

## **ITEM NUMBER: 18.1**

### **CONFIDENTIAL REPORT**

### **CONFIDENTIAL MINUTES – EXECUTIVE COMMITTEE – 18 NOVEMBER AND 22 NOVEMBER 2024**

*Pursuant to Section 83(5) of the Local Government Act 1999 the Report attached to this agenda and the accompanying documentation is delivered to the Council Members upon the basis that the Council consider the Report and the documents in confidence under Part 3 of the Act, specifically on the basis that Council will receive, discuss or consider:*

- a. **Information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead);**

**Recommendation – Exclusion of the Public – Section 90(3)(a) Order**

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: 393/24 Confidential Minutes – Executive Committee – 18 November and 22 November 2024 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: 393/24 Confidential Minutes – Executive Committee – 18 November and 22 November 2024 on the following grounds:
    - a. pursuant to section 90(3)(a) of the Act, the information to be received, discussed or considered in relation to Report No: 393/24 Confidential Minutes – Executive Committee – 18 November and 22 November 2024 is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead), being applicants for the position of Chief Executive Officer because their personal details would be disclosed.
  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.
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**Item No:** 18.1

**Subject:** **CONFIDENTIAL MINUTES – EXECUTIVE COMMITTEE – 18 NOVEMBER AND 22 NOVEMBER 2024**

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## Summary

The confidential minutes of the Executive Committee held 18 November and the reconvened special meeting held 22 November 2024 are presented to Council for information.

This report also provides an update on the recruitment of the Chief Executive Officer.

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## Recommendation

**That Council:**

1. notes the confidential minutes of the Executive Committee meeting held on 18 November 2024;
2. notes the confidential minutes of the reconvened Executive Committee special meeting held on 22 November 2024; and
3. notes the progress of the Chief Executive Officer recruitment process.

### RETAIN IN CONFIDENCE - Section 91(7) Order

4. That having considered Agenda Item 8.1 393/24 Confidential Minutes – Executive Committee – 18 November and 22 November 2024 in confidence under section 90(2) and (3)(a) of the *Local Government Act 1999*, the Council, pursuant to section 91(7) of that Act orders that the report, attachment and minutes be retained in confidence until the successful candidate no longer works at council and that this order be reviewed every 12 months.
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## Background

Council established an Executive Committee pursuant to section 41 of the *Local Government Act 1999* with responsibility for undertaking the annual performance appraisal of the Chief Executive Officer to:

- recommend to Council the form and process of the Chief Executive Officer's annual performance appraisal;
- undertake the annual performance appraisal; and
- provide a report and to make recommendations to Council on any matters arising from the annual performance appraisal.

At its meeting on 23 July 2024, Council appointed the Executive Committee of Council as the Chief Executive Officer Selection Panel pursuant to section 98 (4) of the *Local Government Act 1999* for the CEO Recruitment process and provided the Executive Committee with additional scope to its Terms of Reference for the period of the CEO recruitment process.

## Report

The confidential minutes of the meeting of the Executive Committee held on 18 November 2024 and the reconvened special meeting held on 22 November 2024 are attached for Members' information.

*Refer Attachments 1 and 2*

### **Chief Executive Officer Recruitment**

The Executive Committee has received a report detailing the advertising component of the Chief Executive Officer recruitment process. A total of 84 applications were received.

Following a ranking process undertaken by Administration and in consultation with the Qualified Independent Person, the Committee was presented with eight candidates: four recommended for interview; and a further four that could be considered for interview.

The presented candidates were of a high calibre with demonstrated experience in Local Government.

The Executive Committee resolved to invite three candidates for a first-round interview with the Committee to be held in the week commencing 25 November.

Since the initial offer of interviews was made to the three candidates, one candidate has withdrawn from the process. A special meeting of the Executive Committee was scheduled for 21 November to determine additional candidate(s) for interview, however this meeting was adjourned for want of a quorum. The additional candidates were determined at the reconvened meeting on 22 November.

After these interviews, final candidates will be invited to an interview with the full elected body on Tuesday 3 December.

## Budget

There are no budget implications associated with this report.

## Life Cycle Costs

Not applicable

## Strategic Plan

Statutory compliance

## Council Policy

Not applicable

## Statutory Provisions

*Local Government Act 1999, section 98*

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**Written By:** Executive Assistant to the General Manager, Strategy and Corporate

**General Manager:** Strategy and Corporate, Ms S Wachtel

CONFIDENTIAL

# Attachment 1

**Confidential Minutes of the Executive Committee held in the Kingston Room, Brighton Civic Centre, 24 Jetty Road, Brighton on Monday 18 November 2024.**

**8. CONFIDENTIAL ITEMS**

**8.1 Chief Executive Officer Recruitment (Report No: 382/24)**

**Motion – Exclusion of the Public Section 90(3)(a)**

- 1. That pursuant to Section 90(2) of the *Local Government Act 1999* Executive Committee 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: 382/24 Chief Executive Officer Recruitment in confidence.**
- 2. That in accordance with Section 90(3) of the *Local Government Act 1999* Executive Committee is satisfied that it is necessary that the public be excluded to consider the information contained in Report No: 382/24 Chief Executive Officer Recruitment on the following grounds:**
  - a. pursuant to section 90(3)(a) of the Act, the information to be received, discussed or considered in relation to Report No: 382/24 Chief Executive Officer Recruitment is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead), being that details of applicants for the position of Chief Executive Officer will be disclosed.**
- 3. The Executive Committee 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 Patton, Seconded Councillor Fleming

**Carried**

On 23 July 2024, Council appointed the Executive Committee as the Chief Executive Officer Selection Panel pursuant to section 98 (4) of the *Local Government Act 1999* for the Chief Executive Officer (CEO) Recruitment process and provided the Executive Committee with additional scope to its Terms of Reference for the period of the CEO recruitment process.

Advertising has now closed and this report provides the Committee with an update on the process and seeks nomination from the Committee of a shortlist of candidates for interview.

**Motion**

That the Executive Committee:

1. notes the process undertaken for the review of candidate applications;  
and
2. resolves that [REDACTED] [REDACTED] and [REDACTED] have been nominated as the initial shortlisted candidates and that these candidates be invited for a face-to-face interview with the Executive Committee subject to flexibility for additional candidates to be interviewed as required.

**RETAIN IN CONFIDENCE - Section 91(7) Order**

3. That having considered Agenda Item 8.1 382/24 Chief Executive Officer Recruitment in confidence under section 90(2) and (3)(a) of the *Local Government Act 1999*, the Executive Committee, pursuant to section 91(7) of that Act orders that the report, attachment and minutes be retained in confidence until the successful candidate no longer works at council and that this order be reviewed every 12 months.

Moved Councillor Patton, Seconded Councillor Fleming

**Carried**

CONFIRMED

Insert date of next meeting

DEPUTY MAYOR



# Attachment 2

**Confidential Minutes of the reconvened special meeting of the Executive Committee of the City of Holdfast Bay held in the Kingston Room, Brighton Civic Centre, 24 Jetty Road, Brighton on Friday 22 November 2024 at 6:00pm.**

**5. CONFIDENTIAL ITEMS**

**5.1 Chief Executive Officer Recruitment (Report No: 394/24)**

**Motion – Exclusion of the Public Section 90(3)(a)**

- 1. That pursuant to Section 90(2) of the *Local Government Act 1999* Executive Committee 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: 394/24 Chief Executive Officer Recruitment in confidence.**
- 2. That in accordance with Section 90(3) of the *Local Government Act 1999* Executive Committee is satisfied that it is necessary that the public be excluded to consider the information contained in Report No: 394/24 Chief Executive Officer Recruitment on the following grounds:**
  - a. pursuant to section 90(3)(a) of the Act, the information to be received, discussed or considered in relation to Report No: 394/24 Chief Executive Officer Recruitment is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead), being that details of applicants for the position of Chief Executive Officer will be disclosed.**
- 3. The Executive Committee 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 Fleming, Seconded Councillor Smedley

**Carried**

At its meeting on 18 November 2024, the Executive Committee resolved to interview three candidates for the position of Chief Executive Officer.

One candidate has withdrawn and the Committee now needs to determine additional candidate(s) to interview.

**Motion**

That the Executive Committee:

1. resolves that [REDACTED], [REDACTED] and [REDACTED] have been nominated as additional shortlisted candidates and that these candidates be invited for a face-to-face interview with the Executive Committee.

**RETAIN IN CONFIDENCE - Section 91(7) Order**

2. That having considered Agenda Item 5.1 394/24 Chief Executive Officer Recruitment in confidence under section 90(2) and (3)(a) of the *Local Government Act 1999*, the Executive Committee, pursuant to section 91(7) of that Act orders that the report, attachments and minutes be retained in confidence until the successful candidate no longer works at council.

Moved Councillor Fleming, Seconded Smedley

**Carried**

**CONFIRMED**      Insert date of next meeting

**DEPUTY MAYOR**