



SHIRE OF MENZIES

Minutes

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

FRIDAY, 23 AUGUST 2024

Commencing at 5.00 pm

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

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

**Glenda Teede
Chief Executive Officer**

Resolution Numbers 111/24 to 112/24

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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.

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1 DECLARATION OF OPENING

Prior to the meeting, Cr A Tucker applied for approval from the Shire President to attend the Council Meeting by electronic means. Cr A Tucker confirmed that he is in a secure and private location at 8 Darby Street, Maylands, which is suitable for discussing confidential matters.

The Shire President, as the Presiding Member, declared the meeting open at 5.00pm.

Cr G Dwyer confirmed that he was alone in a secure and private location at Pine Lodge Mine Niagara, which was suitable for discussing confidential matters. Accordingly, he applied for approval to attend the Council Meeting by electronic means.

Cr J Dwyer confirmed that she was alone in a secure and private location at Room 9 Bayview Motel Dempster Street Esperance, which was suitable for discussing confidential matters. Accordingly, she applied for approval to attend the Council Meeting by electronic means.

Cr I Baird confirmed that he was alone in a secure and private location at PTAC CEO's House in Tjuntjuntjara, 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 A Tucker, Cr G Dwyer, Cr J Dwyer and Cr I Baird were in secure locations appropriate for discussing confidential matters. The Shire President was also satisfied that the equipment each member intended to use was suitable for effective engagement and allowed their participation in the meeting.

2 ANNOUNCEMENT OF VISITORS

Nil

3 RECORD OF ATTENDANCE

Councillors: Cr P Warner, Shire President
Cr S Sudhir, Deputy Shire President
Cr G Dwyer (joined electronically at 5pm)
Cr J Dwyer (joined electronically at 5.04pm)
Cr A Tucker (joined electronically at 5pm)
Cr I Baird (joined electronically at 5.06pm)
Cr K Tucker

Staff: Ms G Teede, Chief Executive Officer
Ms M Yulo-Uy, Executive Officer (Minutes)

4 PUBLIC QUESTION TIME (RELATING TO SPECIAL BUSINESS ONLY)

Nil

5 APPLICATION BY MEMBERS

Nil

6 DISCLOSURES OF INTEREST

Nil

7 NOTICE OF ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS

Item 9.2.1 Purchase of Established House and Land

8 PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil

9 REPORTS OF OFFICERS

9.1 Finance Reports - Nil

9.2 Administration Reports

BEHIND CLOSED DOORS - CONFIDENTIAL REPORTS

Item 9.2.1 Purchase of Established House and Land

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

- c. a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.
- e. a matter that if disclosed, would reveal: i) a trade secret; ii) information that has a commercial value to a person; or iii) information about the business, professional,

