



SECTION 6

Minutes of Committees

For the Ordinary Meeting of Council

29 November 2018

Item 6.1 – CEOPRC Minutes 27 September 2018 (Mauve)

CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE (CEOPRC)

MINUTES

27 September 2018

(Ref: D2018/12200 (CEOPRC) – D2018/15267)

A meeting of the Chief Executive Officer Performance Review Committee was held at the EMRC Administration Office, 1st Floor, 226 Great Eastern Highway, BELMONT WA 6104 on **Thursday, 27 September 2018**. The meeting commenced at **5:31pm**.

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3.3 PETER B. SCHNEIDER – CHIEF EXECUTIVE OFFICER – FINANCIAL INTEREST

Item: 14.1
Subject: Confidential Item 14.1 - Chief Executive Officer Performance and Salary Review for 2017/2018 and Objective Setting for 2018/2019
Nature of Interest: Disclosure of Financial Interest, Sections 5.60B, 5.65, 5.70 and 5.71 of the *Local Government Act 1995*.
Subject matter of the Report directly applies to the Chief Executive Officer

Item: 14.2
Subject: Confidential Item 14.2 - Chief Executive Officer – Contract Renewal
Nature of Interest: Disclosure of Financial Interest, Sections 5.60B, 5.65, 5.70 and 5.71 of the *Local Government Act 1995*.
Subject matter of the Report directly applies to the Chief Executive Officer

4 ANNOUNCEMENTS BY THE CHAIRMAN OR PRESIDING MEMBER WITHOUT DISCUSSION

Nil

5 PETITIONS, DEPUTATIONS AND PRESENTATIONS

6 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

6.1 MINUTES OF THE CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE MEETING HELD 16 AUGUST 2018

That the minutes of the Chief Executive Officer Performance Review Committee meeting held on 16 August 2018 which have been distributed, be confirmed.

CEOPRC RESOLUTION(S)

MOVED CR MCDONNELL SECONDED CR POWELL

THAT THE MINUTES OF THE CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE MEETING HELD ON 16 AUGUST 2018 WHICH HAVE BEEN DISTRIBUTED, BE CONFIRMED.

CARRIED UNANIMOUSLY

7 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

8 QUESTIONS BY MEMBERS WITHOUT NOTICE

Cr Palmer raised the following question:

The City of Bayswater had written to the EMRC Chief Executive Officer regarding the EMRC's submission on the Local Government Act Review to the Department of Local Government, Cr Palmer queried whether a response had been provided.

The Chief Executive Officer advised that a response had been sent to the City of Bayswater.



9 ANNOUNCEMENT OF CONFIDENTIAL MATTERS FOR WHICH MEETINGS MAY BE CLOSED TO THE PUBLIC

NOTE: Section 5.23(2) of the *Local Government Act 1995*, details a number of matters upon which Council may discuss and make decisions without members of the public being present. These matters include: matters affecting employees; personal affairs of any person; contractual matters; legal advice; commercial-in-confidence matters; security matters; among others.

The following report items are covered in Section 14 of this agenda.

9.1 CHIEF EXECUTIVE OFFICER PERFORMANCE AND SALARY REVIEW FOR 2017/2018 AND OBJECTIVE SETTING FOR 2018/2019

9.2 CHIEF EXECUTIVE OFFICER - CONTRACT RENEWAL

10 BUSINESS NOT DEALT WITH FROM A PREVIOUS MEETING

Nil

11 REPORTS OF EMPLOYEES

Nil

12 REPORTS OF DELEGATES

Nil

13 NEW BUSINESS OF AN URGENT NATURE APPROVED BY THE CHAIRMAN OR PRESIDING MEMBER OR BY DECISION OF MEETING

Nil

14 CONFIDENTIAL MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC

RECOMMENDATION (Closing meeting to the public)

That the meeting be closed to members of the public in accordance with Section 5.23 (2)(a), (b), (c) and (e) of the *Local Government Act 1995* for the purpose of dealing with matters of a confidential nature.

CEOPRC RESOLUTION(S)

MOVED CR DAW

SECONDED CR MCDONNELL

THAT THE MEETING BE CLOSED TO MEMBERS OF THE PUBLIC IN ACCORDANCE WITH SECTION 5.23 (2)(A), (B), (C) AND (E) OF THE *LOCAL GOVERNMENT ACT 1995* FOR THE PURPOSE OF DEALING WITH MATTERS OF A CONFIDENTIAL NATURE.

CARRIED UNANIMOUSLY

The meeting was closed to the public at 5:40pm.

The Chief Executive Officer departed the meeting at 5:41pm.



RECOMMENDATION (Closing meeting to the public)

That the meeting be closed to members of the public in accordance with Section 5.23 (2)(a), (b), (c) and (e) of the *Local Government Act 1995* for the purpose of dealing with matters of a confidential nature.

CEOPRC RESOLUTION

MOVED CR MCDONNELL SECONDED CR PALMER

THAT THE MEETING BE CLOSED TO MEMBERS OF THE PUBLIC IN ACCORDANCE WITH SECTION 5.23 (2)(A), (B), (C) AND (E) OF THE *LOCAL GOVERNMENT ACT 1995* FOR THE PURPOSE OF DEALING WITH MATTERS OF A CONFIDENTIAL NATURE.

CARRIED UNANIMOUSLY

CEOPRC RESOLUTION(S)

MOVED CR PALMER SECONDED CR WILSON

THAT THE STANDING ORDERS BE SUSPENDED.

CARRIED UNANIMOUSLY

The Standing Orders were suspended at 5:40pm.

The Chief Executive Officer departed the meeting at 6:15pm.

CEOPRC RESOLUTION(S)

MOVED CR MCDONNELL SECONDED CR PALMER

THAT THE STANDING ORDERS BE REINSTATED.

CARRIED UNANIMOUSLY

The Standing Orders were reinstated at 7:32pm.

At the invitation of the Committee, the Chief Executive Officer re-entered the meeting room at 7:35pm.

RECOMMENDATION [Meeting re-opened to the public]

That the meeting be re-opened, the members of the public be invited to return to the meeting and the recommendations passed behind closed doors be recorded.

CEOPRC RESOLUTION

MOVED CR MCDONNELL SECONDED CR PALMER

THAT THE MEETING BE RE-OPENED, THE MEMBERS OF THE PUBLIC BE INVITED TO RETURN TO THE MEETING AND THE RECOMMENDATIONS PASSED BEHIND CLOSED DOORS BE RECORDED.

CARRIED UNANIMOUSLY

The meeting was reopened to the public at 7:46pm.



CEOPRC RESOLUTION

MOVED CR DAW

SECONDED CR PALMER

THAT THE MEETING BE ADJOURNED TO 5:30PM ON MONDAY 12 NOVEMBER 2018.

CARRIED UNANIMOUSLY

The Chairman declared the meeting adjourned at 7:46pm and to be reconvened on Monday, 12 November 2018 at 5:30pm.

The meeting reconvened on 12 November 2018 at 5:40pm.

Crs O'Connor, Palmer, Powell, Daw and McDonnell were in attendance. Cr Wilson was an apology.

Mr Peter Schneider, CEO; Ms Prapti Mehta, Manager Human Resources and Mr John Phillips of John Phillips Consulting were also in attendance.

The CEO read out the Declarations of Interest that had been received from himself and Manager Human Resources.

RECOMMENDATION (Closing meeting to the public)

That the meeting be closed to members of the public in accordance with Section 5.23 (2)(a), (b), (c) and (e) of the *Local Government Act 1995* for the purpose of dealing with matters of a confidential nature.

CEOPRC RESOLUTION

MOVED CR MCDONNELL

SECONDED CR POWELL

THAT THE MEETING BE CLOSED TO MEMBERS OF THE PUBLIC IN ACCORDANCE WITH SECTION 5.23 (2)(A), (B), (C) AND (E) OF THE *LOCAL GOVERNMENT ACT 1995* FOR THE PURPOSE OF DEALING WITH MATTERS OF A CONFIDENTIAL NATURE.

CARRIED UNANIMOUSLY

The meeting was closed to the public at 5:41pm.

The Chief Executive Officer departed the meeting at 5:46pm.

The Committee considered the Confidential Items 14.1 and 14.2 circulated with the Agenda under separate cover.

14.1 CHIEF EXECUTIVE OFFICER PERFORMANCE AND SALARY REVIEW FOR 2017/2018 AND OBJECTIVE SETTING FOR 2018/2019

REFERENCE: D2018/12165

This item is recommended to be confidential because it contains matters affecting an employee and is to be treated as confidential in accordance with EMRC Policy 4.1 – Chief Executive Officer Appointment, Performance Assessment and Review Policy.

The Committee considered the Confidential Item circulated with the Agenda under Separate Cover.



14.2 CHIEF EXECUTIVE OFFICER - CONTRACT RENEWAL

REFERENCE: D2018/12320

This item is recommended to be confidential because it contains matters affecting an employee and is to be treated as confidential in accordance with EMRC Policy 4.1 – Chief Executive Officer Appointment, Performance Assessment and Review Policy.

At the invitation of the Chairman, the Chief Executive Officer re-entered the meeting at 6:08pm.

RECOMMENDATION [Meeting re-opened to the public]

That the meeting be re-opened, the members of the public be invited to return to the meeting and the recommendations passed behind closed doors be recorded.

CEOPRC RESOLUTION(S)

MOVED CR MCDONNELL SECONDED CR POWELL

THAT THE MEETING BE RE-OPENED, THE MEMBERS OF THE PUBLIC BE INVITED TO RETURN TO THE MEETING AND THE RECOMMENDATIONS PASSED BEHIND CLOSED DOORS BE RECORDED.

CARRIED UNANIMOUSLY

The meeting was reopened to the public at 6:08pm.

Recording of the recommendations passed behind closed doors, namely:

14.1 CHIEF EXECUTIVE OFFICER PERFORMANCE AND SALARY REVIEW FOR 2017/2018 AND OBJECTIVE SETTING FOR 2018/2019

REFERENCE: D2018/12165

CEOPRC RESOLUTION(S)

MOVED CR DAW SECONDED CR PALMER

THAT:

1. COUNCIL ASSESSES THE CHIEF EXECUTIVE OFFICER'S PERFORMANCE FOR THE PERIOD 1 JULY 2017 TO 30 JUNE 2018 AS MEETS PERFORMANCE REQUIREMENTS.
2. COUNCIL CONSIDERS RECOMMENDATIONS MADE BY THE SALARIES AND ALLOWANCES TRIBUNAL IN RELATION TO THE REVIEW OF THE CHIEF EXECUTIVE OFFICER'S REMUNERATION, AND APPROVES 0% INCREASE TO BE MADE TO THE CHIEF EXECUTIVE OFFICER'S REMUNERATION EFFECTIVE 1 JULY 2018.
3. THE REPORT AND ATTACHMENTS REMAIN CONFIDENTIAL AND BE CERTIFIED BY THE CHAIRMAN AND CEO.

MOTION CARRIED 4/1



14.2 CHIEF EXECUTIVE OFFICER - CONTRACT RENEWAL

REFERENCE: D2018/12320

CEOPRC RESOLUTION(S)

MOVED CR PALMER

SECONDED CR MCDONNELL

THAT:

1. COUNCIL CONSIDERATION OF A FURTHER EMPLOYMENT CONTRACT WITH MR PETER BERNARD SCHNEIDER IS NOT REQUIRED AS A RESULT OF HIS RESIGNATION FROM THE ROLE OF CHIEF EXECUTIVE OFFICER.
2. THE REPORT AND ATTACHMENTS REMAIN CONFIDENTIAL AND BE CERTIFIED BY THE CHAIRMAN AND CEO.

CARRIED UNANIMOUSLY

15 FUTURE MEETINGS OF THE CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE

The next meeting of the CEOPRC will be held on a date and at a venue to be advised.

16 DECLARATION OF CLOSURE OF MEETING

There being no further business the meeting was closed at 6:17pm.