

Minutes of Extraordinary Council Meeting held on 30 March 2021 at Ashfield Service Centre

Meeting commenced at 6.32pm

Present:

Darcy Byrne	Mayor
Victor Macri	Deputy Mayor
Marghanita Da Cruz	Councillor
Mark Drury	Councillor
Lucille McKenna OAM	Councillor
Colin Hesse	Councillor
Sam Iskandar	Councillor
Tom Kiat	Councillor
Pauline Lockie	Councillor
Julie Passas	Councillor
Vittoria Raciti	Councillor
John Stamolis	Councillor
Louise Steer	Councillor
Anna York	Councillor
Brian Barrett	Acting General Manager
Mark Anderson	LGNSW Management Solutions
Scott Phillips	Chief Executive Officer LGNSW Management Solutions

APOLOGIES:

Motion: (Da Cruz/Kiat)

THAT apologies from Councillor Porteous be accepted.

Motion Carried

For Motion: Crs Byrne, Da Cruz, Drury, Hesse, Iskandar, Kiat, Lockie, Macri, McKenna OAM, Passas, Raciti, Stamolis, Steer and York

Against Motion: Nil

DISCLOSURES OF INTERESTS: Nil

Confidential Session

Motion: (Hesse/Drury)

THAT Council enter into Confidential session.

Motion Carried

For Motion: Crs Byrne, Da Cruz, Drury, Hesse, Iskandar, Kiat, Lockie, Macri, McKenna OAM, Passas, Raciti, Stamolis, Steer and York

Against Motion: Nil

Procedural Motion: (Passas)

THAT Councillor Byrne stand down as Mayor

The Mayor ruled this motion Out of Order as the meeting was already in Closed Session and Item 1 was being considered.

The Mayor issued a warning at 6.34pm to Clr Passas for her repeated interjections.

ADJOURNMENT

6.34pm - The Mayor, Clr Byrne adjourned the meeting for a short recess.

6.35pm– The Mayor, Clr Byrne resumed the meeting.

The Mayor issued a second warning at 6:37pm to Clr Passas for her repeated interjections.

ADJOURNMENT

6.37pm - The Mayor, Clr Byrne adjourned the meeting for a short recess.

6.43pm– The Mayor, Clr Byrne resumed the meeting.

Motion of Dissent: (Passas/Stamolis)

THAT dissent be moved in the Chairperson’s ruling that the Councillor’s procedural motion for Councillor Byrne to stand down as Mayor was out of order.

Motion Lost

For Motion: Crs Passas and Stamolis

Against Motion: Crs Byrne, Da Cruz, Drury, Hesse, Iskandar, Kiat, Lockie, Macri, McKenna OAM, Raciti, Steer and York

The Mayor’s ruling was upheld.

That in accordance with Section 10A(1) of the Local Government Act 1993, the following matters be considered in Closed Session of Council for the reasons provided:

C0321(2) Item 1 Recruitment of Permanent General Manager contains personnel matters concerning particular individuals (other than councillors) (Section 10A(2)(a) of the Local Government Act 1993)

The Mayor, Councillor Byrne left the meeting and vacated the chair at 7:43 pm and the Deputy Mayor, Councillor Macri assumed the Chair.

Councillor Passas left the meeting at 7.47pm

The Mayor, Councillor Byrne returned to the Meeting at 7:48 pm. The Deputy Mayor, Councillor Macri vacated the Chair and the Mayor, Councillor Byrne assumed the Chair.

Councillor Passas returned to the meeting at 7.48pm

The Mayor, Councillor Byrne left the meeting and vacated the chair at 7:56 pm and the Deputy Mayor, Councillor Macri assumed the Chair.

The Mayor, Councillor Byrne returned to the Meeting at 7:57 pm. The Deputy Mayor, Councillor Macri vacated the Chair and the Mayor, Councillor Byrne assumed the Chair.

Councillor Passas left the meeting at 8.22pm

Councillor Passas returned to the meeting at 8.24pm

REPORTS WITH CONFIDENTIAL INFORMATION

C0321(2) Item 1 Recruitment of Permanent General Manager

Motion: (Drury/Hesse)

THAT Council note the deliberations of the Selection Panel report prepared by the independent external facilitator, LGNSW Management Solutions, on behalf of the Selection Panel and Council offers Candidate A the position of General Manager and that in the event Candidate A does not accept the offer, Candidate B be offered the position.

Candidate A received 9 votes from Councillors Byrne, Da Cruz, Drury, Hesse, Iskandar, Kiat, McKenna OAM, Steer and York.

Candidate B received 5 votes from Councillors Lockie, Macri, Passas, Raciti and Stamolis.

Motion Carried

For Motion: Crs Byrne, Da Cruz, Drury, Hesse, Iskandar, Kiat, McKenna OAM, Steer and York

Against Motion: Crs Lockie, Macri, Passas, Raciti and Stamolis

Councillors Lockie and York left the meeting at 8.52pm.

Councillors Lockie and York returned to the meeting at 8:53pm.

Councillor Lockie left the meeting at 8.56pm.

Councillor Lockie returned to the meeting at 8.57pm.

Councillor Passas retired from the meeting at 9.01pm.

Councillor Hesse left the meeting at 9.02pm.

Councillor Hesse returned to the meeting at 9.05pm.

Councillors Macri and Raciti retired from the meeting at 9.23pm.

Motion: (Kiat/Steer)

THAT Council:

- 1. Offer a contract of employment for the position of General Manager of the Inner West Council for a period of 5 years including a total annual remuneration package within the range identified in the Acting General Manager's confidential report and negotiations be undertaken by LG Management Solutions and the contract be signed by Councillors Kiat and Steer;**
- 2. Note that the form of contract of employment is required to be the Standard Contract for the Employment of General Managers as approved by the Chief Executive of the Division of Local Government;**
- 3. Note that LGNSW Management Solutions will assist in the development of a performance agreement for the new General Manager;**
- 4. Note that the appointment is made in accordance with merit selection principles as required by s349 of the Local Government Act;**
- 5. Note that the recruitment process has been carried out and completed in accordance with the Local Government Act and the Office of Local Government's guidelines for the appointment of General Managers;**
- 6. Ensure all documentation produced and submitted through the process be maintained and properly recorded in accordance with statutory obligations and Freedom of Information principles; and**
- 7. Appoint the Chief Operating Officer as acting General Manager between 9 April 2021 and the commencement of the new General Manager.**

Motion Carried

For Motion: Crs Byrne, Da Cruz, Drury, Hesse, Iskandar, Kiat, Lockie, McKenna OAM, Stamolis, Steer and York

Against Motion: Nil

Absent: Crs Macri, Passas and Raciti

Motion: (Kiat/Steer)

THAT Council move back into the Open Session of the Council Meeting.

Motion Carried

For Motion: Crs Byrne, Da Cruz, Drury, Hesse, Iskandar, Kiat, Lockie, McKenna
OAM, Stamolis, Steer and York

Against Motion: Nil

Absent: Crs Macri, Passas and Raciti

Meeting closed at 9.35 pm.