



Special Council Meeting

AGENDA

Tuesday 21 October 2025

NOTICE OF MEETING
SPECIAL COUNCIL MEETING

Dear Councillors

Notice is hereby given that a Special Meeting of Council will be held in the Council Chambers, Administration Centre, 2 Railway Road, Kalamunda on **Tuesday 21 October 2025 at 6.30pm.**



Anthony Vuleta
Chief Executive Officer
17 October 2025

Acknowledgement of Traditional Owners

We wish to acknowledge the traditional custodians of the land we are meeting on, the Whadjuk Noongar people. We wish to acknowledge their Elders' past, present and future and respect their continuing culture and the contribution they make to the life of this City and this Region.

Emergency Procedures

Please view the position of Exits, Fire Extinguishers and Outdoor Assembly Area as displaced on the wall of the Council Chambers.

In case of an emergency follow the instructions given by City Staff.

Please remain at the assembly point until advised it is safe to leave.

Our Vision



Connected Communities, Valuing Nature and Creating our Future Together

Core Values

Service: We demonstrate a 'can do' attitude, we listen, we understand, and we go above and beyond when we serve others.

Professionalism: We look, speak, act & do what it takes to show others we are reliable, respectful and competent.

Quality: We think clearly, plan mindfully, act decisively, measure carefully and review regularly everything we do.

Aspirational Values

Courage: We make brave decisions and take calculated risks to lead us to a bold and bright future. We show courage in our pursuit for the protection of the environment, for the well being of our people and to support the economy.

Diversity: We challenge ourselves by keeping our minds open and looking for all possibilities and opportunities.

Innovation: We believe in a workplace where you're safe to try new things—where we can push the boundaries of the norm and learn from things that don't always go according to plan. We strive for a just and blameless culture that respects people as individuals and paves the way to genuine learning and improvement.

Our simple guiding principle will be to ensure everything we do will make the City of Kalamunda socially, environmentally and economically sustainable.

kalamunda.wa.gov.au



Webcasting Notice

Please note that tonight's meeting, other than the confidential sessions, are being recorded and will be placed on Council's website.

All in attendance and those addressing Council should refrain from making offensive/defamatory statements as there may be legal implications.

Council takes all care when maintaining privacy, however members of the public gallery and those addressing Council should be aware that you may be recorded.

INFORMATION FOR PUBLIC ATTENDANCE

Welcome to this evening's meeting. The following information is provided on the meeting and matters which may affect members of the public.

If you have any queries related to procedural matters, please contact a member of staff.

Special Council Meetings – Procedures

1. Council Meetings are open to the public, except for Confidential Items listed on the Agenda.
2. Members of the public who are unfamiliar with meeting proceedings are invited to seek advice prior to the meeting from a City Staff Member.
3. Members of the public are able to ask questions at a Special Council Meeting during Public Question Time on matters relating to the functions of this meeting.
4. To facilitate the smooth running of the meeting, silence is to be observed in the public gallery at all times except for Public Question Time.
5. All other arrangements are in general accordance with Council's Standing Orders, the Policies and decision of the City or Council.

Deputations and Public Question Time

These sessions in the Council Meeting provides an opportunity for people to ask any question of the Council or speak publicly on any matter.

Public Question Time

Public Question Time session will be conducted in accordance with the provisions of the Local Government Act and the City's Standing Orders.

Where a member of the public raises a question during Public Question Time, a response will be provided where Councillors or staff have the necessary information at hand; if not, a reply will be provided at a later time. There is a limit of one question per speaker per meeting.

Deputations

All speakers are limited to ten minutes, with a one-minute warning given to speakers prior to the ten-minute time period elapsing. The commencement and conclusion of time shall be advised by the Mayor/Chairperson.

It should be noted that speakers at Council meetings do not enjoy any protection from parliamentary-style privilege. Therefore, they are subject to the risk of defamation action if they make comments about individuals.

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1. **Official Opening**
2. **Attendance, Apologies and Leave of Absence Previously Approved**
3. **Elected Members**
- 3.1 **Swearing in of newly elected or re-elected Councillors**

Section 2.29 of the *Local Government Act 1995* requires a person who has been elected as a Councillor to make a declaration in the prescribed form before acting in the office.

The form of the declaration is that prescribed by regulation 13 of the *Local Government (Constitution) Regulations 1998* (Form 7) and is to be made before a person before whom a statutory declaration can be made under the *Oaths, Affidavits and Statutory Declarations Act 2005*. Mayor Margaret Thomas officiates for this purpose.

3.2. **Election of Deputy Mayor**

Section 2.6 of the Local Government Act 1995 (Act) specifies the civic offices constituting a council of a local government are those of the Mayor, Deputy Mayor and the Councillors.

In accordance with clause 7(1) of Schedule 2.3 of the Act, if the local government has a Mayor elected by electors, the office of Deputy Mayor is to be filled as the first matter dealt with at the first meeting of the Council after an ordinary elections day.

The Council is to elect a Councillor to fill the office. The election is to be conducted by the Chief Executive Officer acting as Returning Officer in accordance with the procedure prescribed by Schedule 4.1 Division 2 of the Act (Attached). This means that a preference vote method is to be used.

Nominations for the office are to be received in writing to the Chief Executive Officer before the meeting, or during the meeting before the close of nominations. Nominations close at the meeting at a time announced by the Chief Executive Officer.

Councillors are to vote on the matter by secret ballot as if they were electors voting at an election. The votes cast are to be counted, and the successful candidate determined in accordance with Schedule 4.1 of the Act.

If, when the votes cast under clause 8(5) Schedule 4.1 are counted, and there is an equality of votes between 2 or more candidates who are the only candidates in, or remaining in, the count, the count is to be discontinued and, not more than 7 days later, a special meeting of the council is to be held.

The Chief Executive Officer is to declare and give notice of the result in accordance with regulation 11F of the *Local Government (Constitution) Regulations 1998*.

3.3. Swearing in of Deputy Mayor

Section 2.29 of the *Local Government Act 1995* requires a person who has been elected as Deputy Mayor to make a declaration in the prescribed form before acting in the office.

The form of the declaration is that prescribed by regulation 13 of the *Local Government (Constitution) Regulations 1998* (Form 7) and is to be made before a person before whom a statutory declaration can be made under the *Oaths, Affidavits and Statutory Declarations Act 2005*. Mayor Margaret Thomas officiates for this purpose.

4. **Public Question Time**
5. **Announcements by the Member Presiding Without Discussion**
6. **Matters for Which the Meeting may be Closed**
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*.)
 - 7.2. **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.
8. **Petitions/Deputations**
9. **Closure**

10. Attachments

10.1. Attachment – Schedule 4.1 Local Government Act 1995

Schedule 4.1 — How to count votes and ascertain the result of an election

[s. 4.74]

[Heading inserted: No. 11 of 2023 s. 92.]

Division 1 — Preliminary

[Heading inserted: No. 11 of 2023 s. 92.]

1. Terms used

In this Schedule —

first-preference vote —

- (a) means a vote cast under section 4.69(2); and
- (b) includes a vote accepted by the returning officer as a first-preference vote under section 4.75(1) or under regulations made for the purposes of section 4.75(3)(a);

one office election means an election to fill the office of mayor or president or to fill 1 office of councillor;

preference vote —

- (a) means a vote cast under section 4.69(3); and
- (b) includes a vote accepted by the returning officer as a preference vote under section 4.75(1) or under regulations made for the purposes of section 4.75(3)(a).

Note for this clause:

For the purposes of the definitions of ***first-preference vote*** and ***preference vote***, see also section 4.73(5) which provides for a ballot paper to be treated as if a numeral indicating a preference had been altered.

[Clause 1 inserted: No. 11 of 2023 s. 92.]

Division 2 — One office elections

[Heading inserted: No. 11 of 2023 s. 92.]

2. One office election: 2 candidates

- (1) If there are only 2 candidates in a one office election —
 - (a) the first-preference votes for each candidate must be counted;
and
 - (b) the candidate who has the greater number of first-preference votes is elected.
- (2) If the candidates have the same number of first-preference votes, the returning officer must draw lots in accordance with regulations to determine which candidate is elected.

[Clause 2 inserted: No. 11 of 2023 s. 92.]

3. One office election: 3 or more candidates

Clauses 4 and 5 apply if there are 3 or more candidates in a one office election.

[Clause 3 inserted: No. 11 of 2023 s. 92.]

4. Count of first-preference votes

- (1) The first-preference votes for each candidate must be counted.
- (2) A candidate is elected if the number of first-preference votes for the candidate exceeds 50% of the total number of all the first-preference votes for candidates.

[Clause 4 inserted: No. 11 of 2023 s. 92.]

5. Process if no candidate elected under clause 4

- (1) The process in subclause (2) —
 - (a) must be followed if no candidate is elected under clause 4;
and

- (b) as necessary, must be repeated until a candidate is elected under subclause (3).

Notes for this subclause:

1. Subclauses (4) to (6) supplement subclauses (2) and (3) for cases where candidates have the same number of votes.
2. Subclauses (7) and (8) explain how the terms ballot paper and continuing candidate are used in this clause.

- (2) The process is as follows —

- (a) exclude the candidate (the *excluded candidate*) with —
 - (i) if this process is being followed for the first time — the fewest first-preference votes; or
 - (ii) if this process is being repeated — the fewest votes on the last count under paragraph (d);
- (b) set aside as exhausted any ballot paper of the excluded candidate that contains —
 - (i) no preference votes at all; or
 - (ii) no preference votes for any continuing candidates;
- (c) transfer any remaining ballot papers of the excluded candidate that indicate the next available preference for a particular continuing candidate to that continuing candidate;
- (d) count the number of votes for each of the continuing candidates by totalling the following —
 - (i) the number of first-preference votes for the continuing candidate;
 - (ii) if this process is being followed for the first time — the total number of ballot papers transferred to the continuing candidate under paragraph (c);
 - (iii) if this process is being repeated — the total number of ballot papers transferred to the continuing candidate under paragraph (c) on this or a previous occasion.

- (3) A continuing candidate is elected if, on a count under subclause (2)(d), the number of votes for the continuing candidate exceeds 50% of the total number of all the votes for continuing candidates.

- (4) Subclause (6) applies if subclause (2)(a) cannot otherwise be applied because, as the case requires —
 - (a) 2 or more candidates have the same number of first-preference votes (no other candidates having fewer first-preference votes); or
 - (b) 2 or more candidates have the same number of votes on the last count under subclause (2)(d) (no other candidates having fewer votes).
- (5) Subclause (6) also applies if subclause (3) cannot otherwise be applied because —
 - (a) there are only 2 continuing candidates in a count under subclause (2)(d); and
 - (b) on the count, the continuing candidates have the same number of votes.
- (6) The returning officer must draw lots in accordance with regulations to determine, as the case requires —
 - (a) the candidate to be excluded; or
 - (b) the continuing candidate to be elected.
- (7) For the purposes of the process in subclause (2), a ballot paper is a ballot paper of the excluded candidate if either of the following applies —
 - (a) the ballot paper contains a first-preference vote for the excluded candidate;
 - (b) the process is being repeated and the ballot paper was transferred to the excluded candidate under subclause (2)(c) on a previous occasion.
- (8) For the purposes of the process in subclause (2), a continuing candidate is a candidate to whom neither of the following applies —
 - (a) the candidate is the excluded candidate;
 - (b) the process is being repeated and the candidate was excluded under subclause (2)(a) on a previous occasion.

[Clause 5 inserted: No. 11 of 2023 s. 92.]