

SPECIAL COUNCIL MEETING

MINUTES



For the Special Meeting of Council held on

22 July 2026



PUBLIC QUESTION TIME – RULES AND PROCEDURES

The Shire of Cranbrook provides the public with the opportunity to raise questions (as per Section 5.24 of the Local Government Act 1995), or to make a brief statement on issues of concern at all Ordinary Meetings, Special Meetings and Standing Committee Meetings of Council.

The Local Government (Administration) Regulations 1996 requires that a minimum of 15 minutes is to be provided at the beginning of the meeting for question time (where members of the public wish to ask questions).

Question time is the first item on the agenda and the following procedures apply:

1. A member of the public who raises a question during question time is to state his or her name and address. Questions should be directed to the Shire President (or Chairman at Committee Meetings).
2. A question may be taken on notice by the Council or committee for later response.
3. When a question is taken on notice under sub-clause (2) a response is to be given to the member of the public in writing by the CEO, and a copy is to be included in the agenda of the next meeting of the Council or committee as the case requires.
4. Council encourages input from the public but will not debate any issue with those in attendance at meetings.
5. The President (or Chairman) has the right to determine any address, question or statement made by a member of the public to be out of order if it is considered to be:
 - (i) a personal attack or adverse reflection on the integrity of Elected Members or Employees;
 - (ii) inappropriate behaviour and use of public question time. **Such behaviour will not be permitted or tolerated.**
6. Prevention of Disturbance (refer to Standing Order Local Law clause 8.6)
 - a) Any member of the public addressing the Council or a committee is to extend due courtesy and respect to the Council or committee and the processes under which they operate and must take direction from the person presiding whenever called upon to do so. (Penalty \$1,000)
 - b) No person observing a meeting is to create a disturbance at a meeting, by interrupting or interfering with the proceedings, whether by expressing approval or dissent, by conversing or by any other means. (Penalty \$1,000)
7. Copies of “Public Question Time – Rules and Procedures” will be distributed at each Council/Committee Meetings where members of the public are in attendance.

Recording Of Proceedings

1. No person is to use any electronic, visual or vocal recording device or instrument to record the proceedings of the Council or a committee without the written permission of the Council.
2. Subclause (1) does not apply if the record is taken by or at the direction of the CEO, with the permission of the Council or committee.

ATTENTION/DISCLAIMER

These minutes will be confirmed at the next Ordinary Council Meeting. The minutes should be read to ascertain the decision of the Council.

In certain circumstances members of the public are not entitled to inspect material, which in the opinion of the Chief Executive Officer is confidential, and relates to a meeting or a part of a meeting that is likely to be closed to members of the public.

No responsibility whatsoever is implied or accepted by the Shire of Cranbrook for any act, omission, statement or intimation occurring during Council or Committee meetings.

The Shire of Cranbrook 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 of 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 Cranbrook during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire of Cranbrook.

The Shire of Cranbrook advises that anyone who has any application lodged with the Shire of Cranbrook 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 Cranbrook in respect of the application.

The Shire of Cranbrook advises that any plans or documents contained within these minutes may be subject to copyright law provisions (Copyright Act 1968, as amended) and that the express permission of the copyright owner(s) should be sought prior to their reproduction. It should be noted that Copyright owners are entitled to take legal action against any persons who infringe their copyright. A reproduction of material that is protected by copyright may represent a copyright infringement.

Recording of Meetings

- All Council Meetings are digitally recorded, for audio only, except for Confidential Agenda Items (in accordance with Section 5.23(2) of the *Local Government Act 1995*) during which time recording ceases.
- Following publication and distribution of the meeting minutes to Council Members the digital audio recording will be available on the Shire's website.

Defamation – cl 14K *Local Government (Administration) Regulations 1996*

- (1) A local government is not liable to an action for defamation in relation to any of the following done by the local government as required or authorised under this Part —
- (a) publicly broadcasting a meeting;
 - (b) making a recording of a meeting;
 - (c) making a recording of a meeting publicly available;
 - (d) retaining a recording of a meeting or a copy of a recording;
 - (e) providing a copy of a recording of a meeting to the Departmental CEO.

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MINUTES

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Shire President, Cr Mulcahy as Presiding Member declared the meeting open at 9.18am. The Shire President alerted the meeting to the procedures for emergencies including evacuation, designated exits and muster points.

SUSPENSION OF STANDING ORDERS

Motion 01072026

Moved Cr Egerton-Warburton, seconded Cr Denton that Standing Orders be suspended for the duration of this meeting to facilitate open discussion on items presented in this Agenda, given the importance of those matters.

CARRIED 6/0

FOR: Cr J Quick, Cr P Denton, Cr H Gillam,
Cr D Egerton-Warburton, Cr P Mulcahy, Cr C Lange

AGAINST: Nil

2. ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE

2.1 ATTENDANCE

President	Cr P (Perin) Mulcahy
Deputy President	Cr DM (Daisy) Egerton-Warburton
Councillors	Cr JA (Jennifer) Quick
	Cr C (Chelsea) Lange (TEAMS)
	Cr P (Peter) Denton
	Cr H (Harvey) Gillam

Chief Executive Officer	Ms LA (Linda) Gray
Governance Officer	Mrs RL (Renee) Dean

Members of the Public	Nil
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2.2 APOLOGIES

Cr Peter Beech

The Shire President, Cr Mulcahy, read out a message forwarded by Cr Beech prior to his departure on leave, in it he expressed his support of the Selection Panel's decision and that he was looking forward to working with the successful candidate over the next few months.

3. PUBLIC QUESTION TIME

In accordance with the provisions of Cl 7(4)(b) of the Local Government (Administration) regulations 1996, questions may only be asked which relate to the purpose of the Special Council Meeting.

4.2 PUBLIC QUESTIONS

Nil

4. DISCLOSURE OF INTEREST

Nil

5. CONFIDENTIAL ITEMS FOR WHICH MEETING IS CLOSED TO THE PUBLIC

Section 5.23 (2)(b) of the Local Government Act 1995 allows the Council to close all or part of a Council Meeting to members of the public if the meeting or the part of the meeting deals with a range of issues, dealing with any of the following; (a) a matter affecting an employee or employees; (b) the personal affairs of any person; (c) 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; (d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting; (e) a matter that if disclosed, would reveal — (i) a trade secret; (ii) information that has a commercial value to a person; or (iii) 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; (f) a matter that if disclosed, could be reasonably expected to — (i) impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law; (ii) endanger the security of the local government's property; or (iii) prejudice the maintenance or enforcement of a lawful measure for protecting public safety; (g) information which is the subject of a direction given under section 23(1a) of the Parliamentary Commissioner Act 1971; and (h) such other matters as may be prescribed.

As such it is recommended that the meeting be closed to the public in order deal with these items.

A decision to close a meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.

Voting Requirements

Simple Majority

OFFICER'S RECOMMENDATION/COUNCIL DECISION

Motion 02072026

Moved Cr Egerton-Warburton, seconded Cr Quick that Council, in accordance with Section 5.23(2) of the Local Government Act 1995, closes the meeting to members of the public to consider Item 6.1 Chief Executive Officer Recruitment, as the matter relates to:

- (a) A matter affecting an employee or employees; and/or**
- (b) 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.**

CARRIED 6/0

FOR: Cr J Quick, Cr P Denton, Cr H Gillam,
Cr D Egerton-Warburton, Cr P Mulcahy, Cr C Lange

AGAINST: Nil

The meeting was closed to the public at 9.21am.

6. MATTERS BEHIND CLOSED DOORS

6.1 CHIEF EXECUTIVE OFFICER – OFFER OF APPOINTMENT

RESPONSIBLE OFFICER: Linda Gray – Chief Executive Officer
REPORT AUTHOR: Linda Gray – Chief Executive Officer
FILE REFERENCE: HR501
APPLICANT: N/A
DATE OF REPORT: 21 July 2026
ATTACHMENTS: 1. CONFIDENTIAL – Attachment One
 2. CONFIDENTIAL – Attachment Two

Voting Requirements
Absolute Majority

RECRUITMENT AND SELECTION PANEL RECOMMENDATION/COUNCIL DECISION

Motion 03072026

Moved Cr Egerton-Warburton, seconded Cr Quick that Council:

1. Receives the confidential CEO Recruitment Panel assessment summary and recommendation regarding the appointment of the Chief Executive Officer (CEO) for the Shire of Cranbrook.
2. Endorses the preferred candidate identified by the CEO Recruitment Panel as the recommended applicant for appointment to the position of Chief Executive Officer of the Shire of Cranbrook.
3. Determines that the preferred candidate is suitably qualified for the position in accordance with section 5.36(2)(a) of the Local Government Act 1995, having regard to the candidate's qualifications, skills, experience, character, employment history, competencies, performance, and information obtained through the recruitment, referee, and assessment processes.
4. Approves the proposed Contract of Employment – Chief Executive Officer, including the proposed CEO Key Performance Indicators, remuneration package, and employment conditions, noting that the total remuneration package is consistent with the Salaries and Allowances Agenda for Special Council Meeting to be held on 22 July 2026 Special Council Meeting Agenda 9 Tribunal's Local Government Chief Executive Officers and Elected Council Members Determination No. 1 of 2026 for a Band 4 Local Government.
5. Authorises the Shire President, in consultation with the Chief Executive Officer, to undertake negotiations with the preferred candidate in relation to the proposed Contract of Employment, provided any amendments are consistent with the remuneration package, benefits, and key employment conditions approved by Council.
6. Subject to the preferred candidate accepting the proposed Contract of Employment, including any minor amendments agreed by the Shire President that are consistent with the remuneration package, benefits, and key employment conditions approved by Council, authorises the Shire President and Chief Executive Officer to execute the final Contract of Employment and apply the common seal of the Shire of Cranbrook in accordance with section 9.49A(1) of the Local Government Act 1995.
7. Maintains confidentiality regarding the identity of the preferred candidate until the Contract of Employment has been formally executed and the preferred candidate has confirmed that they have completed any necessary notifications and/or resignation requirements with their current employer and have authorised the Shire of Cranbrook to publicly announce their appointment.
8. Subject to the Contract of Employment being executed, certifies that Council has complied with the requirements of the Shire of Cranbrook's adopted CEO Recruitment, Performance and Termination Standards and, within 14 days of this resolution, provides confirmation of compliance to the Local Government Inspector in accordance with Regulation 18FB(4) of the Local Government (Administration) Regulations 1996.

CARRIED 6/0

FOR: Cr J Quick, Cr P Denton, Cr H Gillam,
 Cr D Egerton-Warburton, Cr P Mulcahy, Cr C Lange

AGAINST: Nil

By Absolute Majority

Voting Requirements

Simple Majority

OFFICER'S RECOMMENDATION/COUNCIL DECISION

Motion 04072026

Moved Cr Denton, seconded Cr Quick that the meeting be re-opened to members of the public.

CARRIED 6/0

FOR: Cr J Quick, Cr P Denton, Cr H Gillam,
Cr D Egerton-Warburton, Cr P Mulcahy, Cr C Lange

AGAINST: Nil

The meeting was reopened to the public at 9.37am.

REINSTATING STANDING ORDERS

Motion 05072026

Moved Cr Quick, seconded Cr Egerton-Warburton that Standing Orders be reinstated.

CARRIED 6/0

FOR: Cr J Quick, Cr P Denton, Cr H Gillam,
Cr D Egerton-Warburton, Cr P Mulcahy, Cr C Lange

AGAINST: Nil

7. CLOSURE OF MEETING

There being no further business to discuss, the Shire President, Cr Mulcahy declared the meeting closed at 9.37am.