

ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 9 April 2024
CONFIDENTIAL AGENDA BUSINESS ITEM

Item: **19.1**

Responsible Officer: **Zoë Gill**
Governance and Risk Coordinator
Office for the Chief Executive

Subject: **CEO Performance Review Panel – Minutes of Special Meeting**
28 March 2024

For: **Decision**

1. CEO Performance Review Panel – Minutes of Special Meeting 28 March 2024 – Exclusion of the Public

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except:

- **Chief Executive Officer, Greg Georgopoulos**
- **Governance and Risk Coordinator, Zoë Gill**
- **Governance Support, Tracy Riddle, Kelledy Jones Lawyers**
- **Minute Secretary, Rebekah Lyons**

be excluded from attendance at the meeting for Agenda Item 19.1: CEO Performance Review Panel – Minutes of Special Meeting 28 March 2024 in confidence.

The Council is satisfied that it is necessary that the public, with the exception of Council staff in attendance as specified above, be excluded to enable Council to consider the report at the meeting on the following grounds:

Section 90(3)(a) of the *Local Government Act 1999*, the information to be received, discussed or considered in relation to this Agenda Item is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

Accordingly, on this basis the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep the information and discussion confidential.

2. CEO Performance Review Panel – Minutes of Special Meeting 28 March 2024 – Confidential Item

SUMMARY

To review and note the received minutes of the CEO Performance Review Panel Special Meeting dated 28 March 2024.

The CEO Performance Review Panel meet regularly to review the CEO's performance and development. It provides advice to Council and works with the CEO in setting goals and KPIs and reviewing performance metrics.

The panel often meets on a confidential basis, where minutes of meetings have been produced.

RECOMMENDATION

Council resolves:

- 1. That the confidential minutes of the CEO Performance Review Panel Special Meeting of 28 March 2024, as supplied, be received and noted.**

1. BACKGROUND

The CEO Performance Review Panel Committee Minutes of its Special Meeting of 28 March 2024 are outlined in **Appendix 1**.

2. OPTIONS

Council has the following options:

- Note the CEO PRP minutes of meeting as received (Recommended)
- Not accept the CEO PRP minutes of meeting (Not Recommended)

3. APPENDICES

- (1) CEO Performance Review Panel Minutes of Special Meeting of 28 March 2024

Appendix 1

CEO Performance Review Panel – Minutes of Special
Meeting 28 March 2024

ADELAIDE HILLS COUNCIL
CEO PERFORMANCE REVIEW PANEL COMMITTEE
MINUTES OF MEETING
THURSDAY 28 MARCH 2024
63 MT BARKER ROAD STIRLING

Presiding Member: Cr Chris Grant

Members:

Ms Vanessa Godden	Independent Member
Mayor Jan-Claire Wisdom	Leave of Absence
Cr Nathan Daniell	
Cr Kirsty Parkin	

In Attendance:

Mr Greg Georgopoulos	Chief Executive Officer
Dr Zoë Gill	Governance & Risk Coordinator

1. COMMENCEMENT

The meeting commenced at 6.00pm

The Committee 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.

2. APOLOGIES/LEAVE OF ABSENCE

2.1 Apology

Nil

2.2 Leave of Absence

Mayor Jan-Claire Wisdom

2.3 Absent

Nil

3. MINUTES OF PREVIOUS MEETINGS

Moved Cr Kirsty Parkin
S /- Ms Vanessa Godden

PRP 20/24

That the minutes of the CEO Performance Review Panel meeting held on Thursday 21 March 2024 as distributed, be confirmed as an accurate record of the proceedings of that meeting.

ADELAIDE HILLS COUNCIL
CEO PERFORMANCE REVIEW PANEL COMMITTEE
MINUTES OF MEETING
THURSDAY 28 MARCH 2024
63 MT BARKER ROAD STIRLING

	Carried Unanimously
--	----------------------------

4. PRESIDING MEMBER'S OPENING COMMENTS

Thanked members for their efforts so far in relation to the setting of KPIs and the CEO performance review process, noting it has been rigorous and produced a positive outcome.

5. DELEGATION OF AUTHORITY

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

6. DECLARATION OF CONFLICT OF INTEREST BY MEMBERS OF THE PANEL

Nil

7. OFFICER REPORTS – DECISION ITEMS

Nil

8. MOTIONS WITHOUT NOTICE

Nil

9. QUESTIONS WITHOUT NOTICE

Nil

10. CONFIDENTIAL ITEMS

ADELAIDE HILLS COUNCIL
CEO PERFORMANCE REVIEW PANEL COMMITTEE
MINUTES OF MEETING
THURSDAY 28 MARCH 2024
63 MT BARKER ROAD STIRLING

10.1 CEO - Setting of KPIs – Exclusion of the Public

Moved Cr Nathan Daniel
S/- Cr Kirsty Parkin

PRP 21/24

Pursuant to section 90(2) of the Local Government Act 1999 the Panel orders that all members of the public, except:

- **CEO, Greg Georgopoulos**
- **Zoë Gill, Governance and Risk Coordinator**

be excluded from attendance at the meeting for Agenda Item 10.2: CEO - Setting of KPIs.

The Panel is satisfied that it is necessary that the public, with the exception of the persons in attendance as specified above, be excluded to enable the Panel to consider the report at the meeting on the following grounds:

Section 90(3) (a) of the Local Government Act 1999, the information to be received, discussed or considered in relation to this Agenda Item is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

Accordingly, on this basis the principle that meetings of the Panel should be conducted in a place open to the public has been outweighed by the need to keep the information and discussion confidential.

Carried Unanimously

ADELAIDE HILLS COUNCIL
CEO PERFORMANCE REVIEW PANEL COMMITTEE
MINUTES OF MEETING
THURSDAY 28 MARCH 2024
63 MT BARKER ROAD STIRLING

At 6.04pm, the Presiding Member, with approval of at least two thirds of members present, suspended the operation of the formal meeting procedures.

The CEO was invited to speak to the draft KPI's and answer questions from Members.

Discussion included:

- Positive support for the KPIs
- Amend pillar 4.5 to seek 'early' feedback from staff on impact of internal communication strategy, noting feedback being sought in December and March.

At 6.15pm the Presiding Member determined that the period of suspension should be brought to an end.

10.1.1 CEO - Setting of KPIs – Confidential Item

Moved Cr Nathan Daniel
S/- Ms Vanessa Godden

PRP 22/24

The CEO Performance Review Panel resolves:

1. **That the report be received and noted.**
2. **The CEOs draft KPIs in Appendix 1 be proposed for recommendation to Council for adoption after a workshop with elected members, with one minor change to pillar 4.**

Carried Unanimously

ADELAIDE HILLS COUNCIL
CEO PERFORMANCE REVIEW PANEL COMMITTEE
MINUTES OF MEETING
THURSDAY 28 MARCH 2024
63 MT BARKER ROAD STIRLING

10.1.2 CEO – Setting of KPIs - Duration of Confidentiality

Moved Cr Kirsty Parkin
S/- Cr Nathan Daniel

PRP 23/24

Subject to the CEO, or his delegate, disclosing information or any document (in whole or in part) for the purpose of implementing the Panel's decision(s) in this matter in the performance of the duties and responsibilities of office, the Panel, having considered Agenda Item 10.1 in confidence under sections 90(2) and 90(3)(a) of the *Local Government Act 1999*, resolves that an order be made under the provisions of sections 91(7) and (9) of the *Local Government Act 1999* to retain the items in confidence as detailed in the Duration of Confidentiality Table below:

Item	Duration of Confidentiality NB: Item to be reviewed every 12 months if not released
Report	Until the KPIs have been endorsed by Council
Related Attachments	Until the KPIs have been endorsed by Council
Minutes	Until the KPIs have been endorsed by Council
Other (presentation, documents, or similar)	Until the KPIs have been endorsed by Council

Carried Unanimously

ADELAIDE HILLS COUNCIL
CEO PERFORMANCE REVIEW PANEL COMMITTEE
MINUTES OF MEETING
THURSDAY 28 MARCH 2024
63 MT BARKER ROAD STIRLING

10.2 Chief Executive Officer's Performance Review 2024/25– Exclusion of the Public

Moved Cr Kirsty Parkin **PRP 24/24**
S/- Ms Vanessa Godden

Pursuant to section 90(2) of the Local Government Act 1999 the Panel orders that all members of the public, except:

- **CEO, Greg Georgopoulos**
- **Zoë Gill, Governance and Risk Coordinator**

be excluded from attendance at the meeting for Agenda Item 10.2: Chief Executive Officer's Performance Review 2024/25.

The Panel is satisfied that it is necessary that the public, with the exception of Council staff in attendance as specified above, be excluded to enable the Panel to consider the report at the meeting on the following grounds:

- **Section 90(3)(a) of the *Local Government Act 1999*, the information to be received, discussed or considered in relation to this Agenda Item is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).**
- **Section 90(3)(b) of the *Local Government Act 1999*, information the disclosure of which (i) could reasonably be expected to confer a commercial advantage on a person with whom the Panel is conducting, or proposing to conduct business, or to prejudice the commercial position of the Panel; and (ii) would, on balance be contrary to the public interest.**
- **Section 90(3)(d) of the *Local Government Act 1999*, information the disclosure of which (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and (ii) would, on balance, be contrary to the public interest.**

Accordingly, on this basis the principle that meetings of the Panel should be conducted in a place open to the public has been outweighed by the need to keep the information and discussion confidential.

Carried Unanimously

ADELAIDE HILLS COUNCIL
CEO PERFORMANCE REVIEW PANEL COMMITTEE
MINUTES OF MEETING
THURSDAY 28 MARCH 2024
63 MT BARKER ROAD STIRLING

At 6.19pm, the Presiding Member, with approval of at least two thirds of members present, suspended the operation of the formal meeting procedures.

Discussion of 4 quotes included consideration of:

- Price
- Responsiveness of service, noting previous experience with providers
- Operational knowledge of Council business
- Perceived or real conflicts of interest

Taking into account all these considerations, agreed that the preferred provider was Michael Kelledy from Kelledy Jones Lawyers.

At 6.33pm the Presiding Member determined that the period of suspension should be brought to an end.

10.2.1 Chief Executive Officer's Performance Review 2024/25 – Confidential Item

Moved Cr Kirsty Parkin
S/- Ms Vanessa Godden

PRP 25/24

The CEO Performance Review Panel recommends to Council:

1. **That the report be received and noted**
2. **That it is noted that the CEO Performance Review Panel assessed the quotes on a number of criteria, including:**
 - Price
 - Responsiveness of service
 - Operational knowledge of Council business
 - Perceived or real conflicts of interest
3. **That Michael Kelledy from Kelledy Jones Lawyers be appointed as the appropriate Qualified Independent Person for the CEO Performance Review process.**

Carried Unanimously

ADELAIDE HILLS COUNCIL
CEO PERFORMANCE REVIEW PANEL COMMITTEE
MINUTES OF MEETING
THURSDAY 28 MARCH 2024
63 MT BARKER ROAD STIRLING

10.2.2 Chief Executive Officer's Performance Review 2024/25 - Duration of Confidentiality

Moved Ms Vanessa Godden **PRP 26/24**
S/- Cr Kirsy Parkin

Subject to the CEO, or his delegate, disclosing information or any document (in whole or in part) for the purpose of implementing the Panel's decision(s) in this matter in the performance of the duties and responsibilities of office, the Panel, having considered Agenda Item 10.2 Chief Executive Officer's Performance Review 2024/25 in confidence under sections 90(2) and 90(3)(a) of the Local Government Act 1999, resolves that an order be made under the provisions of sections 91(7) and (9) of the Local Government Act 1999 to retain the Items in confidence as detailed in the Duration of Confidentiality Table below:

Item	Duration of Confidentiality NB: Item to be reviewed every 12 months if not released
Report	28 March 2027
Related Attachments	28 March 2027
Minutes	until the appointment has been confirmed
Other (presentation, documents, or similar)	28 March 2027

Carried Unanimously

ADELAIDE HILLS COUNCIL
CEO PERFORMANCE REVIEW PANEL COMMITTEE
MINUTES OF MEETING
THURSDAY 28 MARCH 2024
63 MT BARKER ROAD STIRLING

10.3 Chief Executive Officer's Professional Development 2024 - Duration of Confidentiality

Moved Cr Nathan Daniel **PRP 27/24**
S/- Cr Kirsty Parkin

Pursuant to section 90(2) of the Local Government Act 1999 the Panel orders that all members of the public, except:

- **CEO, Greg Georgopoulos**
- **Zoë Gill, Governance and Risk Coordinator**

be excluded from attendance at the meeting for Agenda Item 10.3: Chief Executive Officer's Development Plan 2024.

The Panel is satisfied it is necessary that the public, with the exception of Council staff in attendance as specified above, be excluded to enable the Panel to consider the report at the meeting on the following grounds:

- **Section 90(3) (a) of the Local Government Act 1999, the information to be received, discussed or considered in relation to this Agenda Item is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).**

Accordingly, on this basis the principle that meetings of the Panel should be conducted in a place open to the public has been outweighed by the need to keep the information and discussion confidential.

Carried Unanimously

At 6.54pm, the Presiding Member, with approval of at least two thirds of members present, suspended the operation of the formal meeting procedures.

The CEO was invited to speak to the development plan and answer questions from Members.

Discussion included:

- Acknowledgment of the contribution Ms Godden had made to the development of the plan
- Positive support for the plan, noting it will support the CEO to achieve the KPIs and have a positive impact on the organisation

At 7.05pm, the Presiding Member determined that the period of suspension should be brought to an end.

**ADELAIDE HILLS COUNCIL
CEO PERFORMANCE REVIEW PANEL COMMITTEE
MINUTES OF MEETING
THURSDAY 28 MARCH 2024
63 MT BARKER ROAD STIRLING**

10.3.1 Chief Executive Officer's Professional Development 2024 – Confidential Item

Moved Cr Kirsty Parkin **PRP 28/24**
S/- Ms Vanessa Godden

The CEO Performance Review Panel recommends to Council:

- 1. That the report be received and noted.**
- 2. That the Chief Executive Officer's Development Plan 2024 be adopted.**

Carried unanimously

ADELAIDE HILLS COUNCIL
CEO PERFORMANCE REVIEW PANEL COMMITTEE
MINUTES OF MEETING
THURSDAY 28 MARCH 2024
63 MT BARKER ROAD STIRLING

10.3.2 Chief Executive Officer's Professional Development 2024 - Duration of Confidentiality

Moved Cr Nathan Daniel PRP 29/24
 S/- Cr Kirsty Parkin

Subject to the CEO, or his delegate, disclosing information or any document (in whole or in part) for the purpose of implementing the Panel's decision(s) in this matter in the performance of the duties and responsibilities of office, the Panel, having considered Agenda Item 10.3 Chief Executive Officer's Professional Development 2024 in confidence under sections 90(2) and 90(3)(a) of the Local Government Act 1999, resolves that an order be made under the provisions of sections 91(7) and (9) of the Local Government Act 1999 to retain the Items in confidence as detailed in the Duration of Confidentiality Table below:

Item	Duration of Confidentiality NB: Item to be reviewed every 12 months if not released
Report	until the development plan has been endorsed by Council, but not longer than 21 March 2025
Related Attachments	until the development plan has been endorsed by Council, but not longer than 21 March 2025
Minutes	until the development plan has been endorsed by Council, but not longer than 21 March 2025
Other (presentation, documents, or similar)	until the development plan has been endorsed by Council, but not longer than 21 March 2025

ADELAIDE HILLS COUNCIL
CEO PERFORMANCE REVIEW PANEL COMMITTEE
MINUTES OF MEETING
THURSDAY 28 MARCH 2024
63 MT BARKER ROAD STIRLING

	Carried unanimously
--	----------------------------

11. NEXT MEETING

The next meeting of the CEO Performance Review Panel to be held Thursday 23 May 2024 from 6.00pm, at 63 Mt Barker Road Stirling.

12. CLOSE MEETING

The meeting closed at 7.10pm

3. CEO Performance Review Panel – Minutes of Special Meeting 28 March 2024 – Duration of Confidentiality

Subject to the CEO, or his delegate, disclosing information or any document (in whole or in part) for the purpose of implementing Council's decision(s) in this matter in the performance of the duties and responsibilities of office, Council, having considered Agenda Item 19.1 in confidence under sections 90(2) and 90(3) (a) of the Local Government Act 1999, resolves that an order be made under the provisions of sections 91(7) and (9) of the Local Government Act 1999 that the report, related attachments and the minutes of Committee and the discussion and considerations of the subject matter be retained in confidence until further order and be reviewed every twelve months.