



SHIRE OF CARNARVON
MINUTES
SPECIAL COUNCIL MEETING
TUESDAY 16 JULY 2024

CONFIRMATION OF MINUTES

These minutes were confirmed by the Council on

as a true and accurate record

Library Meeting Room, West Australia

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Chairman

DISCLAIMER

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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 limitation of approval made by a member or officer of the Shire of Carnarvon during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire of Carnarvon. The Shire of Carnarvon warns that anyone who has an application lodged with the Shire of Carnarvon must obtain and only should rely on WRITTEN CONFIRMATION of the outcome of the application, and any conditions attaching to the decision made by the Shire of Carnarvon in respect of the application.

To be noted that, in accordance with Regulation 11 of the Local Government (Administration) Regulations 1996, the minutes of the Council Meeting are a record of the decisions of the Council, any additional officers' advice, and explanatory notes as required. The minutes contain a summary of questions asked by members of the public and the answers given. The minutes **are not** a transcript of the proceedings of the meetings.

INFORMATION ON PUBLIC QUESTION TIME

The following information is provided should you wish to ask a question of Council at the Ordinary Meetings held on a monthly basis.

Please note that questions that have not been filled out on the Submission Form will not be accepted.

- The Local Government Act 1995 allows members of the public to ask questions in regard to any issue relating to the Shire.
- A maximum of 15 minutes will be allowed for public question time and the Presiding Member will allow a maximum of three (3) verbal/written questions per person.
- Prior to asking a question, the speaker must state his/her name and address.
- Members of the public are discouraged from asking questions which contain defamatory remarks, offensive language or questioning the competency of staff or Council members.
- The Presiding Member may nominate a member or officer to answer the question and may also determine that any complex questions requiring research be taken on notice and answered in writing.
- No debate or discussion is allowed to take place on any question or answer.
- A summary of each question asked and the response given will be included in the minutes of the meeting –

Local Government (Administration) Regulations 1996 – Pt 2, r.11 – (in part reads -)

11. Minutes, content of (Act s.5.25(1)(f))

The content of minutes of a meeting of a council or a committee is to include –

(e) a summary of each question raised by members of the public at the meeting and a summary of the response to the question.

Responses to questions that are taken on notice will be responded to as soon as possible.

- If you wish to ask a question, please complete the Public Question Time Submission Form at the back of this information sheet. Alternatively, questions can be submitted in writing to the Shire of Carnarvon 3 days prior to the meeting.

SPECIAL MEETINGS OF COUNCIL

Members of the public are welcome to attend a Special Meeting of Council if open, and ask questions of the Council within the allotted public question time **subject to the questions being asked only relating to the purpose of the Special Meeting** (s5.23 of the Act and regulation 12 (4) of the Local Government (Administration) Regulations 1996, the Department of Local Government and Communities Guide to Meetings and Governance Bulletin April 2014 and Guideline No. 3 Managing Public Question Time.)

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The meeting was declared open by the Presiding Member at 8.36am

The Shire of Carnarvon acknowledges and respects the Yinggarda (Carnarvon) and Baiyungu (Coral Bay) as the traditional custodians of the lands where we live and work. We pay our respects to Elders, past, present and emerging. The Shire of Carnarvon is committed to honouring the traditional custodians' unique cultural and spiritual relationships to the land, waters and seas and their rich contribution to society.

1 ATTENDANCES, APOLOGIES & APPROVED LEAVE OF ABSENCE

Mr Eddie Smith Presiding Member/Shire President
 Cr Burke Maslen Councillor, Gascoyne/Minilya Ward
 Cr Marco Ferreirinha Councillor, Plantation Ward
 Cr Luke Skender Councillor, Town Ward
 Cr Luke Vandeleur Councillor, Town Ward
 Cr Paul Kelly Councillor, Town Ward
 Cr Dudley Maslen Councillor, Town Ward

Mr John Attwood A/CEO
 Mrs Amanda Leighton Manager People, Culture and Systems

Apologies

Cr Adam Cottrell Councillor, Coral Bay Ward

Leave of Absence

Nil

Press Nil

Observers Nil

2 DECLARATIONS OF INTEREST

(Elected Members and Officers are reminded of the requirements of Section 5.65 of the Local Government Act 1995, to disclose any interest during the meeting or when the matter is to be discussed.)

Nil

3 PUBLIC QUESTION TIME

(In accordance with Section 5.24 of the Local Government Act 1995, a 15 minute public question time is made available to allow members of the public the opportunity of questioning Council on matters concerning them. All questions are to be provided on the Public Question Time Submission Form.)

No public question time due to meeting being confidential.

3.1 PUBLIC QUESTION TIME

4 MATTERS FOR WHICH MEETING TO BE CLOSED TO MEMBERS OF THE PUBLIC

COUNCIL RESOLUTION SCM 01/07/24

Moved: Cr Luke Vandeleur

Seconded: Cr Burke Maslen

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:

4.1 APPOINTMENT OF CEO

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.

FOR: Crs Eddie Smith, Burke Maslen, Marco Ferreirinha, Luke Skender, Luke Vandeleur, Paul Kelly and Dudley Maslen

AGAINST: Nil

ABSENT: Cr Cottrell

CARRIED BY SIMPLE MAJORITY 7/0

SUSPENSION OF STANDING ORDERS

COUNCIL RESOLUTION SCM 02/07/24

Moved: Cr Luke Vandeleur

Seconded: Cr Burke Maslen

A motion was moved that Council suspend standing orders.

FOR: Crs Eddie Smith, Burke Maslen, Marco Ferreirinha, Luke Skender, Luke Vandeleur, Paul Kelly and Dudley Maslen

AGAINST: Nil

ABSENT: Cr A Cottrell

CARRIED BY SIMPLE MAJORITY 7/0

RESUMPTION OF STANDING ORDERS

COUNCIL RESOLUTION SCM 03/07/24

Moved: Cr Burke Maslen

Seconded: Cr Luke Skender

A motion was moved that Council resume standing orders.

FOR: Crs Eddie Smith, Burke Maslen, Marco Ferreirinha, Luke Skender, Luke Vandeleur, Paul Kelly and Dudley Maslen

AGAINST: Nil

ABSENT: Cr A Cottrell

CARRIED BY SIMPLE MAJORITY 7/0

0.0 APPOINTMENT OF CEO**OFFICER'S RECOMMENDATION**

1. ***That Council by Absolute Majority in accordance with section 5.36 of the Local Government Act resolves to:***
 - a. *Approves the making of an offer to Amanda Dexter for the position of CEO at the Shire of Carnarvon as the candidate that Council believes to be the person most suitably qualified for the position; and*
 - b. *Approves and is satisfied with the proposed terms of the CEO employment contract detailed in Confidential Schedule Item 2, being for a period of a maximum five years inclusive of an annual Total Reward Package valued up to \$349,624.72 as calculated by the 2024 Salaries and Allowances Tribunal Local Government Determination Band 2.*

2. ***That Council by Simple Majority in accordance with section 5.36 of the Local Government Act resolves to:***
 - a. *Authorise the President to execute the CEO employment contract and apply the common seal by section 9.49A(1)(a) of the Local WALGA CEO Recruitment Guide 15 of 26 Government Act 1995, subject to Amanda Dexter agreeing to enter into the proposed terms of the CEO employment contract without amendment; and*
 - b. *Notes that subject to Amanda Dexter accepting the proposed terms of the CEO employment contract, the candidate is appointed to the position of CEO at the Shire of Carnarvon.*

COUNCIL RESOLUTION SCM 04/07/24**Moved: Cr Luke Vandeleur****Seconded: Cr Burke Maslen**

1. ***That Council by Absolute Majority in accordance with section 5.36 of the Local Government Act resolves to:***
 - a. *Approves the making of an offer to Amanda Dexter for the position of CEO at the Shire of Carnarvon as the candidate that Council believes to be the person most suitably qualified for the position; and*
 - b. *Approves and is satisfied with the proposed terms of the CEO employment contract detailed in Confidential Schedule Item 2, being for a period of a maximum five years inclusive of an annual Total Reward Package valued up to \$349,624.72 as calculated by the 2024 Salaries and Allowances Tribunal Local Government Determination Band 2.*

FOR: Crs Eddie Smith, Burke Maslen, Marco Ferreirinha, Luke Skender, Luke Vandeleur, Paul Kelly and Dudley Maslen

AGAINST: Nil

ABSENT: Cr A Cottrell

CARRIED BY ABSOLUTE MAJORITY 7/0

OFFICER'S RECOMMENDATION PART TWO**COUNCIL RESOLUTION SCM 05/07/24****Moved:** Cr Burke Maslen**Seconded:** Cr Luke Vandeleur***That Council by Simple Majority in accordance with section 5.36 of the Local Government Act resolves to:***

- a. *Authorise the President to execute the CEO employment contract and apply the common seal by section 9.49A(1)(a) of the Local WALGA CEO Recruitment Guide 15 of 26 Government Act 1995, subject to Amanda Dexter agreeing to enter into the proposed terms of the CEO employment contract without amendment; and*
- b. *Notes that subject to Amanda Dexter accepting the proposed terms of the CEO employment contract, the candidate is appointed to the position of CEO at the Shire of Carnarvon.*

FOR: Crs Eddie Smith, Burke Maslen, Marco Ferreirinha, Luke Skender, Luke Vandeleur, Paul Kelly and Dudley Maslen**AGAINST:** Nil**ABSENT:** Cr A Cottrell**CARRIED BY SIMPLE MAJORITY 7/0**

COUNCIL RESOLUTION SCM 06/07/24

Moved: Cr Luke Vandeleur

Seconded: Cr Burke Maslen

That the meeting be reopened to the public at 8.55am

FOR: Crs Eddie Smith, Burke Maslen, Marco Ferreirinha, Luke Skender, Luke Vandeleur, Paul Kelly and Dudley Maslen

AGAINST: Nil

ABSENT: Cr A Cottrell

CARRIED BY SIMPLE MAJORITY 7/0

5 CLOSURE

The Presiding Member declared the meeting closed at 8.55am.