

**ADELAIDE HILLS COUNCIL
CEO PERFORMANCE REVIEW PANEL COMMITTEE
MINUTES OF MEETING
THURSDAY 8 AUGUST 2019
63 MT BARKER ROAD STIRLING**

In Attendance

Presiding Member: Cr Mark Osterstock

Members:

Ms Paula Davies	Independent Member
Cr Nathan Daniell	By Phone
Cr Kirsty Parkin	

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 6.02pm.

2. APOLOGIES/LEAVE OF ABSENCE

2.1 Apology

An apology was received from Mayor Jan-Claire Wisdom.

2.2 Leave of Absence

Nil

2.3 Absent

Nil

3. MINUTES OF PREVIOUS MEETINGS

3.1 CEO Performance Review Panel Meeting – 11 July 2019

Moved Paula Davies

S/- Cr Kirsty Parkin

PRP 12/19

That the minutes of the CEO Performance Review Panel meeting held on 11 July 2019 as distributed, be confirmed as an accurate record of the proceedings of that meeting

Carried

Presiding Member _____ 14 November 2019

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4. PRESIDING MEMBER'S OPENING COMMENTS

Cr Mark Osterstock thanked Members for attending the meeting and asked everyone to drive safely in the current stormy weather conditions.

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

7.1 2019-2020 CEO Performance Targets Update

Moved Paula Davies
S/- Cr Kirsty Parkin

PRP13/19

That the report be received and noted.

Carried

8. MOTIONS WITHOUT NOTICE

Nil

9. QUESTIONS WITHOUT NOTICE

Nil

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10. CONFIDENTIAL ITEMS

RELEASED 16 SEPTEMBER 2019

10.1 2018 – 2019 CEO Performance Review – Exclusion of the Public

Moved Cr Kirsty Parkin

S/- Paula Davies

14/19

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

be excluded from attendance at the meeting for Agenda Item 10.1: (CEO Remuneration Review 2019) 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), 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 Council should be conducted in a place open to the public has been outweighed by the need to keep the information and discussion confidential.

Carried

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RELEASED 16 SEPTEMBER 2019

10.1.1 2018 – 2019 CEO Performance Review – Confidential Item

Moved Paula Davies
S/- Cr Kirsty Parkin

15/19

The CEO Performance Review Panel resolves:

1. That the report be received and noted
2. To recommend to Council that the CEO 'exceeds expectations' in relation to the 2018-2019 CEO Performance Review.

Carried

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RELEASED 16 SEPTEMBER 2019

10.1.2 2018 – 2019 CEO Performance Review – Period of Confidentiality

Moved Paula Davies
S/- Cr Nathan Daniell

16/19

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 10.1 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 CEO has been advised in writing, but not longer than 1 month from the date of the decision of Council.

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.

Carried

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RELEASED 16 SEPTEMBER 2019

10.2 2019 CEO Remuneration Review – Exclusion of the Public

Moved Cr Nathan Daniell
S/- Paula Davies

17/19

Pursuant to section 90(2) of the *Local Government Act 1999* 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 10.2: (2019 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

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RELEASED 16 SEPTEMBER 2019

10.2.3 2019 CEO Remuneration Review – Confidential Item

**Moved Cr Nathan Daniell
S/- Paula Davies**

18/19

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 2.3% to commence from 1 July 2019.**
- 3. Recommends to Council that, in view of the CEO's exceptional performance review, the CEO be offered a 2 year extension to his current employment contract with a new expiry date of 30 June 2024.**

Carried Unanimously

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RELEASED 16 SEPTEMBER 2019

10.2.4 2019 CEO Remuneration Review – Period of Confidentiality

Moved Cr Nathan Daniell
S/- Cr Kirsty Parkin

19/19

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*, 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 CEO's TEC Package has been resolved and the CEO has been advised in writing.

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 & Performance.

Carried

11. NEXT MEETING

The next ordinary meeting of the CEO Performance Review Panel will be held on 14 November 2019 at 63 Mt Barker Road Stirling.

12. CLOSE MEETING

The meeting closed at 6.27pm.