



MINUTES OF THE MEETING OF CEO PERFORMANCE REVIEW COMMITTEE

held on Wednesday 3 May 2023 commencing at 3.42pm
in the Council Chambers, 43-51 Tanunda Road, Nuriootpa.

MINUTES

Welcome by Mayor Lange and declared the meeting open. The Mayor introduced Rebecca Christianson as the Committees Independent Member and Melina Lipkiewicz from PeopleQ as the consultant. Both Rebecca and Melina provided a brief introduction on their skills and experience.

1. ATTENDANCE RECORD

1.1 MEMBERS PRESENT

Mayor Bim Lange, Crs David de Vries, Tony Hurn, Rick Lane and Jane Evans.

Apologies

Cr John Angas

Not Present

Nil

Leave of Absence

Nil

2. CONFIRMATION OF PREVIOUS MINUTES

Nil – Not required as this is the first annual meeting.

3. DEBATE AGENDA

3.1**REVIEW OF COMMITTEE TERMS OF REFERENCE****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*.

The purpose and process of the annual CEO Performance Review is aligned in their understanding and expectations of the process and outcomes.

ATTACHMENTS

Nil

SUPPORTING REFERENCES

Nil

Cr Rick Lane entered the meeting at 3.47pm

3.2**COMMITTEE MEETING SCHEDULE****23/19088****MOVED** Cr Evans

The Committee, with the assistance of the consultant, Melina Lipkiewicz is aiming to complete the CEO Performance Review process by 30 June 2023. This will allow for the process to involve:

1. Agreement of the process to be undertaken
2. Collection of data
3. Reporting outcome to the Committee

SECONDED Cr Lane**CARRIED CPRC2022-26/1****ATTACHMENTS**

Nil

SUPPORTING REFERENCES

Nil

4. CONFIDENTIAL AGENDA

4.1

CONSULTANT – SCOPE OF WORKS AND REVIEW OF PROCESSES

23/19085

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.

MOVED Cr Hurn

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 5.1 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.

SECONDED Cr Lane

CARRIED CPRC2022-26/2

The meeting moved into confidence at 3.52pm

Ms Rebecca Christianson left the meeting at 4.02pm

MOVED Cr Evans

The Committee agreed:

- 1) Council resolution
- 2) Having considered this matter in confidence under Sections 90(2) and 90(3)(a) of the *Local Government Act 1999*, makes an order pursuant to Section 91(7), that the minutes, agenda report and attachments other than the minutes relating to this confidentiality order of the Confidential CEO Performance Review Committee Meeting held on 3 May 2023 in relation to item 4.1– Consultant - Scope of works and review of processes be kept confidential and not available for public inspection and Council to annually review the order.

SECONDED Cr Hurn

CARRIED COCPRC2022-26/3

Resumption of open committee meeting at 4.27pm

5. URGENT OTHER BUSINESS

Nil

6. NEXT MEETING

Tuesday 16 May 2023 at 4.00pm

7. CLOSURE

Mayor Lange declared the meeting closed at 4.30pm

Confirmed at CEO Performance Review Committee Meeting on 16 May 2023

Date:.....

Mayor:.....