

**Meeting Date:** Monday 23 July 2012  
**Location:** Council Chambers, Level 6, Civic Centre, 1 Devlin Street, Ryde  
**Time:** 7.30pm

**Councillors Present:** The Mayor, Councillor Etmekdjian and Councillors Butterworth, Campbell, Li, Maggio, O'Donnell, Perram, Petch, Pickering, Salvestro-Martin and Tagg.

**Apologies:** Councillor Yedelian OAM.

**Staff Present:** Acting General Manager, Group Manager – Community Life, Group Manager – Environment & Planning, Group Manager - Public Works, General Counsel and Manager - Governance.

### **PRAYER**

Roy Newsome, Acting General Manager read the prayer prior to the commencement of the meeting.

### **DISCLOSURES OF INTEREST**

There were no disclosures of interest.

### **STAFF PRESENT**

**RESOLUTION:** (Moved by Councillors Perram and Petch)

That all staff, with the exception of the Acting General Manager and Manager Governance, leave the meeting.

### **Record of Voting**

For the Motion: The Mayor, Councillor Etmekdjian and Councillors Butterworth, Campbell, Li, Maggio, O'Donnell, Perram, Petch, Salvestro-Martin and Tagg

Against the Motion: Councillor Pickering

Note: All staff with the exception of the Acting General Manager and Manager Governance, left the meeting the time being 7.34pm

## **MAYORAL MINUTES**

### **1 MM06/12 - STAFF MATTER - The Mayor Artin Etmekdjian**

**RESOLUTION:** (Moved by The Mayor, Councillor Etmekdjian and Councillor Campbell)

That Council resolve into closed session in accordance with section 10A(2)(a) of the Local Government Act to consider the ATTACHED CONFIDENTIAL matter.

#### **Record of Voting**

For the Motion: The Mayor, Councillor Etmekdjian and Councillors Butterworth, Campbell, Li, O'Donnell, Perram, Petch, Pickering, Salvestro-Martin and Tagg

Against the Motion: Councillor Maggio.

Note: The Council closed the meeting at 7.36pm. The public and media left the chamber.

## **CLOSED SESSION**

### **STAFF MATTER**

#### **Confidential**

This item is classified CONFIDENTIAL under Section 10A(2) of the Local Government Act, 1993, which permits the meeting to be closed to the public for business relating to the following: (a) personnel matters concerning particular individuals (other than councillors).

A confidential minute of this matter was recorded and a copy is ON FILE.

## **OPEN SESSION**

**RESOLUTION:** (Moved by Councillors Pickering and Maggio)

That Council resolve itself into open Council.

#### **Record of Voting:**

For the Motion: Unanimous

Note: Open Council resumed at 8.23pm and the meeting was opened to the public, press and staff. At this time the Acting General Manager reported to the meeting the resolution passed during Closed Session as follows:

## **RESOLUTION**

1. The Council's contract with John Neish dated 14 October 2009 be terminated with immediate effect, pursuant to clauses 10.3.5 and 11.3 and Schedule C thereof, and that John Neish be thereby removed from the position of General Manager with immediate effect.
2. Pursuant to s336(1) of the Local Government Act 1993, Roy Newsome's appointment to act in the position of General Manager be extended, pending appointment of a new General Manager pursuant to s334 of the Act.
3. (a) Pursuant to clause 11.4 of his contract with the Council dated 14 October 2009, John Neish's entitlements under clause 11.3 of that contract be calculated and paid to him forthwith by direct payment to his bank account, and that payment in accordance with this resolution be delegated to the acting General Manager and that the acting General Manager be directed to implement this resolution with all deliberate speed and in any event by close of business on Wednesday, 25 July 2012.  
  
(b) The acting General Manager be further directed to prepare and deliver to Mr Neish, either in hard copy or by email, all necessary papers and documentation required by law by close of business on Wednesday, 25 July 2012.

Note: A Notice of Rescission signed by Councillors Campbell, O'Donnell and Maggio was lodged in relation to this matter.

## **NATIONAL ANTHEM**

The National Anthem was sung at the conclusion of the meeting.

The meeting closed at 8.27pm.

CONFIRMED THIS 14TH DAY OF AUGUST 2012

Chairperson