

# AGENDA

## Special Council Meeting

19 October 2015

### Notice of Meeting

To: The Mayor and Elected Members

A Special Council Meeting of the City of South Perth Council will be held on Monday 19 October 2015 in City of South Perth Council Chamber, Cnr Sandgate Street and South Terrace, South Perth commencing at 5.30pm.

The purpose of the meeting is for the:

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

*V Lummer*

VICKI LUMMER  
ACTING CHIEF EXECUTIVE OFFICER

16 October 2015



# 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**

Ordinary Council Meetings are held at 7.00pm 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 meetings of Council and its Committees available to the public.

- **Meet Your Council**

The City of South Perth covers an area of around 19.9km<sup>2</sup> divided into four 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/](http://www.southperth.wa.gov.au/Our-Council/)

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# Special Council Meeting - Agenda

## 1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

*The Acting Chief Executive Officer will preside at the meeting until the Office of Mayor is declared filled.*

## 2. ANNOUNCEMENTS FROM THE ACTING CHIEF EXECUTIVE OFFICER

### 2.1 AUDIO RECORDING OF COUNCIL MEETING

The Acting Chief Executive Officer advises that the meeting will be audio recorded in accordance with Council Policy P673 "Audio Recording of Council Meetings" and Clause 6.15 of the Standing Orders Local Law 2007 which states: "A person is not to use any electronic, visual or vocal recording device or instrument to record the proceedings of the Council without the permission of the Presiding Member".

### 2.2 PUBLIC QUESTION TIME FORMS

Public Question Time Forms are available in the foyer and on the City's website for anyone wanting to submit a written question. As this is a Special Council Meeting, questions must relate to the purpose of the meeting.

## 3. ATTENDANCE

### 3.1 GUESTS / GALLERY / COUNCILLORS ELECT

### 3.2 APOLOGIES

## 4. DECLARATION OF OFFICE BY NEW MEMBERS

Dr Ken Michael AC to conduct the Declaration of Office ceremony for the following Elected Members:

Member Elect	Mayor
Colin Cala	Manning Ward
Member Elect	Como Ward
Member Elect	Mill Point Ward
Member Elect	Moresby Ward

## 5. PUBLIC QUESTION TIME

## 6. DEPUTATIONS

## 7. REPORTS

### 7.6 STRATEGIC DIRECTION 6: GOVERNANCE, ADVOCACY AND CORPORATE MANAGEMENT

#### 7.6.1 Election of Deputy Mayor

Location:	City of South Perth
Ward:	Not Applicable
Applicant:	Council
File Ref:	D-15-72050
Date:	19 October 2015
Author:	Sharron Kent, Governance Officer
Reporting Officer:	Phil McQue, Manager Governance and Administration
Strategic Direction:	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
Council Strategy:	6.3 Continue to develop best practice policy and procedure frameworks that effectively guide decision-making in an accountable and transparent manner.

#### Summary

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

#### Officer Recommendation

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

#### Background

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 the Mayor in the Mayor's absence, including the chairing of Council meetings, and attendance of public functions.

#### 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 Acting Chief Executive Officer (A/CEO) prepares ballot papers in accordance with the prescribed form. The A/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 A/CEO may replace a ballot paper if the A/CEO is satisfied the ballot paper has been spoilt.

## 7.6.1 Election of Deputy Mayor

### 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 A/CEO may assist Councillors to mark their ballot papers if they require assistance. The completed ballot papers are returned to the A/CEO.

### Counting of the votes

The A/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 A/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.

### **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 annual allowance of \$13,500 pa (25% of the Mayoral allowance), in addition to a meeting allowance of \$22,000 pa, and a technology and communications allowance of \$3,500 pa.

### **Sustainability Implications**

This report is consistent with the [Strategic Community Plan 2015–2023](#), 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*”.

### **Attachments**

Nil.

## 7.6.2 Committees of Council

Location:	City of South Perth
Ward:	Not Applicable
Applicant:	Council
File Ref:	D-15-72054
Date:	19 October 2015
Author:	Sharron Kent, Governance Officer
Reporting Officer:	Phil McQue, Manager Governance and Administration
Strategic Direction:	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
Council Strategy:	6.3 Continue to develop best practice policy and procedure frameworks that effectively guide decision-making in an accountable and transparent manner.

### 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 Committee.

### Background

The City of South Perth Council currently has two committees, being 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 (17 October 2015) and the Council must now consider the future committee membership of these Committee's.

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 at its first meeting.

### Comment

#### **The Audit and Governance Committee**

This Committee oversees the City's audit process and deal with a range of governance issues. The terms of reference 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:*

- (a) Annual Financial Audit;*
- (b) City's Risk Management Framework;*
- (c) Annual Statutory Compliance Audit;*
- (d) Code of Conduct;*
- (e) Access to Information;*
- (f) Policy and Delegation Reviews;*
- (g) Australian Business Excellence Framework; and*
- (h) City's Local Laws.*

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 2015 election, the membership of the Audit and Governance Committee was as follows:

- Mayor Doherty
- Cr Hawkins-Zeeb
- Cr Cridland
- Cr Trent
- Cr Reid
- Cr Huston
- Cr Irons
- Cr Cala

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 2017.

#### **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 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 2015 Election, the membership of the CEO Evaluation Committee was as follows:

- Mayor Doherty
- Cr Hawkins-Zeeb
- Cr Cridland
- Cr Lawrance
- Cr Trent



## 7.6.2 Committees of Council

- Cr Reid
- Cr Huston
- Cr Irons
- Cr Cala

The Committee meets on an 'as needed' basis during year. The CEO Evaluation Committee has no delegated power and 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.

### **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.

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.

### **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.

### **Sustainability Implications**

This report is consistent with the [Strategic Community Plan 2015–2023](#), 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*”.

### **Attachments**

Nil.

### 7.6.3 Delegates from Council to External Organisations

Location: City of South Perth  
 Ward: Not Applicable  
 Applicant: Council  
 File Ref: D-15-72057  
 Date: 19 October 2015  
 Author: Sharron Kent, Governance Officer  
 Reporting Officer: Phil McQue, Manager Governance and Administration  
 Strategic Direction: 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  
 Council Strategy: 6.3 Continue to develop best practice policy and procedure frameworks that effectively guide decision-making in an accountable and transparent manner.

#### Summary

The Council is invited to appoint elected members' as Delegates on a number of external committees.

#### Officer Recommendation

That the Council provide the following organisations with the identified number of Elected Member Delegates for the two year period ending October 2017:

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

#### Background

A number of external 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 one deputy
Development Assessment Panel	Two and two deputies
Perth Airport Municipalities Group	One and one deputy
South East Regional Centre for Urban Landcare	One and one deputy
Local Emergency Management Committee for Canning	One and one deputy

## Comment

### **Rivers Regional Council**

The Rivers Regional Council (RRC) is a Regional Council formed under the *Local Government Act 1995* 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's Hawkins-Zeeb and Reid as the nominated Deputy Delegates. The Director Infrastructure Services is the supporting officer. Meetings are held every two months and the City is entitled to nominate two members.

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

The previous Council representatives were Councillors Reid and Hawkins-Zeeb, with Councillor Cala a deputy. Terms of office for elected representatives and deputy representatives will be two years.

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.

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.

### **Joint Development Assessment Panel**

Joint Development Assessment Panels (JDAP) commenced operation in July 2011. Under DAP Regulation 26, each Local Government is required to nominate two DAP members and two alternate JDAP members.

JDAPs 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 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.

Councillors Cala and Cridland are presently the the City's Members on JDAP and Councillor Hawkins Zeeb is a deputy member, with all three terms expiring April 2017.

The Council will need to elect one additional deputy member to fill the vacancy created by the resignation of Councillor Trent.

JDAP 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 Perth Airports Municipalities Group (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 Irons with Councillor Trent as Deputy Delegate. Meetings are held bi-monthly or as decided by the PAMG on a rotational basis at the members local government offices.

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 currently has 8 full time staff and 4 part time staff working with Commonwealth, State and Local Governments to implement a wide range of Perth Natural Resource Management (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 Hawkins Zeeb with Councillor Irons as the Deputy Delegate. The SERCUL Committee meets at 9.00 am to 12 noon four times a year. Meetings are held at member local government offices on a rotating basis.

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:

- I. 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 previous Council Delegate was Councillor Lawrance with Councillor Trent as the Deputy Delegate. Councillor Lawrance was the Chairperson of this Committee. 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**

The financial implications are outlined in the report where required.

#### **Sustainability Implications**

This report is consistent with the [Strategic Community Plan 2015–2023](#), 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*”.

#### **Attachments**

Nil.

## **8. CLOSURE**