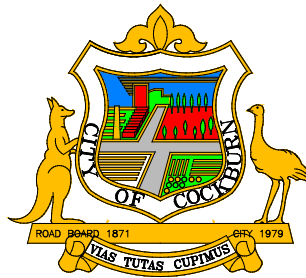


# **CITY OF COCKBURN**



## **SPECIAL COUNCIL MEETING**

## **AGENDA PAPER**

**FOR**

**MONDAY, 21 OCTOBER 2013**

# CITY OF COCKBURN

## SUMMARY OF AGENDA TO BE PRESENTED TO THE SPECIAL COUNCIL MEETING TO BE HELD ON MONDAY, 21 OCTOBER 2013 AT 7:30 PM

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**CITY OF COCKBURN****AGENDA TO BE PRESENTED TO THE SPECIAL COUNCIL  
MEETING TO BE HELD ON  
MONDAY, 21 OCTOBER 2013 AT 7:30 PM**

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

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

The purpose of the meeting is to consider:

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

**9. COUNCIL MATTERS**

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

**RECOMMENDATION**

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

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

Any nominations may be withdrawn and further nominations may be made before or when the Special Meeting is held.

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

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

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

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

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

#### **Leading & Listening**

- A responsive, accountable and sustainable organisation.

### **Budget/Financial Implications**

Council may provide a Deputy Mayor's Allowance.

### **Legal Implications**

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

### **Community Consultation**

N/A

### **Attachment(s)**

N/A

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

N/A

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

Nil.

**9.2 (SCM 21/10/2013) - REVIEW OF MAYORAL AND DEPUTY MAYORAL ALLOWANCE (083/003) (S DOWNING) (ATTACH)****RECOMMENDATION**

That Council:

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

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

**COUNCIL DECISION****Background**

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

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

**Submission**

N/A

**Report**

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



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

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

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

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

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

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

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

### **Leading & Listening**

- A responsive, accountable and sustainable organisation.

### **Budget/Financial Implications**

Funds are provided in the Council Budget for these payments:

GL 110-6812 (Mayoral Allowance)

GL 110-6822 (Deputy Mayoral Allowance)

### **Legal Implications**

Local Government Regulations (Administration) 1996 are relevant.

### **Community Consultation**

N/A

### **Attachment(s)**

Council Policy SC14 "Mayoral and Deputy Mayoral Allowance".

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

N/A

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

Nil.

**9.3 (SCM 21/10/2013) - COUNCILLORS - MEETING/ANNUAL FEE (083/003) (S DOWNING) (ATTACH)**

**RECOMMENDATION**

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

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

**COUNCIL DECISION**

**Background**

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

**Submission**

N/A

**Report**

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

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

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

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

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

Council Policy SC1 – Meeting Attendance Fees – Elected Members.

### **Leading & Listening**

- A responsive, accountable and sustainable organisation.

### **Budget/Financial Implications**

Funds are provided in the Council Budget for these payments:

GL 110-6247 (Councillor meeting allowances).

### **Legal Implications**

Local Government Regulations (Administration) 1996 are relevant.

### **Community Consultation**

N/A

### **Attachment(s)**

Council Policy SC1 – “Meeting Attendance Fees – Elected Members”.

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

N/A

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

Nil.

**9.4 (SCM 21/10/2013) - MAYORAL MEETING/ANNUAL FEE (083/003) (S DOWNING)****RECOMMENDATION**

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

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

**COUNCIL DECISION****Background**

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

**Submission**

N/A

**Report**

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

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

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

**Strategic Plan/Policy Implications**

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

**Leading & Listening**

- A responsive, accountable and sustainable organisation.

**Budget/Financial Implications**

Funds are provided in the Council Budget for these payments:

GL 110-6247 (Councillor meeting allowances)

**Legal Implications**

Local Government Regulations (Administration) 1996 are relevant.

**Community Consultation**

N/A

**Attachment(s)**

N/A

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

N/A

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

Nil.

**9.5 (SCM 21/10/2013) - INFORMATION COMMUNICATION TECHNOLOGY (ICT) ALLOWANCE (083/003) (S DOWNING) (ATTACH)**

**RECOMMENDATION**

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

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

## COUNCIL DECISION

### Background

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

### Submission

N/A

### Report

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

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

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

Council also provides Elected Members with technology devices from time to time, for specific purposes associated with their Council related

functions (e.g. iPads for Council Agenda downloads). These devices are not included in this allowance and remain the property of Council.

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

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

Council Policy SC15 'Elected Members Information Technology Allowance'.

### **Leading & Listening**

- A responsive, accountable and sustainable organisation.

### **Budget/Financial Implications**

Funds are provided in the Council Budget for these payments:

GL 110-6246 (Councillor Communication expenses)

### **Legal Implications**

N/A

### **Community Consultation**

N/A

### **Attachment(s)**

Policy SC15 – "Elected Members Information Technology Allowance".

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

N/A

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

Nil.

**9.6 (SCM 21/10/2013) - MEMBERSHIP OF THE AUDIT AND STRATEGIC FINANCE COMMITTEE (083/002) (D GREEN) (ATTACH)****RECOMMENDATION**

That Council:

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

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

**COUNCIL DECISION****Background**

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

**Submission**

N/A

**Report**

Membership of the Audit & Strategic Finance Committee may comprise only of Elected Members and other persons subject to a majority of members being Elected Members of Council. As there is a requirement for the Committee to liaise very closely with both its internal and external Auditors, it is not considered necessary that any other persons be appointed as Committee members. Employees of



the City, including the Chief Executive Officer, are excluded from becoming members of the Committee. Retiring members of the Committee are Mayor Howlett and Cirs Allen, Romano, Reeve-Fowkes, Smith, Houwen and Mubarakai.

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

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

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

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

#### **Leading & Listening**

- A responsive, accountable and sustainable organisation.

### **Budget/Financial Implications**

N/A

### **Legal Implications**

Part 7 of the Local Government Act, 2005 refers.

### **Community Consultation**

N/A

### **Attachment(s)**

Terms of Reference.

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

N/A

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

Nil.

**9.7 (SCM 21/10/2013) - MEMBERSHIP OF THE CHIEF EXECUTIVE OFFICER'S AND SENIOR STAFF KEY PROJECTS APPRAISAL COMMITTEE (083/002) (D GREEN) (ATTACH)**

**RECOMMENDATION**

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

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

**COUNCIL DECISION**

**Background**

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

**Submission**

N/A

**Report**

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

The Terms of Reference for the Committee are attached.

**Strategic Plan/Policy Implications**

**Leading & Listening**

- A skilled and engaged workforce.

**Budget/Financial Implications**

N/A

**Legal Implications**

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

**Community Consultation**

N/A

**Attachment(s)**

Terms of Reference.

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

N/A

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

N/A

**9.8 (SCM 21/10/2013) - MEMBERSHIP OF THE GRANTS AND DONATIONS COMMITTEE (083/002) (D GREEN) (ATTACH)**

**RECOMMENDATION**

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

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

**COUNCIL DECISION**

**Background**

This Committee was established in September 2005. Its primary functions are to make recommendations to Council regarding budgeted allocations of grants, donations and sponsorships following the assessment of applications from individuals and organisations against the criteria established by Council.

**Submission**

N/A

**Report**

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

The Terms of Reference for the Committee are attached.

**Strategic Plan/Policy Implications****Community & Lifestyle**

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

**Budget/Financial Implications**

N/A

**Legal Implications**

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

**Community Consultation**

N/A

**Attachment(s)**

Terms of Reference.

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

N/A

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

Nil.

**9.9 (SCM 21/10/2013) - MEMBERSHIP OF THE LOCAL EMERGENCY MANAGEMENT COMMITTEE (083/002) (D GREEN) (ATTACH)**

**RECOMMENDATION**

That Council:

- (1) appoint \_\_\_\_\_ (Elected Members) as members of the Local Emergency Management Committee; and
- (2) requests representatives from the following organisations to be appointed members of the Committee:
  1. Police Service – South Metro Sub-District Local Emergency Co-ordinator.
  2. City of Cockburn Bush Fire Brigade (2).
  3. WA State Emergency Service.
  4. Cockburn State Emergency Services.
  5. Fire and Emergency Services Authority.
  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 and Cirs Reeve-Fowkes and Pratt.

**Submission**

N/A

**Report**

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

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

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

**Strategic Plan/Policy Implications****Community & Lifestyle**

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

**Leading & Listening**

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

**Budget/Financial Implications**

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

**Legal Implications**

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

**Community Consultation**

N/A

**Attachment(s)**

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

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

N/A

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

N/A

**9.10 (SCM 21/10/2013) - DELEGATED AUTHORITIES, POLICIES AND POSITION STATEMENTS ('DAPPS') COMMITTEE (083/002) (D GREEN) (ATTACH)**

**RECOMMENDATION**

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

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

**COUNCIL DECISION**

**Background**

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

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

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

### **Submission**

N/A

### **Report**

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

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

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

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

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

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

#### **Leading & Listening**

- A responsive, accountable and sustainable organisation.

### **Budget/Financial Implications**

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



**Legal Implications**

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

**Community Consultation**

N/A

**Attachment(s)**

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

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

N/A

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

Nil.

**9.11 (SCM 21/10/2013) - MEMBER REPRESENTATION TO THE SOUTHERN METROPOLITAN REGIONAL COUNCIL ('SMRC') (028/006) (M LITTLETON) (ATTACH)**

**RECOMMENDATION**

That Council resolve to either:

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

**COUNCIL DECISION**

## **Background**

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

## **Submission**

Seeking a City of Cockburn representative on the SMRC Council.

## **Report**

The advantages of the SMRC councils include:-

1. Opportunities in resource sharing and economies of scale – by working collectively. Council staff will share information and expertise and save time in developing possible future activities for implementation.
2. SMRC Councils have demonstrated a collective approach works and these examples have provided a good working model.
3. Financial incentives by working together in developing joint initiatives. Councils can then apply for funding on a regional scale. This will provide greater opportunities to access large funding sources.

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

## Structure

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

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

Standing Committees represented by regional councillors are:

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

Councillor's Annual Allowance Fee           \$13,500

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

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

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

#### **Environment & Sustainability**

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

### **Budget/Financial Implications**

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

### **Legal Implications**

Local Government Act 1995.

### **Community Consultation**

N/A

### **Attachment(s)**

Correspondence from SMRC.

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

N/A

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

Nil.

**10. (SCM 21/10/2013) - RESOLUTION OF COMPLIANCE (SECTION 3.18(3), LOCAL GOVERNMENT ACT 1995)**

**RECOMMENDATION**

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

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

**COUNCIL DECISION**

**11. CLOSURE OF MEETING**

# CITY OF COCKBURN



## SPECIAL COUNCIL MEETING AGENDA ATTACHMENTS FOR MONDAY, 21 OCTOBER 2013

POL	<b>MAYORAL AND DEPUTY MAYORAL ALLOWANCES</b>	SC14
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<b>POLICY CODE:</b>	SC14
<b>DIRECTORATE:</b>	Finance & Corporate Services
<b>BUSINESS UNIT:</b>	Financial Services
<b>SERVICE UNIT:</b>	Accounting & Financial Control Services
<b>RESPONSIBLE OFFICER:</b>	Director, Finance & Corporate Services
<b>FILE NO.:</b>	086/001
<b>DATE FIRST ADOPTED:</b>	15 April 1997
<b>DATE LAST REVIEWED:</b>	12 September 2013
<b>ATTACHMENTS:</b>	N/A
<b>DELEGATED AUTHORITY REF.:</b>	N/A
<b>VERSION NO.</b>	3

<b>Dates of Amendments / Reviews:</b>	
DAPPS Meeting:	30 June 2004 22 March 2012 22 August 2013
OCM:	20 July 2004 12 April 2012

**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.

**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.
- (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.

<b>MEETING ATTENDANCE FEES – ELECTED MEMBERS</b>
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<b>POLICY CODE:</b>	SC1
<b>DIRECTORATE:</b>	Finance & Corporate Services
<b>BUSINESS UNIT:</b>	Financial Services
<b>SERVICE UNIT:</b>	Accounting & Financial Control Services
<b>RESPONSIBLE OFFICER:</b>	Director, Finance & Corporate Services
<b>FILE NO.:</b>	FS/P/003
<b>DATE FIRST ADOPTED:</b>	15 April 1997
<b>DATE LAST REVIEWED:</b>	12 April 2012
<b>ATTACHMENTS:</b>	N/A
<b>DELEGATED AUTHORITY REF.:</b>	N/A
<b>VERSION NO.</b>	1

<b>Dates of Amendments / Reviews:</b>	
DAPPS Meeting:	22 March 2012
OCM:	18 January 2005

**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:
  1. Councillors the maximum annual fee prescribed by s30(3) of the Local Government (Administration) Regulations 1996 (WA) (as amended) in lieu of fees for attending meeting;
  2. the Mayor the maximum annual fee prescribed by s30(5) of the Local Government (Administration) Regulations 1996 (WA) (as amended) in lieu of fees for attending meetings.
- (2) Fees payable pursuant to clause (1) of this policy be paid monthly in arrears.

POL	ELECTED MEMBER INFORMATION COMMUNICATION TECHNOLOGY (ICT) ALLOWANCE	SC15
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<b>POLICY CODE:</b>	SC15
<b>DIRECTORATE:</b>	Executive Services
<b>BUSINESS UNIT:</b>	Financial Services
<b>SERVICE UNIT:</b>	Accounting & Financial Control Services
<b>RESPONSIBLE OFFICER:</b>	Director, Finance & Corporate Services
<b>FILE NO.:</b>	086/001
<b>DATE FIRST ADOPTED:</b>	21 November 2000
<b>DATE LAST REVIEWED:</b>	12 September 2013
<b>ATTACHMENTS:</b>	N/A
<b>DELEGATED AUTHORITY REF.:</b>	N/A
<b>VERSION NO.</b>	2

<b>Dates of Amendments / Reviews:</b>	
DAPPS Meeting:	22 March 2012 22 August 2013
OCM:	11 February 2010 12 April 20 12

## BACKGROUND:

The Local Government Act, 1995, (Sec. 5.99A) provides for payment of an annual allowance instead of reimbursing Councillors for particular types of expenses. Regulations 31 and 32 of the Local Government (Administration) Regulations 1996 provides for a payment of up to \$3,500 p.a. in respect of information technology telephone and facsimile rental charges and any other telecommunications expense that might otherwise be reimbursed. This is known as an Information and Communications Technology (ICT) Allowance.

## PURPOSE:

To determine the allowance applicable to information technology, telephones, fax machines and call costs in accordance with the Act and Regulations and to deal with incidental conduct relating to the allowance.

## POLICY:

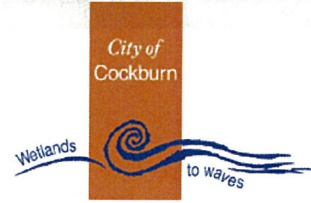
(1) The Elected Members will be paid an annual amount at the rate of the maximum total annual allowance prescribed by Regulation 31 and 32 of the Local Government (Administration) Regulations 1996 (as amended) to cover the following ICT:-

1. telephone rental at the Members' private residences;



<b>POL</b>	<b>ELECTED MEMBER INFORMATION COMMUNICATION TECHNOLOGY (ICT) ALLOWANCE</b>	<b>SC15</b>
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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.



# TERMS OF REFERENCE

## AUDIT & STRATEGIC FINANCE

### COMMITTEE

Revised: OCM 12/11/2009

#### DUTIES AND POWERS OF THE COMMITTEE

##### 1. Background

The Audit & Strategic Finance Committee is a formally appointed Committee of Council and is responsible to that body. The Audit & 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 & 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 & 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 as well as use of best practice guidelines;
- 2.1.4 the effectiveness of the internal audit function;
- 2.1.5 the provision of an effective means of communication between the External Auditor, Internal Auditor, 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 Reference in order to facilitate decision-making by Council in relation to the discharge of its responsibilities.

### **3. Membership**

- 3.1 The Audit & 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 must 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 & Strategic Finance Committee Calendar", as a minimum.
- 4.2 Additional meetings shall be convened:
  - 4.1.1 at the discretion of the Presiding Member;
  - 4.1.2 in accordance with Council's Standing Orders; or
  - 4.1.3 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.

## **REPORTING REQUIREMENTS**

### **5. Reporting**

The Audit & 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 & Strategic Finance 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 risks, 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.
- 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 & 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

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## 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

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

1. 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.

2. Monitor the risk exposure of Council by determining if management has appropriate risk management processes and adequate management information systems. (Internal Audit)
3. Review tendering arrangements and advise Council. (Internal Audit)
4. Review issues relating to national competition policy, financial reporting by Council business units and comparative performance indicators. (Internal Audit)
5. 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. Monitor the progress of any major lawsuits facing the Council. (Internal Audit)
7. 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)
8. 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)
9. Discuss with the External Auditor the scope of the audit and the planning of the audit. (External Audit)
10. 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)
11. 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)

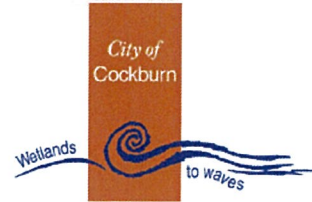
## **AT ANY MEETING**

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 & 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.

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





## **TERMS OF REFERENCE**

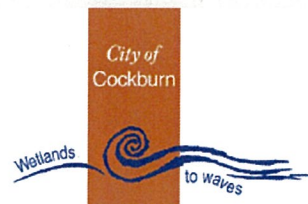
# **CHIEF EXECUTIVE OFFICER PERFORMANCE & SENIOR STAFF KEY PROJECTS APPRAISAL COMMITTEE**

**Established: OCM 08/09/2006**

### **DUTIES AND 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;



# TERMS OF REFERENCE

## GRANTS & DONATIONS COMMITTEE

(Established – OCM 11 August 2005)

### DUTIES AND 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;
  - 2. donation allocations in response to requests made by not for profit organisations;
  - 3. assessments of applications from not for profit organisations against the criteria contained in Policy SC35;
- (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 and 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	By
	20/3/07	Initial issue replaces SEMC Policy Statement No.3	AR
	01/12/2009	Re-issue after consultation	HW

**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

## **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**

3. 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*.

## **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. Community Based. 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. Use of Existing Resources. 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. Capabilities and Legal Responsibilities. 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

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

- d. Emergency Functions. 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. All Hazards. 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. Emergency Risk Management (ERM) Process. 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. Local Government – subject to the Act the responsibilities of local governments are:
  - i. 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.

**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. District Emergency Management Committee – 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. Local Emergency Coordinators – 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. Local Recovery Coordinators - 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. Hazard Management Agency (HMA) - 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. Combat Agency – responsible for performing an emergency management activity prescribed by the regulations in relation to that agency [s. 6(2) of the Act].
- h. Support Organisation – 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:
  - i. 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



- 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:
    - i. 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:
    - i. 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.

- 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

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](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](http://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

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
  - c. 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

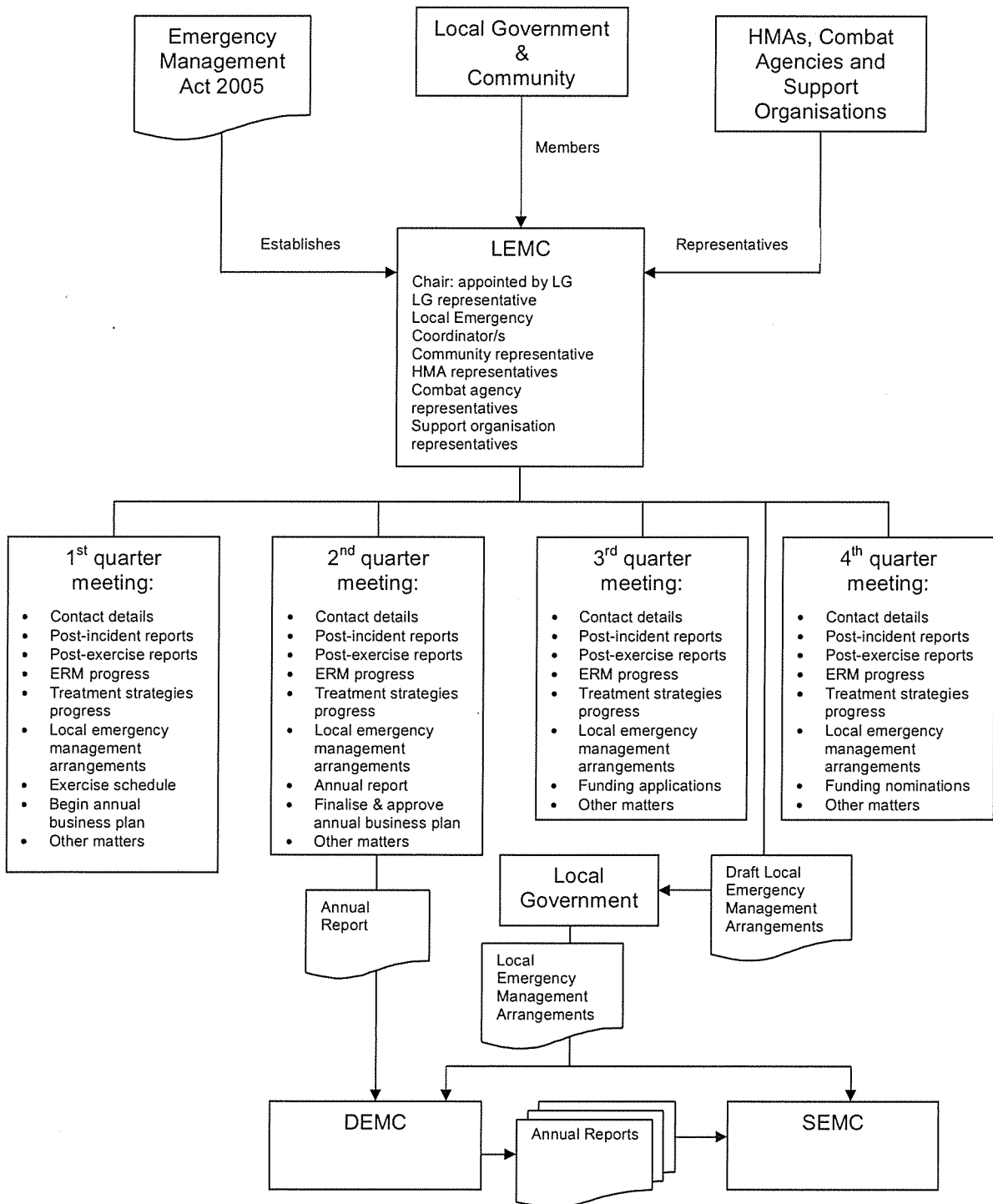
If a State emergency management policy for local governments is not prepared, the risks to State emergency management practice include:

- 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*.

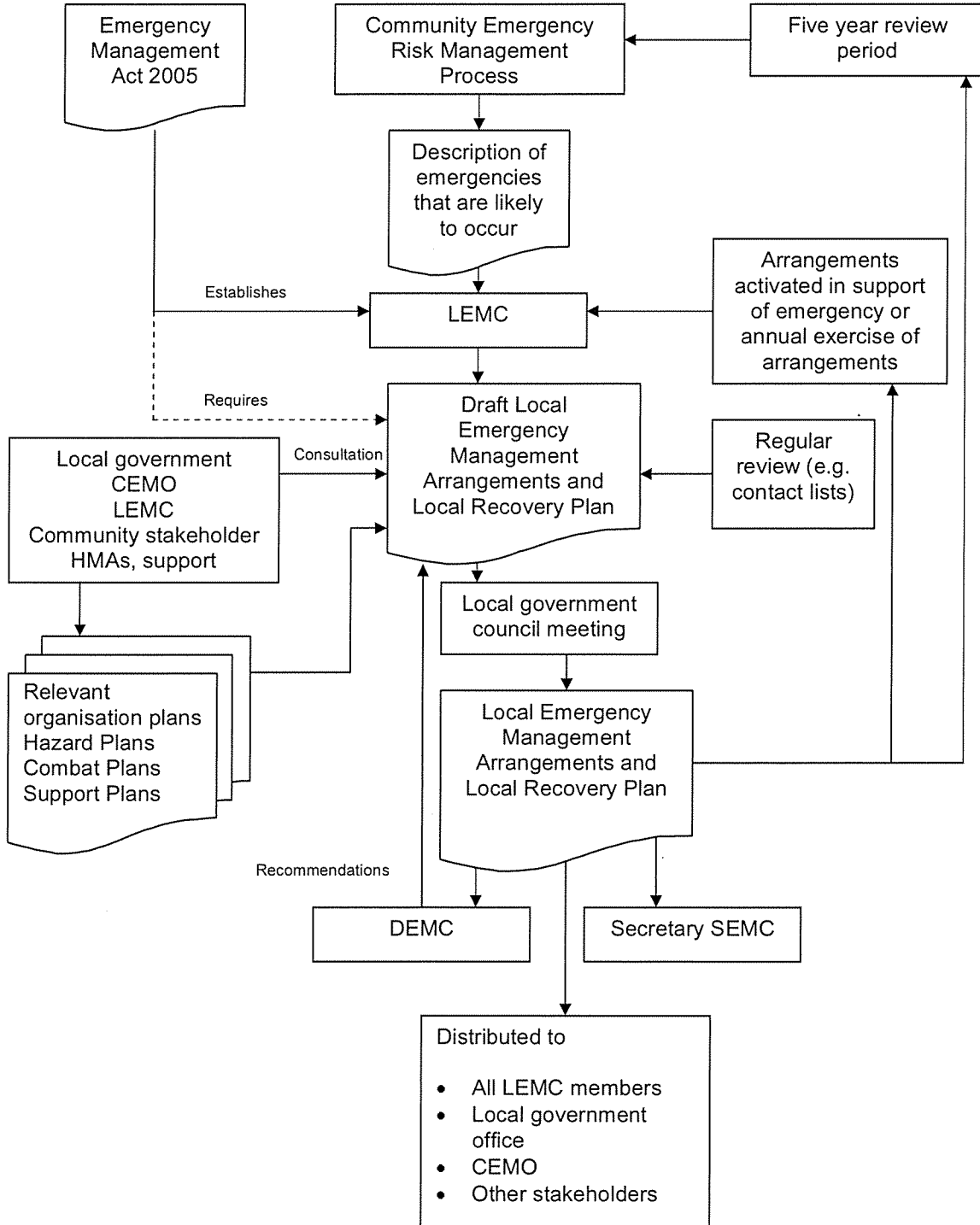
## Appendix 1

**Flowchart for the establishment of a LEMC and its functions**



## Appendix 2

**Flowchart for the preparation of Local Emergency Management Arrangements**





# **TERMS OF REFERENCE**

## **DELEGATED AUTHORITIES, POLICIES AND POSITION STATEMENTS**

### **COMMITTEE**

#### **DUTIES AND POWERS OF THE COMMITTEE**

The Committee will be responsible for the review of issues of Policy 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	<b>FORMAL INTRODUCTION AND REVIEW OF COUNCIL POLICIES, POSITION STATEMENTS &amp; DELEGATED AUTHORITIES</b>	SC47
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<b>POLICY CODE:</b>	SC47
<b>DIRECTORATE:</b>	Administration & Community Services
<b>BUSINESS UNIT:</b>	Executive Support
<b>SERVICE UNIT:</b>	Executive Support
<b>RESPONSIBLE OFFICER:</b>	Director, Governance & Community Services
<b>FILE NO.:</b>	086/001
<b>DATE FIRST ADOPTED:</b>	13 October 2011
<b>DATE LAST REVIEWED:</b>	13 June 2013
<b>ATTACHMENTS:</b>	N/A
<b>DELEGATED AUTHORITY REF.:</b>	N/A
<b>VERSION NO.</b>	2

<b>Dates of Amendments / Reviews:</b>	
DAPPS Meeting:	22 September 2011 22 March 2012 23 May 2013
OCM:	13 October 2011 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	<p style="text-align: center;"><b>FORMAL INTRODUCTION AND REVIEW OF COUNCIL POLICIES, POSITION STATEMENTS &amp; DELEGATED AUTHORITIES</b></p>	SC47
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- (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.

**18. EXECUTIVE DIVISION ISSUES**

Nil

**19. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

- 19.1 (MINUTE NO 4575) (OCM 14/7/2011) - NOTICE TO ESTABLISH A DELEGATED AUTHORITIES, POLICIES AND POSITION STATEMENTS COMMITTEE (DAPPS) (CC/C/001; FS/P/003) (D GREEN) (ATTACH)**

**RECOMMENDATION**

That Council receive the report.

**COUNCIL DECISION**

MOVED Cllr C Reeve-Fowkes SECONDED Cllr T Romano that Council:

- (1) establish a Delegated Authorities, Policies and Position Statements Committee (DAPPS) with the relevant administrative terms of reference that applied to the previous DAPPS Committee;
- (2) open the DAPPS committee to all Elected Representatives who wish to be on the Committee; and
- (3) acknowledges that the DAPPS committee will meet every two months, or more frequently, so as not to impede Administrative processes.

**CARRIED BY ABSOLUTE MAJORITY OF COUNCIL 6/2**

**Reason for Decision**

Section 2.7 of the Local Government Act provides direct guidance to Council when it advises on the Role of Council it states:-

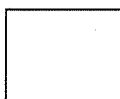
**2.2 Role and Responsibilities of the Council and Councillors**

The roles and responsibilities of council and councillors are prescribed by the Act:

**Role of the Council -**

Section 2.7 of the Act provides that the role of council is to:

- direct and control the local government's affairs;



- be responsible for the performance of the local government's functions;
- oversee the allocation of the local government's finances and resources; and
- determine the local government's policies.

#### Role of the Councillor -

Section 2.10 of the Act states the role of a councillor is to:

- represent the interests of electors, ratepayers and residents;
- provide leadership and guidance to the community;
- facilitate communication between the community and the council;
- participate in decision-making processes at meetings; and
- performs such other functions as are given to a councillor or by this Act or any other written law.

The re-establishment of this Advisory Committee facilitates the provision of informed and considered views, on issues of Policy for inclusion in Councils deliberation processes.

It is recognised that the DAPPS Committee is essentially a working group, that will make recommendations to Council, which will require final approval and adoption at the first available Ordinary Council Meeting by Full Council.

Council has given the current situation adequate consideration and believe that the DAPPS committee must be reinstated.

### **Background**

By letter dated 19 May 2011, Clr Reeve-Fowkes submitted a Notice of revocation of the following Council decision made on 12 November 2009:

*13.9 (Minute No.4093) (OCM 12/11/2009) – Council Committees*

*(2) not establish any other committees pursuant to Sec. 5.8 of the Local Government Act, 1995.*

This resolution related specifically to a motion which was considered by Council to establish a DAPPS Committee and a Financial Management Committee and was subsequently defeated by Council.

The motion to revoke this resolution was carried at the Council meeting of 9 June. The following motion was then presented for deliberation by



Council, however was withdrawn and the matter subsequently deferred to the July 2011, Council meeting, due to time constraints.

*That Council:*

- (1) establish a Delegated Authorities, Policies and Position Statements Committee (DAPPS) with the relevant administrative terms of reference that applied to the previous DAPPS Committee.*
- (2) The DAPPS Committee will be open to all Elected representatives who wish to be on the Committee.*
- (3) The DAPPS Committee will meet every two months, or more frequently, so as not to impede administrative processes.*

*Reason:*

*Section 2.7 of the Local Government Act provides direct guidance to Council when it advises on the Role of Council it states:*

*2.2 Role and Responsibilities of the Council and Councillors:  
The roles and responsibilities of Council and Councillors are prescribed by the Act: Role of the Council.*

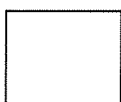
*Section 2.7 of the Act provides that the role of Council is to:*

*Direct and control the local government's affairs.  
Be responsible for the performance of the local government's functions.  
Oversee the allocation of the local government's finances and resources.  
Determine the local government's policies.*

*The re-establishment of this Advisory Committee facilitates the provision of informed and considered views, on issues for inclusion, in Council's deliberation processes.*

*It is recognised that the DAPPS Committee is essentially a working group that will make recommendations to Council, which will require final approval and adoption at the first available Ordinary Council Meeting by full Council.*

*Council has given the current situation adequate consideration and believe that the DAPPS Committee must be reinstated.*



**Submission**

N/A

**Report**

It is the intention of Cllr Reeve-Fowkes to move to establish a Committee to specifically attend to items of Delegated Authority, Policy and Position Statements, previously known as 'DAPPS', and to subsequently appoint membership of the Committee, should the motion to establish it be carried.

This matter has been the subject of previous reports to Council, most recently on 9 June 2011 and prior to that on 11 March 2010, 14 May and 12 November, 2009 respectively.

The reports which accompanied these items are attached, identifying Council's current position and providing the information upon which the Council decision is based. Of specific importance is the finding of a Department of Local Government Probity Audit, which identified the rationalising of the Council Meeting Structure as being required—a process which has resulted in the system currently adopted by Council.

Minutes of the Council meetings at which this issue has been previously considered are attached.

It is considered important to distinguish the difference between the strategic and administrative emphasis of the matters which would be presented to a DAPPS Committee.

Primarily, the items related to policy, position statement or delegated authority documents are routine in nature and would rarely, if ever, warrant additional scrutiny prior to being presented to a Council meeting. Therefore, should a DAPPS Committee be established to oversee these documents prior to consideration by Council, it would be necessary for officers to conform with a forward timetable to ensure that necessary schedules for the preparation of agenda items were met. Effectively, agenda items close 20 days in advance of the Council Meeting to ensure they are subject to executive approval and briefed to Elected Members, before being available for public access 6 days prior to the Meeting. Consequently, a DAPPS Committee Meeting would be required to be held at least a week before that to enable a separate item to be prepared for the Council agenda for the purposes of adopting the Committee Minutes.

The Agenda for the Committee Meeting is required to close 13 days prior to the Meeting, again to enable sufficient time for items to be scrutinised by the executive before being presented to the Committee.



Accordingly, it would be necessary for officers to prepare items for a Committee meeting under such a regime. This assumes that there is no formal time set for conducting Committee meetings, which could extend this period if that were the case.

Given these matters are generally not of any greater significance than other matters presented to Council, it is considered an unnecessary time delay in the process of decision-making by Council on such issues. This would be particularly noticeable if an item was to miss one meeting cycle and then be required to wait a period of months until the next scheduled meeting.

In addition to the time inefficiencies generated by such a system, the additional materials required to produce Committee Agendas and Minutes is a duplication of resources and contradicts Council stated commitment to sustainability and waste reduction objectives.

Since the Council resolution of March 2010, the following ancillary information is provided for consideration.

25 various 'DAPPS' reports have been presented to Council for consideration.

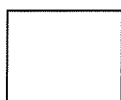
Of these, 18 were adopted 'en-bloc' by Council without discussion, 5 were adopted with amendments, one withdrawn and subsequently adopted in its original form and one not adopted and deferred.

The one deferred item relates to policy SC5 'Corporate Strategic Planning Process' which was deferred to a workshop for the matter to be more closely monitored by Elected Members. Accordingly, this Policy remains in its current status until the matter is reconsidered by Council.

Clearly, this information suggests that the current process of presenting these items directly for Council consideration is acceptable and does not result in any adverse outcomes from the subsequent decisions made by Council.

As suggested in the previous reports on this matter, the referral of Council business for prior examination through a Committee system is superfluous and an unnecessary duplication of resources.

Accordingly, any proposal to redirect matters which can be more expeditiously handled by being directly submitted to Council is not supported on the basis of administrative inefficiencies which would occur as a result.



However, should the revocation motion be successful and Council subsequently resolve to introduce a DAPPS Committees, the following factors should be considered:

- The establishment of Committees requires an absolute majority decision of Council (Sec. 5.8).
- Any Councillor wishing to be a member of one or more Committees is entitled to be appointed to at least one (Sec. 5.10(2)).
- All membership appointments are to be resolved by an absolute majority of Council decision (Se. 5.10(1)(a)).
- Should the Mayor wish to be a member of any Committee which could have a Council member appointed to it, then the appointment of the Mayor to any such committees is mandatory (Sec. 5.10(4)).
- Committee meetings are only required to be open to the public if given delegated powers by an absolute majority decision of Council (Sec. 5.16(1)).

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

#### **Governance Excellence**

- To conduct Council business in open public forums and to manage Council affairs by employing publicly accountable practices.

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

Additional costs will be incurred by Council in the production of Committee Agendas and Minutes.

#### **Legal Implications**

Secs. 5.8, 5.10 and 5.16 of the Local Government Act, 1995, refer.

Regulation 10 of the Local Government (Administration) Regulations, Clauses 4.10, 16.3, 16.4 and 16.12 of the City of Cockburn's Local Law relating to Standing Orders, refer.

#### **Community Consultation**

N/A

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

1. Extract of Minutes of the Ordinary Council Meeting 9 June 2011, Minute No. 4550.





2. Extract of Minutes of the Ordinary Council Meeting – 11 March 2010 – Minute No.4201.
3. Extract of Minutes of the Ordinary Council Meeting – 12 November 2009 – Minute No.4093.
4. Extract of Minutes of the Ordinary Council Meeting – 14 May 2009 – Minute No.3941.
5. Extract from Department of Local Government Probity Audit Report 'Meeting Structure and Process'.
6. Flowchart of Agenda Item Preparation Timeframes – Committee vs Council direct.

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

N/A

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

Nil.

**(MINUTE NO 4576) (OCM 14/7/2011) - APPOINTMENT OF ELECTED MEMBERS FOR DAPPS COMMITTEE**

**COUNCIL DECISION**

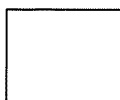
MOVED Clr C Reeve-Fowkes SECONDED Clr T Romano that Council appoint the following Elected Members to the newly established DAPPS Committee pursuant to Section 5.8 of the Local Government Act, 1995.

Clr Clr Reeve Fowkes  
Clr Clr Sue Limbert  
Clr Tony Romano  
Clr Kevin Allen  
Clr Val Oliver  
Mayor Logan Howlett  
Clr Leanne Smith  
Clr Helen Attrill

**CARRIED BY ABSOLUTE MAJORITY OF COUNCIL 7/1**

**Reason for Decision**

With the establishment of a DAPPS Committee, Council is required to appoint its members.





<b>CITY OF COCKBURN</b>
DOC No
- 7 OCT 2013
SUBJECT 091/006
RETENTION 67.4 17
PROPERTY
APP
ACTION ROTUNDS TO CEO

Our Ref: A/11/05

2<sup>nd</sup> October 2013

Mr Stephen Cain  
 Chief Executive Officer  
 City of Cockburn  
 PO Box 1215  
 Bibra Lake WA 6965

Dear Stephen

**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 24<sup>th</sup> October 2013 as this is the next regional council meeting and the appointment of the Chair.

**Appointment of Members (Clause 7.1)**

A participant local government is to appoint one 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.

**Election of Chairman & Deputy Chairman (Clause 7.3)**

The members appointed to the Regional Council shall elect a Chairman and Deputy Chairman for a two year term. This will be conducted at the commencement of the Ordinary Meeting of the Regional Council on Thursday 24<sup>th</sup> October 2013.

**Member Annual Fees and Allowances 2013/14**

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:

Chairman	\$37,500pa
Deputy Chairman	\$18,250pa
Regional Councillor	\$13,500pa



## Meetings

The Regional Council has the following formal meeting structure:

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

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 following formal meetings dates are planned for 2013-2014:

Month	Agenda Briefing 3:00pm	Council Meeting 5:00pm	Public Relations Committee 4:30pm	Audit & Risk Committee 5:30pm
October 2013	Wednesday 9 <sup>th</sup>	Thursday 24 <sup>th</sup>		
November	Wednesday 13 <sup>th</sup>	Thursday 28 <sup>th</sup>	Monday 11 <sup>th</sup>	Monday 11 <sup>th</sup>
February 2014	Wednesday 12 <sup>th</sup>	Thursday 27 <sup>th</sup>	Monday 17 <sup>th</sup>	Monday 17 <sup>th</sup>
March				
April	Wednesday 9 <sup>th</sup>	Thursday 24 <sup>th</sup>		
May			Monday 19 <sup>th</sup>	Monday 19 <sup>th</sup>
June	Wednesday 11 <sup>th</sup>	Thursday 26 <sup>th</sup>		
July				
August	Wednesday 13 <sup>th</sup>	Thursday 28 <sup>th</sup>	Monday 18 <sup>th</sup>	Monday 18 <sup>th</sup>
September				
October	Wednesday 8 <sup>th</sup>	Thursday 23 <sup>rd</sup>		
November	Wednesday 12 <sup>th</sup>	Thursday 27 <sup>th</sup>	Monday 17 <sup>th</sup>	Monday 17 <sup>th</sup>

Please contact me should you require further information.

Yours sincerely



TIM YOUÉ  
CHIEF EXECUTIVE OFFICER

cc: REG, Regional Councillors