



MINUTES OF THE MEETING OF CEO PERFORMANCE REVIEW COMMITTEE

held on Tuesday 12 July 2022 commencing at 9.30am
in the Council Chambers, 43-51 Tanunda Road, Nuriootpa.

1. CEO PERFORMANCE REVIEW COMMITTEE

1.1 WELCOME

1.2 MEMBERS PRESENT

Mayor Lange, Crs David de Vries, Kathryn Schilling, Tony Hurn, Russell Johnstone and Andrew Reed (via Teams)

1.3 LEAVE OF ABSENCE

Nil

1.4 APOLOGIES FOR ABSENCE

Nil

1.5 MINUTES OF PREVIOUS MEETINGS – FOR CONFIRMATION:

MOVED Cr Johnstone

That the Minutes of the CEO Performance Review Committee held on Wednesday 1 June 2022 at 5.00pm, as circulated, be confirmed as true and correct records of the proceedings of those meetings.

SECONDED Cr Hurn

CARRIED CPRCC/5

2. CONFIDENTIAL AGENDA

5.1

CEO PERFORMANCE REVIEW OUTCOMES

22/42677

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 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 Mayor Lange, Crs Johnstone, Schilling, de Vries, Hurn, Andrew Reed and the Minute Secretary, in order to consider in confidence a report relating to 5.1 CEO Performance Review Outcomes 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 Schilling

CARRIED COCPRCC/6

The meeting moved into confidence at 9.30am

Resumption of open council meeting at 9.59am

3. URGENT OTHER BUSINESS

Nil

4. NEXT MEETING

Nil

5. CLOSURE

Mayor Lange declared the meeting closed at 10.05am

Confirmed at CEO Performance Review Committee Meeting on

Date:.....

Mayor:.....