



## **Special Meeting of Council**

# **Minutes**

**16 June 2016**

## Preface

When the Chief Executive Officer approves these Minutes for distribution they are in essence "Unconfirmed" until the following Ordinary Meeting of Council, where the Minutes will be confirmed subject to any amendments made by the Council.


The "Confirmed" Minutes are then signed off by the Presiding Person.

Attachments that formed part of the Agenda, in addition to those tabled at the Council Meeting are put together as attachments to these Minutes with the exception of Confidential Items.

Confidential Items or attachments that are confidential are compiled as separate Confidential Minuted Agenda Items.

## Unconfirmed Minutes

These minutes were approved for distribution on 17 June 2016.



Stan Scott  
**CHIEF EXECUTIVE OFFICER**

## Confirmed Minutes

These minutes were confirmed at a meeting held on 28 June 2016.

Signed: *David L. Davis* .....

*Note: The Presiding Member at the meeting at which the minutes were confirmed is the person who signs above.*

# Shire of Toodyay

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SPECIAL MEETING – 16 JUNE 2016

## CONTENTS

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS .....	1
2. RECORDS OF ATTENDANCE.....	1
3. DISCLOSURE OF INTERESTS.....	1
4. PUBLIC QUESTIONS (relating to the purpose of the meeting) .....	1
5. PUBLIC SUBMISSIONS (relating to the purpose of the meeting) .....	1
6. PURPOSE OF MEETING .....	2
6.1 Appraisal Process – CEO Performance Review .....	2
7. CLOSURE OF MEETING .....	5

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**There are NO SEPARATE PUBLIC ATTACHMENTS**

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# Shire of Toodyay

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## MINUTES

### 1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

Cr D Dow, Shire President, declared the meeting open at 11.02 am.

### 2. RECORDS OF ATTENDANCE

#### Members

Cr D Dow	Shire President
Cr T Chitty	Deputy Shire President
Cr J Dow	
Cr S Craddock	
Cr P Greenway	
Cr B Rayner	

#### Staff

Mr S Scott	Chief Executive Officer
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#### Visitors

Nil.

### 2.1 APOLOGIES

Cr R Welburn  
Cr K Wood

### 3. DISCLOSURE OF INTERESTS

The Chief Executive Officer advised that no disclosures of interest in the form of a written notice had been received prior to the commencement of the meeting.

### 4. PUBLIC QUESTIONS (relating to the purpose of the meeting)

Nil.

### 5. PUBLIC SUBMISSIONS (relating to the purpose of the meeting)

Nil.

## 6. PURPOSE OF MEETING

### 6.1 Appraisal Process – CEO Performance Review

Date of Report:	15 June 2016
Name of Applicant / Proponent/s:	Stan Scott – Chief Executive Officer
File Reference:	HR317
Author:	Stan Scott – Chief Executive Officer
Responsible Officer:	Stan Scott – Chief Executive Officer
Previously Before Council:	13 October 2015 – Review of Key Result Areas 24 May 2016 OCM – Appointment of Consultant
Author's Disclosure of Interest:	Nil
Nature of Council's Role in the matter:	Executive.
Attachments:	<u>Provided within the Attachments to the Agenda:</u> 1. Appraisal Process Outline.  <u>Provided within the Confidential Attachment:</u> 2. Elected Member Feedback Form which contains the reviewed KRA's; 3. Copy of CEO's Contract; and 4. Tabled CEO's Response at 11.02 am.
Voting Requirements:	Simple majority

### PURPOSE OF THE REPORT / SUMMARY

To consider and agree to the Appraisal Process Outline (refer to **Attachment 1**).

### BACKGROUND

At an Ordinary Meeting of Council held on 24 May 2016 Council resolved (Resolution No 67/05/16) as follows:

*That Council:*

1. *Appoint John Phillips Consulting to conduct the CEO performance appraisal for Council; and*
2. *Authorise the CEO to convene a Special Meeting in the next three weeks to allow the Consultant to meet with Council and the CEO to agree to the details of the process.*

At a Special Meeting of Council held on 13 October 2015 Council resolved (Resolution No 195/10/15) as follows:

1. *That Council endorse the consultant's recommendations of revised key performance indicators as attached.*

2. That the Draft KRAs be amended as follows:
  - At 1.2 the second dot point become two dot points, Site investigation with a target date of 31 March 2016 and Detailed Planning with a target date of 30 June 2016;
  - At 2.2 the words “Review planning scheme and planning strategy and complete first draft LPS5” be replaced with “Basis of Rates Review UV GRV completed”;
  - At 2.3 the words “Complete Construction” be replaced with the words “Review planning scheme and planning strategy and complete first draft LPS5” and the Target Date Changed to 31 March 2015; and
  - At 2.5 the words “Review budget process” be replaced with the words “Review budget preparation Process”
  
3. That quarterly, or when required, a review of the KRAs be carried out but Council and the CEO to discuss and amend KPIs as required and if necessary.

#### **CONSULTATION IMPLICATIONS**

Mr John Phillips, John Phillips Consulting was consulted in relation to relevant dates required as part of the Appraisal Process.

#### **STRATEGIC IMPLICATIONS**

There are no strategic implications relative to this item.

#### **POLICY IMPLICATIONS**

There are no policy implications relative to this item.

#### **FINANCIAL IMPLICATIONS**

The performance review will inform the annual remuneration review but has no direct financial implications. The contract requires that Council appoint an independent party to conduct the performance review.

#### **LEGAL AND STATUTORY IMPLICATIONS**

Section 5.38 of the *Local Government Act 1995* states as follows:

##### **5.38. Annual review of certain employees' performances**

*The performance of each employee who is employed for a term of more than one year, including the CEO and each senior employee, is to be reviewed at least once in relation to every year of the employment.*

Section 5.8 of the *Local Government Act 1995* states as follows:

**5.8. Establishment of committees**

*A local government may establish\* committees of 3 or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.*

*\* Absolute majority required.*

*Local Government (Administration) Regulation 11 (da)* requires written reasons for varying the Officer's Recommendation.

**RISK IMPLICATIONS (including DAIP)**

The appraisal process includes remuneration review. There is a financial risk implication as the Annual Budget 2016/2017 does not include remuneration for the CEO.

For the purpose of this report however this financial risk implication will not be apparent until Council are actually asked to consider remuneration at the next Special Meeting of Council to be held on 14 July 2016.

**SUSTAINABILITY IMPLICATIONS**

This proposal does not contain any notable social implications.

This proposal does not contain any notable environmental implications.

This proposal does not contain any economic implications.

**OFFICER COMMENT / DETAILS**

It is important to note that Councillor Diaries were referred to in relation to creation of the schedule which has also evolved directly from the process Council chose to follow over the last three years.

It is envisaged that because Councillors have a good understanding of the above that by the arrangement of Special Meetings the process will be undertaken in a thorough and efficient manner by Council.

**OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO 69/06/16**

**MOVED** Cr Rayner

That Council endorse the appraisal process for the CEO Performance Review.

**MOTION CARRIED 6/0**



**2016 APPRAISAL PROCESS**

<b>Consideration of Appraisal Process</b>		<ul style="list-style-type: none"> <li>• “Self-Assessment” form is given to CEO to complete;</li> <li>• An Elected Member Feedback form is given to Councillors to complete;</li> <li>• Appraisal Process (Phases 1-2) are considered.</li> </ul>
<b>Special Council Meeting Thursday 16 June 2016 9.00 am- 11.00 am.</b>		
<b>Phase One</b>	<b>Pre-Appraisal Interviews with Councillors and Consultant</b>	<p><b>[Note: Final day for submission of Feedback Forms to the Consultant]</b></p> <ul style="list-style-type: none"> <li>• Interviews are conducted at the Visitor Centre;</li> <li>• Councillors have a thirty [30] minute timeslot; and</li> <li>• A ten [10] minute timeslot is scheduled in between each appointment.</li> </ul> <p><b>Note: Councillors who work can alter times given by contacting EA. Appointments can be made out of these hours, but on the same day.</b></p>
	<b>Friday 17 June 2016 8.00am-5.30pm</b>	
<b>Phase Two</b>	<b>After Interviews</b>	The Consultant will prepare a feedback Report that will include contractual requirements and remuneration review.
<b>Phase Three</b>	<b>Appraisal and Completion of Appraisal Process Including Remuneration Review</b>	<p><b>Phase Three timetable is as follows:</b></p> <p>1.00 – 1.30 pm Briefing meeting with CEO - Mr Phillips will brief the CEO prior to the Appraisal.</p> <p>1.30 -2.15 pm Briefing meeting with Councillors - Councillors will discuss the report provided with Mr Phillips without the CEO being present;</p> <p>2.15 – 3.00 pm Appraisal Meeting with CEO - The CEO will then join in on the discussion; and</p> <p>3.00 – 4.00 pm Review of KRA's for 2016/2017 an Appraisal outcome will be developed using the key result areas (opportunity to tweak at same time)</p> <p>4.00 – 5.00 pm Endorsement of Appraisal Outcomes – see below</p> <p>That Council:</p> <ul style="list-style-type: none"> <li>• Notes the completion of the CEO Performance Review for 2016;</li> <li>• Endorses the Rating of the CEO;</li> <li>• Determines the Remuneration of the CEO;</li> <li>• Schedules the next Performance Review;</li> <li>• Schedules the next Remuneration Review.</li> </ul>
	<b>Special Council Meeting. Thursday 14 July 2016 4.00 pm-6.00 pm</b> <i>Called by the Shire President</i>	

**7. CLOSURE OF MEETING**

The Chairperson declared the meeting closed at 11.04 am.