



**Shire of Derby /
West Kimberley**

UNCONFIRMED MINUTES

CEO Performance Review Committee Meeting

Wednesday, 4 September 2024

Date: Wednesday, 4 September 2024

Time: 4:00 PM

**Location: Council Chambers
Clarendon Street
Derby**



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**MINUTES OF SHIRE OF DERBY / WEST KIMBERLEY
CEO PERFORMANCE REVIEW COMMITTEE MEETING
HELD AT THE COUNCIL CHAMBERS, CLARENDON STREET, DERBY
ON WEDNESDAY, 4 SEPTEMBER 2024 AT 4:00 PM**

PRESENT:

(In Person) Mr Peter McCumstie (President)

PRESENT: Cr Geoff Haerewa (Deputy President)

(Remote)

IN ATTENDANCE: Noelene Bain (Executive Services Project Officer)

(In Person)

IN ATTENDANCE: Neil Hartley (Director, Strategic Business)

(Remote)

VISITORS:

(Remote) Geraldine Kistnasing (LOGO Appointments), and Laura Russo (LOGO Appointments)

GALLERY: Nil

APOLOGIES: Nil

APPROVED LEAVE OF ABSENCE: Nil

ABSENT: Nil

1 DECLARATION OF OPENING, ANNOUNCEMENT OF VISITORS

The meeting was opened at 4:15pm by President Peter McCumstie.

2 ACKNOWLEDGEMENT OF COUNTRY

In the spirit of reconciliation, the Shire of Derby/West Kimberley acknowledges the traditional custodians of country throughout the Shire and their connection to land, sea and community.

The Shire of Derby/West Kimberley would like to pay respect to the past, present and future traditional custodians and Elders of this nation and the continuation of cultural, spiritual and educational practices of Aboriginal and Torres Strait Islander peoples.

3 ATTENDANCE VIA TELEPHONE/INSTANTANEOUS COMMUNICATIONS

A Council Member may attend council or committee meetings by electronic means if the member is authorised to do so by the President or the Council. Electronic means attendance can only be authorised for up to half of the Shire's in-person meetings they have attended in total, in any rolling 12 months prior period. Authorisation can only be provided if the location and the equipment to be used by the Council Member are suitable to enable effective, and where necessary confidential, engagement in the meeting's deliberations and communications.

- Cr Geoff Haerewa

4 ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

- Nil.

5 DISCLOSURE OF INTERESTS

Council Members must disclose the nature of their interest in matters to be discussed at the meeting (Part 5 Division 6 of the *Local Government Act 1995*). Employees must disclose the nature of their interest in reports or advice when giving the report or advice to the meeting (Sections 5.70 and 5.71 of the *Local Government Act 1995*).

5.1 Declaration of Financial Interests

- Nil.

5.2 Declaration of Proximity Interests

- Nil.

5.3 Declaration of Impartiality Interests

- Nil.

6 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

COMMITTEE RESOLUTION CR03/24

Moved: Cr Geoff Haerewa

Seconded: Mr Peter McCumstie

That the Minutes of the CEO Performance Review Committee Meeting held at the Council Chambers, Clarendon Street, Derby, on 25 August 2022 be CONFIRMED.

In Favour: Mr Peter McCumstie and Cr Geoff Haerewa

Against: Nil

CARRIED 2/0

7 MATTERS FOR WHICH THE MEETING MAY BE CLOSED (CONFIDENTIAL MATTERS)**7.1 CEO APPOINTMENT PROCESS**

This matter is considered to be confidential under Section 5.23(2) - a and c of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with a matter affecting an employee or employees and a 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.

COMMITTEE RESOLUTION CR04/24**Moved: Cr Geoff Haerewa****Seconded: Mr Peter McCumstie****That it be recommended to Council that for the current CEO vacancy:**

- 1. The coordination of the CEO appointment process not be undertaken by the existing CEO Performance Review / CEO Appointment Committee but instead by a CEO Appointment Coordination Panel, consisting of the President; Deputy President; Cr O'Meara; a fourth Councillor; and an Independent Person;**
- 2. The Terms of Reference for the CEO Appointment Coordination Panel to be those parts of the attached Terms of Reference as agreed to by the Panel in consultation with the Specialist Recruitment Consultant, LOGO Appointments;**
- 3. The Director Strategic Business coordinate local advertising inviting applications for the position of Independent Person (for the term of this current CEO appointment process) and that a report to Council follow, to enable a selection to be made;**
- 4. Council endorses the recruitment process as outlined by LOGO in the attachment to this report, which addresses the following:**
 - (a) Confidentiality agreement;**
 - (b) Interview Panel Members;**
 - (c) The Council's expectations of their preferred candidate for the role based on their knowledge, skills, experience, and personality;**
 - (d) Selection Criteria;**
 - (e) Advertising mediums;**
 - (f) Recruitment process; and**
 - (g) Recruitment Timeline Schedule**
- 5. The Acting CEO address in the next Budget Review, the matter of Consultants expenses for this CEO replacement process.**

In Favour: Mr Peter McCumstie and Geoff Haerewa**Against: Nil****CARRIED 2/0**

8 DATE OF NEXT MEETING

THE NEXT MEETING OF CEO PERFORMANCE REVIEW/CEO APPOINTMENT COMMITTEE WILL BE HELD AT THE DISCRETION OF THE COUNCIL OR THE PRESIDENT.

9 CLOSURE OF MEETING

The Presiding Member closed the meeting at 5:45pm.

These minutes were confirmed at a meeting on

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Signed:

Presiding Person at the meeting at which these minutes were confirmed.

Date: