



TOWN OF
VICTORIA PARK

Chief Executive Officer Recruitment and Performance Review Committee

Agenda – 11 February 2025



WE'RE OPEN
VIC PARK

Please be advised that a **Chief Executive Officer Recruitment and Performance Review Committee** will be held at **5:00 PM** on **Tuesday 11 February 2025** in the **Djeran Meeting Room** of the Administration Centre at 99 Shepperton Road, Victoria Park.

Ms Donna Smith - Manager, People and Culture
7 February 2025

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1 Declaration of opening

Acknowledgement of Country (by Presiding Member)

I am honoured to be standing on Whadjuk - Nyungar country on the banks of the Swan River.

Ngany djerapiny Wadjak – Noongar boodja-k yaakiny, nidja bilya bardook.

I acknowledge the traditional custodians of this land and respect past, present and emerging leaders, their continuing cultural heritage, beliefs and relationship with the land, which continues to be important today.

Ngany kaaditj Noongar moort keny kaadak nidja Wadjak Noongar boodja. Ngany kaaditj nidja Noongar birdiya – koora, ye-ye, boorda, baalapiny moorditj Noongar kaadijtin, moort, wer boodja ye-ye.

I thank them for the contribution made to life in the Town of Victoria Park and to this region.

Ngany youngka baalapiny Noongar birdiya wer moort nidja boodja.

2 Attendance

Mayor

Ms Karen Vernon

Banksia Ward

Cr Claire Anderson

Cr Peter Devereux

Jarrah Ward

Deputy Mayor Bronwyn Ife

Cr Sky Croeser

Chief Executive Officer

Mr Carl Askew

Manager People and Culture

Ms Donna Smith

2.1 Apologies

2.2 Approved leave of absence

Nil.

3 Declarations of interest

Declarations of interest are to be made in writing prior to the commencement of the meeting.

Declaration of financial interests

A declaration under this section requires that the nature of the interest must be disclosed. Consequently, a member who has made a declaration must not preside, participate in, or be present during any discussion or decision-making procedure relating to the matter the subject of the declaration. An employee is required to disclose their financial interest and if required to do so by the Council must disclose the extent of the interest. Employees are required to disclose their financial interests where they are required to present verbal or written reports to the Council. Employees can continue to provide advice to the Council in the decision-making process if they have disclosed their interest.

Declaration of proximity interest

Elected members (in accordance with Regulation 11 of the Local Government [Rules of Conduct] Regulations 2007) and employees (in accordance with the Code of Conduct) are to declare an interest in a matter if the matter concerns: a) a proposed change to a planning scheme affecting land that adjoins the person's land; b) a proposed change to the zoning or use of land that adjoins the person's land; or c) a proposed development (as defined in section 5.63(5)) of land that adjoins the persons' land.

Land, the proposed land adjoins a person's land if: a) the proposal land, not being a thoroughfare, has a common boundary with the person's land; b) the proposal land, or any part of it, is directly across a thoroughfare from, the person's land; or c) the proposal land is that part of a thoroughfare that has a common boundary with the person's land. A person's land is a reference to any land owned by the person or in which the person has any estate or interest.

Declaration of interest affecting impartiality

Elected members (in accordance with Regulation 11 of the Local Government [Rules of Conduct] Regulations 2007) and employees (in accordance with the Code of Conduct) are required to declare any interest that may affect their impartiality in considering a matter. This declaration does not restrict any right to participate in or be present during the decision-making process. The Elected Member/employee is also encouraged to disclose the nature of the interest.

4 Confirmation of minutes

Recommendation

That the Chief Executive Officer Recruitment and Performance Review Committee confirms the minutes of the Chief Executive Officer Recruitment and Performance Review Committee held on 24 September 2024.

5 Method of dealing with agenda business

Recommendation

That Chief Executive Officer Recruitment and Performance Review Committee in accordance with clause 58 of the *Meeting Procedures Local Law 2019* suspends clause 50 - Speaking twice of the *Meeting Procedures Local Law 2019* for the duration of the meeting.

6 Reports

6.1 Interim CEO KPIs – report of Acting CEO's

Location	Town wide
Reporting officer	Chief Community Planner and Manager Place Planning
Responsible officer	Chief Executive Officer (CEO)
Voting requirement	Simple majority
Attachments	1. CONFIDENTIAL REDACTED – 9. Progress Report of Interim CEO KPIs [6.1.1 – 3 pages]

Summary

The purpose of this report is to provide information relating to the completion of the interim key performance indicators (KPIs) for the Acting Chief Executive Officers (A/CEOs) from September – December 2024.

Recommendation

That the CEO Recruitment and Performance Review Committee recommends that Council:

Notes the completion of the interim key performance indicators for the Acting Chief Executive Officers from September – December 2024.

Background

1. At a Special Council Meeting held on the 30 April 2024, Natalie Martin Goode and David Doy were appointed as joint Acting CEOs from 13 July 2024 until the position of CEO was filled on a permanent basis.
2. It is not a legislative requirement that an Acting CEO has KPIs established as no performance review is required for a CEO unless they are employed for a period of one year.
3. At the Special Council Meeting on 1 October 2024 Interim KPIs were adopted for the A/CEOs.

Discussion

4. A summary of the performance indicators is provided below:
 - Audit ready Financial Statements submitted to the Office of the Auditor General by 30 September 2024.
 - Develop Disaster Recovery Plan and document. Establish testing regime for the Disaster Recovery Plan. Schedule regular fall-over test to ensure veracity of the plan.
 - Amend the Procurement Management Practice (May 2020) to define when a probity reviewer is to be engaged.

- Draft a management procedure capturing the protocol regarding cyber security testing and other measures. This should include contracts for external providers where appropriate.
- Establish a regular review schedule for the plan as per section 1.3. 5.2.2.
- Tender report to Council with a recommendation for the contractor for McCallum Active works.
- Tender report to Council with a recommendation for the contractor for Ed Millen Park works.

5. Details relating to how the A/CEOs Interim KPIs have been achieved are included in Attachment 1.

Relevant documents

[Town of Victoria Park Standards for CEO Recruitment, Performance and Termination](#)

Legal and policy compliance

Section 5.38 of the *Local Government Act 1995* provides for the performance review of a CEO if the CEO is employed for more than 1 year. It is not a requirement that the Acting CEOs are tasked with interim KPIs, however it is considered good practice with CEOs acting for a significant period.

Financial implications

Current budget impact	Sufficient funds exist within the annual budget to address this recommendation.
Future budget impact	Not applicable.

Risk management consideration

Risk impact category	Risk event description	Risk rating	Risk appetite	Risk Mitigation
Financial		High	Low	
Environmental			Medium	
Health and safety			Low	
Data, Information Technology and Cyber			Medium	
Assets			Medium	
Compliance Breach			Low	
Reputation			Low	

Service delivery interruption	Medium
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Engagement

Not applicable.

Strategic alignment

Civic Leadership

Community Priority

CL1 – Effectively managing resources and performance.

Intended public value outcome or impact

Alignment of the CEO's KPI's to the strategic planning framework will assist in focusing work priorities based on community needs.

6.2 Chief Executive Officer Performance Indicators for 2025

Location	Town-wide
Reporting officer	Manager Governance and Strategy
Responsible officer	Manager Governance and Strategy
Voting requirement	Simple majority
Attachments	1. CONFIDENTIAL REDACTED – Performance Criteria [6.2.1 – 1 page]

Summary

This report confirms the Chief Executive Officer's Key Performance Indicator's do not require amendment and recommends a further review of these KPI's as part of the CEO probation review process.

Recommendation

The CEO Recruitment and Performance Review Committee recommends that Council:

1. Confirms the Chief Executive Officer Key Performance Indicators for 2025, as contained in Attachment 1, do not require amendment.
2. Undertakes a further review of the CEO KPIs as part of the CEO probation review process.

Background

1. At the Special Council Meeting held 9 September 2024, Council appointed Mr Carl Askew as the Town's new Chief Executive Officer (CEO) for a 5 year period.
2. The new CEO commenced on 2 December 2024.
3. According to the executed Contract of Employment, the Council and CEO must discuss the Performance Criteria contained within the contract within 3 months from the commencement of his employment.

Discussion

4. In accordance with the provisions of the Contract of Employment, the CEO has considered the Performance Criteria contained within the contract, and whether any amendments were appropriate.
5. The proposed Key Performance Indicators as contained within Attachment 1 are presented for confirmation.
6. The CEO has considered the KPIs contained within the contract and does not propose any amendments.
7. It is recommended that a further review of the CEO KPI's be considered as part of the CEO probation review process to enable alignment with the Council's budget process. This further review of the KPI's can be undertaken by the consultant appointed to undertake the CEO Annual Performance review process.

Relevant documents

Not applicable

Legal and policy compliance

[Section 5.39 Local Government Act 1995](#)

Financial implications

Current budget impact	Not applicable.
Future budget impact	Not applicable

Risk management consideration

Risk impact category	Risk event description	Risk rating	Risk appetite	Risk Mitigation
Financial	Not applicable	High	Low	
Environmental	Not applicable		Medium	
Health and safety	Not applicable		Low	
Data, Information Technology and Cyber	Not applicable		Medium	
Assets	Not applicable		Medium	
Compliance Breach	Not setting the CEO KPI's will be a breach of contract and a breach of the Local Government Act 1995	Medium	Low	Treat the risk by endorsing KPI's for the CEO
Reputation	Not applicable	High	Low	
Service delivery interruption	Not applicable	Medium	Medium	

Engagement

Internal engagement	
Stakeholder	Comments
CEO and Elected Members	The CEO and Elected Members have been involved in discussions regarding the selection of the CEO KPI's for 2025.

Strategic alignment

Civic Leadership	
Community Priority	Intended public value outcome or impact
CL1 – Effectively managing resources and performance.	Setting KPI's for the CEO for 2025 will help ensure that the Town's resources are managed appropriately and will help monitor performance.
CL3 - Accountability and good governance.	Setting KPI's for the CEO will comply with the provisions contained within the Local Government Act and Contract of Employment.

Further consideration

6.3 CEO Annual Performance review 2024/25 - Selection of External Facilitator

Location	Town-wide
Reporting officer	Manager People & Culture
Responsible officer	Manager Governance & Strategy
Voting requirement	Simple majority
Attachments	<ol style="list-style-type: none">1. CONFIDENTIAL REDACTED – Providers CEO Performance Review [6.3.1 – 1 page]2. CONFIDENTIAL REDACTED – CEO Performance Review and KPI Setting 2025 – Provider A [6.3.2 – 30 pages]3. CONFIDENTIAL REDACTED – CEO Performance Review and KPI Setting 2025 - Provider B [6.3.3 – 18 pages]4. CONFIDENTIAL REDACTED – CEO Performance Review and KPI Setting 2025 - Provider C [6.3.4 - 16 pages]

Summary

To commence the selection process for a consultant to coordinate the probation assessment, facilitate the development of the performance review process and the development of key performance indicators for the Chief Executive Officer.

Recommendation

That the CEO Recruitment and Performance Review Committee recommends that Council:

Appoints consultant B to facilitate:

1. The CEO probation review;
2. The CEO 2025 annual performance review process and undertake a remuneration review;
3. The development of the CEO 2025 and 2026 key performance indicators.

Background

According to the CEO contract:

1. Clause 2.2.1 (and Schedule 2), the initial Probationary Period is 6 months from Commencement Date of 2 December 2024 – which is 2 June 2025;
2. Clause 2.2.2 provides that not less than 1 month before the end of the initial Probationary Period, Council must assess the CEO performance;
3. Clause 4.1.1 requires the CEO and Council to discuss the Performance Criteria (as set out in Schedule 3) including whether any amendments are appropriate, within 3 months of Commencement Date of 2 December 2024.
4. Clause 4.2(d) and (e) requires the CEO performance to be reviewed in accordance with the Town's CEO Performance Review Standards and the Town's Policy for CEO Annual Performance Review.

5. According to the Town's Standards for CEO Recruitment Performance and Termination, Clause 20 of the Town's Standards for CEO Recruitment Performance and Termination provides that the process for the annual performance review for the CEO is to be coordinated by the CEO Recruitment and Performance Review Committee.
6. According to the Annual Performance Review for the Chief Executive Officer Policy 031, an external facilitator is engaged by the Council to assist the committee with the annual performance review.

The external facilitator is engaged to:

- a. Facilitate the development of the review process.
 - b. Report to the committee the findings of the performance review; and
 - c. Facilitate the development of the CEO's performance objectives (KPI's) and Key performance outcomes (KPO's) with the Elected Members for the following financial year.
7. The Council in consultation with the CEO, is to determine who the reviewer is to be. If the Council and the CEO are unable to agree on the selection of the reviewer, the Council is to make the relevant determination.

Discussion

8. Expressions of Interest were called from five (5) external providers suitably qualified to provide this service. Three (3) providers responded to the EOI and submitted proposals for consideration.
9. All providers were provided with a brief outlining the responsibilities of the successful consultant and the outcomes expected from the process.
10. The three (3) proposals have been reviewed on outcomes expected from the process, relevant experience, value for money and adhering to Policy 031 Annual Performance Review for the Chief Executive Officer.
11. Of the three (3) proposals received, Consultants A and B meet these criteria. Analysis of the proposals are in Attachment 1.
12. The CEO has reviewed the proposals from consultants A and B and has a preference for consultant B.

Relevant documents

[Local Government \(Administration\) Regulations 1996](#)

[Local Government Act 1995](#)

[DLGSC - LG Operational Guideline - CEO recruitment and selection, performance review and termination standards-for-ceo-recruitment-performance-and-termination](#)

[Microsoft Word - Policy 031 Annual Performance Review for the Chief Executive Officer](#)

Legal and policy compliance

[Local Government \(Administration\) Regulations 1996](#)

[Local Government Act 1995](#)

Financial implications

Current budget impact	Sufficient funds exist within the annual budget to address this recommendation.
Future budget impact	Not applicable.

Risk management consideration

Risk impact category	Risk event description	Risk rating	Risk appetite	Risk Mitigation
Financial				
Environmental				
Health and safety				
Data, Information Technology and Cyber				
Assets				
Compliance Breach	Noncompliance to section 5.36(4) of the <i>Local Government Act 1995</i> and the <i>Local Government (Administration) Regulations 1996</i> regulation 18A.	High	Low	Treat by complying with the Recruitment and Selection Standards of the <i>Local Government Administration Regulations 1996</i>
Reputation				
Service delivery interruption				

Engagement

This is a confidential matter of Council.

Strategic alignment

Civic leadership	
Community Priority	Intended public value outcome or impact
CL3 – Accountability and good governance.	Town compliance to legislative requirements.

Further consideration

7 Meeting closed to the public

8 Closure