



Mukinbudin - Classic, Dry, Red

Shire of Mukinbudin

Special Council Meeting

MINUTES

WEDNESDAY 27 July 2016



Floral Emblem
Eucalyptus erythronema (Red Flowering Mallee)

Notice of Meeting

Councillors

The next meeting of Council will be a Special Meeting to be held on Wednesday 27th July 2016 commencing at 10.00am.

Thank you

Gary Shadbolt
Shire President

26th July 2016

DISCLAIMER

No responsibility whatsoever is implied or accepted by the Shire of Mukinbudin for any act, omission or statement or intimation occurring during Council or Committee meetings. The Shire of Mukinbudin disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council or Committee meetings. Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council or Committee meeting does so at that person's or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or intimation of approval made by a member or officer of the Shire of Mukinbudin during the course of any meeting is not intended to be and is not to be taken as notice of approval from the Shire of Mukinbudin. The Shire of Mukinbudin warns that anyone who has any application lodged with the Shire of Mukinbudin must obtain and should only rely on written confirmation of the outcome of the application, and any conditions attaching to the decision made by the Shire of Mukinbudin in respect of the application.

ETHICAL DECISION MAKING AND CONFLICTS OF INTEREST

Council is committed to a code of conduct and all decisions are based on an honest assessment of the issue, ethical decision-making and personal integrity. Councillors and staff adhere to the statutory requirements to declare financial, proximity and impartiality interests and once declared follow the legislation as required.

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1.1 Declaration of Opening

2. Record of Attendance, apologies, approved leave of absence

2.1 Present

2.2 Apologies

2.3 On Leave of Absence

2.4 Staff

3. Announcements by the presiding member without discussion

3.1 Nil

4. Confidential Items – Meeting to be closed to the Public in accordance with the provisions of the Local Government Act 1995.

4.1 Staff matter

5. Closure of Meeting

5.1 Closure of Meeting

1. Declaration of Opening

1.1 The Shire President to declare the Meeting open at 10.10am

2. Record of attendance, apologies and approved leave of absence

2.1 Present:

3.1.1

Cr Shadbolt (Shire President)

Cr Ventris (Shire Deputy President)

Cr Paterson

Cr Poultney

Cr Seaby

Cr Ventris

Cr Comerford

Cr Junk

Cr Palm

2.2 Apologies:

2.2.1 Nil

2.3 On leave of absence:

2.3.1 Cr O'Neil

2.4 Staff:

2.4.1 Stuart Billingham (11.50am)

Ann Brandis – Manager of Finance

3. Announcements by the Presiding person without discussion

3.1 Nil

4. Confidential Items – Meeting to be closed to the Public in accordance with the provisions of the Local Government Act 1995.

4.1 Discussion of CEO Performance

Item 12.1 is Confidential in accordance with the Local Government Act 1995, Section 5.23

(2) If a meeting is being held by a Council.....the Council may close to members of the public the meeting, or part of the meeting if the meeting or the part of the meeting deals with any of the following –

(a) a matter affecting an employee or employees;

(b) the personal affairs of any person;

(c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting;

(d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting;

- (e) *a matter that if disclosed, would reveal -*
- (i) a trade secret; or
 - (ii) information that has a commercial value to a person; or
 - (iii) information about the business, professional, commercial or financial affairs of a person,
- where the trade secret or information is held by, or is about, a person other than the local government; and
- (f) a matter that if disclosed, could be reasonably expected to —
- (i) impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law; or
 - (ii) endanger the security of the local government's property; or
 - (iii) prejudice the maintenance or enforcement of a lawful measure for protecting public safety;
- and
- (g) information which is the subject of a direction given under section 23(1a) of the *Parliamentary Commissioner Act 1971*; and
- (h) such other matters as may be prescribed.
- (3) *A decision to close the meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.*

Recommendation

That Council close the meeting to members of the public in accordance with the Local Government Act 1995, Section 5.23 as Item deals with matters contained under Section 5.23 (2)(c).

Council Decision Number – 1518

Voting Requirements – Simple Majority

Moved: Cr Ventris

Seconded: Cr Comerford

That Council close the meeting to members of the public in accordance with the Local Government Act 1995, Section 5.23 as Items deals with matters contained under Section 5.23 (2)(c).

Carried 8 / 0

Meeting went behind closed doors at 10.11am

Refer to confidential report

Ann Brandis left the meeting at 11.11am

Stuart Billingham entered the meeting at 11.50am

Council is now required to re-open the meeting to the public.

Council Decision Number – 1519

Voting Requirements – Simple Majority

Moved: Cr Junk

Seconded: Cr Paterson

That Council reopen the meeting to members of the public in accordance with the Local Government Act 1995.

Carried 8 /0

The meeting was reopened at 12 noon

Council Decision Number – 1520

Voting Requirements – Simple Majority

Moved: Cr Palm

Seconded: Cr Comerford

That Council accept the recommendation in confidential item 4.1

Carried 8/0

Stuart Billingham left the meeting at 12.15pm

5. Closure of Meeting

5.1 The Shire President declared the meeting closed at 12.15 pm

Next Ordinary Council Meeting – Wednesday 17th August 2016 commencing at 10.00am