



SHIRE OF MENZIES

Minutes

**OF THE SPECIAL MEETING OF THE COUNCIL
HELD ON**

WEDNESDAY, 2 SEPTEMBER 2026

Commencing at 5.00pm

**At the Council Chambers,
124 Shenton Street, Menzies**



**Pascoe Durtanovich
Acting Chief Executive Officer**

Resolution Numbers 122/26 to 127/26

DISCLAIMER

No responsibility whatsoever is implied or accepted by the Shire of Menzies for any act, omission or statement or intimation occurring during Council / Committee meetings or during formal / informal conversations with staff. The Shire of Menzies 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 or intimation occurring during Council / Committee meetings or discussions. Any person or legal entity that acts or fails to act in reliance upon any statement does so at 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 license, any statement or limitation of approval made by a member or officer of the Shire of Menzies during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire of Menzies. The Shire of Menzies warns that anyone who has an application lodged with the Shire of Menzies 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 Menzies in respect of the application.

DECLARATIONS OF INTEREST

A member who has an Impartiality, Proximity or Financial interest in any matter to be discussed at this meeting must disclose the nature of the interest either in a written notice, given to the Chief Executive Officer, prior to the meeting, or at the meeting immediately before the matter is discussed.

A member who makes a disclosure in respect to a Proximity or Financial interest must not preside at the part of the meeting which deals with the matter, or participate in, or be present during any discussion or decision-making process relative to the matter, unless the disclosing member is permitted to do so under Section 5.68 or Section 5.69 of the *Local Government Act 1995*.

RECORDING OF MEETINGS

- All Council Meetings are digitally recorded, for audio only, except for Confidential Agenda Items (in accordance with Section 5.23(2) of the Local Government Act 1995) during which time recording ceases.
- Following publication and distribution of the meeting minutes to Council Members the digital audio recording will be available on the Shire's website.

Defamation – cl 14K Local Government (Administration) Regulations 1996

- (1) A local government is not liable to an action for defamation in relation to any of the following done by the local government as required or authorised under this Part —
- (a) publicly broadcasting a meeting;
 - (b) making a recording of a meeting;
 - (c) making a recording of a meeting publicly available;
 - (d) retaining a recording of a meeting or a copy of a recording;
 - (e) providing a copy of a recording of a meeting to the Departmental CEO.

TABLE OF CONTENTS

1	DECLARATION OF OPENING.....	4
2	ANNOUNCEMENT OF VISITORS.....	4
3	RECORD OF ATTENDANCE	5
4	PUBLIC QUESTION TIME.....	5
5	APPROVED LEAVE OF ABSENCE.....	5
6	DISCLOSURES OF INTEREST.....	5
7	NOTICE OF ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS.....	6
8	PETITIONS/DEPUTATIONS/PRESENTATIONS	6
9	REPORTS OF OFFICERS.....	7
9.1	ADMINISTRATION REPORTS	7
9.1.1	WALGA Convention 2026 - Attendance.....	7
10	BEHIND CLOSED DOORS - CONFIDENTIAL REPORTS	10
10.1	Recruitment of CEO: Offer to Preferred Candidate.....	11
11	CLOSURE OF MEETING	12

1 DECLARATION OF OPENING

Deputy President Cr Sudhir Sudhir, as Presiding Member, declared the meeting open at 5pm.

Shire President Cr Paul Warner confirmed that he was alone in a secure location at McLeod St Cairns, North Queensland, which was suitable for discussing confidential matters. Accordingly, he applied for approval to attend the Special Council Meeting by electronic means.

Cr Jill Dwyer confirmed that she was alone in her car in Mingenew, which was suitable for discussing confidential matters. Accordingly, she applied for approval to attend the Special Council Meeting by electronic means.

The Presiding Member was satisfied that Cr P Warner and Cr J Dwyer were in a secure location appropriate for discussing confidential matters and allowed them to participate fully in the meeting at 5.01pm.

Following approval for Cr P Warner to join the meeting, he took the chair and presided over the meeting.

The Shire President acknowledged the passing of the late Leslie Peter Strugnell SC and read the following tribute:

'The Council would like to acknowledge the passing of Leslie Peter Strugnell SC and on behalf of the Shire of Menzies we extend our condolences to Peter's family and friends.

Peter served the Local Government industry with distinction both as an administrator and Elected Member. His participation in local government in the Goldfields Region was extensive and over the years he served as a Chief Executive Officer for a number of local governments in the region, including the Shire of Menzies as Acting CEO during a period of transition in 2011.

Peter was a considerate and likeable person who helped many communities through his journey in life.

Vale Peter'

2 ANNOUNCEMENT OF VISITORS

Nil

3 RECORD OF ATTENDANCE

Councillors: Cr P Warner, Shire President (joined electronically at 5.01pm)
Cr S Sudhir, Deputy Shire President
Cr K Tucker
Cr J Dwyer (joined electronically at 5.01pm)
Cr S Wessely
Cr A Tucker
Apology: Cr I Baird

Staff: Mr P Durtanovich, Acting Chief Executive Officer
Ms M Yulo-Uy, Executive Officer (Minutes)

Recruitment Consultant: Ms Lydia Highfield

4 PUBLIC QUESTION TIME

Nil

5 APPROVED LEAVE OF ABSENCE

Cr A Tucker – from 30 June 2026 to 30 September 2026 (Previously approved, pursuant to Council Resolution 070/26)

Cr S Wessely – from 19 July 2026 to 19 October 2026 (Previously approved, pursuant to Council Resolution 091/26)

6 DISCLOSURES OF INTEREST

Name	Interest	Item No	Nature of Interest
Cr P Warner	Impartiality	10.1 Recruitment of CEO: Offer to Preferred Candidate	Knows some of the applicants in a professional capacity
Cr S Sudhir	Impartiality	10.1 Recruitment of CEO: Offer to Preferred Candidate	Knows some of the applicants in a professional capacity
Cr J Dwyer	Impartiality	10.1 Recruitment of CEO: Offer to Preferred Candidate	Knows some of the applicants in a professional capacity.

7 NOTICE OF ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS

10.1 Recruitment of CEO: Offer to Preferred Candidate

8 PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil

SUSPENSION OF MEETING PROCEDURES

Council Resolution Number:	122 / 26
-----------------------------------	-----------------

Moved

Cr S Sudhir

Seconded

Cr S Wessely

That in accordance with cl 17.1 of the Shire of Menzies Meeting Procedures Local Law 2021 that so much of the Meeting Procedures be suspended, to allow Elected Members to speak for longer than would otherwise be permitted, to speak more than once, as the case might be, and to be permitted to address each other by first names, to ensure a full and frank discussion of the matters on the agenda.

Carried	6 / 0
----------------	--------------

For: Cr P Warner, Cr S Sudhir, Cr K Tucker, Cr J Dwyer, Cr S Wessely and Cr A Tucker

Against: Nil

9 REPORTS OF OFFICERS

9.1 Administration Reports

9.1.1	WALGA Convention 2026 - Attendance	
LOCATION	Not Applicable	
APPLICANT	Internal	
DOCUMENT REF	NAM1711	
DATE OF REPORT	1 September 2026	
AUTHOR	Acting Chief Executive Officer, Pascoe Durtanovich	
RESPONSIBLE OFFICER	Acting Chief Executive Officer, Pascoe Durtanovich	
DISCLOSURE OF INTEREST	Nil	
ATTACHMENT	1. WALGA Local Government Convention - Program [9.1.1.1 - 2 pages]	

SUMMARY:

The 2026 Western Australian Local Government Association (WALGA) Local Government Convention will be held from Wednesday, 16 September to Friday, 18 September 2026 at the Perth Convention and Exhibition Centre.

The three councillors approved to attend the convention are now unable to attend. This report recommends that other councillors, if available, be authorised to attend the Convention, and that two voting delegates and one proxy be appointed to vote on behalf of the Council on Annual General Meeting motions.

BACKGROUND:

WALGA is the peak body for local government authorities in Western Australia.

The Convention is held annually and creates an opportunity for all local authorities in Western Australia to attend keynote addresses relating to local government, network with representatives from other local authorities and, usually, creates an opportunity to meet with government representatives to discuss matters relating to local government and specifically their own local government. It also provides an opportunity for service providers to the local government industry to showcase their products and services.

COMMENT:

Attendance is considered worthwhile for all Councillors.

The September Council meeting falls on Thursday, 17 September, the second day of the convention. The Council could reschedule the meeting to give councillors the

opportunity to attend the WALGA Convention, or councillors attending can participate in the meeting electronically.

CONSULTATION:

No external consultation has occurred in relation to the preparation of this report.

STATUTORY AUTHORITY:

Local Government Act 1995:

Section 5.90A (2) provides that a local government must prepare and adopt a policy that deals with matters relating to the attendance of Council Members and the CEO at events.

POLICY IMPLICATIONS:

Policy 1.9 Attendance at Events (Section 5.90A of the Local Government Act 1995)

The above policy provides (among other things) that attendance at WALGA conferences is considered part of a Council Member's ongoing professional development.

Further, any Council Member attending the conference must provide a written report to the Council on the benefits of attending.

Policy 1.10 Elected Members Ongoing Professional Development also applies.

FINANCIAL IMPLICATIONS:

The 2026–2027 Budget allocates \$65,000.00 for the professional development, travel and accommodation of Council Members.

Convention registration fees of \$5,775.00 have been paid and are not refundable.

RISK ASSESSMENT:

There exists a low overall consequence should no member or only some members attend the conference.

STRATEGIC IMPLICATIONS:

The Shire's Council Plan 2025-2035 outlines the following Outcome and Strategy:

8. An efficient and effective organisation.

Accordingly, the officer's recommendation aligns with the Shire's Council Plan.

Simple Majority

Council Resolution Number:	123 / 26
-----------------------------------	-----------------

That:

- | | |
|----------------|--------------|
| Carried | 6 / 0 |
|----------------|--------------|

For: Cr P Warner, Cr S Sudhir, Cr K Tucker, Cr J Dwyer, Cr S Wessely and Cr A Tucker
Against: Nil

10 BEHIND CLOSED DOORS - CONFIDENTIAL REPORTS

Item 10.1 Recruitment of CEO: Offer to Preferred Candidate

This agenda item is confidential in accordance with Section 5.23(2)(b) of the Local Government Act 1995 which permits the meeting to be closed to the public, for business relating to the following:

- a matter relating to the recruitment or employment of the CEO or a senior employee

COUNCIL DECISION:

Council Resolution Number:	124 / 26
-----------------------------------	-----------------

Moved: Cr S Sudhir

Seconded: Cr K Tucker

That in accordance with Section 5.23(2)(b) of the Local Government Act 1995, the meeting be closed to members of the public to consider Item 10.1 'Recruitment of CEO: Offer to Preferred Candidate'.

Carried	6 / 0
----------------	--------------

For: Cr P Warner, Cr S Sudhir, Cr K Tucker, Cr J Dwyer, Cr S Wessely and Cr A Tucker

Against: Nil

The meeting was closed to the members of the public at 5.13pm.

10.1 Recruitment of CEO: Offer to Preferred Candidate

OFFICER RECOMMENDATION/COUNCIL DECISION:

Council Resolution Number:	125 / 26
-----------------------------------	-----------------

Moved: Cr S Sudhir

Seconded: Cr K Tucker

That:

- 1. The confidential CEO Selection Committee assessment summary and recommendation regarding the appointment of the Chief Executive Officer (CEO) for the Shire of Menzies be received.**
- 2. The preferred candidate identified by the CEO Selection Committee as the recommended applicant for appointment to the position of Chief Executive Officer of the Shire of Menzies be endorsed.**
- 3. Pursuant to Section 5.36 (2)(a) of the Local Government Act 1995, the preferred candidate is believed to be suitably qualified for the position, having regard to the candidate's qualifications, skills, experience, character, employment history, competencies, performance, and information obtained through the recruitment, referee, and assessment processes.**
- 4. The proposed Contract of Employment – Chief Executive Officer, remuneration package, and employment conditions, noting that the total remuneration package is consistent with the Salaries and Allowances Tribunal Local Government Chief Executive Officers and Elected Council Members Determination No. 1 of 2026 for a Band 4 Local Government be approved.**
- 5. The Shire President, in consultation with the Acting Chief Executive Officer, be authorised to undertake negotiations with the preferred candidate in relation to the proposed Contract of Employment, provided any amendments are consistent with the remuneration package, benefits, and key employment conditions approved by the Council.**
- 6. Subject to the preferred candidate accepting the proposed Contract of Employment, including any minor amendments agreed by the Shire President that are consistent with the remuneration package, benefits, and key employment conditions approved by the Council, authorises the Shire President and Acting Chief Executive Officer to execute the final Contract of Employment and apply the common seal of the Shire of Menzies in accordance with section 9.49A(1) of the Local Government Act 1995.**

7. Confidentiality regarding the identity of the preferred candidate be maintained until the Contract of Employment has been formally executed and the preferred candidate has confirmed that they have completed any necessary notifications and/or resignation requirements with their current employer and have authorised the Shire of Menzies to publicly announce their appointment.

Carried by Absolute Majority	4 / 2
-------------------------------------	--------------

For: Cr P Warner, Cr S Sudhir, Cr K Tucker and Cr A Tucker
Against: Cr J Dwyer and Cr S Wessely

MEETING REOPENED TO THE PUBLIC

Council Resolution Number:	126 / 26
-----------------------------------	-----------------

Moved **Cr K Tucker** **Seconded** **Cr S Wessely**

That the meeting be reopened to the members of the public.

Carried	6 / 0
----------------	--------------

For: Cr P Warner, Cr S Sudhir, Cr K Tucker, Cr J Dwyer, Cr S Wessely and Cr A Tucker
Against: Nil

The meeting was reopened to the members of the public at 5.54pm.

RESUMPTION OF MEETING PROCEDURES

Council Resolution Number:	127 / 26
-----------------------------------	-----------------

Moved **Cr S Wessely** **Seconded** **Cr J Dwyer**

That Meeting Procedures be resumed.

Carried	6 / 0
----------------	--------------

For: Cr P Warner, Cr S Sudhir, Cr K Tucker, Cr J Dwyer, Cr S Wessely and Cr A Tucker
Against: Nil

11 CLOSURE OF MEETING

The Shire President, as Presiding Member, declared the meeting closed at 5.54pm.