

## Bunbury City Council

### Minutes of Special Meeting & Agenda 16 August 2013

To address the issues and to develop a Council position for all future comments to any external parties including the media.



**City of Bunbury**  
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Western Australia

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## Bunbury City Council Minutes of Special Meeting

Minutes of a Special Meeting of the City of Bunbury Council held in the Council Chambers, City of Bunbury Administration Building, 4 Stephen Street Bunbury on Friday 16 August 2013.

### Minutes

16 August 2013

**NOTE:** These minutes are subject to confirmation at the next Ordinary Meeting of the Council.

#### 1. Declaration of Opening by the Presiding Member

Deputy Mayor, Councillor Craddock, declared the meeting open at 10.39am.

#### 2. Record of Attendance, Apologies and Leave of Absence

*Present:*

<b>Council Members</b>	
Presiding Member:	Deputy Mayor, Councillor S Craddock
Members:	His Worship the Mayor, Mr D Smith
	Councillor R Slater
	Councillor S Morris
	Councillor K Steele
	Councillor B Kelly
	Councillor N McNeill
	Councillor M Cook
<b>Executive Leadership Team (Non-Voting):</b>	
Chief Executive Officer	Mr A Brien
Director Community and Customer Services	Ms S Addison-Brown ( <i>arrived at 11.48pm</i> )
Director Corporate Services	Mr W Wright
Director Planning and Development Services	Mr B Karaszekewych
Director Works and Services	Mr P Harris
<b>Council Officers (Non-Voting):</b>	
Executive Assistant to CEO	Ms F Quinn
Administration Officer Corporate	Ms N Hribar
<b>Others (Non-Voting)</b>	
Members of the Public	5 (arrived at 12.25pm)
Members of the Press	3 (arrived at 12.25pm)

*Apologies:*

Councillors Leigh, Jones, Prosser, Steck were an apology for the meeting.

*Leave of Absences:*

Nil

### 3. Disclosures of Interest - Local Government Act 1995

Nil.

### 4. Business of the Meeting

The purpose of the meeting is to address the issues and to develop a Council position for all future comments to any external parties including the media.

Cr Steele moved, Cr Cook seconded, that the meeting go behind closed doors as the matter is to discuss confidential correspondence.

The Deputy Mayor put the motion to the vote and was CARRIED votes 7 “for” / 1 vote “against”.

It was requested that the votes be recorded as follows:

For: Deputy Mayor Cr Craddock, Cr Slater, Cr Steele, Cr Kelly, Cr McNeill,  
Cr Cook, Cr Morris

Against: Mayor D Smith

#### 4.1 Council Position on comments to external parties including Media.

<b>File Ref:</b>	
<b>Applicant/Proponent:</b>	Internal Report
<b>Author:</b>	Andrew Brien, Chief Executive Officer
<b>Executive:</b>	Andrew Brien, Chief Executive Officer
<b>Attachments:</b>	Confidential Report <a href="#">CRUSC-1</a>

A confidential report and recommendation has been circulated to members **under separate cover** (Confidential Report [CRUSC-1](#))

This report is confidential in accordance with Section 5.23(2)(b) of the Local Government Act 1995, which also permits the meeting to be closed to the public for business relating to the following:

*The personal affairs of any person.*

### **Outcome – Special Council Meeting 16 August 2013**

The following motion was then moved Cr Steele, seconded Cr Slater  
*“That Standing Orders be suspended to allow for discussions”*

The Deputy Mayor put the motion to the vote and was CARRIED votes 7 “for” / 1 vote “against”.

It was requested that the votes be recorded as follows:

For: Deputy Mayor Cr Craddock, Cr Slater, Cr Steele, Cr Kelly, Cr McNeill,  
Cr Cook, Cr Morris  
Against: Mayor D Smith

The following motion was then moved Cr Steele, seconded Cr Cook

*“That the confidential meeting be recorded”*

The Deputy Mayor put the motion to the vote and was CARRIED votes 8 “for” / Nil votes “against”.

Cr Slater moved, Cr Craddock seconded the following motion:

1. *That Council requests the Mayor not to make any further media comments on behalf of Council prior to the Council election due on October 19 2013.*
2. *That all media statements on behalf of Council prior to the election be by the CEO.*
3. *That the media be advised the Mayor has agreed not to speak on behalf of Council until after the election if this motion is passed.*

During the discussion of the item the mover and seconder were asked to agree to amending the recommendation to read as follows:

1. *That Council requests the Mayor not to make any further media comments on behalf of Council prior to the Council election due on October 19 2013.*
2. *That Councillors note that under section 2.8 of the Local Government Act 1995 they are not permitted to speak on behalf of Council.*
3. *That all media statements on behalf of Council prior to the election be by the CEO.*
4. *That the media be advised the Mayor has agreed not to speak on behalf of Council until after the election if this motion is passed.*

This amendment was agreed to.

It was requested that the vote on the motion be taken in separate parts.

The following motion was then moved Cr McNeill, seconded Cr Cook:

*“That Standing Orders be resumed”*

The Deputy Mayor put the motion to the vote and was CARRIED votes 8 “for” / Nil votes “against”.

The Deputy Mayor put the motion (as amended) to the vote in separate parts and the outcomes were adopted to become the Council’s decision on the matter.

Point 1: CARRIED votes 7 “for” / 1 vote “against”. The Mayor requested his vote be recorded against.

Point 2: CARRIED votes 8 “for” / Nil votes “against”.

Point 3: CARRIED votes 7 “for” / 1 vote “against”. The Mayor requested his vote be recorded against.

Point 4: CARRIED votes 8 “for” / Nil votes “against”.

**Council Decision 257/13**

- 1. That Council requests the Mayor not to make any further media comments on behalf of Council prior to the Council election due on October 19 2013.**
- 2. That Councillors note that under section 2.8 of the Local Government Act 1995 they are not permitted to speak on behalf of Council.**
- 3. That all media statements on behalf of Council prior to the election be by the CEO.**
- 4. That the media be advised the Mayor has agreed not to speak on behalf of Council until after the election if this motion is passed.**

CARRIED

Cr Slater moved, Cr Steele seconded the following motion:

*“Council advise the CCC and the Department of Local Government that Council is investigating the anonymous correspondence received by Councillors and will refer it to Council’s Assessment Officer.”*

The Deputy Mayor put the motion to the vote and it was adopted to become Council’s decision on the matter.

**Council Decision 258/13**

***Council advise the CCC and the Department of Local Government that Council is investigating the anonymous correspondence received by Councillors and will refer it to Council’s Assessment Officer.***

CARRIED

8 votes “for”/ Nil votes “against”.

## **5. Public Reading of Resolutions that may be made Public**

Cr Steele moved, Cr Cook seconded Council in accordance with Clause 6.2 of the City of Bunbury Standing Orders Local Law 2012 RESOLVES that the meeting be now held with Open Doors.

The Deputy Mayor put the motion to the vote and was CARRIED 8 votes "for" / nil votes "against".

The meeting was reopened to the public at 12.25pm

The Chief Executive Officer read out the resolutions that were made behind closed doors.

## **6. Close of Meeting**

The meeting was declared closed at 12.30pm.