

11.10am: Cr G Dwyer re-entered the meeting to participate as a Member, not as Chairperson

12.4.6	CONFIRMATION OF AGENDA ITEM – NOVEMBER 2012
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SUBMISSION TO:	Ordinary Meeting of Council, 24 April 2013
LOCATION:	Shire of Menzies
APPLICANT:	Shire of Menzies
FILE REF:	C/9/2
DISCLOSURE OF INTEREST:	None
DATE:	25 March 2013
AUTHOR:	Peter Crawford, Chief Executive Officer
SIGNATURE OF AUTHOR:	
PREVIOUS MEETING	
REFERENCE:	Item 11.4.5 of Ordinary Meeting of Council held 29 November 2012

ATTACHMENTS:

Attachment 12.4.6a – Letter from Department of Local Government

SUMMARY:

For Council to consider an addendum to the Confirmed Minutes of the Ordinary Meeting of Council held Thursday, 29 November 2012.

BACKGROUND:

At the Ordinary Meeting of Council held Thursday, 25 October 2012, Council were presented with an Agenda Item detailed "RECOGNITION OF SERVICE – ELECTED MEMBERS". As each Councillor declared a financial interest in this Item, it was not addressed. The CEO then wrote to the Minister for Local Government seeking special permission for the Council to address this Item.

Permission was given and a copy of that letter is appended as Attachment 12.4.6a

COMMENT:

That particular Agenda Item was represented to Council at the Ordinary Meeting on 29 November 2012 when the Policy Manual was reviewed in its entirety. The CEO provided each Councillor with a copy of the letter from the Department.

When the Agenda Item was presented at the meeting, each Councillor declared a financial interest in the Item. Following the declarations, the CEO then read out the copy of the letter to the Councillors present and those Councillors then proceeded to address the Item. When the Minutes of that Meeting were prepared, the Interest Declarations by the Councillors was noted but the Minutes did not record the conditions as approved in the letter from the Department.

Through the preparation of the Annual Compliance Return, this error was noted.

Council is now requested to approve that the conditions as stated in the letter be recorded in an addendum to be attached to the November 2012 Minutes.

CONSULTATION:

Mr Glen Bone – Consultant

Mr Andrew Borrett – Department of Local Government

Mr David Morris – Department of Local Government

STATUTORY ENVIRONMENT:

Local Government Act 1995

- Section 2.7(2) – Provides that Council is to oversee the allocation of local government finances and resources and to determine the local government policies; and,
- Section 3.1 – Provides that the general function of the local government is to provide for the good government of persons in its district.

POLICY IMPLICATIONS:

Council has no Policies in relation to this matter.

FINANCIAL IMPLICATIONS:

None

STRATEGIC IMPLICATIONS:

None

VOTING REQUIREMENTS:

Simple Majority Decision required

COUNCIL DECISION/OFFICER'S RECOMMENDATION:	NO: 0329
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Moved: Cr C Bennell

Seconded: Cr J Dwyer

That Council approves an addendum be attached to the Minutes of the Ordinary Meeting of Council on 29 November 2012, confirming that:

“Approval for Councillors G Dwyer, J Dwyer, K Purchase, I Tucker and E Hansen to participate in the discussion and decision making procedures relating to this Item has been given by the Acting Manager Governance Department of Local Government under delegation of the Minister in correspondence dated 15 November 2012, subject to the following conditions:

- 1. The approval is only valid for the Meeting of Council held on 29 November 2012,**
- 2. The disclosing Members declare the nature and extent of their interest at the 29 November 2012 Council Meeting when this matter is considered together with the approval provided,**

3. The approval is only granted for the determination of this matter subject to the limitations placed upon such gifts under Regulation 34AC of the *Local Government (Administration) Regulations 1996*,
4. The CEO is to provide a copy of the Department's letter advising of the approval to each declaring Member, and,
5. The CEO is to ensure that the declarations, including the approval given and any conditions imposed, are recorded in the Minutes of the 29 November 2012 Council Meeting when this matter is discussed".

11.13am

CARRIED: 6/0