



Civic Centre, 10 Watson Terrace
Mount Gambier SA 5290

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I hereby give notice that a Confidential Special Council Meeting will be held on:

Date: Tuesday, 3 December 2019
Time: 5.30 p.m.
Location: Council Chamber
Civic Centre
10 Watson Terrace
Mount Gambier

AGENDA

Confidential Special Council Meeting 3 December 2019

Andrew Meddle
Chief Executive Officer

27 November 2019

4 NEW CONFIDENTIAL ITEMS

4.1 NOTICE OF RESCISSION/AMENDMENT - CHIEF EXECUTIVE OFFICER PROBATIONARY PERIOD – REPORT NO. AR19/64660

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except Mayor L Martin OAM, Councillors S Mezinec, K Amoroso, M Bruins, C Greco, B Hood, P Jenner, F Morello and S Perryman and Council Officer Mr Michael McCarthy be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 4.1 AR19/64660 Notice of Rescission/Amendment - Chief Executive Officer Probationary Period.

The Council 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 Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because this subject matter of the item deals with the probationary period of the Chief Executive Officer, as specified in the contract of employment between him and the City of Mount Gambier.



4.1 NOTICE OF RESCISSION/AMENDMENT - CHIEF EXECUTIVE OFFICER PROBATIONARY PERIOD

Meeting: Council
CM9 Reference: AF13/64
Member: Sonya Mezinec, Councillor

The Council is satisfied that, pursuant to Section 90(2) & (3) of the *Local Government Act 1999*, the information to be received, discussed or considered in relation to this agenda item is:

- (a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

I, Councillor Sonya Mezinec, give notice that at the Special Meeting of Council to be held at 5:30 p.m. on 3 December 2019, I intend to move the following motion to rescind:

MOTION

1. That Council Report No. AR19/64660 titled 'Notice of Rescission/Amendment - Chief Executive Officer Probationary Period' as presented on 03 December 2019 be noted.
 2. That part (3) of Resolution 2019/350 associated with Item 5.1 titled 'Chief Executive Officer Probationary Period – Report No. AR19/59690' passed on 21 November 2019:
 3. *That Council wish to extend the probationary period for a further three months.*
- be rescinded.

ATTACHMENTS

Nil



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 AR19/64660 Notice of Rescission/Amendment - 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 4 December 2020.
2. Further that Council delegates the power to review, revoke, but not extension of the confidential order to the Chief Executive Officer in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.

CONFIDENTIAL

**4.2 NOTICE OF MOTION - CHIEF EXECUTIVE OFFICERS PROBATIONARY PERIOD –
REPORT NO. AR19/64665**

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except Mayor L Martin OAM, Councillors S Mezinec, K Amoroso, M Bruins, C Greco, B Hood, P Jenner, F Morello and S Perryman and Council Officer Mr Michael McCarthy be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 4.2 AR19/64665 Notice of Motion - Chief Executive Officers Probationary Period.

The Council 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 Council 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 of the item deals with the probationary period of the Chief Executive Officer, as specified in the contract of employment between him and the City of Mount Gambier.

CONFIDENTIAL

4.2 NOTICE OF MOTION - CHIEF EXECUTIVE OFFICERS PROBATIONARY PERIOD

Meeting: Council
CM9 Reference: AF13/64
Member: Sonya Mezinec, Councillor

The Council is satisfied that, pursuant to Section 90(2) & (3) of the *Local Government Act 1999*, the information to be received, discussed or considered in relation to this agenda item is:

- (a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

I, Councillor Sonya Mezinec, give notice that at the Special Meeting of Council to be held at 5:30 p.m. on 3 December 2019, I intend to move the following motion:

MOTION

1. That Council Report No. AR19/64665 titled 'Notice of Motion - Chief Executive Officers Probationary Period' as presented on 03 December 2019 be noted.
2. That Council consider that the Chief Executive Officer, Andrew Meddle, has completed his probationary period satisfactorily and his employment is confirmed in accordance with his contract and conditions.

RATIONALE

I commend this Notice of Motion to Council.

ATTACHMENTS

Nil



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 4.2 AR19/64665 Notice of Motion - Chief Executive Officers 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 4 December 2020.
2. Further that Council delegates the power to review, revoke, but not extension of the confidential order to the Chief Executive Officer in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.

CONFIDENTIAL

**MINUTES OF CONFIDENTIAL SPECIAL COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER, CIVIC CENTRE, 10 WATSON TERRACE, MOUNT
GAMBIER
ON TUESDAY, 3 DECEMBER 2019 AT 5.30 P.M.**

PRESENT: Mayor Lynette Martin (OAM), Cr Sonya Mezinec, Cr Kate Amoroso, Cr Max Bruins, Cr Christian Greco, Cr Ben Hood, Cr Paul Jenner, Cr Frank Morello, Cr Steven Perryman

OFFICERS IN ATTENDANCE: Manager Executive Administration - Mr M McCarthy

4 NEW CONFIDENTIAL ITEMS

4.1 NOTICE OF RESCISSION/AMENDMENT - CHIEF EXECUTIVE OFFICER PROBATIONARY PERIOD – REPORT NO. AR19/64660

RESOLUTION 2019/357

Moved: Cr Frank Morello
Seconded: Cr Kate Amoroso

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except Mayor L Martin, Councillors S Mezinec, K Amoroso, M Bruins, C Greco, B Hood, P Jenner, F Morello and S Perryman and Council Officers Mr M McCarthy be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 4.1 AR19/64660 Notice of Rescission/Amendment - Chief Executive Officer Probationary Period.

The Council 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 Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because this subject matter of the item deals with the probationary period of the Chief Executive Officer, as specified in the contract of employment between him and the City of Mount Gambier.

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 item 4.1

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

Meeting Procedures were suspended at 5:40 p.m.



A 25 minute recess was held from 5:50 p.m. until 6:17 p.m.

Cr Jenner left the meeting at 5:50 p.m. and did not return.

The meeting was relocated from the Council Chamber to the level 4 Committee Room.

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 6:34 p.m.

RESOLUTION 2019/358

Moved: Cr Sonya Meziniec

Seconded: Cr Max Bruins

1. That Council Report No. AR19/64660 titled 'Notice of Rescission/Amendment - Chief Executive Officer Probationary Period' as presented on 03 December 2019 be noted.
 2. That part (3) of Resolution 2019/350 associated with Item 5.1 titled 'Chief Executive Officer Probationary Period – Report No. AR19/59690' passed on 21 November 2019:
 3. *That Council wish to extend the probationary period for a further three months.*
- be rescinded.

CARRIED

RESOLUTION 2019/359

Moved: Cr Christian Greco

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 4.1 AR19/64660 Notice of Rescission/Amendment - 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 4 December 2020.
2. Further that Council delegates the power to review, revoke, but not extension of 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



**4.2 NOTICE OF MOTION - CHIEF EXECUTIVE OFFICERS PROBATIONARY PERIOD –
REPORT NO. AR19/64665**

RESOLUTION 2019/360

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 Council orders that all members of the public, except Mayor L Martin, Councillors S Meziniec, K Amoroso, M Bruins, C Greco, B Hood, P Jenner, F Morello and S Perryman and Council Officers Mr M McCarthy be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 4.2 AR19/64665 Notice of Motion - Chief Executive Officers Probationary Period.

The Council 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 Council 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 of the item deals with the probationary period of the Chief Executive Officer, as specified in the contract of employment between him and the City of Mount Gambier.

CARRIED

RESOLUTION 2019/361

Moved: Cr Sonya Meziniec
Seconded: Cr Max Bruins

1. That Council Report No. AR19/64665 titled 'Notice of Motion - Chief Executive Officers Probationary Period' as presented on 03 December 2019 be noted.
2. That Council consider that the Chief Executive Officer, Andrew Meddle, has completed his probationary period satisfactorily and his employment is confirmed in accordance with his contract and conditions.

CARRIED

RESOLUTION 2019/362

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 4.2 AR19/64665 Notice of Motion - Chief Executive Officers 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 4 December 2020.

2. Further that Council delegates the power to review, revoke, but not extension of 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

CONFIDENTIAL

