



Special Council Meeting

# Supplementary Agenda

29 November 2023

**CITY OF BUSSELTON**

Supplementary Agenda for the Council Meeting to be held on Wednesday 29 November 2023

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## 7. CORPORATE STRATEGY AND PERFORMANCE REPORTS

### 7.2 Committee and Working Group Appointments - Valerie Kaigg

<b>Strategic Theme:</b>	Key Theme 4: Leadership 4.2 Deliver governance systems that facilitate open, ethical and transparent decision making.
<b>Directorate:</b>	Corporate Strategy and Performance
<b>Reporting Officer:</b>	Manager Legal and Governance - Ben Whitehill
<b>Authorised By:</b>	Director of Corporate Strategy and Performance - Sarah Pierson
<b>Nature of Decision:</b>	Executive: Substantial direction setting, including adopting budgets, strategies, plans and policies (excluding local planning policies); funding, donations and sponsorships; reviewing committee recommendations.
<b>Voting Requirements:</b>	Absolute Majority
<b>Disclosures of Interest:</b>	No officers preparing this item have an interest to declare.
<b>Attachments:</b>	Nil

#### OFFICER RECOMMENDATION

That the Council:

1. **Appoint Councillor Valerie Kaigg to the following committees pursuant to section 5.8 and 5.11A of the *Local Government Act 1995*:**
  - a. **Audit and Risk Committee;**
  - b. **Behaviour Complaints Committee;**
  - c. **Finance Committee (fourth deputy); and**
  - d. **Policy and Legislation Committee (second deputy).**

**ABSOLUTE MAJORITY REQUIRED**

2. **Appoint Councillor Valerie Kaigg to the Business Development and Events Marketing Group.**
3. **Appoint Councillor Valerie Kaigg as deputy member to the Busselton and Sugito Cities Association.**

#### **EXECUTIVE SUMMARY**

The resignation of Councillor Cherise Woodhams has created vacancies on various committees and working groups. This report recommends that her replacement Councillor elect Valerie Kaigg be appointed to the vacant positions.

#### **STRATEGIC CONTEXT**

The appointment of elected members to committees and working groups supports the good governance of the district.

## BACKGROUND

Councillor Cherise Woodhams was elected as a councillor on 21 October 2023 for a 2-year term ending on 18 October 2025. At a special meeting on 25 October 2023 Cr Woodhams was appointed as a member of the Audit and Risk Committee, Behaviour Complaints Committee and Business Development and Events Marketing Group. Councillor Woodhams was also appointed as fourth deputy to the Finance Committee, second deputy to the Policy and Legislation Committee and deputy member to the Busselton and Sugito Cities Association.

On 22 November 2023, Cr Woodhams notified the CEO of her resignation as a councillor due to health reasons. Reforms to the *Local Government Act 1995* (WA) (**Act**) mean that if a vacancy occurs within a 12-month period after an ordinary election then that vacancy may be filled by the first and second unelected candidates under Schedule 4.1A of the Act, in lieu of holding an extraordinary election. At the 21 October 2023 election Valerie Kaigg was the first unelected candidate.

After Cr Woodhams resignation the CEO notified Valerie Kaigg as the first unelected candidate of the vacancy. Valerie Kaigg has via a Statutory Declaration advised the CEO that she wants to fill the vacancy and that she is qualified to be elected to the Council under section 2.19 of the Act. She will be sworn in by completing the declaration under section 2.29 of the Act prior to the special meeting where this report will be considered.

By virtue of Councillor Woodhams' resignation as a councillor her term of membership of the Audit and Risk Committee, Behaviour Complaints Committee, Finance Committee (as fourth deputy) and Policy and Legislation Committee (as second deputy) has ended pursuant to s 5.11(2)(b) of the Act. Similarly, her appointments to the Business Development and Events Marketing Group and Busselton and Sugito Cities Association (as deputy) have also ended.

## OFFICER COMMENT

The CEO has approached Councillor elect Kaigg on appointments to committees and working groups. Councillor elect Kaigg has indicated that she is agreeable with nominating for the Council committees and working groups left vacant by Councillor Woodhams. This will ensure a smooth transition and will not require the Council to reconstitute all the committees and working groups.

Based on the positions left vacant by Cr Woodhams it is recommended that the Council accept the nominations of Councillor elect Kaigg and that she be appointed as a member of the Audit and Risk Committee, Behaviour Complaints Committee and Business Development and Events Marketing Group. It is also recommended that Councillor elect Kaigg be appointed as fourth deputy to the Finance Committee, second deputy to the Policy and Legislation Committee and deputy to the Busselton and Sugito Cities Association.

It is noted that a separate report will be considered at the special council meeting with a recommendation to remove all members from the Behaviour Complaints Committee pending a further review of the Committee, however as Council has not yet made a decision in relation to that, it is recommended that Councillor elect Kaigg be appointed to the Behaviour Complaints Committee, and that that appointment then be subject to that decision. It is therefore recommended that the Presiding Member consider this item first in the order of business for the special council meeting.

### **Statutory Environment**

Section 5.10 of the Act deals with the appointment of committee members. Section 5.11A of the Act deals with the appointment of deputy committee members. Section 5.11 of the Act deals with the tenure of committee membership.

### **Relevant Plans and Policies**

The officer recommendation aligns to the following adopted plan or policy:

Plan:

Not applicable.

Policy:

Not applicable.

### **Financial Implications**

Not Applicable

### **External Stakeholder Consultation**

Not Applicable

### **Risk Assessment**

An assessment of the potential implications of implementing the officer recommendation has been undertaken using the City's risk management framework, with risks assessed taking into account any controls already in place. No risks of a medium or greater level have been identified.

### **Options**

As an alternative to the proposed recommendation the Council could otherwise decide the committee and working group appointments.

### **CONCLUSION**

The appointment of Councillor elect Kaigg to the positions made vacant by the resignation of Cr Woodhams will resolve the membership of committees and working groups and will support the good governance of the district.

### **TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION**

The officer recommendation will be implemented in full, or in stages as per the following table:

<b>Milestone</b>	<b>Completion Date</b>
Committee and working group appointments updated	November 2023