

City of Rockingham Council Policies

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Appointment of an Acting or Temporary Chief Executive Officer

Objective

To establish the processes for appointing an Acting Chief Executive Officer or Temporary Chief Executive Officer for periods of less than twelve months.

Scope

This policy applies to Council, the Chief Executive Officer (**CEO**) and Acting CEO or Temporary CEO of the City of Rockingham in accordance with section 5.39C of the *Local Government Act 1995 (Act)*.

For the purpose of this policy all Directors of the City are considered to be suitably qualified to act in the capacity of CEO.

Statement

The CEO is entitled to leave as provided in their contract of employment. It is important to ensure that a suitably qualified person is appointed to act in the capacity of the CEO in the following circumstances -

Short-term absence (for periods of five working days or less)

- An acting CEO will be appointed by the CEO, if required.
- For planned leave CEO will provide notification to Council Members. For unplanned leave the CEO will inform the Mayor.

Short-term absence (for periods of over five working days through to six weeks)

- An acting CEO/s will be appointed by the CEO.
- The CEO is to obtain support for leave from the Mayor and will provide notification to Council Members of the leave and the arrangements for an acting incumbent/s.

Medium-term absence (over six weeks to three months)

- An Acting CEO will be appointed by the CEO.
- The CEO will obtain consent from Council for leave and advise the arrangements for acting incumbent/s.

Long-term absence (over three months)

- The CEO will obtain consent from Council for leave and an Acting CEO will be appointed by Council.

Exceptional circumstances

- Where the CEO is absent and the CEO has not appointed an Acting CEO, the Director Corporate Services will assume the role for a period of up to one month, confirmed by the Mayor in writing.

Appointment of Temporary CEO – substantive vacancy:

- In the event the CEO's employment with the City is ending, Council may appoint a Temporary CEO.

- Council when determining to appoint a Temporary CEO, may either:
 - appoint a Director to be Temporary CEO until such time a new substantive CEO has commenced their employment with the City;
 - appoint multiple Directors as the Temporary CEO for a defined period, and until such time that a new substantive CEO has commenced their employment with the City;
 - appoint a Temporary CEO following an external recruitment process for a Temporary CEO in accordance with principles of merit and equity; or
 - appoint a Director to be an interim Temporary CEO until an external recruitment process for a Temporary CEO can be completed and their employment with the City as Temporary CEO has commenced.
- An appointment under this policy cannot exceed one year.

Acting CEO / Temporary CEO arrangements

- Acting and Temporary CEOs will be delegated the powers and be able to discharge the duties of the CEO, subject to any limitations imposed by the CEO or Council through an appointment under this policy.

Definitions

Act - means the *Local Government Act 1995*.

Acting CEO - means a person appointed to fulfil the statutory position of CEO during a period where the substantive CEO remains employed but is on planned or unplanned leave.

CEO - means the Chief Executive Officer of the City.

City - means the City of Rockingham.

Temporary CEO - means a person appointed to fulfil the statutory position of CEO for the period of time between the end of the substantive CEO's employment and the appointment and commencement of a newly appointed substantive CEO.

Legislation

Local Government Act 1995

Local Government (Administration) Regulations 1996

Other Relevant Procedures / Key Documents

Delegated (Local Government to CEO) Register – Appoint Acting Chief Executive Officer

Responsible Division

General Management Services

Review Date

August 2027

Council Adoption	27 April 2021 (GM-016/21)	Version	2
Amendment Dates	27 August 2024 (GM-015/24)	Document Number	D21/73740

Art Collection

Objective

To provide a framework for the acquisition and disposal of artwork for the City's Art Collection.

Scope

This Policy applies to all Moveable Art in the City's current and future collection, as well as Public Art on, or to be erected on, land under the care and control of the City.

This Policy does not apply to artworks which are commissioned, installed and maintained by private entities unless the works are to be ceded to the City.

Statement

The City's Art Collection must reflect Rockingham's diverse heritage and culture. The collection should enhance public spaces and facilities, with artworks created by different local, national and international artists.

Art Collection Principles

Artwork selected for the Art Collection must achieve the following overarching principles:

- **Diversity:** The collection should showcase a diverse range of artistic styles, mediums and themes.
- **Enhance Civic Infrastructure:** The collection should contribute to the amenity and vibrancy of public places, spaces and infrastructure.
- **Artistic Merit:** The collection should contain artworks that are of a high quality, and responds to the local context.
- **Community and Place Identity:** The collection should respect and celebrate the City's diverse heritage and culture, reflecting connections to site specific history, including Aboriginal connection to place.

When selecting artworks for the Art Collection, the following secondary principles should also be considered:

- **Cultural Diversity:** The collection should represent cultural diversity through artistic concepts or artist selection.
- **Cultural Tourism:** The collection should contribute to the City's liveability, vibrancy and provide opportunities to attract visitors to the area.
- **Local Cultural Economy:** The collection should support the City's local cultural economy by building the capacity of local artists.

Acquisition

Artwork for the City's Art Collection can only be acquired by the Chief Executive Officer.

Percent for Art Program

A percent for Public Art will be included in the budgets for all civic infrastructure projects initiated by the City. The following thresholds will apply to civic infrastructure projects:

- Under \$3M – no mandatory contribution required.
- \$3m or over – 2% of the estimated project cost up to a maximum \$200,000.

If the scale of the project warrants a greater financial investment, Council approval is required.

The Chief Executive Officer will consider and approve the selection of artists and the final design for Percent for Art projects.

Deaccession

Artwork may be removed from the Art Collection for the following reasons:

- It is in poor condition and the cost of repairing the artwork exceeds the valuation;
- It does not align with the Art Collection Principles;
- It does not align with City's vision of being welcoming and inclusive, as outlined in the Strategic Community Plan,
- Public safety; or
- Theft.

Executive Policy and Guidelines

The CEO will develop, implement and maintain policies, procedures and guidelines to guide the management of the Art Collection.

Definitions

Art Collection - Any Moveable or Public Art which has been commissioned or acquired by the City.

Art Collection Management - The acquisition, maintenance and deaccessioning of items in the City's Art Collection.

Civic Infrastructure: Public buildings and spaces including parks provided to facilitate community activities, and contribute to community health and wellbeing.

Deaccession - Officially remove an item from the Art Collection.

Moveable Art - Non-permanent indoor artworks which can be transported to various locations. This may include paintings, sculptures and maquettes.

Public Art - Permanent artworks which are displayed in or visually accessible from public spaces. This may include ground treatments, lighting, digital displays, screens, canopies, sculptures or murals.

Legislation

Nil

Other Relevant Procedures / Key Documents

Cultural Development and the Arts Strategy 2018 – 2022

Executive Standard – Art Collection Management

Asset Management Policy

Responsible Division

Community Development

Review Date

January 2024

Council Adoption	27 April 2021 (CD-011/21)	Version	1
Amendment Dates	April 2024	Document Number	D21/7372

Asset Management

Objective

To ensure the City has an effective framework in place to manage the City's assets to defined levels of service in the most cost effective way.

Scope

Council and City employees that have responsibility for the planning and delivery of infrastructure related assets.

Statement

The City is committed to implementing an effective asset management system in line with the ISO 55000 suite of standards and the International Infrastructure Management Manual (IIMM) which will result in strong governance and accountability; effective and sustainable decision making; enhanced customer service and the effective management of risk. Asset Management is an organisation wide responsibility ensuring the sustainable delivery of services to current and future generations.

Strategic Asset Management Framework

The City's Strategic Asset Management Framework consists of the following key outputs:

- **Council Policy** - reviewed every three years.
- **Strategic Asset Management Plan** - aligned with this Policy specifying the long term objectives and action plan for managing the City's assets, adopted by Council and reviewed every three years.
- **Asset Management Plan** - describing how assets will be managed to meet defined levels of service. Reviewed annually and updated with asset condition rating information, deterioration modelling, financial projections and performance indicators. This is to be endorsed by the City's Executive.
- **Five Year Works Programs** - Prioritised capital renewal and expansion requirements meeting agreed levels of services and ranking criteria for inclusion and annual review through the City's Business Plan.

These outputs will be underpinned by:

- **Integration** - ensuring asset management planning integrates with corporate, financial, business, operational, human resource and information technology plans.
- **Provision Guidelines** - tools to define the need and standard of new and upgraded infrastructure based on road, facility and park hierarchies, social, economic and environmental factors and risk.
- **Operational and Capital Investment Guidelines** - strategies and processes shaping the lifecycle management of infrastructure assets aligned with asset management objectives.
- **Operational Levels of Service** - the defined outputs that the organisation intends to deliver to the community.
- **Continuous Improvement** - regular monitoring and review of network performance and the City's asset management system.
- **Compliance** - meeting legal and regulatory requirements in terms of reporting and managing assets through creation/acquisition, operation, maintenance, renewal and disposal activities.

- **Ownership** - clear ownership and leadership behaviours to achieve the City's strategic objectives.
- **Accountability** - transparent and auditable asset management processes aligning with the City's aspirations and strategic objectives.
- **Information Management** - ensuring asset data is maintained so it is current, accurate and legally compliant, forming a robust foundation for effective decision making.
- **Sustainability Management** - management of assets encompassing the economic, environmental and social sustainability of the built and natural environment throughout their life cycle.
- **Decision Making** - based on a decision making framework to ensure the balance between performance, risk and cost in a consistent and transparent manner.

Definitions

Asset - an item, thing or entity that has potential or actual value to the organisation (International Infrastructure Management Manual (IIMM)).

Asset Management - the systematic and coordinated activities and practices to optimally and sustainably deliver on its objectives through the cost-effective lifecycle management of assets (IIMM).

Asset Management System - the set of inter-acting elements of an organisation to establish asset management policies and objectives and the processes to achieve those objectives (ISO 55000).

Level of Service - The parameters or combination of parameters that reflect social, political, economic and environmental outcomes that the City delivers. Levels of service statements describe the outputs or objectives the City or activity intends to deliver to customers (IIMM).

Lifecycle - the time interval that commences with the identification of the need for an asset and terminates with the decommissioning of the asset or any liabilities thereafter (IIMM).

Renewal - works to replace existing assets or facilities with assets of facilities of equivalent capacity or performance capability (IIMM).

Sustainability - the capacity to endure; in the context of asset management, it is about meeting the needs of the future by balancing social, economic, cultural and environmental outcomes or needs when making decisions today (IIMM).

Upgrade - Enhancements to an existing asset to provide higher levels of service, e.g. widen a sealed road (Australian Infrastructure Financial Management Manual).

Legislation

Local Government Act 1995 - Section 5.56 (1) and (2)

Local Government (Administration) Regulations 1996 - Regulation 19DA Section 3C

Other Relevant Procedures / Key Documents

City of Rockingham Strategic Community Plan

City of Rockingham Business Plan

City of Rockingham Community Infrastructure Plan

Infrastructure Asset Management Plan

International Infrastructure Management Manual

Australian Infrastructure Financial Management Manual

Asset Management Suite of Standards ISO 55000

Companion Guide to ISO 55001

Responsible Division

Asset Services

Review Date

June 2026

Council Adoption	23 September 2014 (EP-036/14)	Version	3
Amendment Dates	25 August 2020 (EP-016/20); 27 June 2023 (AS-012/23)	Document Number	D19/89068

Attendance at Events

Objective

To provide guidance and transparency to the attendance at any event, whether free of charge, part of a sponsorship agreement, or paid by the local government and meet the requirements of section 5.90A of the *Local Government Act 1995 (Act)*.

Scope

This policy applies to Council Members and the Chief Executive Officer (**CEO**) in attending any event in their official capacity.

Statement

Section 5.90A of the Act provides that a local government must prepare and adopt (by absolute majority) an Attendance at Events policy. This policy is made in accordance with those provisions.

Attendance at an event in accordance with this Policy will exclude the recipient from the requirement to disclose an interest, if the ticket (or multiple tickets over a 12 month period from the same donor) was valued at \$300 or over and the donor has a matter before Council, as the tickets are an excluded gift in accordance with 5.62(1B)(a) of the Act.

Receipt of the gift will still be required to be disclosed under the gift register provisions.

Provision of tickets to events

1. Invitations

- 1.1 All invitations or offers of tickets for a Council Member or the CEO to attend an event should be in writing and addressed to the Mayor, CEO or the City (as appropriate).
- 1.2 An invitation or offer of tickets provided or addressed personally to a Council Member or the CEO (for example, to a personal email address) will not be captured by this Policy, and the requirement to disclose under the gift register provisions and disclose a financial interest at a meeting, where the value exceeds the amount prescribed under the *Local Government (Administration) Regulations 1996 (Regulations)* will apply.
- 1.3 Council pre-approves attendance at the following Events, for Council Business, by Council Members and the CEO:
 - (a) Advocacy lobbying or Ministerial briefings and meetings;
 - (b) Meetings of clubs or organisations within the City, including where the Council Member or CEO is patron;
 - (c) Any free event within the City;
 - (d) Australian or West Australian local government events;
 - (e) Events hosted by clubs or not for profit organisations within the City to which the Mayor, Council Member or CEO has been officially invited;
 - (f) City hosted events, ceremonies and functions;
 - (g) City hosted events with employees;
 - (h) City run tournaments or events;

- (i) City sponsored functions or events;
 - (j) Community art exhibitions;
 - (k) Cultural events/festivals;
 - (l) Events run by Non-Council Committees and Organisations where a Council Member or CEO has been appointed as the Council representative;
 - (m) Events run by Local, State or Federal Government;
 - (n) Events run by schools, universities and education institutions within the City;
 - (o) Events run by major professional bodies associated with local government at a local, state and federal level;
 - (p) Events run by the Australian Defence Force;
 - (q) Events run by the Perth South West Metropolitan Alliance;
 - (r) Events where the City is an Award finalist or recipient;
 - (s) Opening or launch of an event or facility within the City;
 - (t) Recognition of Service events / Award ceremonies
 - (u) Service club events (eg Rotary, Lions, RSL, etc)
 - (v) Where Mayoral or CEO representation has been formally requested
 - (w) Conferences, training and professional development in accordance with Council Policy – Council Member Professional Development or the CEO’s employment contract.
 - (x) Industry and economic briefings, specifically related to the operation of local government;
- 1.4 All Council members and the CEO are able to attend the pre-approved events in clause 1.3. If there is a fee associated with a pre-approved event, this will be paid for out of the City’s budget subject to availability of funds.
- 2. Events not pre-approved**
- 2.1 In making a decision on attendance at an event that is not pre-approved in clause 1.3, the CEO in consultation with the Mayor (or Mayor for the CEO) will consider:
- (a) who is providing the invitation or ticket to the event;
 - (b) the location of the event in relation to the local government (within the district or out of the district);
 - (c) the role of the Council member or the CEO when attending the event (participant, observer, presenter) and the value of their contribution;
 - (d) the benefit of local government representation at the event;
 - (e) the number of invitations / tickets received, and
 - (f) the cost to attend the event, including the cost of the ticket (or estimated value of the event per invitation) and any other expenses such as travel and accommodation.
- 2.2 In the event of clause 2.1 the CEO and Mayor believe it better that the Council determine the matter, Council will determine by simple majority, approval or otherwise.

3. Payments in respect of attendance

- 3.1 Where an invitation or ticket to an event is provided free of charge, the local government may contribute to appropriate expenses for attendance, such as travel and accommodation for events outside the district provided the CEO in consultation with the Mayor determines the attendance to be in the interest of the local government.
- 3.2 For any events where a member of the public is required to pay, unless it is a pre-approved event in accordance with this Policy, the CEO in consultation with the Mayor will determine whether it is in the interests of the local government for a Council Member or the CEO to attend on behalf of the Council.
- 3.3 If the CEO in consultation with the Mayor determines that a Council Member or CEO should attend a paid event, the City will pay the cost of attendance and reasonable expenses, such as travel and accommodation, subject to availability of funds.
- 3.4 With the exception where an accompanying partner of a Council Member or the CEO is -
- (a) invited to attend an event specified in Council Policy – Civic and Community Events Hosted by Council, or
 - (b) invited to attend an event (as a guest), where the event is not a (priced) event and where there is no cost to the City;

the cost of attendance by the accompanying partner is to be borne by the Council Member or CEO accordingly.

Where an accompanying partner of a Council Member or the CEO attends an event, any (priced) tickets for that person, if paid for by the local government, must be reimbursed by the representative unless expressly authorised by the Council.

4. Requirement to declare an interest

In accordance with legislation, attendance at an event in accordance with this policy will exclude a Council Member or the CEO from the requirement to disclose an interest if the ticket is above \$300 and the donor has a matter before Council. Any gift received that is less than \$300 (either one gift or cumulative over 12 months from the same donor) also does not need to be disclosed as an interest.

Receipt of the gift will still be required to be declared under the gift register provisions.

Definitions

CEO – Chief Executive Officer

City - means the City of Rockingham

Council Business - means any business where a Council Member:

- a) Represents the interests of electors, ratepayers and residents of the district;
- b) Provides leadership and guidance to the community in the district;
- c) Facilitates communication between the community and the Council; or
- d) Performs such other functions as are given to a Council Member by the *Local Government Act 1995* or any other written law.

Council Member – a person elected as Mayor or Councillor of the City.

Event – has the same meaning as that provided in section 5.90A of the *Local Government Act 1995*

Ticket - includes an admission ticket to an event, or an invitation to attend an event, or a complimentary registration to an event, that is offered by a third party.

Legislation

Local Government Act 1995 – 5.62(1B)

A gift is an excluded gift –

(a) If –

- (i) The gift is a ticket to, or otherwise relates to the relevant person's attendance at, an event as defined in section 5.90A(1); and
- (ii) The local government approves, in accordance with the local government's policy under section 5.90A, the relevant person's attendance at the event.

Local Government Act 1995 – 5.87A Council members to disclose gifts;

- (1) A council member must disclose, in accordance with subsection (2) and section 5.87C, a gift received by the council member.

Local Government Act 1995 – 5.87B CEOs to disclose gifts;

- (1) A CEO must disclose, in accordance with subsection (2) and section 5.87C, a gift received by the CEO.

Local Government Act 1995 – 5.87C Provisions about disclosures;

- (2) The disclosure must be made within 10 days after receipt of the gift.
- (3) The disclosure must include the following —
 - (a) a description of the gift;
 - (b) the name and address of the person who made the gift;
 - (c) the date on which the gift was received;
 - (d) the estimated value of the gift at the time it was made;
 - (e) the nature of the relationship between the person who made the gift and the person who received the gift;

Local Government Act 1995 – 5.89 Register of gifts

- (1) A CEO is to keep a register of gifts.
- (2) The register is to contain a record of the disclosures made under sections 5.87A and 5.87B.
- (2A) The CEO must record a disclosure made under section 5.87A or 5.87B in the register within 10 days after the disclosure is made.
- (2B) If a gift disclosed under section 5.87A or 5.87B is an excluded gift under section 5.62(1B)(a), the CEO must record in the register —
 - (a) the date of the approval referred to in section 5.62(1B)(a)(ii); and
 - (b) the reasons for that approval; and
 - (c) any prescribed information.

Local Government Act 1995 – section 5.90A Policy for attendance at events:

- (1) In this section —

event includes the following —

 - (a) a concert;

- (b) a conference;
 - (c) a function;
 - (d) a sporting event;
 - (e) an occasion of a kind prescribed for the purposes of this definition.
- (2) A local government must prepare and adopt* a policy that deals with matters relating to the attendance of Council members and the CEO at events, including —
- (a) the provision of tickets to events; and
 - (b) payments in respect of attendance; and
 - (c) approval of attendance by the local government and criteria for approval; and
 - (d) any prescribed matter.
- * *Absolute majority required.*
- (3) A local government may amend* the policy.
- * *Absolute majority required.*
- (4) When preparing the policy or an amendment to the policy, the local government must comply with any prescribed requirements relating to the form or content of a policy under this section.
- (5) The CEO must publish an up-to-date version of the policy on the local government's official website.

Other Relevant Procedures / Key Documents

Council Policy – Council Member Professional Development

Council Policy – Civic and Community Events Hosted by Council

Responsible Division

General Management Services

Review Date

November 2027

Council Adoption	12 October 2021	Version	2
Amendment Dates	26/11/24 (GM-029/24)	Document Number	D21/187541

Authority to Execute Documents

Objective

To establish authorisations to:

1. affix and administer the City of Rockingham Common Seal (**Common Seal**); and
 2. sign Documents on behalf of the City of Rockingham,
- in accordance with section 9.49A of the *Local Government Act 1995 (Act)*.

Scope

This policy applies to all authorised City of Rockingham (**City**) employees and nominated agents preparing documents for execution and/or who have been authorised through this policy to execute documents on behalf of the City.

Statement

In accordance with section 9.49A of the Act, a document is duly executed by a local government if:

1. the Common Seal is affixed to it with the authorisation of the local government; or
2. it is signed on behalf of the local government by the Chief Executive Officer (**CEO**), another employee or an agent of the local government, who is authorised to sign documents on behalf of the local government, either generally or subject to conditions or restrictions specified in the authorisation.

In managing this policy the Chief Executive Officer is to maintain Executive Standards and Procedures that would ensure the execution of documents is operated effectively in accordance with Statutory Requirements.

1. Authority to affix the Common Seal

1.1 Statutory requirements

The Council may from time to time authorise by resolution the Common Seal to be affixed to a document.

For most documents, the Common Seal is not legally required to be affixed. Local laws, planning schemes and scheme amendments are among the exceptions to this rule.

In order for the Common Seal to be validly affixed to a document, it must be affixed in the presence of and signed by:

- a) the Mayor; and
- b) the CEO.

In the absence of the Mayor and/or the Chief Executive Officer, as the case may be, the Deputy Mayor and the Acting Chief Executive Officer are authorised to affix the Common Seal.

1.2 Documents to which the Common Seal may be affixed

By this policy the Council authorises the Common Seal to be affixed to the documents described below.

- Documents appertaining to any action initiated, approved, endorsed or required by a Council resolution where giving effect to that action expressly or impliedly requires the common seal to be affixed to a document

- Local Laws
- Planning schemes and scheme amendments
- Deeds, contracts and other forms of agreement
- Documents necessary to progress dealings in land including but not limited to mortgages, caveats, memorials, leases, transfers, licences, covenants, easements and the withdrawal, discharge or surrender of any of those instruments
- Funding applications
- Ceremonial certificates and awards.

Where the CEO is authorised by this policy to sign a document and this policy also authorises the affixation of the Common Seal to that document, the CEO may determine which is the most appropriate method to execute the document.

1.3 CEO's responsibilities

The CEO is to:

- a) be responsible for the safe custody and proper use of the Common Seal;
- b) maintain a register of each time the Common Seal is used; and
- c) provide a monthly report to Council, via the Corporate and General Management Services Bulletin, listing the documents to which the Common Seal has been applied since the preceding report.

2. Authority to sign documents on behalf of the City

2.1 General document signing authorisation.

Pursuant to section 9.49A (4) of the Act the CEO, Directors and Managers are authorised to sign all documents supported by the prior approval of the Council via:

- Council Policy
- City Business Plan
- Annual Budget
- Any other Council decision.

All employees are authorised to sign any document related to a matter which they have statutory or delegated authority to deal with, and in any other case where by resolution of the Council they are required to take action and doing so expressly or impliedly requires a document to be signed.

The CEO is authorised to execute a deed in any case in which the Council has resolved to enter into a deed, or where executing a deed is within the scope of the exercise of the CEO's delegated authority.

All employees are authorised to sign any documents which arise in the course of carrying out their routine administrative functions and duties, providing they do so in accordance with any applicable Council Policy, Executive Standard and administrative procedure.

2.2 Conditions of Authorisations

It is the responsibility of any person authorised under this Policy to:

- a) fully inform themselves of the matter to which the document they intend to execute on behalf of the City relates;
- b) ensure they only sign documents relevant to matters within their role;

- c) ensure that all Legislative Requirements are satisfied before the document is executed;
- d) ensure that all applicable Council Policies, Executive Standards and internal procedures have been followed and discharged prior to signing the document;
- e) ensure that sufficient records are kept of the document, and of decisions leading to the creation of the document, in accordance with the City's Recording Keeping Plan; and
- f) give consideration to any legal implications.

Documents of a financial nature must be consistent with the City's Annual Budget and the Business Plan and any known proposed variations to the same.

The person authorised to sign a document must consider the City's Risk Framework before signing any document and as necessary refer further consideration to the Director of the person's relevant division. That Director may refer the document to the CEO or Council for their approval.

2.3 Execution of Documents by Agents on behalf of the City.

Section 9.49A (4) of the Act permits the authorisation of agents to execute documents on behalf of the City. In accordance with section 9.49A (4) of the Act Council authorises any lawyer engaged by the City to execute documents, correspond with third parties, sign and lodge documents with a court, tribunal or administrative body and electronically sign documents identified in accordance with the Property Exchange Australia (PEXA) process on behalf of the City, in accordance with the scope of the lawyers' engagement.

2.4 Variation or discharge of an executed document

Where an employee is authorised to sign a document under this Policy, they are also authorised to sign any variation or cancellation of that document provided that they comply with the obligations of Part 2.2.

A variation under this Policy includes a variation by Deed.

Definitions

CEO – means the Chief Executive Officer of the City of Rockingham.

Council – means the council of the City of Rockingham.

Director – means a person holding the position of Director at the City of Rockingham.

Document – any paper or electronic document, including communications such as letters and emails, which conveys a decision, establishes an obligation or is ceremonial and provides information or evidence or that serves as an official record.

Manager – means a person holding the position of Manager at the City of Rockingham.

Record Keeping Plan – means the plan adopted by the City in accordance with the State Records Act 2000.

Legislation

Local Government Act 1995, s 9.49A, 9.49B

Local Government (Functions and General) Regulations 1996, Reg 11A

Planning and Development Act 2005

State Records Act 2000

Other Relevant Procedures / Key Documents

Council Policy – Records Management

Executive Standard – In-House Legal Services

Executive Standard – Mandatory Legal Advice

Executive Standard – Record Management

Responsible Division

General Management Services

Review Date

August 2028

Council Adoption	24 June 2025	Version	1
Amendment Dates		Document Number	D25/130336

Award and Scholarship Scheme for Local Schools

Objective

The City of Rockingham Award and Scholarship Scheme for local schools provides students with recognition and reward for high standards of behaviour and or academic performance at school. The scheme plays an important role by increasing the profile, prominence and recognition of education and its relationship to community life.

Scope

The policy applies to local schools in the City of Rockingham and to City employees administering the Award and Scholarship Scheme.

Statement

Each year, the City of Rockingham Award and Scholarship Scheme recognises and rewards achievement for students completing years 6, 10 and 12.

Awards (for Years 6, 10 and 12)

Students selected by each local school in Years 6, 10 and 12 will be presented with an award of \$100.00 in recognition of high standards of behaviour and academic performance.

Each school will be entitled to select student/s for an Award based on the following criteria:

School Year	Year Size (students)	Number of Nominations
6	0 to 60	One
	> 60	Two
10	0 to 200	One
	> 200	Two
12	0 to 200	One
	> 200	Two

Scholarships (for Year 10 only)

Each local high school will be entitled to select one additional student from Year 10 for a scholarship supporting ongoing academic studies by assisting in meeting education fees and book costs associated with Year 11 or a TAFE course.

The student selected by the school will be presented with a scholarship of \$400.00

Scholarships will be available to locally residing students who are continuing their education within the local (City of Rockingham) high school or TAFE system. An exception may be made if the approved TAFE courses are not available within the City of Rockingham.

Year 6 Book Voucher Awards

Two book vouchers to the value \$30 each will be provided to each primary school for end of year prizes awarded to Year 6 graduating students. These are to be presented either by the Mayor or Councillors who represent the Ward in which the school resides.

General

Both awards and scholarships will recognise general academic results and positive student behaviour.

Each local school may select students for the awards, scholarship or vouchers based on predetermined criteria decided upon by the school.

All awards, scholarships and vouchers are coordinated by City of Rockingham Officers. On delivery to the school, for the purpose of the end of year ceremony, the school accepts responsibility for the safe keeping and facilitation of presenting the award, scholarship or voucher to the nominated student.

Presentation of the awards and scholarships will be made by the Mayor or an available Councillor, with first preference given to the Councillors of the Ward in which the school resides.

Definitions

Nil

Legislation

Nil

Other Relevant Procedures / Key Documents

Nil

Responsible Division

General Management Services

Review Date

June 2026

Council Adoption	27 October 1998	Version	3
Amendment Dates	28/8/18; 22/8/23 (GM-026/23)	Document Number	D15/48347

Burning of Rubbish, Refuse and Vegetation

Objective

Council is responsible for the control of burning within its district under the requirements of the Bush Fires Act (1954) and its Health Local Laws (1996). A policy is required, which will provide guidance to enforcement officers, owners and occupiers of land and developers in the district regarding Council's pre-requisite conditions relating to the burning of materials.

Scope

The burning of rubbish, refuse, cleared and standing vegetation are major causes of public complaints to both the Council and to the Department of Environmental Protection. Burning of these materials is also considered to be a waste of a valuable resource and a major contributor to the deterioration of air quality, especially in urban areas.

Green waste can be recycled as firewood, chipped or mulched for use in landscaping or used for soil stabilisation. An annual greenwaste collection service is provided by Council in urban areas.

For these reasons, Council has adopted a general presumption against the burning of such materials in urban areas whilst recognising circumstances where burning may be appropriate.

Statement

It is Council's policy to provide an optimal balance that will protect both lives and property whilst minimising the adverse nuisance, health and air pollution effects associated with burning.

Rural/Special Rural Areas

Due to the relatively sparse population combined with high seasonal fire risk in the rural and special rural areas of the district, the practice of controlled protective burning of all types of vegetation, in accordance with the requirement of the Bush Fires Act (1954) is permitted, subject to the following conditions:

Special Rural Areas

Burning is only permitted in order to reduce fuel loads associated with the accumulation of leaf litter, fallen trees and branches, etc. Every care must be taken not to damage standing vegetation.

Cleared Vegetation

Burning is prohibited without the specific approval of the Council or its authorised officer having first been obtained.

Importing Cleared Vegetation

Is prohibited without the specific approval of the Council.

Urban Areas (includes residential, special residential, commercial and industrial land)

- 1 The burning of rubbish and refuse is prohibited (includes incineration).
- 2 The burning of cleared vegetation is prohibited
- 3 The practice of protective burning of vacant land is prohibited without the specific approval of the Council or its authorised officer having first been obtained. An application to burn must include reasons why fuel reduction cannot be achieved by mowing, slashing, ploughing or other means.

- NOTE: Authorised Officers
- Fire Management Officer
 - Chief Bush Fires Control Officer
 - Fire Control Officers
 - Manager Health Services (*Health Local Laws 1996*).

Definitions

Nil

Legislation

Nil

Other Relevant Procedures / Key Documents

Nil

Responsible Division

Planning and Development Services

Review Date

Council Adoption	15 May 2000	Version	1
Amendment Dates		Document Number	D15/48350

Civic and Community Events Hosted by Council

Objective

To provide guidance for the approval and delivery of civic and community events and the provision of hospitality.

Scope

This policy applies to Council Members, City of Rockingham (**City**) Officers, contractors and volunteers.

Statement

To fulfil its strategic objectives and obligations the City may host Civic Events such as functions, ceremonies, receptions and hospitality from time to time as the need arises, and Community Events. –

Civic Events aim to foster positive relationships between the community and Council, recognise individual and community achievements, promote community pride and enhance the City's strategic objectives.

Specified Civic Events

The annual calendar of Civic Events includes all scheduled and regularly occurring events.

These specified Civic Events and the approval of new Specified Civic Events or the cancellation of these events is to be considered during the budget approval process. This does not include cancellation due to unforeseen circumstances which is at the discretion of the Chief Executive Officer (**CEO**) in consultation with the Mayor.

1. **Australia Day Citizen of the Year Awards Presentation and Citizenship Ceremony**

As a member of the Australia Day Council of WA (**Auspire**), the City promotes the Community Citizen of the Year Awards to recognise meritorious contributions to the Rockingham community. Auspire sets the categories, eligibility and selection criteria for the awards which include:

- Community Citizen of the Year
- Senior Community Citizen of the Year
- Young Community Citizen of the Year
- Active Citizenship (Group or Event)

Following the closure of nominations, each year the City's Australian Citizen of the Year Awards Selection Advisory Group will assess nominations and recommend to Council the category award recipients. Assessment is to include, but not limited to, the criteria set by Auspire.

The award presentation is held in the morning of Australia Day in conjunction with a citizenship ceremony and is followed by light refreshment in the form of a breakfast or morning tea.

2. **Citizenship Ceremonies**

The City conducts citizenship ceremonies throughout the year on behalf of the Department of Home Affairs. These ceremonies represent the final legal step in obtaining Australian Citizenship. By hosting these ceremonies, the City plays a vital role in formally welcoming new citizens as members of the Australia community.

State and Federal Parliamentary Representatives, whose electorates are contained within the District are invited as well as the Mayor and Councillors.

3. Volunteer Appreciation Functions

The City recognises the valuable contribution performed by volunteers in the community. Receptions may be held each year to recognise the contributions of the following –

- Advisory Committee and Advisory Group community representatives
- Uniformed and emergency service groups
- Community welfare, seniors and youth groups
- Service clubs
- Sporting and recreation groups
- Arts and theatre groups
- Other individuals, groups and organisations making a positive contribution to the community

4. Annual Recognition Function

The Annual Recognition Function recognises stakeholders that have made a significant contribution to the City in the preceding year and to engage those stakeholders that may contribute to the City's strategic objectives.

Stakeholders include Members of Parliament, representatives of State and Federal Government departments, representatives of private industry and not-for-profits, representatives from neighbouring local governments and regional groups.

The function is also used to recognise the contribution of retiring Council Members.

Council Members may invite two members (or one couple) from the community who in their opinion have made a significant contribution to the local community, and who have not otherwise been recognised in a reception in the past twelve months.

5. Pioneers Recognition Luncheon

The Pioneers Recognition Luncheon is an annual event honouring the history of our City and acknowledges pioneers of the area. A Rockingham pioneer is a resident who has resided in the City for 50 consecutive years or more and is 65 years of age or older.

General Civic Events

General Civic Events may include but are not limited to:

1. Naval Receptions

The location of HMAS Stirling naval base in the City of Rockingham fosters an important relationship between the City and the Australian Navy. Receptions for visiting naval vessels and service personnel will be hosted at the discretion of the Mayor, and will generally occur when the visit is of special significance.

2. Freedom of Entry (FOE)

Requests for the granting of FOE must be submitted in a written statement to the Mayor and be from an arm of the Australian Defence Force as per s.17 *Defence Force Act 1903* containing serving members. The statement should detail the unit's significant attachment to the City of Rockingham. The statement and consideration of the request will be put to Council for determination.

A Defence unit that has been previously granted Freedom of Entry to the City may exercise this right upon invitation by the Mayor. Such an invitation to parade may be extended to recognise significant events or major anniversaries, subject to a mutually agreed time and budget availability. A civic function may be held in conjunction with a FOE event. The invitation list for the function are determined at the discretion of the Mayor in consultation with the CEO

A 'Freedom of Entry' ceremony will only occur on rare occasions for serving Australian defence forces, supported by resolution of Council.

3. Visiting Dignitary Receptions

These may include:

- Visits by State and Federal Ministers and Cabinet
- Visits by heads of State and Federal Departments
- Official delegations from recognised global friendship relationship
- Dignitaries that may contribute to the City's strategic objectives

4. Opening of new/upgraded facilities and services

The City may hold a ceremony to formally open a new or upgraded facility or to introduce a new service. Often conditions of third party funding will require that formal recognition be made of the third party's contribution through such a ceremony.

5. Other Award Functions

The City of Rockingham may from time to time host awards for achievement in the community such as the Sport Star Awards, art awards, etc.

Community Events

The City of Rockingham may host a variety of community events that align with the City's strategic and community objectives. These events are coordinated by the responsible City Department often through contracted service delivery.

Approval Process

Unless otherwise approved by Council resolution, the Mayor in conjunction with the CEO shall have discretion to determine whether a Civic or Community Event is to be held.

The date, time, venue and invitation list is to be determined by the Mayor in conjunction with the CEO.

All Civic and Community Events shall be conducted with consideration of available budget and resourcing. The CEO may establish Executive Standards to guide City Officers and contractors in relation to the coordination of Civic and Community Events.

Hospitality

1. Council Dinners and Reciprocal Obligations

The City of Rockingham may provide a meal and refreshment for Council Members and City Officers who have been in attendance at the Ordinary Council meeting or other after hours meeting, such as Councillor Engagement Sessions or Council Member professional development.

The Mayor has the discretion to invite an attending guest or dignitary to the meal.

Through its membership of various organisations the City of Rockingham has reciprocal obligations in the provision of meals and refreshments after meetings hosted by the City.

Other than the Civic Events described in this policy, the Mayor in consultation with the CEO may offer reasonable hospitality for meetings which pertain to the conduct of Council business, this may include but is not limited to meetings between Council Members and stakeholders, Councillor Engagement Sessions, briefings and advocacy meetings.

Provision of Alcohol

There are occasions where the consumption of alcoholic beverages provided by the City of Rockingham is appropriate, representative of the values and strategic objectives of the City and in the public interest.

These occasions include –

- Civic and Community events as detailed in this policy with the exclusion of Australia Day Citizen of the Year Awards and all Citizenship Ceremonies
- fellowship after a Council or Committee Meeting
- fellowship after a non-Council meeting hosted by the City
- fellowship with visiting dignitaries hosted by the City

All service of alcohol is to be undertaken in a manner to ensure no person is adversely affected by the consumption of alcohol.

Promotional Gifts and Mementos

The Mayor and/or CEO may gift promotional items or small mementos to guests at Civic Events or to visiting guests or dignitaries to recognise the visit to the City. Council Members may request such items through the CEO. A budget is provided for these items.

Definitions

Australia Citizen Awards Selection Advisory Group – As established by Council in Council Policy – Governance and Meeting Framework.

Civic Event – A function with invited guests, initiated and hosted by the Mayor for celebratory, ritual, relationship management or commemorative purposes.

Honorary Freeman of the City – An honour bestowed upon a valued individual of the community, without any other rights or privilege other than the right to use the title.

Freedom of Entry – A military group bestowed with the honour of Freedom of the Municipality of the City of Rockingham and granted Freedom of Entry. Dating back to medieval times, Freedom of Entry is the highest accolade bestowed on any military group and signifies good relations between the City and the military.

Legislation

Australian Citizenship Act 2007 (cth)

Defence Force Act 1903

Liquor Control Act 1988

Other Relevant Procedures / Key Documents

Council Policy – Welcome to Country and Acknowledgement of Country

Council Policy – Honorary Freeman of the City of Rockingham

Executive Standard – Civic Services – Functions, Events and Catering

Liquor Control Act 1988 – A Guide for Local Governments

Australian Citizenship Ceremonies Code

Responsible Division

General Management Services

Review Date

November 2027

Council Adoption	28 March 1995	Version	6
Amendment Dates	23/03/21 (GM-011/21); 23/5/23 (GM-013/23); 24/9/24 (GM-021/24); 26/11/24 (GM-028/24); 24/6/25 (GM-010/25)	Document Number	D15/48362

Closed Circuit Television (CCTV)

Objective

To establish functional categorisation of CCTV and protocols for the management of recorded data.

Scope

This policy applies to all CCTV systems owned, managed or controlled by the City of Rockingham for the purpose of surveillance and protection.

Statement

Surveillance Purpose

There are five categories of CCTV cameras

- Public Area Permanent (Fixed)
- Public Area Portable (Temporary)
- Vehicle-based (Mobile)
- Buildings and Assets Permanent (Fixed)
- Service/Staff Areas Permanent (Fixed)

Release or Viewing of Recorded Footage and Still Photographs

Unless required by law, the release or viewing of recorded footage and still photographs to members of the Public is expressly prohibited.

The release or viewing of recorded footage and still photographs to government agencies is permitted subject to terms and conditions contained a Memorandum of Understanding (**MoU**).

For operational requirements, the Chief Executive Officer may authorise the release or viewing of recorded footage and still photographs.

Memorandum of Understanding (MoU)

A MoU between the City of Rockingham and a government agency must be entered into to establish the principles, protocols, roles and responsibilities regarding access to viewing, release and copying of recorded footage and still photographs.

Executive Policy and Procedures

The Chief Executive Officer is to maintain Executive Standards and Procedures that will ensure CCTV is operated effectively in accordance with statutory requirements.

Definitions

CCTV System - a system that comprises Closed Circuit Television (CCTV) cameras, information stores, connections and applications for storage, retrieval and viewing of recorded footage and still photographs.

Public – ordinary people in general; the community.

Legislation

Nil

Other Relevant Procedures / Key Documents

CCTV Plan 2014-2019

Responsible Division

Community Development

Review Date

November 2028

Council Adoption	28 July 2015	Version	4
Amendment Dates	25/10/16 (CD-036/16); 28/5/19 (CD-010/19); 25/11/25 (CS-017/25)	Document Number	D15/96543

Code of Conduct Complaints Management

Objective

To ensure that a Complaint received in relation to an alleged breach of Division 3 – Behaviour, of the City of Rockingham Code of Conduct for Council Members, Committee Members and Candidates (**Code of Conduct**) is managed with –

- Confidentiality
- Timeliness
- Natural justice and due process
- Fairness and impartiality

Clause 15(2) of the Code of Conduct provides that the procedure for dealing with Complaints may be determined by the local government to the extent that it is not dealt with by *the Local Government (Model Code of Conduct) Regulations 2021 (Regulations)*. This policy (**Policy**) meets this objective.

Scope

This Policy applies to Council Members, Committee Members, Candidates, Complaints Officers, and Complainants in respect to Complaints of an alleged breach of “Division 3 – Behaviour” of the Code of Conduct (**Division 3 Complaints**).

The management of Complaints related to Division 4 of the Code of Conduct is prescribed by the *Local Government Act 1995 (Act)* and *Local Government (Local Government Inspector) Regulations 2025*, and not by this Policy. The Chief Executive Officer (**CEO**), or a senior officer nominated by the CEO, is the Complaints Officer for the purpose of Complaints related to Division 4.

Statement

1. Principles

1.1 Procedural fairness

The principles of procedural fairness and natural justice will apply when dealing with a Division 3 Complaint under this Policy. In particular:

- a Respondent will be afforded a reasonable opportunity to be heard before any findings are made;
- a Respondent will be afforded a reasonable opportunity to be heard before any Plan is imposed;
- the decision maker must be objective and impartial and must act in an unbiased manner and must not act in a manner likely to give rise to a perception of bias; and
- any findings made will be based on proper and genuine consideration of the evidence.

1.2 Consistency

The application of this Policy should lead to consistency in process and outcomes. While each Complainant and Respondent will be dealt with according to their circumstances, and each Complaint considered and determined on its merits, similar circumstances may result in similar decisions.

1.3 Confidentiality

All Complaints must, as far as possible, be dealt with confidentially until such a time as they are required to be reported to Council in accordance with this Policy or are otherwise lawfully made public or disclosed. The City of Rockingham will take all reasonable steps to maintain confidentiality when dealing with a Complaint, in order to protect both the Complainant and Respondent.

Council Members, local government employees and contractors who have a role in handling a specific complaint will be provided with sufficient information to fulfil their role. They must manage this information securely, and must not disclose or inappropriately use this information.

Complainants will be advised of the level of confidentiality they can expect, and that breaches of confidentiality on their part may prejudice the progress of their Complaint.

In order to allow the Respondent to understand and respond to the Complaint against them, the name of the Complainant will be provided to the Respondent, unless the Complainant provides valid reasons why this should not occur. The Complainant's contact information will not be provided to the Respondent.

1.4 Accessibility

The City of Rockingham will ensure that information on how to make a complaint, including this Policy, is available at the City's Administration Building and on the City's website. The City will make information available in alternative formats if requested.

Any person wishing to make a Complaint may contact the Complaints Officer if they require assistance in completing the complaint form or otherwise navigating the complaints process.

1.5 Perception of Bias

A reasonable perception of bias may arise by virtue of personal, financial or family relationships, evidence of a closed mind or participation in the Complaint process (such as being a Complainant or Respondent).

Where a person's involvement in the decision-making process (whether at Council or Committee level) may reasonably give rise to a perception of bias on their behalf, they must recuse themselves.

Roles

2.1 Complaints Officer

The Complaints Officer is authorised in accordance with clause 11(3) of the Code of Conduct to accept Complaints and withdrawal of Complaints.

The Complaints Officer is not an advocate for the Complainant or the Respondent. The Complaints Officer provides procedural information and assistance to both Complainant and Respondent.

The Complaints Officer will liaise with and provide administrative support to a Complaint Assessor appointed under this Policy.

The Complaints Officer will liaise with the local government to facilitate the calling and convening of Council or Behaviour Complaints Committee meetings if required.

In undertaking their functions, the Complaints Officer will apply the Principles of this Policy.

2.2 Complaints Assessor

The Complaints Assessor is appointed by the Complaints Officer in accordance with Part 3.8 of this Policy.

The Complaints Assessor is an impartial third party who will undertake the functions specified in this Policy. In undertaking their functions, the Complaints Assessor will apply the Principles of this Policy.

The Complaints Assessor will liaise with the Complaints Officer to manage the administrative requirements of dealing with the Complaint in accordance with this Policy.

2.3 Behaviour Complaints Committee

A Behaviour Complaints Committee is a Committee of Council that may be established in accordance with s.5.8 of the Act for the purpose of dealing with Division 3 Complaints.

Where established, the Behaviour Complaints Committee comprises all Council Members. An appointed Committee Member must recuse themselves if they are a Complainant or a Respondent.

The authority delegated to the Behaviour Complaints Committee will be specified by Council delegation and may include:

- Conditions to which the delegation is subject.
- Dismissing a Division 3 Complaint in accordance with clause 13 of the Code of Conduct and providing reasons for any such dismissal.
- Making a finding as to whether the conduct specified in a Complaint did or did not occur, and whether a contravention of the Code of Conduct has been established, based upon evidence from which it may be concluded that it is more likely that the breach occurred than it did not occur (Finding) [clause 12(3) of the Code of Conduct].
- Determining reasons for such a Finding.
- Where a Finding is made that a breach has occurred, determining:
 - To take no further action; or
 - To prepare and implement a Plan to address the behaviour of the person to whom the Complaint relates.

Complaint process

3.1 Making a Complaint

Any person may make a Complaint alleging that a Council Member, Committee Member or Candidate has behaved in a way that constitutes a breach of Division 3 of the Code of Conduct [*clause 11(1) of the Code of Conduct*].

A Complaint must be made within one (1) month after the alleged Breach [*clause 11(2)(c) of the Code of Conduct*].

A Complaint must be made by completing the Complaint Form in full and providing the completed forms to the Complaints Officer.

Save where this Policy otherwise provides, a Complaint will usually be determined by reference to the information provided by the Complainant and the Respondent.

A Complaint must:

- Be specific (including identifying the provisions of the Code of Conduct which the Complainant alleges have been breached).
- Provide as much supporting evidence as possible to assist an investigation (including the grounds and circumstances of the Complaint). This may include statutory declarations and witness statements.
- Provide the name of the Council Member, Committee Member or Candidate who has allegedly breached the Code of Conduct.

- Provide the name and contact details of the Complainant and the name and contact details of the person submitting the Complaint (if different to the Complainant).

Anonymous Complaints will not be investigated by the Complaints Officer unless required by law.

Where a Complaint Form omits required details, the Complaints Officer will invite the Complainant to provide this information in order for the Complaint to be progressed.

Where a Complaint is made more than 1 month after the alleged breach, the Complaints Officer will give the Complainant written notice that the Complaint cannot be made *[clause 11(2)(c) of the Code of Conduct]*.

3.2 Candidate Complaints

A Complaint in relation to a Candidate must be made in accordance with 3.1, above, but cannot be dealt with unless the Candidate is subsequently declared elected as a Council Member.

Within 7 days after receiving a Candidate Complaint, the Complaints Officer will provide written notice:

- To the Complainant confirming receipt, and advising of the procedure for Candidate Complaints; and
- To the Respondent, including a summary of the Complaint, and advising of the procedure for Candidate Complaints.

No action will be taken until the results of the election are declared by the Returning Officer. If the Respondent is elected, then the Complaint will be dealt with in accordance with this Policy. Timeframes that would otherwise commence on the receipt of a Complaint will be taken to commence on the election date.

If the Respondent is not elected, the Complaints Officer will provide the Complainant with notice that the Respondent has not been elected and that the Complaint cannot be dealt with *[clause 15(1) of the Code of Conduct]*.

3.3 Withdrawing a Complaint

A Complainant may withdraw their Complaint at any time before a Finding has been made in relation to the Complaint *[clause 14 of the Code of Conduct]*.

A Complainant may withdraw a Complaint by advising the Complaints Officer in writing that they wish to do so.

After receiving a written withdrawal of the Complaint, the Complaints Officer will take all necessary steps to terminate the process commenced under this Policy.

3.4 Notice to Complainant

Within 7 days after receiving a Complaint, the Complaints Officer will provide written notice to the Complainant that:

- confirms receipt of the Complaint;
- outlines the process that will be followed and possible outcomes;
- explains the application of confidentiality to the Complaint;
- includes a copy of this Policy; and
- if necessary, seeks clarifications or additional information.

If the Complaint Form indicates that the Complainant agrees to participate in Alternative Dispute Resolution, the Complaints Officer will advise the Complainant of the process in accordance with Part 3.6 of this Policy.

3.5 Notice to Respondent

Within 14 days after receiving a Complaint, the Complaints Officer will provide written notice to the Respondent that:

- advises that a Complaint has been made in accordance with the Code of Conduct and this Policy;
- includes a copy of the Complaint Documents;
- outlines the process that will be followed, the opportunities that will be afforded to the Respondent to be heard and the possible outcomes;
- includes a copy of this Policy; and
- if applicable, advises that further information has been requested from the Complainant and will be provided in due course.

If the Complainant has agreed to participate in Alternative Dispute Resolution, the Complaints Officer will ask the Respondent if they are also willing to participate in accordance with Part 3.6 of this Policy.

3.6 Alternative Dispute Resolution

The City of Rockingham recognises that Alternative Dispute Resolution may support both parties reach a mutually satisfactory outcome that resolves the issues giving rise to the Complaint.

Alternative Dispute Resolution requires the consent of both parties to the Complaint and may not be appropriate in all circumstances.

To commence the process, the Complaints Officer will, as the first course of action upon receiving a Complaint, offer the Complainant and the Respondent the option of Alternative Dispute Resolution. If both parties agree to participate in Alternative Dispute Resolution, the Behaviour Complaints Officer will pause the formal process.

The objective of Alternative Dispute Resolution will be to reach an agreed resolution that satisfies the Complainant that the formal process is no longer required, allowing them to withdraw the Complaint, in accordance with Part 3.3 of this Policy. For example, an offer by a Respondent to issue a voluntary apology in response to a Complaint, even in the absence of a request from the Complainant, qualifies for consideration as Alternative Dispute Resolution.

If Alternative Dispute Resolution is commenced, both the Complainant and Respondent may decline to proceed with the process at any time. The process may also be terminated on the advice of a third party who is providing assistance to the Local Government, such as a facilitator or mediator.

If Alternative Dispute Resolution is terminated or does not achieve an agreed outcome that results in the withdrawal of the Complaint, the Complaints Officer will resume the formal process required under this Policy.

Examples of Alternate Dispute Resolution include –

- negotiation with the assistance of the Complaints Officer or other appropriate person as intermediary;
- facilitation with a contracted service provider such as a mediator or conciliator;
- other mutually agreed process.

3.7 Order of Complaints

Complaints will normally be dealt with in the order in which they are received.

If more than one Complaint is received that relates to the same alleged behaviour, the Complaints Officer may decide to progress those Complaints concurrently.

3.8 Appointment of Complaints Assessor

If Alternative Dispute Resolution is not commenced, is terminated or does not achieve an agreed outcome resulting in the withdrawal of the Complaint, the Complaints Officer may appoint a suitably qualified and experienced Complaints Assessor, in accordance with the City of Rockingham Procurement Framework.

A Complaints Assessor may be appointed under the following circumstances -

- Where a Complaint relates to a Council Member;
- Where a Complaint relates to a Candidate who is elected as a Council Member; and
- Where internal resources are limited and/or the nature of the Complaint requires specific expertise.

In appointing a Complaints Assessor, the Complaints Officer will have regard to the qualifications and independence of the person appointed.

The Complaints Officer will endeavour to appoint a Complaints Assessor within a reasonable period. The Complaints Officer will provide written notice of the appointment to the Complainant and the Respondent.

3.9 Search of Local Government Records

The Complaints Assessor may request the Complaints Officer to search for any relevant records in the City of Rockingham's record management system.

In particular, if the behaviour is alleged to have occurred at a Council or Committee Meeting, the Complaints Officer will be requested to identify any Local Government records that provide evidence that may support a decision as to whether:

- the behaviour occurred at a Council or Committee Meeting,
- the behaviour was dealt with by the person presiding at the meeting, and/or
- the Respondent has taken remedial action in accordance with the City of Rockingham Standing Orders Local Law 2001.

The Complaints Assessor must provide the Respondent with a copy of any records that are identified. In addition, where a clarification or additional information has been sought from the Complainant by either the Complaints Officer or the Complaint Assessor, copies must also be provided to the Respondent.

3.10 Assessment of the Complaint

The Complaints Officer or where appointed, the Complaint Assessor will undertake an assessment of the Complaint in accordance with the process outlined in the notices given under Part 3.4 and Part 3.5 of this Policy.

The Complaints Officer or where appointed, the Complaints Assessor must ensure that the Respondent is provided with a reasonable opportunity to respond to the Complaint before forming any opinions, or drafting the Complaint Report or recommendations.

3.11 Complaint Report

The Complaints Officer or where appointed, the Complaints Assessor will prepare a Complaint Report that will:

- outline the process followed, including how the Respondent was provided with an opportunity to respond;
- include the Complaint Documents, the Response Documents and any relevant City of Rockingham records as attachments; and

- include recommendations on each decision that may be made by the Local Government or a Complaints Committee; and
- include reasons for each recommendation, with reference to Part 4 of this Policy.

If the Complaint Report recommends that a Plan is prepared and implemented in accordance with clause 12(4)(b) of the Code of Conduct and Part 4.4 of this Policy, the Complaint Report must include a Proposed Plan.

The Complaints Officer or where appointed, the Complaints Assessor will include the Complaint Report in the Agenda for a meeting of the Council or where established, the Behaviour Complaints Committee. The Complaints Officer or where appointed, the Complaints Assessor will be responsible for preparation of an Officer Report with the Complaint Report provided as a confidential attachment. The recommendations of the Complaint Report will be provided as the Officer Recommendations.

3.12 Complaint Determination Meeting

The agenda will be prepared on the basis that the part of the meeting that deals with the Complaint Report will be held behind closed doors in accordance with the relevant subsections of s.5.23 of the Act.

The Local Government or the Behaviour Complaints Committee will consider the Complaint Report and attachments and give due regard to the recommendations.

In accordance with Regulation 11(da) of the *Local Government (Administration) Regulations 1996*, reasons for any decision that is significantly different from the Officer Recommendation must be recorded in the meeting minutes.

If the behaviour that is the subject of the Complaint is alleged to have occurred at a Council or Committee Meeting, the local government or the Behaviour Complaints Committee will determine whether or not to dismiss the Complaint in accordance with Clause 13 of the Code of Conduct and Part 4.2 of this Policy.

If the Local Government or the Behaviour Complaints Committee dismisses a Complaint, the Complaints Officer must give the Complainant and the Respondent written notice of the decision and the reasons for the decision in accordance with clause 13(2) of the Code of Conduct. This concludes the process for this Complaint.

If the Complaint is not dismissed, the Local Government or the Behaviour Complaints Committee will consider the Complaint and make a Finding as to whether the alleged Breach that is the subject of the Complaint has or has not occurred, in accordance with clause 12 of the Code of Conduct and Part 4.3 of this Policy.

If the Local Government or the Behaviour Complaints Committee finds that the alleged Breach did not occur, the Complaints Officer must give the Complainant and the Respondent written notice of the Finding and the reasons for the Finding in accordance with clause 12(7)(a) of the Code of Conduct. This concludes the process for this Complaint.

If the Local Government or the Behaviour Complaints Committee finds that the alleged breach did occur, the Committee will decide whether to take no further action in accordance with clause 12(4)(a) of the Code of Conduct or prepare a plan to address the behaviour in accordance with clause 12(4)(b) of the Code of Conduct and Part 4.4 of this Policy.

If the Local Government or the Behaviour Complaints Committee decides to take no further action, the Complaints Officer must give the Complainant and the Respondent written notice of this decision and the reasons for the Finding in accordance with clause 12(7)(a) of the Code of Conduct. This concludes the process for this Complaint.

If the Council or Behaviour Complaints Committee decides to prepare a Plan, it will first consult with the Respondent in accordance with clause 12(5) of the Code of Conduct. The Local Government or the Behaviour Complaints Committee will consider any submissions made by the Respondent before preparing and implementing a Plan.

3.13 Compliance with Plan Requirement

The Complaints Officer will monitor the actions in timeframes set out in a Plan.

Failure to comply with a requirement included in a Plan is a Conduct breach under section 5.105(1) of the Act and clause 23 of the Code of Conduct.

The Complaints Officer must provide a report advising the Council of any failure to comply with a requirement included in a Plan.

Decision Making

4.1 Objectives and Principles

All decisions made under this Policy will reflect the Policy Objectives and the Principles included in Part 1 of this Policy.

4.2 Dismissal

The Local Government or the Behaviour Complaints Committee must dismiss a Complaint in accordance with clause 13(1)(a) and (b) of the Code of Conduct if it is satisfied that -

- (a) the behaviour to which the Complaint relates occurred at a Council or Committee Meeting; and
- (b) either —
 - (i) the behaviour was dealt with by the person presiding at the meeting; or
 - (ii) the Respondent has taken remedial action in accordance with the City of Rockingham *Standing Orders Local Law 2001*.

4.3 Finding

A Finding that the alleged breach has occurred must be based on evidence from which it may be concluded that it is more likely that the breach occurred than that it did not occur [clause 12(3) of the Code of Conduct].

This may involve first considering whether the behaviour occurred, on the balance of probabilities, and then whether that behaviour constituted a breach of a requirement of Division 3 of the Code of Conduct.

4.4 Action

In deciding whether to take no further action, or prepare and implement a Plan, the Local Government or the Behaviour Complaints Committee may consider:

- the nature and seriousness of the breach(es);
- the Respondent's submission in relation to the contravention;
- whether the Respondent has breached the Code of Conduct knowingly or carelessly;
- whether the Respondent has breached the Code of Conduct on previous occasions;
- likelihood or not of the Respondent committing further breaches of the Code of Conduct;
- personal circumstances at the time of conduct;

- need to protect the public through general deterrence and maintain public confidence in Local Government; and
- any other matters which may be regarded as contributing to or the conduct or mitigating its seriousness.

4.5 Plan Requirement

The Proposed Plan may include requirements for the Respondent to do one (1) or more of the following:

- engage in mediation;
- undertake counselling;
- undertake training;
- take other action the Complaints Committee considers appropriate (e.g. an apology).

The Proposed Plan should be designed to provide the Respondent with the opportunity and support to demonstrate the professional and ethical behaviour expected of elected representatives expressed in the Code of Conduct.

The Proposed Plan may also outline:

- the actions to be taken to address the behaviour(s);
- who is responsible for the actions;
- any assistance the Local Government will provide to assist achieve the intent of the Plan; and
- a reasonable timeframe for the Plan action(s) to be addressed by the Respondent.

Definitions

Act - means the *Local Government Act 1995*.

Behaviour Complaints Committee - means a Committee established by the Council in accordance with s.5.8 of the Act for the purpose of dealing with Complaints. The role of the Behaviour Complaints Committee is outlined in Part 2.3 of this Policy.

Breach - means a breach of Division 3 of the City of Rockingham Code of Conduct for Council Members, Committee Members and Candidates.

Candidate - means a candidate for election as a Council Member, whose nomination has been accepted by the Returning Officer under s.4.49 of the Act, but does not include a Council Member who has nominated for re-election. A person is a Candidate from the date on which their nomination is accepted, until the Returning Officer declares the election result in accordance with s.4.77 of the Act.

Candidate Complaint - means a Complaint alleging a Breach by a Candidate. Candidate Complaints are dealt with in Part 3.2 of this Policy.

CEO - means the Chief Executive Officer of the City of Rockingham.

Code - means the City of Rockingham Code of Conduct for Council Members, Committee Members and Candidates.

Committee - means a committee of Council, established in accordance with s.5.8 of the Act.

Committee Member - means a Council Member, employee of the City of Rockingham or other person who has been appointed by the Council to be a member of an Advisory, Occasional or Standing Committee, Advisory Group and Panel in accordance with s.5.10(1) of the Act. A person is a Committee Member from the date on which they are appointed, until their appointment expires or is terminated by Council resolution.

Complaint - means a complaint submitted under Division 3, Clause 11 of the Code of Conduct.

Complainant - means a person who has submitted a Complaint in accordance with this Policy.

Complaints Assessor – means an independent person appointed by the Complaints Officer to assess or manage a complaint in accordance with this policy and the Code of Conduct.

Complaint Documents - means the Complaint Form and any supporting information, evidence, or attachments provided by the Complainant.

Complaint Form - means the form approved under clause 11(2)(a) of the Code of Conduct *[by Council resolution or by the CEO exercising delegated authority]*.

Complaints Officer - means a person authorised in writing *[by Council resolution or by the CEO exercising delegated authority]* under clause 11(3) of the Code of Conduct to receive Complaints and withdrawals of Complaints. The role of the Complaints Officer is addressed in Part 2.1 of this Policy.

Council - means the Council of the City of Rockingham.

Council Member - means a person who is currently serving a term of office as an elected member of the Council in accordance with the Act.

Finding - means a finding made in accordance with clause 12(1) of the Code of Conduct as to whether the alleged Breach has or has not occurred.

Conduct breach - means a complaint made under Division 4 of the Code of Conduct.

Plan - means a Plan under clause 12(4)(b) of the Code, to address the behaviour of the person to whom the complaint relates (the Respondent), if a Finding has been made that a Breach has occurred.

Respondent – means a Council Member, Committee Member or candidate the subject of a complaint.

Response Documents - means the response provided by the Respondent to the Complaint, and includes any supporting information or evidence that is supplied.

Legislation

Local Government Act 1995 – Section 5.104 Adoption of model code of conduct:

Local Government Act 1995 – Section 5.105 Breaches by Council Members

Local Government (Model Code of Conduct) Regulations 2021

Local Government (Local Government Inspector) Regulations 2025

Other Relevant Procedures / Key Documents

City of Rockingham Code of Conduct for Council Members, Committee Members and Candidates

Responsible Division

General Management Services

Review Date

March 2029

Council Adoption	25 May 2021	Version	4
Amendment Dates	22/8/23 (GM-024/23); 24/6/25 (GM-010/25); 24/3/26 (GM-007/26)	Document Number	D21/90577

Communications and Social Media

Objective

This policy establishes protocols for the City of Rockingham's official communications with our community to ensure the City of Rockingham is professionally and accurately represented and to maximise a positive public perception of the City.

Scope

This policy applies to:

1. Communications initiated or responded to by the City of Rockingham with our community; and
2. Elected Members when making comment in either their City of Rockingham role or in a personal capacity.

Statement

1. Official Communications

The purposes of the City's official communications include:

- Sharing information required by law to be publicly available.
- Sharing information that is of interest and benefit to the Community.
- Promoting City of Rockingham events and services.
- Promoting Public Notices and community consultation / engagement opportunities.
- Answering questions and responding to requests for information relevant to the role of the City.
- Receiving and responding to community feedback, ideas, comments, compliments and complaints.

The City's official communications will be consistent with relevant legislation, policies, standards and the positions adopted by the Council. Our communications will always be respectful and professional.

The City will use a combination of different communication modes to suit the type of information to be communicated and the requirements of the community or specific audience, including:

- Website;
- Digital Engagement Platform, Rockport;
- Advertising and promotional materials;
- Media releases prepared for the Mayor, to promote specific City of Rockingham positions;
- Social media; and
- Community newsletters, letter drops and other modes of communications undertaken by the City of Rockingham's Administration at the discretion of the CEO.

2. Speaking on behalf of the City of Rockingham

The Mayor is the official spokesperson for the City and may represent the City in official communications, including; speeches, comment, print, electronic and social media. *[s.2.8(1)(d) of the Local Government Act 1995]*

Where the Shire President / Mayor is unavailable, the Deputy Mayor may act as the spokesperson. [s.2.9 and s.5.34 of the Local Government Act 1995]

The CEO may speak on behalf of the City of Rockingham, where authorised to do so by the Mayor. [s.5.41(f) of the Local Government Act 1995]

The provisions of the *Local Government Act 1995* essentially direct that only the Mayor, or the CEO if authorised, may speak on behalf of the Local Government. It is respectful and courteous to the office of Mayor to refrain from commenting publicly, particularly on recent decisions or contemporary issues, until such time as the Mayor has had opportunity to speak on behalf of the City of Rockingham.

Communications by Elected Members, whether undertaken in an authorised official capacity or as a personal communication, must not:

- bring the City of Rockingham into disrepute,
- compromise the person's effectiveness in their role with the City,
- compromise the effectiveness of the City of Rockingham;
- imply the City's endorsement of personal views, or
- disclose, without authorisation, confidential information.

Social media accounts or unsecured website forums must not be used to transact meetings which relate to the official business of the City of Rockingham.

Elected member communications must comply with the Code of Conduct and the *Local Government (Model Code of Conduct) Regulations 2021*.

3. Responding to Media Enquiries

All enquiries from the Media for an official City of Rockingham comment, whether made to an individual Elected Member or Employee, must be directed to the CEO or a person authorised by the CEO. Information will be coordinated to support the Mayor or CEO (where authorised) to make an official response on behalf of the City of Rockingham.

Elected members may make comments to the media in a personal capacity – refer to clause 7.1 below.

4. Website

The City of Rockingham will maintain an official website, as our community's on-line resource to access to the City's official communications.

5. Social Media

The City of Rockingham uses Social Media to facilitate interactive information sharing and to provide responsive feedback to our community. Social Media will not however, be used by the City to communicate or respond to matters that are complex or relate to a person's or entity's private affairs.

The City of Rockingham maintains the following Social Media accounts:

- Social networks, including - Facebook and LinkedIn ;
- Media Sharing networks, including –Instagram and YouTube;
- Micro-blogging networks, including – Twitter; and
- Apps (applications), including – LitterBusters. The City can also update content to third party apps such as the WALGA app Localeye and Snap Send Solve, but does not maintain content on these apps.

The City of Rockingham may also post and contribute to Social Media hosted by others, so as to ensure that the City's strategic objectives are appropriately represented and promoted.

The City actively seeks ideas, questions and feedback from our community however, we expect participants to behave in a respectful manner. The City of Rockingham will moderate its Social Media accounts to address and where necessary delete content which is deemed to be Inappropriate Content as soon as the City becomes aware or as soon as practicable once notified.

Where a third party contributor to a City of Rockingham's social media account is identified as posting content which is deleted in accordance with the above, the City may at its complete discretion block that contributor for a specific period of time or permanently.

5.1 Mayoral Social Media Official Accounts

The City of Rockingham provides the Mayor with official social media account/s to assist the Mayor in fulfilling their role under section 2.8 of the *Local Government Act 1995*, to speak on behalf of the Local Government. The content will be administered and moderated in accordance with this policy.

These Social Media accounts will be clearly identified as the Mayor's accounts and must not be used by the Mayor for personal communications. The City of Rockingham will retain access for account management and moderation purposes.

The City will assist the Mayor to moderate his/her own Social Media accounts to address and where necessary delete Inappropriate Content.

5.2 Elected Member Social Media Official Accounts

Where an elected member chooses to use social media in fulfilling their role under section 2.10 of the *Local Government Act 1995*, he/she will moderate their own Social Media accounts to address and where necessary delete Inappropriate Content, with the exception of b), i), j) and l) as identified in the definition as soon as the elected member becomes aware or as soon as practicable once notified.

5.3 Use of Social Media in Emergency Management and Response

The City of Rockingham will use Facebook to communicate and advise our community regarding Emergency Management.

6. Record Keeping and Freedom of Information

Official communications undertaken on behalf of the City of Rockingham, including on the City's Social Media accounts and third party social media accounts must be created and retained as local government records in accordance with the City's Record Keeping Plan and the *State Records Act 2000*. These records are also subject to the *Freedom of Information Act 1992*.

7. Personal Communications

Personal communications and statements made privately in conversation, written, recorded email or posted in personal social media have the potential to be made public, whether it was intended to be made public or not.

Therefore, on the basis that personal or private communications may be shared or become public at some point in the future, Elected Members must ensure that their personal or private communications do not breach the requirements of this policy, the Code of Conduct and the *Local Government (Model Code of Conduct) Regulations 2021*.

7.1 Elected Member Statements on City Matters

An Elected Member may choose to make a personal statement publicly on a matter related to the business of the City of Rockingham.

Any public statement made by an Elected Member, whether made in a personal capacity or in their Local Government representative capacity, must:

1. Clearly state that the comment or content is a personal view only, which does not necessarily represent the views of City of Rockingham;
2. Be made with reasonable care and diligence;
3. Be lawful, including avoiding contravention of; copyright, defamation, discrimination or harassment laws;
4. Be factually correct;
5. Avoid damage to the reputation of the local government;
6. Not reflect adversely on a decision of the Council;
7. Not reflect adversely on the character or actions of another Elected Member or Employee;
8. Maintain a respectful and positive tone and not use offensive or objectionable expressions in reference to any Elected Member, Employee or community member.

An Elected Member who is approached by the media for a personal statement may request the assistance of the CEO.

Comments which become public and which breach this policy, the Code of Conduct or the *Local Government (Model Code of Conduct) Regulations 2021*, may constitute a serious breach of the *Local Government Act 1995* and may be referred for investigation.

Definitions

Social Media - Social media is a tool for communication and sharing of information.

Inappropriate Content -

- a) is offensive, abusive, defamatory, objectionable, inaccurate, false or misleading;
- b) is promotional, soliciting or commercial in nature;
- c) is unlawful or incites others to break the law;
- d) is overtly sexual or explicit;
- e) is threatening or describing violent events or behaviours;
- f) refers to or encourages the use of illegal drugs;
- g) is harassing or hateful to an organisation or person, including the City of Rockingham, our employees, stakeholders, associates and suppliers;
- h) contains information which may compromise individual or community safety or security;
- i) is repetitive material copied and pasted or duplicated;
- j) promotes or opposes any person campaigning for election to the Council, appointment to official office, or any ballot;
- k) violates intellectual property rights or the legal ownership of interests or another party; and
- l) contains inappropriate content or comments at the discretion of the City.

Legislation

Local Government Act 1995

Local Government (Model Code of Conduct) Regulations 2021

State Records Act 2000

Freedom of Information Act 1992

Other Relevant Procedures / Key Documents

Council Policy – Records Management – Policy and Procedures for Councillors

City of Rockingham Code of Conduct for Council Members, Committee Members and Candidates

Responsible Division

General Management Services

Review Date

Council Adoption	26 March 2019	Version	3
Amendment Dates	3/3/21 (<i>legislation change</i>); 27/5/21 (<i>admin change</i>)	Document Number	D1949382

Community Engagement

Objective

The objectives of this policy are to:

- ensure that the City of Rockingham's community and relevant stakeholders are provided opportunities to participate and contribute to the decision making process on relevant matters.
- affirm the City of Rockingham's commitment to facilitating community and stakeholder engagement to inform its decision making process.
- ensure that community and stakeholder engagement is fit-for-purpose.
- guide the City's approach to community and stakeholder engagement.

Scope

This Policy applies to Elected Members and all City of Rockingham employees.

Statement

As a Local Government the City is guided by a range of statutory requirements that define minimum levels of engagement with the community and relevant stakeholders. Council recognises that community engagement is an important element in its decision making process.

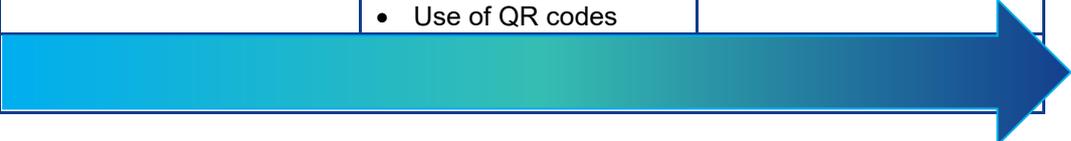
The City is committed to facilitating a fit-for-purpose community and stakeholder engagement process, and does not prescribe a single approach. The level of engagement is determined by the context of the project and the impact on the community.

The City's policy is based on the following principles:

- **Inform** - we engage the right people as early in our process as we possibly can
- **Consult** - we create opportunities for a two way communication
- **Participate** - we provide opportunities for the community to be actively involved
- **Share** - we share the outcomes
- **Measure** - we measure our performance.

The City's Engagement approach is adapted from the International Association for Public Participation's Spectrum of Public Participation (IAP2). The IAP2 is an association which aims to promote and improve the practice of public participation.

The City will follow three community engagement approaches, *Inform*, *Consult*, *Participate* depending on the particulars and complexity of a project or initiative, as detailed below:

	Low stakeholder participation	Medium stakeholder participation	High stakeholder participation
Approach	Inform	Consult	Participate
Expected community interest levels	The issue will not have much impact on the community and is unlikely to raise concerns	The issue will affect the community and may raise some concerns	The issue will have a large impact on the community, and there will be an expectation that community opinion will be obtained
COR Examples	Road works, Statutory requirements	New infrastructure for the City	Strategic Community Plan
Suggested tools to use	<ul style="list-style-type: none"> • Rock Port • Social Media • Advertising • Information sessions • Fact sheets • Brochures or pamphlets • Website • City Chronicle • Letters to localised area • Use of QR codes 	<ul style="list-style-type: none"> • Rock Port • Public comment: <i>share your thoughts</i> • Surveys • Public meetings • Information sessions • Letters • Brochures or pamphlets • Website • City Chronicle • FAQ sheets • Social Media • Advertising • Use of QR codes 	<ul style="list-style-type: none"> • Rock Port • Public comment: <i>share your thoughts</i> • Surveys • Workshops • Focus groups • Advisory committees • Councillor Workshops • Public meetings • Social media • Advertising • City Chronicle • Use of QR codes
Issue Complexity			

In achieving Council's Policy objectives, the Chief Executive Officer must ensure that the following key areas of activity are fulfilled:

1. Statutory compliance – compliance with relevant Legislation
2. Fit for purpose – adapted from the International Association for Public Participation's Spectrum of Public Participation (IAP2)
3. Strategic integration – Integrate with the City's Strategic Development Framework Policy and Council Policy Framework
4. Diversity – ensure that the City's Communications and engagement methods are inclusive and accessible to all and are aligned to the City's Disability Access and Inclusion Plan and Reconciliation Action Plan
5. Timeframes – The engagement period will be for a minimum period of 14 days. For more complex matters this may be extended. The City will take into account holiday periods when determining timing and duration of consultations
6. Reporting – a standardised approach to reporting outcomes in Council Reports.

The CEO is responsible for implementing processes and systems to achieve the policy objectives and ensure an organisation wide commitment to robust engagement on matters that impact the community.

Definitions

Community engagement - Engagement, or public participation, is a process for making better decisions that incorporates the interests and concerns of all affected stakeholders and meets the needs of the decision-making body. (IAP2).

Stakeholder - any individual, group of individuals, organisations, or political entity with a stake in the outcome of a decision (IAP2).

Legislation

Section 1.3 (2) of the *Local Government Act 1995*.

Other Relevant Procedures / Key Documents

Council Policy Framework

Strategic Development Framework Policy

Risk Management Policy

City of Rockingham Strategic Community Plan

Reconciliation Action Plan

Disability Access and Inclusion Plan

International Association for Public Participation's Spectrum of Public Participation (IAP2).

Internal documents

Community Engagement Framework.

Project Management Framework.

Risk Management Framework.

Responsible Division

General Management Services

Review Date

March 2024

Council Adoption	28 June 2022 (GM-010/22)	Version	1
Amendment Dates	March 2024	Document Number	D22/133419

Community Grants Program

Objective

To provide a framework for the categorisation, application, assessment and provision of grant funding through the City's Community Grants program.

Scope

This policy applies to the provision of funding through the Community Grants Program. It applies to Councillors, relevant Committees, Groups, Panels, City employees and grant applicants.

Statement

The Community Grants Program aims to provide financial assistance to eligible applicants to deliver initiatives and/or provide opportunities which enable outcomes in the following target areas:

- Community Development
- Sport and Recreation
- Economic Development
- Environment and Heritage
- Culture and the Arts
- Emergency Services

Grant Categories

There are six categories of Community Grant Program funding available. Full eligibility criteria and other relevant information is outlined in the Guidelines for each category.

1. Minor Grants up to \$3,000

- Travel Subsidy Grants – Grants are available to individuals and teams authorised by their association's governing body to participate in accredited interstate and international competitions, travelling outside of Western Australia. Maximum amounts are:
 - Interstate Travel Individual: \$ 300
 - Interstate Travel Team: \$1,000
 - International Travel Individual: \$ 500
 - International Travel Team: \$2,000
- Youth Encouragement Grant – Grants of up to \$600 are available to individuals aged between 12 and 24 to participate in opportunities that facilitate and develop:
 - Leadership
 - Employability
 - Social skills and knowledge
 - Learning (educational opportunities outside of usual school options/alternate pathway program/ability to participate in further education)
 - Community participation
- General Grants - Grants of up to \$3,000 are available to incorporated associations to assist with the delivery of programs and events that benefit the local community and / or address priority community issues.

- Business Innovation Grants – A grant of up to \$2,000 matched funding is available to support small local businesses to grow and prosper. The grants application is open year-round, and will be awarded to eligible applications on a first-come, first-served basis until the funding is exhausted in each financial year.

There are two types of Business Innovation Grants:

- Technology / Website / Digital Enhancement
- Business Innovation and Growth

Applicants can apply for matched funding of up to 50% of the total project cost, to the maximum grant value of \$2,000. The remaining project costs are to be self-funded by the applicant.

Minor grants are to be considered by the CEO. Formal acquittal processes are not mandatory but may be requested if considered appropriate.

2. Major Grants up to \$15,000

Grants of between \$3,001 and \$15,000 are available to incorporated associations to assist with programs and events that benefit the local community and / or address priority community issues.

Major grants will be considered by the Community Grants Program Panel. An acquittal is required.

3. Major Events Sponsorship

Sponsorships of up to \$20,000 per annum for up to 3 years are available to incorporated not-for-profit associations, and those limited by guarantee, to assist with events that significantly benefit the local community.

There are two types of Major Events Sponsorship:

- Economic Development Event - An event that demonstrates significant direct stimulus to the Rockingham economy, including local businesses, and extensive marketing opportunities for the City.
- Community Development Event - An event that shows evidence of successful delivery in the previous calendar year (or years), which attracted at least 5,000 people, and which has a direct benefit to the Rockingham Community.

As an inaugural/one-off event cannot demonstrate past evidence of success, the applicant must satisfy all other relevant assessment criteria, and demonstrate experience managing similar scaled events or partnership programs. Inaugural and one-off events will be eligible for \$20,000 for one year.

Major Events Sponsorship Grants will be considered by the Community Grants Program Panel. An acquittal is required.

4. City Property Grants

- Leased Property Grants: Maintenance – Grants of up to \$10,000 per year are available to incorporated not-for-profit associations, and those limited by guarantee, that lease City owned facilities, to assist with maintenance obligations outlined in their lease.
- Leased Property Grants: Rates Subsidy - Grants equal to the amount of rates levied on City properties leased to incorporated associations will be applied to those properties' annual rates liability.

Maintenance and Rate Subsidy Grants will be considered by the CEO.

5. Heritage Assistance Grants

Heritage Assistance Grants for a property on the City’s Heritage List, for each property owner or strata titled development, will apply as follows:

Grant Category	Local Heritage List - Category	Heritage Documentation	Conservation Works	Total
<i>Major</i>	<i>Category 1 - Exceptional Significance</i>	<i>\$2,000</i>	<i>\$7,000</i>	<i>\$9,000</i>
<i>Medium</i>	<i>Category 2 - Considerable Significance</i> <i>Category 3 – Some/ Moderate Significance</i>	<i>\$2,000</i>	<i>\$5,000</i>	<i>\$7,000</i>
<i>Strata titled development (whole development)</i>	<i>Category 1 to 3 Management Category</i>	<i>\$2,000</i>	<i>\$7,000</i>	<i>\$9,000</i>

Category 1 places are also referred to as Management Category A in the City’s Municipal Heritage Inventory (Heritage Survey).

Category 2 places are also referred to as Management Category B in the City’s Municipal Heritage Inventory (Heritage Survey).

Category 3 places are also referred to as Management Category C in the City’s Municipal Heritage Inventory (Heritage Survey).

Eligible projects may include up to 50% of the total cost up to the maximum total amounts in Table No. 1.

Heritage Assistance Grants will be considered by the Community Grants Program Panel and a formal grant acquittal process is required.

Heritage Grants will not be eligible when funding has already been allocated in the WA Heritage Council Grants Program.

Full eligibility criteria is outlined in the City’s Heritage Assistance Grant Guidelines.

6. Community Infrastructure Grants

- Planning Grants – Grants of up to \$20,000 are available for planning activities that assist groups to undertake strategic planning or to determine the need and feasibility of infrastructure projects that benefit the Rockingham community. Proposed infrastructure projects must be on land owned or managed by the City or Department of Education, where a shared use agreement is in place.
- Capital Grants – Grants of up to \$50,000 are available for construction, expansion, upgrade or refurbishment of community infrastructure that benefits the Rockingham community. Proposed projects must be on land that is owned or managed by the City or Department of Education, where a shared use agreement is in place.

Community Infrastructure Grants will be considered by the Community Grants Program Panel. An acquittal is required.

Assessment Criteria

A formal assessment criteria will apply to the following grant categories:

- General Grants
- Major Grants
- Major Events Sponsorship
- Community Infrastructure Grants

Immediately following Council elections, election of Committees, Panels and Groups, and the selection of the Chairperson, the first item of business for the Community Grants Program Panel is to consider and recommend the assessment criteria that will apply for the following two years, for Council consideration. All decisions, including those made under delegation by the CEO will be guided by these criteria.

Community Grants Program Panel

The Community Grants Program Panel will consider applications for Major Grants, Major Events Sponsorship, Community Infrastructure Planning and Capital Grants, and Heritage Grants through two funding rounds per annum, applying as far as is practicable, one half of budgeted funds per round.

Grant applications will be assessed by the relevant City officers. Officer recommendations will be provided to the Panel for recommendation. Panel recommendations will be presented to Council for final determination.

Ineligibility

The following are ineligible for grant funding. Further ineligibility criteria are outlined in Guidelines for each Grant Category.

- Individuals (except for Travel Subsidy, Youth Encouragement Grants and Heritage Assistance Grants)
- Schools (except for teams in the Travel Subsidy Grant)
- Public companies (except for those limited by guarantee)
- Private companies (except for Heritage Assistance Grants)
- Local, State or Federal Government authorities/agencies.

Auspice Organisation

In the context of grant applications, an auspice organisation is legally and financially responsible to receive the grant money, ensure the program/event is completed on time and submit the acquittal and evaluation report.

The Auspice organisation must:

- Ensure that the program/event for which funding is sought furthers the mission/objectives of their organisation in some way
- Check the constituent documents (constitution, rules, by-laws)
- Ensure that entering into the auspice agreement is consistent with the objectives and powers of their organisation.

Perception of Bias

In accordance with best practice public sector transparency and accountability principles, all panel members and staff who are, or have in the last three years, been a board member, panel member, executive member of an association applying for funds, shall disqualify themselves from all aspects of the consideration process from receipt of application through to consideration at the Community Grants Program Panel.

Complimentary tickets for City of Rockingham funded events

The acceptance or otherwise of complimentary tickets for City of Rockingham funded events shall be in accordance with the Council's Attendance at Events policy.

Executive Policies and Procedures

The CEO shall ensure that executive policies and procedures are implemented that provide for the effective and equitable consideration, approval, distribution, measurement and acquittal of grant funds.

Definitions

Maintenance – Encompasses all the actions necessary for retaining an asset as near as practicable to an appropriate service condition, including regular ongoing day-to-day work necessary to keep the asset operating. Examples include painting, cleaning, air-conditioning repairs and servicing.

Infrastructure – Physical facilities and structures that are fixed and meet a long-term need

Incorporated Associations - An “incorporated association”:

- (a) Is incorporated under the Associations Incorporation Act 2015
- (b) Cannot operate for the profit or gain of its individual members
- (c) Contributes to the community in a social, sporting, cultural, environmental or charitable context
- (d) Demonstrates local volunteer involvement.

Company Limited by Guarantee (CLG) - Specialised form of public company designed for non-profit and charitable organisations. In Australia companies limited by guarantee are subject to the Corporations Act 2001 (Commonwealth) and administered by the Australian Securities and Investments Commission (ASIC).

Auspice Organisation – is an incorporated organisation or CLG that applies for a grant on behalf of an unincorporated organisation. The auspice organisation is responsible for the financial management of the grant. An auspice agreement is a legally binding contract. It sets out the legal obligations of both organisations toward each other and in relation to any specific funding or other agreements.

Local Heritage Survey - the Heritage Act 2018 requires each Local Government to identify places of cultural heritage significance in a local heritage survey (LHS). This is also known as a Municipal Heritage Inventory (fmr).

Legislation

Associations Incorporation Act 2015

Other Relevant Procedures / Key Documents

- Strategic Community Plan 2023 - 2033
- Governance and Meeting Framework Policy
- Leasing Policy
- Asset Register
- Other Community Plan Strategy Documents
- Delegations Register
- Attendance at Events

Responsible Division

Community Development

Review Date

August 2026

Council Adoption	25 August 2015	Version	16
Amendment Dates	15/12/15 (CD-048/15); 23/02/2016 (CD-005/16); 26/07/2016 (CD-023/16); 28/2/17 (CD-002/17); 27/02/2018 (CD-002/18); 23/07/19 (CD-016/19); 25/02/2020 (CD-002-20); 12/10/21 (GM-030/21); 25/10/22 (CD-028/22); 19/12/23 (CD-29/23)-20); 12/10/21 (GM-030/21); 25/10/22 (CD-028/22); 19/12/23 (CD-029/23); 27/8/24 (CD-027/24); 27/6/25 (GM-010/25)	Document Number	D15/175305

Council Local Law Policy – Miscellaneous Activities

1. Introduction

- 1.1 Under clauses 3.13, 3.14 and 3.15 of the Local Law certain activities cannot be carried out on local government property except with a permit.
- 1.2 This Policy relates only to certain activities set out in clause 3.13.
- 1.3 A person wishing to make an application for a permit must do so in accordance with clause 3.2 of the Local Law.
- 1.4 The Local Law does not set out, expressly, the considerations relevant to the determination of an application for a permit.

2. Purpose

- 2.1 This purpose of this Policy is to set out considerations considered to be relevant to the determination of an application for a permit under the Local Law for a proposed activity.

3. Policy application

- 3.1 This Policy is made for the purposes of guiding the determination of an application referred to in paragraph 3.2.
- 3.2 This Policy applies where a person makes an application for a permit:
 - (a) under clause 3.13 (f) of the Local Law, to carry on any trading on local government property;
 - (b) under clause 3.13 (h) of the Local Law, to conduct a function on local government property; and
 - (c) under clause 3.13 (k) of the Local Law, to parachute or hang glide from or on to local government property.

4. Relevant considerations

- 4.1 In determining an application to which this Policy applies, the following considerations are considered to be relevant:
 - (a) the preservation of the amenity of the locality;
 - (b) the preservation of public safety;
 - (c) where the local government property is Crown land:
 - (A) the purpose, if any, for which the land is reserved under the Land Administration Act 1997; and
 - (B) the purpose for which the land is designed, developed and used;
 - (d) the protection, management and control of the local government property and assets on the local government property;
 - (e) the conservation, protection and proper management of flora and fauna on the local government property;

- (f) the impact of the proposed activity on the use of the local government property by existing users and by the public; and
- (g) the experience and qualifications of the applicant and the applicant's past performance in undertaking or managing the proposed activity or similar activities.

5. Policy Objectives

5.1 In determining an application to which this Policy applies, regard is to be had to the Policy Objectives.

5.2 The Policy Objectives are:

(a) Preservation of amenity

An activity is only to be permitted where the amenity of the locality will not be adversely affected.

(b) Public safety

An activity is only to be permitted where it will not prejudice public safety.

(c) Reserve purpose

Where local government property is reserved for a public purpose, a proposed activity on that local government property is only to be permitted where it is consistent with that public purpose.

(d) Public use of facilities

A proposed activity which is likely to give rise to a need for facilities including parking and toilets, is only to be permitted where those facilities exist and where there will be no unreasonable interference with the use by the public of those facilities.

(e) Damage

A proposed activity is only to be permitted where it is not likely to entail unreasonable damage to the local government property or to the natural environment in the locality.

(f) Use by the public

The proposed activity is only to be permitted where it will not unreasonably restrict use of the local government property by existing users and by the public generally.

(g) Trading

Trading is only to be permitted where:

- (i) the trading will be incidental to an activity which is permitted; or
- (ii) the trading will be on local government property reserved for a public purpose, and the trading promotes that public purpose.

6. Preservation of amenity

6.1 When considering whether a proposed activity is likely to detrimentally affect the amenity at the locality, the following factors are to be taken into account:

- (a) noise from the proposal and from persons participating in the proposed activity;
- (b) traffic likely to be generated by the proposed activity;

- (c) increase in the demand for parking as the result of the proposed activity and the availability of public parking to meet the demand;
- (d) hours of operation of the proposed activity;
- (e) number of persons involved in the proposed activity;
- (f) the display of signs associated with the proposed activity;
- (g) the proximity of the proposed activity to residential dwellings; and
- (h) equipment and things to be used in connection with the proposed activity.

Definitions

In this Policy, unless the contrary intention appears:

Amenity - all those factors which combine to form the character of an area and include the present and likely future amenity;

Function - has the meaning given to it in the Local Law;

Local government property - has the meaning given to it in the Local Law;

Local Law - *City of Rockingham Local Government Property Local Law 2001*;

Policy Objective - an objective set out in clause 5.2;

Proposed activity - a matter to in clause 3.2 of this Policy which is the subject of an application for a permit under the Local Law;

Trading - has the meaning given to it in the Local Law.

Legislation

Nil

Other Relevant Procedures / Key Documents

Nil

Responsible Division

Legal Services and General Counsel

Review Date

Council Adoption	25 November 2014 (LS-002/14)	Version	1
Amendment Dates		Document Number	D15/48353

Council Member Entitlements

Objective

This Council Member Entitlements Policy (**Policy**) outlines the allowances, fees and reimbursement of expenses that may be paid to Council Members.

This Policy is in accordance with the relevant legislation and determinations, being the *Local Government Act 1995*, the *Local Government (Administration) Regulations 1996* and the Determinations of the Salaries and Allowances Tribunal (**Tribunal**) on Local Government Chief Executive Officers and Elected Members pursuant to the *Salaries and Allowances Act 1975*.

The Policy also details other support provided by the City of Rockingham (**City**) to assist Council Members to perform their official duties of office.

Council has a separate policy "Council Member Professional Development" which provides for entitlements while attending conferences and training opportunities.

Scope

This policy applies to all Council Members.

Statement

1. Fees and Allowances

1.1 Mayoral Annual Allowance

The Mayor shall be entitled to an Annual Allowance equal to the maximum amount permitted to be paid to a Mayor, within Band 1, as determined by the Tribunal from time to time.

1.2 Deputy Mayoral Annual Allowance

The Deputy Mayor shall be entitled to an Annual Allowance, within Band 1, as determined by the Tribunal from time to time.

1.3 Annual Attendance Fee

In lieu of paying Council Meeting, Committee Meeting and Prescribed Meeting Attendance Fees:

- a. the Mayor shall be paid an Annual Attendance Fee equal to the maximum amount permitted to be paid to a Mayor, within Band 1, as determined by the Tribunal from time to time; and
- b. Council Members shall be paid an Annual Attendance Fee equal to the maximum amount permitted to be paid to a Council Member other than the Mayor, within Band 1, as determined by the Tribunal from time to time.

1.4 Payment

- a. Annual Allowances and Annual Attendance Fees are to be paid monthly in arrears.
- b. Payments of Annual Allowances and Annual Attendance Fees may be made to a Council Member's superannuation fund, as nominated by the Council Member, in accordance with the requirements of the Australian Tax Office.

- c. Any taxation liability arising from these payments, or any other payment made pursuant to this Policy, is the responsibility of the recipient and independent financial advice should be sought as required.

1.5 Annual ICT Allowance

- a. Council Members shall be entitled to an annual allowance for ICT expenses, equal to the maximum amount determined by the Tribunal from time to time.
- b. The Annual ICT Allowance is designed to meet all Council Member related communication costs and any other relevant telecommunication costs, including relevant hardware, computer software, internet charges, and ICT consumables.
- c. The ICT allowance is to be paid monthly in arrears.

2. Prescribed Expense Reimbursements - Local Government (Administration) Regulation 1996 31(1)(b)

2.1 Child Care Costs

- a. Subject to the following paragraph, child care costs incurred by a Council Member as a result of attending a Council or Committee meeting will be reimbursed at the rate determined by the Tribunal from time to time, or the actual rate paid, whichever is the lesser amount.
- b. Child care costs will not be paid where the child care is provided by a member of the immediate family or a relative living in the same premises as the Council Member.

2.2 Travel Expenses

- a. A Council Member who incurs travel costs (including parking expenses) while driving a privately owned or leased vehicle (rather than a commercially hired vehicle) as a result of attending a Council or Committee Meeting will be reimbursed at the rate determined by the Tribunal from time to time.
- b. A Council Member who incurs travel costs (including parking expenses), while driving a privately owned or leased vehicle (rather than a commercially hired vehicle) because the Council Member is attending or performing a Local Government Function, are to be reimbursed at the rate determined by the Tribunal from time to time.
- c. If:
 - i. a Council Member would be entitled to reimbursement of their travel costs pursuant to this Part had they driven a privately owned or leased vehicle; and
 - ii. they instead utilised a bus, train, taxi or ride sharing service,They will be reimbursed the actual costs incurred by them.
- d. Council Member travel expense claims must relate to a destination from their normal place of residence or work and return.

3. Claiming Expenses

- a. Care needs to be taken in making application for claims for reimbursement of expenses and Council Members must differentiate between:
 - i. expenditure incurred in their private capacity (for which no claim may be made); and
 - ii. expenditure necessary and prudent in the performance of their official duties of office (for which a claim may be made in accordance with this Policy).

- b. Reimbursement of expenses is conditional upon the provision of adequate evidence of the expenditure in the form of invoices and receipts.
- c. A claim for reimbursement of travel costs must include the date, particulars of travel, nature of business, distance travelled, vehicle's engine displacement and total kilometres travelled.
- d. All claims for reimbursement must be submitted to the City's Governance Department on a monthly basis in the form prescribed from time-to-time.
- e. Final claims relating to each financial year must be submitted within 14 days after the end of the financial year. No back payment of claims relating to prior financial years will be permitted.
- f. Council Members are not entitled to reimbursement for any expenses incurred in connection with their re-election to office of Councillor.

4. Equipment

4.1 Issue and return electronic equipment

- a. The City will provide a Council Member with an electronic device (e.g., a laptop, iPad or other tablet) (Electronic Equipment), for use during their term of office.
- b. The Electronic Equipment must be used for Council related business only and the Council Member is responsible for safe guarding and protection of Electronic Equipment from misuse.
- c. Council Policy – Digital Tablet Devices for Councillor Use outlines the relevant conditions upon which Electronic Equipment is provided to a Council Member.
- d. Electronic Equipment will be issued in accordance with the City's supply arrangement in place at the time of the request, with all costs being met by the City.
- e. Consumables for the Electronic Equipment (e.g., sim card or internet access), forms part of the Annual ICT allowance as described in Part 1.5 of this Policy and will not be separately provided or reimbursed.
- f. All Electronic Equipment and Access Cards issued to a Council Member must be returned 48 hours after the conclusion of the Council Member's term of office.
- g. A computer and printer is available in the Councillor's Lounge, which Council Members may use in the performance of their function as a Council Member.

4.2 Maintenance and replacement of electronic equipment

- a. The City is responsible for the ongoing maintenance of Electronic Equipment.
- b. The replacement of Electronic Equipment will be in accordance with the Council Policy – Digital Tablet Devices for Councillor Use.

5. Other Supplies

5.1 Business Cards

All Council Members will be supplied with business cards as reasonably required to carry out their functions as a Council Member. The business cards will be printed in accordance with the City's Corporate Style Guide.

5.2 Name Badge

The City will provide Council Members with a standard and corporate name badge and a metal name badge. Council Members may request standard name badges for their partners. The City will replace any name badge which is lost or irreparably damaged.

5.3 Access card to City's Administration Building

Council Members will be provided an electronic access card (Access Card) which allows access to the City's Administration Building, the Councillor's Lounge and the meeting room area. Lost and damaged Access Cards must be promptly reported to the Governance and Councillor Support team who will arrange deactivation and replacement of the card. Access Cards must be returned to the Governance and Councillor Support team within 48 hours upon ceasing to be a Council Member.

5.4 Parking permit for City's Administration Building

A Council Member may register two vehicles with the City, which will entitle the Council Member to park either of those vehicles in bays appropriately marked at the City's Administration Building.

Please note the time limits may apply and infringements may be issued if the time limit is exceeded.

Definitions

Annual Allowance – the annual allowance payable to the Mayor and the Deputy Mayor, in addition to any entitlement to meeting attendance fees or the reimbursement of expenses.

Annual Attendance Fee – the annual fee payable to the Mayor, Deputy Mayor and Council Members in lieu of Council Meeting, Committee Meeting and Prescribed Meeting Attendance Fees.

City - The City of Rockingham.

Council Member – a person elected as Mayor or Councillor of the City.

Determination – The most current determination of the Salaries and Allowances Tribunal on Local Government Chief Executive Officers and Elected Members pursuant to the *Salary and Allowances Act 1975*.

ICT – Information and Communication Technology.

Local Government Function – includes:

- Citizenship Ceremonies and civic functions.
- Meetings where the Council Member has been appointed by Council as its delegate (or as a deputy to the delegate), save where those costs are paid or reimbursed by a third party.
- Any City convened meeting requiring a Council Member to attend, including councillor engagement sessions, workshops and other forums.
- Functions where a Council Member is nominated to represent the Mayor or is attending by resolution of Council.

Note: a Council Member who attends a function in any other capacity is not entitled to reimbursement of travel costs.

Note: please refer to Council Member Professional Development Policy.

Meetings in connection with matters relating to local government, including site inspections and meetings with electors/ratepayers.

Legislation

Local Government Act 1995 – section 5.98

Salaries and Allowances Act 1975 – section 7B

Local Government (Administration) Regulations 1996 – regulation 31 and 32

Local Government Officers' (Western Australia) Award 2021 – section 30.6

Other Relevant Procedures / Key Documents

Council Policy – Attendance at Events

Council Policy – Council Member Professional Development

Council Policy – Digital Tablet Devices for Councillor Use

Council Policy – Use of the Councillors' Lounge

Responsible Division

General Management Services

Review Date

March 2029

Council Adoption	27 June 2023 (GM-016/23)	Version	2
Amendment Dates	24/3/26 (GM-008/26)	Document Number	D23/134736

Council Member Professional Development

Objective

To facilitate the attendance of Council Member professional development such as conferences, seminars and training that are of relevance to the City of Rockingham (**City**) and will aid in the Council Member's professional development and the overall decision making of Council.

Division 2, regulation 4(2)(c) of the *Local Government (Model Code of Conduct) Regulations 2021* states that "A Council Member or committee member should actively seek out and engage in training and development opportunities to improve the performance of their role".

This policy addresses the legislative requirement of sections 5.128 and 5.129 of the *Local Government Act 1995* and Regulation 37 of the *Local Government (Administration) Regulations 1996*.

Scope

The registration and attendance at any professional development by Council Members of the City, including all related travel and expenses.

Statement

Professional development by Council Members is critical in ensuring that they have up to date knowledge and training to remain abreast of contemporary practices in local government and the many special interest areas that local governments are involved with.

It is recognised that at times registration lead times to attend professional development are limited and prevent attendance where the Council's prior approval may be required. This policy seeks to ensure that Council Members can register and attend professional development events that are of relevance to the strategic direction of the City and within existing budget allocations.

Payment or Reimbursement of Professional Development costs cannot be made within three (3) months of a Council Members term of expiry as per Regulation 37(3)(a).

Training

A Council Member who is required to complete training as per section 5.126 of the Act must do so in the legislated time frame.

A Council Member is able and encouraged to undertake other training. Examples are the Diploma of Local Government or the Australian Institute of Company Directors Course. Training must be relevant to the role of a local government Council Member and/or the terms of reference of any advisory, occasional, or standing committee, panel or advisory group of which they are a member, and/or the strategic objectives or service delivery of the City.

Other training is subject to the approval of the Chief Executive Officer.

Costs associated with attendance at training and development activities will be provided for in the Council's annual training budget allocation.

Membership Subscriptions

A Council Member is able and encouraged to take up professional membership subscriptions.

The organisation must be relevant to the role and functions of an Elected Member and/or the terms of reference of any advisory, occasional or standing committee, panel or advisory group of which they are a member, and/or the strategic objectives or service delivery of the City. Examples are the Local Government Elected Members Association and the Australian Local Government Women's Association WA Branch.

Membership subscriptions are subject to the approval of the Chief Executive Officer.

Costs associated with professional memberships may be reimbursed up to a maximum of \$250 per annum and will be provided for in the Council's annual training budget allocation.

Conference and Attendance Guidelines

Any conference under this policy must relate to the strategic objectives or service delivery of the City.

International Conferences

Council approval is required for a Council Member's attendance at an International Conference.

Mayor

The Mayor may attend any conference within Australia that they determine is appropriate, in consultation with the Chief Executive Officer.

Committee Presiding Member

A Council Member who is a chairperson of an advisory, occasional, or standing committee, panel or advisory group may attend one annual or major conference within Australia each year that is relevant to the purpose of the advisory, occasional, standing committee, panel or advisory group .

Council Members

A Council Member appointed by the Council to provide advocacy or input on behalf of the City and the community on Non-Council Committees and Organisations and where the Council Member is required to attend a conference or event hosted by that board or organisation, may attend such conferences and events on an annual basis.

A Council Member who is not a chairperson of an advisory, occasional, or standing committee, panel or advisory group may attend two conferences within Australia in each four year term that have relevance to the City's strategic objectives.

All Council Members may attend conferences, held in the Perth Metropolitan Area and Peel Region and on the proviso that no more than four Council Members attend each conference unless otherwise approved by the Mayor, with the exception of the WALGA annual conference where all Council Members may attend.

The opportunity to attend a conference under this policy is not cumulative and is re-established at the commencement of each term. Council approval is required if a conference is scheduled within six months of a requesting Council Member's term expiring, with the exception of the WALGA annual conference where all Council Members may attend.

All conference registrations, including travel requirements must be approved by the Chief Executive Officer and fall within budget constraints.

A Council Member is not to accumulate benefits associated with any customer loyalty programs while travelling on Council business.

Should a Council Member wish to upgrade their accommodation standard or extend their visit for personal reasons not associated with approved Council business, all extended stay and additional costs associated with that stay, are to be met by the Council Member (including any additional airfare costs).

Any conference not within the scope of the above entitlements is to be the subject to Council approval. All expenses incurred by a Council Member's spouse or partner are to be met by the Council Member, except in the following circumstances:

- Accommodation provided where there is no increase in the costs of accommodation.

If the City does pay in the first instance due to expedience of bookings the costs must be reimbursed to the City.

All expenses are to be administered as follows:

Expense Type	Extent of expense payable by City of Rockingham	Comments
Accommodation, meals, refreshments and direct expenses	All reasonable expenses on provision of an expenditure Tax Invoice.	<ul style="list-style-type: none"> · Executive standard accommodation or equivalent at venue or close proximity. · All arrangements to be made by the City. All reasonable expenses will be reimbursed upon provision of receipts or suitable proof of expenditure. · Meals shall be interpreted as reasonable expenses incurred for the purchase of breakfast, lunch, dinner where these are not provided at the event or during travel. <ul style="list-style-type: none"> - Breakfast maximum value \$40 per day - Lunch maximum value \$60 per day - Dinner maximum value \$80 per day · Incidental expenses shall be interpreted as reasonable expenses incurred by a Council Member including telephone calls, Wi-Fi charges, newspapers, laundry, public transport, taxi fares and sundry food items and beverages. Maximum value \$50 per day. · Hire cars may be booked to meet reasonable travel requirements during the event, subject to the approval of the Chief Executive Officer.
Travel Expenses	100% on provision of a Tax Invoice.	All travel arrangements will be made by the City, except where otherwise approved by the CEO. All reasonable expenses to be reimbursed upon provision of receipts or suitable proof of expenditure. Economy return airfare (allowing flexibility for preferred travel arrangements). Premium economy return airfare only for flights longer than six hours duration leaving Australia.
Accommodation Allowance	In accordance with Schedule I, Clause 9 of the Public Service Award 1992	Where Council Members choose to not stay in hotel / motel accommodation.

Council Policy

Definitions

Act - *The Local Government Act 1995*, as amended.

Advisory, Occasional, Standing Committee - A Committee of the City of Rockingham established pursuant to Section 5.8 of the *Local Government Act 1995*

Advisory Group or Panel – established by Council outside of the provisions of the *Local Government Act 1995*

Award - The Public Service Award 1992, as amended.

Conference - Any conference, convention, forum, information session, meeting, study tour, training session or workshop, or similar activity as determined by the Chief Executive Officer.

Council Member - All elected members and the Mayor.

Partner - Either spouse or defacto partner.

Legislation

Local Government Act 1995

Section 5.126(1) - Each council member must complete training in accordance with regulations.

Section 5.128 - Policy for continuing professional development

Section 5.129 - Fees and expenses

Local Government (Administration) Regulations 1996 – regulations 35, 36 and 37

Local Government (Model Code of Conduct) Regulations 2021

Public Service Award 1992

Other Relevant Procedures / Key Documents

Nil

Responsible Division

General Management Services

Review Date

December 2027

Council Adoption	22 June 2021 (GM-022/21)	Version	5
Amendment Dates	22/8/23 (GM-022/23); 27/2/24 (GM-003/24); 24/6/25 (GM-010/25); 24/3/26 (GM-009/26)	Document Number	D21/108548

Credit Cards

Objective

To provide direction on the use of credit cards by City employees and ensure credit cards are issued and used appropriately for City purposes with adequate controls maintained.

Scope

The policy applies to employees involved with direct corporate credit card use and oversight.

Statement

Credit cards may only be issued to employees where operational need is established and where efficiency and best value can be achieved in purchasing goods and services. Credit cards must be used appropriately for City purposes that are allowable business use, within relevant delegations and in accordance with this policy and associated procedures.

Cardholders must:

- Meet all requirements when applying for and using credit cards pursuant to the Council Policy – Procurement Framework and associated Executive Standards and procedures
- Sign the purchasing card use agreement acknowledging obligations associated with purchasing card use
- Ensure credit cards are only used for City purposes
- Not use the purchasing cards for any personal purchases, even if reimbursement is intended
- Not use the credit card for cash advances, over the counter cash withdrawals, ATM transactions, purchase of bank cheques, travellers' cheques or foreign currency without the express written permission of the Chief Executive Officer (CEO)
- Not purchase alcohol, unless pre-approved by a manager, director or CEO
- Not enrol or use the credit card for any type of reward system that provides cardholders with any personal benefit or reward
- Ensure credit cards are only used by the cardholder to whom it has been issued. Credit card sharing is strictly prohibited.
- Follow the instructions provided in Executive Standards and procedures related to credit cards and procurement.
- Comply with the Service Provider's conditions of use
- Immediately report lost, stolen or damaged cards to the financial institution and the Credit Card Administrator
- Report any suspicious or unauthorised expenditure to the financial institution and the Credit Card Administrator
- Return credit cards prior to periods of extended leave or upon termination.

The Chief Executive Officer must:

- Ensure only eligible staff with financial delegations are approved to be issued with credit cards
- Report monthly to Council with a list of credit card transactions including date, payee, purpose and amount
- Ensure all CEO transactions are reviewed by the Director Corporate Services and signed by the Mayor.
- Review credit card use, allocation, limits and compliance to Standards and procedures annually. Report any suspected or instances of credit card fraud to the Audit Committee.
- Maintain Executive Standards and procedures to ensure that:
 - Eligibility and need for a card is subject to proper application and approval process
 - Credit cards are operated effectively in accordance with statutory requirements
 - Credit cards are acquitted monthly and on a timely basis
 - Tax invoices/transaction receipts are evidenced and reconciled for all transactions
 - Credit card usage meets City of Rockingham procurement requirements
 - Credit cards are returned on periods of extended leave or termination of employment
 - Management and internal controls are maintained
 - Cardholder awareness and training is provided on credit card process and use requirements.

Misuse of credit cards may lead to disciplinary action being instituted under the relevant terms and conditions of the offending cardholder's employment contract and may lead to the matter being reported in accordance with Part 3 of the *Corruption, Crime and Misconduct Act 2003*.

Definitions

Allowable business use – any business-related expenditure including travel, training, hospitality and subscriptions. Alcohol is not allowable unless pre-approved.

Cardholder - an employee who has been issued with a credit card bearing their name and signature.

City purposes - mean purposes that are in direct connection with, or a direct consequence of, the cardholder's duties or any other employees' duties within the City.

Credit Card Administrator - means the employee nominated by the City with responsibility for the administration of purchasing cards in the City including:

- Issuing the purchasing card to the cardholder and ensuring the cardholder signs the purchasing card immediately
- Ensuring compliance with these rules to the extent they relate to administrative matters
- Ensuring compliance with internal controls established by the City in respect of each purchasing card
- Reporting breaches of these rules to the Director Corporate Services
- Acting as a point-of-contact for cardholders.

Credit card - is a card issued by the Service Provider to employees for the purchase of goods or services through cashless purchasing transactions on credit.

Extended Leave - leave for periods greater than six weeks.

Service Provider - means the banking service provider appointed by the City from time-to-time.

Legislation

Local Government (Financial Management) Regulations 1996 – Regulation 11
Corruption and Crime Commission Act 2003 – Part 3

Other Relevant Procedures / Key Documents

Council Policy – Procurement Framework
Issue Notes (Terms of Use) as provided by the Service Provider

Responsible Division

Corporate Services

Review Date

November 2028

Council Adoption	25 October 2022 (CS-013/22)	Version	2
Amendment Dates	16/12/25	Document Number	D22/208578

Customer Service

Objective

To establish a shared set of standards that guide the development of an organisational culture focused on meeting the needs and expectations of its customers and to continuously improve its services for customers.

Scope

This policy applies to all City of Rockingham employees.

Statement

The City of Rockingham is committed to delivering a quality customer focussed service that is consistent and equitable for all customers. We understand that customers have an expectation that they receive the best possible service that can be practically achieved.

The Council expects the City will strive to meet the following service standards:

- To treat customers with courtesy, respect and understanding
- To provide a helpful, positive and professional service
- To deal with customer requests promptly
- To provide accurate, quality and easily accessible information

The Council acknowledges that customers can assist the City in meeting its service obligations by:

- Being courteous, polite and respectful of employees
- Being open, honest and accurate when providing the City with details
- Quoting reference numbers when following up on the previous customer requests

The Chief Executive Officer must ensure that the City has in place the required Executive Standards and Procedures to ensure the City delivers high quality customer service at all times.

Definitions

Customer – relates to any person or organisation having dealings with the City.

Legislation

Nil

Other Relevant Procedures / Key Documents

Executive Standard – Customer Service Standards

Responsible Division

Corporate Services

Review Date

October 2026

Council Adoption	23 March 2010	Version	4
Amendment Dates	22/05/12 (CS-015/12); 27/10/20 (CS-023/20); 17/10/23 (CS-022/23)	Document Number	D15/48359

Digital Device for Council Member Use

Objective

To provide parameters on the provision, use and replacement of a Council Member's digital device.

Scope

All City of Rockingham (**City**) Council Members use digital devices provided by the City. City employees are responsible for the support of digital devices.

Statement

Provision of a Digital Device to Council Members

The City is committed to providing efficient and effective means of supporting Council Members in the decision making processes of the Council. The *Local Government Act 1995* specifies that one of the Chief Executive Officer's (**CEO**) functions is to "*ensure that advice and information is available to the council so that informed decisions can be made*".

The City maintains a digital business paper system which delivers agendas, minutes and other business papers via the City issued digital device. A digital device will be provided to Council Members for the purpose of accessing Council business papers through the City's specified digital business paper system.

Council Members are to make every effort to utilise their digital device, in lieu of requests for printed meeting papers.

Use of Digital Device by Council Members

A Council Member with a City owned digital device is responsible for keeping the device in good working order.

A Council Member may use their own personal account to access the operating system platform supported by the City, e.g. iTunes, Microsoft account, Google account.

With the exception of accessing the City's wireless internet system which is available at the City's Administration Centre, any consumables for the device such as sim card or internet access, forms part of the ICT Allowance as provided for in Council Policy – Council Member Entitlements.

Replacement of Digital Devices for Council Members

The device is provided for the Council Member's continuous term of office and will only be replaced –

- a) when a change in City business systems or technology warrants; or
- b) when the functionality of the device and applications impairs effective communication; or
- c) through accidental loss or breakage.

Notwithstanding the above, a digital device for a Council Member will depreciate at a rate of 25% per annum.

A Council Member must ensure that any personal information or software applications on the digital device is removed or backed up prior to replacement.

Council Policy

Support of digital devices allocated to Council Members

Any loss of, or damage to the device must be reported immediately to the Governance and Councillor Support Team, which will assess whether repairs need to be undertaken and/or a replacement device arranged.

A standard suite of operational software applications will be installed on the digital device. Other applications may be installed by a Council Member at their own cost.

The City will provide training on request to any Council Member to develop their competencies in the use of the allocated digital device.

Purchase of decommissioned digital devices

A Council Member vacating office after serving at least one four (4) year term of office may either assume ownership of the device or return the device to the City.

A Council Member vacating office prior to the completion of a four (4) year term will return the device to the City, or may purchase the digital device at a residual value based on the depreciation rate calculated to the month prior to the Council Member's departure.

Prior to the above, in accordance the Council Policy - Council Member Entitlements, within 48 hours of the conclusion of a Council Members term, the device is to be returned to the City to be removed of City software and the device will then be returned to the Council Member as a clean device. The Council Member must ensure their personal information is backed up prior to return so that their personal information is not lost.

Definitions

Digital Device – is the electronic equipment provided by the City for the purpose of conducting Council business.

Legislation

Local Government Act 1995 – Section 5.41: Functions of CEO

Other Relevant Procedures / Key Documents

Council Policy – Council Member Entitlements

Responsible Division

General Management Services

Review Date

August 2027

Council Adoption	28 February 2017 (GMS-005/17)	Version	2
Amendment Dates	27 August 2024 (GM-016/24)	Document Number	D17/30686

Equal Opportunity

Objective

To outline the City's commitment to provide equal opportunity to employees in all aspects of employment, and comply with the requirements of the Equal Opportunity Act (WA) 1984.

Scope

All employees and job applicants.

Statement

The City provides and maintains a work environment that is free from discrimination and where all employees are treated fairly and with respect, by ensuring that:

- All decisions made regarding the employment of potential and existing employees are based on merit and equity, and are bias-free
- All decisions made regarding the training and promotion of existing employees are based on merit and equity, and are bias-free
- Employees are aware of the grounds for discrimination specified under the Equal Opportunity Act 1984, and supported to ensure these are not breached
- Documents relating to employment information gathering do not discriminate on any grounds, except if the information is being gathered for specific reports required by legislation (i.e. Diversity Questionnaire)
- Reasonable adjustments are made, where possible, to accommodate the diversity needs of all employees
- A fair and bias-free procedure is in place to receive, investigate and resolve any grievances raised by employees.

Employees must treat colleagues with respect and adhere to workplace policies and procedures relating to conduct to ensure the City maintains a workplace free from discrimination.

The City will prepare an Equal Opportunity Management Plan and submit this to the Commissioner for Equal Opportunity every three (3) years.

Definitions

Employees – any person engaged in work with the City, including employees, workers, volunteers and contractors.

Discrimination – treating a person unfairly. Sixteen grounds of unlawful discrimination are specified under the Equal Opportunity Act 1984.

Grounds for Discrimination –

- Age
- Breastfeeding
- Family responsibilities
- Family status
- Fines Enforcement Registrar's website

Council Policy

- Gender history
- Impairment
- Marital status
- Political conviction
- Pregnancy
- Race
- Racial harassment
- Religious conviction
- Sex
- Sexual harassment
- Sexual orientation.

Legislation

Age Discrimination Act (Cth) 2004

Disability Discrimination Act (Cth) 1992

Equal Opportunity Act (WA) 1984

Gender Reassignment Act (WA) 2000

Human Rights and Equal Opportunity Commission Act (Cth) 1987

Racial Discrimination Act (Cth) 1976

Sex Discrimination Act (Cth) 1984

Other Relevant Procedures / Key Documents

Employee Code of Conduct

Equal Opportunity Management Plan

Executive Standard – Flexible Working Arrangements

Executive Standard – Grievance Resolution

Procedure – Grievance Resolution

Executive Standard – Preventing Workplace Bullying, Violence and Aggression

Procedure – Preventing Workplace Bullying, Violence and Aggression

Fact Sheet – Preventing Workplace Bullying, Violence and Aggression

Responsible Division

General Management Services

Review Date

April 2026

Council Adoption	24 May 2016	Version	3
Amendment Dates	27/5/21 (<i>admin change</i>); 27/6/23 (GM-018/23)	Document Number	D15/48361

Financial Hardship

Objective

To:

- Provide the criteria on assisting ratepayers that qualify as experiencing financial hardship and are unable to pay their rates and service charges; and
- Ensure that all ratepayers are treated fairly and consistently with respect and compassion when the City is considering their circumstances in recognising financial hardship.

Scope

This Policy applies to all City of Rockingham Residential and Small Business ratepayers who are experiencing financial hardship.

Statement

Eligibility

The Policy is intended to assist those ratepayers where there is a willingness but an inability to pay their rates and includes:

- Immediate financial disadvantage that results in a person being unable to pay an outstanding amount by reason of a change in personal circumstances (short term); and
- More than immediate financial disadvantage which results in a person being unable to pay an outstanding amount without affecting the ability to meet the basic living needs of the person or a dependant (longer term).

This may be caused by (but is not limited to) one or more of the factors below:

- Loss of the ratepayer's or family member's primary income;
- Spousal separation or divorce;
- Physical and mental health issues;
- Loss of a spouse or a loved one;
- Chronic illness in immediate family;
- Domestic violence;
- Budget management issues associated with a low income; and
- Other unforeseen factors resulting in a ratepayer's capacity to pay, such as a reduction in income or an increase in non-discretionary expenditure.

This Policy is not to provide relief to those ratepayers who are not able to evidence financial hardship or are unwilling to pay rates and service charges.

An approved financial hardship application is valid for a once only three-year period.

Assessment

To enable the City to assess a ratepayer's financial hardship, evidence of their financial hardship is required including details of the ratepayer's circumstances, current financial situation and capacity to enter into a payment arrangement.

Ratepayers who are not able to pay all their rates and charges by the end of the next financial year, and claim financial hardship, will be requested to seek financial counselling. This provides an opportunity for the ratepayer to obtain independent financial advice and the information provided by the financial counsellor must be used by the City to confirm the ratepayer's capacity to pay.

Assistance Available

Payment Arrangements

The City provides a range of payment options to ratepayers including by instalment (one, two or four payments) and rates smoothing (weekly, fortnightly, or monthly payments) which will result in the rates and services charges being paid during the current financial year.

Ratepayers that are experiencing financial hardship are required to enter into an approved alternate payment arrangement by direct debit based on their capacity to pay.

The approved alternate payment arrangement will provide an extension to pay all rates and service charges by the end of the next financial year or will be based on the ratepayer's capacity to pay information provided by a financial counsellor.

It is the ratepayer's obligation to contact the City immediately if a payment under the approved alternate payment arrangement cannot be made or to request a new payment arrangement.

The approved alternate payment arrangement will be cancelled if the ratepayer defaults on a payment three times.

Interest Charges

Penalty interest on outstanding rates and service charges will be waived for ratepayers on approved financial hardship arrangements.

Deferment of Payments

Ratepayers that experience financial hardship may make an application to have payments under a payment arrangement deferred for up to three months.

Debt Recovery

Debt recovery will be suspended while a ratepayer experiencing financial hardship is on an approved alternate payment arrangement.

Where the approved alternate payment arrangement has been cancelled due to the ratepayer defaulting on a payment three times and a new approved alternate payment arrangement is not entered into, legal action may commence.

At the completion of the approved financial hardship application, if a ratepayer has not finalised the outstanding rates and charges, legal action may commence to recoup all outstanding amounts.

Communication and Reviews

Ratepayers who are experiencing financial hardship should contact the City immediately and apply for assistance under this Policy.

Ratepayers will be advised of their entitlements and obligations and will be provided with written confirmation of any decisions made in relation to the Policy.

All financial hardship applications must be reviewed at least every six months to ensure that the circumstances have not changed and feedback provided to the ratepayer on the amount outstanding and the anticipated date of the final payment.

Executive Policy and Procedures

The Chief Executive Officer is to maintain relevant Executive Policies and Procedures to ensure financial hardship is managed effectively, with respect and compassion and in accordance with statutory requirements.

Delegation of Authority

For information purposes, delegated authority has been provided to the Chief Executive Officer, in accordance with:

- Section 6.12 of Local Government Act 1995, to write off individual debts that do not exceed \$2,000.
- Section 6.47 and 6.49 of Local Government Act 1995, to accept payment of a rate or service charges due and payable by a person in accordance with an agreement made with the person.

Definitions

Dwelling has the meaning given to it in the City of Rockingham Town Planning Scheme No. 2.

Financial hardship is when a person is unable to pay rates and service charges without affecting their ability to meet their basic living needs, or the basic living needs of their dependants.

Immediate family member is:

- A person who is the ratepayers spouse, or
- A spouse or defacto spouse who cohabited with the ratepayer for at least two years, or
- A parent or step-parent of the ratepayer, or
- A child or step-child of the ratepayer or other child of whom the ratepayer is the guardian, or
- A brother, sister, step-brother or step-sister, half-brother or half-sister of the ratepayer.

Ratepayer means those that are liable for the payment of rates in accordance with section 6.44 of the Local Government Act 1995.

Residential Land means any land used, or designed, or adapted for use, for the purpose of a dwelling and includes vacant land within the Residential, Development, Rural, Special Rural, Special Residential, Commercial, District Town Centre, Primary Centre Waterfront Village, Primary Centre Urban Village, Primary Centre City Centre, Primary Centre City Living, Primary Centre Campus and Primary Centre Urban Living zones under the City of Rockingham Town Planning Scheme No. 2.

Residential means the ratepayers' primary place of residence.

Small Business means a business undertaking which is wholly owned and operated by an individual person or by individual persons in partnership or by a proprietary company within the meaning of the Corporations Act 2001 of the Commonwealth and which:

Has a relatively small share of the market in which it competes; and

Is managed personally by the owner or owners or directors, as the case requires; and

Is not a subsidiary of, or does not form part of, a larger business or enterprise.

Legislation

Local Government Act 1995 – s6.12. Power to defer, grant discounts, waive or write off debts

Local Government Act 1995 – s6.47. Concessions

Local Government Act 1995 – s6.49. Agreement as to payment of rates and service charges

Local Government Act 1995 – s6.51. Accrual of interest on overdue rates or service charges

Local Government (Financial Management) Regulations 1996

Other Relevant Procedures / Key Documents

Delegation Authority Register – 2.3 Waive/grant concession or write off monies owing

Delegation Authority Register – 2.5 Agreement as to payment of rates and service charges

Delegation Authority Register – 2.6 Rates or service charges recoverable in court

Responsible Division

Corporate Services

Review Date

March 2026

Council Adoption	28 July 2020 (CS-017/20)	Version	3
Amendment Dates	27/9/2022 (AC-019/22); 28/3/2023 (CS-002/23)	Document Number	D20/137888

Global Relationships

Objective

To:

- Facilitate the development and maintenance of effective global relations that promote and enhance Rockingham's strategic vision: A quality lifestyle. A sustainable future
- Outline the rationale and criteria for entering into new global relationships
- Outline the monitoring and relevance of global relationships
- Outline the role of the Global Relationship Advisory Group

Scope

This policy relates to all forms of Global Relationships. Global Relationship agreements can be between cities or towns internationally, to the benefit of the City of Rockingham and the community of Rockingham.

Statement

City of Rockingham Global Relationships aim to benefit the community, ratepayers, key stakeholders and businesses. The City of Rockingham may establish and maintain no more than one Global Relationship in any one country, except in exceptional circumstances, to facilitate sustainability and continuous improvement in the development of its social, cultural, educational and economic outcomes.

1. Criteria for Global Relationship

A Global Relationship may only be entered into if it is likely to yield one or more of the following outcomes:

1.1 Social/Cultural:

- Cultural enhancement
- Attraction of sporting competitions and events
- Community engagement and participation
- Improved governance, leadership and internal standing.

1.2 Educational:

- Enhanced education and training opportunities
- Attraction of new tertiary institutions and students

1.3 Economic:

- Business partnerships and opportunities
- Trade, investment and export opportunities
- Industry attraction and expansion
- Introduction of new technologies
- Tourism promotion opportunities

Council from time to time will formally endorse Global Relationship agreements to be recorded within a supporting register or procedure.

2. Request to establish new Global Relationship

A request for a new relationship must be made to the Global Relationship Advisory Group and considered by Council for approval. The request should provide:

- Proposed relationship type and duration (Clause 3)
- Detailed demographic profile of the prospective city
- Demonstrate the linkage and benefit to the outcomes (Clause 1.1 - 1.3)

If the Council approves the establishment of the new relationship, the signed agreement between both cities will be lodged with the Department of Foreign Affairs and Trade.

3. Relationship Types

Model	Purpose	Duration
Sister City	A Sister City relationship is a formal, long-term relationship based on diverse linkages between the two cities. Sister Cities often have similar demographic and other characteristics; however, this is not a mandatory requirement. The relationship requires a high degree of commitment on both sides.	Generally an enduring, long-term commitment.
Friendly City	A Friendly City relationship is less formal than a Sister City relationship, and it generally has a lower profile. It is likely to be a long-term relationship, but the level of required community support and involvement is not as high as for a Sister City relationship. For example, the purpose may be for only a particular sporting event held on an annual basis.	Generally enduring, but can be set for a specific-term.
Partnership City	A partnership city relationship is generally a short term relationship based on a specific project or initiative that the two cities share. For example, an environmental or school project of mutual benefit.	Generally entered into for a specific term.
Historical City	A historical city relationship is one based on past or ceremonial links e.g. links between a group of members in relation to a military unit or conflict.	Generally enduring.

4. Review of Global Relationship

Any formal Global Relationship entered into shall be for a defined and agreed term, and shall be reviewed within six months of the term's expiry, in consultation with the other party. Review criteria shall include:

- Level of communication maintained between the two cities during the relationship term
- Benefits and outcomes achieved as a result of the relationship, in one or more of the following categories:
 - Social/cultural
 - Educational
 - Economic
- Specific projects or initiatives undertaken under the relationship term

The review will be reported to the Global Relationship Advisory Group and recommendations made for Council consideration prior to the renewal or termination of a relationship.

5. Visitation and delegations

Council supports a program of both inbound and outbound delegations. All proposed inbound or outbound delegations will be assessed by the Chief Executive's Office, in accordance with this policy and a report submitted for consideration by Council upon recommendation from the Global Relationship Advisory Group.

5.1 Inbound delegations

Where an existing Global Relationship city intends to visit, the City should be notified with a minimum of six months' notice and the Chief Executive Officer will inform Councillors via the General Management Services Bulletin.

Inbound delegations will be afforded reciprocal hospitality including civic events and receptions and district tours and visits, to be accommodated within the City's budget processes. Flights, accommodation and personal expenses such as souvenirs, additional meals etc are funded by the inbound delegation.

On arrival of inbound delegations, the Mayor and all interested Councillors, the CEO or nominated representative, and relevant staff will receive the delegation. In the event of the Mayor not being available to attend any inbound delegation activities, the Deputy Mayor will be nominated to undertake this responsibility. For practical, cultural, or financial reasons, the Mayor may define a smaller list of attendees.

5.2 Outbound delegations

Proposals for delegations to visit a Global Relationship city are to be reviewed by the Global Relationship Advisory Group and endorsed by Council prior to any preparations for travel.

Proposals should include:

- Intended purpose of the visit including linkage and benefit to the Strategic Outcomes, Clause 1.1 – 1.3
- Proposed Council Delegates
- Proposed City Officer Delegates
- Proposed other Delegates
- For all proposed delegates the proposal should include the relevance and relationship to the purpose of the visit

Other Delegate flights, accommodation and personal expenses such as souvenirs, additional meals, spending money etc are to be funded by those persons and are not the responsibility of the City.

The Council and City Officer Delegates flights and accommodation will be paid for by the City, and reasonable expenses while performing a function in the capacity as a Council or City delegate, such as individual meals not provided by the host City, will be reimbursed with appropriate receipts.

6. Global Relationship Advisory Group

The role of the Advisory Group is to develop and support effective Global Relationships in accordance with the Advisory Group Terms of Reference as determined in Council Policy – Governance and Meeting Framework.

The functions of the Advisory Group include:

- Assess and recommend new Global Relationships
- Consider the review of existing Global Relationships and make recommendation to Council for renewal or termination

- Assess and make recommendations to Council on proposed inbound and outbound delegation visits in accordance with this policy
- Investigating other social/cultural, educational and economic opportunities (clauses 1.1 – 1.3) to identify other strategic activities that promote enhancement of endorsed Global Relationships

Definitions

Global Relationship – Any relationship type where the City has entered into an agreement with another international City.

Global Relationship Advisory Group – An Advisory Group established by the Council to assist in the management of this Policy.

Civic - relating to the city, especially its governing body and administration and associated duties and activities.

Formal - done in accordance with convention or etiquette; suitable for or constituting an official or important occasion.

Legislation

Nil

Other Relevant Procedures / Key Documents

City of Rockingham Economic Development Strategy

City of Rockingham Strategic Community Plan

Responsible Division

General Management Services

Review Date

November 2027

Council Adoption	27 May 2008	Version	6
Amendment Dates	24/11/09; 28/09/10; 26/08/14; 26/11/24; 24/6/25 (GM-010/25)	Document Number	D15/48363

Governance and Meeting Framework

Objective

To provide direction on the

- Timeliness, frequency and composition of Ordinary Council Meetings, Special Council Meetings, Standing, Occasional and Advisory Committee Meetings, and Advisory Groups and Panels.
- Frequency, content and operation of Councillor Engagement Sessions.
- Operation of the City's Advocacy Register

Scope

This Policy applies to Ordinary and Special Council Meetings, Standing Committee Meetings, Occasional Committee Meetings, Advisory Committee Meetings, Group and Panel Meetings, Councillor Engagement Sessions and Advocacy Position Register.

Statement

Ordinary Council Meetings

Ordinary Council Meetings are the formal meetings of the Council as defined by the *Local Government Act 1995 (Act)* in which decisions are made by the Council, the peak decision making body of the City of Rockingham (**City**).

A monthly cycle of meetings is to be conducted commencing in February of every calendar year. Subject to the exceptions set out in the following paragraph, Ordinary Council Meetings are held on the fourth Tuesday of the month commencing at 6pm in the City Council Chambers. The meeting cycle is to be repeated and will conclude in December.

Where:

- a) the fourth Tuesday of a month is a public holiday, the affected Council Meeting will be held on the following working day or as determined by the Mayor in liaison with the Chief Executive Officer (**CEO**);
- b) a Council Meeting is scheduled to be held during a month in which local government elections will be held, the Mayor in liaison with the CEO may cause the affected Council Meeting to be held on the third Tuesday or another suitable day of that month; and
- c) a December Council Meeting is scheduled to be held during (or close to) a holiday period, the Mayor in liaison with the CEO may cause the affected Council Meeting to be held on an earlier date.

In accordance with Regulation 12(2)(a) of the *Local Government (Administration) Regulations 1996 (Regulations)*, the Council's meeting schedule for the coming year will be publically advertised and uploaded on the City's website before the beginning of the year in which the meetings are held.

Agendas for Council Meetings are made available to Council Members and on the City's website no later than 2pm on the Friday immediately preceding the meeting or as soon as reasonably practicable. Minutes of the Council Meeting are made available via the City's website in accordance with the Act.

Meeting procedures and conduct at Ordinary Council Meetings must comply with the *City of Rockingham Standing Orders Local Law 2001 (Standing Orders)* and minutes will be kept in accordance with the provisions of Section 5.22 of the Act.

Council Meetings are open to the public unless dealing with confidential matters as prescribed in the Act.

Special Council Meetings

The Council may hold Special Council Meetings from time to time. In accordance with section 5.4 of the Act, Special Council Meetings may be called by either the Mayor or by at least 1/3 of the Councillors in a notice to the CEO setting out the date and purpose of the meeting. Special Council Meetings are open to the public unless dealing with confidential matters as prescribed in the Act.

The CEO is to provide each Council Member at least 72 hours' notice of the date, time, place and purpose of the meeting. However, where there is a need to meet urgently, in the opinion of the Mayor, the CEO may give a lesser period of notice. No other business is to be transacted other than that given in the notice as the purpose of the meeting.

Standing Committee Meetings

The City has two Standing Committees, one for Planning and Asset Services and one for Corporate and Community Development.

Where practicable, each Council Member will be a member of one of the Standing Committees and deputy for the other. In the interest of representational equity, where possible each Standing Committee will comprise of a Council Member elected from each of the Wards of the City.

Standing Committees consider matters relevant to the particular Standing Committee's areas of consideration and make recommendations to Council for determination.

A monthly cycle of Standing Committee Meetings commences in February of every calendar year. Standing Committee Meetings are held on the Monday (Planning and Asset Services) and Tuesday (Corporate and Community Development) of the week prior to the Council Meeting and will commence at 5pm and be held in the City Council Chambers. Where a public holiday falls on a Monday or Tuesday the respective meeting of each Standing Committee will be held on the following working day or as determined by the Mayor in liaison with the CEO. The meeting cycle is to be repeated and will conclude in December.

In accordance with regulation 12(2)(b) of the Regulations, the Standing Committee meeting schedules for the coming year will be publically advertised and uploaded on the City's website before the beginning of the year in which the meetings are held.

Agendas for Standing Committee Meetings are made available to Council Members and on the City's website no later than 2pm on the Friday immediately preceding the meeting or as soon as reasonably practicable. Minutes of the Standing Committee Meetings are made available via the City's website in accordance with the Act.

The Mayor, in liaison with the CEO may authorise a change to the Standing Committee meeting schedule where special circumstances warrant this. Council Members are to be advised as soon as possible of any change including reasons for the change and the proposed new meeting date. A notice of the change must be uploaded on the City's website as soon as possible in accordance with regulation 12(3) of the Regulations.

Meeting procedures and conduct at Standing Committee meetings must comply with the Standing Orders. Minutes will be kept in accordance with the provisions of Section 5.22 of the Act.

The Standing Committee membership and areas of consideration are:

**Planning and Asset Services Committee
(6 Council Members, 6 Deputies)**

Areas of consideration:

- Asset Management
- Strategic Planning and Environment
- Statutory Planning
- Building Services
- Health Services
- Land and Development Infrastructure
- Ranger Services
- Bushfire Services
- Compliance and Emergency Liaison
- City Centre Development
- Technical Services
- Parks Services
- Operations and Fleet Services
- Infrastructure Project Delivery

**Corporate and Community Development Committee
(6 Council Members, 6 Deputies)**

Areas of consideration:

- Finance
- Customer and Corporate Support
- Waste Services
- Human Resource Development
- Investment Attraction
- Strategy, Marketing and Communications
- Governance and Councillor Support
- General Legal Services
- Community Capacity Building
- Community Infrastructure Planning
- Community Safety and Support
- Community and Leisure Facilities
- Library Services
- Economic Development and Tourism

Occasional Committee Meetings (Council Members only) *

Occasional Committee Meetings are convened as and when required. Occasional Committees consider officer reports and make recommendations directly to Council for the Audit Committee and Behaviour Complaints Committee on items within their Terms of Reference. The Customer Service Review Committee reports to Council through the relevant Standing Committees.

Where practicable, each Council Member will be a member of an Occasional Committee and deputy for another. All Occasional Committees will have at least one deputy member.

Meeting procedures and conduct at Occasional Committee Meetings must comply with the Standing Orders and minutes will be kept in accordance with the provisions of section 5.22 of the Act.

The Occasional Committees of the City are:

- Audit Committee
- Behaviour Complaints Committee
- Customer Service Review Committee

** note: Subject to section 5.10 (5) If at a meeting of the council a local government is to make an appointment to a committee that has or will have an employee as a member and the CEO informs the local government of his or her wish — (a) to be a member of the committee; or (b) that a representative of the CEO be a member of the committee, the local government is to appoint the CEO or the CEO's representative, as the case may be, to be a member of the committee.*

Advisory Committees

There is one Advisory Committee:

- Bush Fire Advisory Committee

The Bush Fire Advisory Committee is established under section 67 of the *Bushfires Act 1954*. This Committee will meet when required as determined by its Terms of Reference, the Committee or Council. The Committee will consider matters relevant to its Terms of Reference and may make recommendations to the relevant Standing Committee.

Bush Fire Advisory Committee meetings are not open to the public. Meeting procedures and conduct at the Committee meeting will comply with the Standing Orders and Minutes will be kept in accordance with the provisions of Section 5.22 of the Act.

Panel and Advisory Groups

Panel and Advisory Groups can be made up of Council Members, City Officers, community members and others. Panels and Advisory Groups do not have decision making powers and are more casual in structure as they are not be subject to the same rules of established committees. However, Panels and Advisory groups will be subject to Terms of Reference and will meet as required. Panels and Advisory groups may provide recommendations for City Officers to inform Council.

Panel and Advisory Groups meetings are not open to the public. Meeting procedures and conduct will be determined by Executive Support with Minutes kept in accordance with determined City practices.

Panel means a small group of Council Members and may subject to the purpose of the panel include City of Rockingham Officers appointed by Council to collate information and form recommendations to inform an officer report, for the formal decision making process of Council.

Advisory Group means a collection of Council Members, City of Rockingham Officers and individuals brought together to provide advice, guidance, and input on a specific area of expertise or a particular project or issue.

The Panels of the City are:

- Chief Executive Officer's Performance Review Panel
- Community Grants Program Panel
- Governance Review Panel

The Advisory Groups of the City are:

- Australia Day Awards Selection Advisory Group
- Coastal Facilities Advisory Group
- Community Safety and Support Services Advisory Group
- Environmental Advisory Group
- Global Relationship Advisory Group
- Heritage Reference Advisory Group
- RoadWise Advisory Group

The opportunity to nominate for Advisory Group Membership will be advertised in the local media and existing members will be invited to reapply. Advertising exceptions may apply where the Community Organisation or Government Agency Representation is limited to a specific group. In that event, the call for nominations will be limited to the specific group's network.

Should a Community Member, Community Organisation or Government Agency Representative resign mid-term then the Group may recommend to Council the name of a replacement or alternatively advertise the position. The City reserves the right to remove a member from an Advisory Group at any time for any reason. Community Member, Community Organisation and Government Agency Representative terms will be appointed for a term of two years. In the interests of continuity and retention of knowledge, all Community Memberships will be reviewed by the Group in the period between 1st July and 30th September in the year falling between local government ordinary elections. A nomination and selection process will be undertaken with all membership proposals being considered by Council for endorsement.

* *note: Subject to section 5.10 (5) If at a meeting of the council a local government is to make an appointment to a committee that has or will have an employee as a member and the CEO informs the local government of his or her wish — (a) to be a member of the committee; or (b) that a representative of the CEO be a member of the committee, the local government is to appoint the CEO or the CEO's representative, as the case may be, to be a member of the committee.*

Councillor Engagement Sessions

Councillor Engagement Sessions are not decision-making forums, nor are they a forum for debate on matters. Councillor Engagement Sessions will be convened on an occasional basis as a forum for information exchange between Council Members and officers, and facilitated discussions on strategies and concepts for the development of the local government and district. Council Members are able to express an opinion on issues under discussion but must not foreshadow how they might vote on a matter being discussed.

Councillor Engagement Sessions are conducted on a confidential basis and are not open to the public. They provide an opportunity to discuss philosophies, ideas, strategies and concepts before they are fully developed with a view to enabling officers to assess whether existing proposals should be pursued or new proposals considered. They also enable Council Members to propose ideas, ask questions and discuss issues for the better understanding of those in attendance and without raising expectations or concerns within the community.

Councillor Engagement Sessions can be called at the request of either the Mayor, CEO or by Council resolution and are conducted, as required, on the second Tuesday of the month from 4pm until 6pm and on other occasions when special circumstances dictate. Briefing notes and supporting documentation are to be distributed to Council Members, where practicable, five working days before the session.

Sessions are to be chaired by the Mayor, Deputy Mayor or nominated Councillor in accordance with the Standing Orders.

Notes are to be kept of the Councillor Engagement Sessions including attendance, interests declared, key points, actions/outcomes and requests for further information, and made available to Councillors via Docs on Tap (Councillor Portal) as soon as practicable.

Advocacy Position Register

An Advocacy Position Register will be established and maintained to record all Council decisions that comprise an advocacy position of the City. An Advocacy position relates to a matter that is not within the scope of control of the City but is one that Council seeks to promote on behalf of the community. This can be to State or Federal government Ministers, departments, agencies, not-for-profits organisations and commercial enterprises responsible for the matter impacting upon the community.

The 'Advocacy Position Register' will record the following elements of advocacy decisions –

- Date of Council Resolution
- Report Number and Title
- File No.
- Responsible Division
- Purpose of Report

Council Policy

- Council Resolution and Vote
- Date of Review

A copy of the full minuted Council report and any attachment will be maintained as support to the register.

Following each ordinary local government election, the Advocacy Position Register will be reviewed by Council Members at a Councillor Engagement Session for relevancy with the City's Strategic Objectives. A discussion paper will be prepared and presented at the November Councillor Engagement Session that falls after each ordinary local government election. Feedback from the Councillor Engagement Session will support a report for consideration by Council to amend or continue advocacy for each item. To facilitate the review, the Advocacy Position Register and the review discussion paper will be raised and distributed at any Candidate Information Sessions conducted by the City prior to each local government election.

Definitions

Nil

Legislation

Local Government Act 1995, Part 5 Administration, Division 2

Local Government (Administration) Regulations 1996, regulation 12

Other Relevant Procedures / Key Documents

City of Rockingham Standing Orders Local Law 2001

Terms of Reference relevant to each Committee

Responsible Division

General Management Services

Review Date

February 2027

Council Adoption	22 September 2015	Version	34
Amendment Dates	25/1/22 (CD-001/22 & CD-002/22); 22/2/22 (EP-008/22); 22/3/22 (CD-009/24); 27/9/22 (AC-018/22); 27/6/23 (GM-016/23); 27/2/24 (GM-002/24); 25/2/25 (CD-003/25); 24/6/25 (GM-010/25)	Document Number	D15/126240

Honorary Freeman of the City of Rockingham

Objective

To outline the nomination, selection and awarding of the prestigious title '*Honorary Freeman of the City of Rockingham*', to recognise exceptional and meritorious service of an individual to the community of the City of Rockingham.

Scope

This policy applies to any nomination proposed for the award of the title of '*Honorary Freeman of the City of Rockingham*'.

Statement

Background

The title of 'Honorary Freeman' has its origins in mediaeval European history where a man who was bound to serve a landowner could, by special decree, be declared a 'free man' and so freed of former obligations to the landlord.

The former 1960 Local Government Act provided that Council may, by absolute majority, pass a resolution which confers the title 'Honorary Freeman of the Municipality' on any person. Such a conferment did not bestow any right or privilege on that person other than the right to use the title. Current legislative provisions are silent on this matter.

Subject to the eligibility and selection criteria of this policy being met, Council may, by an absolute majority decision, confer the title of '*Honorary Freeman of the City of Rockingham*' on any person. The honour is reserved to be awarded on rare and exceptional occasions for persons who have rendered exceptional and meritorious service to the community.

Eligibility

A nominee for the conferral of the title 'Honorary Freeman of the City of Rockingham' should ordinarily –

- have been resident of the City of Rockingham for a significant period (significant usually meaning at least 20 years);
- have given distinguished service to the community, preferably in more than one capacity and predominately on a voluntary basis;
- have made such a contribution that provided demonstrable benefits to the community; and
- displays the highest personal integrity and outstanding leadership.

Serving elected members of the City of Rockingham Council and State and Federal Parliament are ineligible for conferral.

Selection Criteria

Eligible nominees will be judged on their record of service to the community using the following selection criteria –

- Length of Service in a field (or fields) of activity.
- Level of commitment to the field (or fields) of activity.

- Breadth of service and organisations represented and the impact of that service.
- Benefits to the City of Rockingham community (specifically) and more broadly the State and Nation resulting from the nominee's endeavours.
- Personal leadership qualities (including inspiring and mentoring others).
- Special achievements of the nominee.

Nomination Procedure

Nominations for the Award of Honorary Freeman of the City of Rockingham may be made by individuals or organisations and are to be –

- made in the strictest confidence without the knowledge of the nominee.
- sponsored by a Council Member of the City of Rockingham, with support in writing of at least three other Council members.
- submitted to the Chief Executive Officer in writing using the Nomination Form prepared for that purpose.

The Chief Executive Officer (in consultation with the Mayor) is to verify the content of the nomination and will prepare a confidential report to an ordinary Council meeting with a recommendation to support or not to support the nomination.

Council is to consider the confidential report and a decision to confer the title of 'Honorary Freeman of the City of Rockingham' is to be made by absolute majority vote.

Prior to conferring the title the nominee must be advised of the nomination and the obligations and entitlement of the title, and the nominee must confirm their willingness to accept the award.

Awarding the Title

Once a nomination has been accepted by Council, the nominee and any person(s) or organisation(s) involved in the nomination are to be informed of the decision and a suitable press statement is to be released.

The formal conferring of the title is to be carried out at a reception held by Council. This may be a special reception for this purpose, or the ceremony may form the focal point of any other suitable reception hosted by Council. The decision on the occasion and format of the ceremony shall rest with the Mayor, in consultation with the Chief Executive Officer.

Entitlements

The successful nominee shall receive an illuminated framed certificate and a name badge which confirms their status and they may designate themselves as a Freeman of the City of Rockingham. A Freeman and their guest shall be invited to attend the following civic functions –

- Any future function awarding the title
- Australia Day Awards
- Annual Civic Reception
- Pioneers Luncheon
- Volunteer Receptions
- Official 'Opening' ceremonies.

Council Policy

Conduct

Honorary Freeman of the City of Rockingham are to conduct themselves in a manner befitting of the conferred honour at all times when attending a City of Rockingham function or representing the City. They should refrain from making critical or disparaging remarks about the City, Council or past or present Council Member and employees.

Council is entitled to withdraw the award where the conduct of a conferee reflects adversely on the City's reputation. Such a withdrawal shall be through a confidential report provided by the Chief Executive Officer.

Definitions

Nil

Legislation

Nil

Other Relevant Procedures / Key Documents

Council Policy – Functions Hosted by Council

Responsible Division

General Management Services

Review Date

Date: June 2024

Council Adoption	12 May 1994	Version	3
Amendment Dates	27 February 1996, 22 June 2021	Document Number	D15/48365

Incoming and Outgoing Council Member Administration Following Elections

Objective

It is in the best interests of Council that newly elected Council Members are assisted to settle into their role as quickly as possible. This requires that they be made fully aware of the responsibility of office and the practical workings of Council within a short period of their election. Similarly, outgoing Council Members should be afforded recognition for their services to the community.

Scope

This policy applies to all Council Members.

Statement

Following a Council election at which new Council Members are elected to office, the Mayor and Chief Executive Officer are to ensure that, within a reasonable time, new Council Members are given support in understanding the duties and responsibilities of their role. Outgoing Council Members are also to be given due recognition for service to the community.

The following procedures describe the minimum level of support to be provided.

Incoming Council Members

As soon as practicable following the election to Council, new Council Members will be provided with the following:

- A verbal and/or written briefing on the local operations and structure of the City of Rockingham. This should include information regarding practical issues affecting their functions including but not limited to: dress standards, press relations, security matters, reimbursement of expenses and access to staff.
- An induction by each Directorate which includes an overview of each portfolio;
- Access to Council Policies, Standing Orders and Code of Conduct and relevant forms.
- A City issued digital device to be used to access and conduct Council business.
- The Mayor and/or Chief Executive Officer and Manager Governance and Councillor Support should meet with new Council Members prior to their first Ordinary Council meeting to provide guidance on the protocol of the meeting and the *City of Rockingham Standing Orders Local Law 2001*.

Outgoing Council Members

Council Members who served at least one full four-year term of office and choose to retire or are not re-elected will be acknowledged for their service.

Council Members may be presented, at the Annual Recognition Function or another suitable event, with:

- A plaque;
- A certificate of service; and

Council Policy

- A gift in accordance with Regulation 34AC of the *Local Government (Administration) Regulations 1996*.
 - The decision on the type of gift to be provided is to be made by the Chief Executive Officer and the Mayor, which may include discussion with the relevant Council Member, who also has the option to decline the gift.

All outstanding obligations to pay expenses, etc to Council Members should be finalised within one month of end of their term.

Council Changeover Function

Following an ordinary election at which new Council Members are elected, the Mayor and Chief Executive Officer may host a function at which new Council Members and their partners will be welcomed. This should occur within three months of the election.

Council Photograph

Following an election, the Chief Executive Officer will arrange for photographs to be taken for historical purposes.

Definitions

Council Member – a person elected as Mayor or Councillor of the City.

Legislation

Section 5.100A of the *Local Government Act 1995*

Regulation 34AC of the *Local Government (Administration) Regulations 1996*

Other Relevant Procedures / Key Documents

Council Policy – Functions hosted by Council

Responsible Division

General Management Services

Review Date

August 2027

Council Adoption	27 June 1995	Version	2
Amendment Dates	27 August 2024 (GM-014/24)	Document Number	D15/48366

Investment of Surplus Funds

Objective

To:

- Adopt a conservative approach to investments.
- Increase revenue investment returns while minimising risks through prudent investment of funds.
- Achieve a high level of security using recognised ratings criteria, specifically rating agencies Standard and Poor's, Fitch, and Moody's.
- Maintain an adequate level of diversification.
- Have funds readily accessible for day-to-day requirements without incurring penalty charges.

Scope

This Policy affects all investments made by the City of Rockingham.

Statement

Legislative Requirements

All investments are to be made in accordance with:

- Section 6.14 of the Local Government Act 1995.
- Part III of the Trustees Act 1962 as amended by the Trustees Amendment Act 1997.
- Regulation 19 and 19C of the Local Government (Financial Management) Regulations 1996.
- Australian Accounting Standards.

Delegation of Authority

For information purposes, delegated authority has been provided to the CEO, in accordance with Section 5.42 of the *Local Government Act 1995*.

Prudent Person Standard

Investments must be managed with care, diligence and skill that a prudent person would exercise. Officers are to manage the City's investment portfolio in accordance with the objectives of this Investment of Surplus Funds Policy, and not for speculative purposes.

Prohibited Investments – Reg19(C) Local Government (Financial Management) Regulations 1996

When investing money, a local government may not do any of the following:

- a) invest in a deposit with an institution except an authorised institution,
- b) invest in a deposit for a fixed term of more than 3 years,
- c) invest in bonds (as opposed to deposits with an Authorised Deposit-Taking Institution (ADI)) that are not guaranteed by the Commonwealth Government, or a State or Territory government,
- d) invest in bonds with a term to maturity of more than 3 years,
- e) invest in securities or instruments that are exposed to foreign currency risk.

Authorised Investments

For an investment to be authorised under this policy, it must be:

- Made in the name of the City of Rockingham.
- In line with the Diversification and Credit Risk criteria within this policy.
- In:
 - Term Deposits issued by an ADI as defined in the Banking Act 1959 (Commonwealth) Section 5.
 - The Western Australian Treasury Corporation as defined in the Western Australian Treasury Corporation Act 1986.
 - Bonds issued by and guaranteed by the Commonwealth Government of Australia.

Diversification and Credit Risk

Investments made shall be within the percentage limits set out below. When placing investments, consideration should be given to the relationship between credit rating and rate of return.

Long Term Ratings Standards & Poor's	Long Term Rating Moody's	Long term Rating Fitch	Maximum Percentage of Total Investments	Minimum Percentage Total Investment	Maximum Percentage with any one Institution
AA- to AAA	Aa3 to Aaa	AA- to AAA	100%	60%	50%
Major Banks (ANZ, CBA, NAB, Westpac)			100%		50%
BBB+ to A+	Baa1 to A1	BBB to A+	40%	0%	30%
BBB- to BBB	Baa3 to Baa2	BBB- to BBB	15%	0%	10%

The restrictions in the table above apply at the point of initial investment. Even if the investment has a term of less than 12 months, the long-term ratings as per the table above will apply.

This Policy requires using Standard and Poor's, Fitch, and Moody's credit ratings. The investing institution must be rated by all three rating agencies at the date of purchase of the investment. The lowest rating will be deemed the credit rating for any Authorised Institution for the percentage limits described above.

Investment Quotations

For similar investments such as Term Deposits or Government Bonds, three quotations should be requested and at least two should be received to ensure that a competitive market price is being quoted. These shall be obtained from organisations meeting the criteria as set out for authorised investments.

Selection of Investment

The criteria to be applied in making the investment choice will take into account:

- the rate of return offered for the respective investment,
- the relative risk of the respective investment, taking into account the Standard and Poor's, Fitch or Moody's rating,
- the requirement that no more than 50% of the City's total investment portfolio will be invested at any one time with one financial institution,

- Other relevant risk parameters such as overall portfolio diversity, credit quality, interest rates, market, maturity and liquidity risks at a portfolio level,
- the City's estimated future cash flow requirements.

Environmental Investing Considerations

Where financial institutions are offering equivalent investment returns with the same level of credit risk and the investment fits within the provisions of this Investment of Surplus Funds Policy, preference will be given to placing funds with the institution that can best demonstrate the better environmental track-record or the meeting of higher order environmental principles.

Reporting and Record Keeping

Documentary evidence must be held for each investment and details maintained in an Investment Register. Certificates must be obtained from the financial institutions confirming the investment amounts held on the City's behalf as at 30 June each year and reconciled to the Investment Register. The status of the

Definitions

ADI - Authorised Deposit-Taking Institutions (ADI) are corporations that are authorised under the *Banking Act 1959* to take deposits from customers.

Investment Portfolio – A collection of investments.

Liquidity risk - Liquidity risk is the risk an investor is unable to realise the investment at a fair price within a timely period.

Major Bank – ANZ, CBA, NAB and Westpac or any of these banks wholly owned and guaranteed subsidiaries so long as those subsidiaries carry the same ratings from S&P, Moody's and Fitch as the parent entity

Risk Aversion - the reluctance of an investor to invest in a product with a higher risk compared with a product with lower risk, but possibly lower returns.

Rating Agencies – Credit Rating Agencies such as Standard and Poor's, Moody's and Fitch are professional organisations that provide opinions on the general credit worthiness of an issuer of a particular debt security or other financial obligations, regarding timely payment of principal and interest due on that obligation. Credit ratings are based, in varying degrees, on the following considerations:

- likelihood of timely payment,
- nature and provisions of the obligation including protections afforded by, and relative payment position of, the obligation in the event of bankruptcy, reorganisation or other laws affecting creditor rights.

Speculative - A speculative investment involves purposely taking a higher risk, in the hope of making an extraordinary gain.

Legislation

Local Government Act 1995 – S6.14

Other Relevant Procedures / Key Documents

Nil

Responsible Division

Corporate Services

Review Date

February 2027

Council Adoption	26 June 2012 (CS-019/12)	Version	3
Amendment Dates	23/7/19 (CS-012/19); 27/2/24 (CS-001/24)	Document Number	D15/48367

Leasing

Objective

The purposes of this Policy are:

- To establish a uniform and equitable approach to community leases
- To ensure that a commercial lease returns a market rent
- To demarcate certain responsibilities of lessee and lessor.

Scope

All land and buildings owned, managed or controlled by the City, with the lawful capacity to be leased.

Statement

Commercial Leases

Definition

A “commercial lease” is a lease between the City and an entity that is not an incorporated not for profit association and includes a lease where the tenant is an individual, a company or a statutory or government body. A commercial lease must be in accordance with the purpose of the land on which it is provided.

A commercial lease must be advertised to the public for comment for a minimum of 14 days pursuant to Section 3.58 of the Local Government Act 1995. All comments received in opposition to the lease must be submitted to the Chief Executive Officer.

Rent

The rent on commencement is to be the market rent as determined by a licenced valuer or is to be determined by a tender or auction process. An annual fixed percentage increase of 3% will be applied. The rent is to be reviewed to market at the commencement of every third year.

Term

A maximum of 5 years

Responsibilities of a tenant

The tenant is responsible for:

- Payment of all outgoings, rates, taxes, insurances and a fee for document preparation.
- Maintenance of mechanical services (such as lifts and air conditioners), roofing, fit-out and structure.
- Capital renewal, upgrade and capital expansion of all assets on the leased land.

Responsibilities of City

Nil

Commercial Leases for Telecommunication

The City may consider granting commercial leases to telecommunication carriers over freehold land owned by the City or over crown reserves for which the City is the management body pursuant to a Management Order

Definition

A “telecommunication lease” is a commercial lease between the City and a telecommunications carrier that permits the leased property to be used to house and operate telecommunications infrastructure and equipment.

Rent

The rent on commencement is to be the market rent as determined by a licenced valuer or by a tender or auction process. The rent will be based upon various factors including the amount of space required, the demand for that space for telecommunications infrastructure and equipment, the term of the lease, the carrier’s ability to grant sub-leases to other telecommunications carriers to co-locate telecommunications infrastructure and equipment and the effects which the tenants use of the leases space will have on other land owned or managed by the City.

Rent is payable yearly in advance for the term of the lease. An annual fixed percentage increase of 3% will be applied. The rent is to be reviewed to market at the commencement of every fifth year.

Term

A maximum of 20 years

Responsibilities of Tenant

The tenant is responsible for:

- Payment of all outgoings, rates, taxes, insurances and a fee for document preparation
- Maintenance of any of the City’s infrastructure affected by the tenants infrastructure and equipment
- Capital upgrade and capital expansion of all assets within the leased area

Responsibilities of City

Nil

Community Leases

Definition

A “community lease” is a lease between the City and an incorporated not for profit association or a company limited by guarantee.

An “incorporated not for profit association” is an incorporated association that:

- a) Cannot operate for the profit or gain of its individual members
- b) Contributes to the community in a social, sporting, cultural, environmental or charitable context
- c) Demonstrates local volunteer involvement.

Rent

A nominal rental payment of \$1 is to be payable for the term of the lease.

Classification of Community Leases

Community leases are classified according to the two types set out below.

Community Type One

A Community Type One lease is a lease to an association with a single sport focus, discretionary membership regime, with exclusive use rights and lease coverage of all buildings and playing areas. Playing areas are generally one sport specific and not open to any other recreational activities. Significant investment is required to establish and maintain club facilities and this is typically funded by membership fees, revenue from well organised club related licenced food and beverage activities, government grants and loans. They require long term leases to facilitate reasonable return on their significant capital investment.

Term

A maximum of 20 years

Responsibilities of Tenant

The tenant is responsible for:

- Payment of all outgoings, rates, taxes, insurances and a fee for document preparation.
- Maintenance of mechanical services, roofing, fit-out and structure.
- Capital renewal, upgrade and capital expansion of all assets on the leased land.

Responsibilities of City

- Fire and termite inspections

Community Type Two

A Community Type Two lease is a lease to an association facilitating sporting, artistic, cultural, social, and special interest activities with a need to exclusively occupy City premises. The association must demonstrate an accessible and affordable membership regime, good governance and facilitate programs and activities that add value to the social and community fabric of the City. The associations should generate wide community interest and appeal, encouraging significant volunteer involvement from a wide range of local residents. Where possible, associations should make premises available on a fee for service basis to community organisations requiring occasional or casual meeting space.

For sporting associations the lease coverage will extend to clubhouse facilities only and the land must be a City owned or managed reserve vested or zoned for public recreation and/or sporting pursuits and form part of the City's community infrastructure framework. The adjacent playing areas are typically used by the association however are available outside of authorised club usage times for general recreation and other sporting activities throughout the year.

Term

A maximum of 5 years

Responsibilities of Tenant

The tenant is responsible for:

- Payment of all outgoings, rates, taxes and insurances
- Maintenance of fit-out
- Capital upgrade and capital expansion of all assets within the leased area.

Responsibilities of City

- Maintenance of roofing, mechanical services and structure.
- Fire and termite inspections and servicing
- Capital renewal of existing assets

Community Leases in Commercial Property

Associations that qualify as community lessees may be considered for commercial premises on the following basis:

- The City is unable to attract a commercial tenant after a prolonged advertising and marketing campaign.
- The rent is to be 70% of the market valuation with annual rent adjusted by the Consumer Price Index in other years.
- The term is limited to 3 years with no option to renew.
- At the end of the term the premises will be offered to market at commercial valuation with the incumbent lessee having first option to lease.

Casual Hire

All lessees are permitted to casually hire spaces to community groups and others requiring community based meeting rooms or facilities on a casual or occasional hire basis for a relevant fee.

Community Grant Program

Grants are available to eligible tenants for the purpose of the maintenance, rates, capital upgrade and capital expansion of leased premises through the Community Grants Program.

Responsibilities of City

Satisfaction of lessor's responsibilities under the lease is subject to availability of funds and will be considered in the context of all City expenditure priorities as part of normal business planning and budget considerations. The City will pay for the replacement of capital items to the standard allowed for under the Sports Facilities Provision Policy, anything required above this standard must have the difference contributed by the club.

General Governance

The Chief Executive Officer is to establish Administrative Procedures and implement organisational systems that ensure all leased premises are managed efficiently, consistently with the lease and fairly. This includes:

- Regular inspections of leased premises
- Rent reviews
- Recovery of prepaid statutory authority and public utility fees and charges
- Protection of the City's financial interests
- Timely management of end of lease issues including termination or renewal
- Uniformity of leasing documentation and application processes
- Strategic allocation of resources for major maintenance and repairs
- Asset maintenance, renovation and repairs to leased premises.

Definitions

Capital Expansion - creation of a new asset to additional service level requirements.

Capital Item - a capitalised fixed asset pursuant to the City's Significant Accounting Policies relating to buildings and fixed equipment (current capitalisation threshold \$5,000).

Capital Renewal - restores, rehabilitates, replaces existing asset to its original capacity. This may include the fitment of new components necessary to meet new legislative requirements in order that the asset may achieve compliance and remain in use. Expenditure under this definition is capital in nature and is determined by the City's financial capital thresholds.

Capital Upgrade - enhances existing asset to provide higher level of service.

Fit Out- the necessary fixed equipment and surface materials required to make the spaces of the building suitable for occupation such as floor/wall tiling, carpets, painting, etc.

Maintenance - regular ongoing day to day work necessary to keep assets operating and to achieve its optimum life expectancy. Example painting, glazing, air conditioning repairs, tap seal repairs.

Mechanical Services - all services at the premises that involve motors, machines, and the flow of heated or cooled fluids, usually in conjunction with electrical or electromechanical controls.

Operational - regular activities to provide public health, safety and amenity. Example cleaning, energy, security.

Roof - the material/s covering the upper structure of the building and includes associated roof plumbing, skylights, non-mechanical vents, etc.

Structure - the sections of the building that are load bearing, permanently in one place and form an integral part of the shape of the building.

Legislation

Local Government Act 1995 – Section 3.58

Land Administration Act 1997

Commercial Tenancies (Retail Shops Agreements) Act 1985

Other Relevant Procedures / Key Documents

Council Policy – Community Grants Program

Council Policy – Sports and Community Facility Provision

Responsible Division

Corporate Services

Review Date

October 2026

Council Adoption	24 March 2015 (CS-007/15)	Version	3
Amendment Dates	27/03/2018 (CS-004/18); 17/10/23 (CS-023/23)	Document Number	D15/48368

Legal Representation for Council Members

Objective

To provide for legal representation and cost indemnification to assist council members in specified situations.

Scope

This policy applies to council members of the City of Rockingham.

This policy does not apply to legal services obtained by the City in relation to the day-to-day management of the City's affairs or to legal services that the CEO considers necessary to comply with a written law.

Statement

Explanation of key terms

- **approved lawyer** is to be:
 - (a) an 'Australian legal practitioner' under the *Legal Profession Act 2008*;
 - (b) from a law firm on the Western Australian Local Government Association's panel of preferred legal services providers, unless the council considers that this is not appropriate – for example where there is or may be a conflict of interest or insufficient expertise; and
 - (c) approved in writing by the Council, the CEO or the Director, Corporate Services, under delegated authority.
- **council member** means a current or former council member or non-elected member of a council committee.
- **legal proceedings** may be civil, criminal or investigative.
- **legal representation** is the provision of legal services, to or on behalf of a council member, by an approved lawyer that are in respect of:
 - (a) a matter or matters arising from the performance of the functions of the council member; and
 - (b) legal proceedings involving the council member that have been, or may be, commenced.
- **legal representation costs** are the costs, including fees and disbursements, properly incurred in providing legal representation.
- **legal services** includes advice, representation or documentation that is provided by an approved lawyer.
- **payment** by the City of legal representation costs may be either by:
 - (a) a direct payment to the approved lawyer (or the relevant firm); or
 - (b) a reimbursement to the council member.
- **written law** has the meaning given in section 5 of the *Interpretation Act 1984* (WA).

1. Payment criteria

There are four major criteria for determining whether the City will pay the legal representation costs of a council member.

These are:

- (a) the legal representation costs must relate to a matter that arises from the performance, by the council member, of his or her functions;
- (b) the legal representation costs must be in respect of legal proceedings that have been, or may be, commenced;
- (c) in performing his or her functions, to which the legal representation relates, the council member must have acted in good faith, and must not have acted unlawfully or in a way that constitutes improper conduct; and
- (d) the legal representation costs do not relate to a matter that is of a personal or private nature.

2. Examples of legal representation costs that may be approved

- 2.1 If the criteria in clause 1 of this policy are satisfied, the City may approve the payment of legal representation costs where proceedings are brought against a council member in connection with his or her functions – for example, an action for defamation or negligence arising out of a decision made or action taken by the council member.
- 2.2 The City will not approve, unless under exceptional circumstances:
 - (a) the payment of legal representation costs for claims against the City; or
 - (b) the reimbursement of any award of legal costs made against a council member if those costs were unreasonably or unnecessarily incurred.

3. Application for payment

- 3.1 A council member who seeks assistance under this policy is to make an application(s), in writing, to the CEO.
- 3.2. The written application for payment of legal representation costs is to give details of:
 - (a) the matter for which legal representation is sought;
 - (b) how that matter relates to the functions of the council member making the application;
 - (c) the lawyer (or law firm) who is to be asked to provide the legal representation;
 - (d) the nature of legal representation to be sought (such as advice, representation in court and the preparation of a document);
 - (e) an estimated cost of the legal representation; and
 - (f) why it is in the interests of the City for payment to be made.
- 3.3 The application is to contain a declaration by the applicant that he or she has acted in good faith and has not acted unlawfully or in a way that constitutes improper conduct in relation to the matter to which the application relates.
- 3.4 As far as possible, the application is to be made before commencement of the legal representation to which the application relates.

- 3.5. The application is to be accompanied by a signed written statement by the applicant that he or she:
- (a) has read, and understands, the terms of this policy;
 - (b) acknowledges that any approval of legal representation costs is conditional on the repayment provisions of clause 6 and any other conditions to which the approval is subject;
 - (c) undertakes to repay to the City any legal representation costs in accordance with the provisions of clause 6.
- 3.6 In relation to clause 3.5(c), when a person is to be in receipt of such monies the person should sign a document which requires repayment of those monies to the local government as may be required by the local government and the terms of the policy.
- 3.7 An application is to be accompanied by a report prepared by the CEO for consideration by the Council.

4. Legal representation costs – limit

- 4.1 The council in approving an application in accordance with this policy shall set a limit on the costs to be paid based on the estimated costs in the application.
- 4.2 A council member may make a further application to the council in respect of the same matter.

5. Council's powers

- 5.1 The council may:
- (a) refuse;
 - (b) grant; or
 - (c) grant subject to conditions,
an application for payment of legal representation costs.
- 5.2 Conditions under clause 5.1 may include, but are not restricted to a financial limit and/or a requirement to enter into a formal agreement, including a security agreement, relating to the payment, and repayment, of legal representation costs.
- 5.3 In assessing an application, the council may have regard to any insurance benefits that may be available to the applicant under the City's council members insurance policy or its equivalent.
- 5.4 The council may at any time:
- (a) require the provision of a report outlining the status of the legal representation and the likely outcome; and
 - (b) revoke or vary an approval, or any conditions of approval, for the payment of legal representation costs.
- 5.5 The council may, subject to clause 5.6, determine that a council member whose application for legal representation costs has been approved has, in respect of the matter for which legal representation costs were approved –
- (a) not acted in good faith, or has acted unlawfully or in a way that constitutes improper conduct; or
 - (b) given false or misleading information in respect of the application.
- 5.6 A determination under clause 5.5 may be made by the council only on the basis of, and consistent with, the findings of a court, tribunal or inquiry.

Council Policy

5.7 Where the council makes a determination under clause 5.5, the legal representation costs paid by the City are to be repaid by the council member in accordance with clause 6.

6. Repayment of legal representation costs

6.1 A council member whose legal representation costs have been paid by the City is to repay the City:

- (a) all or part of those costs – in accordance with a determination by the council under clause 5.7;
- (b) as much of those costs as are available to be paid by way of set-off – where the council member receives monies paid for costs, damages, or settlement, in respect of the matter for which the City paid the legal representation costs.

6.2. The City may take action in a court of competent jurisdiction to recover any monies due to it under this policy.

Legislation

Local Government Act 1995 (WA), ss 3.1

Work Health and Safety Act 2020 (WA)

Other Relevant Procedures / Key Documents

Department of Local Government, Sport and Cultural Industries’ Operational Guideline - “Legal Representation for Council Members and Employees”¹, reviewed on 16 March 2022.

Responsible Division

Legal Services and General Counsel

Review Date

May 2028

Council Adoption	25 October 2022	Version	2
Amendment Dates	27 May 2025 Notice of Motion GM-008/25	Document Number	D22//207179

¹ Available from:

<https://www.dlgsc.wa.gov.au/department/publications/publication/legal-representation-for-council-members-and-employees>

Legal Representation for Employees

Objective

To provide for legal representation and cost indemnification to assist employees in specified situations.

Scope

This policy applies to employees of the City of Rockingham (**City**).

This policy does not apply to legal services obtained by the City in relation to the day-to-day management of the City's affairs or to legal services that the CEO considers necessary to comply with a written law.

Statement

Explanation of key terms

- **approved lawyer** is to be:
 - (a) an 'Australian legal practitioner' under the *Legal Profession Act 2008*;
 - (b) from a law firm on the Western Australian Local Government Association's panel of preferred legal services providers, unless the council considers that this is not appropriate – for example where there is or may be a conflict of interest or insufficient expertise; and
 - (c) approved in writing by the Council, the CEO or the Director, Corporate Services, under delegated authority.
- **concerns notice** means a notice under section 14(2) of the *Defamation Act 2005 (WA)*;
- **employee** means a current or former employee of the City.
- **legal proceedings** may be civil, criminal or investigative.
- **legal representation** is the provision of legal services, to or on behalf of an employee, by an approved lawyer that are in respect of:
 - (a) a matter or matters arising from the performance of the functions of employee; and
 - (b) legal proceedings involving the employee that have been, or may be, commenced.
- **legal representation costs** are the costs, including fees and disbursements, properly incurred in providing legal representation.
- **legal services** includes advice, representation or documentation that is provided by an approved lawyer.
- **offer to make amends** means a notice under section 15 of the *Defamation Act 2005 (WA)*;
- **payment** by the City of legal representation costs may be either by:
 - (a) a direct payment to the approved lawyer (or the relevant firm); or
 - (b) a reimbursement to the employee.
- **written law** has the meaning given in section 5 of the *Interpretation Act 1984 (WA)*.

1. Payment criteria

There are four major criteria for determining whether the City will pay the legal representation costs of an employee.

These are:

- (a) the legal representation costs must relate to a matter that arises from the performance by the employee of his or her functions;
- (b) the legal representation costs must be in respect of legal proceedings that have been, or may be, commenced;
- (c) in performing his or her functions, to which the legal representation relates, the employee must have acted in good faith, and must not have acted unlawfully or in a way that constitutes improper conduct; and
- (d) the legal representation costs do not relate to a matter that is of a personal or private nature.

2. Examples of legal representation costs that may be approved

2.1 If the criteria in clause 1 of this policy are satisfied, the City may approve the payment of legal representation costs:

- (a) where proceedings are brought against an employee in connection with his or her functions – for example, an action for defamation or negligence arising out of a decision made or action taken by the employee; or
- (b) to enable proceedings to be commenced and/or maintained by an employee to permit him or her to carry out his or her functions – for example, where an employee seeks to take action to obtain a restraining order against a person using threatening behaviour to the employee; or
- (c) where exceptional circumstances are involved – for example, where a person or organisation is lessening the confidence of the community in the local government by publicly making adverse personal comments about employees.

2.2 The City will not approve, unless under exceptional circumstances:

- (a) the payment of legal representation costs for a defamation action, or a negligence action, instituted by an employee;
- (b) the payment of legal representation costs for claims against the City; or
- (c) the reimbursement of any award of legal costs made against an employee if those costs were unreasonably or unnecessarily incurred.

3. Application for payment

3.1 An employee (other than the CEO or General Counsel) who seeks assistance under this policy is to make an application(s), in writing, to the CEO.

3.2. If the CEO or General Counsel seeks assistance under this policy it is to be made in writing, to the Director Corporate Services.

3.3. The written application for payment of legal representation costs is to give details of:

- (a) the matter for which legal representation is sought;
- (b) how that matter relates to the functions of the employee making the application;
- (c) the lawyer (or law firm) who is to be asked to provide the legal representation;
- (d) the nature of legal representation to be sought (such as advice, representation in court and the preparation of a document);
- (e) an estimated cost of the legal representation;

- (f) why it is in the interests of the City for payment to be made; and
 - (g) if the matter relates to comments alleged to be defamatory:
 - (i) details of the comments;
 - (ii) when, by whom and the manner in which the comments were made;
 - (iii) whether the person making the request has given a concerns statement to the person alleged to have made the comments; and
 - (iv) whether the person alleged to have made the comment has made an offer to make amends.
- 3.4 The application is to contain a declaration by the applicant that he or she has acted in good faith and has not acted unlawfully or in a way that constitutes improper conduct in relation to the matter to which the application relates.
- 3.5 As far as possible, the application is to be made before commencement of the legal representation to which the application relates.
- 3.6. The application is to be accompanied by a signed written statement by the applicant that he or she:
- (a) has read, and understands, the terms of this policy;
 - (b) acknowledges that any approval of legal representation costs is conditional on the repayment provisions of clause 7 and any other conditions to which the approval is subject;
 - (c) undertakes to repay to the City any legal representation costs in accordance with the provisions of clause 7.
- 3.7 In relation to clause 3.5(c), when a person is to be in receipt of such monies the person should sign a document which requires repayment of those monies to the local government as may be required by the local government and the terms of the policy.
- 3.8 An application (other than an application by an employee that is concluded in accordance with clause 4.1 or an application by the CEO or General Counsel), is to be accompanied by a report prepared by the CEO for consideration by the council.
- 3.9 An application by the CEO or General Counsel is to be accompanied by a report prepared by the Director, Corporate Services for consideration by the council.

4. Defamation – Concerns notice

- 4.1 If:
- (a) an application relates to comments alleged to be defamatory of an employee (other than the CEO or General Counsel);
 - (b) the CEO is satisfied, on reasonable grounds, that the comments were made;
 - (c) the CEO, after consultation with the City's General Counsel and Director Legal Services, considers that the comments may be defamatory of an employee; and
 - (d) the comments may reasonably result in a lessening of the community's confidence in the City,
the CEO may instruct an approved lawyer, at the City's cost, to provide the following legal services:
 - (e) advise whether the comments alleged to have been made are defamatory;
 - (f) advise whether the circumstances warrant the giving of a concerns notice;

- (g) if the circumstances warrant the giving of a concerns notice:
 - (i) to prepare and serve a concerns notice on the maker of the comments;
 - (ii) to review any offer to make amends from the maker of the comments; and
 - (iii) to conclude the matter if this can be done without commencing legal proceedings.

4.2 Where the CEO instructs an approved lawyer in accordance with clause 4.1:

- (a) the costs payable to the approved lawyer must not, without council's approval, exceed \$10,000 in respect of any application; and
- (b) the approval is to be reported, as a confidential item, to the next ordinary meeting of the council.

5. Legal representation costs – limit

5.1 The council in approving an application in accordance with this policy shall set a limit on the costs to be paid based on the estimated costs in the application.

5.2 An employee may make a further application to the council in respect of the same matter.

6. Council's powers

6.1 The council may:

- (a) refuse;
- (b) grant; or
- (c) grant subject to conditions,

an application for payment of legal representation costs.

6.2 Conditions under clause 6.1 may include, but are not restricted to:

- (a) a financial limit and/or a requirement to enter into a formal agreement, including a security agreement, relating to the payment, and repayment, of legal representation costs;
- (b) limiting financial assistance to instructing an approved Lawyer, at the City's cost, to provide the following legal services:
 - (i) advise whether the comments alleged to have been made are defamatory;
 - (ii) advise whether the circumstances warrant the giving of a concerns notice;
 - (iii) if the circumstances warrant the giving of a concerns notice:
 - A. to prepare and serve a concerns notice on the maker of the comments;
 - B. to review any offer to make amends from the maker of the comments; and
 - C. to conclude the matter if this can be done without commencing legal proceedings.

6.3 In assessing an application, the council may have regard to any insurance benefits that may be available to the applicant under the City's employees insurance policy or its equivalent.

6.4 The council may at any time:

- (a) require the provision of a report outlining the status of the legal representation and the likely outcome; and
- (b) revoke or vary an approval, or any conditions of approval, for the payment of legal representation costs.

- 6.5 The council may, subject to clause 6.6, determine that an employee whose application for legal representation costs has been approved has, in respect of the matter for which legal representation costs were approved –
- (a) not acted in good faith, or has acted unlawfully or in a way that constitutes improper conduct; or
 - (b) given false or misleading information in respect of the application.
- 6.6 A determination under clause 6.5 may be made by the council only on the basis of, and consistent with, the findings of a court, tribunal or inquiry.
- 6.7 Where the council makes a determination under clause 6.5, the legal representation costs paid by the City are to be repaid by the employee in accordance with clause 7.

7. Repayment of legal representation costs

- 7.1 An employee whose legal representation costs have been paid by the City is to repay the City:
- (a) all or part of those costs – in accordance with a determination by the council under clause 6.7;
 - (b) as much of those costs as are available to be paid by way of set-off – where the employee receives monies paid for costs, damages, or settlement, in respect of the matter for which the City paid the legal representation costs.
- 7.2. The City may take action in a court of competent jurisdiction to recover any monies due to it under this policy.

Legislation

Local Government Act 1995 (WA), ss 3.1

Work Health and Safety Act 2020 (WA)

Other Relevant Procedures / Key Documents

Department of Local Government, Sport and Cultural Industries' Operational Guideline - "Legal Representation for Council Members and Employees"¹, reviewed on 16 March 2022.

Responsible Division

Legal Services and General Counsel

Review Date

May 2025

¹ Available from:

<https://www.dlgsc.wa.gov.au/department/publications/publication/legal-representation-for-council-members-and-employees>

Council Adoption	28 June 2022 (GM-013/22)	Version	1
Amendment Dates		Document Number	D22/133441

Light Vehicle Fleet

Objective

To:

- provide a fleet of cost effective and functional light vehicles for operational purposes.
- incrementally transfer the Executive and Management Team from City supplied vehicles to annual vehicle allowances.
- provide vehicles and vehicle allowances as part of remuneration packages that are competitive within the Local Government employment market.
- continually improve the environmental performance of the light vehicle fleet with the objective of reducing carbon emissions and fuel consumption across the entire fleet.

Scope

This policy covers all City employees who use City owned vehicles or receive a vehicle allowance.

Statement

Vehicle Allowance

The Chief Executive Officer (CEO), Directors and Managers appointed on or after 1 January 2014 shall receive a vehicle allowance.

Directors and Managers appointed on or before the 31 December 2013 have the option of either receiving the allowance or being supplied with a motor vehicle in line with the provisions of their employment contract. For the purposes of clarity, the renewal of existing employment contracts will retain the option for the supply of a City vehicle in accordance with this policy.

Officers electing to receive an allowance cannot revert back to the provision of a motor vehicle.

Annual Allowances as at 1 July 2015

- CEO - \$27,623
- Directors - \$23,454
- Managers - \$19,285

The allowances will be adjusted annually on the 30 June of each year in accordance with movements in the "Motor Vehicle Benefits – Cash Value of a Motor Vehicle" determined from time to time by the W.A. Salaries and Allowances Tribunal for Public Service Office Holders in accordance with Section 6(1) (c), (d) and (e) of the *Salaries and Allowances Act 1975*.

Officers in receipt of a vehicle allowance shall not:

- claim a mileage / kilometreage allowance for the use of their private vehicle for work purposes;
- use general fleet or "pool" vehicles for either business or private purposes without the approval of the CEO; and
- use City "Travelsmart" cards or other prepaid ticketing devices for City related travel on public transport.

Officers in receipt of a vehicle allowance shall:

- maintain their vehicle in a lawful, roadworthy and presentable condition;
- ensure that their vehicle carries all appropriate licencing and insurance coverage; and
- use their vehicle for their own day to day work purposes as would a City provided vehicle. (There is no requirement to avail their vehicle for the usage by other officers).

The CEO shall implement Executive Policies and Procedures to ensure that insurance liability and other areas of risk are managed appropriately and effectively.

Provision of Vehicles

Motor vehicles shall be provided to Directors and Managers appointed on or before 31 December 2013 in line with the provisions of their employment contract and provided that they have not been in receipt of a vehicle allowance.

The CEO shall allocate vehicles to other staff on an operational needs basis and may authorise limited private or commuting use.

The CEO will implement Executive Policies and Procedures that manages risks associated with private usage and also ensure that a reasonable financial contribution is made by officers authorised with limited private usage.

Vehicle Valuation Benchmarks – estimated State Fleet contract price.

Directors - \$38,000

The cash component of the Directors' salary will be adjusted on a fortnightly basis in accordance with the variation between the benchmark amount and the actual purchase price of the City supplied vehicle using the Mercer Vehicle Provision Formula of 30% of purchase price plus \$5,000 per annum. The variation to purchase price cannot exceed plus or minus 20%.

Managers – \$28,000

The benchmark amount will be adjusted annually as at 30 June in line with the average of the annual movement of the State Fleet Contract price for the top three (3) selling Australian vehicle models as provided by the Federal Chamber of Automotive Industries.

The Mercer Vehicle Provision Formula will be adjusted annually as at the 30 June in line with advice from Mercer.

Vehicle Standards

The CEO will implement Executive Policies and Procedures that provide for the following outcomes when purchasing vehicles:

- 4 Star ANCAP rating (**Australasian New Car Assessment Program**)
- Emissions less than 170 CO₂ (g/km) combined at tailpipe. (Australian Government Green Vehicle Guide)
- Fuel consumption less than 9L/100km combined. (Australian Government Green Vehicle Guide)
- Operationally fit for purpose
- Least life cost / operational cost

Vehicle Usage

The private use of the City's motor vehicles is subject to users maintaining the vehicle in a clean and orderly manner and adhering at all times to insurance policy requirements. Misuse, abuse, neglect of vehicles or non-compliance with insurance conditions may result in private use rights being withdrawn. All City motor vehicles are to be car pooled and available for operational use during business hours.

Private Use Availability

Directors – Unrestricted private use of fully serviced vehicle throughout Western Australia.

Managers – Restricted private use of vehicle limited to 500 kilometre radius of the municipal boundary. Must provide fuel whilst on periods of annual, purchased leave, and long service leave.

General usage – Restricted private use of vehicle limited to 500 kilometre radius of the municipal boundary. Unavailable for private use during any periods of leave other than periods of personal leave of up to a maximum of 48 hours.

Commuting use – Strictly restricted to direct carriage between workplace and residence.

Variations to Policy

The CEO is authorised to vary policy provisions relating to:

- vehicle standards, when specialised operational requirements prevail; and
- private use availability, when occasional requests are made that will not impact either operationally or financially on the City.

Definitions

Nil

Legislation

Nil

Other Relevant Procedures / Key Documents

Executive Standard – Light Vehicle Fleet - Vehicle Allowances

Executive Standard - Light Vehicle Fleet – Vehicle Allocation and Usage

Responsible Division

General Management Services

Review Date

May 2018

Council Adoption	25 November 2008	Version	6
Amendment Dates	22/11/11; 24/7/12; 24/9/13; 24/11/15; 22/12/15	Document Number	D15/48376

Meetings by Electronic Means and Attendance

Objective

This Policy is to facilitate the access and participation of Council Members in meetings, by authorising attendance and participation at meetings electronically in accordance with *Local Government (Administration) Regulations 1996 (Regulation)*.

Scope

This Policy applies to electronic attendance by Council Members at the following Meetings;

- an ordinary meeting of the council;
- a special meeting of the council;
- a meeting of a committee of the council; or
- a meeting of an audit committee of a local government [r.14D (1)].

Councillor Engagement Sessions (**CES**) are not subject to the Regulations but are dealt with as an administrative decision, approved by the Mayor.

Statement

All Council Members recognise the importance of decision-making in their role to represent the community. Attendance at Meetings is a necessary and valued part of this process.

All Meetings will primarily be held as in-person meetings, whenever possible, rather than by electronic means.

Request for attendance by electronic means at Meetings, will be considered in accordance with legislation and this Policy.

Meetings held by electronic means

In accordance with Regulation 14D(2)(c) Council authorises the Mayor in consultation with the Chief Executive Officer (**CEO**) to determine if a meeting is to be held by electronic means having regard to the number of previous meetings held by electronic means and the location and equipment available to each Council Member to attend electronically.

There is no limit to the number of Meetings that can be attended electronically due to a public health emergency, state of emergency or a natural disaster (Regulation 14C(2)(a)).

Council Member attendance by electronic means

Council Members may attend a Meeting by electronic means if authorised by the Mayor or Council [Regulation 14C(2)(b)] unless the attendance at the proposed Meeting would result in the Council Member attending more than half of the Meetings (including the proposed meeting) by electronic means [regulation 14C(3)]. The limit does not apply to a person with a disability as defined in the *Disability Services Act 1993*.

Requests for attendance by electronic means

- 1) All requests to attend Meetings electronically must be submitted in writing using the required form; and submitted to the Governance and Councillor Support team for processing and approval.

- 2) By making a request for electronic attendance Council Member's must declare that confidentiality is possible and that confidentiality will be maintained.
- 3) Approval to attend electronically will be provided via return email from Governance and Councillor Support, with access details to attend electronically.

The Governance and Councillor Support team will record electronic attendance on the Attendance Register and will advise the Mayor or Council if the request is eligible for electronic attendance based on the percentage of meetings the person has attended electronically under Regulation 14C(2)(b).

Suitable Location, Equipment and Networks

- 1) Locations within Australia are considered to be suitable for electronic attendance; and
- 2) The location must be indoors, quiet and private and if other people are present at the location the Council Member must be able to close a door or take other measures to minimise noise or distraction and maintain privacy.
- 3) Council Members attending Meetings electronically must connect with a device using a supported operating system which is running the latest versions of patches or updates. The device must connect using a secure, stable and trusted network. Suitable networks include private home internet and WiFi or a mobile hotspot from a trusted personal mobile device.
- 4) Suitable equipment for attending electronic Meetings includes City provided iPad or a personal computer or laptop with a video camera.
- 5) Due to increased cyber security risks, public WIFI is not considered to be a suitable connection for electronic attendance (this includes connections at cafes, airports, hotels and restaurants).

Maintaining confidentiality during the Meeting

If the meeting or part of the Meeting for which a Council Member is attending electronically is to be closed to the public, the Council Member must make a declaration that they can maintain confidentiality during the Meeting or the closed part of the meeting (as the case requires) (Regulation 14CA(5)).

This declaration must be recorded in the minutes of the Meeting. Should the Council Member be unable to maintain confidentiality, they must leave the meeting or the closed part of the meeting.

Declarations of Interest

Where a Council Member attending via electronic means has declared an interest, prior to discussion of the Item the Presiding Member will request the Governance and Councillor Support team to electronically disable the Council Member by moving the member to the electronic "waiting room".

Once the item discussion is complete the Presiding Member will invite the Council Member to re-join the meeting via Governance and Councillor Support and both the Presiding Member and Council Member will verbally acknowledge the Council Members return.

Definitions

Meeting – An Ordinary Council, Special Council, a Committee of Council or an Audit Committee Meeting of the City of Rockingham established pursuant to Section 5.8 of the *Local Government Act 1995*.

Council Member – All elected members and the Mayor.

Relevant period – means period of 12 months ending on the day on which proposed meeting is to be held.

Regulation/s – means a regulation from the *Local Government (Administration) Regulations 1996*.

Council Policy

Legislation

Local Government Act (WA) 1995

Local Government (Administration) Regulations (WA) 1996

City of Rockingham Standing Orders Local Law (WA) 2001

Other Relevant Procedures / Key Documents

Council Policy - Recording and Streaming Council, Standing Committees and Annual Electors Meetings

Council Policy – Governance and Meeting Framework Policy

Council Form – Attendance at Meetings by Electronic Means

Responsible Division

General Management Services

Review Date

August 2027

Council Adoption	27 August 2024 (GM-018/24)	Version	1
Amendment Dates		Document Number	D24/188854

Memorials in Public Places

Objective

To ensure that existing memorials are managed in an empathetic manner.

Scope

This Policy recognises that the appropriate location for memorialisation of individuals is within the grounds of the two existing cemeteries within the district, East Rockingham Pioneer Cemetery or Rockingham Regional Memorial Park.

This Policy does not apply to commemorations for historical events or causes, which will be considered on a case-by-case basis.

This Policy does not apply to requests to name places or facilities for people who have made a significant contribution to the City of Rockingham.

Temporary roadside memorials are permitted for individuals who have died tragically on roads within the district.

Statement

Existing Memorial Bench Plaques

All existing memorials on benches across the City are transitioned to a 25 year grant from the date of approval of this policy.

Any replacement of existing plaques will be subject to the same grant expiry date as the plaque it replaces. The original applicant(s) will be responsible for all costs associated with repair or replacement of the memorial plaque.

The City will be responsible for all costs associated with the repair, maintenance and replacement of the bench.

At the expiry of the grant, the memorial plaque will be removed and, where possible, returned to the first named original applicant or their nominated agent. The City will reserves the right to retain the bench seat as a City asset.

Existing Plaques – Waikiki or Rockingham Beach Memorial Walls

All existing memorials on the memorial walls are transitioned to a 25 year grant from the date of approval of this policy. This will include any reserved (unused) spaces on these walls.

At the expiry of the grant, the memorial plaque will be removed and, where possible, returned to the first named original applicant or their nominated agent.

The original applicant(s) will be responsible for all costs associated with repair or replacement of the memorial plaque during the grant period. Any replacement plaques will be subject to the same grant expiry date as the plaque it replaces.

Memorials will be subject to the same level of maintenance as the wall to which it is attached. Any additional maintenance will be the responsibility of the applicant(s).

Applicants will retain the opportunity to add a second name to an existing plaque. The revised plaque will be subject to the same grant expiry date as the original plaque.

Temporary Roadside Memorials

Temporary roadside memorials (cross only) are to be installed in accordance with the *City of Rockingham Memorial Specifications* and can only be provided for one individual. Where multiple lives are lost in a single accident, each life will be permitted to have individual roadside memorials co-located near the site of the accident.

Roadside memorials using a white cross will only be approved for a period up to 26 months from the date of the accident at which time the cross and all associated materials must be removed.

Approval process

Applications for a roadside memorial cross will be at no cost to the applicant but must be made in writing. If the application is from an organisation or person other than a family member of the deceased, a letter of permission from the deceased's family is required.

Approval of applications are at the discretion of the City when taking account the wishes of the family and friends of the deceased and nearby residents.

Roadside memorials will be placed as near as possible to the position requested by the applicant.

Works and Costs

Following approval of the application, installation may be carried out by the applicant.

All costs associated with installation of a roadside memorial cross are to be borne by the applicant.

Maintenance

The City does not undertake any maintenance on roadside memorial plaques.

The City will not be responsible for the replacement of any memorial plaques which are vandalised, damaged or stolen.

Memorial Removal

All existing memorials will have a finite life as follows

- Plaques on memorial walls and benches – 25 years
- Temporary roadside memorial cross – 26 months.
- Roadside memorial plaque – 25 years.

Council reserves the right to remove any memorial after these timeframes, with all attempts made to return the plaque to the first named original applicant or their nominated agent.

Should an installed memorial become disturbed through works by the City, the memorial shall be removed and reinstalled, if appropriate, in the same location or installed in another location nearby (all reasonable attempts will be made to contact the original applicant prior to works commencing).

Definitions

Memorial - a structure or asset that is placed for the purpose of remembrance of individuals or events.

Legislation

Cemeteries Act 1986

Local Government Act 1995

Local Government (Uniform Local Provisions) Regulations 1996 - Regulation 6: Public Places and Local Government Property Local Law 2018

Land Administration Act 1997

Land Information Authority Regulations 2007 3 – Information prescribed as fundamental land information

Other Relevant Procedures / Key Documents

Policies and Standards for Geographical Naming in Western Australia.

City of Rockingham Memorial Specifications.

Responsible Division

Asset Services

Review Date

April 2024

Council Adoption	27 April 2021 (EP-007/21)	Version	1
Amendment Dates		Document Number	D21/1738

Outdoor Events

Objective

Council recognises the need to support the contribution that outdoor events make to the City's cultural landscape and economy, whilst minimising the potential impact of temporary events to the community.

This Policy aims to deliver the following objectives:

- Provide for a range of events that meet the community's aspirations;
- Provide controls that minimise adverse impacts of events on the community and environment;
- Manage the health and safety of people attending the event; and
- Manage compliance with relevant legislative requirements and standards.

Scope

This Policy applies to all outdoor events held in the City of Rockingham including those on private land.

This Policy does not apply to:

- Private events not open to members of the public, such as private parties, weddings, funerals and the like
- Seasonal use of sports fields by schools and registered sporting clubs for club related activities

Statement

This Policy provides a three tiered classification system for outdoor events in the City of Rockingham, based on the impact of the event. The classification of the event will determine the information required to be submitted to the City, to enable the assessment and approval of the event.

Event Purpose

Outdoor event applications are required to demonstrate how the event will provide a welcoming and safe environment that meets one or more of the following outcomes:

- delivers either recreational, social, cultural, education or information opportunities for residents and visitors to participate
- supports and contributes to the well-being of residents and visitors
- supports and includes people from all sections of the community
- supports and respects the unique identity of Rockingham and its culture
- recognises occasions of historical, social or cultural significance
- contributes to the local economy, businesses and tourism

Limitations and Restrictions

The City will not approve events:

- which promote tobacco or gambling;
- with alcohol promotion being the main purpose;

Council Policy

- which are discriminatory in nature;
- which involve endangered animals, or cruelty to animals;
- which prevents the public space from being used for its dedicated purpose; or
- which threaten ecologically sensitive areas.

The City may cancel or modify events at any stage as a result of, but not limited to:

- Extreme weather
- Identified high risks
- Site safety or conditions

Approval Process

Approval is required for all outdoor events held in the City of Rockingham including those on private land. Assessment of an event application will be based on the following criteria:

- Suitability and purpose of the event activity;
- Suitability and experience of the event organiser;
- Suitability and availability of the event location and duration;
- Impact of the event on location and surrounds.

Event Impact Criteria

To determine the level and number of management and compliance conditions to be applied, events will be categorised as either a low, medium or high impact based on the activity proposed.

Event Impact Category	Impact Criteria	Lodgement Due
Low Impact Event	<ul style="list-style-type: none"> • Held between 7am and 6pm • Less than 100 attendees • No food sales • No amplified noise • No marquees over 3x3m 	Due 10 days prior to the event.
Medium Impact Event	<ul style="list-style-type: none"> • Held between 6am and 9pm • Between 100 and 1,000 attendees • Involves food sales • Low level amplified noise 	Due 30 days prior to the event.
High Impact Event	<ul style="list-style-type: none"> • Finishes after 9pm • More than 1,000 attendees • Involves food sales • Involves amplified noise • Includes fencing • Requires road closures or impacts on the normal use of the roads • Involves fireworks / pyrotechnics 	Due 60 days prior to the event.

The Director of Planning and Development Services has discretion to classify events that do not meet the above criteria.

Applications received after the Application Lodgement time before the event is scheduled, as listed above, may be rejected.

Outdoor Event Guidelines

Outdoor event organisers are required to comply with all legal and City requirements as detailed in the Outdoor Event Guidelines (as attached). The Outdoor Event Guidelines will be updated periodically to reflect any legislative and/or City operational changes affecting the delivery of safe, accessible and sustainable events in Rockingham.

Outdoor Event Approval and Conditions

Approved Outdoor Events will be issued with a Maximum Accommodation Certificate under the *Health (Public Buildings) Regulations 1992*.

Outdoor Events that do not receive all relevant approvals cannot proceed.

It is the responsibility of the Event Organiser to ensure all relevant approvals have been obtained from the City and other approving agencies.

Definitions

Outdoor Event – means an organised one-off temporary occurrence within the City of Rockingham on public or private land, where members of the public assemble outside at a given time and location, for a set purpose, either for free or for the payment of a fee.

Legislation

Health (Miscellaneous Provisions) Act 1911

Public Health Act 2016

Health (Public Buildings) Regulations 1992

Activities in Thoroughfares and Public Places and Trading Local Law 2001

Local Government Property Local Law 2001

Other Relevant Procedures / Key Documents

Outdoor Event Guidelines

Responsible Division

Planning and Development Services

Review Date

August 2020

Council Adoption	28 August 2018	Version	1
Amendment Dates		Document Number	D15/48382

Payments to Finishing Employees

Objective

To comply with section 5.50(1) of the *Local Government Act 1995* and set out the circumstances in which the City may pay to an employee whose employment with the City is finishing, an amount in addition to any amount which the employee is entitled to under a contract of employment or Enterprise Agreement, and the manner of assessment of the additional amount.

Scope

All employees.

Statement

This policy outlines the circumstances in which gratuity payments may be made to a finishing employee. These payments, when made, are in addition to any amount that the employee is entitled to under a contract of employment or Enterprise Agreement. This policy shall not be considered as a contractual entitlement under the employment relationship.

When an employee's services are ceasing with the City, the employee may be provided with a gratuity as outlined below based on completed years of service.

The gratuity payment identified within this policy does not apply to an employee who has been dismissed by the City for any reason.

Prescribed Amounts for Gratuity Payments

Period of employment	Amount of Gratuity
Continuous service of 5 years or more but less than 10 years continuous service.	A gift to the value of \$50.
Continuous service of 10 years or more but less than 15 years of continuous service.	A gift to the value of \$150.
Continuous service of 15 years or more but less than 20 years of continuous service.	A gift to the value of \$300.
Continuous service of 20 years or more.	A gift to the value of \$500.

For the purpose of this policy, continuous service shall deem to include:

- Any period of absence from duty of annual leave, long service leave, accrued paid bereavement leave, accrued paid personal leave, paid and unpaid parental leave and public holidays.
- Any period of authorised paid absence from duty necessitated by sickness of or injury to the employee but only to the extent of three months in each calendar year but not including leave without pay.
- Any period of absence that has been supported by an approved workers compensation claim up to a maximum absence of one year.

For the purpose of this policy, continuous service shall not include:

- a) Any period of unauthorised absence from duty unless the City determines otherwise.
- b) Any period of unpaid leave unless the City determines otherwise.

Definitions

Nil

Legislation

Local Government Act 1995

Industrial Relations Act (WA) 1979

Other Relevant Procedures / Key Documents

Nil

Responsible Division

General Management Services

Review Date

April 2026

Council Adoption	27 September 2016 (GMS-017/16)	Version	2
Amendment Dates	27/6/23 (GM-017/23)	Document Number	D16/139953

Policy Framework

Objective

To ensure that Council's Policies are relevant, clear, consistent and support the delivery of good governance for the district.

Scope

This policy applies to Council Members and Employees of the City of Rockingham.

Statement

Section 2.7(2) (b) of the *Local Government Act 1995 (WA)* states that Council is to “determine the local governments policies”.

Policies reflect the current strategic positions of Council and provide direction to further the City's strategic goals and / or to meet statutory requirements. Policies can also provide detail on the manner in which the City undertakes, or requires others to undertake, certain works or activities.

Documented policies enable the effective and efficient management of Council resources and support the community to understand reasoning behind Council and Administration decisions.

A policy is not binding on Council, but provides a guideline for Council Members and officers to determine individual applications and requests.

There are various categories of Policy at the City of Rockingham; Council Policy, Legislative Policy and Local Planning Policy.

1. Council Policy

A Council Policy is adopted by Council to provide the Chief Executive Officer the broad 'rules of engagement' or limits / boundaries in respect to a particular matter requiring action. A Council Policy establishes scope or guidelines for the City's actions and decision making.

2. Legislative Policy

Legislative Policy is policy required by the City under law.

3. Local Planning Policy

Local Planning Policies are determined by Council under the *Planning and Development (Local Planning Schemes) Regulations 2015*. They support delivery of the Council's Local Planning Strategy and Town Planning Scheme, and their purpose is to provide guidance, detail and consistency of treatment with respect to amenity and other relevant planning issues.

All Policies will be recorded in the City's record management system and reviewed once every three years or as required, or determined by legislation.

With the exception of a policy established under any Town or Local Planning Scheme or a policy which format is determined under legislation or Australian Standard, the following format is to be used when writing Council Policy and Legislative Policy:

- Policy Name
- Policy Objective

- Policy Scope
- Policy Statement
- Definitions
- Legislation
- Other Relevant Policy / Key Documents
- Responsible Division
- Review Date

Policy Development and Review Guiding Principles

The following principles will be applied in policy development and review:

- Policies will be consistent with the City's strategic goals, values, risk appetite and policy template.
- Policies will be concise and state no more than is necessary to direct decision making and clarify expected outcomes.
- Policies will be clear and written in plain English to avoid ambiguity and to be easily understood by the reader.

Policy Adoption Process

The Council has an established governance structure in place to review Council, Legislative and Planning Policy. Figure 1 represents the process for the adoption of new policies and Figure 2 represents the process for review of existing policies at the City of Rockingham. In either case the following key elements may be researched and/or considered:

- a) Statutory compliance obligations;
- b) Industry standards, codes of practice, guidelines;
- c) Risk implications;
- d) Customer / community needs and expectations;
- e) Whether it effectively integrates in the City's operations;
- F) External stakeholder consultation
- g) Internal stakeholder consultation (including relevant senior staff and Councillors);
- h) Potential resource and budget implications; and
- i) Strategic Community Plan.

Proposed new Council Policies and amendments to existing Council policies will be referred to either the Planning and Asset Services Committee, the Corporate and Community Development Committee or the Governance Review Panel depending upon the nature of the policy.

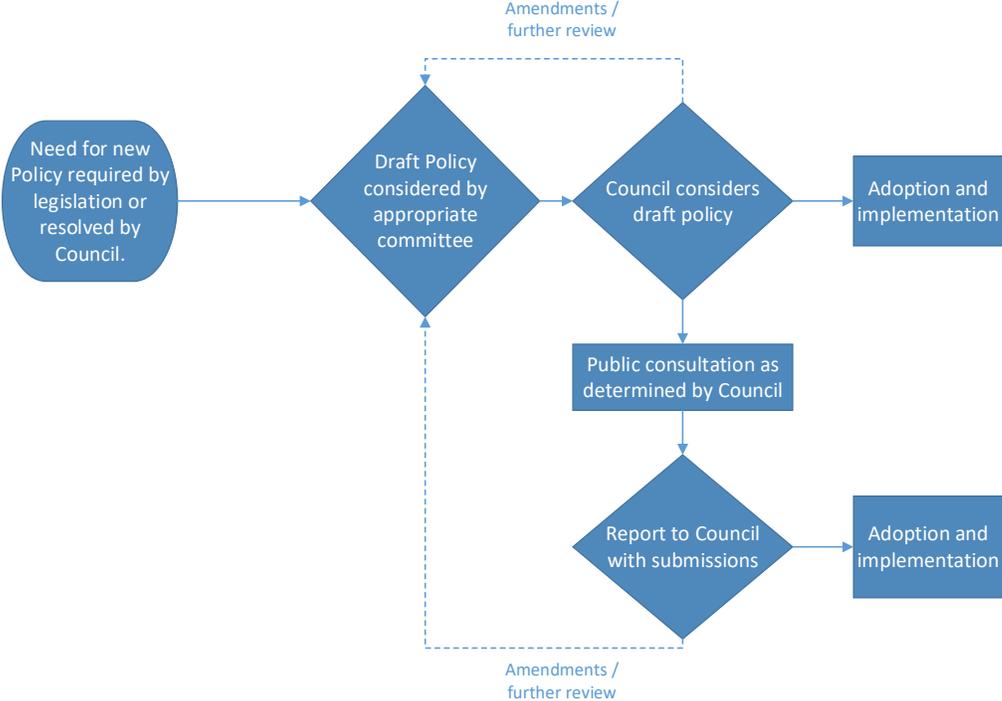


Figure 1. New Policy Development Process

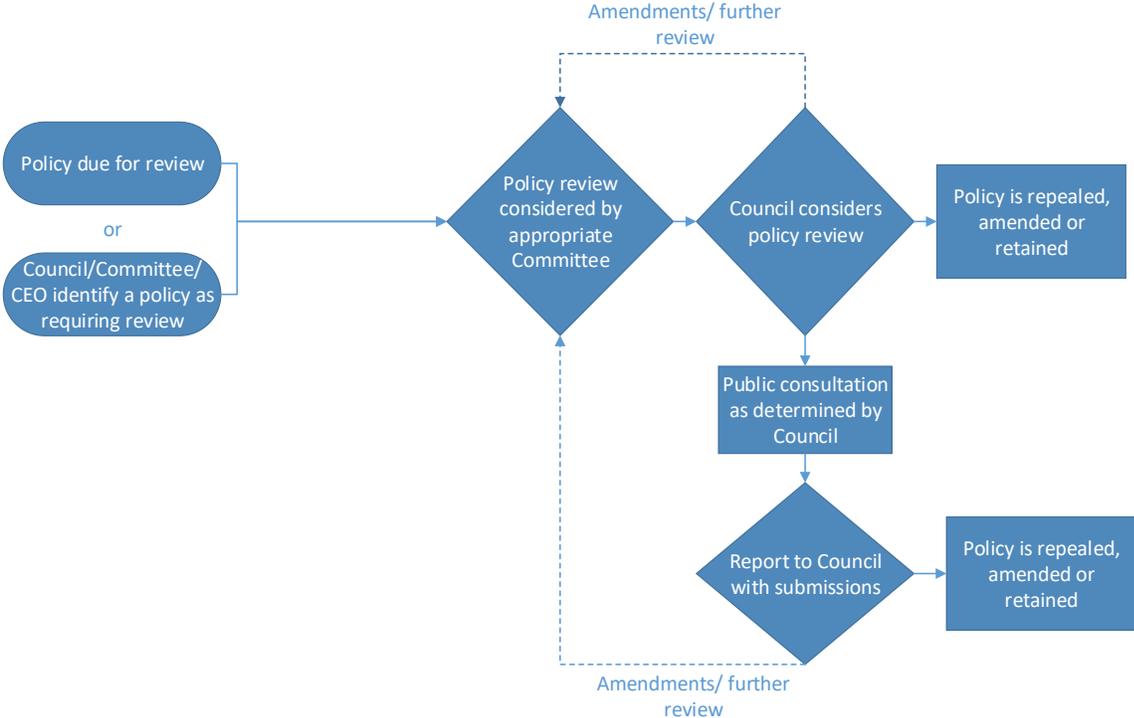


Figure 2. Policy Review Process

Other Supporting Documents

Executive Standards

An Executive Standard is adopted by the Executive Management Team and establishes a whole of organisation approach to operational matters. It may address several issues including:

- How the City will carry out, apply and/or action a Council Policy.
- Establishing a minimum standard to be adopted for the organisation, such as Human Resources and Information and Communication Technology (ICT) matters etc, to ensure there is a consistent approach to these matters.
- Providing guidelines that the Executive Management Team wishes to set in respect to operational matters within the organisation.

Executive Standards are created as internal documents for City administration which, are not adopted by Council or available to the public.

Procedure Manuals

Procedure Manuals are to be managed by individual Directors. They need to be established for each Directorate with a section for each team and reviewed at a minimum on an annual basis by the Director. Each amendment and review date must be recorded on the Manual for audit purposes.

Procedure Manuals will comprise key processes, procedures, systems and guidelines utilised in the day-to-day operations of the respective Teams. This will ensure recording of administration systems process and provide business continuity.

The Manual can be in any form decided by each Director. It must identify the key processes and guidelines for each team. Documentation is to ensure a high level of customer service, legislative compliance and meet Strategic Community Plan aspirations.

Definitions

The *Local Government Act 1995* does not define the term “policy” and hence, for the purpose of this policy, it shall mean:

A general rule, adopted by Council, which provides guidance to the City’s decision making by establishing principles that apply, or describe relevant considerations that ought to be taken into account when making decisions, in order to achieve outcomes that are consistent, equitable, reasonable and proportionate in the circumstances.

Format

To ensure a consistent approach to the structure and content of Council Policies, the Chief Executive Officer (CEO) by an Executive Standard will establish a template to be used for future policies. Planning Legislation and Scheme requirements may require variation from this format in the case of Town or Local Planning policies.

Review Frequency

The Council will review its policies at least once every three years to ensure they remain relevant to Council and the Community. This timeframe may be reduced where a policy position has become redundant due to a change in legislation or Council strategy.

Legislation

Section 2.7(2)(b) – Local Government Act 1995 (WA)

Section 5.41(c) and (d) – Local Government Act 1995 (WA)

Planning and Development (Local Planning Schemes) Regulations 2015

Other Relevant Procedures / Key Documents

Nil

Responsible Division

General Management Services

Review Date

August 2026

Council Adoption	25 June 2013 (GCS-005/13)	Version	5
Amendment Dates	24/09/13 (GCS-008/13); 27/10/20 (GM-024/20); 18/1/22 (<i>Admin change</i>); 22/8/23 (GM-023/23); 24/6/25 (GM-010/25)	Document Number	D15/48384

Procurement Framework

Objective

To ensure procurement functions in the City are statutorily compliant, provide uniform fairness and equity, are transparent and accountable and achieve best value for the City.

Scope

All City employees.

Statement

Procurement of goods and services at the City or Rockingham is a critically important business process. In achieving Council's policy objective, the Chief Executive Officer must ensure that the following key areas of activity are observed, understood and embraced across the organisation in order to deliver best value:

1. Statutory Compliance – procurement processes and procedures must comply with s3.57 of the Local Government Act 1995 and Regulations 11-24AJ of the Local Government (Functions and General) Regulations 1996.
2. Ethics, Misconduct, Conflict and Disclosure of Interest – procurement functions must be undertaken in adherence with the principles and rules as detailed in the City of Rockingham Code of Conduct.
3. Best Value – when procuring on behalf of the City, employees shall balance factors such as price, quality, timeliness of services, experience and other relevant selection criteria to ensure the best value for the City.
4. Process Uniformity and Consistency – suppliers, contractors and persons dealing with the City will be treated consistently, equally and fairly.
5. Risk Management – processes and practices are to minimise risk to the City but will be balanced against the cost of achieving this. It is recognised that it will never be possible to completely eliminate risk but the Chief Executive Officer must ensure appropriate procedures are in place to reduce risk.
6. Strategic Alignment – when undertaking the procurement functions on behalf of the City, regard shall be had for initiatives listed in its forward planning documents.
7. Contract Management – the contractual obligations and responsibilities of suppliers to the City must be managed, measured and monitored to ensure that the City receives best value and its full contractual entitlements. The Chief Executive Officer must ensure that organisational systems are in place that provide for an enterprise wide contract management effort.
8. Organisational Awareness and Training – the Chief Executive Officer shall ensure employees undertaking procurement activities on behalf of the City receive appropriate training in procurement and contract management.
9. Aboriginal Business Support – Aboriginal businesses shall be supported in the procurement process by a quantitative measure applied in assessment tools. The Chief Executive Officer is to implement and maintain a quantitative weighting measure in Formal Quotes and Tenders contingent on demonstration of value for money.

10. Local Economic Benefit – local businesses, within the City of Rockingham, shall be supported in the procurement process by a quantitative measure applied in assessment tools. The Chief Executive Officer is to implement and maintain a quantitative weighting measure in Formal Quotes and Tenders contingent on demonstration of value for money.
11. Sustainable Procurement – procurement functions shall endeavour to consider sustainable procurement ensuring value for money outcomes are maintained.
12. Supply of Goods and Services – prepare and implement Executive Policies and procedures to provide clear instructions on how employees are to engage in the purchase of goods and services on behalf of the City.

For the supply of goods and services under \$250,000 the following requirements must be met:

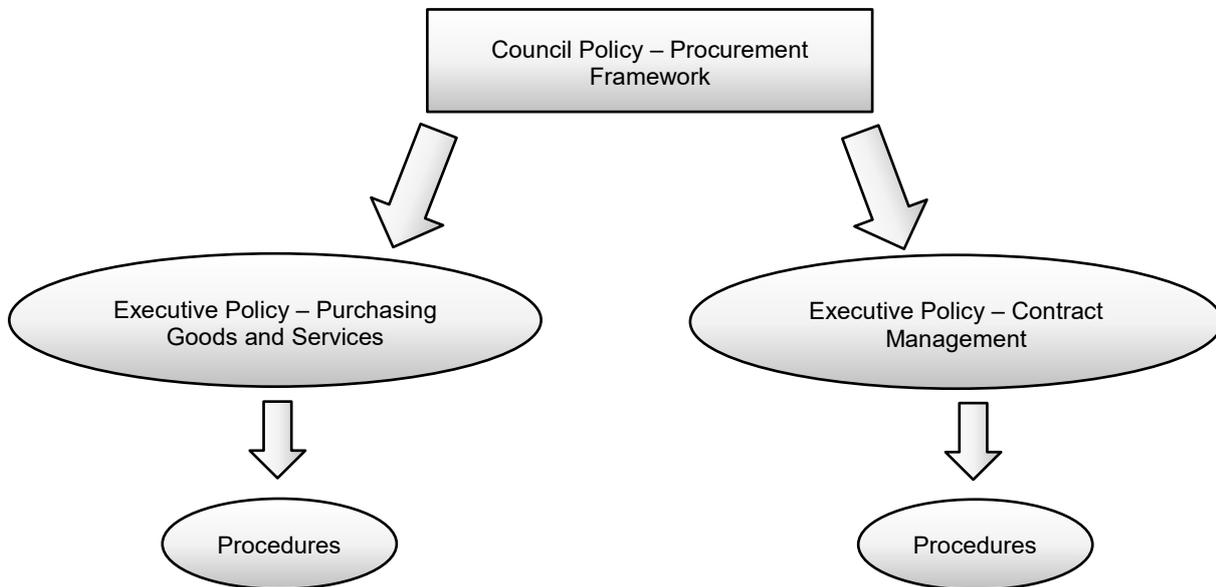
Acceptable Form of Quotations, Minimum Number of Quotations to be Received and Records Keeping Requirements

Consideration Value Range (GST Exc)	Form of quotations and minimum number of oral or written quotations required to be requested	Record Keeping Requirements
Up to \$999	One verbal or visual quote (i.e. advertising)	All employees when purchasing goods must ensure all quotes received have sufficient records kept in accordance with record keeping legislation and City's policies.
\$1,000 to \$4,999	Two verbal quotes	
\$5,000 to \$19,999	Two written quotes	
\$20,000 to \$49,999	Three written quotes	
\$50,000 to \$79,999	Three written quotes, with pre-determined written assessment criteria in addition to price	
\$80,000 to \$249,999	A written Formal Quote advertised through the City's Rock Port portal to registered businesses	

The Chief Executive Officer may approve exemptions to employees for a purchase where they cannot comply with the above requirements due to operational reasons, such as:

- An emergency exists
- Only one supplier is known to exist as a result of the specialised nature of the intended purchase
- Delays caused by undertaking the required procurement process might create a significant financial penalty for the City.

The following policy and procedural framework will guide the City's procurement effort:



Definitions

Procurement – the overarching function that describes the activities and processes to acquire goods and services. Importantly, and distinct from “purchasing”, procurement involves the activities involved in establishing fundamental requirements and criteria, sourcing suppliers, conducting tenders, developing performance standards and performance evaluation, and negotiation of contracts. It also includes purchasing activities required to order and receive goods.

Purchasing – the process of ordering and receiving goods and services. It includes all procedures in ordering such as requests, approvals, creation of purchase order records and all procedures in receipting of ordered items or services. It is a subset of the wider procurement process.

Contract – agreement between two parties enforceable under law. In this context, an agreement between the City and supplier to pay a consideration for goods provided or services rendered. The contract is created after the purchasing order is issued or the outcomes of a procurement process communicated in writing.

Contract Management – overseeing the contract to ensure that the contractual obligations of both parties are met and/or satisfied.

Consideration Value – the monetary value of providing a good or service in a contract. For standing offer contracts or regular purchases, the expected total consideration amount is over the anticipated life of the contract. For the purposes of determining the appropriate minimum quote requirements for standing offers or regular purchases, the anticipated life of the contract may be limited to three years.

Sustainable Procurement – goods and services that have less environmental impacts than competing products and services which may demonstrate:

- Energy efficiency and/or consumption
- Water efficiency
- Environmentally sound manufacture, use and disposal
- Preference for recycled and recyclable materials.

Legislation

Section 3.57 of the *Local Government Act 1995* requires a local government to invite tenders before entering into a contract for the supply of goods or services under which another person is to supply goods or services.

Regulation 11A of the *Local Government (Functions and General) Regulations 1996* provides the requirement for local governments adopt and implement a purchasing policy for other persons to supply goods and services where consideration is or is expected to be \$250,000 or less.

Regulations 11-24AJ of the *Local Government (Functions and General) Regulations 1996* provide details related to tenders for providing of goods and services.

Other Relevant Procedures / Key Documents

Council delegation of authority to CEO, Item 1.7 (Expressions of Interest and Tenders – For Supply of Goods or Services) and Item 1.8 (Acceptance of Tenders For Supply of Goods or Services)

Council Policy – Records Management

Executive Standard – Purchasing Goods and Services

Executive Standard – Contract Management

Executive Standard – Records Management

Procedure – Better Practice; Procurement

Procedure – Better Practice; Contract Management

Responsible Division

Corporate Services

Review Date

March 2026

Council Adoption	24 November 2015 (CS-033/15)	Version	4
Amendment Dates	27/01/16 (CS-001/16); 23/06/20 (CS-015/20); 28/03/23 (CS-001/23)	Document Number	D15/163781

Property Investment Framework

Objective

To:

- Establish a framework to support the City's strategic goals by generating additional revenue through the management of the City's Property Assets.
- Adopt a prudent investment approach to the acquisition, development and divestment of the City's Property Assets.

Scope

The Policy applies to the management of the City's Property Assets comprising of land and/or buildings held in freehold title only for income generation or capital appreciation (or both).

Statement

Through the strategic acquisition, management and divestment of Property Assets, the City aims to maximise income generation or capital appreciation (or both). Decisions on Property Assets must be guided by-market driven rationale.

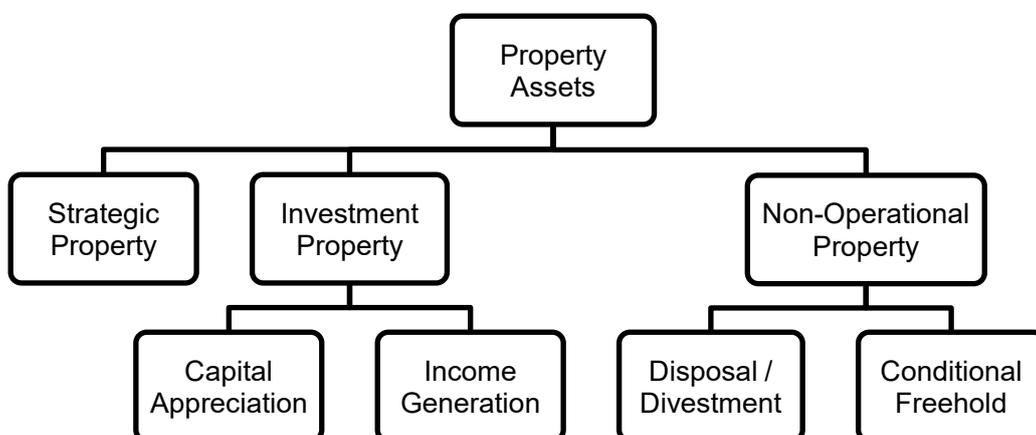
Authorised Investments

For a property investment to be authorised, under this Policy, it must be:

- Made in the name of the City of Rockingham
- Presented to Council for due consideration and determination, prior to the acquisition or divestment of the property.

Classification of Property

The City owns a number of Property Assets that are held in freehold title. These assets are classified as Strategic Property, Investment Property or Non-operational Property. The classification of a Property Asset is not fixed. The Chief Executive Officer must ensure that properties are, and remain, accurately classified.



Strategic Property

This classification is property that is to be held and/or developed to achieve key strategic goals of the City. The acquisition, development or disposal of property in this classification will be assessed according to its alignment with the City's broader strategy needs related to civic, community and public spaces objectives. Unlike Investment Property, this classification is not solely concerned with the income generation or capital appreciation.

Investment Property

This classification is property held in freehold title for income generation or capital appreciation (or both). Investment Property will not be used for civic or community property purposes unless permitted pursuant to the Council Policy – Leasing. Investment Property will be managed and monitored to generate its highest revenue potential.

- Income Generation

This classification is for property where maximising income generation is the principal objective. Rent payable will be continually monitored with regular market rent reviews in accordance with Council Policy – Leasing.

- Capital Appreciation

This classification includes property (typically vacant land) which is either undeveloped or underdeveloped. Regular market valuations as determined by an independent licensed property valuer will be carried out on these properties at least every five years. This type of property will be held for capital appreciation until such time as the market conditions are favourable for this property to be considered for divestment. Rezoning may also be considered for capital appreciation properties where it is likely to improve the financial return of a property.

Non-Operational Property

This classification is property that has been identified as being surplus to City requirements and may be considered for divestment purposes.

- Disposal/Divestment

This classification includes property that has been identified as not providing sufficient benefit to the City and is subject to sale.

- Conditional Freehold

This classification includes property (typically vacant land) which is subject to conditions held by the City, for the purpose of providing public open space or some other community purpose. Property with this classification will not need to be reclassified to Disposal/Divestment.

Acquisition of Property

The following criteria will be applied in assessing investment properties for acquisition:

i. Property Type/Land Use

Investment in land, commercial or industrial property may be considered for acquisition. Investment will not be made in residential properties or complex land development opportunities.

ii. Geographic Location of Property

Property must be located within the close proximity to major infrastructure including public hospitals, transport, employment, retail and education. Property must be within the metropolitan area.

iii. **Age of Building / Remaining Useful Life**

Where land has a building on it, consideration must be given to the age of the building and its remaining useful life.

iv. **Initial Investment**

The market value of a proposed Investment Property must be determined by an independent licensed property valuer.

v. **Recovery of Debt Time**

The estimated length of time required to recover any debt raised for acquisition through the initial capital investment.

Management of Investment Property Portfolio

The income generated from Investment Property should be managed to achieve a maximum return taking into account the market condition and risk profile.

Investment Property Income Reserve

The Investment Property Income Reserve will hold all net surplus funds generated from Investment Properties. The funds held in this reserve will be used to meet all expenses incurred in the managing of Investment Properties or to finance specific community projects. Surplus funds may also be reinvested into the Investment Property Reserve to preserve and augment the value of the City's Property Assets.

Sale of Property

When property is no longer classified as Strategic Property or Investment Property and no other higher performing purpose can be identified, the property may be put forward to the Council for sale. The disposition requirements pursuant to s3.58 of the *Local Government Act 1995* must be satisfied.

Investment Property Reserve

The Investment Property Reserve will hold all revenue generated from the disposal of Non-Operational Property. The funds held in this reserve will be solely used to acquire or develop future Investment Properties.

Monitoring and Reporting

Details relating to each Investment Property must be maintained within a Property Assets register for the purposes of management and identification. Annual statements reporting on the net income and valuation of Investment Property must be provided through the information bulletin.

Executive Policy and Procedures

The Chief Executive Officer is to maintain Executive Policies and Procedures to ensure Property Assets are managed effectively and in accordance with legislative requirements.

Delegations

For the avoidance of doubt, Council may choose to Delegate Authority to the CEO pursuant to section 5.42 power to agree to dispose of Investment Property and the terms (including price) of any disposal.

Definitions

Investment Property – operational land and/or buildings held to generate revenue or for capital appreciation (or both).

Non-Operational Property – sites which have been identified as being surplus to City requirements and may be considered for divestment purposes.

Property Assets – Investment Property, Non-Operational Property and Strategic Property.

Strategic Property – operational land and/or buildings whose principle purpose is to be held and/or developed to achieve civic, community and public spaces objectives of the City.

Legislation

Local Government Act 1995

Section 3.58 – Disposing of property

Section 3.59 – Commercial enterprises by local governments

Section 5.42 - Delegation of some powers and duties to CEO

Section 5.43 – Limits on delegations to CEO's

Section 6.11 – Reserve accounts

Other Relevant Procedures / Key Documents

Council Policy – Leasing

City Business Plan

Delegation Authority Register – 1.13 Land Acquisition to Purchase Privately Owned Land

Responsible Division

Corporate Services

Review Date

July 2026

Council Adoption	25 July 2023 (CS-017/23)	Version	1
Amendment Dates		Document Number	D23/155812

Recording and Streaming Council, Standing Committee and Annual Electors Meetings

Objective

To provide the requirements for the audio and video recording and live streaming of Council Meetings and establish how the recordings may be used and made available. This policy seeks to promote greater access for the community to the Council decision making process.

Scope

This policy applies to all Ordinary / Special Council Meetings, and Standing Committee Meetings held in the Council Chambers, and the Annual Electors Meeting.

Statement

Recording and Streaming

Council Meetings, Standing Committee Meetings and the Annual Electors Meeting must be streamed online via the City's website, with the exception of confidential items in accordance with Section 5.23 of the *Local Government Act 1995* (the Act) and periods of adjournment or as determined by the Presiding Member in accordance with the *City of Rockingham Standing Orders Local Law 2001 (Standing Orders)*.

Signage must be displayed notifying attendees that the meeting is audio and video recorded and live streamed.

The Presiding Member will make an announcement at the start of every meeting, drawing attention to the fact that the meeting will be live streamed and recorded, and/or any other information deemed necessary and relevant to the Council's approval and decision making process.

The Presiding Member may authorise, at their discretion, streaming to cease at any time subject to the Standing Orders.

The City will make every reasonable effort to ensure that the live stream is operational and that the recording of the live stream is made available on the City's website as soon as practicable after the conclusion of Council Meetings. However, should any technical difficulties arise, the live stream and/or recording may not be available or may be delayed.

All recordings must be retained as a City record in accordance with the *State Records Act 2000*.

Other matters

Under the *Copyright Act 1968*, the City reserves all rights in relation to its copyright of the web stream and recording. Copying or distribution of any part of the web stream or recording is not permitted. The City of Rockingham prohibits any reproduction, distribution, republication and/or retransmission of Council meeting audio and video recordings without prior written consent of the City.

The official record of the meeting is the adopted minutes of that meeting kept in accordance with the Act. Acting on decisions made, as seen or heard during a recording or stream should be avoided, until the minutes of the meeting are available or until the official notification is received from the City on a decision made at the meeting.

Opinions expressed or statements made by persons during the course of Council Meetings, and contained within video and audio recording, are the opinions or statements of those individual persons, and are not necessarily opinions or statements of the City.

Attendance at Council meetings do not provide Councillors, staff or members of the public with Absolute Privilege and comments may be subject to the rule of defamation and legislation.

Definitions

Absolute Privilege – An absolute defence to an otherwise defamatory statement because of the venue or context in which the statement was made.

Council Meetings – the Ordinary Meetings of Council and Special Meetings of Council.

Presiding Member - For the purpose of Council or Special Council Meetings, the Presiding Member is the Mayor, or if unavailable the Deputy Mayor or another Councillor as determined by the Council.

Legislation

Local Government Act 1995

State Records Act 2000

Defamation Act 2005

Copyright Act 1968

Other Relevant Procedures / Key Documents

City of Rockingham Standing Orders Local Law 2001

City of Rockingham Employee Code of Conduct

City of Rockingham Code of Conduct for Elected Members, Committee Members and Candidates

Responsible Division

General Management Services

Review Date

June 2026

Council Adoption	20 July 2020 (GM-018/20)	Version	4
Amendment Dates	27/5/21 (<i>admin change</i>); 20/12/22 (GM-025/22); 22/8/23 (GM-025/23)	Document Number	D20/137893

Records Management

Objective

To provide clear direction to City of Rockingham Council Members and the Chief Executive Officer on maintaining complete and accurate recording of activities and decisions made by Council Members in the course of their official duties.

Scope

Council Members when performing their roles pursuant to section 2.8 and 2.10 of the *Local Government Act 1995*.

Statement

Government organisation employees are bound by the State Records Act 2000 which establishes rules for best practice for recordkeeping within the West Australian Government. The State Records Act 2000 classifies Council Members as a government organisation employee.

The State Records Commission policy requires that any communications or transactions of local government elected members, which constitute evidence affecting the accountability of the Council and the discharge of its business, be created and retained.

Responsibility

The State Records Act 2000 requires Council Members to create and keep accurate government records of communications or transactions, which convey information relating to council business or functions undertaken in the course of their official duties for Council. This includes but is not limited to:

- Providing consent, permission, advice, instruction or recommendations
- All communications from ratepayers relating to local government business activity and functions (including social media)
- Making decisions, commitments or agreements binding for the Council Member or Council
- Drafts of documents for Council containing significant annotations or submitted for comment or approval by others
- Diaries of activities conducted on behalf of the local government
- Meetings, conversations, presentations and speeches about local government projects or business activities
- Correspondence received and sent relating to their work undertaken for Council.

Conversely, records which are created, sent or received by Council Members when they are not discharging functions of Council are not considered to be government records and as such do not need to be stored by the City.

Records that are not government records include (but are not limited to):

- Records relating to political or electoral issues e.g. lobbying for votes, supportive emails from members of the community regarding elections or political stances.
- Communications regarding matters of personal/general interest rather than Council interest

- Records relating to attendance at sports functions, church fetes, community functions when the Council Member is not representing Council.
- Personal records of council members such as personal emails, character references for friends, nomination for awards, and letters to local newspapers that are not related to Council business.

Role of the Chief Executive Officer

The Chief Executive Officer is to:

- Maintain Executive Standards, procedures and systems to ensure Council Members compliance with records keeping legislation
- Induct Council Members adequately to understand their obligations.
- Ensure policy and security controls are in place to maintain relevant Council Members government records have restricted access.
- Ensure policy and security controls are in place which enable Council Members access to government records during normal business hours.

Council Members must use their Council email account (@rockingham.wa.gov.au) when performing their role as an Council Member. Electronic government records must be forwarded to councillor.records@rockingham.wa.gov.au as an attachment to ensure they are recorded appropriately. Council Members are also required to forward hard copy government records to the Chief Executive Officer, or their approved delegate.

Council Members requesting to access records in relation to a matter of personal interest have the same rights as other members of the public.

Definitions

Council Member

Ephemeral record - a Record which has no continuing value to the organisation, is only needed for a few hours or days and does not directly impact upon the decisions or operations of the organisation.

Exempt record - a Record which is part of publically available material held by the City for reference purposes only or a Record not created by the City that is part of the collection of a state collecting institution such as a library.

Government organisation employee – a person who, whether or not an employee, along or with others governs, controls or manages a government organisation.

Government record - any Record that is, not an Exempt Record or Ephemeral Record, created or received by a government organisation employee or contractor in their course of work for the organisation.

Record - information relating to the activities undertaken by an organisation or employee, which are kept to provide evidence of such activity. The information can be created, received or maintained in any form ranging from writing, diagrams and images to electronically stored data.

Legislation

State Records Act 2000

Local Government Act 1995

Other Relevant Procedures / Key Documents

Records Management Advice – Local Government Elected Members Records

Responsible Division

Corporate Services

Review Date

March 2027

Council Adoption	26 June 2007	Version	4
Amendment Dates	21/12/2017; 23/02/2021 (CS-003/21); 26/3/24 (CS-003/24)	Document Number	D17/199205

Requests for Feature Lighting

Objective

To direct the City of Rockingham administration in the management of feature lighting.

Scope

Rockingham Beach Foreshore feature lighting.

City of Rockingham Administration building clock tower.

The Chief Executive Officer (CEO) has discretion to add additional sites where the City has direct control over the lighting and has capability to provide feature lighting (by colour and/or templates).

Statement

1. Requests for the City of Rockingham to provide feature lighting displays may be made:
 - 1.1 By office bearers of incorporated not-for-profit organisations/associations (NFP); companies limited by guarantee (CLG); or educational institutions (EI) for the purpose of promoting a health and wellbeing issue that is;
 - (a) recognised internationally or nationally; and/or
 - (b) may be of particular significance to Perth or Western Australia, and/or
 - (c) is aligned with a City of Rockingham strategy, project or event; or
 - 1.2 By the City of Rockingham for its own purposes.
2. Feature Lighting bookings:
 - 2.1 Are to be made, and to be assessed, as per the City of Rockingham Procedure on Requests for Feature Lighting
 - 2.2 Cannot be made by NFPs, CLGs and EIs for:
 - (a) Australia Day
 - (b) Christmas period (coinciding with the City of Rockingham Christmas lights display)
 - (c) Any other time the City is using the feature lighting for its own purpose.
3. The CEO will develop procedures for assessment of feature lighting requests
4. The CEO has discretion to accept or reject an application for feature lighting.

Definitions

In this Policy, unless the contrary intention appears:

Company Limited by Guarantee - Specialised form of public company designed for non-profit organisations. In Australia companies limited by guarantee are subject to the Corporations Act 2001 (Commonwealth) and administered by the Australian Securities and Investments Commission (ASIC).

Educational Institutions - An institution physically within the boundaries of the City of Rockingham that is available or open to the public or a section of the public and whose sole purpose is providing education. Any other purpose of the organisation must be incidental or ancillary to providing public education. Education in this context does not extend to merely providing information or lobbying.

Public educational institutions include:

- universities or colleges managed by public bodies
- grammar schools
- primary and secondary schools run by churches or religious bodies
- NFP business colleges.

Organisations that are not public educational institutions include:

- colleges run for the profit of the private owners
- associations operated for their members' professional benefit
- promotional and lobbying bodies.

Feature lighting - coloured lighting, or special form (e.g. template shapes) lighting, within the City of Rockingham, and directly under the control of the City of Rockingham.

Health and wellbeing campaign – any publicly visible non-commercial activity, promotion or awareness raising exercise that is seeking to achieve individual and/or group physical, mental and/or social improvements within the community.

Incorporated Associations - An “incorporated association”:

- Cannot operate for the profit or gain of its individual members;
- Must contribute to the community in a social, sporting, cultural, environmental or charitable context; and
- Demonstrates local volunteer involvement.

Legislation

Nil

Other Relevant Procedures / Key Documents

Nil

Responsible Division

Asset Services

Review Date

July 2024

Council Adoption	21 December 2021	Version	1
Amendment Dates		Document Number	D20/225746

Risk Management Framework

Objective

To define the fundamental principles that will establish and maintain a robust, integrated and effective Risk Management Framework across all strategic and operational functions of the City of Rockingham (City).

Scope

This policy applies to all City Officers, Council Members, Volunteers and Contractors.

Statement

Council acknowledges that risk management is a fundamental element of good business practice. In achieving Council's policy objective, the Chief Executive Officer (**CEO**) must ensure that the following key areas of activity are observed, understood and embraced in order to deliver an integrated enterprise wide Risk Management Framework:

1. Statutory Compliance with:
 - a. Regulation 17 of the *Local Government (Audit) Regulations 1996*
 - b. the *Public Interest Disclosure Act 2003*
 - c. the *Corruption, Crime and Misconduct Act 2003 (CCM Act)*, including the CEO's statutory obligations to:
 - i. notify the Corruption and Crime Commission (**CCC**) if any matter is suspected on reasonable grounds to concern serious misconduct by an employee of the City or by a member of the council
 - ii. notify the Public Sector Commissioner (**PSC**) if any matter is suspected on reasonable grounds or may concern minor misconduct by an employee of the City.
2. Industry Best Practice - Alignment with the principles and practises as detailed in the Risk Management Standard - ISO 31000:2018 Risk Management - Guidelines, and AS 8001-2021 Fraud and Corruption Control.
3. Strategic Integration - Integration across the City's Strategic Development Framework including Team Plans, Community Plan Strategies and through to the City's Strategic Community Plan.
4. Decision Making - Identification, analysis, and response to risk must be addressed at appropriate levels of oversight across strategic and/or operational decision-making functions at the Officer and Executive levels, with matters of strategic significance reported to Council.
5. Reporting - Executive Standards and procedures that clearly articulate employee obligations and business rules when reporting and registering risk which includes misconduct and fraud risk.
6. Organisation Culture - A culture of mandatory risk identification and analysis of all risk types including misconduct and fraud and that all information concerning allegations of misconduct is identified and assessed consistently.
7. Tools and Processes - Tools and processes that are fit for purpose and accessible to all Officers to ensure risk is identified, analysed and recorded appropriately.
8. Organisational Awareness and Training - Relevant employees will receive appropriate training in risk management.

Council Policy

9. Internal Audit - Effective and transparent linkage between the risk management and internal audit functions of the City.

Definitions

Risk Management - coordinated activities to direct and control an organisation with regard to risk.

Legislation

Regulation 17 of the *Local Government (Audit) Regulations 1996*

Corruption, Crime and Misconduct Act 2003

Public Interest Disclosure Act 2003

Other Relevant Procedures / Key Documents

ISO 31000:2018 - Risk Management – Guidelines

AS 8001-2021 - Fraud and Corruption Control

Executive Standard – Roles and Responsibilities for Executive Audit Committee

Executive Standard – Risk Management Framework

Executive Standard - Misconduct Reporting

Code of Conduct for Council Members, Committee Members and Candidates

Code of Conduct for Employees

Responsible Division

General Management Services

Review Date

August 2027

Council Adoption	22 May 2012	Version	4
Amendment Dates	22/3/16 (GMS-008/16); 27/1/21 (GM-002/21); 27/8/24 (AC-002/24)	Document Number	D15/48421

Self-Supporting Loans to Incorporated Associations

Objective

To clearly articulate the City's position on self-supporting loans for Incorporated Associations.

Scope

This policy applies to Incorporated Associations seeking a loan from the City of Rockingham and all City employees responding to loan requests.

Statement

The City provides fit for purpose cultural and recreation facilities to Incorporated Associations. This is planned for and executed pursuant to the City of Rockingham Community Infrastructure Plan and the Council Policy – Sports and Community Facility Provision Policy.

The City of Rockingham does not provide self-supporting loans to reduce the risk of long-term financial pressure to Incorporated Associations.

Definitions

Self-Supporting Loan – a loan raised by a local government with a financial institution to which the local government must repay. A separate agreement is formed with the Incorporated Association who undertakes to reimburse the capital, interest and loan guarantee payments of the loan to the local government. The payment arrangement between the local government and the Incorporated Association is not guaranteed and the local government is liable for the continued payments to the financial institution regardless of Incorporated Associations status or financial standing.

Legislation

Nil

Other Relevant Procedures / Key Documents

Council Policy – Sports and Community Facility Provision Policy

City of Rockingham Community Infrastructure Plan

Responsible Division

Corporate Services

Review Date

July 2026

Council Adoption	29 October 2009	Version	3
Amendment Dates	23/10/18 (CS-018/18); 25/07/23 (CS-016/23)	Document Number	D15/48423

Service Complaints

Objective

To outline the City's commitment to quality service complaint resolution.

Scope

This Policy applies to all service complaints handled by the City of Rockingham.

Statement

Council acknowledges that service complaints are a source of valuable feedback to assist in ultimately improving services provided to the community. All service complaints are handled in an open and transparent manner.

Council is confident that the majority of complaints received can be resolved on an informal basis, however it is recognises that the City will not be able to satisfy every customer on every occasion.

Eligibility

- Any directly involved party may lodge a service complaint.
- A service complaint arises after all reasonable attempts have been made to resolve an issue on an informal basis.
- Service complaints cannot be made where another avenue of appeal exists e.g. State Administrative Tribunal.
- Service Complaints must be lodged not later than 12-months after the date on which the person aggrieved first had notice of the matters alleged in the complaint.

Lodgement

A service complaint must be lodged on an approved service complaint form and completed in full. If a complaint is considered minor, irrelevant, vexatious or to have no merit, the Chief Executive Officer may refuse to process the complaint. The complainant will be advised they may refer their complaint to the Ombudsman Western Australia.

1. Service complaints will be coordinated by the Chief Executive Officer or delegate. Complaints will be forwarded to the Chief Executive Officer or the Director of the relevant team. Service complaints must be dealt with within 28 working days.
2. If the complainant is not satisfied with the response provided by the Chief Executive Officer or the Director of the relevant team, the issue may be referred to the Customer Service Review Committee, at the request of the complainant.
3. The Customer Service Review Committee meets on an as-needs basis.
4. The complainant will be provided 10 minutes to present their complaint to the Customer Service Review Committee.
5. The Customer Service Review Committee's recommendation will be presented at the next Council meeting or the meeting immediately thereafter via the Corporate and Community Development Standing Committee.

6. The complainant will receive a written response from the Chief Executive Officer after Council has considered the complaint.

Customer Service Review Committee

The Customer Service Review Committee will consist of the Chief Executive Officer and three Elected Members.

Perception of Bias

In accordance with the Ombudsman WA principles for an effective complaints handling system, complaints are to be dealt with in an equitable, objective and unbiased manner. Any committee member who has had prior involvement with the complaint must declare such involvement and exclude themselves from the Customer Service Review Committee meeting.

When a complaint is made against the General Management Team, the Director Corporate Services will replace the Chief Executive Officer on the Customer Service Review Committee.

Where a complaint is in relation to a staff member, the Chief Executive Officer is responsible for implementing all actions and outcomes.

Executive support will be provided by Customer and Corporate Support.

Definitions

Customer relates to any person having dealings with the City.

Prior involvement the fact or condition of previously being involved or participating with the complaint or complainant.

Service complaint is an expression of dissatisfaction with a standard of service, a process, a product, or the behaviour of an employee or contractor.

Legislation

Nil

Other Relevant Procedures / Key Documents

Council Policy – Customer Service

Responsible Division

Corporate Services

Review Date

March 2027

Council Adoption	23 March 2010	Version	3
Amendment Dates	23/03/21 (CS-007/21); 26/3/24 (CS-004/24)	Document Number	15/48426

Single Use Plastics and Balloons

Objective

- To provide controls that minimise potential adverse impacts of single use plastic and balloons on the community and the environment.
- To provide education and community leadership on the issue of single use plastic.

Scope

This Policy applies to:

- All City operations;
- Traders operating with a permit issued by the City; and
- Events held in thoroughfares, public places and on local government property where approval is required from the City.

This Policy does not apply to:

- Events that do not require approval from the City;
- Traders and businesses that do not require a permit from the City under the Local Law; and
- Activities operating under a lease agreement from the City.

Statement

Council acknowledges that widespread use, distribution and misuse of single use plastics and balloons at City events and facilities can have a significant impact on marine and coastal wildlife; particularly as events are predominantly held outdoors.

Restrictions

- (a) Helium balloons are not to be released, used, sold or distributed. Council does not support any organised release of balloons in the City.
- (b) Single use plastic or polystyrene serving materials are not to be used, sold or distributed, where suitable fit for purpose alternatives are available.
- (c) Single use plastic bags are not to be used, sold or distributed, including for promotional purposes.
- (d) Bottled water is not to be provided at City functions where potable drinking water facilities are reasonably available.
- (e) All avoidable plastic packaging, including cling wrap, plastic bags or similar must not be used in the purchase, sale, distribution and transport of food or goods, unless required under other conditions or legislation.
- (f) Plastic event materials are to be reused where possible, including event signage and promotional banners.

Suitable alternatives

Suitable alternatives to single use plastic serving materials, packaging and other items must be:

- (a) Compostable;
- (b) Available; and
- (c) Fit for purpose.

For more information on suitable alternatives, please refer to the Turn the Tide on Plastic Guideline.

Exemptions

This Policy exempts single use plastic items necessary to meet health, safety or accessibility requirements, or where there are no suitable alternatives. Unless necessary to satisfy other conditions of the traders permit, exemptions will require prior approval from the City at the discretion of the Chief Executive Officer.

Definitions

Single use - materials that are manufactured for disposable usage and an intended short lifespan.

Plastic - synthetic materials manufactured from fossil fuels such as oil and petrochemicals. Can be either soft, flexible or rigid.

Polystyrene - synthetic resin which is a polymer of styrene, used chiefly as lightweight rigid foams and films.

Serving material - any items that are distributed for the intended use as food or beverage serving and/or consumption aids, including but not limited to: plates, cutlery, take away food containers, hot/cold beverage cups and lids (including paper coffee cups with plastic lining or lids), drinking straws.

Single use plastic bag - any plastic bag with handles made wholly or partially of plastic provided to a customer for the purpose of carrying goods. Usually less than 35 micrometres (microns) in thickness.

Compostable - materials capable of breaking down completely or decomposing to produce a soil product without toxic residue.

Balloon - an inflatable device made from rubber, latex, foil or plastic most commonly used for decoration, promotional materials, children's entertainment or ceremonial purposes.

Event - any planned activity that occurs in a certain place, during a certain time, which involves a gathering of people and has some level of impact on the immediate surroundings.

Local Law - the City of Rockingham Public Places and Local Government Property Local Law 2018.

Trader has the meaning given to it in the Local Law.

Permit has the meaning given to it in the Local Law.

Thoroughfares has the meaning given to it in the Local Law.

Public places has the meaning given to it in the Local Law.

Local government property has the meaning given to it in the Local Law.

Legislation

City of Rockingham Public Places and Local Government Property Local Law 2018.

Environmental Protection (Prohibitive Plastics and Balloon) Regulations 2018.

Other Relevant Procedures / Key Documents

Turn the Tide on Plastic Guideline

Outdoor Events Policy 2018

Outdoor Event Guidelines 2018

Responsible Division

Planning and Development Services

Review Date

October 2026

Council Adoption	28 May 2019 (PD-028/19)	Version	2
Amendment Dates	17/10/23 (PD-036/23)	Document Number	D19/89136

Sports and Community Facility Provision

Objective

The Sports and Community Facility Provision Policy will establish the standard of provision for renewal or establishment of sporting and community facilities throughout the City of Rockingham.

Scope

This policy applies to all infrastructure projects within the Community Infrastructure Plan, Business Plan and major renewal projects within the Strategic Asset Management Plan.

Statement

Facility Hierarchy

The City's Community Infrastructure Plan, adopted annually by Council, establishes the facility hierarchy approach for the Sports and Community Facility Provision Policy. The hierarchy is outlined in the definitions.

Facility Provision Principles

The planning and development of sports and community facilities within the City will be consistent with the Community Infrastructure Plan principles. These principles are adopted annually by Council as part of the Community Infrastructure Plan review.

The size and scale of sporting facilities will be guided by the City's Community Infrastructure Plan hierarchy, national and state sporting association preferred facility guidelines and where relevant, standards, laws and dimensions of the game.

The size and scale of community facilities will be guided by the City's Community Infrastructure Plan hierarchy, a needs assessment and feasibility study.

New, upgrade and renewal facility projects classed as Major within the City's project management framework require concept plans to be presented to Council for endorsement.

Where community and sporting facilities are designed to provide for separately leased and non-leased areas, the areas will be separately serviced (where practically possible).

Sports Floodlighting

The City will provide floodlighting infrastructure on identified sports reserves and facilities that comply with the appropriate training and club competition lux levels and uniformity as per the Australian Standards. Consideration will be given to the City's sports floodlighting priorities, available resources, community impacts, budget, and facility hierarchy as well as national and/or state association guidelines.

User Group / Club Contribution

The City will provide a standard level of infrastructure (including sports floodlighting) and fit out of facilities to ensure that the core community or sporting outcomes can be achieved. Initial provision and subsequent renewal of Non-Standard components of the facility design will require approval by the City. All costs for Non-Standard components such as purchase, installation, renewal and maintenance costs will be the responsibility of the user groups/clubs.

Executive Standard and Guidelines

The Chief Executive Officer will ensure that policies, guidelines and procedures are implemented to establish the scale, form and function of sports and community facility and floodlighting provision, as well as user group financial contributions.

Definitions

Australian Standards: are published documents setting out specifications, lux levels, control of obtrusive lighting quality and safety for sports floodlighting.

Regional: Catchment may extend beyond 25 kilometres and services the entire City area, as well as bordering local governments.

District: Catchment defined by the municipal boundary with a radius of over 10 kilometres.

Sub-District: Services a distinct cluster of neighbourhoods bordered by urban or natural barriers. Catchment area radius is between three and 10 kilometres.

Neighbourhood: Catchment radius of one to three kilometres, with the area generally defined by urban barriers such as major roads.

Local: Catchment area is generally defined by distinct residential estates of varying sizes.

Leased: means community or sporting facilities which are subject to a lease, license or other exclusive use agreement between the City and the respective group, club or organisation.

Lux Levels: the total amount of visible light illuminating a point on a surface from all directions above the surface. The standard unit for illuminance is Lux.

Major Projects: A project classed as a Major Project under the Project Management Framework with a value threshold of \$1.5 million and above.

Non-leased: functional areas of a building which are the responsibility of the City of Rockingham. These may include public toilets and information technology rooms.

Non-Standard: components or fit out of a facility which are not included within the Sports and Community Facility Provision Standards and Dimensions Guide.

Renewal: Works to replace existing assets or facilities of equivalent capacity or performance capability.

Upgrade Enhancements to an existing asset to provide higher levels of service, e.g. increase the footprint of a building.

Standard: basic components and fit out of a facility, outlined in the Sports and Community Facility Provision Standards and Dimensions Guide, which ensure core community and sporting outcomes can be achieved.

Legislation

Building Act 2011

Building Code of Australia (BCA) 2016

State Planning Policy 3.6

Other Relevant Procedures / Key Documents

Community Infrastructure Plan 2023/24
Strategic Asset Management Plan 2021
Disability Access and Inclusion Plan (2022 – 2026)
Town Planning Scheme No.2
Council Policy – Procurement Framework
Council Policy – Leasing Policy

Responsible Division

Community Development

Review Date

August 2028

Council Adoption	23 May 2017 (CD-008/17)	Version	3
Amendment Dates	28/2/23 (CD-005/23); 27/8/24 (CD-026/24)	Document Number	D24/124508

Standards for Recruitment, Selection, Performance and Termination of the Chief Executive Officer

Objective

To ensure that Council complies with the legislative standards for the recruitment, selection, performance review and termination of employment of the Chief Executive Officer (**CEO**) for the City of Rockingham (**City**), in accordance with Schedule 2 of the *Local Government (Administration) Regulations 1996*.

Scope

Council Members, Committee Members, consultants and City Officers involved in the processes related to the recruitment, selection, performance review and termination of employment of the CEO.

Statement

Section 5.39B of the *Local Government Act 1995* requires a local government to prepare and adopt standards to be observed by the local government that incorporate the model standards for CEO recruitment, performance and termination.

A local government may include additional provisions to the model standards but these must not be inconsistent to the model standards. The adopted standards are to be published on the local government's website.

To comply with the above requirements, Council adopts the model standards as prescribed in Schedule 2 of the *Local Government (Administration) Regulations 1996*, as attached to this Policy.

Definitions

CEO - Chief Executive Officer of the City of Rockingham

Legislation

Local Government Act 1995 - Section 5.39A Model standards for CEO recruitment, performance and termination

Local Government Act 1995 – Section 5.39B Adoption of model standards

Local Government (Administration) Regulations 1996 – Regulation 18FA Model Standards for CEO recruitment, performance and termination

Local Government (Administration) Regulations 1996 – Schedule 2 – Model Standards for CEO recruitment,

Other Relevant Procedures / Key Documents

Nil

Responsible Division

General Management Services

Review Date

November 2027

Council Adoption	27 April 2021 (GM-018/21)	Version	2
Amendment Dates	26/11/24 (GM-027/24)	Document Number	D21/73747

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City of Rockingham Standards for CEO Recruitment, Performance and Termination

Policy Purpose:

This Policy is adopted in accordance with section 5.39B of the *Local Government Act 1995*.

Division 1 — Preliminary provisions

1. Citation

These are the *City of Rockingham* Standards for CEO Recruitment, Performance and Termination.

2. Terms used

(1) In these standards —

Act means the *Local Government Act 1995*;

additional performance criteria means performance criteria agreed by the local government and the CEO under clause 16(1)(b);

applicant means a person who submits an application to the local government for the position of CEO;

contract of employment means the written contract, as referred to in section 5.39 of the Act, that governs the employment of the CEO;

contractual performance criteria means the performance criteria specified in the CEO's contract of employment as referred to in section 5.39(3)(b) of the Act;

job description form means the job description form for the position of CEO approved by the local government under clause 5(2);

local government means the *City of Rockingham*;

selection criteria means the selection criteria for the position of CEO determined by the local government under clause 5(1) and set out in the job description form;

selection panel means the selection panel established by the local government under clause 8 for the employment of a person in the position of CEO.

(2) Other terms used in these standards that are also used in the Act have the same meaning as they have in the Act, unless the contrary intention appears.

Division 2 — Standards for recruitment of CEOs

3. Overview of Division

This Division sets out standards to be observed by the local government in relation to the recruitment of CEOs.

4. Application of Division

- (1) Except as provided in subclause (2), this Division applies to any recruitment and selection process carried out by the local government for the employment of a person in the position of CEO.
- (2) This Division does not apply —
 - (a) if it is proposed that the position of CEO be filled by a person in a class prescribed for the purposes of section 5.36(5A) of the Act; or
 - (b) in relation to a renewal of the CEO's contract of employment, except in the circumstances referred to in clause 13(2).

5. Determination of selection criteria and approval of job description form

- (1) The local government must determine the selection criteria for the position of CEO, based on the local government's consideration of the knowledge, experience, qualifications and skills necessary to effectively perform the duties and responsibilities of the position of CEO of the local government.
- (2) The local government must, by resolution of an absolute majority of the council, approve a job description form for the position of CEO which sets out —
 - (a) the duties and responsibilities of the position; and
 - (b) the selection criteria for the position determined in accordance with subclause (1).

6. Advertising requirements

- (1) If the position of CEO is vacant, the local government must ensure it complies with section 5.36(4) of the Act and the *Local Government (Administration) Regulations 1996* regulation 18A.
- (2) If clause 13 applies, the local government must advertise the position of CEO in the manner referred to in the *Local Government (Administration) Regulations 1996* regulation 18A as if the position was vacant.

7. Job description form to be made available by local government

If a person requests the local government to provide to the person a copy of the job description form, the local government must —

- (a) inform the person of the website address referred to in the Local Government (Administration) Regulations 1996 regulation 18A(2)(da); or
- (b) if the person advises the local government that the person is unable to access that website address —
 - (i) email a copy of the job description form to an email address provided by the person; or
 - (ii) mail a copy of the job description form to a postal address provided by the person.

8. Establishment of selection panel for employment of CEO

- (1) In this clause —
independent person means a person other than any of the following —
 - (a) a council member;
 - (b) an employee of the local government;
 - (c) a human resources consultant engaged by the local government.
- (2) The local government must establish a selection panel to conduct the recruitment and selection process for the employment of a person in the position of CEO.
- (3) The selection panel must comprise —
 - (a) council members (the number of which must be determined by the local government); and
 - (b) at least 1 independent person.

9. Recommendation by selection panel

- (1) Each applicant's knowledge, experience, qualifications and skills must be assessed against the selection criteria by or on behalf of the selection panel.
- (2) Following the assessment referred to in subclause (1), the selection panel must provide to the local government —
 - (a) a summary of the selection panel's assessment of each applicant; and
 - (b) unless subclause (3) applies, the selection panel's recommendation as to which applicant or applicants are suitable to be employed in the position of CEO.
- (3) If the selection panel considers that none of the applicants are suitable to be employed in the position of CEO, the selection panel must recommend to the local government —
 - (a) that a new recruitment and selection process for the position be carried out in accordance with these standards; and
 - (b) the changes (if any) that the selection panel considers should be made to the duties and responsibilities of the position or the selection criteria.
- (4) The selection panel must act under subclauses (1), (2) and (3) —
 - (a) in an impartial and transparent manner; and
 - (b) in accordance with the principles set out in section 5.40 of the Act.
- (5) The selection panel must not recommend an applicant to the local government under subclause (2)(b) unless the selection panel has —
 - (a) assessed the applicant as having demonstrated that the applicant's knowledge, experience, qualifications and skills meet the selection criteria; and
 - (b) verified any academic, or other tertiary level, qualifications the applicant claims to hold; and
 - (c) whether by contacting referees provided by the applicant or making any other inquiries the selection panel considers appropriate, verified the applicant's character, work history, skills, performance and any other claims made by the applicant.
- (6) The local government must have regard to, but is not bound to accept, a recommendation made by the selection panel under this clause.

10. Application of cl. 5 where new process carried out

- (1) This clause applies if the local government accepts a recommendation by the selection panel under clause 9(3) (a) that a new recruitment and selection process for the position of CEO be carried out in accordance with these standards.
- (2) Unless the local government considers that changes should be made to the duties and responsibilities of the position or the selection criteria —
 - (a) clause 5 does not apply to the new recruitment and selection process; and
 - (b) the job description form previously approved by the local government under clause 5(2) is the job description form for the purposes of the new recruitment and selection process.

11. Offer of employment in position of CEO

Before making an applicant an offer of employment in the position of CEO, the local government must, by resolution of an absolute majority of the council, approve —

- (a) the making of the offer of employment to the applicant; and
- (b) the proposed terms of the contract of employment to be entered into by the local government and the applicant.

12. Variations to proposed terms of contract of employment

- (1) This clause applies if an applicant who is made an offer of employment in the position of CEO under clause 11 negotiates with the local government a contract of employment (the negotiated contract) containing terms different to the proposed terms approved by the local government under clause 11(b).
- (2) Before entering into the negotiated contract with the applicant, the local government must, by resolution of an absolute majority of the council, approve the terms of the negotiated contract.

13. Recruitment to be undertaken on expiry of certain CEO contracts

- (1) In this clause —

commencement day means the day on which the *Local Government (Administration) Amendment Regulations 2021* regulation 6 comes into operation.

- (2) This clause applies if —

- (a) upon the expiry of the contract of employment of the person (the incumbent CEO) who holds the position of CEO —
 - (i) the incumbent CEO will have held the position for a period of 10 or more consecutive years, whether that period commenced before, on or after commencement day; and
 - (ii) a period of 10 or more consecutive years has elapsed since a recruitment and selection process for the position was carried out, whether that process was carried out before, on or after commencement day;

and

- (b) the incumbent CEO has notified the local government that they wish to have their contract of employment renewed upon its expiry.

- (3) Before the expiry of the incumbent CEO's contract of employment, the local government must carry out a recruitment and selection process in accordance with these standards to select a person to be employed in the position of CEO after the expiry of the incumbent CEO's contract of employment.
- (4) This clause does not prevent the incumbent CEO's contract of employment from being renewed upon its expiry if the incumbent CEO is selected in the recruitment and selection process referred to in subclause (3) to be employed in the position of CEO.

14. Confidentiality of information

The local government must ensure that information provided to, or obtained by, the local government in the course of a recruitment and selection process for the position of CEO is not disclosed, or made use of, except for the purpose of, or in connection with, that recruitment and selection process.

Division 3 — Standards for review of performance of CEOs

15. Overview of Division

This Division sets out standards to be observed by the local government in relation to the review of the performance of CEOs.

16. Performance review process to be agreed between local government and CEO

- (1) The local government and the CEO must agree on —
 - (a) the process by which the CEO's performance will be reviewed; and
 - (b) any performance criteria to be met by the CEO that are in addition to the contractual performance criteria.
- (2) Without limiting subclause (1), the process agreed under subclause (1)(a) must be consistent with clauses 17, 18 and 19.
- (3) The matters referred to in subclause (1) must be set out in a written document.

17. Carrying out a performance review

- (1) A review of the performance of the CEO by the local government must be carried out in an impartial and transparent manner.
- (2) The local government must —
 - (a) collect evidence regarding the CEO's performance in respect of the contractual performance criteria and any additional performance criteria in a thorough and comprehensive manner; and
 - (b) review the CEO's performance against the contractual performance criteria and any additional performance criteria, based on that evidence.

18. Endorsement of performance review by local government

Following a review of the performance of the CEO, the local government must, by resolution of an absolute majority of the council, endorse the review.

19. CEO to be notified of results of performance review

After the local government has endorsed a review of the performance of the CEO under clause 18, the local government must inform the CEO in writing of —

- (a) the results of the review; and
- (b) if the review identifies any issues about the performance of the CEO — how the local government proposes to address and manage those issues.

Division 4 — Standards for termination of employment of CEOs

20. Overview of Division

This Division sets out standards to be observed by the local government in relation to the termination of the employment of CEOs.

21. General principles applying to any termination

- (1) The local government must make decisions relating to the termination of the employment of a CEO in an impartial and transparent manner.
- (2) The local government must accord a CEO procedural fairness in relation to the process for the termination of the CEO's employment, including —
 - (a) informing the CEO of the CEO's rights, entitlements and responsibilities in relation to the termination process; and
 - (b) notifying the CEO of any allegations against the CEO; and
 - (c) giving the CEO a reasonable opportunity to respond to the allegations; and
 - (d) genuinely considering any response given by the CEO in response to the allegations.

22. Additional principles applying to termination for performance related reasons

- (1) This clause applies if the local government proposes to terminate the employment of a CEO for reasons related to the CEO's performance.
- (2) The local government must not terminate the CEO's employment unless the local government has —
 - (a) in the course of carrying out the review of the CEO's performance referred to in subclause (3) or any other review of the CEO's performance, identified any issues (the performance issues) related to the performance of the CEO; and
 - (b) informed the CEO of the performance issues; and
 - (c) given the CEO a reasonable opportunity to address, and implement a plan to remedy, the performance issues; and
 - (d) determined that the CEO has not remedied the performance issues to the satisfaction of the local government.
- (3) The local government must not terminate the CEO's employment unless the local government has, within the preceding 12 month period, reviewed the performance of the CEO under section 5.38(1) of the Act.

23. Decision to terminate

Any decision by the local government to terminate the employment of a CEO must be made by resolution of an absolute majority of the council.

24. Notice of termination of employment

- (1) If the local government terminates the employment of a CEO, the local government must give the CEO notice in writing of the termination.
- (2) The notice must set out the local government's reasons for terminating the employment of the CEO.

Strategic Development Framework

Objective

The objective of the Strategic Framework Policy is to:

- Identify and explain the elements of the City of Rockingham's (**City**) Strategic Development Framework to meet the requirements of the Integrated Planning and Reporting Framework.
- Prescribe the forums in which each of the elements of the framework are formulated, reviewed, discussed and approved.
- Define the involvement and role of the community, Council Members and City Officers in the process.
- Identify the timing of the various activities within the framework.

Scope

Council Members, City Officers, stakeholders and members of the community involved or participating in the strategic development process.

Statement

Strategic Community Plan

Definition

The Strategic Community Plan (**SCP**) is the principal document within the City's Strategic Development Framework. It is a comprehensive and long-term aspirational plan driven by the community that outlines the vision, goals and priorities for the Rockingham community. It is a strategic aspirational document which will guide the Council and the City's decision-making, resource allocation and service delivery for a ten year period. It establishes the key focus areas that Council must attend to for the vision to be served.

Forum

A combination of in-depth consultation with the community, including independently facilitated workshops, in-person interviews at different local locations and events, dedicated consultation with our advisory committees and advisory groups, a survey open for the whole community and Councillor Engagement Sessions.

Engagement to be completed in line with the Council Policy – Community Engagement.

Process for Development or Review

Major Review

1. Community establishes the foundation of the SCP.
2. Council Members, City officers summarise the SCP's foundations and further develop the vision and key focus areas.
3. City Officers further refine the vision and key focus areas and submit a draft SCP to Council via the Corporate and Community Development Standing Committee for consideration.
4. Council considers the final SCP after a community consultation period.

Minor Review

1. City Officers collate feedback, from community consultation and submit it to Council for consideration with recommended changes via the Corporate and Community Development Standing Committee.

Timeline

- Major Review every four years.
- Minor Review every two years.

Community Plan Strategies

Definition

Plans and strategies that focus on specific areas of local government involvement or activity in order to help achieve the aspirations in the SCP. Examples are:

- Community Safety and Support Services Strategy.
- Heritage Strategy.
- Economic Development Strategy.
- Seniors Strategy.

All strategies must be congruent with the higher level key focus areas and aspirations established in the SCP and contain discrete, costed and deliverable tasks that will facilitate effective and measurable outcomes.

Forum

Advisory Committee and Advisory Group meetings, community workshops and engagement, community group meetings, Councillor Engagement Sessions.

Process for Development or Review

New Strategy or Major Review

1. A discussion paper will be prepared that provides background, data and other relevant information on the major issues facing the City in regards to the subject matter, this will inform the discussion at the first Councillor Engagement Session.
2. A strategic discussion is to be facilitated at a Councillor Engagement Session as the first stage of the development of a new strategy or the major review of an existing strategy.
3. A draft Community Plan Strategy informed by the outcomes of the strategic discussion and engagement with relevant stakeholder groups, advisory committees, advisory groups and the community, is then to be prepared.
4. The draft strategy is to be submitted to a Councillor Engagement Session followed by consideration at the relevant Standing Committee and Council for endorsement and public advertising.
5. A recommended final strategy incorporating community consultation outcomes is submitted to Council via the relevant Standing Committee for final consideration.

Minor review

1. City Officers are to submit minor review recommendations to Council via the Standing Committee for consideration after engagement with relevant advisory committee, advisory group and community stakeholders.

Note: Community Plan Strategies that exist due to other legislative requirements must ensure those requirements are met foremost.

Timing

- Major reviews as needed.
- Minor reviews as needed.

Community Infrastructure Plan

Definition

A ten year planning instrument that identifies costs and prioritises the City's community infrastructure development program. The annual priorities identified in the Community Infrastructure Plan (**CIP**) inform the Major Project Plan component of the Corporate Business Plan (**CBP**).

Forum

Council Advisory Committees, Advisory Groups, Council Standing Committees, Councillor Engagement Sessions.

Process for Development or Review

All new items with a capital cost of more than \$2 million must be submitted to Council for consideration after explanation at a Councillor Engagement Session.

Any existing item that is subject to either a 20% or \$2 million cost variation; whichever is the lesser shall be submitted to Council for consideration after explanation at a Councillor Engagement Session. Council will consider the impact that the variation might have on the City's overall financial capacity and determine the future form and status of the project.

The CIP will be subject to a full annual review. The review is to provide the following information on each project:

- Details of the original needs analysis and justification of the project.
- Details of the original scope, scale, form and function of the project.
- Details of the original costing and verification of the current costing.
- Details, justification and the cost of any amendments to the original scope of the project.
- Assessment as to whether the originally intended purpose remains relevant.

Timing

The CIP is to be discussed at the August Councillor Engagement Session (Budget Workshop 1) followed by consideration at the September meeting round.

Strategic Asset Management Plan

Definition

A long term asset planning instrument that defines the asset management system, plans and required tools required to deliver the asset management objectives of the SCP.

Forum

Council Advisory Committees and Advisory Groups, Council Standing Committees, Councillor Engagement Sessions.

Process for Development or Review

The review is to look to the legislative, strategic and technical issues that can impact on the transparent, consistent and effective asset management practices of the City by:

- Translating the City's strategic objectives into asset management objectives;
- Developing and defining the functions, people, processes, information and tools required to deliver the asset management objectives; and
- Providing direction for asset management practices at the City.

Timing

The Strategic Asset Management Plan will be subject to a full review every three years.

Asset Management information will be provided through a Councillor Engagement Session annually in September.

Team Plans

Definition

A ten year planning document that explains the key activities of a team in detail for the first three years then in a more general context for the remaining seven years.

The Team Plan's role is to demonstrate how the "day to day" functions of the team will be undertaken, what services will be delivered and what operating projects will be undertaken during the next 10 years. Operating projects delivering tasks and actions identified in Community Plan Strategies are also identified.

Progress reports on all operating projects identified in Team Plans are reported on monthly in the Council Bulletin.

The Team Plans will also identify and demonstrate the need for new team resources such as new staff, vehicles, plant and equipment and technical apparatus.

Team Plans form the basis of the operational component of the budget and financial projections contained therein are used to formulate the draft Annual Budget that is submitted to Council for consideration.

Forum

Team Managers will provide a full briefing to Council Members of their Team Plans explaining their future activities, projects, services and other relevant information.

Process for Development or Review

1. City Officers prepare Team Plans.
2. Council can amend Team Plan components in the CBP Reviews or the Budget Adoption process.

Timing

Team Plan briefings to Council are undertaken in April (Budget Workshop 3) of each year.

Corporate Business Plan

Definition

The City's principal business planning tool projecting each year's revenue and expenditure over a ten year period, the first three years being detailed and the following seven years of a more general nature.

The main components and drivers of the CBP are:

- A *Revenue Plan* that predicts the revenue, (rates, grants, fees and charges) that the City anticipates receiving over the life of the plan.
- A compilation of the *Team Plans* that provides ten year income and expenditure projections related to the day to day operations of the City along with operating projects, both team based and also those identified as key actions within Specific Plans and Strategies.
- Allocations to individual assets based on the *Asset Management Plan*.
- A *Major Infrastructure Plan* that identifies ten year expenditure details for major capital works. The plan is underpinned by a series of subsidiary ten year plans prioritising construction or reconstruction of footpaths, roads and parks and reserves and other civic infrastructure.
- A *Lending and Reserve Transfer Plan* that identifies the loans the City will raise over ten years and the monies that will flow in and out of reserve funds. This strategy will also establish safe lending limits to ensure that the City's financial sustainability and stability is not threatened by inappropriately high levels of debt.

Forum

Council will receive detailed briefings where revisions of the CBP will be highlighted and discussed.

Process for Development or Review

1. City Officers prepares the CBP and brief Council.
2. Council considers the CBP via Corporate and Community Development Standing Committee.

Timing

Council Engagement Sessions in (Budget Workshop 2) November and April (Budget Workshop 4) of each year.

Council consideration in December and May of each year.

Annual Budget

Definition

A statutory document that activates and delivers year one of the CBP. The revenue and expenditure estimates contained within the CBP are used to inform the development of the budget.

Forum

Councillor Engagement Session and Special Meeting of Council (if required).

Process for Development or Review

1. City Officers prepare draft Annual Budget based upon year one of the CBP and provide briefings to Council.
2. Council deliberates on budget at an Ordinary Council Meeting (or Special Council Meeting if required) via Corporate and Community Development Standing Committee.

Timing

Councillor Engagement Session including rates modelling and quarter 3 budget review in May (Budget Workshop 5).

Councillor Engagement Session for Draft Annual Budget in June (Budget Workshop 6).

Special or Ordinary Council meeting in June or July for consideration.

Definitions

Nil

Legislation

Local Government Act 1995 – Section 5.56 Planning for the future

- (1) A local government is to plan for the future of the district.
- (2) A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.

Local Government (Administration) Regulations 1996

- (1) Regulation 19C requires all local governments to provide a Strategic Community Plan that outlines the community's long term aspirations.
- (2) Regulation 19DA requires local governments to prepare a Corporate Business Plan to address long term financial planning.

Other Relevant Procedures / Key Documents

Council Policy – Community Engagement

Responsible Division

General Management Services

Review Date

August 2027

Council Adoption	14 December 2010	Version	7
Amendment Dates	27/10/20 (GM-024/20); 22/09/15 (GMS-013/15); 10/07/18 (<i>Admin change</i>); 23/07/19 (GM-017/19); 27/8/24 (GM-013/24); 24/6/25 (GM-010/25)	Document Number	D15/126202

Tertiary Scholarship Scheme

Objective

To enable more Rockingham residents to complete tertiary qualifications, primarily an Undergraduate University Degree, and/or a TAFE/VET Diploma (see Definitions).

Scope

This policy establishes the applicant's age requirements, scholarship categories, financial commitment, and assessment criteria in order to facilitate the successful delivery of the scholarship program.

Statement

Scholarship Purpose

To support eligible Rockingham residents aged 17 and above to complete an Undergraduate University Degree and/or TAFE/VET Diploma for the first time from a nationally recognised provider (see Definitions).

Scholarship Categories

Based on an annual budget amount of up to \$90,000, inclusive of previously committed funds for the relevant year, the scholarship scheme will provide:

- up to 24 scholarships for Undergraduate University Degree in the amount of \$10,000 per scholarship, equating to \$2,500 per year (\$1,250 per semester), for up to four (4) years or upon completion of degree, whichever occurs first, for an Undergraduate University Degree
- up to 15 scholarships for TAFE/VET Diploma in the amount of up to \$4,000 per scholarship, equating to \$2,000 per year (\$1,000 per semester), for up to two (2) years, or upon completion of Diploma whichever occurs first, for a Diploma.

The above funds/scholarship category are notional, and if not utilised can be used in the other category, although the total amount is capped at \$90,000 p/a.

Scholarship Eligibility and Assessment Criteria

Eligibility Criteria

Successful applicants must meet the following eligibility criteria:

- City of Rockingham resident for a minimum of three (3) years at the time of the application
- aged 17 and above
- an Australian Citizen or Permanent Resident
- can demonstrate financial hardship for the duration of the scholarship term (see Definitions)
- must provide a letter of offer or evidence of current enrolment at a nationally recognised University, TAFE/VET provider (see Definitions)

- have a minimum of two (2) full semesters (12 months) of study remaining from the TSS round closing date
- must be completing an Undergraduate University Degree and/or TAFE/VET Diploma for the first time

An existing qualification for a TAFE/VET Diploma does not preclude the person from applying for an Undergraduate University scholarship.

Successful recipients are only eligible to receive one scholarship per scholarship category.

Assessment Criteria

All scholarship applications received are administered and assessed by City officers, in line with the assessment criteria. Officers will make recommendations to Council to determine the outcome of all applications received.

Executive Policies and Procedures

The CEO shall ensure that executive policies and procedures are implemented that provide for the effective and equitable consideration, approval, distribution, measurement and acquittal of scholarship funds.

Definitions

Scholarship: financial support provided to a Rockingham resident aged 17 and above to enable access to an appropriate tertiary education qualification.

Financial hardship: scholarship applicant and/or applicant's family, if applicant is still a dependant is in receipt of a Health Care Card or support payment/benefit/pension or tax support through either Department of Human Services or Department of Veterans Affairs.

Tertiary education: in accordance to the Australian Qualification Framework (AQF, 2013), this includes qualifications from AQF Level 5 (Diploma) to AQF Level 7 (Bachelor Degree). AQF Level 8 Bachelor Honours Degree may be considered if honours is part of an undergraduate degree. A post-graduate honours will not be considered.

Nationally recognised provider: AQF providers nationally recognised by the Tertiary Education Quality Standard Agency (TEQSA) for higher education providers and universities, or AQF providers nationally recognised on the National Register of Vocational Education and Training (VET) in Australia.

TAFE: Technical and Further Education

VET: Vocational Education and Training

Legislation

Nil

Other Relevant Procedures / Key Documents

Council Policy – Policy Framework

Tertiary Scholarship Scheme Guidelines

Responsible Division

Community Development

Review Date

December 2028

Council Adoption	25 July 2017	Version	7
Amendment Dates	23/01/18; 27/3/18; 22/01/19; 19/12/23; 25/2/25; 16/12/25	Document Number	D17/108818

Traders Policy

Objective

Under the provisions of the City of Rockingham *Public Places and Local Government Property Local Law 2018*, the City may permit trading on a public place. The purpose of this Policy is to set out the circumstances under which the City will issue Permits for trading on a public place.

The Policy aims to:

- Encourage commercial traders to assist in increasing the vitality, amenity and character of the City of Rockingham;
- Ensure that commercial activities are complimentary to existing commercial uses and locations; and
- Ensure that not for profit activities and charity fundraising / advertising are complimentary to surrounding uses.

Scope

This Policy applies to all trading on public places within the City of Rockingham.

This Policy does not apply to trading:

- located on private property, where development approval may be required, or
- as part of an approved lease or licence already issued by the City of Rockingham.

Statement

To encourage a variety of commercial operators to trade on public places, the following will be considered in all applications:

- consistency with Traders Guidelines;
- location of the proposed trading area;
- compatibility with existing commercial uses (on private property);
- potential impact on City assets, reserves and the environment;
- potential safety issues and adequate risk management planning;
- amenity impact potential from noise, light or other sources; and
- any previous non-compliances or issues by the permit holder.

Traders Guidelines

Guidelines have been developed to implement the Policy Objectives and provide a comprehensive framework for the development, management and control of trading on public land throughout the City of Rockingham.

The Traders Guidelines have been split into Traders Guidelines (Food) and Traders Guidelines (Non-Food). The Chief Executive Officer is to maintain the Traders Guidelines, which will be updated periodically to reflect any legislative and/or City operational changes

Definitions

Public place – means:

- a street;
- any local government property; or
- a place to which the public have access.

Trading - selling or hiring goods or services and includes the setting up of a stall and conducting business at a stall.

Legislation

Local Government Act 1995

City of Rockingham Public Places and Local Government Property Local Law 2018

Other Relevant Procedures / Key Documents

Traders Guidelines (Food)

Traders Guidelines (Non-Food)

Responsible Division

Planning and Development Services

Review Date

September 2024

Council Adoption	27 September 2022 (PD-032/22)	Version	1
Amendment Dates	September 2024	Document Number	D22/179945

Use of Crest and Logo

Objective

To ensure that Council administers the approved use of the City's Crest and Council Logo.

Scope

The City Crest/Logo shall only be used by special permission of Council.

The use of the Crest and/or Logo by organisations may be considered under the following circumstances:

- The request to be for a specific purpose and be associated with the applicant's normal activity.
- The use to have the effect of promoting the district to people or target groups living both inside and outside of the district.
- Applications from non-profit or altruistic organisations to have their main centre of activity located within the district.

Any approval is to be in accordance with current Management Practices and the City of Rockingham Logo Style Guide.

Statement

Consideration for the use of the City Crest and Council Logo shall be within the following guidelines:

1. All requests shall be in writing and approval received prior to proposed use.
2. Details of how and where the Crest/Logo is to be used must be supplied on application.
3. In applications from organisations with a profit motive, it will normally be a requirement that Council has a direct involvement with the specific purpose and a charge may be applied.
4. Permission to use the crest shall only be given by Council.
5. Permission to use the logo may be delegated to the Chief Executive Officer.



Crest



Logo

Note: Please refer to the City of Rockingham Style Guide Version 6 – August 2022

Definitions

Nil

Legislation

Nil

Other Relevant Procedures / Key Documents

Nil

Responsible Division

General Management Services

Review Date

Council Adoption	26 August 2003	Version	2
Amendment Dates	23 November 2010 (<i>new logo</i>)	Document Number	D15/48815

Use of the Councillors' Lounge

Objective

To outline the use and accessibility of the Councillors' Lounge by Councillors and guests.

Scope

Council Members and guests hosted in the Councillors' Lounge.

Statement

Permitted Use

The following usage is permitted for the Councillors' Lounge –

- Council Member access directly related to Council business;
- Hosting guests following a Council or Committee meeting;
- Hosting Members of an official delegation on City business; and
- Hosting Members of a non-Council meeting in which a Council Member is a Council appointed delegate.

Use of the Councillors' Lounge for any purpose related to a Council Member's or other person's candidature for election is strictly prohibited. The Councillors' Lounge is not to be accessed on local government election days.

The Councillors' Lounge will be stocked with light refreshments, including snacks.

Access Rights

Other than Council Members, the following persons are permitted access to the Councillors' Lounge –

- Council Member hosted guests;
- City employees providing support to Council Members; and
- City employees and contractors required to service the Councillors lounge.

Conditions of Access / Etiquette

The Councillors' Lounge is provided as a working and relaxation area for Council Members. People in attendance are to ensure that courtesy and respect is shown for other users at all times. Persons in attendance must wear an acceptable standard of dress (minimum - smart casual).

In using the Councillors' Lounge a Council Member -

- must introduce their guest/s to others in attendance;
- is responsible for the hosting and conduct of their guest/s;
- must ensure that the supply of refreshments is not abused or removed from the vicinity of the Councillors' Lounge or the adjacent meeting rooms;
- when departing must escort their guest/s from the Councillors' Lounge and, where appropriate, from the Administration building;

- must remain with their guest/s while they are in attendance, or make arrangements for another Member to host their guest/s in their absence;
- must ensure that the Councillors' Lounge is kept generally clean and tidy; and
- must ensure the Councillors' Lounge is kept secure in accordance with protocols in place.

Should a guest be a family member (or a person in the care) of a Council Member, the guest may remain in attendance for short durations while the Member attends Council business.

Complaint Handling

A complaint of a breach of this policy by a Council Member or a guest is to be referred to the Mayor for investigation and resolution in accordance with procedure contained in the City of Rockingham Code of Conduct.

A complaint of a breach of this policy by the Mayor is to be referred to the Deputy Mayor for investigation and resolution in accordance with procedure contained in the City of Rockingham Code of Conduct.

A complaint of a breach of this policy by a City employee or a contractor is to be referred to the Chief Executive Officer for investigation and resolution

Definitions

Nil

Legislation

Nil

Other Relevant Procedures / Key Documents

City of Rockingham Code of Conduct for Council Members, Committee Members and Candidates

Responsible Division

General Management Services

Review Date

February 2027

Council Adoption	28 September 1999	Version	4
Amendment Dates	23/03/21 (GM-012/21); 27/5/21 (<i>admin</i>); 27/2/24 (GM-004/24)	Document Number	D15/48355

Verge Development

Objective

The purposes of the verge are to:

1. Provide space for the efficient and safe provision of utility services;
2. Provide for the safe and efficient movement of people;
3. Improve the amenity, health and wellbeing of the community; and
4. Ensure direct property access to community green space, trees and landscaping.

In view of the purposes of the verge, the City of Rockingham (**City**) seeks to ensure that property owners and occupiers are able to develop street verges (**verge development**) within the City with due regard to these purposes while also recognising issues around accessibility, bushfire mitigation and sustainability.

Scope

This policy provides a list of acceptable materials as required under the *Public Places and Local Government Property Local Law 2018 (Local Law)*.

This policy provides guidance to owners and occupiers on how to develop verges whilst meeting the principles and priorities of verge development as defined in this document.

Statement

Policy Principles

The City encourages the property owner and occupier to take pride in the verge which abuts their property, to enhance the amenity and aesthetic value of their properties and the streetscape as a whole.

Public utilities, state government authorities and their authorised contractors have specific responsibilities and rights to access and undertake works on the verge as defined in legislation and codes of practice.

The City retains the right to undertake works in the verge including construction, maintenance, mowing, brush cutting, pest and weed control and any other action as determined from time-to-time. The City is responsible for the planting, removal and maintenance of trees in the verge or any other part of the road reserve.

This policy does not apply to street trees.

The City encourages the development of Waterwise Verges.

Any verge development that includes Acceptable Materials must be approved by the City's Asset Services division in writing. Verge development approvals are issued independently to Building Permits. Written approvals are not required for verge developments that involve Permissible Treatments only.

The following may not be placed on, installed or planted within a verge:

- Structures - excluding edging to garden beds if installed in accordance with the Verge Development Guidelines;
- Unacceptable Materials and Unacceptable Plant Species as defined in the definitions; and
- Any treatment that is not an Acceptable Material or Permissible Treatment.

List of Acceptable Materials

In addition to the Primary Crossover, additional Acceptable Materials may also be installed to cover 50% or 10m², of the remaining verge, whichever is greater. Any remaining balance of the verge must then be a Permissible Treatment.

The list of acceptable materials is as follows:

- Concrete (including non-slip dense finishes free of any depressions, marks, honeycomb sections or accumulation of fine dust particles liable to cause excessive surface wear);
- Brick and paver (including porous paving);
- Compacted limestone providing a flat and stable surface;
- Resin bound stones and gravels that provide a solid, even and non-slip surface; and
- Professionally installed Synthetic Turf.

Crossovers

Crossover construction and modification is a form of verge development. These are to be compliant with the City's Residential or Commercial Crossover Specifications, as applicable.

Pedestrian Access Zone

In order to improve accessibility for pedestrians, a Pedestrian Access Zone must be provided on any verge where there is no footpath provided on either side of the road carriageway.

The Pedestrian Access Zone is to be provided for 2m adjacent to the kerb and must not have any pedestrian obstructions, plants or garden edging.

Visibility / Sight Obstructions

In order to ensure visibility for pedestrians and motorists, all vegetation (excluding street trees) must be maintained to a maximum height of 500mm in the following areas:

- two metres behind the kerb or road shoulder;
- adjacent to any vehicular crossing;
- the verge area 10 m x 10 m at any road intersection; and
- in all other areas, the maximum height of vegetation is to be 750mm.

Owner / Occupier Responsibilities

It is the obligation of the owner or occupier to:

- Locate any public utility services on the verge and protect these from damage by the verge development; and
- Maintain a verge development at no cost to the City, inclusive of reinstatement after works by the City or any public utility.

Keep the verge in a good and tidy condition and ensure:

- the verge development is maintained in an acceptable condition by undertaking regular maintenance, such as mowing/slashing, pruning, hard surface repair and weed management;
- any vegetation on the verge does not overflow or protrude onto any footpath, Pedestrian Access Zone or road carriageway;

- utility assets, pits and fire hydrants are always fully visible;
- sight lines are not obstructed for pedestrians or vehicles; and
- any tree, footpath, kerb, utility asset or drainage infrastructure that forms part of the verge are not removed, moved or damaged.

The City may undertake basic maintenance to ensure public safety and mitigate risk of fire for Undeveloped Verges, except where the adjacent owner or occupier has assumed ongoing responsibility for it by commencing any maintenance activities on any part.

Compliance

Any development by the owner or occupier needs to be completed, maintained and repaired in accordance with the lawful directive of authorised officers of the City to minimise risk to the public.

Any verge development that does not meet the necessary requirements will need to be removed and replaced with an approved treatment.

Definitions

Acceptable Materials - means any material that are listed in this Policy.

Crossover - means a crossing giving access from a public thoroughfare to:

- private land; or
- a private thoroughfare serving private land.

Permissible Treatment - means a treatment that may be installed or planted on a verge without written approval being required, including the following:

- natural lawn;
- organic mulch;
- suitable plants; and
- irrigation.

Professionally installed Synthetic Turf - an Acceptable Material comprising a Synthetic Turf which:

- is installed in accordance with the manufacturer's instructions; on a suitable free draining base of suitable thickness; and pinned to the base layer to ensure that it can withstand vehicle loads; and
- has a minimum installer's warranty of 12 years.

Unacceptable Materials - any material which:

- is likely to become loose under repeated pedestrian or traffic loads;
- is likely to cause trip or slip hazards;
- is likely to cause sight obstructions; and
- has other potential hazards.

Unacceptable Plants Species - any plant which:

- is listed as a declared plant, noxious plant, environmental weed or pest plant through legislation or local law;
- has sharp spines which may encroach over footpaths or road pavements;
- creates sight obstructions; or
- fruit trees and climbing plants.

Undeveloped Verge - means a verge which has never had a Permissible Treatment or Acceptable Material installed on any part of it.

Verge - means that part of a street between the carriageway and the land which abuts the street, but does not include any footpath.

Verge Development Approval - written approval from the City's Asset Services division whether it involve a new development or modification of an existing development.

Waterwise Verge - a verge treatment designed to preserve water whilst providing ecological benefits according to Water Corporation guidelines.

Legislation

Local Government (Uniform Local Provisions) Regulations 1996

Public Places and Local Government Property Local Law 2018

Pest Plants Local Law 2000

Other Relevant Procedures / Key Documents

Verge Development Guidelines

Verge Development Application

Specification for Residential Crossovers

Specification for Commercial/Industrial Crossovers

Water Corporation Waterwise Verge Best Practice Guidelines

Responsible Division

Asset Services

Review Date

April 2028

Council Adoption	27 August 2019	Version	2
Amendment Dates	25 March 2025	Document Number	D19/147354

Welcome to Country and Acknowledgement of Country

Objective

To outline when the City of Rockingham will incorporate a Welcome to Country and / or Acknowledgement of Country into meetings and events, to ensure appropriate recognition of the traditional owners and custodians of City of Rockingham land, the Binjareb and Whadjuk Nyoongar people.

Scope

This Policy applies to Councillors, Committee Members and City employees involved in planning or delivering City meetings and events.

Statement

The City of Rockingham's Reconciliation Action Plan (RAP) outlines the importance of respecting First Nations People by observing cultural protocols, and specifically references the inclusion of a Welcome to Country and / or Acknowledgement of Country at appropriate meetings and events. The following sections outline when a Welcome to Country and / or Acknowledgement of Country should be included.

Acknowledgement of Country:

The City will deliver a verbal acknowledgement of Country at the commencement of:

- Council meetings and Committees of Council meetings.
- Opening ceremonies for minor infrastructure (capital cost less than \$500,000)
- Civic receptions
- City events and launch ceremonies for projects and programs that involve external stakeholders.

Acknowledgment Statement:

Following is the City's Acknowledgement of Country statement, as endorsed by the City's Aboriginal Advisory Group in 2021.

The Chairperson or Master of Ceremonies should read the English translation of the Acknowledgement of Country statement at the commencement of the official proceedings.

Rockingham, ngala kaaditj moondang-ak kaaradjiny nidja boodja, Binjareb wer Whadjuk Nyoongar moort, wer baalabang kalyogool dandjoo boodja, kep wer moort.

The City of Rockingham acknowledges the Traditional Owners and Custodians of this land, the Binjareb and Whadjuk Nyoongar people and their continuing connection to the land, waters and community. We pay our respects to all members of Aboriginal communities and their cultures; and to Elders past and present.

The Chairperson or Master of Ceremonies may also speak the Nyoongar language version of the Acknowledgement statement if they choose to.

Welcome to Country:

In addition to reading the Acknowledgement of Country statement at the commencement of proceedings, the City should also include a Welcome to Country at:

- All iconic / high profile City events (e.g. New Year's Eve, Sports Star Awards)
- All Citizenship ceremonies
- Opening ceremonies for major City infrastructure (capital cost more than \$500,000).

The City may also consider a Welcome to Country at smaller, non-iconic City events.

A Welcome to Country should only be performed by a Traditional Owner with cultural authority (preferably an Elder).

Definitions

Acknowledgement of Country - A way of showing awareness of and respect for the traditional Aboriginal or Torres Strait Islander owners of the land on which a meeting or event is being held, and of recognising the continuing connection of Aboriginal and Torres Strait Islander peoples to their Country.

Binjareb - One of the two main cultural / language groups of traditional custodians / landowners within Nyoongar Country centred on Pinjarra and Mandurah, and extending into the southern part of Rockingham.

Elder - An older Aboriginal person who is a moral and spiritual leader within the community

Nyoongar People - The name for the original inhabitants of the south-west part of Western Australia.

Traditional custodians/owners - The title to be used when referring to the original inhabitants of an area.

Welcome to Country - A Welcome to Country is a ceremony performed by identified Aboriginal or Torres Strait Islander people (usually an Elder) to welcome visitors to their traditional land.

Whadjuk - One of the two main cultural / language groups of traditional custodians / landowners within Nyoongar Country, centred on the north of Rockingham.

Legislation

Nil

Other Relevant Procedures / Key Documents

Reconciliation Action Plan 2021 - 2023

Executive Policy Reconciliation Plan Implementation (D23/12019)

Procedure – Cultural Protocols (D23/261812)

Responsible Division

Community Development

Review Date

May 2027

Council Adoption	26 February 2013 (GCS-003/13)	Version	3
Amendment Dates	26/8/14 (GMS-013/14); 23/7/24 (CD-022/24)	Document Number	D15/48344

Workplace Health and Safety

Objective

The purpose of this policy is to assist the Chief Executive Officer to meet his or her obligations under the *Work Health and Safety Act (WA) 2020*.

Scope

This policy applies to all employees.

Statement

The City of Rockingham provides and maintains a safe and healthy work environment in its workplaces in accordance with legislative obligations by ensuring:

- Implementation of safe systems and work practices
- Provision of adequate resources to enable work, health and safety issues to be rectified in a timely manner
- Compliance with relevant aspects of the work, health and safety legislation, regulations, associated codes of practice, guidance notes and industry standards
- Integration of work, health and safety risk management processes into daily working operations
- Implementation of the Work, Health and Safety management system, through the City's Occupational Safety and Health Manual, departmental work, health and safety plans, policies, procedures and related programs.

Employees must cooperate with work, health and safety actions taken to maintain a safe and healthy work environment. In addition, employees must take reasonable care of their own work, health and safety and not adversely affect others in the workplace by their actions or inactions.

Definitions

Employees – includes employees, workers, volunteers, contractors and visitors.

Legislation

Work Health and Safety Act 2020 (WA)

Work Health and Safety (General) Regulations 2022 (WA)

Workers' Compensation and Injury Management Act 1981 (WA)

Other Relevant Procedures / Key Documents

Internal

Occupational Safety and Health Manual

Injury Management Procedure

Safe Work Method Statements, relevant to work practices

Employee Induction and Orientation

Contractor Induction

Accident/Incident Report Form

External

Codes of Practice, relevant to work areas and work practices

Australian Standards, relevant to work areas and work practices

2B Workers' Compensation form

Responsible Division

General Management Services

Review Date

April 2026

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