

AGENDA

Special Council Meeting

Tuesday 23 September 2025

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

Time: 4:45 pm

Date: Tuesday 23 September 2025

Location: Level 1, Conference Room – Civic Centre
10 Watson Terrace, Mount Gambier



Andrew Aitken
INTERIM CHIEF EXECUTIVE OFFICER
23 September 2025

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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 FIRST NATIONS PEOPLES HAVE WITH THE LAND.

2 APOLOGIES

Nil

3 LEAVE OF ABSENCE

Nil

4 COUNCIL REPORTS

Nil

5 CONFIDENTIAL ITEMS

Nil

5.1 CHIEF EXECUTIVE OFFICER RECRUITMENT

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 the Mayor, Councillors and General Manager Corporate and Regulatory Services, Mrs Jane Fetherstonhaugh be excluded from attendance at the meeting for the receipt and consideration in confidence of Chief Executive Officer Recruitment.

The Council is satisfied that, pursuant to section 90(3) of the Act, the information to be received, discussed or considered in relation to the 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).
- (b) information the disclosure of which -
 - (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and
 - (ii) would, on balance, be contrary to the public interest.
- (g) 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, any duty of confidence, or other legal obligation or duty.

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 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 Chief Executive Officer Recruitment and its attachments, resolution/s and minutes arising from the report, having been considered by the Council in confidence under:
information the disclosure of which would involve the unreasonable
 - (a) disclosure of information concerning the personal affairs of any person (living or dead).
 - (b) information the disclosure of which -
 - (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and
 - (ii) would, on balance, be contrary to the public interest.
 - (g) 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, any duty of confidence, or other legal obligation or duty.

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

