



AGENDA

SPECIAL COUNCIL MEETING

TIME: 6.30 PM

20 AUGUST 2020

CITY OF WANNEROO

*Constituent Members: Cities of Perth, Joondalup, Stirling, Vincent and Wanneroo
Towns of Cambridge and Victoria Park*



**MINDARIE REGIONAL COUNCIL
NOTICE OF MEETING**

14 AUGUST 2020

Councillors of the Mindarie Regional Council are advised that a Special Meeting of the Council will be held in the Council Chambers of the City of Wanneroo, 23 Dundobar Road, Wanneroo at 6.30 pm on 20 August 2020.

The agenda pertaining to the meeting follows.

Your attendance is respectfully requested.



**GÜNTHER HOPPE
CHIEF EXECUTIVE OFFICER**

MINDARIE REGIONAL COUNCIL - MEMBERSHIP

| | |
|-------------------------------------------|-----------------------|
| Cr D Boothman JP (David) - Chair | City of Stirling |
| Cr K Vernon (Karen) – Deputy Chair | Town of Victoria Park |
| Cr R Fishwick JP (Russ) | City of Joondalup |
| Cr A Jacob JP (Albert) | City of Joondalup |
| Cr L Kosova (Len) | City of Perth |
| Cr J Ferrante (Joe) | City of Stirling |
| Cr K Sargent (Keith) | City of Stirling |
| Cr S Proud JP (Stephanie) | City of Stirling |
| Cr E Cole (Emma) | City of Vincent |
| Cr F Cvitan JP (Frank) | City of Wanneroo |
| Cr D Newton JP (Dot) | City of Wanneroo |
| Cr K Shannon (Keri) | Town of Cambridge |

NB: Although some Councils have nominated alternate members, it is a requirement that a Council carries a specific resolution for each occasion that the alternate member is to act.

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|----------|----------------------------------------------------------|
| 1 | DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS |
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| 2 | ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE |
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| 3 | DECLARATION OF INTERESTS |
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Declaration of Financial/Conflict of Interest to be recorded prior to dealing with each item.

Disclosure of Financial and Proximity Interests

- (a) *Members must disclose the nature of their interest in matters to be discussed at the meeting. (Section 5.65 of the Local Government Act 1995).*
- (b) *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).*

Disclosure of Interest Affecting Impartiality

- (a) *Members and staff must disclose their interest in matters to be discussed at the meeting in respect of which the member or employee has given or will give advice.*

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| 4 | PUBLIC QUESTION TIME |
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| 5 | ANNOUNCEMENTS BY THE PRESIDING PERSON |
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6 CHIEF EXECUTIVE OFFICERS REPORT

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| 6.1 | APPOINTMENT OF COUNCILLORS ON TO THE CEO RECRUITMENT AND PERFORMANCE REVIEW COMMITTEE AND UPDATE OF THE TERMS OF REFERENCE OF THE COMMITTEE |
| File No: | GF - 20 - 0000044 |
| Attachments(s): | Nil |
| Date: | 14 August 2020 |
| Responsible Officer: | Chief Executive Officer |

SUMMARY

The purpose of this report is to consider the appointment of additional Councillors of the Mindarie Regional Council (MRC) to the Chief Executive Officer Recruitment and Performance Review Committee, and to propose a minor amendment to the meeting frequency.

BACKGROUND

The MRC Chief Executive Officer Recruitment and Performance Review Committee (“the Committee”) has been established in accordance with the LG Act. This committee was established in 2017 to combine recruitment and performance into one single committee consisting of a minimum of 4 Councillors.

The Chief Executive Officer’s (CEO) performance is reviewed annually. The committee is supported in the performance review process by an independent consultant who undertakes a survey of all the Councillors and assists in the review of the CEO’s performance in the previous year against pre-set performance measures and the setting of performance measures for the next year. The consultant provides a performance report to assist the Councillors in assessing the performance of the CEO.

Recruitment activities are conducted as required and may be supported by an external consultant.

The Committee Terms of Reference endorsed at the OCM 14 December 2017 as follows:

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|----------------------------------------------------------------------|
| TITLE |
| Chief Executive Officer Recruitment and Performance Review Committee |

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|------------------------------------------------------|
| MEMBERSHIP / SUPPORT CONSULTANT |
| Minimum of four Councillors Support HR Consultant |

MEETING FREQUENCY

The Committee shall meet three or four times between February and June each year for the CEO Performance Review process and as required for the CEO Recruitment Process.

DUTIES AND RESPONSIBILITIES

The duties and responsibilities of this committee are as follows:

CEO Performance Review

- a) Set Key Performance Indicators (KPIs) annually in discussion with the CEO and HR Consultant and assess the CEO's remuneration;
- b) Review the outcome of the:
 - Consultant report on the CEO's Performance based on:
 - the responses received by the Councillors on the survey prepared by the HR Consultant;
 - the report prepared by the CEO addressing performance against the KPI's set the previous year and addressing any other material issues affecting the performance of the CEO over the year; and
 - Assessment of the remuneration of the CEO.
- c) Periodically review the performance of the HR Consultant assisting the Committee; and
- d) Based on the Committee's review make recommendations to council on;
 - The level of performance of the CEO; and
 - The level of remuneration paid to the CEO, giving consideration to the Salaries and Allowances Tribunal (SAT) annual review of financial increases for CEO's and where the CEO sits on the Salary Band set by the SAT.

CEO Recruitment Process

- a) Review submissions from recruitment agencies (obtained by the MRC's HR Officer to assist the Committee in the recruitment process);
- b) Make recommendations to council to the preferred recruitment agency;
- c) Work with the preferred recruitment agency, with respect to content and timing, to advertise the CEO position;
- d) Assess applications received for the CEO position (shortlisted by the successful recruitment agency);
- e) Interview the shortlisted applicants together with a representative of the successful recruitment agency; and
- f) Make a recommendation to council on the preferred candidate.

At the 21 November 2019 OCM, Council resolved to appoint Cr Boothman, Cr Newton, Cr Cole, Cr Cvitan and Cr Shannon onto the committee.

DETAIL

The MRC Administration received notification from Cr Cole on 30 July 2020, that she would be withdrawing from the committee due to other commitments.

This recent withdrawal provides an opportunity for additional members to join the committee.

In addition, it is recommended that the meeting frequency in the current terms of reference be amended to accommodate a varied performance review period.

Current wording:

The Committee shall meet three or four times between February and June each year for the CEO Performance Review process and as required for the CEO Recruitment Process.

Proposed wording:

The Committee shall meet **as frequently as is required** each year for the CEO Performance Review process and as required for the CEO Recruitment Process.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Extract from the Local Government Act 1995 that is directly relevant to the type of committee proposed.

“Subdivision 2 – Committees and their meetings

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.*

STRATEGIC/COMMUNITY AND CORPORATE/BUSINESS PLAN IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

COMMENT

Nil

VOTING REQUIREMENT

Absolute/simple majority

RESPONSIBLE OFFICER RECOMMENDATION

That Council:

1. Endorse the change of the meeting frequency of the Chief Executive Officer Recruitment and Performance Review Committee, to be:
“The Committee shall meet as frequently as is required each year for the CEO Performance Review process and as required for the CEO Recruitment Process.”

(Simple majority)

2. Appoint Cr _____ to the Chief Executive Officer Recruitment and Performance Review Committee.

(Absolute majority)

7 MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC

This report is Confidential and dealt with in a confidential session, under Section 5.23 (2) (c) of the *Local Government Act 1995* as the report deals with a matter where a contract is entered into.

7.1 TENDER FOR THE PROVISION OF LANDFILL SERVICES AT TAMALA PARK

File No: GF – 20 - 0001521

Attachments(s): Nil

Date: 14 August 2020

Responsible Officer: Chief Executive Officer

THIS REPORT IS CONFIDENTIAL AND NOT FOR PUBLIC VIEWING

TO BE SENT UNDER SEPARATE COVER TO MEMBER COUNCIL COUNCILLORS,
MEMBER COUNCIL CHIEF EXECUTIVE OFFICERS AND MEMBERS OF THE
MINDARIE REGIONAL COUNCIL STRATEGIC WORKING GROUP

This report is Confidential and dealt with in a confidential session, under Section 5.23 (2) (a) of the *Local Government Act 1995* as the report deals with a matter affecting an employee.

7.2 CEO RECRUITMENT PROCESS

File No: GF – 20 - 0000376

Attachments(s): Nil

Date: 14 August 2020

Responsible Officer: Chief Executive Officer

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MEMBER COUNCIL CHIEF EXECUTIVE OFFICERS AND MEMBERS OF THE
MINDARIE REGIONAL COUNCIL STRATEGIC WORKING GROUP

This report is Confidential and dealt with in a confidential session, under Section 5.23 (2) (c) of the *Local Government Act 1995* as the report deals with a matter where a contract is entered into.

7.3 MRC FUTURE WASTE OPTIONS REVIEW

File No: GF- 20-0000668

Appendix(s): Attachment 1 – Step plan and action list

Date: 14 August 2020

Responsible Officer: Chief Executive Officer

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MINDARIE REGIONAL COUNCIL STRATEGIC WORKING GROUP

8 NEXT MEETING

The next meeting will be an Ordinary Council Meeting to be held on Thursday,
24 September 2020 in the Council Chambers at the City of Vincent commencing at 6.30 pm.

9 CLOSURE
