

# MINUTES

## Special Council Meeting

22 October 2019

Mayor and Councillors

Here within are the Minutes of the Ordinary Council Meeting of the City of South Perth Council held Tuesday 22 October 2019 in the City of South Perth Council Chamber, Cnr Sandgate Street and South Terrace, South Perth.



GEOFF GLASS  
CHIEF EXECUTIVE OFFICER

24 October 2019

# Acknowledgement of Country

Kaartdjinin Nidja Nyungar Whadjuk Boodjar Koora Nidja Djining Noonakoort kaartdijin wangkiny, maam, gnarnk and boordier Nidja Whadjul kura kura.

We acknowledge and pay our respects to the traditional custodians of this land, the Whadjuk people of the Noongar nation and their Elders past and present.

## Our Guiding Values



## 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.

# Contents

<b>1.</b>	<b>DECLARATION OF OPENING</b>	<b>4</b>
<b>2.</b>	<b>ANNOUNCEMENTS FROM THE PRESIDING MEMBER</b>	<b>4</b>
2.1	STANDING ORDERS LOCAL LAW 2007	4
2.1	AUDIO RECORDING OF THE COUNCIL MEETING	4
<b>3.</b>	<b>ATTENDANCE</b>	<b>4</b>
3.1	APOLOGIES	5
3.2	APPROVED LEAVE OF ABSENCE	5
<b>4.</b>	<b>DECLARATION OF OFFICE BY NEW MEMBERS</b>	<b>5</b>
4.1	SWEARING IN OF ELECTED MEMBERS	5
4.2	ELECTION OF DEPUTY MAYOR	5
<b>5.</b>	<b>PUBLIC QUESTION TIME</b>	<b>6</b>
5.1	PUBLIC QUESTION TIME: 22 OCTOBER 2019	6
<b>6</b>	<b>DEPUTATIONS</b>	<b>6</b>
<b>7.</b>	<b>REPORTS</b>	<b>7</b>
7.4	STRATEGIC DIRECTION 4: LEADERSHIP	7
7.4.1	Audit, Risk and Governance Committee	7
7.4.2	Property Committee	9
7.4.3	Chief Executive Officer Evaluation Committee	11
7.4.4	Rivers Regional Council	12
7.4.5	Metro Central Joint Development Assessment Panel	14
7.4.6	Western Australian Local Government Association South-East Metropolitan Zone	17
7.4.7	Aboriginal Reference Group	19
7.4.8	Local Emergency Management Committee for Canning	20
7.4.9	City of South Perth Inclusive Community Advisory Group	22
7.4.10	City of South Perth Public Art Advisory Group	23
7.4.11	Perth Airports Municipalities Group Inc.	25
7.4.12	Appointment of Community Members to City of South Perth Committees	27
7.4.13	Extraordinary Election - Moresby Ward	30
<b>8.</b>	<b>CLOSURE</b>	<b>33</b>
	<b>DISCLAIMER</b>	<b>34</b>

# Special Council Meeting - Minutes

## 1. DECLARATION OF OPENING

The Chief Executive Officer declared the Special Council Meeting open at 6.01pm.

## 2. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

### 2.1 STANDING ORDERS LOCAL LAW 2007

*The meeting was held in accordance with the City's Standing Orders Local Law 2007 which provides rules and guidelines that apply to the conduct of Council meetings.*

### 2.1 AUDIO RECORDING OF THE COUNCIL MEETING

*The meeting was audio recorded in accordance with Council Policy P673 'Audio Recording of Council Meetings' and Clause 6.15 of the Standing Orders Local Law 2007 'Recording of Proceedings'.*

## 3. ATTENDANCE

### Sitting Councillors

Councillor Glenn Cridland	Como Ward
Councillor Blake D'Souza	Manning Ward

### Councillors Elect

Mr Greg Milner	Mayor
Mr Carl Celedin	Como Ward
Mr André Brender-A-Brandis	Manning Ward
Ms Mary Choy	Mill Point Ward
Mr Ken Manolas	Mill Point Ward
Mr Stephen Russell	Moresby Ward

### Officers

Chief Executive Officer	Mr Geoff Glass
Director Corporate Services	Mr Colin Cameron
Director Development and Community Services	Ms Vicki Lummer
Acting Director Infrastructure Services	Mr Steve Atwell
Manager Governance	Ms Bernadine Tucker
Governance Coordinator	Ms Toni Fry
Marketing Coordinator	Ms Lisa Williams
Senior Governance Officer	Ms Christine Lovett
Governance Officer	Ms Mieke Wevers

### Guests

Mr John McGrath MLA	Member of the Legislative Assembly
Mr John and Mrs Kerry Hardwick	Former Mayor and Freeman of the City of South Perth and his wife

#### Gallery

There were approximately 34 members of the public present.

### **3.1 APOLOGIES**

Nil.

### **3.2 APPROVED LEAVE OF ABSENCE**

Nil.

## **4. DECLARATION OF OFFICE BY NEW MEMBERS**

### **4.1 SWEARING IN OF ELECTED MEMBERS**

Mr John McGrath MLA conducted the swearing-in ceremony for the following:

Greg Milner	Mayor
Mr Carl Celedin	Como Ward
Mr André Brender-A-Brandis	Manning Ward
Ms Mary Choy	Mill Point Ward
Mr Ken Manolas	Mill Point Ward
Mr Stephen Russell	Moresby Ward

The newly Elected Members took their chairs.

### **4.2 ELECTION OF DEPUTY MAYOR**

The Deputy Mayor was elected in accordance with Section 2.15 and Schedule 2.3 of the *Local Government Act 1995*.

The Presiding Member advised that there was one written nomination received for the position of Deputy Mayor from Councillor Blake D'Souza prior to the meeting.

The Presiding Member called for further nominations.

As a result of there being only one nomination, the Presiding Member declared Councillor Blake D'Souza as Deputy Mayor for the City of South Perth.

Mr John McGrath MLA conducted the swearing-in ceremony for the position of Deputy Mayor.

## **5. PUBLIC QUESTION TIME**

### **5.1 PUBLIC QUESTION TIME: 22 OCTOBER 2019**

In accordance with Regulation 7(4)(b) of the Local Government (Administration) Regulations 1996 all questions asked at this meeting must relate to the purpose of this meeting.

The Presiding Member opened Public Question Time at 6.16pm.

There were no questions received.

The Presiding Member then closed Public Question Time at 6.16pm.

## **6 DEPUTATIONS**

There were no Requests for a Deputation to Address Council received.

## 7. REPORTS

### 7.4 STRATEGIC DIRECTION 4: LEADERSHIP

#### 7.4.1 Audit, Risk and Governance Committee

Location:	Not Applicable
Ward:	Not Applicable
Applicant:	Not Applicable
File Ref:	D-19-81083
Meeting Date:	22 October 2019
Author(s):	Toni Fry, Governance Coordinator
Reporting Officer(s):	Bernadine Tucker, Manager Governance
Strategic Direction:	Leadership: A visionary and influential local government
Council Strategy:	4.3 Good Governance

#### Officer Recommendation AND COUNCIL DECISION

**Moved:** Councillor Blake D'Souza

**Seconded:** Councillor Ken Manolas

That in accordance with the provisions of the *Local Government Act 1995*, Sections 5.10 and 5.11, the following Councillors be appointed to the Audit, Risk and Governance Committee for the period 22 October 2019 to 16 October 2021.

1. Councillor Blake D'Souza
2. Councillor André Brender-A-Brandis
3. Councillor Mary Choy
4. Councillor Ken Manolas
5. Mayor Greg Milner
6. Councillor Glenn Cridland

**CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY (8/0)**

**For:** Mayor Greg Milner and Councillors André Brender-A-Brandis, Carl Celedin, Mary Choy, Glenn Cridland, Blake D'Souza, Ken Manolas, Stephen Russell.

**Against:** Nil.

#### Comment

The Audit Committee is established under Section 7.1A of the *Local Government Act 1995*.

The Audit, Risk and Governance Committee currently meets on a quarterly basis and the role of the Committee in accordance with Regulation 16 of the Local Government (Audit) Regulations 1996 is:

- (a) to guide and assist the local government in carrying out —
  - (i) its functions under Part 6 of the Act; and

- (ii) its functions relating to other audits and other matters related to financial management;
- (b) to guide and assist the local government in carrying out the local government's functions in relation to audits conducted under Part 7 of the Act;
- (c) to review a report given to it by the CEO under regulation 17(3) (the ***CEO's report***) and is to —
  - (i) report to the council the results of that review; and
  - (ii) give a copy of the CEO's report to the council;
- (d) to monitor and advise the CEO when the CEO is carrying out functions in relation to a review under —
  - (i) regulation 17(1); and
  - (ii) the Local Government (Financial Management) Regulations 1996 regulation 5(2)(c);
- (e) to support the auditor of the local government to conduct an audit and carry out the auditor's other duties under the Act in respect of the local government;
- (f) to oversee the implementation of any action that the local government —
  - (i) is required to take by section 7.12A(3); and
  - (ii) has stated it has taken or intends to take in a report prepared under section 7.12A(4)(a); and
  - (iii) has accepted should be taken following receipt of a report of a review conducted under regulation 17(1); and
  - (iv) has accepted should be taken following receipt of a report of a review conducted under the Local Government (Financial Management) Regulations 1996 Regulation 5(2)(c);
- (g) to perform any other function conferred on the audit committee by these regulations or another written law.

The Committee does not currently have any delegation.

#### **Attachments**

Nil



## 7.4.2 Property Committee

Location:	Not Applicable
Ward:	Not Applicable
Applicant:	Not Applicable
File Ref:	D-19-81087
Meeting Date:	22 October 2019
Author(s):	Toni Fry, Governance Coordinator
Reporting Officer(s):	Bernadine Tucker, Manager Governance
Strategic Direction:	Leadership: A visionary and influential local government
Council Strategy:	4.3 Good Governance

### Officer Recommendation AND COUNCIL DECISION

**Moved:** Councillor Ken Manolas  
**Seconded:** Councillor Stephen Russell

That in accordance with the provisions of the *Local Government Act 1995*, Sections 5.10 and 5.11, the following Councillors be appointed to the Property Committee for the period 22 October 2019 to 16 October 2021.

1. Councillor Glenn Cridland
2. Councillor Carl Celedin
3. Councillor André Brender-A-Brandis
4. Councillor Ken Manolas
5. Mayor Greg Milner

**CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY (8/0)**

**For:** Mayor Greg Milner and Councillors André Brender-A-Brandis, Carl Celedin, Mary Choy, Glenn Cridland, Blake D'Souza, Ken Manolas, Stephen Russell.

**Against:** Nil.

### Comment

The Property Committee currently meets on a quarterly basis and the objective of the Committee is to provide recommendations to Council on property investment strategies and concepts to deliver long term financial and social returns.

The areas of responsibility include reviewing and making recommendations to Council on:

- The categorisation of the City's Property Assets.
- Strategic Property matters.
- Evaluations in relation to the sale or lease of the City's investment and development property holdings.
- Proposals for the purchase, disposal, development, redevelopment of any of the City's investment and development property holdings including proposed commercial arrangements by which the development activity is to be implemented.

- Proposals for the exchange or land swap arrangements of property added to the City's property holdings.

The Committee does not currently have any delegation.

**Attachments**

Nil

### 7.4.3 Chief Executive Officer Evaluation Committee

Location:	Not Applicable
Ward:	Not Applicable
Applicant:	Not Applicable
File Ref:	D-19-81368
Meeting Date:	22 October 2019
Author(s):	Toni Fry, Governance Coordinator
Reporting Officer(s):	Bernadine Tucker, Manager Governance
Strategic Direction:	Leadership: A visionary and influential local government
Council Strategy:	4.3 Good Governance

#### Officer Recommendation AND COUNCIL DECISION

**Moved:** Councillor Carl Celedin  
**Seconded:** Councillor André Brender-A-Brandis

That in accordance with the provisions of the *Local Government Act 1995*, Sections 5.10 and 5.11, the following Councillors be appointed to the Chief Executive Officer Evaluation Committee for the period 19 October 2019 to 16 October 2021.

1. Councillor Ken Manolas
2. Councillor Glenn Cridland
3. Mayor Greg Milner
4. Councillor André Brender-A-Brandis

**CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY (8/0)**

**For:** Mayor Greg Milner and Councillors André Brender-A-Brandis, Carl Celedin, Mary Choy, Glenn Cridland, Blake D'Souza, Ken Manolas, Stephen Russell.

**Against:** Nil.

#### Comment

The Chief Executive Officers Evaluation Committee currently meets between the months of May to July. The Committee is responsible for overseeing the Chief Executive Officer's performance and conducts an annual performance review. The Committee has five members and all recommendations made by the Committee are referred to Council for consideration.

The Committee does not currently have any delegation.

#### Attachments

Nil

#### 7.4.4 Rivers Regional Council

Location: Not Applicable  
Ward: Not Applicable  
Applicant: Not Applicable  
File Ref: D-19-81228  
Meeting Date: 22 October 2019  
Author(s): Toni Fry, Governance Coordinator  
Reporting Officer(s): Bernadine Tucker, Manager Governance  
Strategic Direction: Leadership: A visionary and influential local government  
Council Strategy: 4.3 Good Governance

##### Officer Recommendation AND COUNCIL DECISION

**Moved:** Councillor Blake D'Souza

**Seconded:** Councillor Mary Choy

1. That Council appoints the following members to the Rivers Regional Council for the period 22 October 2019 to 16 October 2021.

Delegates: a. Councillor Ken Manolas  
b. Mayor Greg Milner

**CARRIED (8/0)**

**For:** Mayor Greg Milner and Councillors André Brender-A-Brandis, Carl Celedin, Mary Choy, Glenn Cridland, Blake D'Souza, Ken Manolas, Stephen Russell.

**Against:** Nil.

##### Officer Recommendation AND COUNCIL DECISION

**Moved:** Councillor Ken Manolas

**Seconded:** Councillor Mary Choy

2. That Council appoints Councillor Stephen Russell as Deputy Delegate for Councillor Ken Manolas
3. That Council appoints Councillor Carl Celedin as Deputy Delegate for Mayor Greg Milner.

**CARRIED (8/0)**

**For:** Mayor Greg Milner and Councillors André Brender-A-Brandis, Carl Celedin, Mary Choy, Glenn Cridland, Blake D'Souza, Ken Manolas, Stephen Russell.

**Against:** Nil.

**Comment**

The Rivers Regional Council (RRC) is a Regional Council formed under the *Local Government Act 1995*.

The purpose of the RRC is to make decisions relating to strategic waste management issues and conduct research and investigations into future waste management options available to member Councils.

Membership consists of the Cities of Armadale, Gosnells, Mandurah, South Perth and the Shires of Murray and Serpentine Jarrahdale. Each member Council elects two Delegates and two Deputy Delegates. RRC requires each deputy to be assigned to a specific delegate.

Meetings are held every two months and they are rotated between the Chambers of each of the member Local Governments. There is only one meeting scheduled for the remainder of the year to be held at the City of South Perth on Thursday 12 December 2019 commencing at 6.45pm.

The Rivers Regional Council is in the process of winding up, subject to final approval of member local authorities. This will take some time therefore Council meetings will continue for the time being.

The Delegate sitting fee is \$1,931.25 per quarter being Jan to March, April to June, July to September, and October to December. The initial fees due will be pro-rata from when the delegate is declared as an RRC Councillor.

Delegates are also able to claim mileage of \$0.76 per kilometre from home to the meeting and return, or for any other RRC business.

As at 28 May 2019 the Council Delegates were Councillors Travis Burrows and Greg Milner with Councillors Colin Cala and Blake D'Souza as Deputy Delegates.

**Attachments**

Nil

#### 7.4.5 Metro Central Joint Development Assessment Panel

Location:	Not Applicable
Ward:	Not Applicable
Applicant:	Not Applicable
File Ref:	D-19-81746
Meeting Date:	22 October 2019
Author(s):	Toni Fry, Governance Coordinator
Reporting Officer(s):	Bernadine Tucker, Manager Governance
Strategic Direction:	Leadership: A visionary and influential local government
Council Strategy:	4.3 Good Governance

##### Officer Recommendation AND COUNCIL DECISION

**Moved:** Councillor André Brender-A-Brandis

**Seconded:** Councillor Mary Choy

1. That Council nominates Councillor Stephen Russell as a member of the Metro Central Joint Development Assessment Panel.

**CARRIED (8/0)**

**For:** Mayor Greg Milner and Councillors André Brender-A-Brandis, Carl Celedin, Mary Choy, Glenn Cridland, Blake D'Souza, Ken Manolas, Stephen Russell.

**Against:** Nil.

##### Officer Recommendation AND COUNCIL DECISION

**Moved:** Councillor Stephen Russell

**Seconded:** Councillor Blake D'Souza

2. That Council nominates Councillor Mary Choy and Councillor Carl Celedin as alternate members of the Metro Central Joint Development Assessment Panel.
3. That the Minister for Planning be advised of the nomination of the City of South Perth's Joint Development Assessment Panel member and alternate members.

**CARRIED (8/0)**

**For:** Mayor Greg Milner and Councillors André Brender-A-Brandis, Carl Celedin, Mary Choy, Glenn Cridland, Blake D'Souza, Ken Manolas, Stephen Russell.

**Against:** Nil.

### Comment

Development Assessment Panels were introduced into the Western Australian planning system in July 2011 and are decision-making panels that are intended to enhance the planning expertise in decision-making by improving the balance between technical advice and local knowledge.

The City of South Perth is part of the Metro Central Joint Development Assessment Panel (JDAP). JDAP members will be required when a JDAP meeting is held and will sit on the JDAP with three specialist members, with one of the specialist members being the presiding member.

The City's members with terms expiring 26 April 2020 are as follows:

Glenn Cridland	Member
Colin Cala	Member
Tracie McDougall	Alternate Member
Blake D'Souza	Alternate Member

Councillors Colin Cala and Tracie McDougall did not recontest their seats at the last local government election creating a vacancy for a Member and an Alternate Member. In addition, Councillor Blake D'Souza resigned as an Alternate Member on Thursday 17 October 2019, however he will continue to serve on the panel until the new member has been appointed by the Minister and has completed the required training. Therefore, one Member and two Alternate Members are needed to be appointed by Council.

In accordance with Regulation 30 of the Planning and Development (Development Assessment Panels) Regulations 2011, all JDAP members must attend and satisfactorily complete training provided by the Department **before** performing the functions of a JDAP member.

The schedule of fees as per the Planning and Development (Development Assessment Panels) Regulations 2011 are as follows:

*Planning and Development (Development Assessment Panels) Regulations 2011***Schedule 2 — Fees for DAP Members**

(Regulation 30, 31)

Item		Member fee
1.	Fee for presiding member per meeting to determine development applications	\$700
2.	Fee for any other member per meeting to determine development applications	\$425
3.	Fee per meeting for presiding member to determine applications to amend or cancel determination	\$200
4.	Fee per meeting for any other member to determine applications to amend or cancel determination	\$100
5.	Fee for presiding member attending proceeding in State Administrative Tribunal	\$700
6.	Fee for any other member attending proceeding in State Administrative Tribunal	\$425
7.	Fee for training for DAP members	\$400
8.	Fee for re-training for DAP members	\$200
9.	Fee for presiding member to determine dispute as to compliance with notice	\$200

**Effective of 1 February 2017**

Note: Only one member fee item applies per member for each meeting.

Example:

If a DAP meeting is scheduled to determine a Form 1 development application and a Form 2 application to amend or cancel a determination, the following DAP member fees apply if both applications are being considered by the same local authority:

- Presiding Member - \$700
- Specialist Members - \$425
- Local Government Members - \$425

The following DAP member fees apply if different local authorities are considering the Form 1 and Form 2 applications:

- Presiding Member - \$700
- Specialist Members - \$425
- Local Government Members considering the Form 1 application - \$425
- Local Government Members considering the Form 2 application - \$100

**Attachments**

Nil



#### 7.4.6 Western Australian Local Government Association South-East Metropolitan Zone

Location: Not Applicable  
Ward: Not Applicable  
Applicant: Not Applicable  
File Ref: D-19-81712  
Meeting Date: 22 October 2019  
Author(s): Toni Fry, Governance Coordinator  
Reporting Officer(s): Bernadine Tucker, Manager Governance  
Strategic Direction: Leadership: A visionary and influential local government  
Council Strategy: 4.3 Good Governance

##### Officer Recommendation AND COUNCIL DECISION

**Moved:** Councillor Ken Manolas  
**Seconded:** Councillor André Brender-A-Brandis

That Council appoints the following members to the Western Australian Local Government Association South-East Metropolitan Zone for the period 22 October 2019 to 16 October 2021.

Delegates: 1. Mayor Greg Milner  
2. Councillor Carl Celedin

**CARRIED (8/0)**

**For:** Mayor Greg Milner and Councillors André Brender-A-Brandis, Carl Celedin, Mary Choy, Glenn Cridland, Blake D'Souza, Ken Manolas, Stephen Russell.

**Against:** Nil.

##### Officer Recommendation AND COUNCIL DECISION

**Moved:** Councillor Carl Celedin  
**Seconded:** Councillor Blake D'Souza

That Council appoints the following members to the Western Australian Local Government Association South-East Metropolitan Zone for the period 22 October 2019 to 16 October 2021.

Deputy: Councillor Mary Choy

**CARRIED (8/0)**

**For:** Mayor Greg Milner and Councillors André Brender-A-Brandis, Carl Celedin, Mary Choy, Glenn Cridland, Blake D'Souza, Ken Manolas, Stephen Russell.

**Against:** Nil.

**Comment**

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 WALGA 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
- City of South Perth
- Town of Victoria Park

Meetings are held bi-monthly commencing at 6.00pm, and are rotated between the Chambers of each of the member local governments. There is only one meeting scheduled for the remainder of the year to be held at the Town of Victoria Park on Wednesday 27 November 2019 commencing at 6.00pm.

The previous Council Delegates were Mayor Sue Doherty and Councillor Greg Millner with Councillor Blake D’Souza as Deputy.

No additional fees or allowances are paid to representatives on the Western Australian Local Government Association South-East Metropolitan Zone.

**Attachments**

Nil

#### 7.4.7 Aboriginal Reference Group

Location:	Not Applicable
Ward:	Not Applicable
Applicant:	Not Applicable
File Ref:	D-19-88569
Meeting Date:	22 October 2019
Author(s):	Toni Fry, Governance Coordinator
Reporting Officer(s):	Bernadine Tucker, Manager Governance
Strategic Direction:	Leadership: A visionary and influential local government
Council Strategy:	4.1 Engaged Community

#### Officer Recommendation AND COUNCIL DECISION

**Moved:** Councillor Mary Choy  
**Seconded:** Councillor André Brender-A-Brandis

That Council appoints Councillor Carl Celedin and Councillor Ken Manolas to the Aboriginal Reference Group for the period 22 October 2019 to 16 October 2021.

**CARRIED (8/0)**

**For:** Mayor Greg Milner and Councillors André Brender-A-Brandis, Carl Celedin, Mary Choy, Glenn Cridland, Blake D'Souza, Ken Manolas, Stephen Russell.

**Against:** Nil.

#### Comment

The aim of the Aboriginal Reference Group (ARG) is to provide a mechanism for discussion on issues deemed relevant to the City of South Perth and the local Aboriginal/Torres Strait Islander community, such as the development of a Reconciliation Action Plan.

The ARG meets bi-monthly and are generally held in the months of February, April, June, August, October and December on the first Monday of the month. The next meeting is scheduled to be held 2 December 2019.

The Terms of Reference make provision for up to two Elected Member representatives. The previous Elected Member representatives were Mayor Sue Doherty and Councillor Ken Manolas.

No additional fees or allowances are paid to representatives on the Aboriginal Reference Group.

#### Attachments

Nil

#### 7.4.8 Local Emergency Management Committee for Canning

Location:	Not Applicable
Ward:	Not Applicable
Applicant:	Not Applicable
File Ref:	D-19-84634
Meeting Date:	22 October 2019
Author(s):	Toni Fry, Governance Coordinator
Reporting Officer(s):	Bernadine Tucker, Manager Governance
Strategic Direction:	Leadership: A visionary and influential local government
Council Strategy:	4.3 Good Governance

##### COUNCIL DECISION

**Moved:** Councillor Stephen Russell

**Seconded:** Councillor Ken Manolas

1. That in accordance with the provisions of the *Emergency Management Act 2005*, Section 38 Council appoints Councillor Mary Choy to the Local Emergency Management Committee for Canning for the period 22 October 2019 to 16 October 2021.

**CARRIED (8/0)**

**For:** Mayor Greg Milner and Councillors André Brender-A-Brandis, Carl Celedin, Mary Choy, Glenn Cridland, Blake D'Souza, Ken Manolas, Stephen Russell.

**Against:** Nil.

##### Officer Recommendation

1. That in accordance with the provisions of the *Emergency Management Act 2005*, Section 38 Council appoints Councillor \_\_\_\_\_ to the Local Emergency Management Committee for Canning for the period 22 October 2019 to 16 October 2021.
2. That in accordance with the provisions of the *Emergency Management Act 2005*, Section 38 Council appoints Councillor \_\_\_\_\_ as Deputy Delegate to the Local Emergency Management Committee for Canning for the period 22 October 2019 to 16 October 2021.

##### Comment

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 LEMC meets quarterly and the meetings are rotated between the City of Canning and City of South Perth local government offices.

#### **7.4.8 Local Emergency Management Committee for Canning**

The previous Council Delegate was Mayor Sue Doherty with Councillor Glenn Cridland as the Deputy Delegate.

No additional fees or allowances are paid to representatives on the LEMC.

#### **Attachments**

Nil

#### 7.4.9 City of South Perth Inclusive Community Advisory Group

Location:	Not Applicable
Ward:	Not Applicable
Applicant:	Not Applicable
File Ref:	D-19-85860
Meeting Date:	22 October 2019
Author(s):	Toni Fry, Governance Coordinator
Reporting Officer(s):	Bernadine Tucker, Manager Governance
Strategic Direction:	Leadership: A visionary and influential local government
Council Strategy:	4.3 Good Governance

#### Officer Recommendation AND COUNCIL DECISION

**Moved:** Councillor André Brender-A-Brandis  
**Seconded:** Councillor Blake D'Souza

That Council appoints Councillor Mary Choy to the Inclusive Community Advisory Group for the period 22 October 2019 to 16 October 2021.

**CARRIED (8/0)**

**For:** Mayor Greg Milner and Councillors André Brender-A-Brandis, Carl Celedin, Mary Choy, Glenn Cridland, Blake D'Souza, Ken Manolas, Stephen Russell.

**Against:** Nil.

#### Comment

The Inclusive Community Advisory Group (ICAG) provides advice to the City on the strategies and implementation of its Disability Access and Inclusion Plan.

The ICAG meets quarterly and meetings are generally held in the months of February, May, August and November on the last Wednesday of the month. The next meeting is scheduled to be held 27 November 2019.

The previous Elected Member representative was Mayor Sue Doherty.

No additional fees or allowances are paid to representatives on the City of South Perth Inclusive Community Advisory Group.

#### Attachments

Nil

#### 7.4.10 City of South Perth Public Art Advisory Group

Location:	Not Applicable
Ward:	Not Applicable
Applicant:	Not Applicable
File Ref:	D-19-84641
Meeting Date:	22 October 2019
Author(s):	Toni Fry, Governance Coordinator
Reporting Officer(s):	Bernadine Tucker, Manager Governance
Strategic Direction:	Leadership: A visionary and influential local government
Council Strategy:	4.3 Good Governance

#### Officer Recommendation AND COUNCIL DECISION

**Moved:** Councillor Ken Manolas

**Seconded:** Councillor Mary Choy

That Council appoints the following Councillors to the City of South Perth Public Art Advisory Group for the period 22 October 2019 to 16 October 2021:

1. Mayor Greg Milner
2. Councillor André Brender-A-Brandis

**CARRIED (8/0)**

**For:** Mayor Greg Milner and Councillors André Brender-A-Brandis, Carl Celedin, Mary Choy, Glenn Cridland, Blake D'Souza, Ken Manolas, Stephen Russell.

**Against:** Nil.

#### Comment

The purpose of the City of South Perth Public Art Advisory Group (PAAG) is to:

1. Provide advice on matters relating to the review, development and implementation of the Public Art Strategy and related policies.
2. Assist in the creation of opportunities for a diverse range of public art.
3. Provide advice and recommendations on artwork concept designs that result from either Policy P101 Public Art, or Policy P316 Developer Contribution for Public Art and Public Art Spaces.
4. Provide recommendations to Council on City initiated public art projects resulting from P101 which are procured through a tender and are over \$150,000 in value.

The PAAG meets quarterly and meetings are generally held in the months of March, May, August and November. The next meeting is scheduled to be held 4 December 2019.

Due to the current membership of the PAAG, it is recommended that Council appoint two elected member representatives.

The previous Elected Member representatives were Councillors Colin Cala and Tracie McDougall.

No additional fees or allowances are paid to representatives on the City of South Perth Public Art Advisory Group.

**Attachments**

Nil



#### 7.4.11 Perth Airports Municipalities Group Inc.

Location: Not Applicable  
Ward: Not Applicable  
Applicant: Not Applicable  
File Ref: D-19-84597  
Meeting Date: 22 October 2019  
Author(s): Toni Fry, Governance Coordinator  
Reporting Officer(s): Bernadine Tucker, Manager Governance  
Strategic Direction: Leadership: A visionary and influential local government  
Council Strategy: 4.3 Good Governance

##### Officer Recommendation AND COUNCIL DECISION

**Moved:** Councillor André Brender-A-Brandis

**Seconded:** Councillor Mary Choy

1. That Council appoint Councillor Stephen Russell to the Perth Airports Municipalities Group Inc. for the period 22 October 2019 to 16 October 2021.

**CARRIED (8/0)**

**For:** Mayor Greg Milner and Councillors André Brender-A-Brandis, Carl Celedin, Mary Choy, Glenn Cridland, Blake D'Souza, Ken Manolas, Stephen Russell.

**Against:** Nil.

##### Officer Recommendation AND COUNCIL DECISION

**Moved:** Councillor André Brender-A-Brandis

**Seconded:** Councillor Blake D'Souza

2. That Council appoint Councillor Mary Choy as a Deputy Delegate to the Perth Airports Municipalities Group Inc. for the period 22 October 2019 to 16 October 2021.

**CARRIED (8/0)**

**For:** Mayor Greg Milner and Councillors André Brender-A-Brandis, Carl Celedin, Mary Choy, Glenn Cridland, Blake D'Souza, Ken Manolas, Stephen Russell.

**Against:** Nil.

**Comment**

The Perth Airports Municipalities Group Inc. (PAMG) was formerly established in January 1983. The PAMG meets on a quarterly basis to discuss matters which either directly or indirectly impact on the community such as aircraft noise, flight paths, off-airport development and on-airport development.

One Delegate and one Deputy Delegate is recommended to ensure that the City is appropriately represented should our Delegate be unable to attend a PAMG meeting.

The PAMG's membership consists of the following 13 local governments who are either directly or indirectly impacted by airports:

- City of Armadale
- Town of Bassendean
- City of Bayswater
- City of Belmont
- City of Canning
- City of Cockburn
- City of Gosnells
- Shire of Kalamunda
- City of Melville
- Shire of Mundaring
- City of South Perth
- City of Swan
- Town of Victoria Park

The previous Council Delegate was Councillor Ken Manolas.

No additional fees or allowances are paid to representatives on the Perth Airports Municipalities Group Inc.

**Attachments**

Nil

#### 7.4.12 Appointment of Community Members to City of South Perth Committees

Location:	Not Applicable
Ward:	Not Applicable
Applicant:	Not Applicable
File Ref:	D-19-88864
Meeting Date:	22 October 2019
Author(s):	Toni Fry, Governance Coordinator
Reporting Officer(s):	Bernadine Tucker, Manager Governance
Strategic Direction:	Leadership: A visionary and influential local government
Council Strategy:	4.3 Good Governance

##### Summary

This report seeks Council's endorsement of the recommended independent members for the City of South Perth Audit, Risk and Governance and Property Committees.

##### Officer Recommendation AND COUNCIL DECISION

**Moved:** Councillor Stephen Russell

**Seconded:** Councillor Glenn Cridland

1. That Council endorses the two recommended independent Members for the Audit, Risk and Governance Committee as per **Confidential Attachment (a)** for the period 22 October 2019 to 16 October 2021 with reimbursement of expenses up to \$3,000 per annum per independent member.
2. That Council endorses the two recommended independent Members for the Property Committee as per **Confidential Attachment (b)** for the period 22 October 2019 to 16 October 2021 with reimbursement of expenses up to \$3,000 per annum per independent member.

**CARRIED (8/0)**

**For:** Mayor Greg Milner and Councillors André Brender-A-Brandis, Carl Celedin, Mary Choy, Glenn Cridland, Blake D'Souza, Ken Manolas, Stephen Russell.

**Against:** Nil.

##### Background

In line with Local Government Elections, nominations were called for specialist independent members for the City's Audit, Risk and Governance and Property Committees. In late July 2019 a letter was posted to the current members of the Committees advising that their current membership was due to expire and encouraged them to reapply.

An advertisement calling for Expressions of Interest was placed in the Southern Gazette on 8 August 2019 and 15 August 2019 as well as LinkedIn and the City's website and noticeboards.

### Comment

At the close of nominations, eight nominations were received for the Audit, Risk and Governance Committee and three nominations were received for the Property Committee.

The Executive Management Team shortlisted the nominations and interviewed the top two for each Committee between the period 3 October 2019 to 9 October 2019. The Chief Executive Officer and the Manager Governance interviewed the nominees for the Property Committee and the Chief Executive Officer and the Director Corporate Services interviewed the nominees for the Audit, Risk and Governance Committee.

The Property Committee interviews focussed on the nominees:

- Experience managing property portfolios;
- Experience in property acquisitions, dispositions and investments; and
- Understanding of Property Law

The Audit, Risk and Governance Committee interviews focussed on the nominees:

- Senior business and/or financial management experience;
- Understanding of reporting and compliance requirements;
- Understanding of internal and external audit; and
- Understanding of enterprise risk management

All nominees performed exceptionally well in their interview and demonstrated considerable experience and knowledge that would make them invaluable to the Committees.

Previously, the Property Committee has had one independent Member appointed, Mr Lewis Brock and the Audit, Risk and Governance Committee had two independent Members appointed, Ms Shona Zulsdorf and Mr Steve Vanstan. To provide consistency across both of the City's Committees, it is recommended that each Committee appoint two independent Members.

It is therefore recommended that Council approve the nominees who achieved the highest interview scores as listed in **Confidential Attachment (a)** and **Confidential Attachment (b)** to the relevant Committee.

### Consultation

Nil

**Policy and Legislative Implications**

Nil

**Financial Implications**

The external members will be reimbursed for expenses up to \$3,000 per annum.

**Strategic Implications**

This matter relates to the following Strategic Direction identified within Council's [Strategic Community Plan 2017-2027](#):

Strategic Direction: Leadership  
Aspiration: A visionary and influential local government  
Outcome: Good governance  
Strategy: Empower effective and quality decision-making and governance

**Attachments**

7.4.12 (a): Audit, Risk and Governance Committee Evaluation Matrix  
(*Confidential*)

7.4.12 (b): Property Committee Evaluation Matrix (*Confidential*)

## COUNCIL DECISION

**Moved:** Councillor Mary Choy  
**Seconded:** Councillor Ken Manolas

That Council accepts an Item of New Business of an Urgent Nature regarding an Extraordinary Election for the Moresby Ward.

**CARRIED (8/0)**

**For:** Mayor Greg Milner and Councillors André Brender-A-Brandis, Carl Celedin, Mary Choy, Glenn Cridland, Blake D'Souza, Ken Manolas, Stephen Russell.

**Against:** Nil.

### 7.4.13 Extraordinary Election - Moresby Ward

Location: Not Applicable  
Ward: All  
Applicant: Not Applicable  
File Ref: D-19-82971  
Meeting Date: 22 October 2019  
Author(s): Bernadine Tucker, Manager Governance  
Reporting Officer(s): Geoff Glass, Chief Executive Officer  
Strategic Direction: Leadership: A visionary and influential local government  
Council Strategy: 4.3 Good Governance

#### Summary

This report is to declare that the Electoral Commission will conduct the Extraordinary Election to fill the vacancy in the Moresby Ward created by Councillor Greg Milner being elected to the position of Mayor for the City of South Perth in the local government elections held on 19 October 2019, and for the Extraordinary Election to be conducted by a postal method.

## Officer Recommendation AND COUNCIL DECISION

**Moved:** Councillor Greg Milner  
**Seconded:** Councillor Blake D'Souza

That Council:

1. Declare, in accordance with section 4.20(4) of the *Local Government Act 1995*, the Electoral Commissioner to be responsible for the conduct of the extraordinary election for the Moresby Ward.
2. Decide, in accordance with section 4.61(2) of the *Local Government Act 1995*, that the method of conducting the extraordinary election will be as a postal election for the Moresby Ward.

**CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY (8/0)**

**For:** Mayor Greg Milner and Councillors André Brender-A-Brandis, Carl Celedin, Mary Choy, Glenn Cridland, Blake D'Souza, Ken Manolas, Stephen Russell.

**Against:** Nil.

### Background

Local government elections are held on the third Saturday in October every two years with the last election being held on 19 October 2019. At that election, Moresby Ward Councillor Greg Milner nominated for, and was elected as Mayor of the City of South Perth. Therefore, Councillor Milner resigned as the Moresby Ward Councillor on Monday 21 October 2019.

This resignation creates a vacancy for the Moresby Ward requiring an extraordinary election to be held. Local government elections must be conducted in accordance with the *Local Government Act 1995* and associated regulations.

Section 4.9(1)(b) of the *Local Government Act 1995* requires Council to determine how it wishes to deal with the vacancy within one month of the date the vacancy was created.

In accordance with Section 4.20(1) of the *Local Government Act 1995*, the Chief Executive Officer is the returning officer for local government elections, unless and in accordance with Section 4.20(2), another person is appointed by the Council as being responsible for the election. Any other person, other than the Chief Executive Officer, is required to be approved by the Western Australian Electoral Commissioner.

The Council can decide, under Section 4.20(4) of the *Local Government Act 1995*, for the Western Australian Electoral Commissioner be responsible for an election, which includes the appointment of a returning officer and other arrangements associated with that election. The City recently received an in principle agreement from the Western Australian Electoral Commissioner to conduct the City of South Perth Extraordinary Election for the Moresby Ward.

In accordance with the *Local Government Act 1995*, Council is requested to confirm the Electoral Commissioner as being responsible for conducting the City of South Perth Extraordinary Election and to endorse a postal voting method be undertaken for that election.

### Comment

There are two methods for conducting local government elections, this being postal voting or voting in person. The *Local Government Act 1995* stipulates that postal elections must only be conducted by the Western Australian Electoral Commission.

There are significant benefits for the elections to be conducted as a postal election:-

- It increases the voter turnout;
- Having an external person appointed by the Electoral Commission as the returning officer creates separation and provides independence to the process;
- It is easier for electors to vote.

**Consultation**

Advice has been received from the Electoral Commissioner that he is willing to conduct a postal elections for the City of South Perth Extraordinary Election for the Moresby Ward.

**Policy and Legislative Implications**

Division 4 of Part 4 of the *Local Government Act 1995*.

**Financial Implications**

It is estimated that the cost for the Western Australian Electoral Commission to conduct the 2019 City of South Perth Extraordinary Election for the Moresby Ward would be approximately of \$30,000 - \$35,000 (including GST).

Costs not incorporated in this estimate include any non-statutory advertising (such as additional advertisements in community newspapers), any legal expenses (other than those that are determined to be borne by the Western Australian Electoral Commission in a Court of Disputed Returns), and employee costs to work in the polling place on Election Day.

The City's current budget does not include any provision for an extraordinary election.

**Strategic Implications**

This matter relates to the following Strategic Direction identified within Council's [Strategic Community Plan 2017-2027](#):

Strategic Direction:	Leadership
Aspiration:	A visionary and influential local government
Outcome:	Good governance
Strategy:	Empower effective and quality decision-making and governance

**Attachments**

Nil



## **8. CLOSURE**

The Presiding Member thanked everyone for their attendance and closed the meeting at 6.26pm.

## DISCLAIMER

The City advises that comments recorded represent the views of the person making them and should not in any way be interpreted as representing the views of Council. The minutes are a confirmation as to the nature of comments made and provide no endorsement of such comments. Most importantly, the comments included as dot points are not purported to be a complete record of all comments made during the course of debate. Persons relying on the minutes are expressly advised that the summary of comments provided in those minutes do not reflect and should not be taken to reflect the view of the Council. The City makes no warranty as to the veracity or accuracy of the individual opinions expressed and recorded therein.

These Minutes were confirmed at the Ordinary Council Meeting on: Tuesday 26 November 2019.

Signed \_\_\_\_\_

Presiding Member at the meeting at which the Minutes were confirmed.