

WATTLE RANGE COUNCIL

Confidential Minutes of the Ordinary Meeting of Wattle Range Council held in the Council Chambers, Civic Centre, George Street, Millicent on Tuesday 9 July 2019 at 5.00 pm.

1. OPENING OF THE MEETING / CIVIC PRAYER / ACKNOWLEDGEMENT OF COUNTRY

2. PRESENT

His Worship the Mayor D Noll
 Cr D Burrow
 Cr S Cox
 Cr J Drew
 Cr P Dunnicliff
 Cr M Neagle
 Cr R Paltridge
 Cr D Price

Messrs BJ Gower (Chief Executive Officer)
 PA Duka (Director Corporate Services)
 PE Halton (Director Engineering Services)
 JO Best (Manager Development Health and Compliance)
 Ms CP Allen (Executive Assistant)

3. APOLOGIES

Cr K McGrath
 Cr G Slarks
 Mr SW Chapple (Director Development Services)
 Cr D Agnew [left meeting during dinner break at 6.45 pm]

19. ITEMS FOR CONSIDERATION IN CONFIDENCE

19.1 Building Fire Safety Committee

Cr Price moved that Council:

1. Pursuant to Sections 90(2) and 90(3)(b)(k) of the *Local Government Act, 1999*, the Council orders that the public be excluded from attendance at that part of this meeting relating to Item 19.1, excepting the following persons:

- Mr BJ Gower – Chief Executive Officer
- Mr PA Duka – Director Corporate Services
- Mr PE Halton – Director Engineering Services
- Ms CP Allen – Executive Assistant / Minute Taker
- Mr JO Best – Manager Development Health and Compliance

to enable the Council to consider Item 19.1 in confidence on the basis the Council considers it necessary and appropriate to act in a meeting closed to the public (excepting those persons listed above) in order to receive, discuss or consider in confidence the following information or matter relating to Item 19.1 information the disclosure of which:

- (i) could reasonably be expected to confer a commercial advantage on a person with whom the Council is conducting or proposing to conduct business, or to prejudice the commercial position of the Council; and
- (ii) would, on balance, be contrary to the public interest.

Tenders for the supply of goods, the provision of services or the carrying out of works.

Specifically, the present matter relates to financial information relating to an appointment of a member of the Building Fire Safety Committee under Section 71 of the *Development Act 1993*.

Accordingly, on this basis, the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep the information or matter confidential.

Cr Drew seconded

CARRIED

Cr Dunnicliff moved that Council, in accordance with Section 71 of the *Development Act 1993*:

1. Appoints the following member of the Building Fire Safety Committee for a term of two years expiring on 09 July 2021:

Mr Grant Riches, as a person with expertise in the area of fire safety.

2. Appoints the following person as deputy member of the Committee, whose term of office as a deputy member will coincide with the term of office of the member for whom they are the deputy:

Cr Price as deputy to Cr Dean Burrow.

Cr Cox seconded

CARRIED

Cr Cox moved that Council:

1. Pursuant to Section 91(7) the *Local Government Act 1999* the Council orders **that the following documents (or part) shall be kept confidential** being documents (or part) relating to a matter dealt with by the Council on a confidential basis under Sections 90(2) and 90(3)(b)(k) of the Act:

- **The Report of Item No. 19.1 of 9 July 2019**

On the grounds that the document(s) (or part) is:

information the disclosure of which:

- (i) could reasonably be expected to confer a commercial advantage on a person with whom the Council is conducting or proposing to conduct business, or to prejudice the commercial position of the Council; and
- (ii) would, on balance, be contrary to the public interest.

Tenders for the supply of goods, the provision of services or the carrying out of works.

Specifically, the present matter relates to financial information relating to an appointment of a member of the Building Fire Safety Committee under Section 71 of the *Development Act 1993*.

This order shall operate **until 9 July 2020** and will be reviewed at least annually in accordance with the Act.

2. Pursuant to Section 91(9)(c) of the Act, the Council delegates to the Chief Executive Officer the power to revoke this order and must advise the Council of the revocation of this order as soon as possible after such revocation has occurred.

Cr Dunicliff seconded

CARRIED

19.2 Chief Executive officer – Annual Performance Review

Cr Cox moved that Council:

1. Pursuant to Sections 90(2) and 90(3)(a) of the *Local Government Act, 1999*, the Council orders that the public be excluded from attendance at that part of this meeting relating to Item 19.2, excepting the following persons:

- Ms CP Allen – Executive Assistant / Minute Taker

to enable the Council to consider Item 19.2 in confidence on the basis that Council considers it necessary and appropriate to act in a meeting closed to the public (excepting those persons listed above) in order to receive, discuss or consider in confidence the following information or matter relating to Item 19.2:

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

Specifically, the present matter relates to the personal affairs of Mr Ben Gower, Chief Executive Officer.

2. Accordingly, on this basis, the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep the information or matter confidential.

Cr Burrow seconded

CARRIED

Cr Cox moved that Council:

1. Endorses the findings of the CEO Performance Review Committee.
2. Acknowledges that the CEO has performed his role in a manner that meets the requirements of his contract and approves an increase to the CEO's annual base salary by 3.5% backdated to the CEO's 12-month anniversary of 4 April 2019.
3. In consultation with the CEO develop a range of Key Performance Indicators (KPI)'s that the CEO Performance Review Committee will review for the forthcoming year.

Cr Neagle seconded

CARRIED

Cr Price moved that Council having considered Agenda Item 19.2 Chief Executive Officer – Annual Performance Review in confidence under section 90(2) and 90(3)(a) of the *Local Government Act 1999*, the Council pursuant to Section 91(7) of that Act orders that the **minutes and report related to this item be released to the public.**

Cr Cox seconded

CARRIED

Taken as presented and confirmed.

.....
MAYOR

.....
DATE