



Shire of Esperance

SPECIAL COUNCIL

TUESDAY 3 JUNE 2025

MINUTES



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ETHICAL DECISION MAKING AND CONFLICTS OF INTEREST

Council is committed to a code of conduct and all decisions are based on an honest assessment of the issue, ethical decision-making and personal integrity. Councillors and staff adhere to the statutory requirements to declare financial, proximity and impartiality interests and once declared follow the legislation as required.

ATTACHMENTS

Please be advised that in order to save printing and paper costs, all attachments referenced in this paper are available in the original Agenda document for this meeting.

RECORDINGS

The Meeting will be live streamed. The recording will be made publicly available as soon as practical following the meeting.

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SHIRE OF ESPERANCE
MINUTES
OF THE SPECIAL COUNCIL MEETING
HELD IN COUNCIL CHAMBERS ON 3 JUNE 2025.

1. OFFICIAL OPENING

The Shire President declared the meeting open at 1:00pm and did an acknowledgement to country.

The Shire of Esperance acknowledges the Nyungar and Ngadju people who are the Traditional Custodians of this land and their continuing connection to land, waters and community. We pay our respects to Elders past, present and emerging and we extend that respect to other aboriginal Australians today.

The President welcomed Councillors, staff, guests and members of the public to the meeting. The President advised the meeting will be livestreamed. The recording will be made publicly available as soon as practical following the meeting.

2. ATTENDANCE

Members

Pres. R Chambers	President	
Cr J Obourne	Deputy President	Town Ward
Cr G Johnston		Town Ward
Cr S McMullen		Town Ward
Cr L de Haas		Town Ward
Cr S Starcevich		Rural Ward
Cr S Flanagan		Town Ward
Cr C Davies		Town Ward

Shire Officers

Mr S Burge	Chief Executive Officer
Mr M Walker	Director Asset Management
Mr R Greive	Director External Services
Mrs F Baxter	Director Corporate & Community Services
Mrs C Hoffrichter	Executive Assistant

Members of the Public & Press

3. APOLOGIES & NOTIFICATION OF GRANTED LEAVE OF ABSENCE

Previously Granted Leave of Absence

A leave of absence was previously granted to Councillor Graham for the period 18 May 2025 to 8 June 2025 inclusive.

4. DECLARATIONS OF INTERESTS:

4.1 Declarations of Financial Interests – Local Government Act Section 5.60a

Nil

4.2 Declarations of Proximity Interests – Local Government Act Section 5.60b

Nil

4.3 Declarations of Impartiality Interests – Admin Regulations Section 34c

Cr Johnston declared an Impartiality in item 7.1 Employee Legal Assistance due to her involvement in the item.

5. PUBLIC QUESTION TIME

Nil Questions

6. PURPOSE OF MEETING

Nil

7. MATTERS BEHIND CLOSED DOORS

Officer's Comment:

It is recommended that the meeting is behind closed doors for the following item, in accordance with section 5.23(2) of the Local Government Act 1995.

Moving behind closed doors

Moved: Cr McMullen

Seconded: Cr Davies

S0625-111

Council Resolution

That the meeting proceed behind closed doors in accordance with section 5.23(2) of the Local Government Act 1995, to consider the following items, which are considered confidential for the reasons indicated.

7.1 Employee Legal Assistance

This report is considered confidential in accordance with the Local Government Act 1995, as it relates to the personal affairs of any person (Section 5.23(2)(b)); and legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting (Section 5.23(2)(d)).

**CARRIED
F8 - A0**

*For: Cr Starceвич, Cr Johnston, Cr Davies, Cr Flanagan, Cr McMullen, Cr de Haas,
Cr Obourne, Pres Chambers*

MOTION

Moved: Cr Starceвич

Seconded: Cr de Haas

S0625-112

That Cr Johnston no longer be heard.

**LOST
F4 – A5**

For: Cr Starceвич, Cr de Haas, Cr Obourne, Pres Chambers

Against: Cr Davies, Cr Flanagan, Cr McMullen, Cr Johnston

There was a tie of votes requiring the presiding member to cast a second vote

RECOMMENDATION AND DECISION

7.1 Employee Legal Assistance

Moved: Cr Obourne

Seconded: Cr de Haas

S0625-113

Council Resolution

That Council support the employee identified in the report with legal representation cost indemnification, in line with POL 0037: Legal Representation Cost Indemnification.

**CARRIED
F7 – A1**

*For: Cr Starceвич, Cr Davies, Cr Flanagan, Cr McMullen, Cr de Haas,
Cr Obourne, Pres Chambers
Against: Cr Johnston*

Coming from behind closed doors

Moved: Cr Obourne

Seconded: Cr de Haas

S0625-114

Council Resolution

That the meeting come from behind closed doors.

CARRIED

F8 - A0

*For: Cr Starcevich, Cr Johnston, Cr Davies, Cr Flanagan, Cr McMullen, Cr de Haas,
Cr Obourne, Pres Chambers*

The Presiding Member read aloud the above Resolution;

8. CLOSURE

The President declared the meeting closed at 1:26pm.

These Minutes were confirmed at a meeting held on _____

Signed _____

Presiding Member at the meeting at which the Minutes were confirmed.

Dated _____