

Confidential Minutes of the Ordinary Meeting of Council of the City of Holdfast Bay held in the Council Chamber, Glenelg Town Hall, Moseley Square, Glenelg, on Tuesday 9 May 2017.

The Chief Executive Officer left the meeting at 8.51pm

17. ITEMS IN CONFIDENCE

17.1 Chief Executive Officer's Performance Appraisal (Report No: 131/17)

Motion– Exclusion of the Public – Section 90(3)(a) Order C090517/755

- 1 That pursuant to Section 90(2) of the *Local Government Act 1999* Council hereby orders that the public be excluded from attendance at this meeting with the exception of the Chief Executive Officer and Staff in attendance at the meeting in order to consider Report No: 131/17 Chief Executive Officer's Performance Appraisal in confidence.
2. That in accordance with Section 90(3) of the *Local Government Act 1999* Council is satisfied that it is necessary that the public be excluded to consider the information contained in Report No: 131/17 Chief Executive Officer's Performance Appraisal on the following grounds:
 - a. pursuant to section 90(3)(a) of the Act, the information to be received, discussed or considered in relation to Report No: 131/17 Chief Executive Officer's Performance Appraisal is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead), being Justin Lynch, Chief Executive Officer being the Chief Executive Officer, Mr J Lynch because it details his performance review will be discussed, which are sensitive and are details which are only known to those who have participated in the review process.
3. The Council is satisfied, the principle that the meeting be conducted in a place open to the public, has been outweighed by the need to keep the information or discussion confidential.

Moved Councillor Wilson, Seconded Councillor Lonie

Carried

Motion

C090517/756

That Council records it has conducted the annual performance appraisal of the Chief Executive Officer and resolves:

- To increase the value of the CEO's TEC for the next 12 months by 2.5%.
- To renew the CEO's employment contract for a further term until 18 May 2020.

Moved Councillor Lonie, Seconded Councillor Aust

RELEASED
10 DEC 2019
C101219/1703
Report + minutes
Retain attachments
Review Feb
2020

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Division called:

A division was called:

Those voting for: Councillors Lonie, Aust, Bouchée, Bradshaw, Charlick, Donaldson, Patton, Smedley, Snewin, Wilson and Yates (11).

Those voting against: Nil (0)

His Worship the Mayor declared the motion

Carried

RETAIN IN CONFIDENCE - Section 91(7) Order

Motion

That having considered Agenda Item 17.1 Chief Executive Officer's Performance Appraisal (Report No: 131/17) in confidence under section 90(2) and (3)(a) of the *Local Government Act 1999*, the Council, pursuant to section 91(7) of that Act orders that the report, minutes and attachments be retained in confidence for a period of 12 months and/or the Chief Executive Officer is authorised to release the report and minutes when the Mayor formally informs the Chief Executive Officer of the Council's decision and that this order be reviewed every 12 months.

Moved Councillor Lonie. Seconded Councillor Yates

Carried

The Chief Executive Officer rejoined the meeting at 9:11pm



Report + minutes
RELEASED
10 DEC 2019
C101219/1703
Retain attachments
Review Feb 2020

ITEM NUMBER: 17.1

CONFIDENTIAL REPORT

CHIEF EXECUTIVE OFFICER'S PERFORMANCE APPRAISAL

Pursuant to Section 83(5) of the Local Government Act 1999 the Report attached to this agenda and the accompanying documentation is delivered to the Council Members upon the basis that the Council consider the Report and the documents in confidence under Part 3 of the Act, specifically on the basis that Council will receive, discuss or consider:

- a. information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person or persons (living or dead).

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Recommendation – Exclusion of the Public – Section 90(3)(a) Order

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 3. The Council is satisfied, the principle that the meeting be conducted in a place open to the public, has been outweighed by the need to keep the information or discussion confidential.
-

Item No: 17.1
Subject: CHIEF EXECUTIVE OFFICER'S PERFORMANCE APPRAISAL
Date: 9 May 2017
Written By: Acting General Manager Business Services

Acting General Manager: Business Services, Ms T Aukett

SUMMARY

The Chief Executive Officer's annual performance review has been completed and details collated for consideration by Council.

RECOMMENDATION

1. That Council records it has conducted the annual performance appraisal of the Chief Executive Officer and resolves:
 - To increase the value of the CEO's TEC for the next 12 months by%.
 - To renew/not renew the CEO's employment contract for a further term until .../.../...; and

RETAIN IN CONFIDENCE - Section 91(7) Order

2. That having considered Agenda Item 17.1 Chief Executive Officer's Performance Appraisal (Report No: 131/17) in confidence under section 90(2) and (3)(a) of the *Local Government Act 1999*, the Council, pursuant to section 91(7) of that Act orders that the report, minutes and attachments be retained in confidence for a period of 12 months and/or the Chief Executive Officer is authorised to release the report and minutes when the Mayor formally informs the Chief Executive Officer of the Council's decision and that this order be reviewed every 12 months.
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COMMUNITY PLAN

Not applicable.

COUNCIL POLICY

Not applicable.

STATUTORY PROVISIONS

Not applicable.

BACKGROUND

The Chief Executive Officer's employment contract requires that the CEO's performance is reviewed annually and that his TEC (Total Employment Cost) package is also reviewed annually, with the Chief Executive Officer's participation, within one month following the performance review.

The contract also requires the Employer (Council), to notify the CEO at least 12 months prior to the expiry date of his contract (18 May 2018) whether or not a new employment agreement is to be offered to the CEO.

The Chief Executive Officer's last performance review was finalised in September 2016 and a 2% salary increase was agreed, backdated to his anniversary date of 18 May. His current TEC package is detailed below:

Cash salary	\$220,745.29
9.5% superannuation	20,970.80
Notional value of vehicle	14,272.00
TEC	\$255,988.09

REPORT

Consistent with his employment contract, the Chief Executive Officer presented a review of his key performance indicators for the financial year at a Council workshop on Tuesday 11 April 2017. A pack in relation to this information has been distributed to Elected Members.

Also, as in previous years, a 360 degree survey was conducted with Elected Members, CEO, Senior Staff and five other employees selected at random. The survey sought feedback on the CEO's performance in 7 key result areas:

- Effective relationships with Elected Members
- Implementation of Council's Strategic Plan
- Financial and Asset management
- People management
- Delivery of major projects and operational services
- Effective engagement/reputation (internal/external)
- Economic development strategy

A total of 17 people responded to the survey within the time available.

A report on the outcomes of the 360 degree survey is attached.

Refer Attachment 1

Consistent with the CEO's current contract, the Council is asked to consider:

1. The level of annual remuneration payable to the CEO for the next 12 months; and
2. Whether it chooses to offer a third contract of employment to the CEO, and if so the terms and conditions of that contract.

A comparison of current local government CEO's, compiled by the LGA, is provided as Attachment 2 for Elected Member information.

Refer Attachment 2

BUDGET

The 2017/18 budget provides for a general 2.5% increase for all staff, as negotiated in the current enterprise agreement and which, at this time includes the CEO.

LIFE CYCLE COSTS

This report does not have any full life cycle cost implications.

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