

**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, 12 OCTOBER 2021 AT 11.30 A.M.**

**PRESENT:** Mayor Lynette Martin (OAM), 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)**

Nil

**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 7 July 2020 be confirmed as an accurate record of the proceedings of the meeting.

**CARRIED**

**4 QUESTIONS WITHOUT NOTICE**

Nil



## 5 REPORTS

### 5.1 CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE - TERMS OF REFERENCE

#### COMMITTEE RESOLUTION

Moved: Cr Christian Greco

Seconded: Cr Frank Morello

1. That Chief Executive Officer Performance Review Committee Report No. AR21/59971 titled 'Chief Executive Officer Performance Review Committee - Terms of Reference' as presented on 12 October 2021 be noted.

**CARRIED**

### 5.2 CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE - INDEPENDENT SPECIALIST SUPPORT

#### COMMITTEE RESOLUTION

Moved: Cr Frank Morello

Seconded: Cr Sonya Mezinec

1. That Chief Executive Officer Performance Review Committee Report No. AR21/59986 titled 'Chief Executive Officer Performance Review Committee - Independent Specialist Support' as presented on 12 October 2021 be noted.
2. That the Chief Executive Officer Performance Review Committee endorse the procurement process for the 'Independent Specialist Support'.

**CARRIED**



## 6 CONFIDENTIAL ITEMS

### 6.1 CHIEF EXECUTIVE OFFICER KPI'S – REPORT NO. AR21/59974

#### COMMITTEE RESOLUTION

Moved: Cr Christian Greco  
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 the Mayor, 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 6.1 AR21/59974 Chief Executive Officer KPI's.

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 considered relates to the performance review measures for the Chief Executive Officer, the disclosure of which would be an 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 6.1 AR21/59974 Chief Executive Officer KPI's 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**

Sarah Philpott, Chief Executive Officer joined the meeting at 11:39 am.



**6.2 CHIEF EXECUTIVE OFFICER - PERFORMANCE UPDATE – REPORT NO. AR21/59977**

**COMMITTEE RESOLUTION**

Moved: Cr Sonya Mezinec

Seconded: Cr Christian Greco

**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, 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 6.2 AR21/59977 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**

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: Verbal update from Chief Executive Officer, Sarah Philpott.

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

Meeting Procedures were suspended at 11:41 am

Cr Christian Greco left the meeting at 12:20 pm and did not return.

Sarah Philpott, Chief Executive Officer left the meeting at 12:26 pm and did not return.

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 12:26 pm



**COMMITTEE RESOLUTION**

Moved: Cr Frank Morello  
Seconded: Cr Sonya Meziniec

**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 6.2 AR21/59977 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**

**7 MEETING CLOSE**

**The Meeting closed at 12:29 pm.**

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

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**PRESIDING MEMBER**

