



## **SPECIAL COUNCIL MEETING**

# **MINUTES**

**A Special Meeting of Council was held  
in the Council Chambers, Welcome Road, Karratha,  
on Tuesday, 16 August 2022 to consider the following:**

- Appointment of the CEO & Appointment of  
Acting CEO**

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**CHRIS ADAMS  
CHIEF EXECUTIVE OFFICER**



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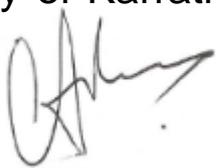
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**WRITTEN CONFIRMATION**

of the outcome of the application, and any conditions attaching to the decision made by the City of Karratha in respect of the application.

Signed:   
**Chris Adams - Chief Executive Officer**

## **DECLARATION OF INTERESTS (NOTES FOR YOUR GUIDANCE) (updated 13 March 2000)**

A member who has a **Financial Interest** in any matter to be discussed at a Council or Committee Meeting, which will be attended by the member, must disclose the nature of the interest:

- (a) In a written notice given to the Chief Executive Officer before the Meeting or;
- (b) At the Meeting, immediately before the matter is discussed.

A member, who makes a disclosure in respect to an interest, must not:

- (c) Preside at the part of the Meeting, relating to the matter or;
- (d) Participate in, or be present during any discussion or decision-making procedure relative to the matter, unless to the extent that the disclosing member is allowed to do so under Section 5.68 or Section 5.69 of the *Local Government Act 1995*.

### **NOTES ON FINANCIAL INTEREST (FOR YOUR GUIDANCE)**

The following notes are a basic guide for Councillors when they are considering whether they have a **Financial Interest** in a matter. I intend to include these notes in each agenda for the time being so that Councillors may refresh their memory.

1. A Financial Interest requiring disclosure occurs when a Council decision might advantageously or detrimentally affect the Councillor or a person closely associated with the Councillor and is capable of being measure in money terms. There are exceptions in the *Local Government Act 1995* but they should not be relied on without advice, unless the situation is very clear.
2. If a Councillor is a member of an Association (which is a Body Corporate) with not less than 10 members i.e. sporting, social, religious etc), and the Councillor is not a holder of office of profit or a guarantor, and has not leased land to or from the club, i.e., if the Councillor is an ordinary member of the Association, the Councillor has a common and not a financial interest in any matter to that Association.
3. If an interest is shared in common with a significant number of electors or ratepayers, then the obligation to disclose that interest does not arise. Each case needs to be considered.
4. If in doubt declare.
5. As stated in (b) above, if written notice disclosing the interest has not been given to the Chief Executive Officer before the meeting, then it **MUST** be given when the matter arises in the Agenda, and immediately before the matter is discussed.
6. Ordinarily the disclosing Councillor must leave the meeting room before discussion commences. The **only** exceptions are:
  - 6.1 Where the Councillor discloses the **extent** of the interest, and Council carries a motion under s.5.68(1)(b)(ii) or the *Local Government Act*; or
  - 6.2 Where the Minister allows the Councillor to participate under s5.69 (3) of the *Local Government Act*, with or without conditions.

### **INTERESTS AFFECTING IMPARTIALITY**

**DEFINITION:** *An interest that would give rise to a reasonable belief that the impartiality of the person having the interest would be adversely affected, but does not include an interest as referred to in Section 5.60 of the 'Act'.*

A member who has an **Interest Affecting Impartiality** in any matter to be discussed at a Council or Committee Meeting, which will be attended by the member, must disclose the nature of the interest;

- (a) in a written notice given to the Chief Executive Officer before the Meeting; or
- (b) at the Meeting, immediately before the matter is discussed.

### **IMPACT OF AN IMPARTIALITY CLOSURE**

There are very different outcomes resulting from disclosing an interest affecting impartiality compared to that of a financial interest. With the declaration of a financial interest, an elected member leaves the room and does not vote.

With the declaration of this new type of interest, the elected member stays in the room, participates in the debate and votes. In effect then, following disclosure of an interest affecting impartiality, the member's involvement in the Meeting continues as if no interest existed.



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# MINUTES

## 1 OFFICIAL OPENING

The Special Meeting of Council held in the Council Chambers, Welcome Road, Karratha on Tuesday, 16 August 2022 was declared open at 4.30pm. Cr Long acknowledged the traditions of the Ngarluma people, on whose land we are gathered here today.

## 2 RECORD OF ATTENDANCE / APOLOGIES

**Councillors:**

- Cr Peter Long [Mayor]
- Cr Kelly Nunn [Deputy Mayor]
- Cr Garry Bailey
- Cr Margaret Bertling
- Cr Gillian Furlong
- Cr Daiva Gillam
- Cr Geoff Harris
- Cr Pablo Miller
- Cr Travis McNaught
- Cr Daniel Scott
- Cr Joanne Waterstrom Muller

**Staff:** Chris Adams Chief Executive Officer

**Apologies:** Nil

**Absent:** Nil

## 3 DECLARATIONS OF INTEREST

Nil



## **4 MATTERS BEHIND CLOSED DOORS**

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### **OFFICER'S RECOMMENDATION / COUNCIL RESOLUTION**

Res No : 155055  
MOVED : Cr Nunn  
SECONDED : Cr Bertling

In accordance with Section 5.23 (2) (e) (iii) of the *Local Government Act 1995*, that Council move in camera to discuss item:

### **CONFIDENTIAL ITEM – 4.1 APPOINTMENT OF THE CEO & APPOINTMENT OF ACTING CEO**

**CARRIED**

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FOR : Cr Long, Cr Nunn, Cr Bailey, Cr Bertling, Cr Furlong, Cr Gillam, Cr Harris,  
Cr McNaught, Cr Miller, Cr Scott, Cr Waterstrom Muller  
AGAINST : Nil

Council moved in camera at 4.31pm.



#### 4.1 CONFIDENTIAL ITEM – APPOINTMENT OF THE CEO & APPOINTMENT OF ACTING CEO

This matter is confidential and if disclosed would reveal commercial-in-confidence information.

File No: PE.197  
 Responsible Executive Officer: Chief Executive Officer  
 Reporting Author: Chief Executive Officer  
 Date of Report: 16 August 2022  
 Applicant/Proponent: Nil  
 Disclosure of Interest: Nil

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#### OFFICER'S RECOMMENDATION / COUNCIL RESOLUTION

Res No : 155056  
 MOVED : Cr McNaught  
 SECONDED : Cr Bertling

That Council by ABSOLUTE Majority pursuant to Section 5.36 of the *Local Government Act 1995* RESOLVES to:

1. ACCEPT the appointment of the preferred candidate to the position of Chief Executive Officer.
2. OFFER to the preferred applicant the Draft Employment Contract (as attached to the report).
3. AUTHORISE the Manager Human Resources, in consultation with the Mayor, to make any minor changes to the Draft Employment Contract that may be required to finalise this matter subject to those changes not being material to the contract noting that any changes must ensure compliance with the provisions of the *Local Government Act (1995)*.
4. DISCLOSE the SUCCESSFUL APPLICANT at a time upon when the Applicant accepts the mutually agreed negotiated contract of employment.
5. APPOINT the Director Corporate Services to the Acting CEO role from 27 August 2022 to 1 October 2022 and the Director Community Services to the Acting CEO role from 2 October 2022 to 30 October 2022.

**CARRIED**

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FOR : Cr Long, Cr Nunn, Cr Bailey, Cr Bertling, Cr Furlong, Cr Gillam, Cr Harris, Cr McNaught, Cr Miller, Cr Scott, Cr Waterstrom Muller  
 AGAINST : Nil

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**COUNCIL RESOLUTION**

**Res No** : **155057**

**MOVED** : **Cr Nunn**

**SECONDED** : **Cr Bertling**

**That Council move out of camera.**

**CARRIED**

**FOR** : Cr Long, Cr Nunn, Cr Bailey, Cr Bertling, Cr Furlong, Cr Gillam, Cr Harris,  
Cr McNaught, Cr Miller, Cr Scott, Cr Waterstrom Muller

**AGAINST** : Nil

Council moved out of camera at 4.40pm.

## 5 CLOSURE & DATE OF NEXT MEETING

The meeting closed at 4.40pm.

The next Ordinary Council meeting is to be held on Monday, 22 August 2022 at 6pm at Council Chambers - Welcome Road, Karratha.

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I, Cr Peter Long, Mayor of the City of Karratha, hereby declare on behalf of the Councillors of the City of Karratha that the enclosed Minutes are a true and accurate record of the Special Council Meeting held on Tuesday, 16 August 2022.

.....  Date 23 / 8 / 2022