
TABLE OF CONTENTS

1.0	RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE PREVIOUSLY APPROVED.....	2
1.1	ATTENDANCE.....	2
1.2	LEAVE OF ABSENCE PREVIOUSLY APPROVED.....	3
1.3	APOLOGIES.....	3
2.0	DECLARATIONS OF PECUNIARY INTEREST	3
3.0	MATTERS PROPOSED FOR CONSIDERATION IN CLOSED MEETING.....	4
4.0	CLOSURE OF MEETING TO THE PUBLIC.....	6
5.0	RESUMPTION OF OPEN MEETING	6
6.0	PUBLIC RELEASE ANNOUNCEMENT	6

AUDIO RECORDING OF COUNCIL MEETINGS

The Public is advised that it is Council policy to record the proceedings of meetings of Council on digital media to assist in the preparation of minutes and to ensure that a true and accurate account of debate and discussion of meetings is available.

This audio recording is authorised by the *Local Government Meeting Procedures Regulations 2005*.

MINUTES OF A SPECIAL MEETING OF THE WARATAH-WYNYARD COUNCIL HELD AT THE COUNCIL CHAMBERS, 21 SAUNDERS STREET, WYNYARD ON MONDAY 30 JANUARY 2012, COMMENCING AT 6:00 PM

	From	To	Time Occupied
Open Council	6:00pm	6:21pm	21 mins
Closed Council	6:21pm	7:23pm	62 mins
Open Council	7:23pm	7:24pm	1 min
TOTAL TIME OCCUPIED			84 mins

Audio Recording of Council Meetings Policy

The Chairman is to declare the meeting open (time), welcome those present in attendance and advise that the meeting will be recorded, in accordance with the Council Policy titled 'Audio Recording of Council Meetings' to "record meetings of Council to assist in the preparation of minutes and ensure a true and accurate account of debate and discussion at meetings is available".

1.0 RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE PREVIOUSLY APPROVED

Legislative Reference:

Local Government (Meeting Procedures) Regulations 2005; Regulation 8(2)(a)

*The agenda of an ordinary meeting of a council is to provide for, but is not limited to, the following items:
(a) attendance and apologies.*

1.1 ATTENDANCE

Mayor Robert Walsh

Cr Gary Bramich

Cr Kevin Deakin

Cr Colleen Dibley

Cr Mary Duniam

Cr Darren Fairbrother

Cr David Moore

Cr John Smith

Greg Winton – General Manager

Paul Smith – Executive Manager Corporate Governance

Roseanne Titcombe – Executive Officer

1.2 LEAVE OF ABSENCE PREVIOUSLY APPROVED

Cr Colleen Dibley – 20 December 2011 to 20 February 2012 inclusive;
Cr Alwyn Friedersdorff – 25 January to 11 February 2012 inclusive; and
Cr Clayton Hawkins – 26 January to 12 February 2012 inclusive.

1.3 APOLOGIES

Nil.

2.0 DECLARATIONS OF PECUNIARY INTEREST

Cr Fairbrother advised that he may have an interest depending on what Council determines to do – I do not believe I have an interest if Council deem that they have are to consider a generic planning scheme amendment but if there is one specific to the site at 872, I believe that I do have an interest so I will not be able to ascertain if I have an interest or not until I hear any motions put forward.

3.0 MATTERS PROPOSED FOR CONSIDERATION IN CLOSED MEETING

Legislative Reference:

Local Government (Meeting Procedures) Regulations 2005; Regulation 15

A Council may (by absolute majority resolution) to close a meeting or part of a meeting when certain matters are being, or are to be discussed. The grounds for the closure are to be recorded in the minutes of the meeting.

Subregulation (2) provides the following list of specified matters:-

- (a) personnel matters, including complaints against an employee of the council;*
- (b) industrial matters relating to a person;*
- (c) contracts for the supply and purchase of goods or services;*
- (d) the security of property of the council;*
- (e) proposals for the council to acquire land or an interest in the land or for the disposal of land;*
- (f) information provided to the council on the condition it is kept confidential;*
- (g) trade secrets of private bodies;*
- (h) matters relating to actual or possible litigation taken by or involving the council or an employee of the council;*
- (i) applications by councillors for leave of absence;*
- (j) the personal affairs of any person.*

A Council may also close a meeting or part of a meeting when acting as a Planning Authority if it is to consider any matter relating to actual or possible legal action taken by, or involving, the council.

Any discussions, decisions, reports or documents relating to a closed meeting are to be kept confidential unless the Council or Council Committee, after considering privacy and confidentiality issues, authorises their release to the public.

The chairperson is to exclude members of the public from a closed meeting, but may invite any person to remain at the meeting to provide advice or information.

The chairperson may authorise the removal of any person from a closed meeting if that person refuses to leave; and request the assistance of a police officer to remove that person.

MOVED BY	CR DUNIAM
SECONDED BY	CR MOORE

That the Council RESOLVES BY AN ABSOLUTE MAJORITY that the matters listed below be considered in Closed Meeting:-

Matter	Local Government (Meeting Procedures) Regulations 2005 Reference
<i>Confidential Report – R15(2)(H) – Tasmanian Planning Commission Investigation</i>	<i>15 (2)(h)</i>
<i>Public Release Authorisation</i>	<i>15 (9)</i>

Other Matters

The MOTION was put and was CARRIED

DIVISION

IN FAVOUR

MAYOR WALSH	CR BRAMICH	CR DEAKIN	CR DIBLEY	CR DUNIAM
			CR MOORE	CR SMITH

AGAINST

CR FAIRBROTHER				

Cr Fairbrother enquired why the matter was proposed to be considered in closed session.

The Executive Manager Corporate Governance advised that his legal advice confirmed his view that it should be held in a closed session.

The Executive Manager Corporate Governance offered to circulate the legal advice.

Cr Fairbrother queried the process of convening this Special Meeting, noting a reference to an ordinary meeting.

The Executive Manager Corporate Governance advised that the letterhead that was sent out to Councillors advising of the meeting should have referred to a Special Meeting of Council, however the public advertisement was for a Special Meeting of Council and on page 1 of the actual agenda, refers to a Special Meeting, so the error is an administrative error in the notice that went to Councillors.

The General Manager suggested that the advertising of a Special Meeting to the members of the public is the principle issue that needs to be considered in this regard.

Other Matters

4.0 CLOSURE OF MEETING TO THE PUBLIC

Legislative Reference:

Local Government (Meeting Procedures) Regulations 2005; Regulation 15

MOVED BY	CR DUNIAM
SECONDED BY	CR DEAKIN

That the Council RESOLVES BY AN ABSOLUTE MAJORITY to go into Closed Meeting to consider the following matters, the time being 6:21pm:-

<i>Matter</i>	<i>Local Government (Meeting Procedures) Regulations 2005 Reference</i>
<i>Confidential Report – R15(2)(H) – Tasmanian Planning Commission Investigation</i>	<i>15 (2)(h)</i>
<i>Public Release Authorisation</i>	<i>15 (9)</i>

The MOTION was put and was CARRIED unanimously.

IN FAVOUR

MAYOR WALSH	CR BRAMICH	CR DEAKIN	CR DIBLEY	CR DUNIAM
CR FAIRBROTHER			CR MOORE	CR SMITH

5.0 RESUMPTION OF OPEN MEETING

At 7:23pm the Open Meeting was resumed.

6.0 PUBLIC RELEASE ANNOUNCEMENT

Nil.

THERE BEING NO FURTHER BUSINESS THE CHAIRPERSON DECLARED THE MEETING CLOSED AT 7:24pm.

Confirmed,

MAYOR
20 February 2012