



**NORTHERN  
MIDLANDS  
COUNCIL**

**MINUTES**

**SPECIAL COUNCIL MEETING**

**THURSDAY, 29 FEBRUARY 2024**



MINUTES of the Special Council Meeting of the Northern Midlands Council held on 29 February 2024 at 5.00pm in person at the Council Chambers, 13 Smith Street, Longford.

## **1 ATTENDANCE**

### **PRESENT**

Mayor Mary Knowles OAM, Deputy Mayor Janet Lambert, Cr Alison Andrews OAM, Cr Richard Archer, Cr Matthew Brooks, Cr Paul Terrett

### In Attendance:

Mr Des Jennings – General Manager, Miss Maree Bricknell – Corporate Services Manager, Ms Victoria Veldhuizen- Executive Officer, Mr Kallun Willock – Executive Officer

### **APOLOGIES**

Cr Dick Adams OAM

Cr Andrew McCullagh

Mrs Gail Eacher – Executive Assistant

### **LEAVE OF ABSENCE**

Cr Richard Goss



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### 3 ACKNOWLEDGEMENT OF COUNTRY

We acknowledge and pay our respects to the Tasmanian Aboriginal Community as the traditional and original owners, and continuing custodians of this land on which we gather today and acknowledge Elders – past, present and emerging.

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### 4 DECLARATIONS OF ANY PECUNIARY INTEREST OF A COUNCILLOR OR CLOSE ASSOCIATE

As per the *Local Government Act 1993, Part 5 - Pecuniary Interests, section 48*:

- (1) *A councillor must not participate at any meeting of a council, council committee, special committee, controlling authority, single authority or joint authority in any discussion, nor vote on any matter, in respect of which the councillor–*
  - (a) *has an interest; or*
  - (b) *is aware or ought to be aware that a close associate has an interest.*
- (2) *A councillor must declare any interest that the councillor has in a matter before any discussion on that matter commences.*

*No declarations of interest were received.*

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## 5 ITEMS FOR THE CLOSED MEETING

### MINUTE NO 24/079

#### DECISION

Cr Richard Archer / Cr Janet Lambert

That Council move into the “Closed Meeting” with the General Manager, Corporate Services Manager and Executive Officers.

Carried Unanimously

Voting for the Motion:

Mayor Knowles, Deputy Mayor Lambert, Cr Archer, Cr Andrews, Cr Brooks and Cr Terrett

Voting against the Motion:

Nil

#### **RECOMMENDATION**

That Council move into the “Closed Meeting” with the General Manager, Corporate Services Manager, Works Manager and Executive Officers to discuss Closed Council Items.

Item	Local Government (Meeting Procedures) Regulations 2015 Reference
Legal Matter	15(2)(i)

*Local Government (Meeting Procedures) Regulations 2015 - Part 2 - Meetings*

- (a) *personnel matters, including complaints against an employee of the council and industrial relations matters;*
- (b) *information that, if disclosed, is likely to confer a commercial advantage or impose a commercial disadvantage on a person with whom the council is conducting, or proposes to conduct, business;*
- (c) *commercial information of a confidential nature that, if disclosed, is likely to -*
  - (i) *prejudice the commercial position of the person who supplied it; or*
  - (ii) *confer a commercial advantage on a competitor of the council; or*
  - (iii) *reveal a trade secret.*
- (d) *contracts, and tenders, for the supply of goods and services and their terms, conditions, approval and renewal;*
- (e) *the security of -*
  - (i) *the council, councillors and council staff; or*
  - (ii) *the property of the council.*
- (f) *proposals for the council to acquire land or an interest in land or for the disposal of land;*
- (g) *information of a personal and confidential nature or information provided to the council on the condition it is kept confidential;*
- (h) *applications by councillors for a leave of absence;*
- (i) *matters relating to actual or possible litigation taken, or to be taken, by or involving the council or an employee of the council;*
- (j) *the personal hardship of any person who is a resident in, or is a ratepayer in, the relevant municipal area.*



## 5.1 CLOSED COUNCIL DECISIONS RELEASED

### 3.1 AIRPORT RATES LEGAL PROCEEDINGS - APPEAL OF DECISION TO THE HIGH COURT OF AUSTRALIA

#### MINUTE NO 24/080

#### DECISION

Cr Richard Archer / Cr Matthew Brooks

That

- a) The Northern Midlands Council instructs the General Manager as delegate, to instruct Council's legal counsel not to pursue an Application for Special Leave to Appeal to the High Court of Australia in the matter of Northern Midlands Council vs the Commonwealth of Australia & Australia Pacific Airports (Launceston) Pty Ltd (ACN 081 578 903).
- b) in relation to this matter
  - i) consider whether any discussion, decision, report or document is kept confidential or released to the public; and
  - ii) determined **to release the decision only** to the public.

Carried Unanimously

Voting for the Motion:

Mayor Knowles, Deputy Mayor Lambert, Cr Archer, Cr Andrews, Cr Brooks and Cr Terrett

Voting against the Motion:

Nil

## 6 CLOSURE

Council **RESOLVED** to move out of the "Closed Meeting"; and Mayor Knowles closed the meeting at 5.26pm.

MAYOR:

DATE: