

Agenda Briefing Sessions and Council Workshops

Objective

This policy establishes clear governance arrangements for Agenda Briefing Sessions and Council Workshops.

Scope

This policy applies to:

- all Council and Committee Members;
- the Chief Executive Officer;
- Shire employees attending or presenting at sessions;
- any consultants, advisors or other third parties invited to participate.

Definitions

Agenda Briefing Session means session held prior to a meeting of Council or a Committee for the purpose of briefing Council and/or Committee Members on matters listed on the meeting agenda.

Council Workshop is an informal session conducted for discussion of strategic issues, projects, policy development or other matters relevant to Council business. Council Workshops also include the Corporate Session convened prior to and following an ordinary council meeting.

Session is a collective reference to Agenda Briefing Sessions and Council Workshops.

The Act means the *Local Government Act 1995*.

Policy

Agenda Briefing Sessions and Council Workshops provide an opportunity for Council Members to:

- receive information from the Chief Executive Officer and staff;
- seek clarification on matters that may come before Council;
- explore strategic issues and emerging initiatives; and
- improve the quality and efficiency of decision-making at formal Council meetings.

Agenda Briefing Sessions and Council Workshops are not decision-making forums. All formal decisions must be made at a properly convened meeting of Council in accordance with the Act.

This policy ensures such sessions operate in a manner that promotes good governance, transparency and accountability.

Policy Principles

The following principles apply to all Agenda Briefing Sessions and Council Workshops:

1. No decisions – Council and Committee Members must not make decisions, pass resolutions or otherwise purport to exercise the powers of Council.
2. Information and discussion only – sessions are for briefing, discussion and clarification purposes only.
3. Transparency – while sessions are closed to the public, transparency will be maintained through

disclosure of matters discussed and attendance.

4. Good governance – sessions must not be used to circumvent the decision-making requirements of the Act.
5. Respectful conduct – Council Members and staff must conduct themselves in accordance with the Code of Conduct for Council Members, Committee Members and Candidates and relevant Shire policies.

Types of Sessions

Agenda Briefing Sessions

Agenda Briefing Sessions may be held prior to Ordinary Council Meetings to:

- provide an overview of the meeting agenda;
- allow Council Members to seek clarification on officer reports; and
- enable staff to provide clarifying explanations of the contents of Council business papers.

These sessions are intended to provide clarifying information in relation to agenda items, not to debate or determine Council's position.

Council Workshops

Council Workshops may be held to consider:

- strategic planning matters;
- major projects or proposals;
- policy development;
- long term financial planning;
- community engagement outcomes; and
- emerging issues affecting the Shire.

The Chief Executive Officer may invite external presenters, consultants, advisors or other third parties to participate as required.

Public Access

Agenda Briefing Sessions and Council Workshops will generally be closed to members of the public.

This reflects the informal nature of the discussions and allows Council Members to:

- ask questions freely;
- explore ideas; and
- receive technical briefings from staff and advisors.

The Shire will maintain a record of each session, which will include:

- the date, start and finish times, and location;
- the names of Council and Committee Members in attendance;
- the names of staff and presenters attending;
- all disclosures of interest and details of the management of any conflicts of interest; and
- the general topics discussed.

These records are not minutes and will not record individual views expressed during discussions.

This information will be recorded and made available on the Shire's website.

Attendance

Attendance may include:

- Council and/or Committee Members;
- the Chief Executive Officer;
- relevant Shire officers; and
- external advisors, consultants or other third parties (where invited).

Conduct of Sessions

The following requirements apply:

- The Council President will normally preside at sessions.
- The Chief Executive Officer will coordinate agenda items and presentations.
- Sessions will operate in an informal format to facilitate open discussion.

Council Members should direct operational questions through the Chief Executive Officer unless otherwise permitted in accordance with the Council Member Communications with Shire Officers Policy.

Disclosure of Interests and Management of Conflicts

Council and Committee Members, and employees participating in Agenda Briefing Sessions and Council Workshops must comply with their obligations regarding the disclosure and management of interests in line with section 5.65 of the Act and applicable codes of conduct.

Disclosure of Interests

Where a matter discussed at a session relates to an interest held by a Council or Committee Member that would be required to be disclosed at a formal meeting of Council or a Committee, the Council or Committee Member must:

- Disclose the nature of the interest at the commencement of the discussion of the relevant matter; and
- Ensure the disclosure is recorded in the register of the session maintained under this policy.

Disclosure of interests at workshops and briefing sessions promotes transparency and assists Council and Committee Members to appropriately manage potential conflicts prior to formal consideration of matters by Council.

Management of Conflicts

Where a Council or Committee Member has disclosed an interest in a matter being discussed:

- The Council or Committee Member should not seek to influence discussion of the matter; and
- The Council or Committee Member may, where appropriate, leave the session during discussion of the matter, particularly where the interest would require them to leave a meeting of Council under the Act.

The discussion of a matter at a Session does not remove or reduce the obligation of a Council or Committee Member to disclose and manage any interest when the matter is subsequently considered at a formal meeting of Council or a Committee.

Interests of Employees and External Advisors

Shire employees and external advisors attending sessions must also disclose any actual or perceived conflicts of interest relating to matters being discussed.

Such conflicts must be declared to the Chief Executive Officer, who will determine the appropriate management measures, which may include:

- limiting participation in discussion; or
- requiring the person to withdraw from the session for that item.

Access to Confidential Materials

Where a Council or Committee Member has disclosed, or is known to have, an interest in a matter that would require the member to leave a meeting of Council under section 5.67 of the Act, the Chief Executive Officer may take appropriate steps to manage the conflict in relation to Agenda Briefing Sessions or Council Workshops.

These measures may include:

- withholding confidential briefing materials relating to the matter from the Council or Committee Member; or
- providing a redacted version of workshop documentation.

These measures are intended to ensure that confidential information is appropriately protected and that the integrity of Council's decision-making processes is maintained, and that any conflicts are appropriately managed.

Quorum

Agenda Briefing Sessions and Council Workshops do not require a quorum and are not meetings of Council or Committees.

However, if a quorum of Council or Committee Members is present, the session must still operate strictly in accordance with this policy and must not be used to make decisions.

Agenda and Documentation

Where practicable:

- an agenda or program will be prepared and circulated to Council and Committee Members prior to the Session; and
- briefing materials may be provided to Council Members in advance.

These materials are provided for information only and do not form part of the official Council meeting agenda unless included in a formal Council report.

Authorisation Details

References:	<i>Local Government Act 1995</i> <i>Local Government (Model Code of Conduct) Regulations 2021</i> <i>Shire of East Pilbara Code of Conduct for Council Members, Committee Members and Candidates</i> <i>Shire of East Pilbara Code of Conduct for Local Government Employees, Contractors and Volunteers</i> <i>Council Member Communications with Shire Officers Policy</i>		
Authorised by:	Council		
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