



Redland
CITY COUNCIL

AGENDA

SPECIAL MEETING

**Thursday, 16 October 2014
commencing at 8.00am**

**The Council Chambers
35 Bloomfield Street
CLEVELAND QLD**

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1 DECLARATION OF OPENING

On establishing there is a quorum, the Mayor will declare the meeting open.

2 RECORD OF ATTENDANCE AND LEAVE OF ABSENCE

Motion is required to approve leave of absence for any Councillor absent from today's meeting.

3 MATERIAL PERSONAL INTEREST AND CONFLICT OF INTEREST

Councillors are reminded of their responsibilities in relation to a Councillor's material personal interest and conflict of interest at a meeting (for full details see sections 172 and 173 of the *Local Government Act 2009*). In summary:

If a Councillor has a material personal interest in a matter before the meeting:

The Councillor must—

- inform the meeting of the Councillor's material personal interest in the matter; and
- leave the meeting room (including any area set aside for the public), and stay out of the meeting room while the matter is being discussed and voted on.

The following information must be recorded in the minutes of the meeting, and on the local government's website—

the name of the Councillor who has the material personal interest, or possible material personal interest, in a matter;

the nature of the material personal interest, or possible material personal interest, as described by the Councillor.

A Councillor has a **material personal interest** in the matter if any of the following persons stands to gain a benefit, or suffer a loss, (either directly or indirectly) depending on the outcome of the consideration of the matter at the meeting—

- (a) the Councillor;
- (b) a spouse of the Councillor;
- (c) a parent, child or sibling of the Councillor;
- (d) a partner of the Councillor;
- (e) an employer (other than a government entity) of the Councillor;
- (f) an entity (other than a government entity) of which the Councillor is a member;
- (g) another person prescribed under a regulation.

If a Councillor has a conflict of interest (a real conflict of interest), or could reasonably be taken to have a conflict of interest (a perceived conflict of interest) in a matter before the meeting:

The Councillor must—

deal with the real conflict of interest or perceived conflict of interest in a transparent and accountable way.

Inform the meeting of—

- (a) *the Councillor's personal interests in the matter; and*
- (b) *if the Councillor participates in the meeting in relation to the matter, how the Councillor intends to deal with the real or perceived conflict of interest.*

The following must be recorded in the minutes of the meeting, and on the local government's website—

- (a) the name of the Councillor who has the real or perceived conflict of interest;*
- (b) the nature of the personal interest, as described by the Councillor;*
- (c) how the Councillor dealt with the real or perceived conflict of interest;*
- (d) if the Councillor voted on the matter—how the Councillor voted on the matter;*
- (e) how the majority of persons who were entitled to vote at the meeting voted on the matter.*

A conflict of interest is a conflict between—

- (a) a Councillor's personal interests (including personal interests arising from the Councillor's relationships, for example); and*
- (b) the public interest;*

that might lead to a decision that is contrary to the public interest.

4 CLOSED SESSION

Council or Committee has a broad power under section 275(1) of the *Local Government Regulation 2012* to close a meeting to the public where there are genuine reasons why the discussion on a matter should be kept confidential.

The reason that is applicable in this instance is as follows:

- (f) starting or defending legal proceedings involving the local government

4.1 NOTICE GIVEN BY CR TALTY UNDER SECTION 262 OF THE LOCAL GOVERNMENT REGULATION 2012

4.1.1 NOTICE OF MOTION TO REPEAL OR AMEND A RESOLUTION OF COUNCIL OF 8 OCTOBER 2014

At the General Meeting of 8 October 2014 (*Closed Session Item 16.2.1 – Appeals 1963 and 2675 of 2009*), Council resolved as follows:

1. To adopt Option 1 presented in this report; and
2. Maintain this report and recommendation as confidential.

On 8 October 2014, Cr Talty gave notice that she intends to move as follows:

That Council REPEAL its decision of the General Meeting of 8 October 2014 (relating to *Item 16.2.1 Appeals 1963 and 2675 of 2009*) and resolves as follows:

To adopt Option 3 as presented in the Confidential Report – Item 16.2.1 of the General Meeting 8 October 2014.

5 MEETING CLOSURE