



Special Council Meeting

Minutes

19 September 2023

BELMONT
CITY OF OPPORTUNITY



CITY OF BELMONT

Special Council Meeting

Minutes

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Confidential Attachments Index

Confidential Attachment 14.1.1 – Item 14.1 refers

Confidential Attachment 14.1.2 – Item 14.1 refers

**Councillors are reminded to retain the
OCM attachments for discussion with the minutes.**

Minutes of the Special Council Meeting held in the Council Chamber of the City of Belmont Civic Centre, 215 Wright Street, Cloverdale on Tuesday 19 September 2023 commencing at 6.32pm.

Minutes

Present

Cr P Marks, Mayor (Presiding Member)	East Ward
Cr R Rossi, JP (Deputy Mayor)	West Ward
Cr B Ryan	East Ward
Cr J Davis	South Ward
Cr S Wolff	South Ward
Cr G Sekulla, JP	West Ward
Cr D Sessions	West Ward

In attendance

Mr J Christie	Chief Executive Officer
Mr S Downing	Director Corporate and Governance
Mr W Loh	Director Development and Communities
Mr S Morrison	Acting Director Infrastructure Services
Ms A Bird	Manager Governance, Strategy and Risk
Ms G Carter-Nguyen	Manager Public Relations and Stakeholder Engagement
Ms C Gilbert (arr 7.22pm)	Acting Manager Planning Services
Ms M Phillips	Governance Officer

Members of the gallery

There were four members of the public in the gallery and no press representatives.

I Official Opening

6.32pm The Presiding Member welcomed all those in attendance and declared the meeting open.

The Presiding Member read aloud the Acknowledgement of Country.

Acknowledgement of Country

Before I begin, I would like to acknowledge the Whadjuk Noongar people as the Traditional Owners of this land and pay my respects to Elders past, present and emerging.

I further acknowledge their cultural heritage, beliefs, connection and relationship with this land which continues today.

The Presiding Member invited Cr Ryan to read aloud the Affirmation of Civic Duty and Responsibility on behalf of Councillors and Officers. Cr Ryan read aloud the affirmation.

Affirmation of Civic Duty and Responsibility

I make this affirmation in good faith and declare that I will duly, faithfully, honestly, and with integrity fulfil the duties of my office for all the people in the City of Belmont according to the best of my judgement and ability.

I will observe the City's Code of Conduct and Standing Orders to ensure efficient, effective and orderly decision making within this forum.

2 Apologies and leave of absence

Cr N Carter (apology)

South Ward

3 Declarations of interest that might cause a conflict

3.1 Financial Interests

Name	Item No and Title	Nature of Interest (and extent, where appropriate)
Cr J Davis	7.1 - Elected Member Code of Conduct Matter	Nature of the interest is not included due to the confidential nature of the matter being considered.

3.2 Disclosure of interest that may affect impartiality

Name	Item No and Title	Nature of Interest (and extent, where appropriate)
Cr G Sekulla	7.1 - Elected Member Code of Conduct Matter	Nature of interest is not included due to the confidential nature of the matter being considered.

4 Announcements by the Presiding Member (without discussion) and declarations by Members

4.1 Announcements

Nil.

4.2 Disclaimer

6.34pm The Presiding Member drew the public gallery's attention to the Disclaimer.

The Presiding Member advised the following:

'I wish to draw attention to the Disclaimer Notice contained within the Agenda document and advise members of the public that any decisions made at the meeting tonight can be revoked, pursuant to the Local Government Act 1995.

Therefore members of the public should not rely on any decisions until formal notification in writing by Council has been received.'

4.3 Declarations by Members who have not given due considerations to all matters contained in the business papers presently before the meeting

Nil.

5 Public question time

5.1 Questions from members of the public

6.35pm The Presiding Member drew the public gallery's attention to the rules of Public Question Time as written in the Public Question Time Form.

In accordance with rule (I), the Mayor advised that he had registered one member of the public who had given prior notice to ask questions.

The Presiding Member invited members of the public who had yet to register their interest to ask a question to do so. No further registrations were forthcoming.

5.1.1 Ms L Hollands, Redcliffe

1. How much in dollar terms was any previous financial assistance for this matter and if it was one of the four people in the election, would it be appropriate for them to spend large amounts of money on election material and then ask us for money for this?

Response

The Chief Executive Officer stated that the question would be taken on notice.

2. On the basis that it is an ongoing matter, would any allegation of Code of Conduct be regarded as improper in regard to the policy?

Response

The Chief Executive Officer stated that the question would be taken on notice.

3. How much additional money will it cost to get a formal agreement with the City's lawyers and how much did it cost for any previous formal agreements for the same matter?

Response

The Chief Executive Officer stated that the question would be taken on notice.

4. The motion is asking for financial assistance to the value of \$5,000, given this is further assistance, does this mean \$5,000 has already been given and if it is for the same matter, is this likely going to be an ongoing situation and how much could that go to?

Response

The Chief Executive Officer stated that the question would be taken on notice.

5. If it only up to \$5,000, why did we have to have a Special Council Meeting for this at this time when we have an ordinary Council meeting next week?

Response

The Chief Executive Officer stated that the question would be taken on notice.

6.39pm As there were no further questions, the Presiding Member declared Public Question Time closed.

6 Reports of administration

Nil.

7 Matters for which the meeting may be closed

Note:

The Presiding Member advised that in accordance with Section 5.23(2)(h) of the Local Government Act 1995 in order to discuss Confidential Item 7.1, Council will need to go behind closed doors.

6.40pm Rossi moved, Sekulla seconded that in accordance with Section 5.23(2)(h) of the Local Government Act 1995, the meeting proceed behind closed doors to discuss Confidential Item 7.1 - Elected Member Code of Conduct Matter.

Carried Unanimously 7 votes to 0

For: Davis, Marks, Rossi, Ryan, Sekulla, Sessions and Wolff

Against: Nil

6.41pm Members of the public gallery departed the meeting.

6.41pm Cr Davis departed the meeting.

6:41pm The Director Development and Communities, Acting Director Infrastructure Services and Manager Public Relations and Stakeholder Engagement departed the meeting.

Cr Davis disclosed at Item 3 of the Agenda "Disclosure of Interest" a Direct Financial Interest in the following item in accordance with s.5.60A of the *Local Government Act 1995* and departed the meeting.

Cr Sekulla disclosed at Item 3 of the Agenda "Disclosure of Interest" an Impartiality Interest in the following item in accordance with Regulation 22 of the *Local Government (Model Code of Conduct) Regulations 2021*.

7.1 Elected Member Code of Conduct Matter

This report is confidential in accordance with Section 5.23(2) of the *Local Government Act 1995* which permits the meeting to be closed to the public for business relating to the following:

h. such other matters as may be prescribed.

Officer Recommendation

Sekulla moved, Sessions seconded

That Council provide further financial assistance under CP28 - Legal Representation for Elected Members and Employees to the value of \$5,000 (excluding GST).

Carried Unanimously 6 votes to 0

For: Marks, Rossi, Ryan, Sekulla, Sessions and Wolff

Against: Nil

7.21pm Sekulla moved, Ryan seconded, that the meeting again be open to the public.

Carried Unanimously 6 votes to 0

For: Marks, Rossi, Ryan, Sekulla, Sessions and Wolff

Against: Nil

7.22pm The meeting came out from behind closed doors. Four members of the public returned to the meeting.

7.22pm Cr Davis returned to the meeting.

7.22pm The Director Development and Communities, Acting Director Infrastructure Services and Manager Public Relations and Stakeholder Engagement returned to the meeting.

7.22pm The Acting Manager Planning Services joined the meeting.

8 Closure

There being no further business, the Presiding Member thanked everyone for their attendance and closed the meeting at 7.24pm.

Minutes confirmation certification

The undersigned certifies that these Minutes of the Special Council Meeting held on 19 September 2023 were confirmed as a true and accurate record at the Ordinary Council Meeting held 31 October 2023:

Signed by the Person Presiding:



PRINT name of the Person Presiding:

DEBORAH SESSIONS