

minutes

Chief Executive Officer Performance Review Committee

MEETING HELD ON

MONDAY 24 AUGUST 2015

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CITY OF JOONDALUP

MINUTES OF THE CHIEF EXECUTIVE OFFICER – PERFORMANCE REVIEW COMMITTEE MEETING HELD IN CONFERENCE ROOM 2, JOONDALUP CIVIC CENTRE, BOAS AVENUE, JOONDALUP ON MONDAY 24 AUGUST 2015.

ATTENDANCE

Committee Members

Cr Russ Fishwick, JP *Presiding Member*
Mayor Troy Pickard
Cr Brian Corr
Cr Tom McLean, JP
Cr Sam Thomas

Officers

Mr Mike Tidy Director Corporate Services
Mr Brad Sillence Manager Governance

Guests

Mr John Phillips John Phillips Consulting

DECLARATION OF OPENING

The Presiding Member declared the meeting open at 6.00pm.

DECLARATIONS OF INTEREST

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. 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 are able to continue to provide advice to the Council in the decision making process if they have disclosed their interest.

Name/Position	Mr Garry Hunt – Chief Executive Officer.
Item No./Subject	Item 2 – Confidential – Chief Executive Officer Annual Performance Review – Pre Interview Report.
Nature of interest	Financial.
Extent of Interest	Mr Hunt holds the position of Chief Executive Officer.

Disclosure 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.

Name/Position	Mr Mike Tidy – Director Corporate Services.
Item No./Subject	Item 2 – Confidential – Chief Executive Officer Annual Performance Review – Pre Interview Report.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Due to the nature of his employment relationship with the Chief Executive Officer.

APOLOGIES/LEAVE OF ABSENCE

Apology

Cr Mike Norman

Leave of Absence previously approved

Cr Geoff Amphlett, JP	18 August to 28 August 2015 inclusive;
Cr Russ Fishwick, JP	25 August to 8 September 2015 inclusive;
Cr Christine Hamilton-Prime	25 August to 7 September 2015 inclusive;
Cr Philippa Taylor	25 August to 7 September 2015 inclusive;
Cr Kerry Hollywood	25 August to 4 September 2015 inclusive;
Cr Liam Gobbert	15 September 2015.

CONFIRMATION OF MINUTES

MINUTES OF THE CHIEF EXECUTIVE OFFICER – PERFORMANCE REVIEW COMMITTEE HELD 5 MAY 2015

MOVED Cr McLean, **SECONDED** Cr Thomas that the minutes of the meeting of the Chief Executive Officer – Performance Review Committee held on 5 May 2015 be confirmed as a true and correct record.

The Motion was Put and

CARRIED (5/0)

In favour of the Motion: Cr Fishwick, Mayor Pickard, Crs Corr, McLean and Thomas.

ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION

Nil.

IDENTIFICATION OF MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC

In accordance with Clause 5.2 of the City's *Meeting Procedures Local Law 2013*, this meeting was not open to the public.

PETITIONS AND DEPUTATIONS

Nil.

REPORTS

ITEM 1 CHANGE OF MEETING DATE - CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE

WARD	All
RESPONSIBLE DIRECTOR	Mr Jamie Parry Governance and Strategy
FILE NUMBER	74574, 101515
ATTACHMENTS	Nil.
AUTHORITY / DISCRETION	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

PURPOSE

For the Chief Executive Officer Performance Review Committee to consider changing the date of the next meeting of the Chief Executive Officer Performance Review Committee from Tuesday 1 September 2015 to Wednesday 9 September 2015.

EXECUTIVE SUMMARY

At its meeting held on 5 May 2015, the Chief Executive Officer Performance Review Committee established the schedule for the Chief Executive Officer performance review process.

At its meeting held on 23 June 2015 (CJ097-06/15 refers), Council approved the participation of the Mayor, Chief Executive Officer and four Councillors in a formal delegation to Jinan, China to celebrate the 10 Year Anniversary of the Sister City Relationship between the City of Joondalup and the Jinan Municipal People's Government.

The delegation will be travelling during the period 26 August to 4 September 2015.

As these dates clash, it is recommended that the Chief Executive Officer Performance Review Committee change the date of its next meeting from Tuesday 1 September 2015 to Wednesday 9 September 2015, commencing at 7.00pm.

BACKGROUND

At its meeting held on 5 May 2015, the Chief Executive Officer Performance Review Committee established the schedule for the Chief Executive Officer performance review process as follows:

Meeting date	Purpose
Monday 24 August 2015	Committee meets to consider consultants report on Elected Member comments and CEO's report on own performance.
Tuesday 1 September 2015	Formal interview.
Monday 14 September 2015	Committee meets - to discuss and finalise consultants report. Must be completed within 30 days of conclusion of review.

At its meeting held on 23 June 2015 (CJ097-06/15 refers), Council approved the participation of the Mayor, the Chief Executive Officer, Councillors Russ Fishwick, Christine Hamilton-Prime, Kerry Hollywood and Philippa Taylor in a formal delegation to Jinan, China to celebrate the 10 Year Anniversary of the Sister City Relationship between the City of Joondalup and the Jinan Municipal People's Government.

DETAILS

The delegation to Jinan will be travelling during the period 26 August to 4 September 2015 and will mean that the Chief Executive Officer is unable to attend the formal interview scheduled for 1 September 2015. In addition, both the Mayor and Cr Fishwick are members of the Chief Executive Officer Performance Review Committee, and as participants of the delegation, will be unable to attend the formal interview.

It is therefore recommended that the Chief Executive Officer Performance Review Committee change the date of its next meeting from Tuesday 1 September 2015 to Wednesday 9 September 2015, commencing at 7.00pm.

The later starting time takes into account a Citizenship Ceremony scheduled for Wednesday 9 September 2015, at which the Mayor is presiding. The proposed date can be accommodated within the existing diary commitments of key participants.

Issues and options considered

The Chief Executive Officer Performance Review Committee can either:

- change the meeting date as proposed in this report
- propose an alternative meeting date
or
- retain the meeting date as set by the committee in May 2015.

Option one is recommended.

Legislation / Strategic Community Plan / policy implications

Legislation

Local Government Act 1995.
Local Government (Administration) Regulations 1996.
City of Joondalup Meeting Procedures Local Law 2013.

Strategic Community Plan

Key theme

Governance and Leadership.

Objective Not applicable.

Strategic initiative Not applicable.

Policy Not applicable.

Risk management considerations

Should the committee not amend the meeting date, the Mayor, Chief Executive Officer and Cr Russ Fishwick will not be available to attend and participate in the formal interview of the Chief Executive Officer at the meeting of the Chief Executive Officer Performance Review Committee.

Should an alternative date be chosen, there is the possibility that it may conflict with existing diary commitments, or impact the subsequent meeting of the Chief Executive Officer Performance Review Committee, thereby delaying the annual review process.

Financial / budget implications

Not applicable.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

Not applicable.

COMMENT

Changing the meeting date will allow the Mayor, Chief Executive Officer, and Cr Russ Fishwick (Presiding Member) to attend and participate in the formal interview of the Chief Executive Officer at the Chief Executive Officer Performance Review Committee meeting.

VOTING REQUIREMENTS

Absolute Majority.

MOVED Cr McLean, **SECONDED** Cr Thomas that the Chief Executive Officer - Performance Review Committee **BY AN ABSOLUTE MAJORITY AMENDS** Part 1 of its decision of 5 May 2015 to adopt the following meeting date and time for the Chief Executive Officer Performance Review Committee to be held at the Joondalup Civic Centre, Boas Avenue, Joondalup to read as follows:

“1 APPROVES the timetable for the performance review of the Chief Executive Officer as at Attachment 2 to this Report, subject to the date for the formal performance review interview being Wednesday 9 September 2015 and commencing at 7.00pm;”.

The Motion was Put and

CARRIED (5/0)

In favour of the Motion: Cr Fishwick, Mayor Pickard, Crs Corr, McLean and Thomas.

Disclosure of Financial Interest

Name/Position	Mr Garry Hunt – Chief Executive Officer.
Item No./Subject	Item 2 – Confidential – Chief Executive Officer Annual Performance Review – Pre Interview Report.
Nature of interest	Financial.
Extent of Interest	Mr Hunt holds the position of Chief Executive Officer.

Disclosure of interest affecting impartiality

Name/Position	Mr Mike Tidy – Director Corporate Services.
Item No./Subject	Item 2 – Confidential – Chief Executive Officer Annual Performance Review – Pre Interview Report.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Due to the nature of his employment relationship with the Chief Executive Officer.

**ITEM 2 CONFIDENTIAL - CHIEF EXECUTIVE OFFICER
ANNUAL PERFORMANCE REVIEW - PRE
INTERVIEW REPORT**

WARD	All
RESPONSIBLE DIRECTOR	Mr Mike Tidy Corporate Services
FILE NUMBER	74574, 101515
ATTACHMENTS	Attachment 1 Reviewers Report by Consultant on Elected Member Feedback (Confidential - distributed separately) Attachment 2 Chief Executive Officer's Self Evaluation Report – CEO Performance Review 2015 (Confidential – previously distributed separately to all Elected Members) <i>(Please Note: The Report and Attachments are confidential and will appear in the official Minute Book only)</i>
AUTHORITY / DISCRETION	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

This report is confidential in accordance with Section 5.23(2)(a) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following:

a matter affecting an employee or employees.

A full report was provided to Elected Members under separate cover. The report is not for publication.

OFFICER'S RECOMMENDATION

That the Chief Executive Officer - Performance Review Committee:

- 1 NOTES that the requirements of clause 11.2(c) of the Chief Executive Officer's contract in relation to the Chief Executive Officer completing a self-evaluation report assessing his performance against the prescribed Key Performance Indicators have been met;
- 2 RECEIVES the Chief Executive Officer's Self Evaluation Report on his performance;
- 3 NOTES that the requirements of clause 11.2(e)(ii) of the Chief Executive Officer's contract in relation to inviting all Elected Members to make written comments on the Chief Executive Officer's performance have been met;
- 4 RECEIVES the Consultants Report on Elected Member Feedback.

MOVED Mayor Pickard, SECONDED Cr Mclean that the Chief Executive Officer - Performance Review Committee:

- 1 **NOTES that the requirements of clause 11.2(c) of the Chief Executive Officer's contract in relation to the Chief Executive Officer completing a self-evaluation report assessing his performance against the prescribed Key Performance Indicators have been met;**
- 2 **RECEIVES the Chief Executive Officer's Self Evaluation Report on his performance;**
- 3 **NOTES that the requirements of clause 11.2(e)(ii) of the Chief Executive Officer's contract in relation to inviting all Elected Members to make written comments on the Chief Executive Officer's performance have been met;**
- 4 **RECEIVES the Consultants Report on Elected Member Feedback and REQUESTS future reports from the consultant include the names of Elected Members participating in the process.**

The Motion was Put and

CARRIED (5/0)

In favour of the Motion: Cr Fishwick, Mayor Pickard, Crs Corr, McLean and Thomas.

URGENT BUSINESS

Nil.

MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

REQUESTS FOR REPORTS FOR FUTURE CONSIDERATION

Nil.

CLOSURE

There being no further business, the Presiding Member declared the meeting closed at 6.19pm; the following Committee Members being present at that time:

Cr Russ Fishwick, JP
Mayor Troy Pickard
Cr Brian Corr
Cr Tom McLean, JP
Cr Sam Thomas