



MINUTES OF THE MEETING OF CEO PERFORMANCE REVIEW COMMITTEE

held on Wednesday 7 June 2023 commencing at 4.00pm
in the Council Chambers, 43-51 Tanunda Road, Nuriootpa.

MINUTES

WELCOME BY MAYOR LANGE

1. ATTENDANCE RECORD

1.1 MEMBERS PRESENT

Mayor Lange, Crs David de Vries, Tony Hurn, Jane Evans, Rick Lane and John Angas, Rebecca Christianson, Independent Member (via Teams) and Melina Lipkiewicz from PeopleQ (via Teams).

Apologies

Nil

Not Present

Nil

Leave of Absence

Nil

2. CONFIRMATION OF PREVIOUS MINUTES

MOVED Cr de Vries

That the Minutes of the CEO Performance Review Committee held on Tuesday 16 May 2023 at 4.00pm, as circulated, be confirmed as true and correct records of the proceedings of those meetings.

SECONDED Cr Evans

CARRIED CPRCC/4

3. MATTERS FOR INFORMATION

3.1 CEO Performance Review update 1st June

4. CONFIDENTIAL AGENDA

4.1

CAPABILITY FRAMEWORK

23/28414

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 CEO Performance Review.

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 de Vries

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 and the Minute Secretary, in order to consider in confidence a report relating to 4.1 Capability Framework 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 CEO Performance Review.

SECONDED Cr Hurn

CARRIED CPRCC/5

The meeting moved into confidence at 4.04 pm

MOVED Cr de Vries

That CEO Performance Review Committee, pending consultation with the CEO:

- (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 7 June 2023 in relation to item 4.1 Capability Framework be kept confidential and not available for public inspection until the Annual Review by Council.

SECONDED Cr Hurn

CARRIED COCPRCC/6

Resumption of open council meeting at 4.09 pm

4.2

DATA COLLECTION - 360-SURVEY DESIGN **23/28431**

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 CEO Performance Review.

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 and the Minute Secretary, in order to consider in confidence a report relating to 4.2 Data Collection - 360-Survey Design 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 CEO Performance Review.

SECONDED Cr Angas**CARRIED CPRCC/7**

The meeting moved into confidence at 4.09pm

Cr Rick Lane entered the meeting at 4.19pm

MOVED Cr de Vries

That CEO Performance Review Committee, pending consultation with the CEO:

- (1) Committee resolution
- (2) Committee resolution
- (3) Committee resolution
- (4) Committee resolution
- (5) Committee resolution
- (6) 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 7 June 2023 in relation to item 4.2 Data Collection - 360-Survey Design be kept confidential and not available for public inspection until the Annual Review by Council.

SECONDED Cr Hurn**CARRIED COCPRCC/8**

Resumption of open council meeting at 4.51pm

4.3

UPDATED POSITION DESCRIPTION

23/28436

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 CEO Performance Review.

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 de Vries

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 and the Minute Secretary, in order to consider in confidence a report relating to 4.3 Updated Position Description 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 CEO Performance Review.

SECONDED Cr Hurn

CARRIED CPRCC/9

The meeting moved into confidence at 4.51pm

MOVED Cr Angas

That CEO Performance Review Committee, pending consultation with the CEO recommend Council:

- (1) Committee resolution
- (2) Committee resolution
- (3) 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 7 June 2023 in relation to item 4.3 Updated Position Description be kept confidential and not available for public inspection until the Annual Review by Council.

SECONDED Cr Evans

CARRIED COCPRCC/10

Resumption of open council meeting at 4.59pm

5. URGENT OTHER BUSINESS

Updated time frames confirmed.

6. NEXT MEETING

Wednesday 12 July 2023 at 4pm

7. CLOSURE

Mayor Lange declared the meeting closed at 5.11pm

Confirmed at CEO Performance Review Committee Meeting on

Date:.....

Mayor:.....