



Central Coast Council

Minutes of the
Extraordinary Council Meeting of Council
Held in the Council Chamber
Wyong Civic Centre, Hely Street, Wyong
on 15 January 2018
Commencing at 6:30 pm

Present

Mayor Jane Smith and Councillors Richard Mehrtens, Troy Marquart, Chris Holstein, Rebecca Gale Collins, Jeff Sundstrom, Lisa Matthews, Jilly Pilon, Bruce McLachlan, Kyle MacGregor, Louise Greenaway, Chris Burke, Jillian Hogan and Greg Best.

Apologies

Councillor Vincent

In Attendance

Martin Ball (Assistant General Counsel) until 6.43 pm and Shane Sullivan (Unit Manager, Governance and Business Services)

The Mayor, Jane Smith, declared the meeting open at 6.33 pm and advised in accordance with the Code of Meeting Practice that the meeting is being recorded.

The Mayor, Jane Smith read an acknowledgement of country statement.

1.1 Disclosure of Interest

There were no disclosures of interest.

1.2 Notice of Intention to Deal with a Matter in Confidential Session

Moved: Councillor Holstein

Seconded: Councillor Burke

1/18 *That Council consider the following matter in Confidential Session, pursuant to Section 10A(2)(a) of the Local Government Act 1993:*

2.1 – Appointment of a Temporary Acting General Manager

2/18 *That Council note the reason for considering Report No 2.1 – Appointment of a Temporary Acting General Manager in Confidential Session is due to it containing personnel matters concerning particular individuals (other than*

Councillors).

3/18 That Council request the Chief Executive Officer to report on this matter in open session of Council.

For:

Mayor Smith and Councillors Marquart, Holstein, Mehrrens, Sundstrom, Gale Collins, Matthews, MacGregor, Pilon, McLachlan, Burke, Hogan and Best

Against:

Cr Greenaway (Abstain)

Confidential Session

Moved: Councillor Holstein

Seconded: Councillor Sundstrom

4/18 That the meeting move into Confidential Session.

For:

Unanimous

At this stage of the meeting being 6.43 pm the meeting moved into Confidential Session with the members of the press and public excluded from the closed session and access to the correspondence and reports relating to the item considered during the course of the closed session being withheld. This action is taken in accordance with Section 10A of the *Local Government Act 1993* as the item listed comes within the following provisions:

2.1 – Appointment of a Temporary Acting General Manager

Open Session

Moved: Councillor Holstein

Seconded: Councillor Sundstrom

5/18 That the meeting move into Open Session.

For:

Unanimous

The meeting resumed in open session at 7.00 pm and the Unit Manager, Governance and Business Services (at the direction of the Chief Executive Officer) reported on proceedings of the confidential session of the ordinary meeting as follows:

2.1 Appointment of a Temporary Acting General Manager

6/18 That Council note the following:

- a The current Chief Executive Officer, Mr Brian Bell PSM, has given notice of his resignation which will take effect on 26 January 2018;**
- b The position of Chief Executive Officer is the position of 'General Manager' for the purposes of the Local Government Act 1993;**
- c Council is required to appoint a person to the position of 'General Manager', or appoint a person to act in that position, from 26 January 2018;**
- d Council has, by its resolution of 18 December 2017, commenced the process to recruit and appoint a permanent General Manager with that process expected to be complete by the end of March 2018; and**
- e Council may appoint a person to act in the position of General Manager on a temporary basis.**

7/18 That Council temporarily appoint (pursuant to ss.334, 336 and 351 of the Local Government Act 1993) Mr Brian Glendenning to act in the position of General Manager from the date Mr Bell's resignation takes effect until the date Council appoints a permanent General Manager or until the date which is 4 months thereafter, whichever occurs first, on the terms of the prescribed "senior staff" contract varied in accordance with resolution 3(b).

8/18 That for the term of the temporary appointment referred to in resolution 2 above:

- a Pursuant to s. 377 of the Local Government Act 1993, the Council delegates to Mr Brian Glendenning all of the Council's functions as currently delegated by the Council to Mr Brian Bell PSM; and**
- b The current "senior staff" contract of employment of Mr Brian Glendenning is to be varied to:**
 - i Increase the salary component of the remuneration to be equal to that currently paid to the current Chief Executive Officer, Mr Brian Bell PSM; and**
 - ii Include such amendments so as to be consistent with the form of contract that is attachment 1 to this report (being the form of contract approved by the Chief Executive of the NSW Office of Local Government;**

c The position of "General Manager" be titled "Acting Chief Executive Officer".

9/18 *That Council request that the Chief Executive Officer (up to 26 January 2018) and the Acting Chief Executive Officer (from 26 January 2018) expedite the process for the recruitment of a permanent General Manager, in accordance with the resolutions of the Council of 18 December 2017.*

10/18 *That Council express its appreciation for the services of Mr Brian Bell PSM during his tenure as Chief Executive Officer.*

11/18 *That in accordance with section 11(3) of the Local Government Act that Council resolves that this report is to be treated as confidential.*

The Meeting closed at 7.05 pm.