CITY OF COCKBURN



SPECIAL COUNCIL MEETING AGENDA PAPER

FOR

MONDAY, 23 OCTOBER 2017

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CITY OF COCKBURN

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CITY OF COCKBURN

AGENDA TO BE PRESENTED TO THE SPECIAL COUNCIL MEETING TO BE HELD ON MONDAY, 23 OCTOBER 2017 AT 7:00 PM

- 1. DECLARATION OF MEETING
- 2. APPOINTMENT OF PRESIDING MEMBER (If required)
- 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.

- 4. ACKNOWLEDGEMENT OF RECEIPT OF WRITTEN DECLARATIONS OF FINANCIAL INTERESTS AND CONFLICT OF INTEREST (by Presiding Member)
- 5. APOLOGIES & LEAVE OF ABSENCE
- 6. PUBLIC QUESTION TIME
- 7. DEPUTATIONS
- 8. PETITIONS
- 9. DECLARATION BY COUNCILLORS WHO HAVE NOT GIVEN DUE CONSIDERATION TO MATTERS CONTAINED IN THE BUSINESS PAPERS
- 10 (SCM 23/10/2017) PURPOSE OF MEETING

The purpose of the meeting is for the:

- Election of Deputy Mayor
- Setting Elected Member Allowances

SCM 23/10/2017

- 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.

COUNCIL DECISION

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 (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

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 (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

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

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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.

SCM 23/10/2017

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 (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

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 (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

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 (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

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 (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

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 (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

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 (SCM - 23/10/2017) - MEMBERSHIP OF THE LOCAL EMERGENCY MANAGMENT COMMITTEE (083/002) (D GREEN) (ATTACH)

	OMMEN Council	DATION	
(1)	appoii memb	t (Elected Members) as ers 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

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 (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:

TO BE CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL

COUNCIL DECISION

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 (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:

TO BE CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL

COUNCIL DECISION

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 (SCM - 23/10/2017) - MEMBER REPRESENTATION TO THE SOUTHERN METROPOLITAN REGIONAL COUNCIL (SMRC) (028/006) (D GREEN) (ATTACH)

	OMMENDATION 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		

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.

<u>Structure</u>

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. (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:-

- 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	
000.10.2		

13. CLOSURE OF MEETING

POL MAYORAL AND DEPUTY MAYORAL SC14

POLICY CODE:	SC14
DIRECTORATE:	Finance & Corporate Services
BUSINESS UNIT:	Financial Services
SERVICE UNIT:	Accounting & Financial Control
	Services
RESPONSIBLE OFFICER:	Director, Finance & Corporate Services
FILE NO.:	182/001
DATE FIRST ADOPTED:	15 April 1997
DATE LAST REVIEWED:	14 September 2017
ATTACHMENTS:	N/A
DELEGATED AUTHORITY REF.:	N/A
VERSION NO.	5

Dates of Amendments / Reviews:		
DAPPS Meeting:	30 June 2004	28 November 2013
_	22 March 2012	24 August 2017
	22 August 2013	
OCM:	20 July 2004	12 September 2013
	12 April 2012	12 December 2013

BACKGROUND:

The Local Government Act, 1995, (Sec. 5.98(5) and 5.98A(1)) provides for Council to determine an allowance for the Mayor and Deputy Mayor of a local government.

The maximum annual allowances payable are determined by the Salaries and Allowances Tribunal under the Salaries and Allowances Act 1975 Section 7B.

PURPOSE:

To establish the Mayoral and Deputy Mayoral allowance for annual budgetary requirements.

POLICY:

- (1) 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 elections year, shall be paid to the Mayor and Deputy Mayor payable in arrears each month.
- (2) It is considered this allowance should be paid as a reimbursement of the time commitment made to the position by the appointed Mayor and Deputy Mayor of the day.

POL

MAYORAL AND DEPUTY MAYORAL ALLOWANCES

SC14

(3) The Council shall review the allowance each ordinary elections year or following any amendment to the allowance made by the Salaries and Allowances Tribunal.

POL I	MEETING ATTENDANCE FEES – ELECTED MEMBERS	SC1	
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POLICY CODE:	SC1
DIRECTORATE:	Finance & Corporate Services
BUSINESS UNIT:	Financial Services
SERVICE UNIT:	Accounting & Financial Control Services
RESPONSIBLE OFFICER:	Director, Finance & Corporate Services
FILE NO.:	086/001
DATE FIRST ADOPTED:	15 April 1997
DATE LAST REVIEWED:	14 September 2017
ATTACHMENTS:	N/A
DELEGATED AUTHORITY REF.:	N/A
VERSION NO.	4

Dates of Amendments / Reviews:	
DAPPS Meeting:	22 March 2012
_	28 November 2013
	24 August 2017
OCM:	18 January 2005
	12 April 2012
	12 December 2013

BACKGROUND:

The Local Government Act, 1995, (Sec 5.99) enables Councils to pay an annual meeting attendance fee.

PURPOSE:

To enable Council to determine its meeting attendance fees for inclusion in the following year's Budget estimates.

POLICY:

- (1) Pursuant to s5.99 of the Local Government Act 1995 (WA), Council pay all Elected Members other than the Mayor the maximum annual attendance fees determined by the Salaries and Allowances Tribunal under the Salaries and Allowances Act 1975 Section 7B.
- (2) Pursuant to s5.99 of the Local Government Act 1995 (WA) pay the Mayor the maximum annual attendance fees determined by the Salaries and Allowances Tribunal under the Salaries and Allowances Act 1975 Section 7B.
- (3) Fees payable pursuant to clauses (1) and (2) of this policy are to be paid monthly in arrears.

POL	ELECTED MEMBER INFORMATION COMMUNICATION TECHNOLOGY (ICT) ALLOWANCE	SC15
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POLICY CODE:	SC15
DIRECTORATE:	Executive Services
BUSINESS UNIT:	Financial Services
SERVICE UNIT:	Accounting & Financial Control Services
RESPONSIBLE OFFICER:	Director, Finance & Corporate Services
FILE NO.:	182/001
DATE FIRST ADOPTED:	21 November 2000
DATE LAST REVIEWED:	14 September 2017
ATTACHMENTS:	N/A
DELEGATED AUTHORITY REF.:	N/A
VERSION NO.	5

Dates of Amendments / Reviews:				
DAPPS Meeting:	22 March 2012	28 November 2013		
_	22 August 2013	24 August 2017		
OCM:	11 February 2010	12 September 2013		
	12 April 20 12	12 December 2013		

BACKGROUND:

Pursuant to section 5.99A of the Local Government Act, 1995, all local governments may decide by absolute majority that instead of reimbursing Elected Members under section 5.98(2) for a particular type of expense, it will instead pay an annual allowance for that type of expense.

Section 5.98(2) of the Local Government Act, 1995, Regulations 31(1)(a) and 32(1) of the Local Government (Administration) Regulations 1996 provide for the reimbursement of expenses in respect of information technology and communication.

PURPOSE:

To determine the allowance payable for information technology and communication (ICT) expenses in accordance with the Act and Regulations and the determination by the Salaries and Allowances Tribunal under the Salaries and Allowances Act 1975 Section 7B, as well as dealing with incidental conduct relating to the allowance.

POLICY:

(1) Elected Members will be paid an annual amount at the rate of the maximum total annual allowance determined by the Salaries and Allowances Tribunal

POL

ELECTED MEMBER INFORMATION COMMUNICATION TECHNOLOGY (ICT) ALLOWANCE

SC15

under the Salaries and Allowances Act 1975 Section B covering 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
- (2) Prior to receiving the ICT allowance each year, and on a standard form, Elected Members must provide convenient contact details to Council's Customer Services Unit for advertising in appropriate Council related publications.
- (3) Council will pay the allowance annually in advance, calculated from each ordinary election and the full amount will be provided for in each annual budget.
- (4) Elected Members are to be paid the maximum amount that was allowed to be paid for the entire period.

[2]



AUDIT & STRATEGIC FINANCE COMMITTEE

TERMS OF REFERENCE

1 Background

1.1 The Audit and Strategic Finance Committee is a formally appointed Committee of Council and is responsible to that body. The Audit and Strategic Finance Committee does not have executive powers or authority to implement actions in areas over which management has responsibility and does not have any delegated financial responsibility. The Audit and Strategic Finance Committee does not have any management functions and is therefore independent of management.

2. Objectives

- 2.1 As part of Council's governance obligations to its community, Council has constituted an Audit and Strategic Finance Committee to facilitate:
 - 2.1.1 the enhancement of the credibility and objectivity of internal and external financial reporting;
 - 2.1.2 effective management of financial and other risks and the protection of Council assets;
 - 2.1.3 compliance with laws and regulations including Regulation 17 of the Local Government (Audit) Regulations 2013 to allow for:
 - (a) Risk management;
 - (b) Internal Control; and
 - (c) Legislative Compliance
 - 2.1.4 Use of best practice guidelines;
 - 2.1.5 the effectiveness of the internal audit function;
 - 2.1.6 the provision of an effective means of communication between the external auditor, internal audit, management and the Council.
- 2.2 The Committee's role is to report to Council and provide appropriate advice and recommendations on matters relevant to its Terms of

1

Reference in order to facilitate decision-making by Council in relation to the discharge of its responsibilities.

3. Membership

- 3.1 The Audit and Strategic Finance Committee will consist of three or more elected members of Council.
- 3.2 The Chief Executive Officer and internal auditor should attend all meetings, except when the Committee chooses to meet in camera. Other members of Council or Council staff may be invited to attend at the discretion of the Committee to advise and provide information when required.
- 3.3 Representatives of the external auditor should be invited to attend at the discretion of the Committee but <u>must</u> attend meetings considering the draft annual financial report and results of the external audit.
- 3.4 Council shall provide secretarial and administrative support to the Committee.

4. Meetings

- 4.1 The Committee shall meet in accordance with the attached 'Audit Committee Calendar', as a minimum.
- 4.2 Additional meetings shall be convened:
 - 4.2.1 at the discretion of the Presiding Member:
 - 4.2.2 in accordance with Council's Standing Orders; or,
 - 4.2.3 at the request of the internal or external auditor.
- 4.3 As a minimum, meetings will be arranged to coincide with the finalisation of the financial statements and the draft annual report to the Minister

5. Reporting

5.1 The Audit and Strategic Finance Committee shall after every meeting forward the Minutes of that meeting to the next practicable ordinary meeting of the Council, including a report explaining any specific recommendations and key outcomes.

6. Duties and Responsibilities

- 6.1 The following are the duties and responsibilities of the Audit Committee:
 - 6.1.1 To review the scope of the internal audit plan and program and the effectiveness of the function. This review should

consider whether, over a period of years the internal audit plan systematically addresses:

- internal controls over significant areas of risk, including non-financial management control systems;
- internal controls over revenue, expenditure, assets and liability processes;
- the efficiency, effectiveness and economy of significant Council programs; and
- compliance with regulations, policies, best practice guidelines, instructions and contractual arrangements. (Internal Audit)
- 6.1.2 Review the appropriateness of special internal audit assignments undertaken by internal audit at the request of Council or Chief Executive Officer (Internal Audit)
- 6.1.3 Review the level of resources allocated to internal audit and the scope of its authority. (Internal Audit)
- 6.1.4 Review reports of internal audit and the extent to which Council and management react to matters raised by internal audit, by monitoring the implementation of recommendations made by internal audit. (Internal Audit)
- 6.1.5 Monitor the risk exposure of Council by determining if management has appropriate risk management processes and adequate management information systems. (Internal Audit)
- 6.1.6 Review tendering arrangements and advise Council. (Internal Audit)
- 6.1.7 Review issues relating to national competition policy, financial reporting by Council business units and comparative performance indicators. (Internal Audit)
- 6.1.8 Identify, initiate and/or refer, investigations or specific audit projects that are considered necessary, to the Internal Auditor (through the CEO) and/or the Council. Oversee any subsequent investigation, including overseeing the investigation of all suspected cases of fraud within the organisation. (Internal Audit)
- 6.1.9 Monitor the progress of any major lawsuits facing the Council. (Internal Audit)
- 6.1.10 Review Council's draft annual financial report, focussing on:
 - accounting policies and practices;
 - changes to accounting policies and practices;

- the process used in making significant accounting estimates:
- significant adjustments to the financial report (if any) arising from the audit process;
- compliance with accounting standards and other reporting requirements;
- significant variances from prior years. (External Audit)
- 6.1.11 Recommend adoption of the annual financial report to Council. Review any significant changes that may arise subsequent to any such recommendation but before the financial report is signed. (External Audit)
- 6.1.12 Discuss with the external auditor the scope of the audit and the planning of the audit. (External Audit)
- 6.1.13 Discuss with the external auditor issues arising from the audit, including any management letter issued by the auditor and the resolution of such matters. (External Audit)
- 6.1.14 Review the annual performance statement and recommend its adoption to Council. (External Audit)
- 6.1.15 Facilitate liaison between the internal and external auditor to promote compatibility, to the extent appropriate, between their audit programs. (Internal/External Audit)
- 6.1.16 Critically analyse and follow-up any internal or external audit report that raises significant issues relating to risk management, internal control, financial reporting and other accountability or governance issues, and any other matters relevant under the Committee's Terms of Reference. Review management's response to, and actions taken as a result of the issues raised. (Internal/External Audit)
- 6.1.17 Address issues brought to the attention of the Committee, including responding to requests from Council for advice that are within the parameters of the Committee's Terms of Reference. (Internal/External Audit)
- 6.1.18 Provide guidance and assistance to Council in the development of a process to be used to select and appoint a person to be an auditor. (Internal/External Audit)
- 6.1.19 Provide recommendations to Council regarding all matters related to the management of Council's cash and real property assets. (Internal/External Audit).
- 6.2 The Audit and Strategic Finance Committee, following authorisation from Council and through the Chief Executive Officer, and within the scope of its responsibilities, may seek information or obtain expert advice in relation to matters of concern.

AUDIT & STRATEGIC FINANCE COMMITTEE CALENDAR

MARCH

- 1. To review the scope of the internal audit plan and program and the effectiveness of the function. This review should consider whether, over a period of years the internal audit plan systematically addresses:
 - internal controls over significant areas of risk, including non-financial management control systems;
 - internal controls over revenue, expenditure, assets and liability processes;
 - the efficiency, effectiveness and economy of significant Council programs;
 and
 - compliance with regulations, policies, best practice guidelines, instructions and contractual arrangements. (Internal Audit)
- 2. Review the level of resources allocated to internal audit and the scope of its authority. (Internal Audit)
- 3. Facilitate liaison between the internal and external auditor to promote compatibility, to the extent appropriate, between their audit programs. (Internal/External Audit)
- 4. Critically analyse and follow-up any internal or external audit report that raises significant issues relating to risk management, internal control, financial reporting and other accountability or governance issues, and any other matters relevant under the Committee's Terms of Reference. Review management's response to, and actions taken as a result of the issues raised. (Internal/External Audit)
- 5. Provide guidance and assistance to Council in the development of a process to be used to select and appoint a person to be an auditor. (Internal/External Audit)

NOTE: This will be required when tenders for audit services are being prepared.

JULY

1. Review reports of internal audit and the extent to which Council and management react to matters raised by internal audit, by monitoring the implementation of recommendations made by internal audit. (Internal Audit)

NOVEMBER

 Discuss with the external auditor issues arising from the audit, including any management letter issued by the auditor and the resolution of such matters. (External Audit)

NOTE: This is in regard to the external audit.

- 1. Monitor the risk exposure of Council by determining if management has appropriate risk management processes and adequate management information systems. (Internal Audit)
- 2. Review tendering arrangements and advise Council. (Internal Audit)
- 3. Review issues relating to national competition policy, financial reporting by Council business units and comparative performance indicators. (Internal Audit)
- 4. Identify, initiate and/or refer, investigations or specific audit projects that are considered necessary, to the Internal Auditor (through the CEO) and/or the Council. Oversee any subsequent investigation, including overseeing the investigation of all suspected cases of fraud within the organisation. (Internal Audit)
- 5. Monitor the progress of any major lawsuits facing the Council. (Internal Audit)
- 6. Review Council's draft annual financial report, focussing on:
 - accounting policies and practices;
 - changes to accounting policies and practices;
 - the process used in making significant accounting estimates;
 - significant adjustments to the financial report (if any) arising from the audit process;
 - compliance with accounting standards and other reporting requirements;
 - significant variances from prior years. (External Audit)
- 7. Recommend adoption of the annual financial report to Council. Review any significant changes that may arise subsequent to any such recommendation but before the financial report is signed. (External Audit)
- 8. Discuss with the external auditor the scope of the audit and the planning of the audit. (External Audit)
- 9. Discuss with the external auditor issues arising from the audit, including any management letter issued by the auditor and the resolution of such matters. (External Audit)
- 10. Review the annual performance statement and recommend its adoption to Council. (External Audit)
- 12. Consider all matters related to the management of Council's Cash and Real Property Assets. (Internal/External Audit)

AT ANY MEETING

Address issues brought to the attention of the Committee, including responding to requests from Council for advice that are within the parameters of the Committee's Terms of Reference. (Internal/External Audit)

The Audit Committee, following authorisation from Council and through the Chief Executive Officer, and within the scope of its responsibilities, may seek information or obtain expert advice in relation to matters of concern.

Review the appropriateness of special internal audit assignments undertaken by internal audit at the request of Council or Chief Executive Officer. (Internal Audit)



CHIEF EXECUTIVE OFFICER PERFORMANCE & SENIOR STAFF KEY PROJECTS APPRAISAL COMMITTEE

TERMS OF REFERENCE

Duties & Powers of the Committee

The Committee will be responsible for

- (a review the Performance of the Chief Executive Officer, in accordance with the terms of his contract, and provide recommendations to Council in relation to his remuneration package; and
- (b) assist the Chief Executive Officer in the finalisation of appropriate Key Projects for the Senior Staff and assess the outcomes in line with the KPI Achievement Programme.



GRANTS & DONATIONS COMMITTEE

TERMS OF REFERENCE

Duties & Powers of the Committee

The Committee will be responsible for the following:

- (a) make recommendations to Council in relation to all matters regarding Council's grant and donations program, including
 - 1. the allocations of grants and donations to specific program areas;
 - donation allocations in response to requests made by not for profit organisations;
 - assessments of applications from not for profit organisations against the criteria contained in Policy SC35 'Grants, Donations & Sponsorships – Community Organisations & Individuals'.
- (b) review all grant, donation and subsidy allocations made in the preceding year to identify those to which Council is contractually committed, and advise Council accordingly.
- (c) monitor the expenditure of funds from the Grants & Donations annual budget, as required.

Reporting Requirements

The Committee is to report to Council when deemed necessary by Council or the Committee.

EXTRACT FROM

Western Australia

Emergency Management Act 2005

Part 3 – Local arrangements Division 1 – Local emergency authorities

38. Local emergency management committees

- (1) A local government is to establish one or more local emergency management committees for the local government's district.
- (2) If more than one local emergency management committee is established, the local government is to specify the area in respect of which the committee is to exercise its functions.
- (3) A local emergency management committee consists of
 - (a) a chairman and other members appointed by the relevant local government in accordance with subsection (4); and
 - (b) if the local emergency coordinator is not appointed as chairman of the committee, the local emergency coordinator for the local government district.
- (4) Subject to this section, the constitution and procedures of a local emergency management committee, and the terms and conditions of appointment of members, are to be determined by the SEMC.



WESTERN AUSTRALIA

STATE EMERGENCY MANAGEMENT COMMITTEE

EMERGENCY MANAGEMENT IN LOCAL GOVERNMENT DISTRICTS

State Emergency Management Policy No. 2.5

Amendment List

No	Date	Details	Ву
712 <u></u>	20/3/07	Initial issue replaces SEMC Policy Statement No.3	AR
	01/12/2009	Re-issue after consultation	HW
		4	

RESPONSIBLE OFFICER: Executive Officer, State Emergency Management Committee

DATE FOR REVIEW:

1 December 2012

APPROVED AT SEMC MEETING RESOLUTION NO: 111/2009

DATE APPROVED:

1 December 2009

State Emergency Management Policy No. 2.5 – Emergency Management in Local Government Districts

Document Set ID: 4423057 Version: 1, Version Date: 15/10/2015

DEFINITIONS

- 1. Terminology used throughout the series of Emergency Management Policy shall have the meaning as prescribed in section 3 of the *Emergency Management Act 2005* (the Act).
- 2. In addition, the following definitions, apply to this policy:
 - a. LOCAL COMMUNITY The segment of society being considered by local governments for planning purposes. In this instance a local community is the population that is within a local government district.
 - b. LOCAL GOVERNMENT means:
 - i. a local government established under the Local Government Act 1995;
 - ii. two or more local governments (the "combined local government") that have united under the provisions of section 34(1) of the Emergency Management Act 2005 (see Attachment 1 for a template for a request for approval from SEMC for local governments to combine); and
 - iii. a public authority specified under the *provisions of section 35*(1) of the *Emergency Management Act 2005* to perform and exercise all of the functions of a local government under Part 3 of the Act in the area specified.
 - c. LOCAL GOVERNMENT OFFICE A reference to the local government's office includes:
 - i. the office of a local government referred to in 2.b.i;
 - ii. the offices of each local government that is part of a "combined local government' referred to in 2.b.ii; and
 - iii. the office, in or near the specified area, of a specified public authority referred to in 2.b.iii.
 - d. LOCAL EMERGENCY MANAGEMENT ARRANGEMENTS The arrangements for emergency management in a local government's district as provided for in section 41 of Act.

INTRODUCTION

- Western Australia is subject to a wide variety of hazards that have the potential to cause loss of life and/or damage and destruction. These hazards result from both natural and technological events.
- 4. Effective emergency management arrangements enhance the community's resilience against, and preparedness for, emergencies through strategies that apply prevention/mitigation, preparedness, response and recovery activities.
- 5. Local governments are the closest level of government to their communities and have access to specialised knowledge about environment and demographic features of their communities. Local governments also have specific responsibilities for pursuing emergency risk management as a corporate objective and as part of conducting good business.

AUTHORITY

6. This State emergency management policy is prepared under the authority of section 17 of the *Emergency Management Act 2005*.

State Emergency Management Policy No. 2.5 – Emergency Management in Local Government Districts

1

RESPONSIBILITY FOR REVIEW

7. The Responsible Officer for this policy shall conduct a review of the policy by the agreed review date.

APPLICATION

8. This policy applies to all local governments, local emergency management committees, emergency management agencies and the community participating in the development of the local emergency management arrangements.

AIM

9. The aim of this policy is to provide direction and advice to local governments on their responsibilities with respect to emergency management for their district and should be read in conjunction with the procedure (ADP-5) and guide (Local Emergency Management Arrangements Guide) that compliment it.

LOCAL EMERGENCY MANAGEMENT PLANNING PRINCIPLES

- 10. Local emergency management planning is based upon the emergency management concept of the "prepared community". A prepared community has developed effective Emergency Management arrangements at the local level, resulting in:
 - a. an alert, informed and active community which supports its voluntary organisations;
 - b. an active and involved local government;
 - c. agreed and coordinated arrangements for prevention, preparedness, response and recovery (i.e., local emergency management arrangements); and
 - d. an appropriate knowledge of emergency management arrangements.
- 11. The principles of local emergency management planning underpinning this concept are as follows:
 - a. <u>Community Based</u>. Planning is based on communities generally using local government districts as the smallest community group and one of manageable size. However, depending on the circumstances, a local government can be sub-divided for emergency management purposes, into two or more separate community groups. Similarly, two or more local governments may combine with the approval of the State Emergency Management Committee (SEMC) [s. 34 of the Act] for emergency management purposes. Requests for SEMC approval to combine are to be referred through the relevant District Emergency Management Committee (DEMC).
 - b. <u>Use of Existing Resources.</u> Emergency management arrangements should be based on the utilisation of existing resources and organisations. Responsibilities should be allocated to existing local agencies/industries and resourcing for emergencies should come from the existing pool of resources in the local community. Resource support for large and/or complex emergencies may be sourced through existing State-wide resources within emergency management agencies.
 - c. <u>Capabilities and Legal Responsibilities</u>. All local governments are required to ensure that local emergency management arrangements are prepared for their districts [s. 41(1) of the Act]. Local emergency management arrangements should reflect the emergency management capabilities and responsibilities of the agencies and

State Emergency Management Policy No. 2.5 – Emergency Management in Local Government Districts

industries involved, and recognise and comply with any of their statutory responsibilities.

- d. <u>Emergency Functions</u>. The allocation of responsibilities within local arrangements should, as far as is possible, follow the State emergency management arrangements. Any variation must be detailed in the local arrangements. The emergency function of an agency/industry should reflect its normal function. Additional functions should only be allocated with the full agreement of the agency/industry concerned. Day-to-day activities, which do not contribute directly to the emergency operation, may need to be suspended for the duration of an emergency.
- e. <u>All Hazards</u>. Adopting the comprehensive and integrated approach, local emergency management arrangements should address all the emergencies that are likely to occur in the community.

The development of specific local hazard management plans and standard operating procedures is the responsibility of the relevant Hazard Management Agency, for each of the hazards likely to affect the community. It should be noted that a number of Hazard Management Agencies have district rather than local hazard plans.

f. <u>Emergency Risk Management (ERM) Process.</u> This systematic process produces a range of risk treatment measures that address the emergencies that are likely to occur and contribute to the wellbeing of communities and the environment. The process is most effective when based on stakeholder consultation and participation. The ERM process is the first step towards developing effective local emergency management arrangements.

RESPONSIBILITIES IN RELATION TO EMERGENCY MANAGEMENT ARRANGEMENTS

- 12. Key responsibilities relevant to local emergency management arrangements are as follows:
 - a. <u>Local Government</u> subject to the Act the responsibilities of local governments are:
 - to ensure that effective local emergency management arrangements are prepared and maintained for its district;
 - ii. to manage recovery following an emergency affecting the community in its district;
 - iii. to establish one or more local emergency management committees for its district:
 - iv. to make its emergency management arrangements available for inspection, free of charge, by members of the public during office hours;
 - v. to keep a copy of its local emergency management arrangements at the offices of the local government.

b. Local Emergency Management Committees (LEMC)

- i. to advise and assist the local government in ensuring that local emergency management arrangements are established for its district;
- ii. to liaise with public authorities and other persons in the development, review and testing of local emergency management arrangements; and
- iii. to carry out other emergency management arrangement activities as directed by the SEMC or prescribed by the regulations.

State Emergency Management Policy No. 2.5 - Emergency Management in Local Government Districts

Note: LEMCs are an emergency planning body and although they will often incorporate members from operational (HMA, combat and support) agencies their role is not operational or one of response.

- c. <u>District Emergency Management Committee</u> to provide advice and support to local emergency management committees in relation to draft local emergency management arrangements [ref: SEMP 2.5, par 31] and the development of an exercise schedule
- d. <u>Local Emergency Coordinators</u> to provide advice and support to the local emergency management committee in the development and maintenance of local emergency management arrangements for the district.
- e. <u>Local Recovery Coordinators</u> responsible for preparing, maintaining and testing the local government's Local Recovery Plan and for coordinating the local recovery activities following a particular event as directed by the local government. (See Local Recovery Planning Guide for further description of this role.)
- f. <u>Hazard Management Agency (HMA)</u> responsible for emergency management, or the prescribed emergency management aspect, in the area prescribed of the hazard for which it is prescribed [s. 4(3) of the Act].
- g. <u>Combat Agency</u> responsible for performing an emergency management activity prescribed by the regulations in relation to that agency [s. 6(2) of the Act].
- h. <u>Support Organisation</u> responsible for providing support functions prescribed by the regulations in relation to that organisation [s. 6(4) of the Act].

LOCAL EMERGENCY MANAGEMENT COMMITTEES

- 13. A local government is to establish one or more local emergency management committees (LEMC) for their district [s. 38 of the Act].
- 14. If more than one LEMC is established, the local government is to specify the area in respect of which the committee is to exercise its functions.
- 15. A LEMC may consist of:
 - a. council members, employees and other persons;
 - b. council members and other persons; or
 - c. employees and other persons.

16. LEMC membership:

- a. Chairman: appointed by the relevant local government [s. 38(3) of the Act];
- b. Local Emergency Coordinator(s): appointed by the State Emergency Coordinator for the local government district [s. 37(1) of the Act], when not appointed as the Chairman;
- c. In order for emergency management to be effective at the local level, the SEMC recommends that, in addition to those members specified in the Act, LEMC membership should include:
 - Local government representative: when a local government representative is not appointed as the Chairman;
 - ii. Representatives from local Emergency Management Agencies in the local government district, e.g., FESA representative, health/medical representative, welfare support representative; and

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- iii. Any other representatives as shall be determined by the local government e.g., community champions.
- 17. Other members may be included as determined by the local government, such as community groups (e.g., CWA, local church groups), industries (e.g., major hazardous facilities), welfare groups (e.g., Red Cross, Salvation Army), cultural groups, community representatives and the Local Recovery Coordinator. Consideration should be given to including key indigenous stakeholders from the local community within the local emergency management and recovery committees to provide advice and guidance to the LEMC to ensure appropriate engagement with the local indigenous communities.
- 18. Secretariat and administration support to the LEMC is to be provided by the local government.
- 19. Where the local government identifies the need for representation from a sector for which there is not a local representative, an appropriate alternative representative may be identified from existing community members. For example, specific arrangements may be made in which a local general practitioner attends the LEMC meetings as a representative of the medical services in the district.
- 20. The term of appointment of LEMC members shall be as determined by the local government in consultation with the parent organisation of the members.

LOCAL EMERGENCY MANAGEMENT COMMITTEE PROCEDURES

- 21. LEMCs shall meet every three (3) months and as required.
- 22. Each meeting of the LEMC should consider, but not be restricted to, the following matters, as appropriate:
 - a. Every meeting:
 - i. Confirmation of local emergency management arrangements contact details and key holders;
 - ii. Review of any post-incident reports and post exercise reports generated since last meeting:
 - iii. Progress of emergency risk management process;
 - iv. Progress of treatment strategies arising from emergency risk management process;
 - v. Progress of development or review of local emergency management arrangements; and
 - vi. Other matters determined by the local government.
 - b. First quarter:
 - Development and approval of next financial year LEMC exercise schedule (to be forwarded to relevant DEMC);
 - ii. Begin developing annual business plan.
 - c. Second quarter:
 - Preparation of LEMC annual report (to be forwarded to relevant DEMC for inclusion in the SEMC annual report);
 - ii. Finalisation and approval of annual business plan.
 - d. Third quarter:
 - i. Identify emergency management projects for possible grant funding.

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- e. Fourth quarter:
 - i. National and State funding nominations.
- 23. The LEMC shall determine other procedures as it considers necessary.
- 24. The publication "Your Community Local Emergency Management Committee (LEMC) Guide" is available upon request from EMWA, via the FESA website or the EMWA Extranet.

FUNCTIONS

- 25. The functions of LEMCs are [s.39 of the Act]:
 - a. to advise and assist the local government in ensuring that local emergency management arrangements are established for its district;
 - b. to liaise with emergency management agencies and other persons in the development, review and testing of local emergency management arrangements; and
 - c. to carry out other emergency management activities as directed by the SEMC or prescribed by the regulations.

LOCAL EMERGENCY MANAGEMENT ARRANGEMENTS

- 26. The contents of individual local emergency management arrangements will vary according to the characteristics of the community for which it is being prepared but shall include the minimum content as outlined in ADP-5 and the "Local Emergency Management Arrangements Guide for Western Australia" which is available from FESA by request or via the FESA website.
- 27. Hazard, Combat, Support and Recovery Plans are documents prepared by the relevant organisations and may form part of the local emergency management arrangements.
- 28. The local emergency management arrangements, as stipulated in section 41(2) of the Act, are to set out:
 - a. the local government's policies for emergency management;
 - b. the roles and responsibilities of public authorities and other persons involved in emergency management in the local government district;
 - c. provisions about the coordination of emergency operations and activities relating to emergency management performed by the persons mentioned in paragraph (b);
 - d. a description of emergencies that are likely to occur in the local government district;
 - e. strategies and priorities for emergency management in the local government district;
 - f. other matters about emergency management in the local government district prescribed by the regulations; and
 - g. other matters about emergency management in the local government district the local government considers appropriate (e.g., provision for support to, or from, other government districts).
- 29. Local emergency management arrangements are to be consistent with the State emergency management policies and the State emergency management plans [s. 41(3) of the Act].
- 30. The emergency risk management (ERM) process is a useful tool to assist in identifying the emergencies that are likely to occur in the local government district. The 'Western Australian Emergency Risk Management Guide' provides advice on conducting the ERM

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process and is available by request from FESA or may be downloaded from the FESA website

http://www.fesa.wa.gov.au/internet/upload/shared/docs/FESA_ERM_Apps_Guide_(web).pdf).

- 31. A copy of the draft local emergency management arrangements is to be submitted to the local government's DEMC and also the Community Emergency Management Officer for the region. The DEMC may make recommendations to the LEMC should it identify matters that would enhance the operational effectiveness of the arrangements.
- 32. Local emergency management arrangements are to be reviewed in accordance with the procedures outlined in ADP-5:
- 35. The local government is to deliver a copy of its local emergency management arrangements, and any amendments to the arrangements, to the SEMC as soon as is practicable after they are prepared [s. 41(5) of the Act]. EMWA will check the arrangements for compliance with the Act and the relevant policy and procedure prior to final submission to SEMC. EMWA will provide feedback to the local government on the arrangements.
- 36. Local emergency management arrangements may be amended or reviewed whenever the local government considers it appropriate but not less frequently than is outlined in ADP-5. The local government is to ensure that its local emergency management arrangements are reviewed in accordance with this policy and ADP-5.

LOCAL RECOVERY PLAN

- 37. Local emergency management arrangements are to include a recovery plan. The recovery plan should be a sub plan of the arrangements.
- 38. Assistance with the preparation, format and content of local recovery plans is provided by the "Guide to developing your Community's Recovery Management Plan". This is available by request from FESA or may be downloaded from the FESA website (www.fesa.wa.gov.au/internet/default.aspx?MenuID=296).
- 39. The Local Recovery Coordinator(s) is to be nominated in the Local Recovery Plan by the local government in accordance with the requirements of the Act [s. 41(4)].

REGISTRATION AND DISTRIBUTION OF EMERGENCY MANAGEMENT ARRANGEMENTS

- 40. Local emergency management arrangements are to be endorsed by the LEMC with the date of endorsement reflected in the minutes and in the arrangements. Local emergency management arrangements should be tabled at the next practicable local government council meeting for noting and comment.
- 41. Local emergency management arrangements, and any amendments, are to be tabled for information at a meeting of the appropriate DEMC and an electronic copy delivered to the SEMC, via the Secretary SEMC, as soon as is practicable after they are prepared.
- 42. A local government is to distribute its local emergency management arrangements to at least all LEMC members and such other agencies and industries as considered appropriate by the local government.
- 43. A copy of the local emergency management arrangements is to be kept at the offices of the local government and be available for inspection, free of charge, by members of the

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Document Set ID: 4423057 Version: 1, Version Date: 15/10/2015 public during office hours. The arrangements may be made available in either written or electronic form. Copies of the local emergency management arrangements which are made available to the public should have the contact details and other confidential information removed.

44. Contact details may be requested by members of the public and the local government should determine the need for that person to view them, e.g., has a role in the arrangements.

EXERCISES

- 45. Local governments are to ensure that their arrangements are exercised annually. Exercises may be undertaken in conjunction with other emergency management agencies or by the local government alone. The purpose of exercising the arrangements is to verify that the planning that has occurred will be effective and provide the expected level of support in a practical situation. For that reason, the scenarios that are applied need to contemplate a range of situations and extend beyond scenarios that exercise only limited parts of the arrangements as they apply to specific HMA exercises.
- 46. Local emergency management arrangement exercises may take the form of field (or full deployment), functional or discussion exercises.
- 47. A post exercise review report should be submitted to the DEMC Chairman. That report should be in accordance with the template in Training Procedure 1 (TP-1).

LOCAL EMERGENCY COORDINATOR

- 48. The State Emergency Coordinator has appointed the Officer in Charge of each Police sub-district to be the Local Emergency Coordinator for the local government district in which they are situated [see s.37(1) of the Act]. Where there is more than one Police sub-district in a local government district each Officer in Charge shall be the Local Emergency Coordinator in respect of that area of the local government for which they are responsible.
- 49. The local emergency coordinator for a local government district has the following functions [s. 37(4) of the Act]:
 - a. to provide advice and support to the LEMC for the district in the development and maintenance of emergency management arrangements for the district;
 - b. to assist hazard management agencies in the provision of a coordinated response during an emergency in the district; and
 - to carry out other emergency management activities in accordance with the directions of the State Emergency Coordinator.

Risk Management

REFERENCES

Australian Emergency Management Glossary (Manual 3 – Emergency Management Australia).

Emergency Management Act 2005

CONSULTATION

Stakeholder consultation for this policy is undertaken by way of correspondence with identified stakeholders.

Organisations consulted in the development of this policy include:

- FESA
- Western Australian Local Government Association (liaison with local government)
- Department of Health
- Department for Child Protection
- WA Police
- Emergency Services Subcommittee
- Recovery Services Subcommittee
- District Emergency Management Committees (inc. Metropolitan Emergency Management Executive Group)

JUSTIFICATION

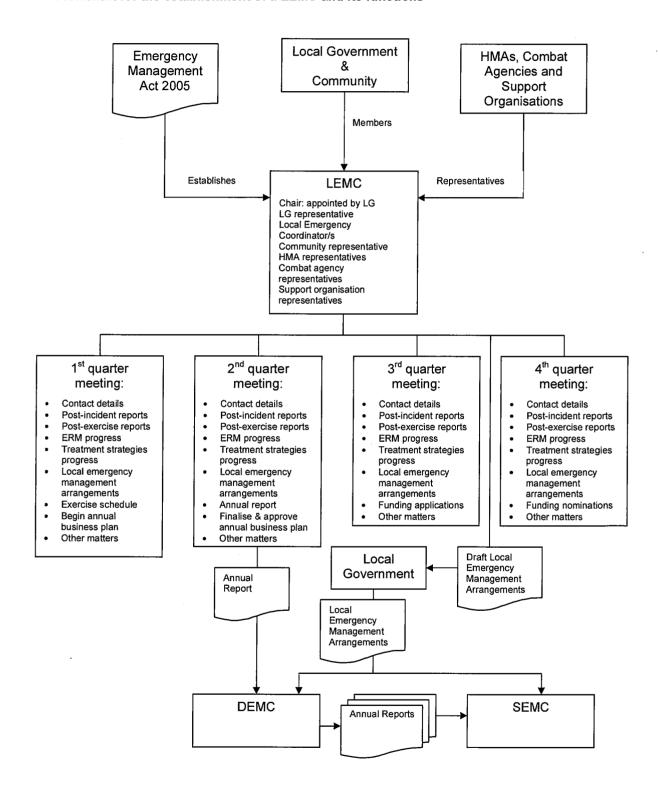
If a State emergency management policy for local governments is not prepared, the risks to State emergency management practice include:

- Inconsistency in local emergency management arrangements development, content and format:
- Local emergency management arrangements not being consistent with State emergency management policies, State government direction or legislation;
- Increased risk to the safety of community members who are inadequately prepared for an emergency incident; and
- Limiting the capacity of local government to comply with the requirements of the Emergency Management Act 2005.

This policy aims to guide local governments in the development, content and formatting of local emergency management arrangements and the fulfilment of their responsibilities under the *Emergency Management Act 2005*.

Appendix 1

Flowchart for the establishment of a LEMC and its functions



State Emergency Management Policy No. 2.5 - Emergency Management in Local Government Districts

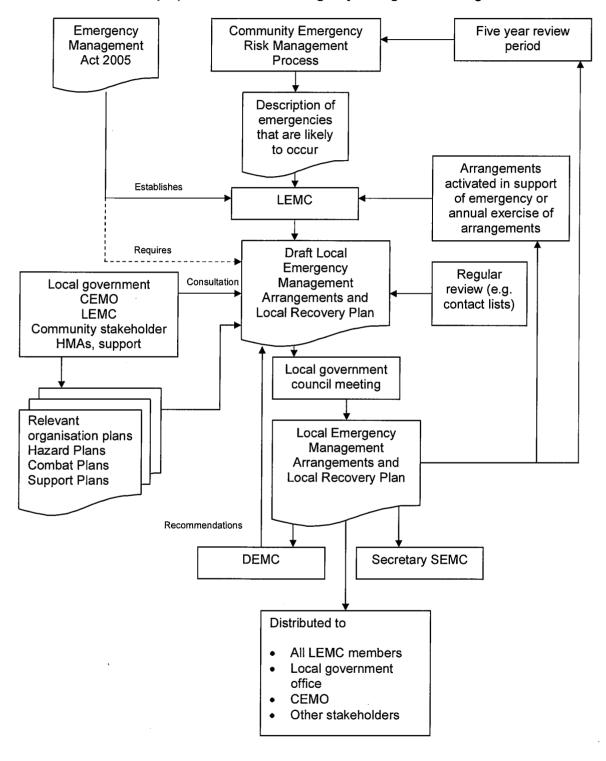
Appendix 1

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Appendix 2

Flowchart for the preparation of Local Emergency Management Arrangements



Attach 1



DELEGATED AUTHORITIES, POLICIES & POSITION STATEMENTS COMMITTEE

TERMS OF REFERENCE

Duties & Powers of the Committee

The Committee will be responsible for the review of issues of Delegated Authorities, Policies and, Position Statements for inclusion in Council's deliberation processes.

Reporting Requirements

To present the recommendations of the Committee to the next available Ordinary Council Meeting, which will require final approval and adoption.

POL

FORMAL INTRODUCTION AND REVIEW OF COUNCIL POLICIES, POSITION STATEMENTS & DELEGATED AUTHORITIES

SC47

POLICY CODE:	SC47		
DIRECTORATE:	Administration & Community Services		
BUSINESS UNIT:	Executive Support		
SERVICE UNIT: Executive Support			
RESPONSIBLE OFFICER:	Director, Governance & Community		
	Services		
FILE NO.:	182/001		
DATE FIRST ADOPTED:	13 October 2011		
DATE LAST REVIEWED:	14 September 2017		
ATTACHMENTS:	N/A		
DELEGATED AUTHORITY REF.:	N/A		
VERSION NO.	4		

Dates of Amendments / Reviews:			
DAPPS Meeting:	22 September 2011	28 November 2013	
	22 March 2012	24 August 2017	
	23 May 2013	_	
OCM:	13 October 2011	13 June 2013	
	12 April 2012		

BACKGROUND:

Sec.2.7(2) (b) of the Local Government Act, 1995, provides that the role of the Council is to 'determine the local government's policies'. In the past, this has been achieved through either a committee process, or by providing proposed new or amendment documents directly to Council.

PURPOSE:

To provide a process by which Council formally introduces and reviews its Policies, Position Statements and Delegated Authorities.

POLICY:

- (1) Council will formally review all its Policies and Position Statements over a two year period, corresponding with each Electoral Cycle and will ensure any amendments to any relevant Acts and/or subsidiary legislation affecting the City are reflected and incorporated in a timely manner.
- (2) Council will formally review all its adopted Delegated Authorities on at least an annual basis as required by legislation.

POL

FORMAL INTRODUCTION AND REVIEW OF COUNCIL POLICIES, POSITION STATEMENTS & DELEGATED AUTHORITIES

SC47

- (3) The introduction of new Delegated Authorities, Policies and Position Statements and all reviews of relevant documents may be undertaken in any manner approved by Council.
- (4) Such mechanisms can include:
 - 1. through a formally established Committee, pursuant to Sec.5.8 of the Act;
 - 2. an informal Working Group comprising of Elected Members and Staff convened to assess these documents, and/or
 - 3. individual officer reports provided directly to a meeting of Council.
- (5) The methodology referred to in (4) above will be determined by resolution of the Council.
- (6) It is a requirement that any proposal to introduce, amend or delete any Policy, Position Statement or Delegated Authority of the City can only be effected by a decision of the Council once it has been introduced/reviewed in accordance with Point (3) above
- (7) In recognition of Council's sustainability initiatives, it will only be a requirement to reproduce and attach those documents, for which a material change is proposed to the Agenda Papers. Minor and/or typographical changes will be listed in the Agenda Report. A hard copy is to be provided to Elected Members who request it, one week before the scheduled meeting, otherwise Agendas and Attachments will be provided electronically.
- (8) The DAPPS meetings will be held quarterly. The May Meeting shall include the statutory review of Delegated Authorities required pursuant to the Local Government Act 1995, together with review of delegations made under other legislation.



COCKBURN COMMUNITY EVENTS COMMITTEE

TERMS OF REFERENCE

Duties & Powers of the Committee

The Committee will be responsible for the review of the annual community events programme funded by Council Policy SC34 'Budget Management' and to recommend a calendar of events for the following year.

Reporting Requirements

To present the recommendation of the Committee to the next available Ordinary Council Meeting for final approval and adoption.

SCM 23/10/2017 - Agenda Item11.12





Our Ref: A/11/05

20 September 2017

Mr Stephen Cain Chief Executive Officer City of Cockburn

Mr Gary Tuffin Chief Executive Officer Town of East Fremantle Mr Phillip St John Chief Executive Officer City of Fremantle

Ms Joanne Abbiss Chief Executive Officer City of Kwinana

Dr Shayne Silcox Chief Executive Officer City of Melville

(sent by email to Regional Executive Group Members)

Dear Chief Executive Officers and Regional Executive Group Members

APPOINTMENT OF ELECTED MEMBERS TO THE REGIONAL COUNCIL

Following Local Government elections, it is customary for Participants' Councils to appoint or re-appoint members to the Regional Council.

I provide below the SMRC's Establishment Agreement appointment and tenure clauses, Councillor annual fees and allowances and council meeting dates that may assist you in providing information to councillors about the Regional Council.

If possible, we would like to receive written notice of your council appointed member prior to Thursday 26 October 2017 to allow us time to appoint a Chair.

Appointment of Members (Clause 7.1)

A participant local government is to appoint <u>one</u> member of the participant to be a member of the council of the Southern Metropolitan Regional Council. Please note, we do not have provision for more than one or deputy members under the Establishment Agreement.

Tenure of Members of the Council (Clause 7.2)

The tenure of existing members of the regional council shall hold office until the member ceases to be an elected member of the Council of the participant local government or until the member is removed by the participant.



Election of Chairperson & Deputy Chairperson (Clause 7.3)

The members appointed to the Regional Council shall elect a Chairperson and Deputy Chairperson for a two-year term. This will be conducted prior to or at the commencement of the Ordinary Meeting of the Regional Council on Thursday 26 October 2017.

Member Annual Fees and Allowances 2017/18

Following the release of the Salaries and Allowances Tribunal determination the Regional Council resolved to adopt the fees as set out in the Tribunal Determination for Regional Local Government as follows: The allowance are paid by monthly instalments at the end of each month directly into member's bank accounts.

Chair	\$39,045pa		
Deputy Chair	\$18,920pa		
Regional Councillor	\$13,955pa		

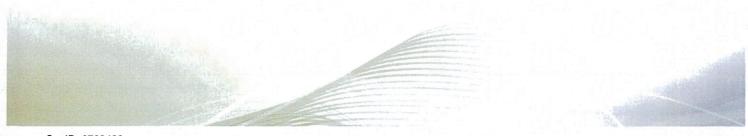
Meetings

The SMRC has approximately **30 meetings per year** as well as other industry external working groups and committees. The membership role demands a high level of commitment and time. The Regional Council has the following formal meeting structure:

- Agenda Briefing Sessions (6 per year)
- Ordinary Council meetings (6 per year)
- Stakeholder Relations Committee (4 per year)
- Audit & Risk Committee (4 per year)
- Special Council Meetings (as required)
- Information Briefing Sessions (as required)

The formal meetings dates planned for 2017-2018 are as follows:

Month	Agenda Briefing 3:00pm	Council Meeting 5:00pm	Stakeholder Relations Committee 4:30pm	Audit & Risk Committee 5:30pm
October 2017		Thursday 26 th		
November 2017	Wednesday 8 th	Thursday 23 rd	Monday 20 th	Monday 20 th



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February 2018	Wednesday 7 th	Thursday 22 nd	Monday 19 th	Monday 19 th
March				
April 2018	Wednesday 11 th	Thursday 19th		
May			Monday 21st	Monday 21st
June 2018	Wednesday 13 th	Thursday 28 th		
July				
August 2018	Wednesday 8 th	Thursday 23 rd	Monday 20 th	Monday 20 th
September				
October 2018	Wednesday 10 th	Thursday 25 th		
November 2018	Wednesday 7 th	Thursday 22 nd	Monday 19 th	Monday 19 th

Should you require any further information, please contact Mr Darren Friend, Acting Manager Corporate Services on 9329 2700.

Yours sincerely,

Tim Youé
CHIEF EXECUTIVE OFFICER