



# **AGENDA**

## **Special Council Meeting Monday, 4 November 2024**

**Date: Monday, 4 November 2024**

**Time: 08.15 am**

**Location: Council Chamber  
110 Massingham Street  
Kellerberrin WA 6410**

# **Shire of Kellerberrin**

## **Special Council Meeting 4th November 2024**

### **NOTICE OF MEETING**

Dear Elected Member

The next Special Council Meeting of the Shire of Kellerberrin will be held on Monday, 4th November 2024 in the Council Chamber, 110 Massingham Street, Kellerberrin WA 6410 commencing at 08.15 am.

Raymond Griffiths  
Chief Executive Officer  
Sunday, 3 November 2024

## Shire of Kellerberrin

### Disclaimer

No responsibility whatsoever is implied or accepted by the Shire of Kellerberrin for any action, omission or statement or intimation occurring during Council or committee meetings.

The Shire of Kellerberrin disclaims any liability for any loss whatsoever and however caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council or committee meetings.

Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council or committee meeting does so at that 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 licence, any statement or intimation of approval made by any member or officer of the Shire of Kellerberrin during the course of any meeting is not intended to be and is not taken a notice of approval from the Shire of Kellerberrin.

The Shire of Kellerberrin warns that anyone who has any application lodged with the Shire of Kellerberrin must obtain and should only rely on **WRITTEN CONFIRMATION** of the outcome of the application, and any conditions attaching to the decision made by the Shire of Kellerberrin in respect of the application.

Signed \_\_\_\_\_  
Chief Executive Officer

**DECLARATION OF FINANCIAL INTEREST, PROXIMITY INTEREST AND/OR INTEREST AFFECTING IMPARTIALITY**

Chief Executive Officer, Shire of Kellerberrin

In accordance with Section 5.60-5.65 of the *Local Government Act* and Regulation 34(B) and 34(C) of the *Local Government (Administration) Regulations*, I advise you that I declare a ( appropriate box):

financial interest (Section 5.60A)

A person has a financial interest in a matter if it is reasonable to expect that the matter will, if dealt with by the local government, or an employee or committee of the local government or member of the council of the local government, in a particular way, result in a financial gain, loss, benefit or detriment for the person.

proximity interest (Section 5.60B)

A person has a proximity interest in a matter if the matter concerns a proposed —  
(a) change to a planning scheme affecting land that adjoins the person’s land;  
(b) change to the zoning or use of land that adjoins the person’s land; or  
(c) development (as defined in section 5.63(5)) of land that adjoins the person’s land.

interest affecting impartiality/closely associated persons (Regulation 24C). I disclose that I have an association with the applicant. As a consequence, there may be a perception that my impartiality on the matter may be affected. I declare that I will consider this matter on its merits and vote accordingly.

An interest that would give rise to a reasonable belief that the impartiality of the person having the interest would be adversely affected but does not include a financial or proximity interest as referred to in section 5.60.

in the following Council / Committee Meetings to be held on \_\_\_\_\_

in Item number/s \_\_\_\_\_

the nature of the interest being \_\_\_\_\_

Further, that I wish to remain in the Chamber to participate in proceedings. As such, I declare the extent of my interest as being:

\_\_\_\_\_  
\_\_\_\_\_

Yours faithfully

(Councillor’s signature)

Councillor’s Name

The *Local Government Act* provides that it is the member’s obligation to declare the Nature of an interest if they believe that they have a financial interest, proximity interest, closely associated persons or an interest affecting impartiality in a matter being discussed by Council.  
The Act provides that the Nature of the interest may be declared in writing to the Chief Executive Officer prior to the meeting or declared prior to discussion of the Agenda Item at the meeting. The Act further provides that the Extent of the interest needs to be declared if the member seeks to remain in the Chamber during the discussion, debate or voting on the item.  
A Councillor declaring a financial or proximity interest must leave the meeting prior to the matter being discussed or voted on (including the question as to whether they are permitted to remain in the Chamber). Councillors remaining in the Chamber may resolve to allow the member to return to the meeting to participate in the proceedings.  
The decision of whether to disclose a financial interest is yours and yours alone. Nobody can disclose for you and you can not be forced to make a disclosure.

## Order Of Business

<b>1</b>	<b>Declaration of Opening .....</b>	<b>7</b>
<b>2</b>	<b>Record of Attendance / Apologies / Leave of Absence.....</b>	<b>7</b>
<b>3</b>	<b>Declaration of Interest.....</b>	<b>7</b>
<b>4</b>	<b>Public Question Time .....</b>	<b>7</b>
4.1	Response to Previous Public Questions taken on Notice .....	7
4.2	Public Question Time .....	7
<b>5</b>	<b>Presentations .....</b>	<b>7</b>
5.1	Petitions .....	7
5.2	Presentations .....	7
5.3	Deputations.....	7
<b>6</b>	<b>New Business of an Urgent Nature Introduced by Decision of Meeting .....</b>	<b>7</b>
<b>7</b>	<b>Confidential Matters .....</b>	<b>8</b>
7.1	Manager of Works and Services Recruitment .....	8
<b>8</b>	<b>Closure of Meeting.....</b>	<b>9</b>



**1 DECLARATION OF OPENING****2 RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE****3 DECLARATION OF INTEREST**

Note: Under Section 5.60 – 5.62 of the Local Government Act 1995, care should be exercised by all Councillors to ensure that a “financial interest” is declared and that they refrain from voting on any matters which are considered may come within the ambit of the Act.

A Member declaring a financial interest must leave the meeting prior to the matter being discussed or voted on (unless the members entitled to vote resolved to allow the member to be present). The member is not to take part whatsoever in the proceedings if allowed to stay.

**4 PUBLIC QUESTION TIME**

Council conducts open Council meetings. Members of the public are asked that if they wish to address the Council that they state their name and put the question as precisely as possible. A maximum of 15 minutes is allocated for public question time. The length of time an individual can speak will be determined at the President’s discretion.

**4.1 Response to Previous Public Questions taken on Notice****4.2 Public Question Time****5 PRESENTATIONS****5.1 Petitions****5.2 Presentations****5.3 Deputations****6 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING**

## **7 CONFIDENTIAL MATTERS**

### **RECOMMENDATION**

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

#### **7.1 Manager of Works and Services Recruitment**

This matter is considered to be confidential under Section 5.23(2) - c 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 contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.



**8 CLOSURE OF MEETING**