



CITY OF VINCENT

AGENDA

Special Council Meeting

24 October 2023

Time: 6.00pm
**Location: E-Meeting and at the Administration
and Civic Centre,
244 Vincent Street, Leederville**

**David MacLennan
Chief Executive Officer**

DISCLAIMER

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PROCEDURE FOR PUBLIC QUESTION TIME

The City's Council Briefings, Ordinary Council Meetings, Special Council Meetings and Committee Meetings are held in the Council Chamber located upstairs in the City of Vincent Administration and Civic Centre. Meetings are also held electronically (as eMeetings), and live streamed so you can continue to watch our meetings and briefings online at <https://www.vincent.wa.gov.au/council-meetings/livestream>

Public Questions will be strictly limited to three (3) minutes per person.

The following conditions apply to public questions and statements:

1. Members of the public present at Council Briefings will have an opportunity to ask questions or make statements during public question time. Questions and statements at Council Briefings must relate to a report contained in the agenda.
2. Members of the public present at Council Meetings, Special Council Meeting or Committee Meeting have an opportunity to ask questions or make statements during public question time in accordance with section 2.19(4) of the City's [Meeting Procedures Local Law](#).
3. Questions asked at an Ordinary Council Meeting must relate to a matter that affects the City of Vincent.
4. Questions asked at a Special Council Meeting or Committee Meeting must relate to the purpose for which the meeting has been called.
5. Written statements will be circulated to Elected Members and will not be read out unless specifically requested by the Presiding Member prior to the commencement of the meeting.
6. Where in-person meetings are not permitted due to a direction issued under the *Public Health Act 2016* or the *Emergency Management Act 2005* questions and/or statements may be submitted in writing and emailed to governance@vincent.wa.gov.au by 3pm on the day of the Council proceeding. Please include your full name and suburb in your email.
7. Shortly after the commencement of the meeting, the Presiding Member will ask members of the public to come forward to address the Council and to give their name and the suburb in which they reside or, where a member of the public is representing the interests of a business, the suburb in which that business is located and Agenda Item number (if known).
8. Questions/statements are to be made politely in good faith and are not to be framed in such a way as to reflect adversely or be defamatory on an Elected Member or City Employee.
9. Where practicable, responses to questions will be provided at the meeting. Where the information is not available or the question cannot be answered, it will be "taken on notice" and a written response will be sent by the Chief Executive Officer to the person asking the question. A copy of the reply will be included in the Agenda of the next Ordinary meeting of the Council.
10. It is not intended that public speaking time should be used as a means to obtain information that would not be made available if it was sought from the City's records under Section 5.94 of the *Local Government Act 1995* or the *Freedom of Information Act 1992* (FOI Act). The CEO will advise the member of the public that the information may be sought in accordance with the FOI Act.

For further information, please view the [Council Proceedings Guidelines](#).

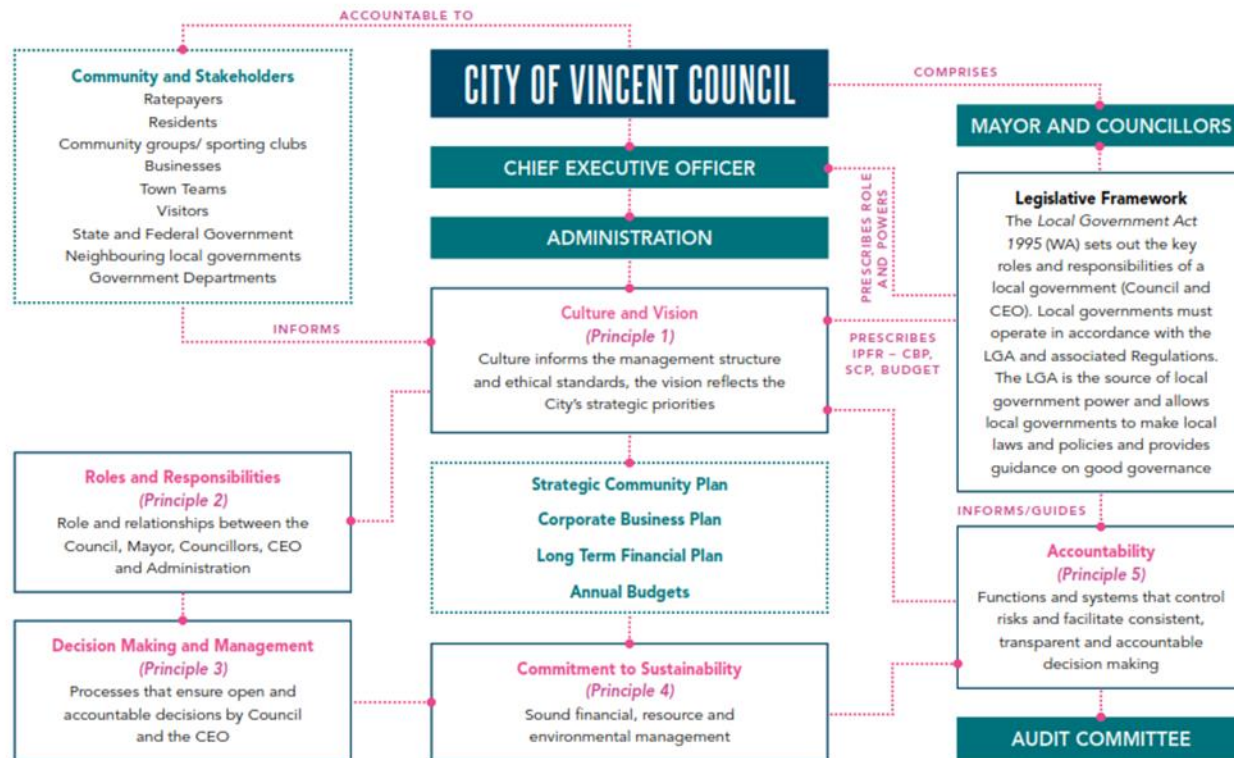
RECORDING AND WEBSTREAMING OF COUNCIL MEETINGS

- All Council proceedings are recorded and livestreamed in accordance with the [Council Proceedings - Recording and Web Streaming Policy](#).
- All recordings are retained as part of the City's records in accordance with the State Records Act 2000.
- All livestreams can be accessed at <https://www.vincent.wa.gov.au/council-meetings/livestream>
- All live stream recordings can be accessed on demand at <https://www.vincent.wa.gov.au/council-meetings>
- Images of the public gallery are not included in the webcast, however the voices of people in attendance may be captured and streamed.
- If you have any issues or concerns with the live streaming of meetings, please contact the City's Governance Team on 08 9273 6500.

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CITY OF VINCENT GOVERNANCE FRAMEWORK 2020 OVERVIEW



COMMUNITY PRIORITIES AND OUTCOMES WE WILL STRIVE TO ACHIEVE



ENHANCED ENVIRONMENT

- Our parks and reserves are maintained, enhanced and are accessible for all members of the community.
- Our urban forest/canopy is maintained and increased.
- We have improved resource efficiency and waste management.
- We have minimised our impact on the environment.
- Power lines are undergrounded.



CONNECTED & HEALTHY COMMUNITY

- Connected & healthy community
- We have enhanced opportunities for our community to build relationships and connections with each other and the City
- Our many cultures are celebrated
- We recognise, engage and partner with the Whadjuk Noongar people and culture
- Our community facilities and spaces are well known and well used
- We are an inclusive, accessible and equitable City for all



SENSITIVE DESIGN

- Our built form is attractive and diverse, in line with our growing and changing community.
- Our built form character and heritage is protected and enhanced.
- Our planning framework supports quality design, sustainable urban built form and is responsive to our community and local context.
- More people living in, working in, or enjoying our town centres.



ACCESSIBLE CITY

- Our pedestrian and cyclist networks are well designed, connected, accessible and encourage increased use.
- We have better integrated all modes of transport and increased services through the City.
- We have embraced emerging transport technologies.



THRIVING PLACES

- We are recognised as a City that supports local and small business.
- Our town centres and gathering spaces are safe, easy to use and attractive places where pedestrians have priority.
- We encourage innovation in business, social enterprise and imaginative uses of space, both public and private.
- Efficiently managed and maintained City assets in the public realm.
- Art, history and our community's living cultures are evident in the public realm.



INNOVATIVE AND ACCOUNTABLE

- We deliver our services, projects and programs in the most inclusive, efficient, effective and sustainable way possible.
- We engage with our community so they are involved in what we are doing and how we are meeting our goals.
- Our decision-making process is consistent and transparent, and decisions are aligned to our strategic direction.
- We embrace good ideas or innovative approaches to our work to get better outcomes for the City and our community.

THESE PRIORITIES AND OUTCOMES WILL BE MET THROUGH THE DELIVERY OF COUNCIL ADOPTED STRATEGIES, PLANS, PROGRAMS, AND POLICIES.

- 1 DECLARATION OF OPENING / ACKNOWLEDGEMENT OF COUNTRY**
"The City of Vincent would like to acknowledge the Traditional Owners of the land, the Whadjuk people of the Noongar nation and pay our respects to Elders past and present".

- 2 APOLOGIES / MEMBERS ON LEAVE OF ABSENCE**

Nil

- 3 (A) PUBLIC QUESTION TIME AND RECEIVING OF PUBLIC STATEMENTS**

- 4 DECLARATIONS OF INTEREST**

5 CHIEF EXECUTIVE OFFICER

5.1 ELECTION OF DEPUTY MAYOR

- Attachments:
1. **Nomination Form - Deputy Mayor**  
 2. **Form 7 - Declaration by Elected Member of Council**  

RECOMMENDATION:

That Council elects Cr as Deputy Mayor for a term expiring at the start of the first meeting of Council following the next ordinary local government election.

PURPOSE OF REPORT:

For the Council to consider nominations and election of the Deputy Mayor.

BACKGROUND:

Schedule 2.3, Division 2 of the *Local Government Act 1995* (Act) requires the office of Deputy Mayor to be filled as the first item of business at the first Council meeting following an ordinary local government election. The appointment is for a two year term, expiring at the start of the first meeting of Council following the next ordinary local government election.

DETAILS:

In accordance with schedule 2.3 of the Act the Mayor has determined that the following procedures will apply to the election of the Deputy Mayor:

1. The Mayor will invite nominations from the Councillors for the position of Deputy Mayor.
2. Nominations must be in writing, in the form at **Attachment 1** (CI 8 (3)).
3. If a Councillor is nominated by another Councillor the Mayor will not accept the nomination unless the nominee has advised the Mayor, orally or in writing, that he or she is willing to be nominated for the office (CI 8 (4)).
4. The Mayor will declare nominations closed after a reasonable period of time for such nominations to be made, and accepted (where relevant) (CI 8 (3a)).
5. Where there is more than 1 nomination, the Mayor will invite each candidate to address Council in support of their nomination, for a maximum of 3 minutes.
6. Where there is more than 1 nomination, the Mayor will direct the CEO to conduct the secret ballot in accordance with Sch 4.1 of the Act - this means that ballots will be cast in secret but the result disclosed by the CEO.
7. The CEO will draw lots to determine positions on the ballot paper.
8. The CEO and Executive Manager Corporate Strategy and Governance will count the ballot papers to determine the result.
9. If there is an equality of votes between 2 or more candidates who are the only candidates in, or remaining in, the count, the count is to be discontinued and, not more than 7 days later, a special meeting of the council is to be held. (CI 9).
10. Any nomination for the office may be withdrawn, and further nominations may be made, before or when the special meeting is held. When the meeting resumes the process set out in 1. – 8. above will be repeated.

11. In the event of a further tied vote then pursuant to clause 5 of schedule 4.1, the CEO will place the names of the tied candidates in a receptacle and draw out a name which is to be declared elected to the position of Deputy Mayor.
12. The Mayor is to declare the result of the election at the meeting, which is to include the names of the candidates, the number of votes received by each candidate, and the name and term of office of the candidate declared elected. (r. 11F *Local Government (Constitution) Regulations 1996*).
13. Local public notice of the result of the election is to be given and the result provided to the Minister for Local Government. (r. 11F and 11FA).

The position of Deputy Mayor has no specific statutory role or responsibility beyond those of a Councillor. Section 5.34 of the Act provides that the Deputy Mayor is to perform the functions of the Mayor when the office of the Mayor is vacant or the Mayor is unable or unwilling to perform the function of the Mayor.

CONSULTATION/ADVERTISING:

Nil.

LEGAL/POLICY:

Section 2.15 of the Act provides that the Deputy Mayor is to be elected by the Council under Schedule 2.3, Division 2.

Section 2.28 of the Act provides the term of office for Deputy Mayor.

Section 2.29 of the Act requires the person elected by the Council as Mayor, President, Deputy Mayor or Deputy President has to make a declaration in the prescribed form before acting in the office.

Part 3 of the Local Government (Constitution) Regulations 1996 provides the procedure to be undertaken when conducting an election for the officer of Deputy Mayor.

The Act outlines the role of the Mayor as:

- (a) presides at meetings in accordance with this Act;
- (b) provides leadership and guidance to the community in the district;
- (c) carries out civic and ceremonial duties on behalf of the local government;
- (d) speaks on behalf of the local government;
- (e) performs such other functions as are given to the mayor or president by this Act or any other written law; and
- (f) liaises with the CEO on the local government's affairs and the performance of its functions.

The City's Policy 'Council Members – Allowances, Fees and Reimbursements of Expenses' provides that the City will pay the Deputy Mayor an annual allowance equivalent to 25 percent (maximum allowed is 25 percent) of the Mayoral Allowance, in addition to their ordinary Council Member allowance (Section 5.98A, Regulation 33A of the *Local Government (Administration) Regulations 1996*).

RISK MANAGEMENT IMPLICATIONS:

Low: Electing a Deputy Mayor is in accordance with the Act.

STRATEGIC IMPLICATIONS:

This is in keeping with the City's *Strategic Community Plan 2018-2028*:

Innovative and Accountable

We are open and accountable to an engaged community.

SUSTAINABILITY IMPLICATIONS:

This does not contribute to any environmental sustainability outcomes. This action/activity is environmentally neutral.

FINANCIAL/BUDGET IMPLICATIONS:

The Deputy Mayor is paid an allowance of \$16,478. This amount is included within the 2023/24 operating budget.

COMMENTS:

A person elected by the Council as Deputy Mayor has to make a declaration in the prescribed form pursuant to sections 2.29(1) and (3) of the Act (at **Attachment 2**) before acting in the office. Following the announcement of the result of the election of the Deputy Mayor, the successful nominee will be invited to make a declaration before the Mayor.



CITY OF VINCENT

NOMINATION FORM

I hereby nominate _____

for the position of Deputy Mayor.

Name: _____

Signature: _____

Date: _____

ACCEPTANCE OF NOMINATION

Name of nominee: _____

I hereby accept the nomination made by: _____

for the position of Deputy Mayor.

Signature: _____

Date: _____



CITY OF VINCENT
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Form 7.

Declaration by elected member of council [r.13(1(c))]

Local Government Act 1995

Local Government (Constitution) Regulations 1998

DECLARATION BY ELECTED MEMBER

I,

Of

having been elected to the office of **Councillor** of the City of Vincent, declare that I take the office upon myself and will duly, faithfully, honestly, and with integrity, fulfil the duties of the office for the people in the district according to the best of my judgement and ability, and will observe the code of conduct adopted by the City of Vincent under section 5.104 of the *Local Government Act 1995*.

Declared at 244 Vincent Street, Leederville on Tuesday 24 October 2023.

Signature

Before me _____

David MacLennan, CEO

(A duly authorised person under the Oaths, Affidavits and Statutory Declarations Act 2005)

12.2 APPOINTMENT OF THE WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION (WALGA) - CENTRAL METROPOLITAN ZONE - COUNCIL REPRESENTATIVES

Attachments: Nil

RECOMMENDATION:

That Council **APPOINTS** the following Elected Members to represent the City of Vincent on the Western Australian Local Government Association (WALGA) – Central Metropolitan Zone and as voting delegates/proxy delegates for WALGA Annual General Meetings for the term 24 October 2023 to the next ordinary local government election, being 18 October 2025:

Members/Voting Delegate:	Deputies/Proxies:
1.;	1.;
2.;	2.;

PURPOSE OF REPORT:

To appoint the City's representatives on the Western Australian Local Government Association (WALGA) – Central Metropolitan Zone (Zone) and as voting delegate and proxy delegates for the WALGA Annual General Meetings.

BACKGROUND:

WALGA, at its meeting on [24 August 2023](#), resolved that Member Council's delegates and deputy delegates are to be appointed and confirmed with the Zone Executive Officer by 3 November 2023. The role of the City's delegates is to ensure the City's strategic position and policies are reflected at the Zone meetings, and report back to Council on decisions made by the Zone.

Zones have an integral role in shaping the political and strategic direction of WALGA. Not only are Zones responsible for bringing relevant local and regional issues to the State decision making table, they are a key player in developing policy and legislative initiatives for Local Government. WALGA's Constitution outlines that the functions of Zones are to:

- Elect one or more State Councillors;
- Consider the State Council agenda;
- Provide direction and feedback to their State Councillor; and
- Any other function deemed appropriate by the Zone.

Additional activities undertaken by Zones include:

- Developing and advocating on positions on regional issues affecting Local Government;
- Progressing regional Local Government initiatives;
- Identifying relevant issues for action by WALGA;
- Networking and information sharing; and
- Contributing to policy development through policy forums and other channels.

Zones provide input into the State Council's advocacy agenda by passing resolutions on items contained in the State Council agenda and by generating new agenda items for consideration by State Council.

Nominated Member represents the City at WALGA's Annual General Meeting in August each year with the City of Vincent required to nominate two voting delegates and two proxy delegates (should a voting delegate be unavailable). It is recommended that the Zone delegates (and deputies) be appointed as the voting delegates accordingly.

The process for appointing new Zone Delegates and State Councillors is as follows:

- Local Government elections occur on Saturday, 21 October.
- Member Councils to elect / appoint their Zone Delegates and to advise WALGA as soon as possible but preferably by 9:00am on Friday, 3 November.
- Zones to meet in November and elect their State Council representatives and deputy representatives.
- Zones to advise WALGA of their elected State Council representative(s) and deputy representative(s) immediately following the November Zone meeting.
- An Induction Session will be held for all incoming State Councillors and Deputy State Councillors on Thursday, 30 November at the WALGA offices in West Leederville.
- The new State Council will take office at the Ordinary Meeting of State Council on Wednesday, 6 December.
- The positions of President and Deputy President of WALGA will be elected at the Ordinary Meeting of State Council on Wednesday, 6 March 2024.

DETAILS:

The Central Metropolitan WALGA Zone comprises Perth, Vincent, Subiaco, Nedlands, Cambridge, Claremont, Cottesloe, Peppermint Grove and Mosman Park.

Key details are listed below.

Location of Meetings:	Local Governments in the Central Metropolitan Zone on a rotation basis
Time of Meetings:	6:00pm
Meeting Occurrence:	Bi-monthly (or six weekly)
Day of Meetings:	Thursday
No. of Meetings held in 2012-2023 period:	7 meetings
Responsible Liaison Officer:	Chief Executive Officer
Purpose of Appointment:	To represent the City on the Western Australian Local Government Association – Central Metropolitan Zone
Other Membership:	Representatives from Central Metropolitan Zone Councils Chief Executive Officer (non-voting)
Previous Council Members	Members: Cr Wallace and Cr Hallett
Member Sitting Fees:	Nil.

The [Elected Member Prospectus](#) provides information on the role of Zones and State Council.

CONSULTATION/ADVERTISING:

Nil.

LEGAL/POLICY:

WALGA's constitution outlines the role of the Zones and state Council.

RISK MANAGEMENT IMPLICATIONS:

Low: Appointing delegates to the Zone allows the City of Vincent to participate in decision making at the regional and state level.

12.3 APPOINTMENT OF MINDARIE REGIONAL COUNCIL AND CATALINA REGIONAL COUNCIL REPRESENTATIVES

Attachments: Nil

RECOMMENDATION:

That Council:

1. **APPOINTS the following Elected Member to represent the City of Vincent on the Mindarie Regional Council for the term 24 October 2023 to the next ordinary local government election, being 18 October 2025:**

Member:

1.;

2. **APPOINTS the following Elected Members to represent the City of Vincent on the Catalina Regional Council for the term 24 October 2023 to the next ordinary local government election, being 18 October 2025:**

Member:

1.;

Alternative Member:

1.;

PURPOSE OF REPORT:

To appoint the City's representatives on the Mindarie Regional Council (MRC) and Catalina Regional Council (CRC). As of the 1 August 2023 Tamala Park Regional Council became the Catalina Regional Council.

BACKGROUND:

The MRC and CRC comprise of representatives of the seven local government owner Councils. The establishment agreements of the MRC and CRC provide that the membership is to align with the local government election cycle. The City's current representative for the MRC is Cr Castle and the representative on the CRC is Cr Wallace.

The establishment agreement for the CRC allows an alternative member to also be appointed. Cr Hallett has been appointed as the alternative member.

The establishment agreement for the MRC requires Council to appoint an alternative member each time the representative is unable to attend.

DETAILS:

The key details of the MRC are as follows:

Location of Meetings:	Member Councils on a rotation basis
Time of Meetings:	6:30pm
Meeting Occurrence:	Bi-monthly
Day of Meetings:	Last Thursday of Month (approx.):
Dates of Meetings for 2023:	23 February, 27 April, 1 June, 13 July, 21 September, 30 November, 14 December
No. of Meetings in 2023:	8 Meetings (including 1 Special Meeting)
Responsible Liaison Officer:	Chief Executive Officer
Purpose of Council:	To make decisions concerning Waste Management, including the landfill disposal site at Tamala Park
<u>Member Sitting Fees:</u>	<ul style="list-style-type: none"> • \$10,990 per annum • \$1,040 for Information Technology allowance • \$0 per meeting for Alternate Member

Note: Child Care and Travel costs will be reimbursed in accordance with Reg. 31 and 32 of the Local Government (Administration) Regulations 1996

More detailed information about [Mindarie Regional Council](#) can be found on its website.

The key details of the CRC are as follows:

Location of Meetings:	Member Councils on a rotation basis
Time of Meetings:	6:00pm
Meeting Occurrence:	Bi-monthly
Day of Meetings:	Thursday
Dates of Meetings for 2023 (tbc):	<p><u>Council Meetings:</u></p> <p>16 February, 20 April, 22 June, 17 August, 19 October, 7 December</p> <p><u>Management Committee Meetings:</u></p> <ul style="list-style-type: none"> • <i>Management Committee:</i> alternate bi-monthly (5 per year): 16 March, 18 May, 20 July
No. of Meetings held in 2023 Period:	6 Meetings
Responsible Liaison Officer:	Chief Executive Officer
Purpose of Council:	To make decisions concerning the Tamala Park land and its redevelopment.
<u>Members Sitting Fees</u>	<ul style="list-style-type: none"> • \$10,824 per annum • \$0 per meeting for Alternate Member (as per SAT decision)

More detailed information about [Catalina Regional Council](#) can be found on its website.

CONSULTATION/ADVERTISING:

Nil.

LEGAL/POLICY:

Division 4 of the *Local Government Act 1995* sets out the requirements for forming a regional Council.

It is a requirement of the MRC Establishment Agreement that Council carries a specific resolution to nominate an Alternate Member for each occasion that the approved Member is unable to act.

RISK MANAGEMENT IMPLICATIONS:

Low: Appointing representatives to the MRC and CRC is in accordance with their respective establishment agreements and allows the City to participate in the regional council's decision making.

FINANCIAL/BUDGET IMPLICATIONS:

There are no budget implications for the City in respect to appointing members to Regional Councils. Council members receive allowances as detailed above, paid by the respective regional council.

6 CLOSURE