



AGENDA

Late Reports

Ordinary Council Meeting

Thursday, 23 July 2026

A handwritten signature in black ink, appearing to be 'Garry Adams', is positioned above the printed name.

Garry Adams

Chief Executive Officer

Date: 17 July 2026

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ITEM 0 EXECUTIVE SERVICES UNIT**L.1 CEO Performance Review 2026****File Ref****Responsible Officer** Merridith Morrell, Manager of Executive Services Unit**Reporting Officer** Merridith Morrell, Manager of Executive Services Unit**Attachments**

1. CEO Review - Bridgetown-Greenbushes Final Report (under separate cover)
2. CEO Performance Review Committee - Minutes 16 July 2026 (under separate cover)

Voting Requirements Absolute Majority**Disclosure of Interest** Reporting Officer: Nil
Responsible Officer: Nil

OFFICER RECOMMENDATION**That Council, by ABSOLUTE MAJORITY:**

1. Receives the Minutes from the CEO Performance Review Committee Meeting held on 16 July 2026.
2. Notes the outcomes of the Chief Executive Officer's annual performance review for the 2025-2026 period, as set out in Confidential Attachment 1.
3. Adopts the Chief Executive Officer's performance criteria for the 2026-2027 period, as set out in Confidential Attachment 1 noting an amendment to KPI 8 to include the delivery of a Consolidated Town Planning Scheme.
4. Approves a variation to the Chief Executive Officer's Total Reward Package for the 2026-2027 period, in accordance with the option four as set out in CEO Performance Review Committee Minutes - July 2026.
5. Delegates to the Shire President authority to approve professional development, conference attendance and annual leave taken by the Chief Executive Officer.
6. Schedules the next review of the Chief Executive Officer's performance and Total Reward Package for Council's consideration in July 2027.
7. Notes that, in accordance with Division 3 of the *Local Government (Administration) Regulations 1996*, Schedule 2, Clause 18, this review is endorsed by resolution of an absolute majority of Council.
8. Notes that, in accordance with Division 3 of the *Local Government (Administration) Regulations 1996*, Schedule 2, Clause 19, the Chief Executive Officer is to be notified of the results of this performance review.

IN BRIEF

The Shire engaged an independent consultant to undertake the Chief Executive Officer's statutory annual performance review for the 2025-2026 period. This report asks Council to note the outcomes of that review, adopt updated performance criteria for 2026-2027, determine the CEO's Total Reward Package, and fulfil the Shire's statutory obligations to endorse the review and notify the CEO of its results.

As the review addresses a matter affecting an employee, the detailed findings, performance assessment, and remuneration information are provided to Elected Members in Confidential Attachment 1, which is not for public distribution. This report and the Officer Recommendation are not confidential.

MATTER FOR CONSIDERATION

Mr Garry Ross Adams was contracted as Chief Executive Officer on 22 May 2025, commencing 4 August 2025, for a five-year term expiring 4 August 2030, under a performance-based employment contract. The contract requires Council to consider, on an annual basis, his performance and any changes to his Total Reward Package (TRP) based on performance outcomes.

Mr Adams is now due for his annual performance review, in accordance with section 5.38 of the *Local Government Act 1995* and the performance review provisions of his employment contract. An independent consultant was engaged to coordinate the review and ensure compliance with statutory and contractual requirements. The detailed outcomes of that review are provided to Council in Confidential Attachment 1.

The Chief Executive Officer has declared an interest in this matter as the subject of the performance review. The Reporting and Responsible Officers have no interest to declare.

BACKGROUND

The Shire is required to undertake an annual review of the CEO's performance against a KPI schedule agreed between the parties at the previous review, noting that the schedule may be amended at any time by agreement. This review relates to the 2025-2026 performance period.

As Key Result Areas (KRAs) and KPIs form part of the CEO's employment contract, these are reviewed and re-set for each forthcoming period and are aligned with the goals contained in the Council's Strategic Community Plan and Corporate Business Plan.

STATUTORY ENVIRONMENT

Local Government (Administration) Regulations 1996

Local Government Act 1995

Section 5.38 of the Act requires a local government to review the performance of its CEO every year of their employment. Section 5.39B makes it compulsory for a local government to adopt and apply the Model Standards for CEO Recruitment, Performance and Termination, set out in Schedule 2 of the *Local Government (Administration) Regulations 1996*. Division 3 of the Standards (Clauses 15–19) governs the review of CEO performance, Council endorsement, and notification of results to the CEO.

As this matter affects an employee, it is appropriate for the detailed report to be dealt with confidentially in accordance with section 5.23(2)(a) of the *Local Government Act*

POLICY IMPLICATIONS

The review has been conducted consistently with the CEO Standards adopted by the Shire. KPI setting forms part of the annual performance review process required under those Standards.

FINANCIAL IMPLICATIONS

Nil, other than any change to the CEO's Total Reward Package arising from Recommendation 3. The financial detail of that variation is set out in Confidential Attachment 1.

COUNCIL PLAN

The CEO's performance criteria are aligned to the goals contained in the Shire's Council Plan and are to be updated as that Plan is reviewed.

LONG TERM FINANCIAL PLAN

Nil, other than the potential impact of any Total Reward Package variation noted under Financial Implications above.

ASSET MANAGEMENT PLANS

Not applicable.

WORKFORCE PLAN

This report relates to the statutory performance review of the Chief Executive Officer as an individual senior employee under contractual and legislative requirements, rather than to broader workforce planning.

RISK MANAGEMENT

KPI setting forms part of the mandatory annual performance review process for the CEO. Without agreed KPIs, the CEO's performance cannot be assessed objectively, which would result in non-compliance with the Act and Regulations. This risk is mitigated by Council setting CEO KPIs in agreement with the CEO via this process.

COMMENT

The review process followed is consistent with the requirements of the *Local Government Act 1995* and the Shire's standards for CEO performance review, comprising agreement of the review process and KPIs, an objective performance survey and individual interviews with Elected Members and the CEO, a review of contract compliance and remuneration benchmarking, and preparation of a draft report provided to the CEO for comment under procedural fairness provisions before finalisation.

Consultation with Elected Members was undertaken by email, in person at the Shire offices in Bridgetown, and by telephone.

Given the personal and remuneration-related nature of the matter, Council may wish to discuss the substance of Confidential Attachment 1 in a session closed to members of the public, in accordance with section 5.23(2)(a) of the *Local Government Act 1995*, before resolving on this Officer Recommendation in open session.

Notwithstanding the outcomes of the review, given the Shire's current financial constraints, the Chief Executive Officer has advised that he does not seek an increase to the salary component of his

Total Reward Package for the 2026-2027 period. He has instead requested that an amount of \$2,000 be made available to cover professional membership fees and subscriptions relevant to his role (Option 4 – noted in the CEO Performance Review Committee report and Minutes).

Full supporting detail, including the CEO's performance assessment, the agreed KPIs for 2026-2027 and the Total Reward Package options, is contained in Confidential Attachment 1.