



Special Council Meeting

Agenda

8 May 2024



Our Vision

Where environment, lifestyle and opportunity meet

Community Aspirations



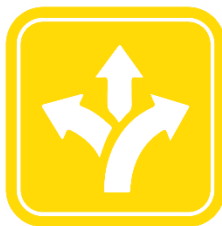
KEY THEME 1 **Environment**

An environment that is valued, conserved and enjoyed by current and future generations.



KEY THEME 2 **Lifestyle**

A place that is relaxed, safe and friendly, with services and facilities that support positive lifestyles and wellbeing.



KEY THEME 3 **Opportunity**

A vibrant City with diverse opportunities and a prosperous economy.



KEY THEME 4 **Leadership**

A Council that connects with the community and is accountable in its decision making.

NOTICE OF MEETING

TO: THE MAYOR AND COUNCILLORS

NOTICE is given that a Special Council Meeting will be held in the Council Chambers, Administration Building, Southern Drive, Busselton on Wednesday 8 May 2024, commencing at 4:00pm.

Your attendance is respectfully requested.

DISCLAIMER

Statements or decisions made at Council meetings or briefings should not be relied on (or acted upon) by an applicant or any other person or entity until subsequent written notification has been given by or received from the City of Busselton. Without derogating from the generality of the above, approval of planning applications and building permits and acceptance of tenders and quotations will only become effective once written notice to that effect has been given to relevant parties. The City of Busselton expressly disclaims any liability for any loss arising from any person or body relying on any statement or decision made during a Council meeting or briefing.



TONY NOTTLE

CHIEF EXECUTIVE OFFICER

7 May 2024

BEHAVIOUR PROTOCOLS

The City of Busselton values are:

- Listening
- Considered Decision Making
- Appreciation
- Respect
- Teamwork

In accordance with these values, the following outlines the behaviour expectations while attending a Council meeting, Committee meeting, Community Access Session, or Public Agenda Presentation:

- Listen respectfully through the meeting or presentation
- Respect the Council process and comply with directions from the Presiding Member
- Use respectful language when addressing Council, staff, and other members of the public
- Behave in a manner that is respectful and non-confrontational
- Do not use offensive language or derogatory language towards others

The City values the diverse input of the community and seeks to ensure that all members of the community can attend a meeting and have their say.

Elected Members, Committee members and Candidates are bound by the City's Code of Conduct and agree to uphold the values of the City of Busselton and principles of good behaviour, maintaining and contributing to a harmonious, safe, and productive environment.

Anyone who does not behave in accordance with the above values and behaviours may be asked by the Presiding Member to leave the gallery.

CITY OF BUSSELTON

Agenda for the Special Council Meeting to be held on Wednesday 8 May 2024

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1. OFFICIAL OPENING

The City of Busselton welcomes Elected Members, staff, guests and members of the public to the Special Council Meeting of 8 May 2024.

The City of Busselton acknowledges the Wadandi and Bibbulmun people as the traditional custodians of this region and pay respects to Elders past and present.

This meeting will be audio recorded for minute taking purposes and will also be live streamed on the City of Busselton YouTube channel.

2. PURPOSE OF MEETING

The purpose of this meeting is for considering the recommendations of the CEO Performance Review Committee in relation to the CEO Performance Review process.

3. ATTENDANCE

PRESIDING MEMBER	MEMBERS
Mayor Phill Cronin	Cr Anne Ryan (Deputy Mayor)
	Cr Val Kaigg
	Cr Jodie Richards
	Cr Kate Cox
	Cr Mikayla Love
	Cr Andrew Macnish
	Cr Jarrod Kennedy

OFFICERS
Chief Executive Officer
Director Corporate Strategy and Performance
Governance and Risk Coordinator
Governance Officer

APOLOGIES
Cr Richard Beecroft

4. DISCLOSURES OF INTEREST

DISCLOSURES OF FINANCIAL INTEREST

A declaration under section 5.65 of the *Local Government Act 1995* requires that the nature of the interest must be disclosed. An elected member or employee who has made a declaration must not preside, participate in, or be present during any discussion or decision-making procedure relating to the matter on which the subject of the declaration without the approval of the Council in accordance with the Act.

DISCLOSURES OF IMPARTIALITY INTEREST

Elected members and employees are required, in addition to declaring any financial interest, to declare an interest that might cause or perceive to cause a conflict. If the elected member or employee declares that their impartiality will not be affected then they may participate in the decision-making process.

5. PUBLIC QUESTION TIME

Public question time allows members of the public to participate in local government by asking questions of the Council in relation to issues affecting the City.

5.1. QUESTION TIME FOR PUBLIC

Public question time procedures and guidance

- The City will allocate a minimum of 15 minutes and a maximum of 30 minutes per Council meeting for public question time.
- Members of the public should register their intent to ask a question at a Council meeting by completing and submitting the [Public Question Time form](#) before 4pm the day prior to the relevant meeting.
- Members of the public will be invited to ask their question in order of registration.
- Questions will be limited to three per person. Additional questions may be permitted by the Presiding Member where time permits.
- Where a person is not present to ask their submitted question it will be responded to administratively as general correspondence.
- Questions may be taken on notice, to be responded to at a later time by the CEO in accordance with clause 6.7 of the Standing Orders.
- Public question time is for the tabling of questions, not for members of the community to make statements. For context, the Presiding Member may allow a short preamble.
- Questions containing defamatory remarks or offensive language, or that question the competency or personal affairs of Elected Members or employees may be ruled inappropriate by the Presiding Member subject to the Presiding Member taking reasonable steps to assist the member of the public to rephrase the question.
- There will be no debate or discussion on the response provided.

For further information, please see the [Meetings, Information Sessions and Decision Making Processes Policy](#).

6. PRESENTATIONS BY PARTIES WITH AN INTEREST

7. REPORTS OF COMMITTEE

7.1 Adoption of CEO Performance Review Process

Strategic Theme:	Key Theme 4: Leadership 4.4 Govern a professional organisation that is healthy, capable and engaged.
Directorate:	Corporate Strategy and Performance
Reporting Officer:	Manager People, Culture and Strategy - Shannon Pettengell
Authorised By:	Acting Director Corporate Strategy and Performance – Ben Whitehill
Nature of Decision:	Executive: Substantial direction setting, including adopting budgets, strategies, plans and policies (excluding local planning policies); funding, donations and sponsorships; reviewing committee recommendations.
Voting Requirements:	Simple Majority
Disclosures of Interest:	No officers preparing this item have an interest to declare.
Attachments:	1. CONFIDENTIAL REDACTED - Attachment 1 - CEO performance review process [6.1.1 - 3 pages]

This item was considered by the CEO Performance Review Committee at its meeting on 6 May 2024, the recommendations of which have been included in this report

COMMITTEE RECOMMENDATION

That the Council adopt the CEO performance review process as detailed in Attachment 1.

OFFICER RECOMMENDATION

That the Council adopt the CEO performance review process as detailed in Attachment 1.

EXECUTIVE SUMMARY

The Council endorsed (C2404/119) the appointment of Strategic Leadership Consulting as the independent facilitator to assist the CEO Performance Review Committee in undertaking the performance review of the CEO.

In accordance with Part 4, clause 18 of the City's CEO Standards, this report recommends to Council the adoption of the CEO performance review process as detailed in Attachment 1.

STRATEGIC CONTEXT

An effective CEO performance review process is necessary for the good governance of the organisation.

BACKGROUND

As part of the City's RFQ process for an independent facilitator, the scope of requirements detailed that the facilitator will be required to facilitate the City's CEO performance review process in accordance with section 5.38 of the *Local Government Act 1995* as well as the City of Busselton's

CEO Standards, CEO Performance Review Policy and CEO Performance Review Committee Terms of Reference.

Respondents were further requested to provide a detailed performance review process to be followed including associated tools for the CEO and CEO Performance Review Committee (Committee) consideration, noting agreement is subject to Council endorsement.

The Council endorsed (C2404/119) Strategic Leadership Consulting as the independent facilitator who provided the process as detailed in Attachment 1.

OFFICER COMMENT

In accordance with the City's CEO Standards Part 4, clause 18.1(a), the local government and the CEO must agree on the process by which the CEO's performance will be reviewed.

The CEO performance review process is also detailed in City's CEO Performance Review Policy (Policy).

Following the appointment of Strategic Leadership Consulting on 26 April 2024 as the independent facilitator, a meeting was held on 30 April 2024 with Dr Shayne Silcox, Principal Consultant of Strategic Leadership Consulting, the Committee Chair and CEO. The purpose of the meeting was to agree a proposed CEO performance review process, which would be recommended to the Committee before presenting to Council for adoption.

The proposed process is detailed in Attachment 1 which considers the CEO Standards and Policy. It is noted Dr Silcox has proposed the use of Strategic Leadership Consulting's own rating criteria as part of the process, which is consistent with the Policy.

Following Council adoption, Dr Silcox will commence the CEO performance review process.

Statutory Environment

Section 5.38 of the *Local Government Act 1995* requires a local government to review the performance of the CEO annually.

Section 5.39B(2), (3), (5) and (6) of the *Local Government Act 1995* relate to adoption of model standards, as contained within Schedule 2 of the Regulations. The City's CEO Standards reflect these model standards.

Further, the Council has established a CEO Performance Review Committee and Terms of Reference (C2310/147), and a CEO Performance Review Policy (C2301/010).

Relevant Plans and Policies

The officer recommendation aligns to the following adopted plan or policy:

Plan:

Not applicable.

Policy:

[Chief Executive Officer Performance Review](#)

Additionally, the CEO Standards and Performance Review Committee Terms of Reference are applicable.

Financial Implications

The cost associated to proceed with attached process is as quoted for the engagement of the Strategic Leadership Consulting and is approximately \$7,500 (ex GST) inclusive of estimated travel and accommodation costs.

External Stakeholder Consultation

Not Applicable

Risk Assessment

An assessment of the potential implications of implementing the officer recommendation has been undertaken using the City’s risk management framework, with risks assessed taking into account any controls already in place. No risks of a medium or greater level have been identified, with the proposed CEO performance review process.

Options

As an alternative to the proposed recommendation, the Council could propose an alternative performance review process for CEO agreement.

CONCLUSION

Following consultation with the Committee and CEO and in accordance with the City’s CEO Standards and Committee Terms of Reference, the CEO performance review process detailed in Attachment 1 is recommended to Council for adoption.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

The officer recommendation will be implemented in full, or in stages as per the following table:

Milestone	Completion Date
CEO performance review process adopted by Council.	8 May 2024
Strategic Leadership Consulting commence CEO performance review process.	9 May 2024

8. CONFIDENTIAL MATTERS

Nil

9. CLOSURE