

CONFIDENTIAL ITEMS 2003 – SEPTEMBER 2016

#	Date	Item Title	Confidential Order Details	Item being kept confidential - Agenda/ Attachment/ Minutes	Reason regarding retention or recommend-action to release	Resolution Regarding Action	Last Review Date	Next Review Date	Date Released
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111	5 September 2016	Chief Executive Officer's Annual Performance Review	<p><b>Section 90 (3) (a) Order</b></p> <p>1. Pursuant to Section 90(3)(a) Pursuant to Section 90(2) of the Local Government Act 1999 the Council orders that all members of the public be excluded from attendance at the meeting for Agenda Item 17.1 Chief Executive Officer's Annual Performance Review.</p> <p>The Council is satisfied that 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 the Chief Executive Officer in that details of his performance review will be discussed.</p> <p>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 because the disclosure of details of the Chief Executive Officer's performance may prematurely be disclosed before the details of the review have been discussed with the Chief Executive Officer.</p> <p>4. That having considered Agenda Item 17.1 Chief Executive Officer's Annual Performance Review in confidence under</p>	<p>Attachments 1 and 3 be retained in confidence for 12 months but may be released sooner by the Mayor in consultation with the Chief Executive Officer.</p>	<p>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 the Chief Executive Officer in that details of his performance review will be discussed.</p> <p>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 because the disclosure of</p>	<p>12 months but may be released sooner by the Mayor in consultation with the Chief Executive Officer.</p>		4 Sep 17	Report, Attachment 2 and Minute released 8 September 2016
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**CONFIDENTIAL ITEMS 2003 – SEPTEMBER 2016**

#	Date	Item Title	Confidential Order Details	Item being kept confidential - Agenda/ Attachment/ Minutes	Reason regarding retention or recommend-action to release	Resolution Regarding Action	Last Review Date	Next Review Date	Date Released
			90(2) and 3(a) of the Local Government Act 1999, the Council pursuant to Section 91(7) of the Act orders that attachments 1 and 3 be retained in confidence for 12 months but may be released sooner by the Mayor in consultation with the Chief Executive Officer.		details of the Chief Executive Officer's performance may prematurely be disclosed before the details of the review have been discussed with the Chief Executive Officer.				

RELEASED

**17. CONFIDENTIAL REPORTS**

**17.1 REPORT TITLE:** CONFIDENTIAL ITEM: **CHIEF EXECUTIVE OFFICER'S ANNUAL PERFORMANCE REVIEW**

**DATE OF MEETING:** **5 SEPTEMBER 2016**

**FILE NUMBER:** **DOC/16/90720**

**Purpose:**

For Council to consider a report that details outcomes of the Chief Executive Officer's Annual Performance Review 2016 including recommendations for a variation to the Chief Executive Officer's Contract of Employment, and details of key objectives for the Chief Executive Officer for the coming 12 months.

**Recommendation:**

That Council:

**Section 90 (3) (a) Order**

1. Pursuant to Section 90(3)(a)

Pursuant to Section 90(2) of the Local Government Act 1999 the Council orders that all members of the public be excluded from attendance at the meeting for Agenda Item 17.1 Chief Executive Officer's Annual Performance Review.

The Council is satisfied that 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 the Chief Executive Officer in that details of his performance review will be discussed.

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 because the disclosure of details of the Chief Executive Officer's performance may prematurely be disclosed before the details of the review have been discussed with the Chief Executive Officer.

**Recommendation:**

That Council:

2. note the report (including personal development plan and outcomes attachment 1) of the Chief Executive Officer's Performance Review for 2016 facilitated by Ms Christine Locher, Principal, VUCA Pty Ltd;

3. note the revised draft set of key objectives (attachment 2) to guide the Council in its assessment of the Chief Executive Officer's performance for 2016/17;
4. authorise the Mayor to vary the Chief Executive Officer's current contract of employment to increase the Chief Executive Officer's total salary package by 2.5% effective 1 July 2016; and
5. authorise the Mayor to sign and extend by one year the Chief Executive Officer's current contract of employment.

**Recommendation:**

6. That having considered Agenda Item 17.1 Chief Executive Officer's Annual Performance Review in confidence under 90(2) and 3(a) of the Local Government Act 1999, the Council pursuant to Section 91(7) of the Act orders that attachments 1 and 3 be retained in confidence for 12 months but may be released sooner by the Mayor in consultation with the Chief Executive Officer.
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**Background**

1. The Chief Executive Officer's annual performance review process is scheduled to conclude no later than September each year.
2. The review evaluates the Chief Executive Officer's performance against Key Performance Indicators and against Strategic Performance Indicators.
3. The Chief Executive Officer's performance is reviewed utilising the services of a mutually agreed external consultant to facilitate an objective process involving the Mayor and two (2) other Councillors, one chosen by the Chief Executive Officer.
4. The Chief Executive Officer's Position Description, Key Performance Indicators and Strategic Performance Objectives may be amended by agreement after each performance review, or earlier if required.
5. A written report is provided to Council and the Chief Executive Officer at the end of each review.

**Discussion:****Review Process**

6. The review methodology included feedback from Elected Members, and general managers.
7. The review process commenced in July 2016, and was completed by the end of August 2016.

**Reporting**

8. The consultant provided a written report to the Mayor on a confidential basis respecting the integrity of the process, making recommendations for Council to consider (attachment 1).

**Outcomes**

9. A Remuneration Review has been provided by VUCA Pty Ltd (refer attachment 3) for information.
10. The Chief Executive Officer's current remuneration package sits in the middle lower range of comparable councils, and is less than some comparable councils such as Alexandrina.
11. There is evidence, based on salary relativities and relative complexities an increase in remuneration (in the range of 3% to 4% could be supported).
12. The Chief Executive Officer's objectives for the post 12 month period were:
  - a. *Start the process and schedule timeline of Town Centre precinct around Civic Centre; (negotiations undertaken)*
  - b. *Plan for Mt barker CBD Car Park; (preferred site identified negotiations ongoing)*
  - c. *Delivery of a multi-purpose sporting/recreational facility; (Federal grant \$3.75 million received stage one)*
  - d. *Travel overseas annually (or at a minimum every 2 years) to investigate how other councils are functioning and report back on place making initiatives; (not undertaken)*
  - e. *On-board new Elected Members and provide briefing of the Council's vision; (undertaken)*

- f. Implement the Economic Development Strategy (Economic Development Strategy delivered)
  - i. Clean and green*
  - ii. Incentives for new business; and**
- g. Facilitate in all District population centres adequate facilities to enable local community activity engagement.” (Ongoing projects including Nairne Police Station, Cedars, St James Blakiston)*

Considerable progress has been noted in relation to these objectives (see notes in brackets).

13. The Chief Executive Officer’s Objectives for the next 12 months are included as attachment 2.

#### **Conclusion**

Council has noted the process, outcomes and objectives for the Chief Executive Officer and endorsed the objectives as recommended by VUCA Pty Ltd.

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#### **Key Contact**

Mayor Ann Ferguson

#### **Attachments**

1. CEO Review Report – VUCA Pty Ltd – DOC/16/91146
2. CEO Objectives – DOC/16/91147
3. Remuneration Review – DOC/16/91148

Attachment 2 to Item 17.1

**APPENDIX A: PRIORITY KEY RESULT AREAS**

**CREATE TOWN CENTRE:** WITH THIS PRECINCT AS THE HEART OF MT BARKER INCLUDING COUNCIL CHAMBERS

**SPORTING FACILITIES:** DELIVER UPON AGREED ST FRANCES BASKETBALL STADIUM & FACILITIES; INVESTIGATE POTENTIAL FOR ACQUATIC CENTRE WITH LUTHERAN SCHOOL; ESTABLISH AND OPERATIONALISE OVALS BALD HILLS & SPRINGS ROAD AND BOLLEN & FLAXLEY ROAD.

**REVENUE GENERATION:** LEVERAGE WASTE WATER TREATMENT FOR FINANCIAL BENEFIT INCLUDING USE OF POLISHED WATER TO FACILITATE GROWING AT CALLINGTON & MONARTO.

**TOURISM:** EXPLORE POTENTIAL FOR TRAIN FROM CBD TO MT BARKER, GOOLWA; CONSIDER MUSEUM OF TRANSPORT & TECHNOLOGY (much like Auckland NZ)

**WEALTH CREATION:** INTERFACE WITH GOVERNMENT & ACADEMIA EXPLORE OPPORTUNITIES FOR BUILDING EDUCATION EXTENSIONS & INTERNATIONAL UNIVERSITY CAMPUS; CONSIDER A S.A. VERSION OF AVALON AIRFIELD PROVIDING OPPORTUNITY TO BRING PEOPLE, INSTITUTIONS & HIGH TECH INDUSTRIES TO THE AREA.

**COMMUNITY:** FURTHER BUILD UPON COMMUNITY SPIRIT & IDENTITY THROUGH TYING COMMUNITY EVENTS WITH OVALS & TOWN SQUARE CONCEPTS

Councillor Hamilton

- Blakiston Rotary Club - Father's Day Breakfast at Littlehampton Primary School

**16. QUESTIONS ARISING FROM COUNCIL MEETING**

**NIL**

**17. CONFIDENTIAL REPORTS**

**17.1      REPORT TITLE:      CONFIDENTIAL ITEM:      CHIEF      EXECUTIVE  
   OFFICER'S ANNUAL PERFORMANCE REVIEW  
                 DATE OF MEETING:      5 SEPTEMBER 2016  
                 FILE NUMBER:      DOC/16/90720**

Moved Councillor Bailey that Council:

**Section 90 (3) (a) Order**

1. Pursuant to Section 90(3)(a)

Pursuant to Section 90(2) of the Local Government Act 1999 the Council orders that all members of the public be excluded from attendance at the meeting for Agenda Item 17.1 Chief Executive Officer's Annual Performance Review.

The Council is satisfied that 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 the Chief Executive Officer in that details of his performance review will be discussed.

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 because the disclosure of details of the Chief Executive Officer's performance may prematurely be disclosed before the details of the review have been discussed with the Chief Executive Officer.

Seconded Councillor Keen

CARRIED  
OM20160905.12

- 7.55pm Moved Councillor Keen that Council has a short term suspension of normal meeting proceedings pursuant to regulation 20 of the Local Government (Proceedings at Meetings) regulations to enable free flowing initial discussion of the matter by Council Members during which time no motion may be moved other than to conclude this period.

Seconded Councillor Seager

CARRIED  
*OM20160905.13*

- 8.07pm Moved Councillor Keen that Council conclude the period of the short term suspension of normal meeting procedures.

Seconded Councillor Morrison

CARRIED  
*OM20160905.14*

Moved Councillor Keen that Council:

2. note the report (including personal development plan and outcomes attachment 1) of the Chief Executive Officer's Performance Review for 2016 facilitated by Ms Christine Locher, Principal, VUCA Pty Ltd;
3. note the revised draft set of key objectives (attachment 2) to guide the Council in its assessment of the Chief Executive Officer's performance for 2016/17;
4. authorise the Mayor to vary the Chief Executive Officer's current contract of employment to increase the Chief Executive Officer's total salary package by 2.5% effective 1 July 2016; and
5. authorise the Mayor to sign and extend by one year the Chief Executive Officer's current contract of employment.

Seconded Councillor Morrison

CARRIED  
*OM20160905.15*

Moved Councillor Buchmann

6. That having considered Agenda Item 17.1 Chief Executive Officer's Annual Performance Review in confidence under 90(2) and 3(a) of the Local Government Act 1999, the Council pursuant to Section 91(7) of the Act orders that attachments 1 and 3 be retained in confidence for 12 months but may be released sooner by the Mayor in consultation with the Chief Executive Officer.

Seconded Councillor Morrison

CARRIED  
*OM20160905.16*

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MEETING DECLARED CLOSED AT 8.15PM

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MAYOR

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DATE