



Minutes

For the

SPECIAL MEETING OF COUNCIL

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.

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I certify that this copy of the Minutes is a true and correct record of the meeting held on 10 July 2018

Signed:
Presiding Elected Member

Date:.....



MINUTES OF THE SPECIAL COUNCIL MEETING HELD IN THE COUNCIL CHAMBERS ON TUESDAY, 10 JULY 2018 AT 6PM.

PRESENT:	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

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

The Presiding Member opened the meeting at 6.04pm and welcomed those in attendance.

2. DECLARATION OF PURPOSE OF MEETING

The purpose of the 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

COUNCIL DECISION S010718:

MOVED: Cr Leonard

SECONDED: Cr West

That the meeting move behind closed doors at 6.05pm to discuss confidential matters pursuant to Section 5.23(2)(a) and (b) of the Local Government Act.

VOTING DETAILS:

CARRIED 6/0

5.1 Confidential Staff Matters – Chief Executive Officer

COUNCIL DECISION S030718:

MOVED: Cr Leonard

SECONDED: Cr Wyse

That the meeting move out from behind closed doors at 6.10pm.

VOTING DETAILS:

CARRIED 6/0

COUNCIL DECISION S040718:

MOVED: Cr Scott

SECONDED: Cr Leonard

That Council adopts the Confidential Schedule.

VOTING DETAILS:

CARRIED 6/0

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 AND COUNCIL DECISION S050718:

MOVED: Cr Wyse

SECONDED: Cr Wilson

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.

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 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 6.15pm.

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Signed:
Presiding Elected Member

Date:.....