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# AGENDA

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## **Special Council Meeting**

**Monday 4 May 2015**

6.00pm

City of Albany Council Chambers

## CITY OF ALBANY COMMUNITY STRATEGIC PLAN (ALBANY 2023)

### VISION

Western Australia's most sought after and unique regional city to live, work and visit.

### VALUES

All Councillors, Staff and Volunteers at the City of Albany will be...

#### **Focused: on community outcomes**

This means we will listen and pay attention to our community. We will consult widely and set clear direction for action. We will do what we say we will do to ensure that if it's good for Albany, we get it done.

#### **United: by working and learning together**

This means we will work as a team, sharing knowledge and skills. We will build strong relationships internally and externally through effective communication. We will support people to help them reach their full potential by encouraging loyalty, trust, innovation and high performance.

#### **Accountable: for our actions**

This means we will act professionally using resources responsibly; (people, skills and physical assets as well as money). We will be fair and consistent when allocating these resources and look for opportunities to work jointly with other directorates and with our partners. We will commit to a culture of continuous improvement.

#### **Proud: of our people and our community**

This means we will earn respect and build trust between ourselves, and the residents of Albany through the honesty of what we say and do and in what we achieve together. We will be transparent in our decision making and committed to serving the diverse needs of the community while recognising we can't be all things to all people.

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### NOTICE OF A SPECIAL COUNCIL MEETING

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His Worship the Mayor and Councillors

A Special Meeting of Council for the City of Albany will be held on Monday 4 May 2015 in the Council Chambers, North Road, Yakamia commencing at 6.00pm.

The purpose of the meeting is the Appointment of Chief Executive Officer.



G Foster  
Chief Executive Officer

SPECIAL COUNCIL MEETING  
AGENDA – 04/05/2015

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1. **DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS:**
2. **OPENING PRAYER:**

*“Heavenly Father, we thank you for the peace and beauty of this area. Direct and prosper the deliberations of this Council for the advancement of the City and the welfare of its people. Amen.”*

*“We would like to acknowledge the Noongar people who are the Traditional Custodians of the Land.*

*We would also like to pay respect to Elders both past and present”.*

3. **PUBLIC QUESTION AND STATEMENT TIME:**

Each person asking questions or making comments at the Open Forum will be **LIMITED** to a time period of **4 MINUTES** to allow all those wishing to comment an opportunity to do so.

4. **RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE (PREVIOUSLY APPROVED):**

**Mayor** Mayor D Wellington

**Councillors:**

Breaksea Ward	R Hammond
Breaksea Ward	V Calleja JP
Frederickstown Ward	C Dowling
Kalgan Ward	B Hollingworth
Kalgan Ward	J Price
Vancouver Ward	S Bowles
Vancouver Ward	N Mulcahy (Williams)
West Ward	G Gregson
West Ward	A Goode JP
Yakamia Ward	A Hortin JP
Yakamia Ward	R Sutton

**Staff:**

Chief Executive Officer	G Foster
Executive Director Community Services	C Woods
Executive Director Works & Services	M Thomson
Executive Director Planning & Development	D Putland
General Manager – Business & Economic Development	D Lee
Manager Human Resources	S Dale
Meeting Secretary	J Williamson

**Apologies:**

Deputy Chief Executive Officer	G Adams
Frederickstown	G Stocks (Leave of Absence)

SPECIAL COUNCIL MEETING  
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**5. DECLARATIONS OF INTEREST:**

<b>Name</b>	<b>Report Item Number</b>	<b>Nature of Interest</b>

## SCM011: APPOINTMENT OF CHIEF EXECUTIVE OFFICER

**Proponent** : City of Albany  
**Attachment** : **CONFIDENTIAL** – *Recruitment Report & Draft Contract in accordance with section 5.23(2)(a)(b)(e) of the Local Government Act 1995.*  
**Report prepared by** : Manager Governance & Risk Management (S Jamieson)  
**Responsible Officer(s):** : Chief Executive Officer (G Foster)

**Responsible Officer's Signature:**



### STRATEGIC IMPLICATIONS

1. This item relates to the following elements of the City of Albany Strategic Community Plan 2023 and Corporate Business Plan 2014-2018:
  - a. **Key Theme:** 5. Civic Leadership
  - b. **Strategic Objectives:** 5.2. *To provide strong, accountable leadership, supported by a skilled and professional workforce.*

#### In brief:

- It is recommended that elected members meet behind closed doors if the Committee or Council require to discuss details in regards to the appointment.

### RECOMMENDATION

#### SCM011: RESPONSIBLE OFFICER RECOMMENDATION

#### VOTING REQUIREMENT: ABSOLUTE MAJORITY

- (1) Receive the Confidential Recruitment Report.
- (2) That Council in accordance with section 5.36(2) of the *Local Government Act 1995*, declare that it is satisfied with the general provisions of the proposed employment contract and BELIEVES that the applicant is suitably qualified for the position.
- (3) Lester Blades Executive Research, in consultation with the Chairman of the CEO Recruitment Committee, be authorised to negotiate and finalise the employment contract on behalf of the City and when finalised to the satisfaction of both parties, the Mayor be authorised to execute the contract.
- (4) UPON the acceptance of the agreed contract the applicant be APPOINTED as the Chief Executive Officer of the City of Albany.
- (5) OFFER the applicant a negotiated contract within the prescribed range.

**BACKGROUND**

2. The position of Chief Executive Officer is a designated Senior Employee position in accordance with section 5.37 of the *Local Government Act 1995*.
3. The CEO Recruitment Committee assisted by Lester Blades Executive Research have completed the selection process and have recommended a preferred candidate.

**DISCUSSION**

4. The recruitment consultant and the CEO Recruitment Committee believe that the applicant is suitably qualified for the position of Chief Executive Officer.

**GOVERNMENT & PUBLIC CONSULTATION**

5. Nil.

**STATUTORY IMPLICATIONS**

6. In accordance with *Local Government Act 1995*, the following sections and regulations pertain to the appointment process for a CEO.
  - s5.36 (Local Government Employees)
  - s5.39 (Contracts for CEO and senior employees)
  - *Local Government (Administration) Regulations 1996*
    - reg18A (Advertisement for position of CEO or senior employee — s. 5.36(4) and 5.37(3) )
    - reg18C (Selection and appointment process for CEO's)
    - reg18E (Offence to give false information in application for employment with local government)
    - reg 18F (Remuneration and benefits of CEO to be as advertised)
7. Note: Section 5.36(2) of the Act states: A person is not to be employed in the position of CEO unless the council —
  - (a) believes that the person is suitably qualified for the position; and
  - (b) is **satisfied\*** with the provisions of the proposed employment contract.
  - \* **Absolute majority required.**

**POLICY IMPLICATIONS**

8. Nil

**RISK IDENTIFICATION & MITIGATION**

9. The risk identification and categorisation relies on the City's Enterprise Risk Management Framework.

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<i>Legal. Recruitment process compromised.</i>	<i>Possible</i>	<i>Major</i>	<i>High</i>	<i>Guidance from recruitment consultant is adhered to.</i>

**FINANCIAL IMPLICATIONS**

10. All cost associated with appointing the Chief Executive Officer and the proposed remuneration package is within budget.

**LEGAL IMPLICATIONS**

11. Nil.

**ENVIRONMENTAL CONSIDERATIONS**

12. Nil.

**ALTERNATE OPTIONS**

13. No alternate options are proposed.

**SUMMARY CONCLUSION**

14. It is recommended that Council adopt the Committee Recommendation.

<b>Consulted References</b>	:	<i>Local Government Act 1995</i> <i>Local Government (Administration) Regulations 1996</i>
<b>File Number (Name of Ward)</b>	:	PE.REC.189
<b>Previous Reference</b>	:	OCM 28/10/2014 Report Item CSF127



**6. CLOSURE OF MEETING**