



TOWN OF
VICTORIA PARK



Special Council Meeting Minutes – 30 April 2024



WE'RE OPEN
VIC PARK

A **Special Council Meeting** was held at **5:00 PM** on **30 April 2024** in the **Council Chambers**, Administration Centre at 99 Shepperton Road, Victoria Park.

Her Worship the Mayor Karen Vernon
6 May 2024

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1 Declaration of opening

Mayor Karen Vernon opened the meeting at 5:02pm.

Acknowledgement of the traditional owners

Mayor Karen Vernon read the Acknowledgement of Country.

Ngany djerapiny Wadjak – Noongar boodja-k yaakiny, nidja bilya bardook.

I am honoured to be standing on Whadjuk - Nyungar country on the banks of the Swan River.

Ngany kaaditj Noongar moort keny kaadak nidja Wadjak Noongar boodja. Ngany kaaditj nidja Noongar birdiya – koora, ye-ye, boorda, baalapiny moorditj Noongar kaaditjin, moort, wer boodja ye-ye.

I acknowledge the traditional custodians of this land and respect past, present and emerging leaders, their continuing cultural heritage, beliefs and relationship with the land, which continues to be important today.

Ngany youngka baalapiny Noongar birdiya wer moort nidja boodja.

I thank them for the contribution made to life in the Town of Victoria Park and to this region.

2 Announcements from the Presiding Member

2.1 Recording and live streaming of proceedings

In accordance with clause 39 of the *Town of Victoria Park Meeting Procedures Local Law 2019*, as the Presiding Member, I hereby give my permission for the administration to record proceedings of this meeting.

This meeting is also being live streamed on the Town's website. By being present at this meeting, members of the public consent to the possibility that their image and voice may be live streamed to public. Recordings are also made available on the Town's website following the meeting.

2.2 Public question time and public statement time

As this is a Special Council Meeting, any public questions or statements must relate to the business of the agenda.

There are guidelines that need to be adhered to in our Council meetings and during question and statement time people speaking are not to personalise any questions, or statements about Elected Members, or staff or use any possible defamatory remarks.

In accordance with clause 40 of the *Town of Victoria Park Meeting Procedures Local Law 2019*, a person addressing the Council shall extend due courtesy and respect to the Council and the processes under which it operates and shall comply with any direction by the presiding member.

A person present at or observing a meeting shall not create a disturbance at a meeting, by interrupting or interfering with the proceedings, whether by expressing approval or dissent, by conversing or by any other means.

When the presiding member speaks during public question time or public statement time any person then speaking, is to immediately stop and every person present is to preserve strict silence so that the presiding member may be heard without interruption.

2.3 No adverse reflection

In accordance with clause 56 of the *Town of Victoria Park Meeting Procedures Local Law 2019*, both Elected Members and the public when speaking are not to reflect adversely on the character or actions of Elected Members or employees.

2.4 Town of Victoria Park Meeting Procedures Local Law 2019

All meetings of the Council, committees and the electors are to be conducted in accordance with the Act, the Regulations and the *Town of Victoria Park Meeting Procedures Local Law 2019*.

3 Attendance

Mayor

Ms Karen Vernon

Banksia Ward

Cr Claire Anderson

Cr Peter Devereux

Cr Peter Melrosa

Cr Lindsay Miles

Jarraah Ward

Cr Sky Croeser

Cr Jesse Hamer (from 5.10pm)

Deputy Mayor Bronwyn Ife

Cr Daniel Minson

Chief Executive Officer

Mr Anthony Vuleta

Manager Governance and Strategy

Ms Bernadine Tucker

Meeting Secretary

Ms Winnie Tansanguanwong

Public Liaison

Ms Alison Podmore

3.1 Apologies

Nil.

3.2 Approved leave of absence

Nil.

4 Declarations of interest

4.1 Declarations of financial interest

Name/Position	Mr Anthony Vuleta
Item No/Subject	9.1 - Revocation - Mayor Karen Vernon - Chief Executive Officer Contract
Nature of Interest	Financial
Extent of Interest	Item affects my employment with the Town

4.2 Declarations of proximity interest

Nil.

4.3 Declarations of interest affecting impartiality

Nil.

5 Public question time

5.1 Public question time

Public question time opened at 5:06pm and there being no member of the public in the gallery the Mayor closed public question time at 5:06pm

6 Public statement time

Public statement time opened at 5:06pm and there being no member of the public in the gallery the Mayor closed public statement time at 5:06pm

7 Presentations

7.1 Petitions

Nil.

7.2 Presentations

Nil.

7.3 Deputations

Nil.

8 Method of dealing with agenda business

9 Chief Executive Officer reports

9.1 Revocation - Mayor Karen Vernon - Chief Executive Officer Contract

Location	Town-wide
Reporting officer	Manager Governance and Strategy
Responsible officer	Manager People and Culture
Voting requirement	Absolute majority
Attachments	Nil

Summary

This report is to consider a motion submitted by Mayor Karen Vernon (and supported by three additional Councillors) to revoke Item Number 22.1.1 Chief Executive Officer Contract made at the Town of Victoria Park Ordinary Council Meeting held 16 April 2024.

Recommendation

That the motion passed at the Ordinary Council Meeting held 16 April 2024 concerning the Chief Executive Officer Contract which reads:

Moved: Mayor Karen Vernon

Seconded: Deputy Mayor Bronwyn Ife

That Council:

1. Notes the resignation of the Chief Executive Officer.
2. Agrees that Friday 14 June 2024 is to be the final day of the Chief Executive Officers employment.
3. Approves the appointment of:
 - a. Natalie Adams to be Acting Chief Executive Officer from the last working day of your employment as CEO for a period of 3 months; and
 - b. Natalie Martin Goode and David Doy to be Co-Acting Chief Executive Officers thereafter until the CEO position is filled on a permanent basis;
4. to offer the Acting Chief Executive Officers a salary in accordance with clause 11 of Policy 005 Acting CEO, and for the Co-Acting CEO appointment, a suitable sharing arrangement to be agreed with Council.
5. Commences the recruitment of an independent recruitment consultant to coordinate the CEO recruitment process on behalf of the Town.
6. Commences the recruitment process for an independent person to be a member of the selection panel.

Carried (9 - 0)

For: Mayor Karen Vernon, Cr Claire Anderson, Cr Sky Croeser, Cr Peter Devereux, Cr Jesse Hamer, Deputy Mayor Bronwyn Ife, Cr Peter Melrosa, Cr Lindsay Miles and Cr Daniel Minson

Against: Nil

be revoked and replaced with the original officer recommendation as follows.

That Council:

1. Notes the resignation of the Chief Executive Officer.
2. Agrees that Friday 14 June 2024 is to be the final day of the Chief Executive Officers employment.
3. Approves the appointment of _____ to be Acting Chief Executive Officer until the position is filled on a permanent basis.
4. Offers the Acting Chief Executive Officer a salary in accordance with clause 11 of Policy 005 Acting Chief Executive Officer.
5. Commences the recruitment of an independent recruitment consultant to coordinate the CEO recruitment process on behalf of the Town.
6. Commences the recruitment process for an independent person to be a member of the selection panel.

Background

At its meeting held 16 April 2024, Council considered Item 22.1.1 Chief Executive Officer Contract. The revocation motion submitted by Mayor Karen Vernon, (in accordance with the Town of Victoria Park Meeting Procedures Local Law 2019) is supported by Deputy Mayor Bronwyn Ife, and Councillors Claire Anderson and Jesse Hamer. Reason for the Revocation provided by Mayor Karen Vernon are: *Natalie Adams has declined the 3 month appointment in point 3a of the resolution so revised acting arrangements will need to be made for that period.*

Discussion

1. Following the resolution passed at the Ordinary Council Meeting held 16 April 2024, the Chief Operations Officer Natalie Adams advised Council she was declining the offer.
2. Council are to now reconsider the appointment of an Acting Chief Executive Officer until the vacancy can be filled on a permanent basis.
3. Legal advice has been received that states Council has no legal power to amend items 1 or 2 of the original resolution as that decision has now been implemented by the CEO advising Kalamunda.
4. Council can only legally revisit items 3 to 6 of the original Council resolution.
5. The legal advice also stated there was no legal requirement for a 'statement' (as required by the Meeting Procedures Local Law 2019) to be included with consideration of the revocation motion as items 1 and 2 cannot legally be revisited.
6. If Council are considering any co-CEO acting arrangements, then a decision on salary arrangements should also be made at the same meeting.

Relevant documents

Nil.

Legal and policy compliance

[Local Government Act 1995](#)

[Local Government \(Administration\) Regulations 1996](#)

[Meeting Procedures Local Law 2019](#)

[Policy 005 Acting Chief Executive Officer](#)

Financial implications

Current budget impact	Sufficient funds exist within the current budget to appoint an Acting CEO.
Future budget impact	If Council are considering a co-CEO arrangement in 2024/25 financial year, in accordance with Policy 005 Acting Chief Executive Officer, 90% of the CEO's salary component could equate up to an additional \$100,000 (based on a 6 month acting period) over and above the forecast budget.

Risk management consideration

Risk impact category	Risk event description	Risk rating	Risk appetite	Risk Mitigation
Financial	A co-CEO position has not been budgeted	Moderate	Low	Treat the risk by considering an additional budget
Environmental			Medium	
Health and safety			Low	
Infrastructure/ ICT systems/ utilities			Medium	
Legislative compliance	Non-compliance with the requirements of the Local Government Act 1995 and Regulations, and the Meeting Procedures Local Law 2019.	Moderate	Low	Treat the risk by complying with the legislative requirements
Reputation			Low	
Service delivery			Medium	

Engagement

Not applicable.

Strategic alignment

Civic Leadership	
Community Priority	Intended public value outcome or impact
CL1 – Effectively managing resources and performance	To ensure at the Civic and administration functions can meet the needs of the Town and staff in the future.
CL3 - Accountability and good governance.	Town compliance with legislative requirements

PROCEDURAL MOTION (69/2024):

Moved: Mayor Karen Vernon

Seconded: Deputy Mayor Bronwyn Ife

That Council approves the Chief Executive Officer remaining in the Chamber despite having declared a financial interest in this item.

Carried (8 - 0)

For: Mayor Karen Vernon, Cr Claire Anderson, Cr Sky Croeser, Cr Peter Devereux, Deputy Mayor Bronwyn Ife, Cr Peter Melrosa, Cr Lindsay Miles and Cr Daniel Minson

Against: Nil

Officer recommendation

Moved: Mayor Karen Vernon

Seconded: Deputy Mayor Bronwyn Ife

That the motion passed at the Ordinary Council Meeting held 16 April 2024 concerning the Chief Executive Officer Contract which reads:

Moved: Mayor Karen Vernon

Seconded: Deputy Mayor Bronwyn Ife

That Council:

1. Notes the resignation of the Chief Executive Officer.
2. Agrees that Friday 14 June 2024 is to be the final day of the Chief Executive Officers employment.
3. Approves the appointment of:
 - a. Natalie Adams to be Acting Chief Executive Officer from the last working day of your employment as CEO for a period of 3 months; and
 - b. Natalie Martin Goode and David Doy to be Co-Acting Chief Executive Officers thereafter until the CEO position is filled on a permanent basis;

4. to offer the Acting Chief Executive Officers a salary in accordance with clause 11 of Policy 005 Acting CEO, and for the Co-Acting CEO appointment, a suitable sharing arrangement to be agreed with Council.
5. Commences the recruitment of an independent recruitment consultant to coordinate the CEO recruitment process on behalf of the Town.
6. Commences the recruitment process for an independent person to be a member of the selection panel.

Carried (9 - 0)

For: Mayor Karen Vernon, Cr Claire Anderson, Cr Sky Croeser, Cr Peter Devereux, Cr Jesse Hamer, Deputy Mayor Bronwyn Ife, Cr Peter Melrosa, Cr Lindsay Miles and Cr Daniel Minson

Against: Nil

be revoked and replaced with the original officer recommendation as follows.

That Council:

1. Notes the resignation of the Chief Executive Officer.
2. Agrees that Friday 14 June 2024 is to be the final day of the Chief Executive Officers employment.
3. Approves the appointment of _____ to be Acting Chief Executive Officer until the position is filled on a permanent basis.
4. Offers the Acting Chief Executive Officer a salary in accordance with clause 11 of Policy 005 Acting Chief Executive Officer.
5. Commences the recruitment of an independent recruitment consultant to coordinate the CEO recruitment process on behalf of the Town.
6. Commences the recruitment process for an independent person to be a member of the selection panel.

PROCEDURAL MOTION (70/2024):

Moved: Mayor Karen Vernon

Seconded: Deputy Mayor Bronwyn Ife

That Council:

1. Closes the meeting to the members of the public at 5:09pm to consider item 9.1, in accordance with Section 5.23(2)(a) of the Local Government Act 1995.
2. Permits the Chief Executive Officer, the Manager Governance and Strategy and the Minute Secretary to remain in the chamber during discussion, in accordance with clause 27(3)(a) of the Town of Victoria Park Meeting Procedures Local Law 2019.

Carried (8 - 0)

For: Mayor Karen Vernon, Cr Claire Anderson, Cr Sky Croeser, Cr Peter Devereux, Deputy Mayor Bronwyn Ife, Cr Peter Melrosa, Cr Lindsay Miles and Cr Daniel Minson

Against: Nil

The meeting closed to the public at 5:09pm.

Cr Jesse Hamer arrived at the meeting at 5:10pm

AMENDMENT (71/2024):

Moved: Mayor Karen Vernon

Seconded: Deputy Mayor Bronwyn Ife

That items 3 and 4 of the Officer Recommendation be amended as follows:

3. Approves the appointment of:

- (i) Duncan Olde as Acting CEO from 25 May 2024 until 12 July 2024 inclusive;
- (ii) Natalie Martin Goode and David Doy as joint Acting CEOs from 13 July 2024 until the position of CEO is filled on a permanent basis.

4. Offers the persons appointed as Acting CEOs a salary in accordance with clause 11 of Policy 005 Acting Chief Executive Officer, with the apportionment of the salary for the joint Acting CEO arrangement as otherwise agreed by Council.

Carried (9 - 0)

For: Mayor Karen Vernon, Cr Claire Anderson, Cr Sky Croeser, Cr Peter Devereux, Cr Jesse Hamer, Deputy Mayor Bronwyn Ife, Cr Peter Melrosa, Cr Lindsay Miles and Cr Daniel Minson

Against: Nil

Reason: On the advice of the CEO, the persons identified to be appointed as acting CEOs have the capacity and willingness to act as CEOs whilst we recruit for the permanent position.

AMENDED OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (72/2024):

Moved: Mayor Karen Vernon

Seconded: Deputy Mayor Bronwyn Ife

That the motion passed at the Ordinary Council Meeting held 16 April 2024 concerning the Chief Executive Officer Contract which reads:

Moved: Mayor Karen Vernon

Seconded: Deputy Mayor Bronwyn Ife

That Council:

1. Notes the resignation of the Chief Executive Officer.
2. Agrees that Friday 14 June 2024 is to be the final day of the Chief Executive Officers employment.
3. Approves the appointment of:
 - a. Natalie Adams to be Acting Chief Executive Officer from the last working day of your employment as CEO for a period of 3 months; and
 - b. Natalie Martin Goode and David Doy to be Co-Acting Chief Executive Officers thereafter until the CEO position is filled on a permanent basis;
4. to offer the Acting Chief Executive Officers a salary in accordance with clause 11 of Policy 005 Acting CEO, and for the Co-Acting CEO appointment, a suitable sharing arrangement to be agreed with Council.
5. Commences the recruitment of an independent recruitment consultant to coordinate the CEO recruitment process on behalf of the Town.
6. Commences the recruitment process for an independent person to be a member of the selection panel.

Carried (9 - 0)

For: Mayor Karen Vernon, Cr Claire Anderson, Cr Sky Croeser, Cr Peter Devereux, Cr Jesse Hamer, Deputy Mayor Bronwyn Ife, Cr Peter Melrosa, Cr Lindsay Miles and Cr Daniel Minson

Against: Nil

be revoked and replaced with the following:

That Council:

1. Notes the resignation of the Chief Executive Officer.
2. Agrees that Friday 14 June 2024 is to be the final day of the Chief Executive Officers employment.
3. Approves the appointment of:
 - (i) Duncan Olde as Acting CEO from 25 May 2024 until 12 July 2024 inclusive;
 - (ii) Natalie Martin Goode and David Doy as joint Acting CEOs from 13 July 2024 until the position of CEO is filled on a permanent basis.
4. Offers the persons appointed as Acting CEOs a salary in accordance with clause 11 of Policy 005 Acting Chief Executive Officer, with the apportionment of the salary for the joint Acting CEO arrangement as otherwise agreed by Council.
5. Commences the recruitment of an independent recruitment consultant to coordinate the CEO recruitment process on behalf of the Town.
6. Commences the recruitment process for an independent person to be a member of the selection panel.

Carried (9 - 0)

By Absolute Majority

For: Mayor Karen Vernon, Cr Claire Anderson, Cr Sky Croeser, Cr Peter Devereux, Cr Jesse Hamer, Deputy Mayor Bronwyn Ife, Cr Peter Melrosa, Cr Lindsay Miles and Cr Daniel Minson

Against: Nil

PROCEDURAL MOTION (73/2024):

Moved: Mayor Karen Vernon

Seconded: Deputy Mayor Bronwyn Ife

That Council re-opens the meeting to the members of the public at 5:20pm.

Carried (9 - 0)

For: Mayor Karen Vernon, Cr Claire Anderson, Cr Sky Croeser, Cr Peter Devereux, Cr Jesse Hamer, Deputy Mayor Bronwyn Ife, Cr Peter Melrosa, Cr Lindsay Miles and Cr Daniel Minson

Against: Nil

10 Public question time

Public question time opened at 5:20pm and there being no member of the public in the gallery the Mayor closed public question time at 5:20pm

11 Public statement time

Public statement time opened at 5:21pm and there being no member of the public in the gallery the Mayor closed public statement time at 5:21pm

12 Meeting closed to the public

Nil.

12.1 Matters for which the meeting may be closed

Nil.

12.2 Public reading of resolutions which may be made public

In accordance with clause 27 (6) of the Town of Victoria Park Meeting Procedures Local Law 2019, Mayor Karen Vernon read aloud the resolution in relation to the following item.

- 9.1 – Chief Executive Officer Contract

13 Closure

There being no further business, Mayor Karen Vernon closed the meeting at 5:22 pm.

I confirm these minutes to be true and accurate record of the proceedings of the Council

Signed:

Dated this:

Day of:

2024