



# MINUTES

**For the**

**SPECIAL MEETING  
OF COUNCIL**

**held on**

**WEDNESDAY, 20 JUNE 2018**

The purpose of the meeting was to consider appointing an Acting Chief Executive Officer.

**PLEASE READ THE FOLLOWING DISCLAIMER BEFORE PROCEEDING**

Members of the public are cautioned against taking any action on Council decisions, on items in these Minutes in which they may have an interest, until such time as they have been advised in writing by Council staff.

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I certify that this copy of the Minutes is a true and correct record of the special meeting held on 20 June 2018

Signed: .....  
Presiding Elected Member

Date:.....



## MINUTES OF THE SPECIAL COUNCIL MEETING HELD IN THE COUNCIL CHAMBERS ON WEDNESDAY, 20 JUNE 2018 COMMENCING AT 6.00PM

<b>PRESENT:</b>	Councillors	Cr M T Smith (President) Cr B Wyse (Deputy President) Cr A J Gillam Cr M Leonard ( <i>via teleconference from Arrubidy Station, WA</i> ) Cr I Scott Cr K L Wilson
	Staff	Mr S D Ivers – (Acting) Chief Operating Officer Mrs D K Chandler - Coordinator Executive Services
	Apologies	Cr S F Gumley, Cr I F West, Mr D J Simmons
	Gallery	Mr J Arden

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### 1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Shire President welcomed all in attendance, including Cr Leonard via teleconference from Arrubidy Station, WA, and Mr Jon Arden in the gallery.

### 2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

Cr S F Gumley, Cr I F West, Mr D J Simmons.

### 3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

### 4. PUBLIC QUESTION TIME

Nil.

### 5. APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

## 6. OFFICER REPORTS

### OFFICE OF THE CEO

CEO 01-06/18

**Subject:** Chief Executive Officer Leave Arrangements  
**Reporting Executive:** Shire President  
**File Reference:** PE.RE.SIM01; PE.RE.IVE01  
**Voting Requirements:** Simple Majority

#### Council Role:

- Advocacy** When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
- Executive** The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
- Legislative** Includes adopting local laws, local planning schemes and policies.
- Review** When Council reviews decisions made by Officers.
- Quasi-judicial** When Council determines an application/matter that directly affects a person's rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice e.g. local planning applications, building licences, other permits/licences (e.g. under Health Act, Dog Act or local laws) and other decisions that may be appealable to the State Administrative Tribunal (SAT).

#### Report Purpose:

To seek Council's endorsement to appoint Mr Shane Ivers as acting Chief Executive Officer.

#### OFFICER'S RECOMMENDATION AND COUNCIL DECISION S010618:

**MOVED: Cr Wyse**

**SECONDED: Cr Wilson**

**That Council appoints Mr Shane Ivers as Acting Chief Executive Officer on a commensurate pro rata cash salary as the Chief Executive Officer for the duration of Mr Darren Simmons' leave.**

**VOTING DETAILS:**

**CARRIED 6/0**

#### Attachment:

Nil.

#### Background:

The CEO is not currently in a position to appoint an acting CEO due to the CEO14 delegation conditions that limit such appointments to substantive position of Director – roles that are no longer part of Council's approved executive management structure.

Therefore, Council is required to appoint an Acting Chief Executive Officer to be responsible for the Shire's day-to-day operations and assume the statutory requirements of the position during the CEO's leave absence.

**President's Comment:**

The Chief Executive Officer has recently been in contact with the Shire President and has advised that temporary, urgent leave is required at short notice, therefore, it is recommended that Council appoint Mr Shane Ivers, Council's acting Chief Operating Officer as acting CEO for the duration of Mr Darren Simmons' leave, being suitably qualified (based on his academic degree qualifications and significant management experience within the resources and local government sectors), availability and being personally agreeable for consideration of such appointment.

**Stakeholder Engagement:**

Shire President  
Acting Chief Operating Officer

**Financial/Resource Implications:**

A higher duties payment will be applicable.

**Statutory Environment:**

Local Government Act 1995

**Policy Implications:**

Nil.

**Risk Implications:**

As the impact of an adverse consequence arising from Council's decision not to appoint an acting CEO is considered major with a likelihood of likely, the overall risk rating is high.

**Strategic Implications:**

Strategic Community Plan 2017 - 2027  
4.3.3 Promote workplace health, safety and well-being

**7. CLOSURE**

There being no further business, the Presiding Member declared the meeting closed at 6.03pm.

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20 June 2018

*Signed:* .....  
Presiding Elected Member

Date:.....