

**CEO PERFORMANCE REVIEW PANEL COMMITTEE
MINUTES OF MEETING THURSDAY 9 MARCH 2017
63 MT BARKER ROAD STIRLING**

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

Members:

Presiding Member: Cr Jan Loveday

Mayor Bill Spragg
Cr Jan-Claire Wisdom
Ms Paula Davies, Independent Member

In attendance:

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

1 Commencement

The meeting commenced at 3.01pm.

2 Apologies/Leave of Absence

2.1 Apology

2.2 Leave of Absence

Cr Ian Bailey

2.3 Absent

Nil

3 Previous Minutes

3.1 CEO Performance Review Panel Special Meeting – 19 October 2016

Moved Cr Jan-Claire Wisdom
S/- Mayor Bill Spragg

CEO1/17

That the minutes of the special CEO Performance Review Panel meeting held on 19 October 2016 as supplied, be confirmed as an accurate record of the proceedings of that meeting.

Carried Unanimously

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

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6 Officer Reports – Decision Items

6.1 2016-17 CEO Performance Targets Update

Moved Mayor Bill Spragg CEO2/17
S/- Cr Jan-Claire Wisdom

That the Panel resolves that the report be received and noted.

Carried Unanimously

6.2 Process Discussion – CEO Performance Review Process 2017

Moved Cr Jan-Claire Wisdom CEO3/17
S/- Mayor Bill Spragg

That the Panel resolves:

1. That the report be received and noted
2. That an internal review process for the 2017 CEO Performance Review is developed for consideration at the May 2017 Panel meeting.
3. To advise Council that it is considering an internal review process for the 2017 CEO Performance Review with a further report to Council in June 2017 on the detail of that process.

Carried Unanimously

6.3 CEO Performance Review Panel Meeting Schedule

Moved Mayor Bill Spragg CEO4/17
S/- Cr Jan-Claire Wisdom

That the Panel resolves:

1. That the report be received and noted.
2. That the schedule of CEO Performance Review Panel meetings, as contained in Appendix 1, be adopted with the change of the 6 September 2017 meeting to 13 September 2017.

Carried Unanimously

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7 Officer Reports – Information Items
Nil

8 Confidential items

8.1 CEO Employment Agreement – Exclusion of the Public

Moved Cr Jan-Claire Wisdom
S/- Mayor Bill Spragg

CEO5/17

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:

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

be excluded from attendance at the meeting for Agenda Item 8.1: CEO Draft Employment Agreement in confidence.

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) (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);

Accordingly, on this basis the principle that meetings of the Council Committee 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 CEO Employment Agreement – Confidential Item

RELEASED 28 JUNE 2017

**Moved Cr Jan-Claire Wisdom
S/- Mayor Bill Spragg**

6

That the Panel resolves:

- 1. That the report be received and noted.**
- 2. To delegate to the Mayor to make any final amendments to the Employment agreement in consultation with the CEO.**
- 3. That the revised Employment Agreement be recommended to Council for adoption.**

Carried Unanimously

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8.1.2 CEO Employment Agreement – Period of Confidentiality

**Moved Mayor Bill Spragg
S/- Cr Jan-Claire Wisdom**

CEO7/17

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 8.1 in confidence under sections 90(2) and 90(3)(a) of the *Local Government Act 1999*, resolves 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 the Panel and the discussion and considerations of the subject matter be retained in confidence until the execution of the Employment Agreement or no later than 30 July 2018.

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

Carried Unanimously

9 Next Meeting

The next ordinary meeting of the CEO Performance Review Panel will be held at 9.00am on Wednesday 31 May 2017 at 63 Mount Barker Road, Stirling.

10 Close Meeting

The meeting closed at 4.46pm.