

MINUTES OF THE EXTRAORDINARY MEETING OF CITY OF PARRAMATTA COUNCIL HELD IN THE COUNCIL CHAMBER AT 5 PARRAMATTA SQUARE, PARRAMATTA ON MONDAY, 27 MARCH 2023 AT 5:30PM

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PRESENT

The Lord Mayor, Councillor Donna Davis and Councillors Phil Bradley, Kellie Darley, Pierre Esber, Michelle Garrard, Henry Green, Ange Humphries, Cameron Maclean, Paul Noack, Sameer Pandey, Dr Patricia Prociv, Dan Siviero, Georgina Valjak, Donna Wang and Lorraine Wearne.

1. OPENING MEETING

The Lord Mayor, Councillor Donna Davis, opened the meeting at 5:58PM.

2. ACKNOWLEDGEMENT TO TRADITIONAL OWNERS OF LAND

The Lord Mayor acknowledged the Burramattagal people of The Darug Nation as the traditional owners of this land, and paid respect to their ancient culture and to their elders past, present and emerging.

3. WEBCASTING ANNOUNCEMENT

The Lord Mayor advised that this public meeting is being recorded except for the confidential part of the meeting and streamed live on the internet. The recording will also be archived, except for the confidential part of the meeting, and made available on Council's website.

The Lord Mayor further advised that all care will be taken to maintain privacy, however as a visitor in the public gallery, the public should be aware that their presence may be recorded.

4. GENERAL RECORDING OF MEETING ANNOUNCEMENT

As per Council's Code of Meeting Practice, the recording of the Council Meeting by the public using any device, audio or video, is only permitted with Council permission. Recording a Council Meeting without permission may result in the individual being expelled from the Meeting.

5. APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE OR ATTENDANCE BY AUDIO-VISUAL LINK BY COUNCILLORS

RESOLVED

4222 RESOLVED (Noack/Maclean)

**That** the request to attend the Extraordinary Meeting of Council dated 27 March 2023 via remote means submitted by Councillor Wearne and Councillor Bradley due to personal reasons be accepted.

6. DISCLOSURES OF INTEREST

There were no Declarations of Interest made at this meeting.

## 7. CLOSED SESSION

4223      RESOLVED      (Pandey/Esber)

**That** members of the press and public be excluded from the meeting of the Closed Session and access to the correspondence and reports relating to the items considered during the course of the Closed Session be withheld. This action is taken in accordance with Section 10A(s) of the Local Government Act, 1993 as the items listed come within the following provisions:-

- 1      RESCISSION MOTION: Matter of Urgency - Employment Matter. (D08916033) - *This report is confidential in accordance with section 10A (2) (a) (d) of the Local Government Act 1993 as the report contains personnel matters concerning particular individuals; AND the report contains commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret.*

7.1      SUBJECT      RESCISSION MOTION: Matter of Urgency -  
Employment Matter

REFERENCE      F2023/00276 - D08916033

REPORT OF      Councillor Michelle Garrard

MOVED      (Garrard/Valjack)

That the resolution of the Council held on 13 March 2023 in relation to Matter of Urgency – Employment Matter, namely:

- (a)      **That** Council provide the preferred candidate, as identified by the CEO Selection Panel in the confidential attachment distributed at the meeting, with a formal offer of appointment, together with a standard form contract for the role of General Manager to be known as the Chief Executive Officer.
- (b)      **That** Council note the CEO Selection Panel has recommended that the term of the employment contract be four (4) years.
- (c)      **That** Council delegates to the Lord Mayor all the necessary authority to finalise the appointment of the Chief Executive Officer.
- (d)      **That** the identity of the preferred candidate remain confidential until an appropriate time when an announcement can be made following finalisation of the employment contract. (e) Further, that Council offers thanks to all applicants, particularly those who have participated in the assessment process with the CEO Selection Panel. be and is hereby rescinded.

- (e) In the event that the rescission motion is successful, the following motion is proposed:

**That** Council consider the confidential Employment Matter Report and attachment distributed at the 13 March 2023 Council Meeting.

4224 RESOLVED (Lord Mayor Donna Davis)

The Lord Mayor ruled that the motion is unlawful under clause 10.6 of the *Code of Meeting Practice* because the employment contract has been executed and implementation of the motion if adopted would put the Council in breach of contract.

**Note: The Lord Mayor invited Mr Ross Nassif, Manager Workplace Relations at Local Government NSW to attend the meeting to provide answers to questions the Councillors may have on the employment contract.**

PROCEDURAL MOTION

4225 RESOLVED (Esber/Maclean)

**That** the meeting resume into Open Session.

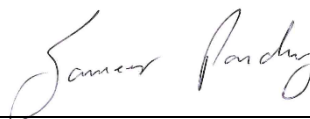
8. REPORTS OF RESOLUTIONS PASSED IN CLOSED SESSION

The Lord Mayor read out the resolution for the item in closed session.

9. CONCLUSION OF MEETING

The meeting terminated at 6:28 pm.

THIS PAGE AND THE PRECEDING 2 PAGES ARE THE MINUTES OF THE EXTRAORDINARY COUNCIL MEETING HELD ON Monday, 27 March 2023 AND CONFIRMED ON TUESDAY, 11 April 2023 .



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Chairperson