

CITY OF JOONDALUP

MINUTES OF MEETING OF THE POLICY MANUAL REVIEW COMMITTEE HELD IN CONFERENCE ROOM 1, JOONDALUP CIVIC CENTRE, BOAS AVENUE, JOONDALUP ON TUESDAY 26 AUGUST 2003

ATTENDANCE AND APOLOGIES

Committee Members:

MAYOR CARLOS - Chairman		
CR T BREWER	Marina Ward	<i>Deputising for Cr Baker</i>
CR J HOLLYWOOD	North Coastal Ward	<i>From 1840 hrs</i>
CR A WALKER - Deputy Chairman	Pinnaroo Ward	
CR M O'BRIEN	South Ward	<i>Deputising for Cr Hart</i>
CR J GOLLANT	South Coastal Ward	<i>Absent from 1950 hrs to 1953 hrs and from 2007 hrs to 2010 hrs</i>
CR M CAIACOB	Whitfords Ward	

Officers:

Chief Executive Officer:	D SMITH
Director, Planning & Community Development:	C HIGHAM
Director, Infrastructure & Operations:	D DJULBIC
Manager Audit and Executive Services:	K ROBINSON
Manager, Assets & Commissioning:	C SMITH
Manager, Human Resources Services:	M LOADER
Committee Clerk:	J HARRISON

APOLOGIES AND LEAVE OF ABSENCE

Apologies: Crs Baker, Hart, Prospero, Nixon, Rowlands, Kenworthy and Mackintosh

Leave of absence: Cr P Kimber - 21 to 29 August 2003 inclusive

The Chief Executive Officer opened the Meeting at 1832 hrs

ELECTION OF CHAIRMAN

Section 5.12 of the Local Government Act 1995 requires a committee appointed by a local government, to appoint a presiding member as the first item of business at its first meeting. Schedule 2.3 of the Act requires the Chief Executive Officer to preside. Nominations for the position of chairperson are to be given to the Chief Executive Officer in writing, with the vote to be conducted by ballot.

It is also advisable that at the same meeting the committee appoints a deputy presiding member, who would chair the meeting in the absence of the presiding member.

The Chief Executive Officer advised that Mayor Carlos had submitted a written nomination for the position of Chairman.

There being no further nominations, Mayor Carlos was elected unopposed and assumed the Chair, the time being 1834 hrs.

The Chief Executive Officer called for nominations for the position of Deputy Chairman. Cr Walker submitted a written nomination for this position.

There being no further nominations for the position, Cr Walker was elected unopposed as Deputy Chairman.

DECLARATIONS OF FINANCIAL INTEREST/INTEREST WHICH MAY AFFECT IMPARTIALITY

Nil.

ITEM 1 REVIEW OF CORPORATE POLICY MANUAL - [07032, 26176, 13399]

WARD - All

PURPOSE

To review the City's Corporate Policy Manual and make recommendations to the Council on amendments to existing policies.

EXECUTIVE SUMMARY

Council at its meeting held on 29 July 2003 resolved to establish a Policy Manual Review Committee to *"review the City's corporate policy manual and make recommendations to the Council on amendments to existing policies or the adoption of new policies"*.

The Policy Manual Review Committee is requested to review Policy Manual - Section 2, Corporate Services, subsections:

- 2.1 Human Resources,
- 2.2 Governance and
- 2.3 Office of the Chief Executive.

BACKGROUND

The last review of the Policy Manual was submitted to Council for adoption on 11 June 2002 (Item CJ121-06/02 refers).

In accordance with past practice, a review of the Policy Manual was undertaken in early 2003 and submitted to the Council meeting held on 29 April 2003 (Item CJ077-04/03 refers), where Council resolved to:

“DEFER consideration of the review of the Corporate Policy Manual until after the May 2003 elections.”

A report was subsequently submitted to the Council meeting held on 27 May 2003 (Item CJ108-05/03 refers) where the following motions and amendments were moved:

MOVED Cr Kimber, SECONDED Cr Prospero that Council:

- 1 DELETES Policy 2.6.3 Public Participation and ADOPTS replacement Policy 2.6.3 – Community Consultation as detailed in Attachment 1 to Report CJ108-05/03;*
- 2 AMENDS the following Policies as detailed in Attachment 1 to Report CJ108-05/03:*
 - *2.1.5 - Selective Voluntary Severance*
 - *2.2.5 - Council Chamber - Use of*
 - *2.2.6 - Recording of Proceedings*
 - *2.2.7 - Acknowledgement of Service - Elected Members*
 - *2.2.13 - Payment of Fees, Allowances and Expenses and the provision of facilities to the Mayor, Deputy Mayor and Councillors*
 - *2.3.2 - Communications*
 - *2.3.3 – Use of Common Seal and the Signatories for Contract Execution*
 - *2.3.5 - Online Services*
 - *2.4.1 - Accounting Policy*
 - *2.4.2 - Investment Policy*
 - *2.5.1 – Commercial Usage of Beachfront and Beach Reserves*
 - *2.5.2 – Procurement of Council Buildings*
 - *2.5.3 – Council Vehicles – Mayor and Council Officers*
 - *2.5.4 – Official Vehicles – Use of*
 - *2.5.5 - Consent to Alter Council Leased Premises*
 - *2.5.6 – Disposal of Surplus Personal Computers*

- 2.5.7 - Purchasing Goods and Services
- 3.1.1 - Child Care Centres
- 3.1.5 - Nomenclature - Public Facilities
- 3.2.5 - Design Guidelines for Waterview Estate, Kingsley
- 3.2.7 - Pedestrian Accessways
- 4.2.2 - Public Online Service Provisions
- 5.1.1 - Waste Management
- 5.5.1 - Burning of Garden Refuse and Cleared Vegetation

AMENDMENT MOVED Cr Baker, SECONDED Cr Kimber that the following amendments be made to the Policy Manual:

- *Policy 2.2.6: Paragraph 7: Delete “at the sole discretion of the Mayor or Chairperson” and replace with “determined by an absolute majority of Councillors”;*
- *Policy 2.2.13: Part 1, Governance: Section 2.2. Paragraph (a) be deleted and substituted with the words “The Mayor be entitled to claim mileage at the agreed Local Government Rate for the use of his own personal vehicle”;*
- *Policy 2.2.13: Part 1, Governance: Section 2.2. Paragraph (b) be deleted;*
- *Policy 2.2.13: Part 4, Payment of Fees and Allowances: 4.3. Delete “ the maximum” and replace with “25% of the maximum” ;*
- *Policy 2.2.13: 4.5: Paragraph (2) to remain within the Policy;*
- *Policy 2.2.13: 5.6 – Payment of Conference and Training Costs: Paragraph (5) delete “Business Class” and replace with “economy class”;*
- *Policy 2.5.3: Delete the first two paragraphs relating to the Mayor;*
- *Policy 2.5.4: Delete reference to use by Mayor.*

A procedural motion was then moved that the above Amendment “*Lie on the Table pending the holding of a workshop on the Policy Manual.*”

The Policy Manual was submitted to the Strategy Session held on 15 July 2003, where it was requested that a report be submitted to Council to establish a Policy Review Committee to review the policy manual and recommend various changes to the Council.

Council at its meeting held on 29 July 2003 established a Policy Review Committee comprising the Mayor and 7 elected members.

DETAILS

The current Policy Manual comprises the following sections:

- Corporate Services
- Development Services
- Community Development
- Infrastructure Management

The purpose of policy documents is to enable the effective and efficient management of Council resources and to assist staff and Council achieve an equitable decision making process. Written policies also enable the community to be aware of the reasoning behind administrative and Council decisions and to be familiar with the philosophy behind individual decisions. Policy statements enable much of the day to day business of Council to be handled by the administration, freeing up the time of the Elected Members in determining major policy and strategic direction.

Attachment 1 to this Report provides the following policies for consideration by the Committee, with proposed revisions as recommended by the Administration marked as shown below:

2.1	HUMAN RESOURCES	Nature of Change Recommended
2.1.1	Employment	
2.1.2	Equal Employment Opportunity	
2.1.3	Occupational Safety and Health	
2.1.4	Payment to Employees in addition to contract or award.	
2.1.5	Selective Voluntary Severance	Change to calculations within Statement.
2.1.6	Staff Uniforms	
2.1.7	Completion of Primary and Annual Returns	
2.2	GOVERNANCE	
2.2.4	Deputising for the Mayor at Functions	
2.2.5	Council Chamber - Use of	Policy to include reference to Special Electors' meetings.
2.2.6	Council Meetings - Electronic Sound Recording	Change to policy title from "Council and Electors' Meetings – Electronic Sound Recording".
2.2.7	Acknowledgment of Service - Elected Members	Increase to amount of gift.
2.2.8	Legal Representation for Present and Former Elected Members and Staff of the City	
2.2.9	Elected Members' Advertising	
2.2.11	Corporate Logo	

2.2.13	Payment of Fees, Allowances and Expenses and Provision of Facilities to the Mayor, Deputy Mayor and Councillors	Various changes to Sections: 3.2 3.4 3.7 4.2 4.3 4.4 4.5 5.6(6) 5.8 6 7 8
2.3	OFFICE OF THE CHIEF EXECUTIVE	
2.3.1	Policy Development & Review Process	
2.3.2	Communications	Change to include reference to Director
2.3.3	Use of Common Seal and the Signatories for Contract Execution	Policy Statement to include reference to Section 9.49 of the Local Government Act 1995.
2.3.4	Provision of Information	
2.3.5	Online Services Code of Practice	Various modifications required throughout policy.
2.3.6	Public Submissions	
2.3.7	Tendering	

COMMENT

The role of the Council as a body is to set policy and strategic direction, with the day to day management of the City resting with the CEO. Policy statements are not binding on the Council, but are used as a set of guidelines in the decision-making process. It is therefore important that policies are reviewed regularly, at least on an annual basis.

The policies are submitted for consideration by the Committee.

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION

That it be recommended that Council AMENDS the following Policies as detailed in Attachment 1 to this Report:

- 2.1.5 - Selective Voluntary Severance
- 2.2.5 - Council Chamber - Use of
- 2.2.6 - Recording of Proceedings
- 2.2.7 - Acknowledgement of Service - Elected Members
- 2.2.13 - Payment of Fees, Allowances and Expenses and the provision of facilities to the Mayor, Deputy Mayor and Councillors
- 2.3.2 - Communications
- 2.3.3 – Use of Common Seal and the Signatories for Contract Execution
- 2.3.5 - Online Services

The Chief Executive Officer advised that the Policy Manual Review Committee was established to review the City's corporate policy manual and make recommendations to the Council on amendments to the policies.

The Committee considered Sections 2.1, 2.2 and 2.3 of the Policy Manual and made the changes as outlined below:

SECTION 2.1 - HUMAN RESOURCES

Policy 2.1.1 - Employment

No change required by Committee.

Policy 2.1.2 - Equal Employment Opportunity

No change required by Committee.

Policy 2.1.3 - Occupational Safety and Health

No change required by Committee.

Policy 2.1.4 - Payment to Employees in addition to contract or award.

No change required by Committee.

Policy 2.1.5 - Selective Voluntary Severance

Amendment recommended by the Administration: Change to calculations within statement.

The Manager Human Resources Services provided information on the Mercer Cullen Egan Dell formula. Discussion ensued.

The Manager Audit and Executive Services advised that Mayor Carlos has requested information on mileage claims under the Local Government Officer's Award. This information will be provided.

No change required by Committee.

Policy 2.1.6 - Staff Uniforms

No change required by Committee.

Policy 2.1.7 - Completion of Primary and Annual Returns

No change required by Committee.

SECTION 2.2 - GOVERNANCE**Policy 2.2.4 - Deputising for the Mayor at Functions**

No change required by Committee.

Policy 2.2.5 - Council Chamber - Use of

Amendment recommended by the Administration: Policy to include reference to Special Electors' meetings.

Cr Hollywood entered the Room at this point, the time being 1840 hrs.

Following a query, it was advised that in the majority of cases the Chamber provided sufficient seating for the holding of special electors' meetings, however the proposed amendment to the policy did not restrict the use of other venues.

A query was raised as to whether the current wording of the policy enabled elected members to use Ward Offices to conduct Council business.

Amendment recommended by the Committee:

That Policy 2.2.5 be amended to incorporate a provision for Council business to be conducted in the Ward Offices.

Policy 2.2.6 - Council Meetings - Electronic Sound Recording

Amendment recommended by the Administration: Change to policy title.

Discussion ensued.

No change required by Committee.

Policy 2.2.7 - Acknowledgment of Service - Elected Members

Amendment recommended by the Administration: Increase in the amount of the gift.

No change required by Committee.

Policy 2.2.8 - Legal Representation for Present and Former Elected Members and Staff of the City

The Chief Executive Officer advised that, following legal advice, this policy requires to be reviewed and will be withdrawn at this stage.

Policy 2.2.9 - Elected Members' Advertising

No change required by Committee.

Policy 2.2.11 - Corporate Logo

No change required by Committee.

Policy 2.2.13 - Payment of Fees, Allowances and Expenses and Provision of Facilities to the Mayor, Deputy Mayor and Councillors

Amendment recommended by the Administration: Various changes to Sections 3.2, 3.4, 3.7, 4.2, 4.3, 4.4, 4.5, 5.6(6), 5.8, 6, 7 and 8

The Committee was advised that the following amendment, which was Moved by Cr Baker and Seconded by Cr Kimber at the Council meeting held on 27 May 2003, was required to be considered by Council:

- Policy 2.2.13: Part 1, Governance: Section 2.2. Paragraph (a) be deleted and substituted with the words "The Mayor be entitled to claim mileage at the agreed Local Government Rate for the use of his own personal vehicle";
- Policy 2.2.13: Part 1, Governance: Section 2.2. Paragraph (b) be deleted;

- Policy 2.2.13: Part 4, Payment of Fees and Allowances: 4.3. Delete “ the maximum” and replace with “25% of the maximum” ;
- Policy 2.2.13: 4.5: Paragraph (2) to remain within the Policy;
- Policy 2.2.13: 5.6 – Payment of Conference and Training Costs: Paragraph (5) delete “Business Class” and replace with “economy class”;

Discussion ensued in relation to the amendments required to be made to Policy 2.2.13.

It was agreed that the WA Local Government Association be requested to raise on behalf of Council the issues of increasing the elected members’ telecommunication allowance to \$3,000 per annum and increasing the mileage allowance.

MOVED Cr Walker SECONDED Cr Brewer that it be recommended that Policy 2.2.13 Payment of Fees, Allowances and Expenses and Provision of Facilities to the Mayor, Deputy Mayor and Councillors - Section 5.5, Paragraph 5(c) be amended to read: “Overseas Travel: Business Class”.

The Motion was Put and

CARRIED

In favour of the Motion: Mayor Carlos, Crs Brewer, Walker, Gollant, Hollywood and Caiacob **Against the Motion:** Cr O’Brien

Cr Gollant left the Room at 1950 hrs and returned at 1953 hrs.

Amendments recommended by the Committee:

- Section 2.2: Paragraph (c) be deleted;
- Section 2.2: New Paragraph (c) to be amended to pay the costs “of the Mayor and partner” to attend functions.
- Section 2.3: Paragraph 1(d) to include the following words at the end of the sentence “...*as defined in clause 5.3 of this policy or is for election purposes.*”
- Section 3.2: Point (j) to be included to read: “Palm pilot or similar electronic diary- Optional”.
- Section 3.3: “Western Australian Municipal Association” be amended to read “WA Local Government Association”.
- Section 4.5: Paragraph 1(d) to be amended to include associated meetings of Council.
- Section 5.5: Paragraph (h) to be amended to read “Training relating to the role of elected members”.

- Section 5.6: Paragraph 5(c) to be amended by changing Overseas travel for elected members to “Business Class”.
- Section 5.8: Paragraph (4) be deleted.

SECTION 2.3 - OFFICE OF THE CHIEF EXECUTIVE

Policy 2.3.1 - Policy Development & Review Process

No change required by the Committee.

Policy 2.3.2 - Communications

Amendment recommended by the Administration: Change to include reference to Director.

In relation to clause “Communication between Elected Members and Staff”, Cr Gollant raised concern that elected members are contacting members of staff other than the CEO and Directors. The Chief Executive Officer advised that the City’s solicitors had expressed concern in this regard and a memorandum is to be circulated to elected members in the near future.

No change required by the Committee.

Policy 2.3.3 - Use of Common Seal and the Signatories for Contract Execution

Amendment recommended by the Administration: Policy statement to include reference to Section 9.49 of the Local Government Act 1995.

The Chief Executive Officer advised it was appropriate that the amount of \$250,000 be increased to \$1,000,000.

MOVED Cr Gollant SECONDED Cr Brewer that Policy 2.3.3 – Use of Common Seal and the Signatories for Contract Execution be amended as follows:

Clause 2: The amount of “\$250,000” be amended to “\$1,000,000”

The Motion was Put and

CARRIED

In favour of the Motion: Mayor Carlos, Crs Brewer, Hollywood, Walker and Gollant
Motion: Crs Caiacob and O’Brien

Against the

Policy 2.3.4 - Provision of Information

The Chief Executive Officer advised that this policy needed to be reviewed and will be withdrawn at this stage.

Cr Gollant left the Room at this point, the time being 2007 hrs.

Policy 2.3.5 - Online Services Code of Practice

Amendment recommended by the Administration: Various modifications required throughout policy.

No change required by Committee.

Policy 2.3.6 - Public Submissions

No change required by Committee.

Policy 2.3.7 – Tendering

No change required by Committee.

Cr Gollant entered the Room at this point, the time being 2010 hrs.

MOVED Cr Walker SECONDED Cr Hollywood that the Policy Manual Review Committee SUBMITS the proposed amendments to Sections 2.1, 2.2 and 2.3 of the Policy Manual to Council for approval.

The Motion was Put and

CARRIED UNANIMOUSLY

DATE OF NEXT MEETING

To be determined.

CLOSURE

There being no further business, the Chairman declared the meeting closed at 2012 hrs.