



# MINUTES

## SPECIAL MEETING OF COUNCIL

held on

**Monday, 30 January 2023 at 5:30pm**

via

**eMeeting**



WESTERN AUSTRALIA'S  
**WILDFLOWER COUNTRY**

*'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.'*

**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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**Item 1 Opening of Meeting**

The President declared the meeting open at 5:35pm.

**Item 2 Acknowledgement of Traditional Owners and Dignitaries**

The President 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 Yvette Harris

Councillor Jane Coaker

**Staff**

Chief Executive Officer

Scott Wildgoose

Executive Manager Corporate & Community Services

Jackie Hawkins

**Members of the Public****3.3 Apologies**

Councillor Mark Coaker

Councillor Shirley Katona

Councillor Debbie Collins

Executive Manager Works and Assets

Paul Devcic

**3.4 Approved Leave of Absence****3.5 Disclosure of Interests****Item 4 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 Yvette Harris
- Councillor Jane Coaker

**Item 5 Reports from Officers**

The report is a confidential item.

**Item 6 New Business of an Urgent Nature**

Nil

**Item 7 Matters for Which the Meeting May Be Closed (Confidential Items)****7.1 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**

230111

**MOVED:** Cr Stokes

**SECONDED:** Cr Harris

**That Council:**

That Council closes the meeting to the public under section 5.23 (2)(c) and (e) 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:

- 7.2 Provision of Medical Services

**CARRIED BY SIMPLE MAJORITY 4/0**

**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:

- 7.2 Provision of Medical Services

**LEVEL OF SIGNIFICANCE**

High – Confidential Items

**CONSULTATION**

Senior Management Team

**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

**7.2 Confidential Report - Provision of Medical Services**

**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.

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**Motion to Suspend Standing Orders**

**MOVED: Cr Stokes**                      **SECONDED: Cr J Coaker**

**ACCEPTED 4/0**

**Standing Orders Suspended at 5:40pm**

*The Shire President and CEO provided an overview of their personal interactions with the candidate and the recruitment process conducted to date.*

**Motion to Resume Standing Orders**

**MOVED: Cr Harris**                      **SECONDED: Cr Stokes**

**ACCEPTED 4/0**

**Standing Orders Resumed at 5:50pm****OFFICER'S RECOMMENDATION/RESOLUTION**

**230112**                      **MOVED: Cr J Coaker**                      **SECONDED: Cr Harris**

**That Council:**

1. **Accept the tender equivalent process conducted to attract a medical services provider was sufficient and satisfies the value for money requirements.**
2. **Direct the CEO and Shire President to execute a contract (as per attachment 2), for the provision of medical services to the Shire of Morawa, with Dr Christopher Bovell.**
3. **Direct the CEO to amend the 2022/2023 annual budget to accommodate:**
  - a. **The replacement of the medical provider motor vehicle for a value up to \$60,000**
  - b. **The renovation of 23 Waddilove Road for a value up to \$50,000**
4. **Agree to the provision of a signing on bonus of \$20,000, with \$10,000 paid by the Shire of Morawa and \$10,000 paid by the Shire of Perenjori, applicable when Dr**

**Bovell formally signs the contract for the provision of medical services with each Shire.**

***CARRIED BY SIMPLE MAJORITY 4/0***

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**7.3 Reopening of the Meeting to the Public**

**OFFICER'S RECOMMENDATION/RESOLUTION**

**230113**

**MOVED: Cr Stokes**

**SECONDED: Cr J Coaker**

**That Council reopens the meeting to the public.**

***CARRIED BY SIMPLE MAJORITY 4/0***

**Item 8 Closure**

There being no further business, the President declared the meeting closed at 5:55pm.