

Please note: These minutes are yet to be confirmed as a true record of proceedings

CITY OF BUSSELTON

MINUTES OF THE BEHAVIOUR COMPLAINTS COMMITTEE MEETING HELD ON 21 JUNE 2023

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MINUTES

MINUTES OF THE BEHAVIOUR COMPLAINTS COMMITTEE HELD IN THE COUNCIL CHAMBERS, ADMINISTRATION BUILDING, SOUTHERN DRIVE, BUSSELTON, ON 21 JUNE 2023 AT 9:00AM.

1. **DECLARATION OF OPENING, ACKNOWLEDGEMENT OF COUNTRY AND ANNOUNCEMENT OF VISITORS**

The Presiding Member opened the meeting at 9:02am.

The Presiding Member acknowledged the Wadandi and Bibbulmun people as the traditional custodians of this region and paid respects to Elders past and present.

2. **ATTENDANCE**

Presiding Member:

Cr Paul Carter Deputy Mayor

Members:

Cr Ross Paine
Cr Sue Riccelli *(via remote attendance)*
Cr Kate Cox
Cr Jodie Richards
Cr Phill Cronin
Cr Anne Ryan

Officers:

Mr Tony Nottle, Chief Executive Officer
Ms Sarah Pierson, Acting Director Finance and Corporate Services

Apologies:

Cr Grant Henley
Cr Mikayla Love

3. **PUBLIC QUESTION TIME**

Responses to Previous Questions Taken on Notice

Nil

Question Time for Public

Nil

4. **DISCLOSURE OF INTERESTS**

Nil

5. CONFIRMATION OF MINUTES

5.1 Minutes of the Behaviour Complaints Committee Meeting held 22 June 2022

The Presiding Member called upon a member to move the confirmation of the minutes of the previous meeting. The confirmation of the minutes was moved and seconded, there was objection and debate ensued.

During debate, Cr Ryan moved the following amendment.

AMENDMENT 1

BCC2306/030 Moved Councillor A Ryan, seconded Councillor J Richards

That the Minute of the Behaviour Complaints Committee Meeting held 22 June 2022 be confirmed as a true and correct record with an amendment to Item 4 Disclosures of Interest to read "Cr Ryan declared an Interest in Item 8.1 due to involvement with the matter and in accordance with Delegation DA 11-03".

LOST 3/4

FOR: CR RYAN, CR RICHARDS, CR RICCELLI

AGAINST: CR COX, CR CRONIN, CR PAINE, CR CARTER

With the amendment lost, the committee carried the confirmation of the minutes of the previous meeting.

COMMITTEE DECISION

BCC2306/031 Moved Councillor P Cronin, seconded Councillor R Paine

That the Minutes of the Behaviour Complaints Committee Meeting held 22 June 2022 be confirmed as a true and correct record.

CARRIED 6/1

**FOR: CR CARTER, CR PAINE, CR RICHARDS, CR RICCELLI,
CR COX, CR CRONIN**

AGAINST: CR RYAN

6. REPORTS

Nil

7. CONFIDENTIAL REPORTS

The Presiding Member called upon a member to move a motion to close the meeting to the public. The motion was moved and carried.

COMMITTEE DECISION

BCC2306/032 Moved Councillor R Paine, seconded Councillor J Richards

That the meeting be closed to members of the public to discuss this item which is confidential for the reasons as shown.

CARRIED 7/0

Reasons: This item is confidential in accordance with Section 5.23(2(b) of the *Local Government Act 1995*, as it contains information relating to the personal affairs of any person.

9:32am At this time, the committee moved into a closed session. In accordance with Regulation 14CA(5) of the *Local Government (Administration) Regulations 1996*, Cr Riccelli confirmed she was in a confidential environment.

7.1 COMPLAINT 001/2023

STRATEGIC THEME	LEADERSHIP - A Council that connects with the community and is accountable in its decision making.
STRATEGIC PRIORITY	4.2 Deliver governance systems that facilitate open, ethical and transparent decision making.
SUBJECT INDEX	Code of Conduct Complaints
BUSINESS UNIT	Corporate Services
REPORTING OFFICER	Acting Director, Finance and Corporate Services - Sarah Pierson
AUTHORISING OFFICER	Chief Executive Officer - Tony Nottle
NATURE OF DECISION	Executive: Substantial direction setting, including adopting budgets, strategies, plans and policies (excluding local planning policies); funding, donations and sponsorships; reviewing committee recommendations
VOTING REQUIREMENT	Absolute Majority
ATTACHMENTS	<p>Attachment A Published Under Separate Cover Confidential Complaint of Alleged Breach lodged by Jill Walsh on 26 April 2023</p> <p>Attachment B Confidential Code of Conduct - Council Members, Committee Members and Candidates</p> <p>Attachment C Council Policy 'Management of Complaints of Alleged Breaches of Behaviour'</p> <p>Attachment D Published Under Separate Cover Confidential Confidential Independent Assessor Report - Complaint 001/2023</p> <p>Attachment E Published Under Separate Cover Confidential Confidential Respondent Submission received on 8 May 2023</p>

This item is confidential in accordance with section 5.23(2) (b) of the *Local Government Act 1995*, as it contains information relating to the personal affairs of any person.

COMMITTEE DECISION

BCC2306/033 Moved Councillor R Paine, seconded Councillor J Richards

That the Committee endorse the Confidential Officer Recommendation contained in the Officer Comment section of this report.

CARRIED 7/0

BY ABSOLUTE MAJORITY

OFFICER RECOMMENDATION

That the Committee endorse the Confidential Officer Recommendation contained in the Officer Comment section of this report.

The Presiding Member called upon a member to move a motion to reopen the meeting to the public. The motion was moved and carried.

COMMITTEE DECISION

BCC2306/034 Moved Councillor R Paine, seconded Councillor K Cox

That the meeting be re-opened to the members of the public.

CARRIED 7/0

9:35am At this time, the meeting was reopened to the public.

The Presiding Member read out the Committee Decision to the meeting.

8. NEXT MEETING DATE

To be confirmed.

9. **CLOSURE**

The meeting closed at 9:36am

THESE MINUTES CONSISTING OF PAGES 1 TO 7 WERE CONFIRMED AS A TRUE AND CORRECT RECORD ON DATE: _____ PRESIDING MEMBER: _____
