

Confirmed Minutes

CEO Performance Review Committee

30 September 2024

I certify that the minutes of the CEO Performance Review Committee meeting held on 30 September 2024 were Confirmed on 5 May 2025.

A handwritten signature in blue ink, appearing to read "P. M. Hui", on a white rectangular background.

Presiding Member

ATTENTION/DISCLAIMER

The purpose of this Council Meeting is to discuss and, where possible, make resolutions about items appearing on the agenda. Whilst Council has the power to resolve such items and may in fact appear to have done so at the meeting, no person should rely on or act on the basis of such decision or on any advice or information provided by a Council Member or employee, or on the content of any discussion occurring during the course of the Meeting. Persons should be aware that regulation 10 of the Local Government (Administration) Regulations 1996 establishes procedures to revoke or change a Council decision. No person should rely on the decisions made by Council until formal written advice of the Council decision is received by that person. The Shire of Mundaring expressly disclaims liability for any loss or damage suffered by any person as a result of relying on or acting on the basis of any resolution of Council, or any advice or information provided by a Council Member or employee, or the content of any discussion occurring during the course of the Council Meeting.

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**CEO PERFORMANCE REVIEW COMMITTEE
COMMITTEE ROOM, SHIRE OF MUNDARING ADMINISTRATION CENTRE**

1.0 OPENING PROCEDURES

The Presiding Member declared the meeting open at 11.05am.

Acknowledgement of Country

Shire of Mundaring respectfully acknowledges the Whadjuk people of the Noongar Nation, who are the traditional custodians of this land. We acknowledge Elders past, present and emerging and respect their continuing culture and the contribution they make to the region.

1.1 Record of Attendance

Elected Members	Pres Paige McNeil Cr Trish Cook Cr Prapti Mehta Cr Neridah Zlatnik	Shire President South Ward Central Ward East Ward
Staff	Anna Italiano	Minute Secretary
Apologies	Nil	
Absent	Nil	
Guests	Dr Shayne Silcox	Strategic Leadership Consulting

2.0 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Nil

3.0 DECLARATION OF INTEREST

3.1 Declaration of Financial Interest and Proximity Interests

Council Members must disclose the nature of their interest in matters to be discussed at the meeting (*Part 5 Division 6 of the Local Government Act 1995*).

Employees must disclose the nature of their interest in reports or advice when giving the report or advice to the meeting (*Sections 5.70 and 5.71 of the Local Government Act 1995*).

Nil

3.2 Declaration of Interest Affecting Impartiality

A Council Member or an employee who has an interest in a matter to be discussed at the meeting must disclose that interest (*Shire of Mundaring Code of Conduct, Local Government (Admin) Reg. 34C*).

Nil

4.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

RECOMMENDATION / COMMITTEE DECISION			CEOPR6.09.24
Moved by	Cr Mehta	Seconded by	Cr Zlatnik
That the Minutes of the CEO Performance Review Committee Meeting held 3 September 2024 be confirmed.			
			CARRIED 4/0
For:	Pres McNeil, Cr Cook, Cr Mehta and Cr Zlatnik		
Against:	Nil		

5.0 PRESENTATIONS

Nil

6.0 REPORTS OF EMPLOYEES

Nil

7.0 URGENT BUSINESS (LATE REPORTS)

Nil

8.0 CONFIDENTIAL REPORTS

Meeting Closed to Public at 11.07am

The Local Government Act 1995, Part 5, Section 5.23 states in part:

- (2) If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following —
- (a) a matter affecting an employee or employees; and
 - (b) the personal affairs of any person; and
 - (c) 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
 - (d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting; and
 - (e) a matter that if disclosed, would reveal —
 - (i) a trade secret; or
 - (ii) information that has a commercial value to a person; or
 - (iii) information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government; and
 - (f) a matter that if disclosed, could be reasonably expected to —

- (i) impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law; or
- (ii) endanger the security of the local government's property; or
- (iii) prejudice the maintenance or enforcement of a lawful measure for protecting public safety; and
- (g) information which is the subject of a direction given under section 23(1a) of the *Parliamentary Commissioner Act 1971*; and
- (h) such other matters as may be prescribed.

RECOMMENDATION / COMMITTEE DECISION		CEOPR7.09.24	
Moved by	Cr Mehta	Seconded by	Pres McNeil
<p>That the Committee the meeting to members of the public, in accordance with s5.23(2) of the <i>Local Government Act 1995</i>, in order to consider the confidential reports as detailed below:</p> <p>8.1 CEO Performance Review 2023/2024</p> <p>Item 1.1 is considered confidential in accordance with the <i>Local Government Act 1995</i> section 5.23(2) (a) as it contains information relating to a matter affecting an employee or employees.</p> <p style="text-align: right;">CARRIED 4/0</p> <p>For: Pres McNeil, Cr Cook, Cr Mehta and Cr Zlatnik</p> <p>Against: Nil</p>			

11.30am, Minute taker left the meeting

11.47pm, Minute taker returned to the meeting

RECOMMENDATION / COMMITTEE RECOMMENDATION			CEOPR8.09.24
Moved by	Pres McNeil	Seconded by	Cr Mehta
<p>That Council:</p> <ol style="list-style-type: none"> 1. Notes the Salaries and Allowances Tribunal Determination of 5 April 2024 (effective 1 July 2024); 2. Notes an increase in the Superannuation Guarantee Levy from 11% to 11.5% effective 1 July 2024; 3. Notes the outcomes of the Elected Member Performance Survey undertaken in July 2024 with the Chief Executive Officer being assessed at “<i>Met and Exceeded Expectations</i>” in this year’s performance appraisal; 4. Adopt the modified performance criteria metrics for the 2024-2025 performance period outlined in Section 7.6 of the report at Confidential Attachment 1; 5. Approves a variation to the CEO’s contract Total Benefits Package (Total Remuneration Package) as per Option 6 set within Confidential Attachment 1, Section 6.5; 6. Schedules the next review of the Chief Executive Officer’s performance and Total Benefits Package (TBP) for consideration by Council in August/September 2025; 7. Comply, as per Division 3 of the Local Government (Administration) Regulations Schedule 2 clause 18, by resolution of an absolute majority of the Council, endorse this review; 8. Comply, as per Division 3 of the Local Government (Administration) Regulations Schedule 2 clause 19, by notifying the Chief Executive Officer of results of his performance review; and 9. Notes the content of this report remains confidential and located on Mr Jason Whiteaker’s personnel file. <p style="text-align: right;">CARRIED 4/0</p> <p>For: Pres McNeil, Cr Cook, Cr Mehta and Cr Zlatnik</p> <p>Against: Nil</p>			

Meeting Opened to Public at 11.55am

RECOMMENDATION / COMMITTEE DECISION		CEOPR9.09.24	
Moved by	Pres McNeil	Seconded by	Cr Zlatnik
That the meeting again be opened to the public.			
			CARRIED 4/0
For:	Pres McNeil, Cr Cook, Cr Mehta and Cr Zlatnik		
Against:	Nil		

9.0 CLOSING PROCEDURES

9.1 Date, Time and Place of the Next Meeting

The date of the next CEO Performance Review Committee is to be determined.

9.2 Closure of the Meeting

The Presiding Member declared the meeting closed at 11.56am.