



# Special Council Meeting

17 July 2024

Commencing at 6:00 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 has been called by the Shire President.

The Special Meeting of Council is for the purpose of considering recommendations made by the CEO Selection and Recruitment Committee held on 17 July 2024 and all matters related thereto.

Grace French

**ACTING EXECUTIVE MANAGER CORPORATE AND COMMUNITY SERVICES**



## 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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**ATTACHMENTS** can be found in the Attachments Paper on the Council website alongside this agenda.

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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 CSRC Recommendations

Date of Report:	17 July 2024
Applicant or Proponent:	CEO Recruitment and Selection Committee
File Reference:	STR87
Author:	M Rebane – Executive Assistant
Responsible Officer:	T Bateman – Acting CEO
Previously Before Council:	N/A
Author’s Disclosure of Interest:	Nil
Council’s Role in the matter:	Executive
Attachments:	<ol style="list-style-type: none"> <li>1. Draft Contract; and (confidential) <i>Section 5.23(2) (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting (under separate cover)</i></li> <li>2. Checklist / Schedule; and</li> <li>3. Special Council Meeting Notice.</li> </ol>

**PURPOSE OF THE REPORT**

To consider recommendations made by the CEO Selection and Recruitment Committee.

**BACKGROUND**

The Committee held two workshops in early July 2024 to look at the draft contract. The CEO Selection and Recruitment Committee met on 17 July 2024 at which time they made a total of two recommendations to Council.

**COMMENTS AND DETAILS**

The Committee recommendations are recommended.

**IMPLICATIONS TO CONSIDER**

**Consultative:**

Nil.

**Strategic:**

**Shire of Toodyay Council Plan 2023-2033**

**Outcome 9. Responsible and effective leadership and governance.**

9.1. Provide strong, clear, and accountable leadership.

**Policy related:**

Standards for CEO recruitment, selection, performance and termination  
Temporary Employment and Appointment of CEO

**Financial:**

Nil.

**Legal and Statutory:**

*Local Government Act 1995*

*Local Government (Administration) Regulations 1996*

**Risk related:**

Committee recommendations are required to be considered at the next meeting of Council. The risk is low but could represent as moderate (high-12) if the recruitment process is delayed. This report mitigates the risk.

**Workforce related:**

Nil.

**VOTING REQUIREMENTS**

Absolute Majority

**CEO SELECTION AND RECRUITMENT COMMITTEE RECOMMENDATION 1**

That Council:

1. Receives the attached proposed CEO contract including CEO position description (as previously endorsed by Council) and statutory performance criteria, with schedule items to be resolved by Council.
2. Obtains independent legal and Human Resource advice prior to executing the contract with the CEO to ensure contract meets the requirements of current appropriate legislation.
3. Notes that
  - (a) the contract is based on the Western Australian Local Government Association's (WALGA) template and there have been no changes to the intent of contract clauses.
  - (b) The committee considered each clause of the contract on its merit to meet the requirements of the Shire of Toodyay and made minor editorial adjustment.
  - (c) The committee considered each performance criteria in detail against the position description and adjusted to ensure measurable key performance indicators.
  - (d) the WALGA contract template was last reviewed for legal compliance by WALGA engaged consultants in 2022.

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**CEO SELECTION AND RECRUITMENT COMMITTEE RECOMMENDATION 2**

That Council notes that the Committee have met the requirements of the recruitment process in accordance with the following:

- Standards for CEO recruitment, selection, performance, and termination Policy;
- Temporary Employment or Appointment of CEO Policy;
- *Local Government Act 1995; and the*
- *Local Government (Administration) Regulations 1996.*

**7 CLOSURE OF MEETING**

