

I hereby certify that the Minutes of the Special Council Meeting held are a true and accurate record of the proceedings contained therein.

\_\_\_\_\_  
Shire President

\_\_\_\_\_  
Date



SHIRE OF WYNDHAM | EAST KIMBERLEY

**MINUTES  
SPECIAL COUNCIL  
MEETING**

**17 FEBRUARY 2015**



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**SHIRE OF WYNDHAM EAST KIMBERLEY  
MINUTES OF THE SPECIAL COUNCIL MEETING  
KUNUNURRA COUNCIL CHAMBERS**

**HELD ON TUESDAY, 17 FEBRUARY 2015, AT 5:00 PM**

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**1. DECLARATIONS OF OPENING / ANNOUNCEMENT OF VISITORS**

The Shire President declared the meeting open at 5.01pm.

**2. RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE  
(PREVIOUSLY APPROVED)**

Cr J Moulden	Shire President
Cr R Dessert	Deputy Shire President
Cr D Learbuch	Councillor
Cr K Wright	Councillor
Cr B Robinson	Councillor
Cr S Cooke	Councillor
Cr G Taylor	Councillor
Cr G King	Councillor
Cr D Spackman	Councillor
L Gee	Director Community Development
D McCallum	Governance Officer (Minute Taker)

**GALLERY**

Nil

**APOLOGIES**

Nil

**LEAVE OF ABSENCE PREVIOUSLY APPROVED**

Nil

**3. DECLARATION OF INTEREST**

- Financial Interest

Nil

- Impartiality Interest

Nil

- Proximity Interest

Nil

**4. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil

**5. PUBLIC QUESTION TIME**

Nil

**6. APPLICATIONS FOR LEAVE OF ABSENCE**

Cr B Robinson and Cr R Dessert apply for a leave of absence for the March 2015 Ordinary Council Meeting to be held on the 24 March 2015.

**COUNCIL DECISION**

**Minute No. 10786**

**Moved: Cr K Wright**

**Seconded: Cr D Learbuch**

**That Council grants the following leave of absences:**

**Cr B Robinson, March 2015 Ordinary Council Meeting**

**Cr R Dessert, March 2015 Ordinary Council Meeting**

**Carried Unanimously 9/0**

**7. PETITIONS**

Nil

**8. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION**

Nil

**9. MATTERS FOR WHICH THE MEETING MAY BE CLOSED**

Nil

**10. DEPUTATIONS / PRESENTATIONS / SUBMISSIONS / NOTICES OF MOTIONS**

Nil

**11. REPORTS**

Nil

**12. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

**13. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN**

Nil

**14. URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION**

**COUNCIL DECISION**

**Minute No. 10787**

**Moved: Cr K Wright**

**Seconded: Cr D Learbuch**

**That Council moves behind closed doors to consider item 15.1 Confidential, Vacancy – Chief Executive Officer**

**Carried Unanimously 9/0**

Council moves behind closed doors at 5.02pm

L Gee leaves the Chambers at 5.02pm

**COUNCIL DECISION**

**Minute No. 10788**

**Moved: Cr S Cooke**

**Seconded: Cr K Wright**

**That Council suspend Standing Orders 7.5 Limitation of Number of Speeches.**

**Carried Unanimously 9/0**

Standing Orders 7.5 Limitation of Number of Speeches suspended at 5.03pm

Cr G King leaves the Chambers at 5.05pm

Cr G King enters the Chambers at 5.06pm

## 15. MATTERS BEHIND CLOSED DOORS

### 15.1 CONFIDENTIAL, VACANCY – CHIEF EXECUTIVE OFFICER

<b>DATE:</b>	17 February 2015
<b>PROPONENT:</b>	Shire of Wyndham East Kimberley
<b>LOCATION:</b>	N/A
<b>AUTHOR:</b>	Louise Gee, Director Community Development
<b>REPORTING OFFICER:</b>	Louise Gee, Director Community Development
<b>FILE NO:</b>	N/A
<b>DECLARATION OF INTERESTS:</b>	The Responsible Officer of this report has a potential conflict of interest as Council may consider the officer for the Acting Chief Executive Officer role.

The business of the meeting is of a confidential nature. The item will be discussed Behind Closed Doors under Section 5.23 (2) (a) and as this is a matter that affects:

- a) An employee or employees.

#### **PURPOSE**

To accept the Acting Chief Executive Officers resignation and appoint an Acting Chief Executive Officer.

#### **VOTING REQUIREMENT**

Absolute Majority

#### **COUNCIL DECISION**

**Minute No. 10789**

**Moved: Cr S Cooke**

**Seconded: Cr K Wright**

**That Council resumes Standing Orders 7.5 Limitation of Number of Speeches.**

**Carried Unanimously 9/0**

Standing Orders 7.5 Limitation of Number of Speeches resumes at 5.29pm

**COUNCIL DECISION**

**Minute No. 10790**

**Moved: Cr K Wright**

**Seconded: Cr S Cooke**

**That Council:**

- 1. Notes the Acting Chief Executive Officers resignation letter of Friday 13 February 2015 advising a notice period of four weeks (i.e. effective close of business, 13 March 2015);**
- 2. Notes advice from WALGA that the notice period required to be given by the Shire is three weeks;**
- 3. Approves a negotiated payment 'in lieu of notice' of two weeks' salary effective Wednesday 18 February 2015 in accordance with the ACEO letter of offer;**
- 4. Approves the ACEO remaining in the Shire house for a period of seven days (from Wednesday 18 February 2015) to finalise packing etc;**
- 5. Approves the ACEO retaining possession of his iPhone to enable staff to contact him regarding his 'corporate knowledge' of the organisation;**
- 6. Appoints Louise Gee as Acting Chief Executive Officer for a period of up to six months or until the new Chief Executive Officer commences duty with the Shire; and**
- 7. Approves a TRP for the Acting Chief Executive Officer of \$270,000.00 p.a.**
- 8. That council monitors ACEO performance and workload relevant to this position**

**Carried 7/2**

**For: Cr J Moulden, Cr R Dessert, Cr D Learbuch, Cr K Wright, Cr B Robinson,  
Cr S Cooke, Cr G Taylor**

**Against: Cr D Spackman, Cr G King**

**COUNCIL DECISION**

**Minute No. 10791**

**Moved: Cr B Robinson**

**Seconded: Cr S Cooke**

**That Council moves out from behind closed doors.**

**Carried Unanimously 9/0**

Council moves out from behind closed doors at 5.34pm

L Gee enters the Chambers at 5.34pm

**16. CLOSURE**

The Shire President declares the meeting closed at 5.35pm