



**MINUTES
OF THE
CONFIDENTIAL SPECIAL
MEETING OF COUNCIL
HELD ON
THURSDAY 26 JUNE 2020**

**Council Chambers
Honour Avenue
Wyalkatchem
Commencement 4:14pm
Closure 4:34pm**

Preface

When the Chief Executive Officer approved these Minutes for distribution they are in essence "Unconfirmed" until the following Ordinary Meeting of Council, where the minutes will be confirmed subject to any amendments.

The "Confirmed" Minutes are then signed off by the Presiding Member

Unconfirmed Minutes

These minutes were approved for distribution on 30 June 2020.



Stephen Tindale
Acting Chief Executive Officer

Disclaimer

No responsibility whatsoever is implied or accepted by the Shire of Wyalkatchem for any act, omission or statement or intimation occurring during this meeting. It is strongly advised that persons do not act on what is heard at this meeting and should only rely on written confirmation of Council's decisions, which will be provided within ten days of this meeting

Confirmed Minutes

These minutes were confirmed at the Ordinary Meeting of Council held 16 July 2020.

Signed: 

**Cr Quentin Davies, Shire President and Presiding Member
Shire of Wyalkatchem**

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

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Confirmed

1. DECLARATION OF OPENING

The Chairperson, Shire President Cr Davies opened the meeting at 4:14pm

2. PUBLIC QUESTION TIME

2.1. Response to Public Questions Previously Taken on Notice

Nil

2.2. Declaration of Public Question Time opened

Public Question Time opened at 4:14pm

2.3. Declaration of Public Question Time closed

Public question Time closed at 4:14pm

3. ATTENDANCE, APOLOGIES, LEAVE OF ABSENCE

3.1. Attendance

Members:	Cr. Quentin Davies	President (Presiding Member)
	Cr. Owen Garner	Deputy
	Cr. Emma Holdsworth	
	Cr. Stephen Gamble	
	Cr. Mischa Stratford	

Staff:	Stephanie Elvidge	Governance Executive Officer
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3.2. Apologies

Nil

3.3. Approved Leave of Absence

Staff:	Taryn Dayman	Chief Executive Officer
	Les Vidovich	Manager of Works

3.4. Applications for Leave of Absence

Nil

4. DECLARATIONS OF INTEREST

4.1. Financial and Proximity Interest

Nil

4.2. Impartiality Interests

Nil

5. MATTERS BEHIND CLOSED DOORS

5.1. Confidential Item – APPOINTMENT OF ACTING CHIEF EXECUTIVE OFFICER

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	24 June 2020
Reporting Officer:	Shire President
Disclosure of Interest:	No interest to disclose
File Number:	13.09
Attachment Reference:	Nil

Reason for Confidentiality

The Appointment of acting Chief Executive Officer is confidential in accordance with section 5.23(2)(a) & (b) of the Local Government Act because it deals with matters affecting an employee and the personal affairs of a person and 5.23(2)(c) of the Local Government Act because it deals with matters of a contract which may be entered into, by the local government.

SUMMARY

The purpose of this report is for Council to consider the appointment of an Acting Chief Executive Officer while the Chief Executive Officer is on leave.

STATUTORY ENVIRONMENT

The *Local Government Act 1995* s.5.36 requires that Council to employ a Chief Executive Officer, and that a person must not be employed in this position unless the Council believes that the person is suitably qualified for the position. An employee may act in the position of CEO for up to 12 months without a written contract (s.5.39).

This matter should be discussed behind closed doors as it relates to an employee of the Local Government.

POLICY IMPLICATIONS

There are no direct policy implications in relation to this item.

FINANCIAL IMPLICATIONS

There are financial implications in relation to this item.

COMMUNITY & STRATEGIC OBJECTIVES

The matter before Council generally accords with the following Shire desired outcome as expressed in the revised Shire of Wyalkatchem Strategic Community Plan.

Objective: A well-managed and effective Council organisation

Outcome No.	Outcome	Action No.	Actions
5.1	A well-governed, efficient and responsive organisation	5.1.1	Implement effective governance structures

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council suspends Standing Orders and moves behind closed doors in accordance with Section 5.23 (2)(a) & (b) and 5.23 (2)(c) of the Local Government Act 1995, to deal with matters that relate to:

- *a matter affecting an employee or employees;*
- *the personal affairs of a person and*
- *matters of a contract which may be entered into, by the local government*

COUNCIL RESOLUTION:

(94/2020) Moved: Cr Stratford

Seconded: Cr Holdsworth

That Council suspends Standing Orders and moves behind closed doors in accordance with Section 5.23 (2)(a) & (b) and 5.23 (2)(c) of the Local Government Act 1995, to deal with matters that relate to:

- ***a matter affecting an employee or employees;***
- ***the personal affairs of a person and***
- ***matters of a contract which may be entered into, by the local government***

CARRIED 6/0

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council:

1. *Appoint Stephen Tindale to the position of Acting Chief Executive Officer while the Chief Executive Officer is on leave. Commencement date Monday 29 June 2020.*
2. *Confirms that the Council believes that Stephen Tindale is suitably qualified for the position.*
3. *Authorises the Shire President to negotiate and agree to the terms of employment similar to the current CEO's salary package.*

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council resumes Standing orders and move out from closed doors.

COUNCIL RESOLUTION:

(95/2020) Moved: Cr Garner

Seconded: Cr Holdsworth

That Council resumes Standing orders and move out from closed doors.

CARRIED 6/0

VOTING REQUIREMENT

Simple Majority

COUNCIL RESOLUTION:

(96/2020) Moved: Cr Garner

Seconded: Cr Gamble

That Council:

- 1. Appoint Stephen Tindale to the position of Acting Chief Executive Officer while the Chief Executive Officer is on leave. Commencement date Monday 29 June 2020.***
- 2. Confirms that the Council believes that Stephen Tindale is suitably qualified for the position.***
- 3. Authorises the Shire President to negotiate and agree to the terms of employment similar to the current CEO's salary package.***

CARRIED 6/0

6. CLOSURE OF THE MEETING

There being no further business to discuss, the Chairperson thanked everyone for their attendance and closed the meeting at 4:34pm.

Confirmed