



Central Highlands Council

MINUTES – SPECIAL COUNCIL MEETING – 27 MARCH 2023

Minutes of the **Special Council Meeting** of Central Highlands Council held in the **Bothwell Council Chambers**, **Bothwell** on **Monday 27 March 2023**, commencing at **9.05am**.

1. OPENING

2. AUDIO RECORDING DISCLAIMER

As per Regulation 33 (2) (a) of the Local Government (Meeting Procedures) Regulations 2015, audio recordings of meetings will be made available to Councillors, staff and members of the wider community including Government Agencies at no charge and will be made available on Council's website as soon as practicable after each Council Meeting. Unlike Parliament, Council meetings are not subject to parliamentary privilege, and both Council and the individual may be liable for comments that may be regarded as offensive, derogatory and/or defamatory.

The Mayor advises the meeting and members of the public that Council Meetings, not including Closed Sessions, are audio recorded and published on Council's Website in accordance with Council's Policy 2017-50.

The Mayor also advises, that members of the public are not permitted to make audio recordings of Council Meetings.

3. ACKNOWLEDGEMENT OF COUNTRY

4. PRESENT

Mayor L Triffitt, Cr A Bailey, Cr R Cassidy, Cr J Hall, Cr D Meacheam and Cr Y Miller.

5. IN ATTENDANCE

Mr Adam Wilson (Acting General Manager).

6. APOLOGIES

Deputy Mayor J Allwright, Cr J Honner and Cr S Bowden

7. LEAVE OF ABSENCE

RECOMMENDATION 01/03.2023/SC

Moved: Cr D Meacheam**Seconded:** Cr Y Miller**THAT** Council approve Cr Scott Bowden leave of absence.

8. PECUNIARY INTEREST DECLARATIONS

In accordance with Regulation 8 (7) of the *Local Government (Meeting Procedures) Regulations 2015*, the Chairperson requests Councillors to indicate whether they or a close associate have or are likely to have a pecuniary interest (any pecuniary or pecuniary detriment) or conflict of interest in any Item of the Agenda.

Nil

9. PERCEIVED INTEREST DECLARATIONS

Under the **Model Code of Conduct** made by Order of the Minister responsible for Local Government the following will apply to a Councillor –

PART 2 – Conflict of Interest that are not Pecuniary

(6) A Councillor who has an actual, potential or perceived conflict of interest in a matter before the Council must –

- (a) Declare the conflict of interest and the nature of the interest before discussion on the matter begins; and
- (b) Act in good faith and exercise reasonable judgement to determine whether a reasonable person would consider that the conflict of interest requires the Councillor to remove himself or herself physically from any Council discussion and remain out of the room until the matter is decided by the Council.

Nil

10. CLOSED SESSION OF THE MEETING

Regulation 15 (1) of the *Local Government (Meeting Procedures) Regulations 2015* states that at a meeting, a council by absolute majority, or a council committee by simple majority, may close a part of the meeting to the public for a reason specified in sub-regulation (2).

As per *Regulation 15 (1) of the Local Government (Meeting Procedures) Regulations 2015*, this motion requires an absolute majority.

RECOMMENDATION 02/03.2023/SC

Moved: Cr Y Miller**Seconded:** Cr J Hall

THAT pursuant to *Regulation 15 (1) of the Local Government (Meeting Procedures) Regulations 2015*, Council, by absolute majority, close the meeting to the public to consider the following matters in Closed Session:

| Item Number | Matter | Reason under <i>Local Government (Meeting Procedures) Regulations 2015</i> |
|-------------|--|---|
| 1 | Great Lake Community Centre Lease | Regulation 15 (4)(a) and (b) of the <i>Local Government (Meeting Procedures) Regulations 2015</i> – Legal action taken by, or involving, the Council; or possible future legal action that may be taken, or may involve, the Council. |
| 2 | Consideration of Matters for Disclosure to the Public. | Regulation 15 (8) of the <i>Local Government (Meeting Procedures) Regulations 2015</i> - While in a closed meeting, the Council, or Council Committee, is to consider whether any discussions, decisions, reports or documents relating to that closed meeting are to be kept confidential or |

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| | | released to the public, taking into account privacy and confidentiality issues. |
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CARRIED**FOR the Motion**

Mayor L Triffitt, Cr A Bailey, Cr R Cassidy, Cr J Hall, Cr D Meacheam and Cr Y Miller.

11. MOTION OUT OF CLOSED SESSION**RECOMMENDATION 02/03.2023/SCC****Moved:** Cr D Meacheam**Seconded:** Cr J Hall***That the Council:***

- (1) Having met and dealt with its business formally move out of the closed session; and*
- (2) Resolved to report that it has determined the following:*

| Item Number | Matter | Outcome |
|-------------|-----------------------------------|--------------------------------|
| 1 | Great Lake Community Centre Lease | That the matter was discussed. |

12. RE-OPEN MEETING

The Special Council Meeting re-opened to the public at **10.04am**. The Mayor advises, to the meeting and members of the public that Council Meetings, not including Closed Sessions, are audio recorded and published on Council's Website.

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13. CLOSURE

Mayor Triffitt thanked everyone for their contribution and declared the meeting closed at **10.05am**.

Signed as Confirmed:

Mayor L Triffitt

Dated: 18 April 2023