



TOWN OF

Bassendean

AGENDA

Special Council Meeting

Tuesday 7 March 2023

Notice is hereby given of the meeting
to be held in the Council Chamber

Administration Building

48 Old Perth Road, Bassendean WA 6054,

commencing at 5:45 pm

Luke Gibson
CHIEF EXECUTIVE OFFICER (INTERIM)

3 March 2023

Meeting Information

About the Special Council Meeting

The Mayor will preside at the meeting. In the absence of the Mayor, the meeting will be presided over by the Deputy Mayor.

The meeting is open to all members of the public, except during the consideration of matters deemed confidential in line with the Local Government Act 1995.

Recording and Live-streaming

All participation in the meeting, except for confidential business, will be audio recorded and live-streamed on the Town's website. The live stream will be archived and made available on the Town's website after the meeting.

Conduct at meetings

The Town is committed to ensuring our Council Meetings are a safe work environment, free of risks to the health and wellbeing of Elected Members, Officers and our community. Any person attending is required to be respectful, courteous and have due regard for individual rights and differences. Individuals may be asked to leave should their conduct adversely affect the health and safety of others.

By attending this meeting, you agree to abide by these conditions.

For any questions regarding the Briefing Session or any item presented in the agenda, please contact the Town of Bassendean at mail@bassendean.wa.gov.au.

Tune in to live streaming from the comfort of your own home by going to:
Town of Bassendean Council - YouTube

or if you miss it live, go to:
<https://www.youtube.com/channel/UC46mMs3D7vmHuO0ePibihhg>

Council Role

Each Report presented will identify what Council's Role is in the item

Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
Executive	The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
Legislative	Includes adopting local laws, town planning schemes and policies.
Review	When the Council operates as a review authority on decisions made by Officers for appeal purposes.
Quasi-Judicial	When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.
Information	For the Council/Committee to note.

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1 Declaration Of Opening; Acknowledgment of Country; Acknowledgment of Visitors; Disclaimer

Acknowledgement of Traditional Owners

The Town of Bassendean acknowledges the past and present traditional owners of the land on which we gather to conduct this meeting, and pays its respects to their Elders, both past and present.

2 Announcements by the Presiding Person Without Discussion

3 Attendances and Apologies

4 Declarations of Interest

5 Presentations or Deputations

Deputation requests can be submitted prior to the Briefing Session via the online form:
[Online Form - Request for Deputation » Town of Bassendean](#)

Further information can be found here:
[About Council Meetings » Town of Bassendean](#)

6 Statements by Members of the Public

7 Questions from Members of the Public

8 Reports

8.1	Appointment of Councillor representative - Eastern Metropolitan Regional Council
Property Address	N/A
Landowner/Applicant	N/A
File Reference	TBA
Directorate	Office of the CEO
Previous Reports	18 October 2021
Authority/Discretion	Executive The substantial direction setting and oversight role of the Council.
Attachments	Nil

Purpose

The purpose of this report is for Council to consider appointing a representative to the Eastern Metropolitan Regional Council (EMRC).

Background

On 18 October 2021, Council resolved to appoint Mayor Hamilton and Councillor MacWilliam to the Members of the EMRC. Councillor Wilding was appointed as a Deputy Member.

In March 2023, Mayor Hamilton advised of her intention to resign from the EMRC. To ensure continuation of representation, Council is now required to appoint a replacement Member.

Communication and Engagement

Not Applicable

Strategic Implications

Not Applicable

Comment

In accordance with the *Local Government Act 1995*, appointments to Committees expire at the next Local Government Election, scheduled to occur in October 2023.

Where a Councillor is to be appointed to an external body and there are more nominations than vacancies, the CEO is to conduct a secret ballot using the first past the post system to establish the preferred delegate or delegates to fill the position.

In the event of a tied vote for a position, lots will be drawn by the CEO to determine the preferred delegate.

Council is to endorse the preferred delegate to be appointed to the vacated position.

Statutory Requirements

Local Government Act 1995

Financial Considerations

Nil.

Risk Management Implications

No Risks Identified

Declaration of Conflicts of Interest

All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.

Officer Recommendation – Item 8.1

That Council:

1. notes that Mayor Hamilton has resigned from the role of Member of the Eastern Metropolitan Regional Council, effective as of 7 March 2023; and
2. appoints Councillor _____ to be Member of the Eastern Metropolitan Regional Council for the remainder 2021-2023 term.

Voting requirements: Absolute Majority

8.2 EMRC Regional Waste Collection Service	
Property Address	N/A
Landowner/Applicant	N/A
File Reference	WSTMNGT/SVPROVN/3
Department	Sustainability and Environment
Previous Reports	24 August 2021
Authority/Discretion	Executive The substantial direction setting and oversight role of the Council.

Reason for this Item to be discussed behind closed doors:

This matter is to be considered with members of the public excluded from the Chamber under Clause 5.23(c) of the Local Government Act as the officer report discusses a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.

Purpose

The purpose of this report is for Council to consider the Eastern Metropolitan Regional Council (EMRC) Regional Waste Collection Service (RWCS) Participants Agreement.

9 Closure