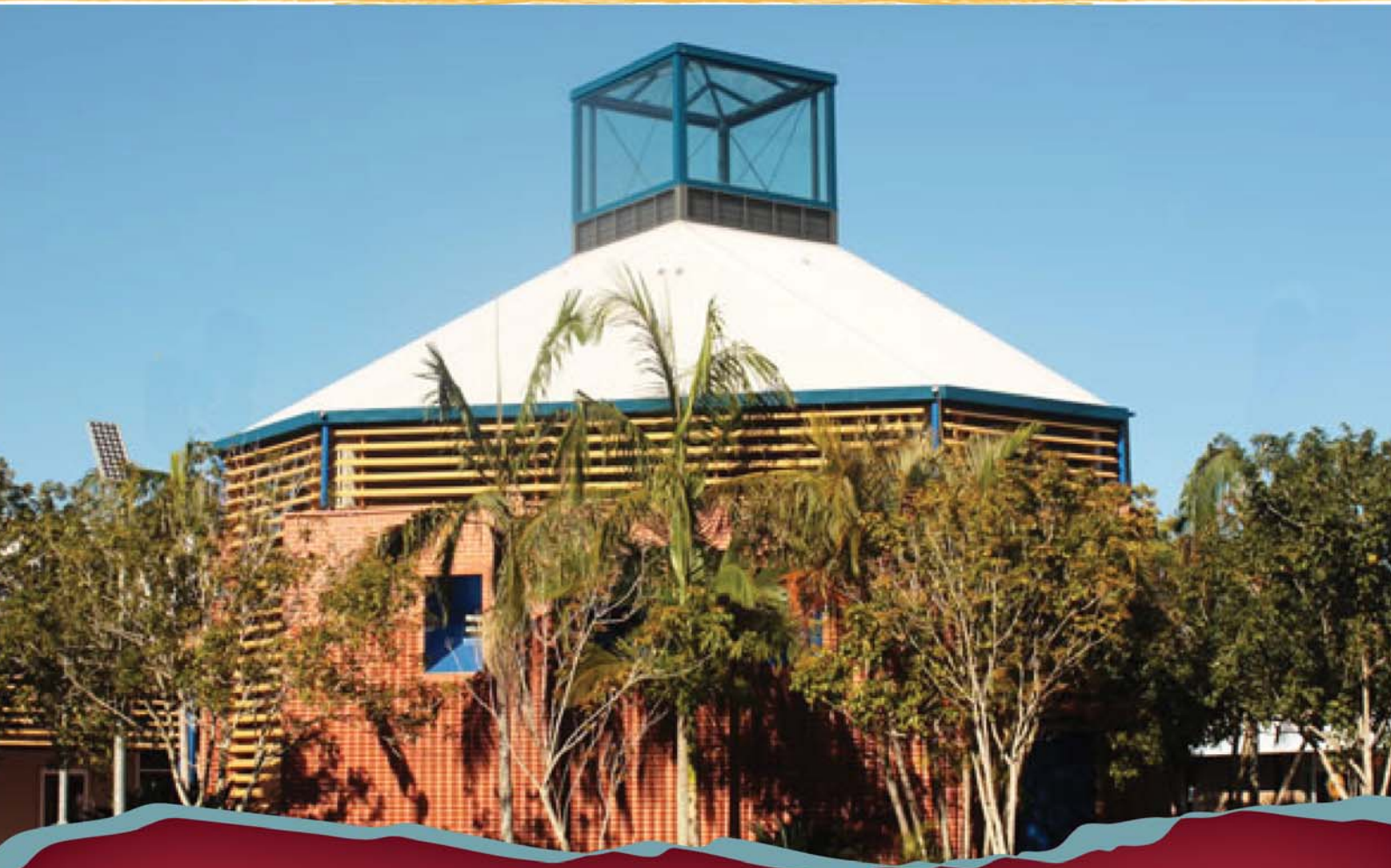




Byron Shire Council



Minutes

Extraordinary Meeting
Thursday, 15 November 2012

BYRON SHIRE COUNCIL

Extraordinary Meeting Minutes
15 November 2012

INDEX OF ITEMS DISCUSSED

The following items are listed in the order in which they were dealt with.

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BYRON SHIRE COUNCIL

EXTRAORDINARY MEETING MINUTES

15 NOVEMBER 2012 (1 of 3)

MINUTES OF THE BYRON SHIRE COUNCIL EXTRAORDINARY MEETING HELD ON THURSDAY, 15 NOVEMBER 2012 COMMENCING AT 8.35AM AND CONCLUDING AT 1.38PM

#E2012/18491

PRESENT: Cr S Richardson (Mayor), Cr B Cameron, Cr C Cubis, Cr D Dey, Cr A Hunter, Cr S Ibrahim, Cr P Spooner, Cr R Wanchap and Cr D Woods

Staff: Phil Holloway (Acting General Manager)
Shannon McKelvey (Executive Manager Organisational Support)
Mila Jones (Minute Taker)

The Mayor opened the meeting and acknowledged that the meeting was being held on Bundjalung Country.

APOLOGIES: There were no apologies.

REQUESTS FOR LEAVE OF ABSENCE

There were no requests for leave of absence.

DECLARATIONS OF INTEREST – PECUNIARY AND NON-PECUNIARY

There were no declarations of interest.

ORGANISATIONAL SUPPORT - EXECUTIVE MANAGER'S REPORT

Report No. 3.1. General Manager Recruitment

File No: F612 x E2012/17318

12-898 Resolved that to receive a briefing from the consultant and conduct interviews with potential applicants the Council resolve:

- (A) pursuant to Section 10A(2)(a) and 10A(2)(c) of the Local Government Act, 1993, to move into Confidential Session to discuss the report, namely General Manager Recruitment and:
- (i) that the reasons for closing the meeting to the public to consider this item be that the Consultant's report, interview process and Council deliberations all involve:
 - (a) personnel matters concerning particular individuals (other than Councillors); and
 - (b) information that would, if disclosed, confer a commercial advantage on a person with whom Council hopes to negotiate a contract for the position of General Manager
 - (ii) that on balance it is considered that receipt and discussion of the matter in open Council would be contrary to the public interest, as disclosure of the confidential information could:
 - (a) breach Council's statutory obligations under privacy and information laws;
 - (b) compromise Council's ability to recruit the best person for the position of General Manager and/or compromise contract negotiations and Council's ability to obtain the best value. (Cubis/Woods)

The motion was put to the vote and declared carried.

The Acting General Manager, Executive Manager Organisational Support and the minute taker left the meeting at 8.40am.

CONFIDENTIAL SESSION

- 12-899 Resolved** that the meeting move into Committee to conduct the interviews.
(Cameron/Richardson)
The motion was put to the vote and declared carried.
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COMMITTEE MEETING

- 12-900 Resolved** that Council move out of confidential session and out of committee to resume the Extraordinary Meeting.
(Woods/Cubis)
The motion was put to the vote and declared carried.
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EXTRAORDINARY MEETING

The Acting General Manager and the minute taker returned to the meeting at 1.20pm.

- 12-901 Resolved:**
1. That Council accepts the recommendation of the committee of the whole and resolves to appoint the successful candidate to the position of General Manager subject to the negotiation of a contract.
 2. That if those negotiations prove unsuccessful, Council resolves to appoint the runner up subject to the negotiation of a contract.
 3. That the Mayor be delegated authority to enter into negotiations with the preferred candidate/s in accordance with 1 and 2. above and to either enter into a Contract on Council's behalf or to report back to Council on the outcome of the negotiations at the first available meeting and/or at an Extraordinary Meeting if required.
 4. That Council resolves to affix the Council seal to the General Manager's contract in accordance with the Local Government Act 1993.
 5. That Council thank Christian Morris from Local Government Management Solutions for his support.
(Woods/Cubis)

The motion was put to the vote and declared carried.

URGENCY MOTION

1. Submission to Coal Seam Gas Licence Application

- 12-902 Resolved** that the matter of Submission to Coal Seam Gas Licence Application be discussed as a matter of urgency. The reason for the urgency is that today's meeting is the last scheduled Meeting of Council before submissions are due on this matter.
(Dey/Wanchap)

The motion was put to the vote and declared carried.

- 12-903 Resolved:**
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BYRON SHIRE COUNCIL

EXTRAORDINARY MEETING MINUTES

15 NOVEMBER 2012 (3 of 3)

1. That Council make a submission to the NSW Department of Natural Resources opposing the granting of "Petroleum Special Prospecting Authority" (PSPAPP55) in Tweed and Byron Shires.
2. That the submission be prepared in consultation with the Mayor for lodgement before the due date (5 December 2012).
3. That local media be informed of the submission. (Dey/Ibrahim)

The motion was put to the vote and declared carried.

There being no further business the meeting concluded at 1.38pm.

I hereby certify that these are the true and correct Minutes of this Meeting
as confirmed at Council's Ordinary Meeting on 6 December 2012.

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Mayor Simon Richardson