

AGENDA.

Special Council Meeting

18 October 2021

Notice of Meeting

Mayor and Councillors

The next Special Council Meeting of the City of South Perth Council will be held on Monday 18 October 2021 in the City of South Perth Council Chamber, corner Sandgate Street and South Terrace, South Perth commencing at 6.00pm.

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



MIKE BRADFORD
CHIEF EXECUTIVE OFFICER

15 October 2021

Acknowledgement of Country

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

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Special Council Meeting - Agenda

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

2. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

3. ATTENDANCE

3.1 APOLOGIES

3.2 APPROVED LEAVE OF ABSENCE

4. DECLARATION OF OFFICE BY NEW MEMBERS

4.1 SWEARING IN OF ELECTED MEMBERS

The Honourable Mr Geoff Baker MLA to conduct the Declaration of Office ceremony for the following elected members:

Member Elect	Como Ward
Member Elect	Manning Ward
Member Elect	Mill Point Ward
Member Elect	Moresby Ward

4.2 ELECTION OF DEPUTY MAYOR

The Deputy Mayor will be elected in accordance with the provision of section 2.15 and Schedule 2.3 of the *Local Government Act 1995*.

4.3 SWEARING IN OF THE DEPUTY MAYOR

The Deputy Mayor will make the Deputy Mayor's Declaration, as prescribed in Form 7 of the Local Government (Constitution) Regulations 1998. Mr Geoff Baker MLA will conduct the Declaration of Office ceremony for the Deputy Mayor.

5. PUBLIC QUESTION TIME

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

6. DEPUTATIONS

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-21-68783
Meeting Date:	18 October 2021
Author(s):	Toni Fry, Governance Coordinator
Reporting Officer(s):	Mike Bradford, Chief Executive Officer
Strategic Direction:	Leadership: A visionary and influential local government
Council Strategy:	4.3 Good Governance

Officer Recommendation

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 18 October 2021 to 21 October 2023.

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____

Absolute Majority Required

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;

7.4.1

Audit, Risk and Governance Committee

- (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

7.4.1 (a): Audit, Risk and Governance Committee Terms of Reference

7.4.2 Property Committee

Location:	Not Applicable
Ward:	Not Applicable
Applicant:	Not Applicable
File Ref:	D-21-68784
Meeting Date:	18 October 2021
Author(s):	Toni Fry, Governance Coordinator
Reporting Officer(s):	Mike Bradford, Chief Executive Officer
Strategic Direction:	Leadership: A visionary and influential local government
Council Strategy:	4.3 Good Governance

Officer Recommendation

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 18 October 2021 to 21 October 2023.

1. _____
2. _____
3. _____
4. _____
5. _____

Absolute Majority Required

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

7.4.2 (a): Property Committee Terms of Reference

7.4.3 Chief Executive Officer Evaluation Committee

Location:	Not Applicable
Ward:	Not Applicable
Applicant:	Not Applicable
File Ref:	D-21-68785
Meeting Date:	18 October 2021
Author(s):	Toni Fry, Governance Coordinator
Reporting Officer(s):	Mike Bradford, Chief Executive Officer
Strategic Direction:	Leadership: A visionary and influential local government
Council Strategy:	4.3 Good Governance

Officer Recommendation

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 18 October 2021 to 21 October 2023.

1. _____
2. _____
3. _____
4. _____

Absolute Majority Required

Comment

The Chief Executive Officers Evaluation Committee is scheduled to meet in November and it is envisaged to be an annual process conducted in May to July. The Committee is responsible for overseeing the Chief Executive Officer's performance and conducts an annual performance review. The Committee has four members and all recommendations made by the Committee are referred to Council for consideration.

The Committee does not currently have any delegation.

Attachments

- 7.4.3 (a): Chief Executive Officer Evaluation Committee Terms of Reference

7.4.4 Rivers Regional Council

Location:	Not Applicable
Ward:	Not Applicable
Applicant:	Not Applicable
File Ref:	D-21-68787
Meeting Date:	18 October 2021
Author(s):	Toni Fry, Governance Coordinator
Reporting Officer(s):	Mike Bradford, Chief Executive Officer
Strategic Direction:	Leadership: A visionary and influential local government
Council Strategy:	4.3 Good Governance

Officer Recommendation

1. That Council appoints the following members to the Rivers Regional Council for the period 18 October 2021 to 21 October 2023.
Delegates: a. _____
b. _____
2. That Council appoints Councillor _____ as Deputy Delegate for Councillor _____
3. That Council appoints Councillor _____ as Deputy Delegate for Councillor _____

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 9 December 2021 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.

7.4.4 Rivers Regional Council

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.

Attachments

Nil.

7.4.5 Metro Inner-South Joint Development Assessment Panel

Location:	Not Applicable
Ward:	Not Applicable
Applicant:	Not Applicable
File Ref:	D-21-68788
Meeting Date:	18 October 2021
Author(s):	Toni Fry, Governance Coordinator
Reporting Officer(s):	Mike Bradford, Chief Executive Officer
Strategic Direction:	Leadership: A visionary and influential local government
Council Strategy:	4.3 Good Governance

Officer Recommendation

1. That Council nominates Councillor _____ as a member of the Metro Inner-South Joint Development Assessment Panel for the period 26 January 2022 - 26 January 2024.
2. That Council nominates Councillor _____ as a member of the Metro Inner-South Joint Development Assessment Panel for the period 26 January 2022 - 26 January 2024.
3. That Council nominates Councillor _____ and Councillor _____ as alternate members of the Metro Inner-South Joint Development Assessment Panel for the period 26 January 2022 - 26 January 2024.
4. 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 for the period 26 January 2022 - 26 January 2024.

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 Inner-South 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 January 2022 are as follows:

Councillor Glenn Cridland	Member
Councillor Stephen Russell	Member
Councillor Carl Celedin	Alternate Member
Councillor Mary Choy	Alternate Member

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.

7.4.5 Metro Inner-South Joint Development Assessment Panel

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-21-68789
Meeting Date:	18 October 2021
Author(s):	Toni Fry, Governance Coordinator
Reporting Officer(s):	Mike Bradford, Chief Executive Officer
Strategic Direction:	Leadership: A visionary and influential local government
Council Strategy:	4.3 Good Governance

Officer Recommendation

That Council appoints the following members to the Western Australian Local Government Association South-East Metropolitan Zone for the period 18 October 2021 to 21 October 2023.

Delegates: 1. _____ Deputy: _____
2. _____

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 17 November 2021 commencing at 6.00pm.

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 City of South Perth Reconciliation Action Plan Working Group

Location:	Not Applicable
Ward:	Not Applicable
Applicant:	Not Applicable
File Ref:	D-21-68790
Meeting Date:	18 October 2021
Author(s):	Toni Fry, Governance Coordinator Patrick Quigley, Manager Community, Culture and Recreation
Reporting Officer(s):	Mike Bradford, Chief Executive Officer
Strategic Direction:	Leadership: A visionary and influential local government
Council Strategy:	4.1 Engaged Community

Officer Recommendation

That Council appoints Councillor _____ and Councillor _____ to the City of South Perth Reconciliation Action Plan Working Group for the period 18 October 2021 to 21 October 2023.

Background

The City has facilitated an Aboriginal Reference Group for many years that has provide guidance on the implementation of actions to help build better relations between First Nations people and non-Aboriginal people. The Aboriginal Reference Group is planned to be replaced by a new Reconciliation Action Plan Working Group (RWG) to provide support with the implementation of the City's Reconciliation Action Plan.

Comment

The RWG will meet quarterly on the first Monday of the month in February, May, August and November from 12.30pm – 2.30pm, with its first meeting scheduled to be held 1 November 2021.

Up to two Elected Member representatives are sought for the RWG. No additional fees or allowances are paid to RWG representatives.

More information about the RWG is outlined in the Terms of Reference, which is shown as **Attachment (a)**.

Attachments

7.4.7 (a): Terms of Reference - City of South Perth - Reconciliation Action Plan Working Group

7.4.8 Local Emergency Management Committee for Canning/South Perth - Delegates

Location:	Not Applicable
Ward:	Not Applicable
Applicant:	Not Applicable
File Ref:	D-21-68791
Meeting Date:	18 October 2021
Author(s):	Toni Fry, Governance Coordinator Patrick Quigley, Manager Community, Culture and Recreation
Reporting Officer(s):	Mike Bradford, Chief Executive Officer
Strategic Direction:	Leadership: A visionary and influential local government
Council Strategy:	4.3 Good Governance

Officer Recommendation

1. That in accordance with the provisions of the *Emergency Management Act 2005*, Section 38 Council appoints Councillor _____ as the City's Delegate to the Local Emergency Management Committee for Canning/South Perth for the period 18 October 2021 to 21 October 2023.
2. That in accordance with the provisions of the *Emergency Management Act 2005*, Section 38 Council appoints Councillor _____ as the City's Deputy Delegate to the Local Emergency Management Committee for Canning/South Perth for the period 18 October 2021 to 21 October 2023.

Background

Under section 38 of the Emergency Management Act 2005, a local government is required to establish a Local Emergency Management Committee (LEMC) for the local government's district. However, local governments may also unite for the purposes of emergency management and establish a LEMC for their combined districts.

The City of Canning and City of South Perth share the management of the LEMC for its districts, which is co-chaired by two local government delegates and includes representation from organisations and agencies that play a key role in emergency management, namely: Police, Fire & Emergency Services, Department of Communities, State Emergency Services and others.

Comment

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

No additional fees or allowances are paid to LEMC representatives.

More information about the LEMC is outlined in the Terms of Reference, which is shown as **Attachment (a)**.

7.4.8 Local Emergency Management Committee for Canning/South Perth - Delegates

Attachments

7.4.8 (a): Terms of Reference - City of South Perth - Local Emergency Management Committee

7.4.9 City of South Perth Inclusive Community Advisory Group

Location:	Not Applicable
Ward:	Not Applicable
Applicant:	Not Applicable
File Ref:	D-21-68792
Meeting Date:	18 October 2021
Author(s):	Toni Fry, Governance Coordinator Patrick Quigley, Manager Community, Culture and Recreation
Reporting Officer(s):	Mike Bradford, Chief Executive Officer
Strategic Direction:	Leadership: A visionary and influential local government
Council Strategy:	4.3 Good Governance

Officer Recommendation

That Council appoints Councillor _____ to the City of South Perth Inclusive Community Advisory Group for the period 18 October 2021 to 21 October 2023.

Background

The City has facilitated an Inclusive Community Advisory Group (ICAG) for many years to provide advice about optimizing access and inclusion within the local community, including through the City's Disability Access and Inclusion Plan.

Comment

The ICAG will meet quarterly on the fourth Wednesday of the month in February, May, August and November from 12noon – 1.30pm, with its first meeting scheduled to be held Wednesday 24 November 2021.

One Elected Member representative is sought for the ICAG. No additional fees or allowances are paid to ICAG representatives.

More information about the ICAG is outlined in the Terms of Reference, which is shown as **Attachment (a)**.

Attachments

7.4.9 (a):	Terms of Reference - City of South Perth - Inclusive Community Advisory Group
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7.4.10 City of South Perth Arts Advisory Group

Location:	Not Applicable
Ward:	Not Applicable
Applicant:	Not Applicable
File Ref:	D-21-68793
Meeting Date:	18 October 2021
Author(s):	Toni Fry, Governance Coordinator Patrick Quigley, Manager Community, Culture and Recreation
Reporting Officer(s):	Mike Bradford, Chief Executive Officer
Strategic Direction:	Leadership: A visionary and influential local government
Council Strategy:	4.3 Good Governance

Officer Recommendation

That Council appoints the following Councillors to the City of South Perth Arts Advisory Group for the period 18 October 2021 to 21 October 2023:

1. _____
2. _____

Background

The City has facilitated a Public Art Advisory Group for many years to provide advice about public art projects. It is planned for the scope of the former Public Arts Advisory Group to be expanded to also provide advice on the management of the City's artwork collection and relevant arts and cultural projects and programs. For this reason, the new group will be renamed to Arts Advisory Group (AAG).

The AAG will meet quarterly on the first Thursday of the month in March, May, August and November at 6pm, with its first meeting scheduled to be held on 4 November 2021.

Comment

The purpose of the AAG 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 and Art Collections, 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.

7.4.10 City of South Perth Arts Advisory Group

Two Elected Member representatives are sought for the AAG. No additional fees or allowances are paid to AAG representatives.

More information about the AAG is outlined in the Terms of Reference, which is shown as **Attachment (a)**.

Attachments

7.4.10 (a): Terms of Reference - City of South Perth - Arts Advisory Group

7.4.11 City of South Perth Public Health Reference Group

Location:	Not Applicable
Ward:	Not Applicable
Applicant:	Not Applicable
File Ref:	D-21-72854
Meeting Date:	18 October 2021
Author(s):	Toni Fry, Governance Coordinator Patrick Quigley, Manager Community, Culture and Recreation
Reporting Officer(s):	Mike Bradford, Chief Executive Officer
Strategic Direction:	Leadership: A visionary and influential local government
Council Strategy:	4.3 Good Governance

Officer Recommendation

That Council appoints Councillor _____ to the City of South Perth Public Health Reference Group for the period 18 October 2021 to 21 October 2023 inclusive.

Background

The Public Health Reference Group (PHRG) is a new group being established to provide advice on local public health matters.

Comment

The purpose of the PHRG is to:

1. Provide advice to the City on implementation of the City's Public Health Plan and other public health matters as requested by the City.
2. Explore current and emerging public health issues, including analysis of public health information and data.
3. Develop relationships and promote collaboration between the City, primary health networks, Curtin University and health care professionals and providers.
4. Provide guidance on public health initiatives to support implementation of the City's Public Health Plan and to optimise the health and wellbeing of the local community.

The PHRG will meet quarterly on the third Monday of the month in February, May, August and November from 12.30pm – 2.30pm, with its first meeting scheduled to be held 15 November 2021.

One Elected Member representative is sought for the PHRG. No additional fees or allowances are paid to PHRG representatives.

More information about the PHRG is outlined in the Terms of Reference, which is shown as **Attachment (a)**.

7.4.11 City of South Perth Public Health Reference Group

Attachments

7.4.11 (a): Terms of Reference - City of South Perth - Public Health Reference Group

7.4.12 Perth Airports Municipalities Group Inc.

Location:	Not Applicable
Ward:	Not Applicable
Applicant:	Not Applicable
File Ref:	D-21-68798
Meeting Date:	18 October 2021
Author(s):	Toni Fry, Governance Coordinator
Reporting Officer(s):	Mike Bradford, Chief Executive Officer
Strategic Direction:	Leadership: A visionary and influential local government
Council Strategy:	4.3 Good Governance

Officer Recommendation

1. That Council appoint Councillor _____ to the Perth Airports Municipalities Group Inc. for the period 18 October 2021 to 21 October 2023.
2. That Council appoint Councillor _____ as a Deputy Delegate to the Perth Airports Municipalities Group Inc. for the period 18 October 2021 to 21 October 2023.

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

7.4.12 Perth Airports Municipalities Group Inc.

- Town of Victoria Park

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

Attachments

Nil.

8. CLOSURE