

**MINUTES OF CITY OF MOUNT GAMBIER
SPECIAL CHIEF EXECUTIVE OFFICER SELECTION PANEL MEETING
HELD AT THE COUNCIL CHAMBER, CIVIC CENTRE, , MOUNT GAMBIER
ON WEDNESDAY, 20 JANUARY 2021 AT 11.00 A.M.**

PRESENT: Mayor Lynette Martin (OAM), Cr Paul Jenner, Cr Sonya Mezinec, Cr Frank Morello, Mr Graham Maxwell via Zoom (arrived at 11.13 a.m.)

IN ATTENDANCE: Mr Jason Barrington, Morton Phillips via Zoom

OFFICERS IN ATTENDANCE: Nil

1 ACKNOWLEDGEMENT OF COUNTRY

WE ACKNOWLEDGE THE BOANDIK PEOPLES AS THE TRADITIONAL CUSTODIANS OF THE LAND WHERE WE MEET TODAY. WE RESPECT THEIR SPIRITUAL RELATIONSHIP WITH THE LAND AND RECOGNISE THE DEEP FEELINGS OF ATTACHMENT OUR INDIGENOUS PEOPLES HAVE WITH THIS LAND.

2 APOLOGY(IES)

Nil

3 QUESTIONS WITHOUT NOTICE

Nil

4 CONFIDENTIAL ITEMS

4.1 CHIEF EXECUTIVE OFFICER RECRUITMENT – REPORT NO. AR21/3669

COMMITTEE RESOLUTION

Moved: Cr Sonya Mezinec

Seconded: Cr Frank Morello

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the *Local Government Act 1999* the Chief Executive Officer Selection Panel orders that all members of the public, except Mayor L Martin, Councillors P Jenner, S Mezinec and F Morello, Independent Member Mr G Maxwell and Recruitment Consultant Mr J Barrington be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 4.1 AR21/3669 Chief Executive Officer Recruitment.

The Chief Executive Officer Selection Panel is satisfied that, pursuant to section 90(3) (a), (b), (d) and (g) of the Act, the information to be received, discussed or considered in relation to the 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)
- information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council is
 - conducting business; or
 - proposing to conduct business; or
 - to prejudice the commercial position of the Council
- commercial information of a confidential nature (not being a trade secret) the disclosure of which 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
- information concerning 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,
 - breach any duty of confidence, or
 - breach any other legal obligation or duty

The Chief Executive Officer Selection Panel is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the information to be discussed includes information concerning the personal employment affairs of applicants for the position of Chief Executive Officer provided on a confidential basis and thus creating a duty of confidence on the Committee and Council.

Further, the subject matter also includes information regarding the selection process, the disclosure of which could reasonably be considered could confer an advantage on third parties or applicant(s) to the Chief Executive Officer position.

CARRIED

COMMITTEE RESOLUTION

Moved: Cr Frank Morello
Seconded: Cr Sonya Mezinac

CONSIDERATION FOR KEEPING ITEMS CONFIDENTIAL

1. In accordance with Sections 91(7) and 91(9) of the *Local Government Act 1999* the Council orders that the report 4.1 AR21/3669 Chief Executive Officer Recruitment and its attachments, the discussion and the resolution/s and minutes arising from the report, having been considered by the Council in confidence under Section 90(2) & (3) (a), (b), (d) and (g) be kept confidential and not available for public inspection until further order of Council, to be reviewed at least once in every 12 month period.
2. Further that Council delegates the power to review, revoke, but not extend the confidential order to the Chief Executive Officer in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.

CARRIED



5 MEETING CLOSE

The Meeting closed at 12.50 p.m.

The minutes of this meeting were confirmed at the Chief Executive Officer Selection Panel held on .

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PRESIDING MEMBER

