



Special Council Meeting

Minutes

17 August 2021

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1. Official Opening

The Presiding Member opened the meeting at 6.33pm and welcomed Councillors, Staff and those tuning in on live stream. The Presiding Member also acknowledged the Traditional Owners of the land on which we meet the Whadjuk Noongar people.

2. Attendance, Apologies and Leave of Absence Previously Approved

Councillors

South East Ward

John Giardina
Janelle Sewell
Geoff Stallard

South West Ward

Lesley Boyd
Mary Cannon
Brooke O'Donnell

North West Ward

Sue Bilich
Lisa Cooper
Dylan O'Connor

North Ward

Cameron Blair
Kathy Ritchie
Margaret Thomas JP (Mayor) Presiding Member

Members of Staff

Chief Executive Officer

Rhonda Hardy

Executive Team

Gary Ticehurst - Director Corporate Services
Brett Jackson - Director Asset Services
Peter Varelis - Director Development Services

Management Team

Chris Lodge - Manager Strategic Planning
Carli O'Brien - Environmental Planner

Administration Support

Darrell Forrest - Governance Advisor
Sarah Griffiths - Council Support Officer

Members of the Public 0

Members of the Press Nil.

Apologies Nil.

3. Public Question Time

3.1 Nil.

4. Petitions/Deputations

4.1 Nil.

5. Announcements by the Member Presiding Without Discussion

5.1 Cr Janelle Sewell acknowledged Dr Howard Watts who passed away and funeral was held today.

6. Matters for Which the Meeting may be Closed

6.1 Item 8.1.1 Eastern Metropolitan Regional Council - Confidential Matter 1

Reason for Confidentiality: Local Government Act 1995 (WA) Section 5.23 (2) (c) - "a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting."

Reason for Confidentiality: Local Government Act 1995 (WA) Section 5.23 (2) (e) - "matter that if disclosed, would reveal - (i) a trade secret; (ii) information that has a commercial value to a person; or (iii) information about the business, professional, commercial or financial affairs of a person; - where the trade secret or information is held by, or is about a person other than the local government"

6.2 Item 8.1.2 Eastern Metropolitan Regional Council - Confidential Matter 2

Reason for Confidentiality: Local Government Act 1995 (WA) Section 5.23 (2) (c) - "a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting."

7. Disclosure of Interest

7.1. Disclosure of Financial and Proximity Interests

a. Members must disclose the nature of their interest in matter to be discussed at the meeting. (Section 5.56 of the *Local Government Act 1995*.)

b. Employees must disclose the nature of their interest in reports or advice when giving the report or advice to the meeting. (Section 5.70 of the *Local Government Act 1995*.)

7.1.1 Nil

7.2. Disclosure of Interest Affecting Impartiality

- a. Members and staff must disclose their interest in matters to be discussed at the meeting in respect of which the member or employee had given or will give advice.
- 7.2.1 Cr Lesley Boyd declared an Interest Affecting Impartiality on Items 8.1.1 Eastern Metropolitan Regional Council - Confidential Matter 1 and 8.2.1 Eastern Metropolitan Regional Council - Confidential Matter 2 as she is the City's Councillor on the EMRC.
- 7.2.2 Cr Dylan O'Connor declared an Interest Affecting Impartiality on Items 8.1.1 Eastern Metropolitan Regional Council - Confidential Matter 1 and 8.2.1 Eastern Metropolitan Regional Council - Confidential Matter 2 as he is the City's Councillor on the EMRC.

8. Reports to Council

8.1. Chief Executive Officer Reports

8.1.1. Eastern Metropolitan Regional Council - Confidential Matter 1

Declaration of financial / conflict of interests to be recorded prior to dealing with each item.

Reason for Confidentiality: Local Government Act 1995 (WA) Section 5.23 (2) (c) - "a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting."

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Previous Items	N/A
Directorate	Asset Services
Business Unit	Asset Services
File Reference	3.009414
Applicant	N/A
Owner	N/A
Attachments	Nil

TYPE OF REPORT

Advocacy	When Council is advocating on behalf of the community to another level of government/body/agency
P Executive	When Council is undertaking its substantive role of direction setting and oversight (e.g. accepting tenders, adopting plans and budgets)
Information	For Council to note
Legislative	Includes adopting Local Laws, Town Planning Schemes and Policies. When Council determines a matter that directly impacts a person's rights and interests where the principles of natural justice apply. Examples include town planning applications, building licences, other permits or licences issued under other Legislation or matters that could be subject to appeal to the State Administrative Tribunal

Provided under separate cover.

8.1.1 RESOLVED SCM 248/2021

That Council ENDORSE the advice to be provided to the Eastern Metropolitan Regional Council detailed in paragraph three in the letter provided as Attachment 3 to this report.

Moved: **Cr Dylan O'Connor**

Seconded: **Cr Lesley Boyd**

Vote: **CARRIED UNANIMOUSLY (12/0)**

8.1.2. Eastern Metropolitan Regional Council - Confidential Matter 2

Declaration of financial / conflict of interests to be recorded prior to dealing with each item.

Reason for Confidentiality: Local Government Act 1995 (WA) Section 5.23 (2) (c) - "a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting."

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Provided under separate cover.

8.1.2 RESOLVED SCM 249/2021

That Council ENDORSE the advice to the Eastern Metropolitan Regional Council as detailed in the letter provided as Attachment 3 subject to the agreed amendments to recommendation 18.

Moved: **Cr Lesley Boyd**

Seconded: **Cr Mary Cannon**

Vote:	<u>For</u>	<u>Against</u>
	Cr John Giardina	Cr Brooke O'Donnell
	Cr Janelle Sewell	
	Cr Geoff Stallard	
	Cr Lesley Boyd	
	Cr Mary Cannon	
	Cr Sue Bilich	
	Cr Lisa Cooper	
	Cr Dylan O'Connor	
	Cr Cameron Blair	
	Cr Kathy Ritchie	
Cr Margaret Thomas		

CARRIED (11/1)

9. Meeting Closed to the Public

9.1 RESOLVED SCM 245/2021

That the Meeting be closed to the public to consider confidential items.

Moved: **Cr John Giardina**

Seconded: **Cr Cameron Blair**

Vote: **CARRIED UNANIMOUSLY (12/0)**

The Meeting closed to the public at 6.38pm. All elected members and staff remained.

9.2 RESOLVED SCM 246/2021

That Standing Orders be suspended.

Moved: **Cr Kathy Ritchie**

Seconded: **Cr John Giardina**

Vote: **CARRIED UNANIMOUSLY (12/0)**

Standing Orders were suspended at 6.51pm.

9.3 RESOLVED SCM 247/2021

That Standing Orders be resumed.

Moved: **Cr Cameron Blair**

Seconded: **Cr Lesley Boyd**

Vote: **CARRIED UNANIMOUSLY (12/0)**

Standing Orders were resumed at 7.50pm

9.4 RESOLVED SCM 250/2021

That the Meeting be reopened to the public after consideration of confidential items.

Moved: **Cr Brooke O'Donnell**

Seconded: **Cr Janelle Sewell**

Vote: **CARRIED UNANIMOUSLY (12/0)**

The Meeting reopened to the public at 7.55pm. The Presiding Member read the resolutions to the Meeting.

10. Closure

There being no further business, the Presiding Member declared the Meeting closed at 7.57pm.

I confirm these Minutes to be a true and accurate record of the proceedings of this Council.

Signed: _____
Presiding Member

Dated this _____ day of _____ 2021.