



Special Council Meeting 17 December 2014

MINUTES

MINUTES OF A SPECIAL COUNCIL MEETING, HELD IN THE COUNCIL CHAMBER, ON WEDNESDAY, 17 DECEMBER 2014 COMMENCING AT 6.09PM.

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MINUTES OF A SPECIAL COUNCIL MEETING, HELD IN THE COUNCIL CHAMBER, ON WEDNESDAY, 17 DECEMBER 2014 COMMENCING AT 6.09PM.

317. DECLARATION OF OPENING OF MEETING

The Mayor (Presiding Member) declared the meeting open.

317.1 Present

Mayor J O'Neill	Presiding Member/Minute Taker
Cr J Amor	
Cr M Handcock	
Cr J Harrington	
Cr S Martin	
Cr M McPhail	
Cr A Watkins	
Mr A Brown	WALGA
Mr S Roffey	WALGA

318. ACKNOWLEDGEMENT OF COUNTRY:

"On behalf of the Council I would like to acknowledge the Nyoongar people as the traditional custodians of the land on which this meeting is taking place."

319. RECORD OF APPROVED LEAVE OF ABSENCE:

Nil.

320. RECORD OF APOLOGIES:

Cr Rico.

321. CONFIDENTIAL BUSINESS:

Local Government Act section 5.23

(2) If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following —

- (a) a matter affecting an employee or employees; and*
- (b) the personal affairs of any person; and*
- (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; and*
- (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; and*
- (e) a matter that if disclosed, would reveal —*
 - (i) a trade secret; or*
 - (ii) information that has a commercial value to a person; or*
 - (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; and

- (f) a matter that if disclosed, could be reasonably expected to —*

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- (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; or*
- (ii) *endanger the security of the local government's property; or*
- (iii) *prejudice the maintenance or enforcement of a lawful measure for protecting public safety;*

and

(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.*

(3) *A decision to close a meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.*

**321.1 Matters Relating to the Employment Contract of the Chief Executive Officer
Cr McPhail - Cr Watkins**

That the meeting be closed to the public for the purposes of discussing a confidential matter in accordance with section 5.23 (2)(a) of the Local Government Act 1995. CARRIED

Cr Martin - Cr Harrington

That Standing Orders be suspended at 6.15pm CARRIED

Mr Brown and Mr Roffey addressed the Council and questions from Councillors were answered.

Mr Brown and Mr Roffey left the meeting at 8.02pm.

Cr Martin - Cr Amor

That the meeting be adjourned at 8.25pm CARRIED

Cr Harrington - Cr Watkins

That the meeting be resumed at 8.37pm with all those present prior to the adjournment, in attendance. CARRIED

Cr McPhail - Cr Harrington

That Standing Orders be resumed at 8.38pm. CARRIED

Mayor O'Neill - Cr Harrington

That Council adopts Option 1 as detailed in the Western Australian Local Government Association's report of 17 December 2014 titled "Matters Relating to the Employment Contract of the Chief Executive Officer."

The motion was withdrawn by mover and the seconder agreed to the withdrawal.

Cr Handcock - Cr Martin

That standing orders be suspended at 8.50pm. CARRIED

Cr Martin - Cr Watkins

That standing orders be resumed at 9.12pm. CARRIED

Cr Martin - Cr Watkins

That Council adopts Option 2 as detailed in the Western Australian Local Government Association's report of 17 December 2014 titled "Matters Relating to the Employment Contract of the Chief Executive Officer." CARRIED

Cr Handcock

That issues regarding the CEO's accrued leave be adjourned to a date to be determined.
LAPSED THROUGH WANT OF A SECONDER

322. OPENING OF MEETING TO PUBLIC

Cr Martin - Cr Watkins

That the meeting be opened to the public.

CARRIED

323. CLOSURE OF MEETING

The Mayor closed the meeting at 9.38pm.

*I hereby certify that the Minutes of the special meeting of the **Council** of the Town of East Fremantle, held on **17 December 2014**, Minute Book reference **317.** to **323.** were confirmed at the meeting of the Council on*

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Presiding Member