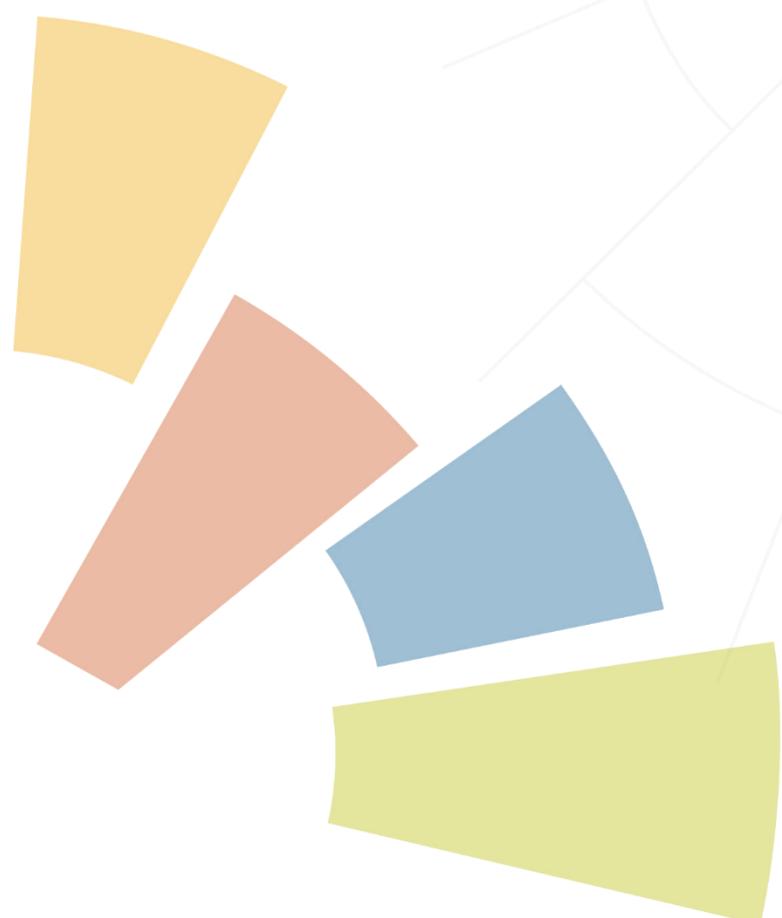


SHIRE OF
MERREDIN
INNOVATING THE WHEATBELT

AGENDA

Special Council Meeting

To be held in Council Chambers
Corner King & Barrack Street's, Merredin
Tuesday, 13 February 2024
Commencing 5.30pm



Notice of Meeting



Dear President and Councillors,

A Special Meeting of the Council will be held on Tuesday, 13 February 2024 at 5:30pm in Council Chambers, Corner of King & Barrack Streets, Merredin. The purpose of the meeting is to address the following items:

- a) Swearing In of Councillor Elect;
- b) Policy 2.34 – Appointment of an Acting or Temporary Chief Executive Officer; and
- c) Appointment of Temporary Chief Executive Officer.

Members of the public are welcome to attend the Council Chambers, located on the corner of King and Barrack Streets, however one item on the Agenda will be behind closed doors and public will be asked to leave the Council Chambers prior to this item being discussed.

Leah Boehme
ACTING CHIEF EXECUTIVE OFFICER
9 February 2024

DISCLAIMER

PLEASE READ THE FOLLOWING IMPORTANT DISCLAIMER BEFORE PROCEEDING:

Statements or decisions made at this meeting should not be relied or acted on by an applicant or any other person until they have received written notification from the Shire. Notice of all approvals, including planning and building approvals, will be given to applicants in writing. The Shire of Merredin expressly disclaims liability for any loss or damages suffered by a person who relies or acts on statements or decisions made at a Council or Committee meeting before receiving written notification from the Shire.

The advice and information contained herein is given by and to Council without liability or responsibility for its accuracy. Before placing any reliance on this advice or information, a written inquiry should be made to Council giving entire reasons for seeking the advice or information and how it is proposed to be used.

Common Acronyms Used in this Document	
CBP	Corporate Business Plan
CEACA	Central East Accommodation & Care Alliance Inc
CEO	Chief Executive Officer
CSP	Community Strategic Plan
CWVC	Central Wheatbelt Visitors Centre
EMS&C	Executive Manager Strategy & Community
EMCS	Executive Manager Corporate Services
EMDS	Executive Manager Development Services
EMES	Executive Manager Engineering Services
EO	Executive Officer
GECZ	Great Eastern Country Zone
GO	Governance Officer
LGIS	Local Government Insurance Services
LPS	Local Planning Scheme
MCO	Media and Communications Officer
MoU	Memorandum of Understanding
MP	Manager of Projects
MRCLC	Merredin Regional Community and Leisure Centre
SRP	Strategic Resource Plan



Shire of Merredin Special Council Meeting

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Shire of Merredin
Special Council Meeting
5:30pm Tuesday, 13 February 2024



1. Official Opening

2. Record of Attendance / Apologies and Leave of Absence

Councillors:

Cr M McKenzie	President
Cr R Manning	Deputy President – Via Zoom
Cr B Anderson	
Cr H Billing	
Cr D Crook	
Cr L O'Neill	Via Zoom
Cr M Simmonds	
Cr P Van Der Merwe	

Staff:

L Boehme	A/CEO
A Tawfik	EMES
P Zenni	EMDS
M Wyatt	EO

Members of the Public:

Apologies:

Approved Leave of Absence:

Cr Manning and Cr O'Neill's attendance via Zoom was approved by the Shire President in advance in accordance with Regulation 14C.2(b) of the Local Government (Administration) Amendment Regulations 2022.

3. Swearing In of Councillor Elect

In accordance with section 2.29 of the *Local Government Act 1995*, a person elected as a Councillor is to make a declaration in the prescribed form before acting in the Office.

Councillor Lisa O'Neill undertook the swearing in on Wednesday, 7 February 2024, in the presence of the Acting Chief Executive Officer.

Acting Chief Executive Officer to confirm by reading into the record the declaration Councillor Lisa O'Neill made.

4. Public Question Time

Members of the public may submit questions up to 2:00pm on the day of the meeting by emailing ea@merredin.wa.gov.au.

5. Disclosure of Interest

6. Applications of Leave of Absence

7. Petitions and Presentations

Nil

8. Announcements by the Person Presiding without Discussion

9. Matters for Which the Meeting may be Closed to the Public

Nil

10. Urgent Business Approved by the Person Presiding or by Decision

Nil

11. Officers' Report – Corporate Services

11.1 Policy 2.34 – Appointment of an Acting or Temporary Chief Executive Officer

<h2>Corporate Services</h2>		
Responsible Officer:	Leah Boehme, EMCS	
Author:	As above	
Legislation:	<i>Local Government Act 1995</i>	
File Reference:	Nil	
Disclosure of Interest:	Nil	
Attachments:	Attachment 11.1A – Policy 2.34 – Appointment of an Acting or Temporary CEO	

Purpose of Report

Executive Decision

Legislative Requirement

For Council to consider a proposed new policy which establishes processes for the appointment of an Acting or Temporary Chief Executive Officer (CEO).

Background

The *Local Government Act 1995* stipulates that:

A local government must prepare and adopt a policy that sets out the process to be followed by the local government in relation to the following –

- (a) the employment of a person in the position of CEO for a term not exceeding 1 year;*
- (b) the appointment of an employee to act in the position of CEO for a term not exceeding 1 year.*

Currently, the Shire of Merredin (the Shire) does not have a policy adopted in relation to this legislation.

In 2023, the CEO identified a need to develop this Policy and developed a draft document, however the document had not yet been presented to Council.

Comment

As the Shire is currently undergoing a CEO recruitment process, the Administration thought it pertinent to present this Policy to Council for adoption.

WALGA has provided a template policy to the Shire and the attached draft Policy (Attachment 11.1A) meets the requirements outlined in the template.

Policy Implications

Draft Policy 2.34 – as attached.

Statutory Implications

As outlined in the *Local Government Act 1995*.

5.39C. Policy for temporary employment or appointment of CEO

(1) A local government must prepare and adopt a policy that sets out the process to be followed by the local government in relation to the following –*

- (a) the employment of a person in the position of CEO for a term not exceeding 1 year;*
- (b) the appointment of an employee to act in the position of CEO for a term not exceeding 1 year.*

** Absolute majority required.*

(2) A local government may amend the policy.*

** Absolute majority required.*

(3) When preparing the policy or an amendment to the policy, the local government must comply with any prescribed requirements relating to the form or content of a policy under this section.

(4) The CEO must publish an up-to-date version of the policy on the local government's official website.

Strategic Implications

∅ Strategic Community Plan

Theme:	4. Communication and Leadership
Service Area	4.2 Decision Making
Objective:	4.2.2 The Council is well informed in their decision-making, supported by a skilled administration team who are committed to providing timely, strategic information and advice
Priorities and Strategies for Change:	Nil

∅ Corporate Business Plan

Theme:	4. Communication and Leadership
Priorities:	Nil

Objectives:

Sustainability Implications

∅ Strategic Resource Plan

Nil

Risk Implications

If this Policy is not adopted, the Shire will be in breach of the *Local Government Act 1995*.

Financial Implications

Nil

Voting Requirements

Simple Majority

Absolute Majority

Officers Recommendation

That Council ADOPT Policy 2.34 – Appointment of an Acting or Temporary CEO, as presented in Attachment 11.1A.

12. Motions of which Previous Notice has been given

Nil

13. Questions by Members of which Due Notice has been given

Nil

14. Matters Behind Closed Doors

14.1 Appointment of Temporary Chief Executive Officer

15. Closure

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