



MINUTES

SPECIAL MEETING OF COUNCIL

held on

Monday, 11 November 2019



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Item 1 Opening of Meeting

The President declared the meeting open at 5.30pm.

Item 2 Acknowledgement of Traditional Owners and Dignitaries

The President acknowledged the traditional custodians, the Yamatji people, and recognised the contribution of Yamatji elders past, present and future, in working together for the future of Morawa.

'This meeting is being recorded on audio tape and to assist with minute taking purposes. The public is reminded that in accordance with Section 6.16 of the Shire of Morawa Meeting Procedures Local Law 2012 that nobody shall use any visual or vocal recording device or instrument to record the proceedings of Council without the written permission of the presiding member.'

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

President Karen Chappel
Deputy President Dean Carslake
Councillor Jane Coaker
Councillor Debbie Collins
Councillor Yvette Harris
Councillor Shirley Katona
Councillor Ken Stokes

Staff

Chief Executive Officer	Chris Linnell
Executive Manager Corporate & Community Services	Jenny Goodbourn
Principal Works Supervisor	Paul Buist
Economic Development Manager	Ellie Cuthbert
Executive Assistant to CEO	Sandy Adams

Members of the Public

Nil

3.2 Attendance by Telephone / Instantaneous Communications

Nil

3.3 Apologies

Nil

3.4 Approved Leave of Absence

Nil

3.5 Disclosure of Interests

Nil

Item 4 Declarations of All Members to have Given Due Consideration to All Matters Contained in the Business Paper before the Meeting
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The following Elected Members declared that they have given due consideration to all matters contained in the agenda:

President Karen Chappel
Deputy President Dean Carslake
Councillor Jane Coaker
Councillor Debbie Collins
Councillor Yvette Harris
Councillor Shirley Katona
Councillor Ken Stokes

Item 5 Confirmation of Minutes of Previous Meeting
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Nil

The President congratulated the CEO on his new appointment and wished him well.

Item 6 Matters for which the Meeting may be Closed (Confidential Items)**6.1 Closure of the Meeting to the Public**

Author: Chief Executive Officer

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

191101 Moved: Cr Carslake Seconded: Cr Stokes

That Council closes the meeting to the public under section 5.23 (2) c) of the *Local Government Act 1995* and the *Shire of Morawa Standing Orders Local Law 2011 s 6.2 (2)* so that it can consider a matter regarding a confidential staff matter.

CARRIED BY SIMPLE MAJORITY 7/0

PURPOSE

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

DETAIL

In item 6.2 Council will be presented with a recommendation for dealing with a confidential staff matter.

LEVEL OF SIGNIFICANCE

High – Confidential Item

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 Standing Orders Local Law 2011

The key parts include:

- 6.2 (1) The CEO may recommend that part of the meeting is closed.
- 6.2 (2) The Council may decide to close a meeting or part of a meeting.
- 6.2 (3) The presiding member is to direct everyone to leave the meeting except, members, the CEO and any officer specified.
- 6.2 (5) Clause 8.9 (re speaking twice)
- 6.2 (7) The presiding member is to ensure any resolution of the Council made while the meeting was closed is to read out including a vote of a member.

FINANCIAL AND RESOURCES IMPLICATIONS

Nil

RISK MANAGEMENT CONSIDERATIONS

Nil

CONCLUSION

The meeting be closed to the public

ATTACHMENTS

Nil

Jenny Goodbourn, Paul Buist, Ellie Cuthbert and Sandy Adams left the meeting at 5.31pm.

6.2 Confidential Staff Matter

RESOLUTION

191102 Moved: Cr Carslake Seconded: Cr Stokes

That Standing Orders be suspended.

CARRIED BY SIMPLE MAJORITY 7/0

RESOLUTION

191103 Moved: Cr Coaker Seconded: Cr Katona

That Standing Orders be resumed.

CARRIED BY SIMPLE MAJORITY 7/0

RESOLUTION

191104 Moved: Cr Carslake Seconded: Cr Collins

The resolution remains confidential subject to s5.23 (2) (a) of the Local Government Act 1995 “a matter affecting an employee or employees”.

CARRIED BY SIMPLE MAJORITY 7/0

6.3 Reopening of Meeting to Public

OFFICER’S RECOMMENDATION/RESOLUTION

191105 Moved: Cr Collins Seconded: Cr Carslake

That Council reopens the meeting to the public.

CARRIED BY SIMPLE MAJORITY 7/0

Item 7 Business of an Urgent Nature/Late Items

Nil

Item 8 Closure

8.1 Date of Next Meeting

The next ordinary meeting of Council will be held on Thursday, 14 November 2019 commencing at 5.30pm.

8.2 Closure

There being no further business, the President declared the meeting closed at 6.20pm.



..... Presiding Member