



Shire of Northam
Heritage, Commerce and Lifestyle

Shire of Northam

Minutes

Special Council Meeting

9 July 2025



DISCLAIMER

In certain circumstances members of the public are not entitled to inspect material, which in the opinion of the Chief Executive Officer is confidential, and relates to a meeting or a part of a meeting that is likely to be closed to members of the public.

No responsibility whatsoever is implied or accepted by the Shire of Northam for any act, omission, statement or intimation occurring during Council or Committee meetings.

The Shire of Northam 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 of intimation occurring during Council or Committee meetings.

Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council or Committee meeting does so at that 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 licence, any statement or intimation of approval made by any member or Officer of the Shire of Northam during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire of Northam.

The Shire of Northam advises that anyone who has any application lodged with the Shire of Northam must obtain and should only rely on WRITTEN CONFIRMATION of the outcome of the application and any conditions attaching to the decision made by the Shire of Northam in respect of the application.

The Shire of Northam advises that any plans or documents contained within this agenda may be subject to copyright law provisions (*Copyright Act 1968*, as amended) and that the express permission of the copyright owner(s) should be sought prior to their reproduction. It should be noted that copyright owners are entitled to take legal action against any persons who infringe their copyright. A reproduction of material that is protected by copyright may represent a copyright infringement.

Contents

1	DECLARATION OF OPENING.....	4
2	OPENING PROCEDURES	4
2.1	ACKNOWLEDGEMENT OF COUNTRY	4
2.2	RECORDING OF COUNCIL MEETINGS	4
3	ATTENDANCE.....	4
3.1	ATTENDEES	4
3.2	APOLOGIES	4
3.3	APPROVED LEAVE OF ABSENCE.....	5
3.4	ABSENT	5
4	DISCLOSURE OF INTERESTS.....	5
5	PUBLIC QUESTIONS	6
6	RECEIVING OF PETITIONS, PRESENTATIONS AND DEPUTATIONS.....	6
6.1	PETITIONS	6
6.2	PRESENTATIONS	6
6.3	DEPUTATIONS	6
7	APPLICATIONS FOR LEAVE OF ABSENCE	6
8	ITEMS BROUGHT FORWARD FOR THE CONVENIENCE OF THOSE IN THE PUBLIC GALLERY.....	6
9	SPECIAL ITEMS.....	6
10	MATTERS BEHIND CLOSED DOORS	7
10.1	DISPOSAL OF 46 BURNSIDE AVENUE, NORTHAM	7
11	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	8
12	URGENT BUSINESS APPROVED BY DECISION	8
13	DECLARATION OF CLOSURE	8

1 DECLARATION OF OPENING

The Shire President, C R Antonio, declared the meeting open at 5:30 pm.

2 OPENING PROCEDURES

2.1 ACKNOWLEDGEMENT OF COUNTRY

The Shire President, 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.

2.2 RECORDING OF COUNCIL MEETINGS

Members of Council and members of the gallery are advised that this meeting will be livestreamed and audio-recorded and made available on the Shire of Northam's YouTube channel. If members of the public want to access the recording of this meeting, they can do so via the Shire of Northam website.

3 ATTENDANCE

3.1 ATTENDEES

Council:

Shire President

Deputy Shire President

Councillors

C R Antonio

A J Mencshelyi

J E G Williams

M P Ryan

D A Hughes

H J Appleton

Staff:

Chief Executive Officer

Executive Manager Engineering Services

Executive Manager Development &
Community Services

Executive Manager Corporate Services

Acting Manager Governance & Risk

Acting Governance Officer

D Terelinck

P Devcic

C B Hunt

C J Young

T P Van Beek

T Norrish

3.2 APOLOGIES

Council:

Councillors

L C Biglin

C M Poulton

3.3 APPROVED LEAVE OF ABSENCE

Cr M I Girak was granted leave of absence from 07 July 2025 to 08 August 2025 (inclusive).

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 clause 22 of the Local Government (Model Code of Conduct) Regulations 2021, 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.

Nil.

5 PUBLIC QUESTIONS

Nil.

6 RECEIVING OF PETITIONS, PRESENTATIONS AND DEPUTATIONS

6.1 PETITIONS

Nil.

6.2 PRESENTATIONS

Nil.

6.3 DEPUTATIONS

Nil.

7 APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

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

Nil.

9 SPECIAL ITEMS

Nil.

10 MATTERS BEHIND CLOSED DOORS

RECOMMENDATION / COUNCIL DECISION

Minute No: C.5347

Moved: Cr A J Mencshelyi

Seconded: Cr D A Hughes

That Council, in accordance with section 11.1(i) of the Shire of Northam Standing Orders Local Law 2018 and Section 5.23 (2)(c) of the Local Government Act 1995, meet behind closed doors to consider agenda item 10.1 Disposal of 46 Burnside Avenue, Northam, as it relates to 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.

CARRIED 6/0

For: President C R Antonio, Cr A J Mencshelyi, Cr H J Appleton, Cr D A Hughes, Cr M P Ryan and Cr J E G Williams

Against: Nil

10.1 DISPOSAL OF 46 BURNSIDE AVENUE, NORTHAM

RECOMMENDATION / COUNCIL DECISION

Minute No: C.5348

Moved: Cr A J Mencshelyi

Seconded: Cr H J Appleton

That Council:

1. **ACCEPTS** the offer submitted by Tenderer 2 (refer Attachment 10.1.2), for the amount of \$266,000 (GST-free);
2. **AUTHORISES** the Chief Executive Officer to execute the required documentation and proceed with the disposal of the property in accordance with section 3.58(2)(b) of the *Local Government Act 1995*;
3. **REQUESTS** the Chief Executive Officer notify all other tenderers of the decision

CARRIED 6/0

For: President C R Antonio, Cr A J Mencshelyi, Cr H J Appleton, Cr D A Hughes, Cr M P Ryan and Cr J E G Williams

Against: Nil

RECOMMENDATION / COUNCIL DECISION

Minute No: C.5349

Moved: Cr H J Appleton

Seconded: Cr A J Mencshelyi

That Council move out from behind closed doors.

CARRIED 6/0

For: President C R Antonio, Cr A J Mencshelyi, Cr H J Appleton, Cr D A Hughes, Cr M P Ryan and Cr J E G Williams

Against: Nil

11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

12 URGENT BUSINESS APPROVED BY DECISION

Nil.

13 DECLARATION OF CLOSURE

There being no further business, the Shire President, C R Antonio, declared the meeting closed at 5:37 pm.

"I certify that the Minutes of the Special Meeting of Council held on 9 July 2025 have been confirmed as a true and correct record."

_____ President

_____ Date