



City of  
**LAUNCESTON**

# **LATE ITEMS COUNCIL AGENDA**

**COUNCIL MEETING  
THURSDAY 28 NOVEMBER 2024  
AT ITEM 22 OF THE AGENDA**

Notice is hereby given that a Late Item will be tabled at the Ordinary Meeting of the City of Launceston Council will be held at the Council Chambers, Town Hall, St John Street, Launceston:

Date: 28 November 2024

Time: At the Time of the Late Agenda Item is Tabled at the Ordinary Meeting

---

### Certificate of Qualified Advice

#### Background

To comply with section 65 of the *Local Government Act 1993* (Tas):

1. A General Manager must ensure that any advice, information or recommendation given to the council, or a council committee, is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation.
2. A council or council committee is not to decide on any matter which requires the advice of a qualified person without considering such advice unless -
  - (a) the General Manager certifies, in writing -
    - (i) that such advice was obtained; and
    - (ii) the General Manager took the advice into account in providing general advice to the council or council committee; and
  - (b) a copy of that advice or, if the advice was given orally, a written transcript or summary of that advice is provided to the council or council committee with the General Manager's certificate.

#### Certification

I certify that:

- (i) the advice of a qualified person has been sought where required;
- (ii) this advice was taken into account in providing general advice to the council or council committee; and
- (iii) a copy of the advice, or a written transcript or summary of advice provided orally, is included with the agenda item.



**Sam Johnson**  
Chief Executive Officer

## LEGISLATIVE TERMINOLOGY - GENERAL MANAGER

At the City of Launceston, the positions of General Manager Community and Place, General Manager Organisational Services, General Manager Infrastructure and Assets and General Manager Creative Arts and Cultural Services do not assume the functions and powers of the term *general manager* in a legislative sense: any legislative functions and powers to be delegated to these roles will be made by Council or the Chief Executive Officer. At the City of Launceston, the title Chief Executive Officer is a term of reference for the General Manager as appointed by Council pursuant to section 61 of the *Local Government Act 1993 (Tas)*. For the avoidance of doubt, *Chief Executive Officer* means *General Manager* for the purposes of the *Local Government Act 1993 (Tas)* and all other legislation administered by or concerning Council.

**ORDER OF BUSINESS**

**22. LATE ITEMS .....6**

**22.1. Acceptance of Urgent Late Item: Committee Report Chief Executive Officer  
Contract and Performance Review Committee (CPRC).....6**

**22.2. Committee Report - Chief Executive Officer Contract and Performance  
Review Committee (CPRC).....8**

## 22. LATE ITEMS

### 22.1. Acceptance of Urgent Late Item: Committee Report Chief Executive Officer Contract and Performance Review Committee (CPRC)

**AUTHOR:** Mayor Councillor M K Garwood

---

#### **DECISION STATEMENT:**

To consider accepting an urgent, late item regarding the Committee Report from the Chief Executive Officer Contract and Performance Review Committee (CPRC).

#### **RELEVANT LEGISLATION:**

*Local Government (Meeting Procedures) Regulations 2015*

#### **RECOMMENDATION(S):**

That Council:

1. by absolute majority and pursuant to Regulation 8(6) of the *Local Government (Meeting Procedures) Regulations 2015* (Tas), determines to deal with Item 22.2 Committee Report - Chief Executive Officer Contract and Performance Review Committee (CPRC);
  2. by absolute majority and;
    - a) pursuant to Regulation 8(6) of the *Local Government (Meeting Procedures) Regulations 2015* (Tas), determines to deal with item 23.2 Chief Executive Officer's Contract and Performance Review Committee Recommendations; and
    - b) pursuant to regulation 15(2)(a) determines to consider this item in closed session as it relates to personnel matters, including complaints against an employee of the council and industrial relations matters; and
  3. notes the advice from the Chief Executive Officer in respect of the reason it was not possible to include this matter in the agenda, that the matter is urgent, that advice having been provided to Councillor's by email on 26 November 2024 and in the report attached to this Agenda Item.
- 

#### **REPORT:**

This Chief Executive Officer Contract and Performance Review Committee held its first meeting on 20 November 2024. At the time of publishing the 28 November 2024 Council Agenda, the associated reports had not been finalised.

---

It is necessary for the Council to consider item 22.2 Committee Report - Chief Executive Officer Contract and Performance Review Committee (CPRC) to provide context to item 23.2 Chief Executive Officer's Contract and Performance Review Committee Recommendations.

Item 22.2 Committee Report - Chief Executive Officer Contract and Performance Review Committee (CPRC), is intended to be considered in the Open Session of the Council Meeting as a late item, on 28 November 2024. Item 23.2 Chief Executive Officer's Contract and Performance Review Committee Recommendations is intended to be considered in Closed Session of the Council Meeting as a late item, on 28 November 2024 pursuant to regulation 15(2)(a) of the *Local Government (Meeting Procedures) Regulations 2015* which accommodate personnel matters.

**RISK IMPLICATIONS:**

Risks relevant to this item are discussed in the report above.

**ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:**

Not considered relevant to this report.

**STRATEGIC DOCUMENT REFERENCE:**

*City of Launceston Corporate Strategic Plan 2014 - 2024*

Strategic Priority 3: We are a progressive leader that is accountable to our governance obligations and responsive to our community.

10-Year Goal: To ensure decisions are made in a transparent and accountable way, that effectively meet our statutory obligations, support quality services and underpin the long-term sustainability of our organisation.

Focus Areas:

2. To fairly and equitably discharge our statutory and governance obligations.
3. To ensure decisions are made on the basis of accurate and relevant information.

**BUDGET AND FINANCIAL IMPLICATIONS:**

Not considered relevant to this report.

**DISCLOSURE OF INTERESTS:**

The Author has no interests to declare in this matter.

**ATTACHMENTS:**

Nil

**22.2. Committee Report - Chief Executive Officer Contract and Performance Review Committee (CPRC)**

**FILE NO:** SF5695

**AUTHOR:** Helen Lever (Director Recruitment, LG Services Group)

**APPROVER:** Mayor Councillor M K Garwood

---

**DECISION STATEMENT:**

To receive a report from the CEO Contract and Performance Review Committee (CPRC).

**RELEVANT LEGISLATION:**

*Local Government (Meeting Procedures) Regulations 2015*  
Part 3, Division 3 and Part 7, Division 1 of the *Local Government Act 1993 (Tas) Local Government (Appointment and Performance Management of General Managers) Order 2024*

**RECOMMENDATION:**

That Council

1. notes the activity of the CEO Contract and Performance Review Committee (CPRC); and
  2. notes that specific outcomes will be considered in closed session at Agenda Item 23.2 Chief Executive Officer's Contract and Performance Review Committee Recommendations.
- 

**REPORT:**

The Chief Executive Officer, Mr Sam Johnson, commenced in the role of Chief Executive Officer (CEO) of City of Launceston on 2 July 2024.

In August 2024, City of Launceston appointed Helen Lever from Local Government Services Group (LGSG) to assist them with facilitating the Performance Review work for their CEO including a formal End of Probation Review and development of the first year Performance Plan for the CEO.

In September 2024 a Performance Review Workshop was held with the whole Councillor team following one-on-ones with a number of Councillors to discuss the programme. Training on the performance management process along with development work on the first Performance Plan for the CEO was considered at the Workshop held.

---

Following this Workshop, in October 2024 the City of Launceston considered and adopted a report and recommendation of City of Launceston staff to put in place a committee of Councillors delegated to undertake on Council's behalf the Contract and Performance Review work on their behalf.

This Committee is now in place and the first meeting of the CEO Contract and Performance Review Committee (CPRC) was subsequently held on Wednesday 20 November 2024 and items included the first (Draft) Performance Plan for the Chief Executive Officer, Mr Sam Johnson.

At the meeting the CPRC reviewed the (Draft) CEO Performance Agreement for the first year of the CEO's Contract and subsequently endorsed the Plan for formal recommendation from the Committee to the Council.

**RISK IMPLICATIONS:**

Not considered relevant to this report.

**ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT:**

Not considered relevant to this report.

**STRATEGIC DOCUMENT REFERENCE:**

*City of Launceston Corporate Strategic Plan 2014 - 2024*

Strategic Priority 3: We are a progressive leader that is accountable to our governance obligations and responsive to our community.

10-Year Goal: To ensure decisions are made in a transparent and accountable way, that effectively meet our statutory obligations, support quality services and underpin the long-term sustainability of our organisation.

Focus Areas:

2. To fairly and equitably discharge our statutory and governance obligations.
3. To ensure decisions are made on the basis of accurate and relevant information.

**BUDGET AND FINANCIAL IMPLICATIONS:**

Not considered relevant to this report.

**DISCLOSURE OF INTERESTS:**

The Author and General Manager have no interests to declare in this matter.

**ATTACHMENTS:**

Nil