



SHIRE OF ASHBURTON

SPECIAL MEETING OF COUNCIL

**MINUTES
(Public Document)**

**Ashburton Hall, Ashburton Avenue,
Paraburdoo**

6 June 2013

Special Meeting of Council 6 June 2013

SHIRE OF ASHBURTON
SPECIAL COUNCIL MEETING

Dear Councillor

Notice is hereby given that an Special Meeting of the Council of the Shire of Ashburton will be held on 6 June 2013 at Ashburton Hall, Ashburton Avenue, Paraboradoo commencing at 7:50 am.

The purpose of this meeting is to appoint a Committee / Panel for the purposes of conducting interviews and associated actions for the appointment of the Chief Executive Officer of the Shire of Ashburton.

Frank Ludovico
A/CHIEF EXECUTIVE OFFICER

DISCLAIMER

The recommendations contained in the Agenda are subject to confirmation by Council. The Shire of Ashburton warns that anyone who has any application lodged with Council must obtain and should only rely on written confirmation of the outcomes of the application following the Council meeting, and any conditions attaching to the decision made by the Council in respect of the application. No responsibility whatsoever is implied or accepted by the Shire of Ashburton for any act, omission or statement or intimation occurring during a Council meeting.

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1. DECLARATION OF OPENING

The Commissioner declared the meeting open at 7.50 am.

2. ATTENDANCE

3.1 PRESENT

Mr R Yuryevich	Commissioner
Mr F Ludovico	A/Chief Executive Officer

3.2 APOLOGIES

There were no apologies.

3.3 APPROVED LEAVE OF ABSENCE

There were no Approved Leave of Absence.

4. ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

5. DECLARATION BY MEMBERS

That Commissioner Yuryevich gave due consideration to all matters contained in the Agenda presently before the meeting.

5.1 DECLARATION OF INTEREST

Councillors to Note

A member who has a Financial Interest in any matter to be discussed at a Council or Committee Meeting, that will be attended by the member, must disclose the nature of the interest:

- (a) In a written notice given to the Chief Executive Officer before the Meeting or;
- (b) At the Meeting, immediately before the matter is discussed.

A member, who makes a disclosure in respect to an interest, must not:

- (c) Preside at the part of the Meeting, relating to the matter or;
- (d) Participate in, or be present during any discussion or decision-making procedure relative to the matter, unless to the extent that the disclosing member is allowed to do so under Section 5.68 or Section 5.69 of the Local Government Act 1995.

NOTES ON FINANCIAL INTEREST (FOR YOUR GUIDANCE)

The following notes are a basic guide for Councillors when they are considering whether they have a Financial Interest in a matter.

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I intend to include these notes in each agenda for the time being so that Councillors may refresh their memory.

1. A Financial Interest requiring disclosure occurs when a Council decision might advantageously or detrimentally affect the Councillor or a person closely associated with the Councillor and is capable of being measure in money terms. There are exceptions in the Local Government Act 1995 but they should not be relied on without advice, unless the situation is very clear.
2. If a Councillor is a member of an Association (which is a Body Corporate) with not less than 10 members i.e. sporting, social, religious etc), and the Councillor is not a holder of office of profit or a guarantor, and has not leased land to or from the club, i.e., if the Councillor is an ordinary member of the Association, the Councillor has a common and not a financial interest in any matter to that Association.
3. If an interest is shared in common with a significant number of electors or ratepayers, then the obligation to disclose that interest does not arise. Each case needs to be considered.
4. If in doubt declare.
5. As stated in (b) above, if written notice disclosing the interest has not been given to the Chief Executive Officer before the meeting, then it **MUST** be given when the matter arises in the Agenda, and immediately before the matter is discussed.
6. Ordinarily the disclosing Councillor must leave the meeting room before discussion commences. The **only** exceptions are:
 - 6.1 Where the Councillor discloses the **extent** of the interest, and Council carries a motion under s.5.68(1)(b)(ii) or the Local Government Act; or
 - 6.2 Where the Minister allows the Councillor to participate under s.5.69(3) of the Local Government Act, with or without conditions.

6. BUSINESS

6.1 APPOINT A COMMITTEE / PANEL FOR THE PURPOSES OF CONDUCTING INTERVIEWS AND ASSOCIATED ACTIONS FOR THE APPOINTMENT OF THE CHIEF EXECUTIVE OFFICER OF THE SHIRE OF ASHBURTON

MINUTE: 11

FILE REFERENCE: JA.003

AUTHOR'S NAME AND POSITION: Frank Ludovico
A/Chief Executive Officer

NAME OF APPLICANT/RESPONDENT: Not applicable

DATE REPORT WRITTEN: 6 June 2013

DISCLOSURE OF FINANCIAL INTEREST: The author has no financial interest in this proposal.

PREVIOUS MEETING REFERENCE: Agenda Item 17.1 (Minute No. 11386) – Ordinary Meeting of Council 12 December 2012
Agenda Item 10.5 (Minute No. 11516) – Ordinary Meeting of Council 8 May 2013

Summary

The appointment of a Council Committee is necessary to progress the appointment of a Chief Executive Officer (CEO) for the Shire of Ashburton.

Background

At Council's May 2013 meeting the Commissioner was authorised to commence the process of recruiting a CEO for the Shire of Ashburton.

Comment

With the return of the elected Council it is appropriate that a committee be formed to continue the process.

As the Minister for Local Government has appointed a Mentoring Monitoring Team it would also be appropriate to elect a member of that team to an interviewing committee.

Consultation

Commissioner Ron Yuryevich
A/Chief Executive Officer
Elected Councillors

Statutory Environment

Section 5.39 & 5.40 of the Local Government Act 1995, and Regulations 18A, 18B, 18F & 19A of the Local Government (Administration) Regulations 1996, apply.

Financial Implications

There are no financial implications in this matter.

Strategic Implications

Shire of Ashburton, 10 Year Strategic Plan 2012-2022

Goal 5 – Inspiring Governance

Objective 3 – Council Leadership

The appointment of a new Chief Executive Officer is critical to the operational management and strategic development of the Shire.

Policy Implications

There are no policy implications in this matter.

Voting Requirement

Absolute Majority Required

Council Decision

MOVED: Commissioner R Yuryevich

That Council:

- 1. Appoint to the Chief Executive Officer Interview Committee Cr White, Cr Dias, Cr Foster and Cr Karen Chappel, Deputies are Cr Eyre and Cr Rumble.**
- 2. Conducts Interview appointments for the position of Chief Executive Officer on 5 July 2013.**
- 3. Authorise the Shire President to liaise with WALGA Workplace Solutions to deal with any routine matters that may arise in the course of implementing the recruitment process.**

7. NEXT MEETING

The next Ordinary Meeting of Council will be held on 17 July 2013, at the Civic Centre, Tanunda Street, Tom Price commencing at 1.00 pm.

8. CLOSURE OF MEETING

Commissioner Yuryevich closed the meeting at 7.55 am.