

# CITY OF COCKBURN

## SUMMARY OF MINUTES OF SPECIAL COUNCIL MEETING HELD ON MONDAY, 21 OCTOBER 2013 AT 7:30 PM

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## CITY OF COCKBURN

### MINUTES OF SPECIAL COUNCIL MEETING HELD ON MONDAY, 21 OCTOBER 2013 AT 7:30 PM

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#### PRESENT:

##### ELECTED MEMBERS

Mr L Howlett	-	Mayor	(Presiding Member)
Mrs C Reeve-Fowkes	-	Councillor	(Elected Deputy Mayor)
Mr K Allen	-	Councillor	
Mr Y Mubarakai	-	Councillor	
Mr S Portelli	-	Councillor	
Ms L Smith	-	Councillor	
Ms L Wetton	-	Councillor	
Mr S Pratt	-	Councillor	
Mr P Eva	-	Councillor	
Mr B Houwen	-	Councillor	

##### IN ATTENDANCE

Mr S. Cain	-	Chief Executive Officer
Mr D. Green	-	Director, Governance & Community Services
Mr S. Downing	-	Director, Finance & Corporate Services
Mr M. Littleton	-	Director, Engineering & Works
Mr D. Arndt	-	Director, Planning & Development
Ms S. Seymour-Eyles	-	Communications Manager
Mr J Snobar	-	Media Liaison Officer
Ms V. Viljoen	-	PA to Chief Executive Officer

#### 1. DECLARATION OF MEETING

Presiding Member declared the meeting open at 7.34pm.

#### 2. APPOINTMENT OF PRESIDING MEMBER (If required)

N/A

#### 3. DISCLAIMER (To be read aloud by Presiding Member)

Members of the public, who attend Council Meetings, should not act immediately on anything they hear at the Meetings, without first seeking clarification of Council's position. Persons are advised to wait for written



advice from the Council prior to taking action on any matter that they may have before Council.

Presiding Member welcomed Council's two newly Elected Members, Clrs Wetton and Eva; and congratulated Clrs Allen, Smith and Houwen on their re-election to Council.

**4. ACKNOWLEDGEMENT OF RECEIPT OF WRITTEN DECLARATIONS OF FINANCIAL INTERESTS AND CONFLICT OF INTEREST (by Presiding Member)**

Nil

**5. APOLOGIES & LEAVE OF ABSENCE**

Nil

**6 (SCM 21/10/2013) - PUBLIC QUESTION TIME**

**Colin Crook – Spearwood**

Q1 When was the agenda for this meeting made available to the public?

A1 As advertised in the local paper and on Council notice boards, the agenda was made available to the public on Monday, 21 October 2013, at the front counter of the Administration Building and on the website.

Q2 How can ten people vote for their own pay?

A2 State legislation under the Local Government Act 1995 provides that for voting purposes, Elected Members do not have a financial interest in the decision.

**7. DECLARATION BY COUNCILLORS WHO HAVE NOT GIVEN DUE CONSIDERATION TO MATTERS CONTAINED IN THE BUSINESS**

Nil

**8 (SCM 21/10/2013) - PURPOSE OF MEETING**

The purpose of the meeting is to consider:

1. The election of the Deputy Mayor;



2. Payment of Elected Members' allowances, as follows:
  - Mayoral and Deputy Mayoral Allowances as per Policy SC14;
  - Meeting Attendance Fees – Elected Members as per Policy SC1;
  - Elected Members Information Technology and Communication Allowance as per Policy SC15;
3. Appointment of Committee Membership to:
  - Audit and Strategic Finance Committee;
  - Grants and Donations Committee;
  - Chief Executive Officer's and Senior Staff Key Projects Appraisal Committee;
  - Local Emergency Management Committee;
  - Delegated Authorities, Policies and Position Statements Committee.
4. Appointment of a representative to the Southern Metropolitan Regional Council.

## 9. COUNCIL MATTERS

### 9.1 (SCM 21/10/2013) - ELECTION OF DEPUTY MAYOR (083/010) (D GREEN)

#### **RECOMMENDATION**

That Council conduct an election for the position of Deputy Mayor, pursuant to Schedule 2.37(1) of the Local Government Act 1995.

At this point of the meeting Mayor Howlett advised that, in accordance with the provisions of the Local Government Act, he had requested that the Chief Executive Officer (CEO) conduct the election. The CEO advised that he had received written nominations for the position of Deputy Mayor from Cllr Bart Houwen, Cllr Yaz Mubarakai, Cllr Stephen Pratt, Cllr Carol Reeve-Fowkes and Cllr Lee-Anne Smith.

For the purpose of adhering to the Regulations in regard to secret voting, the CEO advised that individual Elected Members would be required to cast their vote for this purpose. The CEO would provide the ballot paper for each Elected Member to complete privately, following which the ballot paper would be delivered to the nominated desk and placed in the ballot box.



The CEO and the Director Governance & Community Services then counted the votes, in accordance with the voting provisions of the Act.

The CEO then advised the meeting that the result of the secret ballot determined that the necessary number of votes was achieved in favour of Clr Reeve-Fowkes.

The CEO declared Clr Reeve-Fowkes elected Deputy Mayor for the period to October 2015. Clr Reve-Fowkes made the Declaration for the office of Deputy Mayor in accordance with the requirements of the Local Government Act 1995.

### **Background**

The Local Government Act 1995 (Schedule 2.3 7(1)) provides that the office of the Deputy Mayor is to be filled as the first matter dealt with after the election of Council.

### **Submission**

N/A

### **Report**

The election is to be conducted in accordance with the procedure prescribed by the Mayor. The Mayor has given notice that he has appointed the Chief Executive Officer ("CEO") to conduct the election, and has informed all Councillors that they may nominate themselves for the position, in writing, prior to the meeting. The election is to be conducted in accordance with the Act.

If a Councillor is nominated by another Councillor, the person conducting the election is not to accept the nomination unless the nominee has advised the person conducting the election (orally or in writing) that he/she is willing to be nominated for the office.

The Council Members are to vote on the matter by secret ballot as if they were voting at an election.

The votes are to be counted and the successful candidate is the candidate who receives the greater or greatest number of votes in accordance with Schedule 4.1, Division 2 of the Local Government Act 1995 (i.e. "first past the post" system).



If a Deputy Mayor is not elected due to an equity of votes, that count is to be discontinued and, not more than seven (7) days later, a Special Meeting of Council is to be held.

Any nominations may be withdrawn and further nominations may be made before or when the Special Meeting is held.

If, at the Special Meeting, an equal number of votes exist after the count, the person conducting the election is to draw lots to determine which candidate is to be declared the Deputy Mayor.

The appointment will be in place for two years until October 2015.

The person elected by Council as Deputy Mayor has to make a declaration on the prescribed form before acting in the office.

The Declaration is to be made in the presence of an authorised person before whom a statutory declaration may be made, pursuant to Schedule 2 of the Oaths, Affidavits and Statutory Declarations Act, 2005.

### **Strategic Plan/Policy Implications**

#### **Leading & Listening**

- A responsive, accountable and sustainable organisation.

### **Budget/Financial Implications**

Council may provide a Deputy Mayor's Allowance.

### **Legal Implications**

Schedule 2.3.7(1) and Schedule 4.1 Division 2 of the Local Government Act, 1995 refer.

### **Community Consultation**

N/A

### **Attachment(s)**

N/A

### **Advice to Proponent(s)/Submissioners**

N/A



**Implications of Section 3.18(3) Local Government Act, 1995**

Nil.

**9.2 (MINUTE NO 5153) (SCM 21/10/2013) - REVIEW OF MAYORAL AND DEPUTY MAYORAL ALLOWANCE (083/003) (S DOWNING) (ATTACH)**

**RECOMMENDATION**

That Council:

- (1) set the Mayoral Allowance of \$85,000 per year, payable monthly in arrears; and
- (2) set the Deputy Mayoral Allowance of \$21,250 per year, payable monthly in arrears.

**TO BE CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL**

**COUNCIL DECISION**

MOVED Clr S Portelli SECONDED Clr S Pratt that the recommendation be adopted.

**CARRIED BY ABSOLUTE MAJORITY OF COUNCIL 10/0**

**Background**

Policy SC14 – “Mayoral and Deputy Mayoral Allowance” states that:

*In accordance with the provisions of Section 5.98(5) and 5.98A(1) of the Local Government Act, an “allowance” determined by Council at a meeting following the Elections each ordinary election year, shall be paid to the Mayor and Deputy Mayor payable in arrears each month.*

**Submission**

N/A





## Report

In July 2013 Council decided that the Mayoral Allowance should be increased to \$85,000, payable monthly in arrears. This is the maximum amount allowed under the provisions of the Local Government Act 1995. There have been recent amendments to the Local Government (Administration) Regulations 1996 to provide for change to this amount, which has subsequently been reflected in the relevant Council policy.

Council Policy SC14, states that this allowance should be paid as a reimbursement of the time commitment to the position by the Mayor of the day.

As there are no known changes to the circumstance under which the allowance is provided, it is proposed that the Mayoral Allowance be \$85,000.

In July 2013 Council decided that the Deputy Mayoral Allowance would be \$21,250 per year, paid monthly in arrears.

Council Policy SC14 states that this allowance should be paid as a reimbursement of the time commitment to the position by the Deputy Mayor of the day.

As there are no known changes to the circumstance under which the allowance is provided, it is proposed that the Mayoral allowance be \$85,000 and the Deputy Mayoral allowance be \$21,250.

## Strategic Plan/Policy Implications

Council Policy SC14 - "Mayoral and Deputy Mayoral Allowance" and Local Government (Administration) Regulations 1996 Regulation 33 and 33A refers.

## Leading & Listening

- A responsive, accountable and sustainable organisation.

## Budget/Financial Implications

Funds are provided in the Council Budget for these payments:

GL 110-6812 (Mayoral Allowance)

GL 110-6822 (Deputy Mayoral Allowance)

## Legal Implications

Local Government Regulations (Administration) 1996 are relevant.



**Community Consultation**

N/A

**Attachment(s)**

Council Policy SC14 "Mayoral and Deputy Mayoral Allowance".

**Advice to Proponent(s)/Submissioners**

N/A

**Implications of Section 3.18(3) Local Government Act, 1995**

Nil.

**9.3 (MINUTE NO 5154) (SCM 21/10/2013) - COUNCILLORS - MEETING/ANNUAL FEE (083/003) (S DOWNING) (ATTACH)**

**RECOMMENDATION**

That Council pay an Annual Fee to Councillors, in lieu of a meeting fee, of \$30,000 per annum payable monthly in arrears.

**TO BE CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL**

**COUNCIL DECISION**

MOVED Clr S Pratt SECONDED Clr B Houwen that the recommendation be adopted.

**CARRIED BY ABSOLUTE MAJORITY OF COUNCIL 10/0**

**Background**

The Local Government Act 1995 provides that the Council may pay to Elected Members, a meeting fee or an annual amount.

**Submission**

N/A



## **Report**

Council Policy SC1 'Meeting Attendance Fees' provides for Elected Members to be paid the maximum annual fee prescribed by the Local Government (Administration) Regulations 1996 (WA) (as amended) in lieu of fees for attending meetings.

The Regulations were amended in July 2013 and increased the maximum annual meeting attendance fee for a Councillor to \$30,000 per year.

For voting purposes, Elected Members do not have a financial interest in the decision.

Elected Members affected by this item are Councillors only, as the Mayor's Meeting Fee is the subject of a separate Council resolution.

## **Strategic Plan/Policy Implications**

Council Policy SC1 – Meeting Attendance Fees – Elected Members.

## **Leading & Listening**

- A responsive, accountable and sustainable organisation.

## **Budget/Financial Implications**

Funds are provided in the Council Budget for these payments:

GL 110-6247 (Councillor meeting allowances).

## **Legal Implications**

Local Government Regulations (Administration) 1996 are relevant.

## **Community Consultation**

N/A

## **Attachment(s)**

Council Policy SC1 – "Meeting Attendance Fees – Elected Members".

## **Advice to Proponent(s)/Submissioners**

N/A

## **Implications of Section 3.18(3) Local Government Act, 1995**

Nil.



9.4 **(MINUTE NO 5155) (SCM 21/10/2013) - MAYORAL MEETING/ANNUAL FEE (083/003) (S DOWNING)**

**RECOMMENDATION**

That Council pay an annual fee to the Mayor, in lieu of a meeting fee, of \$45,000 per annum payable monthly in arrears.

**TO BE CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL**

**COUNCIL DECISION**

MOVED Clr S Portelli SECONDED Clr Y Mubarakai that the recommendation be adopted.

**CARRIED BY ABSOLUTE MAJORITY OF COUNCIL 10/0**

**Background**

The Local Government Act 1995 provides that Council may pay to the Mayor a meeting fee or an annual amount.

**Submission**

N/A

**Report**

Council Policy SC1 – *Meeting Attendance Fees* provides for Elected Members to be paid the maximum annual fee prescribed by the Local Government (Administration) Regulations 1996 (WA) (as amended) in lieu of fees for attending meetings.

The Regulations were amended in July 2013 and increased the maximum annual meeting attendance fee for a Mayor to \$45,000 per year.

For voting purposes Elected Members do not have a financial interest in the decision.



**Strategic Plan/Policy Implications**

Council Policy SC1 'Meeting Attendance Fees - Elected Members'.

**Leading & Listening**

- A responsive, accountable and sustainable organisation.

**Budget/Financial Implications**

Funds are provided in the Council Budget for these payments:

GL 110-6247 (Councillor meeting allowances)

**Legal Implications**

Local Government Regulations (Administration) 1996 are relevant.

**Community Consultation**

N/A

**Attachment(s)**

N/A

**Advice to Proponent(s)/Submissioners**

N/A

**Implications of Section 3.18(3) Local Government Act, 1995**

Nil.

**9.5 (MINUTE NO 5156) (SCM 21/10/2013) - INFORMATION COMMUNICATION TECHNOLOGY (ICT) ALLOWANCE (083/003) (S DOWNING) (ATTACH)**

**RECOMMENDATION**

That Council pay an Information Communication Technology Allowance of \$3,500 per year, payable in advance, to all Elected Members.

**TO BE CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL**



**COUNCIL DECISION**

MOVED Deputy Mayor C Reeve-Fowkes SECONDED Cllr Y Mubarakai that the recommendation be adopted.

**CARRIED BY ABSOLUTE MAJORITY OF COUNCIL 10/0**

**Background**

The Local Government Act 1995 provides that the Council may pay to Elected Members, an allowance in lieu of reimbursement of Information Communication Technology Expenses.

**Submission**

N/A

**Report**

Policy SC15 'Elected Members Information Communication Technology Allowance' states that:

*The Elected Members will be paid an annual amount at the rate of the maximum total annual allowance prescribed by Regulation 31 and 32 of the Local Government (Administration) Regulations 1996 (as amended) to cover the following ICT:-*

1. *telephone rental at the Members' private residences;*
2. *telephone line rental in respect of answering/fax machines installed at the Mayor's and Members' private residences;*
3. *Council related charges for telephone calls made from telephones located at the Members' residences; and*
4. *mobile telephone rental and call charge plans.*
5. *Laptop, iPad or any desktop computer (with monitor).*
  - *appropriate software*
  - *printer/scanner*
  - *broadband internet access and router*
  - *associated consumables*



Council also provides Elected Members with technology devices from time to time, for specific purposes associated with their Council related functions (e.g. iPads for Council Agenda downloads). These devices are not included in this allowance and remain the property of Council.

For voting purposes, Elected Members do not have a financial interest in the decision

**Strategic Plan/Policy Implications**

Council Policy SC15 ‘Elected Members Information Technology Allowance’.

**Leading & Listening**

- A responsive, accountable and sustainable organisation.

**Budget/Financial Implications**

Funds are provided in the Council Budget for these payments:

GL 110-6246 (Councillor Communication expenses)

**Legal Implications**

N/A

**Community Consultation**

N/A

**Attachment(s)**

Policy SC15 – “Elected Members Information Technology Allowance”.

**Advice to Proponent(s)/Submissioners**

N/A

**Implications of Section 3.18(3) Local Government Act, 1995**

Nil.



**9.6 (MINUTE NO 5157) (SCM 21/10/2013) - MEMBERSHIP OF THE AUDIT AND STRATEGIC FINANCE COMMITTEE (083/002) (D GREEN) (ATTACH)**

**RECOMMENDATION**

That Council:

- (1) appoint the following Elected Members (minimum 3) to the Audit and Strategic Finance Committee \_\_\_\_\_; and
- (2) pursuant to Section 7.1B of the Local Government Act, 1995, delegate the authority of Council to meet with the Auditor to the Committee.

**TO BE CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL**

**COUNCIL DECISION**

MOVED Deputy Mayor C Reeve-Fowkes SECONDED Clr S Portelli that the recommendation be adopted and the following Elected Members be appointed to the Audit and Strategic Finance Committee:

- Mayor Logan Howlett
- Deputy Mayor Carol Reeve-Fowkes
- Clr Lee-Anne Smith
- Clr Yaz Mubarakai
- Clr Kevin Allen
- Clr Phil Eva

**CARRIED BY ABSOLUTE MAJORITY OF COUNCIL 10/0**

**Background**

Part 7 of the Local Government Act, 1995 prescribes matters dealing with audits and financial accounts in local government and requires all Councils to establish an Audit Committee and appoint at least three persons to the Committee. Council established its Audit Committee in May 2005, which then became the Audit & Strategic Finance Committee in October 2009.





**Submission**

N/A

**Report**

Membership of the Audit & Strategic Finance Committee may comprise only of Elected Members and other persons subject to a majority of members being Elected Members of Council. As there is a requirement for the Committee to liaise very closely with both its internal and external Auditors, it is not considered necessary that any other persons be appointed as Committee members. Employees of the City, including the Chief Executive Officer, are excluded from becoming members of the Committee. Retiring members of the Committee are Mayor Howlett and Cllrs Allen, Romano, Reeve-Fowkes, Smith, Houwen and Mubarakai.

The Terms of Reference (TOR) for the Committee are attached.

The Audit calendar is also included in the TOR to ensure the Committee meets to a regular timeframe throughout the year and considers those matters identified in the calendar and the TOR in a timely manner.

Finally, it is considered appropriate for Council to delegate the function of meeting with the appointed (external) Auditor to the Committee to eliminate the requirement for the Auditor to present the same reports to both the Committee and the Council, as required under Section 7.12A(2) of the Act.

**Strategic Plan/Policy Implications****Leading & Listening**

- A responsive, accountable and sustainable organisation.

**Budget/Financial Implications**

N/A

**Legal Implications**

Part 7 of the Local Government Act, 2005 refers.

**Community Consultation**

N/A



**Attachment(s)**

Terms of Reference.

**Advice to Proponent(s)/Submissioners**

N/A

**Implications of Section 3.18(3) Local Government Act, 1995**

Nil.

**9.7 (MINUTE NO 5158) (SCM 21/10/2013) - MEMBERSHIP OF THE CHIEF EXECUTIVE OFFICER'S AND SENIOR STAFF KEY PROJECTS APPRAISAL COMMITTEE (083/002) (D GREEN) (ATTACH)**

**RECOMMENDATION**

That Council appoint the following Elected Members (minimum 3) \_\_\_\_\_ to the Chief Executive Officer's and Senior Staff Key Projects Appraisal Committee.

**TO BE CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL**

**COUNCIL DECISION**

MOVED Clr Y Mubarakai SECONDED Deputy Mayor C Reeve-Fowkes that the recommendation be adopted and the following Elected Members be appointed to the Chief Executive Officer's and Senior Staff Key Projects Appraisal Committee:

- Mayor Logan Howlett
- Deputy Mayor Carol Reeve-Fowkes
- Clr Lee-Anne Smith
- Clr Stephen Pratt
- Clr Yaz Mubarakai
- Clr Kevin Allen
- Clr Phil Eva

**CARRIED BY ABSOLUTE MAJORITY OF COUNCIL 10/0**



## **Background**

This Committee was established in September 2005. Its primary functions are to review the performance of the CEO, in accordance with the negotiated contract of employment, provide recommendations to Council in relation to the approved remuneration package and assess relevant outcomes in accordance with Key Performance Indicators.

## **Submission**

N/A

## **Report**

The tenure of members appointed to the Committee expired at the October 2013 Council elections. Those members were Mayor Howlett and Cllrs Allen, Romano, Reeve-Fowkes, Smith, Houwen and Mubarakai. In accordance with Section 5.10 of the Local Government Act, 1995, Council is to appoint elected members (minimum of 3) to be members of the Committee, should it wish the Committee to remain in operation.

The Terms of Reference for the Committee are attached.

## **Strategic Plan/Policy Implications**

### **Leading & Listening**

- A skilled and engaged workforce.

## **Budget/Financial Implications**

N/A

## **Legal Implications**

Sec. 5.10 of the Local Government Act, 1995 refers.

## **Community Consultation**

N/A

## **Attachment(s)**

Terms of Reference.



**Advice to Proponent(s)/Submissioners**

N/A

**Implications of Section 3.18(3) Local Government Act, 1995**

N/A

**9.8 (MINUTE NO 5159) (SCM 21/10/2013) - MEMBERSHIP OF THE GRANTS AND DONATIONS COMMITTEE (083/002) (D GREEN) (ATTACH)**

**RECOMMENDATION**

That Council appoint the following Elected Members (minimum 3) \_\_\_\_\_ to the Grants and Donations Committee.

**TO BE CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL**

**COUNCIL DECISION**

MOVED Cllr S Pratt SECONDED Deputy Mayor C Reeve-Fowkes that the recommendation be adopted and the following Elected Members be appointed to the Grants and Donations Committee:

- Mayor Logan Howlett
- Deputy Mayor Carol Reeve-Fowkes
- Cllr Steve Portelli
- Cllr Stephen Pratt
- Cllr Yaz Mubarakai
- Cllr Lyndsey Wetton
- Cllr Phil Eva

**CARRIED BY ABSOLUTE MAJORITY OF COUNCIL 10/0**

**Background**

This Committee was established in September 2005. Its primary functions are to make recommendations to Council regarding budgeted allocations of grants, donations and sponsorships following the



assessment of applications from individuals and organisations against the criteria established by Council.

**Submission**

N/A

**Report**

The tenure of members appointed to the Committee expired at the October 2013 Council elections. Those members were Mayor Howlett and Cllrs Allen, Oliver, Reeve-Fowkes, Romano, Smith and Houwen. In accordance with the Local Government Act, 1995 (Sec. 5.10) Council is to appoint elected members (minimum 3) to be members of the Committee should it wish for the Committee to remain functional.

The Terms of Reference for the Committee are attached.

**Strategic Plan/Policy Implications**

**Community & Lifestyle**

- Communities that take pride and aspire to a greater sense of community.

**Budget/Financial Implications**

N/A

**Legal Implications**

Sec. 5.10 of the Local Government Act, 1995, refers.

**Community Consultation**

N/A

**Attachment(s)**

Terms of Reference.

**Advice to Proponent(s)/Submissioners**

N/A

**Implications of Section 3.18(3) Local Government Act, 1995**

Nil.



**9.9 (MINUTE NO 5160) (SCM 21/10/2013) - MEMBERSHIP OF THE LOCAL EMERGENCY MANAGEMENT COMMITTEE (083/002) (D GREEN) (ATTACH)**

**RECOMMENDATION**

That Council:

- (1) appoint \_\_\_\_\_ (Elected Members) as members of the Local Emergency Management Committee; and
- (2) requests representatives from the following organisations to be appointed members of the Committee:
  1. Police Service – South Metro Sub-District Local Emergency Co-ordinator.
  2. City of Cockburn Bush Fire Brigade (2).
  3. WA State Emergency Service.
  4. Cockburn State Emergency Services.
  5. Fire and Emergency Services Authority (now Department of Fire and Emergency Services).
  6. St John Ambulance Service.
  7. Department for Communities.
  8. Fremantle Hospital.

**COUNCIL DECISION**

MOVED Deputy Mayor C Reeve-Fowkes SECONDED Clr S Pratt that the recommendation be adopted and the following Elected Members be appointed to the Local Emergency Management Committee:

- Mayor Logan Howlett
- Deputy Mayor Carol Reeve-Fowkes
- Clr Steve Portelli
- Clr Bart Houwen

**CARRIED 10/0**

**Background**

All Councils in this State are now required to establish a Local Emergency Management Committee, pursuant to the Emergency



Management Act (EMA), 2005. An extract of the relevant provisions of the Act is attached. Consequently, Council established the Committee in November 2007. Currently the City of Cockburn members appointed to the Committee are Mayor Howlett and Cllrs Reeve-Fowkes and Pratt.

### **Submission**

N/A

### **Report**

The EMA provides that the Committee consists of members appointed by Council, one of which must be the Local Emergency Co-ordinator, who is attached to the District Office of the WA Police Service. The previously constituted committee had a membership which is representative of all organisations which have a role in the preparation of counter emergency plans and operations. Therefore, it is recommended that Council adopt a similar structure in order to maintain the continuity of its functions.

The Act also provides for the State Emergency Management Committee to determine the constitution, procedures and terms/conditions of appointment of the Committee members. These have been provided for in the attached Policy No.2.5. The document also establishes the regularity of Committee meetings and the matters which should be considered by the Committee.

Other procedures, functions and arrangements to be undertaken by the Committee are also contained within the Policy. Administrative support for the Committee is to be provided by the City.

### **Strategic Plan/Policy Implications**

#### **Community & Lifestyle**

- Safe communities and to improve the community's sense of safety.

#### **Leading & Listening**

- A culture of risk management and compliance with relevant legislation, policy and guidelines.

### **Budget/Financial Implications**

Funding is available in Council's Budget to provide the necessary administrative support for the committee.

### **Legal Implications**

Sec.38 of the Emergency Management Act (EMA) 2005, refers.



**Community Consultation**

N/A

**Attachment(s)**

1. Extract from EMA (Sec. 38).
2. State Emergency Management Policy 2.5.

**Advice to Proponent(s)/Submissioners**

N/A

**Implications of Section 3.18(3) Local Government Act, 1995**

N/A

**9.10 (MINUTE NO 5161) (SCM 21/10/2013) - DELEGATED AUTHORITIES, POLICIES AND POSITION STATEMENTS ('DAPPS') COMMITTEE (083/002) (D GREEN) (ATTACH)**

**RECOMMENDATION**

That Council appoint the following Elected Members (minimum 3) \_\_\_\_\_ as members of the Delegated Authorities, Policies and Position Statements Committee.

**TO BE CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL**

**COUNCIL DECISION**

MOVED Clr S Portelli SECONDED Clr S Pratt that The recommendation be adopted and the following Elected Members be appointed to the Delegated Authorities, Policies and Position Statements Committee:

- Mayor Logan Howlett
- Deputy Mayor Carol Reeve-Fowkes
- Clr Steve Portelli
- Clr Stephen Pratt
- Clr Yaz Mubarakai
- Clr Lyndsey Wetton
- Clr Bart Houwen

**CARRIED BY ABSOLUTE MAJORITY OF COUNCIL 10/0**







## Background

At the Council Meeting held on 14 July 2011 the Delegated Authorities, Policies and Position Statements (DAPPS) Committee was formally established and membership appointed, in accordance with the attached resolution.

Furthermore, pursuant to Section 5.11(2)(d) of the Local Government Act, 1995, membership of the Committee terminated on 19 October 2013, being the ordinary elections day.

In addition, Council has recently adopted a Policy which provides for all DAPPS items to be reviewed on a bi-annual basis, as a minimum. The same Policy includes the mechanism by which the review of all DAPPS related items will take place is to be determined by resolution of Council at the first meeting of Council following the biennial election cycle. A copy of the relevant Policy (SC47) is attached.

## Submission

N/A

## Report

Following the re-establishment of the DAPPS Committee, an intense period of activity was involved in reviewing each of Council's Policies, Position Statements and Delegated Authorities documents.

Accordingly, the documents are now in accordance with contemporary expectations and standards. With this in mind, it is proposed that a quarterly timetable of meetings be conducted by the Committee during the term of the current Council (October 2013 to October 2015):

- NOVEMBER 2013 - Council (SC Documents)
- FEBRUARY 2014 - Executive Services (ES Documents)
- MAY 2014 - Delegated Authorities (DA Documents)
- AUGUST 2014 - Community Services (CS Documents)
- NOVEMBER 2014 - Finance/Corporate Services (FCS Documents)
- FEBRUARY 2015 - Engineering/Works Services (EW Documents)
- MAY 2015 - Delegated Authority (DA Documents)
- AUGUST 2015 - Planning and Development (PD Documents)

This program provides for all Divisional documents to be reviewed throughout the tenure of the current Council.

In addition, any "ad hoc" reviews of each or any document(s) can be referred to a quarterly meeting for Committee consideration.



### **Strategic Plan/Policy Implications**

#### **Leading & Listening**

- A responsive, accountable and sustainable organisation.

#### **Budget/Financial Implications**

Additional costs will be incurred in the production of Committee documentation.

#### **Legal Implications**

Sections 5.8 and 5.10 of the Local Government Act, 1995, refers.

#### **Community Consultation**

N/A

#### **Attachment(s)**

1. Terms of Reference.
2. Policy SC47 – “Formal Introduction and Review of Council Policies, Position Statements & Delegated Authorities”.
3. Resolution adopted at Ordinary Council Meeting held on 14 July 2011.

#### **Advice to Proponent(s)/Submissioners**

N/A

#### **Implications of Section 3.18(3) Local Government Act, 1995**

Nil.

**9.11 (MINUTE NO 5162) (SCM 21/10/2013) - MEMBER REPRESENTATION TO THE SOUTHERN METROPOLITAN REGIONAL COUNCIL ('SMRC') (028/006) (M LITTLETON) (ATTACH)**

#### **RECOMMENDATION**

That Council resolve to either:

- (1) re-appoint Clr Romano as its representative to the Southern Metropolitan Regional Council (“SMRC”); or
- (2) remove Clr Romano as its representative to the SMRC and appoint \_\_\_\_\_ (Elected Member) as its representative.



**COUNCIL DECISION**

MOVED Cllr L Smith SECONDED Cllr P Eva that Council appoint Cllr Lee-Anne Smith as its representative to the Southern Metropolitan Regional Council.

**CARRIED 6/4**

**Reason for Decision**

The tenure of Council's previous representative (former Cllr Romano) has ceased following the 2013 elections at which he was not re-elected. Therefore, it is necessary for a Council delegate to be appointed to the SMRC to ensure the interests of the City of Cockburn are maintained.

**Background**

The SMRC is a Regional Council made up of the municipal districts of the City of Cockburn, City of Rockingham, City of Fremantle, Town of East Fremantle, City of Kwinana and City of Melville. It is formally constituted under the auspices of the Local Government Act 1995 and must comply with that legislation. It was established to plan, develop, coordinate and implement sustainable waste management solutions and greenhouse gas abatement programs with, and for, its 6 member Councils and their communities.

**Submission**

Seeking a City of Cockburn representative on the SMRC Council.

**Report**

The advantages of the SMRC councils include:-

1. Opportunities in resource sharing and economies of scale – by working collectively. Council staff will share information and expertise and save time in developing possible future activities for implementation.



2. SMRC Councils have demonstrated a collective approach works and these examples have provided a good working model.
3. Financial incentives by working together in developing joint initiatives. Councils can then apply for funding on a regional scale. This will provide greater opportunities to access large funding sources.

It is recommended that Council nominate an Elected Member as its representative on the SMRC Council.

### Structure

The Southern Metropolitan Regional Council comprises of one delegate from each member local government with equal voting rights, except the Chairman who may exercise a second vote where the vote is a tie. The tenure of members of the Regional Council continues until the member ceases to be a member of the participating Council or until the member is removed by the participant Council.

The Regional Council meets 7 times per year, on the fourth Thursday of the month commencing at 5.00 p.m. Special meetings and Councillor briefing sessions may be held from time to time.

Standing Committees represented by regional councillors are:

- Audit Committee,
- Public Relations Committee
- CEO Remuneration Committee

Councillor's Annual Allowance Fee            \$13,500

The 2013/14 Council meeting dates are shown in the attachment.

These meetings will all commence at 5.00 p.m. in the respective Council Chambers/Rooms.

### **Strategic Plan/Policy Implications**

#### **Environment & Sustainability**

- Community and businesses that are supported to reduce resource consumption, recycle and manage waste.
- Greenhouse gas emission and energy management objectives set, achieved and reported.

### **Budget/Financial Implications**



The SMRC Council decisions impact on the City of Cockburn because their fees and charges are used as part of the equation to derive the annual service charge levied to ratepayers.

**Legal Implications**

Local Government Act 1995.

**Community Consultation**

N/A

**Attachment(s)**

Correspondence from SMRC.

**Advice to Proponent(s)/Submissioners**

N/A

**Implications of Section 3.18(3) Local Government Act, 1995**

Nil.

**10. (MINUTE NO 5163) (SCM 21/10/2013) - RESOLUTION OF COMPLIANCE (SECTION 3.18(3), LOCAL GOVERNMENT ACT 1995)**

**RECOMMENDATION**

That Council is satisfied that resolutions carried at this Meeting and applicable to items concerning Council provided services and facilities, are:-

- (1) integrated and co-ordinated, so far as practicable, with any provided by the Commonwealth, the State or any public body;
- (2) not duplicated, to an extent Council considers inappropriate, services or facilities as provided by the Commonwealth, the State or any other body or person, whether public or private; and
- (3) managed efficiently and effectively.

**COUNCIL DECISION**

MOVED Clr S Pratt SECONDED Clr S Portelli that the recommendation be adopted.

**CARRIED 10/0**



**11 (SCM 21/10/2013) - CLOSURE OF MEETING**

MEETING CLOSED AT 8.08PM

**CONFIRMATION OF MINUTES**

I, ..... (Presiding Member) declare that these minutes have been confirmed as a true and accurate record of the meeting.

Signed: ..... Date: ...../...../.....

