



City of Belmont
EXECUTIVE COMMITTEE
MINUTES
TABLE OF CONTENTS

9 April 2018

ITEM	SUBJECT	PAGE NO
NOTICE OF MEETING		
1.	OFFICIAL OPENING	2
2.	APOLOGIES AND LEAVE OF ABSENCE	2
3.	DECLARATIONS OF INTEREST THAT MIGHT CAUSE A CONFLICT	2
3.1	FINANCIAL INTERESTS	2
3.2	DISCLOSURE OF INTEREST THAT MAY AFFECT IMPARTIALITY	2
4.	ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)	2
4.1	ANNOUNCEMENTS.....	2
4.2	DECLARATIONS BY MEMBERS WHO HAVE NOT GIVEN DUE CONSIDERATION TO ALL MATTERS CONTAINED IN THE BUSINESS PAPERS PRESENTLY BEFORE THE MEETING.....	2
5.	CONFIRMATION OF MINUTES.....	3
5.1	EXECUTIVE COMMITTEE MEETING HELD 12 JULY 2017	3
6.	QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN (WITHOUT DISCUSSION)	3
7.	NEW BUSINESS OF AN URGENT NATURE APPROVED BY PERSON PRESIDING OR BY DECISION	3
8.	QUESTIONS BY MEMBERS WITHOUT NOTICE	3
8.1	CR ROSSI.....	3
9.	BUSINESS ADJOURNED FROM A PREVIOUS MEETING	3
10.	INFORMATION ITEMS	3
11.	ITEMS REQUIRING RECOMMENDATION TO COUNCIL.....	4
11.1	STAFF MATTER - CHIEF EXECUTIVE OFFICER - INTERIM REVIEW 2017-2018 (CONFIDENTIAL MATTER IN ACCORDANCE WITH <i>LOCAL GOVERNMENT ACT 1995</i> SECTION 5.23 (2) (B) (E)).....	4
12.	NEXT MEETING	8
13.	CLOSURE.....	8

CONFIDENTIAL ATTACHMENTS INDEX

Confidential Attachment 1 – Item 11.1 refers
Confidential Attachment 2 – Item 11.1 refers

***** COUNCILLORS ARE REMINDED TO RETAIN THEIR
ATTACHMENTS FOR DISCUSSION WITH THE MINUTES *****

MINUTES

PRESENT

Cr P Marks, Mayor (Presiding Member)	East Ward
Cr R Rossi, JP, Deputy Mayor	West Ward
Cr J Powell	South Ward
Cr S Wolff	South Ward
Cr G Sekulla, JP	West Ward

IN ATTENDANCE

Mr J Christie (<i>arr 6.45pm</i>)	Chief Executive Officer
Ms AM Forte (<i>dep 6.45pm & did not return</i>)	Human Resources Manager
Mr J Olynyk, JP (<i>dep 6.40pm & did not return</i>)	Manager Governance

GUEST

Mr Paul Syme	Portland Broome, Organisational Consultants
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1. OFFICIAL OPENING

The Presiding Member opened the meeting at 6.34pm, welcomed those in attendance, and read the Acknowledgement of Country.

*It is important that we acknowledge the traditional owners
of the land on which we are meeting today the Noongar Whadjuk
people and pay respect to Elders both past and present*

2. APOLOGIES AND LEAVE OF ABSENCE

Nil.

3. DECLARATIONS OF INTEREST THAT MIGHT CAUSE A CONFLICT

3.1 FINANCIAL INTERESTS

Name	Item No and Title	Nature of Interest and extent where appropriate
Mr J Christie – Chief Executive Officer	Item 11.1 Chief Executive Officer Performance Interim Review 2017-2018	Report deals with probationary period and contract permanency appointment.

3.2 DISCLOSURE OF INTEREST THAT MAY AFFECT IMPARTIALITY

Nil.

4. ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

4.1 ANNOUNCEMENTS

Nil.

4.2 DECLARATIONS BY MEMBERS WHO HAVE NOT GIVEN DUE CONSIDERATION TO ALL MATTERS CONTAINED IN THE BUSINESS PAPERS PRESENTLY BEFORE THE MEETING

Nil.

5. CONFIRMATION OF MINUTES

**5.1 EXECUTIVE COMMITTEE MEETING HELD 12 JULY 2017
(Circulated under separate cover)**

OFFICER RECOMMENDATION

ROSSI MOVED, WOLFF SECONDED,

That the Minutes of the Executive Committee Meeting held on 12 July 2017 be confirmed as a true and accurate record.

CARRIED 5 VOTES TO 0

**6. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN
(WITHOUT DISCUSSION)**

Nil.

**7. NEW BUSINESS OF AN URGENT NATURE APPROVED BY PERSON
PRESIDING OR BY DECISION**

Nil.

8. QUESTIONS BY MEMBERS WITHOUT NOTICE

8.1 CR ROSSI

1. I did not receive notification of this meeting by email until this morning, what was the issue?

Response

The Manager Governance advised that the agenda and attachments were uploaded to the Cr Portal on Friday afternoon. There was an interruption in power to the Civic building at 5.30pm on Friday and this may have been the cause of the issue.

9. BUSINESS ADJOURNED FROM A PREVIOUS MEETING

Nil.

10. INFORMATION ITEMS

Nil.

11. ITEMS REQUIRING RECOMMENDATION TO COUNCIL

6.40pm **SEKULLA MOVED, POWELL SECONDED**, *That in accordance with Section 5.23(2)(b)(e) of the Local Government Act 1995, the meeting go behind closed doors. With the exception of the Facilitator, Mr Paul Syme, and the Human Resources Manager all other officers are to leave the meeting.*

CARRIED 5 VOTES TO 0

6.40pm The Manager Governance departed the meeting and did not return.

6.45pm The Human Resources Manager departed the meeting and did not return.

6.45pm The Presiding Member requested that the Chief Executive Officer be invited to join the meeting for discussion.

6.45pm The Chief Executive Officer entered the meeting.

8.05pm The Chief Executive Officer departed the meeting.

**11.1 STAFF MATTER - CHIEF EXECUTIVE OFFICER - INTERIM REVIEW 2017-2018
(CONFIDENTIAL MATTER IN ACCORDANCE WITH LOCAL GOVERNMENT ACT 1995
SECTION 5.23 (2) (B) (E))**

BUSINESS EXCELLENCE BELMONT

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Confidential Attachment 1–Item 11.1 refers	Chief Executive Officer – John Christie Performance Management Interim Review 2017-2018
Confidential Attachment 2–Item 11.1 refers	Chief Executive Officer – John Christie Final Probationary Report

Voting Requirement : Simple Majority
Subject Index : HR001 CEO Position
Location/Property Index : N/A
Application Index : N/A
Disclosure of any Interest : Nil.
Previous Items : N/A
Applicant : N/A
Owner : N/A
Responsible Division : Human Resources Department

COUNCIL ROLE

- Advocacy** *When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
- Executive** *The substantial direction setting and oversight role of the Council eg adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
- Legislative** *Includes adopting local laws, local planning schemes and policies.*

Item 11.1 Continued

- | | | |
|--------------------------|-----------------------|---|
| <input type="checkbox"/> | Review | <i>When Council reviews decisions made by Officers.</i> |
| <input type="checkbox"/> | Quasi-Judicial | <i>When Council determines an application/matter that directly affect a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of quasi-judicial authority include local planning applications, building licences, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i> |

PURPOSE OF REPORT

To consider information provided by the Chief Executive Officer on the interim progress against the Annual Goals and Targets set by Council for the 2017–2018 Chief Executive Officer Performance Appraisal Review period.

SUMMARY AND KEY ISSUES

In accordance with the agreed process, an Interim Review of the Chief Executive Officer's Annual Goals and Targets is to take place within six months of Council setting those targets. As part of the engagement process for the new Chief Executive Officer it was agreed that the goals and targets for the 2017-2018 period would include those outstanding and/or ongoing from the previous incumbent of the position.

The targets being considered were adopted by Council on 25 July 2017 and the Chief Executive Officer commenced on 30 October 2017. Therefore in accordance with the agreed process and contract conditions, they are now due for review.

LOCATION

Not applicable.

CONSULTATION

There has been no specific consultation undertaken in respect to this matter.

STRATEGIC COMMUNITY PLAN IMPLICATIONS

There are no Strategic Community Plan implications evident at this time.

POLICY IMPLICATIONS

There are no policy implications associated with this report.

Item 11.1 Continued

STATUTORY ENVIRONMENT

Clause 5.38 of the *Local Government Act 1995* applies and states: *'The performance of each employee who is employed for a term of more than one year, including the Chief Executive Officer ..., is to be reviewed at least once in relation to every year of the employment.'* The Chief Executive Officer's employment contract at Clause 4.2 also states:

The CEO's performance under this Contract must be reviewed by the Reviewer:

- (b) at least annually; and*
- (c) more frequently if the Council or You perceives there is a need to do so and, in that case, gives to the other party a Review Notice.*

The introduction of a six month interim review was agreed by the previous Chief Executive Officer and the Executive Committee on 25 August 2010.

BACKGROUND

At the Executive Committee Meeting of 25 August 2010, the previous Chief Executive Officer agreed to the introduction of a secondary process into the annual Performance Appraisal Review process. This arrangement is allowable by agreement, under both the *Local Government Act 1995* and the Chief Executive Officer's contract of employment.

This interim review was developed as an information sharing process to allow the Committee to be updated on progress to date and to be advised of any impediments to achievement of the Goals and Targets. It does not include an assessment of the performance of the Chief Executive Officer. This arrangement is designed to facilitate discussions at the annual Performance Appraisal Review that takes place in August each year.

In accordance with Section 4.1(1) the employment contract, discussions have taken place between the current Chief Executive Officer John Christie and the Mayor Phil Marks regarding existing arrangements including the interim review process and the Interim Performance Criteria as included in the contract. It has been agreed that they should continue to apply without the need for modification until a review of the Annual Performance Appraisal process has been undertaken. It is intended that this will be completed prior to the 2017-18 annual review.

Although the process remains unchanged it was agreed that it would be beneficial to engage a different external consultant to facilitate the review. The facilitator for this process will be Paul Syme from Portland Broome (Organisational Consultants) who has a background in conducting Executive performance reviews both within Local Government and the private sector. Any future appointment of a facilitator will be considered as part of the annual Performance Appraisal review scheduled for later this year.

Item 11.1 Continued

OFFICER COMMENT

The Chief Executive Officer will present a summary of progress to date against the Goals and Targets set by Council at its meeting of 25 July 2017 and included in his employment contract, by addressing the individual Success Indicators. His submission (refer [Confidential Attachment 1](#)), includes details of any potential impediments to achieving the outcomes by the target date(s) as well as any changes resolved by Council in the interim period that have had, or will have, a significant impact. He will also answer any Councillor questions on his submission in order to clarify any issues under consideration.

Executive Committee Members should discuss any issues relevant to the Success Indicators with the Chief Executive Officer at the Committee meeting however the Executive Committee will be unable to make any significant changes without referring the matter back to Council. Comments can however, be made to reflect the Committee Members' considerations on any particular matter for Council's information.

It is important to note that this interim process does not include any assessment by Committee Members of the Chief Executive Officer's performance to date, as this will remain the province of the annual Performance Appraisal that takes place later in the year.

The information provided by the Chief Executive Officer at this meeting will be included in the annual review process.

The facilitator for this process will be Paul Syme from Portland Broome (Organisational Consultants) who has a background in conducting Executive performance reviews both within Local Government and the private sector.

In accordance with past practice the Chief Executive Officer's appointment included a probationary period of six months and is due to expire on 30 April 2018. This does not form part of the formal performance review process rather it is used as a feedback arrangement between the Mayor and the Chief Executive Officer to ensure the new appointee is provided with guidance and support through their first six months in the position. Feedback is provided at the one, three and six month marks from commencement.

If any performance issues are identified within this period it would be managed in the same manner as problems that may arise at any point within the contract period and the process will proceed in accordance with the employment contract. If this were to occur, any decisions regarding actions to be taken would involve Council.

As there have been no performance issues identified the final probationary report is attached at [Confidential Attachment 2](#) for information only.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications associated with this report.

SOCIAL IMPLICATIONS

There are no social implications associated with this report.

Item 11.1 Continued

ROSSI MOVED, POWELL SECONDED,

OFFICER RECOMMENDATION

1. ***That Council note the information provided by the Chief Executive Officer on interim progress against the Goals and Targets set by Council for the Officer for the 2017-2018 review year, as indicated in Confidential Attachment 1.***
2. ***That Council note the information provided by the Mayor on the Chief Executive Officer's successful completion of his Probationary period, as indicated in Confidential Attachment 2.***

CARRIED 5 VOTES TO 0

8.36pm **SEKULLA MOVED, WOLFF SECONDED,** *That the meeting be opened again and Council Officers be invited to rejoin the meeting.*

CARRIED 5 VOTES TO 0

8.37pm The Chief Executive Officer returned to the meeting.

12. NEXT MEETING

The next meeting of the Executive Committee will be held on **Monday, 13 August 2018** commencing at 6.30pm.

13. CLOSURE

There being no further business, the Presiding Member thanked everyone for their attendance and closed the meeting at 8.45pm.

MINUTES CONFIRMATION CERTIFICATION

The undersigned certifies that these minutes of the Executive Committee Meeting held on 9 April 2018 were confirmed as a true and accurate record at the Executive Committee Meeting held 13 August 2018:

Signed by the Person Presiding: _____

PRINT name of the Person Presiding:


PHILIP MARKS