

I hereby certify that the Minutes of the Special Council Meeting held are a true and accurate record of the proceedings contained therein.

Shire President

Date



SHIRE OF WYNDHAM | EAST KIMBERLEY

**MINUTES
SPECIAL COUNCIL
MEETING**

27 January 2016

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**SHIRE OF WYNDHAM EAST KIMBERLEY
MINUTES OF THE SPECIAL COUNCIL MEETING
KUNUNURRA COUNCIL CHAMBERS**

HELD ON TUESDAY, 27 JANUARY 2016 AT 7:42 PM

1. DECLARATIONS OF OPENING / ANNOUNCEMENT OF VISITORS

The Shire President declared the meeting open at 7:42pm.

**2. RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE
(PREVIOUSLY APPROVED)**

ATTENDANCE

Cr J Parker	Shire President
Cr K Wright	Councillor
Cr B Robinson	Councillor
Cr D Spackman	Councillor
Cr S Rushby	Councillor
Cr A Petherick	Councillor
Cr E Bolto	Councillor
C Askew	Chief Executive Officer
N Octoman	Director Corporate Services
D Klye	Director Infrastructure
L Gee	Director Community Development
M Le Riche	Acting Executive Assistant (Minute Taker)

GALLERY

NIL

APOLOGIES

NIL

LEAVE OF ABSENCE PREVIOUSLY APPROVED

Cr N Perry	Councillor
Cr S Cooke	Councillor

3. DECLARATION OF INTEREST

- Financial Interest

Councillor	Item	Title	Description of interest
Cr Simone Rushby	9.1	Legal Claims Update	I may have an indirect Financial Interest in this matter

- Impartiality Interest

Councillor	Item	Title	Description of interest

- Proximity Interest

Councillor	Item	Title	Description of interest

4. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

NIL

5. PUBLIC QUESTION TIME

NIL

6. APPLICATIONS FOR LEAVE OF ABSENCE

NIL

7. PETITIONS

NIL

8. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

NIL

9. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

9.1 LEGAL CLAIMS UPDATE

Cr S Rushby declares an interest in the item as she may have an indirect Financial Interest in this matter and leaves the Chambers at 7:42pm

COUNCIL DECISION

Minute No. 11241

**Moved: Cr K Wright
Seconded: Cr D Spackman**

That Council move behind closed doors

Carried Unanimously 6/0

Moved behind closed doors at 7:43pm

Cr A Petherick moved the motion:

That Council undertake the actions outlined in the confidential attachment in relation to the minor case claim and the general procedure case claim.

Seconded: Cr D Spackman

COUNCIL DECISION

Minute No. 11242

**Moved: Cr D Spackman
Seconded: Cr K Wright**

That Council suspend Standing Orders 7.5

**Carried 4/2
For: Cr J Parker, Cr A Petherick, Cr K Wright, Cr D Spackman
Against: Cr E Bolto, Cr B Robinson**

Standing Orders 7.5 suspended at 8:16pm

COUNCIL DECISION

Minute No. 11243

**Moved: Cr K Wright
Seconded: Cr B Robinson**

That Council reinstate Standing Orders 7.5

Carried unanimously 6/0

Standing Orders reinstated at 8:46pm

COUNCIL DECISION

Minute No. 11244

**Moved: Cr K Wright
Seconded: Cr D Spackman**

That the motion be put

**Lost 2/4
For: Cr K Wright, Cr D Spackman
Against: Cr J Parker, Cr E Bolto, Cr B Robinson, Cr A Petherick**

COUNCIL DECISION

Minute No. 11245

**Moved: Cr A Petherick
Seconded: Cr D Spackman**

That Council undertake the actions outlined in the Confidential Attachment in relation to the minor case claim and general procedure claim

**Lost 3/4
For: Cr A Petherick, Cr K Wright, Cr D Spackman
Against: Cr J Parker, Cr E Bolto, Cr B Robinson
Casting Vote against; Cr J Parker**

COUNCIL DECISION

Minute No. 11246

Moved: Cr B Robinson

Seconded: Cr J Parker

That Council move out from behind closed doors

Carried Unanimously 6/0

Moved out from behind closed doors at 9:04pm

10. DEPUTATIONS / PRESENTATIONS / SUBMISSIONS / NOTICES OF MOTIONS

NIL

11. REPORTS

NIL

12. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

NIL

13. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

NIL

14. URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

NIL

15. CLOSURE

The Shire President declares the meeting closed at 9:05pm.

Note: The meeting was closed at 9:05pm however Cr Rushby was not afforded the opportunity to return to the Chambers prior to the closure of the meeting. In addition the Shire President did not read aloud the resolution of Council for the item considered behind closed doors prior to the closure of the meeting. No other members of the public returned to the Chambers.

The Shire President approached Cr Rushby immediately after the meeting to apologise for this error in meeting process and to advise her of the Council decision.