

**ADELAIDE HILLS COUNCIL
CEO PERFORMANCE REVIEW PANEL COMMITTEE
MINUTES OF SPECIAL MEETING
THURSDAY 2 NOVEMBER 2023
63 MT BARKER ROAD STIRLING**

In Attendance

Presiding Member: Cr Nathan Daniell

Members:

Ms Janet Miller	Independent Member
Mayor Jan-Claire Wisdom	
Cr Kirsty Parkin	

In Attendance:

Ms Anne Pett	Minute Secretary
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1. COMMENCEMENT

The meeting commenced at 4.08pm.

Moved Mayor Jan-Claire Wisdom

S/- Cr Kirsty Parkin

PRP15/23

The CEO Performance Review Panel resolves that in the absence of the Presiding Member, Cr Chris Grant, Cr Nathan Daniell would be the Presiding Member for the meeting.

Carried Unanimously

2. OPENING STATEMENT

Council acknowledges that we meet on the traditional lands and waters of the Peramangk and Kaurna people. We pay our respects to Elders past, present and emerging as the Custodians of this ancient and beautiful land. Together we will care for this country for the generations to come.

3. APOLOGIES/LEAVE OF ABSENCE

3.1 Apology

Nil

3.2 Leave of Absence

Cr Chris Grant from 30 October 2023 to 10 November 2023 approved at Council 10 October 2023

Presiding Member _____ 14 December 2023

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3.3 **Absent**
Nil

4. **PRESIDING MEMBER'S OPENING COMMENTS**
Nil

5. **DELEGATION OF AUTHORITY**

The CEO Performance Review Panel operates in accordance with the relevant sections of the *Local Government Act 1999* (the Act), and its Terms of Reference.

6. **DECLARATION OF CONFLICT OF INTEREST BY MEMBERS OF THE COMMITTEE**

6.1 **Material Conflict of Interest, Cr Nathan Daniell, Item 10.2.1**

Under section 75C of the Act, Cr Nathan Daniell disclosed a Material Conflict of Interest in Item 10.2.1, the nature of which is as follows:

- I am the Deputy Mayor and receive a monetary payment for my role as Deputy Mayor.

Cr Nathan Daniell intends to leave the meeting room when this item is discussed.

7. **OFFICER REPORTS – DECISION ITEMS**
Nil

8. **MOTIONS WITHOUT NOTICE**
Nil

9. **QUESTIONS WITHOUT NOTICE**
Nil

4:13pm Mayor Jan-Claire Wisdom left the meeting room.

4:15pm Mayor Jan-Claire Wisdom returned to the meeting room.

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10. CONFIDENTIAL ITEMS

10.1 CEO Probationary Review Process – Exclusion of the Public

Moved Kirsty Parkin
S/- Janet Miller

PRP16/23

1. Pursuant to Sections 90(2) and 90(3)(a) and (h) of the Act, the Chief Executive Officer Performance Review Panel orders that the public be excluded from attendance at that part of this meeting relating to Item 10.1, CEO Probationary Review Process, excepting the following persons:

- Anne Pett, Minute Secretary

to enable the Panel to consider Item 10.1 in confidence on the basis the Chief Executive Officer Performance Review Panel considers it necessary and appropriate to act in a meeting closed to the public (excepting those persons, if any, listed above) in order to receive, discuss or consider in confidence the following information or matter relating to Item 10.1:

- information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead) specifically, the present matter relates to the CEO Probationary Review Process, and it would be unreasonable at this stage to disclose that information;
 - legal advice from Norman Waterhouse Lawyers.
2. Accordingly, on this basis, the principle that meetings of the Chief Executive Officer Performance Review Panel should be conducted in a place open to the public has been outweighed by the need to keep the matter or information confidential.

Carried Unanimously

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10.1.1. CEO Probationary Review Process – Confidential Item

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10.1.2 CEO Probationary Review Process – Duration of Confidentiality

Moved Mayor Jan-Claire Wisdom
S/- Janet Miller

PRP18/23

1. Pursuant to Section 91(7) of the Act, the Chief Executive Officer Performance Review Panel orders that the following documents shall be kept confidential being documents relating to a matter dealt with by the Chief Executive Officer Performance Review Panel on a confidential basis under Sections 90(2) and 90(3)(a) and (h) of the Act:
 - the report, related attachments, minutes and other documents of Item 10.1, CEO Probationary Review Process of 2 November 2023; and
 - the legal advice of Norman Waterhouse Lawyers dated 1 November 2023 and 2 November 2023 relating to this matter

on the grounds that the documents relate to:

 - information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead) specifically, the present matter relates to the CEO Probation Review Process, and it would be unreasonable at this stage to disclose that information; and
 - legal advice from Norman Waterhouse Lawyers.
2. This order shall operate until further order and will be reviewed at least annually in accordance with the Act.

Carried Unanimously

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10.2 CEO PRP Term Extension to end of Probationary Period – Exclusion of the Public

Moved Kirsty Parkin
S/- Janet Miller

PRP19/23

1. Pursuant to Sections 90(2) and 90(3)(a) and (h) of the Act, the Chief Executive Officer Performance Review Panel orders that the public be excluded from attendance at that part of this meeting relating to Item 10.2, CEO PRP Term Extension to end of Probationary Period, excepting the following persons:

- Anne Pett, Minute Secretary

to enable the Panel to consider Item 10.2 in confidence on the basis the Chief Executive Officer Performance Review Panel considers it necessary and appropriate to act in a meeting closed to the public (excepting those persons, if any, listed above) in order to receive, discuss or consider in confidence the following information or matter relating to Item 10.2:

- information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead) specifically, the present matter relates to the CEO Probation Review Process, and it would be unreasonable at this stage to disclose that information; and
 - legal advice from Norman Waterhouse Lawyers.
2. Accordingly, on this basis, the principle that meetings of the Chief Executive Officer Performance Review Panel should be conducted in a place open to the public has been outweighed by the need to keep the matter or information confidential.

Carried Unanimously

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10.2.1 CEO PRP Term Extension to end of Probationary Period – Confidential Item

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10.2.2 CEO PRP Term Extension to end of Probationary Period – Duration of Confidentiality

Moved Mayor Jan-Claire Wisdom
S/- Janet Miller

PRP21/23

1. Pursuant to Section 91(7) of the Act, the Chief Executive Officer Performance Review Panel orders that the following documents shall be kept confidential being documents relating to a matter dealt with by the Chief Executive Officer Performance Review Panel on a confidential basis under Sections 90(2) and 90(3)(a) and (h) of the Act:
 - the report, related attachments, minutes and other documents of Item 10.2, CEO PRP Term Extension to end of Probationary Period of 2 November 2023; and
 - the legal advice of Norman Waterhouse Lawyers dated 1 November 2023 and 2 November 2023 relating to this matter

on the grounds that the documents relate to:

 - information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead) specifically, the present matter relates to the CEO Probation Review Process, and it would be unreasonable at this stage to disclose that information; and
 - legal advice from Norman Waterhouse Lawyers.
2. This order shall operate until further order and will be reviewed at least annually in accordance with the Act.

Carried Unanimously

5.00pm Cr Nathan Daniel returned to the meeting room.

11. 11. NEXT MEETING

The next CEO Performance Review Panel meeting will be held on 14 December 2023 from 6.00pm at 63 Mt Barker Road Stirling.

12. 12. CLOSE MEETING

The meeting closed at 5.05pm.