



SHIRE OF WOODANILLING



SPECIAL MEETING OF COUNCIL Unconfirmed Minutes 15 November 2022

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

CONTENTS

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS	2
1.1. <i>DISCLOSURE OF INTEREST AFFECTING IMPARTIALITY</i>	2
2. RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE (PREVIOUSLY APPROVED)	2
3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	2
4. PUBLIC QUESTION TIME	2
5. PETITIONS / DEPUTATIONS / PRESENTATIONS	3
6. APPLICATIONS FOR LEAVE OF ABSENCE	3
7. ANNOUNCEMENTS BY SHIRE PRESIDENT AND/OR DEPUTY SHIRE PRESIDENT WITHOUT DISCUSSION	3
8. CONFIDENTIAL REPORTS	4
8.1 - <i>CONFIDENTIAL ITEM – ORGANISATIONAL STRUCTURE REVIEW</i>	4
OFFICER’S RECOMMENDATION	4
9. MOTIONS WITHOUT NOTICE BY PERMISSION OF THE COUNCIL	5
9.1. <i>COUNCILLORS AND /OR OFFICERS</i>	5
10. CLOSURE OF MEETING	5

SPECIAL MEETING OF COUNCIL MINUTES

Minutes of the Special Council Meeting of the Shire of Woodanilling held Tuesday 15 November 2022 in the Council Chambers, 3316 Robinson Road, Woodanilling.

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Shire President Councillor Jefferies declared the meeting opened at 6.01pm and welcomed the Councillors and Staff.

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".

Nil declared.

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

Nil to report.

4. PUBLIC QUESTION TIME

Nil to report.

5. PETITIONS / DEPUTATIONS / PRESENTATIONS

Nil to Report.

6. APPLICATIONS FOR LEAVE OF ABSENCE

Nil to Report.

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

Nil

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.*

COUNCIL RESOLUTION SCM12/11/2022

Moved Cr Douglas

Seconded Cr Thomson

That the Shire President, Councillor Jefferies, requested in accordance with the *Local Government Act 1995*, and relevant regulations to suspend the meeting to allow for discussion on the matter that is of a confidential nature associated with Section 5.23 (2) (a) & (b) of the *Local Government Act 1995*.

CARRIED 6/0

The meeting was suspended at 6.03pm.

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.

COUNCIL RESOLUTION - ITEM 8.1 SCM 13/11/2022

Moved Cr Thomson

Seconded Cr Morrell

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.

CARRIED 6/0

COUNCIL RESOLUTION SCM 14/11/2022

Moved Cr Brown

Seconded Cr Douglas

The Shire President, Councillor Jefferies, requested in accordance with the *Local Government Act 1995* and relevant regulations to resume the meeting in the formal capacity.

CARRIED 6/0

The meeting resumed at 7.07pm.

The Shire President did not read out the Council Resolution as there was no one in attendance from the public to the meeting.

9. MOTIONS WITHOUT NOTICE BY PERMISSION OF THE COUNCIL

9.1. COUNCILLORS AND /OR OFFICERS

Nil to report.

10. CLOSURE OF MEETING

Meeting Closed at 7.07pm.

I certify that these minutes were confirmed at the Special Council Meeting held on the

.....Presiding Member – Councillor Jefferies

..... Date