



TOWN OF  
VICTORIA PARK

## Special Council Meeting Agenda – 30 April 2024

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**WE'RE OPEN**  
**VIC PARK**

Please be advised that a **Special Council Meeting** will be held at **5:00 PM** on **Tuesday 30 April 2024** in the **Council Chambers**, Administration Centre at 99 Shepperton Road, Victoria Park.

**Mr Anthony Vuleta – Chief Executive Officer**

26 April 2024

## **Copyright**

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# **1 Declaration of opening**

## **Acknowledgement of the traditional owners**

*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 kaadijtin, 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

**Jarrah Ward**

Cr Sky Croeser

Cr Jesse Hamer

Deputy Mayor Bronwyn Iffe

Cr Daniel Minson

**Chief Executive Officer**

Mr Anthony Vuleta

**Chief Operations Officer**

Ms Natalie Adams

**Chief Community Planner**

Ms Natalie Martin Goode

**Manager Governance and Strategy**

Ms Bernadine Tucker

**Meeting Secretary**

Ms Felicity Higham

**Public Liaison**

Ms Alison Podmore

#### **3.1 Apologies**

#### **3.2 Approved leave of absence**

## **4 Declarations of interest**

### **4.1 Declarations of financial interest**

A declaration under this section requires that the nature of the interest must be disclosed. Consequently, a member who has made a declaration must not preside, participate in, or be present during any discussion or decision-making procedure relating to the matter the subject of the declaration. An employee is required to disclose their financial interest and if required to do so by the Council must disclose the extent of the interest. Employees are required to disclose their financial interests where they are required to present verbal or written reports to the Council. Employees can continue to provide advice to the Council in the decision-making process if they have disclosed their interest.

### **4.2 Declarations of proximity interest**

Elected members (in accordance with Regulation 11 of the Local Government [Rules of Conduct] Regulations 2007) and employees (in accordance with the Code of Conduct) are to declare an interest in a matter if the matter concerns: a) a proposed change to a planning scheme affecting land that adjoins the person's land; b) a proposed change to the zoning or use of land that adjoins the person's land; or c) a proposed development (as defined in section 5.63(5)) of land that adjoins the persons' land.

Land, the proposed land adjoins a person's land if: a) the proposal land, not being a thoroughfare, has a common boundary with the person's land; b) the proposal land, or any part of it, is directly across a thoroughfare from, the person's land; or c) the proposal land is that part of a thoroughfare that has a common boundary with the person's land. A person's land is a reference to any land owned by the person or in which the person has any estate or interest.

### **4.3 Declarations of interest affecting impartiality**

Elected members (in accordance with Regulation 11 of the Local Government [Rules of Conduct] Regulations 2007) and employees (in accordance with the Code of Conduct) are required to declare any interest that may affect their impartiality in considering a matter. This declaration does not restrict any right to participate in or be present during the decision-making process. The Elected Member/employee is also encouraged to disclose the nature of the interest.

**5 Public question time**

**6 Public statement time**

**7 Presentations**

**7.1 Petitions**

**7.2 Presentations**

**7.3 Deputations**

**8 Method of dealing with agenda business**



## 9 Chief Executive Officer reports

### 9.1 Revocation - Mayor Karen Vernon - Chief Executive Officer Contract

<b>Location</b>	Town-wide
<b>Reporting officer</b>	Manager Governance and Strategy
<b>Responsible officer</b>	Manager People and Culture
<b>Voting requirement</b>	Absolute majority
<b>Attachments</b>	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](#)

## Financial implications

<b>Current budget impact</b>	Sufficient funds exist within the current budget to appoint an Acting CEO.
<b>Future budget impact</b>	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

## Further consideration

**10 Public question time**

**11 Public statement time**

**12 Meeting closed to the public**

**12.1 Matters for which the meeting may be closed**

**12.2 Public reading of resolutions which may be made public**

**13 Closure**