

**MINUTES  
OF THE CEO PERFORMANCE AND REMUNERATION REVIEW  
COMMITTEE MEETING OF THE CITY OF TEA TREE GULLY HELD ON  
WEDNESDAY 28 AUGUST 2019 AT 6.35PM  
IN THE CIVIC CENTRE, 571 MONTAGUE ROAD, MODBURY**

**1. Opening and Welcome**

**2. Attendance Record:**

**2.1 Present**

Mayor K Knight (*Presiding Member*), Crs A Schlueter, L Jones (*entered the meeting at 6.45pm*), B Rankine and P Field.

**2.2 Apologies**

Nil

**2.3 Record of Officers in Attendance**

Mr J Moyle	Chief Executive Officer
Ms I Cooper	Manager Governance and Policy

**Consultants from Hender Consulting**

Mr A Reed	General Manager
Ms L Dinnison-Mitchell	Senior Consultant

**2.4 Record of Number of Persons in the Public Gallery**

Nil

**2.5 Record of Media in Attendance**

Nil

**3. Confirmation of Minutes to the Previous Meeting**

Moved Cr Rankine, Seconded Cr Schlueter

That the Minutes of the CEO Performance and Remuneration Review Committee held on 14 August 2019 be confirmed as a true and accurate record of proceedings.

**Carried Unanimously (7)**

**4. Public Forum - Nil**

5. **Deputations - Nil**
6. **Presentations - Nil**
7. **Petitions - Nil**
8. **Declaration of Conflicts of Interest - Nil**
9. **Adjourned Business - Nil**
10. **Motions Lying on the Table - Nil**
11. **Management Reports**

**Office of the Chief Executive Officer**

*The Chief Executive Officer left the meeting*

**11.1 CEO Key Performance Indicators 2019-20 (D19/55092)**

Moved Cr Field, Seconded Cr Rankine

That the CEO Performance & Remuneration Review Committee recommends to Council:

That Council adopt the Chief Executive Officer's Key Performance Indicators for the 2019-20 financial year provided in Attachment 1 to the report entitled "CEO Key Performance Indicators 2019-20" and dated 28 August 2019.

**Carried Unanimously (8)**

**Assets & Environment - Nil**

**Organisational Services & Excellence - Nil**

**Community & Cultural Development - Nil**

12. **Notice(s) of Motions - Nil**
13. **Motions without Notice - Nil**

**14. Questions on Notice - Nil**

**15. Questions without Notice - Nil**

**16. Other Business - Nil**

**17. Status Report on Council and Committee Resolutions**

**17.1 Status Report on Committee Resolutions (D19/55517)**

The Committee received the Status Report on Committee Resolutions.

*Cr Jones entered the meeting at 6.45pm*

**18. Section 90(2) Local Government Act 1999 – Confidential Items**

**18.1. CEO Performance and Remuneration Review Outcomes 2018-19 (D19/54859)**

**Recommendation for Moving into Camera**

Moved Cr Field, Seconded Cr Schlueter

1. That pursuant to Section 90(2) of the Local Government Act 1999 the CEO Performance and Remuneration Review Committee orders that the public with the exception of representatives from Hender Consulting and staff on duty, be excluded from the meeting to enable discussion on the CEO Performance and Remuneration Review Outcomes 2018-19.
2. That the CEO Performance and Remuneration Review Committee is satisfied that pursuant to section 90(3)(a) of the Act, the information to be received, discussed or considered in relation to this item:
  - o relates to information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of the Chief Executive Officer, in that details of his performance and remuneration review will be discussed, which are sensitive and are personal details that should only be known to those who have participated in the review process.
3. In addition, the disclosure of this information would, on balance, be contrary to the public interest. The public interest in the public access to the meeting has been balanced against the public interest in the continued non-disclosure of the information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information. The Committee is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances, on the basis that details of the CEO's performance and remuneration may be prematurely disclosed before the details of the review have been discussed with the Chief Executive Officer or Council, and could therefore result in the release of inaccurate or misleading information.

**Carried Unanimously (9)**

**The following staff members on duty remained at the meeting for the following item:**  
Ms I Cooper

**18.1 CEO Performance and Remuneration Review Outcomes 2018-19 (D19/54859)**

Moved Cr Field, Seconded Cr Jones

That the CEO Performance and Remuneration Review Committee recommends to Council:

1. That Council notes the information provided by Hender Consulting regarding the final outcomes of the Chief Executive Officer's (CEO's) performance and remuneration review including information contained in:

- Chief Executive Officer Remuneration Report – August 2019
- Chief Executive Officer Performance Appraisal – August 2019

provided as Attachments 1 and 2 respectively to the report entitled "CEO Performance and Remuneration Review Outcomes 2018-19" and dated 28 August 2019.

2. That Council endorses a base remuneration package (base salary and superannuation) of \$290,000 to take effect from the anniversary date in accordance with the CEO's employment agreement (with other existing employment agreement arrangements to remain the same), with the following inclusions:

- An additional two weeks annual leave per annum effective from the anniversary date in 2018, with the employment agreement to be amended to allow for accumulation of this additional leave.

3. That Council authorises the Mayor to sign any correspondence related to the changes to the CEO employment agreement and remuneration package as resolved above.

**Carried Unanimously (10)**

**Retention of confidential documents:**

Moved Cr Schlueter, Seconded Cr Field

1. That having considered the agenda item entitled CEO Performance and Remuneration Review Outcomes 2018-19 and dated 28 August 2019 in confidence under section 90(2) & (3)a and Section 91(7) of the Local Government Act 1999:
  - Information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of the Chief Executive Officer, in that details of his performance review and remuneration may be prematurely disclosed before the details of the review have been discussed with the Chief Executive Officer and finalised by Council, and could therefore result in the untimely release of sensitive and or incomplete, inaccurate or misleading information.

The CEO Performance and Remuneration Review Committee pursuant to section 91(7) of the Act orders that the report, Attachment 1 and minutes relevant to this item be retained in confidence and not available for public inspection until:

- The Mayor and CEO has signed any correspondence related to the CEO employment contract and the Total Employment Cost package (and these signed documents have been provided to the CEO); or
- The Council resolves otherwise, whichever occurs first.

The CEO Performance and Remuneration Review Committee pursuant to section 91(7) of the Act orders that Attachment 2 relevant to this item be retained in confidence and not available for public inspection until:

- The conclusion of the CEO's employment with the City of Tea Tree Gully; or
- With the approval of the CEO (Mr John Moyle); or
- The Council resolves otherwise, whichever occurs first.

**Carried Unanimously (11)**

**19. Date of Next Meeting**

TBA

The Presiding Member declared the meeting closed at 7.23 pm.

Confirmed.....  
Mayor