



MINUTES SPECIAL MEETING OF COUNCIL

For Council to:

- Consider the recommendations of the Chief Executive Officer and Performance Review Committee concerning the appointment of a person to the position of independent person for the CEO Recruitment Selection Panel as a result of Mr Bruce Hearman withdrawing from the role.
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Held on Wednesday **15 May 2024**

Commenced at 7:15pm

Shire of Donnybrook Balingup Council Chamber, Donnybrook

A handwritten signature in black ink, appearing to read "Garry Hunt", is positioned above the printed name of the Chief Executive Officer.

Dr Garry Hunt PSM
Chief Executive Officer (Temporary)

17 May 2024

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SHIRE OF DONNYBROOK BALINGUP
MINUTES OF SPECIAL COUNCIL MEETING

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

Shire President – Acknowledgment of Country

The Shire President acknowledged the continuing connection of Aboriginal people to Country, culture, and community, including traditional custodians of this land, the Wardandi and Kaneang People of the Noongar Nation, paying respects to Elders, past and present.

The Shire President declared the meeting open at 7:16pm and welcomed the public gallery.

The Shire President advised that the meeting will be recorded for minute taking purposes but will not be live streamed as the only item for consideration is of a confidential nature. Subsequently the meeting minutes will be accessible to the public via the Shire's website.

The Shire President requested that a declaration be read aloud by Cr Anne Mitchell who was authorised to attend the meeting via electronic means (Microsoft Teams).

“Pursuant to Section 14CA(5) of the Local Government (Administration) Regulations 1996, I Cr Anne Mitchell declare that I am situated in a location where I can maintain confidentiality throughout the duration of the meeting.”

2 ATTENDANCES

MEMBERS PRESENT

COUNCILLORS	STAFF
Cr Vivienne MacCarthy (President)	Garry Hunt – Chief Executive Officer (Temporary)
Cr Lisa Glover (Deputy President)	Loren Clifford – Manager Corporate Services
Cr John Bailey	
Cr Peter Gubler	
Cr Anita Lindemann	
Cr Anne Mitchell (via teams)	
Cr Grant Patrick	
Cr Alexis Davy	
Cr Deanna Shand	

PUBLIC GALLERY

Nil.

2.1 APOLOGIES

Nil.

2.2 APPROVED LEAVE OF ABSENCE

Nil.

2.3 APPLICATION FOR A LEAVE OF ABSENCE

Nil.

3 ANNOUNCEMENTS FROM PRESIDING MEMBER

Nil.

4 DECLARATION OF INTEREST

Division 6: Sub-Division 1 of the *Local Government Act 1995*. Care should be taken by the Councillors and staff to ensure that a financial/impartiality/proximity interest is declared and that they refrain from voting on any matter, which is considered to come within the ambit of the Act.

Dr Garry Hunt PSM has declared a financial Interest as he holds the current position of Chief Executive Officer regarding report 12.1.1.

5 PUBLIC QUESTION TIME

5.1 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

5.2 PUBLIC QUESTION TIME

In accordance with the Clause 7(3) of the Local Government (Administration) Regulations, public questions must relate to the stated purpose of the Special Meeting of Council.

Nil.

6 PRESENTATIONS

6.1 PETITIONS

Nil.

6.2 PRESENTATIONS

Nil.

6.3 DEPUTATIONS

Nil.

7 CONFIRMATIONS OF MINUTES

Nil.

8 REPORTS OF COMMITTEES

Nil.

9 REPORTS OF OFFICERS

Nil.

10 ELECTED MEMBER MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

11 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING

Nil.

12 MEETINGS CLOSED TO THE PUBLIC

12.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

12.1.1 REPLACEMENT INDEPENDENT SELECTION PANEL MEMBER

This report is confidential in accordance with Section 5.23(b) of the *Local Government Act 1995*, which permits the meeting to be closed to the public.

b) the personal affairs of any person.

COUNCIL RESOLUTION 53/24

MOVED: Cr Patrick

SECONDED: Cr Davey

That the meeting be closed in accordance with section 5.23(a), (b) and (c) of the *Local Government Act 1995* to discuss the following confidential items:

12.1.1 Replacement Independent Selection Panel Member

CARRIED:9/0

For: Cr Bailey, Cr Glover, Cr Gubler, Cr Davy, Cr Lindemann, Cr MacCarthy, Cr Mitchell, Cr Patrick, Cr Shand

Against: Nil.

The meeting was closed to the public at 7:19pm.

COUNCIL RESOLUTION 55/24

MOVED: Cr Patrick

SECONDED: Cr Lindemann

That the meeting be re-opened to the public.

CARRIED:9/0

For: Cr Bailey, Cr Glover, Cr Gubler, Cr Davy, Cr Lindemann, Cr MacCarthy, Cr Mitchell, Cr Patrick, Cr Shand

Against: Nil.

Meeting was re-opened to the public at 7:22pm

12.2 PUBLIC READING OF RESOLUTIONS THAT MAY BE MADE PUBLIC

That Council:

- 1. Notes that a replacement independent selection panel member needs to be appointed, as Mr Bruce Hearman is no longer available to fulfill this role; and**
- 2. Notes that an independent person is required to be appointed in accordance with Division 2, Clause 8 of the Shire's Standards for CEO Recruitment, Performance and Termination; and**
- 3. Appoints Mr Ian Telfer as an external independent person to join the Chief Executive Officer Recruitment and Performance Review Committee's Selection Panel, and in the event that he is unable to fulfill the role Mr Iain Massey be offered; and**
- 4. Requests the Chief Executive Officer writes to the nominated person inviting them to join the Chief Executive Officer Recruitment and Performance Review Committee's Selection Panel as an independent person.**

CARRIED:9/0

For: Cr Bailey, Cr Glover, Cr Gubler, Cr Davy, Cr Lindemann, Cr MacCarthy, Cr Mitchell, Cr Patrick, Cr Shand

Against: Nil.

13 CLOSURES

The next Ordinary Council Meeting will be held on Wednesday 22 May 2024 commencing at 5.00pm in the Shire of Donnybrook Balingup Council Chamber.

The Shire President declared the meeting closed at 7:23pm.