

**LEGISLATIVE COUNCIL**  
**Question On Notice**

**Tuesday, 20 September 2016**

**4408. Hon Robin Chappie to the Minister for Planning representing the Minister for Local Government**

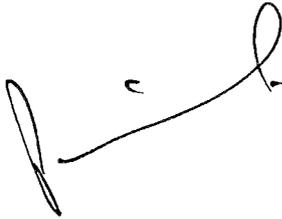
- (1) I refer to Shire of Carnarvon minutes from meetings held on 25 June 2013 and 23 July 2013, and I ask:
- (a) why does the termination/resignation of the previous Chief Executive Officer, Mr Maurice Battalion, not appear in the Shire of Carnarvon minutes?
- (2) I refer to Shire of Carnarvon minutes for monthly council meetings from September 2013 through to December 2013, and the Department of Local Government and Communities Operational Guidelines (Number 10 – Revised 2012) for appointing a Chief Executive Officer (CEO):
- (a) why does the current CEO, Mr Ian D’Arcy, employment contract not appear in the Shire of Carnarvon minutes;
- (b) was the CEO contract approved by a resolution of the council; and
- (c) was there an independent selection committee report provided to the council on the preferred candidate for the CEO position?
- (3) Has the Department of Local Government, *Shire of Carnarvon Probity Compliance Audit Report (June 2013)*, been officially adopted by the council and tabled in Shire of Carnarvon minutes?
- (4) If yes to (3), then why does it only appear in the *Shire of Carnarvon 2013-14 Annual Report, President's Report*?
- (5) Why are there no special Shire of Carnarvon meeting minutes for 2013 listed on their website?
- (6) Why are there no Shire of Carnarvon Audit and Risk Committee minutes listed on their website?
- (7) Why are the 2011 Shire of Carnarvon monthly council meeting minutes not available on their website?
- (8) Does the Shire of Carnarvon have an Indigenous Engagement Strategy?
- (9) If yes to (8), will the Minister please table the strategy?
- (10) If no to (8), why not?

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**Answer**

- (1)(a) There is no legislative requirement and hence it is solely a decision for the council as to whether a Chief Executive Officer (CEO)’s resignation is to be recorded in the minutes of a local government Council meeting.
- (2)(a) There is no legislative requirement for the employment contract of a local government CEO to be included in the minutes of a local government Council meeting. Moreover commercial-in-confidence matters such as contractual issues are normally dealt with by any council as a “decision made behind closed doors.”
- (2)(b) Yes, at a Special Council Meeting held on 8 October 2013.

- (2)(c) The Council is not required to indicate if it appointed an independent selection panel.
- (3) The Probity Compliance Report was received by the Council, and each of the Department's recommendations adopted, at a Special Council Meeting held on 8 October 2013. The Report was tabled in Parliament on 27 November 2013.
- (4) The decision to include reference to the Probity Compliance Audit in the Annual Report is at the discretion of the Shire President.
- (5) There is no legislative requirement for the minutes of any meetings of Council to be published on a website.
- (6) See response at (5) above
- (7) See response at (5) above
- (8) There is no legislative requirement for a local government to have a specific Indigenous Engagement Strategy.
- (9) See response at (8) above
- (10) See response at (8) above

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