

AGENDA

Special Council Meeting

22 October 2013

Notice of Meeting

To: The Mayor and Elected Members

A Special Council Meeting will be held on Tuesday 22 October 2013 in the Council Chamber, Sandgate Street, South Perth commencing at 5.30pm.

The purpose of the meeting is the:

- Swearing-In of Councillors / Declaration of Office for Councillors
- Election of a Deputy Mayor / Declaration of Office for the position of Deputy Mayor
- Membership of Council Committees
- Appointment of Delegates



CLIFF FREWING
CHIEF EXECUTIVE OFFICER
21 October 2013

Our Guiding Values

Trust

Honesty and integrity

Respect

Acceptance and tolerance

Understanding

Caring and empathy

Teamwork

Leadership and commitment

Disclaimer

The City of South Perth disclaims any liability for any loss arising from any person or body relying on any statement, discussion, recommendation or decision made during this meeting.

Where an application for an approval, a licence or the like is discussed or determined during this meeting, the City warns that neither the applicant, nor any other person or body, should rely upon that discussion or determination until written notice of either an approval and the conditions which relate to it, or the refusal of the application has been issued by the City.

Further Information

The following information is available on the City's website.

- **Council Meeting Schedule**
Council Meetings are held at 7pm in the Council Chamber at the South Perth Civic Centre on the fourth Tuesday of every month between February and November. Members of the public are encouraged to attend open meetings.
- **Minutes and Agendas**
As part of our commitment to transparent decision making, the City makes documents relating to council and its committees' meetings available to the public.
- **Meet Your Council**
The City of South Perth covers an area of around 19.9km² divided into six wards. Each ward is represented by two councillors, presided over by a popularly elected mayor. Councillor profiles provide contact details for each elected member.

www.southperth.wa.gov.au/Our-Council/

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Special Council Meeting Agenda

1. **DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS**

Chairperson to open the meeting

2. **ATTENDANCE**

2.1 **APOLOGIES**

3. **DECLARATION OF OFFICE BY COUNCILLORS**

John Hardwick to conduct the Declaration of Office ceremony for the following Elected Members:

Sharron Hawkins-Zeeb	Manning Ward
Colin Cala	Manning Ward
Glenn Cridland	Como Ward
Veronica Lawrance	Como Ward
Fiona Reid	Moresby Ward
Kevin Trent	Moresby Ward
Cheryle Irons	Mill Point Ward
Michael Huston	Mill Point Ward

4. **ANNOUNCEMENTS FROM THE PRESIDING MEMBER**

4.1 **AUDIO RECORDING OF COUNCIL MEETING**

5. **PUBLIC QUESTION TIME (IN RELATION TO ITEM 7)**

6. **DEPUTATIONS (IN RELATION TO ITEM 7)**

7. REPORTS

7.1 ELECTION OF DEPUTY MAYOR

Location:	City of South Perth
Applicant:	Council
Date:	11 October 2013
Author:	Amanda Albrecht, Governance Officer
Reporting Officer:	Cliff Frewing, Chief Executive Officer

Summary

This report outlines the statutory process for electing a Deputy Mayor.

Officer Recommendation

That the Council elects a Deputy Mayor in accordance with the *Local Government Act 1995*.

Background

At the first Council meeting held after the October 2013 Local Government Election, the first item on the Agenda is the election of the Deputy Mayor. This report outlines the process for electing the Deputy Mayor in accordance with Section 2.15 and Schedule 2.3 of the *Local Government Act 1995* (the Act).

Comment

The Deputy Mayor is responsible for assuming the responsibilities of Mayor in the Mayor's absence, including the chairing of Council meetings, and attendance of public functions.

Conduct of the election

Under clause 7 of Schedule 2.3 of the Act, where the position of Mayor is not the subject of an election by the Council, the election of the Deputy Mayor is the first matter to be dealt with at the first meeting of Council after an Ordinary Election.

Nominations

Nominations, in writing, are to be submitted to the person conducting the meeting either before the meeting or during the meeting before the close of nominations. Nominations close at the meeting at a time announced by the person conducting the election, which must be a time that is sufficient after the opening of nominations to allow written nominations to be submitted. If a Councillor is nominated by another Councillor, then the Councillor nominated must consent to the nomination.

Ballot Papers

Once nominations have closed, the Chief Executive Officer (CEO) prepares ballot papers in accordance with the prescribed form. The CEO must authenticate the ballot paper by initialling the back of the ballot paper. The order of names appearing on the ballot paper will be in alphabetical order. The CEO may replace a ballot paper if the CEO is satisfied the ballot paper has been spoiled.

Voting

Councillor voting is conducted in secret and Councillors vote by placing a tick in the box opposite the name of the candidate whom the Councillor wishes to be elected. A Councillor must vote in secret and must mark the ballot paper in a manner that it cannot be seen by anyone else. The CEO may assist Councillors to mark their ballot papers if they require assistance. The completed ballot papers are returned to the CEO.

Counting of the votes

The CEO is to count the votes on the basis of 'first past the post' voting. If votes are tied then the matter is referred to a Special Council meeting to be held no more than 7 days later.

Declaration of the election

The person conducting the election is to declare the result of the election.

Record of the election

The CEO must retain a record of the election for a period of at least four years following the election.

Consultation

It is the responsibility of the Council to elect a Deputy Mayor. No consultation is necessary.

Policy and Legislative Implications

This report has been prepared in accordance with the provisions of section 2.15 and schedule 2.3 of the Local Government Act 1995, which specifies the manner in which the Deputy Mayoral election is to be conducted.

Financial Implications

The Deputy Mayor will receive an allowance of \$13,500 pa (this is 25 percent of the Mayor's allowance), in addition to a meeting allowance of \$22,000 pa, and a technology and communications allowance of \$3,500 pa.

Strategic Implications

This report is consistent with the [Strategic Community Plan 2013–2023](#), Direction 6 – Governance, Advocacy and Corporate Management "Ensure that the City has the organisational capacity, advocacy and governance framework and systems to deliver the priorities identified in the Strategic Community Plan".

Sustainability Implications

This report is aligned to the City's [Sustainability Strategy 2012–2015](#).

7.2 COMMITTEES OF COUNCIL

Location:	City of South Perth
Applicant:	Council
Date:	11 October 2013
Author:	Amanda Albrecht, Governance Officer
Reporting Officer:	Cliff Frewing, Chief Executive Officer

Summary

This report seeks Council consideration of the membership of each of its Committees, namely the:

- Audit and Governance Committee
- CEO Evaluation Committee

Officer Recommendation

That the Council appoints members to the Audit and Governance Committee and to the CEO Evaluation Review Committee.

Background

The City of South Perth Council currently has two committees. These are the Audit and Governance Committee and the CEO Evaluation Committee.

Section 5.11 of the *Local Government Act 1995* (the Act) prescribes that the tenure of a committee member ends on the Ordinary Council Election day (19 October 2013). This means that the tenure of all previous committee members has ended and the Council must consider the future committee membership.

Section 5.10(4) of the Act provides that the Council must appoint the Mayor to each Committee if they inform the City of their wish to be a member of a particular Committee. The Committee, once appointed, must select a Chair.

Comment

The Audit and Governance Committee

This Committee was formed in 2004 to oversee the City's audit process and deal with a range of governance issues. The terms of reference (reviewed and adopted by Council in February 2010) for the Audit and Governance Committee are:

That the Committee is responsible for providing guidance, assistance and oversight to the Council of the audit and review of the City's processes and performances in relation to:

- Annual Financial Audit;*
- City's Risk Management Framework;*
- Annual Statutory Compliance Audit;*
- Code of Conduct;*
- Access to Information;*
- Policy and Delegation Reviews;*
- Australian Business Excellence Framework; and*
- City's Local Laws.*

Section 7.1A of the *Local Government Act 1995* requires that each local government establish an audit committee consisting of at least three Elected Members.

The Committee meets on an 'as needed' basis during the year with the timing of each meeting coinciding with the conduct of a particular aspect of the City's audit and governance cycle. The CEO and relevant staff and advisors also attend the meeting to provide relevant information and advice.

Prior to the October 2013 Election, the membership of the Audit and Governance Committee was as follows:

- Cr Trent (Chair)
- Mayor Doherty
- Cr Grayden
- Cr Skinner
- Cr Hawkins-Zeeb
- Cr Howat
- Cr Lawrance

The Audit and Governance Committee has no delegated power and all recommendations made are referred to Council for decision.

The Council needs to appoint the membership of the Audit and Governance Committee for the two year period ending October 2015.

CEO Evaluation Committee

This Committee oversees the quarterly reviews of the CEO's performance and conducts annual performance reviews for the CEO.

The terms of reference (reviewed/adopted May 2010) of the CEO Evaluation Committee are to:

- (i) *To oversee Council's only staff function, that being the performance review and management of the Chief Executive Officer.*
- (ii) *At all times to act in the best interests of the City whilst ensuring the principles of natural justice and procedural fairness are met.*
- (iii) *To ensure the appropriate leadership is in place to allow the City's strategic planning processes to be realised through the setting of appropriate performance criteria.*
- (iv) *To ensure equity and transparency in all dealings with the Chief Executive Officer's performance outcomes and remuneration obligations are met.*
- (v) *To provide a safe forum for Council and the Chief Executive Officer to air any concerns or to discuss variances in any timelines that have been set as part of the performance criteria.*
- (vi) *To oversee the development of robust performance criteria that has a measurable return to the City.*
- (vii) *To set and oversee any changes in performance expectations for the review period*
- (viii) *To make recommendations to Council on all matters pertaining to the Chief Executive Officer Annual Review.*

Prior to the October 2013 Election, the membership of the CEO Evaluation Committee was as follows:

- Cr Hasleby (Chair)
- Mayor Doherty
- Cr Cala
- Cr Skinner
- Cr Trent

The Committee meets on an 'as needed' basis during year. The CEO Evaluation Committee has no delegated power other than to progress the CEO's review. All recommendations made by the Committee are referred to Council for decision.

Consultation

It is the responsibility of the Council to appoint members to its Committees. No consultation is necessary.

Policy and Legislative Implications

Establishment of Committees is in accordance with section 5.11 of the *Local Government Act 1995* which provides that the tenure of a committee member ceases at each ordinary Election Day.

Financial Implications

There are no financial implications associated with the appointment of the Council Committees. Councillors do not receive additional payments for attendance at these meetings.

Strategic Implications

This report is consistent with the [Strategic Community Plan 2013–2023](#), Direction 6 – Governance, Advocacy and Corporate Management “*Ensure that the City has the organisational capacity, advocacy and governance framework and systems to deliver the priorities identified in the Strategic Community Plan*”.

Sustainability Implications

This report is aligned to the City’s [Sustainability Strategy 2012–2015](#).

7.3 DELEGATES FROM COUNCIL TO EXTERNAL ORGANISATIONS

Location:	City of South Perth
Applicant:	Council
Date:	11 October 2013
Author:	Amanda Albrecht, Governance Officer
Reporting Officer:	Cliff Frewing, Chief Executive Officer

Summary

The Council is often invited to select a Member to be a Delegate from the City on a committee of an external organisation. The purpose of this report is to nominate Delegates to represent Council on several external organisations.

Officer Recommendation

That the Council provide the following organisations with the identified number of Elected Member Delegates for the two year period ending October 2015:

• Rivers Regional Council	Two and two deputies
• WALGA - South-East Metropolitan Zone	Two and a deputy
• Development Assessment Panel	Two and two deputies
• Perth Airport Municipalities Group	One and a deputy
• Two Rivers Catchment Group (TRCG)	One and a deputy
• South East Regional Centre for Urban Landcare (SERCUL)	One and a deputy
• Local Emergency Management Committee for Canning	One and a deputy

Background

A number of community, regional and state-wide organisations regularly request that Council provide a member to be a delegate on a management or consultation committee of the external organisation. Where Council provides a delegate they may wish to nominate a deputy delegate to act in the absence of the delegate.

Council has previously provided delegates to the following organisations:

ORGANISATIONS	DELEGATES
Rivers Regional Council	Two and two deputies
WALGA - South-East Metropolitan Zone	Two and a deputy
Development Assessment Panel	Two and two deputies
Perth Airport Municipalities Group	One and a deputy
Two Rivers Catchment Group (TRCG)	One and a deputy
South East Regional Centre for Urban Landcare (SERCUL)	One and a deputy
Local Emergency Management Committee for Canning	One and a deputy

Comment

Details of the external organisations previously provided with Delegates are provided below:

Rivers Regional Council

The Rivers Regional Council (RRC) is a Regional Council formed under the *Local Government Act 1995* (the Act) where membership consists of the Cities of Armadale, Gosnells, Mandurah, South Perth and the Shires of Murray, Serpentine Jarrahdale and Waroona. Each member Council elects two delegates to the Regional Council. The main purpose of the Council is to make decisions relating to strategic waste management issues and conduct research and investigations into future waste management options available to member Councils.

The previous Council representatives were Councillor Cala and Councillor Trent, with Councillor Gleeson as the nominated Deputy Delegate. The Acting Director Infrastructure Services is the supporting officer. Meetings are held every two months and the City is entitled to nominate two members. This year, the RRC has advised that each of the individual member Councillors has to have a nominated Deputy. A Special Council Meeting of the RRC is scheduled for Thursday 31 October 2013 to 'swear in' the new RRC Councillors.

RRC Councillors are entitled to annual fees and allowances as set out below:

Chairman fee	\$10,000
Chairman allowance	\$10,000
Deputy Chairman allowance	\$2,500
Councillor fee	\$7,500

WALGA - South East Metropolitan Zone

The Western Australian Local Government Association (WALGA) is the single association for Local Governments in WA, representing the political and strategic interests of Local Government at State and Federal levels. The South East Metropolitan Zone Committee provides input to the West Australian Local Government Association State Council on issues relating to Local Government affecting members of the Local Government Association.

The WALGA South East Metropolitan Zone is comprised of representatives of the following Local Governments:

- City of Armadale
- City of Canning
- City of Gosnells
- Shire of Serpentine Jarrahdale
- City of South Perth
- Town of Victoria Park

A paper providing information on WALGA, the role of State Councillors and what makes an effective State Councillor is at **Attachment 7.3**. Terms of office for elected representatives and deputy representatives will be two years.

The previous Council representatives were Mayor Doherty and Councillor Trent with Councillor Cala as the nominated Deputy Delegate. Meetings are held every two months on a Wednesday evening and the City is entitled to nominate two members and a deputy to the Committee. The next meeting is scheduled for **Wednesday 27 November** at the City of Armadale.

No additional fees or allowances are paid to representatives of this Committee.

At the next meeting of this Committee, the Committee will be required to nominate two members to represent the Committee on the WALGA State Council.

Development Assessment Panel (DAP)

Development Assessment Panels (DAPs) commenced operation in July 2011. Under DAP Regulation 26, each Local Government is required to nominate two DAP members and 2 alternate DAP members to the Department of Planning. DAPs are panels comprising a mix of technical experts and local government representatives with the power to

determine applications for development approvals in place of the relevant decision-making authority.

The City of South Perth is within a Joint Development Assessment Panel (JDAP) along with the local governments of Bassendean, Bayswater, Belmont, Canning, Melville and Victoria Park. Two local government representatives are required from each local government included in the JDAP.

In February 2013, the Council reappointed Councillors Cala and Cridland as the City's Members on the Development Assessment Panel and Councillors Trent and Skinner as the alternate members. The Minister appointed all nominees for a two-year term, expiring April 2015.

As Councillors Cala, Cridland, and Trent have been returned to Council in the 19 October 2013 Local Government Elections, they will continue as the City's representatives on the Development Assessment Panel until April 2015.

The Council will need to elect 1 additional member to this panel to fill the vacancy created by the election.

DAP members are entitled to fees as set out below:

Fee for presiding member per meeting to determine development applications	\$500
Fee for any other member per meeting to determine development applications	\$400
Fee per meeting for presiding member to determine applications to amend, or cancel determination	\$100
Fee per meeting for any other member to determine applications to amend, or cancel determination	\$50
Fee for presiding member attending proceeding in State Administrative Tribunal	\$500
Fee for any other member attending proceeding in State Administrative Tribunal	\$400
Fee for training	\$400

Perth Airports Municipalities Group

The objectives of the PAMG are as follows:

- (a) *To provide a forum of meaningful discussion on issues which affect the Perth International Airport and Jandakot Airport and their environs and to investigate, report and formulate recommendations in respect of matters affecting or likely to affect the development of these airports and to monitor their use and environmental impact on neighbouring communities.*
- (b) *To advise relevant State and Federal Ministers, State and Commonwealth Government departments, the Noise Management Committee, and Westralia Airports Corporation (WAC) and Jandakot Airport Holdings Pty Ltd (JAH) on issues of major concern affecting Airports and the surrounding communities.*
- (c) *To provide a medium for the expression of community views and a proper exchange of information with members of the community.*
- (d) *To consider all proposals affecting Airport development and operations before policy decisions are made and before changes are effected in relevant legislation and regulations.*
- (e) *To liaise with the Airport Emergency Procedures Committee where necessary on matters involving emergency co-ordination and rescue response.*
- (f) *To pursue active participation on the Australian Mayoral Aviation Council (AMAC) and such other bodies that may come into existence for the purpose of fostering participation in the development, use and impact of Airports.*

(g) To promote the benefits of Airports.

The PAMG's membership consists of 11 local government councils who are either directly or indirectly impacted by airports. The eleven local governments are the City of Armadale, Town of Bassendean, City of Bayswater, City of Belmont, City of Cockburn, City of Gosnells, City of Canning, Shire of Kalamunda, City of Melville, Shire of Mundaring, City of South Perth and City of Swan. The combined population of these 12 Councils is in excess of 800,000 residents, which is just over 50% of population of metropolitan Perth.

The previous Council Delegate was Councillor Hasleby with Councillor Skinner as Deputy Delegate. Meetings are held bi-monthly or as decided by the PAMG on a rotational basis at the members local government offices. The next meeting of this Group is scheduled for Thursday 5 December 2011 at the City of Bayswater.

No additional fees or allowances are paid to representatives on this Group.

South East Regional Centre for Urban Landcare (SERCUL)

SERCUL is a sub-region of the Perth Natural Resource Management Organisation whose allocated region covers 12 local authorities. SERCUL is a 'not for profit' organisation and operates from an office at 69 Horley Road, Beckenham. The organisation currently has 8 full time staff and 4 part time staff working with Commonwealth, State and Local Governments to implement a wide range of NRM projects including community education.

As a member of the organisation Council will have the opportunities to:

- Gain firsthand knowledge of projects being offered and occurring;
- Network with NRM officers, community, local and State Government officers involved with NRM; and
- Put forward requests for information or presentations on NRM topics or issues of interest to the City of South Perth.

The previous Council Delegate was Councillor Gleeson with Councillor Hawkins-Zeeb as the Deputy Delegate. The SERCUL Committee meets at 9.00 am to 12 noon four times a year on the second Thursday of the month. Meetings are held at member local government offices on a rotating basis. The next meeting of Committee is Thursday 14 November 2013.

No additional fees or allowances are paid to representatives on this group.

Two Rivers Catchment Group (TRCG)

Two Rivers Catchment Group operates over a large area from Kalamunda through Belmont and to the Canning Plains area on the northern side of the Canning River. The Group is an integrated catchment body that allows the community to protect and preserve natural environments.

The previous Council Delegate was Councillor Reid with Councillor Gleeson as the Deputy Delegate. Meetings are held every two months on a Wednesday from 7pm on a rotational basis at the members local government offices.

No additional fees or allowances are paid to representatives on this Group.

Local Emergency Management Committee for Canning

In 2005 with the introduction of the *Emergency Management Act* provision was made to combine Local Emergency Management Committees. The Local Emergency Management Committee for Canning (LEMC) comprises the Cities of Canning and South Perth and represents the interests of both local governments.

The Emergency Management Structure in accordance with the *Emergency Management Act 2005* is as follows:

- 1. State Emergency Management Committee**
 - Authorises regulations.
 - Appoints SEMC members.
 - May declare “State of Emergency”.
 - Determines emergency management districts under the Act.

- 2. District Emergency Management Committee**
 - Provide advice and support to the district emergency management committee for the district in the development and maintenance of emergency management arrangements for its district.
 - To carry out other emergency management functions in accordance with the directions of the State Emergency Coordinator.

- 3. Local Emergency Management Committee**
 - Develop and implement local emergency management arrangements.
 - To manage recovery following an emergency affecting the community in its district.
 - To perform other functions given to the local government under the Act.

- 4. State Emergency Service**
 - Provides on-ground response to local emergencies.
 - Provides rescue volunteer support and resources to hazard management agencies.
 - Co-ordinates volunteers providing training and resources in preparedness of emergencies.
 - Maintains rescue equipment in fully functional condition in preparedness of emergencies.

The committee meets quarterly and meetings are held at Canning and South Perth local government offices on a rotating basis.

No additional fees or allowances are paid to representatives on this Committee.

Consultation

It is the responsibility of the Council to appoint delegates to external committees. No consultation is necessary.

Policy and Legislative Implications

This report is consistent with the City of South Perth Policy P670 ‘Delegates from Council’.

Financial Implications

There are minor representation costs.

Strategic Implications

This report is consistent with the [Strategic Community Plan 2013–2023](#), Direction 6 – Governance, Advocacy and Corporate Management “*Ensure that the City has the organisational capacity, advocacy and governance framework and systems to deliver the priorities identified in the Strategic Community Plan*”.

Sustainability Implications

This report is aligned to the City’s [Sustainability Strategy 2012–2015](#).

8. CLOSURE

9. RECORD OF VOTING