

CITY OF WEST TORRENS



**Confidential Minutes**

**of**

**Report Item 21.1 of the Council Meeting**

**of the**

**CITY OF WEST TORRENS**

held in the Council Chambers, Civic Centre  
165 Sir Donald Bradman Drive, Hilton

on

**TUESDAY, 1 NOVEMBER 2022**  
**at 7.00pm**

**Terry Buss PSM**  
**Chief Executive Officer**

Index

21    **Confidential** ..... 1

      21.1    Chief Executive Officer's Performance Review - 2022..... 1

Released

## 21 CONFIDENTIAL

### 21.1 Chief Executive Officer's Performance Review - 2022

#### Reason for Confidentiality

The Council is satisfied that, pursuant to Section 90(3)(a) of the *Local Government Act 1999* (the **Act**), the information to be received, discussed or considered in relation to this agenda item is:

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

#### Council resolved that:

1. pursuant to section 90(2) of the Act, Council orders, that the public, with the exception of the Chief Executive Officer and the appointed Qualified Independent Person, be excluded from attendance at so much of the meeting as is necessary to receive, discuss and consider in confidence, information contained within the confidential report Item 21.1 - Chief Executive Officer's Performance Review - 2022, attachments and any associated documentation submitted by the Chief Executive Officer, specifically on the basis of the provisions of section 90(3)(a) of the Act because the matter relates to the performance and negotiations and details of the contractual employment arrangements of an employee, the disclosure of which may breach a duty of confidence owed to the employee and result in the unreasonable disclosure of information concerning the personal affairs of the employee.
2. at the completion of the confidential session the meeting be re-opened to the public.

**8.57pm** the meeting moved into Confidence and the confidential session commenced.

#### PRESENT:

##### Council Members:

Mayor M Coxon (Presiding Member)

Councillors: J Woodward, E Papanikolaou, K McKay, D Mugavin, G Nitschke, S Pal, S Tsiaparis, G Vlahos, C O'Rielly, A McKay, B Reynolds

##### Officers:

Mr T Buss (Chief Executive Officer) (at 9.10pm)

##### In attendance:

Mr M Kellidy (appointed Qualified Independent Person)

To provide Council with a report from the Chief Executive Officer's Performance Review General Committee (the **Review Committee**) on the Chief Executive Officer's performance in the twelve months to 30 June 2022.

### RECOMMENDATION(S)

It is recommended to Council that:

1. the 'Appraiser' section of the Assessment Tool as presented in this report be endorsed; and
2. the Chief Executive Officer be commended on his performance, which has been assessed at 99.59 per cent of all ratings as **met or exceeded expectations**; and
3. recommend that, after the conclusion of the current periodic elections, by the adoption of this minute, the custom and practice of a CPI increase to the CEO's TECP for a successful performance review outcome be applied to the TECP be continued by increasing the amount to \$365,248.00 whilst noting the material saving to the Council from the selfless decision of the CEO to not accept any increase to the TECP for the previous year; and
4. the Deputy Chief Executive Officer, Angelo Catinari, be recognised for his outstanding performance as Acting Chief Executive Officer in supporting the Chief Executive Officer throughout the past 2 years.

### RESOLUTION

Moved: Cr Kym McKay

Seconded: Cr Simon Tsiaparis

That the recommendation be adopted.

**CARRIED**

### FURTHER

1. In accordance with sections 91(7) and 91(9) of the Act, the Council orders that the Item 21.1 - Chief Executive Officer's Performance Review - 2022, the Minutes arising, attachments and any associated documentation, having been considered by the Council in confidence under section 90(3)(a), be kept confidential and not available for public inspection for a period of six (6) months from the date of this meeting, on the basis that the matter relates to the performance and negotiations and details of the contractual employment arrangements of an employee, the disclosure of which may breach a duty of confidence owed to the employee and result in the unreasonable disclosure of information concerning the personal affairs of the employee.
2. Council delegates the power of review, but not the extension, of the confidential order to the Chief Executive Officer on a monthly basis in accordance with the provisions of section 91(9)(c) of the Act.

### RESOLUTION

Moved: Cr Kym McKay

Seconded: Cr Simon Tsiaparis

That the recommendations be adopted.

**CARRIED**

**9.13pm** the Confidential session closed and the meeting reopened to the public.