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| **AGENDA**    **Special Council Meeting**  **Thursday, 27 January 2022** | |
| **I hereby give notice that an Ordinary Meeting of Council will be held on:** | |
| **Date:** | **Thursday, 27 January 2022** |
| **Time:** | **6.00pm** |
| **Location:** | **Online** |
| **Derek Madden**  **Chief Executive Officer** | |

**Order Of Business**

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[6.2 C33-2021/2022 BMRRR Bacchus Marsh Racecourse Recreation Reserve Stage 2 – Civil Works, Sports Courts and Services Construction 6](#_Toc94264260)

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1 Opening of Meeting and Prayer

Almighty God be with us as we work for the people of the Shire of Moorabool. Grant us wisdom that we may care for the Shire as true stewards of your creation. May we be aware of the great responsibilities placed upon us. Help us to be just in all our dealings and may our work prosper for the good of all. Amen.

2 Acknowledgement of Country

I acknowledge the Traditional Owners of the land on which we are meeting. I pay my respects to their Elders, past and present, and the Aboriginal Elders of other communities who may be here today.

3 Present

4 Apologies

5 Disclosure of Conflicts of Interest

Conflict of interest laws are prescribed under the *Local Government Act 2020* (the Act) and in the Local Government (Governance and Integrity) Regulations 2020 (the Regulations). Managing conflicts of interest is about ensuring the integrity and transparency of decision-making.

The conflict of interest provisions under the Act have been simplified so that they are more easily understood and more easily applied. The new conflict of interest provisions are designed to ensure relevant persons proactively consider a broader range of interests and consider those interests from the viewpoint of an impartial, fair-minded person.

Section 126 of the Act states that a Councillor has a conflict of interest if they have a general conflict of interest or a material conflict of interest. These are explained below:

* A Councillor has a general conflict of interest in a matter if an impartial, fair-minded person would consider that the member’s private interests could result in them acting in a manner that is contrary to their public duty as a Councillor.
* A Councillor has a material conflict of interest in a matter if an affected person would gain a benefit or suffer a loss depending on the outcome of the matter.

A relevant person with a conflict of interest must disclose the interest in accordance with Council’s Governance Rules and not participate in the decision-making process on the matter. This means the relevant person must exclude themselves from any discussion or vote on the matter at any Council meeting, delegated committee meeting, community asset committee meeting or, if a Councillor, any other meeting conducted under the auspices of the Council. The relevant person must also exclude themselves from any action in relation to the matter, including an action taken to implement a council decision, for example, issuing a planning permit.

6 Closed Session of the Meeting to the Public

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| 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*:**  **6.1 C27-2021/2022 Bacchus Marsh Indoor Sports Stadium (MARC Stage 1)**  This matter is considered to be confidential under Section 3(1) confidential information - (g) of the Local Government 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 private commercial information, being information provided by a business, commercial or financial undertaking that (i) relates to trade secrets; or  (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.  **6.2 C33-2021/2022 BMRRR Bacchus Marsh Racecourse Recreation Reserve Stage 2 – Civil Works, Sports Courts and Services Construction**  This matter is considered to be confidential under Section 3(1) confidential information - (g) of the Local Government 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 private commercial information, being information provided by a business, commercial or financial undertaking that (i) relates to trade secrets; or  (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.  **6.3 C34 2021-2022 - Ballan Recreation Reserve Pavilion Construction**  This matter is considered to be confidential under Section 3(1) confidential information - (g) of the Local Government 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 private commercial information, being information provided by a business, commercial or financial undertaking that (i) relates to trade secrets; or  (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage. |

7 Meeting Closure