

SHIRE OF DENMARK

# Special Council Meeting

FOR THE PURPOSE OF DETERMINING THE PROCESS  
OF THE CEO'S 2024 PERFORMANCE REVIEW.

# MINUTES

**13 AUGUST 2024**

HELD IN COUNCIL CHAMBERS, 953 SOUTH COAST HIGHWAY,  
DENMARK, ON TUESDAY, 13 AUGUST 2024.



## Contact Us

953 South Coast Highway, Denmark WA 6333

*Correspondence to:*

Post Office Box 183, DENMARK WA 6333

Phone: (08) 9848 0300 | Email: [enquiries@denmark.wa.gov.au](mailto:enquiries@denmark.wa.gov.au)

Website: [www.denmark.wa.gov.au](http://www.denmark.wa.gov.au)

Facebook: shireofdenmark

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## 1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

4.00pm - The Shire President, Cr Gibson, declared the meeting open and acknowledged the Bibbulmun and Minang people as the traditional custodians of the land on which the meeting was being held. Cr Gibson paid his respects to Elders past, present and emerging.

## 2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

### MEMBERS:

Cr Kingsley Gibson (Shire President)  
 Cr Clare Campbell  
 Cr Donna Carman  
 Cr Nathan Devenport  
 Cr Jackie Ormsby  
 Cr Aaron Wiggins  
 Cr Dominic Youel

### STAFF:

David King (Chief Executive Officer)  
 Kellie Jenkins (Executive Manager Corporate Services)  
 Claire Thompson (Governance Coordinator)  
 Marcia Chamberlain (Coordinator Employee Support and Culture)

### APOLOGIES:

Nil

### ON LEAVE OF ABSENCE:

Cr Jan Lewis (Deputy Shire President) (in accordance with Council Resolution No. 010124)  
 Cr Janine Phillips (in accordance with Council Resolution No. 020624)

### ABSENT:

Nil

### VISITORS:

Nil

### DECLARATIONS OF INTEREST:

Name	Item No	Interest	Nature
David King	6.1	Impartiality	Relates to CEO Performance Review.

## 3. ANNOUNCEMENT BY THE PERSON PRESIDING

The Shire President acknowledged local volunteer Marion McDougall who had recently been named the St John Ambulance's Country Volunteer of the Year. Cr Gibson expressed his congratulations and said that Denmark was lucky to have such a hardworking and capable chairperson for the Denmark St John Ambulance Sub-Centre.

#### 4. PUBLIC QUESTION TIME

##### 4.1 PUBLIC QUESTIONS

In accordance with Section 5.24 of the Local Government Act 1995, Council conducts a public question time to enable members of the public to address Council or ask questions of Council.

For a Special Meeting of Council, such as this, **they must however relate to the item(s) on the Agenda.**

Questions from the public are invited and welcomed at this point of the Agenda.

Should you wish to address Council please note that the Presiding Person (the Shire President) may have to limit the time of individual speakers in order to allow sufficient time for all speakers present at the meeting to address Council. The rules of this process and the time allocated will be determined by the Presiding Person at the Meeting dependent upon the indicative number of speakers.

##### Questions from the Public

There were no members of the public present.

#### 5. REPORTS OF OFFICERS

Nil

#### 6. MATTERS BEHIND CLOSED DOORS

<b>COUNCIL RESOLUTION &amp; OFFICER RECOMMENDATION</b>	<b>ITEM 6</b>
MOVED: CR CARMAN	SECONDED: CR YOUEL
That in accordance with sections 5.23(2)(a) of the <i>Local Government Act 1995</i> , the meeting move behind closed doors to consider Item 6.1 which deals with a matter affecting an employee.	
CARRIED: 7/0	Res: 010824
TOTAL VOTES FOR: 7 Cr Campbell, Cr Wiggins, Cr Youel, Cr Gibson, Cr Devenport, Cr Ormsby and Cr Carman.	
TOTAL VOTES AGAINST: 0	

The Chief Executive Officer declared an impartiality interest in Item 6.1 on the basis that it relates to his annual performance review.

## 6.1 2024 CEO PERFORMANCE REVIEW – DETERMINATION OF PROCESS

<b>File Ref:</b>	Personnel File
<b>Applicant / Proponent:</b>	Chief Executive Officer (CEO)
<b>Subject Land / Locality:</b>	Nil
<b>Disclosure of Officer Interest:</b>	The CEO declares an interest in that the report and recommendation relate to his employment
<b>Date:</b>	5 August 2024
<b>Author:</b>	David King, Chief Executive Officer Claire Thompson, Governance Coordinator
<b>Authorising Officer:</b>	David King, Chief Executive Officer
<b>Attachments:</b>	6.1 – Standards for CEO Recruitment, Performance and Termination Policy

This report is confidential in accordance with section 5.23(2) of the *Local Government Act 1995* which permits the meeting to be closed to the public for business arising from the following:

(a) a matter affecting an employee or employees.

<b>COUNCIL RESOLUTION &amp; OFFICER RECOMMENDATION</b>	<b>ITEM 6.1</b>
MOVED: CR DEVENPORT	SECONDED: CR ORMSBY
That with respect to the CEO's 2024 Performance Review, Council:	
1. AGREE with the process recommended by the CEO within the confidential report; and	
2. AUTHORISE the Shire President to determine the preferred consultant, the methodology for the review and the format of any survey questions, with the agreement of the CEO.	
CARRIED: 7/0	Res: 020824
TOTAL VOTES FOR: 7 Cr Campbell, Cr Wiggins, Cr Youel, Cr Gibson, Cr Devenport, Cr Ormsby and Cr Carman.	
TOTAL VOTES AGAINST: 0	

**COUNCIL RESOLUTION**

MOVED: CR CAMPBELL

SECONDED: CR CARMAN

That the meeting proceed in public.

CARRIED: 7/0

Res: 030824

TOTAL VOTES FOR: 7

Cr Campbell, Cr Wiggins, Cr Youel, Cr Gibson, Cr Devenport, Cr Ormsby and Cr Carman.

TOTAL VOTES AGAINST: 0

*No members of the public entered the room so that Shire President did not read out the resolution.*

**7. CLOSURE OF MEETING**

*4.05pm – The Shire President, Cr Gibson, declared the meeting closed.*

The Chief Executive Officer recommends the endorsement of these minutes at the next meeting.

Signed: \_\_\_\_\_  
*David King – Chief Executive Officer*

Date: \_\_\_\_\_

These minutes were confirmed at a meeting on the \_\_\_\_\_.

Signed: \_\_\_\_\_  
*(Presiding Person at the meeting at which the minutes were confirmed)*