



NOTICE OF MEETING

Notice is hereby given that the next ordinary meeting of the CEO Performance Review Committee will be held on Wednesday 3 May 2023 in the Council Chambers, 43-51 Tanunda Road, Nuriootpa, commencing at 3.30pm.

Gary Mavrinac
DIRECTOR DEVELOPMENT AND
COMMUNITY SERVICES
THE BAROSSA COUNCIL

A G E N D A

Welcome by Mayor

1. ATTENDANCE RECORD

1.1 Members Present

Apologies

Nil

Not Present

Nil

Leave of Absence

Nil

2. CONFIRMATION OF PREVIOUS MINUTES

Nil

3. DEBATE AGENDA

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| 3.1 | Review of Committee Terms of Reference | 3 |
| 3.2 | Committee meeting schedule | 4 |

4. CONFIDENTIAL AGENDA

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| 5.1 | Consultant – Scope of works and review of processes | 5 |
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5. URGENT OTHER BUSINESS**6. NEXT MEETING**

Tuesday 16 May 2023 at 4.00pm

7. CLOSURE

DEBATE REPORT

3.1 REVIEW OF COMMITTEE TERMS OF REFERENCE

**Author: Manager Organisational Culture and People
23/19082**

To review the CEO Performance Review Committee Terms of Reference so all Members, regardless of whether they are new to the CEO Performance Review Process or existing, gain a full understanding of the legislative requirements of the Committee and the roles of Members. In particular, due to the Local Government Reform and the legislative changes to this part of the *Local Government Act 1999*.

This item will also include an informal discussion and summary to be facilitated by Melina Lipkiewicz who is present on behalf of the approved consultancy, for the CEO Performance Review Committee, regarding the purpose and process of the annual CEO Performance Review so as to ensure the Committee is aligned in their understanding and expectations of the process and outcomes.

ATTACHMENTS

Nil

SUPPORTING REFERENCES

Nil

DEBATE REPORT

3.2 COMMITTEE MEETING SCHEDULE

Author: Executive Business Partner and Manager Organisational Culture and People 23/19088

To build a consensus of timeframes involved and the process that is required for the review to be undertaken.

ATTACHMENTS

Nil

SUPPORTING REFERENCES

Nil

COVER SHEET

CONFIDENTIAL REPORT

3 May 2023

CEO Performance Review Committee Meeting

4.1 CONSULTANT – SCOPE OF WORKS AND REVIEW OF PROCESSES

The matter of the agenda item being information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead); pursuant to Section 90(3)(a) of the Local Government Act 1999 ("the Act") being information that must be considered in confidence.

There is strong public interest in enabling members of the public to observe CEO Performance Review Committee's transparent and informed decision-making. This helps to ensure accountability, maintain transparency of public expenditure, facilitate public participation, assist public awareness and allow for the scrutiny of information. Attendance at a CEO Performance Review Committee meeting is one means of satisfying this interest. The public will only be excluded from a CEO Performance Review Committee meeting when the need for confidentiality pursuant to Section 90(2) of the Act outweighs the public interest of open decision-making.

In this matter, the reasons that receipt, consideration or discussion of the information or matter in a meeting open to the public would be contrary to the public interest are that Personal Affairs of the CEO.

On balance, the above reason which supports the need for confidentiality pursuant to Section 90(2) of the Act outweighs the factors in favour of the public interest of open decision-making.

RECOMMENDATION

That CEO Performance Review Committee:

- (1) Under the provisions of Section 90(2) of the *Local Government Act 1999*, make an order that the public be excluded from the meeting with the exception of the Committee Members, Melina Lipkiewicz, from PeopleQ and the Minute Secretary, in order to consider in confidence a report relating to 4.1 Consultant – Scope of works and review of processes being information that must be considered in confidence pursuant to:

Section 90(3)(a) of the *Local Government Act 1999*:

information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead); and

- (2) Accordingly, on this basis, CEO Performance Review Committee is satisfied that public interest in conducting meetings in a place open to the public has been outweighed by the need to keep the information and discussion confidential in order that Personal Affairs of the CEO.