



Shire of Northam
Heritage, Commerce and Lifestyle

Shire of Northam

Minutes

Chief Executive Officer Review Committee

15 June 2023

UNCONFIRMED

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1. DECLARATION OF OPENING

The Shire President, Cr C R Antonio declared the meeting open at 4:01pm.

2. ACKNOWLEDGEMENT TO COUNTRY

The Shire of Northam would like to acknowledge the Traditional Owners of the land on which we meet, the Ballardong and Whadjuk people of the Nyoongar nation and pay our respects to Elders, past present and emerging.

3. ATTENDANCE

Committee:

Shire President
Deputy Shire President
Councillors

C R Antonio
M P Ryan
J E G Williams
D A Hughes

Guest:

Mills Recruitment

Peter Casey (by electronic means)

3.1 APOLOGIES

Councillor

A J Mencshelyi

3.2 APPROVED LEAVE OF ABSENCE

Nil.

3.3 ABSENT

Nil.

4. DISCLOSURE OF INTERESTS

Members should fill in Disclosure of Interest forms for items in which they have a financial, proximity or impartiality interest and forward these to the Presiding Member before the meeting commences.

As defined in section 5.60A of the Local Government Act 1995, a **financial interest** occurs where a Councillor / Committee Member, or a person with whom the Councillor / Committee Member is closely associated, has a direct or indirect financial interest in the matter. That is, the person stands to make a financial gain or loss from the decision, either now or at some time in the future.

As defined in section 5.61 of the Local Government Act 1995, an **indirect financial** interest includes a reference to a financial relationship between that person and another person who requires a Local Government decision in relation to the matter.

As defined in section 5.60B of the Local Government Act 1995, a person has a **proximity interest** in a matter if the matter concerns a proposed change to a planning scheme affecting land that adjoins the person's land; or a proposed change to the zoning or use of land that adjoins the person's land; or a proposed development (as defined in section 5.63(5)) of land that adjoins the person's land.

As defined in 34C of the Local Government (Administration) Regulations 1996, an **impartiality interest** means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest and includes an interest arising from kinship, friendship or membership of an association.

Item Name	Item No.	Name	Type of Interest	Nature of Interest
Chief Executive Officer Recruitment Process – Update to Selection and Recommendation of Preferred Candidate and Draft Contract	6.1	Cr D A Hughes	Impartiality	The applicant is known to Cr Hughes.
		Cr J E G Williams	Impartiality	The preferred applicant is known to Cr Williams.
		Cr M P Ryan	Impartiality	The report contains recommendations of candidate which are known to Cr Ryan.
		Cr C R Antonio	Impartiality	The preferred applicant is known to Cr Antonio.

5. CONFIRMATION OF MINUTES

5.1 COMMITTEE MEETING HELD ON 2 JUNE 2023

RECOMMENDATION / COMMITTEE DECISION

Minute No: CEO.128

Moved: Cr Williams

Seconded: Cr Hughes

That the minutes of the Chief Executive Officer Review Committee meeting held on 2 June 2023 be confirmed as a true and correct record of that meeting.

CARRIED 4/0

6. COMMITTEE REPORTS

Cr D A Hughes declared an "Impartiality" interest in item 6.1 - Chief Executive Officer Recruitment Process – Update to Selection and Recommendation of Preferred Candidate and Draft Contract as the applicant is known to Cr Hughes.

Cr J E G Williams declared an "Impartiality" interest in item 6.1 - Chief Executive Officer Recruitment Process – Update to Selection and Recommendation of Preferred Candidate and Draft Contract as the preferred applicant is known to Cr Williams.

Cr M P Ryan declared an "Impartiality" interest in item 6.1 - Chief Executive Officer Recruitment Process – Update to Selection and Recommendation of Preferred Candidate and Draft Contract as the report contains recommendations of candidate which are known to Cr Ryan.

Cr C R Antonio declared an "Impartiality" interest in item 6.1 - Chief Executive Officer Recruitment Process – Update to Selection and Recommendation of Preferred Candidate and Draft Contract as the preferred applicant is known to Cr Antonio.

6.1 CHIEF EXECUTIVE OFFICER RECRUITMENT PROCESS – UPDATE TO SELECTION AND RECOMMENDATION OF PREFERRED CANDIDATE AND DRAFT CONTRACT

RECOMMENDATION / COMMITTEE DECISION

Minute No: CEO.129

Moved: Cr Williams

Seconded: Cr Hughes

That Council amend the salary package offered in the contract to the preferred candidate as per the confidential attachment to read - Salary of \$272,000.00, Superannuation at 11% being \$29,920.00, Professional Membership of \$1,500.00, Motor Vehicle (private use component) of \$13,500.00, FBT of \$11,126.00, total package value of \$328,046.00.

CARRIED 4/0

RECOMMENDATION / COMMITTEE DECISION

Minute No: CEO.130

**Moved: Cr Ryan
Seconded: Cr Hughes**

That Council withhold all decisions of the Chief Executive Officer Review Committee Meeting held on 15 June 2023 from the public record until the Chief Executive Officer employment contract has been executed.

CARRIED 4/0

RECOMMENDATION / COMMITTEE DECISION

Minute No: CEO.131

**Moved: Cr Ryan
Seconded: Cr Hughes**

That Council:

- (a) Approves the making of an offer to the candidate named in the confidential attachment for the position of CEO at the Shire of Northam as the person the Council believes to be most suitably qualified for the position, subject to Part (b) of this resolution;**
- (b) Approves and is satisfied with the proposed terms of the CEO employment contract detailed in the confidential attachment, being for a period of 5 years and inclusive of a Total Reward Package valued at \$328,046.00 calculated in accordance with the 2023 Salaries and Allowances Tribunal Local Government Determination Band 2 range.**

**CARRIED 4/0
BY ABSOLUTE MAJORITY**

RECOMMENDATION / COMMITTEE DECISION

Minute No: CEO.132

Moved: Cr Hughes

Seconded: Cr Ryan

That Council:

- (a) Authorises the Shire President to execute the CEO employment contract in accordance with section 9.49(1)(a) of the Local Government Act 1995, subject to the candidate agreeing to enter into the proposed terms of the CEO employment contract without amendment;
- (b) Notes that subject to the candidate named in the confidential attachment accepting the proposed terms of the CEO employment contract, the candidate is appointed to the position of CEO of the Shire of Northam;
- (c) Notes that, if the candidate negotiates under clause 12 of schedule 2 of the Local Government (Administration) Regulations 1996 terms different to the proposed terms, the Shire President will present the amended proposed contract to Council for approval before the contract is executed.

CARRIED 4/0

7. URGENT BUSINESS APPROVED BY DECISION

Nil.

8. DATE OF NEXT MEETING

12 July 2023 at 4:00pm.

9. DECLARATION OF CLOSURE

There being no further business, the Shire President, Cr C R Antonio, declared the meeting closed at 4:32pm.

"I certify that the Minutes of the Chief Executive Officer Review Committee Meeting held on 15 June 2023 have been confirmed as a true and correct record."

_____ Presiding Member

_____ Date