



Special Council Meeting

11 December 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 be "AA", is located below the text of Aaron Bowman.

Aaron Bowman
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 December 2024.



Aaron Bowman

CHIEF EXECUTIVE OFFICER

Confirmed Minutes

These minutes were confirmed at a meeting held on 18 December 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 McKeown, Shire President, declared the meeting open at 2.00pm 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 Shire President read through other preliminaries.

2 RECORDS OF ATTENDANCE

Members

Cr M McKeown	Shire President
Cr D Wrench	Councillor
Cr M Dival	Deputy Shire President
Cr C Duri	Councillor
Cr S McCormick	Councillor
Cr J Prater	Councillor

Staff

Mr A Bowman	Chief Executive Officer
Mrs M Rebane	Governance Coordinator

Visitors

Nil.

2.1 APOLOGIES

Nil

2.2 APPROVED LEAVE OF ABSENCE

Cr R Madacsi Councillor

3 DISCLOSURE OF INTEREST

Nil.

4 PUBLIC QUESTIONS

4.1 PUBLIC QUESTION TIME

Nil.

5 PUBLIC SUBMISSIONS

Nil.

6 CONFIDENTIAL BUSINESS**OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO. SCM312/12/24****MOVED** Cr M McKeown**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) (a) of the *Local Government Act 1995*:

6.1 Appointment of Senior Employee - Executive Manager Infrastructure, Assets and Services

This matter is considered to be confidential under Section 5.23(2) - (a) of the Local Government Act, 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

6.2 Appointment of Senior Employee - Executive Manager Planning and Regulatory Services

This matter is considered to be confidential under Section 5.23(2) - (a) of the Local Government Act, 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

6.3 Appointment of Senior Employee - Executive Manager Finance and Corporate Services

This matter is considered to be confidential under Section 5.23(2) - (a) of the Local Government Act, 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

6.4 Appointment of Senior Employee - Executive Manager Economic Development and Community Services

This matter is considered to be confidential under Section 5.23(2) - (a) of the Local Government Act, 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

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

Voted Against: Nil

MOTION CARRIED 6/0

6.1 Appointment of Senior Employee - Executive Manager Infrastructure, Assets and Services**OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO. SCM313/12/24****MOVED** Cr S McCormick**SECONDED** Cr C Duri

That Council:

1. accepts the Chief Executive Officer's recommendation to employ the preferred candidate as outlined in this report as Executive Manager of Infrastructure, Assets and Services for a contract period of 4 years from a current date to be determined by the Chief Executive Officer;
2. notes that the Chief Executive Officer will negotiate the terms of the contract with the preferred candidate which are aligned to the conditions advertised and within budget allocations for this role; and
3. keeps the name of the preferred candidate confidential until the employment contract has been signed.

Voted For: Crs M McKeown, M Dival, C Duri, S McCormick, D Wrench and J PraterVoted Against: Nil**MOTION CARRIED 6/0 BY ABSOLUTE MAJORITY****OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO. SCM314/12/24****MOVED** Cr M Dival**SECONDED** Cr M McKeownThat Council designates the following position as a senior employee in accordance with section 5.37(1) of the *Local Government Act 1995*:

Executive Manager Infrastructure, Assets and Services.

Voted For: Crs M McKeown, M Dival, C Duri, S McCormick, D Wrench and J PraterVoted Against: Nil**MOTION CARRIED 6/0**

6.2 Appointment of Senior Employee - Executive Manager Planning and Regulatory Services**REVISED OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO. SCM315/12/24****MOVED** Cr M Dival**SECONDED** Cr J Prater

That Council:

1. accepts the Chief Executive Officer's recommendation to employ the preferred candidate as outlined in **Attachment 2** as Executive Manager of Planning and Regulatory Services for a contract period of 4 years from a current date to be determined by the Chief Executive Officer;
2. notes that the Chief Executive Officer will negotiate the terms of the contract with the preferred candidate which are aligned to the conditions advertised and within budget allocations for this role; and
3. keeps the name of the preferred candidate confidential until the employment contract has been signed.

Voted For: Crs M McKeown, M Dival, C Duri, S McCormick, D Wrench and J PraterVoted Against: Nil**MOTION CARRIED 6/0 BY ABSOLUTE MAJORITY****OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO. SCM316/12/24****MOVED** Cr M Dival**SECONDED** Cr C DuriThat Council designates the following position as a senior employee in accordance with section 5.37(1) of the *Local Government Act 1995*:

Executive Manager Planning and Regulatory Services.

Voted For: Crs M McKeown, M Dival, C Duri, S McCormick, D Wrench and J PraterVoted Against: Nil**MOTION CARRIED 6/0**

6.3 Appointment of Senior Employee - Executive Manager Finance and Corporate Services**OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO. SCM317/12/24****MOVED** Cr D Wrench**SECONDED** Cr C Duri

That Council:

1. accepts the Chief Executive Officer's recommendation to employ the preferred candidate as detailed in the confidential report as Executive Manager of Finance and Corporate Services for a contract period of four years from a current date to be determined by the Chief Executive Officer;
2. notes that the Chief Executive Officer will negotiate the terms of the contract with the preferred candidate which are aligned to the conditions advertised and within budget allocations for this role; and
3. keeps the name of the preferred candidate confidential until the employment contract has been signed.

Voted For: Crs C Duri and D WrenchVoted Against: Crs S McCormick, M McKeown, M Dival and J Prater**MOTION LOST 2/4****OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO. SCM318/12/24****MOVED** Cr M Dival**SECONDED** Cr S McCormickThat Council designates the following position as a senior employee in accordance with section 5.37(1) of the *Local Government Act 1995*:

Executive Manager Finance and Corporate Services.

Voted For: Crs M McKeown, M Dival, C Duri, S McCormick, D Wrench and J PraterVoted Against: Nil**MOTION CARRIED 6/0**

6.4 Appointment of Senior Employee - Executive Manager Economic Development and Community Services**OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO. SCM319/12/24****MOVED** Cr M Dival**SECONDED** Cr S McCormick

That Council:

1. accepts the Chief Executive Officer's recommendation to employ the preferred candidate as outlined in **Attachment 2** as Executive Manager of Economic Development and Community Services for a contract period of 4 years from a current date to be determined by the Chief Executive Officer;
2. notes that the Chief Executive Officer will negotiate the terms of the contract with the preferred candidate which are aligned to the conditions advertised and within budget allocations for this role; and
3. keeps the name of the preferred candidate confidential until the employment contract has been signed.

Voted For: Crs M McKeown, M Dival, C Duri, S McCormick, D Wrench and J PraterVoted Against: Nil**MOTION CARRIED 6/0 BY ABSOLUTE MAJORITY****OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO. SCM320/12/24****MOVED** Cr S McCormick**SECONDED** Cr J PraterThat Council designates the following position as a senior employee in accordance with section 5.37(1) of the *Local Government Act 1995*:

Executive Manager Economic Development and Community Services

Voted For: Crs M McKeown, M Dival, C Duri, S McCormick, D Wrench and J PraterVoted Against: Nil**MOTION CARRIED 6/0**

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO. SCM321/12/24

MOVED Cr M McKeown

SECONDED Cr J Prater

That Council move from behind closed doors at 3.06pm.

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

Voted Against: Nil

MOTION CARRIED 6/0

The Council Chambers were re-opened at 3.06pm.

7 CLOSURE OF MEETING

The Shire President declared the meeting closed at 3.06pm.