



MINUTES

SPECIAL MEETING OF COUNCIL

held on

Sunday, 6 April 2025 at 4:00pm

at the

**Shire of Morawa Council Chambers,
26 Winfield Street, Morawa**



WESTERN AUSTRALIA'S
WILDFLOWER COUNTRY

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DISCLAIMER

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DISCLOSURE OF FINANCIAL/ IMPARTIALITY/ PROXIMITY INTERESTS

*Local Government Act 1995 – Section 5.65, 5.70 and 5.71 Local
Government (Administration) Regulation 34C*

<i>This form is provided to enable members and officers to disclose an Interest in a matter in accordance with the regulations of Section 5.65, 5.70 and 5.71 of the Local Government Act and Local Government (Administration) Regulation 34C</i>			
Name of person declaring the interest			
Position			
Date of Meeting			
Type of Meeting (Please circle one)	Council Meeting/ Committee Meeting/ Special Council Meeting Workshop/ Public Agenda Briefing/ Confidential Briefing		
Interest Disclosed			
Item Number and Title			
Nature of Interest			
Type of Interest (please circle one)	Financial	Proximity	Impartiality
Interest Disclosed			
Item Number and Title			
Nature of Interest			
Type of Interest (please circle one)	Financial	Proximity	Impartiality
Interest Disclosed			
Item Number and Title			
Nature of Interest			
Type of Interest (please circle one)	Financial	Proximity	Impartiality

Signature: _____ **Date:** _____

Important Note:

Should you declare a **Financial** or **Proximity** Interest, in accordance with the Act and Regulations noted above, you are required to leave the room while the item is being considered.

For an **Impartiality** Interest, you must state the following prior to the consideration of the item:

“With regard to agenda item (read item number and title), I disclose that I have an impartiality interest because (read your reason for interest). As a consequence, there may be a perception that my impartiality on the matter may be affected. I declare that I will consider this matter on its merits and vote accordingly.”

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Contents

Item 1	Opening of Meeting	6
Item 2	Acknowledgement of Traditional Owners and Dignitaries	6
Item 3	Recording of Attendance	6
3.1	Attendance.....	6
3.2	Apologies	6
3.4	Approved Leave of Absence	6
3.5	Disclosure of Interests	6
Item 4	Applications for Leave of Absence	6
Item 5	Declaration by all Members to have given due consideration to All Matters Contained in the Business Paper before the Meeting.....	7
Item 6	Reports from Officers	7
Item 7	New Business of an Urgent Nature	7
Item 8	Matters for Which the Meeting May Be Closed (Confidential Items).....	8
8.1	Matters for Which the Meeting May Be Closed (Confidential Items)	8
8.2	Confidential Report – Employee Matter	11
8.3	Reopening of the Meeting to the Public	12
8.4	Presiding Member Publicly Confirms Confidential Item Resolutions	12
Item 9	Closure.....	12

Item 1 Opening of Meeting

The Presiding Member to declare the meeting open at 4:00pm.

Item 2 Acknowledgement of Traditional Owners and Dignitaries

The Presiding Member acknowledges the traditional custodians, the Yamatji people, and recognises the contribution of Yamatji Elder's past, present and future, in working together for the future of Morawa.

Item 3 Recording of Attendance**3.1 Attendance****Council**

President (Presiding Member) Councillor Karen Chappel

Deputy President Councillor Ken Stokes

Councillor Grant Chadwick

Councillor Dean Clemson

Councillor Debbie Collins

Councillor Diana North

Staff

Mike Cole

Chief Executive Officer

Members of the Public

Nil

3.2 Apologies

Councillor Mark Coaker

3.4 Approved Leave of Absence

Nil

3.5 Disclosure of Interests

Nil

Item 4 Applications for Leave of Absence

Nil

Item 5 Declaration by all Members to have given due consideration to All Matters Contained in the Business Paper before the Meeting

- President (Presiding Member) Councillor Karen Chappel
- Deputy President Councillor Ken Stokes
- Councillor Grant Chadwick
- Councillor Dean Clemson
- Councillor Debbie Collins
- Councillor Diana North

Item 6 Reports from Officers

The Reports from Officers forms part of the Confidential Agenda.

Item 7 New Business of an Urgent Nature

Nil

Item 8 Matters for Which the Meeting May Be Closed (Confidential Items)**8.1 Matters for Which the Meeting May Be Closed (Confidential Items)**

Author: Executive Assistant

Authorising Officer: Chief Executive Officer

Disclosure of Interest: The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

OFFICER'S RECOMMENDATION/RESOLUTION

250401 Moved: Cr Stokes Seconded: Cr Chadwick

That Council:

That Council closes the meeting to the public under section 5.23 (2)(a), (b), (d) and (f) of the *Local Government Act 1995* and the *Shire of Morawa Meeting Procedures Local Law 2012 s 6.2* so that it can consider the following Items:

- **8.2 Confidential Report – Employee Matter**

CARRIED BY SIMPLE MAJORITY 6/0

PURPOSE

This item seeks Council's approval under s5.23 (2) of the Local Government Act 1995 to move into camera or closed session to consider confidential matters.

DETAIL

Under s5.23 (2) of the *Local Government Act 1995*, Council must resolve to move into camera or closed session. The following Items are 'confidential matters' as addressed below:

- **8.2 Confidential Report – Employee Matter**

LEVEL OF SIGNIFICANCE

High – Confidential Items

CONSULTATION

Nil

LEGISLATION AND POLICY CONSIDERATIONS

Local Government Act 1995

Under section 5.23 (2) of the *Local Government Act 1995*, part of a council meeting may be closed, if the meeting deals with any of the following:

- (a) *a matter affecting an employee or employees;*
- (b) *the personal affairs of any person;*
- (c) *a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting;*
- (d) *legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting;*
- (e) *a matter that if disclosed, would reveal —*
 - (i) *a trade secret;*
 - (ii) *information that has a commercial value to a person;*
 - (iii) *information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government;*
- (f) *a matter that if disclosed, could be reasonably expected to —*
 - (i) *impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law;*
 - (ii) *endanger the security of the local government's property;*
 - (iii) *prejudice the maintenance or enforcement of a lawful measure for protecting public safety;*
- (g) *information which is the subject of a direction given under section 23(1a) of the Parliamentary Commissioner Act 1971; and*
- (h) *such other matters as may be prescribed.*

Shire of Morawa Meeting Procedures Local Law 2012

The key parts include:

6.2 Meetings not open to the public;

- (1) The CEO may, at any time, recommend that a meeting or part of a meeting be closed to members of the public.
- (2) The Council or a committee, in one or more of the circumstances dealt with in the Act, may at any time, by resolution, decide to close a meeting or part of a meeting.
- (3) If a resolution under subclause (2) is carried— (a) the presiding member is to direct everyone to leave the meeting except— (i) the members; (ii) the CEO; and (iii) any officer specified by the presiding member; and (b) the meeting is to be closed to the public until, at the conclusion of the matter justifying the closure of the meeting to the public, the Council or the committee, by resolution, decides otherwise.
- (4) A person who fails to comply with a direction under subclause (3)(a) may, by order of the presiding member, be removed from the meeting.
- (5) While the resolution under subclause (2) remains in force, the operation of clause 8.9 is to be suspended until the Council or the committee, by resolution, decides otherwise.
- (6) A resolution under this clause may be made without notice.
- (7) Unless the Council resolves otherwise, once the meeting is reopened to members of the public, the presiding member is to ensure that any resolution of the Council made while the meeting was closed is to be read out including a vote of a member to be included in the minutes.

Strategic Community Plan 2022 to 2032

Be future focused in all we do:

Ensure the Shire and its assets are well resourced and sustainable.

FINANCIAL AND RESOURCES IMPLICATIONS

Any known financial implications are addressed in the respective reports.

RISK MANAGEMENT CONSIDERATIONS

There are no known risk management implications in relation to this item.

CONCLUSION

That Council closes the meeting to the public under section 5.23 (2) of the *Local Government Act 1995* and the *Shire of Morawa Meeting Procedures Local Law 2012* s 6.2 so that it can consider the reports as addressed.

ATTACHMENTS

Nil

Mr Michael Cole left the meeting at 4.02pm.

8.2 Confidential Report – Employee Matter

Author: Cr Karen Chappel

RECOMMENDATION/RESOLUTION

250402 Moved: Cr Stokes Seconded: Cr North

That Council:

- 1. Resolves to appoint Western Australian Local Government Association (WALGA) as its Industrial Agent and to delegate the Shire President to liaise and instruct WALGA to this matter of a Stop Bullying Application (reference S 4 of 2025).**
- 2. Authorises the Shire President to appoint Samantha Maddern from Mills Oakley to represent the Shire in Industrial Matter S 4 of 2025, before the Industrial Relations Commission (Western Australia), if the matter progresses further.**
- 3. Authorises funding up to \$10,000.**

CARRIED BY ABSOLUTE MAJORITY 6/0

8.3 Reopening of the Meeting to the Public**OFFICER'S RECOMMENDATION/RESOLUTION****250402 Moved: Cr Stokes Seconded: Cr Chadwick****That Council reopens the meeting to the public.*****CARRIED BY SIMPLE MAJORITY 6/0****Mr Michael Cole returned to the meeting at 4.29pm.***8.4 Presiding Member Publicly Confirms Confidential Item Resolutions***The Presiding Member publicly confirms the Confidential Item Resolutions for:*

- 15.2 Confidential Report - Employee Matter

Item 9 Closure

There being no further business, the Presiding Member declared the meeting closed at 4.30pm.