

AGENDA

D2021/19038

Legal Committee

29 September 2021

Notice of Meeting

Dear Councillors

The next Legal Committee meeting will be held electronically on Wednesday, 29 September 2021 commencing at 11:30am.



Marcus Geisler | Chief Executive Officer

22 September 2021

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 Jai Wilson	EMRC Chairman	Town of Bassendean
Cr Doug Jeans	EMRC Deputy Chairman	Shire of Mundaring
Cr Lorna Clarke	EMRC Member	City of Bayswater
Cr Dylan O'Connor	EMRC Member	City of Kalamunda
Cr Mel Congerton	EMRC Member	City of Swan

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1 DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

1.1 ACKNOWLEDGEMENT OF COUNTRY

Kaya Maaman, Kaya Yorga, Kaya Bridia
Ngalak kaartitj windji ngalak nynininy
Nagalak kaartitj nidja boodja baal Whadjuk Noongar Boodja ngalak nyininy
Koorah, Nitja yeyi, Boordahwan

Translation

Greetings everyone
We all understand where we are meeting.
We know that we meet on the lands of the Whadjuk Noongar people
Always was, always will be.

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 29 JULY 2021

That the minutes of the Legal Committee Meeting held on 29 July 2021 which have been distributed,
be confirmed.

7 QUESTIONS BY MEMBERS FOR WHICH DUE NOTICE HAS BEEN GIVEN

Nil

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.

9.1 SEEKING INSTRUCTIONS REGARDING LEGAL MATTER [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 SEEKING INSTRUCTIONS REGARDING LEGAL MATTER [CONFIDENTIAL MATTER IN ACCORDANCE WITH *LOCAL GOVERNMENT ACT 1995* s.5.23(2)(d)]

REFERENCE: D2021/19037

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

REFERENCE: D2021/19037

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