

**MINUTES
OF THE CEO PERFORMANCE AND REMUNERATION REVIEW
COMMITTEE MEETING OF THE CITY OF TEA TREE GULLY HELD ON
MONDAY 20 JULY 2020 AT 6.34PM
IN THE CIVIC CENTRE, 571 MONTAGUE ROAD, MODBURY**

1. Opening and Welcome

2. Attendance Record:

2.1 Present

Cr L Jones (*Presiding Member*), Crs A Schlueter, L Petrie and P Field.

2.2 Apologies

Cr B Rankine

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
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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 Field, Seconded Cr Schlueter

That the Minutes of the CEO Performance and Remuneration Review Committee held on 22 June 2020 be confirmed as a true and accurate record of proceedings.

Carried Unanimously (14)

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

11.1 Appointment of Acting Chief Executive Officer (D20/61356)

Moved Cr Field, Seconded Cr Petrie

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

1. That Council notes the report entitled "Appointment of Acting Chief Executive Officer" and dated 20 July 2020 as the consultation required under section 102(b) of the *Local Government Act 1999*.
2. That Council considers the following persons in respect of section 102 of the *Local Government Act 1999* able to be appointed by the Chief Executive Officer (CEO) to the position of the Chief Executive Officer in the CEO's absence:
 - Ms Carol Neil, Director Community & Cultural Development
 - Mr Ryan McMahon, Director Organisational Services & Excellence
 - Mr Thornton Harfield, Director Assets & Environment
3. That Council authorises the Deputy Mayor to consider and make a determination on any leave requests/applications made by the CEO.
4. That Council supports the following approval process for approving any CEO leave and the appointment of an Acting CEO in the absence of the CEO:
 - where possible for short term and unplanned leave, the CEO and will appoint an Acting CEO and be entitled to take leave without needing further approval but informing the Deputy Mayor
 - For longer periods of greater than 3 weeks the CEO will consult with the Deputy Mayor for both the leave approval and the appointment of an Acting CEO for the period.

- All CEO leave will be reported to elected members in the CEO's Monthly Information Report.

Carried Unanimously (15)

11.2 CEO Key Performance Indicators 2019-20 and 2020-21 (D20/60942)

Moved Cr Field, Seconded Cr Schlueter

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

That Council receives the Chief Executive Officer's (CEO's) Key Performance Indicators (KPIs) Reports for the 2019-20 financial year as provided in Attachments 1 and 2 to the report entitled "CEO Key Performance Indicators 2019-20 and 2020-21" and dated 20 July 2020, and adopts the Chief Executive Officer's (CEO's) Key Performance Indicators (KPIs) for the 2020-21 financial year as provided in Attachment 3 to the same report.

Carried Unanimously (16)

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. Status Report on Council and Committee Resolutions

16.1 Status Report on Committee Resolutions (D20/61810)

The Committee received the Status Report on Committee Resolutions.

17. Other Business - Nil

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

**18.1. CEO Performance and Remuneration Review Outcomes 2019-20
(D20/60962)**

Recommendation for Moving into Camera

Moved Cr Field, Seconded Cr Petrie

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 Manager Governance & Policy, be excluded from the meeting to enable discussion on the CEO Performance and Remuneration Review Outcomes 2019-20.
2. That the CEO Performance and Remuneration Review Committee is satisfied that pursuant to section 90(3) a of the Act, the information 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 (17)

The following staff members on duty remained at the meeting for the following item:

Ms I Cooper, Mr A Reed (Hender Consulting)

18.1 CEO Performance and Remuneration Review Outcomes 2019-20 (D20/60962)

Moved Cr Petrie, Seconded Cr Schlueter

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

1. That having considered the report entitled "CEO Performance and Remuneration Review Outcomes 2019-20" and dated 20 July 2020, Council endorses:
 - a remuneration increase of 2.4% (rounded to the nearest thousand dollars) on the Total Employment Cost remuneration package (excluding fuel allowance) to take effect from the anniversary date in accordance with the CEO's employment agreement, based on movements in the Consumer Price Index (all groups) Adelaide as issued by the Australian Bureau of Statistics for the year ending in the quarter immediately proceeding the review (March 2020)
 - an additional one (1) year contract term (until 21 October 2022) from the conclusion of the current employment agreement (21 October 2021)
2. That Council authorises the Presiding Member of the CEO Performance and Remuneration Review Committee to sign any correspondence related to the changes to the CEO employment agreement and Total Employment Cost package as resolved above.

Carried Unanimously (18)

Retention of confidential documents:

Moved Cr Field, Seconded Cr Schlueter

1. That having considered the agenda item entitled CEO Performance and Remuneration Review Outcomes 2019-20 and dated 20 July 2020 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 and minutes relevant to this item be retained in confidence and not available for public inspection until:

- The Presiding Member of the CEO Performance and Remuneration Review Committee and CEO has signed any correspondence related to the CEO employment agreement and the Total Employment Cost package (and these signed documents have been provided to the CEO); or
- The CEO Performance and Remuneration Review Committee or Council resolves otherwise, whichever occurs first.

Carried Unanimously (19)

19. Date of Next Meeting – To be advised (in 2021)

The Presiding Member declared the meeting closed at 7.27pm.

Confirmed.....
Presiding Member