



MINUTES OF THE MEETING OF CEO PERFORMANCE REVIEW COMMITTEE

held on Wednesday 12 July 2023 commencing at 4.06pm
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 AND MELINA LIPKIEWICZ FROM PEOPLEQ.

APOLOGIES

NIL

NOT PRESENT

NIL

LEAVE OF ABSENCE

NIL

1.5 MINUTES OF PREVIOUS MEETINGS – FOR CONFIRMATION:

MOVED Cr Hurn

That the Minutes of the CEO Performance Review Committee held on Wednesday 7 June 2023 at 4.00pm, as circulated, be confirmed as true and correct records of the proceedings of those meetings.

SECONDED Cr Lane

CARRIED CPRCC/11

2. MATTERS FOR INFORMATION

- 2.1 Independent Remuneration Tribunal - Determination 4 of 2023 - CEO Remuneration

3. DEBATE REPORTS

Nil

4. CONFIDENTIAL AGENDA

4.1

PRESENTATION OF RESULTS FROM THE DATA COLLECTION PHASE OF THE CEO PERFORMANCE REVIEW

23/37867

The matter of the agenda item being:

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); 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 Minute Secretary, in order to consider in confidence a report relating to 4.1

Presentation of results from the data collection phase of the CEO Performance Review 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);

- (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 Evans

CARRIED CPRCC/12

The meeting moved into confidence at 4.11pm

MOVED Cr de Vries

That the Committee:

- (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 12 July 2023 in relation to item 4.1 Presentation of results from the data collection phase of the CEO Performance Review be kept confidential and not available for public inspection until Council's annual review of Confidential Orders.

SECONDED Cr Hurn

CARRIED COCPRCC/13

Resumption of open council meeting at 4.45pm

2. URGENT OTHER BUSINESS

Re-assess timeframes.

3. NEXT MEETING

To be determined.

4. CLOSURE

Mayor Lange declared the meeting closed at 4.45pm.

Confirmed at CEO Performance Review Committee Meeting on

Date:.....

Mayor:.....