

Minutes

Minutes of the Extraordinary Council Meeting held on Wednesday 26 March 2025

I hereby certify that this is a true and correct record of the minutes of the Kempsey Shire Council extraordinary meeting held Wednesday 26 March 2025.



Mayor K Ring



The meeting commenced at 9:00 am.

PRESENT:

Councillors K Ring (Mayor and Chairperson), I A Bain, A M Lawrence, A M Matchett, J A Coburn, B T Paix, D F Saul, N S Selby and A D Wyatt.

Governance Advisor, T S Randle.

Representatives of Local Government Management Solutions, C Morris and S Kaiser.

The Mayor informed all present that Council permits the electronic recording and broadcasting of the proceedings of Council which are open to the public. Your attendance at this meeting is taken as consent of the possibility that your image and your voice may be recorded and broadcast to the public.

1 OPENING PRAYER

Cr Ring provided the opening prayer.

2 ACKNOWLEDGEMENT OF COUNTRY

Cr Ring provided an acknowledgement of country.

3 ACKNOWLEDGEMENT OF SERVICE MEN, WOMEN AND FAMILIES

Cr Ring provided an acknowledgement of service men, women and families.

4 APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE OR ATTENDANCE BY AUDIO-VISUAL LINK BY COUNCILLORS

Nil.

5 DISCLOSURES OF INTEREST

Nil.

6 CONFIDENTIAL MATTERS

2025.36 RESOLVED (Cr Bain/Cr Saul):

That Council form itself into the Confidential Session, and at this stage, the meeting be closed to the public to permit discussion of the confidential business items listed for the reasons as stated in the agenda and that representatives of Local Government Management Solutions, Christian Morris and Sebastian Kaiser, be permitted to remain.

CARRIED UNANIMOUSLY (9 / 0)

FOR: Cr Bain, Cr Coburn, Cr Lawrence, Cr Matchett, Cr Paix, Cr Ring, Cr Saul, Cr Selby and Cr Wyatt

AGAINST: Nil

2025.37 RESOLVED (Cr Paix/Cr Matchett):

That Council move into Committee of the Whole.

CARRIED UNANIMOUSLY (9 / 0)

FOR: Cr Bain, Cr Coburn, Cr Lawrence, Cr Matchett, Cr Paix, Cr Ring, Cr Saul, Cr Selby and Cr Wyatt

AGAINST: Nil

2025.38 RESOLVED (Cr Paix/Cr Saul):

That the ordinary Council meeting in closed session be resumed.

CARRIED UNANIMOUSLY (9 / 0)

FOR: Cr Bain, Cr Coburn, Cr Lawrence, Cr Matchett, Cr Paix, Cr Ring, Cr Saul, Cr Selby and Cr Wyatt

AGAINST: Nil

6.1 General Manager Recruitment

Officer Cr Ring, Mayor

File Number F24/3791

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 personal information outweighs the public interest in openness and transparency in Council decision-making by discussing the matter in an open meeting.

MOVED ({mover}/{seconder}):

That Council resolves:

- 1. to appoint candidate [A, B, or C] to the position of General Manager subject to the negotiation of a contract;**
- 2. if those negotiations prove unsuccessful the Council resolves to appoint the runner up subject to the negotiation of a contract;**
- 3. to authorise the Mayor and LGNSW Management Solutions to undertake contract negotiations with the preferred candidate or the runner up (if required), with the Mayor being the final authority on decisions made during this process;**
- 4. to affix the Council seal to the contract in accordance with the *Local Government Act 1993***

5. in accordance with section 11(3) of the *Local Government Act 1993* that documentation provided to Councillors regarding the candidates is to be treated as confidential.

AMENDMENT (Cr Ring):

That Council resolves:

1. to appoint candidate A to the position of Chief Executive Officer subject to the negotiation of a contract;
2. if those negotiations prove unsuccessful the Council resolves to appoint the runner up candidate B subject to the negotiation of a contract;
3. to authorise the Mayor and LGNSW Management Solutions to undertake contract negotiations with the preferred candidate or the runner up (if required), with the Mayor being the final authority on decisions made during this process;
4. to affix the Council seal to the contract in accordance with the *Local Government Act 1993*
5. in accordance with section 11(3) of the *Local Government Act 1993* that documentation provided to Councillors regarding the candidates is to be treated as confidential.

The amendment was accepted by the mover and became the motion.

2025.39 RESOLVED (Cr Ring/Cr Selby):

That Council resolves:

1. to appoint candidate A to the position of Chief Executive Officer subject to the negotiation of a contract;
2. if those negotiations prove unsuccessful the Council resolves to appoint the runner up candidate B subject to the negotiation of a contract;
3. to authorise the Mayor and LGNSW Management Solutions to undertake contract negotiations with the preferred candidate or the runner up (if required), with the Mayor being the final authority on decisions made during this process;
4. to affix the Council seal to the contract in accordance with the *Local Government Act 1993*
5. in accordance with section 11(3) of the *Local Government Act 1993* that documentation provided to Councillors regarding the candidates is to be treated as confidential.

CARRIED UNANIMOUSLY (9 / 0)

FOR: Cr Bain, Cr Coburn, Cr Lawrence, Cr Matchett, Cr Paix, Cr Ring, Cr Saul, Cr Selby and Cr Wyatt

AGAINST: Nil

2025.40 RESOLVED (Cr Paix/Cr Bain):

That the ordinary Council meeting be resumed.

CARRIED UNANIMOUSLY (9 / 0)

FOR: Cr Bain, Cr Coburn, Cr Lawrence, Cr Matchett, Cr Paix, Cr Ring, Cr Saul, Cr Selby and Cr Wyatt

AGAINST: Nil

7 CONCLUSION OF THE MEETING

There being no further business, the Mayor then closed the meeting, the time being 1:56pm.