

**CEO PERFORMANCE REVIEW PANEL COMMITTEE
MINUTES OF MEETING 27 JULY 2016
63 MT BARKER ROAD STIRLING**

(These minutes are unconfirmed until 21 October 2016)

Members:

Presiding Member: Cr Jan-Claire Wisdom

Mayor Bill Spragg
Cr Ian Bailey
Ms Paula Davies, Independent Member

In attendance:

Megan Sutherland Manager Organisational Development
Lachlan Miller A/Manager Governance & Risk

1 Commencement

The meeting commenced at 3.03pm.

2 Apologies/Leave of Absence

2.1 Apology

An apology was received from Cr Jan Loveday.

2.2 Leave of Absence

Nil

2.3 Absent

Nil

3 Previous Minutes

3.1 CEO Performance Review Panel Meeting 20 May 2016

Moved Cr Ian Bailey
S/- Paula Davies

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That the minutes of the CEO Performance Review Panel meeting held on 20 May 2016 as distributed, be confirmed as an accurate record of the proceedings of that meeting.

Carried Unanimously

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4 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.

5 Declaration of Interest by Members of the Committee

Nil

6 Officer Reports – Decision Items

6.1 CEO Performance Review Schedule 2016

Moved Paula Davies 25
S/- Mayor Bill Spragg

That the CEO Performance Review Panel agrees to the schedule to undertake the CEO performance review for 2016.

Carried Unanimously

6.2 Review of CEO PRP Terms of Reference

Moved Ian Bailey 26
S/- Mayor Bill Spragg

To recommend to Council to adopt the revised CEO Performance Review Panel Terms of Reference as contained in Appendix 1:

a. with the inclusion of the words:

- Clause 2.1 'to provide advice to Council' following '(CEO)'
- Clause 4.3 'Council following 'one'
- Clause 4.5 'appointed Council'
- Clause 5.1a 'Oversee and facilitate the conduct of meetings in accordance with the *Local Government Act 1999*, the *Local Government (Procedures at Meetings) Regulations 2013* in place of '1999'

b. removal of words 'to reach agreed outcomes' in clause 5.1c

Carried Unanimously

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7 Officer Reports – Information Items
Nil

8 Confidential Items

8.1 Appointment of Consultant to undertake CEO Performance Review - Exclusion of the Public

Moved Mayor Bill Spragg
S/- Cr Ian Bailey

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a) That under the provisions of section 90(2) of the *Local Government Act 1999* an order is made that the public be excluded from the meeting, with the exception of:

- Manager Organisational Development, Megan Sutherland
- A/Manager Governance & Risk, Lachlan Miller

in order to consider Agenda Item 8.1: Appointment of Consultant, to undertake the CEO Performance Review , in confidence.

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

Section 90(3)(d) of the *Local Government Act 1999*, the information to be received, discussed or considered in relation to Agenda Item 8.1 is information of a confidential nature (not being a trade secret) the disclosure of which

- (i) could reasonably be expected to prejudice the commercial position of the person (firm) who supplied the information and/or convey a commercial advantage on a third party.

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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8.1.1 Appointment of Consultant to undertake CEO Performance Review - Confidential Item

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- 9 Next Meeting**
The next ordinary meeting of the CEO Performance Review Panel will be held on Friday 21 October 2016, 3.30pm at 63 Mount Barker Road, Stirling.
- 10 Close Meeting**
The meeting closed at 5.10pm.