



AGENDA

Special Council Meeting

22 April 2025

3.30pm

**Kambalda Recreation Centre, Barnes Drive,
Kambalda**

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 Coolgardie for any act, omission or statement or intimation occurring during Council meetings or during formal/informal conversations with staff.

The Shire of Coolgardie 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 decisions with respect to any particular issue

ACKNOWLEDGEMENT OF COUNTRY

The Shire of Coolgardie acknowledges the Traditional Owners of the land on which we meet and acknowledges their continuing cultural connection to the Land, Waters and Community. We pay our respect to Elders past, present and emerging.

Order Of Business

1	Declaration of Opening / Announcement of Visitors	4
1.1	Acknowledgement of Country	4
2	Declaration of Council Members	4
3	Record of Attendance / Apologies / Approved Leave of Absence.....	4
4	Declarations of Interest	4
4.1	Declarations of Financial Interests – Local Government Act Section 5.60A	4
4.2	Declarations of Proximity Interests – Local Government Act Section 5.60B.....	4
4.3	Declarations of Impartiality Interests –Shire of Coolgardie Code of Conduct for Council Members, Committee Members and Candidates for Election, Code of Conduct for Employees.....	4
5	Public Question Time	4
6	Applications for Leave of Absence	4
7	Confirmation of Minutes of Previous Meetings.....	4
8	Reports of Committees.....	4
	Nil	
9	Reports of Officers	5
9.1	Executive Services	5
9.1.1	Mr James Trail Resignation.....	5
10	New Business of an Urgent Nature Introduced by Decision of Meeting	7
10.1	Elected Members.....	7
10.2	Shire Officers.....	7
11	Closure of Meeting.....	7

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS**1.1 ACKNOWLEDGEMENT OF COUNTRY**

“The Shire of Coolgardie acknowledges the Traditional Owners of the land, on which we meet and pay our respects to Elders past, present and emerging”

2 DECLARATION OF COUNCIL MEMBERS

The Shire President to invite Council Members to declare that they have read the agenda and supporting documents and able to make informed decision on all matters accordingly.

3 RECORD OF ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE**4 DECLARATIONS OF INTEREST****4.1 Declarations of Financial Interests – Local Government Act Section 5.60A****4.2 Declarations of Proximity Interests – Local Government Act Section 5.60B****4.3 Declarations of Impartiality Interests –Shire of Coolgardie Code of Conduct for Council Members, Committee Members and Candidates for Election, Code of Conduct for Employees****5 PUBLIC QUESTION TIME****6 APPLICATIONS FOR LEAVE OF ABSENCE****7 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS****8 REPORTS OF COMMITTEES**

Nil

9 REPORTS OF OFFICERS**9.1 Executive Services****9.1.1 MR JAMES TRAIL RESIGNATION**

Location: Nil
Applicant: Mr James Trail
Disclosure of Interest: Nil
Date: 22 April 2025
Author: Cr Malcolm Cullen, Shire President

SUMMARY

This item is presented for Council to accept the resignation of Mr James Trail as the Chief Executive Officer of the Shire of Coolgardie.

BACKGROUND

Mr Trail has been the Chief Executive Officer of the Shire of Coolgardie for over 9 years. Mr Trail was suspended by Council from his role on the 14 November 2024 pending an investigation.

Although the investigation has not yet been completed, Mr Trail formally tendered his resignation in writing to the Shire President through his solicitors on 17 April 2025.

COMMENT

This agenda item is presented to Council to endorse the Shire President accepting the resignation of Mr Trail from his role as the Chief Executive Officer effective as of the date of notice from the 17 April 2025 with the contract completion date being the 10 July 2025.

As the investigation is well advanced, it is incumbent on Council to allow it to continue to completion.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

As this resignation is voluntary by Mr Trail there are no statutory obligations concerning this matter.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Other than normal termination payments being made to Mr Trail for his entitlements there are no other financial implications.

STRATEGIC IMPLICATIONS**Accountable and effective leaders**

Ensuring a well-informed Council makes good decisions for the community

ATTACHMENTS

1. **Resignation Letter - Confidential**

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

That Council:

1. **Accept the resignation of Mr James Trail, provided on the 17 April 2025 with his contract ending on the 10 July 2025;**
2. **Authorise the Shire President to instruct the Shire's lawyers Civic Legal to write to Mr Trail's lawyers MDC legal to inform him of the acceptance of resignation; and**
3. **Authorise the Shire President to instruct the independent investigator Conor McFahey of PSL Legal to continue the investigation into Mr Trail to completion.**

- 10 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING**
- 10.1 Elected Members**
- 10.2 Shire Officers**
- 11 CLOSURE OF MEETING**