

MINUTES

OF THE EXTRAORDINARY MEETING OF COUNCIL

File No. 100/09



held on Wednesday, 29 April 2009

The meeting commenced at 5.14 pm.



MINUTES OF THE EXTRAORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 29 April 2009

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MINUTES OF THE EXTRAORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
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COMMENCING AT: 5.14 pm

PRESENT: Clr T D Gair (Mayor) in the Chair
Clr J G Arkwright
Clr J R Clark
Clr J Mauger
Clr G McLaughlin
Clr D Stranger
Clr P B Tuddenham

IN ATTENDANCE: General Manager
Director Corporate Services
Manager Administration Services

APOLOGY

M/N 146/09

PERS

MOTION moved by Clr D Stranger and seconded by Clr J R Clark:

THAT the apologies of Clr K Halstead and Clr L A C Whipper be accepted and leave of absence granted.

PASSED

DECLARATIONS OF INTEREST

101/3

There were no declarations of interest at this meeting.



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OPEN COUNCIL

MN 147/09

107/10

MOTION moved by Cllr G McLaughlin and seconded by Cllr J G Arkwright:

THAT on the basis that Council would not be considering privileged legal advice in its discussions regarding Lehman Brothers Australia, the matter should remain in Open Council.

PASSED



CORPORATE SERVICES DIVISION

c-CS1	Briefing on Current Status of Legal Matter WSC v Lehman Brothers Australia
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REF: DCS	107/9
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The Director Corporate Services provided a briefing to Councillors in relation to this matter.

MN 148/09

MOTION moved by Clr J G Arkwright and seconded by Clr G McLaughlin:

THAT after considering advice Council instruct its legal advisors to file an application in the Federal Court of Australia seeking the leave of the Court to proceed with the action in the Federal Court against Lehman Brothers Australia.

PASSED

Councillors requested that this matter be resubmitted to clarify the voting on the matter.

MN 149/09

MOTION moved by Clr J G Arkwright and seconded by Clr G McLaughlin:

THAT the matter be resubmitted for voting purposes.

PASSED

MN 150/09

MOTION moved by Clr J G Arkwright and seconded by Clr G McLaughlin:

THAT after considering advice Council instruct its legal advisors to file an application in the Federal Court of Australia seeking the leave of the Court to proceed with the action in the Federal Court against Lehman Brothers Australia.

PASSED

Dissenting Vote - Clr J Mauger requested that his dissenting vote be recorded in respect of this motion.



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THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 5.25 PM

In accordance with the provisions of Section 375(2) of the Local Government Act, these Minutes of the Extraordinary Council Meeting held Wednesday, 29 April 2009 numbered M/N 146/09 to M/N 150/09, were signed by me hereunder at the Council Meeting held on Wednesday, 13 May 2009.

CHAIRMAN

READ AND CONFIRMED THIS 13TH DAY OF MAY 2009

CHAIRMAN

PUBLIC OFFICER