

Mayor: Cr B Longland

Councillors: Cr M Armstrong (Deputy Mayor)
G Bagnall
K Milne
C Byrne
W Polglase
P Youngblutt



TWEED
SHIRE COUNCIL

Minutes

Extraordinary Council Meeting Friday 20 December 2013

held at Murwillumbah Cultural and Civic Centre
commencing at 7.00pm

COUNCIL'S CHARTER

Tweed Shire Council's charter comprises a set of principles that are to guide Council in the carrying out of its functions, in accordance with Section 8 of the Local Government Act, 1993.

Tweed Shire Council has the following charter:

- to provide directly or on behalf of other levels of government, after due consultation, adequate, equitable and appropriate services and facilities for the community and to ensure that those services and facilities are managed efficiently and effectively;
- to exercise community leadership;
- to exercise its functions in a manner that is consistent with and actively promotes the principles of multiculturalism;
- to promote and to provide and plan for the needs of children;
- to properly manage, develop, protect, restore, enhance and conserve the environment of the area for which it is responsible, in a manner that is consistent with and promotes the principles of ecologically sustainable development;
- to have regard to the long term and cumulative effects of its decisions;
- to bear in mind that it is the custodian and trustee of public assets and to effectively account for and manage the assets for which it is responsible;
- to facilitate the involvement of councillors, members of the public, users of facilities and services and council staff in the development, improvement and co-ordination of local government;
- to raise funds for local purposes by the fair imposition of rates, charges and fees, by income earned from investments and, when appropriate, by borrowings and grants;
- to keep the local community and the State government (and through it, the wider community) informed about its activities;
- to ensure that, in the exercise of its regulatory functions, it acts consistently and without bias, particularly where an activity of the council is affected;
- to be a responsible employer.

The Meeting commenced at 7.00pm.

IN ATTENDANCE

Cr B Longland (Mayor), Cr M Armstrong (Deputy Mayor), Cr G Bagnall, Cr C Byrne, Cr K Milne, Cr W Polglase and Cr P Youngblutt.

Also present was Mr Neil Baldwin (Manager Corporate Governance/Public Officer).

ABORIGINAL STATEMENT

The Mayor acknowledged the Bundjalung Aboriginal Nation with the following statement::

"We wish to recognise the generations of the local Aboriginal people of the Bundjalung Nation who have lived in and derived their physical and spiritual needs from the forests, rivers, lakes and streams of this beautiful valley over many thousands of years as the traditional owners and custodians of these lands."

PRAYER

The meeting opened with the Council Prayer read by the Mayor, Cr B Longland.

APOLOGIES

Nil.

DISCLOSURE OF INTEREST

Nil.

ITEMS TO BE MOVED FROM ORDINARY TO CONFIDENTIAL - CONFIDENTIAL TO ORDINARY

Nil.

REPORTS THROUGH THE ACTING GENERAL MANAGER

REPORTS FROM THE ACTING GENERAL MANAGER

1 [GM-ECM] General Manager Vehicle Lease Scheme Policy Version 1.0

882

**Cr P Youngblutt
Cr M Armstrong**

RESOLVED that Council adopts the General Manager Vehicle Lease Scheme Policy Version 1.0 and as it relates directly to the General Manager's Contract of Employment, there is no requirement to advertise the Policy.

883

AMENDMENT

**Cr K Milne
Cr G Bagnall**

PROPOSED that the General Manager Vehicle Lease Scheme Policy Version 1.0 be adopted and amended to cater for a high standard of eco-friendly designed motor vehicle.

The Amendment was Lost

FOR VOTE - Cr M Armstrong, Cr K Milne, Cr G Bagnall

AGAINST VOTE - Cr P Youngblutt, Cr W Polglase, Cr C Byrne, Cr B Longland

The Motion was Carried (Minute No 882 refers).

FOR VOTE - Unanimous

CONFIDENTIAL COMMITTEE

884

Cr B Longland
Cr P Youngblutt

RESOLVED that Council resolves itself into a Confidential Committee in accordance with Section 10A(2) of the Local Government Act 1993 (as amended) and that the press and public be excluded from the whole of the Committee Meeting, because, in the opinion of the Committee, publicity of the proceedings of the Committee would be prejudicial to the public interest, by reasons of the confidential nature of the business to be transacted.

The Motion was **Carried**

FOR VOTE - Unanimous

885

Cr B Longland
Cr P Youngblutt

RESOLVED that Mr Stephen Blackadder of the recruitment organisation, Blackadder Associates, be authorised to participate in the Confidential Committee.

The Motion was **Carried**

FOR VOTE - Unanimous

The Acting General Manager reported that the Confidential Committee had excluded the press and public from the whole of the Committee Meeting because, in the opinion of the Committee, publicity of the proceedings of the Committee would be prejudicial to the public interest, by reason of the confidential nature of the business to be transacted, and made the following recommendations to Council:-

MAYORAL MINUTE IN COMMITTEE

C1 [MM-ECM] Mayoral Minute - Selection of General Manager

SUBMITTED BY: Cr B Longland, Mayor

REASON FOR CONFIDENTIALITY:

Local Government Act

This report is **CONFIDENTIAL** in accordance with Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following: -

- (a) personnel matters concerning particular individuals (other than councillors).

C 77

That:

1. The Mayoral Minute to the Extraordinary Council Meeting on Friday 20 December 2013 in Closed Council in relation to the recruitment and appointment of a General Manager for Tweed Shire Council be received and noted.
2. The preferred candidate selected by the Council in Confidential Committee during the Extraordinary Council Meeting held on the evening of 20 December 2013 be offered the position of General Manager of Tweed Shire Council and the Mayor be authorised, with advice from the Recruitment Consultant to finalise negotiations based on the following:
 - a) A five (5) year performance-based Contract.
 - b) A total remuneration package of \$300,000.
 - c) The contract of employment being in accordance with the standard contract required by the Division of Local Government.
 - d) Adoption of the Council Policies in Schedule A of the contract relating to entitlements provided to the General Manager.
3. Commencement of the contract on a date to be agreed with the preferred candidate, and a Functional Health Assessment to be carried out before commencement.
4. No public announcement of the name of the successful candidate be made until the Mayor has obtained a written acceptance of the offer.
5. The Employment Contract between the appointee and the Council be executed under the Common Seal of the Council.

C 78

AMENDMENT 1

That:

1. The Mayoral Minute to the Extraordinary Council Meeting on Friday 20 December 2013 in Closed Council in relation to the recruitment and appointment of a General Manager for Tweed Shire Council be received and noted.

2. The preferred candidate selected by the Council in Confidential Committee during the Extraordinary Council Meeting held on the evening of 20 December 2013 be offered the position of General Manager of Tweed Shire Council and the Mayor be authorised, with advice from the Recruitment Consultant to finalise negotiations based on the following:
 - a) A five (5) year performance-based Contract.
 - b) A total remuneration package of \$280,000.
 - c) The contract of employment being in accordance with the standard contract required by the Division of Local Government.
 - d) Adoption of the Council Policies in Schedule A of the contract relating to entitlements provided to the General Manager.
3. Commencement of the contract on a date to be agreed with the preferred candidate, and a Functional Health Assessment to be carried out before commencement.
4. That no public announcement of the name of the successful candidate be made until the Mayor has obtained a written acceptance of the offer.
5. That the Employment Contract between the appointee and the Council be executed under the Common Seal of the Council.

Amendment 1 was **Lost**

FOR VOTE - Cr K Milne

AGAINST VOTE - Cr P Youngblutt, Cr W Polglase, Cr C Byrne, Cr M Armstrong, Cr G Bagnall, Cr B Longland

C 79

AMENDMENT 2

That a decision on the appointment of the General Manager be deferred to an Extraordinary Meeting to be conducted on Monday 23 December 2013 at 6.00pm.

Amendment 2 was **Lost**

FOR VOTE - Cr M Armstrong, Cr K Milne, Cr G Bagnall

AGAINST VOTE - Cr P Youngblutt, Cr W Polglase, Cr C Byrne, Cr B Longland

PROCEDURAL MOTION

C 80

That the Council convenes in a Confidential Committee of the Whole.

The Motion was **Carried**

FOR VOTE - Unanimous

Mr Neil Baldwin (Manager Corporate Governance) vacated the Chamber during the Confidential Committee of the Whole.

C 81

That Council resume in Confidential Committee.

The Motion was **Carried**

FOR VOTE - Unanimous

Mr Neil Baldwin (Manager Corporate Governance) returned to the meeting.

The motion at Minute No C 77 was considered.

The Motion was **Carried** (Minute No C 77 refers).

FOR VOTE - Cr P Youngblutt, Cr C Byrne, Cr M Armstrong, Cr B Longland
AGAINST VOTE - Cr W Polglase, Cr K Milne, Cr G Bagnall

886

Cr B Longland
Cr P Youngblutt

RESOLVED that the recommendations of the Confidential Committee be adopted.

The Motion was **Carried**

FOR VOTE - Cr P Youngblutt, Cr W Polglase, Cr C Byrne, Cr M Armstrong, Cr B Longland
AGAINST VOTE - Cr K Milne, Cr G Bagnall

There being no further business the Meeting terminated at 8.35pm.



Minutes of Meeting Confirmed by Council

at the

Council Meeting held on xxx

Chairman

