



# **UNCONFIRMED MINUTES**

## **CEO PERFORMANCE REVIEW COMMITTEE MEETING**

**25 JULY 2023**

I certify that the minutes of the meeting of the CEO Performance Review Committee held on Tuesday, 25 July 2023 were confirmed on \_\_\_\_\_.

\_\_\_\_\_  
Presiding Person



**UNCONFIRMED MINUTES**  
**CEO PERFORMANCE REVIEW COMMITTEE MEETING**  
**25 JULY 2023**

**ATTENTION/DISCLAIMER**

The purpose of this Committee Meeting is to discuss and make recommendations to Council about items appearing on the agenda and other matters for which the Committee is responsible. The Committee has no power to make any decisions which are binding on the Council or the Shire of Mundaring unless specific delegation of authority has been granted by Council. No person should rely on or act on the basis of any advice or information provided by a Member or Employee, or on the content of any discussion occurring, during the course of the Committee Meeting.

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 advice or information provided by a Member or Employee, or the content of any discussion occurring during the course of the Committee Meeting.

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

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## **1.0 OPENING PROCEDURES**

The Presiding Person declared the meeting open at 5.30pm.

### 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**

<b>Members</b>	Cr James Martin (President)	South Ward
	Cr Paige McNeil (Deputy President)(Presiding Person)	Central Ward
	Cr Trish Cook	South Ward
	Cr Doug Jeans	Central Ward
	Cr John Daw	East Ward
<b>Staff</b>	Jonathan Throssell	Chief Executive Officer
	Anna Italiano	Minute Secretary
<b>Apologies</b>	Nil	
<b>Absent</b>	Nil	
<b>Guests</b>	Nil	

## **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*).

CEO disclosed an interest affecting impartiality in item 8.1 (CEO Performance Evaluation Framework 2022/2023 – Final Report) as the report refers to himself.

#### 4.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

<b>COMMITTEE DECISION RECOMMENDATION</b>	<b>CEOPR1.07.23</b>		
Moved by	Cr Jeans	Seconded by	Cr Cook

That the Minutes of the CEO Performance Review Committee Meeting held 2 May 2023 be confirmed.

#### **CARRIED 5/0**

**For:** Cr Daw, Cr Cook, Cr Jeans, Cr McNeil and Cr Martin

**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 5.31pm**

*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.

<b>COMMITTEE DECISION</b>		<b>CEOPR2.07.23</b>	
<b>RECOMMENDATION</b>			
Moved by	Cr Daw	Seconded by	Cr Jeans

That the Committee closes the meeting to members of the public, in accordance with s5.23(2) of the *Local Government Act 1995*, in order to consider the confidential reports as detailed below:

### 8.1 CEO Performance Evaluation Framework 2022/2023 - Final Report

Item 8.1 is considered confidential in accordance with the *Local Government Act 1995* section 5.23(2) (b) as it contains information relating to the personal affairs of any person.

**CARRIED 5/0**

**For:** Cr Daw, Cr Cook, Cr Jeans, Cr McNeil and Cr Martin

**Against:** Nil

### Meeting Opened to Public at 5.42pm

<b>COMMITTEE DECISION</b>		<b>CEOPR3.07.23</b>	
<b>RECOMMENDATION</b>			
Moved by	Cr Daw	Seconded by	Cr Martin

That the meeting again be opened to the public.

**CARRIED 5/0**

**For:** Cr Daw, Cr Cook, Cr Jeans, Cr McNeil and Cr Martin

**Against:** Nil

## **9.0 CLOSING PROCEDURES**

### **9.1 Date, Time and Place of the Next Meeting**

Date to be determined

### **9.2 Closure of the Meeting**

The Presiding Person declared the meeting closed at 5.42pm.