



# CEO Performance Review Panel

## AGENDA & REPORTS

for the meeting

Wednesday, 24 January 2024  
at 3.30 pm

in the Colonel Light Room, Adelaide Town Hall

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Membership	The Lord Mayor The Deputy Lord Mayor 1 Council Member 2 External Independent Members
Quorum	3
Presiding Member	The Right Honourable the Lord Mayor [Lord Mayor, Dr Jane Lomax-Smith]
Deputy Presiding Member	Deputy Lord Mayor, Councillor Snape
Council Member	Councillor Abrahamzadeh
Independent Members	G Fraser J Tate

**1. Acknowledgement of Country**

At the opening of the CEO Performance Review Panel meeting, the Chair will state:

‘Council acknowledges that we are meeting on traditional Country of the Kaurna people of the Adelaide Plains and pays respect to Elders past and present. We recognize and respect their cultural heritage, beliefs and relationship with the land. We acknowledge that they are of continuing importance to the Kaurna people living today.

And we also extend that respect to other Aboriginal Language Groups and other First Nations who are present today.’

**2. Apologies and Leave of Absence**

Nil

**3. Confirmation of Minutes**

That the Minutes of the meeting of the CEO Performance Review Panel held on 26 September 2023, be taken as read and be confirmed as an accurate record of proceedings.

View public CEO Performance Review Panel 26 September 2023 Minutes [here](#).

**4. Items for Consideration and Determination**

4.1 CEO Performance Review Panel Meeting Dates 3 – 7

**5. Exclusion of the Public 8 – 10**

**6. Items for Consideration and Determination in Confidence**

6.1 Lord Mayor Report [s 90(3) (a), (g), (h)] 11 – 12

**7. Closure**

## CEO Performance Review Panel Meeting Dates

Wednesday, 24 January 2024  
CEO Performance Review Panel

Strategic Alignment – Our Corporation

**Program Contact:**  
Manager Governance

Public

**Approving Officer:**  
Anthony Spartalis - Acting Chief Operating Officer

## EXECUTIVE SUMMARY

This report seeks approval for the meeting schedule for the CEO Performance Review Panel (Panel) for the 2024/2025 Financial Year. Under the Panel's adopted Terms of Reference, the Panel is required to meet with the CEO (at least annually) to discuss progress on Key Performance Indicators (KPIs), to understand the context in which the CEO's performance is being achieved, which includes organisational issues or external factors that are impacting the CEO's performance and for how the performance of Council is impacting on organisational performance.

At its meeting on 27 June 2023 Council, on the recommendation of the Panel, approved the 2023/24 CEO Performance KPIs (Attachment A) as the basis for the assessment of the CEO's performance from 1 July 2023 to 30 June 2024. Council also approved that the assessment would be informed by a 360-degree survey to be conducted by Hender Consulting.

It is proposed that the CEO Performance Panel will receive progress reports on the achievement of the approved 2023/24 CEO Performance KPIs on a quarterly basis at its scheduled meetings in March, June and September 2024. This will include the need for the Acting CEO to continue to progress the KPI delivery until a CEO is appointed.

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## RECOMMENDATION

### THAT THE CEO PERFORMANCE REVIEW PANEL

1. Approves the following meeting dates and times for 2024/25 Financial Year:
  - 1.1 Monday 2 September 2024, 3.00pm to 5.00pm
  - 1.2 Monday 2 December 2024, 3.00pm to 5.00pm
  - 1.3 Monday 3 March 2025, 3.00pm to 5.00pm
  - 1.4 Monday 2 June 2025, 3.00pm to 5.00pm

# IMPLICATIONS AND FINANCIALS

CEO Contract	The CEO Performance Review Panel must meet at least once a year.
Consultation	Not as a result of this report.
23/24 Budget Allocation	Not as a result of this report.

## DISCUSSION

1. The Panel has been established by Council to determine and assess the CEO's performance against identified measures.
2. In accordance with the Panel's adopted Terms of Reference, the Panel is required to meet with the CEO (at least annually) to discuss progress on Key Performance Indicators (KPIs), to understand the context in which the CEO's performance is being achieved, which includes organisational issues or external factors that are impacting the CEO's performance and for how the performance of Council is impacting on organisational performance.
3. At its meeting on 27 June 2023 Council, on the recommendation of the Panel, approved the 2023/24 CEO Performance KPIs (**Attachment A**) as the basis for the assessment of the CEO's performance from 1 July 2023 to 30 June 2024. Council also approved that the assessment would be informed by a 360-degree survey to be conducted by Hender Consulting.
4. It is proposed that the CEO Performance Panel will receive progress reports on the achievement of the approved 2023/24 CEO Performance KPIs on a quarterly basis at its scheduled meetings in March, June and September 2024. This will include the need for the Acting CEO to continue to progress the KPI delivery until a CEO is appointed.
5. The Panel must meet at least once a year. It is proposed that the Panel meet four times a year.
6. At the Panel on 5 June 2023, the Panel resolved in 2024 to meet on Monday 4 March 2024 and Monday 3 June 2024.
7. The dates and times being proposed for the 2024/25 financial year are provided below:
  - 7.1. Monday 2 September 2024, 3.00pm to 5.00pm
  - 7.2. Monday 2 December 2024, 3.00pm to 5.00pm
  - 7.3. Monday 3 March 2025, 3.00pm to 5.00pm
  - 7.4. Monday 2 June 2025, 3.00pm to 5.00pm.
8. Under the Panel's Terms of Reference: the Chief Operating Officer is authorised to vary the meeting schedule (including the commencement time, meeting place, date or cancellation of a meeting) after liaison with the Presiding Member and CEO.

## DATA AND SUPPORTING INFORMATION

Nil

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# ATTACHMENTS

Attachment A – 2023/24 CEO Performance KPIs

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- END OF REPORT -

**CEO KRAs**

Leadership and Strategic Plan Delivery  
 Financial and Risk Management  
 Operational and Project Delivery  
 Organisational Health (including Innovation and Service Improvement)  
 Stakeholder Management  
 Lord Mayor and Councillors

**CEO KPIS 2023/24**

#	KPI	KRA
1	<b>Develop the Council's 2024-2028 Strategic Plan</b> Presented to Council by end December 2023	Leadership and Strategic Plan Delivery
2	<b>Deliver all key objectives in Council's 2023/24 Business Plan and Budget</b> All key objectives delivered by end June 2024 Budgeted operating result delivered	Leadership and Strategic Plan Delivery  Financial and Risk Management
3	<b>Develop a City Plan that provides guidance on sustainable City growth</b> Presented to Council by end June 2024	Leadership and Strategic Plan Delivery
4	<b>Develop a Housing Policy that supports the provision of affordable and social housing</b> Presented to Council by end December 2023	Leadership and Strategic Plan Delivery
5	<b>Update the Council's Long-Term Financial Plan including the assumptions and parameters</b> Presented to Council by end October 2023	Financial and Risk Management
6	<b>Deliver Council's Asset Renewal Works Program</b> Adopted by Council as part of the 2023/24 Business Plan and Budget Asset Renewal Funding Ratio of 90% <i>The Asset Renewal Funding Ratio indicates whether Council is renewing or replacing existing assets at a rate of consumption.</i> 90% delivery of Council's Asset Renewal works program representing a minimum 25% improvement over the historical 5 year average of 65%  <b>Deliver Council's Major / New and Upgrade Works Program</b> Adopted by Council as part of the 2023/24 Business Plan and Budget Reduce the level of Capital Works Carry Forward in the range of 10% - 25% from the historical 5 year average of \$26.1M or 66%	Operational and Project Delivery
7	<b>Conduct four (4) public realm condition audits</b> <ul style="list-style-type: none"> <li>○ Quarterly reports on public realm condition audits presented to Council</li> <li>○ Develop a program to implement the findings by end June 2024</li> </ul>	Operational and Project Delivery

8	<p><b>Lead organisational culture improvement with a focus on values, leadership, expectations and behaviours to ensure the City of Adelaide is recognised as an employer of choice</b> All key priorities delivered by end June 2024</p>	Organisational Health (including Innovation and Service Improvement)
<p>Proposed Priorities:          Develop and communicate the City of Adelaide Employer Brand          Develop and implement the City of Adelaide Workforce Plan, with a focus on:</p> <ul style="list-style-type: none"> <li>○ Attraction of new talent</li> <li>○ Succession planning</li> <li>○ Improving Aboriginal and Torres Strait Islander employment participation rates in accordance with Council’s Reconciliation Action Plan</li> </ul> <p>Develop a more contemporary tool for Council to assess and monitor organisational culture</p> <p>Proposed Measures:          Attraction and Retention of Employees</p> <ul style="list-style-type: none"> <li>○ Monitor early turnover rate as an indicator that employer brand matches the employee experience</li> <li>○ Benchmark workforce turnover rate against Australian Capital Cities and Territories</li> </ul> <p>Recognition for leadership in the sector (Awards)          Employee participation in Performance and Development Conversations process &gt;80%          Employee participation in and completion of Mandatory Training 100%</p>		
9	<p><b>Finalise the two (2) external reviews of the Adelaide Economic Development Agency</b> Report on findings of two external reviews noted by Council by end August 2023 Implement findings by end February 2024</p>	Organisational Health (including Innovation and Service Improvement)
10	<p><b>Improve the customer experience for residents, businesses, city users, the Lord Mayor and Councillors</b> All key priorities delivered by end June 2024</p>	Stakeholder Management Lord Mayor and Councillors
<p>Proposed Priorities:</p> <ul style="list-style-type: none"> <li>✓ Effective management of responses to Council Members and related constituent enquiries             <ul style="list-style-type: none"> <li>○ Respond in a timely manner to CEO undertakings following Council and Committee meetings</li> <li>○ Streamline requests via the FreshDesk system and improve monitoring and reporting</li> </ul> </li> <li>✓ Improve transparency to enable sound decision making i.e. aim for majority of reports to be discussed in public             <ul style="list-style-type: none"> <li>○ Develop a pro disclosure policy that is adopted by Council and communicated to stakeholders</li> </ul> </li> </ul> <p>Proposed Measures:</p> <ul style="list-style-type: none"> <li>✓ 80% of decisions and CEO undertakings closed out within 12 months</li> <li>✓ Voice of Customer Surveys achieves a rating of 3.5 or higher</li> <li>✓ Overall satisfaction with delivery of Council services &gt;70%</li> <li>✓ Overall satisfaction with delivery of Council services &gt;70% sources Baseline City User Profile (CUP Survey), Resident and Business surveys</li> </ul>		

*Extraordinary items, subsequent Council decisions and/or directions may impact attainment of these KPIs*

## Exclusion of the Public

Wednesday, 24 January 2024  
**CEO Performance Review  
Panel**

**Program Contact:**  
Anthony Spartalis, Acting  
Chief Operating Officer

**Approving Officer:**  
Anthony Spartalis, Acting  
Chief Operating Officer

Public

## EXECUTIVE SUMMARY

Section 90(2) of the *Local Government Act 1999 (SA)* (the Act), states that a Committee may order that the public be excluded from attendance at a meeting if the Committee considers it to be necessary and appropriate to act in a meeting closed to the public to receive, discuss or consider in confidence any information or matter listed in section 90(3) of the Act.

It is the recommendation of the Chief Operating Officer that the public be excluded from this CEO Performance Review Panel meeting for the consideration of information and matters contained in the Agenda.

For the following Council Report seeking consideration in confidence on the following basis:

**6.1 Confidential:** Lord Mayor Report [sections 90(3)(a), 90(3)(h) and 90(3)(g) of the Act]

The Order to Exclude for Item 6.1 is that the Confidential: Lord Mayor Report contains

1. Information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of people; s90 (3)(a).
2. information that must be considered in confidence in order to ensure that the Council does not breach any law; s90 (3) (g); and
3. legal advice; s90 (3) (h)

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## ORDER TO EXCLUDE FOR ITEM 6.1

THAT THE CEO PERFORMANCE REVIEW PANEL:

1. Having taken into account the relevant consideration contained in section 90(3) (a) and section 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the CEO Performance Review Panel dated 24 January 2024 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 6.1 [Confidential: Lord Mayor Report] listed on the Agenda in a meeting open to the public would on balance be contrary to the public interest.

Grounds

information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of people; s90 (3) (a)

information that must be considered in confidence in order to ensure that the Council does not breach any law; s90 (3) (g); and

legal advice; s90 (3) (h)



## Basis

This Item is confidential as it contains matters that must be considered in confidence in order to ensure that the CEO Performance Review Panel does not breach any law, any duty of confidence, or other legal obligation or duty, and preserves legal privilege. The disclosure of this report would waive legal privilege and involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

Item 6.1 [Confidential: Lord Mayor Report] is listed in the Agenda, on the grounds that such item of business contains information and matters of a kind referred to in sections 90(3)(a), 90(3)(g) and 90(3)(h) of the Act.

2. Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this meeting of the CEO Performance Review Panel dated 24 January 2024 orders that the public (with the exception of members of Corporation staff and any person permitted to remain) be excluded from this meeting to enable this meeting to receive, discuss or consider in confidence Item 6.1 [Confidential: Lord Mayor Report].

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## DISCUSSION

1. Section 90(1) of the *Local Government Act 1999 (SA)* (the Act) directs that a meeting of CEO Performance Review Panel must be conducted in a place open to the public.
2. Section 90(2) of the Act, states that a Committee may order that the public be excluded from attendance at a meeting if the Committee considers it to be necessary and appropriate to act in a meeting closed to the public to receive, discuss or consider in confidence any information or matter listed in section 90(3) of the Act.
3. Section 90(3) of the Act prescribes the information and matters that a Committee may order that the public be excluded from.
4. Section 90(4) of the Act, advises that in considering whether an order should be made to exclude the public under section 90(2) of the Act, it is irrelevant that discussion of a matter in public may -
  - (a) *cause embarrassment to the council or council committee concerned, or to members or employees of the council; or*
  - (b) *cause a loss of confidence in the council or council committee; or*
  - (c) *involve discussion of a matter that is controversial within the council area; or*
  - (d) *make the council susceptible to adverse criticism.*
5. Section 90(7) of the Act requires that an order to exclude the public:
  - 5.1. Identify the information and matters (grounds) from section 90(3) of the Act utilised to request consideration in confidence.
  - 5.2. Identify the basis – how the information falls within the grounds identified and why it is necessary and appropriate to act in a meeting closed to the public.
6. Section 83(5) of the Act has been utilised to identify in the Agenda and on the Report for the meeting, that the following reports are submitted seeking consideration in confidence.
  - 6.1. Information contained in Item 6.1 – [Confidential: Lord Mayor Report]:
    - 6.1.1. The grounds utilised to request consideration in confidence is section 90(3)(a), 90(3)(g) and 90(3)(h) of the Act.
      - 6.1.1.1. Section 90(3) (a) of the *Local Government Act 1999 (SA)*
        - (a) *information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead)*
      - 6.1.1.2. Section 90(3) (g) of the *Local Government Act 1999 (SA)*
        - (g) *matters that must be considered in confidence in order to ensure that the council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty*
      - 6.1.1.3. Section 90(3) (h) of the *Local Government Act 1999 (SA)*
        - (h) *legal advice*

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# ATTACHMENTS

Nil

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- END OF REPORT -

Document is Restricted