

Unconfirmed Minutes

CEO Performance Review Committee

3 September 2024



ATTENTION/DISCLAIMER

These minutes are subject to confirmation.

The purpose of this Council Meeting is to discuss and, where possible, make resolutions about items appearing on the agenda. Whilst Council has the power to resolve such items and may in fact appear to have done so at the meeting, no person should rely on or act on the basis of such decision or on any advice or information provided by a Council Member or employee, or on the content of any discussion occurring during the course of the Meeting. Persons should be aware that regulation 10 of the Local Government (Administration) Regulations 1996 establishes procedures to revoke or change a Council decision. No person should rely on the decisions made by Council until formal written advice of the Council decision is received by that person. The Shire of Mundaring expressly disclaims liability for any loss or damage suffered by any person as a result of relying on or acting on the basis of any resolution of Council, or any advice or information provided by a Council Member or employee, or the content of any discussion occurring during the course of the Council Meeting.



CONTENTS

1.0	OPENING PROCEDURES	4
1.1	RECORD OF ATTENDANCE.....	4
2.0	ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION	4
3.0	DECLARATION OF INTEREST	4
3.1	DECLARATION OF FINANCIAL INTEREST AND PROXIMITY INTERESTS.....	4
3.2	DECLARATION OF INTEREST AFFECTING IMPARTIALITY.....	4
4.0	CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS	5
	CEOPR1.09.24.....	5
5.0	PRESENTATIONS	5
6.0	REPORTS OF EMPLOYEES	5
7.0	URGENT BUSINESS (LATE REPORTS)	5
8.0	CONFIDENTIAL REPORTS	5
	CEOPR2.09.24.....	6
8.1	CEO PERFORMANCE REVIEW 2023/2024.....	6
	CEOPR3.09.24.....	7
	CEOPR4.09.24.....	7
	CEOPR5.09.24.....	8
9.0	CLOSING PROCEDURES	8
9.1	DATE, TIME AND PLACE OF THE NEXT MEETING.....	8
9.2	CLOSURE OF THE MEETING.....	8

**CEO PERFORMANCE REVIEW COMMITTEE
COMMITTEE ROOM, SHIRE OF MUNDARING ADMINISTRATION CENTRE**

1.0 OPENING PROCEDURES

The Presiding Member declared the meeting open at 12.57pm.

Acknowledgement of Country

Shire of Mundaring respectfully acknowledges the Whadjuk people of the Noongar Nation, who are the traditional custodians of this land. We acknowledge Elders past, present and emerging and respect their continuing culture and the contribution they make to the region.

1.1 Record of Attendance

Members	Cr Prapti Mehta Paige McNeil Cr Neridah Zlatnik	Presiding Member Shire President East Ward
Staff	Anna Italiano	Minute Secretary
Apologies	Cr Trish Cook	South Ward
Guests	Dr Shayne Silcox	Strategic Leadership Consulting

2.0 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Nil

3.0 DECLARATION OF INTEREST

3.1 Declaration of Financial Interest and Proximity Interests

Council Members must disclose the nature of their interest in matters to be discussed at the meeting (*Part 5 Division 6 of the Local Government Act 1995*).

Employees must disclose the nature of their interest in reports or advice when giving the report or advice to the meeting (*Sections 5.70 and 5.71 of the Local Government Act 1995*).

Nil

3.2 Declaration of Interest Affecting Impartiality

A Council Member or an employee who has an interest in a matter to be discussed at the meeting must disclose that interest (*Shire of Mundaring Code of Conduct, Local Government (Admin) Reg. 34C*).

Nil

4.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

RECOMMENDATION / COMMITTEE DECISION		CEOPR1.09.24	
Moved by	Cr Zlatnik	Seconded by	Pres McNeil
That the Minutes of the CEO Performance Review Committee Meeting held 31 January 2024 be confirmed.			
CARRIED 3/0			
For: Pres McNeil, Cr Mehta and Cr Zlatnik			
Against: Nil			

5.0 PRESENTATIONS

Nil

6.0 REPORTS OF EMPLOYEES

Nil

7.0 URGENT BUSINESS (LATE REPORTS)

Nil

8.0 CONFIDENTIAL REPORTS

Meeting Closed to Public at 12.58pm

The Local Government Act 1995, Part 5, Section 5.23 states in part:

- (2) If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following —
- (a) a matter affecting an employee or employees; and
 - (b) the personal affairs of any person; and
 - (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting; and
 - (d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting; and
 - (e) a matter that if disclosed, would reveal —
 - (i) a trade secret; or
 - (ii) information that has a commercial value to a person; or
 - (iii) information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government; and

- (f) a matter that if disclosed, could be reasonably expected to —
 - (i) impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law; or
 - (ii) endanger the security of the local government’s property; or
 - (iii) prejudice the maintenance or enforcement of a lawful measure for protecting public safety; and
- (g) information which is the subject of a direction given under section 23(1a) of the *Parliamentary Commissioner Act 1971*; and
- (h) such other matters as may be prescribed.

RECOMMENDATION / COMMITTEE DECISION		CEOPR2.09.24	
Moved by	Pres McNeil	Seconded by	Cr Zlatnik
<p>That the Committee closes the meeting to members of the public, in accordance with s5.23(2) of the <i>Local Government Act 1995</i>, in order to consider the confidential reports as detailed below:</p> <p>8.1 CEO Performance Review 2023/2024</p> <p>Item 8.1 is considered confidential in accordance with the <i>Local Government Act 1995</i> section 5.23(2) (a) as it contains information relating to a matter affecting an employee or employees.</p> <p>CARRIED 3/0</p> <p>For: Pres McNeil, Cr Mehta and Cr Zlatnik</p> <p>Against: Nil</p>			

8.1 CEO Performance Review 2023/2024

File Code	GV.MTG 6/2/2
Author	Jason Whiteaker, Chief Executive Officer
Senior Employee	Jason Whiteaker, Chief Executive Officer
Disclosure of Any Interest	Impartiality
Attachments	Nil

RECOMMENDATION / COMMITTEE DECISION		CEOPR3.09.24	
Moved by	Cr Zlatnik	Seconded by	Pres McNeil
<p>That the Committee receive the presentation from Dr Silcox in regard to the annual review of the CEO performance.</p> <p>CARRIED 3/0</p> <p>For: Pres McNeil, Cr Mehta and Cr Zlatnik</p> <p>Against: Nil</p>			

MOTION / COMMITTEE DECISION		CEOPR4.09.24	
Moved by	Pres McNeil	Seconded by	Cr Zlatnik
<p>That the Committee agree to the following from the presentation:</p> <ul style="list-style-type: none"> • Interview sheet be adopted, as amended by the Committee; • The Survey be adopted to be sent out by the consultant to elected members for completion; • That the Committee will work with the CEO to determine the 2024/25 KPI's to be a base for discussion with elected members through the interview process; • That the Consultant start the process as soon as the KPI schedule and the previous year acquital is received; and • Note that the above documents will be provided to elected members by the Consultant as part of the the interview process. <p>CARRIED 3/0</p> <p>For: Pres McNeil, Cr Mehta and Cr Zlatnik</p> <p>Against: Nil</p>			

Meeting Opened to Public at 1.40pm

RECOMMENDATION / COMMITTEE DECISION		CEOPR5.09.24	
Moved by	Cr Zlatnik	Seconded by	Pres McNeil
That the meeting again be opened to the public.			
CARRIED 3/0			
For: Pres McNeil, Cr Mehta and Cr Zlatnik			
Against: Nil			

9.0 CLOSING PROCEDURES

9.1 Date, Time and Place of the Next Meeting

Date to be determined.

9.2 Closure of the Meeting

The Presiding Person declared the meeting closed at 1.40pm.