



TOWN OF

Bassendean

AGENDA

Special Council Meeting

Tuesday 29 November 2022

Notice is hereby given of the Special Council Meeting
to be held in the Council Chamber

Administration Building

48 Old Perth Road, Bassendean WA 6054

commencing at 5:30 pm

Luke Gibson

CHIEF EXECUTIVE OFFICER (INTERIM)

28 November 2022

Meeting Information

Recording and Live-streaming

All participation in the meeting, except for confidential business, will be audio recorded and live-streamed on the Town's website. The live stream will be archived and made available on the Town's website after the meeting.

Conduct at meetings

The Town is committed to ensuring our Council Meetings are a safe work environment, free of risks to the health and wellbeing of Elected Members, Officers and our community. Any person attending is required to be respectful, courteous and have due regard for individual rights and differences. Individuals may be asked to leave should their conduct adversely affect the health and safety of others.

By attending this meeting, you agree to abide by these conditions.

For any questions regarding the Special Council meeting or any item presented in the agenda, please contact the Town of Bassendean at:
mail@bassendean.wa.gov.au.

Tune in to live streaming from the comfort of your own home by going to:
Town of Bassendean Council - YouTube

or if you miss it live, go to:
<https://www.youtube.com/channel/UC46mMs3D7vmHuO0ePibihhg>

Council Seating Plan

Minute
Secretary

Amy Holmes

Manager
Governance
and Strategy

Elizabeth Kania



Chief
Executive
Officer (Interim)
Luke Gibson



Mayor
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Director
Corporate
Services
Paul White



A/Director
Community
Planning
Donna Shaw



Executive
Manager
Infrastructure
Phillip Adams



Executive
Manager
Sustainability
and Environment
Nicole Davey



Cr Emily Wilding
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Cr Hilary MacWilliam
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Cr Tallan Ames
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Cr Renee MacLennan
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Cr Jennie Carter
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Cr Paul Poliwka
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Council Role

Each Report presented will identify what Council's Role is in the item

Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
Executive	The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
Legislative	Includes adopting local laws, town planning schemes and policies.
Review	When the Council operates as a review authority on decisions made by Officers for appeal purposes.
Quasi-Judicial	When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.
Information	For the Council/Committee to note.

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1 Declaration Of Opening; Acknowledgment of Country; Acknowledgment of Visitors; Disclaimer

Acknowledgement of Traditional Owners

The Town of Bassendean acknowledges the past and present traditional owners of the land on which we gather to conduct this meeting, and pays its respects to their Elders, both past and present.

2 Announcements by the Presiding Person Without Discussion

3 Attendances and Apologies

4 Declarations of Interest

5 Presentations or Deputations

6 Statements by Members of the Public on Agenda Items

The public statement session will be restricted to 15 minutes unless the Council, by resolution, decides otherwise on matters contained in the agenda.

Each person is restricted to one statement of up to two minutes unless the Council, by decision, determines that they may speak for no more than a further two minutes.

Statements can be submitted prior to the Council meeting to:
www.bassendean.wa.gov.au/forms/public-statement-time/37

Please complete this form and submit it to the Town's Chief Executive Officer by no later than 12noon on the day of the meeting.

It should be noted that comments are recorded and live streamed via YouTube, and that there is no protection from legal action being taken against you, should it arise from your comments delivered at the meeting.

7 Questions from Members of the Public

15 minutes will be allocated for questions by members of the public any question that relates to the district.

Each member of the public with a question is entitled to ask up to two questions before other members of the public will be invited to ask their questions.

Questions can be submitted prior to the Council meeting to:
www.bassendean.wa.gov.au/forms/public-question-time/36

Please complete this form and submit it to the Town's Chief Executive Officer by no later than 12noon on the day of the meeting.

If a person asking a question is not present at the meeting, then the Mayor can choose to deal with it at the meeting or arrange a response by email.

8 Reports

8.1 Establishment of the Selection Panel for the recruitment of a Chief Executive Officer	
Property Address	Address here
Landowner/Applicant	Owner/s here
File Reference	GOVN/POLCY/2
Author	Manager Organisational Development & HR
Department	Office of the CEO, Human Resources
Previous Reports	
Authority/Discretion	Legislative Includes adopting local laws, town planning schemes & policies.
Attachments	<ol style="list-style-type: none"> 1. CONFIDENTIAL - Independant panel member - CV [8.1.1 - 3 pages] 2. Standards for CEO Recruitment- Performance- and- Termination- Policy [8.1.2 – 12 pages]

Purpose

The purpose of this report is for Council to establish the Selection Panel for the recruitment of a Chief Executive Officer.

Background

Appointment of a recruitment consultant

At the Ordinary Council Meeting on 26 July 2022, Council considered a number of items following on from the resignation of the Town's CEO, Ms Peta Mabbs. In order to commence the recruitment process for a new CEO, Council resolved the following:

"That Council:

2. *Approves \$50,000 from the Town's operating budget, accounted for at the mid-year review, for the purposes of the recruitment and selection process for a new CEO, including costs associated with developing the CEO Employment Contract; and*
3. *Requests the Administration in consultation with the Mayor to scope the requirements for the appointment of an independent consultant, and facilitate the provision of a further report to Council no later than September."*

At a Special Council Meeting on 20 September 2022, Council resolved the following:

"That Council appoints Mills (Peter Casey) as the professional recruitment consultant to assist the Council with the recruitment of a new CEO."

Selection panel composition

A Selection Panel is to be determined by Council in accordance with the Town's Standards for CEO Recruitment, Performance and Termination Policy and the *Guidelines for Local Government CEO Recruitment and Selection, Performance Review and Termination*. The Selection Panel must comprise:

- a) Council members (the number of which must be determined by the Town);
and;
- b) at least one (1) independent person.

The independent person(s) cannot be a council member, an employee of the Town of Bassendean, or the recruitment consultant engaged by the Town. The independent person(s) should have experience in the recruitment and selection of CEOs and/or senior executives.

Communication and Engagement

Requirements for the establishment of the Chief Executive Officer selection panel as outlined in the *Local Government (Administration) Regulations 1996*, the associated *Guidelines for Local Government CEO Recruitment and Selection, Performance Review and Termination* and the Town's Policy. This information has been provided to the Consultant and to Council.

The Consultant has engaged with potential suitable independent selection panel members to determine interest and availability.

Strategic Implications

Priority Area 1: Strengthening and Connecting our Community

1.1 Fostering a culture of collaboration and trust between the organisation and community

Priority Area 6: Providing Visionary Leadership and Making Great Decisions

6.3 Ensure operational activities reflect the strategic focus of Council

6.5 Foster an environment of innovation and leadership

Comment

Given the considerable experience and exposure that the professional recruitment consultant has in relation to appropriate and available independent members for CEO recruitment panels, the Consultant provided a shortlist of potential independent panel members for Council's consideration.

The proposed independent selection panel member has confirmed to the Consultant her availability to participate in the activities of the Selection Panel.

The proposed independent selection panel member is a teaching and research academic who has local government experience and training. She has experience as an elected member and has been a member of local government sub-committees including a CEO selection committee. Her CV is included as a confidential attachment to this report.

Statutory Requirements

- *Local Government Act 1995*
- *Local Government (Administration) Regulations 1996*
- *(Council Policy) Standards for CEO Recruitment, Performance and Termination*

Financial Considerations

Participation in the recruitment process as an independent selection panel member is an unpaid role.

Risk Management Implications

Financial Risk

Low

Declaration of Conflicts of Interest

An Author or Approving Officer is declaring an impartiality interest.

The Officer authoring this report declares a previous working relationship with the proposed independent selection panel member. The Officer authoring this report was not involved in sourcing or engaging with potential independent selection panel members, including the candidate.

Officer Recommendation – Item 8.1

That Council:

1. Determines that the following Councillors are appointed as members to the CEO Selection Panel:

2. _____
 - a. Appoints _____ as the independent member to the CEO Selection Panel for the following reasons:

OR

- b. Does not appoint the nominee as the independent member of the Selection Panel for the following reasons:

Voting requirements: Absolute Majority

9 Closure