

## 8.1 CHIEF EXECUTIVE OFFICER PERFORMANCE ASSESSMENT 2024-25

Contact Person: Skye Nitschke

### Why is this matter confidential?

Subject to an order pursuant to Section 90(3)(a) of the *Local Government Act 1999*, this matter is confidential because it relates to the employment performance of the Chief Executive Officer and contains sensitive information and details that are only known by those who have participated in the review process.

### A. COMMITTEE TO MOVE MOTION TO GO INTO CONFIDENCE

No action – this motion passed in the open section.

### B. THE BUSINESS MATTER

#### 8.1 CHIEF EXECUTIVE OFFICER PERFORMANCE ASSESSMENT 2024/25

**Responsible Executive Manager :** Skye Nitschke

**Report Author :** Skye Nitschke

**Delegated Authority :** Matters which cannot be delegated to a Committee or Staff

**Attachments :**

1. 2024/25 Chief Executive Officer Performance Review Report
2. 2024-25 Chief Executive Officer KPI Performance Full Year Wrap-up Report

### PURPOSE

The purpose of this report is to consider the results of the Chief Executive Officer's annual performance review for the period 1 July 2024 – 30 June 2025 and to enable Council to make a determination regarding the Chief Executive Officer's performance.

### STAFF RECOMMENDATION

1. Council receive and note the 2024/25 Chief Executive Officer Performance Review Report (Attachment 1) from AM Consulting.
2. Council receive and note the 2024/25 Chief Executive Officer KPI Performance Full Year Wrap-up Report (Attachment 2).
3. <<Committee/Council to insert recommendation/resolution regarding outcome of Chief Executive Officer performance assessment 2024/25>>.

## EXECUTIVE SUMMARY

At the Chief Executive Officer Review Committee meeting on 12 May 2025, the Chief Executive Officer Review Committee endorsed that the Chief Executive Officer performance assessment for 2024/25 comprise of a 360-review undertaken via a survey, in addition to the Chief Executive Officer's Full Year Wrap-up Report (Attachment 2) against the KPIs. The Chief Executive Officer Review Committee resolved that Council Members, Executive, Direct Reports of the Chief Executive Officer, and Senior Managers would be invited to complete the survey. The survey also provided an opportunity for respondents to comment on where the Chief Executive Officer has done well, areas for development, and focus areas for the coming 12-months.

### 1. BACKGROUND

At its meeting on 12 May 2025 the Chief Executive Officer Review Committee endorsed the following (Resolution 6249):

| COMMITTEE RESOLUTION   |                    | 6249               |
|--|--------------------|--------------------|
| Moved:   | Cr Smallwood-Smith | Seconded: Cr Baker |
| <p>1. The Chief Executive Officer Review Committee endorse the Draft FY 2024/25 Chief Executive Officer Performance Assessment Survey for the period 1 July 2024 to 30 June 2025 (Attachment 1); and</p> <p>2. The Chief Executive Officer Review Committee note the Chief Executive Officer Review Survey will be undertaken with the following personnel and made available at the Chief Executive Officer Review Committee Meeting on 11 August 2025, following onto the Ordinary Council Meeting on 26 August 2025:</p> <ul style="list-style-type: none"><li>• Chief Executive Officer</li><li>• Elected Members</li><li>• Direct reports to the Chief Executive Officer</li><li>• Senior Managers.</li></ul> |                    |                    |
|  |                    | <u>CARRIED</u>     |

The Chief Executive Officer review survey sought to capture and document the Chief Executive Officer's performance during the period of 1 July 2024 to 30 June 2025. Participants were invited by AM Consulting to participate in the review survey between 9 June 2025 and 11 July 2025. The results of this survey have been compiled by AM Consulting into the 2024/25 Chief Executive Officer Performance Review Report (Attachment 1).

The 2024/25 Chief Executive Officer KPI Performance Full Year Wrap-up Report (Attachment 2) contains how the Chief Executive Officer performed against the set KPIs for 2024/25. This report has been prepared by the Manager Governance in collaboration with the Chief Executive Officer.

### 2. RELEVANCE TO STRATEGIC PLAN

Decision-making filter: We will ensure that we meet our legislative requirements and legal obligations.

Council follows a set of decision-making filters to ensure we plan strategically for the future. These filters are front of mind when making decisions about our services or any new projects.

The efficient and effective process of ensuring a performance review process is in place for the Chief Executive Officer ensures that the Strategic Plan can continue to be delivered.

### 3. PUBLIC CONSULTATION

There is no legal or policy requirement to consult the community on this issue.

### 4. DISCUSSION

- 4.1 Under Section 102A(a) of the *Local Government Act 1999* a Council must review the performance of its Chief Executive Officer at least once in each year that the Chief Executive Officer holds office. Further, Section 102A(2) states that Council must obtain and consider the advice of a qualified independent person on a review under subsection (1).
- 4.2 The Chief Executive Officer Performance Review Committee Charter outlines in the "Delegations" Section 4.1.4 that the Chief Executive Officer Performance Review Committee are delegated to determine activities associated with reviewing the Chief Executive Officers performance review process, performance measures and targets, the development plan and position description.
- 4.3 AM Consulting, appointed by Council to provide Chief Executive Officer performance review services, conducted the 360-review survey and collated the findings into the 2024/25 Chief Executive Officer Performance Review Report (Attachment 1).
- 4.4 The KPIs that provided a baseline for performance of the Chief Executive Officer over the term of the contract and reported on in the 2024/25 Chief Executive Officer KPI Performance Full Year Wrap-up Report (Attachment 2) were developed by the Chief Executive Officer and presented to the 6 May 2024 Chief Executive Officer Review Committee meeting for feedback. The Council endorsed the KPIs for the reporting period at the 27 August 2024 Ordinary Council Meeting (Resolution 5940).

### 5. OPTIONS

#### Recommendation

1. Council receive and note the 2024/25 Chief Executive Officer Performance Review Report (Attachment 1) from AM Consulting.
2. Council receive and note the 2024/25 Chief Executive Officer KPI Performance Full Year Wrap-up Report (Attachment 2).
3. <<Committee/Council to insert recommendation/resolution regarding outcome of Chief Executive Officer performance assessment 2024/25>>.

## Option 2

1. Council receive and note the 2024/25 Chief Executive Officer Performance Review Report (Attachment 1) from AM Consulting and note the following:

- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

2. Council receive and note the 2024/25 Chief Executive Officer KPI Performance Full Year Wrap-up Report (Attachment 2) and note the following:

- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

3. <<Committee/Council to insert recommendation/resolution regarding outcome of Chief Executive Officer performance assessment 2024/25>>.

## **6. ANALYSIS OF OPTIONS**

### **6.1 Recommendation Analysis**

#### **6.1.1 Analysis & Implications of the Recommendation**

Review of the Chief Executive Officer performance assessment results ensures monitoring and review of the performance of the Chief Executive Officer demonstrating legislative compliance, due diligence and good human resource management.

This option allows Council to receive and note the 2024/25 Chief Executive Officer Performance Review Report (Attachment 1), compiled by AM Consulting and the 2024/25 Chief Executive Officer KPI Performance Full Year Wrap-up Report (Attachment 2) for the period 1 July 2024 to 30 June 2025.

This option also enables the Committee/Council to determine any recommendation/resolution regarding the outcome of the Chief Executive Officer's performance assessment review 2024/25.

## **Risk Appetite**

### **Regulatory Compliance**

*Council has a zero tolerance for non-compliance with applicable legislation including but not limited to: Local Government Act (LGA) 1999; Independent Commissioner Against Corruption (ICAC) Act 2012; Work Health & Safety (WHS) Act 2012; Environment Protection Act (EPA) 1993; Development Act 1993; Equal Employment Opportunity legislation; and Public Consultation legislation.*

This decision will ensure council are meeting requirements under Section 102A the *Local Government Act 1999* ensuring a Chief Executive Officer performance review is undertaken at least once in each year that the Chief Executive Officer holds office.

### 6.1.2 Financial Implications

There are no financial or resource implications.

## **6.2 Option 2 Analysis**

### 6.2.1 Analysis & Implications of Option 2

Review of the Chief Executive Officer performance assessment results ensures monitoring and review of the performance of the Chief Executive Officer demonstrating legislative compliance, due diligence and good human resource management.

This option allows Council to receive and note the 2024/25 Chief Executive Officer Performance Review Report (Attachment 1), compiled by AM Consulting and the 2024/25 Chief Executive Officer KPI Performance Full Year Wrap-up Report (Attachment 2) for the period 1 July 2024 to 30 June 2025 and allows the Committee/Council to note specific elements from either report.

This option also enables the Committee/Council to determine any recommendation/resolution regarding the outcome of the Chief Executive Officer's performance assessment review 2024/25.

### 6.2.2 Financial Implications

There are no financial or resource implications.

**C. COMMITTEE TO DECIDE HOW LONG ITEM 8.1 IS TO BE KEPT IN CONFIDENCE**

**Purpose**

To resolve how long agenda item 8.1 is to be kept confidential.

**STAFF RECOMMENDATION**

Pursuant to Section 91(7) of the *Local Government Act 1999*, the Committee orders that the following aspects of Item 8.1 be kept confidential in accordance with Committee's reasons to deal with this item in confidence pursuant to Section 90(3)(a) of the *Local Government Act 1999*:

- Attachment(s) for Item 8.1

This order shall operate until the next scheduled annual review of confidential items by Council at which time this order will be reviewed and determined in accordance with Section 91(9)(a) of the *Local Government Act 1999*.

The Minutes for Item 8.1 shall remain in confidence until the matter is considered by Council at the Ordinary Council Meeting on 26 August 2025.