



CEO PERFORMANCE REVIEW PANEL

NOTICE OF MEETING

To: **Members**

Cr Mark Osterstock, Presiding Member

Mayor Jan-Claire Wisdom

Cr Nathan Daniell

Cr Chris Grant

Ms Janet Miller, Independent Member

Notice is given pursuant to the provisions under Section 87 of the *Local Government Act 1999* that the next meeting of the CEO Performance Review Panel will be held on:

**Thursday 4 August 2022
6.00pm
63 Mt Barker Road Stirling**

A copy of the Agenda for this meeting is supplied under Section 87 of the Act.

Committee meetings are open to the public and members of the community are welcome to attend. Public notice of the Agenda for this meeting is supplied under Section 88 of the Act.

**Andrew Aitken
Chief Executive Officer**



CEO PERFORMANCE REVIEW PANEL

AGENDA FOR MEETING
Thursday 4 August 2022
6.00pm
63 Mt Barker Road Stirling

ORDER OF BUSINESS

1. COMMENCEMENT

- 1.1. Acknowledgement of Country

Council acknowledges that we meet on the traditional lands and waters of the Peramangk and Kurna people. We pay our respects to Elders past, present and emerging as the Custodians of this ancient and beautiful land. Together we will care for this country for the generations to come.

2. APOLOGIES/LEAVE OF ABSENCE

- 2.1. Apology
Apologies were received from
- 2.2. Leave of Absence
- Cr Chris Grant from 29 July 2022 to 26 September 2022, approved by Council 26 July 2022
- 2.3. Absent

3. MINUTES OF PREVIOUS MEETINGS

CEO Performance Review Panel – 21 July 2022

That the minutes of the CEO Performance Review Panel meeting held on 21 July 2022 as supplied, be confirmed as an accurate record of the proceedings of that meeting.

4. PRESIDING MEMBER'S OPENING REMARKS

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 CONFLICT OF INTEREST BY MEMBERS OF THE PANEL

7. OFFICER REPORTS – DECISION ITEMS

7.1. CEO Performance Targets Status Update

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

8. MOTIONS WITHOUT NOTICE

9. QUESTIONS WITHOUT NOTICE

10. CONFIDENTIAL ITEMS

10.1. CEO Performance & Remuneration Report

See agenda item

11. NEXT MEETING

The next CEO Performance Review Panel meeting will be held on 13 October 2022 at 63 Mt Barker Road, Stirling

12. CLOSE MEETING

**ADELAIDE HILLS COUNCIL
CEO PERFORMANCE REVIEW PANEL COMMITTEE
MINUTES OF MEETING
THURSDAY 21 JULY 2022
63 MT BARKER ROAD STIRLING**

In Attendance

Acting Presiding Member: Mayor Jan-Claire Wisdom

Members:

Ms Janet Miller	Independent Member
Cr Nathan Daniell	Via electronic participation
Cr Chris Grant	Via electronic participation

In Attendance:

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

1. COMMENCEMENT

The meeting commenced at 6.00pm.

1.1. Acknowledgement of Country

Council acknowledges that we meet on the traditional lands and waters of the Peramangk and Kurna people. We pay our respects to Elders past, present and emerging as the Custodians of this ancient and beautiful land. Together we will care for this country for the generations to come.

2. APOLOGIES/LEAVE OF ABSENCE

2.1 Apology

Nil

2.2 Leave of Absence

Cr Mark Osterstock has a Leave of Absence from 15 – 23 July 2022 approved by Council at the 28 June 2022 meeting.

2.3 Absent

Nil

Presiding Member _____ 4 August 2022

**ADELAIDE HILLS COUNCIL
CEO PERFORMANCE REVIEW PANEL COMMITTEE
MINUTES OF MEETING
THURSDAY 21 JULY 2022
63 MT BARKER ROAD STIRLING**

3. MINUTES OF PREVIOUS MEETINGS

3.1 CEO Performance Review Panel Meeting – 12 May 2022

Moved Janet Miller
S/- Cr Nathan Daniell

PRP11 /22

That the minutes of the CEO Performance Review Panel meeting held on 12 May 2022 as distributed, be confirmed as an accurate record of the proceedings of that meeting

Carried Unanimously

4. PRESIDING MEMBER'S OPENING COMMENTS

Welcome to the meeting Members in person and via electronic participation.

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 CONFLICT OF INTEREST BY MEMBERS OF THE COMMITTEE

Nil

7. OFFICER REPORTS – DECISION ITEMS

**ADELAIDE HILLS COUNCIL
CEO PERFORMANCE REVIEW PANEL COMMITTEE
MINUTES OF MEETING
THURSDAY 21 JULY 2022
63 MT BARKER ROAD STIRLING**

7.1 Final Status Update – 2021/22 CEO Performance Targets

Moved Cr Nathan Daniell
S/- Cr Chris Grant

PRP12 /22

1. That the report be received and noted
2. To recommend to Council that the CEO has achieved the following status in relation to the CEO Performance Targets 2021-2022:

Target 1: New Council website and e-services – Completed

Target 2: Service Review – In Progress

Target 3: Fabrik Activation – Completed

Target 4: EOI: Development of 'Free' Camping Sites – Completed

Target 5: Cat Confinement Community Education – Completed

Target 6: Library Services Strategic Plan – Completed

Carried Unanimously

8. MOTIONS WITHOUT NOTICE

Nil

9. QUESTIONS WITHOUT NOTICE

Nil

10. CONFIDENTIAL ITEMS

Nil

11. NEXT MEETING

The next ordinary meeting of the CEO Performance Review Panel will be held on Thursday 4 August 2022 from 6.00pm at 63 Mt Barker Road Stirling.

12. CLOSE MEETING

The meeting closed at 6.31pm.

**ADELAIDE HILLS COUNCIL
CEO PERFORMANCE REVIEW PANEL MEETING
Thursday 4 August 2022
AGENDA BUSINESS ITEM**

1

Item: 7.1

Responsible Officer: Andrew Aitken
Chief Executive Officer
Directorate

Subject: 2022-23 CEO Performance Targets – Status Update

For: Decision

SUMMARY

At its 26 July 2022 meeting, Council adopted the suite of CEO Performance Targets covering the 2022-2023 financial year.

The role of the Chief Executive Officer (CEO) Performance Review Panel (the Panel) includes reviewing the performance of the CEO against the agreed Performance Targets. This activity is defined in the Panel's Terms of Reference contained in the Specific Functions clauses and specifically Clause 3.1.2.

In assessing the performance against these targets, the Panel should also consider that the targets remain relevant, achievable and aligned to Council's strategic objectives across the year. Notwithstanding that only one month of the 2022-23 financial year has elapsed, an early report on project status does enable the Panel and CEO to be aligned as to the scope and deliverables associated with each Performance Target.

The purpose of this report is to provide a status update to the Panel on the work achieved and still intended against each of the CEO's Performance Targets, provided in **Appendix 1**.

RECOMMENDATION

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

1. BACKGROUND

The Employment Agreement (the "Agreement") between Council and the Chief Executive Officer (CEO) provides for a performance review process. The Agreement requires the review of the CEO's performance against the position description and any performance indicator(s).

The Panel has specific functions in relation to the CEO's Performance Targets as set out in clauses 3.1.2 and 3.3.3, as follows:

3. SPECIFIC FUNCTIONS

- 3.1 The function of the Panel is to provide advice to Council on the CEO's performance and development, including the following matters:
- 3.1.1 Determining the Performance Targets for the forthcoming 12 month performance period;
 - 3.1.2 Monitoring the progress on the CEO's agreed Performance Targets for the current 12 month performance period;
 - 3.1.3 Reviewing the CEO's performance over the preceding 12 month performance period, in particular the performance against the agreed Performance Targets and position description requirements;
 - 3.1.4 Identifying development opportunities for the CEO; and
 - 3.1.5 Reviewing the remuneration and conditions of employment of the CEO.

Council adopted a new suite of CEO Performance Targets on 26 July 2022 covering the 2022-2023 financial year.

12.9 Proposed CEO Performance Targets 2022-2023

**Moved Cr Chris Grant
S/- Cr Mark Osterstock**

191/22

Council resolves:

- 1. That the report be received and noted**
- 2. To adopt the 2022-23 CEO Performance Targets as per *Appendix 1* and summarised below.**

Target 1 – Fabrik Redevelopment

Target 2 – User Pays Bin Collection Study

Target 3 – Savings Strategies

Target 4 – Gumeracha Library Upgrade

Target 5 – New Dog and Cat Facility

Target 6 – Central Irrigation System

Target 7 – Unformed Roads Review

Carried unanimously

2. ANALYSIS

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2020-24 – A brighter future

Goal Organisation

Objective O5 We are accountable, informed, and make decisions in the best interests of the whole community.

Priority O5.3 Demonstrate accountability through robust corporate planning and reporting that enhances performance, is relevant and easily accessible by the community.

The requirement for the Panel to undertake regular review of performance against the agreed CEO Performance Targets enables accountability to be demonstrated and any decisions on changes to performance targets to be actively managed.

➤ **Legal Implications**

The CEO Performance Review Panel is a Section 41 Committee of Council under the *Local Government Act 1999*.

The Performance Targets are part of the CEO Performance Review process. Amendments to the *Local Government Act 1999*, via the inclusion of s102A on 10 November 2021, have formalised the requirement for an annual review.

➤ **Risk Management Implications**

The process of annually updating the CEO Performance Targets through Council decision and then reporting and monitoring them throughout the year via the Panel are some of the controls that will assist in mitigating the risk of:

Deficient CEO performance review practices resulting in a lack of accountability and loss of stakeholder confidence.

Inherent Risk	Residual Risk	Target Risk
Medium (3C)	Low (2D)	Low (2D)

Non-achievement of CEO Performance Targets resulting in loss of community benefit and/or opportunities and/or stakeholder confidence.

Inherent Risk	Residual Risk	Target Risk
High (3B)	Medium (3C)	Medium (3C)

➤ **Financial and Resource Implications**

There are no financial or resource implications in reporting on projects against the 2022-23 CEO Performance Targets.

Any specific financial or resource implications have been addressed in the *2022-23 Annual Business Plan* or will be dealt with in budget reviews, as required.

➤ **Customer Service and Community/Cultural Implications**

There is a community expectation that the CEO will manage the organisation's human, financial and physical resources to ensure they are utilised for the best outcomes for the community.

There is a community expectation that the CEO is accountable for, and performs against, the agreed Performance Targets.

➤ **Sustainability Implications**

Not applicable.

➤ **Engagement/Consultation conducted in the development of the report**

Consultation has been undertaken with the following people or groups on the progress achieved against the performance targets:

Council Committees: The Panel considered the (then) proposed 2022-23 Performance Targets at its 12 May 2022 meeting and recommended these to Council for adoption.

Council Workshops: A workshop on the (then) proposed 2022-23 Performance Targets was held on 14 June 2022.

Advisory Groups: Not applicable

External Agencies: Not applicable

Community: Not applicable

➤ **Discussion**

This item provides the opportunity for the CEO to update the Panel on the progress against the 2022-2023 CEO Performance Targets to date and identify any issues for consideration.

Notwithstanding that only one month of the 2022-23 financial year has elapsed, an early report on project status does enable the Panel and CEO to be aligned as to the scope and deliverables associated with each Performance Target.

A summary of the targets and updates are provided in **Appendix 1**.

3. OPTIONS

The Panel has the following options:

- I. That the report be received and noted (*Recommended*).
- II. That the Panel makes alternative/additional recommendations to Council relating to the status of the 2022-2023 CEO Performance Targets. (*Not Recommended*)

4. APPENDICES

- (1) CEO Performance Targets 2022-23 Status Update – August 2022

Appendix 1

*CEO Performance Targets 2021-22 Status Update –
August 2022*



	Project ID	Performance Target (as per Initiatives and brief description)	Strategic Link	Status
1	C6001	<p>Fabrik Redevelopment Progress the construction of the Fabrik Arts and Heritage Hub redevelopment. Report on progress against key construction milestones through the quarterly corporate performance report.</p> <p>Key Construction Milestones:</p> <ul style="list-style-type: none"> • Re-locate Council staff, secure the site, and complete the demolition of building 12 – Estimated 30 September 2022 • Complete the re-development of Building 21 – Estimated 31 December 2022 • Complete the re-development of Building 14 – Estimated 31 March 2023 • Complete the construction of the new Pavilion Building attached to building 14 – Estimated 30 June 2023 	<p>Strategic Priority C6.1 Develop Fabrik as a vibrant cultural hub for the Adelaide Hills, fostering community connections and creativity and presenting the significant history of the Woollen Mill site.</p>	<p>Status: On Track</p> <p>Council staff have moved all items from buildings 12, 14 and 21 that are to be retained on-site, into building 20.</p> <p>Asbestos from building 21 has been removed in preparation for commencement of building works.</p> <p>Council staff will move off-site prior to Friday 5 August 2022.</p> <p>Building works to commence from Monday 8 August 2022.</p>
2	N4001	<p>User Pays Bin Collection Study Complete the following high level studies by November 2022 which considers:</p> <ol style="list-style-type: none"> 1. introducing a fee incentive for use of the kerbside bin service 2. benefits of providing a weekly green organic bin collection, and 3. voluntary fortnightly waste collection. <p>Outcomes from the studies are to inform November 2022 LTFP and subsequent budget considerations.</p>	<p>Strategic Priority N4.1 We will work with partners to analyse the benefits and feasibility of introducing a fee incentive to property owners to produce less waste in relation to the kerbside bin service</p>	<p>Status: On Track</p> <p>The scope of work has been identified and documented. A Request for Quote was released to suitably experienced consultants to assist complete the high-level studies on 30 June 2022. Submissions were due by 25 July 2022. Responses received are currently being assessed.</p>



	ABP ID	Performance Target	Strategic Link	Additional Notes/Context
3	No ID	<p>Savings Strategies Achieve the agreed savings and efficiencies measures captured within the 2022/23 Annual Business Plan by 30 June 2023. Report on progress against these through the quarterly corporate performance report.</p>	<p>Strategic Priority O3.1 Ensure the delivery of agreed strategic plan requirements whilst meeting endorsed long-term targets for a sustainable operating surplus and level of debt.</p>	<p>Status: On Track</p> <p>Progress on the delivery of savings strategies has already commenced with adjustments made to key procurement budgets prior to the adoption of the Annual Business Plan.</p> <p>Procedures for the capture of savings related to vacancy and leave management have been developed and reporting has also commenced on all initiatives through the Executive Leadership Team.</p>
4	C1004	<p>Gumeracha Library Upgrade Upgrade the Gumeracha Library with a new layout configuration to make a more welcoming and functional space for the local community. Report on the progress of this project through the quarterly corporate performance report.</p>	<p>Strategic Priority C1.1 Provide welcoming spaces and places for the community through our libraries, community centres, and Council and community facilities</p>	<p>Status: On Track</p> <p>Scope of upgrade has been defined to include improvements to the service counter, layout, shelving and furniture.</p> <p>Architectural services have been engaged to undertake concept planning and design. Currently working through draft concepts from which feedback can be sought.</p>
5	N2011	<p>New Dog and Cat Facility Complete Scoping Study and present options to Council Members for impounding dogs and cats, including the option of upgrading the current holding facility at Heathfield.</p> <p>Outcomes from the studies are to inform November 2022 LTFP and subsequent budget considerations.</p>	<p>Strategic Priority O5.2 Make evidence-based decisions and prudently assess the risks and opportunities to our community before taking action.</p>	<p>Status: On Track</p> <p>Adelaide Hills Council Regulatory Services team is currently engaging an external consultant as part of the Animal Management Plan renewal to scope the options for animal impounding. The Regulatory Services team has already completed options and costing for animal detention.</p>



	ABP ID	Performance Target	Strategic Link	Additional Notes/Context
6	B3002	<p>Central Irrigation System Investigate and implement the central irrigation control system. Report on the progress of this project through the quarterly corporate performance report.</p>	<p>Strategic Priority B3.1 <i>Improve water security by maximising water reuse opportunities, reducing reliance on ground water and improving water efficiencies for open space irrigation and building facilities</i></p> <p>Strategic Priority N1.2 <i>Manage reserves and open space to support the community, whilst balancing biodiversity conservation, resource use and environmental impacts</i></p>	<p>Status: On Track</p> <p>A system has been chosen which is the most suitable for AHC needs due to it's ability to provide the most sustainable outcome for Council.</p> <p>Purchasing of equipment has begun and contractors engaged to install the equipment at sites deemed appropriate for this technology.</p> <p>Next steps are upskilling of staff in the operation of the system with commissioning expected in the 2022/23 irrigation season.</p>
7	N2004	<p>Unformed Public Roads Review Complete a review of Unformed Public Roads to ascertain connectivity potential and habitat value. Present the outcomes of this review to Council Members.</p> <p>Deliverables include a robust and accessible dataset and GIS layer (SSA) for Council staff to use to inform Unformed Public Roads queries from the public and internally. This will include the determination of values such as biodiversity, conservation, landscape context, recreational, cultural, heritage, trail condition/slope and other land features such as watercourses, broad vegetation association, species of conservation significance, etc.</p>	<p>Strategic Priority N2.1 <i>Monitor and manage areas of high biodiversity or habitat value on Council reserves and Native Vegetation Marker Scheme (NVMS) sites using best practice Methodologies.</i></p> <p>AHC Biodiversity Strategy 2018-2023 Goal 1: Protect highlights the need to <i>Proactively review Unformed Public Roads to ascertain connectivity potential and habitat value. Prioritise biodiversity value /connectivity potential for future management.</i></p>	<p>Status: On track</p> <p>Project brief has been prepared and is being reviewed by internal staff in anticipation that a Request for Quote be sought in August 2022 for a suitably qualified consultant to assist in undertaking the works.</p>

**ADELAIDE HILLS COUNCIL
CEO PERFORMANCE REVIEW PANEL MEETING
4 August 2022**

Item: 10.1

Responsible Officer: Megan Sutherland
Executive Manager Organisational Development
Corporate Services

Subject: 2022 CEO Performance and Remuneration Reviews

For: Decision

1. 2022 CEO Performance and Remuneration Reviews – Exclusion of the Public

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

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

be excluded from attendance at the meeting for Agenda Item 10.1: (2022 CEO Performance and Remuneration Reviews) in confidence.

The Panel is satisfied that it is necessary that the public, with the exception of Council staff in attendance as specified in 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, 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.

3. 2022 CEO Performance and Remuneration Reviews – Duration of Confidentiality

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* to retain the Items in confidence as detailed in the Duration of Confidentiality Table below:

Item	Duration of Confidentiality NB: Item to be reviewed every 12 months if not released
Report	Until the matter has been decided by Council and the CEO has been advised in writing of the decision.
Related Attachments	Until the matter has been decided by Council and the CEO has been advised in writing of the decision.
Minutes	Until the matter has been decided by Council and the CEO has been advised in writing of the decision.
Other (CEO Performance Review)	Until the matter has been decided by Council and the CEO has been advised in writing of the decision.

Pursuant to section 91(9)(c) of the *Local Government Act 1999*, the Panel delegates the power to revoke the confidentiality order either partially or in full to the Executive Manager Governance and Performance.