

minutes

Chief Executive Officer
Performance Review Committee

MEETING HELD ON **MONDAY 5 SEPTEMBER 2016**

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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 5 SEPTEMBER 2016.

ATTENDANCE

Committee Members

Cr Russ Fishwick, JP	<i>Presiding Member</i>
Mayor Troy Pickard	
Cr Russell Poliwka	
Cr John Chester	<i>Deputising for Cr John Logan</i>
Cr Kerry Hollywood	
Cr Mike Norman	<i>Deputy Presiding Member</i>
Cr Nige Jones	

Observers

Cr Tom McLean, JP	<i>Until 7.58pm</i>
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Officers

Mr Garry Hunt	Chief Executive Officer	<i>Arrived at 6.58pm to 7.58pm</i>
Mr Mike Tidy	Director Corporate Services	<i>Absent from 6.57pm to 7.59pm</i>
Mr Brad Sillence	Manager Governance	<i>Absent from 6.57pm to 7.59pm</i>

Guests

Mr John Phillips	Consultant, JCP Consulting	<i>Absent from 6.57pm to 7.59pm</i>
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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 1 – Chief Executive Officer Annual Performance Review Interview.
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 1 – Chief Executive Officer Annual Performance Review Interview.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Due to the nature of Mr Tidy's employment relationship with the Chief Executive Officer.

APOLOGIES/LEAVE OF ABSENCE

Apologies

Cr John Logan.

Leave of Absence previously approved

Cr Liam Gobbert	29 August to 4 October 2016 inclusive;
Cr Sophie Dwyer	11 September to 16 September 2016 inclusive;
Cr Sophie Dwyer	20 September to 24 September 2016 inclusive;
Cr Sophie Dwyer	6 November to 11 November 2016 inclusive.

CONFIRMATION OF MINUTES

MINUTES OF THE CHIEF EXECUTIVE OFFICER – PERFORMANCE REVIEW COMMITTEE HELD 29 AUGUST 2016

MOVED Mayor Pickard SECONDED Cr Chester that the minutes of the meeting of the Chief Executive Officer – Performance Review Committee held on 29 August 2016 be confirmed as a true and correct record.

The Motion was Put and

CARRIED (7/0)

In favour of the Motion: Cr Fishwick, Mayor Pickard, Crs Chester, Hollywood, Jones, Norman and Poliwka.

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.

REPORT

Disclosure of Financial Interest

Name/Position	Mr Garry Hunt – Chief Executive Officer.
Item No./Subject	Item 1 – Chief Executive Officer Annual Performance Review Interview.
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 1 – Chief Executive Officer Annual Performance Review Interview.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Due to the nature of Mr Tidy's employment relationship with the Chief Executive Officer.

ITEM 1 CHIEF EXECUTIVE OFFICER ANNUAL PERFORMANCE REVIEW INTERVIEW

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 - Updated for 5 September 2016 meeting as at 5 September - distributed separately) <i>(Please Note: The Report and Attachment is 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.

MOVED Cr Chester, SECONDED Mayor Pickard that the Chief Executive Officer Performance Review Committee AMENDS the new measure for the Key Performance Indicator – Financial Sustainability, to read as follows:

“Explore social and financial return on investment measures with agreed definitions of acceptable and/or unacceptable types of investment, commensurate with risk for return rates.”.

The Motion was Put and

CARRIED (7/0)

In favour of the Motion: Cr Fishwick, Mayor Pickard, Crs Chester, Hollywood, Jones, Norman and Poliwka.

MOVED Mayor Pickard, SECONDED Cr Polwika that the Chief Executive Officer Performance Review Committee AMENDS the new measure for the Key Performance Indicator – Financial Sustainability, to read as follows:

“Identify and develop a post program following the successful completion of the review of the City Business Operating Model.”.

The Motion was Put and

CARRIED (7/0)

In favour of the Motion: Cr Fishwick, Mayor Pickard, Crs Chester, Hollywood, Jones, Norman and Poliwka.

The Director Corporate Services, Manager Governance and Mr Phillips left the Room at 6.57pm.

The Chief Executive Officer entered the Room at 6.58pm.

The Chief Executive Officer left the Room at 7.58pm.

Cr McLean left the Room at 7.58pm.

The Director Corporate Services, Manager Governance and Mr Phillips entered the Room at 7.59pm.

OFFICER’S RECOMMENDATION

That the Chief Executive Officer Performance Review Committee:

- 1 REQUESTS the Director of Corporate Services, in conjunction with John Phillips to prepare a report on the:
 - 1.1 Draft Concluded Annual Performance Review Report of the Chief Executive Officer;
 - 1.2 Draft Key Result Areas and KPI’s for the Chief Executive Officer for 2016-17,for consideration by the Chief Executive Officer Performance Review Committee at its meeting on Wednesday 14 September 2016;

- 2 NOTES that a report on the Annual Salary Review of the Chief Executive Officer will be presented at the Chief Executive Officer Performance Review Committee meeting on Wednesday 14 September 2016.

The Presiding Member requested that all parts be dealt with separately.

MOVED Cr Hollywood, SECONDED Mayor Pickard that Council:

- 1 **ADOPTS the Concluded Annual Performance Review Report as in Attachment 1 to this Report with the overall rating for the Chief Executive Officer’s performance as “meets expectations and to a high standard” for the period of the review”;**

The Motion was Put and

CARRIED (7/0)

In favour of the Motion: Cr Fishwick, Mayor Pickard, Crs Chester, Hollywood, Jones, Norman and Poliwka.

MOVED Cr Chester, SECONDED Cr Poliwka that Council:

- 2 **ADOPTS the Key Result Areas and Key Performance Indicators for the for the Chief Executive Officer for 2016-17, as amended by the Chief Executive Officer Performance Review Committee;**

The Motion was Put and

CARRIED (7/0)

In favour of the Motion: Cr Fishwick, Mayor Pickard, Crs Chester, Hollywood, Jones, Norman and Poliwka.

MOVED Cr Hollywood, SECONDED Mayor Pickard that Council:

- 3 **ADOPTS the Chief Executive Officer’s total reward package for the 2016 annual remuneration review as \$377,625;**

The Motion was Put and

LOST (3/4)

In favour of the Motion: Cr Fishwick, Mayor Pickard and Cr Hollywood.

Against the Motion: Crs Chester, Jones, Norman and Poliwka.

MOVED Cr Hollywood, SECONDED Mayor Pickard that Council:

- 3 **ADOPTS the Chief Executive Officer’s total reward package for the 2016 annual remuneration review at the maximum of Band 1 as determined by the Salaries and Allowances Tribunal, being \$375,774;**

The Motion was Put and

CARRIED (5/2)

In favour of the Motion: Cr Fishwick, Mayor Pickard Crs Chester, Hollywood, Norman.

Against the Motion: Crs Jones and Poliwka.

MOVED Cr Fishwick SECONDED Mayor Pickard that Council:

- 4 OFFERS the Chief Executive Officer a new Contract of Employment as the Chief Executive Officer of the City of Joondalup, under the same terms and conditions as the current contract, for a term expiring on 20 December 2019, and should that be agreeable to the Chief Executive Officer, a further report be submitted to Council for its consideration to enter into a new Contract of Employment in accordance with the provisions of the *Local Government Act 1995*.**

The Motion was Put and

CARRIED (5/2)

In favour of the Motion: Cr Fishwick, Mayor Pickard Crs Chester, Hollywood, Norman.

Against the Motion: Crs Jones and Poliwka.

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 8.26pm; the following Committee Members being present at that time:

Cr Russ Fishwick, JP
Mayor Troy Pickard
Cr Russell Poliwka
Cr John Chester
Cr Kerry Hollywood
Cr Mike Norman
Cr Nige Jones