

Confirmed Minutes Special Council Meeting

Wednesday 11 June 2025

I certify that the minutes of the meeting of the Special Council held on 11 June 2025 were confirmed on 8 August 2025.

Presiding Member

ATTENTION/DISCLAIMER

The purpose of this Council Meeting is to discuss and, where possible, make resolutions about items appearing on the agenda. Whilst Council has the power to resolve such items and may in fact appear to have done so at the meeting, no person should rely on or act on the basis of such decision or on any advice or information provided by a Council Member or employee, or on the content of any discussion occurring during the course of the Meeting. Persons should be aware that regulation 10 of the Local Government (Administration) Regulations 1996 establishes procedures to revoke or change a Council decision. No person should rely on the decisions made by Council until formal written advice of the Council decision is received by that person. The Shire of Mundaring expressly disclaims liability for any loss or damage suffered by any person as a result of relying on or acting on the basis of any resolution of Council, or any advice or information provided by a Council Member or employee, or the content of any discussion occurring during the course of the Council Meeting.



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**SPECIAL COUNCIL MEETING
COUNCIL CHAMBER, SHIRE OF MUNDARING ADMINISTRATIOIN CENTRE, 7000
GREAT EASTERN HIGHWAY, MUNDARING**

1.0 OPENING PROCEDURES

The Presiding Member declared the meeting open at 5.30pm.

Acknowledgement of Country

Shire of Mundaring respectfully acknowledges the Whadjuk people of the Noongar Nation, who are the traditional custodians of this land. We acknowledge Elders past, present and emerging and respect their continuing culture and the contribution they make to the region.

Recording of Meeting

Members of Council and members of the gallery are advised that this meeting will be audio recorded and livestreamed.

1.1 Record of Attendance

The President confirmed that they have received declarations from Cr Mehta and Cr Cicchini to attend this meeting by electronic means in accordance with section 14CA of the *Local Government (Administration) Regulations 1996*.

Council Members	Pres Paige McNeil (Presiding Member)	Shire President
	Cr Luke Ellery (Deputy President)	South Ward
	Cr Doug Jeans	Central Ward
	Cr Prapti Mehta (via electronic means)	Central Ward
	Cr John Daw	East Ward
	Cr Neridah Zlatnik	East Ward
	Cr Karen Beale (<i>entered the meeting at 5.38pm</i>)	West Ward
	Cr Jo Cicchini (via electronic means) (<i>joined the meeting at 5.49pm</i>)	West Ward

Staff	Jason Whiteaker	Chief Executive Officer
	Garry Bird	Director Corporate Services
	Shane Purdy	Director Built & Natural Environment
	Anna Italiano	Minute Secretary

Apologies Nil

Absent Nil

**Leave of
Absence** Nil

Guests	Matthew MacPherson	Chief Executive Officer Eastern Metropolitan Regional Council
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**Members of
the Public** Nil

2.0 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

2.1 2025 IXON Best Tasting Tap Water in WA

The President was pleased to advise that Mundaring has won the 2025 IXON Best Tasting Tap Water title in WA. This is not the first time that Mundaring has won this award. It also won it in 2019. The award was based on the clarity of the water, it being odourless and high quality, so well done to the Mundaring Water Treatment Plant for their the award that they have received today.

3.0 DECLARATION OF INTEREST

3.1 Declaration of Financial Interest and Proximity Interests

Council Members must disclose the nature of their interest in matters to be discussed at the meeting (*Part 5 Division 6 of the Local Government Act 1995*).

Employees must disclose the nature of their interest in reports or advice when giving the report or advice to the meeting (*Sections 5.70 and 5.71 of the Local Government Act 1995*).

Nil

3.2 Declaration of Interest Affecting Impartiality

A Council Member or an employee who has an interest in a matter to be discussed at the meeting must disclose that interest (*Shire of Mundaring Code of Conduct, Local Government (Admin) Reg. 34C*).

Nil

4.0 PUBLIC QUESTION TIME

15 minutes (with a possible extension of two extra 15 minute periods) are set aside at the beginning of each Council meeting to allow members of the public to ask questions of Council.

Public Question Time is to be conducted in accordance with *Shire of Mundaring Meeting Procedures Local Law 2015*.

Nil

5.0 PRESENTATIONS

5.1 Deputations

Nil

5.2 Presentations

THE CHIEF EXECUTIVE OFFICER OF THE EASTERN METROPOLITAN REGIONAL COUNCIL PROVIDED COUNCIL WITH A PRESENTATION ON THIS ITEM.

PLEASE NOTE: THIS PRESENTATION WAS HELD ONCE THE MEETING WAS CLOSED TO THE PUBLIC.

6.0 CONFIDENTIAL REPORTS

Meeting Closed to Public at 5.34pm

The Local Government Act 1995, Part 5, Section 5.23 states in part:

- (2) If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following —
 - (a) a matter affecting an employee or employees; and
 - (b) the personal affairs of any person; and
 - (c) 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; and
 - (d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting; and
 - (e) a matter that if disclosed, would reveal —
 - (i) a trade secret; or
 - (ii) information that has a commercial value to a person; or
 - (iii) information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government; and
 - (f) a matter that if disclosed, could be reasonably expected to —
 - (i) impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law; or
 - (ii) endanger the security of the local government's property; or
 - (iii) prejudice the maintenance or enforcement of a lawful measure for protecting public safety; and
 - (g) information which is the subject of a direction given under section 23(1a) of the *Parliamentary Commissioner Act 1971*; and
 - (h) such other matters as may be prescribed.

RECOMMENDATION / COUNCIL DECISION			
			SC1.06.25
Moved by	Cr Daw	Seconded by	Cr Ellery
That Council closes the meeting to members of the public, in accordance with s5.23(2) of the <i>Local Government Act 1995</i>, in order to consider the confidential reports as detailed below: 6.1 Eastern Metropolitan Regional Council – Confidential Item 6.1 is considered confidential in accordance with the <i>Local Government Act 1995</i> section 5.23(2) (c) as it contains information relating to 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. CARRIED 8/0 For: Pres McNeil, Cr Ellery, Cr Jeans, Cr Mehta, Cr Daw, Cr Zlatnik, Cr Beale and Cr Cicchini Against: Nil			

Presentation by Chief Executive Officer of the EMRC was provided with an overview of the EMRC, touching on the following points:

1. Shareholding History – Future Shareholding
2. EMRC Financial Value
3. Realisation of that Value – Scenarios and business structures
4. Fee Structure
5. Next Steps

7.14pm Meeting Adjourned

MOTION / COUNCIL DECISION			
			SC2.06.25
Moved by	Pres McNeil	Seconded by	Cr Zlatnik
That the meeting be adjourned for a period of five minutes. CARRIED 8/0 For: Pres McNeil, Cr Ellery, Cr Jeans, Cr Mehta, Cr Daw, Cr Zlatnik, Cr Beale and Cr Cicchini Against: Nil			

6.00pm, Cr Cicchini left the meeting
6.03pm, Cr Cicchini joined the meeting

7.24pm Meeting Resumed

The meeting resumed with the following Council Members and officers in attendance:

Council Members	Pres Paige McNeil (Presiding Member)	Shire President
	Cr Luke Ellery (Deputy President)	South Ward
	Cr Doug Jeans	Central Ward
	Cr Prapti Mehta (via electronic means)	Central Ward
	Cr John Daw	East Ward
	Cr Neridah Zlatnik	East Ward
	Cr Karen Beale	West Ward
	Cr Jo Cicchini (via electronic means)	West Ward
Staff	Jason Whiteaker	Chief Executive Officer
	Garry Bird	Director Corporate Services
	Shane Purdy	Director Built & Natural Environment
	Anna Italiano	Minute Secretary

MOTION / COUNCIL DECISION			
			SC3.06.25
Moved by	Pres McNeil	Seconded by	Cr Ellery
That clause 6.10 of the <i>Shire of Mundaring Meeting Procedures Local Law 2015</i> be suspended.			
			CARRIED 8/0
For:	Pres McNeil, Cr Ellery, Cr Jeans, Cr Mehta, Cr Daw, Cr Zlatnik, Cr Beale and Cr Cicchini		
Against:	Nil		

6.1 Eastern Metropolitan Regional Council - Confidential

File Code	WM.SER 01.1
Author	Jason Whiteaker, Chief Executive Officer
Senior Employee	Jason Whiteaker, Chief Executive Officer
Disclosure of Any Interest	Nil
Attachments	1. Letter from Department of Local Government, Sport & Cultural Industries to EMRC (confidential)

CONFIDENTIAL - This document, in its entirety or any part thereof, is not to be released into the public domain nor is it to be disclosed or discussed outside of the Council of the Shire of Mundaring.

Consideration of Motion to revoke previous decision of Council

In accordance with *Local Government (Administration) Regulations 1996, r. 10*, the following Councillors supported the consideration of the proposal to revoke the decision of Council made on 18 September, 2024 as it relates to the withdrawal from the Eastern metropolitan Regional Council.

- Cr John Daw
- Cr Doug Jeans
- Cr Luke Ellery

Having satisfied the *Local Government (Administration) Regulations 1996, r. 10, s (1) (b)*, the Council considered the following motion to revoke.

ALTERNATIVE MOTION			
Moved by	Cr Daw	Seconded by	Cr Ellery
That Council, by absolute majority, in accordance with <i>Local Government (Administration) Regulations 1996, r. 10</i> , revokes its previous decision from 18 September 2024 (C18.09.24) regarding the Shire’s withdrawal from the EMRC.			

MOTION / COUNCIL DECISION		SC4.06.25	
Moved by	Cr Zlatnik	Seconded by	Cr Beale
That Cr Ellery be allowed a three-minute extension of time to speak to this item, in accordance with clause 6.11 of the <i>Shire of Mundaring Meeting Procedures Local Law 2015</i> .			
CARRIED 8/0			
For:	Pres McNeil, Cr Ellery, Cr Jeans, Cr Mehta, Cr Daw, Cr Zlatnik, Cr Beale and Cr Cicchini		
Against:	Nil		

MOTION / COUNCIL DECISION		SC5.06.25	
Moved by	Cr Zlatnik	Seconded by	Cr Ellery
That Cr Jeans be allowed a three-minute extension of time to speak to this item, in accordance with clause 6.11 of the <i>Shire of Mundaring Meeting Procedures Local Law 2015</i> .			
CARRIED 8/0			
For:	Pres McNeil, Cr Ellery, Cr Jeans, Cr Mehta, Cr Daw, Cr Zlatnik, Cr Beale and Cr Cicchini		
Against:	Nil		

MOTION / COUNCIL DECISION		SC6.06.25	
Moved by	Cr Beale	Seconded by	Cr Ellery
That Cr Zlatnik be allowed a three-minute extension of time to speak to this item, in accordance with clause 6.11 of the <i>Shire of Mundaring Meeting Procedures Local Law 2015</i> .			
CARRIED 8/0			
For:	Pres McNeil, Cr Ellery, Cr Jeans, Cr Mehta, Cr Daw, Cr Zlatnik, Cr Beale and Cr Cicchini		
Against:	Nil		

MOTION / COUNCIL DECISION			
			SC7.06.25
Moved by	Cr Zlatnik	Seconded by	Cr Beale
That Pres McNeil be allowed a three-minute extension of time to speak to this item, in accordance with clause 6.11 of the <i>Shire of Mundaring Meeting Procedures Local Law 2015</i> .			
			CARRIED 8/0
For:	Pres McNeil, Cr Ellery, Cr Jeans, Cr Mehta, Cr Daw, Cr Zlatnik, Cr Beale and Cr Cicchini		
Against:	Nil		

MOTION / COUNCIL DECISION			
			SC8.06.25
Moved by	Cr Daw	Seconded by	Cr Zlatnik
That Cr Ellery be allowed a three-minute extension of time to speak to this item, in accordance with clause 6.11 of the <i>Shire of Mundaring Meeting Procedures Local Law 2015</i> .			
			CARRIED 8/0
For:	Pres McNeil, Cr Ellery, Cr Jeans, Cr Mehta, Cr Daw, Cr Zlatnik, Cr Beale and Cr Cicchini		
Against:	Nil		

ALTERNATIVE MOTION			
Moved by	Cr Daw	Seconded by	Cr Ellery
That Council, by absolute majority, in accordance with <i>Local Government (Administration) Regulations 1996</i> , r. 10, revokes its previous decision from 18 September 2024 (C18.09.24) regarding the Shire's withdrawal from the EMRC.			
			LOST 3/5
For:	Cr Jeans, Cr Daw and Cr Cicchini		
Against:	Pres McNeil, Cr Ellery, Cr Mehta, Cr Zlatnik and Cr Beale		

8.45pm Meeting Adjourned

MOTION / COUNCIL DECISION			
			SC9.06.25
Moved by	Cr Ellery	Seconded by	Cr Zlatnik
That the meeting be adjourned for a period of five minutes.			
			CARRIED 8/0
For:	Pres McNeil, Cr Ellery, Cr Jeans, Cr Mehta, Cr Daw, Cr Zlatnik, Cr Beale and Cr Cicchini		
Against:	Nil		

8.50pm Meeting Resumed

The meeting resumed with the following Council Members and officers in attendance:

Council Members	Pres Paige McNeil (Presiding Member)	Shire President
	Cr Luke Ellery (Deputy President)	South Ward
	Cr Doug Jeans	Central Ward
	Cr Prapti Mehta (via electronic means)	Central Ward
	Cr John Daw	East Ward
	Cr Neridah Zlatnik	East Ward
	Cr Karen Beale	West Ward
	Cr Jo Cicchini (via electronic means)	West Ward
Staff	Jason Whiteaker	Chief Executive Officer
	Garry Bird	Director Corporate Services
	Shane Purdy	Director Built & Natural Environment
	Anna Italiano	Minute Secretary

MOTION / COUNCIL DECISION			
			SC10.06.25
Moved by	Pres McNeil	Seconded by	Cr Zlatnik
That clause 6.10 of the <i>Shire of Mundaring Meeting Procedures Local Law 2025</i> be reinstated.			
			CARRIED 7/1
For:	Pres McNeil, Cr Ellery, Cr Mehta, Cr Daw, Cr Zlatnik, Cr Beale and Cr Cicchini		
Against:	Cr Jeans		

MOTION			
Moved by	Cr Daw	Seconded by	Cr Cicchini
That this meeting be adjourned and reconvened on Friday 13 June 2025 commencing at 5.30pm.			
LOST BY PRESIDENT CASTING VOTE 4/4			
For:	Cr Jeans, Cr Daw, Cr Mehta and Cr Cicchini		
Against:	Pres McNeil, Cr Ellery, Cr Zlatnik and Cr Beale		
The result was a tied vote and the Presiding Member exercised her authority under Section 5.21(3) of the Act to cast a second vote against the motion.			

OFFICER RECOMMENDATION / COUNCIL DECISION		SC11.06.25	
Moved by	Cr Beale	Seconded by	Cr Zlatnik
That Council, by absolute majority:			
1. Reaffirms its decisions of September 10, 2024, to withdraw from, and support the orderly windup of the Eastern Metropolitan Regional Council; 2. Instructs the Chief Executive Officer to write to the Minister for Local Government, the Eastern Metropolitan Regional Council and its Member Participants, advising of the decision of Council prior 16 June 2025; 3. Authorises the Chief Executive Officer to provide a copy of the Council report and attachments to the Department of Local Government, Sport & Cultural Industries if required; and 4. Instructs the Chief Executive Officer to keep this resolution confidential for a period of 30 days, other than actioning items 2 and 3 above.			
CARRIED BY ABSOLUTE MAJORITY 5/3			
For:	Pres McNeil, Cr Ellery, Cr Mehta, Cr Zlatnik and Cr Beale		
Against:	Cr Jeans, Cr Daw and Cr Cicchini		

Meeting Opened to Public at 9.15pm

RECOMMENDATION / COUNCIL DECISION			
			SC12.06.25
Moved by	Cr Zlatnik	Seconded by	Cr Beale
That the meeting again be opened to the public.			
			CARRIED 8/0
For:	Pres McNeil, Cr Ellery, Cr Jeans, Cr Mehta, Cr Daw, Cr Zlatnik, Cr Beale and Cr Cicchini		
Against:	Nil		

Please note: The President announced that the decision of Council in relation to Item 6.1 is to be withheld from the public record for a period of 30 days as per Council Resolution SC11.06.25.

7.0 CLOSING PROCEDURES

7.1 Date, Time and Place of the Next Meeting

The next Ordinary Council meeting will be held on Tuesday, 8 July 2025 at 6:30 PM in the Council Chamber, Shire of Mundaring Administration Centre, 7000 Great Eastern Highway, Mundaring.

7.2 Closure of the Meeting

The Presiding Member declared the meeting closed at 9.18pm.