

Extract of Minutes

**8. CONFIDENTIAL ITEMS**

6.59pm The Presiding Member advised that the meeting would move into confidence pursuant to Section 90(2) and 90(3) of the Local Government Act 1999 to consider agenda item 8.1 – *CEO Review Panel – Appointment of Panel Members*.

The Presiding Member thanked the Gallery for their attendance at the meeting. All staff left the meeting with the exception of Jacqui Kelleher, Director Community & Corporate. The Gallery was cleared and the doors to the Chambers were locked.

**8.1 CEO Review Panel – Appointment of Panel Members**

The Presiding Member confirmed that in accordance with the CEO's general conflict of interest declaration made at agenda item 3.1 in relation to agenda item 8.1 - *CEO Review Panel – Appointment of Panel Members*, the Chief Executive Officer Sam Johnson had left the meeting at 6.59pm and was not present in the meeting for this agenda item.

7.00pm the Presiding Member sought agreement of the meeting to suspend formal meeting procedures pursuant to Regulation 20(1) of the Local Government (Procedures at Meetings) Regulations 2013.

7.27pm formal meeting procedures resumed.

Moved            Cr Heaslip  
Seconded       Cr Till

That pursuant to Section 90(2) and (3)(k) of the Local Government Act 1999, the Council orders that all persons present, with the exception of Jacqui Kelleher, Director Community & Corporate and Deputy Returning Officer, be excluded from the meeting as Council considers that the requirement for the meeting to be conducted in a place open to the public has been outweighed in circumstances where the Council will receive and consider information relating to tenders for the provision of services.

**Carried Unanimously**  
[102-2023]

The Presiding Member called for nominations for the two Councillor positions required to be appointed as per points 1 and 2 of the report recommendation as printed on page 217 of the agenda.

Cr Tate self-nominated.  
Cr Till nominated Cr Tate.  
Cr Keller nominated Cr the Hon van Holst Pellekaan.  
Cr Heaslip nominated Cr Keller.

The Presiding Member asked Cr Tate, Cr Keller and Cr the Hon van Holst Pellekaan to confirm if they accept or decline the nominations as received at the meeting.

Cr Tate confirmed she accepted the nomination.  
Cr Keller confirmed he accepted the nomination and confirmed that he would complete the relevant training required to enable him to undertake the duties of a panel member.  
Cr the Hon van Holst Pellekaan confirmed that he declined the nomination.

Moved            Cr Till  
Seconded       Cr Tate

That Council:

1. receives and notes the report;

2. appoints Councillor S Tate to the Chief Executive Officer Performance Review Panel, in accordance with *Clause 5 of Schedule 3* of the Chief Executive Officer's employment contract for the term of the current Council;
3. appoints Councillor IG Keller to the Chief Executive Officer Performance Review Panel, in accordance with *Clause 5 of Schedule 3* of the Chief Executive Officer's employment contract for the term of the current Council;
4. appoints John Love from Mellor Olsson Lawyers as the qualified independent person in accordance with *Clause 5 of Schedule 3* of the Chief Executive Officer's employment contract for the term of the current Council; and
5. appoints Andrew Reed from Hender Consulting as the qualified independent human resources consultant in accordance with *Clause 5 of Schedule 3* of the Chief Executive Officer's employment contract for the term of the current Council.

**Carried Unanimously**

[103-2023]

Moved            Cr Till  
Seconded       Cr Heaslip

That in accordance with Section 91(7) of the Local Government Act 1999, Council orders that the minute, discussion, report and appendices to this report *8.1 – CEO Review Panel – Appointment of Members* having been considered in confidence under Section 90(2) and (3)(k) of the Act be released immediately after the conclusion of dealing with this matter at the meeting.

**Carried Unanimously**

[104-2023]