

MINUTES

Chief Executive Officer -
Performance Review Committee

MINUTES OF THE CHIEF EXECUTIVE OFFICER - PERFORMANCE REVIEW COMMITTEE MEETING

HELD ON

MEETING DATE



THURSDAY 27 SEPTEMBER 2007

www.joondalup.wa.gov.au



City of
Joondalup

CITY OF JOONDALUP

MINUTES OF THE CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE HELD IN THE COUNCILLORS' WEST WARD OFFICE, JOONDALUP CIVIC CENTRE, BOAS AVENUE, JOONDALUP ON THURSDAY, 27 SEPTEMBER 2007

ATTENDANCE

Committee Members:

Cr Russ Fishwick	<i>Presiding Person</i>	South Ward
Mayor Troy Pickard		
Cr Tom McLean		North Ward
Cr Steve Magyar		North-Central Ward
Cr Brian Corr		South-East Ward

Officers:

Chief Executive Officer: GARRY HUNT

In attendance:

Mr John Phillips, Workplace Solutions

DECLARATION OF OPENING

The Presiding Person declared the meeting open at 1705 hrs.

APOLOGIES/LEAVE OF ABSENCE

Leave of Absence previously approved:

Cr G Amphlett 25 September 2007 to 28 September 2007 inclusive

CONFIRMATION OF MINUTES

MINUTES OF THE CHIEF EXECUTIVE OFFICER – PERFORMANCE REVIEW COMMITTEE MEETING HELD ON MONDAY, 24 SEPTEMBER 2007

This will be undertaken at the next meeting of the Chief Executive Officer - Performance Review Committee.

ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

Nil

Disclosure 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.

Name/Position	Mr Garry Hunt – Chief Executive Officer
Item No/Subject	Item 1 - CEO Annual Performance Review Interview
Nature of interest	Financial
Extent of Interest	Mr Hunt holds the position of CEO

Disclosure of interest affecting impartiality

Elected Members and staff are required under the Code of Conduct, in addition to declaring any financial interest, 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.

Name/Position	Mr Mike Tidy - Director Corporate Services
Item No/Subject	Item 1 - CEO Annual Performance Review Interview
Nature of interest	Interest that may affect impartiality
Extent of Interest	Due to the nature of his employment relationship with the CEO

IDENTIFICATION OF MATTERS FOR WHICH THE MEETING MAY SIT BEHIND CLOSED DOORS

Nil

PETITIONS AND DEPUTATIONS

Nil

SUSPENSION OF STANDING ORDERS LOCAL LAW 2005

MOVED Cr Fishwick, **SECONDED** Cr Magyar that the CEO Performance Review Committee **SUSPENDS** the City's Standing Orders Local Law 2005 to enable the Committee to conduct the CEO's performance review interview, the time being 1705 hrs.

The Motion was Put and

CARRIED (5/0)

In favour of the Motion: Crs Fishwick, Corr, McLean and Magyar, Mayor Pickard

ITEM 1 CEO ANNUAL PERFORMANCE REVIEW INTERVIEW [74574]

WARD: All

**RESPONSIBLE
DIRECTOR:** Mr Mike Tidy
Corporate Services

PURPOSE

The purpose of this report is for the CEO Performance Review Committee (the committee) to undertake the scheduled interview with the Chief Executive Officer (CEO) in relation to his annual performance review.

EXECUTIVE SUMMARY

The committee now needs to conduct the scheduled interview.

That the CEO Performance Review Committee AGREES, to commence the interview with the CEO in relation to his annual performance review.

BACKGROUND

The scheduled interview of the CEO for the purposes of conducting his performance review in accordance with clause 11.3(b) of the CEO's contract was agreed by the committee at its meeting of the 18 September 2007.

DETAILS

Issues and options considered:

As all of the preliminary requirements in accordance with Clause 11 of the CEO's contract leading to the scheduled interview have been completed there are no issues preventing the interview, taking place.

Link to Strategic Plan:

Objective 4.5 - To manage our workforce as a strategic business resource.

Legislation – Statutory Provisions:

Included in Clause 3 Executive Duties, of the CEO's Employment Contract are the following references to the Local Government Act 1995 and other regulatory requirements:

- "3.3 exercise such powers and carry out such duties and functions as are imposed in the Act, and all other relevant laws, regulations and Standing Orders
- 3.4 fulfil the functions of a CEO as prescribed in the Act
- 3.5 comply with the Council's policies and procedures and Code of Conduct, as varied from time to time by the Council"

It should be noted that the committee has no delegated power.

Risk Management considerations:

The performance review process is designed to evaluate and assess the CEO's performance against Key Performance Indicators on a periodic basis and the Performance Review Committee is required to refer its concluded report to the Council for consideration.

Financial/Budget Implications:

In conducting the performance review under the CEO's Employment contract, the Performance Review Committee is required to consult with and seek guidance from an external and independent human resources expert, or similar, to facilitate the review of the CEO's performance (Clause 11.3(e)(i)).

The cost of the appointed consultant is covered by the City's consultancy budget for 2007/08.

Policy Implications:

Not Applicable.

Regional Significance:

Not Applicable.

Sustainability Implications:

Not Applicable.

Consultation:

As part of the review process the under clause 11(3)(e)(ii) the Performance Review Committee is required to seek written comments in relation to the CEO's performance from all individual Elected Members.

COMMENT

The committee has now completed all of the steps and received all of the input stipulated in the CEO's contract as required prior to the conduct of the scheduled interview.

ATTACHMENTS

Nil.

VOTING REQUIREMENTS

Simple majority.

OFFICER'S RECOMMENDATION: That the CEO Performance Review Committee AGREES to commence the interview with the CEO in relation to his annual performance review.

MOVED Cr Magyar, SECONDED Cr McLean that the Chief Executive Officer's report assessing his performance during the review period be RECEIVED.

The Motion was Put and

CARRIED (5/0)

In favour of the Motion: Crs Fishwick, Corr, McLean and Magyar, Mayor Pickard

The Presiding Person invited Committee Members and the Chief Executive Officer to discuss matters raised as part of the review and feedback process. A range of questions was asked by Committee Members and were responded to by Mr Hunt.

Discussion took place regarding the relevance and applicability of the Key Result Areas used in the review process.

The Chairman provided and spoke to a written report on the process to date – Appendix 1 refers.

MOVED Mayor Pickard, SECONDED Cr Corr that the report dated 26 September 2007 submitted by the Presiding Person of the Chief Executive Officer Performance Review Committee (forming Attachment 1) dealing with an overview of the Elected Members' Annual Assessment of the Chief Executive Officer, be RECEIVED.

The Motion was Put and

CARRIED (5/0)

In favour of the Motion: Crs Fishwick, Corr, McLean and Magyar, Mayor Pickard

It was agreed that the Chief Executive Officer, Director Corporate Services and Mr John Phillips, Consultant would finalise the details of a new Key Result Area – 'Major Projects', and to update KRA 2 – Strategic Management, which will be incorporated in the Item to be tabled at the Committee meeting scheduled to be held on 2 October 2007, and then as part of a final report to be tabled at the next occurring ordinary Meeting of Council – (Appendix 2 refers).

RESUMPTION OF STANDING ORDERS LOCAL LAW 2005

MOVED Cr Fishwick, SECONDED Cr Magyar that Standing Orders be RESUMED, the time being 1812 hrs.

The Motion was Put and

CARRIED (5/0)

In favour of the Motion: Crs Fishwick, Corr, McLean and Magyar, Mayor Pickard

MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

REQUESTS FOR REPORTS FOR FUTURE CONSIDERATION

Nil.

CLOSURE

There being no further business, the Presiding Person declared the Meeting closed at 1814 hrs; the following Committee members being present at that time:

Cr Russ Fishwick
Mayor Troy Pickard
Cr Steve Magyar
Cr Tom McLean
Cr Brian Corr