



Special Council Meeting

Minutes

Wednesday 8 May 2024

MINUTES

Minutes of a Special Council Meeting of the Busselton City Council held in the Council Chambers, Administration Building, Southern Drive, Busselton, on Wednesday 8 May 2024 at 4:00pm.

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1. OFFICIAL OPENING

The meeting opened at 4:08pm.

The Presiding Member welcomed Councillors, staff, guests and members of the public to the Special Council Meeting of 8 May 2024.

The Presiding Member acknowledged the Wadandi and Bibbulmun people as the traditional custodians of this region and paid respects to Elders past and present.

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

2. PURPOSE OF MEETING

The purpose of the meeting was 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 (<i>Deputy Mayor</i>)
	Cr Val Kaigg
	Cr Jodie Richards
	Cr Kate Cox
	Cr Jarrod Kennedy
	Cr Mikayla Love
	Cr Andrew Macnish

OFFICERS	
Mr Tony Nottle	Chief Executive Officer
Ms Sarah Pierson	Director Corporate Strategy and Performance (<i>from 4:09pm</i>)
Mr Ben Whitehill	Manager Legal, Governance and Risk
Mrs Shannon Pettengell	Manager People, Culture and Strategy
Ms Jo Barrett-Lennard	Governance Officer

APOLOGIES
Cr Richard Beecroft

4. DISCLOSURES OF INTEREST

DISCLOSURES OF FINANCIAL INTEREST

Nil

DISCLOSURES OF IMPARTIALITY INTEREST

The Presiding Member noted that a disclosure of impartiality interest had been received from Mr Tony Nottle, Chief Executive Officer, in relation to item 7.1.

The Presiding Member advised that, in accordance with clause 6.10(b) of the City of Busselton Employee Code of Conduct, this disclosure would be read out immediately before this item was discussed.

5. PUBLIC QUESTION TIME

5.1. QUESTION TIME FOR PUBLIC

Nil

6. PRESENTATIONS BY PARTIES WITH AN INTEREST

Nil

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:	Director Corporate Strategy and Performance - Sarah Pierson
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

DISCLOSURE OF INTEREST	
Date	8 May 2024
Meeting	Special Council
Name/ Position	Mr Tony Nottle, Chief Executive Officer
Item No./ Subject	Item 7.1 'Adoption of the CEO Performance Review Process'
Type of Interest	Impartiality Interest
Nature of Interest	I am the officer subject to the review.

The committee recommendation was moved and carried.

<p><u>COUNCIL DECISION</u></p> <p>C2405/122 Moved Cr Andrew Macnish, seconded Cr Anne Ryan</p> <p>That the Council adopt the CEO performance review process as detailed in Attachment 1.</p> <p style="text-align: right;">CARRIED 8 / 0</p> <p style="text-align: center;">FOR: Mayor Phill Cronin, Cr Anne Ryan, Cr Jodie Richards, Cr Val Kaigg, Cr Andrew Macnish, Cr Mikayla Love, Cr Kate Cox and Cr Jarrod Kennedy</p> <p style="text-align: right;">AGAINST: Nil</p>
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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

The Presiding Member closed the meeting at 4:10pm.

These minutes for the Special Council Meeting held 8 May 2024 were confirmed as a true and correct record on

Date:

19/6/24

Presiding Member:

[Handwritten signature]