



GANNAWARRA

Shire Council

Thursday, 25 August 2022

5:00pm

Virtual via Zoom

AGENDA

Council Meeting

The Council Meeting will be live-streamed via Council's website which can be accessed at this link
gannawarra.vic.gov.au/Council/Council-Meetings/Meeting-livestream

Order Of Business

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Tom O’Reilly
CHIEF EXECUTIVE OFFICER

1 WELCOME TO COUNTRY

Playing of the Welcome to Country video clip.

2 OPENING DECLARATION

We, the Councillors of the Shire of Gannawarra, declare that we will undertake the duties of the office of Councillor, in the best interests of our community, and faithfully, and impartially, carry out the functions, powers, authorities and discretions vested in us, to the best of our skill and judgement.

3 APOLOGIES AND LEAVE OF ABSENCE

4 DECLARATION OF CONFLICT OF INTEREST

General conflict of interest

Unless exempt under section 129 of the *Local Government Act 2020* (the Act) or regulation 7 of the Local Government (Governance and Integrity) Regulations 2020, a Councillor or member of Council staff has a general conflict of interest in a matter if an impartial, fair-minded person would consider that the person's private interests (as defined in section 127(2) of the Act) could result in that person acting in a manner that is contrary to their public duty.

Material conflict of interest

Unless exempt under section 129 of the *Local Government Act 2020* or regulation 7 of the Local Government (Governance and Integrity) Regulations 2020, a Councillor or member of Council staff has a material conflict of interest in respect of a matter if an affected person (as defined in section 128(3) of the Act) would gain a benefit or suffer a loss depending on the outcome of the matter.

Disclosure of a conflict of interest

A Councillor who has a conflict of interest and is attending a meeting of the Council must make a full disclosure of that interest by either advising:

- a) the Council at the meeting immediately before the matter is considered at the meeting; or
- b) the Chief Executive Officer in writing before the meeting –

whether the interest is a general conflict of interest or a material conflict of interest; and the nature of the interest.

Note: If a Councillor advises the Chief Executive Officer of the details under b) above, the Councillor must make a disclosure of the class of interest only to the meeting immediately before the matter is considered at the meeting.

In accordance with section 130 of the Act, a councillor who has a disclosed a conflict of interest in respect of a matter must exclude themselves from the decision making process in relation to the matter, including any discussion or vote on the matter at any Council meeting, and any action in relation to the matter.

Failure to comply with section 130 of the Act may result in a penalty of 120 penalty units

5 CONFIDENTIAL ITEMS

RECOMMENDATION

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 66(2)(a) of the Local Government Act 2020:

5.1 Procurement Quotations - CEO Executive Search

This matter is considered to be confidential as defined by Section 3(1) of the Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.

5.2 Appointment of Acting CEO

This matter is considered to be confidential as defined by Section 3(1) of the Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with personal information.

5.3 Delegations to the Mayor

This matter is considered to be confidential as defined by Section 3(1) of the Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with personal information..