

Special Meeting of Council

held at the Civic Centre, Civic Drive, Greensborough
on Tuesday 10 September 2019 commencing at 5:00pm.

Minutes

Carl Cowie
Chief Executive Officer

Friday 13 September 2019

Distribution: Public

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Nillumbik Shire Council

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Nillumbik Shire Council

Minutes of the Special Meeting of Nillumbik Shire Council held
Tuesday 10 September 2019. The meeting commenced at 5:03pm.

Councillors present:

Cr Karen Egan	Bunjil Ward (Mayor)
Cr Grant Brooker	Blue Lake Ward
Cr John Dumaresq	Edendale Ward
Cr Peter Perkins	Ellis Ward
Cr Jane Ashton	Sugarloaf Ward
Cr Bruce Ranken	Swipers Gully Ward
Cr Peter Clarke	Wingrove Ward

Officers in attendance:

Carl Cowie	Chief Executive Officer
Hjalmar Philipp	Director Operations and Infrastructure
Blaga Naumoski	Executive Manager Governance and Legal Services
Katia Croce	Governance Lead

1. Welcome by the Mayor

2. Reconciliation statement

The reconciliation statement was read by the Mayor, Cr Karen Egan.

3. Apologies

Nil

4. Disclosure of conflicts of interest

Nil

Cr Peter Perkins made the following address in relation to item "OCM.141/19 – RFT 1819-86 Provision for Garbage, Recycle, Organics Waste Collection":

I do not wish to declare a conflict, although I certainly do have a strong interest. As Councillors would be aware, I received a letter last night from the Mayor that raised some concerns around apprehended bias because I have made public statements supporting the staff of Nillumbik. The letter reads:

"In this matter, it may reasonably be perceived that you have an apprehended bias, as a fair-minded and well-informed observer, looking objectively at all circumstances, may consider, as a result of your actions, that there is a real risk that you are not prepared to modify or change your initial view in light of the arguments and evidence presented.

I therefore write to remind you that you should take decisions with full consciousness of the consequences of your actions. If you cannot genuinely comply with the rules in relation to a particular matter, I suggest you refrain from taking part in a Council decision about the matter.

Whilst Council has no power to preclude you from participating in a meeting, including voting on this matter, I reinforce the importance of considering the application on its merits with an open and unbiased mind."

5. Confidential reports

The Chief Executive Officer, pursuant to section 77(2)(c) of the *Local Government Act 1989* (the Act), has designated the following items to be confidential:

NOM.005/19 Notice of Rescission

This item is designated confidential because it is a contractual matter and any other matter pursuant to section 89(2)(d) and (h) of the Act.

OCM.141/19 RFT 1819-86 Provision for Garbage, Recycle, Organics Waste Collection

This item is designated confidential because it is a contractual matter pursuant to section 89(2)(d) of the Act.

The Meeting may be closed to members of the public to consider confidential matters.

Council Resolution

MOVED: Cr Bruce Ranken

SECONDED: Cr Peter Clarke

That in accordance with section 89(2) of the *Local Government Act 1989*, Council resolves to close the meeting to members of the public to consider items designated confidential by the Chief Executive Officer.

CARRIED

Cr Peter Perkins called for a division

For: Cr Bruce Ranken, Cr Jane Ashton, Cr Karen Egan and Cr Peter Clarke

Against: Cr Peter Perkins, Cr John Dumaresq and Cr Grant Brooker

The Mayor, Cr Karen Egan declared the Motion Carried.

The meeting closed to the public at 5:10pm.

The meeting re-opened at 5:39pm.

Close of Meeting

The meeting closed at 5:39pm.

Confirmed: _____

Cr Karen Egan, Mayor