



Special Meeting of Council

Minutes

27 March 2013

Preface

When the Chief Executive Officer approves these Minutes for distribution they are in essence "Unconfirmed" until the following Ordinary Meeting of Council, where the Minutes will be confirmed subject to any amendments made by the Council.

The "Confirmed" Minutes are then signed off by the Presiding Person.

Attachments that formed part of the Agenda, in addition to those tabled at the Council Meeting are put together as an addendum to these Minutes with the exception of Confidential Items.

Confidential Items or attachments that are confidential are compiled as separate Confidential Minuted Agenda Items.

Unconfirmed Minutes

These minutes were approved for distribution on 28 March 2013.



Stan Scott
CHIEF EXECUTIVE OFFICER

28 March 2013.

Confirmed Minutes

These minutes were confirmed at a meeting held on 16 April 2013.

Signed: 

Presiding person at the meeting at which the minutes were confirmed.

16 April 2013.



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MINUTES OF SPECIAL MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS ON 27 MARCH 2013

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Shire of Toodyay

SPECIAL MEETING – 27 MARCH 2013

MINUTES

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Shire President declared the meeting open at 6.04 pm.

2. RECORDS OF ATTENDANCE

Members

Cr K Hogg	Shire President
Cr P Greenway	
Cr B Lloyd	
Cr C Firms	
Cr S Craddock	
Cr R Madacsi	
Cr A McCann	
Cr D Dow	<i>arrived at 6.05 pm.</i>

Staff

Mr S Scott	Chief Executive Officer
Mrs M Rebane	Executive Assistant

Visitors

Nil.

2.1 APOLOGIES

Cr J Prater	Deputy Shire President
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3. DISCLOSURE OF INTERESTS

Cr Hogg declared an interest in relation to Agenda Item 6.1 State Administrative Tribunal – Opal Vale Pty Ltd V Shire of Toodyay as the owners of the land owe money to a company of which he is a shareholder, Director and employee. Cr Hogg departed Council Chambers at 6.05 pm.

4. PUBLIC QUESTIONS (relating to the purpose of the meeting)

Nil

**5. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS
(relating to the purpose of the meeting)**

5.1 Petitions

Nil

5.2 Deputations

Nil

5.3 Presentations

Nil

5.4 Submissions

Nil

6. PURPOSE OF MEETING

6.1 State Administrative Tribunal – Opal Vale Pty Ltd V Shire of Toodyay

Cr Hogg declared an interest in relation to Agenda Item 6.1 State Administrative Tribunal – Opal Vale Pty Ltd V Shire of Toodyay as the owners of the land owe money to a company of which he is a shareholder, Director and employee. Cr Hogg departed Council Chambers at 6.05 pm.

The Chief Executive Officer requested Elected Members to nominate an Acting Chairperson.

Cr Lloyd nominated Cr Firms as the Acting Chairperson.

Cr Madacsi seconded the nomination.

Cr Firms accepted the nomination.

The Chief Executive Officer declared that there being no further nominations, Cr Firms has the Chair.

Cr Firms assumed the Chair at 6.07 pm.

Cr Greenway moved a motion as follows:

That Standing Orders be suspended to permit open free-flowing discussion.

Cr Craddock and Dow objected to the motion.

Cr Madacsi seconded the motion.

Discussion ensued.

The motion was put.

COUNCIL RESOLUTION NO 85/03/13

MOVED Cr Greenway

SECONDED Cr Madacsi

That Standing Orders be suspended to permit open free-flowing discussion.

MOTION CARRIED 4/3

Standing Orders were suspended at 6.13 pm.

COUNCIL RESOLUTION NO 86/03/13

MOVED Cr Lloyd

That Council move behind closed doors in order for confidential business to be discussed in accordance with Section 5.23 (2) (b), (d), (e) (ii), (e) (iii), (f) (i) and (f) (iii) of the *Local Government Act 1995*.

MOTION CARRIED 7/0

There were no members of the public present however the Council Chambers were closed at 6.14 pm.

Discussion ensued.

Cr Craddock departed Council Chambers at 6.35 pm.

The Acting Chairperson requested members at 6.35 pm to read through the agenda, confidential attachment and two emails that were tabled, originating from a request made by Cr Madacsi to distribute.

Discussion ensued at 6.45 pm.

COUNCIL RESOLUTION NO 87/03/13

MOVED Cr Lloyd

That Standing Orders be resumed.

MOTION CARRIED 6/0

Standing Orders were resumed at 6.49 pm.

COUNCIL RESOLUTION NO 88/03/13

MOVED Cr Dow

That Council:

1. Notes the developments in relation to the Opal Vale matter;
2. Supports the proposed condition making the approval personal to Opal Vale Pty Ltd; and
3. Otherwise, allows that SAT process to continue unimpeded.

MOTION CARRIED 6/0

COUNCIL RESOLUTION NO 89/03/13

MOVED Cr Dow

That Council move from behind closed doors.

MOTION CARRIED 6/0

Council Chambers were re-opened at 6.49 pm.

Cr K Hogg, Shire President, returned to Council Chambers at 6.49 pm.

Cr Firms read aloud resolution 88/03/13 for the benefit of the Shire President.

The Shire President resumed the Chair.

7. CLOSURE OF MEETING

The Shire President declared the meeting closed at 6.50 pm.

