

# AGENDA

D2022/09850

## Legal Committee

23 June 2022

### Notice of Meeting

Dear Councillors

The next Legal Committee meeting will be held before the Ordinary Meeting of Council on Thursday, 23 June 2022.

The Legal Committee Meeting will commence at 5:30pm.

The meeting is scheduled to be held in person at the EMRC Administration Centre, 1st Floor, 226 Great Eastern Highway, Ascot WA 6104



Marcus Geisler | Chief Executive Officer

17 June 2022

This Meeting of the Legal Committee will be held to address a confidential matter for which the meeting will be closed to the public in accordance with s.5.23(2) of the *Local Government Act 1995*.



## **Legal Committee Members**

Cr Dylan O'Connor	Committee Chairman	City of Kalamunda
Cr Mel Congerton	Committee Deputy Chairman	City of Swan
Cr Kathryn Hamilton	Committee Member	Town of Bassendean
Cr Michelle Sutherland	Committee Member	City of Bayswater
Cr Doug Jeans	Committee Member	Shire of Mundaring

## **Legal Committee Deputies**

Cr Hilary MacWilliam	Deputy Committee Member	Town of Bassendean
Cr Steven Ostaszewskyj	Deputy Committee Member	City of Bayswater
Cr Margaret Thomas	Deputy Committee Member	City of Kalamunda
Cr John Daw	Deputy Committee Member	Shire of Mundaring
Cr Charlie Zannino	Deputy Committee Member	City of Swan

## **Legal Committee Second Deputies**

Cr Emily Wilding	Committee Second Deputy Member	Town of Bassendean
Cr Giorgia Johnson	Committee Second Deputy Member	City of Bayswater
Cr Janelle Sewell	Committee Second Deputy Member	City of Kalamunda
Cr Jo Cicchini	Committee Second Deputy Member	Shire of Mundaring
Cr Andrew Kiely	Committee Second Deputy Member	City of Swan

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**1 DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS**

**1.1 ACKNOWLEDGEMENT OF COUNTRY**

We wish to acknowledge the traditional custodians of the land on which we meet today and to pay our respects to elders past, present and future.

**2 ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE (PREVIOUSLY APPROVED)**

**3 DISCLOSURE OF INTERESTS**

**4 ANNOUNCEMENTS BY THE CHAIRMAN OR PRESIDING MEMBER WITHOUT DISCUSSION**

**5 PETITIONS, DEPUTATIONS AND PRESENTATIONS**

**6 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

**6.1 MINUTES OF THE LEGAL COMMITTEE MEETING HELD ON 25 NOVEMBER 2021**

That the minutes of the Legal Committee Meeting held on 25 November 2021 which have been distributed, be confirmed.

**7 QUESTIONS BY MEMBERS FOR WHICH DUE NOTICE HAS BEEN GIVEN**

**8 QUESTIONS BY MEMBERS WITHOUT NOTICE**

**9 ANNOUNCEMENT OF CONFIDENTIAL MATTERS FOR WHICH MEETINGS MAY BE CLOSED TO THE PUBLIC**

NOTE: Section 5.23(2) of the *Local Government Act 1995*, details a number of matters upon which Council may discuss and make decisions without members of the public being present. These matters include: matters affecting employees; personal affairs of any person; contractual matters; legal advice; commercial-in-confidence matters; security matters; among others.

The following report items are covered in Section 14 of this agenda.

- LEGAL MATTER UPDATE [CONFIDENTIAL MATTER IN ACCORDANCE WITH *LOCAL GOVERNMENT ACT 1995* s.5.23(2)(d)]

**10 BUSINESS NOT DEALT WITH FROM A PREVIOUS MEETING**

Nil

**11 REPORTS OF EMPLOYEES**

Nil

**12 REPORTS OF DELEGATES**

Nil

**13 NEW BUSINESS OF AN URGENT NATURE APPROVED BY THE CHAIRMAN OR PRESIDING MEMBER OR BY DECISION OF MEETING**

**14 CONFIDENTIAL MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC**

**RECOMMENDATION (Closing meeting to the public)**

That with the exception of ....., the meeting be closed to members of the public in accordance with Section 5.23(2) of the *Local Government Act 1995* for the purpose of dealing with matters of a confidential nature.

**LEGAL COMMITTEE RESOLUTION**

MOVED CR

SECONDED CR

- 14.1 LEGAL MATTER UPDATE [CONFIDENTIAL MATTER IN ACCORDANCE WITH *LOCAL GOVERNMENT ACT 1995* s.5.23(2)(d)] (D2022/09849)

This item is recommended to be confidential because it contains matters of a legal advice nature.

See Confidential Item circulated with the Agenda under Separate Cover.

**RECOMMENDATION [Meeting re-opened to the public]**

That the meeting be re-opened, the members of the public be invited to return to the meeting and the recommendations passed behind closed doors be recorded.

**LEGAL COMMITTEE RESOLUTION**

MOVED CR

SECONDED CR

Recording of the resolutions passed behind closed doors, namely:

14.1 LEGAL MATTER UPDATE [CONFIDENTIAL MATTER IN ACCORDANCE WITH LOCAL GOVERNMENT ACT 1995 s.5.23(2)(d)]

**LEGAL COMMITTEE RESOLUTION(S)**

MOVED CR

SECONDED CR

**15 FUTURE MEETINGS OF THE LEGAL COMMITTEE**

Meetings of the Legal Committee are held as required.

**16 DECLARATION OF CLOSURE OF MEETING**