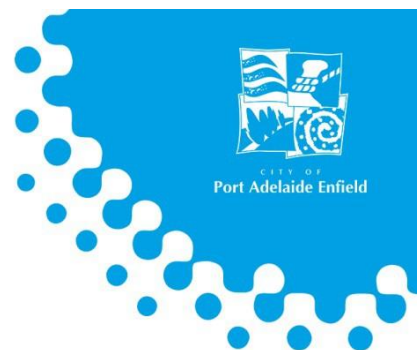


TERMS OF REFERENCE COUNCIL



Name	Chief Executive Officer's Performance Development Review Committee
Document Number	CL.TOR.02
Responsible Section	Chief Executive Office
Responsible Department	Chief Executive Office
Date Last Adopted	December 2022
Date of Next Review	December 2026
Applicable Legislation	Local Government Act 1999 Local Government (Procedures at Meetings) Regulations 2013
Related Governance Documents	Nil.
City Plan Theme	Leadership

1. Establishment

Pursuant to Section 41 of the Local Government Act 1999, the Council established a Committee to be known as the Chief Executive Officer's Performance Development Review Committee ('the Committee').

2. Objectives

The Committee is established for the purpose of determining in conjunction with the Chief Executive Officer, relevant key performance indicators (KPIs) for the Chief Executive Officer ('the CEO') and for undertaking the formal review process of the performance of the CEO against the adopted KPIs with these terms of reference. The Committee will also review the CEO's remuneration in accordance with the CEO's contract of employment.

3. Membership

Membership of the Committee shall consist of all Elected Members including the Mayor who shall be the Presiding Member of the Committee. The Deputy Presiding Member shall be the Deputy Mayor.

4. Terms of Reference

- 4.1 The Council delegates to the Committee all of the relevant powers and functions of the Council necessary for the Committee to perform its functions in accordance with the following Terms of Reference.
- 4.2 As all members of the Council have been appointed to membership of the Committee, the Council does not (for the purpose of Section 41[8] of the Act) impose any specific reporting or other accountability requirements on the Committee.
- 4.3 The Committee shall act at all times in strict accordance with the Local Government Act 1999 and its approved Code of Practice procedures at meetings.
- 4.4 The Committee shall meet at the Port Adelaide Enfield Town Hall complex at 34 Nile Street, Port Adelaide, alternatively the Committee may resolve to hold a subsequent Committee meeting at any one of its locations across the City. The Presiding member of the Committee or at least two members of the committee may call a special meeting of the Committee or the Committee by resolution may determine the meeting dates.
- 4.5 A quorum for a meeting of the Committee shall be one half of the total number of members of the Committee (ignoring any fraction) and adding one.
- 4.6 All decisions of the Committee shall be on the basis of a majority decision of the members present.
- 4.7 If the Presiding member of the Committee is absent from a meeting the Deputy Presiding member will preside at the meeting. If both the Presiding Member and the Deputy Presiding Member of the Committee are both absent from a meeting of the Committee, a member of the Committee chosen from those present will preside at the meeting.

5. Terms of Reference – Functions and Responsibilities

- 5.1 The Committee is charged with undertaking the following functions:
 - 5.1.1 In accordance with Section 102 of the Local Government Act 1999 and in consultation with the CEO agree on a suitable consultant to assist with the Performance Development Review process.
 - 5.1.2 Undertake the annual performance review of the CEO in accordance with the clauses outlined in the CEO employment contract and the adopted KPIs
 - 5.1.3 Review the achievement of performance objectives outlined in the CEO KPIs.
 - 5.1.4 In consultation with the CEO establish performance objective for the following 12 months through the establishment of CEO KPIs.

- 5.15 Review the CEOs remuneration package and negotiate with the CEO regarding any changes if deemed appropriate
 - 5.16 Provide feedback to the CEO and record an overall assessment of their performance against the adopted KPIs via a resolution passed by the Committee.
 - 5.17 Discuss possible professional development options with the CEO
 - 5.18 Discuss and consider reappointment of the CEO in conjunction with the CEO in light of performance outcomes. The Committee may make recommendations to the Council on such matters, as decisions of appointment or re-appointment are to be made by the Council and are not delegated to the Committee.
- 5.2 The annual CEO PKIs and remuneration package are to be developed and endorsed by the Committee in conjunction with the CEO pursuant to sub-clause 5.1.4 and 5.1.5.
- 5.3 Where the Committee is required to act jointly with or to obtain the concurrence of the CEO in the performance of its functions and responsibilities, the Council expects that both parties will negotiate and consult.