



# AGENDA

FOR THE

## SPECIAL MEETING OF COUNCIL

TO BE HELD ON  
TUESDAY, 10 JULY 2018

The purpose of the meeting is to consider a confidential staff matter.

**PLEASE READ THE FOLLOWING DISCLAIMER BEFORE PROCEEDING**

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

# NOTICE OF MEETING

PLEASE BE ADVISED THAT THE

## SPECIAL MEETING OF COUNCIL

The purpose of the meeting is to consider a confidential staff matter.

COMMENCING AT 6.00PM

TUESDAY, 10 JULY 2018

IN THE COUNCIL CHAMBERS, 11-13 WALDECK  
STREET, DONGARA, WA.



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Mike Smith  
Shire President

10 July 2018

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### DISCLAIMER

The advice and information contained herein is given by and to the Council without liability or responsibility for its accuracy. Before placing any reliance on this advice or information, a written inquiry should be made to the Council giving entire reasons for seeking the advice or information and how it is proposed to be used.

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## **AGENDA FOR SPECIAL COUNCIL MEETING TO BE HELD IN THE COUNCIL CHAMBERS ON TUESDAY, 10 JULY 2018 AT 6PM.**

<b>PRESENT:</b>	Councillors	Cr M T Smith (President) Cr B Wyse (Deputy President) Cr M Leonard Cr I Scott Cr I F West Cr K L Wilson
	Staff	Mr S D Ivers – Acting Chief Operating Officer Mrs D K Chandler – Coordinator Executive Services
	Apologies	Cr A J Gillam and Cr S F Gumley

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**1. DECLARATION OF OPENING / ATTENDANCES / APOLOGIES / LEAVE OF ABSENCE**

**2. DECLARATION OF PURPOSE OF MEETING**

The purpose of this meeting is to consider a confidential staff matter.

**3. DECLARATIONS OF INTEREST**

Nil.

**4. PUBLIC QUESTION TIME**

Nil. No public questions will be taken as the purpose of the meeting is to be discussed behind closed doors in accordance with Section 5.23(2)(a).

**5. MATTERS BEHIND CLOSED DOORS**

**5.1 Confidential Staff Matters**

## 6. SHIRE PRESIDENT'S REPORT

### OFFICE OF THE CEO

CEO01-07/18

**Subject:** Appointment of Acting Chief Executive Officer  
**Reporting Executive:** Shire President  
**File Reference:** PE.RE.SIM01; PE.RE.IVE01  
**Voting Requirements:** Absolute 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.

#### SHIRE PRESIDENT'S RECOMMENDATION:

That Council, by Absolute Majority:

- (a) Appoint Mr Shane Ivers as Acting Chief Executive Officer of the Shire of Irwin until Council have formally appointed a Chief Executive Officer.
- (b) Is satisfied Mr Shane Ivers is suitably qualified for the position of Acting Chief Executive Officer and is satisfied with the contract of employment.

#### 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 absence.

**President's Comment:**

In the absence of the Chief Executive Officer, it is recommended that Council appoint Mr Shane Ivers as Acting Chief Executive Officer, 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  
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