



MINUTES OF THE MEETING OF CEO PERFORMANCE REVIEW COMMITTEE

held on Tuesday 17 June 2025 commencing at 4.00pm
in the Peramangk Meeting Room - Council Office, 43-51 Tanunda Road,
Nuriootpa.

MINUTES

Welcome by Mayor Bim Lange declared the meeting open at 4.04pm.

1. ATTENDANCE RECORD

1.1 Members Present

Mayor Bim Lange, Cr Kathryn Schilling, Cr Tony Hurn, Cr Jess Greatwich, Lauren Marshall – Independent Member, Andrew Reed – Hender Consulting

Apologies

Nil

Not Present

Nil

Leave of Absence

Nil

2. CONFIRMATION OF PREVIOUS MINUTES

2.1 Minutes of previous meetings – for confirmation:

MOVED Cr Hurn

That the Minutes of the CEO Performance Review Committee held on Tuesday 20 May 2025 at 4.00pm, as circulated, be confirmed as true and correct records of the proceedings of those meetings.

SECONDED Cr Schilling

CARRIED CPRCC/7

2.2 Matters arising from previous minutes

Nil

3. MATTERS FOR INFORMATION

- 3.1 Final Determination Local Government CEO's - South Australian Renumeration Tribunal - 16 May 2025

4. DEBATE REPORT

Nil

5. CONFIDENTIAL AGENDA

5.1 CEO RENUMERATION DETERMINATION - NORMAN WATERHOUSE LAWYERS UPDATE 25/44183

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 this matter includes information regarding the employment contract 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 and the Minute Secretary, in order to consider in confidence a report relating to 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 this matter includes information regarding the employment contract of the CEO.

SECONDED Cr Greatwich

CARRIED CPRCC/8

The meeting moved into confidence at 4.07pm

MOVED Cr Greatwich

That CEO Performance Review Committee:

- (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 17 June 2025 in relation to item 5.1 CEO Remuneration Determination - Norman Waterhouse Lawyers Update be kept confidential and not available for public inspection until Council's annual review of confidential items.

SECONDED Cr Hurn

CARRIED CO CPRCC/9

Resumption of open Committee meeting at 4.11pm

Mayor Lange brought Item 5.3 - CEO Performance Review 2025 Outcomes forward.

5.3 CEO PERFORMANCE REVIEW 2025 OUTCOMES **25/44137**

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 relating to the performance and employment contract 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 Greatwich

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 and the Minute Secretary, in order to consider in confidence a report relating to 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 relating to the performance and employment contract of the CEO

SECONDED Cr Hurn

CARRIED CPRCC/10

The meeting moved into confidence at 4.11pm

MOVED Cr Greatwich

That CEO Performance Review Committee, having noted the performance results and comments and supporting documentation recommend to Council to:

- (1) Committee resolution.
- (2) Committee resolution.
- (3) Committee resolution.
- (4) 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 17 June 2025 in relation to item 5.3 CEO Performance Review 2025 Outcomes be kept confidential and not available for public inspection until Council's annual review of confidential items.

SECONDED Cr Hurn

CARRIED CO CPRCC/11

Resumption of open Committee meeting at 4.38pm

5.2 CEO RENUMERATION - ADVICE FROM KELLEDY JONES LAWYERS 25/44178

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 this matter includes information that pertains to the employment contract 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 Greatwich

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 and the Minute Secretary, in order to consider in confidence a report relating to 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 this matter includes information that pertains to the employment contract of the CEO.

SECONDED Cr Hurn

CARRIED CPRCC/12

The meeting moved into confidence at 4.38pm

MOVED Cr Greatwich

That CEO Performance Review Committee

- (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 17 June 2025 in relation to item 5.2 CEO Remuneration - Advice from Kelliedy Jones Lawyers be kept confidential and not available for public inspection until Council's annual review of confidential items.

SECONDED Cr Hurn

CARRIED CO CPRCC/13

Resumption of open Committee meeting at 4.39pm

6. URGENT OTHER BUSINESS

Nil

7. NEXT MEETING

To be determined.

8. CLOSURE

Mayor Lange declared the meeting closed at 4.43pm.

Confirmed at CEO Performance Review Committee Meeting on

Date:.....

Chairperson:.....