



Shire of Cunderdin

Minutes of a Special Council Meeting

Dear Council Member,

Pursuant to Section 5.25(g) of the Local Government Act 1995 and Regulation 12(3)(4) of the Local Government (Administration) Regulations 1996, Public Notice of a Special Meeting of Council is hereby given.

The Special Meeting of the Cunderdin Shire Council will be held on **Monday 30th October 2023** in the Council Chambers, Lundy Avenue Cunderdin commencing at **5.00pm**, for the purpose of:

1. PRIVATE AND CONFIDENTIAL – a matter affecting and employee or employees.

Stuart Hobley
Chief Executive Officer
30th October 2023

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Minutes

1. Declaration of opening

The President declared the meeting open at 5:00 pm

The Shire of Cunderdin disclaimer was read aloud.

The *Local Government Act 1995* Part 5 Division 2 Section 5.25 and Local Government (Administration) Regulations 1996 Regulation 13.

“No responsibility whatsoever is implied or accepted by the Shire of Cunderdin for any act, omission or statement or intimation occurring during this meeting. It is strongly advised that persons do not act on what is heard at this Meeting and should only rely on written confirmation of Council’s decisions, which will be provided within ten working days of this meeting”.

2. Record of Attendance, Apologies and Approved Leave of Absence

2.1 Record of attendances

Councillors

Cr AE (Alison) Harris	Shire President
Cr A (Anthony) Smith	Deputy President
Cr TE (Todd) Harris	
Cr NW (Norm) Jenzen	
Cr B (Bernie) Daly	
Cr N (Natalie) Snooke	
Cr H (Holly) Godfrey	

In Attendance

Stuart Hobley	Chief Executive Officer
Hayley Byrnes	Deputy Chief Executive Officer

Guests of Council

Nil.

Members of the Public

Nil.

Apologies

Nil.

Leave of Absence Previously Granted

Nil.

3. Public Question Time

Nil.

4. Petitions, Deputations & Presentations

Nil.

5. Finance & Administration

5.1 Move behind Closed Doors

Resolution 5.1 SCM October 2023

That Council move behind closed doors in accordance with s.5.23 of the Local Government Act.

Moved: Cr B (Bernie) Daly

Seconded: Cr A (Anthony) Smith

Vote – Simple majority

Carried: 7/0

5.2 PRIVATE AND CONFIDENTIAL - Manager of Works and Services appointment

Location:	Cunderdin
Applicant:	Deputy Chief Executive Officer
Date:	26 th October 2023
Author:	Hayley Byrnes
Item Approved By:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Nil

Proposal/Summary

For Council to consider and accept the panel's recommendations for the appointment of the Manager of Works and services Position.

Background

On Thursday 7th of September, the Chief Executive Officer received the resignation of the current Manager of Works and services. Advertising for the recruitment process commenced on Wednesday 13th of September and applications closed on Monday 9th of October. At Councils forum held on 11th of October Council discussed the process and a panel consisting of CEO Stuart Hobley, Shire President Alison Harris and Deputy President Anthony Smith were appointed to complete the interviews and recommend a preferred applicant.

Comment

Interviews were completed and discussions were held on Thursday 26th of October 2023.

After the interview process the panel has unanimously recommended the candidate in the recommendation.

Consultation

Stuart Hobley, Chief Executive Officer.

Alison Harris, Shire President.

Anthony Smith, Deputy Shire President.

Statutory

Local Government Act 1995 s5.37 - Senior employees

1. A local government may designate employees or persons belonging to a class of employee to be senior employees.
2. The CEO is to inform the council of each proposal to employ or dismiss a senior employee, other than a senior employee referred to in section 5.39(1a), and the council may accept or reject the CEO's recommendation but if the council rejects a recommendation, it is to inform the CEO of the reasons for its doing so.
3. Unless subsection (4A) applies, if the position of a senior employee of a local government becomes vacant, it is to be advertised by the local government in the manner prescribed, and the advertisement is to contain such information with respect to the position as is prescribed.

- 4A. Subsection (3) does not require a position to be advertised if it is proposed that the position be filled by a person in a prescribed class.
4. For the avoidance of doubt, subsection (3) does not impose a requirement to advertise a position where a contract referred to in section 5.39 is renewed.

Policy Implications

Nil.

Financial Implications

Salary (Annual cash component)	\$90,000 - \$120,000
Motor vehicle (Annual private use component)	\$16,191
Superannuation 11% (Annual)	\$9,900 - \$13,200
Superannuation co-contribution up to 4% (Annual)	\$3,600 - \$4,800
Association membership fees (Annual)	\$525
TOTAL	\$120,216 - \$154,716

Strategic Implications

Nil.

Resolution 5.2 SCM October 2023

That Council:

1. Accept the recommendation from the panel to appoint Robert Bell as Manager of Works and Services.
2. Authorise the CEO to negotiate the employment contract within the advertised package of \$120,216 - \$154,716 per year (cash component of \$90,000 to \$120,000 per year).

Moved: Cr B (Bernie) Daly

Seconded: Cr A (Anthony) Smith

Vote – Absolute majority

Carried: 7/0

5.3 Move from behind Closed Doors

Resolution 5.3 SCM October 2023

That Council move from behind closed doors in accordance with s.5.23 of the Local Government Act.

Moved: Cr B (Bernie) Daly

Seconded: Cr A (Anthony) Smith

Vote – Simple majority

Carried: 7/0

There being no further business Cr AE (Alison) Harris declared the meeting closed at 5.05pm.