

LATE ITEM M21/5889 - AMENDMENT TO MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD 21 SEPTEMBER 2021 (REC)

Ward : All
 Category : Operational
 Subject Index : Meetings 21 September 2021
 Customer Index : City of Melville
 Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.
 Previous Items : 6. Question Time – Ordinary Meeting of Council held 21 September 2021.e
 Works Programme : Not Applicable
 Funding : Not Applicable
 Responsible Officer : Corrine Newman
 Governance Coordinator

AUTHORITY / DISCRETION

DEFINITION

<input type="checkbox"/>	Advocacy	<i>When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>
<input checked="" type="checkbox"/>	Executive	<i>The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>
<input type="checkbox"/>	Legislative	<i>Includes adopting local laws, town planning schemes & policies.</i>
<input type="checkbox"/>	Review	<i>When the Council operates as a review authority on decisions made by Officers for appeal purposes.</i>
<input type="checkbox"/>	Quasi-Judicial	<i>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.</i>
<input type="checkbox"/>	Information	<i>For the Council to note.</i>

LATE ITEM M21/5889 - AMENDMENT TO MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD 21 SEPTEMBER 2021 (REC)**KEY ISSUES / SUMMARY**

- At the Ordinary Meeting of Council held 21 September 2021, a series of questions were submitted to Question Time by Mr R Aubrey of Leeming.
- Responses were provided to the questions, in writing immediately prior to the meeting, by former Councillor Steve Kepert.
- The minutes of the 21 September 2021, omit the response to Question 11 as provided by former Councillor Kepert.
- The minutes of the 21 September 2021 Ordinary Meeting of Council were confirmed at the Ordinary Meeting of Council held 12 October 2021.
- This report seeks the Council's approval to amend the minutes of the Ordinary Meeting of Council held 21 September 2021 to include the response provided in writing by former Councillor Kepert to Question 11 on page 10.

BACKGROUND

At the Ordinary Meeting of Council was held 21 September 2021, Mr R Aubrey of Leeming submitted a series of 11 questions to public question time. During the meeting, former Councillor Steve Kepert advised that he had responses to the questions and with the permission of the Presiding Member, verbally responded to the questions at the meeting. Former Councillor Kepert also provided a copy of the responses, via email to the administration just prior to the meeting. The responses received in writing were included in the minutes of the meeting, which were published on the City's website on Friday 24 September 2021.

The minutes of the meeting omit the written response provided by former Councillor Kepert to Question 11 on page 10.

The minutes of the Ordinary Meeting of Council held 21 September 2021, were confirmed as a true and accurate record at the Ordinary Meeting of Council held 12 October 2021 and can only be amended by resolution of the Council.

DETAIL

It has come to the attention of the administration that respect to Question 11 submitted by Mr Aubrey, former Councillor Kepert provided the following written response:

"The role of the Mayor is set out in section 2.8 of the *Local Government Act 1995*."

This response was omitted from the minutes published on 24 September 2021 and subsequently confirmed as a true and accurate record at the next Ordinary Meeting of Council held 12 October 2021.

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STAKEHOLDER ENGAGEMENT

I. COMMUNITY

Former Councillor Kepert has brought this matter to the attention of the administration.

II. OTHER AGENCIES / CONSULTANTS

No comment from external agencies or consultants has been south in relation to this matter.

STATUTORY AND LEGAL IMPLICATIONS

Section 5.22 of the *Local Government Act 1995* requires that the person presiding at a Council Meeting ensures minutes of that meeting are kept and are submitted to the next ordinary meeting of the council for confirmation.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

Risk Statement & Consequence	Level of Risk	Risk Treatment
Inconsistency in information provision may lead to a perception that a declaration of interest was not made	Moderate consequences which are likely, resulting in a Moderate level of risk	Amendment to the minutes will ensure consistency in information provision.

POLICY IMPLICATIONS

There are no policy implications associated with this report.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

The Council could resolve not to include the requested amendment, which would mean that the Minutes of the Ordinary Meeting of Council held 21 September 2021, would not accurately reflect the responses provided during Question Time.

CONCLUSION

The inclusion of the proposed amendment in the minutes of the 21 September 2021 Ordinary Meeting of Council will ensure the minutes are an accurate record of the meeting proceedings and the responses provided as part of Question Time.

LATE ITEM M21/5889 - AMENDMENT TO MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD 21 SEPTEMBER 2021 (REC)**OFFICER RECOMMENDATION (5889)****APPROVAL**

That the Council approve the amending the response of Question 11 on page 10 of the minutes of the Ordinary Meeting of Council held 21 September 2021, by deleting the words “Cr Kepert did not provide a response to this question” and replacing them with

“Response as provided by Cr Kepert:

The role of the Mayor is set out in section 2.8 of the *Local Government Act 1995*.”