



MINUTES SPECIAL MEETING OF COUNCIL

Purpose: For Council to consider seeking legal advice

Held on

Wednesday 21 October 2020

Commencing at 4.00pm

Shire of Donnybrook Balingup Council Chambers, Donnybrook

A handwritten signature in black ink, appearing to read 'BGR' followed by a flourish.

**Ben Rose
Chief Executive Officer**

23 October 2020

TABLE OF CONTENTS

1	DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS.....	3
2	ATTENDANCE	3
2.1	<i>APOLOGIES</i>	3
2.2	<i>APPROVED LEAVE OF ABSENCE</i>	3
2.3	<i>APPLICATION FOR A LEAVE OF ABSENCE</i>	3
3	ANNOUNCEMENTS FROM PRESIDING MEMBER.....	4
4	DECLARATION OF INTEREST	4
5	REPORTS OF OFFICERS	4
6	MEETINGS CLOSED TO THE PUBLIC	4
6.1	<i>MATTERS FOR WHICH THE MEETING MAY BE CLOSED</i>	4
6.1.1	<i>APPLICATION TO SEEK LEGAL ADVICE</i>	4
6.2	<i>PUBLIC READING OF RESOLUTIONS THAT MAY BE MADE PUBLIC</i>	5
13	CLOSURE	5

SHIRE OF DONNYBROOK BALINGUP
MINUTES SPECIAL MEETING OF COUNCIL

Held at the Council Chambers
Wednesday, 21 October at 4.00pm

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

Shire President – Acknowledgment of Country

The Shire President acknowledged the traditional custodians of the land, the Wardandi People, paying respects to Elders, past and present and emerging.

The Shire President declared the meeting open at 4.04pm.

2 ATTENDANCE

MEMBERS PRESENT

COUNCILLORS	STAFF
Cr Brian Piesse (President)	Ben Rose, Chief Executive Officer
Cr Jackie Massey (Deputy President)	Paul Breman – Executive Manager Corporate and Community
Cr Shane Atherton	Steve Potter – Executive Manager Operations
Cr Anita Lindemann	Jaimee Earl – Administration Officer Executive Services (Minutes)
Cr Anne Mitchell	
Cr Chaz Newman	
Cr Chris Smith	
Cr Leanne Wringe	

PUBLIC GALLERY

Nil.

2.1 APOLOGIES

Cr Shane Sercombe

2.2 APPROVED LEAVE OF ABSENCE

Nil

2.3 APPLICATION FOR A LEAVE OF ABSENCE

Nil

3 ANNOUNCEMENTS FROM PRESIDING MEMBER

Nil.

4 DECLARATION OF INTEREST

Division 6: Sub-Division 1 of the *Local Government Act 1995*. Care should be taken by all Councillors to ensure that a financial/impartiality interest is declared and that they refrain from voting on any matter, which is considered to come within the ambit of the Act.

Ben Rose, Chief Executive Officer declared a financial interest in item 6.1.1 and left the Chamber for the duration of the item.

Paul Breman, Executive Manager Corporate and Community declared an impartiality interest in item 6.1.1.

5 REPORTS OF OFFICERS

Nil

6 MEETINGS CLOSED TO THE PUBLIC

6.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

6.1.1 APPLICATION TO SEEK LEGAL ADVICE

This report is confidential in accordance with Section 5.23(2)(a) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following:

- (a) *a matter affecting an employee or employees.*
- (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.*

EXECUTIVE RECOMMENDATION

That the meeting be closed to the public in accordance with section 5.23(2)(a) of the *Local Government Act 1995* to discuss confidential item 6.1.1.

COUNCIL RESOLUTION 138/20

Moved Cr Lindemann

Seconded Cr Smith

That the meeting be closed to the public in accordance with section 5.23(2)(a) of the *Local Government Act 1995* to discuss confidential item 6.1.1.

CARRIED 8/0

The meeting was closed to the public at 4.06pm.

The Chief Executive Officer left the Chamber at 4.06pm.

COUNCIL RESOLUTION 142/20

Moved Cr Wringe

Seconded Cr Massey

That the meeting re-opened to the public.

CARRIED 8/0

The meeting was re-opened to the public at 5.13pm

6.2 PUBLIC READING OF RESOLUTIONS THAT MAY BE MADE PUBLIC

RESOLUTION 141/20

That Council endorses the recommendations outlined in the Confidential Report.

13 CLOSURE

The Shire President declared the meeting closed at 5.13pm.

These Minutes were confirmed by the Council as a true and accurate record at the Ordinary Council Meeting held 28 October 2020.


Cr Brian Piesse
SHIRE PRESIDENT