

Agenda

SPECIAL COUNCIL MEETING (SC 03/23)

29 June 2023
Commencing at 6pm

Online
and at
2/317 Churchill Avenue, Subiaco

Dear Councillors

I advise that a Special Council Meeting of the Western Metropolitan Regional Council will be held online and at the WMRC Offices 2/317 Churchill Ave Subiaco on **29 June 2023** commencing at **6pm**

Cr Paul Macfarlane

Chairman

28 June 2023

Note for members of the public: Council Meetings – Procedures

1. All Council meetings are open to the public, except for matters raised by Council under “confidential items”.
2. Members of the public may ask a question at an Ordinary Council Meeting under “public question time” or prior to the meeting [online through this link](#).
3. Members of the public who are unfamiliar with meeting procedures are invited to seek advice at the meeting.
4. All other arrangements are in accordance with the Council’s Meeting Procedures Local Law, policies and decisions of the organisation.

Cr Paul Macfarlane

Chairman

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1. DECLARATION OF OPENING

2. RECORD OF ATTENDANCE AND APOLOGIES

Councillors

Cr. P MacFarlane	Chair	Town of Cottesloe
Cr. S Stroud	Deputy Chair	City of Subiaco
Cr. P Kelly	Member	Town of Claremont
Cr. P Macintosh	Member	Shire of Peppermint Grove

Staff

S Frodsham	Chief Executive Officer	WMRC
A Bell	Manager Finance & Governance	WMRC

Leave of Absence

Visitors

Observers

Apology

Cr. A Maurice	Member	Town of Mosman Park
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3. DISCLOSURES OF INTERESTS

Where a member has disclosed a financial or proximity interest in an item, they must leave the room for consideration of that item.

Where a member has disclosed an impartial interest in an item, they may remain in the room. The member is required to bring an independent mind to the item and decide impartially on behalf of the

- 4. RESPONSE TO PREVIOUS PUBLIC QUESTIONS
TAKEN ON NOTICE**
- 5. PUBLIC QUESTION TIME**
- 6. APPLICATIONS FOR LEAVE OF ABSENCE**
- 7. PETITIONS, APPROVED DEPUTATIONS AND
PUBLIC STATEMENTS**
- 8. ANNOUNCEMENTS BY THE PERSON
PRESIDING WITHOUT DISCUSSION**

9. REPORTS OF COMMITTEES AND OFFICERS

9.1 APPOINTMENT OF CONSULTANT TO CONDUCT CEO PERFORMANCE REVIEW

Responsible Officer:	WMRC Council
Report Author:	Manager Finance & Governance
Date:	20 June 2023
Attachment:	

PURPOSE

To consider appointing a Human Resources Consultant to assist Council in conducting the Chief Executive Officer's (CEO's) annual performance review.

BACKGROUND

The CEO's Annual Performance review process is to include:

- preparing a consultancy brief to engage a consultant to assist in conducting the review.
- assessing submissions received.
- making a recommendation to Council to appoint a consultant.
- liaising with the consultant on Council's behalf.
- Implementing council resolutions resulting from the CEO performance review.

DETAIL AND OPTIONS ANALYSIS

Dr Shayne Silcox conducted the CEOs performance review for the 21/22 financial year. Both Council and the CEO were happy with the service provided by Dr Silcox.

The quote provided by Dr Silcox is \$4,600 plus GST. In accordance with the WMRC Council Policy – Purchasing, one quote is required for expenditure under \$5,000.

RISK MANAGEMENT

Risk is minimised by requiring a qualified HR Consultant to conduct the review.

COMMUNICATION AND CONSULTATION

Nil

REPORT IMPLICATIONS

Legislation and Policy Alignment

Clause 16 of the WMRC Standards for CEO Recruitment, Performance and Termination Policy relates to the performance review process:

16. Performance review process to be agreed between local government and CEO

(1) *The local government and the CEO must agree on —*

(a) the process by which the CEO's performance will be reviewed; and

(b) any performance criteria to be met by the CEO that are in addition to the contractual performance criteria.

(2) *Without limiting subclause (1), the process agreed under subclause (1)(a) must be consistent with clauses 17, 18 and 19.*

(3) *The matters referred to in subclause (1) must be set out in a written document.*

Council Policy – Purchasing

Business and Strategic Alignment

The review of the CEO's performance is an important opportunity for Council to evaluate the CEO and the WMRC's performance against Council priorities and Corporate Plans and to engage in constructive dialogue with the CEO about his past performance, future direction and to conduct the Council's aspirations and expectations.

Financial and Resource Implications

A budget provision for the CEO's performance review forms part of the 22/23 Annual Budget. The cost will be accrued as the invoice will not be received until the new financial year. The cost should be recognised in the same period that the CEO's performance review covers.

COMMENTS

For the record and for the avoidance of doubt, the CEO advises that he has no relationship or past professional association whatsoever with Dr Shayne Silcox with the exception of his 2022 performance review.

VOTING REQUIREMENT

RESPONSIBLE OFFICER'S RECOMMENDATION

Simple Majority Required

That Council

9.1.1 appoints Dr Shayne Silcox of Strategic Leadership Consulting to conduct the Chief Executive Officer's Performance Review as outlined in this report and in its confidential response to the WMRCs Request for Quotation; and

9.1.2 informs the CEO that the CEO Performance Review process will commence at a time mutually agreed by Council, the CEO and Dr Shayne Silcox.

10. INFORMATION BULLETINS

11 MOTIONS FOR WHICH PREVIOUS NOTICE HAS BEEN GIVEN

12 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

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14 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

15 MATTERS BEHIND CLOSED DOORS

It is proposed that the following items 15.1 CEO Employment Contract Extension be considered in a closed session.

RESPONSIBLE OFFICER RECOMMENDATION:

That in accordance with Sections 5.23(2)(c) of the Local Government Act 1995, the meeting is closed to members of the public with the following aspect of the Act being applicable to these matters:

(b) 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

16 BUSINESS NOT DEALT WITH FROM A PREVIOUS MEETING

17 GENERAL BUSINESS

18 CLOSURE OF MEETING