



## CEO PERFORMANCE REVIEW PANEL

### NOTICE OF MEETING

To: **Members**

Cr Chris Grant, Presiding Member

Mayor Jan-Claire Wisdom

Cr Nathan Daniell

Cr Kirsty Parkin

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 27 July 2023**  
**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.

A handwritten signature in black ink, appearing to read 'GG', with a small dot at the end.

**Greg Georgopoulos**  
**Chief Executive Officer**



## **CEO PERFORMANCE REVIEW PANEL**

**AGENDA FOR MEETING**  
**Thursday 27 July 2023**  
**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
- 2.3. Absent

**3. MINUTES OF PREVIOUS MEETINGS**

**CEO Performance Review Panel – 6 July 2023**

*That the minutes of the CEO Performance Review Panel meeting held on 6 July 2023 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 Probationary Period Performance Review  
*The CEO Performance Review Panel resolves that the report be received and noted.*

**8. MOTIONS WITHOUT NOTICE**

**9. QUESTIONS WITHOUT NOTICE**

**10. CONFIDENTIAL ITEMS**

Nil

**11. NEXT MEETING**

The next CEO Performance Review Panel meeting will be held on 28 September 2023, from 6.00pm at 63 Mt Barker Road, Stirling.

**12. CLOSE MEETING**

**ADELAIDE HILLS COUNCIL  
CEO PERFORMANCE REVIEW PANEL COMMITTEE  
MINUTES OF MEETING  
THURSDAY 6 JULY 2023  
63 MT BARKER ROAD STIRLING**

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In Attendance

**Presiding Member:** Cr Chris Grant

**Members:**

Ms Janet Miller	Independent Member
Cr Kirsty Parkin	

In Attendance:

David Waters	Chief Executive Officer
Lachlan Miller	Executive Manager Governance & Performance

**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**

Mayor Jan-Claire Wisdom  
Cr Nathan Daniell

**2.2 Leave of Absence**

Nil

**2.3 Absent**

Nil

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Presiding Member \_\_\_\_\_ 27 July 2023

**ADELAIDE HILLS COUNCIL  
CEO PERFORMANCE REVIEW PANEL COMMITTEE  
MINUTES OF MEETING  
THURSDAY 6 JULY 2023  
63 MT BARKER ROAD STIRLING**

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**3. MINUTES OF PREVIOUS MEETINGS**

**3.1 CEO Performance Review Panel Meeting – 23 March 2023**

Moved Independent Member Janet Miller  
S/- Cr Chris Grant

PRP4/23

That the minutes of the CEO Performance Review Panel meeting held on 23 March 2023 as distributed, be confirmed as an accurate record of the proceedings of that meeting.

<b>Carried</b>
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**4. PRESIDING MEMBER'S OPENING COMMENTS**

**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 Quarterly Performance Report**

Moved Cr Kirsty Parkin  
S/- Independent Member Janet Miller

PRP5/23

The CEO Performance Review Panel resolves:

1. That the report be received and noted.
2. To recommend to Council that the Acting CEO has achieved the following status in relation to the 2022-23 CEO Performance Targets:

Target 1: Fabrik Redevelopment – Project on track, performance target achieved.

Target 2: User Pays Bin Collection Study – Completed, with additional steps taken to progress alternative waste collection options.

Target 3: Savings Strategies – On track and subject to verification in the end of year financial reporting.

Target 4: Gumeracha Library Upgrade – Achieved.

**ADELAIDE HILLS COUNCIL  
CEO PERFORMANCE REVIEW PANEL COMMITTEE  
MINUTES OF MEETING  
THURSDAY 6 JULY 2023  
63 MT BARKER ROAD STIRLING**

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**Target 5: New Dog & Cat Facility – Achieved, with further steps taken to explore the broader challenges of longer term animal impounding.**

**Target 6: Central Irrigation Facility – Achieved.**

**Target 7: Unformed Public Roads Review – On track for completion in July 2023, with presentation to Council Members to occur when workshop schedule allows.**

<b>Carried Unanimously</b>
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**7.2 Substantive CEO Employment**

**Moved Cr Kirsty Parkin**

**S/- Independent Member Janet Miller**

**PRP6/23**

**The CEO Performance Review Panel resolves:**

- 1. That the report be received and noted.**
- 2. To recommend to Council that the CEO Performance Review Panel has noted the Remuneration Tribunal of SA's '2023 Inaugural Review of Minimum and Maximum Remuneration for Local Government Chief Executive Officers' Report and Determination 4-2023 and does not recommend a TEC Package Review be undertaken at this time.**
- 3. To recommend to Council to approve the proposed CEO Probationary Period Performance Review Process as detailed in Item 7.2, CEO Performance Review Panel Agenda – 6 July 2023.**
- 4. To advise Council that the CEO Performance Review Panel intends to develop annual Key Performance Indicators in accordance with clause 17.4 of the CEO Employment Agreement.**
- 5. To recommend to Council that an appropriate budget is allocated to enable the engagement of an external consultant to assist the CEO Performance Review Panel with the development of Key Performance Indicators and the development and conduct of the Probation Review Survey as part of the CEO Probationary Period Performance Review Process.**

<b>Carried Unanimously</b>
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**ADELAIDE HILLS COUNCIL  
CEO PERFORMANCE REVIEW PANEL COMMITTEE  
MINUTES OF MEETING  
THURSDAY 6 JULY 2023  
63 MT BARKER ROAD STIRLING**

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**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 27 July 2023 from 6.00pm at 63 Mt Barker Road Stirling.

**12. CLOSE MEETING**

The meeting closed at 7.14pm.

**ADELAIDE HILLS COUNCIL  
CEO PERFORMANCE REVIEW PANEL MEETING  
Thursday 27 July 2023  
AGENDA BUSINESS ITEM**

**Item:** 7.1

**Responsible Officer:** Lachlan Miller  
Executive Manager Governance & Performance  
Office of the Chief Executive

**Subject:** Chief Executive Officer Probationary Period Performance Review

**For:** Information

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**SUMMARY**

The Substantive CEO, Mr Greg Georgopoulos, commenced with Council on 17 July 2023.

Council, on the recommendation of the CEO Performance Review Panel (the “Panel”), has resolved a performance review process that will be in effect during the CEO’s probationary period.

Then purpose of this report is to provide the Panel with the Council’s resolutions in relation to the probationary period performance review process and the development of Key Performance Indicators to enable discussion and understanding with the Substantive CEO. It may also provide the opportunity to have a preliminary discussion regarding the development of Key Performance Indicators.

**RECOMMENDATION**

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

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**1. BACKGROUND**

CEO Performance Review Panel Functions

The Panel has specific functions in relation to CEO performance monitoring, remuneration and professional development as set out below:



### **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.

#### Substantive CEO Employment

The Panel has previously been advised (13 October 2022 meeting) of the resignation of the previous CEO, Andrew Aitken, and the appointment of the Acting CEO, David Waters, until the commencement of a Substantive CEO.

Further the Panel were advised at its last meeting (6 July 2023) that the Council had conducted a Substantive CEO selection process and on 12 May 2023 appointed Mr Gregory Georgopoulos as the AHC CEO for a five (5) period in accordance with the terms and conditions of an Employment Agreement.

On 18 May 2023, Mayor Wisdom (under delegation from Council) executed the Employment Agreement with Gregory Georgopoulos commencing 17 July 2023.

#### Substantive CEO Remuneration, Probationary Period and Key Performance Indicators

At its 6 July meeting, the Panel considered a report on a number of matters regarding the incoming Substantive CEO's Employment. In consideration of the report, the Panel resolved as follows:

**7.2 Substantive CEO Employment**

**Moved Cr Kirsty Parkin**

**S/- Independent Member Janet Miller**

**PRP6/23**

**The CEO Performance Review Panel resolves:**

- 1. That the report be received and noted.**
- 2. To recommend to Council that the CEO Performance Review Panel has noted the Remuneration Tribunal of SA's '2023 Inaugural Review of Minimum and Maximum Remuneration for Local Government Chief Executive Officers' Report and Determination 4-2023 and does not recommend a TEC Package Review be undertaken at this time.**
- 3. To recommend to Council to approve the proposed CEO Probationary Period Performance Review Process as detailed in Item 7.2, CEO Performance Review Panel Agenda – 6 July 2023.**
- 4. To advise Council that the CEO Performance Review Panel intends to develop annual Key Performance Indicators in accordance with clause 17.4 of the CEO Employment Agreement.**
- 5. To recommend to Council that an appropriate budget is allocated to enable the engagement of an external consultant to assist the CEO Performance Review Panel with the development of Key Performance Indicators and the development and conduct of the Probation Review Survey as part of the CEO Probationary Period Performance Review Process.**

<b>Carried Unanimously</b>
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Council considered the Panel's recommendations at its 11 July 2023 meeting and resolved as follows (Res 192/23 – extract only):

4. To approve the proposed CEO Probationary Period Performance Review Process with the follow key activities/milestones:

Week 1 (w/b 17/7/23)	Substantive CEO commences
Week 2 (w/b 24/7/23)	CEOPRP meets with Substantive CEO and sets out the CPPPRP and agrees the broader Performance Review Process (see next section)
Week 11 (w/b 25/9/23)	CEOPRP: <ul style="list-style-type: none"> <li>• Receives the Interim Performance Review &amp; Development Report from the Substantive CEO</li> <li>• Discusses Key Performance Indicators with Substantive CEO and makes recommendation to Council for adoption of Indicators.</li> <li>• Finalises Probation Review Survey contents</li> </ul>
Week 17 (w/b 6/11/23)	Consultant administers the Probation Review Survey
Week 22 (w/b 11/12/23)	CEOPRP: <ul style="list-style-type: none"> <li>• Receives the Interim Performance Review &amp; Development Report from Substantive CEO</li> <li>• Considers Probation Review Survey Report from the Consultant and makes recommendation to Council.</li> </ul>
Week 23 (w/b 18/12/23)	Council considers CEOPRP recommendation regarding performance and determines continuance/cessation.
Week 27 (w/b 15/1/24)	Probation period ends 16/1/24

5. To note that the CEO Performance Review Panel intends to develop annual Key Performance Indicators in accordance with clause 17.4 of the CEO Employment Agreement.
6. To approve an increase in the Governance & Performance Department budget of \$2,000 for the purposes of engaging a consultant to assist the CEO Performance Review Panel with the development of Key Performance Indicators and the development and conduct of the Probation Review Survey as part of the CEO Probationary Period Performance Review Process.

## 2. ANALYSIS

### ➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

#### *Strategic Plan 2020-24 – A brighter future*

Goal	Organisation
Objective O1	We have the right people with the right knowledge and skills in the right jobs and they are supported and developed.
Priority O1.4	Continue to support all staff through training, mentoring, coaching and development to enable the achievement of organisational and community goals.
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.

➤ **Legal Implications**

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

➤ **Risk Management Implications**

Undertaking regular review of the CEO’s performance is an important control 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)

Note: there are many other controls that also assist in managing these risks.

➤ **Financial and Resource Implications**

The financial implications associated with the use of external consultants for elements of the probationary period review have now been incorporated into the 2023-24 Budget.

The resource implications associated the Panel’s processes are borne by the Governance & Performance Department.

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

There is a community expectation that the CEO will perform competently and meet expectations to achieve the required outcomes for the organisation.

➤ **Sustainability Implications**

Not applicable

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

Engagement and/or consultation on the development of this report was as follows:

*Council Committees:* Discussions with the CEOPRP presiding Member have occurred in the development of the report.

*Council Workshops:* Not applicable.

*Advisory Groups:* Not applicable.

*External Agencies:* Not applicable

*Community:* Not applicable

➤ **Additional Analysis**

Probationary Period Performance Review

The executed CEO Employment Agreement contains the following clause regarding probation:

**4. PROBATIONARY PERIOD**

- 4.1 The Council engages the CEO for a probationary period of six months from the Commencement Date. The Parties agree that the probationary period is a fair and reasonable period for the Council to assess the CEO’s performance.
- 4.2 The Council (or any established CEO Review Panel) may review the CEO’s performance and discuss it with the CEO before the end of the probationary period. The Council (or any established CEO Review Panel) may also discuss the CEO’s performance with the CEO during the probationary period.
- 4.3 At any time during the probationary period, either party may terminate the Employment for any reason by giving one month’s notice to the other Party.
- 4.4 If the Council terminates the CEO’s employment during the probationary period, it may pay one month’s pay to the CEO in lieu of notice. This right of termination (if exercised) is at the Council’s absolute discretion and without further liability.
- 4.5 The Council may, at its absolute discretion, pay in lieu of the whole or part of that notice period.

As per part 4 of the Council’s 11 July 2023 resolution, the CEO Probationary Period Performance Review Process (the “CPPRP”) will be utilised to review and discuss the CEO’s performance in accordance with clause 4.2. For clarity the CPPRP with the applicable dates inserted, is as follows:

<b>Week 1 (17/7/23)</b>	Substantive CEO commences
<b>Week 2 (27/7/23)</b>	CEOPRP meets with Substantive CEO and sets out the CPPRP and agrees the broader Performance Review Process (see next section)
<b>Week 11 (28/9/23)</b>	CEOPRP: <ul style="list-style-type: none"> <li>• Receives the Interim Performance Review &amp; Development Report from the Substantive CEO</li> <li>• Discusses Key Performance Indicators with Substantive CEO and make a recommendation to Council for adoption of Indicators.</li> <li>• Finalises Probation Review Survey contents</li> </ul>
<b>Week 17 (w/b 6/11/23)</b>	Consultant administers the Probation Review Survey

<b>Week 22 (14/12/23)</b>	CEOPRP: <ul style="list-style-type: none"><li>• Receives the Interim Performance Review &amp; Development Report from Substantive CEO</li><li>• Considers Probation Review Survey Report from the Consultant and makes recommendation to Council.</li></ul>
<b>Week 23 (19/12/23)</b>	Council considers CEOPRP recommendation regarding performance and determines continuance/cessation.
<b>Week 27 (w/b 15/1/24)</b>	Probation period ends 16/1/24

The Interim Performance Review & Development Report (the “IPRDPR”) is identical in format to the current Expanded Quarterly Performance Review & Development Process report to allow discussion on the how the Substantive CEO is performing in each of the CEO Position Description responsibilities, to discuss any professional development that is required, Key Performance Targets/Indicators (if set), and any other pertinent matters.

As per part 6 of the Council’s 11 July 2023 resolution, an external consultant will be engaged to administer the Probation Review Survey which will involve Council Members and the Executive Leadership Team rating the CEO’s performance, using a defined rating system, against the CEO Position Description key responsibilities. The Survey will be the subject of a report at the 8 September 2023 Panel meeting.

#### Key Performance Indicators

The executed CEO Employment Agreement contains the following clauses regarding Key Performance Indicators (the “KPIs”):

- 17.4 The CEO Review Panel will, within three (3) months of the Commencement Date, develop Key Performance Indicators in consultation with the CEO, and following that consultation, the Key Performance Indicators will be as advised by the CEO Review Panel to the CEO and as mutually agreed.
- 17.5 Key Performance Indicators will be reviewed annually and/or periodically. The CEO Review Panel may alter the Key Performance Indicators at its discretion following reasonable consultation with the CEO.

As per parts 5 and 6 of the Council’s 11 July 2023 resolution, the Panel will develop KPIs in consultation with the CEO and will seek the advice on an external consultant. It is envisaged that elements of the KPI development process will occur outside of Panel meetings through email correspondence. The KPIs will be the subject of a report at the 8 September 2023 Panel meeting for recommendation to Council.

### **3. OPTIONS**

As this is an information report, the Panel is limited to receiving and noting.

### **4. APPENDIX**

Nil