



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

**AGENDA**

**1. Opening**

- 1.1 Declaration of Opening
- 1.2 Recording of those Present
- 1.3 Recording of Apologies
- 1.4 Recording Leave of Absence Previously Approved
- 1.5 Announcements by President without Discussion
- 1.6 Visitors to Meeting

**2. Public Question Time and Deputations**

- 2.1 Response to previous public questions taken on notice
- 2.2 Public question time

**3. Declarations of Interest**

**4. Reports of Committees and Officers**

- 4.1 Meeting closed to Public Confidential
- 4.2 Confidential - Withdrawal of Caveat

**5. Meeting Closure**

**6. Next Meeting**

<i>Item No/ Subject:</i>	<b>4.1 Closure of Meeting to the Public</b>
<i>Date of Meeting:</i>	<b>12 December 2017</b>
<i>Date &amp; Author:</i>	<b>11 December 2017 – Chris Linnell</b>
<i>Responsible Officer:</i>	<b>Chris Linnell - Chief Executive Officer</b>
<i>Applicant/Proponent:</i>	<b>Chief Executive Officer</b>
<i>File Number:</i>	<b>GV.CMT.1</b>
<i>Previous minute/s &amp; 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 s 6.2 (2)* so that it can consider a matter regarding the withdrawal of a caveat.