



## NOTICE OF SPECIAL COUNCIL MEETING

In accordance with Section 5.4 (a)(i) of the *Local Government Act 1995*, I advise that the Shire of Dandaragan will be holding a Special Council Meeting on the **Friday 7 May 2021** at **9.30am** at the **Council Chambers, Jurien Bay**.

The purpose of the meeting is to:

- consider an offer for the sale of a residential property, Lot 13 on Deposited Plan 173770, 3517 Dandaragan Road, Dandaragan

A handwritten signature in cursive script that reads "Leslee Holmes".

**Cr Leslee Holmes**

**PRESIDENT**

Shire of Dandaragan

PO Box 676

JURIEN BAY WA 6516

**3 May 2021**



## NOTICE OF A SPECIAL COUNCIL MEETING

Dear Council Member,

Please be advised that a Special Council Meeting of the Shire of Dandaragan will be held on Friday **7 May 2021** at the **Council Chambers, Jurien Bay** commencing at **9.30am**.

The purpose of the meeting is to consider an offer for the sale of a residential property, Lot 13 on Deposited Plan 173770, 3517 Dandaragan Road, Dandaragan

Please be advised that your copy of the agenda and business papers for the meeting are attached for your perusal.

**Brent Bailey**  
**CHIEF EXECUTIVE OFFICER**

3 May 2021



**SHIRE**  
*of*  
**DANDARAGAN**

**PUBLIC AGENDA AND BUSINESS PAPERS**

for the

**SPECIAL COUNCIL MEETING**

to be held at the

**COUNCIL CHAMBERS, JURIEN BAY**

on

**FRIDAY 7 MAY 2021**

**COMMENCING AT 9.30AM**

***(THIS DOCUMENT IS AVAILABLE IN LARGER PRINT ON REQUEST)***

<b>AGENDA FOR SPECIAL COUNCIL MEETING TO BE HELD FRIDAY 7 MAY 2021</b>
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**1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS****1.1 DECLARATION OF OPENING****1.2 DISCLAIMER READING**

*“No responsibility whatsoever is implied or accepted by the Shire of Dandaragan for any act, omission or statement or intimation occurring during this meeting.*

*It is strongly advised that persons do not act on what is heard at this meeting and should only rely on written confirmation of Council’s decision, which will be provided within fourteen (14) days of this meeting.”*

**2 RECORD OF ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE****Members**

Councillor L Holmes	(President)
Councillor P Scharf	(Deputy President)
Councillor J Clarke	
Councillor A Eyre	
Councillor W Gibson	
Councillor R Rybarczyk	
Councillor R Shanhun	
Councillor D Slyns	

**Staff**

Mr B Bailey	(Chief Executive Officer)
Mr S Clayton	(Executive Manager Corporate & Community Services)
Mr D Chidlow	(Manager Planning)
Ms R Headland	(Council Secretary & PA)

**Apologies****Approved Leave of Absence****3 PUBLIC QUESTION TIME****4 PURPOSE OF THE MEETING**

The purpose of the meeting is to consider an offer for the sale of a residential property, Lot 13 on Deposited Plan 173770, 3517 Dandaragan Road, Dandaragan

## 5 CONFIDENTIAL ITEMS FOR WHICH MEETING IS CLOSED TO THE PUBLIC

Section 5.23 of the Local Government Act 1995 stipulates that all Council Meetings are generally open to the public. Section 5.23 goes on to identify specific situations in which the Council or committee may close to members of the public the meeting, or part of the meeting.

In situations where it is deemed that a meeting or part of a meeting must be closed to the public, Section 5.23 (3) states “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.”

*For a decision to be recorded in the minute a formal motion must be passed by Simple majority clearly stating the reason for the closure in accordance with Section 5.23 of the Local Government Act 1995.*

Local Government Act 1995

### 5.23. Meetings generally open to public

- (1) Subject to subsection (2), the following are to be open to members of the public —
  - (a) all council meetings; and
  - (b) all meetings of any committee to which a local government power or duty has been delegated.
- (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;
  - (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; 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;
  - (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; or
    - (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.

**AGENDA FOR SPECIAL COUNCIL MEETING TO BE HELD FRIDAY 7 MAY 2021**

- (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.

Local Government (Administration) Regulations 1996

*4A. Meeting, or part of meeting, may be closed to public — s. 5.23(2)(h)*

The determination by the local government of a price for the sale or purchase of property by the local government, and the discussion of such a matter, are matters prescribed for the purposes of section 5.23(2)(h).

## **5.1 GOVERNANCE & ADMINISTRATION**

### **OFFICER RECOMMENDATION**

That the meeting be closed to members of the public at \_\_:\_\_pm in accordance with Section **5.23 (2) (h)** of the Local Government Act 1995 and Regulation 4A of the Local Government (Administration) Regulations 1996 to allow Council to discuss Item 5.1.1 Disposal of Property – Lot 13 on Deposited Plan 173770 Dandaragan Road, Dandaragan.

#### **5.1.1 DISPOSAL OF PROPERTY - LOT 13 ON DEPOSITED PLAN 173770 DANDARAGAN ROAD, DANDARAGAN**

Location:	3517 Dandaragan Road, Dandaragan
Folder Path:	Business Classification Scheme / Council Properties / Acquisition & Disposal / Disposals
Date:	29 April 2021
Author:	Scott Clayton, Executive Manager Corporate and Community
Senior Officer:	Brent Bailey, Chief Executive Officer

*This report has been abridged due to the confidential nature of the content that is contained within this report.*

## **6 CLOSURE OF MEETING**