

AGENDA

Chief Executive Officer Performance Review Committee

Tuesday 11 February 2025



I hereby give notice that a Chief Executive Officer Performance Review Committee will be held on:

Time: 4:00 pm
Date: Tuesday 11 February 2025
Location: Council Chamber - Civic Centre
10 Watson Terrace, Mount Gambier



Jane Fetherstonhaugh
**GENERAL MANAGER CORPORATE AND
REGULATORY SERVICES**
7 February 2025

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1 ACKNOWLEDGEMENT OF COUNTRY

WE ACKNOWLEDGE THE BOANDIK PEOPLES AS THE TRADITIONAL CUSTODIANS OF THE LAND WHERE WE MEET TODAY. WE RESPECT THEIR SPIRITUAL RELATIONSHIP WITH THE LAND AND RECOGNISE THE DEEP FEELINGS OF ATTACHMENT OUR FIRST NATIONS PEOPLES HAVE WITH THE LAND.

2 APOLOGIES

Nil

3 CONFIRMATION OF MINUTES

3.1 CONFIRMATION OF MINUTES

RECOMMENDATION

That the minutes of the Chief Executive Officer Performance Review Committee Meeting held on 22 July 2024 be confirmed as an accurate record of the proceedings of the meeting.

4 QUESTIONS WITHOUT NOTICE

5 REPORTS

5.1 CHIEF EXECUTIVE PERFORMANCE REVIEW PROCESS 2025

Author: Ashlee Pasquazzi, Executive Administrator Corporate and Regulatory Services

Authoriser: Jane Fetherstonhaugh, General Manager Corporate and Regulatory Services

RECOMMENDATION

1. That Chief Executive Officer Performance Review Committee report titled 'Chief Executive Performance Review Process 2025' as presented on Tuesday 11 February 2025 be noted.
2. The process for the 2025 Chief Executive Officer Performance Review Committee be noted.
3. The procurement process for engaging an 'Independent Specialist Support' to conduct a transparent and impartial performance evaluation of the Chief Executive Officer be approved.

PURPOSE

The Chief Executive Officer Performance Review Committee is authorised to engage independent consultancy services for the performance review of the Chief Executive Officer, in compliance with the Local Government Act 1999. This report outlines the 2025 Chief Executive Officer Performance Review and procedure for selecting a qualified consultant to assist in the performance review process, adhering to the Council's Procurement Policy through a request for quote. A subsequent report with recommendations regarding the most suitable proposal will be submitted to the committee following the receipt of all quotes.

TERMS OF REFERENCE

The Terms of Reference for the Chief Executive Officer Performance Review Committee include:

4.3 To obtain and consider the advice of a qualified independent person(s) in accordance with s102A of the Local Government Act 1999 and independent human resource support as determined appropriate by the Presiding Member to support the effective conduct of the reviews in 4.1 and 4.2.

...

5.2 In support of the Committee's role, the Council will appoint an independent human resource specialist to assist with the undertaking of performance reviews and to provide advice as required.

...

6.1 The Committee is an advisory committee and, with the exception of procurement for the purposes of 4.3 and 5.2 in accordance with 6.2, has no power or authority to make delegated decisions on Council's behalf.

6.2 The engagement of independent person(s) and/or specialist consultancy services under 4.3 and 5.2 shall be administered by the administration under (sub)delegation in conjunction with the Presiding Member and in accordance with Council's Procurement & Disposal of Land and Assets Policy P420.

RELEVANT LEGISLATION

102A—Chief executive officer—performance review

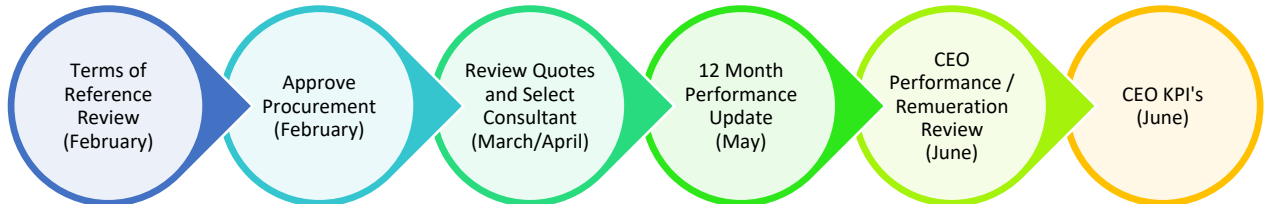
- (1) A council must review the performance of its chief executive officer—
 - (a) at least once in each year that the chief executive officer holds office as chief executive officer; and
 - (b) if relevant, before reappointment of the chief executive officer.
- (2) The council must obtain and consider the advice of a qualified independent person on a review under subsection (1).
- (3) In this section—

qualified independent person means a person who is—

 - (a) not a member or employee of the council; and
 - (b) determined by the council to have appropriate qualifications or experience in human resource management.

BACKGROUND / OPTIONS

Each year, Council must review the performance of its Chief Executive Officer with the advice of a qualified independent person. The Chief Executive Officer Performance Review Committee is responsible for starting the procurement process for independent specialist support. The 2025 process is anticipated to progress according to the following plan:



FEBRUARY

Terms of Reference Review

The Committee Terms of Reference were last adopted in March 2023. A report is included in this agenda to periodically review the Terms of Reference and address both administrative matters and recommendations for improvement.

Approve Procurement for Qualified Independent Person

The Committee will approve the procurement process, ensuring alignment with internal and legislative requirements. Council Officers will complete a request for quotation (RFQ) process and prepare a detailed report, inclusive of recommendations based on the received quotes.

MARCH / APRIL

Review Quotes and Select Consultant

The Committee will review all submitted quotes and select the consultant who best meets the criteria for conducting the performance review.

MAY

Draft Performance Review Documentation Approval

The consultant will provide the draft Performance Review Documentation, which will be circulated to the Committee by the Presiding Member for out-of-session approval, including the list of internal and external stakeholders involved in the review. After this, a meeting will be arranged for the CEO to deliver a 12-month update.

12 Month Performance Update

A performance update will be prepared by the CEO summarising the achievements and challenges over the past year, providing a foundation for the subsequent review.

The Committee may wish to consider KPI's for the upcoming financial year in consultation with the CEO at this meeting.

JUNE

Chief Executive Officer Performance and Remuneration Review

A report will be submitted to the Committee regarding the performance review and recommendations for a remuneration review, incorporating insights from the independent consultant to ensure a thorough assessment of the CEO's performance.

Chief Executive Officer KPI's

A report will be presented to consider and recommend adoption of the KPI's for the upcoming financial year.

CONCLUSION

It is recommended that the Chief Executive Officer Performance Review Committee:

- (a) Note the process for the 2025 Chief Executive Officer Performance Review Committee; and
- (b) Approve the procurement process for engaging an 'Independent Specialist Support' to conduct a transparent and impartial performance evaluation of the Chief Executive Officer.

ATTACHMENTS

Nil

5.2 TERMS OF REFERENCE - PERIODICAL REVIEW

Author: Ashlee Pasquazzi, Executive Administrator Corporate and Regulatory Services
Authoriser: Jane Fetherstonhaugh, General Manager Corporate and Regulatory Services

RECOMMENDATION

1. That Audit and Risk Committee report titled 'Terms of Reference - Periodical Review' as presented on Tuesday 11 February 2025 be noted.
2. That the updated Chief Executive Officer Performance Review Committee Terms of Reference having been reviewed by the Chief Executive Officer Performance Review Committee at its meeting on 11 February 2025, be adopted.
3. That the Chief Executive Officer or Delegate be authorised to make any necessary changes to the Terms of Reference arising from this meeting, together with any typographical corrections, amendments to position or organisation titles, and finalisation of the document's formatting that do not materially alter the integrity of the document.

PURPOSE

This report presents the Chief Executive Officer Performance Review Committee Terms of Reference for review by the Committee and subsequent adoption by Council.

TERMS OF REFERENCE

- 17.1 It will be lawful for the Council by resolution to revoke, vary or add to any of the provisions of these terms of reference for the Committee at its own discretion within the parameters of the Act, the Employment Agreement and any other relevant statutory provisions.
- 17.2 Notwithstanding 17.1 hereof before the Council resolves to revoke, vary or add to any of the provisions of these terms of reference for the Committee it may, but will be under no obligation, to obtain the opinion of the Committee and the CEO.

RELEVANT LEGISLATION

The Chief Executive Officer Performance Review Committee is established under Section 41 of the Local Government Act 1999.

102A—Chief executive officer—performance review

- (1) A council must review the performance of its chief executive officer—
 - (a) at least once in each year that the chief executive officer holds office as chief executive officer; and
 - (b) if relevant, before reappointment of the chief executive officer.
- (2) The council must obtain and consider the advice of a qualified independent person on a review under subsection (1).
- (3) In this section—

qualified independent person means a person who is—

- (a) not a member or employee of the council; and
- (b) determined by the council to have appropriate qualifications or experience in human resource management.

BACKGROUND / OPTIONS

The draft Terms of Reference for the Chief Executive Officer Performance Review Committee include significant changes in terms of purpose and function of the Committee (despite there being only minimal changes to the content).

Whilst the Committee has only been utilised for CEO performance oversight historically, these adjustments will allow the Committee to also be utilised for CEO recruitment (by way of being the body to appoint an appropriate 'appointment panel' not necessarily being the reviewer / recommendation maker in their own right), which is currently not envisaged in the previous Terms of Reference drafting. This recommendation is based on the position that this Committee is the most suitable body to make an informed decision in this subject area.

This will not change the Committee's decision-making power in any way, and a final recommendation will still be made to Council as the decision-maker.

The terms of reference once adopted will be uploaded onto Council's website. Chief Executive Officer Performance Review Committee reports will also include details of their alignment to the Terms of Reference.

CONCLUSION

This report recommends that the updated Chief Executive Officer Performance Review Committee Terms of Reference having been reviewed by the Chief Executive Officer Performance Review Committee at its meeting on 11 February 2025, be adopted.

ATTACHMENTS

1. DRAFT - Terms of Reference - Chief Executive Officer (CEO) Performance Review Committee [5.2.1 - 6 pages]



Chief Executive Officer Performance Review Committee

TERMS OF REFERENCE

A Committee of Council
established pursuant to the provisions of
Section 41
of the Local Government Act 1999

The Chief Executive Officer Performance Review Committee was re-established by Council resolution dated [29 November 2022](#)~~17 August 2024~~.

Terms of Reference for the conduct of the business of the Chief Executive Officer Performance Review Committee were approved and adopted by the City of Mount Gambier at its meeting held on [XX XXXX XXXX](#).

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Chief Executive Officer Performance Review Committee

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1. NAME

- 1.1 The name of the Committee shall be the Chief Executive Officer (CEO) Performance Review Committee (in these Terms of Reference referred to as "the Committee").

2. INTERPRETATION

- 2.1 For the purpose of these Terms of Reference, unless inconsistent with the subject matter or context:
- 2.1.1 "**Act**" means the *Local Government Act 1999* and includes all Regulations and Schedules and successor legislation.
- 2.1.2 "**Committee**" means the Committee of Council established pursuant to clause 3.
- 2.1.3 "**Committee Member**" means the persons appointed by the Council to the Committee pursuant to clause 7.
- 2.1.4 "**Council**" means the City of Mount Gambier that established the Committee and to which the Committee reports.
- 2.1.5 "**Employment Agreement**" means the employment agreement between the City of Mount Gambier and the Chief Executive Officer, which came into effect on 15th June 2021 or any successor agreement.
- 2.1.6 "**Member Behavioural Standards**": means the standard published in the Gazette by the Minister in accordance with Section 75E of the Act.
- 2.1.7 "**Presiding Member of the Committee**" means the person appointed to that position pursuant to clause 8.
- 2.1.8 "**Observers**" means those persons attending any meeting of the Committee of Council, but not having a vote on any matter to be determined by the Committee and not having been appointed as Committee Members.
- 2.1.9 "**Qualified Independent Person**" has the same meaning as in [ss 98\(7\) and s102A\(3\)](#) of the Act.
- 2.1.10 "**Regulations**" means the *Local Government (Procedures at Meetings) Regulations 2013*.
- 2.2 Any words, phrases or terms used in these Terms of Reference that are defined in the Act shall have the same meaning as are given in the Act.
- 2.3 A reference in these Terms of Reference to a "singular" includes a reference to the "plural" and a reference to a "plural" includes a reference to the "singular".
- 2.4 These Terms of Reference shall be interpreted in line with the provisions of the Act.

3. ESTABLISHMENT

- 3.1 The Chief Executive Officer Performance Review Committee is established under Section 41 of the Local Government Act 1999.

~~3.2 The Committee was re-established on from 20 July 2021.~~

4. PURPOSE

The Committee's purpose and function includes:

- 4.1 ~~The Committee's primary purpose, i~~n conjunction with the CEO, is to establish relevant performance objectives for the CEO and for the Committee to undertake the annual formal review of the performance of the CEO against those performance criteria, including as specified within the Employment Agreement.
- 4.2 ~~The Committee's secondary purpose is, u~~pon the completion of the performance review process, to undertake an annual review of the CEO's remuneration in accordance with the Employment Agreement.
- 4.3 To obtain and consider the advice of a Qualified Independent Person in accordance with s102A of the Act and utilise independent human resource management specialist support as

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determined appropriate by ~~the Presiding Member of~~ the Committee to support the effective conduct of the reviews in 4.1 and 4.2.

4.4 Where recruitment for the position of CEO is undertaken, establish a selection panel including at least one independent member (a person who is not a member or employee of the council) to undertake the recruitment process in accordance with section 99(4a) of the Act.

5. ROLE AND RESPONSIBILITIES

5.1 To provide advice to Council on the CEO's performance and development, including the following matters:

5.1.1 Reviewing the CEO's performance over the preceding 12 month performance period, in particular the performance against the agreed performance targets, Employment Agreement and position description requirements.

5.1.2 Monitoring the progress on the CEO's agreed performance targets for the current 12 month performance period.

5.1.3 Determining performance targets for the forthcoming 12 month performance period.

5.1.4 Identifying development opportunities for the CEO.

5.1.5 Reviewing the remuneration and conditions of employment of the CEO.

5.1.6 Making recommendations to Council on any review of the Employment Agreement.

5.1.7 Establishing a CEO selection panel to undertake requisite recruitment.

5.2 In support of the Committee's role, the Council will appoint independent human resource management specialist support (including a Qualified Independent Person) to assist with undertaking performance reviews and or recruitment to provide advice as required by ss 98 and 102A of the Act.

6. DELEGATED POWERS

6.1 The Committee is an advisory committee and, with the exception of procurement for the purposes of 4.3 and 5.2 in accordance with 6.2, has no power or authority to make delegated decisions on Council's behalf.

6.2 The Committee has the power and authority to determine the necessary engagement of independent person(s) and/or specialist consultancy services under 4.3 and 5.2 ~~shall be under administrative (sub)delegation in conjunction with the Presiding Member of the Committee and~~ in accordance with Council's Procurement ~~& Disposal of Land and Assets Policy P420.~~ The Committee will be provided such administrative support as required to facilitate such engagement.

7. MEMBERSHIP OF COMMITTEE

7.1 Membership of the Committee will be comprised of up to five Elected Members comprising the Mayor (Presiding Member of the Committee), Deputy Mayor, and up to three other elected members of Council appointed by Council resolution.

8. PRESIDING MEMBER OF THE COMMITTEE

8.1 The Mayor will be the Presiding Member of the Committee.

8.2 If the Presiding Member of the Committee is absent from a meeting, then a member of the Committee chosen from those present will preside at the meeting until the Presiding Member is present.

8.3 The role of the Presiding Member of the Committee includes:

8.3.1 overseeing and facilitating the conduct of meetings in accordance with the Act; and the Regulations.

8.3.2 ensuring all Committee members have an opportunity to participate in discussions in an open and encouraging manner.

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- 8.3.3 in conjunction with an administrative delegate, ~~with appropriate sub-delegation to determine and~~ procure the services of a Qualified Independent Person and (if determined appropriate by the ~~Presiding Member of the~~ Committee) specialist consulting services to support the Committee in fulfilling its purpose, role and responsibilities.

9. COMMITTEE RECOMMENDATIONS

- 9.1 The minutes and recommendations of Committee meetings will be included in the agenda papers of the next ordinary (or special – as appropriate) meeting of the Council.
- 9.2 The Committee shall make whatever recommendations to the Council it deems appropriate on any area within its terms of reference where in its view action or improvement is needed.

10. MEETING PROCEDURES

- 10.1 Meeting procedure for the Committee are as set out in the Act and Regulations.
- 10.2 A quorum shall be half the membership of the Committee, ignoring any fraction, plus one.
- 10.3 All decisions shall be made on the basis of a majority of the Committee Members present.

11. FREQUENCY OF MEETINGS

- 11.1 The Committee shall meet at appropriate times and places as determined by the Presiding Member of the Committee and, at least, annually. A special meeting of the Committee may be called in accordance with the Act.
- 11.2 Actions undertaken in calling meetings and their frequency will be consistent with the Act, Regulations and Employment Agreement.

12. NOTICE OF MEETINGS

- 12.1 Notice of the meetings of the Committee will be given in accordance with the Act, Regulations and Employment Agreement.

13. PUBLIC ACCESS TO MEETINGS & DOCUMENTS

- 13.1 Members of the public are able to attend all meetings of the Committee, unless excluded by order of the Committee, made under the confidentiality provisions of the Act.
- 13.2 Members of the public have access to all documents relating to the Committee unless withheld by order of the Committee or Council under the confidentiality provisions of the Act.

14. MINUTES OF MEETINGS

- 14.1 Minutes shall be kept of all meetings of the Committee in accordance with the Act.

15. CONDUCT AND DISCLOSURE OF INTERESTS

- 15.1 Members of the Committee must comply with the conflict of interest provisions of the Act.
- 15.2 Members of the Committee must comply with the Member Behavioural Standards and Chapter 5 Part 4 of the Act relating to member integrity and behaviour.

16. LIABILITY OF THE COMMITTEE

- 16.1 A liability incurred by the Committee rests against Council.
- 16.2 No liability attaches to a Committee Member for an honest act or omission by that Committee Member in the performance or discharge, or purported performance or discharge, of the Committee Member's or the Committee's functions or duties.
- 16.3 All Committee Members are bound by the Member Behavioural Standards.

17 AMENDMENTS TO TERMS OF REFERENCE

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- 17.1 It will be lawful for the Council by resolution to revoke, vary or add to any of the provisions of these terms of reference for the Committee at its own discretion within the parameters of the Act, the Employment Agreement and any other relevant statutory provisions.
- 17.2 Notwithstanding 17.1 hereof before the Council resolves to revoke, vary or add to any of the provisions of these terms of reference for the Committee it may, but will be under no obligation, to obtain the opinion of the Committee and the CEO.

18. INTERPRETATION OF TERMS OF REFERENCE

- 18.1 Should there be any dispute as to the definition and/or interpretation in these terms of reference, or any part thereof or any irregularities whatsoever that are unable to be resolved by the Presiding Member of the Committee then the Council shall determine the dispute and the decision of the Council shall be final and binding.

19. OTHER MATTERS

- 19.1 The Committee shall:
- 19.1.1 have access to reasonable resources in order to carry out its duties, recognising the constraints within the Council's Budget.
 - 19.1.2 give due consideration to laws and regulations, including the Act and relevant employment law.
 - 19.1.3 seek independent human resource support and advice to enable it to comply with its responsibilities set out in the Employment Agreement.
 - 19.1.4 where the Committee is required to act jointly with or to obtain the concurrence of the CEO in the performance of its functions, the Council expects that both parties will negotiate and consult in good faith to achieve the necessary objectives.
- 19.2 The CEO will provide administrative support for the purposes of co-ordination and preparation of agendas and reports for and minutes of Committee meetings and as a point of contact for all Committee members.
- [19.3 The General Manager Corporate and Regulatory Services or delegate will provide notices and issue the agendas for the Committee meetings.](#)
- 19.43 Subject to the provisions of the Act the Council may cease the operation of the Committee and the Committee may, in conjunction with the CEO, make such recommendation to the Council on the completion of its function.

20. NOTICES

- 20.1 All communication to be given to the Committee shall be addressed to:
- City of Mount Gambier Chief Executive Officer Performance Review Committee
PO Box 56
MOUNT GAMBIER SA 5290
Email: city@mountgambier.sa.gov.au

[24-March-2023](#)

6 URGENT MOTIONS WITHOUT NOTICE

7 CONFIDENTIAL ITEMS

7.1 REMUNERATION TRIBUNAL REVIEW 2024

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the Local Government Act 1999 the Council orders that all members of the public, except the Mayor, Councillors and (Council Officers) be excluded from attendance at the meeting for the receipt and consideration in confidence of Remuneration Tribunal Review 2024.

The Council is satisfied that, pursuant to section 90(3) of the Act, the information to be received, discussed or considered in relation to the Agenda Item is:

- (a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).
- (g) matters that must be considered in confidence in order to ensure that the council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty.

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances as the subject matter to be discussed includes information concerning the employment conditions of the Chief Executive Officer outside of those required to be published under the Local Government Act 1999 and also relates to a draft report and determination of the Remuneration Tribunal.

CONSIDERATION FOR KEEPING ITEMS CONFIDENTIAL

1. In accordance with Sections 91(7) and 91(9) of the Local Government Act 1999 the Council orders that the report Remuneration Tribunal Review 2024 and its attachments, resolution/s and minutes arising from the report, having been considered by the Council in confidence under:

- (a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).
- (g) matters that must be considered in confidence in order to ensure that the council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty.

be kept confidential and not available for public inspection until 2 years after the initial appointment term and any renewal term of the Chief Executive Officer, Sarah Philpott has lapsed, to be reviewed at least once in every 12 month period, with the exception of the relevant salary register details which are to be updated within 28 days of any change in remuneration.

2. Further that Council delegates the power to review, revoke, but not extend the confidential order to the Chief Executive Officer in accordance with the provisions of Section 91(9)(c) of the Local Government Act 1999.

- 8 MEETING CLOSE**
- 9 ATTACHMENT - PREVIOUS COMMITTEE MINUTES**

**MINUTES OF CITY OF MOUNT GAMBIER
CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE MEETING
HELD AT THE MAYOR'S OFFICE, CIVIC CENTRE, 10 WATSON TERRACE, MOUNT GAMBIER
ON MONDAY, 22 JULY 2024 AT 12.30 P.M.**

PRESENT: Mayor Lynette Martin (OAM), Cr Max Bruins, Cr Frank Morello, Cr Sonya Mezinec, Cr Josh Lynagh

IN ATTENDANCE: Rebecca Hunt, McArthur (virtual)

OFFICERS IN ATTENDANCE: General Manager Corporate and Regulatory Services - Mrs J Fetherstonhaugh
Executive Administrator - Mrs A Pasquazzi

1 ACKNOWLEDGEMENT OF COUNTRY

WE ACKNOWLEDGE THE BOANDIK PEOPLES AS THE TRADITIONAL CUSTODIANS OF THE LAND WHERE WE MEET TODAY. WE RESPECT THEIR SPIRITUAL RELATIONSHIP WITH THE LAND AND RECOGNISE THE DEEP FEELINGS OF ATTACHMENT OUR FIRST NATIONS PEOPLES HAVE WITH THE LAND.

2 APOLOGY(IES)

Nil

3 CONFIRMATION OF MINUTES

COMMITTEE RESOLUTION

Moved: Cr Frank Morello
Seconded: Cr Sonya Mezinec

That the minutes of the Chief Executive Officer Performance Review Committee meeting held on 18 June 2024 be confirmed as an accurate record of the proceedings of the meeting.

CARRIED

4 QUESTIONS WITHOUT NOTICE

Nil



5 CONFIDENTIAL ITEMS

5.1 INDEPENDENT REVIEW OF CHIEF EXECUTIVE OFFICER AND REMUNERATION REVIEW 2024 – REPORT NO. AR24/50717

COMMITTEE RESOLUTION

Moved: Cr Josh Lynagh
Seconded: Cr Max Bruins

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the *Local Government Act 1999* the Chief Executive Officer Performance Review Committee orders that all members of the public, except the Mayor, Councillors and Council Officers, J Fetherstonhaugh and A Pasquazzi and Consultant, R Hunt be excluded from attendance at the meeting for the receipt and consideration in confidence of Agenda Item 5.1 AR24/50717 Independent Review of Chief Executive Officer and Remuneration Review 2024.

The Chief Executive Officer Performance Review Committee is satisfied that, pursuant to section 90(3) (a) and (g) of the Act, the information to be received, discussed or considered in relation to the 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)
- information concerning matters that must be considered in confidence in order to ensure that the Council does not:
 - breach any law, order or direction of a court or tribunal constituted by law,
 - breach any duty of confidence, or
 - breach any other legal obligation or duty

The Chief Executive Officer Performance Review Committee is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the subject matter includes information concerning the personal employment affairs of the Chief Executive Officer, Sarah Philpott for which a duty of confidence has been established.

CARRIED



COMMITTEE RESOLUTION

Moved: Cr Max Bruins
Seconded: Cr Sonya Mezinec

CONSIDERATION FOR KEEPING ITEMS CONFIDENTIAL

1. In accordance with Sections 91(7) and 91(9) of the *Local Government Act 1999* the Council orders that the report 5.1 AR24/50717 Independent Review of Chief Executive Officer and Remuneration Review 2024 and its attachments, resolution/s and minutes arising from the report, having been considered by the Council in confidence under Section 90(2) & (3) (a) and (g) be kept confidential and not available for public inspection until 2 years after the initial appointment term and any renewal term of the Chief Executive Officer, Sarah Philpott has lapsed, to be reviewed at least once in every 12 month period, with the exception of the relevant salary register details which are to be updated within 28 days of any change in remuneration.
2. Further that Council delegates the power to review, revoke, but not extend the confidential order to the Chief Executive Officer in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.

CARRIED

6 MEETING CLOSE

The Meeting closed at 12:47 pm.

The minutes of this meeting were confirmed at the Chief Executive Officer Performance Review Committee held on .

.....
PRESIDING MEMBER

