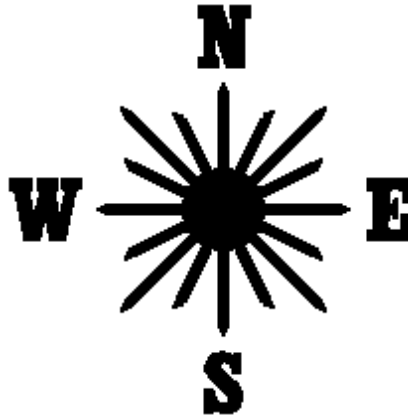


Mission Statement

To promote the Central Darling Shire area by encouraging development through effective leadership, community involvement and facilitation of services

CENTRAL DARLING



SHIRE COUNCIL

Minutes

For an Extraordinary Meeting

Monday 6th August 2012

at

Wilcannia

Council dedicated to serving its Communities

Any public discussion of Council or Committee reports and recommendations is on the basis that such reports or recommendations do not have effect until adopted by a full meeting of Council.

The above-mentioned Meeting of Council was held in the Council Chambers, Wilcannia Monday 6th August 2012 commencing at 9:33am.

ORDER OF BUSINESS

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**2.1 PERSONNEL MATTER RELATING TO THE GENERAL MANAGER’S CONTRACT OF EMPLOYMENT.
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SECTION 1. RECEIPT OF APOLOGIES AND THE GRANTING OF LEAVE OF ABSENCE

PRESENT:

Councillors:

Ray Longfellow (Mayor)

Moya Reid (Deputy Mayor)

Peter Sullivan

Lorraine Looney

Eamon Sammon

Ron Page

Paul Brown

Clive Linnett

Apologies:

Graham Wellings

ALSO PRESENT:

Adelaide Elliott

Executive Assistant

MOTION CARRIED

MOVED CLR SULLIVAN /CLR REID

1-08-12 resolved

That the apologies be received and noted and leave of absence be granted.

SECTION 2. CONFIDENTIAL MEETING

CLOSED COUNCIL

Confidential Reports

(Section 10A (2) of the Local Government Act 1993)

Where it is proposed to close part of the Meeting, the Chairperson will allow members of the public to make representation to or at the meeting, before any part of the meeting is closed to the public, as to whether or not that part of the meeting should be closed to the public. The Chairperson will check with the General Manager whether any written public submissions or representations have been received as to whether or not that part of the meeting should be closed to the public.

The grounds on which part of the Council meeting may be closed to public are listed in Section 10A(2) of the Local Government Act 1993 and are as follows:

- (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 ground of legal professional privilege.
- (h) during the receipt of information or discussion of information concerning the nature and location of a place or an item of Aboriginal significance on community land.

Section 10A(3) of the Act provides that if a meeting is closed during discussion of a motion to close another part of the meeting to the public (as referred to in section 10A(3) of the Act), the consideration of the motion must not include any consideration of the matter or information to be discussed in that other part of the meeting (other than consideration of whether the matter concerned is matter referred to in section 10A(2) of the Act).

Section 10B(1) of the Act provides that a meeting is not to remain closed to the public during the receipt of information or the discussion of matter referred to in section 10A(2):

- (a) except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security, and

(b) if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret – unless the Council or committee concerned is satisfied that discussion of the matter in a open meeting would, on balance, be contrary to the public interest.

For the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest section 10B(4) of the Act states it is irrelevant that:

- (a) a person may interpret or misunderstand the discussion, or
- (b) the discussion of the matter may:
 - (i) cause embarrassment to the Council or committee concerned, or to Councillors or to employees of the Council, or
 - (ii) cause a loss of confidence in the Council or committee.

Resolutions passed in Closed Council

It is a requirement of Clause 253 of the Local Government (General) Regulation 2005 that any resolution passed in Closed Council, or Committee be made public as soon as practicable after the meeting has ended. At the end of Closed Council or Committee meeting, the Chairperson will provide a summary of those resolutions passed in Closed Council or Committee.

Reports to be Considered in Closed Council

MOTION CARRIED

MOVED CLR LINNETT/CLR REID

2-08-12 resolved

That Council formally close the meeting to the public to discuss matters in accordance with Section 10A (2) of the Local Government Act, 1993.

Council went into closed session at 9:35AM

Reports to be Considered in Closed Council

RECOMMENDATION

That Council formally close the meeting to the public to discuss matters in accordance with Sub-Sections 10A (1) & 10A (2) of the Local Government Act, 1993.

2.1 PERSONNEL MATTER RELATING TO THE GENERAL MANAGER'S CONTRACT OF EMPLOYMENT.

Council will determine this matter in part of the meeting closed to the public pursuant to Sub-Sections 10A (1) & 10A (2) (a) being information that discloses personnel matters concerning particular individuals other than Councillors.

Meeting adjourned at 10:45am, resuming at 11:11 am

MOTION CARRIED

MOVED CLR SULLIVAN /CLR REID

3-08-12 resolved

That Council authorises the Mayor and the LGSA to assist in negotiations in relation to the General Managers contract of employment.

| Councillor Brown recorded against the motion.

MOTION CARRIED

MOVED CLR SULLIVANN /CLR REID

4-08-12 resolved

That Council move back into Open Council.

Council resumed in open session at 12:00pm

MOTION CARRIED

MOVED CLR SULLIVAN / CLR REID

5-08-12 resolved

That decisions passed in Closed Council be made public.

There being no further business, Council meeting concluded at 12:01pm
