

CITY OF WEST TORRENS



MINUTES

of the

Special Confidential Council Meeting
(CEO Appointment)

of the

CITY OF WEST TORRENS

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

on

TUESDAY, 29 AUGUST 2023
at 7.00pm

Terry Buss PSM
Chief Executive Officer

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1 MEETING OPENED

The Presiding Member declared the meeting open at 7.03pm.

1.1 Acknowledgement of Country

At the opening of the Meeting, Cr Sara Comrie read out the Acknowledgment of Country:

"West Torrens City Council acknowledges that we are meeting on the traditional Country of the Kurna people of the Adelaide Plains and pays respect to Elders past, present, and emerging.

We recognise and respect their cultural heritage, beliefs and spiritual relationship with the land, sea, waterways and sky.

We acknowledge that they are of continuing importance to the Kurna people living today.

We have built a beautiful city. However, we further recognise that the process of settlement resulted in the dispossession and dislocation of the Kurna people and that we are always mindful of this."

1.2 Evacuation Procedure

The evacuation procedures were taken as read.

2 PRESENT

Council Members:

Mayor M Coxon (Presiding Member)

Councillors: J Woodward, E Papanikolaou, D Huggett, K McKay, G Nitschke, Z Papafilopoulos, S Pal, L Gelonese, C O'Rielly, G Demetriou, A McKay, J Wood, S Comrie

Officers:

Mr T Buss (Chief Executive Officer)
Ms K Allen (Secretariat)

In attendance:

Michael Kelledy (Qualified Independent Person)

3 APOLOGIES

Apologies

Council Member:

Cr Sam Whiting

4 DISCLOSURE STATEMENTS

Nil

5 CONFIDENTIAL

5.1 Chief Executive Officer Recruitment - 2023

Reason for Confidentiality

The Council is satisfied that, pursuant to section 90(3)(a) of the *Local Government Act 1999*, 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).

RECOMMENDATION

It is recommended to Council that:

1. Pursuant to section 90(2) of the *Local Government Act 1999*, Council orders, that the public, with the exception of the Chief Executive Officer, members of the Executive, Michael Kelledy of Kelledy Jones Lawyers and meeting secretariat staff, 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 5.1- *Chief Executive Officer Recruitment - 2023*, attachments and any associated documentation submitted by the Chief Executive Officer, specifically on the basis of the provisions of section 90(3)(a) 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.

RESOLUTION

Moved: Cr Kym McKay
Seconded: Cr Surender Pal

That the recommendation be adopted.

CARRIED

7.05pm the meeting moved into Confidence and the confidential session commenced.

Council also resolved that:

1. In accordance with sections 91(7) and 91(9) of the *Local Government Act 1999*, the Council orders that the Item 5.1 - *Chief Executive Officer Recruitment - 2023*, 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 1 (one) month 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 *Local Government Act 1999*.

RESOLUTION

Moved: Cr Kym McKay

Seconded: Cr Surender Pal

That the recommendations be adopted.

CARRIED

7.23pm the Confidential session closed and the meeting reopened to the public.

Note: The Confidential Minutes are kept separately from this document.

6 MEETING CLOSE

The Presiding Member declared the meeting closed at 7.23pm.