



MINUTES

SPECIAL COUNCIL MEETING

Held on

Wednesday 4 January 2023

Commenced at 10.00am

Shire of Boyup Brook Council Chambers, Boyup Brook

Dale Putland
Chief Executive Officer

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1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

We acknowledge and pay our respects to the traditional custodians of the land on which we meet and work.

2. RECORD OF ATTENDANCE

COUNCILLORS:	Shire President	Richard F Walker
	Deputy Shire President	Helen C O’Connell
	Councillor	Sarah E G Alexander (MS Teams)
		Steele Alexander (MS Teams)
		Philippe Kaltenrieder
		Darren E King
		Kevin J Moir
		Adrian Price

STAFF:	Deputy CEO	Carolyn Mallett
	Acting Executive Assistant	Maggie Le Grange

APOLOGIES:

LEAVE OF ABSENCE:

Charles A D Caldwell

MEMBERS OF PUBLIC:

3. DISCLOSURE OF INTEREST

Nil

4. REPORT

4.1 Terms of Reference for Selection Committee & CEO Position Description

Location:	<i>Not applicable</i>
Applicant:	<i>Not applicable</i>
Disclosure of Officer Interest:	<i>None</i>
Date:	<i>3 January 2023</i>
Author:	<i>Maggie Le Grange – Acting EA</i>
Authorising Officer:	<i>Carolyn Mallett – Deputy CEO</i>
Attachments:	<i>1. Terms of Reference 1. CEO Position Description</i>

SUMMARY

This Report is for Council to consider and endorse the Terms of Reference for the Chief Executive Officer (CEO) Selection Committee which has been established to lead Council in recruiting a new CEO following the resignation of the CEO (as per attachment 1 as was tabled at its Ordinary Council Meeting held 15 December 2022), and to consider and endorse the CEO Position Description (incorporating Selection Criteria) per attachment 2.

BACKGROUND

At the Ordinary Council Meeting held 15 December 2022, Council resolved to establish a CEO Selection Committee and appointed Councillors and independent members to the Committee, to commence the recruitment process for a new CEO.

The CEO Selection Committee acts in accordance with its Terms of Reference which sets out the membership, responsibilities, authority and operations of the Committee.

Councillors and Emily Bulloch from Beilby Downing Teal (the recruitment organisation) workshopped the CEO Position Description on 22 and 23 December 2022.

COMMENT

One of the fundamental roles of the Council is the employment of the local government's CEO. The CEO is responsible for implementing the council's strategic vision and leading the local government administration. A local government must select a CEO in accordance with the principles of merit, equity and transparency.

Under the *Local Government (Administration) Amendment Regulations, 2021*, the Guidelines for the Local Government CEO Recruitment and Selection were amended February 2021. Local Government Councils are now required to develop Terms of Reference relating to the management and implementation of the future CEO recruitment process and Council are required to endorse the CEO Position Description including selection criteria.

Local Government (Administration) Amendment Regulations 2021 – Schedule 2, Clause 5 (2): Determination of selection criteria and approval of job description form by Council;
(a) the duties and responsibilities of the position; and
(b) the selection criteria for the position determined in accordance with subclause (1).

The Committee may close the meeting or part of the meeting to members of the public if the meeting deals with any of the matters listed in section 5.23(2)— (a) a matter affecting an employee or employees; and (b) the personal affairs of any person; and various other matters.

It is recommended that Council adopt the Terms of Reference for the CEO Selection Committee as per attachment 1 as was tabled at its Ordinary Council Meeting held 15 December 2022 and endorse the CEO Position Description (incorporating Selection Criteria) as per attachment 2.

CONSULTATION

Councillors were provided with a copy of the Terms of Reference and the Position Description in electronic and hard copy form for review and evaluation.

STATUTORY OBLIGATIONS

Local Government Act 1995

Local Government (Administration) Regulations 1996

Local Government (Administration) Amendment Regulations 2021 – Schedule 2, Clause 5 (Refer excerpt below);

5. **Determination of selection criteria and approval of job description form**
 - (1) The local government must determine the selection criteria for the position of CEO, based on the local government's consideration of the knowledge, experience, qualifications and skills necessary to effectively perform the duties and responsibilities of the position of CEO of the local government.
 - (2) The local government must, by resolution of an absolute majority of the council, approve a job description form for the position of CEO which sets out —
 - (a) the duties and responsibilities of the position; and
 - (b) the selection criteria for the position determined in accordance with subclause (1).

POLICY IMPLICATIONS

Nil

BUDGET/FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Absolute Majority

COUNCIL DECISION & OFFICER RECOMMENDATION – Item 4.1

MOVED: Cr Helen C O’Connell

SECONDED: Cr Darren E King

That Council:

- 1. Adopt the Terms of Reference for the CEO Selection Committee (Attachment 1) for its CEO Selection Committee tabled at its Ordinary Council Meeting held 15 December 2022.**
- 2. Endorse the “CEO Position Description” (Attachment 2) as amended.**

CARRIED 8/0

Res 23/01/001

5. CLOSURE OF MEETING

There being no further business the Shire President, thanked all for attending and declared the meeting closed at 10.09am.