

# Chief Executive Officer's Contract and Performance Review Committee Terms of Reference

The Chief Executive Officer's Contract and Performance Review Committee is a council committee established pursuant to section 23(1) of the *Local Government Act 1993* (Tas).

For the avoidance of doubt, that Chief Executive Officer is a term of reference for General Manager within the meaning of the *Local Government Act 1993* (Tas) (the Act).

## PURPOSE

The purpose of the Chief Executive Officer's Contract and Performance Review Committee (Committee) is to uphold the requirements of the Act in relation to performance management of the Chief Executive Office (CEO) as per the CEO's employment contract.

The Committee will undertake an annual performance review of the Chief Executive Officer's performance against planned objectives in accordance with the employment agreement.

The Committee will obtain and consider the advice of an appropriately qualified person to support the establishment of performance objectives, and the conduct of the remuneration review, as described in the *Local Government (Appointment and Performance of General Managers) Order 2024*.

## ROLE AND RESPONSIBILITIES

- Annual review is completed, no later than 31 July
- The review of the CEO's performance will be conducted in a manner determined and agreed between the CEO and the Committee. The review must:
  - be conducted in accordance with the relevant legislation and employee agreements, and, performance criteria;
  - measure the CEO's achievement of performance against the annual performance agreement process;
  - evaluate the CEO's adherence to the Position Description; and
  - conduct remuneration review in accordance with the CEO's employment agreement
- The Council and CEO will discuss the outcomes of the performance review and a record of the performance review and discussion will be placed on the CEO's personnel file
- Review the remuneration and any other conditions of employment of the CEO
- Ensure that the CEO is provided with 28-day's notice, prior to any performance review meetings that the CEO is required to attend
- Council is to ensure the CEO is treated fairly, equitably, and without discrimination in the conduct of the annual performance review cycle
- If required, Councillors are to provide feedback on the CEO's performance by submitting it in writing to the chair, who will ensure it is considered at the committee meeting

The Committee will undertake the CEO's annual performance review in accordance with the following process:

**Council:**

- Engage a suitably qualified and experienced external person to conduct the CEO's performance review, and commence setting of new annual key performance indicators;
- Engage a suitably qualified and experienced external person to facilitate a 360-degree appraisal of the CEO's performance, annually, and 360 participants must be mutually agreed;
- Instigate, if necessary, the update of the CEO's Position Description, personal performance agreement expectations, and employment contract by mutual agreement; and
- Consider whether the CEO's Position Description, performance agreement expectations, and employment contract require amendments to ensure alignment with the Council's strategic objectives

**CEO:**

- If required, the CEO may provide feedback on matters to be considered at the performance review in writing to the Chair, who will ensure it is considered at the committee meeting;
- That Council is to provide the CEO with the opportunity to present outcomes achieved against the performance agreement, as a component of the performance review process; and
- Ensure that administrative support is provided by an appropriate Council Officer

## **DELEGATED AUTHORITY**

The Council will engage at least one individual who is not a councillor and who, may at the Council's discretion, be appointed to conduct the performance assessment. The individual is to provide guidance to the Council on contemporary human resource practices and procedure in relation to this work. The appointed person must;

- I. hold experience in the recruitment of senior management personnel; and
- II. hold relevant qualifications in contemporary human resource practices and procedures

The Mayor is the responsible liaison, on behalf of the Council, with the CEO in relation to the performance. The mayor may delegate these functions to the deputy mayor, as outlined in section 27 (1)(g) of the Act.

## **MEMBERSHIP**

The Committee is comprised of all Councillors, including the Mayor, and Deputy Mayor.

## **TERMS OF APPOINTMENT**

- Excluding the membership of the Mayor and Deputy Mayor, the Committee's membership will be reviewed every two years.
- Where a Councillor has resigned from office, the newly elected member will assume the roles and responsibilities as outlined in the relevant section of this Terms of Reference.

## **CHAIR OF THE COMMITTEE**

- The Mayor is the Chair of the Committee.
- If the Mayor is absent from a meeting or part of a meeting, the Deputy Mayor is to assume the role of Chair for the absence.

- The role of the Chair is to facilitate the conduct of meetings in accordance with the *Local Government (Meeting Procedures) Regulations 2025 (the Regulations)*.

### **MEETING ARRANGEMENTS**

The Committee will meet annually or as required at the discretion of the Committee following consultation with the CEO, on days and times to be determined by the Committee at its first meeting for the performance review cycle.

A meeting is not to start before 5.00pm unless determined by simple majority of the Committee.

The days and times of meetings will be published in keeping with the requirements for a council committee, as detailed in the Regulations.

### **MEETING QUORUM**

A quorum is seven Councillors, at least one of whom must be the Mayor or Deputy Mayor. If a quorum cannot be achieved, the meeting is to be postponed and reconvened at a later date. If at any time during a meeting the required quorum is no longer present, the Chair is to adjourn the meeting until the quorum is present or until a later date, unless the quorum is likely to be present at the next item of business, pursuant to section 13 of the Regulations.

### **MEETING NOTICES**

- Notice of meetings will be issued as required by the Regulations.
- Meeting minutes will be presented at the next ordinary council meeting in closed session for transparency and completeness.
- Meeting Agendas, Minutes and meeting papers will be distributed to all Committee members via email at least four clear days of the scheduled Meeting.
- A Committee Member may request an item to be included on the Agenda by advising the Chair at least eight working days prior to a Meeting.
- Minutes of Committee meetings will be kept in accordance with the Regulations and circulated to Committee Members following the Meeting.

### **MEETING PROCEDURES**

The meeting procedures for the Committee are set out in the Regulations.

### **PUBLIC ACCESS TO MEETINGS AND DOCUMENTS**

Subject to a decision of the Committee by simple majority at each of its meetings, meetings of the Chief Executive Officer's Contract and Performance Review Committee will be held in closed session pursuant to regulation 15(2)(a) of the Regulations.

As is required by the Regulations, the Committee will consider while in closed session whether any discussions, decisions reports or documents are to remain confidential or released to the public, taking into account privacy and confidentiality issues.

### **AMENDMENT TO THE TERMS OF REFERENCE**

The Committee and the Chief Executive Officer will be invited to comment on any amendment to these terms of reference that may be proposed by the Council.

## **INTERPRETATION**

Any disputes in relation to the interpretation or application of these terms of reference that are not able to be resolved by the Committee will be determined by the Council.

## **CODE OF CONDUCT**

All Committee members must adhere to the Code of Conduct for Councillors.

## **ORGANISATIONAL VALUES**

The Committee will conduct itself in a manner that supports the City of Launceston's organisational values.



**Our people  
matter**



**We care about  
our community**



**We bring an  
open mind**



**We go home  
safe and well**

## **CONFLICT OF INTEREST**

If a committee member has an interest in any matter to be discussed in the meeting, they must declare a conflict of interest in it at the commencement of the meeting. A declared interest will result in the inability for that member to be involved in the discussion of that matter. The committee member must withdraw from the meeting during the discussion of the matter and can return to the meeting at the conclusion of the item.

Declarations of interest will be minuted and the times that committee members are absent from the meeting due to a declaration of interest will also be recorded at the appropriate item in the minutes.

## **OTHER MATTERS**

The Committee will have reasonable access to resources to meet its purpose, with due regard to the budgetary and other resourcing constraints of Council.

The Committee will consider relevant laws, regulations and guidelines in its approach to monitoring the performance of the Chief Executive Officer.

The Committee and the Chief Executive Officer will approach negotiations on matters within the Committee's remit in good faith.

The Office of the Mayor will provide administrative support to the Committee, including coordination of agendas and minutes, and will act as a point of contact to all Committee members and the qualified independent person.

## **CONTACT WITH THE COMMITTEE**

Members of the public who wish to make contact with the Committee may address correspondence to:

Chief Executive Officer's Contract and Performance Review Committee

In person: Town Hall, St John Street, Launceston  
Email: [contactus@launceston.tas.gov.au](mailto:contactus@launceston.tas.gov.au)  
Via Post: PO Box 396, Launceston TAS 7250.

## **RELATED POLICIES AND PROCEDURES**

[\*\*Code of Conduct Framework for Tasmanian councillors\*\*](#)

## **REVIEW**

These Terms of Reference will be reviewed each time there is a change in membership of the Committee, or earlier if determined by Council.