



# **Unconfirmed Minutes of the Special Meeting of the Shire Council**

Held in the  
Shire of Perenjori Council Chambers, Fowler Street, Perenjori  
on the 14 June 2019,  
**at 11:00 am.**

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**19061.1 DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS**

Cr L Butler declared the meeting open at 11.03 am

**19061.2 RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE**

Cr L Butler (President) – Chairperson

Cr R White

Cr J Hirsch

Cr G Reid

Cr K Pohl

Cr L Hepworth

Paul Bawden – CEO

Karen Malloch – EA

**Member of the Public:**

Gary Crawford

**Apologies:**

Cr L Smith

Cr P Waterhouse

Cr J Cunningham

**19061.3 OPENING PRAYER**

Cr L Butler led the opening prayer.

**19061.4 NOTATIONS OF INTEREST**

**Financial Interest – Local Government Act s 5.60A**

**Proximity Interest – Local Government Act s 5.60B**

**Interest Affecting Impartiality – Reg 11 Local Government Act (Rules of Conduct) Regulation 2007**

**Indirect Financial – Local Government Act s 5.61**

**19062 SPECIAL BUSINESS**

Councillors Reid, White, Pohl, Hepworth and Hirsch had requested the holding of a Special Council Meeting at 11:00 am on 14 June 2019, in the Council Chambers, Perenjori.

**19063 MATTERS BEHIND CLOSED DOORS**

*In accordance with Section 5.23(2) of the Local Government Act 1995, the meeting is closed to the members of the public for this item as the following sub-section applied:*

- a) *A matter affecting an employee or employees*
- b) *The personal affairs of any person;*
- c) *A matter that if disclosed, would reveal –*
  - i. *A trade secret; or*
  - ii. *Information that has a commercial value to a person; or*
  - iii. *Information about the business, professional, commercial or financial affairs of a person.*

Councillors J Hirsch and K Pohl proposed a resolution to go behind closed doors.

**Officer Recommendation – Item 19063.1**

**Moved: Cr J Hirsch**

**Seconded: Cr K Pohl**

**In accordance with Section 5.23(2) of the Local Government Act 1995, the meeting is closed to the members of the public for item 19043.1.1 as the following sub-sections apply:**

- a) *A matter affecting an employee or employees***

**Carried: 6/0**

The meeting was closed to the public 11:06 am.

**Attendance:**

*EA Karen Malloch and member of the public, Gary Crawford left the Meeting.*

**19063.2 CONFIDENTIAL ITEM - EMPLOYEE MATTER**

<b>APPLICANT:</b>	<b>CR J REID, CR R WHITE, CR K POHL, CR L HEPWORTH CR J HIRSCH</b>
<b>FILE:</b>	<b>PER385</b>
<b>DISCLOSURE OF INTEREST:</b>	<b>NIL</b>
<b>AUTHOR:</b>	<b>PAUL BAWDEN - CEO</b>
<b>RESPONSIBLE OFFICER:</b>	<b>PAUL BAWDEN - CEO</b>
<b>REPORT DATE:</b>	<b>14 JUNE 2019</b>
<b>ATTACHMENTS:</b>	<b>NIL</b>

**Officer Recommendation – Item 19063.3****Moved: Cr J Hirsch****Seconded: Cr K Pohl****The Council move from behind closed doors****Carried: 6/0****Attendance:***EA Karen Malloch returned to the Meeting at 11:12 am.***Officer Recommendation – Item 19063.4****Moved: Cr R White****Seconded: Cr J Hirsch****That Council agree to the termination of the Contract of the current CEO Paul Bawden immediately.****Carried: 5/1**

The CEO Paul Bawden exercised his “right of reply and advised the Special Council Meeting that legal advice needs to be obtained on the validation and actioning of the resolution and to ascertain if the response is lawful, based on:

- Procedural fairness;
- Notice outlining “lack of performance”;
- No opportunity was given to the CEO in which to respond.

Councillor G Reid stated that the Council may cancel the CEO contract at any time during the CEO’s probationary period.

**Officer Recommendation – Item 19063.5****Moved: Cr J Hirsch****Seconded: Cr J Reid****That Council present notification to CEO Paul Bawden of his termination following the conclusion of the Meeting today.****Carried: 5/1****Officer Recommendation – Item 19063.6****Moved: Cr J Hirsch****Seconded: Cr L Hepworth****That Council offer the current Manager Corporate Development Services officer (MCDS), Joelene Dennis to be appointed interim Acting CEO and that the MCDS facilitates and organises a recruitment procedure to employ a new CEO.****Carried: 5/1**

**19064 CLOSURE**

Cr L Butler declared the meeting closed at 11:15 am.

*I certify that this copy of the Minutes is a true and correct record of the meeting held on 14 June 2019.*

**Signed:** \_\_\_\_\_

*Presiding Elected Member*

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