



RICHMOND VALLEY COUNCIL

Minutes

Extraordinary Meeting

Monday, 6 February 2012

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MINUTES OF THE EXTRAORDINARY MEETING OF RICHMOND VALLEY COUNCIL, HELD IN THE COUNCIL CHAMBERS, CNR WALKER STREET AND GRAHAM PLACE, CASINO, ON MONDAY, 6 FEBRUARY 2012 AT 8.32 A.M.

PRESENT

Crs. C.J. Sullivan (Mayor), C.J. Cox, O. Crawford, S.A. George, B.J. Jeffery, D.A. Kinnish, S.E. Morrissey, R.A. Mustow and S.N. Wheatley.

Mark Anderson (Local Government Management Solutions) was in attendance.

The Acting General Manager (Wayne Halcrow) and Executive Assistant (Roslyn Townsend) were also in attendance.

1 APOLOGIES

Nil.

2 DECLARATION OF INTERESTS

Nil.

3 MATTERS REFERRED TO CLOSED COUNCIL

Set out below is section 10A(2) of the *Local Government Act 1993* in relation to matters which can be dealt with in a closed part of a meeting.

The matters and information are the following:

- (a) personnel matters concerning particular individuals (other than councillors)
- (b) the personal hardship of any resident or ratepayer
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business
- (d) 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

- (e) information that would, if disclosed, prejudice the maintenance of law
- (f) matters affecting the security of the council, councillors, council staff or council property
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege
- (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land.

In accordance with the *Local Government Act 1993* and the Local Government (General) Regulation 2005, in the opinion of the General Manager, the following business is of a kind as referred to in section 10A(2) of the Act, and should be dealt with in a part of the meeting closed to the media and public.

3.1 RECRUITMENT OF GENERAL MANAGER

Reason for Confidentiality

This matter is classified CONFIDENTIAL under section 10A(2)(a) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following:

- (a) personnel matters concerning particular individuals (other than councillors).

This matter is classified confidential due to its content containing personnel issues.

It is not appropriate for personnel issues to be discussed in public. As part of Council processes, the outcome of consideration of the matter will be disclosed to the public.

RECOMMENDATION

Recommended that:

1. Council resolve into Closed Council to consider business identified, together with any late reports tabled at the meeting.
2. Pursuant to section 10A(1)-(3) of the *Local Government Act 1993*, the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of section 10A(2) as outlined above.
3. The correspondence and reports relevant to the subject business be withheld from access to the media and public as required by section 11(2) of the *Local Government Act 1993*.

Section 10A(4) of the Local Government Act 1993 provides that members of the public be allowed to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed.

- *Motion to close meeting - moved and seconded.*
- *Any written representations to be read by the General Manager. (Details to be recorded in minutes.)*
- *Verbal representations made in accordance with the Supplementary provisions of the Code of Meeting Practice. (Acknowledgement of process [and time, etc.] to be recorded in minutes.)*

Pursuant to section 10A(4), the public invited to make representations to the council meeting before any part of the meeting is closed, as to whether that part of the meeting should be closed.

The Acting General Manager reported that no written representations had been received in respect to the item listed for consideration in Closed Council.

The Mayor called for verbal representations from the gallery.

There were no representations from the gallery.

060212/ 1 RESOLVED (Cr. Mustow/Cr. Cox)

That:

1. Council resolve into Closed Council to consider business identified, together with any late reports tabled at the meeting.
2. Pursuant to section 10A(1)-(3) of the *Local Government Act 1993*, the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of section 10A(2) as outlined above.
3. The correspondence and reports relevant to the subject business be withheld from access to the media and public as required by section 11(2) of the *Local Government Act 1993*.

FOR VOTE - All Council members voted unanimously.

Council closed its meeting at 8.35 a.m. (Note: No members of the public or media had been present at the Meeting.)

The Acting General Manager and Executive Assistant retired from the Meeting at this stage.

Open Council resumed at 12.32 p.m.

4 RESOLUTION OF CLOSED COUNCIL

The following resolution of Council, while the meeting was closed to the public, was read to the meeting by the Mayor.

RECRUITMENT OF GENERAL MANAGER

That:

1. The Mayor be authorised to make the employment offer as detailed in the report to the applicant selected for the position of General Manager of Richmond Valley Council within the determined remuneration package and Council complete the necessary contract documentation under the Common Seal of Council. Further, should that offer be accepted, that the successful applicant be appointed as General Manager.
2. The contract to be of a five year duration.
3. In the event that the offer is not accepted by the chosen applicant, the contract be offered to the other applicant as detailed in the report.

The Meeting closed at 12.35 p.m.

CONFIRMED - 21 February 2012

CHAIRMAN