



Special Council Meeting

13 March 2024

Commencing at 1:00 PM

Agenda

Notice of Meeting.

To: The President and Councillors.

A Special Council Meeting of the Shire of Toodyay will be held at the Shire of Toodyay Council Chambers, 15 Fiennes Street, Toodyay WA 6566 on the above-mentioned date and time.

The Special Meeting of Council is for the purpose of appointment of a temporary CEO and all matters related thereto.

Tabitha Bateman

ACTING CHIEF EXECUTIVE OFFICER



Our Vision, Purpose and Values

The Shire of Toodyay's Plan for the Future (Council Plan 2023-2033) is the Community's Strategic Plan outlining the direction that the Shire is undertaking to meet the needs and aspirations of its community.

Our Vision

A caring and visionary rural community, working together to preserve and enrich Toodyay's environment, character and lifestyle.

Our Purpose

The Shire of Toodyay exists to meet the needs of current and future generations through an integration of environmental protection, social advancement and economic prosperity.

Our Values

We conduct ourselves in line with values the local community cares deeply about:

- **Integrity** - we behave honestly to the highest ethical standard;
- **Accountability** – we are transparent in our actions and accountable to the community;
- **Inclusiveness** – we are responsive to the community and we encourage involvement by all people; and
- **Commitment** – we translate our plans into actions and demonstrate the persistence that will provide results.

Community Aspirations

There are five core performance areas in this plan: People, Planet, Place, Prosperity, and Performance. These areas are interrelated, and each must be satisfied to deliver excellent quality of life in the Shire of Toodyay.

For each area, there is an overarching aspirational statement and desired outcomes, summarised in the Council Plan which is available on the Shire's website at: <https://www.toodyay.wa.gov.au/documents/432/council-plan-plan-for-the-future-2023-2033>

Disclaimer

Any discussion regarding a planning matter or other application that any statement or intimation of approval made by any member or officer of the Shire of Toodyay during the course of any meeting is not intended to be and is not to be taken a notice of approval from Council. No action should be taken on any item discussed at a Council Meeting prior to written advice on the resolution of the Council being received. Any plans or documents contained in this document may be subject to copyright law provisions (*Copyright Act 1998*, as amended) and the express permission of the copyright owner(s) should be sought prior to reproduction.

Availability of Meeting Agenda and its Attachments

Information about Council Meetings is located on the website

<http://www.toodyay.wa.gov.au/Council/Council-Meetings>

Agendas & Minutes are located under the heading "Council Meetings" at

<http://www.toodyay.wa.gov.au/Council/Council-Meetings/Agendas-Minutes-and-Notes>

Public copies are available by contacting the Shire on (08) 9574 9300.



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1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Presiding Member is to run through the Preliminaries, and to declare the Ordinary Meeting of Council open.

Acknowledgement of Country: *"I acknowledge the Ballardong Noongar people, the traditional custodians of the land where we meet today and the Yued and Whadjuk people, who are traditional custodians of respective lands within the wider Shire of Toodyay. I pay my respect to their Elders, past, present and emerging."*

2 RECORDS OF ATTENDANCE**2.1 APOLOGIES****2.2 APPROVED LEAVE OF ABSENCE**

Nil

3 DISCLOSURE OF INTERESTS**4 PUBLIC QUESTIONS****4.1 PUBLIC QUESTION TIME****5 PUBLIC SUBMISSIONS**

6 OFFICER REPORTS

6.1 EXECUTIVE SERVICES

6.1.1 Appointment of Temporary CEO

Date of Report:	13 March 2024
Applicant or Proponent:	Shire of Toodyay
File Reference:	STR87
Author:	M Rebane – Executive Assistant
Responsible Officer:	T Bateman – Executive Manager Corporate and Community Services
Previously Before Council:	28 Feb 2024
Author's Disclosure of Interest:	Nil
Council's Role in the matter:	Executive
Attachments:	Nil

PURPOSE OF THE REPORT

To consider the appointment of a Temporary CEO.

BACKGROUND

At the February 2024 Council Meeting Council resolved the following:

That Council

- Confirms the 1st preference and 2nd preference candidates for the position of Temporary Chief Executive Officer (CEO) as per **Confidential Attachment 2**.*
- Confirms a Temporary CEO is to be appointed at the earliest opportunity.*
- Notes notwithstanding Clause 5 (c) of the Council Policy - Temporary Employment or Appointment of CEO (The Policy), it is expected the term of the position of Temporary CEO shall be until the appointment of a substantive CEO.*
- Request the President to, in accordance with the Policy, negotiate and agree a remuneration and benefits package with the Temporary CEO, equivalent to the value of the substantive CEO's current total package, including the provision of housing or accommodation within the Temporary CEO package if required, with administrative assistance from the Executive Manager of Corporate and Community Services.*
- In the event that the value of the total remuneration package cannot be agreed with the Temporary CEO directs the President to bring the proposed package to Council for consideration and approval, prior to agreeing with the Temporary CEO.*
- Requests the President to negotiate with and confirm the appointment of the first preference candidate as Temporary CEO in accordance with Council Policy.*

7. *In the event that the first preference candidate is unavailable, requests the President to, in accordance with the Policy, negotiate with and confirm the appointment of the second preference candidate as Temporary CEO.*
8. *Request the President to, in accordance with the Policy, execute the appointment of the Temporary CEO.*

COMMENTS AND DETAILS

The Shire President called a meeting for the purpose of appointment of a Temporary CEO.

IMPLICATIONS TO CONSIDER

Consultative:

Nil

Strategic:

Shire of Toodyay Council Plan 2023-2033

The Shire regulates compliance with legislation, regulations, local laws and policies.

Outcome 9. Responsible and effective leadership and governance.

9.1. Provide strong, clear, and accountable leadership.

Policy related:

Temporary Employment and Appointment of CEO

Standards for CEO Recruitment, selection, performance and termination

Financial:

There are financial implications that will be considered as part of the mid-year budget review.

Legal and Statutory:

s.5.36 and s.5.39 *Local Government Act 1995*.

Risk related:

The recruitment process for a CEO will take some time which is the reason why Council moved a resolution at their February 2024 meeting to appoint a temporary CEO. The risk is high (15) should Council delay the appointment. This report mitigates the risk.

Workforce related:

The Executive Manager Corporate and Community Services will be responsible for assisting the Shire President with contractual paperwork for the temporary CEO's appointment.

VOTING REQUIREMENTS

Absolute Majority

OFFICER'S RECOMMENDATION 1

That Council:

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7 CLOSURE OF MEETING