



## SPECIAL MEETING OF COUNCIL

### MINUTES

30 May 2019

(REF: D2019/07240)

An Ordinary Meeting of Council was held at the EMRC Administration Office, 1<sup>st</sup> Floor, 226 Great Eastern Highway, BELMONT WA 6104 on **Thursday, 30 May 2019**. The meeting commenced at **6:30pm**.

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## 1 DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

The Chairman opened the meeting at 6:30pm.

## 2 ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE (PREVIOUSLY APPROVED)

### Councillor Attendance

Cr David McDonnell ( <b>Chairman</b> )	EMRC Member	City of Swan
Cr Dylan O'Connor ( <b>Deputy Chairman</b> )	EMRC Member	City of Kalamunda
Cr Melissa Mykytiuk	EMRC Member	Town of Bassendean
Cr Jai Wilson	EMRC Member	Town of Bassendean
Cr Barry McKenna	EMRC Member	City of Bayswater
Cr Sally Palmer	EMRC Member	City of Bayswater
Cr Janet Powell	EMRC Member	City of Belmont
Cr Steve Wolff	EMRC Member	City of Belmont
Cr Geoff Stallard (to 7:20pm)	EMRC Member	City of Kalamunda
Cr Cameron Blair (Deputising for Cr Stallard from 7:20pm)	EMRC Deputy Member	City of Kalamunda
Cr John Daw	EMRC Member	Shire of Mundaring
Cr Doug Jeans (Deputising for Cr Lavell)	EMRC Deputy Member	Shire of Mundaring
Cr Adam Kovalevs	EMRC Member	City of Swan

### Apologies

Cr David Lavell	EMRC Member	Shire of Mundaring
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### EMRC Officers

Mrs Prapti Mehta	Manager Organisational Development
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### Observer(s)

Cr Kathryn Hamilton	EMRC Deputy Member	Town of Bassendean
Cr Filomena Piffaretti	EMRC Deputy Member	City of Bayswater

### Visitor(s)

Mr Geoff Blades	Director	Lester Blades Pty Ltd
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## 3 DISCLOSURE OF INTERESTS

Nil

## 4 ANNOUNCEMENTS BY THE CHAIRMAN OR PERSON PRESIDING WITHOUT DISCUSSION

The Chairman advised that the Budget meeting been held on 6 June 2019 was open to all Councillors. The Chairman also thanked the CEORC members and the Manager Organisational Development for their contribution with the recruitment process of the new Chief Executive Officer.



**5 ANNOUNCEMENT OF CONFIDENTIAL MATTERS FOR WHICH MEETINGS MAY BE CLOSED TO THE PUBLIC**

NOTE: Section 5.23(2) of the *Local Government Act 1995*, details a number of matters upon which Council may discuss and make decisions without members of the public being present. These matters include: matters affecting employees; personal affairs of any person; contractual matters; legal advice; commercial-in-confidence matters; security matters; among others.

The following report item is covered in Section 9 of this agenda:

5.1 SELECTION OF CHIEF EXECUTIVE OFFICER

**6 MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

**7 QUESTIONS BY MEMBERS WITHOUT NOTICE**

Nil

**8 NEW BUSINESS OF AN URGENT NATURE APPROVED BY THE CHAIRMAN OR PRESIDING MEMBER OR BY DECISION OF MEETING**

Nil

**9 CONFIDENTIAL MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC**

**RECOMMENDATION (Closing meeting to the public)**

That with the exception of ....., the meeting be closed to members of the public in accordance with Section 5.23 (2) (a) and (c) of the *Local Government Act 1995* for the purpose of dealing with matters of a confidential nature.

**COUNCIL RESOLUTION**

MOVED CR JEANS

SECONDED CR MYKYTIUK

The meeting was closed to the public at 6:35pm.

The Manager Organisational Development remained in the Council Chambers.



## **9.1 SELECTION OF CHIEF EXECUTIVE OFFICER**

**REFERENCE: D2019/06197**

The matter is recommended to be confidential in accordance with Sections 5.23 (2) (a) and (c) of the *Local Government Act 1995*, which states as follows:

"If a meeting is being held by Council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following:-

- (a) a matter affecting an employee or employees; and
- (c) contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.

See Confidential Item circulated with the Agenda under Separate Cover.

### **RECOMMENDATION [Meeting re-opened to the public]**

That the meeting be re-opened, the public be invited to return to the meeting and the resolutions passed behind closed doors be recorded.

### **COUNCIL RESOLUTION**

MOVED CR WILSON

SECONDED CR POWELL

THAT THE MEETING BE RE-OPENED, THE PUBLIC BE INVITED TO RETURN TO THE MEETING AND THE RESOLUTIONS PASSED BEHIND CLOSED DOORS BE RECORDED.

**CARRIED UNANIMOUSLY**

The meeting was reopened to the public at 7:50pm.

Recording of the recommendations passed behind closed doors, namely:

## **9.1 SELECTION OF CHIEF EXECUTIVE OFFICER**

**REFERENCE: D2019/06197**

### **COUNCIL RESOLUTION(S)**

MOVED CR MYKYTIUK

SECONDED CR PALMER

1. THAT COUNCIL ACKNOWLEDGES RECEIPT OF THE CONFIDENTIAL SELECTION REPORT PROVIDED BY LESTER BLADES PTY LTD AS CONTAINED WITHIN ATTACHMENT ONE TO THIS REPORT.

**CARRIED UNANIMOUSLY**



**COUNCIL RESOLUTION(S)**

MOVED CR MYKYTIUK                      SECONDED CR PALMER

2. THAT COUNCIL BY ABSOLUTE MAJORITY ENDORSES THE EMPLOYMENT CONTRACT AS CONTAINED WITHIN ATTACHMENT THREE TO THIS REPORT SUBJECT TO AN AMENDMENT TO CLAUSE 5.3(1)(A) – MOTOR VEHICLE.
  1. EMRC MUST PROVIDE TO YOU –
    - (A) AS FAR AS REASONABLY POSSIBLE AN ECO-FRIENDLY VEHICLE OR ENVIRONMENTALLY FRIENDLY VEHICLE.

**CARRIED UNANIMOUSLY**

**COUNCIL RESOLUTION(S)**

MOVED CR WILSON                      SECONDED CR MYKYTIUK

3. THAT COUNCIL, BY ABSOLUTE MAJORITY, SELECTS THE PREFERRED CANDIDATE IDENTIFIED WITHIN THIS REPORT, FOR THE POSITION OF CHIEF EXECUTIVE OFFICER AT THE EASTERN METROPOLITAN REGIONAL COUNCIL SUBJECT TO A SATISFACTORY MEDICAL EXAMINATION, NATIONAL POLICE CLEARANCE AND NEGOTIATION OF TERMS AND CONDITIONS OF THE EMPLOYMENT CONTRACT.

**CARRIED UNANIMOUSLY**

**COUNCIL RESOLUTION(S)**

MOVED CR KOVALEVS                      SECONDED CR PALMER

4. THAT COUNCIL AUTHORISES THE CHAIRMAN CR DAVID MCDONNELL OR HIS DELEGATE CR O'CONNOR TO NEGOTIATE AND FINALISE THE TERMS AND CONDITIONS OF THE EMPLOYMENT CONTRACT AND COMMENCEMENT DATE WITH THE SUCCESSFUL CANDIDATE, SUBJECT TO THE TOTAL REMUNERATION PACKAGE RANGE BEING SET AT \$260,000 TO \$300,000 PER ANNUM, AS ADVERTISED.

**CARRIED UNANIMOUSLY**

**COUNCIL RESOLUTION(S)**

MOVED CR KOVALEVS                      SECONDED CR DAW

THAT:

5. COUNCIL REQUESTS CONSULTANT GEOFF BLADES TO ASSIST THE CHAIRMAN OR HIS DELEGATE IN NEGOTIATING THE EMPLOYMENT CONTRACT AND COMMENCEMENT DATE WITH THE SUCCESSFUL CANDIDATE.
6. COUNCIL AUTHORISES THE CHAIRMAN OR HIS DELEGATE TO MEET WITH THE SUCCESSFUL CEO CANDIDATE TO SIGN THE EMPLOYMENT CONTRACT AND PLACE EMRC'S COMMON SEAL ON THE DOCUMENT ON BEHALF OF THE COUNCIL.
7. COUNCIL NOTES THAT ANY PROPOSED VARIATIONS TO THE EMPLOYMENT CONTRACT OTHER THAN THOSE INCIDENTAL IN NATURE, ARE TO BE REFERRED BACK TO COUNCIL BEFORE NEGOTIATIONS ARE FINALISED.
8. COUNCIL NOTES THAT A FORMAL ANNOUNCEMENT OF THE SELECTION OF THE SUCCESSFUL CANDIDATE WILL BE MADE FOLLOWING SUCCESSFUL CONTRACT NEGOTIATIONS AND THE SIGNING OF CONTRACT DOCUMENTS BY ALL PARTIES.
9. COUNCIL THANKS GEOFF BLADES FOR HIS PROFESSIONALISM AND ASSISTANCE.
10. THE REPORT AND ATTACHMENTS REMAIN CONFIDENTIAL AND BE CERTIFIED BY THE CHAIRMAN AND DEPUTY CHAIRMAN.

**CARRIED UNANIMOUSLY**



## 10 FUTURE MEETINGS OF COUNCIL

The next **Ordinary meeting of Council** will be held on **Thursday, 20 June 2019** at the EMRC Administration Office, 1<sup>st</sup> Floor, 226 Great Eastern Highway, Belmont WA 6104 commencing at 6:00pm.

### Future Meetings 2019

Thursday	20 June		at	EMRC Administration Office
Thursday	18 July	(if required)	at	EMRC Administration Office
Thursday	22 August	(if required)	at	EMRC Administration Office
Thursday	19 September		at	EMRC Administration Office
Thursday	5 December		at	EMRC Administration Office
January 2020 (recess)				

## 11 DECLARATION OF CLOSURE OF MEETING

There being no further business, the meeting was closed at 7:51pm.