



# MINUTES

of the  
**Extraordinary Meeting of Council**

held in

Council Chambers

Civic Centre, Elizabeth Street, Moss Vale

on

**Tuesday 11 December 2018**

The meeting commenced at 4.30PM

*File No. 100*



---

<b>1. OPENING OF THE MEETING</b>	
<b>2. ACKNOWLEDGEMENT OF COUNTRY</b>	
<b>3. PRAYER</b>	
<b>4. APOLOGIES</b>	
Nil	
<b>5. DECLARATIONS OF INTEREST .....</b>	<b>2</b>
<hr/>	
<b>6. MAYORAL MINUTES.....</b>	<b>3</b>
6.1 Staff Matter.....	3
<hr/>	
<b>7. CLOSED COUNCIL.....</b>	<b>4</b>
Moving into Closed Session.....	4
7.1 Staff Matter.....	5
<b>8. RESUMPTION OF OPEN AGENDA.....</b>	<b>7</b>
Adoption of Closed Council.....	7
<b>9. MEETING CLOSURE .....</b>	<b>8</b>

---

**MINUTES OF THE EXTRAORDINARY MEETING OF WINGECARRIBEE SHIRE COUNCIL  
HELD IN COUNCIL CHAMBERS, CIVIC CENTRE, ELIZABETH STREET, MOSS VALE  
ON TUESDAY 11 DECEMBER 2018 COMMENCING AT 4.30PM**

**Present:** Clr T D Gair (Mayor in the Chair)  
Clr G J Andrews  
Clr K J Halstead  
Clr G McLaughlin  
Clr G Markwart  
Clr P W Nelson  
Clr I M Scandrett  
Clr G M Turland  
Clr L A C Whipper

**In Attendance:** General Manager  
Deputy General Manager Operations,  
Finance and Risk  
General Counsel  
PA for Mayor

Ms Ann Prendergast  
  
Mr Barry W Paull  
Mr Ian Lacy  
Ms Leesa Stratford

## 1. OPENING OF THE MEETING

The Mayor Clr T D Gair opened the meeting and welcomed members of the public and the press.

---

## 2. ACKNOWLEDGEMENT OF COUNTRY

Clr T D Gair acknowledged country:

*"I would like to acknowledge the Traditional Custodians of this land and pay my respect to Elders both past and present. I would also like to extend that respect to all Aboriginal and Torres Strait Islanders present here today."*

---

## 3. PRAYER

The meeting was led in Civic prayer by Clr T D Gair.

---

## 4. APOLOGY

There were no apologies at this Meeting.

## **5. DECLARATIONS OF INTEREST**

101/3, 101/3.1

That where necessary any Councillor now disclose any interest and the reason for declaring such interest in the matters under consideration by Council at this Meeting and to complete the appropriate form to be handed up at the Meeting.

There were no Declarations of Interest declared at this Meeting.

---

## 6. MAYORAL MINUTES

---

### 6.1 Staff Matter

Reference: 100  
Report Author: Mayor T D Gair

---

#### **PURPOSE**

The purpose of this report is to address an urgent staff matter.

**MN 528/18**

**MOTION** moved by Clr L A C Whipper and seconded by Clr G McLaughlin

**THAT** the report concerning a staff matter be considered in Closed Council – Item 7.1

**PASSED**

## 7. CLOSED COUNCIL

### MOVING INTO CLOSED SESSION

107/9

At this juncture, the time being 4.33pm, Council moved into Closed Council.

At this time 4.33pm the General Manager, Ms Ann Prendergast retired from the meeting.

#### **MN 529/18**

**MOTION** moved by Clr L A C Whipper and seconded by Clr G McLaughlin

1. **THAT** Council moves into Closed Council in accordance with the requirements of Section 10A(2) of the Local Government Act 1993 as addressed below to consider the following reports that are confidential for the reasons specified below:

#### 7.1 Staff Matter

##### Relevant Legal Provisions

This report is referred to Closed Committee in accordance with s10A(2) of the Local Government Act, 1993, under clause 10A(2)(a) as it contains personnel matters concerning particular individuals (other than councillors) and the Council considers that it would be on balance contrary to the public interest to consider this information in Open Council.

##### Brief description

The purpose of this report is to discuss an urgent staff matter. The report will be circulated under separate confidential cover.

2. **THAT** the minutes of the Closed Council part of the meeting (being the Council's resolution) be made public.

**PASSED**

---

## 7.1 Staff Matter

Reference: 100  
Report Author: Mayor T D Gair

---

### CONFIDENTIAL ITEM

*This report is confidential in accordance with s10A(2) of the Local Government Act, 1993, under clause 10A(2)(a) as it contains personnel matters concerning particular individuals (other than councillors).*

---

---

### PURPOSE

The purpose of this report is to discuss an urgent staff matter. The report will be circulated under separate confidential cover.

*At this time 5.05pm the Deputy General Manager, Mr Barry Paull, Mr Ian Lacy and Ms Leesa Stratford retired from the meeting.*

**MOTION** moved by Mayor Clr T D Gair and seconded by Clr G Andrews

1. THAT in accordance with Clause 5.4 of the “Standard Contract of Employment – For General Managers of Local Councils in New South Wales” Council re-appoint Ms Ann Prendergast to the position of General Manager of Wingecarribee Shire Council for a period of five (5) years, commencing on 23 September 2019 and terminating on 22 September 2024.
2. THAT that the Contract of Employment to be utilised shall be in accordance with the provisions of Department of Premier & Cabinet - Division of Local Government “Guidelines for the Appointment & Oversight of General Managers”- Appendix 3.
3. THAT the total annual remuneration package for the General Manager, commencing on 23 September 2019 be set at \$330,000
4. THAT Council authorises the Mayor and a Councillor (to be nominated) to sign the General Managers - “Contract of Employment” on behalf of Council and affix the Council seal to the document.

**MN 530/18**

**AMENDMENT** moved by Clr K J Halstead and seconded by Deputy Mayor G M Turland

1. **THAT** Council conduct a review of the General Managers performance at a meeting by the review committee to be held in February / March 2019
2. **THAT** following this review the matter of the General Managers contract be dealt with in accordance with the Local Government Act 1993.
3. **THAT** a six (6) monthly review be undertaken of the General Manager, with due notice as according to 7.7 of the Local Government Act 1993.

**ON BEING PUT TO THE VOTE THE AMENDMENT WAS PASSED**

**AMENDMENT BECAME THE MOTION**

**ON BEING PUT TO THE VOTE THE MOTION WAS PASSED**



---

## 8. RESUMPTION OF OPEN AGENDA

107/10

**MN 531/18**

**MOTION** moved by Clr G McLaughlin and seconded by Clr I M Scandrett

**THAT** Council moves from Closed Council into Open Council.

**PASSED**

No members of the public were present in the Chamber.

---

## ADOPTION OF CLOSED COUNCIL

---

107/9

**MN 532/18**

**MOTION** moved by Clr L A C Whipper and seconded by Clr G McLaughlin

**THAT** the recommendations of the Closed Council held on Tuesday 11 December, 2018 being MN 530/18 be adopted.

**PASSED**

## **9. MEETING CLOSURE**

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 5.50PM

In accordance with the provisions of Section 375(2) of the Local Government Act, these Minutes of the Ordinary Council Meeting held Tuesday 11 December 2018 numbered M/N 528/18 to M/N 532/18 were signed by me hereunder at the Council Meeting held on Wednesday 12 December 2018.

\_\_\_\_\_  
CHAIRMAN

**READ AND CONFIRMED ON WEDNESDAY 12 DECEMBER 2018**

\_\_\_\_\_  
CHAIRMAN

\_\_\_\_\_  
PUBLIC OFFICER