



MINUTES

SPECIAL MEETING OF COUNCIL

held on

Friday 30 October, 2020



WESTERN AUSTRALIA'S
WILDFLOWER COUNTRY

DISCLAIMER

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Item 1 Opening of Meeting

The President declared the meeting open at 11.00am.

Item 2 Acknowledgement of Traditional Owners and Dignitaries

The President acknowledges the traditional custodians, the Yamatji people, and recognises the contribution of Yamatji elders past, present and future, in working together for the future of Morawa.

'This meeting is being recorded on audio tape and to assist with minute taking purposes. The public is reminded that in accordance with Section 6.16 of the Shire of Morawa Meeting Procedures Local Law 2012 that nobody shall use any visual or vocal recording device or instrument to record the proceedings of Council without the written permission of the presiding member.'

Item 3 Recording of Attendance**3.1 Attendance****Council**

President Councillor Karen Chappel
Deputy President Councillor Dean Carslake
Councillor Jane Coaker (by teleconference)
Councillor Debbie Collins (by teleconference)
Councillor Yvette Harris (by teleconference)
Councillor Shirley Katona
Councillor Ken Stokes (by teleconference)

Staff

Acting Chief Executive Officer Robert Paull

Members of the Public

Nil

3.2 Attendance by Telephone / Instantaneous Communications

In accordance with section 14 of the *Local Government (Administration) Regulations 1996* "Meetings held by electronic means in public health emergency or state of emergency (Act s. 5.25(1)(ba))", the President to declare that this Meeting may take place via instantaneous communication. All Councillors and staff are to be available either via telephone (teleconference) or in person.

3.3 Apologies

Nil

3.4 Approved Leave of Absence

Nil

3.5 Disclosure of Interests

Nil

Item 4 Applications for Leave of Absence

Nil

Item 5 Response to Previous Questions

Nil

Item 6 Public Question Time

Important note:

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6.1 Public Question Time

Nil

6.2 Public Statement Time

Nil

6.3 Petitions/Deputations/Presentations/Submissions

Nil

Item 7 Questions from Members without Notice

Nil

Item 8 Announcements by Presiding Member without Discussion

Nil

Item 9 Declarations of All Members to have Given Due Consideration to All Matters Contained in the Business Paper before the Meeting

The Elected Members to declare that they have given due consideration to all matters contained in the agenda.

- President Councillor Karen Chappel
- Deputy President Councillor Dean Carslake
- Councillor Jane Coaker
- Councillor Debbie Collins
- Councillor Yvette Harris
- Councillor Shirley Katona
- Councillor Ken Stokes

Item 10 Confirmation of Minutes of Previous Meetings

Nil

Item 11 Reports of Officers**11.1 Chief Executive Officer**

The Chief Executive Officer's Report forms part of the 'Confidential' Agenda.

11.2 Executive Manager Corporate & Community Services

Nil

11.3 Economic Development Manager

Nil

11.4 Executive Manager Works & Assets

Nil

Item 12 Reports of Committees

Nil

Item 13 Motions of Which Previous Notice Has Been Given

Nil

Item 14 New Business of an Urgent Nature

Nil

Item 15 Matters for Which the Meeting May Be Closed (Confidential Items)**15.1 Closure of the Meeting to the Public**

Author: Acting Chief Executive Officer

Authorising Officer: Acting Chief Executive Officer

Disclosure of Interest: The Author/Authorising Officer declares that he does not have any conflicts of interest in relation to this item as he won't be seeking to apply for the role.

OFFICER'S RECOMMENDATION/RESOLUTION

201033 Moved: Cr Carslake Seconded: Cr Stokes

That Council closes the meeting to the public under section 5.23 (2) c) and e (ii) of the *Local Government Act 1995* and the *Shire of Morawa Standing Orders Local Law 2011 s 6.2 (2)* so that it can consider the recruitment of a permanent Chief Executive Officer.

CARRIED BY SIMPLE MAJORITY 7/0

PURPOSE

This item seeks Council's approval under s5.23 (2) (e) of the *Local Government Act 1995* to move into camera or closed session to consider the following confidential matter:

- Recruitment of a Permanent Chief Executive Officer.

DETAIL

Item 15.2 is presented with a recommendation to progress the recruitment of a permanent Chief Executive Officer.

LEVEL OF SIGNIFICANCE

High – Confidential Items

CONSULTATION

All Councillors.
Chief Executive Officer Recruitment Consultant.

LEGISLATION AND POLICY CONSIDERATIONS***Local Government Act 1995***

Under section 5.23 (2) of the *Local Government Act 1995*, part of a council meeting may be closed, if the meeting deals with any of the following:

(a) *a matter affecting an employee or employees;*

- (b) *the personal affairs of any person;*
- (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;*
- (d) *legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting;*
- (e) *a matter that if disclosed, would reveal —*
 - (i) *a trade secret;*
 - (ii) *information that has a commercial value to a person;*
 - (iii) *information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government;*
- (f) *a matter that if disclosed, could be reasonably expected to —*
 - (i) *impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law;*
 - (ii) *endanger the security of the local government's property;*
 - (iii) *prejudice the maintenance or enforcement of a lawful measure for protecting public safety;*
- (g) *information which is the subject of a direction given under section 23(1a) of the Parliamentary Commissioner Act 1971; and*
- (h) *such other matters as may be prescribed.*

Shire of Morawa Standing Orders Local Law 2011

The key parts include:

- 6.2 (1) *The CEO may recommend that part of the meeting is closed.*
- 6.2 (2) *The Council may decide to close a meeting or part of a meeting.*
- 6.2 (3) *The presiding member is to direct everyone to leave the meeting except, members, the CEO and any officer specified.*
- 6.2 (5) *Clause 8.9 (re speaking twice)*
- 6.2 (7) *The presiding member is to ensure any resolution of the Council made while the meeting was closed is to read out including a vote of a member.*

Strategic Community Plan 2018 to 2028 (desktop Review June 2020)

Outcome 4.3 A local government that is respected, professional and accountable.

FINANCIAL AND RESOURCES IMPLICATIONS

Any known financial implications are addressed in the respective reports.

RISK MANAGEMENT CONSIDERATIONS

There are no known risk management considerations.

CONCLUSION

That Council closes the meeting to the public under section 5.23 (2) (e) of the *Local Government Act 1995* and the *Shire of Morawa Standing Orders Local Law 2011* s 6.2 (2) so that it can consider a report addressing the recruitment of a permanent Chief Executive Officer.

ATTACHMENT

Nil

RESOLUTION

201034 Moved: Cr Carslake Seconded: Katona

That Council, pursuant to clause 8.9 of the Standing Orders suspend the meeting procedures, for the purpose of enabling open debate on the confidential report contained in Item 15.2, the time being 11.04am.

CARRIED BY SIMPLE MAJORITY 7/0

RESOLUTION

201035 Moved: Cr Carslake Seconded: Katona

That Standing Orders be resumed for the purpose of formally considering the confidential report contained in Item 15.2, the time being 11.08am.

CARRIED BY SIMPLE MAJORITY 7/0

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| 15.2 Recruitment of a Permanent Chief Executive Officer |
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Author: Acting Chief Executive Officer

Authorising Officer: Acting Chief Executive Officer

Disclosure of Interest: The Author/Authorising Officer declares that he does not have any conflicts of interest in relation to this item as he won't be seeking to apply for the role.

OFFICER'S RECOMMENDATION/RESOLUTION

201036 Moved: Cr Carslake Seconded: Cr Katona

That with regards to the recruitment of a permanent Chief Executive Officer, Council:

1. Acknowledge that the process undertaken to recruit the Shire of Morawa's Chief Executive Officer has been undertaken in accordance with s18A (1) and (2) and 18C of the *Local Government (Administration) Regulations 1996* ('Regulations') and the Department of Local Government, Sport and Cultural Industries "*Local Government Operational Guidelines*";
2. Pursuant to s5.36 (2)(a) of the *Local Government Act 1995* ('Act'), that Council believes that Scott Andrew Wildgoose is suitably qualified for the position of the Chief Executive Officer; and
3. Pursuant to s5.39 (2)(b) of the Act, appoints Scott Andrew Wildgoose for a period of five (5) years to the position of Chief Executive Officer with the Shire of Morawa commencing 14 December 2020 and concluding 13 December 2025; and

4. Pursuant to s5.36 (2)(a) of the *Act*, 18B and 18F of the *Regulations* is satisfied with the provisions of the employment contract to be entered with Scott Andrew Wildgoose and a total reward package and benefits are in accordance with the Salaries and Allowances Tribunal Band 4 (Confidential Attachment 1); and
5. Authorises the Shire President and the Acting Chief Executive Officer to execute the contract of employment under the Common Seal of the Shire of Morawa.

CARRIED BY ABSOLUTE MAJORITY 7/0

