

Minutes

SPECIAL COUNCIL MEETING (SCM 2/24)

11 April 2024

WMRC Administration Office
2/317 Churchill Avenue, Subiaco
and
Online

CONTENTS

1. DECLARATION OF OPENING	3
2. RECORD OF ATTENDANCE AND APOLOGIES.....	3
3. DISCLOSURES OF INTERESTS.....	4
4. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	4
5. PUBLIC QUESTION TIME	4
6. APPLICATIONS FOR LEAVE OF ABSENCE	4
7. PETITIONS, APPROVED DEPUTATIONS AND PUBLIC STATEMENTS.....	4
8. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION.....	4
9. REPORTS OF COMMITTEES AND OFFICERS	5
9.1 CEO SELECTION	5
10. INFORMATION BULLETINS.....	7
11. MOTIONS FOR WHICH PREVIOUS NOTICE HAS BEEN GIVEN.....	7
12. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN.....	7
13. MEMBERS' QUESTIONS WITHOUT NOTICE	7
14. URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION	8
15. BUSINESS NOT DEALT WITH FROM A PREVIOUS MEETING	8
16. GENERAL BUSINESS.....	8
17. CLOSURE OF MEETING.....	8

1. DECLARATION OF OPENING

The Chair declared the meeting open at 5:04pm

2. RECORD OF ATTENDANCE AND APOLOGIES

Councillors

Cr. P Kelly	Chair	Town of Claremont
Cr. A Maurice	Deputy Chair	Town of Mosman Park
Cr. P Macintosh	Member	Shire of Peppermint Grove
Cr. R de Vries	Member	City of Subiaco

Staff

L Eustance	Acting Chief Executive Officer	WMRC
------------	--------------------------------	------

Leave of Absence

Nil

Visitors

E Bulloch	Principal Consultant	Beilby Downing Teal
-----------	----------------------	---------------------

Observers

1 member of the press

Apology

Cr B Wylynko	Member	Town of Cottesloe
--------------	--------	-------------------

3. DISCLOSURES OF INTERESTS

Nil

4. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

5. PUBLIC QUESTION TIME

Q: Will the decision, if made tonight, be publicised after the meeting?

A: No as the process involves negotiation with the candidate

6. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7. PETITIONS, APPROVED DEPUTATIONS AND PUBLIC STATEMENTS

Nil

8. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

It is proposed that the following item 9.1 CEO Selection be considered in a closed session
That in accordance with Sections 5.23(2) of the Local Government Act 1995, the meeting be closed to members of the public with the following aspect of the Act being applicable to these matters:

9.1 (b), (c), (e)(iii)

Moved: Cr P Macintosh

Seconded: Cr A Maurice

To proceed behind closed doors to consider item 8.1.

CARRIED: 4:0

The meeting proceeded behind closed doors and the public left the meeting at 5:08pm

9. REPORTS OF COMMITTEES AND OFFICERS

9.1 CEO SELECTION

Responsible Officer:	Acting Chief Executive Officer
Date:	9 April 2024
Attachment:	CONFIDENTIAL 9.1A Summary Report for Council – Western Metropolitan Regional Council – CEO

PURPOSE

To consider and approve making an offer to the preferred applicant for the CEO of WMRC giving regard to the report prepared on behalf of the Selection Committee at **Attachment 9.1A**

BACKGROUND

The WMRC Standards for the Recruitment (etc) of a CEO are modelled on the requirements of the *Local Government Act 1995* and the *Local Government (Administration) Regulations 1996*. These require that the selection panel's recommendation be made to Council, **Attachment 9.1A** fulfils this requirement. Council is to approve by absolute majority that an offer be made according to the terms outlined.

DETAIL AND OPTIONS ANALYSIS

At the OCM of 25 January 2024, Council appointed Beilby Downing Teal to assist in the recruitment of a new CEO for the WMRC and formed a selection panel for the recruitment process which included Councillors Kelly, Maurice and Wylynko and one Independent Member, the CEO of the Town of Claremont.

At the SCM of 7 February 2024, Council approved the Position Description to be used in the recruitment process.

The position was advertised from 16 February 2024 with a closing date of 11 March.

40 people applied for the position and interviews of 4 shortlisted candidates took place on 4 April 2024

Local Government (Administration) Regulations Schedule 2 Clause 11 states that:

Before making an applicant an offer of employment in the position of CEO, the local government must, by resolution of an absolute majority of the council, approve —

- (a) the making of the offer of employment to the applicant; and
- (b) the proposed terms of the contract of employment to be entered into by the local government and the applicant.

This is the purpose of this meeting.

Once the appointment is finalised, and according to *Local Government (Administration) Regulation 18FB (3)* that the WMRC must certify by Absolute Majority that the person has been employed in accordance with the WMRC standards for the recruitment of CEOs and under *Regulation 18FB (4)*

this resolution must be passed to the CEO of the DLGSC within 14 days of the resolution being passed.

RISK MANAGEMENT

The recruitment of the right CEO for WMRC will be an essential part of managing governance, reputational, strategic, commercial, health and safety, financial, operational, and other risks.

COMMUNICATION AND CONSULTATION

Nil

REPORT IMPLICATIONS

Legislation and Policy Alignment

The recruitment of a CEO is the subject of CP – Standards for CEO Recruitment, Performance and Termination (Attachment 10.5C). This references the following:

Local Government Act 1995 S5.36, S5.39, S5.40

Local Government (Administration) Regulations 18A, 18FA, 18FB and Schedule 2

Business and Strategic Alignment

This matter is important for the achievement of all six key strategies with a particular importance to:

1. Achieve a comprehensive cost-effective waste management service across the region
5. Maintain a safe, strong and capable organisation

Financial and Resource Implications

The funds required for the recruitment exercise are included in the reviewed budget for FY 2023-24.

COMMENTS

Nil

VOTING REQUIREMENT

Absolute majority

MOVED: Cr R deVries

SECONDED: Cr P Macintosh

RESPONSIBLE OFFICER'S RECOMMENDATIONS

9.1.1 Council receives the information provided in Beilby Downing Teal's "Summary Report for Council – Western Metropolitan Regional Council – CEO"

9.1.2 Council makes an offer of employment to the preferred candidate noted in the report and progresses the offer of contract with them based on the WALGA CEO standard contract and a Total Reward Package for SAT Band 4.

A recommendation additional to the above was

MOVED: Cr R deVries

SECONDED: Cr P Macintosh

CARRIED: 4:0

9.1.3 The Chair and Deputy Chair liaise with the preferred candidate to finalise the draft contract for Council consideration and approval.

The substantive motion was put and became:

COUNCIL RESOLUTION

9.1.1 Council receives the information provided in Beilby Downing Teal’s “Summary Report for Council – Western Metropolitan Regional Council – CEO”

9.1.2 Council makes an offer of employment to the preferred candidate noted in the report and progresses the offer of contract with them based on the WALGA CEO standard contract and a Total Reward Package for SAT Band 4.

9.1.3 The Chair and Deputy Chair liaise with the preferred candidate to finalise the draft contract for Council consideration and approval

CARRIED: 4:0

Moved: Cr P Macintosh

Seconded: Cr A Maurice

To return to public session.

CARRIED: 4:0

The meeting returned to public session at 5:42pm

The resolution passed behind closed doors was read out.

10. INFORMATION BULLETINS

Nil

11. MOTIONS FOR WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

12. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

13. MEMBERS’ QUESTIONS WITHOUT NOTICE

Nil

14. URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

Nil

15. BUSINESS NOT DEALT WITH FROM A PREVIOUS MEETING

Nil

16 GENERAL BUSINESS

Nil

17 CLOSURE OF MEETING

The meeting was closed at 5:45pm