

**CEO PERFORMANCE REVIEW PANEL COMMITTEE
MINUTES OF MEETING 9 AUGUST 2018
63 MT BARKER ROAD STIRLING**

(These minutes will be confirmed at the next meeting of this Committee)

Members:

Presiding Member: Cr Jan Loveday

Cr Jan-Claire Wisdom

Cr Linda Green

Ms Paula Davies, Independent Member

In attendance:

Andrew Aitken Chief Executive Officer

Megan Sutherland Executive Manager Organisational Development

Lachlan Miller Executive Manager Governance & Performance

1 Commencement

The meeting commenced at 6.01pm.

2 Apologies/Leave of Absence

2.1 Apology

An apology was received from Mayor Bill Spragg.

2.2 Leave of Absence

Nil

2.3 Absent

Nil

3 Previous Minutes

3.1 CEO Performance Review Panel Meeting – 29 May 2018

Moved Cr Jan-Claire Wisdom

PRP12/18

S/- Paula Davies

That the minutes of the CEO Performance Review Panel meeting held on 29 May 2018 as supplied, be confirmed as an accurate record of the proceedings of that meeting.

Carried Unanimously

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4 Presiding Member's Opening Comments

Cr Jan Loveday thanked Megan Sutherland and Lachlan Miller for their assistance to the Panel, and thanked the Panel Members for their contribution to the Panel's deliberations regarding the current performance review.

5 Delegation of Authority

The CEO Performance Review Panel operates in accordance with the relevant sections of the *Local Government Act 1999*, and its Terms of Reference.

6 Declaration of Interest by Members of the Committee

Nil

7 Officer Reports – Decision Items

7.1 CEO Performance Target Update

Moved Cr Linda Green
S/- Paula Davies

PRP13/18

That the CEO Performance Review Panel resolves that the report be received and noted.

Carried Unanimously

8 Motions Without Notice

Nil

9 Questions Without Notice

Nil

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10 Confidential items

Andrew Aitken, Chief Executive Officer, left the Chamber

10.1 2018 CEO Performance Review – Exclusion of the Public

Moved Cr Jan-Claire Wisdom
S/- Paula Davies

PRP14/18

Pursuant to section 90(2) of the *Local Government Act 1999* the Panel orders that all members of the public, except:

- Executive Manager Governance & Performance, Lachlan Miller
- Executive Manager Organisational Development, Megan Sutherland

be excluded from attendance at the meeting for Agenda Item 10.1: (2018 CEO Performance Review) in confidence.

The Panel is satisfied that it is necessary that the public, with the exception of Council staff in attendance as specified above, be excluded to enable the Panel to consider the report at the meeting on the following grounds:

Section 90(3)(a) of the *Local Government Act 1999*, the information to be received, discussed or considered in relation to this Agenda Item is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead), being the personal affairs of the Chief Executive Officer, in that details of his performance review will be discussed.

Accordingly, on this basis the principle that meetings of the Panel should be conducted in a place open to the public has been outweighed by the need to keep the information and discussion confidential.

Carried Unanimously

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10.1.1 2018 CEO Performance Review – Confidential Item

RELEASED 31 AUGUST 2018

Moved Cr Jan-Claire Wisdom
S/- Cr Linda Green

PRP15/18

The CEO Performance Review Panel resolves:

1. That the report be received and noted
2. To recommend to Council that the CEO 'exceeded expectations' in relation to the 2018 CEO Performance Review.

Carried Unanimously

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10.1.2 2018 CEO Performance Review – Period of Confidentiality

Moved Cr Jan-Claire Wisdom
S/- Paula Davies

PRP16/18

Subject to the CEO, or his delegate, disclosing information or any document (in whole or in part) for the purpose of implementing the Panel's decision(s) in this matter in the performance of the duties and responsibilities of office, the Panel, having considered at Agenda Item 10.1 in confidence under sections 90(2) and 90(3)(a) of the *Local Government Act 1999*, that an order be made under the provisions of sections 91(7) and (9) of the *Local Government Act 1999* that the report, related attachments and the minutes of Council and the discussion and considerations of the subject matter be retained in confidence until the CEO has been advised in writing, but not longer than one month from the date of the decision of Council.

Carried Unanimously

10.2 2018 CEO Remuneration Review – Exclusion of the Public

Moved Cr Linda Green
S/- Paula Davies

PRP17/18

Pursuant to section 90(2) of the *Local Government Act 1999* the Panel orders that all members of the public, except:

- Executive Manager Governance & Performance, Lachlan Miller
- Executive Manager Organisational Development, Megan Sutherland

be excluded from attendance at the meeting for Agenda Item 10.2: (2018 CEO Remuneration Review) in confidence.

The Panel is satisfied that it is necessary that the public, with the exception of Council staff in attendance as specified above, be excluded to enable the Panel to consider the report at the meeting on the following grounds:

Section 90(3)(a) of the *Local Government Act 1999*, the information to be received, discussed or considered in relation to this Agenda Item is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead), being the personal affairs of the Chief Executive Officer, in that details of his performance review will be discussed.

Accordingly, on this basis the principle that meetings of the Panel should be conducted in a place open to the public has been outweighed by the need to keep the information and discussion confidential.

Carried Unanimously

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(These minutes will be confirmed at the next meeting of this Committee)

10.2.1 2018 CEO Remuneration Review – Exclusion of the Public

Moved Cr Linda Green
S/- Paula Davies

PRP18/18

Pursuant to section 90(2) of the *Local Government Act 1999* the Panel orders that all members of the public, except:

- Chief Executive Officer, Andrew Aitken
- Executive Manager Governance & Performance, Lachlan Miller
- Executive Manager Organisational Development, Megan Sutherland

be excluded from attendance at the meeting for Agenda Item 10.2: (2018 CEO Remuneration Review) in confidence.

The Panel is satisfied that it is necessary that the public, with the exception of Council staff in attendance as specified above, be excluded to enable the Panel to consider the report at the meeting on the following grounds:

Section 90(3)(a) of the *Local Government Act 1999*, the information to be received, discussed or considered in relation to this Agenda Item is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead), being the personal affairs of the Chief Executive Officer, in that details of his performance review will be discussed.

Accordingly, on this basis the principle that meetings of the Panel should be conducted in a place open to the public has been outweighed by the need to keep the information and discussion confidential.

Carried Unanimously

Andrew Aitken, Chief Executive Officer, entered the Chamber.

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10.2.2 2018 CEO Remuneration Review – Confidential Item

RELEASED 31 AUGUST 2018

Moved Cr Jan-Claire Wisdom
S/- Linda Green

PRP19/18

The CEO Performance Review Panel resolves:

1. That the report be received and noted
2. Recommends to Council to increase the CEO's TEC Package by 3.5% to commence from 1 July 2018, having given due consideration to the following matters:
 - 2.1 CPI increases
 - 2.2 Remuneration Report, specifically the comparisons of Group 2 Councils' CEO remuneration
 - 2.3 The Panel's assessment of the CEO's performance for 2017/18 as 'exceeding expectations'
 - 2.4 The extended period of high performance by the CEO during his tenure with Council.

Carried Unanimously

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10.2.3 2018 CEO Remuneration Review – Period of Confidentiality

Moved Cr Jan-Claire Wisdom
S/- Paula Davies

PRP20/18

Subject to the CEO, or his delegate, disclosing information or any document (in whole or in part) for the purpose of implementing the Panel's decision(s) in this matter in the performance of the duties and responsibilities of office, the Panel, having considered Agenda Item 10.2 in confidence under sections 90(2) and 90(3)(a) of the *Local Government Act 1999*, that an order be made under the provisions of sections 91(7) and (9) of the *Local Government Act 1999* that the report, related attachments and the minutes of Council and the discussion and considerations of the subject matter be retained in confidence until the CEO's TEC Package has been resolved and the CEO has been advised in writing.

Carried Unanimously

11 Next Meeting

The next ordinary meeting of the CEO Performance Review Panel will be held at 6.00pm on Tuesday 6 November 2018 at 63 Mount Barker Road, Stirling.

12 Close Meeting

The meeting closed at 7.12pm.