



SHIRE OF WOODANILLING



SPECIAL MEETING OF COUNCIL Agenda 15 November 2022

Notice is hereby given that a Special Council Meeting of the Shire of Woodanilling will be held on 15 November 2022 in the Council Chambers, 3316 Robinson Road, Woodanilling commencing at 6.00p.m.

The business to be transacted will be the review of the Organisational Structure.

Please note: That the meeting will be discussing a confidential item so the meeting may be closed to the public when the item is being discussed.

**KELLIE BARTLEY
CHIEF EXECUTIVE OFFICER**

Disclaimer

The recommendations contained in the Agenda are subject to confirmation by Council. The Shire of Woodanilling warns that anyone who has an application lodged with Council must obtain and should only rely on written confirmation of the outcomes of the application following the Council meeting, and any conditions attaching to the decision made by the Council in respect of the application. No responsibility whatsoever is implied or accepted by the Shire of Woodanilling for any act, omission or statement or intimation occurring during a Council Meeting.

Agendas and Minutes are available on the Shire website www.woodanilling.wa.gov.au

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ORDINARY MEETING OF COUNCIL AGENDA

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

1.1. DISCLOSURE OF INTEREST AFFECTING IMPARTIALITY

Division 6 Subdivision 1 of the Local Government Act 1995 requires Council Members and Employees to declare any direct or indirect financial interest or general interest in any matter listed in this Agenda.

The Act also requires the nature of the interest to be disclosed in writing before the meeting or immediately before the matter be discussed.

NB: A Council member who makes a disclosure must not preside or participate in, or be present during, any discussion or decision making procedure relating to the declared matter unless the procedures set out in Sections 5.68 or 5.69 of the Act have been complied with.

DISCLOSURE OF INTEREST AFFECTING IMPARTIALITY

Disclosures of Interest Affecting Impartiality are required to be declared and recorded in the minutes of a meeting. Councillors who declare such an interest are still permitted to remain in the meeting and to participate in the discussion and voting on the particular matter. This does not lessen the obligation of declaring financial interests etc. covered under the Local Government Act.

To help with complying with the requirements of declaring Interests Affecting Impartiality the following statement is recommended to be announced by the person declaring such an interest and to be produced in the minutes.

"I (give circumstances of the interest being declared, eg: have a long standing personal friendship with the proponent). As a consequence there may be a perception that my impartiality on this matter may be affected. I declare that I will consider this matter on its merits and vote accordingly".

2. RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE (PREVIOUSLY APPROVED)

Present:

| | |
|----------------|------------------------|
| Cr S Jefferies | Shire President |
| Cr HR Thomson | Deputy Shire President |
| Cr P Morrell | |
| Cr D Douglas | |
| Cr T Brown | |
| Cr B Smith | |

Officers:

| | |
|----------------|-------------------------|
| Kellie Bartley | Chief Executive Officer |
| Sue Dowson | Deputy CEO |

Apologies:

Nil

Observers:

Nil

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

4. PUBLIC QUESTION TIME

5. PETITIONS / DEPUTATIONS / PRESENTATIONS

6. APPLICATIONS FOR LEAVE OF ABSENCE

7. ANNOUNCEMENTS BY SHIRE PRESIDENT AND/OR DEPUTY SHIRE PRESIDENT WITHOUT DISCUSSION

Under the Local Government Act 1995, Part 5, and Section 5.23, states in part:

- 2. If a meeting is being held by a Council or by a committee referred to in subsection (2)(b), the Council or committee may close to members of the public the meeting, or part of the meeting, if 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 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 any lawful measure for protecting public safety;**
 - (g) information which is subject of a direction given under section 23(1)(a) of the Parliamentary Commission Act 1981; and**
 - (h) such other matters as may be prescribed.**

8. CONFIDENTIAL REPORTS

8.1 - CONFIDENTIAL ITEM – ORGANISATIONAL STRUCTURE REVIEW

| | |
|-----------------------------------|--|
| File Reference | ADM0374 |
| Date of Report | November 2022 |
| Responsible Officer | Kellie Bartley, Chief Executive Officer |
| Author of Report | Kellie Bartley, Chief Executive Officer |
| Disclosure of any Interest | No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> . |
| Voting Requirement | Simple Majority |
| Attachments | CONFIDENTIAL ATTACHMENT 8.1.1 – Business Case for Organisation Structure Review (Under a separate cover) |

REASON FOR CONFIDENTIALITY

The Chief Executive Officer's Report is confidential in accordance with s5.23 (2) of the *Local Government Act 1995* because it deals with matters affecting s5.23 (2):

- 2 (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;*

OFFICER'S RECOMMENDATION

That Council;

1. Endorses the organisational structure review which has been undertaken by the Chief Executive Officer and the summary of details of the organisational changes and rationale as detailed in the Business Case as contained in **CONFIDENTIAL ATTACHMENT 8.1.1**; and
2. Adopts the new organisational structure as contained in **CONFIDENTIAL ATTACHMENT 8.1.1** resulting from the review.

9. MOTIONS WITHOUT NOTICE BY PERMISSION OF THE COUNCIL

9.1. COUNCILLORS AND /OR OFFICERS

10. CLOSURE OF MEETING