

# minutes

## **Special Chief Executive Officer Recruitment and Performance Review Committee**

MEETING HELD ON

MONDAY 1 NOVEMBER 2021

### **Acknowledgement of Traditional Custodians**

The City of Joondalup acknowledges the traditional custodians of the land, the Whadjuk people of the Noongar nation, and recognises the culture of the Noongar people and the unique contribution they make to the Joondalup region and Australia. The City of Joondalup pays its respects to their Elders past and present and extends that respect to all Aboriginal and Torres Strait Islander peoples.

*This document is available in alternate formats upon request*

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**Note:**

Clause 15.10 of the City's *Meeting Procedures Local Law 2013* states:

*This local law applies generally to committee meetings except for clause 7.1 in respect of members seating and clause 7.8 in respect of limitation on members speaking.*

## 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 MONDAY 1 NOVEMBER 2021.

#### ATTENDANCE

##### Committee Members

Mayor Hon. Albert Jacob, JP  
Cr Tom McLean, JP  
Cr Daniel Kingston  
Cr Christopher May  
Cr Suzanne Thompson  
Cr Christine Hamilton-Prime, JP  
Cr John Chester

##### Observers

Cr Adrian Hill  
Cr Nige Jones  
Cr Russ Fishwick, JP  
Cr John Raftis  
Cr John Logan

##### Officers

Mr James Pearson	Chief Executive Officer
Mr Jamie Parry	Director Governance and Strategy
Ms Dale Page	Director Planning and Community Development
Mr Matthew MacPherson	Acting Director Infrastructure Services
Mr Mat Humfrey	Director Corporate Services
Mrs Kylie Bergmann	Manager Governance
Mrs Vivienne Stampalija	Governance Coordinator
Mrs Wendy Cowley	Governance Officer

#### DECLARATION OF OPENING

The Chief Executive Officer declared the meeting open at 8.28pm.

## **DECLARATIONS OF FINANCIAL INTEREST / PROXIMITY INTEREST / INTEREST THAT MAY AFFECT IMPARTIALITY**

Nil.

## **ELECTION OF PRESIDING MEMBER**

Section 5.12 of the *Local Government Act 1995* (the Act) requires a committee appointed by a local government, to appoint a Presiding Member as the first item of business at its first meeting. Schedule 2.3 of the Act requires the Chief Executive Officer to preside.

Cr Tom McLean, JP nominated Hon. Mayor Albert Jacob, JP for the position of Presiding Member. Mayor Jacob accepted the nomination.

There being no further nominations at the close of the Election for Presiding Member, Hon. Mayor Albert Jacob, JP was declared elected unopposed to the position of Presiding Member and assumed the Chair at 8.30pm.

## **ELECTION OF DEPUTY PRESIDING MEMBER**

It is open for the Committee to elect a Deputy Presiding Member, who would chair the meeting in the absence of the Presiding Member. Alternatively, if the Presiding Member is unavailable to chair the meeting and no Deputy Presiding Member has been appointed, in accordance with Section 5.14 of the Act, the Committee Members present at the meeting may choose one of themselves to preside over the meeting.

Hon. Mayor Albert Jacob, JP nominated Cr Christopher May for the position of Deputy Presiding Member. Cr May accepted the nomination.

There being no further nominations at the close of the Election for Deputy Presiding Member, Cr Christopher May was declared elected unopposed to the position of Deputy Presiding Member.

## **APOLOGIES AND LEAVE OF ABSENCE**

### **Leave of Absence Previously Approved**

Cr Nige Jones

2 November 2021 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.



- Recommend to Council the appointment of a preferred applicant as CEO under the terms and conditions of an agreed CEO Employment Contract.
- Review the CEO's performance in accordance with the appropriate provisions contained within the CEO's Employment Contract.
- Prepare and table the concluded report, in accordance with the appropriate provisions within the CEO's Employment Contract to Council.
- Review the CEO's performance on an on-going basis as and when deemed necessary in accordance with the appropriate provisions contained within the CEO's Employment Contract.
- Review the Key Performance Indicators to be met by the CEO.
- Review the CEO's remuneration package, in accordance with the appropriate provisions within the CEO's Employment Contract.
- Review the CEO's Employment Contract and make recommendations to Council in relation to varying the contract as and when necessary.

The proposed 2021-22 schedule of Council meeting dates is based on the format used in recent years. That is, a monthly meeting format with Strategy Sessions held on the first Tuesday of each month, Briefing Sessions held on the second Tuesday and Council meetings on the third Tuesday.

This enables committee meetings to be scheduled on the Monday, Tuesday or Wednesday of weeks one, two and three so as to minimise potential conflicts with other Council activities. Due to the alignment of the CEO's Key Performance Indicators with the reporting of the *Corporate Business Plan* progress report, it is necessary to hold the CEO Recruitment and Performance Review Committee meetings in the fourth and fifth weeks of the respective months.

## DETAILS

The CEO Recruitment and Performance Review Committee oversees the development and review of the CEO's employment contract and all associated performance matters.

The Chief Executive Officer's Key Performance Indicators adopted by Council at its meeting held on 12 October 2021 (CJ148-10/21 refers) have been aligned with the City's *Corporate Business Plan* (CBP). The CBP progress report is provided to Council on a quarterly basis, the quarterly meetings of this committee are aligned with Council's acceptance of the quarterly CBP progress report in the following periods:

<b>Quarter</b>	<b>Period</b>	<b>Council Meeting</b>	<b>Committee Meeting</b>
One	July / September	November	November
Two	October / December	February	February
Three	January / March	May	May
Four	April / June	August	August *

\*Note: The August committee meeting dates are yet to be determined as the Special committee meetings will incorporate the CEO's annual performance review process.

In addition, meetings of this committee are aligned to the performance review process as outlined in the CEO's employment contract. It has been usual practice to hold a meeting earlier in the year to appoint an external and independent HR expert or similar to consult with and seek guidance from and to facilitate the annual review of the CEO's performance.

Further special committee meetings will be determined for the purpose of undertaking the Chief Executive Officer's Annual Performance review. The annual review process requires the committee to conduct a formal interview with the CEO, (clause 11.2(b)). The process for conducting the CEO's performance review, as set out in clause 11.2, provides not only for the various tasks and issues that need to be considered but also specific timeframes.

The key element for the annual CEO performance review that drives the timeframes is the formal scheduled interview by the committee with the CEO. With this in mind, the critical timeframes for the annual review are as follows:

- The CEO is to be given at least 25 working days notice of the scheduled interview.
- The CEO is required to prepare a self-evaluation report and submit it to all of the Elected Members as well the committee not less than 15 working days prior to the scheduled interview.
- The committee is required to invite written comments from all individual Elected Members addressing their views on the CEO's performance at least 15 working days prior to the scheduled interview and the responses, which must be dated and signed must be received back by the committee at least five working days prior to the scheduled interview.
- The Committee must prepare a report within 30 days of the conclusion of the review.
- As soon as the report is completed the committee must provide a copy to the CEO and give him up to five working days to provide any written comments he may have on matters addressed in the report to the committee.
- The committee is required to submit its report and any comments of the CEO to the next meeting of Council provided Council receives it at least five working days prior to the meeting.

The proposed quarterly committee meeting dates for 2021-22 are as follows:

- Monday 29 November 2021, commencing at 5.45pm.
- Monday 21 February 2022, commencing at 5.45pm.
- Monday 23 May 2022, commencing at 5.45pm.
- Monday 28 November 2022, commencing at 5.45pm.

In addition, further special committee meetings will be determined for the purpose of undertaking the CEO's annual performance review.

### **Issues and Options Considered**

The CEO Recruitment and Performance Review Committee can either:

- adopt the meeting dates as proposed in this Report;  
or
- amend the meeting dates.

### **Legislation / Strategic Community Plan / Policy Implications**

#### **Legislation**

*Local Government Act 1995.*  
*Local Government (Administration) Regulations 1996.*  
*City of Joondalup Meeting Procedures Local Law 2013.*  
*Local Government Legislation Amendment Act 2019.*

### **Strategic Community Plan**

**Key theme** Governance and Leadership.

**Objective** Corporate capacity.

**Strategic initiative** Not applicable.

**Policy** Not applicable.

### **Risk Management Considerations**

Should forward planning of committee meetings not be identified, then there is a risk for meetings to be held on an ad-hoc basis, lacking coordination with other key meetings and corporate planning processes.

### **Financial / Budget Implications**

Not applicable.

### **Regional Significance**

Not applicable.

### **Sustainability Implications**

Not applicable.

### **Consultation**

Not applicable.

### **COMMENT**

The proposed committee meeting dates align with the quarterly *Corporate Business Plan* reporting being considered by Council as many of the CEO's Key Performance Indicators are contained within the Corporate Business Plan. In addition, further special committee meetings will be determined for the purpose of undertaking the CEO's annual performance review.

The proposed meeting dates for the CEO Recruitment and Performance Review Committee are cognisant of proposed meeting dates for a variety of other committees.

### **VOTING REQUIREMENTS**

Simple Majority.

**MOVED Cr Chester, SECONDED Cr McLean that Council that the Chief Executive Officer Recruitment and Performance Review Committee ADOPTS the following meeting dates and times for the Chief Executive Officer Recruitment and Performance Review Committee of the City of Joondalup to be held at the Joondalup Civic Centre (Conference Room 1), Boas Avenue, Joondalup:**

- 1 Monday 29 November 2021, commencing at 5.45pm;**
- 2 Monday 21 February 2022, commencing at 5.45pm;**
- 3 Monday 23 May 2022, commencing at 5.45pm;**
- 4 Monday 28 November 2022, commencing at 5.45pm.**

**The Motion was Put and**

**CARRIED (7/0)**

**In favour of the Motion:** Mayor Jacob, Crs Chester, Hamilton-Prime, Kingston, May, McLean and Thompson.

## **CLOSURE**

There being no further business, the Presiding Member declared the Meeting closed at 8.32pm the following Committee Members being present at that time:

MAYOR HON. ALBERT JACOB, JP  
CR TOM MCLEAN, JP  
CR DANIEL KINGSTON  
CR CHRISTOPHER MAY  
CR SUZANNE THOMPSON  
CR CHRISTINE HAMILTON-PRIME, JP  
CR JOHN CHESTER