



City of
Mount Gambier

Civic Centre, 10 Watson Terrace
Mount Gambier SA 5290

PO Box 56
Mount Gambier SA 5290

Telephone 08 87212555
Facsimile 08 87249791
city@mountgambier.sa.gov.au

mountgambier.sa.gov.au

**I hereby give notice that a Chief Executive Officer Performance Review
Committee Meeting will be held on:**

Date: Monday, 1 May 2023

Time: 5:00 p.m.

**Location: Civic Centre
10 Watson Terrace
Mount Gambier**

AGENDA

Chief Executive Officer Performance Review Committee Meeting 1 May 2023

**Sarah Philpott
Chief Executive Officer
27 April 2023**

Order Of Business

1	Acknowledgement of Country	3
2	Apology(ies).....	3
3	Confirmation of Minutes.....	3
4	Questions without Notice.....	3
5	Confidential Items.....	4
6	Meeting Close	6
	Attachments Item 3 Chief Executive Officer Performance Review Committee Meeting - 6 July 2022	7



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 FIRST NATIONS PEOPLES HAVE WITH THE LAND.

2 APOLOGY(IES)

That the apology(ies) from Cr Frank Morello be received.

3 CONFIRMATION OF MINUTES

[Chief Executive Officer Performance Review Committee Meeting - 6 July 2022](#)

RECOMMENDATION

That the minutes of the Chief Executive Officer Performance Review Committee meeting held on 6 July 2022 be confirmed as an accurate record of the proceedings of the meeting.

4 QUESTIONS WITHOUT NOTICE



5 CONFIDENTIAL ITEMS

5.1 REQUEST FOR QUOTES - INDEPENDENT SPECIALIST SUPPORT – REPORT NO. AR23/22334

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the *Local Government Act 1999* the Chief Executive Officer Performance Review Committee orders that all members of the public, except the Mayor, Councillors and (Community Members) be excluded from attendance at the meeting for the receipt and consideration in confidence of Agenda Item 5.1 AR23/22334 Request for Quotes - Independent Specialist Support.

The Chief Executive Officer Performance Review Committee is satisfied that, pursuant to section 90(3) (a), (b), (d) and (k) 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
- tenders for the:
 - supply of goods, or
 - the provision of services, or
 - the carrying out of works

The Chief Executive Officer Performance Review Committee 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 presented and discussed relates to the performance review of the Chief Executive Officer, the disclosure of which would be unreasonable disclosure of personal information relating to the employment of the Chief Executive Officer, Sarah Philpott and also relates to consideration of submissions for the provision of consultancy services which includes commercial information the disclosure of which would confer benefit on third parties and prejudice the commercial position of Council in obtaining best value on behalf of the community.

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 5.1 AR23/22334 Request for Quotes - Independent Specialist Support

and its attachments, 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 (k) be kept confidential and not available for public inspection until 2 years after the term and any renewal term of employment of Sarah Philpott as Chief Executive Officer has ended, with the commercial information associated with expression of interest submissions to be released after 2 years and the name and value of the selected supplier be released immediately upon execution of a contract.

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*.

6 MEETING CLOSE



**MINUTES OF CITY OF MOUNT GAMBIER
CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE MEETING
HELD AT THE COUNCIL CHAMBER, CIVIC CENTRE, 10 WATSON TERRACE, MOUNT
GAMBIER
ON WEDNESDAY, 6 JULY 2022 AT 12.30 P.M.**

PRESENT: Mayor Lynette Martin (OAM), Cr Frank Morello, Cr Paul Jenner, Cr Sonya Meziniec

IN ATTENDANCE: Rebecca Hunt, McArthur

OFFICERS IN ATTENDANCE:	Chief Executive Officer General Manager Corporate and Regulatory Services Executive Administrator	<ul style="list-style-type: none">- Mrs S Philpott- Mr D Barber- Mrs A Pasquazzi
--------------------------------	---	--

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)

COMMITTEE RESOLUTION

Moved: Cr Paul Jenner

Seconded: Cr Sonya Meziniec

That the apology from Cr Christian Greco be received.

CARRIED

3 CONFIRMATION OF MINUTES

COMMITTEE RESOLUTION

Moved: Cr Sonya Meziniec

Seconded: Cr Paul Jenner

That the minutes of the Chief Executive Officer Performance Review Committee meeting held on 11 May 2022 be confirmed as an accurate record of the proceedings of the meeting.

CARRIED

4 QUESTIONS WITHOUT NOTICE

Nil

Sarah Philpott, Chief Executive Officer left the meeting and did not return.



5 CONFIDENTIAL ITEMS

5.1 INDEPENDENT REVIEW OF CHIEF EXECUTIVE OFFICER AND REMUNERATION REVIEW – REPORT NO. AR22/43771

COMMITTEE RESOLUTION

Moved: Cr Sonya Meziniec

Seconded: Cr Paul Jenner

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the *Local Government Act 1999* the Chief Executive Officer Performance Review Committee orders that all members of the public, except the Mayor, Councillors and Consultant, R Hunt and Council Officers, D Barber and A Pasquazzi be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 5.1 AR22/43771 Independent Review of Chief Executive Officer and Remuneration Review.

The Chief Executive Officer Performance Review Committee is satisfied that, pursuant to section 90(3) (a) 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 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 Performance Review Committee 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 subject matter includes information concerning the personal employment affairs of the Chief Executive Officer, Sarah Philpott for which a duty of confidence has been established.

CARRIED

The Mayor sought the approval of at least two-thirds of the members present at the meeting to suspend meeting procedures:

Purpose of the Suspension: to discuss the Chief Executive Officer Performance Review report

Carried by more than two-thirds of the members present at the meeting.

Meeting Procedures were suspended at 12:36 pm.

The Mayor determined that the period of suspension should be brought to an end;

Carried by more than two-thirds of the members present at the meeting.

The Period of Suspension came to an end and Meeting Procedures resumed at 1:08 pm.



COMMITTEE RESOLUTION

Moved: Cr Sonya Meziniec
Seconded: Cr Paul Jenner

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 5.1 AR22/43771 Independent Review of Chief Executive Officer and Remuneration Review 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) and (g) be kept confidential and not available for public inspection until 2 years after the initial appointment term and any renewal term of the Chief Executive Officer, Sarah Philpott has lapsed, to be reviewed at least once in every 12 month period, with the exception of the relevant salary register details which are to be updated within 28 days of any change in remuneration.
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

6 MEETING CLOSE

The Meeting closed at 1:14 pm.

The minutes of this meeting were confirmed at the Chief Executive Officer Performance Review Committee held on .

.....
PRESIDING MEMBER

