

Minutes

EXTRAORDINARY COUNCIL MEETING

COUNCIL CHAMBERS, GUNDAGAI

6.00PM, MONDAY 25th March, 2019

Administration Centres: 1300 459 689

**MINUTES OF COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL
EXTRAORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, GUNDAGAI
ON MONDAY, 25 MARCH 2019 AT 6.00PM**

PRESENT: Cr Abb McAlister (Mayor), Cr Dennis Palmer (Deputy Mayor), Cr Leigh Bowden, Cr David Graham, Cr Gil Kelly, Cr Penny Nicholson, Cr Doug Phillips, Cr Charlie Sheahan

IN ATTENDANCE: Phil McMurray (Acting General Manager), Adrian Barwick (Partner from Williamson Barwick Lawyers).

1 ACKNOWLEDGEMENT OF COUNTRY

The Chairperson acknowledged the Wiradjuri people who are the Traditional Custodians of the Land at which the meeting was held and paid his respects to Elders, both past and present, of the Wiradjuri Nation and extended that respect to other Aboriginal people who were present.

2 APOLOGIES

Note: An apology was received on behalf of Cr Stewart.

RESOLUTION 065/2019

Moved: Cr Gil Kelly

Seconded: Cr Leigh Bowden

The apology received from Cr Stewart be accepted and leave of absence granted.

CARRIED

3 DISCLOSURES OF INTEREST

Nil.

4 CONFIDENTIAL ITEMS

4.1 CLOSED COUNCIL REPORT

RESOLUTION 066/2019

Moved: Cr Dennis Palmer

Seconded: Cr Gil Kelly

- 1. Item 4.2 be considered in closed Council at which the press and public are excluded in accordance with the applicable provisions of the Local Government Act, 1993 and related public interest reasons detailed.**

2. **In accordance with section 11 (2) and (3) of the Local Government Act, 1993, the reports, correspondence and other documentation relating to Item 4.2 be withheld from the press and public.**

4.2 MAYORAL MINUTE - GENERAL MANAGERS CONTRACT OF EMPLOYMENT

Provisions for Confidentiality

Section 10A (2) (a) – The Confidential Report contains personnel matters concerning particular individuals (other than councillors).

Public Interest

N/A.

CARRIED

4.2 MAYORAL MINUTE - GENERAL MANAGERS CONTRACT OF EMPLOYMENT

Note: On 21 March 2019, the Mayor advised the General Manager to prepare a business paper for an Extraordinary Meeting of Council to be held on 25 March 2019 to consider and discuss a personnel matter. Notice to Councillors, including the business paper, was forwarded to Councillors on 22 March 2019. The business paper was also published on Council's Website on that day.

Report: Council has received legal advice, under professional privilege, in regards to the personnel matter to be noted. Council's legal advisors were present for the discussion and to give legal advice. It is recommended Council take steps in the personnel matter.

RESOLUTION 067/2019

Moved: Cr Charlie Sheahan

Seconded: Cr Gil Kelly

1. **Council notes the confidential legal advice regarding the employment of the General Manager;**
2. **Council authorises and empowers the Mayor to write to the General Manager asking him to show cause, within 14 days, why his employment should not be terminated without notice or payment in lieu of notice;**
3. **In furtherance of 2 above, the Mayor is authorised and empowered to seek the assistance of legal representatives of Council;**
4. **The Mayor to report back to Council on this process in due course.**

CARRIED

4.3 RESUMPTION OF OPEN COUNCIL MEETING

RESOLUTION 068/2019

Moved: Cr Dennis Palmer

Seconded: Cr Penny Nicholson

The Open Council meeting resume.

CARRIED

4.4 ANNOUNCEMENT OF CLOSED COUNCIL RESOLUTIONS

Note: The Chairperson announced the resolutions made in Closed Council.

The Meeting closed at 6.50pm.

The minutes of this meeting were confirmed at the Extraordinary Council Meeting held on 26 March 2019.

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CHAIRPERSON

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GENERAL MANAGER