

MINUTES

of

Special Council Meeting



Pursuant to the provisions of Section 83 (2) of the
Local Government Act 1999

HELD IN

**Council Chamber
Redbanks Road,
Mallala**

on

Thursday 22 August 2019 at 7:00pm

The Mayor formally declared the meeting open at 7:00pm.

1. ATTENDANCE RECORD

1.1 Present:

Mayor Mark Wasley	
Councillor Marcus Strudwicke	Mallala/Dublin Ward
Councillor John Lush	Mallala/Dublin Ward
Councillor Terry-Anne Keen	Mallala/Dublin Ward
Councillor Joe Daniele	Two Wells Ward
Councillor Margherita Panella	Lewiston Ward
Councillor Brian Parker	Lewiston Ward
Councillor Carmine Di Troia	Lewiston Ward

Also in Attendance:

Chief Executive Officer	Mr James Miller
Manager, Human Resources Consulting - McArthur	Ms Rebecca Hunt

1.2 Apologies:

Councillor Frank Maiolo	Two Wells Ward
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1.3 Leave of Absence:

Councillor Kay Boon	Two Wells Ward
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1.4 Not Present:

Nil

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2. ADJOURNED ITEMS

Nil

3. DECLARATION OF MEMBERS' INTEREST

Nil

4. ITEMS

4.1 Final Summary Report on Chief Executive Officer Performance Review – July 2019

Moved Councillor Strudwicke Seconded Councillor Keen 2019/341

“that:-

1. Pursuant to section 90(2) of the *Local Government Act 1999*, the Council orders that all members of the public, except Chief Executive Officer and Rebecca Hunt - McArthur, be excluded from attendance at the meeting of the Council for Agenda Item 4.1 – *Final Summary Report on Chief Executive Officer Performance Review – July 2019*;
2. Council is satisfied that it is necessary that the public be excluded to enable Council to consider Item 4.1 – *Chief Executive Officer – Performance Review* at the meeting:
 - a. on the grounds provided by section 90(3) of the *Local Government Act 1999*, being that Item 4.1 – *Final Summary Report on Chief Executive Officer Performance Review – July 2019* concerns information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead); and
 - b. on the basis that information within Item 4.1 – *Final Summary Report on Chief Executive Officer Performance Review – July 2019* contains information about the personal affairs of a person, constituting the performance of the Chief Executive Officer pursuant to the contract of employment.
3. Council is satisfied that the principle that Council meetings should be conducted in a place open to the public has been outweighed by the need to keep the information, matter and discussion confidential.”

CARRIED

The Mayor, with approval of two-thirds of members present suspended the meeting procedures pursuant to Regulation 20(1) of the *Local Government (Procedures at Meetings) Regulations 2013*, for a period of time sufficient to facilitate informal discussions in relation to Item 4.1 – *Final Summary Report on Chief Executive Officer Performance Review – July 2019*.

The meeting was suspended at 7:02pm.

The Chief Executive Officer left the meeting at 7:03pm.

The meeting resumed at 7:48pm.



- 4.1 Moved Councillor Keen Seconded Councillor Lush **2019/ 342**
"that Council, having considered the matter of Agenda Item 4.1 – *Final Summary Report on Chief Executive Officer Performance Review – July 2019*, dated 26 August 2019, receives, notes and endorses the report."

CARRIED UNANIMOUSLY

- 4.1 Moved Councillor Parker Seconded Councillor Di Troia **2019/ 343**
"that Council, having considered the matter of Agenda Item 4.1 – *Final Summary Report on Chief Executive Officer Performance Review – July 2019*, dated 26 August 2019:-
 - 1. Resolves to extend the Chief Executive Officer's Contract of Employment for a further five (5) year period to commence at the expiration of the current contract, being 2 May 2021, to expire on 2 May 2026; and**
 - 2. Delegates authority to the Mayor to engage Norman Waterhouse Lawyers to prepare the necessary legal documents to give effect to clause 1 above."**

CARRIED UNANIMOUSLY

- 4.1 Moved Councillor Parker Seconded Councillor Di Troia **2019/ 344**
"that in consideration of the Chief Executive Officer's (CEO) performance for the reporting period, Council resolves that the CEO will receive a remuneration increase of 4%."

CARRIED UNANIMOUSLY

The Chief Executive Officer returned to the meeting at 7:52pm.

Moved Councillor Strudwicke Seconded Councillor Keen 2019/ 346

"that Council, having considered the matter of Agenda Item 4.1 – *Final Summary Report on Chief Executive Officer Performance Review – July 2019* in confidence under sections 90(2) and 90(3)(a) of the *Local Government Act 1999*, resolves:-

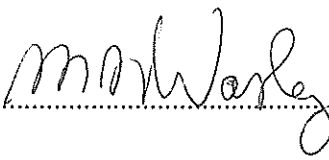
1. That the agenda item, report, and associated performance review documentation submitted to this meeting pertaining to Agenda Item 4.1 – *Final Summary Report on Chief Executive Officer Performance Review – July 2019*, and the minutes in relation to the matter remain confidential and not available for public inspection until further order of Council;
2. Pursuant to section 91(9)(a) of the *Local Government Act 1999*, the confidentiality of the matter will be reviewed every 12 months; and
3. Pursuant to section 91(9)(c) of the *Local Government Act 1999*, Council delegates the power to revoke this confidentiality order to the Chief Executive Officer."

CARRIED

5. CLOSURE

There being no further business, the Mayor declared the meeting closed at 8:26pm.

Confirmed as a true record.

Mayor: 
 Date: 26 / 8 / 2019

