



SHIRE OF MENZIES

Minutes

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

TUESDAY, 21 OCTOBER 2025

Commencing at 07.00 pm

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

A blue ink signature, appearing to be "Peter Bentley", is written over the text of the Acting Chief Executive Officer.

**Peter Bentley
Acting Chief Executive Officer**

Resolution Numbers 139/25 to 140/25

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 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.

Councillor Meeting Information

Shire of Menzies Council Meetings

Council Members are bound by legislation to act with integrity and make decisions for the whole of the Shire.

Attending meetings

Council Members have a duty to attend all the Council Meetings to ensure that electors are adequately represented. In recognition of this, under the *Local Government Act 1995* a Council Member who is absent from three consecutive meetings of the Council without leave being granted by the Council, is automatically disqualified. If a member wishes to be absent for more than six consecutive ordinary meetings, Ministerial approval is necessary as well as the Council approval.

It should be noted that applications for leave of absence are usually supported but must be approved by the Council before, or at, the meeting(s) the Council Member is to be absent from. Leave of absence cannot be approved retrospectively.

Voting at meetings

If a Council Member is present at a Council Meeting, he or she is required by law to vote on all matters before that meeting unless he or she has a financial interest in the matter. Agendas are delivered to the Council Members within the required timeframes of the Local Government Act 1995, being a minimum of seventy-two (72) hours prior to the advertised commencement of the meeting. While late items are generally not considered there is provision on the Agenda for items of an urgent nature to be considered.

Council Members are required to give due consideration to all matters contained in the agenda. Without adequate time for reading the agenda, it is extremely difficult for the Council Members to make effective assessments of issues and provide constructive input to the Council debate and decision making. It is recommended that further information be requested if there is insufficient material available to make an informed decision.

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1 DECLARATION OF OPENING

The CEO, as the Presiding Officer, pursuant to Schedule 2.3(3) of the Local Government Act 1995 declared the meeting open at 7.01pm.

2 ANNOUNCEMENT OF VISITORS

The CEO acknowledged the presence of the public attendees.

3 RECORD OF ATTENDANCE

Councillors: Cr P Warner, Shire President
Cr S Sudhir, Deputy Shire President
Cr I Baird
Cr K Tucker
Cr J Dwyer
Cr S Wessely
Cr A Tucker

Staff: Mr P Bentley, Acting Chief Executive Officer
Ms K Van Kuyl, Chief Financial Officer
Ms M Yulo-Uy, Executive Officer (Minutes)

4 SWEARING IN OF NEWLY ELECTED COUNCILLORS

The newly elected Councillors were sworn in by the Acting Chief Executive Officer in the following order: Cr J Dwyer, Cr P Warner, Cr S Wessely, and Cr A Tucker.

4.1 ELECTION OF SHIRE PRESIDENT

Mr P Bentley, Acting CEO advised that he had received one written nomination for the position of Shire President, being Cr P Warner. He invited further nominations for the position. Cr I Baird nominated Cr J Dwyer, who accepted the nomination. The Acting CEO conducted an election and declared Cr P Warner as the Shire President, having received more than fifty percent of the votes from the Council.

Pursuant to Schedule 2.3 of the *Local Government Act 1995*, the Acting CEO formally declared Cr P Warner as the Shire President.

Cr P Warner then took the Declaration of Office before the Acting CEO and assumed the Chair.

4.2 ELECTION OF DEPUTY SHIRE PRESIDENT

The Shire President advised that he had received one written nomination for the position of Deputy Shire President, being Cr S Sudhir.

The Shire President invited further nominations for the position. There were no further nominations.

Pursuant to Schedule 2.3 of the *Local Government Act 1995*, the Shire President declared Cr S Sudhir as the Deputy Shire President, elected unopposed.

Cr S Sudhir then took the Declaration of Office before Mr P Bentley, Acting CEO.

4.3 ALLOTMENT OF SEATING PROVISIONS

In accordance with Clause 8.1(1) Part 8 of the Meeting Procedures Local Law 2021, at the first meeting held after each election day, the Council will, by consensus, determine a position at the Council table for each member.

OFFICER RECOMMENDATION/COUNCIL DECISION:

| | |
|----------------------------------|---------------|
| Council Resolution Number | 139/25 |
|----------------------------------|---------------|

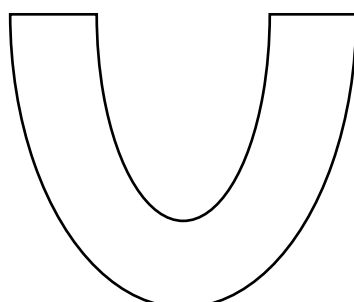
Moved **Cr P Warner** **Seconded** **Cr I Baird**

That pursuant to Clause 8.1(1) Part 8 of the Meeting Procedures Local Law 2021, the seating positions of Councillors as set out in the following diagram be allotted such that Councillors are to occupy those positions until otherwise agreed by the Council.

Cr Jill Dwyer

Cr Sue Wessely

Cr Ian Baird



Cr Kristie Tucker

Cr Andrew Tucker

Cr Sudhir Sudhir

Cr Paul Warner

| | |
|----------------|--------------|
| Carried | 7 / 0 |
|----------------|--------------|

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

Against: Nil

5 PUBLIC QUESTION TIME

Nil

6 APPROVED LEAVE OF ABSENCE

Nil

7 DISCLOSURES OF INTEREST

Nil

8 NOTICE OF ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS

Nil

9 PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil

10 REPORTS OF OFFICERS

10.1 Finance Reports - Nil

10.2 Administration Reports

| | | |
|------------------------|---|--|
| 10.2.1 | Committee and Council Representative Appointments | |
| LOCATION | Not Applicable | |
| APPLICANT | Internal | |
| DOCUMENT REF | NAM1558 | |
| DATE OF REPORT | 18 October 2025 | |
| AUTHOR | Acting Chief Executive Officer, Peter Bentley | |
| RESPONSIBLE OFFICER | Acting Chief Executive Officer, Peter Bentley | |
| DISCLOSURE OF INTEREST | Nil | |
| ATTACHMENT | Nil | |

SUMMARY:

To appoint Committee members and Council Representatives.

BACKGROUND:

Local government elections were held on 18 October 2025. Committee appointments must be renewed after an ordinary election.

COMMENT:

The following is a list of all council committees and their membership prior to the election:

Audit, Risk and Improvement Committee (Section 7.1A [LGA])

Purpose of the committee:

1. Provide guidance and assistance to the local government-
 - a. as to the carrying out of its functions in relation to audits carried out under Part 7 of the Act; and
 - b. as to the development of a process to be used to select and appoint a person to be an auditor; and
2. May provide guidance and assistance to the local government as to-
 - a. matters to be audited; and
 - b. the scope of audits; and
 - c. its functions under Part 6 of the Act; and
 - d. the carrying out of its functions relating to other audits and other matters related to financial management; and

3. Is to review a report given to it by the CEO under Regulation 17(3) of the Local Government (Audit) Regulations 1996 (the CEO's report) and is to-
 - a. report to the Council the results of that review; and
 - b. give a copy of the CEO's report to the Council.

Members:

Cr P Warner, Cr S Sudhir and Cr A Tucker

**Tourism and Economic Development Advisory Committee
(Section 5.9 (2)(a)[LGA])**

Purpose of the committee:

1. Advise the Council on the development of tourism in the Shire of Menzies.
2. Advise the Council on economic development/commercial enterprise opportunities for the Shire of Menzies.

Members:

Cr S Sudhir, Cr K Tucker and Cr A Tucker

EXTERNAL COMMITTEES AND REPRESENTATION:

Northern Goldfields Working Group (NGWG)

Purpose of the group:

To provide a collaborative and united approach to regional issues outside of the Goldfields Voluntary Regional Organisation of Councils' scope, with a focus on Northern Goldfields projects.

Council Representatives:

Cr P Warner and Chief Executive Officer

Lake Ballard Association (Inc)

Purpose of the Association:

Manage the exhibition of sculptures on Lake Ballard.

Council Representatives:

Cr S Sudhir and Community Development Manager

Goldfields Voluntary Regional Organisation of Councils (GVROC)

Purpose:

- Enhance service delivery and infrastructure for our collective and individual Communities.
- Achieve a sustainable, cost-effective model for sharing of resources.

Council Representatives:

Cr P Warner, Cr S Sudhir and Chief Executive Officer

Regional Road Group (RRG)

Purpose:

The RRGs make recommendations to the State Road Funds to Local Government Advisory Committee (SAC) regarding the Annual Local Government Roads Program for the Region and any other relevant issues.

Council Representatives:

Cr A Tucker, Cr S Sudhir and Chief Executive Officer

Local Emergency Management Committee

(Section 38 Emergency Management Act)

Purpose of the committee:

To oversee, plan and test the local emergency management arrangements.

Council Representatives:

Cr P Warner, Cr S Sudhir, Chief Executive Officer and Works Manager

CONSULTATION:

None needed

STATUTORY AUTHORITY:

Local Government Act 1995:

Sections 5.8 to 5.18 (Subdivision 2) relates to the establishment of committees and their meetings.

Section 7.1A refers to the creation of an audit committee and appointment of members.

Local Government (Administration) Regulations 1996:

Regulations 31 and 32 relate to expenses which shall be reimbursed and expenses which may be reimbursed for council members.

POLICY IMPLICATIONS:

No council policy specifically relates to committees. However, Policy 1.1.1 Model Code of Conduct refers to committee members.

FINANCIAL IMPLICATIONS:

Budget provision is made annually for expenses that may be reimbursed in accordance with Regulations.

RISK ASSESSMENT:

| Risk Statement | Level of Risk | Risk Mitigation Strategy |
|---|----------------------|--|
| Failure to appoint members to the audit committee as required by legislation may result in non-compliance with the Act. | Low | Ensure that the appointment process for the audit committee is conducted in compliance with relevant regulatory requirements. |
| Failure to ensure the Council is properly represented on regional committees may result in the council's interests being overlooked, affecting regional collaboration and the ability to influence decisions. | Medium | To ensure that council members are actively engaged and that the council's representation is maintained across all critical regional committees. |

STRATEGIC IMPLICATIONS:

The Shire of Menzies Council Plan 2025-2035 outlines the following Outcome and Strategies:

7. A strategically focused Council, leading our community.

7.1 Provide strategic leadership and governance.

7.2 Effectively represent, promote and advocate for the community and district.

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

VOTING REQUIREMENTS:

Simple Majority for external appointments

Absolute Majority for Committee appointments

OFFICER RECOMMENDATION/COUNCIL DECISION:

En Bloc Resolution – It was resolved that the Officer Recommendations for Item 10.2.1, regarding Committee and Council Representative Appointments, be adopted en bloc. There were seven recommendations, each involving a committee memberships with vacant positions. The Councillors volunteered for each committee, and the voting on these appointments was conducted en bloc. Of the seven recommendations, the first two required an absolute majority, while the remaining five required a simple majority. All recommendations were carried by absolute majority with a unanimous vote of 7 in favour (7/0).

| | |
|-----------------------------------|---------------|
| Council Resolution Number: | 140/25 |
|-----------------------------------|---------------|

Moved: Cr P Warner

Seconded: Cr J Dwyer

Recommendation 1/Council Decision:

That Cr S Wessely, Cr P Warner and Cr J Dwyer be appointed as members of the Audit, Risk and Improvement Committee.

(Absolute majority)

Recommendation 2/Council Decision:

That Cr P Warner, Cr S Sudhir and Cr K Tucker be appointed as members of the Tourism and Economic Development Advisory Committee.

(Absolute majority)

Recommendation 3/Council Decision:

That Cr P Warner and the Chief Executive Officer be the Council Representatives on the Northern Goldfields Working Group (NGWG).

(Simple majority)

Recommendation 4/Council Decision:

That Cr P Warner and the Community Development Manager be the Council Representatives on the Lake Ballard Association (Inc).

(Simple majority)

Recommendation 5/Council Decision:

That Cr P Warner, Cr J Dwyer and the Chief Executive Officer be the Council Representatives on the Goldfields Voluntary Regional Organisation of Councils (GVROC).

(Simple majority)

Recommendation 6/Council Decision:

That Cr P Warner (Voting Member) and Cr J Dwyer (Deputy), and the Chief Executive Officer be the Council Representatives on the Regional Road Group (RRG).

(Simple majority)

Recommendation 7/Council Decision:

That Cr P Warner, Cr K Tucker, the Chief Executive Officer and the Works Manager be the Council Representatives on the Local Emergency Management Committee (LEMC).

(Simple majority)

| | |
|-------------------------------------|--------------|
| Carried by Absolute Majority | 7 / 0 |
|-------------------------------------|--------------|

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

Against: Nil

10 BEHIND CLOSED DOORS - CONFIDENTIAL REPORTS

Nil

12 CLOSURE OF MEETING

The Shire President, as Presiding Member declared the meeting closed at 7.19pm.