



MINUTES OF THE MEETING OF CEO PERFORMANCE REVIEW COMMITTEE

held on Tuesday 16 May 2023 commencing at 4.01pm
in the Council Chambers, 43-51 Tanunda Road, Nuriootpa.

M I N U T E S

WELCOME BY MAYOR LANGE

1. ATTENDANCE RECORD

1.1 MEMBERS PRESENT

Mayor Lange, Crs David de Vries, Tony Hurn, Jane Evans and John Angas, Rebecca Christianson, Independent Member and Melina Lipkiewicz from PeopleQ.

Apologies

Nil

Not Present

Rick Lane

Leave of Absence

Nil

2. CONFIRMATION OF PREVIOUS MINUTES

MOVED Cr de Vries

That the Minutes of the CEO Performance Review Committee held on Wednesday 3 May 2023 at 4.00pm, as circulated, be confirmed as true and correct records of the proceedings of those meetings.

SECONDED Cr Evans

CARRIED CPRCC2022-26/4

3. DEBATE AGENDA

NIL

4. CONFIDENTIAL AGENDA

4.1

CEO PERFORMANCE REVIEW PROCESS

23/21839

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 the matter relates to information pertaining to the personal affairs of the Chief Executive Officer.

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, Consultant, Melina Lipkiewicz and the Minute Secretary, in order to consider in confidence a report relating to 4.1 CEO Performance Review Process 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 the matter relates to information pertaining to the personal affairs of the Chief Executive Officer.

SECONDED Cr de Vries

CARRIED CPRCC2022-26/5

The meeting moved into confidence at 4.03pm

MOVED Cr Hurn

That Council:

- (1) Committee 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 16 May 2023 in relation to item 4.1 CEO Performance Review Process be kept confidential and not available for public inspection until Annual Review by Council.

SECONDED Cr Evans

CARRIED COCPRC2022-26/6

Resumption of open committee meeting at 4.52pm

5. URGENT OTHER BUSINESS

6. NEXT MEETING

Wednesday 7 June 2023 at 4.00pm

7. CLOSURE

Mayor Lange declared the meeting closed at 4.52pm.

Confirmed at CEO Performance Review Committee Meeting on 7 June 2023

Date:.....

Mayor:.....