



Date: 16 August 2021

To: Shire President
All Councillors

Copy: Directors
Managers
Staff

SPECIAL COUNCIL MEETING NOTICE AND AGENDA

A Special Council meeting of the Shire of Waroona will be held in the Council Chambers on 19 August 2021 at 5.00pm to consider and resolve the matters set out in the attached Agenda.

A handwritten signature in black ink, appearing to read "D. Unsworth", is written over a light blue horizontal line.

**DEAN UNSWORTH
CHIEF EXECUTIVE OFFICER**

PUBLIC QUESTION TIME

1. The order of business allows for a Public Question time at the beginning of the Meeting.
2. If you wish to ask a Question about an Agenda Item before it is considered then it is recommended to be made at the Public Question Time at Item 4 on the Agenda Notice Paper in accordance with Council's Procedures and Guidelines for Public Question Time.
3. The visual or vocal recording of Council meeting proceedings is expressly prohibited, unless the prior approval of the Council has been given.

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AGENDA

1. **DECLARATION OF OPENING/ANNOUNCEMENTS OF VISITORS**
2. **ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE**
3. **RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**
4. **PUBLIC QUESTION TIME**
5. **PETITIONS AND APPROVED DEPUTATIONS**
6. **CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**
N/A
7. **ANNOUNCEMENTS BY THE PRESIDING MEMBER**
8. **ANNOUNCEMENTS BY MEMBERS**
9. **DISCLOSURES OF INTEREST**

(Disclosure of interest MUST ALSO be made by the member or officer immediately prior to a matter, for which an interest is being disclosed, is dealt with.)
10. **RECEPTION OF MINUTES AND RECOMMENDATIONS OF COMMITTEES**
N/A
11. **REPORTS OF THE CHIEF EXECUTIVE OFFICER AND OFFICERS**

11.1 CHIEF EXECUTIVE OFFICER

11.1.1 CEO Recruitment Panel – Terms of Reference -2021	
File Ref:	1/7
Previous Items:	N/A
Applicant:	N/A
Author and Title:	Dean Unsworth, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Appendix Number	11.1.1

OFFICERS RECOMMENDATION/COUNCIL RESOLUTION:

Council endorse the CEO Recruitment Panel–Terms of Reference 2021 as per Attachment 11.1.1 to comply with the Standards and relevant regulations.

SUMMARY/MATTER FOR CONSIDERATION:

On the 27 July, 2021, Council endorsed the Standards for the CEO Recruitment, Performance and Termination. In accordance with these Standards Council is to consider the CEO Recruitment Panel – Terms of Reference.

ATTACHMENTS:

Attachment 11.1.1 “CEO Recruitment Panel – Terms of Reference 2021”.

BACKGROUND:

Under the Local Government (Administration) Amendment Regulations 2021 the Guidelines for the Local Government CEO Recruitment and Selection, Performance Review and Termination were amended February 2021. Local Government Councils are now required develop or update policies, procedures and/or terms and reference that relate to the management and implementation of future CEO recruitment, selection, performance and termination processes.

On this basis the Council having endorsed Standards to comply with the above regulations is required to consider and endorse the CEO Recruitment Panel – Terms of Reference 2021, that is attached to agenda item, in line with the regulations and to enable the recently formed CEO Recruitment Panel in view of the CEO’s resignation received and accepted by Council.

COMMENT:

None

STATUTORY ENVIRONMENT:

None

POLICY IMPLICATIONS:

None

BUDGET/FINANCIAL IMPLICATIONS:

None

STRATEGIC IMPLICATIONS:

Nil

11.1.2 CEO Recruitment Panel – Confidentiality Agreement 2021	
File Ref:	54/1
Previous Items:	N/A
Applicant:	N/A
Author and Title:	Dean Unsworth, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Appendix Number	11.1.2

OFFICERS RECOMMENDATION/COUNCIL RESOLUTION:

That Council endorse the “Confidentiality Agreement” as per Attachment 11.1.2 to comply with the Standards and relevant regulations.

SUMMARY/MATTER FOR CONSIDERATION:

On the 27 July 2021, Council endorsed the Standards for the CEO Recruitment, Performance and Termination. In accordance with these Standards Council is to consider the CEO Recruitment Panel – Confidentiality Agreement 2021.

ATTACHMENTS:

Attachment 11.1.2 “CEO Recruitment Panel – Confidentiality Agreement 2021”

BACKGROUND:

Under the Local Government (Administration) Amendment Regulations 2021 the Guidelines for the Local Government CEO Recruitment and Selection, Performance Review and Termination were amended February 2021. Local Government Councils are now required to develop and implement a Confidentiality Agreement that the panel members are obliged to adhere too when members are elected to form part of a CEO Recruitment and Selection

The Council recently have endorsed a CEO Recruitment Panel to commence the recruitment process in view of the Shire’s current CEO resignation. To comply with the Standards and Regulations the Council is requested to consider and endorse the attached “Confidentiality Agreement” for the CEO Recruitment Panel.

Upon Council endorsement all members of the panel will be required to sign the Confidentiality Agreement and be provided with a copy of the CEO Recruitment Panel – Terms of Reference 2021.

COMMENT:

None

STATUTORY ENVIRONMENT:

None

POLICY IMPLICATIONS:

None

BUDGET/FINANCIAL IMPLICATIONS:

None.

STRATEGIC IMPLICATIONS:

Nil

11.1.3 CEO Recruitment 2021 – Position Description	
File Ref:	54/1
Previous Items:	N/A
Applicant:	N/A
Author and Title:	Dean Unsworth, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements:	Absolute Majority
Appendix Number	11.1.3

OFFICERS RECOMMENDATION/COUNCIL RESOLUTION:

That Council endorse the revised “CEO Position Description” as per Attachment 11.1.3 to comply with the Standards and relevant regulations.

SUMMARY/MATTER FOR CONSIDERATION:

On the 27 July 2021, Council endorsed the Standards for the CEO Recruitment, Performance and Termination. In accordance with these Standards and Regulations, Council is now required consider revised CEO Position Description before the commencement of the CEO Recruitment and Selection Process including advertising.

ATTACHMENTS:

Attachment 11.1.3 “CEO Position Description 2021”.

BACKGROUND:

The Local Government (Administration) Amendment Regulations 2021 the Guidelines for the Local Government CEO Recruitment and Selection, Performance Review and Termination were amended February 2021. Local Government Councils are now required to endorse the position description for the role of CEO before the commencement of a CEO Recruitment and Selection process including advertising.

The Council recently have endorsed a CEO Recruitment Panel to commence the recruitment process in view of the Shire’s current CEO resignation. Therefore, to comply with the Standards and Regulations the Council is required to consider and endorse the attached revised CEO Position Description.

COMMENT:

None

STATUTORY ENVIRONMENT:

None

POLICY IMPLICATIONS:

None

BUDGET/FINANCIAL IMPLICATIONS:

Not known.

STRATEGIC IMPLICATIONS:

Nil

CONFIDENTIAL ITEM

**A contract entered into, or which may be entered into, by the local government.
Local Government Act 1995 section 5.23(2)(c)**

11.1.4 Confidential Item CEO Recruitment 2021 – Employment Contract	
File Ref:	54/1
Previous Items:	N/A
Applicant:	N/A
Author and Title:	Dean Unsworth, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements:	Absolute Majority
Appendix Number	11.1.4

OFFICERS RECOMMENDATION/COUNCIL RESOLUTION:

Council endorse the revised “CEO Employment Contract” as per **Attachment 11.1.4** to comply with the Standards and relevant regulations.

SUMMARY/MATTER FOR CONSIDERATION:

On the 27 July 2021, Council endorsed the Standards for the CEO Recruitment, Performance and Termination. In accordance with these Standards and Regulations, Council is now required to consider revised CEO Employment Contract before the commencement of the CEO Recruitment and Selection Process.

ATTACHMENTS:

Attachment 11.1.4 “CEO Employment Contract” terms and conditions.

BACKGROUND:

The Local Government (Administration) Amendment Regulations 2021 the Guidelines for the Local Government CEO Recruitment and Selection, Performance Review and Termination were amended February, 2021. Local Government Councils are now required to endorse CEO Employment Contract terms and conditions.

The remuneration package for this role is in line with the Salaries and Allowances Tribunal under Section 7A of the Salaries and Allowances Act 1975. The Council is a category Band 3 with a remuneration package ranging from \$157,920 to \$260,471 per annum depending on qualifications and experience and in line with contract negotiations with the preferred candidate.

The Council recently have endorsed a CEO Recruitment Panel to commence the recruitment process in view of the Shire’s current CEO role sharing with Shire of Murray will cease by end of 2021. Therefore, to comply with the Standards and Regulations the Council is required to consider and endorse the attached revised CEO Employment Contract 2021 in line with Category Band 3 remuneration package.

When the CEO Recruitment Panel are ready to recommend a preferred candidate to Council, having gone through the recruitment process, the attached employment contract terms and conditions will form part of the contract negotiations. This contract will be completed and presented to Council for endorsement of the new CEO with the contract remuneration details.

COMMENT:

None

STATUTORY ENVIRONMENT:

None

POLICY IMPLICATIONS:

None

BUDGET/FINANCIAL IMPLICATIONS:

Not known.

STRATEGIC IMPLICATIONS:

Nil

- 12. BUSINESS LEFT OVER FROM A PREVIOUS MEETING**
- 13. ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**
- 14. NOTICE OF MOTIONS FOR CONSIDERATION AT A FOLLOWING MEETING**
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