

Minutes

SPECIAL COUNCIL MEETING (SCM 3/24)

18 April 2024
Commencing at 4.00 PM

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

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1. DECLARATION OF OPENING

The Chair declared the meeting open at 4:06pm

2. RECORD OF ATTENDANCE AND APOLOGIES

Councillors

Cr. P Kelly	Chair	Town of Claremont
Cr. A Maurice (online)	Deputy Chair	Town of Mosman Park
Cr. R de Vries (online)	Member	City of Subiaco
Cr B Wylynko (online from 4:15pm)	Member	Town of Cottesloe

Staff

L Eustance	Acting Chief Executive Officer	WMRC
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Leave of Absence

Nil

Visitors

Observers

Apology

Cr. P Macintosh	Member	Shire of Peppermint Grove
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Councillors Maurice and de Vries made declarations of confidentiality as required under the *Local Government (Administration) Regulations 14D (6) (7) (8)*.

3. DISCLOSURES OF INTERESTS

Nil

4. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

5. PUBLIC QUESTION TIME

Nil

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 Endorsement 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 A Maurice

Seconded: Cr R deVries

To proceed behind closed doors to consider item 9.1.

CARRIED: 3:0

The meeting proceeded behind closed doors at 4:08pm

9. REPORTS OF COMMITTEES AND OFFICERS

9.1 CEO ENDORSEMENT

Responsible Officer:	Acting Chief Executive Officer
Date:	17 April 2024
Attachment:	CONFIDENTIAL 9.1A CEO Employment Contract

PURPOSE

To endorse the employment of a CEO for WMRC under the terms in the contract 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 WMRC must certify by Absolute Majority that the person has been employed in accordance with the WMRC standards for the recruitment of CEOs and that this resolution must be passed to the CEO of the DLGSC within 14 days of the resolution being passed.

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 2024.

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

At the SCM of 11 April 2024 the Council approved making an offer of employment to the selections panel's preferred candidate and for the Chair and Deputy Chair to liaise with the applicant to finalise a contract for Council consideration.

The Contract is based on the WALGA template and has been reviewed by Employment Lawyers.

RISK MANAGEMENT

The employment of a CEO for WMRC under robust contractual obligations 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. 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

Cr. Wylynko joined the meeting at 4:15pm and made a declaration of confidentiality as required under the *Local Government (Administration) Regulations 14D (6) (7) (8)*

Moved: Cr A Maurice

Seconded: Cr R deVries

RESPONSIBLE OFFICER'S RECOMMENDATION AND COUNCIL RESOLUTION

9.1.1 Council endorses the employment of the preferred candidate as CEO of WMRC under the terms of the employment contract presented.

9.1.2 Council certifies that the employment is in accordance with WMRC Standards for the recruitment of CEOs.

9.1.3 Council authorises the Acting CEO to send a copy of these resolutions to the Department of Local Government, Sport and Cultural Industries within 14 days.

CARRIED: 4:0

Moved: Cr R deVries

Seconded: Cr B Wylynko

To return to public session.

CARRIED: 4:0

The meeting returned to public session at 4:16 pm

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

17 GENERAL BUSINESS

Nil

18 CLOSURE OF MEETING

The meeting was closed at 4:17pm