



# Special Council Meeting

AGENDA

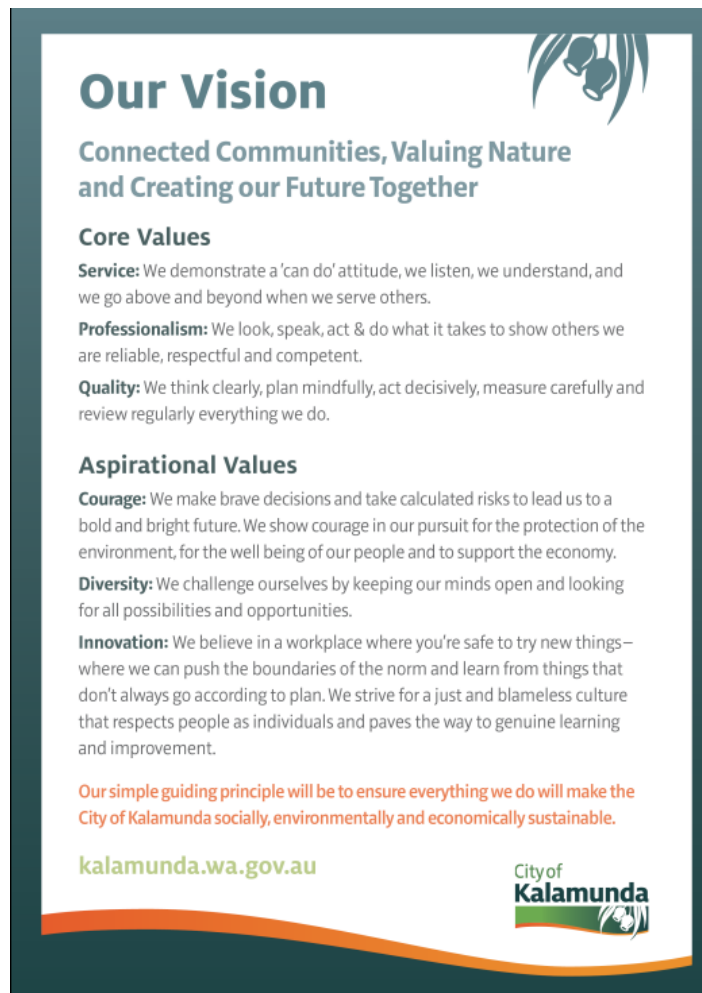
Tuesday 2 November 2021

## 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 2 November 2021 at 6.30pm.**

Rhonda Hardy  
**Chief Executive Officer**  
1 November 2021



**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](http://kalamunda.wa.gov.au)

City of Kalamunda

## **INFORMATION FOR THE PUBLIC ATTENDING COUNCIL MEETINGS**

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.

### **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 the Exits, Fire Extinguishers and Outdoor Assembly Area as displayed on the wall of Council Chambers.**

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

**We ask that you do not move your vehicle as this could potentially block access for emergency services vehicles.**

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

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- 1. Official Opening**
- 2. Attendance, Apologies and Leave of Absence Previously Approved**
- 3. Public Question Time**
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- 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. 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.

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

**CONCLUSION**

17. N/A



**Voting Requirements: Absolute Majority**

**RECOMMENDATION**

That Council:


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

## 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.

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

**CONCLUSION**

17.            N/A

**Voting Requirements: Absolute Majority**

**RECOMMENDATION**

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 \_\_\_\_\_ as a delegate to Western Australian Local Government Association – East Metropolitan Zone Committee

**9. Meeting Closed to the Public**

**10. Closure**