



MINUTES OF THE EXTRAORDINARY MEETING OF KEMPSEY SHIRE COUNCIL

Monday 11th May 2009 commencing at 8.11 a.m.

PRESENT:

Councillors J H Bowell (Mayor and Chairman), E A Campbell, E A Green, J A C Hayes, J C Gribbin, D F Saul, A D Snowsill, J A Sproule and E R Walker

Also in attendance was Mr Mark Anderson, Manager Employment Solutions, Local Government and Shires Association.

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OPENING PRAYER

"Dear Lord, help us in our deliberations today so that our decisions will be for the greater good for the whole of Kempsey Shire - Amen".

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CONSIDERATION OF CONFIDENTIAL REPORT

2009. 290 RESOLVED:

*Moved: Cl.Green
Seconded: Cl. Walker*

That the confidential report be considered in the confidential section of the meeting.

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MOTION FOR CONFIDENTIAL COMMITTEE

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.

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

2009. 291 RESOLVED:

*Moved: Cl. Green
Seconded: Cl. Walker*

That Council form itself into the Confidential Committee of the Whole, and at this stage the meeting be closed to the public to permit discussion of the confidential business item listed for the reason as stated in the Agenda.

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MAYORAL REPORT - CONFIDENTIAL

MM1	APPOINTMENT OF GENERAL MANAGER
CONF	FILE: 1252 MAYOR (NRN) {Folio No. 398142}

Section 10A(2)(a) – Personnel Matters

This report is submitted on a confidential basis as it involves personnel matters concerning particular individuals (other than Councillors). (Local Government Act 1993, section 10A(2)(a))

On balance, the public interest in preserving the confidentiality of the commercial information supplied, outweighs the public interest in openness and transparency in council decision making by discussing the matter in open meeting.

SUMMARY:

Reporting that four applicants will attend for the purpose of interview for the position of General Manager.

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2009. 292 RECOMMENDED:

Moved: Cl. Bowell

Seconded: Cl. Walker

That it be resolved by consensus to offer the position of General Manager to Mr David Rawlings,

- subject to the required background check
- with a salary employment package of \$190,000 including the provision on an appropriate vehicle
- to commence on Monday 6th July 2009.

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OPEN COUNCIL

2009. 293 RESOLVED:

*Moved: Cl. Green
Seconded: Cl. Sproule*

That the Open Council Meeting be resumed.

REPORT OF THE MEETING OF THE COMMITTEE OF THE WHOLE

Upon resumption of Open Council, the following Report of the Committee of the Whole was submitted.

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ADOPTION OF REPORT OF THE COMMITTEE OF THE WHOLE

2009. 294 RESOLVED:

*Moved: Cl. Gribbin
Seconded: Cl. Green*

That the foregoing recommendation of the Committee of the Whole be adopted.

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CONCLUSION:

There being no further business, the Meeting terminated at 12.55 p.m.

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