

Council Agenda

**SPECIAL COUNCIL MEETING
6.00pm, 25 OCTOBER, 2011
Civic Centre
Dundebar Road, Wanneroo**

Recording of Council Meetings Policy

Objective

- To ensure that there is a process in place to outline access to the recorded proceedings of Council.
- To emphasise that the reason for recording of Council Meetings is to ensure the accuracy of Council Minutes and that any reproduction is for the sole purpose of Council business.

Statement

Recording of Proceedings

- (1) Proceedings for meetings of the Council, Electors, Audit Committee and Public Question Time during Council Briefing Sessions shall be recorded by the City on sound recording equipment, except in the case of meetings of the Council where the Council closes the meeting to the public.
- (2) Notwithstanding subclause (1), proceedings of a meeting of the Council which is closed to the public shall be recorded where the Council resolves to do so.
- (3) No member of the public is to use any electronic, visual or vocal recording device or instrument to record the proceedings of the Council or a committee without the written permission of the Council.

Access to Recordings

- (4) Members of the public may purchase a copy of recorded proceedings or alternatively listen to recorded proceedings with the supervision of a City Officer. Costs of providing recorded proceedings to members of the public will be the cost of the CD plus staff time to make the copy of the proceedings. The cost of supervised listening to recorded proceedings will be the cost of the staff time. The cost of staff time will be set in the City's schedule of fees and charges each year.
- (5) Elected Members may request a recording of the Council proceedings at no charge. However, no transcript will be produced without the approval of the Chief Executive Officer. All Elected Members are to be notified when recordings are requested by individual Members.

Retention of Recordings

- (6) Recordings pertaining to the proceedings of Council Meetings shall be retained in accordance with the State Records Act 2000 (General Disposal Authority for Local Government Records). The current requirement for the retention of recorded proceedings is thirty (30) years.

Disclosure of Policy

- (7) This policy shall be printed within the agenda of all Council, Special Council, Electors and Special Electors meetings to advise the public that the proceedings of the meeting are recorded.



Notice is given that the next Special Council Meeting will be held at the Civic Centre
Dundebar Road, Wanneroo on **Tuesday 25 October, 2011** commencing at **6.00pm**.

D Simms
Chief Executive Officer
21 October, 2011

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A G E N D A

Item 1 Attendances

Item 2 Apologies and Leave of Absence

Item 3 Public Question Time

Please Note: Section 7(4)(b) of the Local Government (Administration) Regulations 1996 states that:

“a Council at a Special Meeting is not required to answer a question that does not relate to the purpose of the meeting. It is requested that only questions that relate to items on the agenda be asked”.

Item 4 Reports

Declarations of Interest by Elected Members, including the nature and extent of the interest. Declaration of Interest forms to be completed and handed to the Chief Executive Officer.

Corporate Strategy & Performance

Governance and Executive Services

SCS01-10/11 Election of Deputy Mayor

File Ref:	2416 – 11/110485
Responsible Officer:	Director, Corporate Strategy and Performance
Disclosure of Interest:	Nil
Attachments:	Nil

Issue

To elect the Deputy Mayor.

Background

Section 2.15 and Schedule 2.3, Division 2 of the *Local Government Act 1995* (the Act) requires that the first item of business at the meeting of the Council following the local government elections is to be the appointment of the Deputy Mayor.

Schedule 2.3, Division 2, Section 7. (1) states that “If the local government has an elector mayor or president the office of deputy mayor or deputy president is to be filled as the first matter dealt with –

- (a) at the first meeting of the council after an inaugural election or a section 4.13 or 4.14 election or after an ordinary elections day; and*
- (b) at the first meeting of the council after an extraordinary vacancy occurs in the office.*

Detail

The appointment is for a two year term, with the position being considered following every ordinary election. Should there be more than one nomination, it will be necessary for a secret ballot to be held to elect a member to the position in accordance with the Act.

The election procedure is as follows:-

- (a) The election is to be conducted in accordance with the procedure prescribed by the Mayor or if he/she is not present, then by the CEO. The CEO (or his nominee) will act as the Returning Officer.
- (b) Nominations close at the meeting at a time announced by the Returning Officer, which is to be a sufficient time after the announcement by that person that nominations are about to close to allow for any nominations made to be dealt with. Refer also to the "Comment" section of this report in regard to nominations.
- (c) If a Councillor is nominated by another Councillor, the Returning Officer is not to accept the nomination unless the nominee has advised the Returning Officer, orally or in writing, that he or she is willing to nominate for the office.
- (d) Members are to vote by secret ballot, as if they were electors voting at an election. Positions on the ballot paper will be drawn at the meeting and ballot papers compiled and distributed at that time. Members will be asked to indicate their preference by placing a tick against their preference as shown on the ballot paper and insert their ballot into the ballot box provided.
- (e) The votes cast are to be counted, and the successful candidate determined as if those votes were votes cast at an election.
- (f) As soon as is practicable after the result of the election is known, the Chief Executive Officer is to declare and give notice of the result in accordance with regulations, if any.
- (g) If there is an equality of votes between two or more candidates who are the only candidates in, or remaining in, the count, the count is to be discontinued and a special meeting of the council is to be convened not more than seven days later. Should this situation arise, the meeting will be closed and following a period of approximately 30 minutes a new meeting will be convened and the voting process commenced again.
- (h) Any nomination for the office may be withdrawn, and further nominations may be made, before or when the new meeting commences.
- (i) Members are to vote again on the matter by secret ballot as if they were voting at an election.
- (j) The votes are to be counted, and the successful candidate determined, under as if those votes were votes cast at an election.
- (k) The candidate who received the greater or greatest number of votes is elected.
- (l) If there is still an equality of votes following the second count, (Schedule 4.1 of the Act) then the Returning Officer will draw lots in accordance with the Local Government (Election) Regulations 1997 Reg. 77A. to determine which candidate is elected.

Comment

The position of the Deputy Mayor has no specific statutory role or responsibility beyond those of a Councillor. However, the Deputy Mayor performs the functions of the Mayor when the Mayor's position is vacant or the Mayor is not available, or is unable or unwilling to perform functions. An annual local government allowance of \$15 000 is paid to the Deputy Mayor under section 5.98A(1) of the Act and Regulation 33A, which is 25% of the annual local government allowance payable to the Mayor.

The Deputy Mayor's term of office begins when the person is elected to the position and ends at the start of the first meeting of the Council after the next ordinary elections, or if the Deputy ceases to be a councillor, resigns from the office, does not make the declaration as required or is elected subsequently as Mayor.

Nomination forms have been provided under separate cover to assist with the election process and where possible should be lodged with the CEO prior to the start of the Special Council Meeting. Close of nominations will however be called after the commencement of the meeting.

Statutory Compliance

Local Government Act 1995, Section 2.15 and Schedule 2.3, Division 2.

Strategic Implications

- The proposal accords with the following Outcome Objective of the City's Strategic Plan 2006 – 2021:
 - “4 Governance
 - 4.6 Provide and maintain a high standard of governance and accountability”

Policy Implications

Nil

Financial Implications

Nil

Voting Requirements

By secret ballot if there is more than one nominee.

Recommendation

That Council NOTE that an election will be CONDUCTED for the position of Deputy Mayor.

Attachments: Nil

SCS02-10/11 Appointment of Delegates to Committees and Working Groups

File Ref: 2379 – 11/105287
 Responsible Officer: Director, Corporate Strategy and Performance
 Disclosure of Interest: Nil
 Attachments: Nil

Issue

To appoint elected member representatives to various internal and external committees and working groups.

Background

The Local Government Act 1995, section 5.11 specifies that all elected member appointments to committees must end on election day. At its first meeting following an election, Council should to make new appointments to the various committees (both internal and external) on which it is represented by elected members.

With respect to internal working groups, in 2007 the City trialled a new system of appointing delegates in an informal manner at a Council Forum, with no restriction on the number of elected members appointed. It has become evident over the intervening period that this can create difficulties with respect to achieving a quorum, and it is therefore proposed to revert to the appointment of a specified number of delegates to each working group by resolution of Council.

Detail

All elected members have been provided with nomination forms to enable them to indicate which committees and working groups they have an interest in being appointed to, either as a delegate or deputy delegate where applicable. Appointments are based on the current Terms of Reference for the committee or working group and this can be changed by a resolution of Council during the meeting.

Comment

The following explanatory comments are provided with respect to a number of committees and working groups.

	Name of Committee/ Working Group	Role of Committee/ Working Group	Frequency of Meetings
1.	Arts Advisory Committee (Internal)	To provide advice on matters relating to the arts.	Minimum of four meetings per year
2.	Audit Committee (Internal)	Review matters associated with the City's audit process comprises all elected members operating as a committee of council as a whole. No delegated authority.	Six weekly on Tuesday evenings
3.	Community Funding Working Group (Internal)	The ranking of each application made under the program against funding criteria and eligibility.	Meetings to be held in at the conclusion of each funding

	Name of Committee/ Working Group	Role of Committee/ Working Group	Frequency of Meetings
		The provision of recommendations to Council regarding Community Funding distribution at the conclusion of each round of the program.	round, usually May and October
4.	Community Safety Working Group (Internal)	To work in partnership with the community and the Police to develop a strategic approach to ensure the safety and well being of the wider community of the City of Wanneroo. This will be achieved through the development of planned actions and ongoing direction of the Safer Citizens programme in consultation with the local communities and relevant government instrumentalities. Both ward Councillors participate on the 4 precinct committees.	At least four times per year
5.	Development Assessment Panel (External)	Joint Development Assessment Panel of the Cities of Wanneroo, Joondalup and Stirling to deal with 'significant' development applications.	Dependent on applications submitted
6.	Elderbloom Community Care Centres Board of Management (External)	Management body for Belgrade Park Village, Jacaranda Lodge, Wanneroo Community Nursing Home & Barridale Lodge.	Fourth Wednesday of each month at 6.00pm
7.	Environmental Advisory Committee (Internal)	To provide a means of participatory two-way communication between the community and the City of Wanneroo on environmental issues. To assist Council with the identification of environmental issues and the development of strategies relating to these issues.	Quarterly each year
8.	Girradoola Going Places Committee (External)	Group of interested community groups and residents who have a genuine interest in contributing to the Girrawheen and Koondoola areas to development a vibrant community. Issues dealt with range from basic community to housing, multicultural, indigenous and facilities (including parks, child health, general health education etc).	Monthly
9.	Healthy Communities Steering Group (Internal)	To provide advice on how to engage with people aged 18 and above who are facing multiple barriers to workforce and learning participation, particularly where they are	At least once every three months

	Name of Committee/ Working Group	Role of Committee/ Working Group	Frequency of Meetings
		exacerbated by poor health resulting from overweight and obesity; and To support the reduction of the prevalence of overweight and obesity (and resulting chronic disease) in the identified target group through the delivery of a range of proactive activities.	
10.	Heritage Services Advisory Group (Internal)	To provide advice to Council on policy related to heritage matters.	Regular basis as determined by group members
11.	Joondalup Health Campus Community Board of Advice (External)	To provide advice to the Joondalup Health Campus regarding community health needs.	Meets quarterly at 6.30pm
12.	Mindarie Regional Council (External)	To provide a waste management receival and treatment operation.	Meets every 2-3 months, 4.30pm Thursday
13.	North West District Planning Committee (External)	<ol style="list-style-type: none"> 1. To assist & advise the WAPC on regional planning matters; investigate, report & formulate recommendations in respect of matters affecting or likely to affect the Metropolitan Region Scheme with particular regard to the North West section of the Metropolitan Region. 2. To exercise such functions of the WAPC as the Commission may delegate to it under the provisions of Section 20 of the Act. 3. To act as a forum for representatives of member Councils and their Technical Officers to discuss planning matters of mutual interest which do not necessarily have any relationship to the WAPC. 	Meets every six months
14.	North West Regional Road Sub Group (External)	Responsible for the assessment of road funding needs, the annual distribution of State road funds to Local Govt roads, monitoring & reporting on the effectiveness of the application of the State funds for Local Govt roads in its region.	Meets every two months, 8.30am on the third Thursday of the month
15.	Reconciliation Action Plan Working Group (Internal)	To develop draft goals to reflect the Relationships, Respect and Opportunities pillars of the City's Reconciliation Action Plan (RAP) with the aim of long term and	On a regular basis as determined by the working group

	Name of Committee/ Working Group	Role of Committee/ Working Group	Frequency of Meetings
		genuine engagement with the Aboriginal community in Wanneroo.	
16.	RoadWise Working Group (Internal)	To provide a forum for community liaison, implement community road safety projects and to provide advice to the City of Wanneroo on traffic and road safety issues that affects the residents and transport users within the City.	On a regular basis as determined by the working group
17.	Small Business Centre North West Metro Board of Management (External)	To assist in the formation and development of new and sustainable small businesses through the provision of services in the North West Metropolitan Region of Perth. To provide the local business community with services and advice which assist the establishment of the new businesses and enhance the development of existing enterprises.	Every three months, 3.30pm Wednesday
18.	Smart Growth Steering Group (Internal)	To participate in the development and promotion of Smart Growth strategies to support the City's strategic plan, and engage the community, development industry and other stakeholders in smart growth initiatives.	As determined by working group
19.	Special Needs Playground Working Group (Internal)	To investigate the development of a special needs playground within the City of Wanneroo.	As determined by working group
20.	Stable Fly Management Committee (External)	To identify strategies to address stable fly problems.	As determined by working group
21.	Tamala Park Regional Council (External)	1. To undertake, in accordance with the objectives, the rezoning, subdivision, development, marketing & sale of the land. 2. To carry out and do all other acts and things which are reasonably necessary for the bringing into effect of the matters referred to above.	Every two months

	Name of Committee/ Working Group	Role of Committee/ Working Group	Frequency of Meetings
22.	Wanneroo Agricultural Society (External)	To promote the agricultural, horticultural and other associated industries in the Wanneroo District. To conduct the annual Wanneroo Agricultural Show.	Monthly, second Monday 7.30pm
23.	Wanneroo BMX Raceway Club Relocation Working Group (Internal)	To progress the relocation of the Wanneroo BMX Raceway Club Inc from Lot 21 (176) Mary Street, Wanneroo.	As determined by working group
24.	Wanneroo Business & Tourism Development Working Group (Internal)	To participate in the development and promotion of business and tourism development strategies relevant to the Wanneroo region and the NW corridor.	As determined by working group, at least every six months
25.	Wanneroo Town Centre Advisory Group (Internal)	To advise Council on matters relating to the management of land and planning matters and construction projects involved in the redevelopment of the Wanneroo town centre.	As determined by working group
26.	Wanneroo and Districts Historical Society (External)	To foster an interest in the history of the Wanneroo area.	Monthly, third Thursday evening
27(a)	Wanneroo/ Joondalup Local Emergency Management Committee (LEMC) (External)	LEMCs are created to consist of representatives from all lead hazard response agencies and have a charter to develop and test emergency management plans that address identified risks to communities within each local authority.	Quarterly (Feb May Aug Nov)
(b)	North West District Emergency Management Committee (DEMC) (External)	Oversees local emergency management arrangements in the district.	Quarterly (Feb May Aug Nov)
28.	Waste Management Advisory Committee (Internal)	To provide advice to Council and to the City's representatives on the Mindarie Regional Council on matters relating to waste management within the City.	As determined by the committee, at least four times per year

	Name of Committee/ Working Group	Role of Committee/ Working Group	Frequency of Meetings
29.	Western Australian Local Government Association (WALGA) North Metropolitan Zone (External)	To represent issues from the Cities of Wanneroo, Joondalup and Stirling back to WALGA.	Thursday evening, every two months
30.	Yanchep/Two Rocks Community Bus Management Committee (External)	To provide a community bus service to those residents of Yanchep and Two Rocks who because of age, ill health, disability or lack of suitable public transport are unable to access health, welfare, recreational or commercial facilities in the City of Wanneroo, Perth and their environs.	Monthly, second Thursday 3.00pm
31.	Yellagonga Regional Park Community Advisory Committee (External)	To provide a regular forum to hear public opinion and exchange advice on regional park management issues.	As required

Statutory Compliance

Local Government Act 1995

Part 5 - Administration

Subdivision 2 – Committees and their meetings

Section 5.10 – Appointment of committee members

“(1) A committee is to have as its members –

(a) persons appointed by the local government to be members of the committee...*

**Absolute majority required”*

“(2) At any given time each council member is entitled to be a member of at least one committee referred to in section 5.9(2)(a) or (b) and if a council member nominates himself or herself to be a member of such a committee or committees, the local government is to include that council member in the persons appointed under subsection (1)(a) to at least one of those committees as the local government decides.”

“(4) If at a meeting of the council a local government is to make an appointment to a committee that has or could have a council member as a member and the mayor or president informs the local government of his or her wish to be a member of the committee, the local government is to appoint the mayor or president to be a member of the committee.”

Strategic Implications

The proposal accords with the following Outcome Objective of the City's Strategic Plan 2006 – 2021:

- “4 Governance
 4.1 Improve strategic partnerships”
 4.2 Improve community engagement.
 4.6 Maintain a high standard of governance and accountability.”

Policy Implications

Nil

Financial Implications

Nil

Voting Requirements

Absolute Majority

Recommendation

That Council **APPOINT BY ABSOLUTE MAJORITY** the following elected members to committees and working groups in accordance with Terms of Reference where applicable and **AGREE** to disband the Wanneroo Showground Clubrooms Reconstruction Working Group:

1. **Arts Advisory Committee – two delegates and two deputy delegates**

Delegates	Deputy Delegates
Cr	Cr
Cr	Cr

2. **Audit Committee – all Elected Members**
3. **Community Funding Working Group – Mayor and one delegate from each Ward, plus one deputy delegate from each Ward**

Delegates	Deputy Delegates
Mayor	
(South Ward) Cr	(South Ward) Cr
(Central Ward) Cr	(Central Ward) Cr
(Coastal Ward) Cr	(Coastal Ward) Cr
(North Ward) Cr	(North Ward) Cr

4. **Community Safety Working Group – Mayor and one delegate from each Ward, plus one deputy delegate from each Ward**

Delegates	Deputy Delegates
Mayor	
(South Ward) Cr	(South Ward) Cr
(Central Ward) Cr	(Central Ward) Cr
(Coastal Ward) Cr	(Coastal Ward) Cr
(North Ward) Cr	(North Ward) Cr

5. **Development Assessment Panel – replacement for deputy delegate vacancy**

Delegates	Deputy Delegates
Cr Gray	Cr Mackenzie
Cr Roberts	Cr

6. **Elderbloom Community Care Centres Board of Management – one delegate and one deputy delegate**

Delegate	Deputy Delegate
Cr	Cr

7. **Environmental Advisory Committee – three delegates and three deputy delegates**

Delegates	Deputy Delegates
Cr	Cr
Cr	Cr
Cr	Cr

8. **Girradoola Going Places Committee – one delegate**

Delegate
Cr Mackenzie

9. **Healthy Communities Steering Group – one delegate and one deputy delegate**

Delegate	Deputy Delegate
Cr	Cr

10. Heritage Services Advisory Group – four delegates

Delegates
Cr
Cr
Cr
Cr

11. Joondalup Health Campus Community Board of Advice – one delegate and one deputy delegate

Delegate	Deputy Delegate
Cr	Cr

12. Mindarie Regional Council – two delegates only as deputy delegates are not recognised (Note: Delegates automatically become members of Waste Management Advisory Committee). (Sitting fees apply).

Delegates
Cr
Cr

13. North West Districts Planning Committee – one delegate and one deputy delegate

Delegate	Deputy Delegate
Cr	Cr

14. North West Regional Road Sub Group – one delegate and one deputy delegate

Delegate	Deputy Delegate
Cr	Cr

15. Reconciliation Action Plan Working Group – three delegates

Delegates
Cr
Cr
Cr

16. Roadwise Working Group – three delegates

Delegates
Cr
Cr
Cr

17. Small Business Centre North West Metro Board of Management – one delegate and one deputy delegate

Delegate	Deputy Delegate
Cr	Cr

18. Smart Growth Steering Group – six delegates

Delegates
Cr
Cr
Cr
Cr
Cr
Cr

19. Special Needs Playground Working Group – Mayor and six delegates

Delegates
Mayor
Cr
Cr
Cr
Cr
Cr
Cr

20. Stable Fly Management Committee – one delegate and one deputy delegate

Delegate	Deputy Delegate
Cr	Cr

21. **Tamala Park Regional Council – two delegates and two deputy delegates. (Sitting fees apply)**

Delegates	Deputy Delegates
Cr	Cr
Cr	Cr

22. **Wanneroo Agricultural Society – one delegate and one deputy delegate**

Delegate	Deputy Delegate
Cr	Cr

23. **Wanneroo BMX Raceway Club Relocation Working Group – Mayor and Central Ward Councillors**

Delegates
Mayor
(Central Ward) Cr Newton
(Central Ward) Cr Guise
(Central Ward) Cr Cvitan

24. **Wanneroo Business and Tourism Development Working Group – Mayor or nominee and one delegate from each Ward**

Delegates
Mayor or nominee
(South Ward) Cr
(Central Ward) Cr
(Coastal Ward) Cr
(North Ward) Cr

25. **Wanneroo Town Centre Advisory Group – Mayor and Central Ward Councillors**

Delegates
Mayor
(Central Ward) Cr Newton
(Central Ward) Cr Guise
(Central Ward) Cr Cvitan

26. **Wanneroo and Districts Historical Society – one delegate and one deputy delegate**

Delegate	Deputy Delegate
Cr	Cr

27. (a) **Wanneroo/Joondalup Local Emergency Management Committee (LEMC) – one delegate and one deputy delegate (Delegate is required to hold the position of Chairperson)**

Delegate	Deputy Delegate
Cr	Cr

- (b) **North West District Emergency Management Committee (DEMC) – one delegate and one deputy delegate (Note: Essential Delegate/Chairperson of LEMC be appointed to serve on DEMC as Chairperson reports on business coming from LEMC to DEMC)**

Delegate	Deputy Delegate
Cr	Cr

28. **Waste Management Advisory Committee – Mayor and one delegate from each Ward and Mindarie Regional Council delegates**

Delegates
Mayor
(South Ward) Cr
(Central Ward) Cr
(Coastal Ward) Cr
(North Ward) Cr
(Mindarie Reg. Council) Cr
(Mindarie Reg. Council) Cr

29. **WALGA North Metropolitan Zone – one delegate from each Ward and one deputy delegate from each Ward. Should the delegate be appointed by the Zone to WALGA State Council, sitting fees would apply.**

Delegates	Deputy Delegates
(South Ward) Cr	(South Ward) Cr
(Central Ward) Cr	(Central Ward) Cr
(Coastal Ward) Cr	(Coastal Ward) Cr
(North Ward) Cr	(North Ward) Cr

30. **Yanchep/Two Rocks Community Bus Management Committee – one delegate from the North Ward and one deputy delegate from the North Ward**

Delegate	Deputy Delegate
(North Ward) Cr	(North Ward) Cr

31. Yellagonga Regional Park Community Advisory Committee – one delegate and one deputy delegate

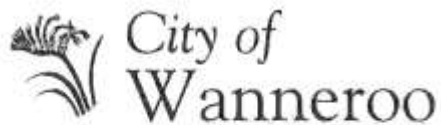
Delegate	Deputy Delegate
Cr	Cr

Attachments: Nil

Item 5 Confidential

Nil.

Item 6 Closure



Council Chamber Seating Diagram

