



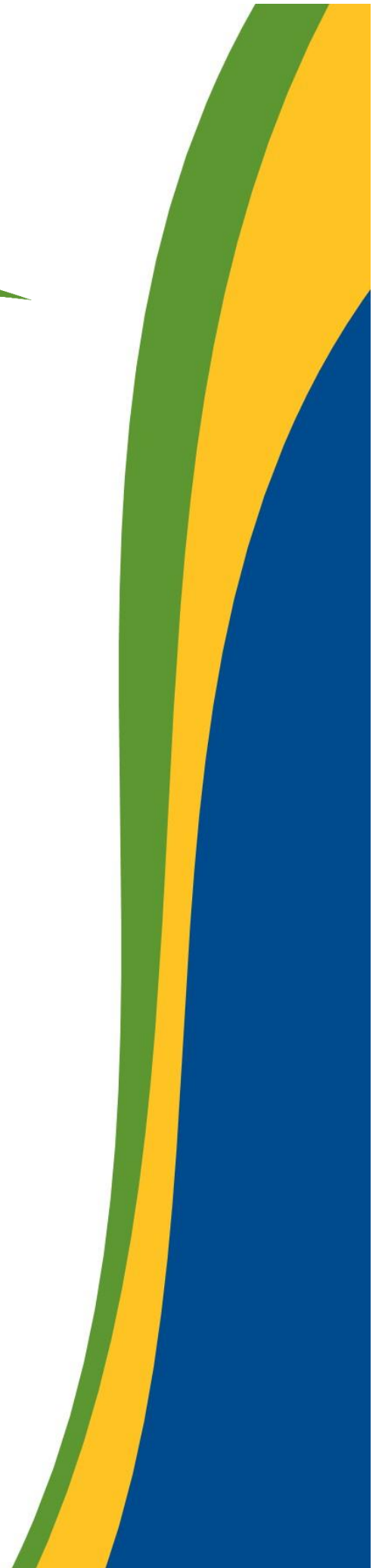
Shire of Northam
Heritage, Commerce and Lifestyle

Shire of Northam

Minutes

Chief Executive Officer Review Committee

13 March 2024



DISCLAIMER

In certain circumstances members of the public are not entitled to inspect material, which in the opinion of the Chief Executive Officer is confidential, and relates to a meeting or a part of a meeting that is likely to be closed to members of the public.

No responsibility whatsoever is implied or accepted by the Shire of Northam for any act, omission, statement or intimation occurring during Council or Committee meetings.

The Shire of Northam disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement of intimation occurring during Council or Committee meetings.

Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council or Committee meeting does so at that person's or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or intimation of approval made by any member or Officer of the Shire of Northam during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire of Northam.

The Shire of Northam advises that anyone who has any application lodged with the Shire of Northam must obtain and should only rely on WRITTEN CONFIRMATION of the outcome of the application and any conditions attaching to the decision made by the Shire of Northam in respect of the application.

The Shire of Northam advises that any plans or documents contained within this agenda may be subject to copyright law provisions (*Copyright Act 1968*, as amended) and that the express permission of the copyright owner(s) should be sought prior to their reproduction. It should be noted that copyright owners are entitled to take legal action against any persons who infringe their copyright. A reproduction of material that is protected by copyright may represent a copyright infringement.

Contents

1 DECLARATION OF OPENING	4
2 ACKNOWLEDGEMENT OF COUNTRY	4
3 ATTENDANCE	4
3.1 ATTENDEES	4
3.2 APOLOGIES.....	4
3.3 APPROVED LEAVE OF ABSENCE	4
3.4 ABSENT	4
4 DISCLOSURE OF INTERESTS	5
5 CONFIRMATION OF MINUTES.....	6
5.1 CONFIRMATION OF MINUTES FROM THE CHIEF EXECUTIVE OFFICER REVIEW & SELECTION COMMITTEE MEETING HELD 22 NOVEMBER 2023...	6
6 COMMITTEE REPORTS	6
6.1 CHIEF EXECUTIVE OFFICER - INTERIM KEY PERFORMANCE INDICATOR - PROGRESS UPDATE	6
6.2 CONSIDERATION OF QUOTES FROM CONSULTANTS TO ASSIST WITH CEO PERFORMANCE REVIEW	9
6.3 DRAFT KPI'S FOR 1 JULY 2024 TO 30 JUNE 2025 FOR CONSIDERATION ...	12
7 URGENT BUSINESS APPROVED BY DECISION	14
8 DATE OF NEXT MEETING	14
9 DECLARATION OF CLOSURE.....	15

1 DECLARATION OF OPENING

The Shire President, C R Antonio, declared the meeting open at 3:30 pm.

2 ACKNOWLEDGEMENT OF COUNTRY

The Shire President, C R Antonio, acknowledged the Traditional Owners of the land on which we meet, the Ballardong and Whadjuk people of the Nyoongar nation and paid our respects to Elders, past present and emerging.

3 ATTENDANCE

3.1 ATTENDEES

Council:

Shire President

Deputy Shire President

Councillors

C R Antonio

A J Mencshelyi

L C Biglin

J E G Williams

Staff:

Chief Executive Officer

Governance Officer

D Terelinck (left meeting at 3:36pm)

T P Van Beek

3.2 APOLOGIES

Nil.

3.3 APPROVED LEAVE OF ABSENCE

Nil.

3.4 ABSENT

Council:

Councillor

M P Ryan

4 DISCLOSURE OF INTERESTS

Members should fill in Disclosure of Interest forms for items in which they have a financial, proximity or impartiality interest and forward these to the Presiding Member before the meeting commences.

As defined in section 5.60A of the Local Government Act 1995, a **financial interest** occurs where a Councillor / Committee Member, or a person with whom the Councillor / Committee Member is closely associated, has a direct or indirect financial interest in the matter. That is, the person stands to make a financial gain or loss from the decision, either now or at some time in the future.

As defined in section 5.61 of the Local Government Act 1995, an **indirect financial interest** includes a reference to a financial relationship between that person and another person who requires a Local Government decision in relation to the matter.

As defined in section 5.60B of the Local Government Act 1995, a person has a **proximity interest** in a matter if the matter concerns a proposed change to a planning scheme affecting land that adjoins the person's land; or a proposed change to the zoning or use of land that adjoins the person's land; or a proposed development (as defined in section 5.63(5)) of land that adjoins the person's land.

As defined in clause 22 of the Local Government (Model Code of Conduct) Regulations 2021, an **impartiality interest** means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest and includes an interest arising from kinship, friendship or membership of an association.

Item Name	Item No.	Name	Type of Interest	Nature of Interest
Chief Executive Officer Review & Selection Committee Meeting	6.1 , 6.2 & 6.3	Ms D Terelinck	Financial	Ms Terelinck's role is the Chief Executive Officer and she is paid by the Shire of Northam.
		Cr A J Mencshelyi	Impartiality	The Chief Executive Officer is known to Cr Mencshelyi.

5 CONFIRMATION OF MINUTES

5.1 CONFIRMATION OF MINUTES FROM THE CHIEF EXECUTIVE OFFICER REVIEW & SELECTION COMMITTEE MEETING HELD 22 NOVEMBER 2023

RECOMMENDATION / COMMITTEE DECISION

Minute No: CEO.147

Moved: Cr J E G Williams

Seconded: Cr A J Mencshelyi

That the minutes of the Chief Executive Officer Review & Selection Committee meeting held on Wednesday, 22 November 2023 be confirmed as a true and correct record of that meeting.

CARRIED 4/0

For: President C R Antonio, Cr L C Biglin, Cr A J Mencshelyi and Cr J E G Williams

Against: Nil

6 COMMITTEE REPORTS

6.1 Chief Executive Officer - Interim Key Performance Indicator - Progress Update

File Reference:	P.2739
Reporting Officer:	Debbie Terelinck (Chief Executive Officer)
Responsible Officer:	Debbie Terelinck (Chief Executive Officer)
Officer Declaration of Interest:	Financial
Voting Requirement:	Simple Majority
Press release to be issued:	No

BRIEF

To consider the progress update on the Chief Executive Officer's interim Key Performance Indicators from 20 November 2023 to 6 March 2024.

ATTACHMENTS

1. CEO Key Performance Indicators Interim Progress Update [6.1.1 - 7 pages]

A. BACKGROUND / DETAILS

The new Chief Executive Officer for the Shire of Northam commenced on 16 October 2023. As part of the Employment Contract, interim Key Performance Indicators (KPIs) were established.

This item provides a progress update from 20 November 2023 to 6 March 2024 on the interim KPIs. The Probationary Period for the new CEO is 6 months and is due to expire on 16 April 2024.

It is noted that at the previous CEO Performance Review Committee and as agreed by Council, the new KPIs for the period 1 July 2024 to 30 June 2025 will apply post the interim KPIs. A separate report on proposed draft KPIs for the period 1 July 2024 to 30 June 2025 has been prepared for consideration.

B. CONSIDERATIONS

B.1 Strategic Community / Corporate Business Plan

Performance Area: Performance. Outcome 12: Excellence in organisational performance and customer service.

Objective 12.1: Maintain a high standard of corporate governance and financial management.

Priority Action: Nil.

B.2 Financial / Resource Implications

Nil.

B.3 Legislative Compliance

Local Government Act 1995.

B.4 Policy Implications

Nil.

B.5 Stakeholder Engagement / Consultation

Nil.

B.6 Risk Implications

Refer to Risk Matrix [here](#).

Risk Category	Description	Rating (likelihood x consequence)	Mitigation Action
Financial	N/A	N/A	N/A
Health & Safety	N/A	N/A	N/A

Reputation	N/A	N/A	N/A
Service Interruption	N/A	N/A	N/A
Compliance	N/A	N/A	N/A
Property	N/A	N/A	N/A
Environment	N/A	N/A	N/A

B.7 Natural Environment Considerations

Nil.

C. OFFICER'S COMMENT

The progress report on the CEO's interim KPIs for the period 20 November 2023 to 6 March 2024 is presented for consideration. It is proposed that as the majority of the interim KPIs are ongoing, these will continue to be actioned until the new KPIs to apply from 1 July 2024 are adopted by Council.

RECOMMENDATION / COMMITTEE DECISION

Minute No: CEO.148

Moved: Cr L C Biglin

Seconded: Cr A J Mencshelyi

That the Chief Executive Officer Review & Selection Committee endorses the following recommendation being presented to Council:

- 1. That Council NOTES the progress report on the Chief Executive Officer's interim Key Performance Indicators for the period 20 November 2023 to 6 March 2024 included as Attachment 1 to this report.**
- 2. That Council REQUESTS the Shire President to advise the Chief Executive Officer, in writing, in line with The Chief Executive Officer contract s2.2.2, that the Chief Executive Officer is meeting the Interim Key Performance Indicator's to a satisfactory level.**

CARRIED 4/0

For: President C R Antonio, Cr L C Biglin, Cr A J Mencshelyi and Cr J E G Williams

Against: Nil

The Chief Executive Officer, Ms D Terelinck, left the meeting at 3:36pm.

6.2 Consideration of Quotes from consultants to assist with CEO Performance Review

File Reference:	P.2739
Reporting Officer:	Debbie Terelinck (Chief Executive Officer)
Responsible Officer:	Debbie Terelinck (Chief Executive Officer)
Officer Declaration of Interest:	Financial
Voting Requirement:	Simple Majority
Press release to be issued:	No

BRIEF

To consider quotes received from consultants to assist with Chief Executive Officer Performance Reviews.

ATTACHMENTS

1. Quote - HAMMOND WOODHOUSE ADVISORY [6.2.1 - 2 pages]
2. Quote - PRICE CONSULTING GROUP [6.2.2 - 17 pages]

A. BACKGROUND / DETAILS

In accordance with the Council resolution from 20 December 2023 (C.4930) quotes have been sought from suitable consultants to assist with the Chief Executive Officer Performance Reviews.

Quotes were sought on the basis of assisting with the annual Performance Review as well as the development of the annual Key Performance Indicators.

Quotes were sought from 4 consultants, with 2 responding as outlined in Attachment 1 to this report.

There is the option for the Committee to consider if they would like Council to engage a consultant to undertake both components of the work or only the annual Performance Review component. Alternatively, the process could continue to be undertaken in house, noting however that in future it is likely to be a requirement under the Local Government Act 1995 reforms, that CEO Key Performance Indicators and review outcomes are made publicly available.

B. CONSIDERATIONS

B.1 Strategic Community / Corporate Business Plan

Performance Area: Performance. Outcome 12: Excellence in organisational performance and customer service.
Objective 12.1: Maintain a high standard of corporate governance and financial management.
Priority Action: Nil.

B.2 Financial / Resource Implications

The costs are as per the attached quotes. There is no current budget allocation for this consultancy work.

B.3 Legislative Compliance

Local Government Act 1995

B.4 Policy Implications

Nil.

B.5 Stakeholder Engagement / Consultation

Nil.

B.6 Risk Implications

Refer to Risk Matrix [here](#).

Risk Category	Description	Rating (likelihood x consequence)	Mitigation Action
Financial	N/A	N/A	N/A
Health & Safety	N/A	N/A	N/A
Reputation	N/A	N/A	N/A
Service Interruption	N/A	N/A	N/A
Compliance	N/A	N/A	N/A
Property	N/A	N/A	N/A
Environment	N/A	N/A	N/A

B.7 Natural Environment Considerations

Nil.

C. OFFICER'S COMMENT

As per Council's request, quotes have been sought from consultants to assist with the CEO Performance Review. The quotes are outlined in Attachment 1 for consideration.

RECOMMENDATION / COMMITTEE DECISION

Minute No: CEO.149

Moved: Cr J E G Williams

Seconded: Cr L C Biglin

That the Chief Executive Officer Review & Selection Committee endorses the following recommendation being presented to Council:

- 1. That Council accepts the quote from Hammond Woodhouse Advisory (consultant) to assist with the setting of the annual Key Performance Indicators and the Performance Review process for the Chief Executive Officer as outlined in Attachment 1 to this report.**

CARRIED 4/0

For: President C R Antonio, Cr L C Biglin, Cr A J Mencshelyi and Cr J E G Williams

Against: Nil

6.3 Draft KPI's for 1 July 2024 to 30 June 2025 for consideration

File Reference:	P.2739
Reporting Officer:	Debbie Terelinck (Chief Executive Officer)
Responsible Officer:	Debbie Terelinck (Chief Executive Officer)
Officer Declaration of Interest:	Financial
Voting Requirement:	Simple Majority
Press release to be issued:	No

BRIEF

The Chief Executive Officer currently has interim Key Performance Indicators (KPIs) in place till 30 June 2024.

In accordance with Council's resolution of 20 December 2023 (C.4930) there is a requirement to establish the CEO KPIs for the period 1 July 2024 to 30 June 2025.

ATTACHMENTS

1. Draft 2024-25 CEO KP Is [**6.3.1** - 6 pages]

A. BACKGROUND / DETAILS

Progress against the interim CEO KPIs is the subject of a separate report in this agenda, noting these KPIs are valid to 30 June 2024.

In accordance with Council's resolution of 20 December 2023 (C.4930) there is a requirement to establish the CEO KPIs for the period 1 July 2024 to 30 June 2025.

There are two methods that Council can consider in terms of establishing the CEO KPIs for 2024/25 – to appoint a consultant to assist with the development of the KPIs or to establish the KPIs in consultation with the CEO without the involvement of a consultant. The engagement of a consultant to assist with the development and/or review of the CEO KPIs is a separate report in this agenda.

In relation to the second option, the Chief Executive Officer has drafted KPIs for 2024/25 for discussion, consideration and review by the Committee as contained in Attachment 1 to this report. These KPIs have been drafted to focus on the key functions of a CEO under the *Local Government Act 1995*,

delivery of the Council Plan and Capital Works Program, and any other key focus areas that are not already included in the strategic direction for the Shire.

The option is for the CEO Performance Review and Selection Committee to discuss, consider and review these draft KPIs conjunction with the CEO for recommendation to Council, or alternatively engage a consultant to work with the Committee and the CEO to develop these KPIs at another meeting of the Committee.

B. CONSIDERATIONS

B.1 Strategic Community / Corporate Business Plan

Performance Area: Performance. Outcome 12: Excellence in organisational performance and customer service.

Objective 12.1: Maintain a high standard of corporate governance and financial management.

Priority Action: Nil.

B.2 Financial / Resource Implications

If a consultant is engaged to assist with developing the KPIs there will be an associated cost.

B.3 Legislative Compliance

Local Government Act 1995

B.4 Policy Implications

Nil.

B.5 Stakeholder Engagement / Consultation

Nil.

B.6 Risk Implications

Refer to Risk Matrix [here](#).

Risk Category	Description	Rating (likelihood x consequence)	Mitigation Action
Financial	N/A	N/A	N/A
Health & Safety	N/A	N/A	N/A
Reputation	N/A	N/A	N/A
Service Interruption	N/A	N/A	N/A
Compliance	N/A	N/A	N/A
Property	N/A	N/A	N/A
Environment	N/A	N/A	N/A

B.7 Natural Environment Considerations

Nil.

C. OFFICER'S COMMENT

Draft CEO KPIs for 2024/25 have been developed for consideration and review by the Chief Executive Officer Review & Selection Committee, noting that there is an alternate approach of engaging a consultant to assist with the development of the CEO KPIs for 2024/25 that will require another meeting of the Committee to progress.

RECOMMENDATION / COMMITTEE DECISION

Minute No: CEO.150

Moved: Cr A J Mencshelyi

Seconded: Cr L C Biglin

That the Chief Executive Officer Review & Selection Committee endorses the following recommendation being presented to Council:

- 1. That Council APPOINTS Hammond Woodhouse Advisory (consultancy) to assist the Chief Executive Officer Review & Selection Committee with the development of the Chief Executive Officer Key Performance Indicators for 2024/25.**

CARRIED 4/0

For: President C R Antonio, Cr L C Biglin, Cr A J Mencshelyi and Cr J E G Williams

Against: Nil

7 URGENT BUSINESS APPROVED BY DECISION

Nil.

8 DATE OF NEXT MEETING

Next Meeting Dates:

- 16 April 2024 (Special Meeting)
- 22 May 2024
- 28 August 2024
- 27 November 2024

9 DECLARATION OF CLOSURE

There being no further business, the Shire President, C R Antonio, declared the meeting closed at 4:07 pm.

"I certify that the Minutes of the Chief Executive Officer Review & Selected Committee held on 13 March 2024 have been confirmed as a true and correct record."



Presiding Member

16/4/2024

Date