



MINUTES

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.

SPECIAL COUNCIL MEETING
MINUTES – 04/05/2015

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1. DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS:

[6:01:18 PM](#) The Mayor declared the meeting open.

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

West Ward

A Goode JP

Yakamia Ward

A Hortin JP

Yakamia Ward

R Sutton

Staff:

Chief Executive Officer

G Foster

Executive Director Planning & Development

D Putland

Executive Director Community Services

C Woods

Executive Director Works & Services

M Thomson

Manager Human Resources

S Dale

Meeting Secretary

J Williamson

Apologies:

Frederickstown Ward

G Stocks (Leave of Absence)

West Ward

G Gregson

Deputy Chief Executive Officer

G Adams

General Manager – Business & Economic
Development

D Lee

SPECIAL COUNCIL MEETING
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5. DECLARATIONS OF INTEREST:

Name	Report Item Number	Nature of Interest
Nil	Nil	Nil

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: RESOLUTION

VOTING REQUIREMENT: ABSOLUTE MAJORITY

MOVED: COUNCILLOR SUTTON

SECONDED: COUNCILLOR PRICE

- (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** 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.

**CARRIED 11-0
ABSOLUTE MAJORITY**

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.

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

6. CLOSURE OF MEETING

[6:04:24 PM](#) There being no further business the Mayor declared the meeting closed.



Dennis W Wellington
MAYOR