



# **MINUTES**

**Extraordinary Council Meeting**

**28 June 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 FRIDAY, 28 JUNE 2019 AT 6.34PM**

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

**IN ATTENDANCE:** Acting Chief Executive Officer, Executive Director Community & Corporate, General Counsel and Minute Taker

**1 OPENING**

**2 NATIONAL ANTHEM**

**3 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.

**4 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.

The webcasts and webcast recordings are protected by copyright and owned by Council. No part of the proceedings of a meeting of the Council may be recorded, copied or made available to others by members of the public without the authority of the Council.

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

**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

### RESOLUTION 147/2019

Moved: Cr Matt Smith  
Seconded: Cr Robert Khan

Note that Cr Blair Briggs is on an approved leave of absence.

An apology be noted for Cr Michael Banasik.

**Cr Judith Hannan applied for a leave of absence 29 June 2019 till 29 July 2019.**

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

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

Against: Nil

## 7 DECLARATION OF INTEREST

Cr Landow declared a Non-Pecuniary (less than significant) Interest in Item 8.1 – Confidential Personnel Matter as he is a relative of persons involved in this matter. Cr Landow advised he will stay during discussion and vote on this item.

Acting Chief Executive Officer declared a Pecuniary Interest in Item 8.1 due to being a subject of the discussion. The Acting Chief Executive Officer advised they will leave during discussion of this item.

Executive Director Community & Corporate declared a Pecuniary Interest in Item 8.1 – Confidential Personnel Matter due to being a subject of the discussion. The Executive Director Community and Corporate advised they will leave during discussion of this item.

## 8 CLOSED REPORTS

### RESOLUTION 148/2019

Moved: Cr Matt Smith  
Seconded: Cr Robert Khan

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

#### 8.1 Confidential 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 with Council's relevant advisors and 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.

The Mayor stated that pursuant to Section 10A(4) of the Local Government Act 1993 the public are invited to make representations to the Council meeting before any part of the meeting is closed, as to whether that part of the meeting should be closed.

No representations were received.

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

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

Against: Nil

Acting Chief Executive Officer left the meeting at 6.42pm.

Executive Director Community and Corporate left the meeting at 6.42pm.

Council moved into Closed Council at 6.43pm.

The public left the chamber.

The Extraordinary meeting re-opened to the public at 7.43pm with all Councillors, Acting Chief Executive Officer, Executive Director Community & Corporate, General Counsel and Minute Taker present.

The Mayor read the resolutions adopted during closed session.

In respect of **Item 8.1 – Confidential Personnel Matter**

1. *That the Council reaffirm its previous resolution to appoint Michael Malone, Director Infrastructure and Environment, as the Council's Acting Chief Executive Officer pursuant to sections 336 and 351 of the Local Government act 1993, from 1 July 2019.*
2. *That Mr Malone be appointed to this position until the commencement of a new Chief Executive Officer, given that the recruitment process for a new Chief Executive Officer has commenced and noting the importance of providing organizational stability and continuity of leadership during this transition period between Chief Executive Officers.*

3. *That Council notes the effort and integrity of Mr Malone thus far in leading the organization during the period he has been Acting Chief Executive Officer, and the support he has been provided by members of the Executive Leadership Team.*
4. *That Council thank all staff for their ongoing dedication and for maintaining a focus on delivering positive outcomes for the Wollondilly community during the transition period between Chief Executive Officers.*
5. *That this resolution supersede Resolution 69/2019 in the Ordinary Meeting of Council held on 18 March 2019 to the extent there are any inconsistencies.*

**The Meeting closed at 7.45pm.**

**This and the preceding 5 pages are the Minutes of the Extraordinary Meeting of Council held on Friday 28 June 2019 and were confirmed at the subsequent Ordinary Council Meeting held on Monday 15 July 2019.**

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**MAYOR**