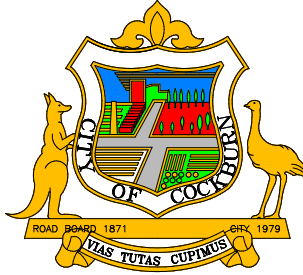


# CITY OF COCKBURN



## SPECIAL COUNCIL MEETING

## MINUTES

FOR

**MONDAY, 23 OCTOBER 2017**

These Minutes are subject to Confirmation

Presiding Member's Signature

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Date: \_\_\_\_\_



# CITY OF COCKBURN

## SUMMARY OF MINUTES OF SPECIAL COUNCIL MEETING HELD ON MONDAY, 23 OCTOBER 2017 AT 7:00 PM

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	Page
1. DECLARATION OF MEETING .....	1
2. APPOINTMENT OF PRESIDING MEMBER (IF REQUIRED).....	2
3. DISCLAIMER (READ ALOUD BY PRESIDING MEMBER).....	2
4. ACKNOWLEDGEMENT OF RECEIPT OF WRITTEN DECLARATIONS OF FINANCIAL INTERESTS AND CONFLICT OF INTEREST (BY PRESIDING MEMBER) .....	2
5. APOLOGIES & LEAVE OF ABSENCE .....	2
6. PUBLIC QUESTION TIME.....	2
7. DEPUTATIONS .....	2
8. PETITIONS .....	2
9. DECLARATION BY COUNCILLORS WHO HAVE NOT GIVEN DUE CONSIDERATION TO MATTERS CONTAINED IN THE BUSINESS PAPERS .....	2
10 (SCM - 23/10/2017) - PURPOSE OF MEETING .....	2
11. COUNCIL MATTERS.....	3
11.1 (SCM - 23/10/2017) - ELECTION OF DEPUTY MAYOR (083/010) (D GREEN).....	3
11.2 (MINUTE NO 6189) (SCM - 23/10/2017) - REVIEW OF MAYORAL AND DEPUTY MAYORAL ALLOWANCE (083/003) (S DOWNING) (ATTACH) .....	5
11.3 (MINUTE NO 6190) (SCM - 23/10/2017) - COUNCILLORS - MEETING/ANNUAL FEE (083/003) (S DOWNING) (ATTACH) .....	8
11.4 (MINUTE NO 6191) (SCM - 23/10/2017) - MAYORAL MEETING/ANNUAL FEE (083/003) (S DOWNING) .....	10
11.5 (MINUTE NO 6192) (SCM - 23/10/2017) - INFORMATION COMMUNICATION TECHNOLOGY (ICT) ALLOWANCE (083/003) (S DOWNING) (ATTACH) .....	11
11.6 (MINUTE NO 6193) (SCM - 23/10/2017) - MEMBERSHIP OF THE AUDIT AND STRATEGIC FINANCE COMMITTEE (083/002) (D GREEN) (ATTACH) .....	14
11.7 (MINUTE NO 6194) (SCM - 23/10/2017) - MEMBERSHIP OF THE CHIEF EXECUTIVE OFFICER'S AND SENIOR STAFF KEY PROJECTS APPRAISAL COMMITTEE (083/002) (D GREEN) (ATTACH) .....	16



11.8	(MINUTE NO 6195) (SCM - 23/10/2017) - MEMBERSHIP OF THE GRANTS AND DONATIONS COMMITTEE (083/002) (D GREEN) (ATTACH) .....	18
11.9	(MINUTE NO 6196) (SCM - 23/10/2017) - MEMBERSHIP OF THE LOCAL EMERGENCY MANAGMENT COMMITTEE (083/002) (D GREEN) (ATTACH) .....	20
11.10	(MINUTE NO 6197) (SCM - 23/10/2017) - DELEGATED AUTHORITIES, POLICIES AND POSITION STATEMENTS (DAPPS) COMMITTEE (083/002) (D GREEN) (ATTACH) .....	23
11.11	(MINUTE NO 6198) (SCM - 23/10/2017) - MEMBERSHIP OF THE COCKBURN COMMUNITY EVENTS COMMITTEE (152/010) (D GREEN) (ATTACH) .....	25
11.12	(MINUTE NO 6199) (SCM - 23/10/2017) - MEMBER REPRESENTATION TO THE SOUTHERN METROPOLITAN REGIONAL COUNCIL (SMRC) (028/006) (D GREEN) (ATTACH) .....	27
12.	(MINUTE NO 6200) (SCM - 23/10/2017) - RESOLUTION OF COMPLIANCE (SECTION 3.18(3), LOCAL GOVERNMENT ACT 1995) .....	30
13	(SCM - 23/10/2017) - CLOSURE OF MEETING .....	30



## CITY OF COCKBURN

### MINUTES OF SPECIAL COUNCIL MEETING HELD ON MONDAY, 23 OCTOBER 2017 AT 7:00 PM

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#### PRESENT:

##### ELECTED MEMBERS

Mr L Howlett	-	Mayor (Presiding Member)
Ms L Smith	-	Deputy Mayor
Mrs C Reeve-Fowkes	-	Councillor
Mr K Allen	-	Councillor (Arr. 7.03 pm)
Mr M Separovich	-	Councillor
Dr C Terblanche	-	Councillor
Mr S Portelli	-	Councillor
Mr S Pratt	-	Councillor
Mr P Eva	-	Councillor
Ms C Sands	-	Councillor

##### IN ATTENDANCE

Mr S. Cain	-	Chief Executive Officer
Mr D. Green	-	Director, Governance & Community Services
Mr S. Downing	-	Director, Finance & Corporate Services
Mr D. Arndt	-	Director, Planning & Development
Mrs J. Kiurski	-	Acting Director, Engineering & Works
Ms A. Santich	-	Media & Communications Officer
Mrs B. Pinto	-	Governance & Risk Support Officer
Ms J. Klobas	-	PA to CEO

#### 1. DECLARATION OF MEETING

The Presiding Member declared the meeting open at 7.02 pm and welcomed all present.

Mayor Howlett acknowledged re-elected members of the Council, namely Cr Lee-Anne Smith – OAM, Cr Phil Eva – JP, Cr Kevin Allen and the newly Elected Members being Cr Chontelle Sands and Cr Michael Separovich. He welcomed them to their first Special Council Meeting.

He acknowledged the Noongar people who are the Traditional Custodians of this Land. He also paid respect to the Elders, both past and present, of the Noongar Nation and extended that respect to other Indigenous Australians who may be present.



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

Nil.

**3. DISCLAIMER (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.

**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. PUBLIC QUESTION TIME**

Nil

**7. DEPUTATIONS**

Nil

**8. PETITIONS**

Nil

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

Nil

**10 (SCM - 23/10/2017) - PURPOSE OF MEETING**

The purpose of the meeting is for the:

- Election of Deputy Mayor
- Setting Elected Member Allowances





- Appointment of Standing Committee Members
- Appointment of Member to the South Metropolitan Regional Council (SMRC)

## 11. COUNCIL MATTERS

### 11.1 (SCM - 23/10/2017) - 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 in the meeting Mayor Howlett advised that, in accordance with the provisions of the Local Government Act, he had requested that the Chief Executive Officer conduct the election. The Chief Executive Officer advised he had received three written nominations from Cr Steve Portelli, Cr Carol Reeve-Fowkes and Cr Lee-Anne Smith. Mayor Howlett requested the nominees to make a statement if they so wished in support of their nomination.

In accordance with Regulations to conduct a secret vote, the Chief Executive Officer advised that individual Elected Members would be required to cast their vote for this purpose. The Chief Executive Officer provided an initialled ballot paper to each Elected Member, to cast their vote one at a time and subsequently placed the Ballot Paper in the Ballot Box on the nominated ballot table.

On completion of the voting, the Chief Executive Officer and the Director – Governance and Community Services counted the votes, in accordance with the voting provisions of the Act.

The Chief Executive Officer advised the meeting of the result of the secret ballot which determined that the number of votes achieved was in favour of Cr Lee-Anne Smith.

The Chief Executive Officer declared Cr Lee-Anne Smith as Deputy Mayor for the period to October 2019. Cr Lee-Anne Smith 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 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 2019.

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**

- Deliver sustainable governance through transparent and robust policy and processes

**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

**Risk Management Implications**

Failure to elect a Deputy Mayor would be in breach of the Local Government Act 1995.

**Attachment(s)**

N/A

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

N/A

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

Nil.

**11.2 (MINUTE NO 6189) (SCM - 23/10/2017) - REVIEW OF MAYORAL AND DEPUTY MAYORAL ALLOWANCE (083/003) (S DOWNING) (ATTACH)**

**RECOMMENDATION**

That Council:

- (1) set the Mayoral Allowance of \$88,864 per year, payable monthly in arrears; and



- (2) set the Deputy Mayoral Allowance of \$22,216 per year, payable monthly in arrears.

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

**COUNCIL DECISION**

MOVED Cr P Eva SECONDED Cr M Separovich 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 2015 Council decided that the Mayoral Allowance should be increased to \$87,250, payable monthly in arrears. This was 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. These allowances are set by the Salaries and Allowances Tribunal and reviewed each year.

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 \$88,864, which is the maximum amount provided for by the Salaries and Allowances Tribunal.



In July 2015 Council decided that the Deputy Mayoral Allowance would be \$21,887 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 Deputy Mayoral allowance be \$22,216, which is the maximum amount provided for by the Regulations (ie. A maximum of 25% of the Mayoral allowance as set by Council).

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

Council Policy SC14 'Mayoral and Deputy Mayoral Allowance'

#### **Leading & Listening**

- Deliver sustainable governance through transparent and robust policy and processes

#### **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. Salaries & Allowances Act, 1975 refers.

#### **Community Consultation**

N/A

#### **Risk Management Implications**

A 'low' level of 'financial' impact is applicable should Council not adopt the recommendation.

A 'moderate' level of 'non-compliance' risk is applicable should Council not adopt the recommendation.

#### **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.

**11.3 (MINUTE NO 6190) (SCM - 23/10/2017) - 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 \$31,364 per annum payable monthly in arrears.

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

**COUNCIL DECISION**

MOVED Cr P Eva SECONDED Cr C Sands 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 2015 and increased the maximum annual meeting attendance fee for a Councillor to \$30,385 per year. These fees are set by the Salaries and Allowances Tribunal and reviewed on an annual basis.

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**

- Deliver sustainable governance through transparent and robust policy and processes

### **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

### **Risk Management Implications**

A 'low' level of 'financial' impact is applicable should Council not adopt the recommendation.

A 'moderate' level of 'non-compliance' risk is applicable should Council not adopt the recommendation.

### **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.



**11.4 (MINUTE NO 6191) (SCM - 23/10/2017) - 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 \$47,046 per annum payable monthly in arrears.

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

**COUNCIL DECISION**

MOVED Deputy Mayor L Smith SECONDED Cr S Pratt 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 2015 and increased the maximum annual meeting attendance fee for a Mayor to \$46,350 per year.

The amount is now provided by the Salaries and Allowances Tribunal and is reviewed on an annual basis.

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**

- Deliver sustainable governance through transparent and robust policy and processes

**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

**Risk Management Implications**

A 'low' level of 'financial' impact is applicable should Council not adopt the recommendation.

A 'moderate' level of 'non-compliance' risk is applicable should Council not adopt the recommendation.

**Attachment(s)**

N/A

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

N/A

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

Nil.

**11.5 (MINUTE NO 6192) (SCM - 23/10/2017) - INFORMATION COMMUNICATION TECHNOLOGY (ICT) ALLOWANCE (083/003) (S DOWNING) (ATTACH)**

**RECOMMENDATION**

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

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



**COUNCIL DECISION**

MOVED Cr M Separovich SECONDED Cr P Eva 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 (eg. iPads for Council Agenda access). 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 Communication Technology Allowance'.

**Leading & Listening**

- Deliver sustainable governance through transparent and robust policy and processes

**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

**Risk Management Implications**

A 'low' level of 'financial' impact is applicable should Council not adopt the recommendation.

A 'moderate' level of 'non-compliance' risk is applicable should Council not adopt the recommendation.

**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.



**11.6 (MINUTE NO 6193) (SCM - 23/10/2017) - 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 L Smith SECONDED Cr C Reeve-Fowkes that Council:

- (1) appoint Deputy Mayor Lee-Anne Smith, Cr Kevin Allen, Cr Michael Separovich, Cr Carol Reeve-Fowkes, Mayor Logan Howlett (Ex-Officio) and Cr Steve Portelli 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.

**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 and Strategic Finance Committee in October 2009.

**Submission**

N/A



## Report

Membership of the Audit and 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, Deputy Mayor Reeve-Fowkes and Councillors Allen, Terblanche, Portelli and Houwen.

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

- Deliver sustainable governance through transparent and robust policy and processes

### Budget/Financial Implications

N/A

### Legal Implications

Part 7 of the Local Government Act, 2005 refers.

### Community Consultation

N/A

### Risk Management Implications

There is a 'moderate' level of 'non-compliance' risk associated with this item.



**Attachment(s)**

Audit & Strategic Finance Committee – Terms of Reference.

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

N/A

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

Nil.

**11.7 (MINUTE NO 6194) (SCM - 23/10/2017) - 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 Cr P Eva SECONDED Cr K Allen that Council appoint Cr Kevin Allen, Cr Carol Reeve-Fowkes, Cr Stephen Pratt, Cr Chamonix Terblanche, Mayor Logan Howlett (Ex-Officio), Cr Steve Portelli and Deputy Mayor Lee-Anne Smith to the Chief Executive Officer's and Senior Staff Key Projects Appraisal Committee.

**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 expires at the October 2017 Council elections. Those members were Mayor Howlett, Deputy Mayor Reeve-Fowkes and Councillors Eva, Allen, Sweetman, Terblanche, Pratt, Portelli and Houwen. 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**

- Attract, engage, develop and retain our employees in accordance with the Workforce Plan and the Long Term Financial Plan

**Budget/Financial Implications**

N/A

**Legal Implications**

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

**Community Consultation**

N/A

**Risk Management Implications**

There is a 'moderate' level of 'non-compliance' risk associated with this item.

**Attachment(s)**

Chief Executive Officer's and Senior Staff Key Projects Appraisal Committee – Terms of Reference.

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

N/A



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

Nil.

**11.8 (MINUTE NO 6195) (SCM - 23/10/2017) - 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 Cr S Portelli SECONDED Cr C Sands that Council appoint Deputy Mayor Lee-Anne Smith, Cr Michael Separovich, Cr Carol Reeve-Fowkes, Cr Phil Eva, Cr Stephen Pratt, Mayor Logan Howlett (Ex-Officio) and Cr Steve Portelli to the Grants and Donations Committee.

**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 2017 Council elections. Those members were Mayor Howlett, Deputy Mayor Reeve-Fowkes and Councillors Portelli, Pratt, Eva, Houwen, Sweetman and Smith. 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 & Security**

- Provide residents with a range of high quality, accessible programs and services
- Provide for community facilities and infrastructure in a planned and sustainable manner

**Budget/Financial Implications**

N/A

**Legal Implications**

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

**Community Consultation**

N/A

**Risk Management Implications**

There is a 'moderate' level of 'non-compliance' risk associated with this item.

**Attachment(s)**

Grants & Donations Committee – Terms of Reference.

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

N/A

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

Nil.



**11.9 (MINUTE NO 6196) (SCM - 23/10/2017) - 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 Services.
  4. Cockburn State Emergency Services.
  5. Fire and Emergency Services Authority.
  6. St John Ambulance Service.
  7. Department for Communities.
  8. Fremantle Hospital.

**COUNCIL DECISION**

MOVED Cr M Separovich SECONDED Cr C Reeve-Fowkes that Council:

- (1) appoint Mayor Logan Howlett, Deputy Mayor Lee-Anne Smith, Cr Carol Reeve-Fowkes, Cr Michael Separovich and Cr Steve Portelli to the Local Emergency Management Committee; and
- (2) requests representatives from the following organisations to be appointed members of the Committee:
  1. WA Police Service – South Metro Sub-District Local Emergency Co-ordinator.
  2. Cockburn State Emergency Service.
  3. Jandakot Volunteer Bush Fire Brigade.
  4. South Coogee Volunteer Bush Fire Brigade.
  5. Department of Fire and Emergency Services.
  6. Cockburn Volunteer Sea, Search and Rescue.
  7. Department of Biodiversity Conservation and Attractions.
  8. St John Ambulance WA.
  9. Department for Communities.
  10. Fiona Stanley Hospital.
  11. Australian Red Cross (WA); and
  12. Jandakot Airport Holdings

**CARRIED 10/0**



**Reason for Decision**

Due to the closing of Fremantle Hospital Emergency and the opening of Fiona Stanley Hospital it would be rational for Fiona Stanley Hospital to be the organisation represented on the committee.

There were a number of incorrect named organisations as well as missing organisations from Point (2) above.

**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, Deputy Mayor Reeve-Fowkes and Councillors Portelli and Houwen.

**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 & Security**

- Provide safe places and activities for residents and visitors to relax and socialise

### **Leading & Listening**

- Listen to and engage with our residents, business community and ratepayers with greater use of social media

## **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

## **Risk Management Implications**

There is a 'moderate' level of 'non-compliance' risk associated with this item.

## **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**

Nil.



**11.10 (MINUTE NO 6197) (SCM - 23/10/2017) - 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:

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

**COUNCIL DECISION**

MOVED Cr C Reeve-Fowkes SECONDED Cr C Sands that Council appoint Deputy Mayor Lee-Anne Smith, Cr Michael Separovich, Cr Carol Reeve-Fowkes, Mayor Logan Howlett (Ex-Officio), Cr Chontelle Sands and Cr Steve Portelli to the Delegated Authorities, Policies and Position Statements Committee.

**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 21 October 2017, 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 2017 to October 2019):

November 2017	Planning & Development (PD Documents)
February 2018	Executive Services (ES Documents)
May 2018	Delegated Authorities (DA Documents)
August 2018	Community Services (CS Documents)
November 2018	Finance & Corporate Services (FCS Documents)
February 2019	Engineering & Works Services (EW Documents)
May 2019	Delegated Authorities (DA Documents)
August 2019	Council (CS 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.

Retiring members of the Committee are Mayor Howlett, Deputy Mayor Reeve-Fowkes and Councillors Allen, Sweetman, Portelli, Pratt, Houwen and Eva.

## Strategic Plan/Policy Implications

### Leading & Listening

- Deliver sustainable governance through transparent and robust policy and processes

### 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

**Risk Management Implications**

There is a 'moderate' level of 'non-compliance' risk associated with this item.

**Attachment(s)**

1. Delegated Authorities, Policies and Position Statements Committee - Terms of Reference.
2. Policy SC47 'Formal Introduction and Review of Council Policies, Position Statements & Delegated Authorities'.

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

N/A

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

Nil.

**11.11 (MINUTE NO 6198) (SCM - 23/10/2017) - MEMBERSHIP OF THE COCKBURN COMMUNITY EVENTS COMMITTEE (152/010) (D GREEN) (ATTACH)**

**RECOMMENDATION**

That Council appoint the following Elected Members (minimum 3) to the Cockburn Community Events Committee:

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

**COUNCIL DECISION**

MOVED Cr S Portelli SECONDED Cr C Sands that Council appoint Deputy Mayor Lee-Anne Smith, Cr Carol Reeve-Fowkes, Cr Phil Eva, Cr Stephen Pratt, Mayor Logan Howlett (Ex-Officio) and Cr Chontelle Sands to the Cockburn Community Events Committee.

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



## **Background**

The Cockburn Community Events Committee was established in June 2014 for the purpose of providing recommendations to Council on the annual community events program funded in the budget in accordance with Council Policy.

## **Submission**

N/A

## **Report**

Membership of the Committee ceased at the date of the Council elections held in October 2017. Previous members of the Committee were Deputy Mayor Reeve-Fowkes, Councillors Pratt, Sweetman and Allen.

## **Strategic Plan/Policy Implications**

### **Community, Lifestyle & Security**

- Provide residents with a range of high quality, accessible programs and services
- Provide safe places and activities for residents and visitors to relax and socialise

### **Leading & Listening**

- Deliver sustainable governance through transparent and robust policy and processes

## **Budget/Financial Implications**

N/A

## **Legal Implications**

Sec. 5.10 of the Local Government Act 1995 refers.

## **Community Consultation**

N/A

## **Risk Management Implications**

There is a 'moderate' level of 'non-compliance' risk associated with this item.





**Attachment(s)**

Cockburn Community Events Committee – Terms of Reference.

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

N/A

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

Nil.

**11.12 (MINUTE NO 6199) (SCM - 23/10/2017) - MEMBER REPRESENTATION TO THE SOUTHERN METROPOLITAN REGIONAL COUNCIL (SMRC) (028/006) (D GREEN) (ATTACH)**

**RECOMMENDATION**

That Council resolve to either:

- (1) re-appoint Cr Allen as its representative to the Southern Metropolitan Regional Council (SMRC); OR
- (2) remove Cr Allen as its representative to the SMRC and appoint \_\_\_\_\_ (Elected Member) as its representative.

**COUNCIL DECISION**

MOVED Cr C Reeve-Fowkes SECONDED Cr S Portelli that Council re-appoint Cr Kevin Allen as its representative to the Southern Metropolitan Regional Council (SMRC).

**MOTION LOST ON CASTING VOTE OF PRESIDING MEMBER 5/5**

MOVED Mayor L Howlett SECONDED Cr S Pratt that Council remove Cr Kevin Allen as its representative to the SMRC and appoint Cr Phil Eva as its representative to the Southern Metropolitan Regional Council (SMRC).

**CARRIED 7/3**

**Reason for Decision**

Cr Phil Eva has now completed four years on Council. He has an understanding of those matters that relate to waste management in the State of Western Australia and more importantly has gained considerable knowledge as he has travelled to various destinations to look at the future of waste management and therefore has a considerable interest in this area.



## **Background**

The SMRC is a Regional Council made up of the municipal districts of the City of Cockburn, 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 5 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 6 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 - \$13,955.

The 2017-2018 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**

#### **Economic, Social & Environmental Responsibility**

- Sustainably manage our environment by protecting, managing and enhancing our unique natural resources and minimising risks to human health
- Further develop adaptation actions including planning; infrastructure and ecological management to reduce the adverse outcomes arising from climate change

#### **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

#### **Risk Management Implications**

There is a 'moderate' level of 'non-compliance' risk associated with this item.

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

Correspondence from the SMRC.

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

N/A



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

Nil.

**12. (MINUTE NO 6200) (SCM - 23/10/2017) - 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 Cr S Portelli SECONDED Cr S Pratt that the recommendation be adopted.

**CARRIED 10/0**

**13 (SCM - 23/10/2017) - CLOSURE OF MEETING**

7:39 pm.

