



Shire of
Koorda

Drive in, stay awhile

MINUTES

Special Council Meeting

Held in Shire of Koorda Council Chambers

10 Haig Street, Koorda WA 6475

Tuesday 30 August 2022

Commencing 5.04pm

**Meeting Purpose: To consider endorsement of the 2022
CEO Performance Review.**

NOTICE OF MEETING

Dear Elected Members,

Notice is hereby given that a Special Meeting of Council of the Shire of Koorda will be held on Tuesday 30 August 2022 in the Shire of Koorda Council Chambers, 10 Haig Street, Koorda, commencing at 5.00pm.

The purpose of the meeting is to consider endorsement of the 2022 CEO performance review.

Darren Simmons
Chief Executive Officer
25 August 2022

DISCLAIMER

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

The Shire of Koorda 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 or 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 license, and statement or intimation of approval made by a member or officer of the Shire of Koorda during the course of any meeting is not intended to be and is not to be taken as notice of approval from the Shire of Koorda.

The Shire of Koorda warns that anyone who has any application lodged with the Shire of Koorda 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 Koorda in respect of the application.

To be read aloud if any member of the public is present.

Signed



Darren Simmons
Chief Executive Officer

Table of Contents

1. Declaration of Opening	4
2. Record of Attendance, Apologies and Leave of Absence	4
3. Public Question Time.....	4
4. Disclosure of Interest.....	4
5. OFFICER'S REPORTS – GOVERNANCE & COMPLIANCE.....	5
5.1. 2022 CEO Performance Review	5
6. Closure	7

UNCONFIRMED

**Shire of Koorda
Special Council Meeting
5.00pm, Tuesday, 30 August 2022**



1. Declaration of Opening

The Presiding person welcomes those in attendance and declares the meeting open at 5.04pm.

2. Record of Attendance, Apologies and Leave of Absence

Councillors:

Cr JM Stratford President
Cr GL Boyne
Cr NJ Chandler
Cr GW Greaves
Cr LC Smith (from 5.06pm)

Staff:

Mr DJ Simmons Chief Executive Officer (CEO)

Members of the Public:

Apologies:

Approved Leave of Absence:

Cr BG Cooper Deputy President

3. Public Question Time

(Please note: Being a special meeting of Council, any questions must relate to the purpose of the meeting being the 2022 CEO performance review).

4. Disclosure of Interest


CEO Darren Simmons disclosed a financial interest in item 5.1 – 2022 CEO Performance Review as it relates to his employment with the Shire

5. OFFICER'S REPORTS – GOVERNANCE & COMPLIANCE

CEO Darren Simmons disclosed a financial interest in item 5.1 – 2022 CEO Performance Review as it relates to his employment with the Shire

5.1. 2022 CEO Performance Review

In accordance with Section 5.23 (2) (a) of the *Local Government Act 1995*, Council will close the meeting to the public to discuss a matter affecting an employee.

Governance and Compliance		
Date	25 August 2022	
Location	Not Applicable	
Responsible Officer	Shire President Cr Jannah Stratford	
Author	Dr Shayne Silcox of Strategic Leadership Consulting Group (Reviewer)	
Legislation	<i>Local Government Act 1995; Local Government (Administration) Regulations 1996</i>	
Disclosure of Interest	CEO Darren Simmons discloses a financial interest in item 5.1 – 2022 CEO Performance Review as it relates to his employment with the Shire	
Purpose of Report	<input type="checkbox"/> Executive Decision <input checked="" type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information	
Attachments	Confidential Reviewer report provided to Councillors by the Shire President prior to the meeting.	

Voting Requirements: Simple Majority Absolute Majority

Officer Recommendation Resolution 100822

Moved CR GL Boyne

Seconded CR NJ Chandler

That Council close the meeting to the public at 5.05pm in accordance with section 5.23 (2) (a) of the Local Government Act 1995 as the matter relates to an employee.

CARRIED 4/0

Cr LC Smith attended the meeting at 5.06pm.
The CEO left the meeting at 5.08pm.

The matter of the 2022 CEO performance review was discussed, and a resolution (by an absolute majority vote) made, as follows:

Voting Requirements: Simple Majority Absolute Majority

**Consultant Recommendation
Resolution 110822**

Moved CR GW Greaves

Seconded CR NJ Chandler

That Council:

1. **Notes the Salaries and Allowances Tribunal Determination of 7 April 2022 (effective 1 July 2022).**
2. **Notes an increase in the Superannuation Guarantee Levy from 10% to 10.5% effective 1 July 2022.**
3. **Notes the outcomes of the Elected Member Performance Survey undertaken in August 2022 with the Chief Executive Officer being assessed at 'Meets Expectations' in this year's performance appraisal.**
4. **Adopt the modified performance criteria metrics for the 2022-2023 performance period outlined in section 5 of the confidential review report.**
5. **Approves:**
 - a) **a variation to the CEOs contract to a Total Remuneration Package as per Option 6 set out within the confidential review report; and**
 - b) **a new WALGA-sponsored Employment Contract for the CEO with a 5-year term starting 6 May 2022, subject to the proposed contract being provided to Council for approval before the contract is executed.**
6. **Schedules the next review of the Chief Executive Officers performance and total remuneration package (TRP) for considered by Council in May 2023.**
7. **Adopts the Standard CEO Performance Review Process as outlined in Appendix 2, to ensure the Shire is compliant in accordance with Section 5.38 of the Local Government Act 1995 and the Local Government (Administration) Amendment Regulations 2021 (CEO Standards).**
8. **Comply, as per Division 3 of the Local Government (Administration) Regulations Schedule 2 clause 18, by resolution of an absolute majority of the council, endorse this review.**
9. **Comply, as per Division 3 of the Local Government (Administration) Regulations Schedule 2 clause 19, by notifying the Chief Executive Officer of the results of this performance review.**

CARRIED BY AN ABSOLUTE MAJORITY 5/0

Following consideration of item 5.1, the CEO returned to the meeting at 5.39pm.

The President outlined Council's decision and congratulated the CEO on the positive 2022 performance review outcome.

Voting Requirements: Simple Majority Absolute Majority

**Officer Recommendation
Resolution 120822**

Moved CR GW Greaves

Seconded CR LC Smith

That Council re-open the meeting to the public at 5.40pm.

CARRIED 5/0

6. Closure

The Presiding Person thanked Councillors and the CEO for their attendance and declared the meeting closed at 5.41pm.

Signed: _____

Presiding Person at the meeting at which the minutes were confirmed.

Date: 21 September 2022