

**I hereby give notice that a Special Chief Executive Officer Selection  
Panel Meeting will be held on:**

**Date: Friday, 26 February 2021**

**Time: 9:00am**

**Location: Council Chamber  
Civic Centre**

**Mount Gambier**

# **AGENDA**

## **Special Chief Executive Officer Selection Panel Meeting 26 February 2021**



**Barbara Cernovskis  
Acting Chief Executive Officer  
25 February 2021**

## Order Of Business

|                    |  |          |
|--------------------|--|----------|
| <b>1</b>           | <b>Acknowledgement of Country .....</b>  | <b>3</b> |
| <b>2</b>           | <b>Apology(ies).....</b>   | <b>3</b> |
| <b>3</b>           | <b>Confirmation of Minutes.....</b>  | <b>3</b> |
| <b>4</b>           | <b>Questions without Notice.....</b>   | <b>3</b> |
| <b>5</b>           | <b>Confidential Items.....</b>   | <b>4</b> |
| <b>6</b>           | <b>Meeting Close .....</b>   | <b>6</b> |
| Attachments Item 3 | Chief Executive Officer Selection Panel Meeting - 11<br>November 2020.....         | 7        |
| Attachments Item 3 | Special Chief Executive Officer Selection Panel Meeting - 22<br>December 2020..... | 10       |
| Attachments Item 3 | Special Chief Executive Officer Selection Panel Meeting - 20<br>January 2021 ..... | 13       |



**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)**

That the apology(ies) from Cr Paul Jenner be received.

**3 CONFIRMATION OF MINUTES**

[Chief Executive Officer Selection Panel Meeting - 11 November 2020](#)

[Special Chief Executive Officer Selection Panel Meeting - 22 December 2020](#)

[Special Chief Executive Officer Selection Panel Meeting - 20 January 2021](#)

**RECOMMENDATION**

That the minutes of the Chief Executive Officer Selection Panel meeting held on 11 November 2020, the Special Chief Executive Officer Selection Panel meeting held on 22 December 2020 and the Special Chief Executive Officer Selection Panel meeting held on 20 January 2021 be confirmed as an accurate record of the proceedings of the meeting.

**4 QUESTIONS WITHOUT NOTICE**



## 5 CONFIDENTIAL ITEMS

### 5.1 CHIEF EXECUTIVE OFFICER RECRUITMENT – REPORT NO. AR21/11473

#### 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 S Meziniec and F Morello and Independent Member Mr G Maxwell be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 5.1 AR21/11473 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.

#### 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 AR21/11473 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*.

**6 MEETING CLOSE**



**MINUTES OF CITY OF MOUNT GAMBIER  
CHIEF EXECUTIVE OFFICER SELECTION PANEL MEETING  
HELD AT THE COUNCIL CHAMBER, CIVIC CENTRE, , MOUNT GAMBIER  
ON WEDNESDAY, 11 NOVEMBER 2020 AT 4.30 P.M.**

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

**OFFICERS IN ATTENDANCE:** Manager Governance and Property - Mr M McCarthy

**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**

Nil

**4 QUESTIONS WITHOUT NOTICE**

Nil

**5 CONFIDENTIAL ITEMS**

**5.1 CHIEF EXECUTIVE OFFICER - RECRUITMENT CONSULTANCY SELECTION –  
REPORT NO. AR20/74663**

**COMMITTEE RESOLUTION**

Moved: Cr Frank Morello  
Seconded: Cr Sonya Meziniec

**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 Meziniec and F Morello and Council Officer M McCarthy be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 5.1 AR20/74663 Chief Executive Officer - Recruitment Consultancy Selection.



The Chief Executive Officer Selection Panel is satisfied that, pursuant to section 90(3) (b) and (d) of the Act, the information to be received, discussed or considered in relation to the Agenda Item is:

- 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

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 considered includes commercial information of consultancies that expressed interest, the disclosure of which could reasonably be expected to confer advantage on a third party.

**CARRIED**

#### **COMMITTEE RESOLUTION**

Moved: Cr Paul Jenner  
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 5.1 AR20/74663 Chief Executive Officer - Recruitment Consultancy Selection 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) (b) and (d) be kept confidential and not available for public inspection until 12 months after the execution of a consultancy agreement, with the name of the successful recruiting firm and contract value to be released upon execution of a consultancy agreement.
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 4.42 p.m.**

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

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**PRESIDING MEMBER**



**MINUTES OF CITY OF MOUNT GAMBIER  
SPECIAL CHIEF EXECUTIVE OFFICER SELECTION PANEL MEETING  
HELD AT THE COUNCIL CHAMBER, CIVIC CENTRE, , MOUNT GAMBIER  
ON TUESDAY, 22 DECEMBER 2020 AT 4.30 PM**

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

**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 REVIEW OF INFORMATION PROVIDED BY RECRUITMENT CONSULTANTS, MORTON PHILIPS – REPORT NO. AR20/85494**

**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 and Recruitment Consultant, Mr Jason Barrington, Morton Philips Pty Ltd be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 4.1 AR20/85494 Review of Information provided by recruitment consultants, Morton Philips.

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**

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: Review of Information provided by recruitment consultants, Morton Philips

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

Meeting Procedures were suspended at 4:40 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 5:55 pm



**COMMITTEE RESOLUTION**

Moved: Cr Sonya Meziniec  
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 4.1 AR20/85494 Review of Information provided by recruitment consultants, Morton Philips 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 6.09 pm.

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

.....  
**PRESIDING MEMBER**



**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**

