



# **MINUTES**

**Extraordinary Council Meeting**

**15 January 2019**

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**MINUTES OF WOLLONDILLY SHIRE COUNCIL  
EXTRAORDINARY COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBER, 62-64 MENANGLE STREET, PICTON NSW 2571  
ON TUESDAY, 15 JANUARY 2019 AT 6.42PM**

**PRESENT:** Mayor Matthew Deeth, Cr Judith Hannan, Cr Robert Khan, Cr Blair Briggs, Cr Matthew Gould, Cr Noel Lowry, Cr Matt Smith

**IN ATTENDANCE:** Acting Chief Executive Officer, General Counsel, Adrian Barwick (Lawyer, WilliamsonBarwick) and Minute Taker

**1 OPENING**

**2 RECORDING OF THE MEETING**

In accordance with Council's Code of Meeting Practice the electronic recording of the Council Meeting and the use of electronic media during the proceedings is not permitted. This includes devices such as laptops, mobile phones, tape recorders and video cameras.

**3 WEBCAST NOTICE**

Members of the public are advised, in accordance with Section 18 of the Privacy and Personal Information Protection Act 1998 (PPIPA), that Wollondilly Shire Council records and webcasts live all Ordinary and Extraordinary Meetings of Council held in open session for the purpose of facilitating community access. The webcasts are publicly available for viewing on Council's website.

Video footage collected is of the decision making body only, if you do not wish your image to be recorded please remain in the public gallery. Your image, voice, personal and health information may be recorded, publicly broadcast and archived if you speak during the meeting and/or don't remain in the space provided.

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Council may be required to disclose recordings pursuant to the Government Information (Public Access) Act 2009, or where Council is compelled to do so by court order, warrant or subpoena or by any other legislation

**4 NATIONAL ANTHEM**

**5 ACKNOWLEDGEMENT OF COUNTRY**

The Mayor acknowledged the traditional Custodians of the Land:

I would like to pay my respect and acknowledge the traditional custodians of the land on which this meeting takes place, and also pay respect to Elders both past and present.

**6 APOLOGIES AND LEAVE OF ABSENCE REQUESTS**

Cr Michael Banasik applied for a leave of absence and Cr Simon Landow is an apology.

## 7 DECLARATION OF INTEREST

Cr Matthew Gould declared a non-pecuniary but significant conflict of interest in relation to Item 8.1, due to having knowledge of a contentious matter between the CEO and another party. Cr Gould will leave the meeting when the Item is discussed.

Cr Blair Briggs declared a non-pecuniary but significant conflict of interest in relation to Item 8.1, due to having knowledge of a contentious matter concerning the CEO. Cr Briggs will leave the meeting when the Item is discussed.

## 8 CLOSED REPORTS

### RESOLUTION 1/2019

Moved: Cr Robert Khan

Seconded: Cr Matt Smith

1. That Council considers the confidential report(s) listed below in a meeting closed to the public in *accordance with Section 10A(2) of the Local Government Act 1993*:

#### 8.1 Discussion of Personnel Matter

This matter is considered to be confidential under Section 10A(2)(a) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with personnel matters concerning particular individuals (other than councillors)

The governing body has called an Extraordinary Meeting of Council to discuss a personnel matter therefore this matter is considered confidential.

2. That pursuant to Section 10A(1) 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).
3. That 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.

On being put to the meeting the motion was declared **CARRIED** 7/0

In Favour: Crs Matthew Deeth, Judith Hannan, Robert Khan, Blair Briggs, Matthew Gould, Noel Lowry and Matt Smith

Against: Nil

At 6:49 pm, Cr Blair Briggs left the meeting.

At 6:49 pm, Cr Matthew Gould left the meeting.

Council moved into Closed Council at 6.49pm. The public and media left the chamber.

The Extraordinary meeting re-opened to the public and media at 7.51pm.

At 7:51 pm, Cr Matthew Gould returned to the meeting.

At 7:51 pm, Cr Blair Briggs returned to the meeting.

The Mayor read the resolution adopted in respect of Closed Report Item 8.1 – Discussion of Personnel Matter.

*That*

1. *Council authorises the Mayor to negotiate in relation to the Chief Executive Officer's contract of employment;*
2. *In furtherance of 1 above, the Mayor may seek the assistance of legal representative(s) of the Council; and*
3. *The Mayor report back to Council on this process in due course.*

**The Meeting closed at 7.53pm.**

**This and the preceding 4 pages are the Minutes of the Extraordinary Meeting of Council held on Tuesday 15 January 2019 and were confirmed at the Ordinary Meeting of the Wollondilly Shire Council held on 18 February 2019.**

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**MAYOR**