



Shire of Northam
Heritage, Commerce and Lifestyle

Shire of Northam

Minutes

Special Council Meeting

12 July 2023



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1 DECLARATION OF OPENING

The Shire President, Cr C R Antonio, declared the meeting open at 6:30 pm.

2 ACKNOWLEDGEMENT OF COUNTRY

The Shire President, Cr C R Antonio, acknowledged the Traditional Owners of the land on which we meet, the Ballardong and Whadjuk people of the Nyoongar nation and paid our respects to Elders, past present and emerging.

The Chief Executive Officer and Ms Davis entered the meeting at 6:31 pm.

Ms Davis left the meeting at 6:31 pm.

3 ATTENDANCE

3.1 ATTENDEES

Council:

Shire President

C R Antonio

Deputy Shire President

M P Ryan

Councillors

D J Galloway

A J Mencshelyi

M I Girak

J E G Williams

D A Hughes

H J Appleton

L C Biglin

Staff:

Chief Executive Officer

J B Whiteaker entered at 6:31 pm and departed at 6:33 pm

Governance Coordinator

A C McCall

Gallery:

ABC News

A Davis entered at 6:31 pm and departed at 6:31 pm

3.2 APOLOGIES

Council:

R W Tinetti

3.3 APPROVED LEAVE OF ABSENCE

Nil.

3.4 ABSENT

Nil.

4 DISCLOSURE OF INTERESTS

Members should fill in Disclosure of Interest forms for items in which they have a financial, proximity or impartiality interest and forward these to the Presiding Member before the meeting commences.

As defined in section 5.60A of the Local Government Act 1995, a **financial interest** occurs where a Councillor / Committee Member, or a person with whom the Councillor / Committee Member is closely associated, has a direct or indirect financial interest in the matter. That is, the person stands to make a financial gain or loss from the decision, either now or at some time in the future.

As defined in section 5.61 of the Local Government Act 1995, an **indirect financial interest** includes a reference to a financial relationship between that person and another person who requires a Local Government decision in relation to the matter.

As defined in section 5.60B of the Local Government Act 1995, a person has a **proximity interest** in a matter if the matter concerns a proposed change to a planning scheme affecting land that adjoins the person's land; or a proposed change to the zoning or use of land that adjoins the person's land; or a proposed development (as defined in section 5.63(5)) of land that adjoins the person's land.

As defined in 34C of the Local Government (Administration) Regulations 1996, an **impartiality interest** means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest and includes an interest arising from kinship, friendship or membership of an association.

Item Name	Item No.	Name	Type of Interest	Nature of Interest
Chief Executive Officer Review Committee Meeting held on 12 July 2023	14.1	Cr C R Antonio	Impartiality	Mia Davies recommended to the committee is well known to Cr Antonio (independent panel member).
		Cr M P Ryan	Impartiality	Ms Mia Davies is known to Cr Ryan as his Local Legislative Assembly Member of Parliament and is a consideration of the CEO selection panel.
		Cr J E G Williams	Impartiality	The nominated independent panel member is known to Cr Williams.
		Cr D A Hughes	Impartiality	Mia Davies is known to Cr Hughes.
		Cr A J Mencshelyi	Impartiality	Independent panel member is known to Cr Mencshelyi.

5 ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION

Nil.

6 PUBLIC QUESTIONS

Nil.

7 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

8 RECEIVING OF PETITIONS, PRESENTATIONS AND DEPUTATIONS

8.1 PETITIONS

Nil.

8.2 PRESENTATIONS

Nil.

8.3 DEPUTATIONS

Nil.

9 APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

10 CONFIRMATION OF MINUTES

Nil.

11 ITEMS BROUGHT FORWARD FOR THE CONVENIENCE OF THOSE IN THE PUBLIC GALLERY

Nil.

12 REPORTS OF COMMITTEE MEETINGS

Nil.

13 SPECIAL ITEMS

Nil.

14 MATTERS BEHIND CLOSED DOORS

RECOMMENDATION / COUNCIL DECISION

Minute No: C.4794

Moved: Cr D A Hughes

Seconded: Cr A J Mencshelyi

That Council, in accordance with section 11.1(i) of the Shire of Northam Standing Orders Local Law 2018 and section 5.23 (2) (a) of the Local Government Act 1995, meet behind closed doors to consider agenda item 14.1 - Chief Executive Officer Review Committee Meeting held on 12 July 2023, as it related to a matter affecting an employee/employees.

CARRIED 9/0

The Chief Executive Officer left the meeting at 6:33pm.

Cr C R Antonio declared an "Impartiality" interest in it 14.1 - Chief Executive Officer Review Committee Meeting held on 12 July 2023 as Mia Davies recommended to the committee is well known to Cr Antonio (independent panel member).

Cr M P Ryan declared an "Impartiality" interest in it 14.1 - Chief Executive Officer Review Committee Meeting held on 12 July 2023 as Ms Mia Davies is known to Cr Ryan as his Local Legislative Assembly Member of Parliament and is a consideration of the CEO selection panel.

Cr J E G Williams declared an "Impartiality" interest in it 14.1 - Chief Executive Officer Review Committee Meeting held on 12 July 2023 as The nominated independent panel member is known to Cr Williams.

Cr D A Hughes declared an "Impartiality" interest in it 14.1 - Chief Executive Officer Review Committee Meeting held on 12 July 2023 as Mia Davies is known to Cr Hughes.

Cr A J Mencshelyi declared an "Impartiality" interest in it 14.1 - Chief Executive Officer Review Committee Meeting held on 12 July 2023 as Independent panel member is known to Cr Mencshelyi.

14.1 CHIEF EXECUTIVE OFFICER REVIEW COMMITTEE MEETING HELD ON 12 JULY 2023

Receipt of Minutes:

RECOMMENDATION / COUNCIL DECISION

Minute No: C.4795

Moved: Cr C R Antonio

That Council receive the minutes from the Chief Executive Officer Review Committee Meeting held on 12 July 2023.

CARRIED 9/0

Adoption of Recommendations:

RECOMMENDATION / COUNCIL DECISION

Minute No: C.4796

Moved: Cr C R Antonio

That Council:

1. Accepts that the minutes of the Chief Executive Officer Review Committee meeting held on 15 June 2023 be confirmed as a true and correct record of that meeting.
2. Adopt the Chief Executive Officer Review and Selection Committee Terms of Reference as provided in Attachment 1.
3. Confirms that following as members of the selection panel for the employment of the Chief Executive Officer:
 - i. Members of the Chief Executive Officer Review and Selection Committee, comprising of Cr Chris Antonio, Cr Michael Ryan, Cr Julie Williams, Cr Attila Mencshelyi and Cr Des Hughes; and
 - ii. Hon. Mia Davies (independent panel member as per decision C.4730).

CARRIED 9/0

RECOMMENDATION / COUNCIL DECISION

Minute No: C.4797

Moved: Cr A J Mencshelyl

Seconded: Cr M P Ryan

That Council move out from behind closed doors.

CARRIED 9/0

15 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

16 URGENT BUSINESS APPROVED BY DECISION

Nil.

17 DECLARATION OF CLOSURE

There being no further business, the Shire President, Cr C R Antonio, declared the meeting closed at 6:38 pm.

"I certify that the Minutes of the Special Meeting of Council held on 12 July 2023 have been confirmed as a true and correct record."



President

19/07/23 Date