



## **Special Council Meeting**

### **20 March 2025**

# **Minutes**

**To: The President and Councillors.**

Here within are the Minutes of the Special Council Meeting of the Shire of Toodyay held on the above-mentioned date in the Shire of Toodyay Council Chambers, 15 Fiennes Street, Toodyay WA 6566 for the purpose of considering CEO additional performance criteria.

**Aaron Bowman JP**  
**CHIEF EXECUTIVE OFFICER**

## **Our Vision, Purpose and Values**

The Shire of Toodyay's Plan for the Future (Council Plan 2023-2033) is the Community's Strategic Plan outlining the direction that the Shire is undertaking to meet the needs and aspirations of its community.

### **Our Vision**

A caring and visionary rural community, working together to preserve and enrich Toodyay's environment, character and lifestyle.

### **Our Purpose**

The Shire of Toodyay exists to meet the needs of current and future generations through an integration of environmental protection, social advancement and economic prosperity.

### **Our Values**

We conduct ourselves in line with values the local community cares deeply about:

- **Integrity** - we behave honestly to the highest ethical standard;
- **Accountability** – we are transparent in our actions and accountable to the community;
- **Inclusiveness** – we are responsive to the community and we encourage involvement by all people; and
- **Commitment** – we translate our plans into actions and demonstrate the persistence that will provide results.

### **Community Aspirations**

There are five core performance areas in this plan: People, Planet, Place, Prosperity, and Performance. These areas are interrelated, and each must be satisfied to deliver excellent quality of life in the Shire of Toodyay.

For each area, there is an overarching aspirational statement and desired outcomes, summarised in the Council Plan which is available on the Shire's website at: <https://www.toodyay.wa.gov.au/documents/432/council-plan-plan-for-the-future-2023-2033>

### **Disclaimer**

Any discussion regarding a planning matter or other application that any statement or intimation of approval made by any member or officer of the Shire of Toodyay during the course of any meeting is not intended to be and is not to be taken a notice of approval from Council. No action should be taken on any item discussed at a Council Meeting prior to written advice on the resolution of the Council being received. Any plans or documents contained in this document may be subject to copyright law provisions (*Copyright Act 1998*, as amended) and the express permission of the copyright owner(s) should be sought prior to reproduction.

### **Availability of Meeting Agenda and its Attachments**

Information about Council Meetings is located on the website

<http://www.toodyay.wa.gov.au/Council/Council-Meetings>

Agendas & Minutes are located under the heading "Council Meetings" at

<http://www.toodyay.wa.gov.au/Council/Council-Meetings/Agendas-Minutes-and-Notes>

Public copies are available by contacting the Shire on (08) 9574 9300.



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## Preface

When the Chief Executive Officer approves these Minutes for distribution they are in essence "Unconfirmed" until the following a Special Meeting of Council, where the Minutes will be confirmed subject to any amendments made by the Council.

The "Confirmed" Minutes are then signed off by the Presiding Person.

Attachments that formed part of the Agenda, in addition to those tabled at the Council Meeting are put together as a separate attachment to these Minutes with the exception of Confidential Items.

Confidential Items or attachments that are confidential are compiled as separate Confidential Minuted Agenda Items.

## Unconfirmed Minutes

These minutes were approved for distribution on 24 March 2025.



Aaron Bowman JP

**CHIEF EXECUTIVE OFFICER**

## Confirmed Minutes

These minutes were confirmed at a meeting held on 27 March 2025.

Signed: ..... 

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



**1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS**

Cr M McKeown, Shire President, declared the meeting open at 3.00pm and read aloud an Acknowledgement of Country:

*"I acknowledge the Ballardong Noongar people, the traditional custodians of the land where we meet today and the Yued and Whadjuk people, who are traditional custodians of respective lands within the wider Shire of Toodyay. I pay my respect to their Elders, past, present and emerging."*

**2 RECORDS OF ATTENDANCE**Members

|                |                        |
|----------------|------------------------|
| Cr M McKeown   | Shire President        |
| Cr M Dival     | Deputy Shire President |
| Cr C Duri      | Councillor             |
| Cr R Madacs    | Councillor             |
| Cr S McCormick | Councillor             |
| Cr J Prater    | Councillor             |

Staff

|                |                         |
|----------------|-------------------------|
| Mrs M Rebane   | Governance Coordinator  |
| Mr A Bowman JP | Chief Executive Officer |

VisitorsNil.**2.1 APOLOGIES**

|             |            |
|-------------|------------|
| Cr D Wrench | Councillor |
|-------------|------------|

**2.2 APPROVED LEAVE OF ABSENCE**

Nil

**3 DISCLOSURE OF INTEREST**

| Name         | Type         | Item | Extent  |
|--------------|--------------|------|---|
| Aaron Bowman | Impartiality | 6.1  | My performance criteria   |
| M McKeown    | Impartiality | 6.1  | The Shire President is mentioned by title in the Officer's Report and recommendation. |

**4 PUBLIC QUESTIONS****4.1 PUBLIC QUESTION TIME**

Nil.

**5 PUBLIC SUBMISSIONS**

Nil.

**6 CONFIDENTIAL BUSINESS****OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO. SCM044/03/25**

**MOVED** Cr M McKeown

**SECONDED** Cr J Prater

That Council considers the confidential report listed below in a meeting closed to the public in accordance with Section 5.23(2) of the *Local Government Act 1995*:

**6.1 Chief Executive Officer Additional Performance Criteria**

This matter is considered to be confidential under Section 5.23(2) - (a), (b), (d), (e)(iii), (f)(i) and (f)(ii) 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, the personal affairs of any person, legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting, a matter that if disclosed, would reveal information about the business, professional, commercial or financial affairs of a person where the trade secret or information is held by, or is about, a person other than the local government, a matter that if disclosed, could be reasonably expected to impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law. and a matter that if disclosed, could be reasonably expected to endanger the security of the local government's property

Voted For: Crs R Madacsi, C Duri, S McCormick, M McKeown, M Dival and J Prater

Voted Against: Nil

**MOTION CARRIED 6/0**

In accordance with Standing Orders 5.2 (3) the Presiding Member directed everyone to leave except the Members; the CEO and any employee specified by the Presiding Member.

*The live stream was suspended and the doors to the Council Chambers were closed at 3.03pm.*

*The Governance Coordinator departed Council Chambers at 3.03pm.*

**6.1 Chief Executive Officer Additional Performance Criteria****VOTING REQUIREMENTS**

Simple Majority

**OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO. SCM045/03/25**

**MOVED** Cr S McCormick

**SECONDED** Cr J Prater

That Council:

1. agrees that due to inherited historical issues and problems that need to be addressed, that more relevant and specific additional performance criteria are needed for the Chief Executive Officer;
2. authorises the Shire President and CEO to appoint an appropriate consultant to assist in developing any additional draft performance criteria, including relevant KPI's that are in addition to the contractual performance criteria;
3. Notes any additional draft performance criteria that are in addition to the contractual performance criteria will be required to be presented to Council for adoption.

Voted For: Crs C Duri, S McCormick, M McKeown, M Dival and J Prater

Voted Against: Cr R Madacsi

**MOTION CARRIED 5/1**

*The Governance Coordinator returned to Council Chambers at 3.03pm.*

**MOTION/COUNCIL RESOLUTION NO. SCM046/03/25**

**MOVED** Cr M McKeown

**SECONDED** Cr J Prater

That Council move from behind closed doors at 5.05pm.

Voted For: Crs R Madacsi, C Duri, S McCormick, M McKeown, M Dival and J Prater

Voted Against: Nil

**MOTION CARRIED 6/0**

*The Livestream was recommended at 3.05pm.*

**7 CLOSURE OF MEETING**

The Shire President declared the meeting closed at 5.07pm.