

18.3 **Executive Committee – Appointment of a Qualified Independent Person**
(Report No: 82/23)

Motion Exclusion of the Public – Section 90(3)(d) Order

280323/7400

1. That pursuant to Section 90(2) of the *Local Government Act 1999* Council hereby orders that the public be excluded from attendance at this meeting with the exception of the General Manager, Strategy and Corporate and Staff minute taker in attendance at the meeting in order to consider Report No: 82/23 Executive Committee - Appointment of a Qualified Independent Person in confidence.
2. That in accordance with Section 90(3) of the *Local Government Act 1999* Council is satisfied that it is necessary that the public be excluded to consider the information contained in Report No: 82/23 Executive Committee - Appointment of a Qualified Independent Person on the following grounds:
 - d. pursuant to section 90(3)(d) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information.

In addition, the disclosure of this information would, on balance, be contrary to the public interest. The public interest in public access to the meeting has been balanced against the public interest in the continued non-disclosure of the information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information.
3. The Council is satisfied, the principle that the meeting be conducted in a place open to the public, has been outweighed by the need to keep the information or discussion confidential.

Moved Councillor Miller, Seconded Councillor Smedley

Carried Unanimously

At its meeting held 14 February 2023, Council resolved to seek Expressions of Interest for a qualified independent person to provide advice to the Executive Committee on the Chief Executive's performance review.

Following a call for expressions of interest from four reputable human resource management companies, three submissions were received.

The Executive Committee met on 14 March 2023 and recommended to Council the appointment of Christine Molitor for a period of two years with an option for an additional two years.

Motion

1. **appoints Christine Molitor as the Advisor to the Executive Committee; and**
2. **the term of the appointment of the Advisor be for a period of two years, with the option of an additional two years.**

RETAIN IN CONFIDENCE - Section 91(7) Order

280323/7401

3. **That having considered Agenda Item 18.3 Executive Committee - Appointment of a Qualified Independent Person in confidence under section 90(2) and (3)(d) of the *Local Government Act 1999*, the Council, pursuant to section 91(7) of that Act orders that the report and attachments be retained in confidence for a period of 12 months and that this order be reviewed every 12 months.**

Moved Councillor Lonie, Seconded Councillor Smedley

Carried Unanimously

CONFIRMED

11 April 2023

MAYOR