

Extraordinary Council Meeting

Minutes

Grafton - 26 July 2022 - 12.00pm



AGENDA

Page

01 OPENING OF EXTRAORDINARY MEETING

- Affirmation/Prayer
- Acknowledgement of Country
- Announcement – Recording of Meeting

02 APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE

03 DISCLOSURES AND DECLARATIONS OF INTEREST

05 MAYORAL MINUTES

Nil

07 REPORTS

OFFICE OF THE GENERAL MANAGER

Nil

ENVIRONMENT & PLANNING

Nil

CORPORATE & GOVERNANCE

Nil

WORKS & CIVIL

Nil

08 CONFIDENTIAL BUSINESS

08.22.004 SELECTION AND APPOINTMENT OF GENERAL MANAGER (CEO)

3

10 CLOSE OF EXTRAORDINARY MEETING

1. OPENING OF EXTRAORDINARY MEETING

MINUTES of the EXTRAORDINARY MEETING of the CLARENCE VALLEY COUNCIL at Grafton, 26 July 2022 commencing at 12.00pm Council adjourn the meeting at 1:08pm until after the Ordinary Council meeting. Council resumed the meeting at 3:53 pm.and closing at 4.45pm.

AFFIRMATION – Cr Toms delivered the Affirmation.

We, the Councillors of the Clarence Valley declare that we will undertake the duties of the office of Councillor in the best interests of our community and faithfully and impartially, carry out the functions, powers, authorities and discretions vested in us, to the best of our skill and judgement.

ACKNOWLEDGEMENT OF THE TRADITIONAL CUSTODIANS OF THE LAND – Cr Pickering delivered the Acknowledgement of the Traditional Custodians of the Land.

We acknowledge the Bundjalung, Gumbaynggirr and Yaegl people as the Traditional Owners of the land on which we all live and work. We honour the First Nations peoples culture & connection to land, sea and community. We pay our respects to their Elders past, present and emerging.

ANNOUNCEMENT – The A/Director Corporate & Governance delivered the Announcement.

All present are advised that this meeting is being broadcast live and audio recorded. Your attendance at this meeting is your acceptance that your image may be recorded and streamed to the internet as well as being retained in the archive of the record of the Council meeting.

Speakers are asked not to make insulting or defamatory statements and to take care when discussing other people's personal information. No other persons are permitted to record the meeting unless specifically authorised by Council to do so.

PRESENT

Cr Peter Johnstone, Cr Ian Tiley, Cr Greg Clancy, Cr Bill Day, Cr Jeff Smith, Cr Debrah Novak, Cr Karen Toms, Cr Steve Pickering and Cr Allison Whaites (online via Teams)

A/Director – Corporate & Governance (Alex Moar), and Minutes Secretary (Lee Boon).

2. APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE

Nil

3. DISCLOSURES AND DECLARATIONS OF INTEREST

Nil

5. MAYORAL MINUTES

Nil

7. REPORTS**OFFICE OF THE GENERAL MANAGER**

NIL

ENVIRONMENT & PLANNING

NIL

CORPORATE & GOVERNANCE

NIL

WORKS & CIVIL

NIL

8. CONFIDENTIAL BUSINESS**OFFICER RECOMMENDATION**

That Council move into closed session to consider the following items in accordance with the Local Government Act 1993:

1. 08.22.004 SELECTION AND APPOINTMENT OF GENERAL MANAGER (CEO) - 10A(2) (a) *The report contains information on personnel matters concerning particular individuals (other than Councillors)*

COUNCIL RESOLUTION

Toms/Novak

That Council move into closed session to consider the following items in accordance with the Local Government Act 1993:

08.22.004 SELECTION AND APPOINTMENT OF GENERAL MANAGER (CEO) - 10A(2) (a) *The report contains information on personnel matters concerning particular individuals (other than Councillors)*

Voting recorded as follows

For: Johnstone, Tiley, Clancy, Day, Smith, Novak, Toms, Pickering, Whaites

Against: Nil

CARRIED
**ITEM 08.22.004 MAYORAL MINUTE
SELECTION AND APPOINTMENT OF GENERAL MANAGER (CEO)**

Meeting Extraordinary Council 26 July 2022

Submitted by Cr Ian Tiley

Attachments Nil

CONFIDENTIAL *The General Manager advises that the following matter be dealt with in Closed Session as the matter and information are confidential in accordance with the Local Government Act 1993 Section*

10A(2) (a) The report contains information on personnel matters concerning particular individuals (other than Councillors)

COUNCIL RESOLUTION**Novak/Toms**

That Council move out of closed session and resume the extraordinary meeting.

Voting recorded as follows

For: Johnstone, Tiley, Clancy, Day, Smith, Novak, Toms, Pickering, Whaites

Against: Nil

CARRIED**COUNCIL RESOLUTION – 08.22.004****Novak/Toms**

That Council

1. Receive and note the Report to the Extraordinary Council Meeting held on Tuesday 26 July 2022 on the outcome of interviews for appointment to the position of General Manager (CEO) for Clarence Valley Council.
2. Appoint the preferred candidate selected at the further and final interviews conducted on Tuesday 26 July 2022 and outlined in this confidential minute be offered the position of General Manager (CEO) of Clarence Valley Council and the Mayor and Deputy Mayor, in consultation with the Recruitment Consultant, be authorised to negotiate and finalise the appointment based on the following terms and conditions:
 - a. A five (5) year performance based contract in accordance with the standard contract of employment for General Managers in NSW;
 - b. A total remuneration package of \$320,000 to \$360,000, being the total value of all components of remuneration offered, including salary, superannuation, the private use value of the Council provided motor vehicle under a novated lease or leaseback arrangement and any other benefits negotiated with the successful candidate;
 - c. A relocation allowance be offered to the candidate (if required) up to a limit of \$10,000 to cover the cost of relocating the candidate and family along with household and other items, noting if the position is voluntarily vacated within 24 months, 50% of total allowance shall be paid back;
 - d. The policies of the Council which grant an entitlement to the employee relating to the private use of the Council motor vehicle, the incidental private use of the Council provided mobile phone and laptop computer, and the relocation allowance be included in Schedule A of the Contract.
3. Make no public announcement of the name of the successful candidate be made until such time as the Mayor has obtained a written acceptance of the offer from the preferred candidate.
4. Maintain the confidentiality of the documents and considerations in respect of the General Manager (CEO) recruitment process.
5. Affix the Council Seal to the contract.

Voting recorded as follows

For: Johnstone, Tiley, Clancy, Day, Smith, Novak, Toms, Pickering, Whaites

Against: Nil

CARRIED**10. CLOSE OF EXTRAORDINARY MEETING**

There being no further business the Extraordinary Meeting closed at 4.45pm