

# **Council Agenda**

**SPECIAL COUNCIL MEETING  
6.00pm, 27 OCTOBER 2015  
Civic Centre  
23 Dundobar 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, 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 recording 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.

#### ***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  
23 Dundobar Road, Wanneroo on **Tuesday 27 October, 2015** commencing at **6.00pm**.

D Simms  
Chief Executive Officer  
22 October, 2015

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# AGENDA

Good evening Councillors, staff, ladies and gentlemen, we acknowledge the Traditional Owners of the land on which we meet and I invite you to bow your head in prayer:

Lord

We ask for your blessing upon our City, our community and our Council. Guide us in our decision making to act fairly, without fear or favour and with compassion, integrity and honesty. May we show true leadership, be inclusive of all, and guide the City of Wanneroo to a prosperous future that all may share. We ask this in your name.

Amen

## 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 Legal

#### **SCS01-10/15 Election of Deputy Mayor**

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File Ref:	2416V02 – 15/497060
Responsible Officer:	Director Corporate Strategy and Performance
Disclosure of Interest:	Nil
Attachments:	Nil

#### **Issue**

To elect the Deputy Mayor.

#### **Background**

The role of the Deputy Mayor is to perform the functions of the Mayor when authorised to do so, being when the office of Mayor is vacant or the Mayor is not available or is unwilling to perform the functions of the Mayor.

The Office of Deputy Mayor is to be filled as the first matter dealt with at the first meeting of the Council after an ordinary election. Upon election of the Deputy Mayor, there is a requirement for the incumbent to make a further declaration for that Office.

### **Detail**

The appointment is for a two year term. Should there be more than one nomination, it will be necessary for a secret ballot to be held to elect an Elected Member to the position in accordance with the Local Government Act 1995 (**Act**).

The Act prescribes that the election is to be conducted in accordance with the procedure prescribed by the Mayor or if she is not present, then by the CEO.

The election procedure agreed to by the Mayor is as follows:-

- (a) The Council is to elect a Councillor (other than the Mayor) to fill the Office.
- (b) Nominations close at the meeting at a time announced by the person conducting the election, 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.
- (c) If a Councillor is nominated by another Councillor, the person conducting the election is not to accept the nomination unless the nominee has advised either 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. Elected 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) Subject to clause 9(1) of Schedule 2.3 of the Act, the votes cast under clause 8(5) are to be counted, and the successful candidate determined, in accordance with Schedule 4.1 of the Act, 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 person conducting the election is to declare and give notice of the result in accordance with regulations.
- (g) If there are equal votes between two or more candidates who are the only candidates in, or remaining in the count, the count is to be discontinued. In accordance with clause 9(1) of Schedule 2.3 of the Act a Special Council Meeting will be convened not more than 7 days later.
- (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, 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, (see 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 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 circulated to all Elected Members through email and by courier, and electronic copies placed on the Elected Members Hub. Where possible, nominations 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*

*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.*

### **Strategic Implications**

The proposal aligns with the following objectives within the Strategic Community Plan 2013 – 2023:

- "4 Civic Leadership - Working with others to ensure the best use of our resources.*
- 4.3 A Strong and Progressive Organisation - You will recognise the hard work and professionalism delivered by your council through your interactions and how our community is developing."*

### **Policy Implications**

Nil

### **Financial Implications**

Nil

### **Voting Requirements**

By secret ballot if there is more than one nominee.

### **Recommendation**

**That Council ELECTS a Councillor to fill the office of Deputy Mayor.**

*Attachments: Nil*

## **SCS02-10/15 Appointment of Delegates to Committees and Working Groups**

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File Ref: 2379 – 15/497085  
Responsible Officer: Director Corporate Strategy and Performance  
Disclosure of Interest: Nil  
Attachments: Nil

### **Issue**

To consider the appointment of representatives to various Council Committees and Working Groups and external committees/boards.

### **Background**

The *Local Government Act 1995* (the **Act**), *Section 5.11* states that where a person is appointed as a member of a committee under *Section 5.10* the persons membership continues until the next ordinary election day.

Council establishes various committees and working groups to advise on specific matters within its authority. For the City of Wanneroo, Committees and Working Groups are not delegated a decision making power and are therefore limited to making recommendations to Council on matters for action.

The Act regulates Council Committees and requires that the appointment of representatives is to be made by Council. The City applies this same process to the appointment of representatives to its Working Groups, although these groups are not required to comply with the Act. Council may also appoint representatives to external committees/boards when requests are received to do so.

### **Detail**

Following the 17 October 2015 Local Government Election, all positions on Committees and Working Groups are vacated:-

*“Where a person is appointed as a member of a committee other than under section 5.10(4) or (5), the person’s membership of the committee continues until —*

*..... (d) the next ordinary elections day,...*”

Council is now required to consider the appointment of representatives to its various Committees and Working Groups.

A table setting out specific detail of the Committees and Working Groups is presented in the “Comments” section of this report. The following comments provide information in regards to disbanded groups or those that that are being recommended for disbanding.

#### **Anzac Day 2015 Commemorative Working Group - Disbanded**

This Working Group was established to participate in the development of an events program to commemorate the ANZAC Day 2015 Centenary and was disbanded on 30 April 2015 in accordance with its Terms of Reference.

Operating Model Review Community Advisory Group – Consideration to Disband

This Advisory Group was established to represent and advise (on behalf of the community) on any proposed changes to the delivery of services under a future operating model. With a new operating model in place this Advisory Group has achieved the purpose for which it was formed and therefore is recommended to be disbanded by the Office of the Chief Executive Officer.

Landsdale Memorial Working Group – Consideration to Disband

This Working Group was established to participate in the development of a suitable memorial structure at Warradale Park in Landsdale in memory of Sam Trott. Due to the sensitive nature of the matter it is recommended that this Working Group be disbanded and the matter dealt with confidentially, outside of a formal meeting structure.

Girradoola Going Places Committee (External)

This Committee is comprised of a group of community groups and residents who have a genuine interest in contributing to the development of a vibrant community in Girrawheen and Koondoola. Issues dealt with range from basic community issues to housing, multicultural and indigenous issues and facilities (including such issues parks, child health, and general health education).

This external Committee has not meet since early 2014, at which time it was left open as to whether the Committee wished to re-commence its meetings however this has not happened.

Council may wish to consider either withdrawing a representative from this Committee or nominate an Elected Member to continue to represent the City.

Tamala Park Regional Council (TPRC)

The TPRC is the corporate entity representing the interests of seven local governments in the urban development of 170 hectares of land in Clarkson and Mindarie in Perth's northern suburbs.

The 7 local government participants are joint owners of Lot 9504, which covers an area of 432 hectares in the City of Wanneroo local authority district.

Council is required to appoint two Elected Members as delegates and two Elected Members as deputy delegates to the TPRC with each deputy delegate being a deputy for a specific delegate.

The sitting fees for Members are \$15,450 for the Chairperson and \$10,300 for the Deputy Chairperson and Members per annum. There is an additional allowance of \$19,570 per annum for the Chairperson and 25% of that amount is paid to the Deputy Chairperson. There is a "per meeting" fee of \$140 payable to alternate Members. Members do not claim separate telecommunications, IT allowances or travelling allowances for meetings.

### Mindarie Regional Council (MRC)

The MRC is Western Australia's largest Waste Management Authority, managing the disposal of over 250,000 tonnes of waste generated each year by people living in its seven government localities, these being the Cities of Joondalup, Perth, Stirling, Vincent and Wanneroo, and the Towns of Cambridge and Victoria Park.

Council is required to appoint two Elected Members to the MRC.

The sitting fees for Members are \$15,450 for the Chairperson, \$10,300 for the Deputy Chairperson and \$10,300 per councillor. There is an additional allowance of \$19,570 for the Chairperson and \$4,893 for the Deputy Chairperson. A technology allowance of \$1,000 is also provided.

Should the appointed delegate be unable to attend a meeting, an apology is required to be received well in advance to allow Council to appoint a substitute for that meeting and a \$140 meeting fee will apply. The reason for this is that the MRC Terms of Reference do not support the appointment of a Deputy for meetings.

### Development Assessment Panel (DAP)

In accordance with *Regulation 26* of the *Planning and Development (Development Assessment Panel) Regulations 2011* Council is required to nominate four Elected Members comprising two Local Members and two alternate Local Members for a period of two years.

Council at its meeting of 3 March 2015 nominated Councillors Cvitan and Driver as delegates and Councillors Smithson and Winton as deputy delegates to represent the City on the DAP comprising the Cities of Wanneroo, Joondalup and Stirling. All current DAP Members were appointed on 27 July 2015 for the term ending 26 April 2017. At the October 2015 Local Government Elections, Cr Smithson was not re-elected therefore Council is required to seek a nomination for the vacant position of Deputy Delegate.

The Director General, Department of Planning, has requested replacement DAP Member nominations be submitted by 30 October 2015, whereupon the Hon John Day, MLA, Minister for Planning, will consider and appoint replacement DAP Members for the term ending 26 April 2017.

It is mandatory for all DAP Members to attend training before acting in the position and new Elected Members will be advised of DAP training dates and times.

The meeting attendance fees per meeting to determine development applications is \$400.00 and for determining applications to amend or cancel determinations is \$50.00 per meeting.

### West Australian Local Government Association (WALGA) North Metropolitan Zone

WALGA North Metropolitan Zone presents issues from the Cities of Wanneroo, Joondalup and Stirling to WALGA State Council. Council appoints four Elected Members as delegates and four Elected Members as deputy delegates to the WALGA North Metropolitan Zone with each deputy delegate being a deputy for a specific delegate.

WALGA State Council is the voice of local government in Western Australia and advocates on behalf of the State's local governments and negotiates services agreements for the sector. It is not a government department or agency. Each of the Zones elect a State Council representative and deputy representative at the 2015 November Zone meetings.

Sitting fees are not paid for Zone meetings.

WALGA State Council pays sitting fees of \$3,100 to the Local Government for on-payment to the representative (payments are made biennially in June and December of each year) with additional allowances of \$500 per annum for Co-chairs, \$500 per annum for Policy Forum chairs, \$500 per annum for Delegated Committee Chairs. Deputy State Councillors will receive a sitting fee of \$360 per meeting attended as a State Council delegate. Travel mileage expenses, parking fees, taxi fares (reimbursement of reasonable fares) to and from State Council meetings, child minding expenses (max \$50 per meeting) incurred whilst attending State Council meetings is also available.

### Comment

The establishment of Committees and Working Groups assists the Council to perform its legislative responsibilities and representation on externally based committees allows the City of Wanneroo to have input into various issues that face the local government industry.

The following table details the City's current Committees and Working Groups inclusive of external committees/boards. Membership is based on the current Terms of Reference.

The City's recent ward boundary review resulted in a change from a four wards to three wards which impacts the membership of some Committees and Working Groups and has been highlighted in the table below. Council should also give due consideration to whether the current membership as set out in the relevant Terms of References are adequate.

Where there are more nominations than vacancies for representation, a ballot will need to be conducted however Council has the discretion to amend the Terms of Reference for any Committee or Working Group should Council deem it appropriate to change the representation. There is no discretion to amend a terms of reference for external committees or boards.

	<b>Name of Committee/ Working Group</b>	<b>Role of Committee or Working Group</b>	<b>Elected Member Representation</b>	<b>Impact of Ward Boundary Changes</b>	<b>Time and Frequency of Meetings</b>
a)	Arts Advisory Committee (Internal)	To provide advice on matters relating to the arts.	2 delegates 2 deputy delegates	Nil	Tuesday 4.00pm  Minimum of four meetings per year
b)	Audit and Risk Committee (Internal)	Review matters associated with the City's audit and risk identification and mitigation processes. Membership comprises all Elected Members operating as a Committee of Council as a whole. Committee has no delegated authority.	All Elected Members	Nil	Tuesday 6.00pm  Six meetings scheduled per year

	<b>Name of Committee/ Working Group</b>	<b>Role of Committee or Working Group</b>	<b>Elected Member Representation</b>	<b>Impact of Ward Boundary Changes</b>	<b>Time and Frequency of Meetings</b>
c)	Community Funding Working Group (Internal)	The assessment and ranking of each application made under the program against funding criteria and eligibility. The provision of recommendations to Council regarding Community Funding distribution.	Mayor 1 delegate 1 deputy delegate from each Ward	Reduction of 1 delegate and 1 deputy delegate	Meetings to be held at the conclusion of each funding round, usually May and October 4.00pm Tuesday prior to Council meeting
d)	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 wellbeing 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.	Mayor 1 delegate 1 deputy delegate from each Ward	Reduction of 1 delegate and 1 deputy delegate	5.30pm Thursday At least four times per year
e)	Development Assessment Panel (External)	Joint Development Assessment Panel of the Cities of Wanneroo, Joondalup and Stirling to deal with 'significant' planning development applications.	2 delegates 2 deputy delegates Two year term	Nil	Dependent on applications submitted, held Mid-morning or mid-afternoon weekdays
f)	Elderbloom Community Care Centres Board of Management (External)	Management body for Belgrade Park Village, Jacaranda Lodge, Wanneroo Community Nursing Home & Barridale Lodge.	1 delegate 1 deputy delegate	Nil	4th Wednesday of each month at 5.00pm

	<b>Name of Committee/ Working Group</b>	<b>Role of Committee or Working Group</b>	<b>Elected Member Representation</b>	<b>Impact of Ward Boundary Changes</b>	<b>Time and Frequency of Meetings</b>
g)	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.	3 delegates  3 deputy delegates	Nil	Quarterly each year
h)	Festival & Cultural Events Committee  (Internal)	To make recommendations to Council on policy matters pertaining to the promotion of the City's culture through festivals and events.	Mayor  1 delegate and  1 deputy delegate from each ward	Reduction of 1 delegate and 1 deputy delegate	Regular meetings determined by the Committee
i)	Girradoola Going Places	Group of interested community groups and residents who have a genuine interest in contributing to the Girrawheen and Koondola areas to development of a vibrant community.	1 delegate	Nil	Tuesday 4.00pm  Note this group has not meet since early 2014
j)	Heritage Services Advisory Group  (Internal)	To provide advice to Council on policy related to heritage matters.	3 delegates	Nil	Tuesday 4.00pm  Regular meetings determined by the Committee
k)	Joondalup Health Campus Community Board of Advice  (External)	To provide advice to the Joondalup Health Campus regarding community health needs.	1 delegate  1 deputy delegate	Nil	Quarterly meetings held on Thursday evenings

	<b>Name of Committee/ Working Group</b>	<b>Role of Committee or Working Group</b>	<b>Elected Member Representation</b>	<b>Impact of Ward Boundary Changes</b>	<b>Time and Frequency of Meetings</b>
l)	Mindarie Regional Council (External)	To provide a waste management receivable and treatment operation.	2 delegates  Deputy delegates are not recognised in accordance with the terms of reference.  Note: The two MRC Delegates are appointed as delegates to the Waste Management Advisory Committee.	Nil	Meets every 2-3 months at 4.30pm Thursday
m)	North West Regional Road Sub Group (External)	Responsible for the assessment of road funding needs, the annual distribution of State road funds to local government roads, monitoring & reporting on the effectiveness of the application of the State funds for local government roads in its region.	1 delegate  1 deputy delegate	Nil	Meets 1 to 2 times a year either morning or afternoon on weekdays
n)	Quinns Beach Long Term Coastal Protection Community Reference Group (Internal)	To have input into the development of long term options for Quinns Beach coastal protection.	Mayor  All North Coast Ward Councillors or their delegates	Increase of 2 delegates	Quarterly meetings
o)	Quinns Rocks Caravan Park Redevelopment – Councillor Ward Group (Internal)	To participate in the Quinns Rocks Caravan Park redevelopment project and to act as a conduit to provide updates to Council and/or seek formal direction from Council.	Mayor  All North Coast Ward Councillors  1 delegate from Central and South Wards  1 deputy delegate from Central and South Wards	Reduction of 1 delegate and 1 deputy delegate	Regular meetings determined by the Committee

	<b>Name of Committee/ Working Group</b>	<b>Role of Committee or Working Group</b>	<b>Elected Member Representation</b>	<b>Impact of Ward Boundary Changes</b>	<b>Time and Frequency of Meetings</b>
p)	Rating Strategy Review Committee (Internal)	To provide a forum to advise and make recommendations to Council on matters pertaining to rating strategies including differential rating categories in preparation for the 2016/2017 budget.	All Elected Members	Nil	Regular meetings determined by the Committee
q)	Reconciliation Action Plan Working Group (Internal)	To develop draft goals to reflect the Relationships, Respect and Opportunities of the City's Reconciliation Action Plan (RAP) with the aim of long term and genuine engagement with the Aboriginal community in Wanneroo.	3 delegates	Nil	Regular meetings as determined by the Working Group
r)	RoadWise Working Group (Internal)	To provide a forum for community liaison and implementation of 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.	3 delegates	Nil	Regular meetings as determined by the Working Group
s)	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.	1 delegate 1 deputy delegate	Nil	3.30pm Wednesday  Quarterly meetings

	<b>Name of Committee/ Working Group</b>	<b>Role of Committee or Working Group</b>	<b>Elected Member Representation</b>	<b>Impact of Ward Boundary Changes</b>	<b>Time and Frequency of Meetings</b>
t)	South Ward Community Reference & Sporting User Group (Internal)	To guide the development of Master Plans for the Active Reserves in the South Ward, to enable these facilities to meet the current and future needs of the Community and to inform the City's 10 Year Capital Works Program.	Mayor South Ward Councillors	Nil	3.30pm Wednesday  Quarterly meetings
u)	Tamala Park Regional Council (External)	To undertake the objectives of rezoning, subdividing, development, marketing & sale of the land in the Tamala Park Regional District.	2 delegates 2 deputy delegates  Note: Each deputy delegate is a deputy for a specific delegate.	Nil	Every two months
v)	Wanneroo Agricultural Society (External)	To promote the agricultural, horticultural and other associated industries in the Wanneroo District. To conduct the annual Wanneroo Agricultural Show.	1 delegate 1 deputy delegate	Nil	Monthly meetings on the second Monday of the month at 7.30pm
w)	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.	Mayor All Central Ward Councillors	Increase of 1 delegate	As determined by Working Group
x)	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.	Mayor or nominee 1 delegate from each Ward	Nil	As determined by Working Group but at least every six months
y)	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.	Mayor All Central Ward Councillors	Increase of 1 delegate	As determined by Working Group

	<b>Name of Committee/ Working Group</b>	<b>Role of Committee or Working Group</b>	<b>Elected Member Representation</b>	<b>Impact of Ward Boundary Changes</b>	<b>Time and Frequency of Meetings</b>
z)	Wanneroo and Districts Historical Society (External)	To foster an interest in the history of the Wanneroo area.	1 delegate 1 deputy delegate	Nil	Monthly meetings on the third Thursday of the month
aa)(1)	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.	The delegates for the LEMC and the DEMC must be the same 1 delegate 1 deputy delegate	Nil	Quarterly in the months of February, May, August and November
aa)(2)	North West District Emergency Management Committee (DEMC) (External)	The DEMC oversees local emergency management arrangements in the district.	The City of Wanneroo delegate is required to hold position of Chairperson for next two years. The Chairperson of LEMC is also appointed as the Chairperson of DEMC and facilitates the reporting of business from LEMC to DEMC.		
bb)	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.	Mayor 1 delegate from each Ward 2 delegates from the Mindarie Regional Council	Reduction of 1 delegate	As determined by the Committee but least four times per year
cc)	Western Australian Local Government Association (WALGA) North Metropolitan Zone (External)	To represent issues from the Cities of Wanneroo, Joondalup and Stirling and report to WALGA.	4 delegates 4 deputy delegates Note: Each deputy delegate is a deputy for a specific delegate.	Nil	Thursday evening, every two months

	Name of Committee/ Working Group	Role of Committee or Working Group	Elected Member Representation	Impact of Ward Boundary Changes	Time and Frequency of Meetings
dd)	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.	1 delegate North Coast Ward  1 deputy delegate North Coast Ward	Nil	Monthly meetings on the second Thursday of the month at 3.00pm
ee)	Yellagonga Regional Park Community Advisory Committee  (External)	To provide a regular forum to receive public opinion and exchange advice on the Yellagonga Regional Park management issues.	1 delegate  1 deputy delegate	Nil	Regular meetings as determined by the Committee

## Statutory Compliance

The requirements of the *Local Government Act 1995* are as follows:

*"Establishment of committees:*

5.8 *A local government may establish\* committees of 3 or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.*

*\* Absolute majority required.*

*Types of committees:*

5.9 (1) *In this section:*

*"other person" means a person who is not a council member or an employee.*

(2) *A committee is to comprise:*

- (a) *council members only;*
- (b) *council members and employees;*
- (c) *council members, employees and other persons;*
- (d) *council members and other persons;*
- (e) *employees and other persons; or*
- (f) *other persons only.*

*Appointment of committee members:-*

5.10 (1) *A committee is to have as its members:*

- (a) *persons appointed\* by the local government to be members of the committee (other than those referred to in paragraph (b)); and*
- (b) *persons who are appointed to be members of the committee under subsection (4) or (5).*

*\* 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.*
- (3) *Section 52 of the Interpretation Act 1984 applies to appointments of committee members other than those appointed under subsection (4) or (5) but any power exercised under section 52(1) of that Act can only be exercised on the decision of an absolute majority of the local government.*
- (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.*
- (5) *If at a meeting of the council a local government is to make an appointment to a committee that has or will have an employee as a member and the CEO informs the local government of his or her wish:*
  - (a) *to be a member of the committee; or*
  - (b) *that a representative of the CEO be a member of the committee,*

*the local government is to appoint the CEO or the CEO's representative, as the case may be, to be a member of the committee.*

*Tenure of committee membership:-*

- 5.11 (1) *Where a person is appointed as a member of a committee under section 5.10(4) or (5), the person's membership of the committee continues until:*
  - (a) *the person no longer holds the office by virtue of which the person became a member, or is no longer the CEO, or the CEO's representative, as the case may be;*
  - (b) *the person resigns from membership of the committee;*
  - (c) *the committee is disbanded; or*
  - (d) *the next ordinary elections day,*

*whichever happens first.*
- (2) *Where a person is appointed as a member of a committee other than under section 5.10(4) or (5), the person's membership of the committee continues until:*
  - (a) *the term of the person's appointment as a committee member expires; or*

- (b) *the local government removes the person from the office of committee member or the office of committee member otherwise becomes vacant; or*
- (c) *the committee is disbanded; or*
- (d) *the next ordinary elections day,*

*whichever happens first.*

#### 5.11A Deputy committee members:

- (1) *The local government may appoint\* a person to be a deputy of a member of a committee and may terminate such an appointment\* at any time.*

*\* Absolute majority required.*

- (2) *A person who is appointed as a deputy of a member of a committee is to be:*
  - (a) *if the member of the committee is a council member – a council member; or*
  - (b) *if the member of the committee is an employee – an employee; or*
  - (c) *if the member of the committee is not a council member or an employee – a person who is not a council member or an employee; or*
  - (d) *if the member of the committee is a person appointed under section 5.10(5) – a person nominated by the CEO.*
- (3) *A deputy of a member of a committee may perform the functions of the member when the member is unable to do so by reason of illness, absence or other cause.*
- (4) *A deputy member of a committee, while acting as a member, has all the functions of and all the protection given to a member."*

### **Strategic Implications**

The proposal aligns with the following objective within Strategic Community Plan 2013 – 2023 :

*"4 Civic Leadership - Working with others to ensure the best use of our resources.*

*4.3 A Strong and Progressive Organisation - You will recognise the hard work and professionalism delivered by your council through your interactions and how our community is developing."*

### **Policy Implications**

Nil

### **Financial Implications**

Nil

### **Voting Requirements**

Absolute Majority

## Recommendation

### That Council:-

1. **BY ABSOLUTE MAJORITY APPOINTS** the following elected members to committees, working groups and external committees/boards in accordance with their Terms of Reference where applicable:
  - a) **Arts Advisory Committee – two delegates and two deputy delegates;**
  - b) **Audit Committee – all Elected Members;**
  - c) **Community Funding Working Group:- Mayor and one delegate from each Ward, plus one deputy delegate from each Ward;**
  - d) **Community Safety Working Group – Mayor and one delegate from each Ward, plus one deputy delegate from each Ward;**
  - e) **Development Assessment Panel – one deputy delegate;**
  - f) **Elderbloom Community Care Centres Board of Management – one delegate and one deputy delegate;**
  - g) **Environmental Advisory Committee – three delegates and three deputy delegates;**
  - h) **Festival & Cultural Events Committee – Mayor and one delegate from each Ward, plus one deputy delegate from each Ward;**
  - i) **Girradoola Going Places Committee – one delegate;**
  - j) **Heritage Services Advisory Group – three delegates;**
  - k) **Joondalup Health Campus Community Board of Advice – one delegate and one deputy delegate;**
  - l) **Mindarie Regional Council – two delegates;**
  - m) **North West Regional Road Sub Group – one delegate and one deputy delegate;**
  - n) **Quinns Beach Long Term Coastal Protection Community Reference Group – Mayor and North Coast Ward Councillors or their delegates, being:**

Delegates
Mayor
(North Coast) Cr Aitken
(North Coast) Cr Parker
(North Coast) Cr Winton
(North Coast) Cr Driver
(North Coast) Cr Sangalli

- o) **Quinns Rocks Caravan Park Redevelopment Group – Mayor, North Coast Ward Councillors, one delegate and deputy delegate from South and Central Wards, being:**

<b>Delegates</b>	<b>Deputy Delegates</b>
<b>Mayor</b>	
<b>(North Coast) Cr Aitken</b>	<b>n/a</b>
<b>(North Coast) Cr Parker</b>	<b>n/a</b>
<b>(North Coast) Cr Winton</b>	<b>n/a</b>
<b>(North Coast) Cr Driver</b>	<b>n/a</b>
<b>(North Coast) Cr Sangalli</b>	<b>n/a</b>
<b>(South) Cr</b>	<b>(South) Cr</b>
<b>(Central) Cr</b>	<b>(Central) Cr</b>

- p) **Rating Strategy Review Committee – All Elected Members;**
- q) **Reconciliation Action Plan Working Group – three delegates;**
- r) **Roadwise Working Group – three delegates;**
- s) **Small Business Centre North West Metro Board of Management – one delegate and one deputy delegate;**
- t) **South Ward Community Reference & Sporting User Group – Mayor and South Ward Councillors, being:**

<b>Delegates</b>
<b>Mayor</b>
<b>(South) Cr Zappa</b>
<b>(South) Cr Nguyen</b>
<b>(South) Cr Hayden</b>
<b>(South) Cr Treby</b>
<b>(South) Cr Simpkins</b>

- u) **Tamala Park Regional Council – two delegates and two deputy delegates;**
- v) **Wanneroo Agricultural Society – one delegate and one deputy delegate;**
- w) **Wanneroo BMX Raceway Club Relocation Working Group – Mayor and Central Ward Councillors, being:**

<b>Delegates</b>
<b>Mayor</b>
<b>(Central) Cr Newton</b>
<b>(Central) Cr Guise</b>

(Central) Cr Cvitan
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(Central) Cr Fenn
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- x) Wanneroo Business and Tourism Development Working Group – Mayor or nominee and one delegate from each Ward;
- y) Wanneroo Town Centre Advisory Group – Mayor and Central Ward Councillors, being:

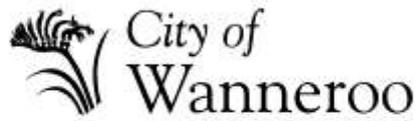
Delegates
Mayor
(Central) Cr Newton
(Central) Cr Guise
(Central) Cr Cvitan
(Central) Cr Fenn

- z) Wanneroo and Districts Historical Society – one delegate and one deputy delegate;
  - aa) (i) Wanneroo/Joondalup Local Emergency Management Committee (LEMC); and
    - (ii) North West District Emergency Management Committee (DEMC)
      - one delegate and one deputy delegate – to serve on both the LEMC and DEMC, with the delegate holding position of Chairperson for both LEMC and DEMC for two years;
  - bb) Waste Management Advisory Committee – Mayor and one delegate from each Ward and the Mindarie Regional Council delegates;
  - cc) WALGA North Metropolitan Zone – four delegates and four deputy delegates;
  - dd) Yanchep/Two Rocks Community Bus Management Committee – one delegate from the North Coast Ward and one deputy delegate from the North Coast Ward;
  - ee) Yellagonga Regional Park Community Advisory Committee – one delegate and one deputy delegate;
2. NOTES that the Anzac Day 2015 Commemorative Working Group was disbanded on the 30 April 2015 in accordance with the adopted Terms of Reference; and
3. BY ABSOLUTE MAJORITY DISBANDS the:
- a) Operating Model Review Community Advisory Group; and
  - b) Landsdale Memorial Working Group.

**Item 5 Confidential****Item 6 Date of Next Meeting**

The next Elected Members Briefing Session has been scheduled for Tuesday 3 November, 2015 commencing at 6.00pm in the Council Chambers, 23 Dundobar Road, Wanneroo.

**Item 7 Closure**



# Council Chamber Seating Diagram

