



Shire of  
Wongan-Ballidu

# Agenda

Special Meeting of Council  
Monday, 18 March 2024





# Shire of Wongan-Ballidu

## NOTICE OF SPECIAL COUNCIL MEETING

Dear Elected Members

I advise that A Special Meeting of the Shire of Wongan-Ballidu will be held on Monday, 18th March 2023 commencing at 4.00pm at Council Chambers, Shire of Wongan Ballidu, Corner Quinlan Street and Elphin Crescent, Wongan Hills WA 6603

STUART TAYLOR  
**CHIEF EXECUTIVE OFFICER**

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### **Disclaimer**

The recommendations contained in the Agenda are subject to confirmation by Council. The Shire of Wongan-Ballidu warns that any person(s) who has an application lodged with Council should rely only on written confirmation of the decision made at the Council meeting. No responsibility whatsoever is implied or accepted by the Shire of Wongan-Ballidu for any act, omission, statement or intimation taking place during a Council meeting.

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**Item 1. OFFICIAL OPENING**

Acknowledgement of Country: -

*"I'd like to begin by acknowledging the first nations people of the land on which we meet today. I would also like to pay my respects to Elders past, present and emerging."*

**Item 2. ATTENDANCE, APOLOGIES, LEAVE OF ABSENCE PREVIOUSLY GRANTED**

## Item 3. OFFICERS REPORTS

### 3.1 DISASTER READY FUND APPLICATIONS

<b>FILE REFERENCE:</b>	Grants Program – Disaster Ready Fund
<b>REPORT DATE:</b>	12 March 2024
<b>APPLICANT/PROPONENT:</b>	N/A
<b>OFFICER DISCLOSURE OF INTEREST:</b>	Nil
<b>PREVIOUS MEETING REFERENCES:</b>	Nil
<b>AUTHOR:</b>	Sam Dolzadelli – Deputy Chief Executive Officer
<b>ATTACHMENTS:</b>	9.2.1.1 – Generator Specifications

#### **PURPOSE OF REPORT:**

The purpose of this report is to seek Council's approval for budget amendments to be made for the Shire's co-contribution portion of two projects in which funding is been applied for through the National Emergency Management Agency (NEMA) Disaster Ready Fund (DRF).

#### **BACKGROUND:**

Australia's exposure to disaster risk continues to increase, with new risks emerging at an accelerated pace. Extreme heat, heavy rainfall, coastal inundation, and bushfires are increasingly impacting our communities, environment and economy.

The Australian Government has announced up to \$1 billion for the Disaster Ready Fund (DRF) over five years, from 1 July 2023. Round One provided \$200 million of Commonwealth investment for 187 projects in 2023-24.

The DRF is the Australian Government's flagship disaster resilience and risk reduction initiative which will deliver projects that support Australians to manage the physical and social impacts of disasters caused by climate change and other natural hazards.

Round Two of the DRF will deliver up to \$200 million of Australian Government funding for disaster risk reduction and resilience initiatives, with funding matched by state, territory, local government and other applicants, where possible.

Round Two applications must be submitted to the WA Lead Agency (DFES) by 20<sup>th</sup> March 2024.

#### **POLICY REQUIREMENTS:**

Nil

#### **LEGISLATIVE REQUIREMENTS:**

- *Local Government Act 1995 – Section 6.8(1)(b)*

#### **STRATEGIC IMPLICATIONS:**

There are no Strategic Implications relating to this item.

## **SUSTAINABILITY IMPLICATIONS:**

- **Environment**  
There are no known environmental impacts associated with this proposal.
- **Economic**  
There are no known economic impacts associated with this proposal.
- **Social**  
There are no known social implications associated with this proposal.

## **FINANCIAL IMPLICATIONS:**

The proposed projects are estimated to cost \$45,000 each (\$90,000 in total) and the Shire is required to co-contribute 50% of this amount. The co-contribution being sought is \$45,000. The proposed amended budget in the Budget Review has a surplus of \$52,694 for 30 June 2024. It is recommended that \$45,000 of this surplus be allocated to the co-contributions required for the DRF projects.

## **COMMENT:**

### **GENERATOR SPECIFICATIONS**

The generators proposed to be acquired and installed at both premises are 50kVA Diesel Generators (415V) running Perkins engines. These generators come with a 3-year (1500 hours) warranty. Specifications are attached.

### **APPLICATION ONE – WONGAN HILLS MEDICAL CENTRE GENERATOR**

The Shire met with the Wongan Hills Medical Centre Practice Manager to discuss the possibility of applying for DRF monies to acquire and install an auto-start generator for the Medical Centre. The Medical Centre currently has no backup power supply and is unable to provide a number of critical services (including but not limited to; emergency procedures in which the hospital is not resourced for, renewal of scripts and pathology tests) during power outages. During the most recent power outage in January 2024, the Medical Practice has reported that 160 patients missed their appointments and a further 60 patients missed their pathology appointments. There is also the possibility of loss of vaccines and medications due to refrigeration requirements.

### **APPLICATION TWO – WONGAN HILLS SPORTS PAVILION GENERATOR**

The Wongan Hills Sports Pavilion is designated as an evacuation centre for the Shire of Wongan-Ballidu. There is currently no backup power supply to this building. The Pavilion is the ideal evacuation centre due to its size (including basketball courts) and amenities. It is imperative that an evacuation centre has backup power for emergency circumstances. During the recent power outage event in January 2024, the Pavilion was used as a respite centre for those without power. The Shire utilised a mobile generator from the depot to provide power for this period. It is recommended that a fixed generator be acquired and installed at the Pavilion, which will free up the mobile generator to be able to be used in other areas of the Shire as and when required.

## BUDGET AMENDMENTS

Council is requested to approve the following amendments to the 2023/24 amended Annual Budget (Budget amended including Budget Review), with explanations provided in the table below. Pursuant to section 6.8(1)(b) of the *Local Government Act 1995*, this will require an absolute majority decision of Council.

<b>Account No.</b>	<b>Description</b>	<b>Adopted Budget</b>	<b>Proposed amended budget</b>	<b>Variance Increase/(Decrease) in funding position</b>	<b>Comment</b>
14990	Non-operating grants - DRF	\$0	\$45,000	\$45,000	Funding of 50% for new generators at Medical Centre and WH Pavilion
07632	Capex – Medical Centre Generator	(\$0)	(\$45,000)	(\$45,000)	Cost of acquiring and installing new generator at Medical Centre
11815	Capex – WH Recreation Complex Generator	(\$0)	(\$45,000)	(\$45,000)	Cost of acquiring and installing new generator at WH Recreation Complex
<b>Change in net current assets (funding position)</b>				<b>(\$45,000)</b>	
<b>Net Current Assets (funding position) per 2023/24 Budget Review</b>				<b>\$52,694</b>	
<b>Forecast amended Net Current Assets (funding position)</b>				<b>\$7,694</b>	

**VOTING REQUIREMENTS:** Absolute Majority.

**ABSOLUTE MAJORITY REQUIRED:** Yes.

**OFFICER RECOMMENDATION:**

That Council:

- Pursuant to section 6.8(1)(b) of the *Local Government Act 1995*, approves by absolute majority, the following budget amendments to the Shire's current 2023/24 budget (inclusive of amendments proposed in the Budget Review) as below:

<b>Account No.</b>	<b>Description</b>	<b>Adopted Budget</b>	<b>Proposed amended budget</b>	<b>Variance Increase/(Decrease) in funding position</b>	<b>Comment</b>
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<b>Change in net current assets (funding position)</b>				<b>(\$45,000)</b>	
<b>Net Current Assets (funding position) per 2023/24 Budget Review</b>				<b>\$52,694</b>	
<b>Forecast amended Net Current Assets (funding position)</b>				<b>\$7,694</b>	



### 3.2 RECRUITMENT OF THE CHIEF EXECUTIVE OFFICER

<b>REPORT DATE:</b>	15 March 2024
<b>APPLICANT/PROPONENT:</b>	N/A
<b>OFFICER DISCLOSURE OF INTEREST:</b>	Nil
<b>PREVIOUS MEETING REFERENCES:</b>	Nil
<b>AUTHOR:</b>	Stuart Taylor, Chief Executive Officer
<b>ATTACHMENTS:</b>	3.2a - Confidentiality Agreement 3.2b - Committee Terms of Reference

#### **PURPOSE OF REPORT:**

To seek Council endorsement for the process which is proposed to be used to recruit a new Chief Executive Officer (CEO)

#### **BACKGROUND:**

At the March 2024 Council Meeting, the resignation of Mr S Taylor was accepted by Council.

Following changes to the legislation, the Department of Local Government, Sport and Cultural Industries released a guideline in relation to the legislative changes to assist Councils in undertaking CEO recruitment.

The Local Government Act 1995 requires a designated position of CEO to carry out specific functions enshrined in Section 5.41 of the Act. These are as follows:

The CEO's functions are to —

- (a) advise the council in relation to the functions of a local government under this Act and other written laws; and
- (b) ensure that advice and information is available to the council so that informed decisions can be made; and
- (c) cause council decisions to be implemented; and
- (d) manage the day-to-day operations of the local government; and
- (e) liaise with the mayor or president on the local government's affairs and the performance of the local government's functions; and
- (f) speak on behalf of the local government if the mayor or president agrees; and
- (g) be responsible for the employment, management supervision, direction, and dismissal of other employees (subject to section 5.37(2) in relation to senior employees); and
- (h) ensure that records and documents of the local government are properly kept for the purposes of this Act and any other written law; and
- (i) perform any other function specified or delegated by the local government or imposed under this Act or any other written law as a function to be performed by the CEO

## COMMENT:

Regulation 18C of the Local Government (Administration) Regulations states that the local government is to approve a process to be used for the selection and appointment of a CEO for the local government before the position of CEO of the local government is advertised. The CEO recruitment process can be undertaken in-house or outsourced to a recruitment consultant. The Shire currently do not have the capacity to undertake this process in-house, therefore it is recommended that a recruitment consultant be appointed to assist Council in undertaking the proposed process in a professional and efficient manner.

The position description, selection criteria and contract of employment all need to be reviewed and developed with the approval of full Council. This will ensure transparency in the process undertaken to define the type of person Council is seeking to appoint.

Regulation 18A (2) of the Local Government (Administration) Regulations outlines the minimum requirements for advertising a CEO position.

The advertisement is to contain —

- (a) the details of the remuneration and benefits offered; and
- (b) details of the place where applications for the position are to be submitted; and
- (c) the date and time for the closing of applications for the position; and
- (d) the duration of the proposed contract; and
- (e) contact details for a person who can provide further information about the position; and
- (f) any other information that the local government considers is relevant.

It is expected that the recruitment consultant will develop the job advertisement in accordance with Regulation 18A and develop the information package for prospective applicants as per the Council approved position description and selection criteria.

Preliminary assessments and background checks of prospective applicants will be conducted by the recruitment consultant as per the Council approved selection criteria.

The interviews will be conducted by full Council in Wongan Hills, allowing for a thorough and transparent process resulting in the appointment of the most suitable candidate.

Section 5.36(2) of the Local Government Act 1995 states that a person is not to be employed in the position of CEO unless the council —

- (a) believes that the person is suitably qualified for the position; and
- (b) is satisfied with the provisions of the proposed employment contract.

The CEO recruitment process steps recommended to Council have been developed in reference to the Local Government Operational Guideline Number 10 – Appointing a CEO.

This document has been provided to Council together with Council Policy 5.25

It is recommended that consultants be appointed to assist Council in this process and the following criteria be utilised to assess quotes received from prospective consultants:

Relevant Experience – 20%  
Key Personnel Skills, Experience & Resources – 20%  
Demonstrated Understanding – 25%  
Fee (Price) – 15%  
Delivery / Scheduling – 20%

The recruitment consultant will work in consultation with the CEO Recruitment Committee, comprising of the Shire President, Deputy Shire President and one (1) other elected member. Members of the Committee will be required to:

- Evaluate fee proposals and select a recruitment consultant in conjunction with the current CEO (providing administrative advice and support only)
- Maintain a high level of involvement in the process being conducted by the recruitment consultant, therefore being readily available via telephone, email and video conferencing as required to fulfill the obligation of appointment to this committee.
- Conduct the interviews with full Council.

It is noted that the CEO Recruitment Committee will not appoint the new CEO. The CEO Recruitment Committee's role is to assess each applicant's knowledge, experience, qualifications and skills against the selection criteria, with the summary of the Committee's assessment of each applicant and the Committee's recommendation as to which applicants are suitable for interviewing for the position of CEO by full Council

Once Council has employed a new CEO, Council must by an absolute majority resolution certify that the person was employed in accordance with Council's adopted standards in relation to the recruitment of CEOs (Regulation 18FB of the Regulations).

### **Confidentiality**

The local government should ensure that all information produced or obtained during the recruitment and selection process is kept confidential. This includes applicants' personal details, assessment details, the selection report and outcome of the process. This ensures privacy requirements are met and maintains the integrity of the process. It is recommended that selection panel members and councillors sign a confidentiality agreement to ensure that they are aware of their obligations.

### **POLICY REQUIREMENTS:**

Council Policy 5.25 SOWB CEO Recruitment, Performance and Termination

### **LEGISLATIVE REQUIREMENTS:**

Local Government Act 1995

Section 5.36 contains provisions for the employment of CEOs.

Section 5.39 contains provisions for the contracts of CEOs.

Section 5.40 requires that all employees are to be selected in accordance with the principles of merit and equity.

Local Government (Administration) Regulations 1996

18A contains provisions for advertising requirements.

18B contains provisions for the contracts of CEOs.

18C contains provisions for the selection and appointment process for CEOs.

18E contains provisions for the qualifications of CEOs.

18F contains provisions for the remuneration and benefits as advertise.

**STRATEGIC IMPLICATIONS:** Nil

**SUSTAINABILITY IMPLICATIONS:**

➤ **Environment**

There are no known environmental impacts associated with this proposal.

➤ **Economic**

There are no known economic impacts associated with this proposal.

➤ **Social**

There are no known social implications associated with this proposal.

**FINANCIAL IMPLICATIONS:**

Recruiting Costs:

Provision has not been made in the 2023/24 Annual Budget for CEO recruitment costs, including recruitment consultant costs and those associated with the appointment of a new CEO, such as relocation expenses. As a result, Council will need to amend its Budget accordingly.

**VOTING REQUIREMENTS:**

**ABSOLUTE MAJORITY REQUIRED: Yes**

**OFFICER RECOMMENDATION:**

That Council:

1. Establishes the Chief Executive Officer Recruitment Committee:
  - a) Cr
  - b) Cr
  - c) Cr
  - d) Independent Person
2. ADOPT the CEO Recruitment Committee Confidentiality Agreement
3. ADOPT the CEO Recruitment Committee Terms of Reference March 2024

## ITEM 4. MEETING CLOSURE