



WEDDIN SHIRE COUNCIL

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MINUTES OF THE WEDDIN SHIRE COUNCIL EMERGENCY EXTRA-ORDINARY MEETING HELD FRIDAY 22 OCTOBER 2021 COMMENCING AT 5:20PM

22 October 2021

Dear Councillor

NOTICE is hereby given that an **EMERGENCY EXTRA-ORDINARY MEETING** of the **COUNCIL OF THE SHIRE OF WEDDIN** will be held in the Council Chambers, Grenfell on **22 OCTOBER 2021** commencing at **5:20PM** and your attendance is requested.

Yours faithfully

CR MARK LIEBICH
MAYOR

ORDER OF BUSINESS

- 01. Opening**
- 02. Acknowledgement of Country**
- 03. Apologies**
- 04. Disclosures of Interest**
- 05. Closed Council**
 - 05.MM** Mayoral Minute(s)
- 06. Return to Open Council**
- 07. Report on Closed Council**
- 08. Closure**

OPENING

00. PRESENT

The Mayor Cr M Liebich in the Chair, Crs P Best, C Bembrick, S O'Byrne, P Diprose, S McKellar, J Parlett, C Brown, and J Niven.

01. OPENING by Mayor Mark Liebich

Emergency Extra-Ordinary meeting of the Council of the Shire of Weddin

In accordance with the Office of Local Government's Guide to webcasting council and committee meetings, this meeting will be recorded for the purposes of audio-visual broadcasting via Council's website and Facebook page. Those in attendance are asked to refrain from making any defamatory statements and comply with all relevant WSC codes, policies and procedures at all times.

02. ACKNOWLEDGEMENT OF COUNTRY

Weddin Shire Council would like to acknowledge the Wiradjuri people who are the Traditional Custodians of the Land.

Weddin Shire Council would also like to pay respect to the Elders both past and present of the Wiradjuri Nation and extend that respect to other Aboriginal Australians who are present.

03. APOLOGIES

Nil

04. DISCLOSURES OF INTEREST

Nil

CLOSED COUNCIL

The authority for Council to close a meeting to the public is given under Section 10 of the *Local Government Act 1993*, for which the following excerpts apply: -

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

- (1) 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.
 - (i) alleged contraventions of any code of conduct requirements applicable under section 440.
- (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

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

- (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:

The meeting now be closed to the public under Section 10 of the *Local Government Act 1993* to consider the items following because of their confidential nature.

MOVED: Cr Diprose **SECONDED:** Cr O'Byrne

The meeting now be closed to the public under Section 10 of the *Local Government Act 1993* to consider the items following because of their confidential nature.

159 CARRIED

CLOSED COUNCIL

MM: MAYORAL MINUTE(S)

MM.01. APPOINTMENT OF GENERAL MANAGER

Closed under: s.10A(2)(a)

RETURN TO OPEN COUNCIL

MOVED: Cr Brown **SECONDED:** Cr McKellar

The meeting return to Open Council.

161 CARRIED

07. REPORT ON CLOSED COUNCIL

The Mayor read out the following report on Closed Council: -

MM.01. APPOINTMENT OF GENERAL MANAGER

MOVED:

Pursuant to section 336(1) of the *Local Government Act 1993*, Council appoint Mr Jaymes Rath to act in the vacant position of General Manager until such time as Council makes a permanent appointment of a person to the position.

160 CARRIED

08. CLOSURE

There being no further business the meeting closed at 5:24pm.