



MINUTES

Annual General Meeting

Perth Convention Exhibition Centre
Perth

wednesday

1 AUGUST 2012

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Annual General Meeting - Order of Proceedings

1. Record of Attendance and Apologies

Apologies received from:
Shire of Augusta-Margaret River
Shire of Cocos (Keeling Islands)
Shire of Dowerin
Shire of Kalamunda
Shire of Upper Gascoyne
Shire of West Arthur
Shire of Wongan-Ballidu
The Right Hon Lord Mayor Lisa Scaffidi
Mayor Ron Yuryevich

1.1 Announcements

There were no announcements.

2. Confirmation of Minutes

Minutes of the 2011 WALGA Annual General Meeting are contained within this AGM Agenda.

Moved: Cr G Pule (Bassendean)
Seconded: President Cr W Barrett (Murray)

That the Minutes of the 2011 Annual General Meeting be confirmed as a true and correct record of proceedings.

CARRIED

3. Adoption of President's Annual Report

The President's Annual Report for 2011/2012 is contained within this AGM Agenda.

Moved: President Cr J Gardiner (Dardanup)
Seconded: Cr B Thomson (Murray)

That the President's Annual Report for 2011/2012 be received.

CARRIED

4. WALGA 2010/2011 Financial Statements

The audited 2010/2011 WALGA Financial Statements will be distributed to all members prior to the meeting.

Moved: Mayor T Roberts (Wanneroo)
Seconded: President Cr S Love (Dandaragan)

That the WALGA Financial Statements for 2011/2012 be received.

CARRIED

5. Consideration of Executive and Member Motions

As per motions listed:

6. Closure

There being no further business, the President declared the meeting closed at 4.40pm

Consideration of Executive and Member Motions

5.1 Transport Contributions from Heavy Vehicles Users (05-006-03-0001ID)

Shire of Perenjori

MOTION

Moved: President Cr C King (Perenjori)
Seconded: Cr L Butler (Perenjori)

That WALGA press the State Government to regulate large freight campaigns on local roads to either prevent them, or provide a fair means for Local Governments to recover costs arising from these campaigns.

AMENDMENT

Moved: President Cr S McDonnell (Kelleberrin)
Seconded: Cr G Pule (Bassendean)

That WALGA press the State Government to regulate large freight campaigns on local roads to either prevent them, or provide a fair means for Local Governments to recover costs arising from these campaigns and request the President to form a working party to advocate to the State Government on behalf of the sector.

The Amendment was put and

CARRIED

The Amendment became the Motion and was put and

CARRIED

MEMBER COMMENT

The Restricted Access Vehicle (RAV) System provides a means for Local Governments to recommend to Main Roads which of its roads should be available to RAV combinations. These recommendations will generally be based on a reasonable understanding of the likely usage of the road by the businesses and the community served by that road.

Once a road has been included on the RAV data base there is nothing to stop the road being used for freight campaigns well outside the scope of the Local Government's expectations. Local Governments have no formal means available to them to recover the costs that arise from these unexpected campaigns.

There have been several recent examples of large freight campaigns on local roads that have been out of proportion with the design and expectations for that road. A particular example involved the transport of in excess of 100,000 tonnes of ballast on local roads that had been designated as RAV routes for the transport of occasional loads of fertiliser, grain or stock. The road was literally destroyed over the course of a few days. By the time the affected Local Governments became aware of the campaign, much of the damage had been done and there was no legitimate means to stop it.

Local Governments rely on instruments such as local planning policies (for timber plantations) and local laws (for the likes of extractive industries) to try to regulate some freight tasks. These instruments are ineffective when the campaign is unexpected and does not require other approvals from Local Government.

The recent WA Transport Forum discussed the problem but no solutions were identified. Providing a RAV network to service local farms and businesses should not expose Local Governments to these large and unexpected campaigns.

SECRETARIAT COMMENT

The existing legislative framework does not provide for effective control of large freight tasks that have a major impact on road infrastructure, without placing an onerous regulatory burden on local businesses and Local Governments.

The COAG initiated reform processes, intended to provide a mechanism to enable road managers, including Local Governments, to recover costs proportional to the damage caused by heavy vehicles, have not progressed significantly. While Local Governments receive a share of motor vehicle licence fee revenue, including that from heavy vehicles, to fund roads the quantum and allocation of this funding does not respond to damage from major freight transport activities.

Changes in State legislation are required in order to enable Local Governments to effectively and efficiently avoid the high costs of road damage from heavy vehicles being transferred to local communities.

5.2 Consultation Process with State Government (05-050-01-0001TB)

Town of Narrogin:

RESOLUTION

Moved: Mayor D Ennis (Town of Narrogin)

Seconded: Cr R Madson (Town of Narrogin)

That the Minister for Local Government, when calling for submissions, comment or advise on proposed amendments to the Act, Regulations or other items that affect the Local Government Sector, provide an adequate allowance for time, being a minimum of six weeks, to review the information and prepare submissions; and if Easter or the Christmas period fall within this consultation period, an additional two weeks for Easter and four weeks for the Christmas period be added to the submission period.

CARRIED

MEMBER COMMENT

The Town of Narrogin has expressed concern with the way that the Minister consults with Local Government and forces some issues through during public holiday times and holidays like Easter and Christmas, reducing the time and ability for Councils to respond formally with Council motions.

The period of six weeks allows any Council to have at least one Council meeting during this time and should the consultation fall over one of the holiday periods, that the consultation period be further extended to all for Councillors to return from leave and inform themselves on the issues at hand.

SECRETARIAT COMMENT

The requirement for adequate consultation with the sector on anything effecting Local Government by the State Government has been a long standing advocacy base for the Association. WALGA together with the Local Government Managers Association (LGMA) has signed a State/Local Government Agreement with the State Government. In the agreement there is provision for a Communication and Consultation Protocol. This provision states;

“An appropriate protocol will be developed which defines the range of communication and consultation mechanisms to be applied to the development of legislation, regulation, administrative and operation guidelines and other matters impacting on Local Government.”

WALGA has presented a draft *Communication and Consultation Protocol* to the State Government that suggests the following protocols;

- i. *New legislation and amendments, proposals and legal mandate that will have an impact on Local Government expenditure - Minimum of twelve (12) weeks consultation.*

ii. Consultation for a minimum of eight weeks on proposed changes to Regulations or other compliance requirements that will have an impact on Local Government's responsibilities.

iii. Communication between both spheres of government relating to changes in operating procedure or practice which will have minimal impact requires advice prior to any action.

The above protocol requires either 8 or 12 weeks consultation depending on whether it is legislation or regulation. This is a greater requirement than the 6 weeks proposed in this motion.

The most recent example of the State Government not providing sufficient consultation related to a proposal to amend the Local Government (Financial Management) Regulations 1996, immediately prior to Easter 2012. The consultation carried out in this instance was not adequate and the Association has communicated our objection to the Minister for Local Government.

The most appropriate course of action is for the Communication and Consultation protocol to be signed and then this would require all State Government agencies to follow the protocol.

5.3 Revaluation of Unimproved Valuation (UV) Land (05-034-01-0001TB)

Shire of Kulin:

MOTION

Moved: President Cr J Sullivan (Kulin)
Seconded: President Cr T Wittwer (Cuballing)

That this meeting seek an amendment to the Valuation of Land Act 1978 so that individual Local Governments are able to determine if it is considered necessary for a UV revaluation to be applied, for rating purposes, across the whole Shire in any particular year. Further that the legislation be further amended to include provision that every Local Government across the State must accept a general UV revaluation at least once every three (3) years.

AMENDMENT

Moved: President Cr M Scott (Capel)
Seconded: Cr J Scott (Capel)

That this meeting seek an amendment to the Valuation of Land Act 1978 to:-

1. enable individual Local Governments to determine if it is considered necessary for a UV revaluation to be applied, for rating purposes, across the whole Shire in any particular year.
2. include provision that every Local Government across the State must accept a general UV revaluation at least once every three (3) years.
3. enable individual Local Governments to determine if it is considered necessary for a GRV revaluation to be applied every three (3), four (4) or five (5) years.

The Amendment was put and

CARRIED

The Amendment became the Motion and was put and

CARRIED

MEMBER COMMENT

Annual revaluations for UV properties were introduced some 20 years ago due largely to:

- *Revaluations were somewhat adhoc and there were occasions where a revaluation caused issues when significant changes in rural values for specific areas within a particular LG occurred over a period of time. Many landowners faced significant rate increases and it became a difficult process to explain the reasons for increased rates to those in the affected areas.*

- *The Valuer General's Office (VGO) had concerns over properties that covered two or more Shires where those LG's revaluation schedule were not in sync. In some instances this again caused angst as on occasions one ratepayer would be more severely affected by rate increases on land he held in one LG as opposed to the other, regardless of what the actual overall rate increase was.*
- *Where there was an extended period between revaluations there were occasions where no land sales actually occurred in that particular shire for the year the revaluation was being carried out. This did cause difficulties for the VG in determining the appropriate values.*

While it is agreed the above reasons are sound, revaluations in recent years has seen little change, due mainly to the limited land sales taking place. Examples in the changes for total valuations from year to year are as follows;

Local Government	Last Year	This year
Kulin	+ 0.90%	- 0.50%
Brookton	- 1.05%	- 0.29%
Cuballing	- 0.10%	- 0.03%
Corrigin	- 1.30%	+ 0.02%
Pingelly	- 0.61%	+ 0.26%
Williams	- 3.02%	- 0.24%
Quairading	- 2.00%	- 1.10%
Wickepin	+ 0.78%	- 2.65%

While it is not the intention to return to the "old days" where there were issues with irregular revaluations, it is our belief that it is unlikely there will be any major changes in UV's into the foreseeable future and we can see little point in:

- Paying the revaluation fee of approximately \$5,000 per annum for little benefit,
- Spending valuable administration time in amending the rate records annually, again for little benefit.

A procedure where individual Local Governments can request annual values can be introduced thereby reducing the financial and resource burden on rural Local Governments as well as reducing the workload on the Valuer General's Office. If the above is accepted there would need to be a fixed date where a Local Government can request not to have the annual valuation.

SECRETARIAT COMMENT

WALGA recognises the issue in rural areas where there are limited sales evidence and little change in valuations that questions the need for annual valuations and the cost incurred.

The main issue is that there is consistency in the valuation period. The motion proposes that a general UV revaluation is required every three years; this is a logical approach.

The revaluations of Gross Rental Valuation (GRV) properties are re-valued based on activity, however at least every 5 years.

6.0 MATTER OF SPECIAL URGENT BUSINESS:

MOTION

Moved: Cr M Wainwright (Swan)
Seconded: President Cr P Blight (Wagin)

That the Members agree that the following two items of Special Urgent Business, relating to:

- **Native Vegetation Management**
- **Grant Applications**

be considered.

CARRIED BY ABSOLUTE MAJORITY

6.1 MATTER OF SPECIAL URGENT BUSINESS : Native Vegetation Management (05-095-03-0001 KB)

Shire of Bridgetown-Greenbushes:

RESOLUTION

Moved: Cr T Practico (Bridgetown-Greenbushes)
Seconded: Cr G Aird (Boyup Brook)

That WALGA press the Minister for the Environment to commit to a timeline to amend the Environmental Protection (Clearing of Native Vegetation) Regulations 2004 and the consulting process with Local Governments, with a view to providing a general exemption for the sector in relation to clearing of road reserves.

IN BRIEF

- Road maintenance in existing transport corridors does not require a permit unless in a declared Environmentally Sensitive Area.
- The Min. for Environment has been asked to commit to consultations with the sector on proposed legislative amendments.

CARRIED

MEMBER COMMENT

WALGA has been working closely with the Department of Environment and Conservation (DEC) to assist Local Governments to work within the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004*. WALGA has stated it regularly receives feedback from Local Governments that compliance with the requirement to obtain clearing permits can be time consuming and expensive. DEC has provided advice for Local Governments to streamline their clearing permit application practices which is being provided through Sustainability Officers and Regional Road Group networks. In addition, the Association is focusing on proposals to change the legislation arising from a Middle Committee Review.

The WALGA President, Troy Pickard has written to the Minister for the Environment to request a timeline for the consultation process with Local Governments prior to any legislative amendments being made.

At the June 2012 meeting of the South West Zone, discussion indicated there was conflict with the Policy, especially in relation to road reserves. It was strongly considered by Local Government delegates attending the Zone Meeting that there needs to be an exemption for Local Governments in respect for clearing of road reserves and this needs to be resolved when amending the Regulations.

SECRETARIAT COMMENT

The Environmental Protection (Clearing of Native Vegetation) Regulations 2004 (Regulations) provides an exemption for clearing for maintenance in existing transport corridors (Regulation 5, item 22, Schedule 2) providing the site is not within a declared "Environmentally Sensitive Area". Any new works, e.g. road widening or realignment or infrastructure upgrade requires a permit.

The WALGA President has written to the Minister for Environment on 2 occasions to request that he honour his commitment to local government to consult with the sector on proposed amendments (The Middle Review) to the legislation by late 2011, and will be raising it a matter of priority at the next Ministerial meeting, scheduled for Monday 20 August 2012.

6.2 MATTER OF SPECIAL URGENT BUSINESS : Grant Applications (05-034-01-0003 TB)

City of Kalgoorlie-Boulder:

RESOLUTION

Moved: CEO Don Burnett (Kalgoorlie-Boulder)

Seconded: Cr Anne Petz (Kalgoorlie-Boulder)

That WALGA requests the State Government to introduce a “One Stop Shop” for Local Government grant applications, dealing with a preregistration process, streamlining of the application process, standardising of the applications and a pre-determined approval/rejection timeline

IN BRIEF

- Grant application and assessment processes at both a State and Federal level requires updating
- Proposal to streamline the process for Local Governments applying to State Government Agencies for grants.

CARRIED

MEMBER COMMENT

The grant application and assessment processes at both a State and Federal level requires updating to enable Local Governments a clearly defined application process that is standard across all departments with a clearly defined timeline for approval and rejection.

To streamline the process:

1. Local Governments are to have the ability to pre-register with one central body for each of the spheres of government. This preregistration will collect the general Council information required for all grants; this information is updated by Councils on a annual basis.
2. Online application forms to be standardised to ensure ease of completion and consistency is maintained.
3. An assessment timeline should be adopted across all agencies so Local Governments can plan the approval process to align with their program and other funding sources/grant providers.

This motion is a motion pertaining to the State Government Departments and the streamlining of grant application processes for Local Government.

Both State and Federal Governments have a myriad of agencies and departments that Councils can apply for grants through. Each one has a different application process, requires different information and has different timelines to do the initial assessment and/or a final determination.

There is a need at both State and Federal level for the grant application and assessment process to be modernised, streamlined and centralised.

A similar motion was passed in relation to the Federal Government at the recent ALGA Congress.

SECRETARIAT COMMENT

This item was recently considered at the Australian Local Government Association (ALGA) National General Assembly where the item was carried.

That the National General Assembly calls on the Federal Government to introduce a "One Stop Shop" for Local Government grant applications, dealing with a preregistration process, streamlining of the application process, standardising of the applications and a pre-determined approval/rejection timeline.

The issue is also raised in a report prepared by Ernst and Young "*Strong Foundations for Sustainable Local Infrastructure*". The report suggests that the Australian Government develop a portal to bring together information and application material relating to Local Government grants (Recommendation 1), as a response to concerns raised about the complexity of the current administration of grants programs. The portal (or application) could build upon the GrantsLINK website which has been set up by the Australian Government to help individuals, businesses and communities identify Commonwealth grants and assistance.

"Recommendation 1: Information portal for grants programs

The Australian Government should develop a portal to bring together information and application material relating to Local Government grants programs in a single location."

LOCAL EMERGENCY MANAGEMENT COMMITTEE MINUTES

**City of Wanneroo and City of Joondalup
Local Emergency Management Committee Meeting**

**City of Wanneroo and City of Joondalup
Local Emergency Management Committee
City of Joondalup, Civic Centre, Conference Room 2
Boas Avenue, Joondalup
10:00am, 2 August 2012**

1. ATTENDANCES AND APOLOGIES

ATTENDANCES:		
Name	Position	Organisation
Cr Dot Newton, JP	LEMC Chairperson	City of Wanneroo
Alan McColl	Manager Regulatory Services	City of Wanneroo
Ian McDowell	Coordinator Community Safety	City of Wanneroo
Resmie Greer	Senior Emergency Management and Community Safety Officer	City of Wanneroo
Wayne Harris	Coordinator Health Services	City of Wanneroo
Darragh Wills	A/Community Emergency Services Manager (CESM)/Chief Bush Fire Control Officer (CBFCO)	City of Wanneroo/FESA
Cr John Chester	Elected Member	City of Joondalup
Christine Robinson	A/Manager Asset Management	City of Joondalup
Derek Fletcher	Emergency Management Officer	City of Joondalup
Charles Slavich	Principal Environmental Health Officer	City of Joondalup
Derrick Briggs	Emergency Management Officer NW Metro	WA Police
Charlie Carver	Superintendent NW Metro District	WA Police
Craig Wanstall	OIC – Wanneroo	WA Police
Mal Jones	OIC – Clarkson	WA Police
Allan Daw	District Officer – North Coastal	FESA BFS
Stuart Palmer	District Officer – North Coastal	FESA
Jo-Anne Bennett	District Emergency Services Officer	DCP
Bill Hansen	Local Manager	SES
Steve Pethick	Primary Response Coordinator	Western Power
Visitor John Lane	Coordinator Emergency Management Services	WALGA

APOLOGIES:		
Name	Position	Organisation
Karen Caple	Director City Businesses	City of Wanneroo
Phil Hay	Community Emergency Services Manager (CESM)/Chief Bush Fire Control Officer (CBFCO)	City of Wanneroo/FESA
Charlie Reynolds	A/Director Infrastructure Services	City of Joondalup
Christine Hamilton-Prime	Councillor (Deputy)	City of Joondalup
Nadine McLoughlin	A/Community Emergency Management Officer	EMWA (FESA)
Wayne Dohmen	Inspector – Assistant District Officer Joondalup	WA Police
Alex Ryan	OIC – Warwick	WA Police
Peter Reeves	OIC – Yanchep	WA Police
Chris Ruck	OIC – Joondalup	WA Police
Geoff DeSanges	Inspector – Assistant District Officer Joondalup	WA Police
Rick Corkill	Northern Beaches Emergency Group	WA Police
Leigh Sage	Fire Protection Officer	DEC
Helen Barrett	Disaster Management Coordinator	Ramsay Health
Mary McConnell	Disaster Management Coordinator	Ramsay Health
Ruth Lane	Emergency Services Manager	Red Cross
Darryl Welsby	Manager Business Risk	ECU
Mary-Ann Jackson	Local Welfare Coordinator	DCP

Cr Dot Newton opened the meeting at 10:00am and welcomed those members in attendance.

2. PRESENTATION

2.1 John Lane, Coordinator Emergency Management Services, WALGA tabled the final report on the “Review of the City of Wanneroo’s Emergency Management Risk Register”. A disk was also distributed to all agencies.

The City of Joondalup’s Risk Register was not tabled at this meeting as the report content is still under review by the City of Joondalup’s Risk Assessment Group.

John Lane explained that the Project Risk Assessment Group for the City of Wanneroo established the following natural hazards that would most likely impact the City of Wanneroo:

Bushfire;
Severe Storm;
Human Pandemic/Epidemic; and
Road Transport Emergency (Chemical Spills)

It was explained that the City of Wanneroo had recently adopted an internal risk management

framework ensuring that the corporate risks are managed appropriately and the emergency risk management framework will now align with the City's organisational risk register.

John Lane reported that local governments are required to acknowledge ownership of emergency management risks and that state government agencies are responsible as the risk responders.

The LEMC is responsible for the ongoing management of the risks identified and will be included in the LEMC Business Plan where treatment options will be considered.

The Emergency Management Risk Register was accepted by members at the LEMC meeting on 2 August 2012.

3. CONFIRMATION OF PREVIOUS MINUTES (3 May 2012)

Moved Derek Fletcher, **Seconded** Derrick Briggs

That the Minutes of the Local Emergency Management Committee meeting held on 3 May 2012 be confirmed as a true and accurate record.

CARRIED

4. BUSINESS ARISING

Item	LEMC Meeting	Subject	Responsible Agency/Person
2.1	2 February 2012	Risk register review update	(a) City of Joondalup (b) City of Wanneroo
	3 May 2012	Refer Item 6 below – Risk Mitigation (Risk register review update)	R Greer provided the project status update.
		Draft copy of the Emergency Management Risk Registers will be distributed to LEMC members. Any comments/feedback to be discussed at the next LEMC meeting of 2 August 2012.	RISK REVIEW COMPLETED FOR THE CITY OF WANNEROO (2 AUGUST 2012)
	2 August 2012	Risk register review – D Fletcher advised City of Joondalup are still working through some minor issues. The register should be finalised for endorsement by the LEMC at the next meeting, 1 November 2012.	City of Joondalup
6.2	2 February 2012	(a) City of Wanneroo Local Emergency Management Arrangements and Recovery Arrangements. (b) City of Joondalup Local Emergency Management Arrangements and Recovery Arrangements	Resmie Greer Derek Fletcher

	3 May 2012	Refer Item 6 below – Local Emergency Management Arrangements.	Resmie Greer advised that City of Wanneroo will submit a report to Council and recommend Emergency Management Plans be noted and seeking Council sign-off.
	2 August 2012	City of Joondalup Local Emergency Management Arrangements and Recovery Arrangements City of Wanneroo Local Emergency Management Arrangements and Recovery Arrangements.	City of Joondalup LEMA endorsed by SEMC at its meeting in June 2012. COMPLETED Resmie Greer advised of Council endorsement of the LEMA on 26 June 2012. LEMA have been sent to SEMC for endorsement at its next meeting on 4 September 2012.
6.2	3 November 2011	Joint LEMC Exercise	Phil Hay
	3 May 2012	Joint LEMC Exercise to be held on Wednesday 8 th August 2012. Further details to be disclosed at a later date.	Phil Hay
	2 August 2012	Joint LEMC exercise has been rescheduled to Thursday 27 September 2012 at the City of Joondalup commencing at 10am – 1pm.	Phil Hay

5. CORRESPONDENCE

The Inwards and Outwards correspondence was tabled at the meeting for reviewing and comments. Resmie Greer referred members to Items 14 (Bunbury Conference 12 September 2012), 15 (WESPLAN Heatwave Review) and 18 (Training Calendar for 2012 - report from A/Community Emergency Management Officer).

It was noted that there was no inwards correspondence relating to the review of the Green Paper. This document was received post the agenda being sent out. The Green Paper is the review of the Emergency Management Act and will be emailed to LEMC members with a copy of the Minutes.

6. STANDING ITEMS

6.1. District Agency Updates:

○ **City of Wanneroo**

Resmie Greer – Nil to add following John Lane's report on the final production of the City of Wanneroo's Emergency Management Risk Register.

City of Joondalup

Derek Fletcher – nothing to report.

○ **WA Police**

Derrick Briggs reported the next DEMC meeting remains to be scheduled on Thursday, 16 August 2012 at the North West District Office, 1st Floor, 5 Davidson Terrace, Joondalup.

Charlie Carver reported that Emergency Management has lifted its profile within the North West Metro District Police with Derrick Briggs recently relocating from the Warwick Police Station to the North West District Office. Derrick will oversee Emergency Management training for WA Police Officers and Inspector Wayne Dohmen will oversee Emergency Management and Police response.

○ **Fire and Emergency Services Authority (FESA)**

Allan Daw informed the meeting that he has recently been appointed as the FESA BFS District Officer for the North Coastal area. Previous to this, Allan was District Officer to the South Coastal Metropolitan District and also prior to this, the North East District.

Stuart Palmer also introduced himself to the LEMC as the newly appointed FESA (Hazardous Materials) District Officer North West Coastal District.

Resmie Greer provided an update on behalf of Nadine McLoughlin, Acting Community Emergency Management Officer (EMWA) as follows:

(a) **State Emergency Management Committee (SEMC)** – Next scheduled SEMC meeting will be held on 4 September 2012. The City of Wanneroo's LEMA will be put forward for endorsement;

(b) **Exercise Schedule** – SEMC requested all HMA's and DEMC's to provide details of proposed exercises; and

(c) **Training Calendar for 2012** – New training dates have been scheduled and are available to view on the EMWA Extranet. Confirmed dates for the Introduction to Emergency Management in Joondalup on 4 September 2012 and the Introduction to Recovery Management in Wanneroo on the 6 September 2012. Nominations close two weeks prior to course dates. These courses are open to all local governments and support organisations. Nomination forms and additional information about courses can be located on EMWA Extranet site or by emailing emtraining@fesa.wa.gov.au

Stuart Palmer reported that a "Management of CBRN Incidence Course will be held at the Joondalup Police Academy on 23 – 26 September 2012. Details available on the EMWA Extranet.

○ **Department of Environment and Conservation (DEC)**

No one in attendance.

○ **Department of Child Protection (DCP)**

Jo-Anne Bennett reported the following:

(a) DCP Early Response Teams have increased from 3 to 6 Teams with relevant training conducted, this ensures a greater pool of trained staff available and takes the pressure off Districts for large activations;

(b) Nil activations within the City of Wanneroo/City of Joondalup;

(c) Provided assistance to a local government authority (LGA) in relation to the

industrial hazmat fire incident in Carr Street, West Perth which involved the evacuation of residents from a Department Housing Complex in the vicinity;

(d) Provided assistance and advice to the ISG in relation to the Dianella/Morley Tornado disaster which also included evacuation of residents and a primary school in the vicinity;

(e) Attended and provided significant support to the Huckle Street apartment building complex, Tuart Hill (CaLD Tenants) – building lost its roof. This incident was significant and problematic for DCP in that the tenants required accommodation, meals, financial assistance, personal and outreach support. The building was condemned by the local authority.

(f) Attended the apartment building fire and explosion incident in Mosman Park. Provided accommodation, personal support, including meals to the tenants.

(g) Conducted a major exercise that simulated the opening, operating and closing of an evacuation centre over a 2 day period on behalf of the Western/Central LEMC.

- **Western Power**

Steve Pethick reported that there was excellent communication between the SES, Police and Western Power during the Dianella Tornado disaster and was managed very professionally by the SES.

- **Joondalup Health Campus**

Nil to report.

- **Red Cross**

Nil to report.

- **Edith Cowan University**

Nil to report.

- **Other Key Stakeholders**

Nil to report.

6.2. LEMC Arrangements:

- **Planning:**

Refer comments above, Section 4 “Business Arising”, item 6.2, for update on current status of City of Wanneroo and City of Joondalup Emergency Management Arrangements and Recovery Plans (LEMA).

- **Risk Register/Mitigation Treatments:**

Refer Section 2 “Presentation from John Lane”.

It was noted that the City of Joondalup’s Risk Register was not tabled at this meeting as the report content is still under review by the City of Joondalup’s Risk Assessment Group.

It was **Moved** Derrick Briggs, **Seconded** Ian McDowell, that the LEMC accept the City of Wanneroo’s Risk Register as tabled at the meeting.

CARRIED

- **Training Activities/Simulations:**

Training dates confirmed as follows:

(a) Introduction to Emergency Management at the City of Joondalup
4 September 2012;

(b) Introduction to Recovery Management at the City of Wanneroo
6 September 2012.

Nominations close two weeks prior to course date.

A copy of the training calendar for 2012 will be forwarded to LEMC members.

Desktop Exercise:

Joint LEMC exercise has been rescheduled to Thursday 27 September 2012 at the City of Joondalup commencing at 10am and concluding at 1pm.

- ***Other Emergency Activations for mention:***
Nil to report within the Cities of Wanneroo and Joondalup.
- ***Review/Outcomes/Lessons Learnt:***
Nil to report.

7. REPORTING REQUIREMENTS

The LEMC Annual Report has been completed and endorsed by the DEMC, and submitted to SEMC.

8. NEW BUSINESS

Charlie Carver asked if letters could be sent to all agencies requesting that a nominee or their respective proxy attends future LEMC meetings to ensure continuity of interagency relationships.

Further discussion took place concerning the LEMC membership as detailed within the Terms of Reference and the different levels of officers attending the LEMC and DEMC meetings.

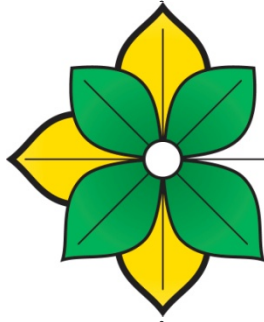
Ian McDowell reported that when the change of the LEMC Chair occurred in October 2011, the Cities of Wanneroo and Joondalup reviewed the LEMC Terms of Reference and that a further review will be undertaken in the near future.

9. NEXT MEETINGS

The next City of Wanneroo/City of Joondalup Local Emergency Management Committee meeting will be held on Thursday 1 November 2012 at the City of Wanneroo.

10. CLOSE

There being no further business, the meeting was closed at 10:55am.



TAMALA PARK
Regional Council

Ordinary Meeting of Council

MINUTES

Thursday 16 August 2012
City of Stirling, 6.00pm

TAMALA PARK
REGIONAL COUNCIL
(TPRC)
COMPRISES THE
FOLLOWING
COUNCILS:

Town of Cambridge
City of Joondalup
City of Perth
City of Stirling
Town of Victoria Park
City of Vincent
City of Wanneroo

MEMBERSHIP

OWNER COUNCIL	MEMBER	ALTERNATE MEMBER
Town of Cambridge	Cr Corinne MacRae	
City of Joondalup	Cr Geoff Amphlett Cr Tom McLean	
City of Perth	Cr Eleni Evangel	
City of Stirling	Cr Giovanni Italiano (CHAIRMAN) Cr David Michael Cr Terry Tyzack Cr Rod Willox	Cr Stephanie Proud
Town of Victoria Park	Mayor Trevor Vaughan (DEPUTY CHAIRMAN)	Cr David Ashton
City of Vincent	Mayor Alannah MacTiernan	
City of Wanneroo	Cr Frank Cvitan Cr Dianne Guise	Cr Bob Smithson Cr Stuart Mackenzie

NB: Although some Councils have nominated alternate members, it is a precursor to any alternate member acting that a Council carries a specific resolution for each occasion that the alternate member is to act, referencing Section 51 of the Interpretation Act. The current Local Government Act does not provide for the appointment of deputy or alternate members of Regional Councils. The DLGRD is preparing an amendment to rectify this situation.

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PRESENT

Chairman	Cr Giovanni Italiano
Councillors	Cr Geoff Amphlett Cr Frank Cvitan Cr Eleni Evangel Cr Corinne MacRae Cr Alannah MacTiernan Cr Tom McLean Cr David Michael Cr Terry Tyzack Cr Trevor Vaughan Cr Rod Willox
Alternate Members	Nil
Staff	Mr Tony Arias (Chief Executive Officer) Mr Wayne Burns (Senior Projects Officer) Mrs Kylie Jeffs (Executive Assistant)
Apologies Councillors	Cr Dianne Guise
Leave of Absence	Nil
Absent	Nil
Consultants	Mr Justin Crooks (Satterley Property Group) Mr Aaron Grant (Satterley Property Group) Mr Nigel Satterley (Satterley Property Group)
Apologies Participant Councils' Advisers	Nil
In Attendance Participant Councils' Advisers	Mr Lewis Bond (City of Perth) Mr Garry Hunt (City of Joondalup) Mr Stuart Jardine (City of Stirling) Mr Len Kosova (City of Wanneroo) Mr Arthur Kyron (Town of Victoria Park) Mr Jason Lyon (Town of Cambridge)
Members of the Public	Nil
Press	Nil

1. OFFICIAL OPENING

At 6.04pm the Chairman declared the meeting of the Tamala Park Regional Council open.

DISCLOSURE OF INTERESTS

Mr Nigel Satterley from Satterley Property Group declared a financial interest for Item 9.4 – Sponsored Charity Home Proposals.

2. PUBLIC STATEMENT/QUESTION TIME

Nil

3. APOLOGIES AND LEAVE OF ABSENCE

Apologies were received from Cr Dianne Guise.

4. PETITIONS

Nil

5. CONFIRMATION OF MINUTES

Ordinary Meeting of Council – 21 June 2012

Moved Cr T McLean, Seconded Cr R Willox

That the minutes of the Ordinary Meeting of Council of 21 June 2012 be confirmed, and signed by the Chairman, as a true and correct record of proceedings.

The Motion was put and declared CARRIED (11/0).

5A. BUSINESS ARISING FROM THE MINUTES

Nil

6. ANNOUNCEMENTS BY CHAIRMAN (WITHOUT DISCUSSION)

Nil

7. MATTERS FOR WHICH MEETING MAY BE CLOSED

Nil

8. REPORTS OF COMMITTEES

Moved Cr T Tyzack, Seconded Cr E Evangel

That the recommendations of the following committees be approved:

- Management Committee Meeting – 12 July 2012
- Audit Committee Meeting – 2 August 2012
- CEO Performance Review Committee Meeting – 2 August 2012

The Motion was put and declared CARRIED (11/0).

9. ADMINISTRATION REPORTS

9.1 BUSINESS REPORT – PERIOD ENDING 9 AUGUST 2012

It was noted that the City of Perth has now executed the Power of Attorney document and will return the document to TPRC office ASAP.

Moved Cr F Cvitan, Seconded Cr A MacTiernan

[The recommendation in the agenda]

That the Council RECEIVE the Business Report for the period to 9 August 2012.

The Motion was put and declared CARRIED (11/0).

9.2 LIST OF MONTHLY ACCOUNTS SUBMITTED FOR THE MONTHS OF JUNE & JULY 2012

It was agreed that the value of lots sales will periodically be sent to each owner Council.

Moved Cr G Amphlett, Seconded Cr T Vaughan

[The recommendation in the agenda]

That the Council RECEIVE and NOTE the list of accounts paid under Delegated Authority to the CEO for the months of June and July 2012:

- **Month ending 30 June 2012 (Total \$756,468.18)**
- **Month ending 31 July 2012 (Total \$1,254,812.55)**
- **Total Paid - \$2,011,280.73**

The Motion was put and declared CARRIED (11/0).

9.3 SALES AND SETTLEMENT REPORT

Moved Cr D McLean, Seconded Cr R Willox

[The recommendation in the agenda]

That the Council RECEIVE the Sales Report to 9 August 2012.

The Motion was put and declared CARRIED (11/0).

9.4 SPONSORED CHARITY HOME PROPOSALS

[The recommendation in the agenda]

1. ACCEPT the proposal presented by the Satterley Property Group, Ben Trager Homes, Content Living and Seven West Media Group, in support of the Channel 7 Telethon Trust.
2. APPROVE the Satterley Property Group's preferred location for the Charity Home of Lot 192 Elsbury Approach.
3. AUTHORISE the Chairman and CEO to sign and affix the TPRC common seal to the legal agreement.
4. NOTE the involvement and endorsement of the Council's probity auditor in the tender assessment process.

Moved Cr F Cvitan, Seconded Cr R Willox an alternative recommendation as follows:

1. **ACCEPT** the Tender submitted for the disposal of land for the development of a charity home by the Satterley Property Group, Ben Trager Homes, Content Living and Seven West Media Group, in support of the Channel 7 Telethon Trust.
2. **APPROVE** the Satterley Property Group's preferred location for the Charity Home of Lot 192 Elsbury Approach.
3. **AUTHORISE** the Chairman and CEO to sign and affix the TPRC common seal to the legal agreement.
4. **NOTE** the involvement and endorsement of the Council's probity auditor in the tender assessment process.

Moved Cr E Evangel, Seconded Cr A MacTiernan an addition to the recommendation as follows:

5. That options be investigated with Habitat for Humanity for a proposal within the next 12 months.

The Motion was put and declared LOST (7/4).

Against: Cr G Amphlett, Cr F Cvitan, Cr G Italiano, Cr C MacRae, Cr T McLean, Cr T Tyzack, Cr R Willox.

For: Cr E Evangel, Cr A MacTiernan, Cr D Michael, Cr T Vaughan.

The Motion for amendment was put and declared CARRIED (11/0).

The Motion as then amended was put and declared CARRIED (11/0).

9.5 TPRC DRAFT BUDGET FOR THE FINANCIAL YEAR 2012/2013

Cr D Michael departed the meeting during discussion on this item at 6.43pm.

[The recommendation in the agenda]

1. **ADOPTS** the Budget for the Tamala Park Regional Council for the year ending 30 June 2013, incorporating:
 - a. Statement of Comprehensive Income, indicating an operating deficit of \$34,809,309.
 - b. Statement of Financial Activity, showing cash at end of year position of \$11,407,460.
 - c. Rate Setting Statement, indicating no rates levied.
 - d. Notes 1 to 27 forming part of the Budget.
2. **ADOPT** the Significant Accounting Policies as detailed in pages 13 -18.
3. **ADOPT** a percentage of 10% or \$5,000 whichever is the greater for the purposes of the reporting of material variances by Nature and Type monthly for the 2012/13 financial year, in accordance with Regulation 34(5) of the Local Government (Financial Management) Regulations 1996.
4. Authorise the CEO to arrange a finance facility for the purpose of ensuring that the TPRC has sufficient cash holdings to fund the proposed subdivision works for subsequent presentation to Council.

Moved Cr T McLean, Seconded Cr T Tyzack an alternative recommendation as follows:

1. **ADOPTS the Budget for the Tamala Park Regional Council for the year ending 30 June 2013, incorporating:**
 - a. **Statement of Comprehensive Income, indicating an operating deficit of \$34,809,309.**
 - b. **Statement of Financial Activity, showing cash at end of year position of \$11,147,460.**
 - c. **Rate Setting Statement, indicating no rates levied.**
 - d. **Notes 1 to 27 forming part of the Budget, subject to the change in 1b.**
2. **ADOPT the Significant Accounting Policies as detailed in pages 13 -18.**
3. **ADOPT a percentage of 10% or \$5,000 whichever is the greater for the purposes of the reporting of material variances by Nature and Type monthly for the 2012/13 financial year, in accordance with Regulation 34(5) of the Local Government (Financial Management) Regulations 1996.**
4. **Authorise the CEO to arrange a finance facility for the purpose of ensuring that the TPRC has sufficient cash holdings to fund the proposed subdivision works for subsequent presentation to Council.**

The Motion for amendment was put and declared CARRIED BY ABSOLUTE MAJORITY (10/0).

The Motion as then amended was put and declared CARRIED BY ABSOLUTE MAJORITY (10/0).

Cr D Michael returned to the meeting at 6.45pm.

9.6 COMPLEMENTARY WATER SAVING MEASURES

Aaron Grant provided advice on the water saving measures.

Moved Cr T McLean, Seconded Cr R Willox

[The recommendation in the agenda]

1. To RECEIVE the Water Re-Use Options report provided by Satterley Property Group correspondence dated 1 August 2012.
2. To APPROVE the reallocation of \$1,000 per lot within the approved sustainability initiatives budget from Third Pipe (non potable water supply system) to Waterwise Landscaping Packages, to implement the following water saving initiatives:-
 - a. Waterwise irrigation controllers;
 - b. Water Crystals to enhance soil moisture retention abilities; and
 - c. Subsurface irrigation of garden beds to reduce water loss by evaporation.

Moved Cr A MacTiernan, Seconded Cr E Evangel an amendment to recommendation 2(b) as follows:

1. **To RECEIVE the Water Re-Use Options report provided by Satterley Property Group correspondence dated 1 August 2012.**

2. To **APPROVE** the reallocation of \$1,000 per lot within the approved sustainability initiatives budget from Third Pipe (non potable water supply system) to Waterwise Landscaping Packages, to implement the following water saving initiatives:-

- a. **Waterwise irrigation controllers;**
- b. **Enhance soil moisture retention abilities; and**
- c. **Subsurface irrigation of garden beds to reduce water loss by evaporation.**

The Motion for amendment was put and declared CARRIED (10/1).

For: Cr G Amphlett, Cr F Cvitan, Cr E Evangel, Cr G Italiano, Cr A MacTiernan, Cr T McLean, Cr D Michael, Cr T Tyzack, Cr T Vaughan, Cr R Willox.

Against: Cr C MacRae.

The Motion as then amended was put and declared CARRIED (10/1).

9.7 STAGES 4 and 6A SALES PROCESS

Moved Cr G Amphlett, Seconded Cr T Tyzack

[The recommendation in the agenda]

1. **APPROVE** the sale of Stage 4 and Stage 6A traditional lots and 10 metre lots (Plan 2228-114A-01) by the Sales Procedure – Private Purchaser Lots Strategy, September 2011, approved by the Council at its meeting held on 13 October 2011, subject to the same sales contract, building incentives and commercial terms.
2. **APPROVE** the disposal of the Stage 4 and Stage 6A traditional lots and 10 metre lots (Plan 2228-114A-01) by Private Treaty in accordance with Section 3.58(3) and (4) of the Local Government Act 1995.
3. **APPROVE** the sale of Stage 4 medium density lots (7.5m rear loaded cottage lots) (Plan 2228-114A-01) as builder allocation lots by public tender, via the use of Put Option Deeds as approved by Council for the Stage 3 the Builders Allocation Lots in April 2012, subject to the same procedures, selection criteria and evaluation process, and terms and conditions.
4. **NOTE** that the Stage 4 group housing site will be the subject of a separate report in terms of the potential sales process, design guidelines and development methodology.

The Motion was put and declared CARRIED (11/0).

9.8 SALES OFFICE AND INFORMATION CENTRE TENDER ASSESSMENT

Moved Cr F Cvitan, Seconded Cr R Willox

[The recommendation in the agenda]

1. **ACCEPT** the National Homes Tender dated 30 July 2012, for the construction of a Sales Office and Information Centre within the Stage 2 Builders Display Village.

2. **AUTHORISE the Chairman and CEO to sign and affix the TPRC common seal to the contract documents.**

The Motion was put and declared CARRIED (11/0).

9.9 **NATIONAL STORMWATER CONFERENCE 2012**

Moved Cr Evangel, Seconded Cr R Willox

[The recommendation in the agenda]

That the CEO be AUTHORISED to attend the 2012 2nd National Stormwater Conference in Melbourne to be held on 15-19 October 2012.

Moved Cr T Tyzack, Seconded Cr F Cvitan an addition to the recommendation as follows:

1. **That the CEO be AUTHORISED to attend the 2012 2nd National Stormwater Conference in Melbourne to be held on 15-19 October 2012.**
2. **That Cr Rod Willox be AUTHORISED to attend the 2012 2nd National Stormwater Conference in Melbourne to be held on 15-19 October 2012, within the adopted policy.**

The Motion for amendment was put and declared CARRIED (11/0).

The Motion as then amended was put and declared CARRIED (11/0).

9.10 **STAGE 3 BUILDERS ALLOCATION LOTS TENDER – LATE ITEM**

Moved Cr T Tyzack, Seconded Cr G Amphlett

[The recommendation in the agenda]

1. **APPROVE the allocation of Lots 66 – 69, to the Homebuyers Centre subject to the conditions of Tender 5/2012.**
2. **AUTHORISE the CEO and Chairman to sign and seal relevant Put Option Deed documentation.**

The Motion was put and declared CARRIED (11/0).

10. **ELECTED MEMBERS MOTIONS OF WHICH NOTICE HAS BEEN GIVEN**

Nil

11. **QUESTIONS BY ELECTED MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN**

Nil

12. **URGENT BUSINESS APPROVED BY THE CHAIRMAN**

Nil

13. MATTERS BEHIND CLOSED DOORS

Nil

14. GENERAL BUSINESS

Cr A MacTiernan requested a review into the landscape gardening for the next stage of the Catalina Estate development, to ensure the landscaping is to the highest standard.

15. FORMAL CLOSURE OF MEETING

The Chairman declared the meeting closed at 7.08pm.

These minutes were confirmed at a meeting on

SIGNED this day of 2012

as a true record of proceedings.

CHAIRMAN



MINUTES

ORDINARY COUNCIL MEETING

TIME: 5.30PM

23 AUGUST 2012

CITY OF VINCENT

Managing waste and recovering resources responsibly
Constituent Members: Cities of Perth, Joondalup, Stirling, Vincent and Wanneroo
Towns of Cambridge and Victoria Park



Town of
Cambridge



City of
Joondalup



CITY of PERTH



Town of
VICTORIA PARK



CITY OF VINCENT



City of
Wanneroo

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Prior to taking their seats for the meeting Cr Boothman and Cr Cooke elected by the City of Stirling to represent Mindarie Regional Council made the required Declaration of Elected Member for the position of Councillor of the Mindarie Regional Council in accordance with s.702 of the Local Government Act 1960.

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Chair declared the meeting open at 6.30pm.

2 ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

PRESENT:	Chairman	Cr R Fishwick JP Cr J Bissett Cr D Boothman Cr R Butler Cr S Cooke Cr L Gray JP Cr K Hollywood Cr D Newton JP Cr B Stewart Cr S Withers
APOLOGIES:		Cr A MacTiernan Cr J Robbins
ABSENT :		Nil
IN ATTENDANCE:		
Mindarie Regional Council Officers:	B Callander G Hoppe L Nyssen	Chief Executive Officer Director Corporate Services Governance Officer
Member Council Officers:	K Caple G Eves A Kyron R Lotznicker A Vuleta	City of Wanneroo City of Stirling Town of Victoria Park City of Vincent Town of Victoria Park
VISITORS		Peg Davies MRC – Education Officer
MEDIA:		Nil
PUBLIC:		Nil

3 DECLARATION OF INTERESTS

Nil

4 PUBLIC QUESTION TIME

Nil

5 ANNOUNCEMENTS BY THE PRESIDING PERSON

The Chair advised that a Special Council Meeting will be held on Thursday 20 September 2012 to consider:

- *Odour emission from the Resource Recovery Facility;*
- *Resource Recovery Facility Agreement - Compost Performance; and*
- *The outcome of the CEO's Performance Review.*

6 APPLICATIONS FOR LEAVE OF ABSENCE

Cr Fishwick requested a leave of absence from 29 September 2012 to 10 November 2012.

RESOLVED

Cr Hollywood moved, Cr Butler seconded

CARRIED UNANIMOUSLY (10/0)

Cr Butler requested a leave of absence from 17 September 2012 to 1 October 2012.

RESOLVED

Cr Hollywood moved, Cr Butler seconded

CARRIED UNANIMOUSLY (10/0)

7 PETITIONS / DEPUTATIONS / PRESENTATIONS

Nil

8 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

8.1 ORDINARY COUNCIL MEETING – 5 JULY 2012

The Minutes of the Ordinary Council Meeting held on 5 July 2012 have been printed and circulated to members of the Council.

RESPONSIBLE OFFICER RECOMMENDATION

That the Minutes of the Ordinary Council Meeting of Council held on 5 July 2012 be confirmed as a true record of the proceedings.

RESOLVED

Cr Butler moved, Cr Boothman seconded

That the recommendation be adopted.

CARRIED UNANIMOUSLY (10/0)

9 PROJECT MANAGER REPORTS

ITEM 9.1		RESOURCE RECOVERY FACILITY AGREEMENT – COMPOST PERFORMANCE
File No:	WST/147	
Appendix(s):		
Date:	1 August 2012	
Responsible Officer:	Ian Watkins	

Report Withdrawn

10 CHIEF EXECUTIVE OFFICER REPORTS

ITEM 10.1 REVIEW OF DELEGATION REGISTER	
File No:	GOV/27
Appendix(s):	Nil
Attachment(s):	1. Instrument of Delegation to the Chief Executive Officer
Date:	16 July 2012
Responsible Officer:	CEO

SUMMARY

The review of the Register of Delegations as previously approved by Council at its meeting on 13 October 2011 in accordance with s5.46 (2) of the *Local Government Act 1995 (LGA95)*.

BACKGROUND

The delegation register was last reviewed in September 2011 where the Acting Chief Executive Officer made amendments to the register as he considered that they needed both rewording for clarity purposes and separated as standalone delegations.

DETAIL

The new Chief Executive Officer (CEO) has reviewed the current delegation register and considers that the delegations it contains are acceptable and provides the ability for the administration to operate effectively. A further review of the delegations will be required when the CEO undertakes a full review of the current policies and operational procedures prior to the end of the calendar year.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

The Council has the power to delegate authority to the CEO in accordance with s.5.42 of the LGA95 and as delegator it is required to review the delegations annually in accordance with s.5.46(2), of the LGA95, which state, *inter alia*, the following:

“5.42. Delegation of some powers and duties to CEO

- (1) *A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under —*

(a) *this Act other than those referred to in section 5.43.*

** Absolute majority required.*

- (2) *A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.*

5.46. Register of, and records relevant to, delegations to CEO and employees

- (2) *At least once every financial year, delegations made under this Division are to be reviewed by the delegator.”*
-

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

COMMENT

The delegations are adequate for their purpose at this point in time however the CEO will be undertaking a full review of MRC's current Business Manual that contains a mixture of policies and administrative procedures to bring them in line with the new organisation structure and cultural changes. This will more than likely require the Council to consider additional delegations

VOTING REQUIREMENT

Simple Majority

RESPONSIBLE OFFICER RECOMMENDATION

That Council approve the Instrument of Delegation to the Chief Executive Officer as detailed in attachment 1 of this agenda.

RESOLVED

**Cr Stewart moved, Cr Butler Seconded
That the recommendation be adopted.**

CARRIED UNANIMOUSLY (10/0)

ATTACHMENT 1
TO ITEM 10.1
ORDINARY COUNCIL MEETING
23 AUGUST 2012
INSTRUMENT OF DELEGATION TO THE CHIEF EXECUTIVE OFFICER

**MINDARIE REGIONAL COUNCIL – Delegations of Authority Register – Sept 2011
COUNCIL TO CHIEF EXECUTIVE OFFICER**

1. GOVERNANCE				
No.	Reference	Delegation	Condition(s)	Assignee(s)?
1.1	LGAct 1995 s.9.10	Appoint persons or classes of persons to be authorised for the purposes of performing particular functions	Each authorised person to be issued with a certificate of authorisation	NO
1.2	LGAct 1995 s.5.42	Appoint an employee of the MRC to the position of Acting CEO where the CEO is unable, or expected to be unable by reason of illness, temporary absence from WA, or any other reason, to perform the functions of the position	Not exceeding 3 months in any period of 12 months	NO
2. FINANCE				
2.1		Approve requisitions and purchase orders for the supply of goods and services	Requisitions and purchase orders to be within the budget allocation as reviewed from time to time	YES
2.2	LG(Financial Management Regulations) 1996 Reg.8	Open and close bank accounts, access accounts electronically and transfer funds electronically		YES
2.3	LG(Financial Management Regulations) 1996 Reg.12	Approve and make payment of accounts	1. In accordance with approved procedure set out in Reg.11; 2. Where funds have been provided in the budget and the accounts are acquitted prior to payment; 3. List of accounts paid to be reported to Council as required by Reg.13	YES
2.4	LG(Financial Management Regulations) 1996 Reg.34(1)(a)	Prepare monthly financial reports	In accordance with Reg.34	YES
2.5	LGAct s.6.14	Invest funds surplus to the immediate needs of the Council	Subject to the internal control procedures set out in Reg.19	YES
2.6	LGAct s.6.12	Waive Fees and Write Off Debts	1. Not exceeding a total of \$10,000 for any one debtor in any financial year; 2. Ensure all reasonable effort has been made to recover the debt; 3. Where fees or debts have been waived, or concessions granted, they are to be reported in the mid-year budget review	NO
2.7	LGAct s.3.57	Seek Expressions of Interest and/or call tenders for goods or services	For items listed on the budget and subsequently approved for proceeding by Council	YES
2.8	LG(Functions & General) Regs.14(2a) and 20	Vary contracts up to \$50,000 or 10% of the contract value, whichever is the lesser	1. For the RRFA only if it incurs no additional risk or liability to the MRC; 2. Variations approved for significant contracts, including all contracts awarded following public tenders, to be reported to the next following council meeting	NO
2.9	LGAct s.3.58(5) and LG(Functions & General) Regs.30(3)	Dispose of items or material arising from the waste management activities	1. The value of the item or material is less than \$20,000; 2. Ensure all reasonable effort has been made to secure current market prices for the item or material	NO

ITEM 10.2	MRC WASTE FACILITY SITE AMENDMENT LOCAL LAW 2012
File No:	LAW/5
Appendix(s):	Appendix 1 Appendix 2
Date:	30 July 2012
Responsible Officer:	CEO

SUMMARY

Seeking Council's approval to approve Mindarie Regional Council's Waste Facility Site Amendment Local Law 2012 and give Statewide Public Notice.

BACKGROUND

The Joint Standing Committee on Delegated Legislation (the Committee) has reviewed the Mindarie Regional Council Waste Facility Site Local Law (Principal Local Law) and has written to the Mindarie Regional Council (MRC) recommending a number of minor changes be addressed in the Principal Local Law.

In the letter the Committee requested the MRC to provide to them, in writing, an undertaking that it will amend a number of drafting errors prior to Monday 23 July 2012. The MRC responded to the Committee on 5 July 2012 advising that it will make the amendments to the Principal Local Law as requested.

DETAIL

The amendments have been made to the Local Law and are contained in Appendix 1. Appendix 2 contains the Amended Local Law as it will be presented to the public during the Statewide public notice period.

The purpose and effect of the amended Local Law will be the same as the Principal Local Law, which reads as follows:

The purpose of the local law is to regulate the conduct of the public whilst they are on the "site" on which the MRC conducts its waste operations.

The effect of the local law is to regulate and prohibit certain conduct by the public whilst on the site. It provides that some activities may only take place with permission and that some activities are restricted or prohibited. Restricted activities include parking and removal of flora, fauna and other property.

To amend the text of a Local Law steps will need to be taken under s3.12 of the *Local Government Act 1995* for the Council to amend the Local Law.

The first step is for the council to endorse the amendments to the Local Law including its purpose and effect and give Statewide public notice of the proposed Amendment to the Mindarie Regional Council Waste Facility Site Local Law 2012.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

The process for amending the text of a Local Law is covered in s3.12 of the *Local Government Act 1995*, which reads as follows:

“3.12. Procedure for making local laws

- (1) *In making a local law a local government is to follow the procedure described in this section, in the sequence in which it is described.*
 - (2) *At a council meeting the person presiding is to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner.*
 - (3) *The local government is to —*
 - (a) *give Statewide public notice stating that —*
 - (i) *the local government proposes to make a local law the purpose and effect of which is summarized in the notice;*
 - (ii) *a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and*
 - (iii) *submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given;*
 - (b) *as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister; and*
 - (c) *provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.*
 - (3a) *A notice under subsection (3) is also to be published and exhibited as if it were a local public notice.*
 - (4) *After the last day for submissions, the local government is to consider any submissions made and may make the local law* as proposed or make a local law* that is not significantly different from what was proposed.*

** Absolute majority required.*
 - (5) *After making the local law, the local government is to publish it in the Gazette and give a copy of it to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister.*
 - (6) *After the local law has been published in the Gazette the local government is to give local public notice —*
 - (a) *stating the title of the local law;*
 - (b) *summarizing the purpose and effect of the local law (specifying the day on which it comes into operation); and*
 - (c) *advising that copies of the local law may be inspected or obtained from the local government’s office.*
 - (7) *The Minister may give directions to local governments requiring them to provide to the Parliament copies of local laws they have made and any explanatory or other material relating to them.*
-

(8) *In this section —*

making in relation to a local law, includes making a local law to amend the text of, or repeal, a local law.

3.13. *Procedure where significant change in proposal*

If during the procedure for making a proposed local law the local government decides to make a local law that would be significantly different from what it first proposed, the local government is to recommence the procedure.

3.14. *Commencement of local laws*

(1) *Unless it is made under section 3.17, a local law comes into operation on the 14th day after the day on which it is published in the Gazette or on such later day as may be specified in the local law.*

(2) *A local law made under section 3.17 comes into operation on the day on which it is published in the Gazette or on such later day as may be specified in the local law.*

3.15. *Local laws to be publicized*

A local government is to take reasonable steps to ensure that the inhabitants of the district are informed of the purpose and effect of all of its local laws.

3.16. *Periodic review of local laws*

(1) *Within a period of 8 years from the day when a local law commenced or a report of a review of the local law was accepted under this section, as the case requires, a local government is to carry out a review of the local law to determine whether or not it considers that it should be repealed or amended.*

(2) *The local government is to give Statewide public notice stating that —*

- (a) *the local government proposes to review the local law;*
- (b) *a copy of the local law may be inspected or obtained at any place specified in the notice; and*
- (c) *submissions about the local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given.*

(2a) *A notice under subsection (2) is also to be published and exhibited as if it were a local public notice.*

(3) *After the last day for submissions, the local government is to consider any submissions made and cause a report of the review to be prepared and submitted to its council.*

(4) *When its council has considered the report, the local government may determine* whether or not it considers that the local law should be repealed or amended.*

** Absolute majority required."*

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

COMMENT

The Committee has advised the MRC of textual errors in the Principal Local Law as it was presented and requested that they be addressed. To amend the text of a Local Law requires the same process as if a new Local Law was being developed. Therefore it is recommended that the Council endorses the changes to the local law and confirm its purpose and effect and authorise that the Principal Local Law as amended be advertised Statewide as required by s.3.12 (3) of the *Local Government Act 1995*.

VOTING REQUIREMENT

Simple Majority

RESPONSIBLE OFFICER RECOMMENDATION

That:

1. The Council endorses the Mindarie Regional Council Waste Facility Site Amendment Local Law 2012 including its “purpose” and “effect”;
2. The Council authorises the Waste Facility Site Amendment Local Law detailed in (1) above to be advertised in accordance with section 3.12(3) of the Local Government Act 1995.

RESOLVED

Cr Hollywood moved, Cr Newton seconded

That the recommendation be adopted

CARRIED UNANIMOUSLY (10/0)

ITEM 10.3	FINANCIAL STATEMENTS FOR THE PERIODS ENDED 31 MAY 2012 AND 30 JUNE 2012
File No:	FIN/5-02
Appendix(s):	Appendix 3 Appendix 4 Appendix 5
Date:	30 July 2012
Responsible Officer:	Gunther Hoppe

SUMMARY

The purpose of this report is to provide financial reporting in line with statutory requirements which provides useful information to stakeholders of the Council.

BACKGROUND

Reporting requirements are defined by Financial Management Regulations 34 of the Local Government (Financial Management) Regulations 1996.

The financial statements presented for each month consist of:

- Operating Statement by Nature – Combined
- Operating Statement by Nature – RRF Only
- Operating Statement by Function
- Statement of Financial Activity
- Statement of Reserves
- Statement of Financial Position
- Statement of Investing Activities
- Information on Borrowings
- Tonnage Report

DETAIL

The Financial Statements attached are for the months ended 31 May 2012 and 30 June 2012 are attached at **Appendix 3 and 4** to this Item. The Tonnage Report for the 12 months to 30 June 2012 is attached at **Appendix 5**.

The complete suite of Financial Statements which includes the Operating Statements, Statement of Financial Position, Statement of Financial Activity and other related information are reported on a monthly basis.

These Statements includes:

- Accruals
- Provisions for Amortisation of Cell Development, Capping and Post Closure expenditure

to provide meaningful reporting to Stakeholders.

The estimates for Provisions for Amortisation of Cell Development, Capping and Post Closure expenditure are based on the estimated rates per tonne calculated with reference to estimated excavation cost of various stages of the landfill and the life of the landfill. An adjustment is made (if necessary) at the end of the year based on actual tonnages on a survey carried out to assess the “air space” remaining and other relevant information.

These adjustments have not yet been made in the 30 June 2012 financial statements attached to this report, but will be included in as part of the year end close and audit process.

Summary of results for the year

	Actual	Budget	Variance
	t	t	t
Tonnes – Members	246,013	242,235	3,778
Tonnes – Others	49,185	53,009	(3,824)
TOTAL TONNES	295,198	295,244	(46)
	\$	\$	\$
Revenue - Members	29,973,065	29,507,856	465,209
Revenue – Other	9,390,262	9,914,232	(524,970)
TOTAL REVENUE	39,363,327	39,423,088	(59,761)
Expenses	39,563,449	40,026,837	463,388
NET DEFICIT	(200,122)	(603,749)	403,627

VOTING REQUIREMENT

Simple Majority

RESPONSIBLE OFFICER RECOMMENDATION

That the Financial Statements set out in Appendix 3 and 4 for the months ended 31 May 2012 and 30 June 2012 be received.

RESOLVED

Cr Boothman moved, Cr Butler seconded

That the recommendation be adopted.

CARRIED UNANIMOUSLY (10/0)

ITEM 10.4	LIST OF PAYMENTS MADE FOR THE MONTHS ENDED 31 MAY 2012 AND 30 JUNE 2012
File No:	FIN/5-02
Appendix(s):	Appendix 6 Appendix 7
Date:	30 July 2012
Responsible Officer:	Gunther Hoppe

SUMMARY

The purpose of this report is to provide details of payments made during the periods identified. This is in line with the requirement under delegated authority to the Chief Executive Officer, that a list of payments made from the Municipal Fund, since the last Ordinary Council meeting be presented to Council.

COMMENT

The lists of payments for the months ended 31 May 2012 and 30 June 2012 are at **Appendix 6 and 7** to this Item and are presented to Council for noting. Payments have been made in accordance with the delegated authority to CEO that allows payments to be made between meetings. At the Ordinary Council Meeting held on 13 October 2011, the Council delegated to the Chief Executive Officer the exercise of its power to make payments from the Municipal Fund. In order to satisfy the requirements of Clause 13(2) of the Local Government (Financial Management) Regulations, a list of payments made must be submitted to the next Council meeting following such payments.

It should be noted that generally all payments are GST inclusive and Mindarie Regional Council is able to claim this tax as an input credit when remittance of GST collected is made each month to the ATO.

Months Ended	Account	Vouchers	Amount
31 May 2012	General Municipal	Cheques	\$163,741.42
		EFT	\$2,038,261.03
		DP	\$473,601.14
		Total	\$2,675,603.59
30 June 2012	General Municipal	Cheques	\$75,530.09
		EFT	\$2,707,514.19
		DP	\$366,511.89
		Total	\$3,149,556.17

VOTING REQUIREMENT

Simple Majority

RESPONSIBLE OFFICER RECOMMENDATION

That the list of payments made under delegated authority to the Chief Executive Officer, for the months ended 31 May 2012 and 30 June 2012 be noted.

RESOLVED

**Cr Hollywood moved, Cr Gray seconded
That the recommendation be adopted.**

CARRIED UNANIMOUSLY (10/0)

11 MEMBERS INFORMATION BULLETIN – ISSUE NO. 6
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RESPONSIBLE OFFICER RECOMMENDATION

That the Members Information Bulletin Issue No. 6 be received.

RESOLVED

Cr Cooke moved, Cr Gray Seconded

That the recommendation be adopted.

CARRIED UNANIMOUSLY (10/0)

12	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN
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Nil

13	URGENT BUSINESS
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Nil

14	QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN
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Nil

15 MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC
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ITEM 15.1	RESOURCE RECOVERY FACILITY – REQUEST FOR RELOCATION OF ADJOINING TENANT
File No:	WST/118
Appendix(s):	Nil
Date:	1 August 2012
Responsible Officer:	CEO

Report Withdrawn

16	NEXT MEETING
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Next meeting to be held on Thursday 25 October 2012 in the Council Chambers at City of Perth commencing at 5.30pm.

17	CLOSURE
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The Chairman closed the meeting at 5.38pm and thanked the City of Vincent for their hospitality and the use of their meeting facilities.

These Minutes were confirmed by the Council as a true and accurate record of the Ordinary Meeting of the Council held on 23 August 2012.

Signed Chairman

Dated this day of 2012



WALGA

North Metropolitan Zone Minutes

30 August 2012



North Metropolitan Zone WALGA

Hosted by the City of Wanneroo
23 Dundobar Road WANNEROO Phone: 9405 5000
Thursday 30 August 2012 - Commenced at 6:00 pm

Minutes

MEMBERS

4 Voting Delegates from each Member Council

City of Joondalup	Cr Russ Fishwick Cr Mike Norman Cr Christine Hamilton-Prime Mr Jamie Parry, Director Governance and Strategy – non-voting delegate
City of Stirling	Mayor David Boothman Cr Bill Stewart Cr David Michael Mr Stuart Jardine, Chief Executive Officer Mr Aaron Bowman, Manager Governance & Council Support – non-voting delegate
City of Wanneroo	Mayor Tracey Roberts- Chair Cr Stuart Mackenzie – Deputy Chair Cr Frank Cvitan Cr Rudi Steffens
WALGA Representatives	Mayor Troy Pickard, WALGA President Ms Karen Barlow, Environment Policy Manager
DLG Representative	Mr Mark Glasson, Executive Director Strategic Policy & LG Reform
Guest Speakers	Ms Lynn MacLaren MLC Member for South Metropolitan Region

APOLOGIES

City of Joondalup	Cr Geoff Amphlett JP Mr Garry Hunt, Chief Executive Officer – non-voting delegate
City of Wanneroo	Cr Diane Guise Mr Daniel Simms, Chief Executive Officer – non-voting delegate
City of Stirling	Cr Giovanni Italiano JP

ANNOUNCEMENTS

Confirmation of Attendance: an attendance sheet was circulated prior to the commencement of the meeting to register your name for the Minutes.

ATTACHMENTS

1. Minutes of previous meeting
2. Zone Status Report
3. Standing Orders
4. President's Report

1. DEPUTATIONS

1.1 Climate Change Readiness (Coastal Planning and Protection) Bill 2012

Ms Lynn MacLaren MLC Member for South Metropolitan Region presented on the Climate Change Readiness (Coastal Planning and Protection) Bill 2012.

Information was attached with the Agenda.

Noted

WALGA President Mayor Troy Pickard arrived at the meeting at 6.25pm.

2. CONFIRMATION OF MINUTES

RESOLUTION

That the Minutes of the meeting of the North Metropolitan Zone held on 26 April 2012 be confirmed as a true and accurate record of the proceedings. No meeting was held during June 2012.

Moved Cr Christine Hamilton-Prime Seconded Cr Stuart Mackenzie

CARRIED

3. DECLARATION OF INTEREST

Pursuant to our Code of Conduct, Councillors must declare to the Chairman any potential conflict of interest they have in a matter before the Zone as soon as they become aware of it. Councillors and deputies may be directly or indirectly associated with some recommendations of the Zone and State Council. If you are affected by these recommendations, please excuse yourself from the meeting and do not participate in deliberations.

Cr Michael, declared an interest in item 1.1 as he is employed by the Shadow Minister for Planning.

4. BUSINESS ARISING

Nil

5. REPORTS FROM MEMBER COUNCILS

Nil

6. STATE COUNCIL AGENDA - MATTERS FOR DECISION

(Zone delegates to consider the Matters for Decision contained in the WA Local Government Association State Council Agenda and put forward resolutions to Zone Representatives on State Council)

RESOLUTION

That the North Metropolitan Zone endorse 'en-bloc' all items within the September 2012 State Council Agenda.

Moved Cr Christine Hamilton-Prime Seconded Cr Stuart Mackenzie

CARRIED

7. EXECUTIVE REPORTS

7.1 President's Report to the Zone

The WALGA President, Mayor Troy Pickard, presented his President's Report which was distributed with the Agenda. Mayor Pickard highlighted positive feedback from the Local Government Convention and provide a brief précis of WALGA's strategies for the forthcoming State Election.

Noted

RESOLUTION

That the North Metropolitan Zone members extend their thanks to WALGA CEO Ricky Burges and staff for the successful running of the Local Government Convention 2012.

Moved Mayor Tracey Roberts Seconded Mayor David Boothman.

CARRIED

7.2 State Councillor's report to the Zone

WALGA State Council matters were covered in Mayor Pickard's report.

Noted

7.3 Department of Local Government Representative Update Report.

Mr Mark Glasson presented the Director General's Update Report to the meeting.

Noted

8.1 Proposed Meeting Dates for 2013 – North Metropolitan Zone

By Margaret Degebrodt Zone Executive Officer

A schedule of the proposed meeting dates for the North Metropolitan Zone 2013 has been prepared and is set out below. The dates have been set to coincide with the WALGA State Council meetings.

Please note that Thursday 25 April is Anzac Day and a Public Holiday, suggested dates for the April meeting are Thursday 18 April or Wednesday 24 April.

The proposed meeting dates for the North Metropolitan Zone for 2013 require adoption by delegates. As with previous years, the venue for each meeting has been rotated amongst Member Local Governments.

PROPOSED NOTICE OF MEETINGS
NORTH METROPOLITAN ZONE MEETING
2013

Meeting Dates Thursday	Time	HOST COUNCIL	State Council Meeting Date 2013
28 February	Thursday 6.00 pm	Joondalup	6 March
Thurs 18 April	Thursday 6.00 pm	Wanneroo	1 May (Regional TBC)
27 June	Thursday 6.00 pm	Stirling	3 July
29 August	Thursday 6.00 pm	Joondalup	4 September
28 November	Thursday 6.00 pm	Wanneroo	4 December

RESOLUTION

That the 2013 proposed schedule of meetings for the North Metropolitan Zone be adopted, noting that the second meeting of the year will be held 18 April 2013.

Moved Cr Frank Cvitan Seconded Cr Bill Stewart.

CARRIED

9. OTHER BUSINESS

Nil

10. DATE, TIME AND PLACE OF NEXT MEETING

RESOLVED

That the next ordinary meeting of the North Metropolitan Zone be held on Thursday 29 November at the City of Stirling commencing at 6pm.

11. CLOSURE

There being no further business the Chair declared the meeting closed at 7:10pm.