

# TERMS OF REFERENCE

## CHIEF EXECUTIVE OFFICER PERFORMANCE APPRAISAL COMMITTEE

### 1. PURPOSE

- 1.1 Undertake the review of the Chief Executive Officers (CEO) Performance in accordance with the Local Government Act 2019, the Standards and the contract of employment of the Chief Executive Officer; and
- 1.2 Work with the CEO to establish additional performance criteria for the CEO, if required.

### 2. COMMITTEE OBJECTIVES

- 2.1. Assist the Council in the engagement and oversight of a consultant to work with the committee, CEO and Council in conducting the CEO performance review in line with the process agreed between the CEO and Council;
- 2.2. Conduct with the CEO, Elected Members and the consultant, the performance review process and provide a recommendation to Council on the result of the performance review;
- 2.3. Establish any additional performance criteria for the CEO, with the agreement of CEO, for recommendation to Council arising from the performance review process; and,
- 2.4. Make any other relevant recommendations relating to the CEO's employment including remuneration to the Council.

### 3. AUTHORITY/DELEGATION

The Chief Executive Officer Performance Appraisal committee is a Committee to Council. The committee must present the outcome of the performance appraisal to Council for endorsement.

### 4. MEMBERSHIP

Membership will consist of the Mayor as Chair of the Committee and two (2) Council Members.

An Independent Facilitator will prepare and oversee the performance appraisal process and will be selected upon agreement by the Council and CEO.

## 5. TERMS AND VACANCIES

- 5.1. Membership term of a Councillor will be for one year, by nomination at an Ordinary Council Meeting.
- 5.2. The Terms of Reference will be reviewed by the Committee every two years from the commencement of the committee's term, or as required.

## 6. MEETINGS

- 6.1. Notice of Meetings and Business Papers:
  - 6.1.1. The Chief Executive Officer Performance Appraisal Committee will adhere to the requirements for meetings as outlined in the Local Government Act 2019 (NT), Local Government (General) Regulations 2021 (NT) and the Palmerston (Procedure for Meeting) By-Laws.
  - 6.1.2. The General Manager People and Place or suitable officer as per the Register of Delegations by the Chief Executive Officer will convene meetings and will distribute business papers no later than three business days prior to a meeting.
- 6.2. Regularity:
  - 6.2.1. The Committee will meet at least two times per year and no more than four times annually, between July and June.
  - 6.2.2. Time and location of meetings is to be determined by the Committee. Special meetings can be convened by the Chief Executive Officer on the request of the Chair, or a majority of committee members.
  - 6.2.3. The Chief Executive Officer will then issue a Notice of Meeting with the time, date and location of the meeting, and the items to be discussed at the special meeting.
- 6.3. Quorum:
  - 6.3.1. The quorum for the transaction of business shall consist of the three (3) members (a chair and two other members).
- 6.4. Chairperson Responsibilities:
  - 6.4.1. To ensure meetings are conducted in accordance with the Palmerston (Procedure for Meeting) By-Laws and according to the agenda.
  - 6.4.2. Ensuring all discussion items end with a decision, action, or appropriate outcomes.
  - 6.4.3. Should the Chairperson be unable to attend a meeting, the alternate Councillor shall perform the duties of Chairperson and if unavailable the meeting will be postponed.
- 6.5. Voting:
  - 6.5.1. For voting purposes, the Chairperson shall accept motions moved and seconded by members of the Committee, by show of hands.
  - 6.5.2. A Committee decision is by majority vote of voting members present at a meeting.
- 6.6. Minutes:
  - 6.6.1. Meeting minutes will be distributed to members within ten working days after a meeting and presented to Council at its next Ordinary Meeting.

## 7. CONDUCT

- 7.1. Conflicts of interest
  - 7.1.1. Committee Members must declare any real or perceived conflicts of interest when joining the Committee, annually and at the start of each meeting before discussion of the relevant agenda items on the approved Council form.
- 7.2. Code of Conduct
  - 7.2.1. All Committee Members are required to abide with Schedule 1 of the *Local Government Act 2019 Code of Conduct for Elected Members and Committee Members*.
- 7.3. Committee Representation
  - 7.3.1. Committee Members must not speak on behalf of Council or the Committee without the approval of the Chief Executive Officer.

COMMITTEE NAME	Chief Executive Officer Performance Appraisal Committee	TYPE	Council Committee
OWNER	General Manager People and Place	RESPONSIBLE OFFICER	General Manager People and Place
APPROVAL DATE	17/06/2025	NEXT REVIEW DATE	16/06/2027
RECORDS NUMBER	591766	COUNCIL DECISION	10/1941