

NOTICE OF A SPECIAL MEETING OF COUNCIL

Dear Council Member

A Special Meeting of Council will be held in Council Chambers on **Thursday 13 July 2023** commencing at 5.30pm, called to consider the cessation of employment of the incumbent Chief Executive Officer and appointment of a Chief Executive Officer.

Signed by P St John, Director Development,
Community and Infrastructure



Date

12 July 2023

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AGENDA

For the Special Meeting of Council to be held in the Council Chambers on **Thursday 13 July 2023** commencing at 5.30pm, called to consider the cessation of employment of the incumbent Chief Executive Officer and appointment of a Chief Executive Officer.

Opening of Meeting

Meeting to be opened by the Presiding Member.

Acknowledgment of Country

We acknowledge the cultural custodians of the land on which we gather, the Pibulmun-Wadandi people. We acknowledge and support their continuing connection to the land, waterways and community. We pay our respects to members of the Aboriginal communities and their culture; and to Elders past and present, their descendants still with us today, and those who will follow in their footsteps.

Attendance & Apologies

| | |
|-------------|--|
| President | - Cr J Mountford |
| Councillors | - J Boyle - E Browne - M Christensen - T Lansdell - S Mahoney - A Pratico |
| Officers | - P St John, Director Development, Community and Infrastructure - E Matthews, Executive Assistant |

Attendance of Gallery

Public Question Time

Note: At Special Council Meetings questions must relate to the items on the Agenda.

Petitions/Deputations/Presentations

Comments on Agenda Items by Parties with an Interest

Notification of Disclosures of Interest

Part 5, Division 6 of the *Local Government Act 1995* requires a member who has an interest in any matter to be discussed at the meeting to disclose the interest and the nature of the interest in writing before the meeting, or immediately before the matter is discussed.

Business Items

| | | | |
|-----------------------|--|------------------|--|
| ITEM NO. | SpC.01/0723 | FILE REF. | |
| SUBJECT | Chief Executive Officer Cessation of Employment Date | | |
| OFFICER | Director Development, Community and Infrastructure | | |
| DATE OF REPORT | 11 July 2023 | | |

OFFICER RECOMMENDATION

That Council:

- 1. Note that the Chief Executive Officer's contract of employment has an end date of 4 January 2024, and that he has withdrawn his application for the position of Chief Executive Officer*
- 2. On the basis of the above, terminates the employment of the Chief Executive Officer to be effective from close of business on 4 September 2023 in accordance with clause 11.2 (2) of the current Chief Executive Officer's Contract of Employment, for the reason that this enables the new Chief Executive Officer to commence employment with the Shire within a reasonable timeframe*
- 3. Holds a Special Council meeting, at a future date to be determined, to enable consideration of a formal motion of recognition of the exceptional service provided to the Shire by the Chief Executive Officer over his many years of employment.*

Summary / Purpose

The purpose of this report is to determine a date for the Chief Executive Officer (CEO) to cease employment with the Shire.

Background

The CEO's contract of employment has an end date of 4 January 2024, and he has withdrawn his application for the position of CEO.

The purpose of this report is to determine a date when the CEO ceases employment with the Shire.

Officer Comment

The CEO's employment contract expires in January 2024 however it is at the discretion of Council to determine an earlier date when the CEO is to finish his employment with the Shire.

A date of Monday 4 September is suggested as an appropriate date. This enables sufficient time to ensure the annual budget is adopted and this date also occurs at the end of a normal Council meeting cycle, allowing for consistency from an operating perspective. This date will also allow sufficient time for the CEO to handover various projects to current staff. Although the August Council meeting date is 31 August, the Monday enables the CEO to represent the Shire at a conference that following weekend, which has already been planned.

The entitlements under the CEO's contract of employment will be paid upon termination of the current CEO's employment. This amount is prescribed by the contract and is equivalent to the balance of the Remuneration Package payable for the Term of the contract.

Statutory Environment

Contract of employment between the Shire and the CEO.

Integrated Planning

- Corporate Business Plan – N/A
- Strategic Community Plan – N/A
- Long Term Financial Plan - Nil
- Asset Management Plans - Nil
- Workforce Plan - Nil
- Other Integrated Planning - Nil

Policy/Strategic Implications – Not applicable

Budget Implications - No unanticipated budget implications

Whole of Life Accounting – Not applicable

Risk Management – Insignificant risk

Voting Requirements - Absolute Majority

In accordance with s.5.23(2) of the *Local Government Act 1995*, the Director Development, Community and Infrastructure has recommended item SpC.02/0723 be considered behind closed doors as the subject matter relates to the following matter prescribed by section 5.23(2):

- a) a matter affecting an employee or employees
- e) a matter that if disclosed, would reveal
 - (iii) information about the business, professional, commercial or financial affairs of a person

In accordance with Clause 4.2 of the Standing Orders Local Law the contents of this item is to remain confidential and must not be disclosed by a member to any person other than a member of Council or an employee of the Council to the extent necessary for the purpose of carrying out his or her duties.

| | | | |
|-----------------------|--|------------------|--|
| ITEM NO. | SpC.02/0723 | FILE REF. | |
| SUBJECT | Appointment of a Chief Executive Officer | | |
| OFFICER | Director Development, Community and Infrastructure | | |
| DATE OF REPORT | 11 July 2023 | | |

Closure

The Presiding Member to close the meeting.

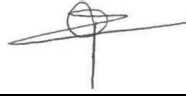
List of Attachments - Nil

Agenda Papers prepared and
recommended by E Matthews,
Executive Assistant



12 July 2023

Agenda Papers authorised by
P St John, Director Development,
Community and Infrastructure



12 July 2023
