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*Unconfirmed Minutes
Burke Shire Council Special Meeting
Monday 22nd June 2015
5.30pm Council Chambers*

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01. Opening of Meeting

The Chair declared the Meeting open at 5.34pm.

02. Record of Attendance

Cr Ernie Camp, Mayor - Chair
Cr Paul Poole, Deputy Mayor
Cr Tonya Murray
Cr Tracy Forshaw

Philip Keirle, Chief Executive Officer
Simbarashe Chimpaka, Finance Manager
Madison Marshall, Executive Assistant – Administration (Minutes)

On Leave Chris Rohan, Works Manager
 Brett Harris, Workshop Fleet Manager
 Nils Hay, Projects and Human Resources Manager
 Jenny Williams, Executive Officer

Declaration: Perceived Conflict of Interest

All Councillors declared that a perceived conflict of interest in this matter could exist (as per section 173 of the *Local Government Act 2009*), due to extensive community involvement of applicants for the vacant Councillor positions and the connections with current Councillors such community involvement can create, but that they had considered their positions and was firmly of the opinion they could participate in debate and vote on this matter in the public interest.

Closed Session

That Council move into closed session to discuss confidential items as stated in the *Local Government Regulation 2012* in Chapter 8 Administration, Part 2 Local government meetings and committees, under *Sections 275 (1) (h)*.

(h) other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

Council moved into closed session at 5.41pm.

**Moved: Cr Camp
Seconded: Cr Forshaw**

Carried 01.150622 4/0

Attendance

Madison Marshall and Simbarashe Chimpaka left the meeting 5.41pm.

Move into Open Session

That the meeting resume in open session to consider recommendations arising out of the closed session.

Council resumed open session at 5.58pm.

Moved: Cr Poole
Seconded: Cr Murray

Carried 02.150622 4/0

Attendance

Madison Marshall and Simbarashe Chimpaka entered the meeting at 5.58pm.

03. Chief Executive Officer Reports

03.01 Appointment of a new Councillor by resolution

DEPARTMENT:	Office of the CEO
RESPONSIBLE OFFICER:	Philip Keirle; CEO
FILE NO:	Councillor Appointment
DATE:	Friday 19 June 2015
LINK TO COUNCIL PLAN/S:	Not applicable

1. PURPOSE (Executive Summary)

To appoint an eligible nominee to fill the Burke Shire Council's vacant Councillor position.

2. BACKGROUND & PREVIOUS COUNCIL CONSIDERATION

Councillor Zachary Duff resigned from his position as Councillor of the Burke Shire Council on Friday 22nd May 2015. This was done through submission of a signed letter of resignation to Philip Keirle, Chief Executive Officer. In accordance with section 162(1)(f) of the Local Government Act 2009, upon receipt of this letter of resignation, the office became vacant.

On 22 May 2015, Council notified the Director General of the Department of Local Government of the vacant Councillor position on the Burke Shire Council.

In accordance with section 166(8)(a)(i-ii) of the Local Government Act 2009, Council advertised the vacant position in a regional newspaper and on Council's website within 14 days of the office becoming vacant and invited eligible nominees to express their interest in the position.

In accordance with section 166(8)(b) of the Local Government Act 2009, Council invited nominations from each person who was a candidate for the office of the former councillor at the last quadrennial election within 14 days of the office becoming vacant.

18 June 2015 was the closing date for the submission of nominations for the vacant Councillor position. By close-of-business on 18 June 2015, Council had received 5 nominations for the vacant office.

Council will consider these nominations and appoint, by resolution, one of the nominees to the vacant Councillor position on Monday 22 June 2015.

3. PROPOSAL

Council has received nominations from the following persons (in alphabetical order):

- Annie Clarke
- Kelly Gardner
- Deborah Harris
- Larissa Lauder
- Murrando Yanner

Recommendation 1

- That Councillors declare a perceived conflict of interest prior to voting to fill the vacant Councillor office:
"Given the nature of the extensive community involvement of applicants for the vacant Councillor positions and the connections with current Councillors such community involvement can create, we declare a perceived conflict of interest in relation to our necessary involvement in the selection and appointment process to fill the vacancy.

Further to s173(6) of the Local Government Act 2009, having declared a perceived conflict of interest, all Councillors will remain in the meeting and vote on the resolution to appoint a nominee to the vacant Councillor position.”

Recommendation 2

- That Councillors consider the nominees’ ability to uphold the principles of the Local Government Act 2009 when making the appointment decision.

4. RESOLUTION

That Council, having followed all of the requirements of the Local Government Act 2009 and Council’s adopted process to fill the Councillor vacancy, appoints [.....] to the position of Councillor with the Burke Shire Council.

03.01 Appointment of a new Councillor by resolution

That Council, having followed all of the requirements of the Local Government Act 2009 and Council’s adopted process to fill the Councillor vacancy, appoints Larissa Lauder to the position of Councillor with the Burke Shire Council.

Moved: Cr Forshaw

Seconded: Cr Camp

Carried 03.150622 2/2 – Mayor had casting vote and voted for.

04. Closure of meeting

The chair declared the meeting close at 6.01pm.
