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Please Quote:

WEDDIN SHIRE COUNCIL

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MINUTES OF THE WEDDIN SHIRE COUNCIL EXTRA-ORDINARY MEETING HELD THURSDAY, 28 MARCH 2019 COMMENCING AT 8.30AM

26 March 2019

Dear Councillor

NOTICE is hereby given that an **EXTRA-ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF WEDDIN** will be held in the Council Chambers, Grenfell on **THURSDAY, 28 MARCH 2019**, commencing at **8:30 AM** and your attendance is requested.

Yours faithfully

GLENN CARROLL
GENERAL MANAGER

BUSINESS

1. APOLOGIES
2. DECLARATIONS OF INTEREST
3. CLOSED COUNCIL
4. CLOSURE

PRESENT: The Mayor Cr M Liebich in the Chair, Crs C Brown, C Bembrick, J Parlett, J Niven and P Diprose.
General Manager (G Carroll), Director Corporate Services (L Gibson) and Director Environmental Services (B Hayes).

APOLOGY: Cr McKellar

368 **RESOLVED:** Cr Diprose and Cr Parlett that the apology be accepted.

DECLARATIONS OF INTEREST

A Declaration of Interest form has been forwarded with the Business Paper, for completion prior to the meeting.

Completed forms may be declared and handed in at this point.

Councillor	Item No.	Nature of Interest	Type	Left the Room
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CLOSED COUNCIL

THE LOCAL GOVERNMENT ACT

The authority for Council to close a meeting to the public is given under Section 10 of the Local Government Act, for which the following excerpts apply:

[s 10A] Which parts of a meeting can be closed to the public?

10A

- (1) **[Meetings may be closed]** A council, or a committee of the council of which all the members are councillors, may close to the public so much of its meeting as comprises:
- (a) the discussion of any matters listed in subclause (2), or
 - (b) the receipt or discussion of any of the information so listed.
- (2) **[Grounds for closure]** The matters and information are the following:
- (a) personnel matters concerning particular individuals (other than councillors),
 - (b) the personal hardship of any resident or ratepayer,
 - (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,
 - (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council, or
 - (iii) reveal a trade secret,
 - (e) information that would, if disclosed, prejudice the maintenance of law,
 - (f) matters affecting the security of the council, councillors, council staff or council property,
 - (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege
 - (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land.
- (3) **[Closure of Resolution to close]** A council, or a committee of the council of which all the members are councillors, may also close to the public so much of its meeting as comprises a motion to close another part of the meeting to the public.
- (4) **[Public's right to make representations]** A council, or a committee of a council may allow members of the public to make representations to or at a meeting, before and part of the meeting is closed to the public, as to whether that part of the meeting should be closed.

[s 10C] Notice of likelihood of closure not required in urgent cases

10C Part of a meeting of a council, or of a committee of the council of which all the members are councillors, may be closed to the public while the council or committee considers a matter that has not been identified in the agenda for the meeting as a matter that is likely to be considered when the meeting is closed, but only if:

- (a) it becomes apparent during the discussion of a particular matter that the matter is a matter referred to in section 10A(2), and
- (b) the council or committee, after considering any representations made under section 10A(4), resolves that further discussion of the matter:
 - (i) should not be deferred (because of the urgency of the matter), and
 - (ii) should take place in a part of the meeting that is closed to the public.

[s 10D] Grounds for closing part of meeting to be specified

10D (1)[Record of grounds for closure] The grounds on which part of a meeting is closed must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting.

- (2) **[Details to be specified]** The grounds must specify the following:
- (a) the relevant provision of section 10A(2),
 - (b) the matter that is to be discussed during the closed part of the meeting,
 - (c) the reasons why the part of the meeting is being closed, including (if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret) an explanation of the way in which the discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

RECOMMENDATION: That Council form a Closed Council to consider the items listed below,

AND THAT the Press and the public be excluded from the Meeting of the Closed Council because of the confidential nature of the business to be transacted, as stated below:

Note: A Council, or a committee of a Council, may allow members of the public to make representation to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed.

369 RESOLVED: Cr Brown and Cr Bembrick that Council form a Closed Council to consider the items listed below, AND THAT the Press and the public be excluded from the Meeting of the Closed Council because of the confidential nature of the business to be transacted.

MATTERS FOR CONSIDERATION - CLOSED COUNCIL

EXTERNAL PANELS REPORT

1. **Grenfell Medical Centre - Operation Proposals, H1.1.7**
Reason for confidentiality: commercial information (Section 10A(2)(d)(i))

GENERAL MANAGERS REPORT

1. **Grenfell Medical Centre – Operation proposals, H1.1.7**
Reason for confidentiality: commercial information (Section 10A(2)(d)(i))

REPORT ON CLOSED COUNCIL

The Mayor read out the following decisions from the Closed Council.

EXTERNAL PANELS REPORT

- 1. **Grenfell Medical Centre - Operation Proposals, H1.1.7**
Reason for confidentiality: commercial information (Section 10A(2)(d)(i))

Noted

GENERAL MANAGERS REPORT

- 1. **Grenfell Medical Centre – Operation proposals, H1.1.7**
Reason for confidentiality: commercial information (Section 10A(2)(d)(i))

370 RESOLVED: that:

- i) Council enter into a lease arrangement with PAKMED GROUP AUSTRALIA PTY LTD to operate the Grenfell Medical Centre based on the independent external panel’s recommendation and authority be granted to sign the lease under the seal of Council if necessary.
- ii) the General Manager be granted delegated authority to finalise lease arrangements with PAKMED GROUP AUSTRALIA PTY LTD ACN 163 252 739 (Dr. Patrick Akhiwu).
- iii) the General Manager be granted delegated authority to finalise the quantum of cost dispersals in respect of the leases in accordance with the report.
- iv) Dr Patrick Akhiwu be required to surrender the lease at 139 Burrangong Street, Grenfell by 1 June 2019 to provide vacant possession.

CLOSURE: There being no further business the meeting closed at 9.23am.

Taken as read and confirmed as a true record this day 18 April 2019.

..... General Manager.....Mayor