



MINUTES OF THE EXTRAORDINARY MEETING OF KEMPSEY SHIRE COUNCIL

Thursday 9th March 2006 commencing at 8.03am.

PRESENT:

Councillors J A C Hayes, (Mayor and Chairman), J H Bowell, E A Green, J C Gribbin, T L Hunt, R H McWilliam, D F Saul, B R Sowter and E R Walker.

Acting General Manager, G B Snape; Acting Director Shire Services, G R Whelan; Director Sustainable Services, R B Pitt; Manager Macleay Water, Anne-Maree Burke; Pat Hanrahan, Minute Taker and Hayley Scott.



CONSIDERATION OF LATE REPORTS

2006. 105

RESOLVED:

*Moved: Cl. Green
Seconded: Cl. McWilliam*

That the late reports be considered in conjunction with the relevant Director's reports.



PUBLIC FORUM

- 1 - Mr Trevor Scott addressed Council regarding the Closure of the Meeting for the items listed in confidential matters for consideration.
- 2 - Mr Kevin Hill addressed Council regarding the appropriateness of the items that were listed on the agenda.



ASSESSMENT OF ITEMS LISTED IN CONFIDENTIAL BUSINESS PAPER

*THIS IS PAGE 1 OF THE FULL TEXT MINUTES OF THE EXTRAORDINARY MEETING OF THE
KEMPSEY SHIRE COUNCIL HELD ON THURSDAY 9TH MARCH 2006.*

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MAYOR

2006. 106 **RESOLVED:**

*Moved: Cl. Howell
Seconded: Cl. Walker*

That the matters listed in the confidential section, being matters 1 - 4 be deferred until this meeting is re-convened with the General Manager present, being either Tuesday 14th March 2006, or alternatively the meeting be re-convened in any case within 7 days of 14th March 2006.



ADOPTION OF AGENDA ORDER OF BUSINESS

2006. 107 **RESOLVED:**

*Moved: Cl. Green
Seconded: Cl. McWilliam*

That the Agenda Order of Business be adopted.

MAYORAL REPORT

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| MM1 | EXTRAORDINARY MEETING | |
| FILE: 335 | JACH | { Folio No. 316874 } |

SUMMARY:

Reporting on the calling of an extraordinary meeting.



On Monday 27th February 2006, I received a request signed by Councillors Howell and Walker for an extraordinary meeting of Council.

A copy of the request is attached at [Appendix A](#).

The request nominates four (4) matters to be considered at the meeting and added "but are not restricted to".

I attach at [Appendix B](#) a copy of extracts from Council's 'Code of Meeting Practice' and draw Councillors attention to Clause 3.2.

I am aware that Councillor Gribbin has sought support for having other matters included for discussion at an Extraordinary meeting and although not formally requested I have asked the Acting General Manager to include the following additional items:

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MAYOR

- Customer First Centre
- Jerseyville and Greenhills Sewerage Schemes
- Bellbrook and Stuarts Point Water Schemes
- Point Plomer Rd
- Tender for Kerbside Recycling and Processing of Material
- General Managers Performance Review

I have taken this step in order that all of these matters including those requested by Councillor Gribbin can be dealt with promptly and appropriately.

When assessing the items listed on the agenda to determine whether they should be considered in the confidential section of the meeting, Councillors should carefully consider whether the proposed discussions are likely to include personnel matters or commercial information of a confidential nature.

Also, matters relating to staff, other than the General Manager, and the day to day operations of the Council, ie implementation, are the responsibility of the General Manager and Council must not interfere therein.

The 1993 Local Government Act sets out the framework for the operation of Councils in terms of the roles and responsibilities of the elected body and senior staff.

The minister for Local Government is very clear on the separation of roles and responsibilities and the Director General, Gary Payne, has previously said "The roles are kept separate for good reason".

The elected Council is the governing body and its responsibility is to determine the strategic direction of the Council by the policies it determines. It interacts with the community and reflects their needs. It should develop a vision for the area and provide civic leadership.

Senior staff, under the direction of the General Manager, administer Council's program of activities (which flow from Policy and Statutory requirements) and manage it's assets by being Staff, finance, property and materials.

There obviously needs to be a sound working relationship between the senior staff, General Manager, Mayor and Councillors. The line between the roles is reasonably precise, but there has to be a degree of goodwill and commonsense".

MAYORAL RECOMMENDATION

That the actions of the Mayor in including the additional matters on the Agenda for the Extraordinary Meeting of 9th March 2006 be ratified.

2006. 108 RESOLVED:

*Moved: Cl. Hayes
Seconded: Cl. McWilliam*

That the actions of the Mayor in including the additional matters on the Agenda for the Extraordinary Meeting of 9th March 2006 be ratified.



MATTERS FOR CONSIDERATION

2006. 110 RESOLVED:

*Moved: Cl. Bowell
Seconded: Cl. Green*

That Council move into committee of the whole to allow discussion in open Council on the following items.

At this stage discussion took place on the following matters:

- Item 1 - Waste Receiving Centres
- Item 2 - Customer First Centre
- Item 3 - Jerseyville and Greenhills Sewerage Scheme
- Item 4 - Bellbrook and Stuarts Point Water Systems
- Item 5 - Point Plomer Road
- Item 6 - Tender for Kerbside Recycling and Processing of Material



MOTION TO RESUME COUNCIL MEETING

2006. 111 RESOLVED:

*Moved: Cl. Green
Seconded: Cl. Bowell*

That the formal Council meeting be resumed.

CONFIDENTIAL MATTERS FOR CONSIDERATION

The following items listed for the confidential business paper were deferred until this meeting is re-convened.

- Item 1 - Output of Staff Meeting – 23rd February 2006
- Item 2 - Director Shire Services
- Item 3 - General Manager Press Release
- Item 4 - General Managers Performance Review

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MAYOR



ADJOURNMENT:

At this stage 9.28am the Meeting was adjourned, to be re-convened on Tuesday 14th March 2006 or within 7 days of 14th March 2006.

