



## Minutes Certification

I certify that the Minutes of the 24<sup>th</sup> August 2018 Special Council Meeting were presented to the Council and confirmed at the 18<sup>th</sup> September 2018 Ordinary Council Meeting.

A handwritten signature in black ink, appearing to be "L Bonza", is written above a horizontal line.

Cr L Bonza  
President



**Minutes**  
**Special Council Meeting**  
**24<sup>th</sup> August 2018**

ab.

MINUTES of the SPECIAL Meeting of the Council held  
in the Council Chambers at the Shire Administration  
Office – Prinsep Street Norseman on the 24<sup>th</sup> August  
2018 commencing at 4:35pm

**Table of Contents**

- 1 Declaration of Opening and Announcement of Visitors.....3
- 1.1 Attendance at meeting by Councillor AR Patupis.....3
- 2 Declarations of Financial, Proximity, Impartiality Interests & Gifts Received. ....3
- 3 Record of Attendance of Councillors / Officers and Apologies. ....4
- 4 Public Question Time.....4
- 5 Petitions, Deputations or Presentations. ....4
- 6 Announcements by Presiding Member without Discussion. ....4
- 7 Report of Elected Member. ....4
- 7.1 – Selection of a preferred applicant for the role of Chief Executive Officer .....4
- 8 Next Meeting .....7
- 9 Closure of Meeting.....7

## 1 Declaration of Opening and Announcement of Visitors.

The Shire President welcomed all in attendance and declared the meeting open at 4:35pm.

This Council meeting is being held on the traditional lands of the Ngadju people and I wish to acknowledge them as traditional owners and pay my respects to their elders, past and present.

### 1.1 Attendance at meeting by Councillor AR Patupis.

The Shire President has been advised that Cr Patupis will be in Esperance, Western Australia when the meeting is held and have requested attendance by way of instantaneous telephone connection with other Councillors present at the meeting in accordance with Administration Regulation 14A.

Cr Patupis will be at Lot 15, Eleven Mile Beach Road, Esperance WA 6450.

The Council must approve of the place that Cr Patupis is located as a "suitable place" that must be in a town site or other residential area at least 150 kilometres from where the meeting is being held.

#### Recommendation

**That Cr Patupis be permitted to attend this meeting by way of instantaneous telephone connection from Esperance, Western Australia, on the basis that she is in a "suitable place" for the purpose of Administration Regulation 14A.**

Moved: Cr Warner

Seconded: Cr Bayley

#### Resolution

**That Cr Patupis be permitted to attend this meeting by way of instantaneous telephone connection from Esperance, Western Australia, on the basis that she is in a "suitable place" for the purpose of Administration Regulation 14A.**

Carried by: Absolute Majority

For: 3

Against: 0

## 2 Declarations of Financial, Proximity, Impartiality Interests & Gifts Received.

#### Financial Interests:

Nil

#### Proximity Interests:

Nil

#### Impartiality Interests:

Nil

#### Gifts Received by Councillors:

As per the Shire of Dundas Code of Conduct section 3.4 Gifts, adopted by the Council on 21 October 2014 and reference to Regulation 34B of the Local Government (Administration) 1996.

Nil

### 3 Record of Attendance of Councillors / Officers and Apologies.

Cr L Bonza            Shire President  
 Cr R Patupis        Deputy Shire President  
 Cr S Warner  
 Cr B Bayley

### 4 Public Question Time.

Meeting is not open to the Public.

### 5 Petitions, Deputations or Presentations.

Nil

### 6 Announcements by Presiding Member without Discussion.

Nil

### 7 Report of Elected Member.

This matter will be considered behind closed doors in accordance with Section 5.23(2) (b) and (e) of the Local Government Act as it relates to the personal affair of a person and a contract that may be entered into.

Moved        Cr Bayley  
 Seconded    Cr Patupis

#### Resolution

That the meeting be closed in accordance with Section 5.23(2)(b) and (e) of the Local Government Act 1995.

Carried by: Simple Majority

For: 4

Against: 0

<b>Agenda Reference &amp; Subject</b>	
<b>7.1 – Selection of a preferred applicant for the role of Chief Executive Officer</b>	
Location / Address	Shire of Dundas
File Reference	Personal File
Author	Cr Laurene Bonza
Date of Report	21 <sup>st</sup> August 2018
Disclosure of Interest	Nil

#### Summary

For the Council to consider the Council's delegated selection committee's resolution on the appointment of the Chief Executive Officer.

#### Background

A process to recruit a new CEO was adopted at the Ordinary Meeting of Council held on 20<sup>th</sup> February 2018. All members of Council were appointed to the Recruitment Committee. Quotations were obtained from three suitably qualified recruitment consultants and reference checks were carried out.

The Council at its Special Council meeting held on 27<sup>th</sup> March 2018 appointed, John Phillips Consulting as the Recruitment Consultant to assist in the selection of a new Chief Executive Officer.

The CEO's position was advertised on 19<sup>th</sup> May 2018 seeking applications until 11<sup>th</sup> June 2018.

In July, John Phillips Consulting presented details of the applicants to the selection committee and shortlisted applicants for interviews.

Shortlisted applicants were interviewed on 3<sup>rd</sup> August 2018 by the selection committee in the presence of John Phillips Consulting.

The Council at its Special Council meeting held on 9<sup>th</sup> August resolved the following:

- 1. Council's delegated selection committee resolves that Candidate B is its' preferred applicant for the role of Chief Executive Officer, Shire of Dundas.**
- 2. That Council directs Mr. John Phillips, John Phillips Consulting, to:**
  - 2.1 Contact Candidate B and advise that they are the preferred applicant for the role of Chief Executive Officer, Shire of Dundas;**
  - 2.2 Provide the draft contract of employment to Candidate B, as per the confidential schedule discussed;**
  - 2.3 Liaise with the Committee and Candidate B regarding all the terms of contract including, but not limited to the commencement date, term and total reward package.**
- 3. Council to arrange the execution of the finalised contract and to publicly advise the appointment of Candidate B at the Ordinary Meeting of Council 21<sup>st</sup> August 2018 or at a Special Meeting of Council, if required, (date to be scheduled).**

#### Statutory Environment

Local Government Act 1995, Sections 5.36, 5.39 and 5.40

#### Policy Implications

HR.15 Staff Recruitment and Selection

A.7 Common Seal

#### Financial Implications

The cost of the advertising and selection process is covered in the 2018/2019 budget.

#### Strategic Implications

The appointment of the Chief Executive Officer directly impacts the effectiveness of all elements of the Shire of Dundas Strategic Community Plan.

#### Consultation

Shire of Dundas Recruitment Committee

#### Comment

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The Consultant and the Recruitment Committee have undertaken an exhaustive process from advertising, shortlisting of candidates and interviews to arrive at the preferred candidate who is recommending to Council for appointment as the Chief Executive Officer for a three (3) year period commencing on 3 September 2018.

This item is for the Council to consider the appointment of the new Chief Executive Officer as per the attached confidential Recruitment Consultant Report and the confidential CEO Contract of Employment.

The Local Government Act requires that no Council vote is to be secret (Sec. 5.25(1)(d) of the Act and Local Government (Administration) Regulation 9). It is therefore necessary for the Council to hold its discussions and debate on the appointment behind closed doors, then re-open the meeting for the purpose of making the decision.

#### Voting Requirements

Absolute Majority

#### Council Recommendation

**That Council:**

- 1. Appoints Mr Peter Fitchat to the position of Chief Executive Officer with the Shire of Dundas for a period of three (3) years commencing on 3 September 2018 and concluding on 1 September 2021;**
- 2. Is of the belief that Mr Peter Fitchat is suitably qualified for the position of Chief Executive Officer; and**
- 3. Is satisfied with the provisions of the proposed employment contract to be entered into with Mr Peter Fitchat with a total reward package of \$192,422 per annum.**
- 4. Authorises the Shire President to endorse and affix the common seal to the Chief Executive Officer Contract of Employment.**

#### Council Recommendation

**That the meeting proceeds with open doors.**

Moved Cr Patupis  
Seconded Cr Bayley

#### Council Resolution

**That the meeting proceeds with open doors.**

Carried by: Simple Majority For: 4 Against: 0

#### Council Resolution

**That Council:**

- 1. Appoints Mr Peter Fitchat to the position of Chief Executive Officer with the Shire of Dundas for a period of three (3) years commencing on 3 September 2018 and concluding on 1 September 2021;**
- 2. Is of the belief that Mr Peter Fitchat is suitably qualified for the position of Chief Executive Officer; and**

3. Is satisfied with the provisions of the proposed employment contract to be entered into with Mr Peter Fitchat with a total reward package of \$192,422 per annum.
4. Authorises the Shire President to endorse and affix the common seal to the Chief Executive Officer Contract of Employment.

Moved Cr Bayley  
Seconded Cr Warner


Carried by: Absolute Majority For: 4 Against: 0

## 8 Next Meeting

The next Special Meeting of the Council will be called as required.

## 9 Closure of Meeting

There being no further business the Shire President thanked all those in attendance and declared the meeting closed at 4:42pm.

  
18.09.18.