SHIRE OF GINGIN

HISTORY | BEAUTY | PROSPERITY



MINUTES

Special Council Meeting

21 September 2026

CONFIRMATION OF MINUTES

These Minutes have been CONFIRMED by Council as the official record for the Shire of Gingin's Ordinary Council Meeting held on 15 September 2026.

Councillor L Balcombe
PRESIDING MEMBER

Date of Confirmation: 20 October 2026

DISCLAIMER

Members of the public are advised that Council agendas, recommendations, minutes and resolutions are subject to confirmation by Council and therefore, prior to relying on them, one should refer to the subsequent meeting of Council with respect to their accuracy.

No responsibility whatsoever is implied or accepted by the Shire of Gingin for any act, omission or statement or intimation occurring during Council meetings or during formal/informal conversations with staff.

The Shire of Gingin disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council meetings or discussions. Any person or legal entity who acts or fails to act in reliance upon any statement does so at that person's or legal entity's own risk.

Applicants and other interested parties should refrain from taking any action until such time as written advice is received confirming Council's decision with respect to any particular issue.

ACKNOWLEDGEMENT OF COUNTRY

The Shire of Gingin acknowledges the Yued people, the traditional owners of Yued Boodja. The Shire pays respect to Yued Elders past and present, and acknowledges emerging Yued leaders. We extend this respect to all Aboriginal people. The Shire recognises the living, dynamic culture of the Yued people and the unique contribution they make to the Gingin region on Yued Boodja.

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ORDER OF BUSINESS

1 DECLARATION OF OPENING

The Presiding Member declared the meeting open at 3:00 pm and welcomed all in attendance.

2 RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

2.1 ATTENDANCE

Councillors – L Balcombe (President/Presiding Member), F Peczka (Deputy President), C Hyne, R Kestel, L Stewart, A Vis (electronic attendance), J Weeks (electronic attendance), D Wilkie and N Woods.

Staff – J Bayliss (Temporary Chief Executive Officer), E Mackey (Manager Governance) and Y Moorby (Governance Support Officer/Minute Officer).

Gallery – There were no members of the public present in the Gallery.

Observer - Dr S Silcox.

2.2 APOLOGIES

Nil

2.3 LEAVE OF ABSENCE

Nil

3 DISCLOSURES OF INTEREST

Nil

4 PUBLIC QUESTION TIME

4.1 RESPONSES TO PUBLIC QUESTIONS PREVIOUSLY TAKEN ON NOTICE

Nil

4.2 PUBLIC QUESTIONS

Nil

5 PUBLIC STATEMENT TIME

Nil

6 PETITIONS

Nil

7 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

8 ANNOUNCEMENTS BY THE PRESIDING MEMBER

Nil

9 UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS

Not applicable

10 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

11 REPORTS - OFFICE OF THE CEO

Nil

12 REPORTS - CORPORATE SERVICES

Nil

13 REPORTS - REGULATORY AND DEVELOPMENT SERVICES

Nil

14 REPORTS - OPERATIONS AND ASSETS

Nil

15 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

16 COUNCILLORS' OFFICIAL REPORTS

Nil

17 NEW BUSINESS OF AN URGENT NATURE

Nil

18 MATTERS FOR WHICH MEETING IS TO BE CLOSED TO THE PUBLIC

COUNCIL RESOLUTION/OFFICER RECOMMENDATION

MOVED: Councillor Woods **SECONDED: Councillor Hyne**

That Council move into a Confidential Session to discuss Item 18.1.

CARRIED UNANIMOUSLY
9 / 0

FOR: *Councillor Balcombe, Councillor Hyne, Councillor Kestel, Councillor Peczka, Councillor Stewart, Councillor Vis, Councillor Weeks, Councillor Wilkie and Councillor Woods*

AGAINST: *Nil*

18.1 CHIEF EXECUTIVE OFFICER - OFFER OF EMPLOYMENT AND TERMS OF CONTRACT

File	PER/8-61
Reporting Officer	Cr Linda Balcombe - President
Refer	Nil
Appendices	1. Selection Report [**18.1.1** - 43 pages] 2. Draft Contract [**18.1.2** - 33 pages]

Reasons for Confidentiality

This report is confidential in accordance with Section 5.23(2)(b) of the *Local Government Act 1995* which requires a meeting to be closed to the public when dealing with a matter relating to the recruitment or employment of the CEO or a senior employee.

DISCLOSURE OF INTEREST

Nil

VOTING REQUIREMENTS - ABSOLUTE MAJORITY

COUNCIL RESOLUTION/RECOMMENDATION

MOVED: Councillor Kestel SECONDED: Councillor Stewart

That Council:

1. Approve the making of an offer of employment with respect to the position of Chief Executive Officer to the preferred applicant as identified in the confidential report for a period of three years commencing on 4 January 2027 and concluding on 3 January 2030;

2. Approve the terms of the CEO contract of employment as set out in the confidential appendix;

3. Authorise the President and Deputy President to negotiate final contract terms with the potential candidate. In the event that the negotiated terms differ from those approved by Part 2 of this resolution, then the amended contract will be presented to Council for consideration and approval; and

4. Extend thanks to the independent member of the CEO Selection Panel for their contribution to the selection process.

VOTING REQUIREMENTS - SIMPLE MAJORITY

PROCEDURAL MOTION

MOVED: Councillor Stewart SECONDED: Councillor Peczka

That Council suspend standing orders in order to allow for questions and discussion outside the rules of debate.

LOST
4 / 5

FOR: *Councillor Peczka, Councillor Stewart, Councillor Weeks and Councillor Wilkie*
AGAINST *Councillor Balcombe, Councillor Hyne, Councillor Kestel, Councillor Vis and Councillor Woods*

PROCEDURAL MOTION

MOVED: Councillor Wilkie SECONDED: Councillor Weeks

That consideration of the matter be deferred to the Ordinary Council Meeting on 20 October 2026 to allow Councillors to review the information and seek clarification prior to making a decision.

LOST
3 / 6

FOR: *Councillor Stewart, Councillor Weeks and Councillor Wilkie*
AGAINST: *Councillor Balcombe, Councillor Hyne, Councillor Kestel, Councillor Peczka, Councillor Vis and Councillor Woods*

VOTING REQUIREMENTS - ABSOLUTE MAJORITY

COUNCIL RESOLUTION/RECOMMENDATION

MOVED: Councillor Kestel SECONDED: Councillor Stewart

That Council:

1. Approve the making of an offer of employment with respect to the position of Chief Executive Officer to the preferred applicant as identified in the confidential report for a period of three years commencing on 4 January 2027 and concluding on 3 January 2030;

2. Approve the terms of the CEO contract of employment as set out in the confidential appendix;

3. Authorise the President and Deputy President to negotiate final contract terms with the potential candidate. In the event that the negotiated terms differ from those approved by Part 2 of this resolution, then the amended contract will be presented to Council for consideration and approval; and

4. Extend thanks to the independent member of the CEO Selection Panel for their contribution to the selection process.

CARRIED BY ABSOLUTE MAJORITY
6 / 3

FOR: *Councillor Balcombe, Councillor Hyne, Councillor Kestel, Councillor Peczka, Councillor Vis and Councillor Woods*
AGAINST: *Councillor Stewart, Councillor Weeks and Councillor Wilkie*

COUNCIL RESOLUTION/OFFICER RECOMMENDATION

MOVED: Councillor Peczka SECONDED: Councillor Weeks

That the meeting be re-opened to the public.

CARRIED UNANIMOUSLY
9 / 0

FOR: *Councillor Balcombe, Councillor Hyne, Councillor Kestel, Councillor Peczka, Councillor Stewart, Councillor Vis, Councillor Weeks, Councillor Wilkie and Councillor Woods*
AGAINST: *Nil*

The meeting re-opened to the public at 3:46 pm. No members of the public returned to the Gallery.

19 CLOSURE

There being no further business, the Presiding Member declared the meeting closed at 3:46 pm.

The next Ordinary Council Meeting will be held in Council Chambers at the Shire of Gingin Administration Centre, 7 Brockman Street, Gingin on 20 October 2026, commencing at 3:00 pm.