

Shire of Esperance

BEHAVIOUR COMPLAINTS COMMITTEE

TUESDAY 12 AUGUST 2025

MINUTES

DISCLAIMER

No responsibility whatsoever is implied or accepted by the Shire of Esperance for any act, omission or statement or intimation occurring during Council or Committee meetings. The Shire of Esperance disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council or Committee meetings. Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council or Committee meeting does so at that person's or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or intimation of approval made by a member or officer of the Shire of Esperance during the course of any meeting is not intended to be and is not to be taken as notice of approval from the Shire of Esperance. The Shire of Esperance warns that anyone who has any application lodged with the Shire of Esperance 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 Shire of Esperance in respect of the application.

ETHICAL DECISION MAKING AND CONFLICTS OF INTEREST

Council is committed to a code of conduct and all decisions are based on an honest assessment of the issue, ethical decision-making and personal integrity. Councillors and staff adhere to the statutory requirements to declare financial, proximity and impartiality interests and once declared follow the legislation as required.

ATTACHMENTS

Please be advised that in order to save printing and paper costs, all attachments referenced in this paper are available in the original Agenda document for this meeting.

RECORDINGS

The Meeting will be live streamed. The recording will be made publicly available as soon as practical following the meeting.

Table of Contents / Index

ITEM NO.	ITEM HEADING	PAGE
1.	OFFICIAL OPENING	4
2.	ATTENDANCE	4
3.	APOLOGIES & NOTIFICATION OF GRANTED LEAVE OF ABSENCE	4
4.	DEPUTATIONS, PRESENTATIONS, INSPECTIONS, PETITIONS	4
5.	DECLARATION OF MEMBERS INTERESTS	4
	5.1 Declarations of Financial Interests – Local Government Act Section 5.60a	4
	5.2 Declarations of Proximity Interests – Local Government Act Section 5.60b	4
	5.3 Declarations of Impartiality Interests – Admin Regulations Section 34c	4
6.	CONFIRMATION OF MINUTES	5
7.	NEW BUSINESS OF AN URGENT NATURE	5
8.	MATTERS BEHIND CLOSED DOORS	5
9.	CLOSURE	6

SHIRE OF ESPERANCE

MINUTES

**BEHAVIOUR COMPLAINTS COMMITTEE MEETING
HELD IN COUNCIL MEETING ROOM ON 12 AUGUST 2025
COMMENCING AT 1:00 PM**

1. OFFICIAL OPENING

The Deputy Presiding Member declared the meeting open at 1:03pm.

2. ATTENDANCE

Members

Pres. R Chambers
Cr C Davies
Cr L de Haas
Cr S Starcevich
Cr S McMullen

Shire President	Shire of Esperance
	Shire of Esperance
	Shire of Esperance
	Shire of Esperance
	Shire of Esperance (Deputy)

Shire Officers

Mr S Burge	Chief Executive Officer
Mrs F Baxter	Director Corporate & Community Services

3. APOLOGIES & NOTIFICATION OF GRANTED LEAVE OF ABSENCE

Cr J Obourne	Deputy Shire President (Presiding Member)
--------------	---

4. DEPUTATIONS, PRESENTATIONS, INSPECTIONS, PETITIONS

Nil

5. DECLARATION OF MEMBERS INTERESTS

5.1 Declarations of Financial Interests – Local Government Act Section 5.60a

Nil

5.2 Declarations of Proximity Interests – Local Government Act Section 5.60b

Nil

5.3 Declarations of Impartiality Interests – Admin Regulations Section 34c

Cr Davies declared an Impartiality Interest in Item 8.1 Behaviour Complaint – Review of Assessor's Finding as he rents an office from the person mentioned in the finding.

6. CONFIRMATION OF MINUTES

Moved: Pres Chambers
Seconded: Cr de Haas

BCC0825-103

Committee Decision

That the Minutes of the Behaviour Complaints Committee Meeting of the 6 May 2025 be confirmed as a true and correct record.

**CARRIED
F5 - A0**

For: Pres Chambers, Cr de Haas, Cr Starcevich, Cr Davies, Cr McMullen

7. NEW BUSINESS OF AN URGENT NATURE

Nil

8. MATTERS BEHIND CLOSED DOORS

Officer's Comment:

It is recommended that the meeting is behind closed doors for the following item, in accordance with section 5.23(2) of the Local Government Act 1995.

9.1 Behavioural Complaint - Review of Assessor's Finding

Moved: Cr de Haas
Seconded: Pres Chambers

BCC0825-104

Committee Decision

That the Committee dismiss the complaint lodged in line with the outcome of the investigator's finding.

**CARRIED
F5 - A0**

For: Pres Chambers, Cr de Haas, Cr Starcevich, Cr Davies, Cr McMullen

9. CLOSURE

The Presiding Member declared the meeting closed at 1:06pm.

These Minutes were confirmed at a meeting held on _____

Signed _____

Presiding Member at the meeting at which the Minutes were confirmed.

Dated _____