



# Special Council Meeting

## 12 August 2024

# Minutes

To: The President and Councillors.

Here within are the Minutes of the Special Council Meeting of the Shire of Toodyay held on the above-mentioned date in the Shire of Toodyay Council Chambers, 15 Fiennes Street, Toodyay WA 6566.

A handwritten signature in blue ink, appearing to read 'Tabitha Bateman', is positioned above the printed name.

Tabitha Bateman

**ACTING CHIEF EXECUTIVE OFFICER**



## Our Vision, Purpose and Values

The Shire of Toodyay's Plan for the Future (Council Plan 2023-2033) is the Community's Strategic Plan outlining the direction that the Shire is undertaking to meet the needs and aspirations of its community.

### Our Vision

A caring and visionary rural community, working together to preserve and enrich Toodyay's environment, character and lifestyle.

### Our Purpose

The Shire of Toodyay exists to meet the needs of current and future generations through an integration of environmental protection, social advancement and economic prosperity.

### Our Values

We conduct ourselves in line with values the local community cares deeply about:

- **Integrity** - we behave honestly to the highest ethical standard;
- **Accountability** – we are transparent in our actions and accountable to the community;
- **Inclusiveness** – we are responsive to the community and we encourage involvement by all people; and
- **Commitment** – we translate our plans into actions and demonstrate the persistence that will provide results.

### Community Aspirations

There are five core performance areas in this plan: People, Planet, Place, Prosperity, and Performance. These areas are interrelated, and each must be satisfied to deliver excellent quality of life in the Shire of Toodyay.

For each area, there is an overarching aspirational statement and desired outcomes, summarised in the Council Plan which is available on the Shire's website at: <https://www.toodyay.wa.gov.au/documents/432/council-plan-plan-for-the-future-2023-2033>

### **Disclaimer**

Any discussion regarding a planning matter or other application that any statement or intimation of approval made by any member or officer of the Shire of Toodyay during the course of any meeting is not intended to be and is not to be taken a notice of approval from Council. No action should be taken on any item discussed at a Council Meeting prior to written advice on the resolution of the Council being received. Any plans or documents contained in this document may be subject to copyright law provisions (*Copyright Act 1998*, as amended) and the express permission of the copyright owner(s) should be sought prior to reproduction.

### **Availability of Meeting Agenda and its Attachments**

Information about Council Meetings is located on the website

<http://www.toodyay.wa.gov.au/Council/Council-Meetings>

Agendas & Minutes are located under the heading "Council Meetings" at

<http://www.toodyay.wa.gov.au/Council/Council-Meetings/Agendas-Minutes-and-Notes>

Public copies are available by contacting the Shire on (08) 9574 9300.



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### Preface

When the Chief Executive Officer approves these Minutes for distribution they are in essence "Unconfirmed" until the following a Special Meeting of Council, where the Minutes will be confirmed subject to any amendments made by the Council.

The "Confirmed" Minutes are then signed off by the Presiding Person.

Attachments that formed part of the Agenda, in addition to those tabled at the Council Meeting are put together as a separate attachment to these Minutes with the exception of Confidential Items.

Confidential Items or attachments that are confidential are compiled as separate Confidential Minuted Agenda Items.

### Unconfirmed Minutes

These minutes were approved for distribution on 13 August 2024.

Tabitha Bateman

**ACTING CHIEF EXECUTIVE OFFICER**

### Confirmed Minutes

These minutes were confirmed at a meeting held on 28 August 2024.

Signed: .....

*Note: The Presiding Member at the meeting at which the minutes were confirmed is the person who signs above.*



## 1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

Cr M Dival, Deputy Shire President, declared the meeting open at 5.00pm and read aloud an Acknowledgement of Country:

“I acknowledge the Ballardong Noongar people, the traditional custodians of the land where we meet today and the Yued and Whadjuk people, who are traditional custodians of respective lands within the wider Shire of Toodyay. I pay my respect to their Elders, past, present and emerging.”

The Deputy Shire President read through other preliminaries.

## 2 RECORDS OF ATTENDANCE

### Members

Cr M McKeown	Shire President (via zoom)
Cr M Dival	Deputy Shire President
Cr C Duri	Councillor
Cr S McCormick	Councillor
Cr J Prater	Councillor

### Staff

Mrs M Rebane	Governance Coordinator
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### Visitors

Nil.

## 2.1 APOLOGIES

Cr R Madacsi	Councillor
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## 2.2 APPROVED LEAVE OF ABSENCE

Nil

## 3 DISCLOSURE OF INTEREST

Nil.

## 4 PUBLIC QUESTIONS

### 4.1 PUBLIC QUESTION TIME

Nil.

## 5 PUBLIC SUBMISSIONS

Nil.

**6 CONFIDENTIAL BUSINESS****MOTION/COUNCIL RESOLUTION NO. SCM234/08/24****MOVED** Cr M Dival**SECONDED** Cr J Prater

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 5.23(2) of the Local Government Act 1995:

**6.1 Recruitment of CEO**

This matter is considered to be confidential under Section 5.23(2) - (a), (b) and (c) of the *Local Government Act 1995*, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with a matter affecting an employee or employees, the personal affairs of any person and 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

Voted For: Crs C Duri, S McCormick, M McKeown, M Dival and J Prater

Voted Against: Nil

**MOTION CARRIED 5/0**

*Council Chambers were closed at 5.03pm.*

**MOTION/COUNCIL RESOLUTION NO. SCM235/08/24****MOVED** Cr J Prater**SECONDED** Cr C Duri

That the meeting would come from behind closed doors.

Voted For: Crs C Duri, S McCormick, M McKeown, M Dival and J Prater

Voted Against: Nil

**MOTION CARRIED 5/0**

**MOTION/COUNCIL RESOLUTION NO. SCM236/08/24****MOVED** Cr J Prater**SECONDED** Cr M McKeown

That Council

1. In accordance with section 5.39(3)(c) of the *Local Government Act 1995*, and Council resolution SCM205/07/24 endorse the changes to the CEO contract (**confidential Attachment 1**) incorporating amendments suggested by the legal opinion obtained and as negotiated with the endorsed Candidate B.
2. Endorse the approval of items noted numbers 1 and 2 with conditions, in **confidential Attachment 2**, and direct the Deputy Shire President to sign the approval letter immediately following the signing of the CEO contract.

Voted For: Crs C Duri, S McCormick, M McKeown, M Dival and J PraterVoted Against: Nil**MOTION CARRIED BY ABSOLUTE MAJORITY 5/0****7 CLOSURE OF MEETING**

The Deputy Shire President declared the meeting closed at 5.26pm.

