



Special Council Meeting

Minutes

2 November 2021

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1. Official Opening

The Presiding Member opened the meeting at 6:30pm and welcomed Councillors, Staff and Members of the Public Gallery. 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

Mary Cannon
Brooke O'Donnell

North West Ward

Sue Bilich
Lisa Cooper
Dylan O'Connor

North Ward

Andrew Osenton
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

Nicole O'Neill - Manager Customer & Public Relations

Administration Support

Darrell Forrest - Governance Advisor
Donna McPherson - Executive Assistant to the CEO

Members of the Public 0

Members of the Press Nil.

Apologies

Cr Kellie Miskiewicz

Leave of Absence Previously Approved Nil.

3. Public Question Time

3.1 Nil.

4. Petitions/Deputations

4.1 Nil.

5. Announcements by the Member Presiding Without Discussion

5.1 Nil.

6. Matters for Which the Meeting may be Closed

6.1 Nil.

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 Nil.


8. Reports to Council

8.1. Chief Executive Officer Reports

8.1.1. Appointment of Councillor to the Eastern Metropolitan Regional Council 2021/2023

Previous Items	SCM 313/2021
Directorate	Office of the CEO
Business Unit	Governance
File Reference	
Applicant	
Owner	
Attachments	Nil

TYPE OF REPORT

Advocacy	When Council is advocating on behalf of the community to another level of government/body/agency
 Executive	When Council is undertaking its substantive role of direction setting and oversight (eg 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

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2031

Priority 4: Kalamunda Leads

Objective 4.1 - To provide leadership through transparent governance.

Strategy 4.1.1 - Provide good governance.

EXECUTIVE SUMMARY

1. The purpose of this report is for Council to appoint a council delegate as a representative on the Eastern Metropolitan Regional Council (EMRC) for the period October 2021 to October 2023.
2. A councillor elected as delegate at the Special Meeting of Council on 19 October 2021 has resigned.
3. This report requires Council to appointment by absolute majority a representative to the Eastern Metropolitan Regional Council.

BACKGROUND

4. The appointment of Council delegates is to ensure Council is always fully and formally represented.
5. The Eastern Metropolitan Regional Council meets the fourth Thursday of each month. The City will appoint two Councillors and a Deputy. The Chief Executive Officer is a member of an Advisory Committee and appoints a Director as a member of a Technical Advisory Committee.

DETAILS AND ANALYSIS

6. The City of Kalamunda is represented on the EMRC by two councillor delegates.
7. At the Special Meeting of Council held on 19 October 2021 Council elected Crs O'Connor and Stallard as delegates to the EMRC (SCM 313/2021).
8. At the Special Meeting of Council held on 19 October 2021 Council elected Cr Sewell as deputy delegate to the EMRC (SCM 313/2021).
9. The Chief Executive Officer has received the resignation of Cr Geoff Stallard as council delegate to the East Metropolitan Regional Council.
10. All other council delegates will remain in the positions to which they were elected at the Special Meeting on 19 October 2021.

APPLICABLE LAW

11. *Section 5.8 of the Local Government Act 1995 – Establishment of Committees.*
Section 5.9(2)(c) of the Local Government Act 1995 – Types of Committees.
Section 5.11(2)(d) of the Local Government Act 1995 – Tenure of Committee Membership.

APPLICABLE POLICY

12. Governance 13: Appointment of Community Members to Advisory Committees and Reference Groups

STAKEHOLDER ENGAGEMENT

13. N/A

FINANCIAL CONSIDERATIONS

14. Nil.

SUSTAINABILITY

15. Nil.

RISK MANAGEMENT

16.

Risk: Council does not appoint delegates to Regional Committees.		
Likelihood	Consequence	Rating
Unlikely	Significant	High
Action/Strategy		
Ensure Council recognises the value-added benefit Advisory Committees bring to Council decision making.		

CONCLUSION

17. N/A

The Presiding Member called for nominations for the position. Cr Thomas nominated for the position.

As there were no further nominations Cr Thomas was declared elected.

Voting Requirements: Absolute Majority

RESOLVED 316/2021

That Council:

1. ACCEPT the resignation of Cr Geoff Stallard as a as a delegate to Eastern Metropolitan Regional Council.
2. APPOINT Cr Margaret Thomas as a delegate to Eastern Metropolitan Regional Council.

Moved: **Cr Sue Bilich**

Seconded: **Cr Brooke O'Donnell**


Vote: **CARRIED UNANIMOUSLY/ABSOLUTE MAJORITY (11/0)**

8.1.2. Appointment of Councillor to Western Australian Local Government Association - East Metropolitan Zone 2021/2023

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

Previous Items	SCM 314/2021
Directorate	Office of the CEO
Business Unit	Governance
File Reference	
Applicant	
Owner	
Attachments	Nil

TYPE OF REPORT

Advocacy	When Council is advocating on behalf of the community to another level of government/body/agency
 Executive	When Council is undertaking its substantive role of direction setting and oversight (eg 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

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2031

Priority 4: Kalamunda Leads

Objective 4.1 - To provide leadership through transparent governance.

Strategy 4.1.1 - Provide good governance.

Strategy 4.1.2 - Build an effective and efficient service based organisation.

EXECUTIVE SUMMARY

1. The purpose of this report is for Council to appoint a council delegate as a representative on the Western Australian Local Government Association (WALGA) – East Metropolitan Zone Committee for the period October 2021 to October 2023.
2. A councillor elected as delegate at the Special Meeting of Council on 25 October 2021 has resigned.
3. This report requires Council to appointment by absolute majority a representative to the Western Australian Local Government Association (WALGA) – East Metropolitan Zone.

BACKGROUND

4. The appointment of Council delegates is to ensure Council is always fully and formally represented.
5. The Zones is a group of geographically aligned Member Councils who are responsible for direct elections of State Councillors, providing input into policy formulation and providing advice on various matters.

DETAILS AND ANALYSIS

6. The City of Kalamunda is represented on the WALGA East Metropolitan Zone by three councillor delegates.
7. At the Special Meeting of Council held on 25 October 2021 Council elected Crs Miskiewicz, O'Connor and O'Donnell as delegates to the WALGA East Metropolitan Zone Committee (SCM 314/2021).
8. At the Special Meeting of Council held on 25 October 2021 Council elected Cr Sewell as deputy delegate to the WALGA East Metropolitan Zone Committee (SCM 314/2021).
9. The Chief Executive Officer has received the resignation of Cr Dylan O'Connor as council delegate to the WALGA East Metropolitan Zone Committee.
10. All other council delegates will remain in the positions to which they were elected at the Special Meeting on 25 October 2021.

APPLICABLE LAW

11. *Section 5.8 of the Local Government Act 1995 – Establishment of Committees.*

Section 5.9(2)(c) of the Local Government Act 1995 – Types of Committees.

Section 5.11(2)(d) of the Local Government Act 1995 – Tenure of Committee Membership.

APPLICABLE POLICY

12. Governance 13: Appointment of Community Members to Advisory Committees and Reference Groups

STAKEHOLDER ENGAGEMENT

13. N/A

FINANCIAL CONSIDERATIONS

14. Nil.

SUSTAINABILITY

15. Nil.

RISK MANAGEMENT

16.

Risk: Council does not appoint delegates to Regional Committees.		
Likelihood	Consequence	Rating
Unlikely	Significant	High
Action/Strategy		
Ensure Council recognises the value-added benefit Advisory Committees bring to Council decision making.		

CONCLUSION

17. N/A

The Presiding Member called for nominations for the position. Cr Bilich and Cr Giardina nominated themselves for the position.

A secret ballot vote was conducted.

Cr Bilich received 6 votes and Cr Giardina received 5 votes. Cr Bilich was declared as elected.

Voting Requirements: Absolute Majority

RESOLVED 317/2021

That Council

1. ACCEPT the resignation of Cr Dylan O'Connor from the Western Australian Local Government Association – East Metropolitan Zone Committee.
2. APPOINT Cr Sue Bilich as a delegate to Western Australian Local Government Association – East Metropolitan Zone Committee

Moved: **Cr Brooke O'Donnell**

Seconded: **Cr Janelle Sewell**

Vote: **CARRIED UNANIMOUSLY/ABSOLUTE MAJORITY (11/0)**

9. Meeting Closed to the Public

9.1 Nil.

10. Closure

There being no further business, the Presiding Member declared the Meeting closed at 6:39pm.

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.