process relative to the matter, unless the disclosing member is permitted to do so under Section 5.68 or Section 5.69 of the *Local Government Act 1995*.

## **Councillor Meeting Information**

### **Shire of Menzies Council Meetings**

Council Members are bound by legislation to act with integrity and make decisions for the whole of the Shire.

#### **Attending meetings**

Council Members have a duty to attend all the Council Meetings to ensure that electors are adequately represented. In recognition of this, under the *Local Government Act 1995* a Council Member who is absent from three consecutive meetings of the Council without leave being granted by the Council, is automatically disqualified. If a member wishes to be absent for more than six consecutive ordinary meetings, Ministerial approval is necessary as well as the Council approval.

It should be noted that applications for leave of absence are usually supported but must be approved by the Council before, or at, the meeting(s) the Council Member is to be absent from. Leave of absence cannot be approved retrospectively.

#### **Voting at meetings**

If a Council Member is present at a Council Meeting, he or she is required by law to vote on all matters before that meeting unless he or she has a financial interest in the matter. Agendas are delivered to the Council Members within the required timeframes of the Local Government Act 1995, being a minimum of seventy-two (72) hours prior to the advertised commencement of the meeting. While late items are generally not considered there is provision on the Agenda for items of an urgent nature to be considered.

Council Members are required to give due consideration to all matters contained in the agenda. Without adequate time for reading the agenda, it is extremely difficult for the Council Members to make effective assessments of issues and provide constructive input to the Council debate and decision making. It is recommended that further information be requested if there is insufficient material available to make an informed decision.

# TABLE OF CONTENTS

- 1 DECLARATION OF OPENING .....5
- 2 ANNOUNCEMENT OF VISITORS .....5
- 3 RECORD OF ATTENDANCE .....5
- 4 PUBLIC QUESTION TIME (RELATING TO SPECIAL BUSINESS ONLY).....5
- 5 APPLICATION BY MEMBERS .....5
- 6 DISCLOSURES OF INTEREST .....5
- 7 NOTICE OF ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS.....6
- 8 PETITIONS/DEPUTATIONS/PRESENTATIONS.....6
- 9 REPORTS OF OFFICERS .....6
  - 9.1 SPECIAL BUSINESS ..... 6
    - 9.1.1 Matters relating to the Chief Executive Officer’s Contract of Employment.. 7
- 10 CLOSURE OF MEETING .....8

## **1 DECLARATION OF OPENING**

The Shire President, as the Presiding Member declared the meeting open at 11.04am.

Cr I Baird confirmed that he was alone in a secure location at the ticket master office at the Old Coolgardie Railway Station. Cr I Baird then relocated to his own vehicle due to the background noise, which was suitable for discussing confidential matters. Accordingly, he applied for approval to attend the Council Meeting by electronic means.

The Shire President was satisfied that Cr I Baird was in secure location appropriate for discussing confidential matters.

## **2 ANNOUNCEMENT OF VISITORS**

Nil

## **3 RECORD OF ATTENDANCE**

Councillors: Cr P Warner, Shire President  
Cr S Sudhir, Deputy Shire President  
Cr G Dwyer  
Cr J Dwyer  
Cr A Tucker  
Cr I Baird (joined electronically at 11.03am)  
Cr K Tucker

Staff: Ms G Teede, Chief Executive Officer  
Ms K Van Kuyl, Chief Financial Officer (Minutes)

Other Neil Douglas, McLeod Lawyers  
One member of the public attendance

## **4 PUBLIC QUESTION TIME (RELATING TO SPECIAL BUSINESS ONLY)**

Nil

## **5 APPLICATION BY MEMBERS**

Nil

## **6 DISCLOSURES OF INTEREST**

Name	Item No	Interest	Nature
Glenda Teede	Item 9.1.1 Matters relating to the Chief Executive Officer's Contract of Employment	Impartiality	CEO Contract Employment

## 7 NOTICE OF ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS

Item 9.1.1 Matters relating to the Chief Executive Officer's Contract of Employment

## 8 PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil

## 9 REPORTS OF OFFICERS

Ms G Teede, Chief Executive Officer declared an impartiality interest on item 9.1.1 Matters relating to the Chief Executive Officer's Contract of Employment.

**9.1.1** Matters relating to the Chief Executive Officer's Contract of Employment

## BEHIND CLOSED DOORS - CONFIDENTIAL REPORTS

Item 9.1.1

This item is confidential in accordance with Section 5.23(2) (a) of the *Local Government Act 1995* which permits the meeting to be closed to the public for business relating to the following:

A matter affecting an employee or employees.

### OFFICER RECOMMENDATION COUNCIL DECISION:

<b>Council Resolution Number</b>	<b>138/24</b>
----------------------------------	---------------

**Moved:** Cr K Tucker

**Seconded:** Cr G Dwyer

**That in accordance with Section 5.23(2) of the Local Government Act 1995 the meeting be closed to members of the public to consider Item 9.1.1 Matters relating to the Chief Executive Officer's Contract of Employment**

<b>Carried</b>	<b>7/0</b>
----------------	------------



**Against: Cr G Dwyer, Cr J Dwyer, Cr I Baird**  
Neil Douglas, McLeod Lawyers left the meeting at 11.47am

## **RESUMPTION OF STANDING ORDERS**

### **COUNCIL DECISION:**

<b>Council Resolution Number</b>	<b>141/24</b>
----------------------------------	---------------

**Moved Cr Sudhir Seconded Cr G Dwyer**

**That Standing Orders be resumed.**

<b>Carried</b>	<b>7 / 0</b>
----------------	--------------

**For: Cr P Warner, Cr S Sudhir, Cr G Dwyer, Cr J Dwyer, Cr A Tucker, Cr I Baird and Cr K Tucker**  
**Against: Nil**

### **MEETING OPENED TO THE PUBLIC:**

<b>Council Resolution Number</b>	<b>142/24</b>
----------------------------------	---------------

**Moved: Cr G Dwyer Seconded: Cr I Baird**

**That the meeting be opened to the Members of the Public.**

<b>Carried</b>	<b>7/0</b>
----------------	------------

**For: Cr P Warner, Cr S Sudhir, Cr G Dwyer, Cr J Dwyer, Cr A Tucker, Cr I Baird and Cr K Tucker**  
**Against: Nil**

The member of the public, CEO and CFO entered the meeting at 12.16pm. The Shire President then read the Council Resolution for item 9.1.1 Matters relating to the Chief Executive Officer's Contract of Employment.

## **10 CLOSURE OF MEETING**

The Shire President, as Presiding Member declared the meeting closed at 12.18pm.