

## ITEM NUMBER: 18.4

### CONFIDENTIAL REPORT

#### DRAFT MINUTES – EXECUTIVE COMMITTEE MEETING – 16 MARCH 2021 (Report No: 93/21)

*Pursuant to Section 90(2) 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.
- e. matters affecting the security of the council, members or employees of the council, or council property, or the safety of any person.

CONFIDENTIAL

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

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: 93/21 Draft Minutes - Executive Committee Meeting – 16 March 2021 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: 93/21 Draft Minutes – Executive Committee Meeting – 16 March 2021 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 this 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), being Mr Roberto Bria, Chief Executive Officer in that details of his salary package will be discussed which is sensitive and are details only known to those who have participated in the meeting.
    - e. pursuant to Section 90(3)(e) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is related to matters affecting the security of employees of Council in that details of the Chief Executive Officer's salary package will be discussed.
  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: 18.4

Subject: DRAFT MINUTES - EXECUTIVE COMMITTEE MEETING – 16 MARCH 2021

Date: 23 March 2021

Written By: General Manager, Strategy and Business Services

General Manager: Strategy and Business Services, Ms P Jackson

---

### SUMMARY

The confidential minutes of the meeting of the Executive Committee held 16 March 2021 are presented to Council for information and endorsement.

---

### RECOMMENDATION

1. That the minutes of the Executive Committee meeting held on 16 March 2021 be received.
2. That the Executive Committee advises Council it has:
  - (a) noted the Remuneration Benchmarking Report for the Chief Executive Officer; and
  - (b) noted the process to be undertaken for the 2021 performance review of the Chief Executive Officer.

#### RETAIN IN CONFIDENCE - Section 91(7) Order

2. that having considered Agenda Item 18.4 Draft Minutes – Executive Committee – 16 March 2021 - Report No 93/21 in confidence under Section 90(2) and (3)(a&e) of the *Local Government Act 1999*, the Council, pursuant to Section 91(7) of that Act orders that the report and attachments, be retained in confidence for a period of 24 months and that this order be reviewed every 12 months as it contains details of the remuneration of the Chief Executive Officer.
- 

### COMMUNITY PLAN

A Place that Provides Value for Money

### COUNCIL POLICY

Not applicable

**STATUTORY PROVISIONS**

*Local Government Act 1999*

**BACKGROUND**

Council established an Executive Committee pursuant to Section 41 of the *Local Government Act* with responsibility for undertaking the annual performance appraisal of the Chief Executive Officer:

- to recommend to Council the form and process of the Chief Executive Officer's annual performance appraisal;
- to undertake the annual performance appraisal; and
- to provide a report and to make recommendations to Council on any matters arising from the annual performance appraisal.

The Executive Committee's authority extends to making recommendations to Council and does not have any authority to make decisions in relation to the Chief Executive Officer's employment arrangements.

**REPORT**

Confidential minutes of the meeting of the Executive Committee held on 16 March 2021 are attached for Members' information.

*Refer Attachment 1*

**BUDGET**

Not Applicable

CONFIDENTIAL

# Attachment 1



**Minutes of the meeting of the Executive Committee of the City of Holdfast Bay held in the Kingston Room, Civic Centre, 24 Jetty Road, Brighton on Tuesday 16 March at 5:00pm.**

**PRESENT**

**Members**

Mayor – A Wilson  
Deputy Mayor – R Abley  
Councillor S Lonie  
Councillor J Smedley  
Councillor R Snewin  
Councillor R Patton

**Staff**

General Manager, Strategy and Business Services – Ms P Jackson  
Minute Taker - Ms P Daley

**1. OPENING**

The Chair declared the meeting open at 5.02pm.

**2. APOLOGIES**

- 2.1 Apologies Received – Councillor J Smedley
- 2.2 Absent - Nil

**3. DECLARATION OF INTEREST**

Members were reminded to declare their interest before each item.

**4. CONFIRMATION OF MINUTES**

**Motion**

**That the minutes of the Executive Committee held on 2 June 2020 be taken as read and confirmed.**

Moved by Councillor Abley, Seconded by Councillor Lonie

**Carried Unanimously**

**5. CONFIDENTIAL REPORTS BY OFFICERS**

- 5.1 **Remuneration Benchmarking Report – Chief Executive Officer (Report No: 84/21)**

**Motion – Exclusion of the Public – Section 90(3)(a&e) Order**

- 1. **That pursuant to Section 90(2) of the *Local Government Act 1999* the Executive Committee 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: 84/21 Remuneration Benchmarking Report – Chief Executive Officer in confidence.**

2. **That in accordance with Section 90(3) of the *Local Government Act 1999* the Executive Committee is satisfied that it is necessary that the public be excluded to consider the information contained in Report No: 84/21 Remuneration Benchmarking Report – Chief Executive Officer 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: 84/21 Remuneration Benchmarking Report – Chief Executive Officer is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead), being Mr Roberto Bria, Chief Executive Officer in that details of his salary package will be discussed which is sensitive and are details only known to those who have participated in the meeting.**
  - e. **pursuant to Section 90(3)(e) of the Act, the information to be received, discussed or considered in relation to this Report No: 84/21 Remuneration Benchmarking Report – Chief Executive Officer is related to matters affecting the security of employees of Council in that details of the Chief Executive Officer's salary package will be discussed.**
3. **The Executive Committee 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.**

The Executive Committee is charged with the responsibility for undertaking the annual performance appraisal of the Chief Executive Officer (CEO).

At its meeting on 9 June 2020, Council resolved (C090620/1930) that a benchmark report on remuneration be brought back to the Executive Committee prior to the next meeting in February 2021.

Administration commissioned Alison Ashby from A/M Consulting to compile the information and the report is attached for the Committee Member's information.

### **Motion**

1. **The Executive Committee advises Council it:**
  - **notes the Remuneration Benchmarking Report for the Chief Executive Officer; and**
  - **notes the process to be undertaken for the 2021 performance review of the Chief Executive Officer.**

**RETAIN IN CONFIDENCE - Section 91(7) Order**

2. That having considered Agenda Item 5.1, Remuneration Benchmarking Report – Chief Executive Officer, Report No 84/21 in confidence under Section 90(2) and (3)(a&e) of the *Local Government Act 1999*, the Executive Committee pursuant to Section 91(7) of that Act orders that the report, attachment and minutes be retained in confidence for a period of 24 months and this order be reviewed every 12 months as it contains details of the remuneration of the Chief Executive Officer.

Moved Councillor Abley, Seconded Councillor Patton

**Carried Unanimously**

6. URGENT BUSINESS

7. CLOSURE

The Meeting closed at 5.26 pm.

CONFIRMED TBC

CHAIRMAN