



# BEHAVIOUR COMPLAINTS COMMITTEE

## MINUTES

17 JUNE 2025

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**CITY OF GREATER GERALDTON****BEHAVIOUR COMPLAINTS COMMITTEE MEETING  
HELD ON TUESDAY 17 JUNE 2025 AT 3.30PM  
IN THE GREENOUGH ROOM – CIVIC CENTRE, CATHEDRAL AVENUE,  
GERALDTON****MINUTES****1 DECLARATION OF OPENING**

The Presiding Member, Mayor J Clune, declared the meeting open at 3.30pm.

**2 ACKNOWLEDGEMENT OF COUNTRY**

I would like to respectfully acknowledge the Yamatji people who are the Traditional Owners and First People of the land on which we meet/stand. I would like to pay my respects to the Elders past, present and future for they hold the memories, the traditions, the culture and hopes of Yamatji people.

**3 RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE**Committee Members

Mayor J Clune, Presiding Member

Cr J Critch

Cr J Denton

Cr V Tanti

Cr S Cooper – *Deputy Committee Member for Cr N Colliver*

Deputy Committee Members (if required):

Cr P Fiorenza – *attendance was not required.*

Officers:

Ross McKim, Chief Executive Officer

S Moulds, PA to the Chief Executive Officer / Minute Secretary

Members of Public: 0Apologies:

Deputy Mayor Cr N Colliver, Deputy Presiding Member

Leave of Absence:

Nil.

#### **4 REFERENCE DOCUMENTS – Council Policies / Delegation to Committee – for noting.**

- Council Policy 4.2 Code of Conduct for Council Members, Committee Members and Candidates.
- Council Policy 4.30 Behaviour Complaints Management.
- Council Policy 4.32 Behaviour Complaints Committee Terms of Reference.

[Council Policies » City of Greater Geraldton](#)

#### **DELEGATION 1.1.1 BEHAVIOUR COMPLAINTS COMMITTEE – for noting.**

1. Authority to make a finding as to whether an alleged breach the subject of a complaint has or has not occurred, based upon evidence from which it may be concluded that it is more likely that the breach occurred than that it did not occur *[MCC.cl. 12(1) and (3)]*.  
In making any finding the Committee must also determine reasons for the finding *[MCC.cl. 12(7)]*.
2. Where a finding is made that a breach has occurred, authority to:
  - a. take no further action *[MCC.cl. 12(4(a))]*; or
  - b. prepare and implement a plan to address the behaviour of the person to whom the complaint relates *[MCC.cl. 12(4)(b), (5) and (6)]*.
3. Authority to dismiss a complaint and if dismissed, the Committee must also determine reasons for the dismissal *[MCC.cl. 13(1) and (2)]*.

##### Conditions on Delegation:

- a. The Committee will make decisions in accordance with the principles and specified requirements established in Council Policy 4.30 Code of Conduct Behaviour Complaints Management.
- b. That part of a Committee meeting which deals with a Complaint will be held behind closed doors in accordance with s.5.23(2)(b) of the Act.
- c. The Committee is prohibited from exercising this Delegation where a Committee Member in attendance at a Committee meeting is either the Complainant or Respondent to the Complaint subject of a Committee agenda item.
- d. In the event of (c) above, the Committee may resolve to defer consideration to a future meeting at which the conflicted Committee Member is absent and a Deputy Committee Member is in attendance.

##### Note to Conditions (c) and (d):

The purpose of this Condition is to require that a Committee Member who is identified as either the Complainant or Respondent is required to recuse themselves by notifying the Presiding Member of their intention to be an apology for the meeting at which the Complaint is an agenda item.

**5 DISCLOSURE OF INTERESTS**

There were none.

**6 PUBLIC QUESTION TIME**

There were none.

**7 APPLICATIONS FOR LEAVE OF ABSENCE**

Committee Member	From	To (inclusive)	Date Approved
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*Members are required to put in leave of absence for all Committee Meetings – Any leave approved at a Council Meeting are for those meetings only.*

**8 CONFIRMATION OF PREVIOUS MINUTES**

RECOMMENDED that the minutes of the Behaviour Complaints Committee of 17 December 2024, as previously circulated, be adopted as a true and correct record of proceedings.

**COMMITTEE DECISION****MOVED CR CRITCH, SECONDED CR DENTON**

RECOMMENDED that the minutes of the Behaviour Complaints Committee of 17 December 2024, as previously circulated, be adopted as a true and correct record of proceedings.

**CARRIED 5/0**

Name	Vote (For or Against)
Mayor Clune	For
Cr. Critch	For
Cr. Denton	For
Cr. Tanti	For
Cr. Cooper	For

**9 MEETING CLOSED TO THE PUBLIC**

Please note pursuant to Clause 5.2 of the *Meeting Procedures Local Law 2011 (Consolidated)*, this part of the meeting may need to be closed to the public if confidential discussion is required.

**PROCEDURAL MOTION****MOVED CR DENTON, SECONDED CR COOPER**

The Behaviour Complaints Committee by Simple Majority pursuant to Section 5.23(2)(b) and (d) of the Local Government Act 1995 and Clause 5.2(2) of the Meeting Procedures Local Law 2011 (Consolidated) RESOLVES to:

1. CLOSE the meeting to members of the public to allow the Committee to discuss Confidential Item BCC006 – Code of Conduct Division 3 Complaint, as it deals with the personal affairs of a person, and legal advice obtained by the local government which relate to the matter.

**CARRIED 5/0**

<b>Name</b>	<b>Vote (For or Against)</b>
<b>Mayor Clune</b>	<b>For</b>
<b>Cr. Critch</b>	<b>For</b>
<b>Cr. Denton</b>	<b>For</b>
<b>Cr. Tanti</b>	<b>For</b>
<b>Cr. Cooper</b>	<b>For</b>

*This meeting was closed to the public at 3.32pm.*

## 10 CONFIDENTIAL ITEM FOR BEHAVIOUR COMPLAINTS COMMITTEE REVIEW

**BCC006 CONFIDENTIAL – CODE OF CONDUCT DIVISION 3 COMPLAINT (Public Version)**

<b>AGENDA REFERENCE:</b>	<b>D-25-039877</b>
<b>AUTHOR:</b>	<b>R McKim, Chief Executive Officer / Complaints Officer</b>
<b>EXECUTIVE:</b>	<b>R McKim, Chief Executive Officer / Complaints Officer</b>
<b>DATE OF REPORT:</b>	<b>11 April 2025</b>
<b>FILE REFERENCE:</b>	<b>GO/6/0032</b>
<b>ATTACHMENTS:</b>	<b>Yes (x1) Confidential</b> <b>A. Confidential – Independent Assessment</b> <b><i>Includes Original Complaint and</i></b> <b><i>Respondent Response</i></b>

*Item No. BCC006 was provided to the Committee under separate cover.*

*Note: This report to the Committee has been listed as confidential, as it deals with the personal affairs of any person to be discussed at the meeting (s.5.23(2)(b) Local Government Act 1995).*

### COMMITTEE DECISION

#### **MOVED CR TANTI, SECONDED CR COOPER**

**That the Behaviour Complaints Committee by Simple Majority pursuant to Council Policy 4.2 Code of Conduct for Council Members, Committee Members and Candidates adopted in accordance with Section 5.104 of the Local Government Act 1995 and Council Policy 4.30 Behaviour Complaints Management, RESOLVES to:**

- 1. RECEIVE the Investigation Report (Confidential Attachment No. BCC006A) as undertaken by an Independent Assessor;**
- 2. AGREE with the findings of the Investigation Report;**
- 3. ACKNOWLEDGE that no breach was substantiated;**
- 4. ADVISE the Complainant and Respondent in writing of the outcome; and**
- 5. DIRECT the CEO to advise Council Members of the total spend of legal fees relating to the Behaviour Complaints Committee since its inception.**

#### **CARRIED 5/0**

<b>Name</b>	<b>Vote (For or Against)</b>
<b>Mayor Clune</b>	<b>For</b>
<b>Cr. Critch</b>	<b>For</b>
<b>Cr. Denton</b>	<b>For</b>
<b>Cr. Tanti</b>	<b>For</b>
<b>Cr. Cooper</b>	<b>For</b>

*Item No. BCC006 will remain confidential and the Behaviour Complaints Committee decision only will be available for the public record.*

**11 MEETING REOPENED TO THE PUBLIC****PROCEDURAL MOTION****MOVED CR CRITCH, SECONDED CR TANTI**

The Behaviour Complaints Committee by Simple Majority pursuant to Clause 5.2(3)(b) of the Meeting Procedures Local Law 2011 (Consolidated) RESOLVES to:

1. REOPEN the meeting to members of the public.

**CARRIED 5/0**

Name	Vote (For or Against)
Mayor Clune	For
Cr. Critch	For
Cr. Denton	For
Cr. Tanti	For
Cr. Cooper	For

*The meeting was reopened to the public at 3.48pm.*

**12 MEETING CLOSURE**

There being no further business the Presiding Member closed the meeting at 3.48pm.