

minutes

Chief Executive Officer
Recruitment and Performance
Review Committee

MEETING HELD ON **TUESDAY 8 DECEMBER 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
8 DECEMBER 2020.

ATTENDANCE

Committee Members

| | | |
|-----------------------------|---------------------------------------|--------------------|
| Cr Russ Fishwick, JP | <i>Presiding Member</i> | |
| Mayor Hon. Albert Jacob, JP | <i>Deputy Presiding Member</i> | |
| Cr John Logan | <i>Deputising for Cr John Chester</i> | <i>from 5.34pm</i> |
| Cr Kerry Hollywood | | |
| Cr Russell Poliwka | | |
| Cr John Raftis | | |
| Cr Philippa Taylor | | |

Observers

Cr Tom McLean, JP
Cr Nige Jones

Officers

| | |
|--------------------|---------------------------------|
| Mr Garry Hunt | Chief Executive Officer |
| Mr Brad Sillence | Manager Governance |
| Mr Glenn Heaperman | Manager Human Resource Services |

Guest

| | |
|-----------------|------------------------|
| Mr Geoff Blades | Partner, Lester Blades |
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DECLARATION OF OPENING

The Presiding Member declared the meeting open at 5.31pm.

DECLARATIONS OF INTEREST

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 | Cr Russ Fishwick, JP. |
| Item No./Subject | Item 1 – Confidential – Appointment of Preferred Applicant for Position of Chief Executive Officer. |
| Nature of interest | Interest that may affect impartiality. |
| Extent of Interest | Some of the applicants are known to Cr Fishwick. |

| | |
|---------------------------|---|
| Name/Position | Mayor Hon. Albert Jacob, JP. |
| Item No./Subject | Item 1 – Confidential – Appointment of Preferred Applicant for Position of Chief Executive Officer. |
| Nature of interest | Interest that may affect impartiality. |
| Extent of Interest | Some of the applicants are known to Mayor Jacob. |

| | |
|---------------------------|---|
| Name/Position | Cr Kerry Hollywood. |
| Item No./Subject | Item 1 – Confidential – Appointment of Preferred Applicant for Position of Chief Executive Officer. |
| Nature of interest | Interest that may affect impartiality. |
| Extent of Interest | Some of the applicants are known to Cr Hollywood. |

| | |
|---------------------------|---|
| Name/Position | Cr Russell Poliwka. |
| Item No./Subject | Item 1 – Confidential – Appointment of Preferred Applicant for Position of Chief Executive Officer. |
| Nature of interest | Interest that may affect impartiality. |
| Extent of Interest | Some of the applicants are known to Cr Poliwka. |

| | |
|---------------------------|---|
| Name/Position | Cr John Raftis. |
| Item No./Subject | Item 1 – Confidential – Appointment of Preferred Applicant for Position of Chief Executive Officer. |
| Nature of interest | Interest that may affect impartiality. |
| Extent of Interest | Some of the applicants are known to Cr Raftis. |

| | |
|---------------------------|---|
| Name/Position | Cr Philippa Taylor. |
| Item No./Subject | Item 1 – Confidential – Appointment of Preferred Applicant for Position of Chief Executive Officer. |
| Nature of interest | Interest that may affect impartiality. |
| Extent of Interest | Some of the applicants are known to Cr Taylor. |

| | |
|---------------------------|---|
| Name/Position | Cr John Logan. |
| Item No./Subject | Item 1 – Confidential – Appointment of Preferred Applicant for Position of Chief Executive Officer. |
| Nature of interest | Interest that may affect impartiality. |
| Extent of Interest | Some of the applicants are known to Cr Logan. |

| | |
|---------------------------|---|
| Name/Position | Cr Tom McLean, JP. |
| Item No./Subject | Item 1 – Confidential – Appointment of Preferred Applicant for Position of Chief Executive Officer. |
| Nature of interest | Interest that may affect impartiality. |
| Extent of Interest | Some of the applicants are known to Cr McLean. |

| | |
|---------------------------|---|
| Name/Position | Cr Christine Hamilton-Prime, JP. |
| Item No./Subject | Item 1 – Confidential – Appointment of Preferred Applicant for Position of Chief Executive Officer. |
| Nature of interest | Interest that may affect impartiality. |
| Extent of Interest | Some of the applicants are known to Cr Hamilton-Prime. |

| | |
|---------------------------|---|
| Name/Position | Cr Nige Jones. |
| Item No./Subject | Item 1 – Confidential – Appointment of Preferred Applicant for Position of Chief Executive Officer. |
| Nature of interest | Interest that may affect impartiality. |
| Extent of Interest | Some of the applicants are known to Cr Jones. |

| | |
|---------------------------|---|
| Name/Position | Mr Garry Hunt, Chief Executive Officer. |
| Item No./Subject | Item 1 – Confidential – Appointment of Preferred Applicant for Position of Chief Executive Officer. |
| Nature of interest | Interest that may affect impartiality. |
| Extent of Interest | Some of the applicants are known to Mr Hunt. |

| | |
|---------------------------|---|
| Name/Position | Mr Garry Hunt, Chief Executive Officer. |
| Item No./Subject | Item 1 – Confidential – Appointment of Preferred Applicant for Position of Chief Executive Officer. |
| Nature of interest | Interest that may affect impartiality. |
| Extent of Interest | Mr Hunt is the current Chief Executive Officer. His contract expires on 18 December 2020 and is not an applicant. |

APOLOGIES / LEAVE OF ABSENCE

Leave of Absence Previously approved

Cr John Chester

20 November to 11 December 2020 inclusive.

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.

Cr Logan entered the meeting room at 5.34pm.

PROCEDURAL MOTION – ADJOURNMENT OF MEETING

MOVED Cr Fishwick, SECONDED Cr Hollywood the meeting of the Chief Executive Officer Recruitment and Performance Review Committee BE ADJOURNED until such time as elected members have concluded their informal meeting with the preferred applicant for the position of Chief Executive Officer.

The Procedural Motion was Put and

CARRIED (7/0)

In favour of the Procedural Motion: Cr Fishwick, Mayor Jacob, Crs Hollywood, Logan, Poliwka, Raftis and Taylor.

The meeting ADJOURNED at 5.35pm on 8 December 2020 with the following committee members being present at that time:

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

RESUMPTION OF MEETING

Following the interviews with the preferred applicants for the position of Chief Executive Officer, the Presiding Member declared the **Special Chief Executive Officer Recruitment and Performance Review Committee** meeting **RESUMED** at 6.04pm on Tuesday 8 December 2020, the following persons being present:

ATTENDANCE

Committee Members

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

Observers

Cr Tom McLean, JP
Cr Christine Hamilton-Prime, JP
Cr Nige Jones

Officers

| | |
|--------------------|---------------------------------|
| Mr Garry Hunt | Chief Executive Officer |
| Mr Brad Sillence | Manager Governance |
| Mr Glenn Heaperman | Manager Human Resource Services |

Guest

| | |
|-----------------|------------------------|
| Mr Geoff Blades | Partner, Lester Blades |
|-----------------|------------------------|

REPORT

Disclosures of interest affecting impartiality

| | |
|---------------------------|---|
| Name/Position | Cr Russ Fishwick, JP. |
| Item No./Subject | Item 1 – Confidential – Appointment of Preferred Applicant for Position of Chief Executive Officer. |
| Nature of interest | Interest that may affect impartiality. |
| Extent of Interest | Some of the applicants are known to Cr Fishwick. |

| | |
|---------------------------|---|
| Name/Position | Mayor Hon. Albert Jacob, JP. |
| Item No./Subject | Item 1 – Confidential – Appointment of Preferred Applicant for Position of Chief Executive Officer. |
| Nature of interest | Interest that may affect impartiality. |
| Extent of Interest | Some of the applicants are known to Mayor Jacob. |

| | |
|---------------------------|---|
| Name/Position | Cr Kerry Hollywood. |
| Item No./Subject | Item 1 – Confidential – Appointment of Preferred Applicant for Position of Chief Executive Officer. |
| Nature of interest | Interest that may affect impartiality. |
| Extent of Interest | Some of the applicants are known to Cr Hollywood. |

| | |
|---------------------------|---|
| Name/Position | Cr Russell Poliwka. |
| Item No./Subject | Item 1 – Confidential – Appointment of Preferred Applicant for Position of Chief Executive Officer. |
| Nature of interest | Interest that may affect impartiality. |
| Extent of Interest | Some of the applicants are known to Cr Poliwka. |

| | |
|---------------------------|---|
| Name/Position | Cr John Raftis. |
| Item No./Subject | Item 1 – Confidential – Appointment of Preferred Applicant for Position of Chief Executive Officer. |
| Nature of interest | Interest that may affect impartiality. |
| Extent of Interest | Some of the applicants are known to Cr Raftis. |

| | |
|---------------------------|---|
| Name/Position | Cr Philippa Taylor. |
| Item No./Subject | Item 1 – Confidential – Appointment of Preferred Applicant for Position of Chief Executive Officer. |
| Nature of interest | Interest that may affect impartiality. |
| Extent of Interest | Some of the applicants are known to Cr Taylor. |

| | |
|---------------------------|---|
| Name/Position | Cr John Logan. |
| Item No./Subject | Item 1 – Confidential – Appointment of Preferred Applicant for Position of Chief Executive Officer. |
| Nature of interest | Interest that may affect impartiality. |
| Extent of Interest | Some of the applicants are known to Cr Logan. |

| | |
|---------------------------|---|
| Name/Position | Cr Tom McLean, JP. |
| Item No./Subject | Item 1 – Confidential – Appointment of Preferred Applicant for Position of Chief Executive Officer. |
| Nature of interest | Interest that may affect impartiality. |
| Extent of Interest | Some of the applicants are known to Cr McLean. |

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

Information about the business, professional, commercial or financial affairs of a person.

A full report was provided to elected members under separate cover. The report is not for publication.

OFFICER'S RECOMMENDATION

That Council:

- 1 in accordance with section 5.36(2)(a) of the *Local Government Act 1995* BELIEVES the Preferred Applicant No. 1 as detailed in this Report, is suitably qualified for the position of Chief Executive Officer;
- 2 BY AN ABSOLUTE MAJORITY in accordance with section 5.36(2)(b) of the *Local Government Act 1995* IS SATISFIED with the provisions of the proposed Chief Executive Officer Employment Contract, as detailed in Attachment 2 of this Report, subject to:
 - 2.1 the insertion of the Commencement Date in clause 1.1(h);
 - 2.2 the insertion of the End Date in clause 1.1(l);
 - 2.3 the insertion of the Total Rewards Package (TRP) in clause 12.1;
 - 2.4 the insertion of other personal information regarding the applicant in Part 1 above and as detailed in this Report;
- 3 in accordance with section 5.36(1)(a) of the *Local Government Act 1995* EMPLOYS the Preferred Applicant No. 1 as detailed in this Report, to the position of Chief Executive Officer under the terms and conditions of the Chief Executive Officer Employment Contract as detailed in Part 2 above;
- 4 AUTHORISES the Mayor and Director Corporate Services to execute the Chief Executive Officer Employment Contract detailed in Part 2 above, on behalf of the City pursuant to section 9.49B of the *Local Government Act 1995*, and authorises the Common Seal to be affixed.

MOVED Cr Poliwka, SECONDED Mayor Jacob that Council:

- 1** in accordance with section 5.36(2)(a) of the *Local Government Act 1995* **BELIEVES** the Preferred Applicant No. 1 as detailed in this Report, is suitably qualified for the position of Chief Executive Officer;
- 2** **BY AN ABSOLUTE MAJORITY** in accordance with section 5.36(2)(b) of the *Local Government Act 1995* **IS SATISFIED** with the provisions of the proposed Chief Executive Officer Employment Contract, as detailed in Attachment 2 of this Report, subject to:
 - 2.1** the insertion of the Commencement Date in clause 1.1(h), being “15 March 2021”;
 - 2.2** the insertion of the End Date in clause 1.1(l), being “13 March 2026”;
 - 2.3** the insertion of the Total Rewards Package (TRP) in clause 12.1, being “\$360,555”;
 - 2.4** the insertion of other personal information regarding the applicant in Part 1 above and as detailed in this Report;
- 3** in accordance with section 5.36(1)(a) of the *Local Government Act 1995* **EMPLOYS** the Preferred Applicant No. 1 as detailed in this Report, to the position of Chief Executive Officer under the terms and conditions of the Chief Executive Officer Employment Contract as detailed in Part 2 above;
- 4** **AUTHORISES** the Mayor and Director Corporate Services to execute the Chief Executive Officer Employment Contract detailed in Part 2 above, on behalf of the City pursuant to section 9.49B of the *Local Government Act 1995*, and authorises the Common Seal to be affixed.

The Motion was Put and

CARRIED (7/0)

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

CLOSURE

There being no further business, the Presiding Member declared the meeting closed at 6.14pm; the following Committee Members being present at that time:

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