



SPECIAL COUNCIL MEETING

MINUTES

**A Special Meeting of Council was held
in the Council Chambers, Welcome Road, Karratha,
on Monday, 22 May 2023 at 4pm to consider the following:**

- An Employment Matter**



VIRGINIA MILTRUP
CHIEF EXECUTIVE OFFICER



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The City of Karratha warns that anyone who has any application lodged with the City of Karratha must obtain and should only rely on

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: VMiltrup
Virginia Miltrup - 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 Monday, 22 May 2023 was declared open at 4.00pm. Cr Long acknowledged the traditions of the Ngarluma people, on whose land we are gathered here today.

2 RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE PREVIOUSLY APPROVED

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: Virginia Miltrup Chief Executive Officer

Apologies:

Absent:

3 DECLARATIONS OF INTEREST

No Declarations of Interest.

4 MATTERS BEHIND CLOSED DOORS

OFFICER'S RECOMMENDATION

Res No : **155177**
MOVED : **Cr Scott**
SECONDED : **Cr Harris**

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 EMPLOYMENT MATTER

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 in camera at 4.01pm.

4.1 CONFIDENTIAL ITEM – 4.1 EMPLOYMENT MATTER

This matter is confidential and if disclosed would reveal matters relating to an employee.

File No: PF906
Responsible Executive Officer: Chief Executive Officer
Reporting Author: Chief Executive Officer
Date of Report: 22 May 2023
Applicant/Proponent: Nil
Disclosure of Interest: Nil
Disclosure of Interest: Nil

OFFICER'S RECOMMENDATION / COUNCIL RESOLUTION

Res No : 155178
MOVED : Cr McNaught
SECONDED : Cr Scott

That Council by SIMPLE Majority pursuant to Section 5.37 of the *Local Government Act 1995* RESOLVES to APPROVE Option 1 as detailed in the confidential report.

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 RESOLUTION

Res No : 155179
MOVED : Cr Gillam
SECONDED : Cr Waterstrom Muller

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 4.41pm

The next meeting is to be held on Monday, 29 May 2023 at 6pm at Council Chambers - Welcome Road, Karratha.