



## **DISTRICT COUNCIL OF GRANT**

### **MINUTES OF SPECIAL MEETING OF COUNCIL HELD AT THE COUNCIL CHAMBERS, 324 COMMERCIAL STREET WEST, MOUNT GAMBIER**

**ON TUESDAY 13 MARCH 2018 AT 5.35PM**

#### **ATTENDANCE**

##### **Elected Members**

Mayor Richard Sage  
Cr BJ Bain  
Cr GM Clayfield  
Cr BJ Collins  
Cr AH Hill  
Cr SE Little  
Cr JA Reis  
Cr GW Saunders

##### **Council Officers**

TJ Smart, Chief Executive Officer  
JF Fetherstonhaugh, Deputy Chief Executive Officer  
DM Hutchesson, Executive Support Governance  
JA O’Hehir, Executive Support Officer

#### **APOLOGIES FOR ABSENCE**

Cr BR Kuhl  
Cr GR Slarks

#### **REPORTS FROM OFFICERS AND COMMITTEES**

##### **18035 – CHIEF EXECUTIVE OFFICER**

1. Recruitment Process of Chief Executive Officer - [12.70.1/2] Item 5.1.1  
Council were provided with an update of the process for engaging the services of a Human Resources Consultant to assist Council with the Chief Executive Officer recruitment process.

Trevor Smart, current Chief Executive Officer, highlighted Section 102(a) of the *Local Government Act 1999* regarding Council appointing the Deputy to act in the office of Chief Executive Officer in their absence.

Mayor Sage sought legal advice by telephone to Norman Waterhouse Lawyers and was advised the following:

1. Section 102 of the *Local Government Act 1999* applies to leave or temporary absence of the Chief Executive Officer.

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2. Section 98 of the *Local Government Act 1999* relates to the resignation of the Chief Executive Officer and their replacement. The appointment of a temporary Chief Executive Officer or their full replacement in this case, is by the Full Council.

Moved Cr Collins that Council note the report.

Seconded Cr Clayfield

CARRIED

5.37pm TJ Smart (Chief Executive Officer), JF Fetherstonhaugh (Deputy Chief Executive Officer), DM Hutchesson (Executive Support Governance) and JA O'Hehir (Executive Support Officer) left the meeting.

### **18036 – CONFIDENTIAL ITEMS**

1. Recruitment of Interim Chief Executive Officer – [12.70.1/2] Item 6.1.1

1. Moved Cr Reis that Council:

1. Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public including all staff, be excluded from attendance at the meeting for Agenda Item 6.1.1 – Recruitment of Interim Chief Executive Officer.
2. The Council is satisfied that, pursuant to section 90(3)(k) of the Act, the information to be received, discussed or considered in relation to this Agenda Item are tenders for the provision of services.
3. 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 such disclosure to the public may compromise the negotiation processes and outcomes.

Seconded Cr Clayfield

CARRIED

6.05pm Cr BJ Bain entered the Chamber.

2.

3. Moved Cr Clayfield that Council:

1. That having considered Agenda Item 6.1.1 - Recruitment of Interim Chief Executive Officer in confidence under section 90(2) and (3)(k) of the *Local Government Act 1999*, the Council, pursuant to section 91(7) of that Act orders that the documents and minutes relevant to Agenda Item 6.1.1 be retained in confidence the contract has been signed and that this order be reviewed every 12 months.

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- 2. Council delegates to the Chief Executive Officer, pursuant to Section 91(9)(c) of the Local Government Act 1999, the power, at his discretion, to revoke the order made by Council under Section 91(7) and (9) of the Act at part (1) of this resolution at any time prior to the expiration of the period of the order specified therein.

Seconded Cr Reis

CARRIED

Meeting closed at 6.28pm

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MAYOR

/ /2018