

minutes

Chief Executive Officer
Recruitment and Performance
Review Committee

MEETING HELD ON **TUESDAY 14 JULY 2020**

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CITY OF JOONDALUP

**MINUTES OF THE SPECIAL CHIEF EXECUTIVE OFFICER RECRUITMENT AND
PERFORMANCE REVIEW COMMITTEE MEETING HELD IN CONFERENCE ROOM 1,
JOONDALUP CIVIC CENTRE, BOAS AVENUE, JOONDALUP ON TUESDAY
14 JULY 2020.**

ATTENDANCE

Committee Members

Cr Russ Fishwick, JP	<i>Presiding Member</i>
Mayor Hon. Albert Jacob, JP	<i>Deputy Presiding Member</i>
Cr John Chester	
Cr Kerry Hollywood	
Cr Russell Poliwka	
Cr Philippa Taylor	

Observers

Cr John Logan
Cr Tom McLean

Officers

Mr Brad Sillence	Manager Governance
Mr Glenn Heaperman	Manager Human Resource Services

DECLARATION OF OPENING

The Presiding Member declared the meeting open at 5.32pm.

DECLARATIONS OF INTEREST

Disclosures of Financial / Proximity 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 - Confidential - Chief Executive Officer - Variation to Expiry of Contract of Employment.
Nature of interest	Financial Interest.
Extent of Interest	Mr Hunt holds the position of Chief Executive Officer.

Disclosures 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 Jamie Parry, Director Governance and Strategy.
Item No./Subject	Item 1 - Confidential - Chief Executive Officer - Variation to Expiry of Contract of Employment.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Due to the nature of Mr Parry's employment relationship with the Chief Executive Officer.

APOLOGIES / LEAVE OF ABSENCE

Apology:

Cr John Raftis

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.

REPORTS

Disclosure of Financial Interest

Name/Position	Mr Garry Hunt, Chief Executive Officer.
Item No./Subject	Item 1 - Confidential - Chief Executive Officer - Variation to Expiry of Contract of Employment.
Nature of interest	Financial Interest.
Extent of Interest	Mr Hunt holds the position of Chief Executive Officer.

Disclosure of interest affecting impartiality

Name/Position	Mr Jamie Parry, Director Governance and Strategy.
Item No./Subject	Item 1 - Confidential - Chief Executive Officer - Variation to Expiry of Contract of Employment.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Due to the nature of Mr Parry's employment relationship with the Chief Executive Officer.

ITEM 1 CONFIDENTIAL - CHIEF EXECUTIVE OFFICER - VARIATION TO EXPIRY OF CONTRACT OF EMPLOYMENT

WARD	All
RESPONSIBLE DIRECTOR	Mr Jamie Parry Governance and Strategy
FILE NUMBER	74574
ATTACHMENT	Attachment 1 Further Contract Variation – Contract of Employment as CEO of City of Joondalup <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 Jacob that Council:

- 1 NOTES that the City’s existing Employment Contract with the Chief Executive Officer (Contract), which commenced 21 December 2016, as varied on 30 November 2018 and due to expire on 31 July 2020, may be varied by written agreement of the parties, pursuant to clause 18.5 of the current Contract and section 5.39(4) of the *Local Government Act 1995*;**
- 2 BY AN ABSOLUTE MAJORITY AUTHORISES a variation of the current Contract, as set out in the Further Contract Variation forming Attachment 1 to this Report, noting the Contract will expire:**
 - 2.1 on 18 December 2020; or**
 - 2.2 if a successful replacement candidate for the role of CEO is recruited by the City of Joondalup and commences employment prior to the 18 December 2020, the date which is the business day immediately prior to that replacement candidate’s commencement date,**

whichever occurs first;
- 3 AUTHORISES the Mayor and Director Governance and Strategy to execute the Further Contract Variation detailed in part 2 above, on behalf of the City pursuant to section 9.49B of the *Local Government Act 1995*.**

The Motion was Put and

CARRIED (5/1)

In favour of the Motion: Cr Fishwick, Mayor Jacob, Crs Chester, Hollywood and Taylor.
Against the Motion: Cr Poliwka.

CLOSURE

There being no further business, the Presiding Member declared the meeting closed at 5.35pm; the following Committee Members being present at that time:

Cr Russ Fishwick, JP
Mayor Hon. Albert Jacob, JP
Cr John Chester
Cr Kerry Hollywood
Cr Russell Poliwka
Cr Philippa Taylor