



NOTICE OF MEETING

**SPECIAL MEETING OF COUNCIL
CONSIDERING**

Chief Executive Officer Recuritment

Members of Council are advised that a meeting will be held in the
Council Chambers 83 Mandurah Terrace, Mandurah on:

Tuesday 7 February 2023 at 5.30pm

MARK R NEWMAN
Chief Executive Officer
3 February 2023

AGENDA:

1 OPENING OF MEETING AND ANNOUNCEMENT OF VISITORS

2 ACKNOWLEDGEMENT OF COUNTRY

3 APOLOGIES

4 IMPORTANT NOTE

Members of the public are advised that any decisions made at the meeting tonight, can be revoked, pursuant to the *Local Government Act 1995*. Therefore, members of the public should not rely on any decisions until formal notification in writing by Council has been received.

5 AMENDMENT TO STANDING ORDERS

Modifications to City of Mandurah *Standing Orders Local Law 2016*

6 PUBLIC QUESTION TIME

Public Question time provides an opportunity for members of the public to ask a question of Council. For more information regarding Public Question Time please visit the City's website www.mandurah.wa.gov.au or telephone 9550 3787.

7 DEPUTATIONS

Any person or group wishing to make a Deputation to Council regarding a matter listed on this agenda for consideration must complete an application form. For more information regarding making a deputation please visit the City's website www.mandurah.wa.gov.au or telephone 9550 3787.

8 DECLARATIONS OF FINANCIAL, PROXIMITY AND IMPARTIALITY INTERESTS

9 QUESTIONS FROM ELECTED MEMBERS (WITHOUT DISCUSSION)

9.1 Questions of which due notice has been given

9.2 Questions of which notice has not been given

10 REPORTS:

No.	Item	Page No	Note
1	Chief Executive Officer Recruitment	4-6	Absolute Majority Required Confidential Attachment

11 CONFIDENTIAL ITEMS

12 CLOSE OF MEETING

1	SUBJECT:	Chief Executive Officer Recruitment
	DIRECTOR:	Office of the Chief Executive Officer
	MEETING:	Special Council Meeting
	MEETING DATE:	7 February 2023

Summary

In accordance with City of Mandurah Standards for CEO Recruitment, Performance and Termination, Section 5.42 *Local Government Act 1995* and regulation 18A of the *Local Government (Administration) Regulations 1996* Council is now requested to:

- By absolute majority, approve the position description form setting out the duties and responsibilities and the selection criteria for the position of Chief Executive Officer (CEO) (refer to **Confidential Attachment 1.1**);
- Approve the remuneration and benefits and contract term for the position of CEO; and
- Approve the CEO to undertake the Statewide Public Notice process.

Disclosure of Interest

Nil

Previous Relevant Documentation

- G13/11/22 22 November 2022 Appointment of Elected Members to the Selection Panel for the CEO position
- SP2/11/22 16 November 2022 Appointment of HR Consultant and Independent Selection Panel Member
- G11/10/22 25 October 2022 Chief Executive Officer Resignation and Recruitment Commencement of CEO

Background

- At the meeting of 25 October 2022 Council received the resignation of Mark Newman, Chief Executive Officer.
- At the meeting of 16 November 2022 Council appointed Lester Blades Pty Ltd as the Human Resource Consultant and Nick Sloan as the Independent Person to the Selection Panel.
- At the meeting of 22 November 2022 Council appointed Mayor Rhys Williams and Councillors Caroline Knight (Deputy Mayor) and Peter Rogers to the Selection Panel.

Comment

Position Description and Selection Criteria

On 18 January 2023, the Council appointed human resources consultant facilitated a workshop with the Selection Panel for the purpose of determining the skills, qualifications, experience and qualities that the Council will expect of CEO candidates. Following this workshop, engagement was undertaken with Councillors and the independent member of the Selection Panel to review the position description form and provide input accordingly.

The outcomes of this workshop and engagement with Councillors have informed the development of the CEO position description and specifically the selection criteria for the position, which will be used to assess each applicant.

Council is now required, by absolute majority, to approve the position description form setting out the duties and responsibilities and the selection criteria (refer to **Confidential Attachment 1.1**).

Total Reward Package

Council should note that the CEO's remuneration is determined by the Salaries and Allowances Tribunal, under Section 7A of the *Salaries and Allowances Act 1975* and the remuneration package may not fall outside the band applicable to the City. The City of Mandurah is determined as a Band One Local Government.

Council is asked to resolve on a contract term of five years and a Total Reward Package of \$350,000 to \$390,810.

Statewide Notice (advertising)

City of Mandurah Standards for CEO Recruitment, Performance and Termination require the position of CEO to be advertised in accordance with section 5.36(4) of Act and regulation 18A of the *Local Government (Administration) Regulations 1996* which requires Statewide public notice.

The Statewide Public Notice must contain:

- the details of the remuneration and benefits offered;
- details of the place where applications for the position are to be submitted;
- the date and time for the closing of applications for the position;
- the duration of the proposed contract;
- a website address where the job description form for the position can be accessed;
- contact details for a person who can provide further information about the position; and
- any other information that the local government considers is relevant.

Once Council has resolved the position description and selection criteria, the contract term and the Total Reward Package the position will progress to advertisement in accordance with the Statewide Public Notice Process.

Consultation

Consultation has been undertaken with the Selection Panel and Councillors in the development of the position description and selection criteria.

Statutory Environment

Section 5.39A and 5.39B of the *Local Government Act 1995*
Regulation 18 of the *Local Government (Administration) Regulations 1996*
Salaries and Allowances Act 1975

Policy Implications

City of Mandurah Standards for CEO Recruitment, Performance and Termination¹

Financial Implications

There are no financial implications as the City's budget contains funding required.

¹City of Mandurah Standards for CEO Recruitment, Performance and Termination <https://www.mandurah.wa.gov.au/-/media/files/com/downloads/council/governance/code-of-conduct/standards-for-ceo-recruitment-performance-and-termination.pdf>

Risk Analysis

It is important that the recruitment process is in accordance with legislation and the City of Mandurah Standards for CEO Recruitment, Performance and Termination.

Council deciding on the job description and selection criteria will ensure that the preferred candidate will deliver Mandurah's vision.

Strategic Implications

The following strategies from the City of Mandurah Strategic Community Plan 2020 – 2040 are relevant to this report:

Organisational Excellence:

- Demonstrate regional leadership and advocate for the needs of our community.
- Provide professional customer service, and engage our community in the decision making process.
- Build and retain a skilled, agile, motivated and healthy workforce.
- Ensure the City has the capacity and capability to deliver quality services and facilities through accountable and transparent business practices.
- Ensure that our actions maintain a sustainable balance between economic growth, the environment and social values.

Conclusion

Council is now requested to approve the position description form and selection criteria (refer **Confidential Attachment 1.1**, the contract term and remuneration and benefits for the position of CEO.

NOTE:

- Refer **Confidential Attachment 1.1 Chief Executive Officer Position Description and Selection Criteria**

RECOMMENDATION

That Council:

1. **Adopts the Chief Executive Officer Position Description at per *Confidential Attachment 1.1* setting out the duties and responsibilities and the selection criteria for the position.***
2. **Approves a contract term of five years, to be advertised.**
3. **Approves the Chief Executive Officer Total Reward Package of \$350,000 to \$390,810, to be advertised.**
4. **Approves the Chief Executive Officer to commence the Statewide Public Notice in accordance with section 5.36(4) of *Local Government Act 1995* and regulation 18A of *Local Government (Administration) Regulations 1996*.**

ABSOLUTE MAJORITY REQUIRED