



MINUTES OF A HEALTH & GENERAL PURPOSES COMMITTEE MEETING, HELD IN THE UPSTAIRS MEETING AREA, ON THURSDAY 5 APRIL 2001, COMMENCING AT 6.45PM.

H28. OPENING OF MEETING

H28.1 Present

Cr D Hogg	Presiding Member
Mr A Smith	Mayor
Cr E Lovell	
Mr V Andrich	Principal Environmental Health Officer

H29. WELCOME TO GALLERY

There were no members of the public in the gallery at the commencement of the meeting.

H30. APOLOGIES

Nil

H31. PRESENTATIONS/DEPUTATIONS/PETITIONS

Nil.

H32. PUBLIC QUESTION TIME

Nil.

H33. CONFIRMATION OF MINUTES

H33.1 Health & General Purposes Committee – 8 March 2001

RECOMMENDATION TO COUNCIL

Cr Hogg – Cr Lovell

That the Minutes of the Health & General Purposes Committee Meeting held on 8 March 2001 as adopted at the Council meeting held on 20 March 2001. CARRIED

H34. CORRESPONDENCE (LATE RELATING TO ITEMS IN AGENDA)

Nil.

H35. REPORTS OF COMMITTEES

Nil.

H36. REPORTS OF OFFICERS

H36.1 Receipt of Reports

Cr Hogg – Cr Lovell

That the Reports of Officers be received.

CARRIED

H36.2 Amendment to Establishment Agreement – Regional Purpose CCP

H/HCP1

Vic Andrich, Principal Environmental Health Officer on 30 March 2001

PURPOSE

To seek Council agreement on amending the Southern Metropolitan Regional Council's (SMRC) Establishment Agreement "Regional Purposes" to include the following provision "To plan, coordinate and implement Greenhouse Gas Reduction Programs".

BACKGROUND



Section 3.66(2) of the Local Government Act 1995 states that Regional Councils can only do things that are within its purpose for being established.



Clause 4 of the SMRC's Establishment Agreement refers to the Regional Purposes for which the Regional Local Government is established to undertake;

- a) To plan, coordinate and implement the removal, processing, treatment and disposal of waste for the benefit of the communities of the Participants;
- b) To influence local, state and federal governments in the development of regional waste management policies and legislation.
- c) To undertake the South West Group Project.

Description of Proposal

It is proposed to include a new sub-clause (d) in Clause 4 of the Establishment Agreement as follows:

- d) To plan, coordinate and implement Greenhouse Gas Reduction Programs.*

Any Relevant Previous Decisions of Council and/or History of an Issue or Site.

The SMRC has assisted member Councils administratively with CCP over the past two years and has received contribution funding from member Councils towards this assistance. The proposal to provide a regional CCP co-ordination function will now require a formal agreement of all member Councils to amend the Establishment Agreement.

REPORT

Introduction/Comments

The intent of the Regional Cities for Climate protection Coordination Project Business Plan (adopted by Council at the March meeting) was to gauge the views of member Councils interested in participating in a regional resource-sharing project undertaken by the SMRC.

It was reported and included in the Business Plan that it would be necessary to amend the Regional Council's Establishment Agreement to include in its 'Regional Purpose' the proposed Regional CCP Coordination Function should a majority of member Councils support the project.

Issues

The procedure for adopting a new project and amending the regional purpose briefly includes the:

SMRC adopting the Business Plan and providing a copy of the Plan to each member.

- A decision by each member council to participate or not,
- An amendment to the SMRC's establishment agreement to include within its regional purposes for which the Regional Local Government is established to undertake the responsibilities of the project (if resolved by SMRC and each of the member Councils and subject to the project proceeding),
- SMRC's solicitor to draft Deed of Variation of the Establishment Agreement to be resolved and executed by each member Council,
- Amended Establishment Agreement to be approved by Minister for Local Government, and
- the establishment of a project participants agreement for the project. (if project is proceeded with).



Consultation

The SMRC has held discussions with member Council's CCP officers in relation to the coordination role.

Statutory Requirements

Nil.

Relevant Council Policies

Nil.

Principal Activity Plan Implications

Nil.

Strategic Plan Implications

This item is consistent with Goal 4: Environmental Management - Strategy 4.2 *Energy Efficiency and Environmental Pollution Control* under Council's Strategic Plan.

Financial/Resource/Budget Implications

Nil.

Options and Implications

Should the SMRC not resolve to amend its regional purpose then the project cannot proceed. The Business Plan already adopted by Council, was intended to gauge the views of the member Councils prior to formalising further legislative requirements on the basis that should the project not proceed there is no longer a requirement to amend the Establishment Agreement.

RECOMMENDATION(S)

That the Town of East Fremantle approve the following amendment to the Southern Metropolitan Regional Council Establishment Agreement to include within its regional purpose –

"To plan, coordinate and implement Greenhouse Gas Reduction Programs."

RECOMMENDATION TO COUNCIL

Mayor Smith - Cr Lovell

That the Town of East Fremantle approve the following amendment to the Southern Metropolitan Regional Council Establishment Agreement to include within its regional purpose –

"To plan, coordinate and implement Greenhouse Gas Reduction Programs."

CARRIED

H36.3

East Fremantle Art Awards 2001

H/CEF1

By Vic Andrich, Principal Environmental Health Officer

PURPOSE

To seek Council approval to proceed with the organisation of the East Fremantle Art Awards for 2001 including the immediate appointment of an Art Awards Coordinator (or equivalent).

BACKGROUND

Description of Proposal/Application/Submission

In order to facilitate the 2001 Art Awards being held in August/September arrangements must be commenced immediately to secure venues, sponsors, allow sufficient time for artists to be notified and to ensure forward planning of this event does not clash with other events arranged.



Any Relevant Previous Decisions of Council and/or History of an Issue or Site.

Nil.

REPORT

Introduction/Comments

Council at its March meeting approved the appointment of a Festival Coordinator as it was recognised that organisation of such events must be commenced early in order to properly plan and develop the event. The art award is no different.

Issues

The Art Awards relies on sponsors to assist with prize money. In order to attract sponsors and to seek other funding (grants) the coordination of the awards must commence immediately.

The Art Awards, like other community arts projects are under scrutiny as to their long term structure and appropriateness. The failure to appoint a long term community arts officer continues to facilitate a lack of direction in this area.

Statutory Requirements

Nil.

Relevant Council Policies

Nil.

Principal Activity Plan Implications

Nil.

Strategic Plan Implications

Nil.

Financial/Resource/Budget Implications

The role of an Art Awards coordinator may be incorporated into the East Fremantle Festival Coordinators position hence could be included within the current budget allocation for Community Arts Officer.

In relation to prize money, should sponsors not be forthcoming then Council would be expected to underwrite the amounts. If this occurred the estimated total cost to Council could be as high as \$7800.

Options and Implications

Council has the following options:

1. Do not appoint an Art Award coordinator (or equivalent) and not hold the Art Award for 2001 but postpone the Art Award until next year (2002). Effectively making for the Art Awards to be held every two years.
2. Cancel the Art Awards altogether and place it on the agenda for future consideration once a long term Community Arts Officer has been appointed.
3. Appoint an Art Award Coordinator for 80 hours up to June 30 2001 to enable the Art Awards arrangements to be commenced immediately. This role may be incorporated with the Festival Coordinator position, as local sponsors are the critical aspects for both events.

Discussion

The Art Awards has been very popular and Council has already received interest from artists as to when the applications are to be sent out. There is a general feel that the Art Awards should continue this year. The long term viability of the Art Awards should



be the subject of discussion once a long term community arts officer has been appointed.

Whatever Council decides, action must commence immediately in order to provide a clear direction for staff to follow.

Conclusion(s)

The previous Art Awards have been very successful in the past and with early planning there is no reason why it should not continue to be successful this year. Of concern will be the ability to attract sponsors from private businesses.

RECOMMENDATION(S)

That Council resolve to appoint an Art Award Coordinator (or equivalent) for 80 hours up to June 30 2001 to enable the Art Awards arrangements to be commenced immediately.

RECOMMENDATION TO COUNCIL

Mayor Smith – Cr Lovell

That:

- 1. Council resolve to appoint an Art Award Coordinator (or equivalent) for 80 hours up to June 30 2001 to enable the Art Awards arrangements to be commenced immediately**
- 2. consideration be given to holding the exhibition in Royal George Art & Community Centre**
- 3. Children’s Art Award be continued and possibly co-ordinated by the Royal George Art & Community Centre Artists (Inc) or equivalent.** CARRIED

H36.6

Legal Action on Infringements– Delegation of Authority

H/PRK1

By Vic Andrich, Principal Environmental Health Officer

PURPOSE

The purpose of this report is to seek Council approval to delegate authority to the Chief Executive Officer to commence legal action for unpaid infringements.

BACKGROUND

Description of Proposal/Application/Submission

Following the issue of an infringement, follow-up action in relation to unpaid fines can be taken in two ways:

1. Fines Enforcement Registry system (leading to disqualification of drivers licence rather than court action)
2. Court action (Initiated by Council leading of recovery of infringement and associated costs).

Any Relevant Previous Decisions of Council and/or History of an Issue or Site.

Nil.

REPORT

Introduction/Comments

An audit of the current system reveals that Council in the past has in the main relied upon the Fines Enforcement Registry system. This system was preferred as it did not require Council to attend Court. This was also considerably cheaper than following up through court by Council officers.

Issues

The main issue that has become relevant is that once the infringement is forwarded to fines Enforcement registry, Council tends to lose track of the infringement. Thus it is difficult to ascertain the final result of a referral unless the infringement is paid.



Recent auditing of the Fines Enforcement Registry has found that a number of infringements could not be followed up by them and have now expired. Meaning that Court action is no longer able.

Statutory Requirements

Nil.

Relevant Council Policies

Nil.

Principal Activity Plan Implications

Nil.

Strategic Plan Implications

Nil.

Financial/Resource/Budget Implications

The instigation of Court action will recover a number of unpaid infringements.

Options and Implications

In order to efficiently administer recovery action, delegated authority to the Chief Executive Officer has merit. The alternative is to refer each infringement to Council.

RECOMMENDATION(S)

That pursuant to section 5.42 of the Local Government Act 1995, Council delegates to the Chief Executive Officer the following powers/authority

- β The ordering and authorisation of legal proceedings for unpaid infringements issued by the Council in the administration of its duties.

RECOMMENDATION TO COUNCIL

Mayor Smith – Cr Lovell

That pursuant to section 5.42 of the Local Government Act 1995, Council delegates to the Chief Executive Officer the following powers/authority

- β **The ordering and authorisation of legal proceedings for unpaid infringements issued by the Council in the administration of its duties.**

CARRIED
ABSOLUTE MAJORITY REQUIRED

H37. DELEGATIONS OF AUTHORITY

H37.1 Delegations Endorsement

C/DEL1

BACKGROUND

Under the provisions of the Local Government Act, Officers who exercise delegated authority are required to advise Council of such action.

COMMENTS

The delegations as shown on the attachment have been exercised for **March 2001.**

ATTACHMENT

POLICY IMPLICATIONS

Nil.

BUDGET IMPLICATIONS

Nil.

RECOMMENDATION

That Council note the Officers' use of delegated authority for the period 1 March to 31 March 2001.



RECOMMENDATION TO COUNCIL

Mayor Smith – Cr Lovell

That Council note the Officers' use of delegated authority for the period 1 March to 31 March 2001. CARRIED

H38. REFERRED BUSINESS

Nil

H39. BUSINESS WITHOUT NOTICE BY PERMISSION OF THE MEETING

H39.1 *David Nelson, Bridging the Gap*

The Principal Environmental Health Officer advised the Committee that David Nelson from Bridging the Gap was seriously ill.

The Committee acknowledged David Nelson's efforts in respect to Bridging the Gap and wished him a speedy recovery.

H39.2 *Retirement of Mayor*

The Mayor thanked the Health & General Purposes Committee and staff for their efforts and wished everyone well for the future.

Cr Hogg thanked the Mayor for his service and support to the Health & General Purposes Committee. Cr Hogg advised he looked forward to the next 12 months.

There being no further business the meeting closed at 6.55pm

*I hereby certify that the Minutes of the meeting of the **Health & General Purposes Committee** of the Town of East Fremantle, held on **5 April 2001**, Minute Book reference **H28. to H39.2** were confirmed at the meeting of the Council on*

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Presiding Member