

Minutes of the meeting of the Executive Committee of the City of Holdfast Bay held in the Kingston Room, Civic Centre, 24 Jetty Road, Brighton on Tuesday 6 June 2023 at 5:00pm.

PRESENT

Members

Chairman – Mayor A Wilson
Deputy Mayor C Lindop
Councillor M O’Donohue
Councillor B Patton
Councillor S Lonie

Independent Member

Ms C Molitor (visual and audio presence)

Staff

General Manager, Community and Business – M Lock

1. OPENING

The Chairman declared the meeting open at 5.03pm.

2. APOLOGIES

- 2.1 Apologies Received – Councillor J Fleming
- 2.2 Absent

3. DECLARATION OF INTEREST

Members were reminded to declare their interest before each item.

4. CONFIRMATION OF MINUTES

Motion

That the minutes of the Executive Committee held on 11 April 2023 be taken as read and confirmed.

Moved by Councillor Lonie, Seconded by Councillor Lindop

Carried Unanimously

5. CONFIDENTIAL REPORTS BY OFFICERS

- 5.1 **2022/23 Performance Review – Chief Executive Officer** (Report No: 175/23)

Motion – Exclusion of the Public Section 90(3)(a)

- 1. **That pursuant to Section 90(2) of the *Local Government Act 1999* Executive Committee hereby orders that the public be excluded from attendance at this meeting with the exception of the General Manager**

Community and Business and Staff minute taker in attendance at the meeting in order to consider Report No: 175/23 2022/23 Performance Review – Chief Executive Officer in confidence.

2. That in accordance with Section 90(3) of the *Local Government Act 1999* the Executive Committee is satisfied that it is necessary that the public be excluded to consider the information contained in Report No: 2022/23 Performance Review – Chief Executive Officer on the following grounds:
 - a. pursuant to section 90(3)(a) of the Act, the information to be received, discussed or considered in relation to Report No: 175/23 2022/23 Performance Review – Chief Executive Officer is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead), being Chief Executive Officer, Mr Roberto Bria, in that details of his performance review will be discussed, which are sensitive and are details only known to those who have participated in the discussion.
3. The Executive Committee is satisfied, the principle that the meeting be conducted in a place open to the public, has been outweighed by the need to keep the information or discussion confidential.

Moved Councillor Patton, Seconded Councillor Lonie

Carried Unanimously

Motion - RETAIN IN CONFIDENCE - Section 91(7) Order

That having considered Agenda Item 5.1 2022/23 Performance Review – Chief Executive Officer in confidence under section 90(2) and (3)(a) of the *Local Government Act 1999*, the Executive Committee, pursuant to section 91(7) of that Act orders that the report, attachment and minutes be retained in confidence for a period of 24 months and this order be reviewed every 12 months.

Moved Councillor Lindop, Seconded Councillor Lonie

Carried Unanimously

5.2 **Performance Review Process – Chief Executive Officer (Report No: 192/23)**

Motion – Exclusion of the Public Section 90(3)(a)

1. That pursuant to Section 90(2) of the *Local Government Act 1999* Executive Committee hereby orders that the public be excluded from attendance at this meeting with the exception of the General Manager Community and Business and Staff minute taker in attendance at the meeting in order to consider Report No: 192/23 Performance Review Process – Chief Executive Officer in confidence.
2. That in accordance with Section 90(3) of the *Local Government Act 1999* the Executive Committee is satisfied that it is necessary that the public be excluded to consider the information contained in Report

No: 192/23 Performance Review Process – Chief Executive Officer on the following grounds:

- a. pursuant to section 90(3)(a) of the Act, the information to be received, discussed or considered in relation to Report No: 192/23 Performance Review Process – Chief Executive Officer is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead), being Chief Executive Officer, Mr Roberto Bria, in that details of his performance review will be discussed, which are sensitive and are details only known to those who have participated in the discussion.
3. The Executive Committee is satisfied, the principle that the meeting be conducted in a place open to the public, has been outweighed by the need to keep the information or discussion confidential.

Moved Councillor Lonie, Seconded Councillor Patton

Carried

Councillor O'Donohue joined the meeting at 5.30pm

Motion - RETAIN IN CONFIDENCE - Section 91(7) Order

That having considered Agenda Item 5.2 Performance Review Process – Chief Executive Officer in confidence under section 90(2) and (3)(a) of the *Local Government Act 1999*, the Executive Committee, pursuant to section 91(7) of that Act orders that the report, attachment and minutes be retained in confidence for a period of 24 months and this order be reviewed every 12 months.

Moved Councillor Lonie, Seconded Councillor Patton

Carried

6. **URGENT BUSINESS – SUBJECT TO THE LEAVE OF THE MEETING - Nil**
7. **CLOSURE**

The Meeting closed at 5.42pm.

CONFIRMED 27 June 2023

CHAIRMAN