

3. Confidential items

3.1 APPOINTMENT OF A NEW CHIEF EXECUTIVE OFFICER

1. *Exclusion of the public*

MOVED Cr Greaves.

That:

- a. *under the provisions of Section 90(2) of the Local Government Act 1999 an order be made that the public, with the exception of relevant Governance staff, the Manager People and Culture and the VUCA consultants, be excluded from attendance at the meeting in order to consider this item in confidence.*
- b. *the Council is satisfied that it is necessary that the public, with the exception of those listed in 1a. above, be excluded to enable the Council to consider the report at the meeting on the following grounds:*

Section 90(3)(a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

Specifically, the matter relates to the information regarding the candidates for the position of Chief Executive Officer of the Council. The disclosure of this information would be unreasonable because the information is sensitive and confidential to the candidates, is not a matter of public knowledge and the candidates would have provided the information on a confidential basis and would expect the information to be kept confidential.

- c. *accordingly, on this basis the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep the information or discussion confidential.*
- d. *notwithstanding the above order of the Council excluding the public from attendance at the meeting in order to consider this item in confidence, the candidates be permitted at the invitation of the Presiding Member to enter the Chamber and remain in the room for the purposes of making their presentations and for the duration of their presentation only.*

Seconded by Cr Themeliotis.

CARRIED

Candidates provided their presentations and answered questions from elected members.

At 7.40pm Acting Mayor McMahon sought and was granted leave of the meeting for a five minute break.

Acting Mayor McMahon reconvened the meeting in the Chamber at 7.46pm with all members present that were present before the break.

At 8.37pm Acting Mayor McMahon sought and was granted leave of the meeting to suspend formal meeting proceedings in order to facilitate informal discussion in this matter.

At 9.56pm the meeting returned to formal meeting proceedings.

2. Confidential resolution

MOVED Cr Greaves.

That the Council, having received presentations from the final two candidates for the role of Chief Executive Officer:

- Determine the preferred candidate as Alastair Dawson, and instruct the Acting Mayor to negotiate and execute a contract of employment with that candidate*
- Determine that a maximum Total Remuneration Package for the new Chief Executive Officer be \$357,000.*

Seconded by Cr Peat.

CARRIED

Cr Themeliotis called a DIVISION and the decision was set aside.

For:

<i>Cr Bray</i>	<i>Cr Olsen</i>	<i>Cr Tonkin</i>	<i>Cr Brown</i>	<i>Cr Greaves</i>
<i>Cr Eaton</i>	<i>Cr Peat</i>			

Against:

<i>Cr Jamieson</i>	<i>Cr O'Brien</i>	<i>Cr Themeliotis</i>		
--------------------	-------------------	-----------------------	--	--

CARRIED

3. Period of confidentiality and delegations

MOVED Cr Themeliotis.

- a. That the matter of Appointment of a new Chief Executive Officer having been considered by the Council in confidence under sections 90(2) and 90(3)(a) of the Local Government Act 1999 that an order be made under the provisions of sections 91(7) and (9) of the Local Government Act 1999 that the agenda report, attachments, discussion and minutes of the Council relating to the subject matter be kept confidential until the contractual negotiations and arrangements for the appointment of the Chief Executive Officer have been finalised, the offer of employment has been formally accepted, the employment contract has been executed by all parties and the elected body has been advised of this matter, with the exception that Attachment 1 to the agenda report will be kept confidential.*
- b. That, pursuant to section 91(9)(a) of the Local Government Act 1999, the Council delegates the duty to conduct an annual review of the confidentiality order to the Chief Executive Officer, or their sub delegate.*
- c. That, pursuant to section 91(9)(c) of the Local Government Act 1999, the Council delegates the power to revoke the confidentiality order to the Chief Executive Officer, or their sub delegate.*

Seconded by Cr Eaton.

CARRIED