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

Date: Wednesday, 20 April 2022
Time: 12.30 p.m.
Location: Council Chamber
Civic Centre
10 Watson Terrace
Mount Gambier

AGENDA

Chief Executive Officer Performance Review Committee Meeting 20 April 2022

A handwritten signature in black ink, appearing to read 'Sarah Philpott', is written over a faint, illegible background.

Sarah Philpott
Chief Executive Officer
14 April 2022

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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 CONFIRMATION OF MINUTES

[Chief Executive Officer Performance Review Committee Meeting - 9 November 2021](#)

RECOMMENDATION

That the minutes of the Chief Executive Officer Performance Review Committee meeting held on 9 November 2021 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. AR22/24648

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 (Council Officers) be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 5.1 AR22/24648 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 AR22/24648 Request for Quotes - Independent Specialist Support 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 (k) be kept confidential and not available for public inspection until until 2 years after the term of employment of Sarah Philpott as Chief Executive Officer has ended and not been renewed, 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.
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 TUESDAY, 9 NOVEMBER 2021 AT 12.00 P.M.**

PRESENT: Cr Christian Greco, Cr Frank Morello, Cr Sonya Mezinec

OFFICERS IN ATTENDANCE: General Manager Shared Services - Mr D Barber
Executive Administrator Community Wellbeing - Ms A Lavia

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 Christian Greco
Seconded: Cr Frank Morello

That the apologies from Mayor Lynette Martin and Cr Paul Jenner be received.

CARRIED

3 CONFIRMATION OF MINUTES

COMMITTEE RESOLUTION

Moved: Cr Sonya Mezinec
Seconded: Cr Frank Morello

That the minutes of the Chief Executive Officer Performance Review Committee meeting held on 12 October 2021 be confirmed as an accurate record of the proceedings of the meeting.

CARRIED

4 QUESTIONS WITHOUT NOTICE

Nil



5 CONFIDENTIAL ITEMS

5.1 CHIEF EXECUTIVE OFFICER - PERFORMANCE UPDATE - REPORT NO. AR21/71607

COMMITTEE RESOLUTION

Moved: Cr Frank Morello
Seconded: Cr Sonya Mezinec

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 Councillors and Council Officers S Philpott, D Barber and A Lavia be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 5.1 AR21/71607 Chief Executive Officer - Performance Update.

The Chief Executive Officer Performance Review Committee is satisfied that, pursuant to section 90(3) (a) 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)

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.

CARRIED

Sarah Philpott, Chief Executive Officer joined the meeting at 12:05 pm.

Sarah Philpott, Chief Executive Officer left the meeting at 12:23 pm and did not return.

COMMITTEE RESOLUTION

Moved: Cr Christian Greco
Seconded: Cr Sonya Mezinec

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 AR21/71607 Chief Executive Officer - Performance Update 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) 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 elapsed.
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



5.2 CHIEF EXECUTIVE OFFICER PROBATIONARY PERIOD – REPORT NO. AR21/70965

COMMITTEE RESOLUTION

Moved: Cr Christian Greco
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 Performance Review Committee orders that all members of the public, except Councillors and Council Officers D Barber and A Lavia be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 5.2 AR21/70965 Chief Executive Officer Probationary Period.

The Chief Executive Officer Performance Review Committee is satisfied that, pursuant to section 90(3) (a) 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)

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.

CARRIED

COMMITTEE RESOLUTION

Moved: Cr Christian Greco
Seconded: Cr Frank Morello

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 5.2 AR21/70965 Chief Executive Officer Probationary Period 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) 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 elapsed.
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 12:33 pm.

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

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PRESIDING MEMBER

