



Special Council Meeting

Minutes

1 February 2022

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1. Official Opening

The Presiding Member opened the meeting at 7.00pm 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

Kellie Miskiewicz

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

Administration Support

Darrell Forrest - Governance Advisor

Sarah Griffiths - Council Support

Members of the Public 0

Members of the Press Nil.

Apologies

Mary Cannon

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 The Presiding Member mentioned how well the Australian Day Citizenship Ceremony went, with Councillors O'Donnell, Ritchie, Cooper and Bilich in attendance. She mentioned the lovely gifts that the City were able to give out to the recipients. The gifts were thanks to the grant the City received from the Australia Day Council.

6. Matters for Which the Meeting may be Closed

6.18.1.1. Code of Conduct Complaint - 01/2021

Local Government Act 1995 (WA) Section 5.23 (2) (b) - "the personal affairs of any person"

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 Janelle Sewell declared an Impartiality Interest.

7.2.2 Cr Dylan O'Connor declared an Impartiality Interest.

8. Reports to Council

8.1. Chief Executive Officer Reports

8.1.1. Code of Conduct Complaint - 01/2021

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

Previous Items	Nil
Directorate	Office of the CEO
Business Unit	Governance and Legal
File Reference	
Applicant	City of Kalamunda
Owner	City of Kalamunda

Reason for Confidentiality: Local Government Act 1995 (WA) Section 5.23 (2) (b) - "the personal affairs of any person"

RESOLVED SCM 02/2022

RECOMMENDATION

That Council

1. RECEIVE the Minutes of the Behaviour Complaints Committee meeting of 7 December 2021 (Attachment 1).
2. Determine that a breach of the City of Kalamunda Code of Conduct Elected Members, Committee Members and Candidates has occurred.
3. Adopt the Plan prepared in accordance with clause 12 (4) of the City of Kalamunda Code of Conduct Elected Members, Committee Members and Candidates (Attachment 2).
4. AUTHORISE the Mayor to ensure compliance with the Plan as required by clause 23 of the City of Kalamunda Code of Conduct Elected Members, Committee Members and Candidates.
5. NOTE that the Behaviour Complaints Committee will undertake a review of the Council Policy – Governance 20 for consideration by Council.

Moved: **Cr Brooke O'Donnell**

Seconded: **Cr Geoff Stallard**

Vote: **CARRIED UNANIMOUSLY, (10/0)**

9. Meeting Closed to the Public

9.1 RESOLVED SCM 01/2022

That the Meeting be closed to the public to consider 8.1.

Moved: **Cr John Giardina**

Seconded: **Cr Brooke O'Donnell**

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

The Meeting closed to the public at 7.04pm. All members of the public gallery, Cr Dylan O'Connor and Sarah Griffiths left the Meeting and all remaining elected members and staff remained.

9.2 RESOLVED SCM 03/2022

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

Moved: **Cr Brooke O'Donnell**

Seconded: **Cr John Giardina**

Vote: **CARRIED UNANIMOUSLY (10/0)**

The Meeting reopened to the public at 7.28pm. The Presiding Member read the resolutions to the Meeting.

10. Closure

There being no further business, the Presiding Member declared the Meeting closed at 7.30pm.

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

Signed: _____
 Presiding Member

Dated this _____ day of _____ 2022.