

Minutes of the meeting of the Executive Committee of the City of Holdfast Bay held in the Kingston Room, Brighton Civic Centre, 24 Jetty Road, Brighton on Tuesday 7 May 2024 at 5:15pm.

PRESENT

Members

Chair – Mayor A Wilson
Deputy Mayor – S Lonie
Councillor M O’Donohue
Councillor J Fleming
Councillor B Patton
Councillor C Lindop

Independent Member

Ms C Molitor

Staff

General Manager, Assets and Delivery – P Jackson

1. OPENING

The Mayor declared the meeting open at 5.18pm.

2. KAURNA ACKNOWLEDGEMENT

We acknowledge Kurna people as the traditional owners and custodians of this land.

We respect their spiritual relationship with country that has developed over thousands of years, and the cultural heritage and beliefs that remain important to Kurna People today.

3. APOLOGIES

- 3.1 Apologies Received
- 3.2 Absent

4. DECLARATION OF INTEREST

Members were reminded to declare their interest before each item.

5. CONFIRMATION OF MINUTES

Motion

That the minutes of the Executive Committee held on 2 April 2024 be taken as read and confirmed.

Moved by Councillor Lonie, Seconded by Councillor Patton

Carried

6. REPORTS BY OFFICERS

6.1 Chief Executive Officer – Position Description (Report No: 133/24)

The role of the Chief Executive Officer is prescribed in section 99 of the Local Government Act 1999. However, councils are able to set objectives and key performance indicators that are unique to their environment and strategic plans.

It is timely that the position description for the current incumbent is updated in line with Council's current objectives and strategic plan.

Motion

That the Executive Committee advises Council:

1. it has reviewed the updated position description; and
2. recommends the position description be endorsed by Council for discussion with and adoption by the Chief Executive Officer.

Moved Councillor Lonie, Seconded Councillor O'Donohue

Carried

7. URGENT BUSINESS – SUBJECT TO LEAVE OF THE MEETING - Nil

8. CONFIDENTIAL ITEMS

8.1 2023-24 PERFORMANCE REVIEW – CHIEF EXECUTIVE OFFICER (Report No: 134/24)

Motion – Exclusion of the Public Section 90(3)(a)

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 General Manager Assets and Delivery and Staff minute taker in attendance at the meeting in order to consider Report No: 134/24 2023-24 Performance Review – 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: 134/24 2023-24 Performance Review – 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: 134/24 2023-24 Performance Review – 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 Chief

Executive Officer, Mr Roberto Bria, in that details of his performance will be discussed, which are sensitive and are details only know to those who have participated in the discussion.

- 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.**

Moved Councillor Fleming, Seconded Councillor Patton

Carried

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

This report outlined the results of the CEO's 2023-24 performance review for consideration by the Executive Committee.

Ms Christine Molitor, Independent Advisor to the Executive Committee, will provide a written report for consideration of the Committee at its meeting on Tuesday 18 June 2024. Following receipt of the independent advice, the Committee will recommend to Council changes to the Chief Executive's remuneration package and/or contract as a result of the review.

Motion

- 1. The Executive Committee notes the results of the Chief Executive Officer's Performance Review for 2023-24.**

RETAIN IN CONFIDENCE - Section 91(7) Order

- 2. That having considered Agenda Item 8.1 134/24 2023-24 Performance Review – Chief Executive Officer in confidence under section 90(2) and (3)(a) of the *Local Government Act 1999*, the Executive Committee, 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 this order be reviewed every 12 months.**

Moved Councillor Lonie, Seconded Councillor Fleming

Carried

8.2 Chief Executive Officer – Remuneration Benchmarking (Report No: 135/24)

Motion – Exclusion of the Public Section 90(3)(a)

- 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 General Manager Assets and Delivery and Staff minute taker in attendance at the meeting in order to consider Report No: 135/24 Chief Executive Officer – Remuneration Benchmarking 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: 135/24 Chief Executive Officer – Remuneration Benchmarking 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: 135/24 Chief Executive Officer – Remuneration Benchmarking is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead), being Chief Executive Officer, Mr Roberto Bria, in that details of his salary will be discussed, which are sensitive and are details only know to those who have participated in the discussion.**
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.**

Moved Councillor Fleming Seconded Councillor Lonie

Carried

At its meeting on 23 January 2024 the Executive Committee requested an assessment be undertaken of the Chief Executive Officer's remuneration package. The assessment was to specifically consider the job value of the role in overseeing Council's aged care facility.

As a result, an independent job value and remuneration benchmarking review has been undertaken on the current City of Holdfast Bay Chief Executive Officer position.

Motion

1. **The Executive Committee notes the outcome of the remuneration benchmarking of the Chief Executive Officer's position.**

RETAIN IN CONFIDENCE - Section 91(7) Order

2. **That having considered Agenda Item 8.2 135/24 Chief Executive Officer – Remuneration Benchmarking in confidence under section 90(2) and (3)(a) of the *Local Government Act 1999*, the Executive Committee, pursuant to section 91(7) of that Act orders that the report and attachment be retained in confidence for a period of 24 months and this order be reviewed every 12 months.**

Moved Councillor Lonie, Seconded Councillor Patton

Carried

9. CLOSURE

The Meeting closed at 5.59pm.

CONFIRMED 18 June 2024

MAYOR