



**Special Meeting of Council
12 December 2017 at 5.30pm
Shire Council Chambers**

MINUTES

1. Opening

1.1 Declaration of Opening

The President declared the meeting open at 5.30pm.

1.2 Recording of those Present

Cr K J Chappel	President
Cr D S Carslake	Deputy President
Cr DS Agar	
Cr D B Collins	
Cr J M Coaker	
Cr M J Thornton	
Cr K Stokes	

Mr C Linnell	Chief Executive Officer
Ms S Appleton	Executive Manager Development & Administration
Mr P Buist	Principal Works Supervisor
Ms E Cuthbert	Economic Development Manager
Mrs S Adams	Executive Assistant to CEO

1.3 Recording of Apologies

Nil

1.4 Recording Leave of Absence Previously Approved

Nil

1.5 Announcements by President without Discussion

No announcements were made.

1.6 Visitors to Meeting

There were no visitors present.

2. Public Question Time and Deputations

2.1 Response to previous public questions taken on notice

Nil

2.2 Public question time

Nil

3. Declarations of Interest

There were no declarations of interest.

4. Reports of Committees and Officers

4.1 Closure of Meeting to the Public

4.2 Confidential - Withdrawal of Caveat

<i>Item No/ Subject:</i>	4.1 Closure of Meeting to the Public
<i>Date of Meeting:</i>	12 December 2017
<i>Date & Author:</i>	11 December 2017 – Chris Linnell
<i>Responsible Officer:</i>	Chris Linnell - Chief Executive Officer
<i>Applicant/Proponent:</i>	Chief Executive Officer
<i>File Number:</i>	GV.CMT.1
<i>Previous minute/s & Reference:</i>	

SUMMARY

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 withdrawal of a caveat.

DECLARATION OF INTEREST

Nil

ATTACHMENTS

Nil

BACKGROUND INFORMATION

Nil

OFFICER'S COMMENT

In item 4.2 Council will be presented with the CEO's recommendation for the withdrawal of a caveat.

COMMUNITY CONSULTATION

Nil

COUNCILLOR CONSULTATION

Nil

STATUTORY ENVIRONMENT

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.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

RISK MANAGEMENT

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION

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 s6.2 (2)* so that it can consider a matter regarding the withdrawal of a caveat.

COUNCIL RESOLUTION

171201

Moved:

Cr Stokes

Seconded:

Cr Carslake

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 s6.2 (2) so that it can consider a matter regarding the withdrawal of a caveat.

CARRIED 7/0

<i>Item No/Subject:</i>	4.2 Confidential - Withdrawal of Caveat M165739
<i>Date of Meeting:</i>	12 December 2017
<i>Date & Author:</i>	5 December 2017 - Fred Gledhill Executive Manager Corporate & Community Services
<i>Responsible Officer:</i>	Chief Executive Officer – Chris Linnell
<i>Applicant/Proponent:</i>	Piggott Partners - Solicitors
<i>File Number</i>	A824
<i>Previous minute/s & Reference:</i>	

COUNCIL RESOLUTION

171202 **Moved:** **Cr Stokes**
 Seconded: **Cr Coaker**

That with regard to the withdrawal of Caveat M165739 for Lot 2 on Deposited Plan 36362, Council:

- 1. Resolve to withdraw the Caveat M165739 for Lot 2 on Deposited Plan 36362.**
- 2. Resolve to delegate power to the CEO to sign the Withdrawal of Caveat on behalf of the Shire of Morawa.**
- 3. Resolve to reopen the meeting to the public.**

CARRIED 7/0

5. Meeting Closure

The President declared the meeting closed at 5.32pm.

6. Next Meeting

Ordinary Council Meeting – 21 December 2017.