



MINUTES

Special Council Meeting

25 February 2022

Shire of Victoria Plains
Council Chambers, Calingiri
AND
via E-Meeting Protocol

Commencing – 11.12 am

DISCLAIMER:

The recommendations contained in this document are officers' recommendations only and should not be acted upon until Council has resolved to adopt those recommendations.

The resolutions of Council should be confirmed by perusing the minutes of the Council meeting at which these recommendations were considered. Resolutions are not considered final until the minutes of the meeting are confirmed or advised in writing by the CEO or authorised person.

Members of the public should also note that they act at their own risk if they enact any resolution prior to receiving official written notification of Council's decision.

Recording of Meeting

Members of the public are advised that meetings of Council are audio recorded to assist with ensuring an accurate record of the meeting is provided for the formal minutes of the meeting. In terms of the Privacy Act 1998 this may involve the recording of personal information provided at the meeting. The provision of any information that is recorded is voluntary, however if any person does not wish to be recorded they should not address or request to address the meeting. By remaining in this meeting, you consent to the recording of the meeting.

You are not permitted to record this meeting with any recording device, unless you have the express authorisation of the Council of the Shire of Victoria Plains.

E – Disclaimer

It is the Presiding Member's responsibility to preserve order in the meeting and this can be more difficult in an eMeeting. Therefore, each Council Member must consistently and respectfully follow the Local Government's Meeting Procedures Local Law, any additional eMeeting guidance provided by the Local Government and support the Presiding Member in their conduct of the eMeeting.

The pace of an eMeeting should be slow and orderly. The following practices will help avoid confusion and support effective eMeetings:

Speak clearly and slowly, as connections may be distorted or delayed;

Always state your name to indicate to the Presiding Member that you wish to speak. Restate your name if the Presiding Member has not heard you at first;

In debate, only speak after the Presiding Member has acknowledged you. Then state your name, so that others know who is speaking;

Follow the Presiding Member's directions and rulings;

If you are unclear about what is happening in an eMeeting, immediately state your name to draw the Presiding Member's attention and enable you to then seek clarification from the Presiding Member;

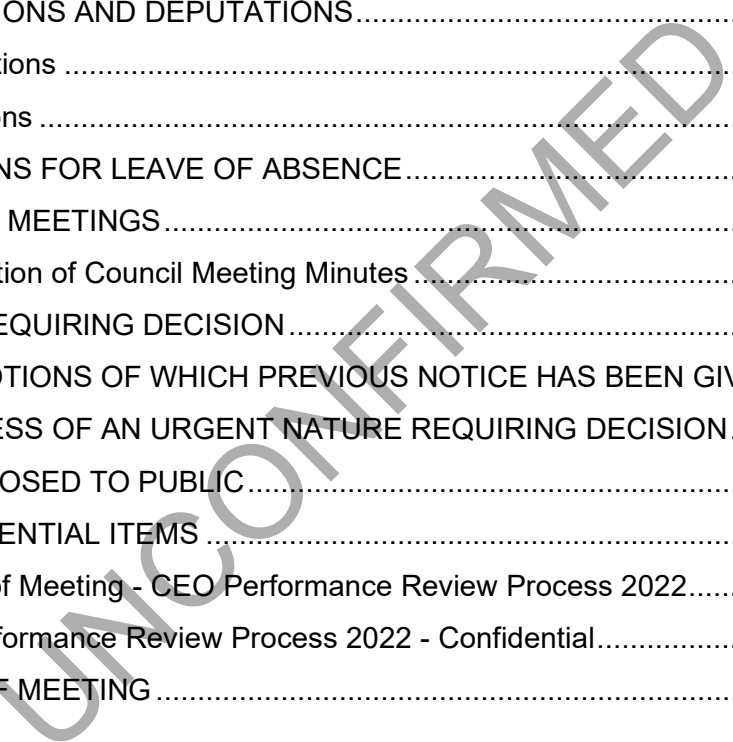
Avoid looking for opportunities to call Points of Order; instead, politely and respectfully gain the Presiding Member's attention and explain any deviation from your Meeting Procedures, the Local Government Act or any other relevant matter.

Commonly-used abbreviations

AAS / AASB	Australian Accounting Standard / Australian Accounting Standards Board
BF Act	Bush Fire Act 1954
BFB	Bush fire brigade
CEO	Chief Executive Officer
CDO	Community Development Officer
DBCA	Dept of Biodiversity, Conservation and Attractions
DFES	Dept of Fire and Emergency Services
DPLH	Dept of Planning, Lands and Heritage
DWER	Dept of Water and Environmental Regulation
EHO	Environmental Health Officer
EFT	Electronic Funds Transfer
FAM	Finance and Administration Manager
JSCDL	Parliamentary Joint Standing Committee on Delegated Legislation
LEMA	Local Emergency Management Arrangements
LEMC	Local Emergency Management Committee
LG Act	Local Government Act 1995
LGGC	WA Local Government Grant Commission
LPP	Local Planning Policy
LPS	Local Planning Scheme
MOU	Memorandum of Understanding
MRWA	Main Roads WA
NNTT	National Native Title Tribunal
OAG	Office of Auditor General
OCM	Ordinary Council Meeting
PTA	Public Transport Authority
RRG	Regional Roads Group
RTR	Roads to Recovery
SAT	State Administrative Tribunal
SEMC	State Emergency Management Committee
SGC	Superannuation Guarantee Contribution
SJAA	St John Ambulance Association
SWALSC	South West Aboriginal Land and Sea Council
WAEC	WA Electoral Commission
WALGA	WA Local Government Association
WSM	Works and Services Manager

CONTENTS

1.	DECLARATION OF OPENING	5
1.1	Opening.....	5
1.2	Announcements by Shire President	5
2.	RECORD OF ATTENDANCE	5
3.	DISCLOSURES OF INTEREST	6
4.	PUBLIC QUESTION TIME.....	6
4.1	Public Questions With Notice	6
4.2	Public Questions Without Notice	6
5.	PRESENTATIONS AND DEPUTATIONS.....	6
5.1	Presentations	6
5.2	Deputations	6
6.	APPLICATIONS FOR LEAVE OF ABSENCE.....	6
7.	MINUTES OF MEETINGS.....	7
7.1	Confirmation of Council Meeting Minutes	7
8.	REPORTS REQUIRING DECISION.....	7
9.	MEMBER MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	7
10.	NEW BUSINESS OF AN URGENT NATURE REQUIRING DECISION.....	7
11.	MEETING CLOSED TO PUBLIC.....	7
11	CONFIDENTIAL ITEMS	7
11.1	Closure of Meeting - CEO Performance Review Process 2022.....	7
11.1	CEO Performance Review Process 2022 - Confidential.....	9
12.	CLOSURE OF MEETING	11





MINUTES

Special Meeting of the Victoria Plains Shire Council
Held in the Calingiri Shire Chambers and via E-meeting Protocol
on 25 February 2022 commencing at 11.12am

1. DECLARATION OF OPENING

1.1 Opening

The Shire President declared the meeting open at 11.12am.

1.2 Announcements by Shire President

The meeting shall be run in accordance with the Shire's *Meeting Procedures Local Law 2018*.

Today we have 6 councillors attending the meeting, 4 of whom are attending via teleconference, with 2 Councillors here in person in the Chambers and therefore E-Meeting procedures will be required.

The Shire President reminded Elected Members that the meeting was being recorded for the purposes of Minute Taking and uploading of the recording to the Shire Website for public viewing.

2. RECORD OF ATTENDANCE

Members present

Cr P Bantock – Shire President
Cr N Clarke – Deputy Shire President- via teleconference
Cr G O'Brien – via teleconference
Cr S Penn – via teleconference-
Cr J Kelly
Cr S Woods – via teleconference

Staff attending

CEO – Ms G Teede
Governance Officer – via teleconference
Minute Taker – Mrs J Klobas- via teleconference

Apologies

Cr D Lovelock

Approved leave of absence	Nil
Visitors	Nil
Members of the public	Nil

3. DISCLOSURES OF INTEREST

Refer – Local Government Act, Regulations, Code of Conduct, and Declaration Forms in Councillor folders.

Type	Item	Person / Details
3.1	Financial	Nil
3.2	Proximity	Nil
3.3	Impartiality	The Governance Officer, Mr S Fletcher, declared an impartiality interest in item 11.2, “11.1 CEO Performance Review Process 2022” due to ‘ <i>Mr Fletcher has interacted with, and has worked with, Dr Silcox. Mr Fletcher knows, and has undertaken projects for Mr Julian Murphy, CEO at the Shire of Katanning</i> ’

4. PUBLIC QUESTION TIME

Refer – Local Government Act, Regulations, Local Law and Submission Form & Guidelines circulated.

4.1 Public Questions With Notice

No members of the Public were present and no Questions were tabled prior to the meeting.

4.2 Public Questions Without Notice

No members of the Public were present and no Questions were tabled prior to the meeting.

5. PRESENTATIONS AND DEPUTATIONS

5.1 Presentations

Nil

5.2 Deputations

Nil

6. APPLICATIONS FOR LEAVE OF ABSENCE

N/A

7. MINUTES OF MEETINGS**7.1 Confirmation of Council Meeting Minutes**

N/A

8. REPORTS REQUIRING DECISION

Nil

9. MEMBER MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

10. NEW BUSINESS OF AN URGENT NATURE REQUIRING DECISION*Admitted by resolution of Council*

N/A

11. MEETING CLOSED TO PUBLIC**11 CONFIDENTIAL ITEMS****11.1 Closure of Meeting - CEO Performance Review Process 2022**

File reference	
Report date	24 February 2022
Applicant/proponent	CEO
Officer disclosure of interest	Nil
Previous meeting references	Nil
Prepared by	Sean Fletcher, Governance Officer
Authorised by	CEO
Attachments	

PURPOSE

For Council to move "in camera" (behind closed doors) and consider the CEO performance review process for 2022.

BACKGROUND

Under section 5.23 (2)(a) of the Local Government Act, Council may close a meeting, or part of a meeting if it is dealing with a matter affecting an employee or employees.

COMMENT

Council is required under the CEO Standards to consider the CEO performance review process for 2022.

CONSULTATION

CEO

OCM Officer

STATUTORY CONTEXT

As per the background to this item.

CORPORATE CONTEXT

N/A

FINANCIAL IMPLICATIONS

N/A

VOTING REQUIREMENTS

Absolute majority required: No

2202-14 Officer's Recommendation / Council Resolution

Moved: Cr J Kelly

Seconded: Cr N Clarke

That Council **CLOSE** the meeting under section 5.23 (2)(a) of the *Local Government Act 1995* to consider the CEO performance review process for 2022 at 11.20am.

CARRIED BY UNANIMOUS DECISION OF COUNCIL

2202-15 Councillor Motion

Moved: Cr J Kelly

Seconded: Cr S Penn

That only Councillors remain in Chambers.

MOTION IS LOST FOR 2 / AGAINST 3

Meeting Recording ceased at 11.21pm.

UNCONFIRMED

11.1 CEO Performance Review Process 2022 - Confidential

File reference		
Report date		24 February 2022
Applicant/proponent		Council/CEO
Officer disclosure of interest		Impartial – Mr Fletcher has interacted with, and has worked with, Dr Silcox. Mr Fletcher knows, and has undertaken projects for Mr Julian Murphy, CEO at the Shire of Katanning
Prepared by		Sean Fletcher, Governance Officer
Authorised by		CEO
Attachments		
Attachment 1	Page	2 Customised CEO Performance Review for the Shire of Victoria Plains – Dr Shayne Silcox

VOTING REQUIREMENTS

Absolute majority required: No

2202-15 Procedural Motion**Mover: Cr J Kelly****Secunder:**

That Council move out of standing Orders at 11.33am.

MOTION LAPSED DUE TO LACK OF A SECONDER TO THE MOTION**2202-16 Officer Recommendation / Council Resolution****Moved Cr N Clarke****Seconded Cr G O'Brien**That Council **RESOLVES** the Process for the CEO's Performance Review as follows:

1. As set out in Attachment 1 - the proposal by Dr Shayne Silcox: Customised CEO Performance Review for the Shire of Victoria Plains - Draft Performance Review Process – Shire of Victoria Plains.
2. Further to Point 1:
 - a. Notes that the CEO, Ms Glenda Teede is in agreement with the CEO Draft Performance Review process proposed by Dr Silcox.
 - b. The CEO's performance review is to be completed by 31 July 2022.
 - d. That all of Council is appointed as the CEO Performance Review Committee to conduct the CEO's performance review.
 - c. Appoints Dr Shayne Silcox as the facilitator to assist the CEO Performance Review Committee and accepts his quote of \$4,800 ex GST in accordance

- with the Shire's purchasing policy at a cost. Travel and accommodation are provided separately.
- d. That the Executive Assistant/OCM Officer and the Governance Officer will assist the CEO Performance Review Committee as required.
 - e. The CEO Performance Review Committee will dissolve at the completion of the CEO's Performance Review as set out on Points 1 and 2b.
3. That Council re-opens the meeting to the public.

CARRIED BY UNANIMOUS DECISION OF COUNCIL

UNCONFIRMED

12. CLOSURE OF MEETING

There being no further business, the Presiding Member declared the meeting closed at 11.36am.

CERTIFICATION

These minutes were confirmed at the Ordinary Council Meeting held on _____ 2022.

Signed _____ Date _____
(Presiding member at the meeting which confirmed the minutes)

Council Minutes are unconfirmed until they have been adopted at the following meeting of Council.

UNCONFIRMED