



# City of Rockingham

## MINUTES

### **Special Meeting of Council Minutes**

Held on Tuesday 26 October 2021 at 6:00pm  
City of Rockingham Council Boardroom



City of Rockingham  
Special Council Meeting  
6:00pm Tuesday 26 October 2021



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**City of Rockingham**  
**Special Meeting of Council Minutes**  
**Tuesday 26 October 2021 – Council Boardroom**



**1. Declaration of Opening**

The purpose of the meeting is to -

- Elect a Council Member to the position of Deputy Mayor for a period ending in October 2023
- Allocation of positions for Council Member seating in accordance with clause 8.2 of the City of Rockingham Standing Orders Local Law 2001
- Appoint Council Members to Standing Committees
- Appoint Council Members to Occasional Committees, Advisory Committees, Working Parties, Liaison Groups and to Non Council Committees and Organisations

**Opening**

The Mayor declared the Special Council meeting open at **6:00pm**.

The Mayor welcomed new Councillors Wormald, Hume, Jecks and Schmidt and returning Councillors Liley and Jones. Mayor Hamblin advised as a team she hopes they will achieve much over the next term. Mayor Hamblin said she has a vision for Council and has big shoes to fill and will rely on the CEO and staff much more than the previous Mayor. She would like to change a few things and has learned to do that slowly.

The Mayor invited Cr Cottam, the City's Aboriginal Councillor to present the Acknowledgment of Country at Special Meetings of Council, at the start of each year and during (National Aborigines and Islanders Day Observance Committee) NAIDOC week.

**Acknowledgement of Country (read out by Cr Cottam)**

This meeting acknowledges the traditional owners and custodians of the land on which we meet today, the Nyoongar people, and pays respect to their elders both past and present.

**Recording**

The Mayor advised that the Boardroom microphones are located in the ceiling and therefore all noise will be recorded – this includes movement of chairs, rustling of papers, whispering etc.

The Mayor noted that in accordance with clause 8.5 of the *City's Standing Orders Local Law 2001* provides that "no person is to use any electronic, visual or vocal recording device or instrument to record the proceedings of the Council or a committee without the written permission of the Council".

In accordance with clause 8.5 of the *City's Standing Orders Local Law 2001*, Council has given permission for the administration to record proceedings of this meeting.

This permission does not extend to members of the public (including those in the gallery) meaning that they must not use any electronic, visual or vocal recording device or instrument (including a mobile telephone) to record any part of this meeting. If anyone breaches this Standing Order they will be asked to leave the Council chamber.

Council meetings are recorded in accordance with Council Policy –

Recording and Streaming Council Meetings. By being present at this meeting, members of the public consent to the possibility that their voice may be recorded. Recordings will be made available on the City's website following the meeting.

The City of Rockingham disclaims any liability for any loss arising from any person or body relying on any statement, discussion, recommendation or decision made during this meeting.

	Where an application for an approval, a licence, or the like is considered or determined during this meeting the City warns that neither the applicant nor any other person or body should rely upon that discussion or determination until written notice of either an approval and the conditions which relate to it or the refusal of the application has been issued by the City. The official record of the meeting will be written minutes kept in accordance with the Local Government Act 1995 and any relevant regulations.  Public question time will not be recorded.																																														
2.	Record of Attendance/Apologies/Approved Leave of Absence																																														
	<div>2.1 Council Members</div> <table><tr><td>Mayor Deb Hamblin</td><td></td></tr><tr><td>Cr Sally Davies</td><td>Baldivis Ward</td></tr><tr><td>Cr Hayley Edwards</td><td>Baldivis Ward</td></tr><tr><td>Cr Brett Wormall</td><td>Baldivis Ward</td></tr><tr><td>Cr Lorna Buchan</td><td>Comet Bay Ward</td></tr><tr><td>Cr Robert Schmidt</td><td>Comet Bay Ward</td></tr><tr><td>Cr Craig Buchanan</td><td>Rockingham/Safety Bay Ward</td></tr><tr><td>Cr Rae Cottam</td><td>Rockingham/Safety Bay Ward</td></tr><tr><td>Cr Caroline Hume</td><td>Rockingham/Safety Bay Ward</td></tr><tr><td>Cr Dawn Jecks</td><td>Rockingham/Safety Bay Ward</td></tr><tr><td>Cr Mark Jones</td><td>Rockingham/Safety Bay Ward</td></tr><tr><td>Cr Leigh Liley</td><td>Rockingham/Safety Bay Ward</td></tr></table> <div>2.2 Executive</div> <table><tr><td>Mr Michael Parker</td><td>Chief Executive Officer</td></tr><tr><td>Mr Bob Jeans</td><td>Director Planning and Development Service</td></tr><tr><td>Mr Sam Assaad</td><td>Director Engineering and Parks Services</td></tr><tr><td>Mr John Pearson</td><td>Director Corporate Services</td></tr><tr><td>Mr Michael Holland</td><td>Director Community Development</td></tr><tr><td>Ms Jelette Edwards</td><td>A/Manager Governance and Councillor Support</td></tr><tr><td>Mr Aiden Boyham</td><td>City Media Officer</td></tr><tr><td>Ms Sarah Mylotte</td><td>Administration Officer – Governance and Councillor Support</td></tr></table> <div>2.3 Guests:</div> <table><tr><td>Mr Kevin Clements JP</td><td></td></tr></table> <div>2.4 Members of the Gallery:</div> <table><tr><td>13</td></tr></table> <div>2.5 Apologies:</div> <table><tr><td>Nil</td></tr></table> <div>2.6 Approved Leave of Absence:</div> <table><tr><td>Nil</td></tr></table>		Mayor Deb Hamblin		Cr Sally Davies	Baldivis Ward	Cr Hayley Edwards	Baldivis Ward	Cr Brett Wormall	Baldivis Ward	Cr Lorna Buchan	Comet Bay Ward	Cr Robert Schmidt	Comet Bay Ward	Cr Craig Buchanan	Rockingham/Safety Bay Ward	Cr Rae Cottam	Rockingham/Safety Bay Ward	Cr Caroline Hume	Rockingham/Safety Bay Ward	Cr Dawn Jecks	Rockingham/Safety Bay Ward	Cr Mark Jones	Rockingham/Safety Bay Ward	Cr Leigh Liley	Rockingham/Safety Bay Ward	Mr Michael Parker	Chief Executive Officer	Mr Bob Jeans	Director Planning and Development Service	Mr Sam Assaad	Director Engineering and Parks Services	Mr John Pearson	Director Corporate Services	Mr Michael Holland	Director Community Development	Ms Jelette Edwards	A/Manager Governance and Councillor Support	Mr Aiden Boyham	City Media Officer	Ms Sarah Mylotte	Administration Officer – Governance and Councillor Support	Mr Kevin Clements JP		13	Nil	Nil
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	<div>6:05pm</div> <div>The Mayor invited the Chief Executive Officer to act as Returning Officer for the Election of Deputy Mayor. The CEO advised that nominations for the position of Deputy Mayor of the Council, for the ensuing 2 years had been received from -</div> <div>Cr Edwards and Cr Jones</div> <div>He asked if there were any further nominations. There were none.</div>																																														


	<p>As there was more than one nomination the Chief Executive Officer advised a secret ballot would be conducted on the First Past the Post voting system.</p> <p>Both candidates addressed Council in support of their nomination. The ballot was then conducted with Mr Kevin Clements JP acting as a scrutineer. The following votes were recorded</p> <p>Cr Edwards      7 votes Cr Jones          5 votes Informal          0 votes</p> <p>The Mayor declared Cr Edwards elected to the position of Deputy Mayor of Council for the ensuing 2 years.</p>
<b>4.</b>	<b>Declaration by Deputy Mayor</b>
	<p><b>6:24pm</b> The Mayor invited Mr Kevin Clements, JP to witness the declaration of Cr Edwards as Deputy Mayor.</p> <p>Cr Edwards made the Declaration as Deputy Mayor.</p> <p>The Mayor thanked Mr Clements for assisting this evening.</p> <p><b>6:25pm</b> Mr Kevin Clements, JP left the meeting</p>
<b>5.</b>	<b>Allocation of Council Seating</b>
	<p>As per City of Rockingham Standing Orders Local Law 2001 Clause 8.2 Members to Occupy Own Seats states -</p> <p><i>At the first meeting held after each ordinary election day, the CEO is to allot by random draw, a position at the Council table to each Council Member and the Council Member is to occupy that position when present at meetings of the Council until such time as there is a call by a majority of Council Members for re-allotment of positions.</i></p> <p><b>Moved Cr Edwards, seconded Cr Liley:</b></p> <p>That Council <b>SUSPENDS</b> clause 8.2 of the City of Rockingham Standing Orders Local Law 2001 and that Council Member Seating be as follows –</p> <div style="text-align: center;"> <p>The diagram shows a semi-circular seating arrangement for the Council. At the top is a rectangular area labeled 'Gallery'. Below it is a large semi-circular area. On the left side of this semi-circle, from top to bottom, are labels for 'Cr Schmidt', 'Cr Buchan', 'Cr Davies', 'Cr Edwards', and 'Cr Wormall'. On the right side, from top to bottom, are labels for 'Cr Jones', 'Cr Liley', 'Cr Hume', 'Cr Jecks', 'Cr Buchanan', and 'Cr Cottam'. To the left of the semi-circle is a vertical rectangular area labeled 'Press'. To the right is a vertical rectangular area labeled 'Directors'. At the bottom of the semi-circle is a horizontal rectangular area containing three labels: 'Governance', 'Mayor', and 'CEO'.</p> </div>

Carried – 12/0

<b>6.</b>	<b>Public Question Time</b>
	<p><i>Note:</i> In accordance with regulation 7(4)(b) of the Local Government (Administration) Regulations 1996 questions at a Special Council Meeting need to relate to the purpose of that meeting.</p> <p><b>6:28pm</b> The Mayor opened Public Question Time and invited members of the Public Gallery to ask questions.</p> <p>There were none.</p>
<b>7.</b>	<b>Declarations of Members and Officers Interests</b>
	<p><b>6:29pm</b> The Mayor asked if there were any interests to declare.</p> <p>There were none.</p>
<b>8.</b>	<b>Reports of Council Members</b>

## 9. Reports of Officers

### General Management Services

General Management Services Governance and Councillor Support		
<b>Reference No &amp; Subject:</b>	<b>GM-031/21</b>	<b>Appointment of Members to Council and Standing Committees (<i>Absolute Majority</i>)</b>
File No:	GOV/39	
Proponent/s:		
Author:	Ms Jelette Edwards, A/Manager Governance and Councillor Support	
Other Contributors:		
Date of Special Council Meeting:	26 October 2021	
Previously before Council:		
Disclosure of Interest:		
Nature of Council's Role in this Matter:	Executive	
Site:		
Lot Area:		
Attachments:		
Maps/Diagrams:		

### Purpose of Report

For Council to appoint members and deputies to the following Standing Committees –

- Planning and Engineering Services Committee
- Corporate and Community Development Committee

### Background

Council has operated with a committee system for a number of years to assist Council in exercising its duties and powers under the provisions of the Local Government Act 1995.

### Details

The following information on the committee system is contained within the Councillor's Manual produced by the Department of Local Government, the WA Local Government Association and the Local Government Managers Association WA.

## **1 Committee System**

*Section 5.8 of the Local Government Act 1995 permits a Council to establish Committees. The function of a Committee is dependent upon its establishment purpose and can only deliberate upon matters within its authority. In some cases it may be limited to only making recommendations to Council, in others the full authority to make decisions may be delegated.*

*A Council is not obliged to have any Committees.*

### **1.1 Types of Committees**

*A local government may establish a committee of 3 or more persons to assist the Council and if required exercise some of its powers and duties. The Local Government Act provides for various types of committees, comprising:*

- Council members only;*
- Council members and employees;*
- Council members, employees and other persons;*
- Council members and other persons;*
- Employees and other persons; or*
- Other persons only.*

*There are limits on delegating power to Committees, which are detailed under Section 5.17 of the Local Government Act 1995.*

*A Council member is entitled to be on at least one committee consisting of Council members only or Council members and employees. Section 5.10 of the Local Government Act 1995 set out the rules for committee appointments.*

### **1.2 Membership and Term of Office**

*Committee members are usually appointed by the Council at the first Council meeting following the biennial local government ordinary elections.*

*If a committee has position(s) for Council members and the Mayor or President wishes to be a member of that committee then the local government is to appoint the Mayor or President to be a member. The same principle applies if the CEO wishes to be appointed to a committee that has an employee representative.*

*Each Council member is entitled to be a member of at least one committee which consists of Council members only or Council members and employees. If a Council member nominates himself or herself to be a member of such committee(s) then the Council is to include that person on at least one committee, but the local government decides through voting who is elected to a Committee.*

*Committee members must elect a presiding member from amongst themselves. Where a Committee includes employees and other persons, neither the Mayor / President or any other Council member has automatic right to chair Committee meetings.*

## **Standing Orders Local Law**

The City of Rockingham Standing Orders Local Law 2001 contains the following information on Committees:

### **PART 18 – COMMITTEES OF THE COUNCIL**

#### **18.1 Establishment and Appointment of Committees**

*A committee is not to be established except on a motion setting out the proposed functions of the committee and either:*

- a) the names of the Council members, employees and other persons to be appointed to the committee; and*
- b) the number of Council members, employees and other persons to be appointed to the committee and a provision that they be appointed by a separate motion.*

## **18.2 Appointment of Deputy Committee Members**

- 1) *The Council may appoint one or more persons to be the deputy or deputies, as the case may be, to act on behalf of a member of a committee whenever that member is unable to be present at a meeting thereof and where two or more deputies are so appointed they are to have seniority in the order determined by the Council.*
- 2) *Where a member of a committee does not attend a meeting thereof a deputy of that member, selected according to seniority, is entitled to attend that meeting in place of the member and act for the member, and while so acting has all the powers of that member.*

**Current Standing Committees appointments are as follows:**

### **Planning and Engineering Services Committee**

#### Members

Cr Mark Jones (Chairperson)  
Cr Deb Hamblin  
Cr Barry Sammels  
Cr Hayley Edwards  
Cr Lorna Buchan

#### Deputies

Cr Craig Buchanan  
Cr Leigh Liley  
Cr Sally Davies  
Cr Joy Stewart  
Cr Rae Cottam

### **Corporate and Community Development Committee**

#### Members

Cr Joy Stewart (Chairperson)  
Cr Leigh Liley  
Cr Craig Buchanan  
Cr Sally Davies  
Cr Rae Cottam

#### Deputies

Cr Hayley Edwards  
Cr Deb Hamblin  
Cr Mark Jones  
Cr Hayley Edwards  
Cr Lorna Buchan

## **Implications to Consider**

### **a. Consultation with the Community**

Not Applicable

### **b. Consultation with Government Agencies**

Not Applicable

### **c. Strategic**

#### Community Plan

This item addresses the Community's Vision for the future and specifically the following Aspiration and Strategic Objective(s) contained in the Strategic Community Plan 2019-2029:

**Aspiration 4:** *Deliver Quality Leadership and Business Expertise*

**Strategic Objective:** *Effective Governance – Apply systems of governance which empower the Council to make considered and informed decisions within a transparent, accountable, ethical and compliant environment.*

### **d. Policy**

Governance and Meeting Framework Policy applies.

The City of Rockingham Governance and Meeting Framework Policy provides the structure supporting the City's decision making process beyond that legislatively required.

The Policy provides for the 'Standing Committee Membership Concept'. Where practicable, each Council Member will be a member of one of the Standing Committees and deputy for the other, if possible each Standing Committee will have representation from each ward. It needs to be noted that this is a guideline only and there is no lawful compulsion for it to apply.

According to the Policy the following structure applies for standing committees:

1. Planning and Engineering Services Committee

Committee Composition – 5 Councillors, 5 Deputies

Areas of Consideration – Strategic Planning and Environment, Statutory Planning, Land and Development infrastructure, Building Services, Health Services, Compliance and Emergency Liaison, Rangers, Bushfire, City Centre Development, Technical Services, Parks Services, Operations and Fleet Services and Infrastructure Project Delivery.

2. Corporate and Community Development Committee

Committee Composition – 5 Councillors, 5 Deputies

Areas of Consideration – Financial Services, Information Systems, Customer and Corporate Support, Waste Services, Human Resource Development, Strategy Marketing and Communications, Governance and Councillor Support, Legal Services and General Counsel, Economic Development and Tourism, Community Capacity Building, Community Infrastructure Planning, Community Support and Safety, Community and Leisure Facilities, Library Services.

e. **Financial**

Nil

f. **Legal and Statutory**

In accordance with Local Government Act 1995, Sections 5.10 – 5.11.

5.10. Committee members, appointment of

(1) A committee is to have as its members —

- (a) persons appointed\* by the local government to be members of the committee (other than those referred to in paragraph (b)); and
- (b) persons who are appointed to be members of the committee under subsection (4) or (5).

*\* Absolute majority required.*

- (2) At any given time each council member is entitled to be a member of at least one committee referred to in section 5.9(2)(a) or (b) and if a council member nominates himself or herself to be a member of such a committee or committees, the local government is to include that council member in the persons appointed under subsection (1)(a) to at least one of those committees as the local government decides.
- (3) Section 52 of the *Interpretation Act 1984* applies to appointments of committee members other than those appointed under subsection (4) or (5) but any power exercised under section 52(1) of that Act can only be exercised on the decision of an absolute majority of the local government.
- (4) If at a meeting of the council a local government is to make an appointment to a committee that has or could have a council member as a member and the mayor or president informs the local government of his or her wish to be a member of the committee, the local government is to appoint the mayor or president to be a member of the committee.
- (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.

5.11A. Deputy committee members

- (1) The local government may appoint\* a person to be a deputy of a member of a committee and may terminate such an appointment\* at any time.

*\* Absolute majority required.*

- (3) A deputy of a member of a committee may perform the functions of the member when the member is unable to do so by reason of illness, absence or other cause.
- (4) A deputy of a member of a committee, while acting as a member, has all the functions of and all the protection given to a member.

*[Section 5.11A inserted by No. 17 of 2009 s. 20.]*

5.11. Committee membership, tenure of

- (1) Where a person is appointed as a member of a committee under section 5.10(4) or (5), the person's membership of the committee continues until —
- (a) the person no longer holds the office by virtue of which the person became a member, or is no longer the CEO, or the CEO's representative, as the case may be; or
  - (b) the person resigns from membership of the committee; or
  - (c) the committee is disbanded; or
  - (d) the next ordinary elections day,
- whichever happens first.
- (2) Where a person is appointed as a member of a committee other than under section 5.10(4) or (5), the person's membership of the committee continues until —
- (a) the term of the person's appointment as a committee member expires; or
  - (b) the local government removes the person from the office of committee member or the office of committee member otherwise becomes vacant; or
  - (c) the committee is disbanded; or
  - (d) the next ordinary elections day,
- whichever happens first.

**g. Risk**

**All Council decisions are subject to risk assessment according to the City's Risk Framework.**

Implications and comment will only be provided for the following assessed risks.

*Customer Service / Project management / Environment : High and Extreme Risks*

*Finance / Personal Health and Safety : Medium, High and Extreme Risks*

Nil

**Comments**

Due to the increase in Council membership to 12, it is proposed to increase the composition of both Standing Committees from five to six Council Members.

These Committees have no delegated authority to make a decision (non-procedural), with recommendations being referred to Council for deliberation. Therefore all Council Members have the opportunity to participate in the decision making process.

Notwithstanding that a quorum for a standing committee meeting is three members, there is greater potential for robust committee recommendations when a full complement of committee members are available. Each Committee member will be allocated a direct deputy member should they be unable to attend a meeting.

The following are meeting dates and times for November and December 2021:

November

Monday 15 November 2021	Planning and Engineering Services Committee	4:00pm
Tuesday 16 November 2021	Corporate and Community Development Committee	4:00pm
Tuesday 23 November 2021	Council	6:00pm

December

Monday 13 December 2021	Planning and Engineering Services Committee	4:00pm
Tuesday 14 December 2021	Corporate and Community Development Committee	4:00pm
Tuesday 21 December 2021	Council	6:00pm

**Voting Requirements**

Absolute Majority

**Officer Recommendation**

That Council:

1. **AMENDS** its Governance and Meeting Framework Policy to reflect a membership of six (6) members for the Planning and Engineering Services Committee and the Corporate and Community Development Committee.
2. **APPOINTS** six (6) Council members and six (6) deputies as follows to the Council's Standing Committees for the period ending on the ordinary election day in October 2023:

**Planning and Engineering Services Committee**

Member	Deputy
Cr _____	Cr _____
Cr _____	Cr _____
Cr _____	Cr _____
Cr _____	Cr _____
Cr _____	Cr _____
Cr _____	Cr _____

**Corporate and Community Development Committee**

Member	Deputy
Cr _____	Cr _____
Cr _____	Cr _____
Cr _____	Cr _____
Cr _____	Cr _____
Cr _____	Cr _____
Cr _____	Cr _____

## Council Resolution

### Moved Cr Buchan, seconded Cr Liley:

That Council:

1. **AMENDS** its Governance and Meeting Framework Policy to reflect a membership of six (6) members for the Planning and Engineering Services Committee and the Corporate and Community Development Committee.
2. **APPOINTS** six (6) Council members and six (6) deputies as follows to the Council's Standing Committees for the period ending on the ordinary election day in October 2023:

#### Planning and Engineering Services Committee

<u>Member</u>	<u>Deputy</u>
Mayor Hamblin	Cr Liley
Cr Buchan	Cr Cottam
Cr Edwards	Cr Hume
Cr Jecks	Cr Schmidt
Cr Jones	Cr Buchanan
Cr Wormall	Cr Davies

#### Corporate and Community Development Committee

<u>Member</u>	<u>Deputy</u>
Cr Buchanan	Cr Jones
Cr Cottam	Cr Buchan
Cr Davies	Cr Wormall
Cr Hume	Cr Edwards
Cr Liley	Mayor Hamblin
Cr Schmidt	Cr Jecks

Carried by Absolute Majority – 12/0

## The Council's Reason for Varying the Committee's Recommendation

Not Applicable

## General Management Services Governance and Councillor Support



<b>Reference No &amp; Subject:</b>	<b>GM-032/21</b>	<b>Representation on Council Occasional and Advisory Committees (<i>Absolute Majority</i>)</b>
File No:	GOV/39	
Proponent/s:		
Author:	Ms Jelette Edwards, A/Manager Governance and Councillor Support	
Other Contributors:		
Date of Special Council Meeting:	26 October 2021	
Previously before Council:		
Disclosure of Interest:		
Nature of Council's Role in this Matter:	Executive	
Site:		
Lot Area:		
Attachments:		
Maps/Diagrams:		

### Purpose of Report

For Council to consider appointing representatives to Council other Committees, working parties, liaison groups, etc for the period ending on the next ordinary local government election day in October 2023.

### Background

Council has been supportive of the community by establishing and appointing representatives to various committees, working parties, liaison groups, etc and this is an effective method of providing community consultation on many projects and issues.

### Details

To assist Council in appointing representatives for the ensuing two years, the following notes Council's current representatives, terms of reference and provision for adding representatives appointed for 2021-2023.

## Implications to Consider

**a. Consultation with the Community**

Community membership on Advisory Committees is reviewed and nominations sought every non-election year.

**b. Consultation with Government Agencies**

Not Applicable

**c. Strategic**

Community Plan

This item addresses the Community's Vision for the future and specifically the following Aspiration and Strategic Objective(s) contained in the Strategic Community Plan 2019-2029:

**Aspiration 4:** *Deliver Quality Leadership and Business Expertise*

**Strategic Objective:** *Effective Governance – Apply systems of governance which empower the Council to make considered and informed decisions within a transparent, accountable, ethical and compliant environment.*

**d. Policy**

Governance and Meeting Framework Policy provides the following information in respect to Advisory Committees.

Advisory Committees (Community and elected members)

(The following) advisory committees comprise of elected members and community members. They provide recommendations to Council in line with their terms of reference. Advisory committees meet as and when required as determined by committee members or Council. Only in special circumstances should staff be voting members of committees. Their role should be that of providing professional advice and executive support.

**e. Financial**

Nil

**f. Legal and Statutory**

In accordance with Local Government Act 1995, Sections 5.10 – 5.11.

5.10. Committee members, appointment of

(1) A committee is to have as its members —

(a) persons appointed\* by the local government to be members of the committee (other than those referred to in paragraph (b)); and

(b) persons who are appointed to be members of the committee under subsection (4) or (5).

*\* Absolute majority required.*

(2) At any given time each council member is entitled to be a member of at least one committee referred to in section 5.9(2)(a) or (b) and if a council member nominates himself or herself to be a member of such a committee or committees, the local government is to include that council member in the persons appointed under subsection (1)(a) to at least one of those committees as the local government decides.

(3) Section 52 of the *Interpretation Act 1984* applies to appointments of committee members other than those appointed under subsection (4) or (5) but any power exercised under section 52(1) of that Act can only be exercised on the decision of an absolute majority of the local government.

- (4) If at a meeting of the council a local government is to make an appointment to a committee that has or could have a council member as a member and the mayor or president informs the local government of his or her wish to be a member of the committee, the local government is to appoint the mayor or president to be a member of the committee.
- (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.

5.11A. Deputy committee members

- (1) The local government may appoint\* a person to be a deputy of a member of a committee and may terminate such an appointment\* at any time.  
*\* Absolute majority required.*
- (3) A deputy of a member of a committee may perform the functions of the member when the member is unable to do so by reason of illness, absence or other cause.
- (4) A deputy of a member of a committee, while acting as a member, has all the functions of and all the protection given to a member.

*[Section 5.11A inserted by No. 17 of 2009 s. 20.]*

5.11. Committee membership, tenure of

- (1) Where a person is appointed as a member of a committee under section 5.10(4) or (5), the person's membership of the committee continues until —
  - (a) the person no longer holds the office by virtue of which the person became a member, or is no longer the CEO, or the CEO's representative, as the case may be; or
  - (b) the person resigns from membership of the committee; or
  - (c) the committee is disbanded; or
  - (d) the next ordinary elections day,whichever happens first.
- (2) Where a person is appointed as a member of a committee other than under section 5.10(4) or (5), the person's membership of the committee continues until —
  - (a) the term of the person's appointment as a committee member expires; or
  - (b) the local government removes the person from the office of committee member or the office of committee member otherwise becomes vacant; or
  - (c) the committee is disbanded; or
  - (d) the next ordinary elections day,whichever happens first.

**g. Risk**

**All Council decisions are subject to risk assessment according to the City's Risk Framework.**

Implications and comment will only be provided for the following assessed risks.

*Customer Service / Project management / Environment : High and Extreme Risks*

*Finance / Personal Health and Safety : Medium, High and Extreme Risks*

Nil

**Comments**

Community membership of Advisory Committees will be reviewed in September of a non-election year. Advisory Committees will review their terms of reference and membership composition within three months of an ordinary local government election.

**Voting Requirements**

Absolute Majority

**Officer Recommendation**

That Council **APPOINTS** Council Members to each of the following Occasional and Advisory Committees for the period ending on the next ordinary local government election day in October 2023.

**Council Resolution**

**Note: A secret ballot was conducted for the following Committee –**

Bush Fire Advisory Committee (1 Council Member required)

Cr Schmidt            10 votes    elected

Cr Jecks              2 votes    not elected

**Moved Cr Buchanan, seconded Cr Liley:**

That Council **APPOINTS** Council Members to each of the following Occasional and Advisory Committees for the period ending on the next ordinary local government election day in October 2023:

**Occasional and Advisory Committees**

Committee	Terms of Reference and Meeting Details	Representatives appointed Oct 2021 to Oct 2023 (as per composition)
<b>Audit Committee</b>	<p>To oversee the risk management, internal control, legislative compliance and external audit processes of the City, including receipt of the auditors statements and management reports.</p> <p><i>Note: The Local Government Act 1995 (s7.14A) requires that this Committee is to be of three or more persons, which can include other persons as well as elected members. CEO and employees are <u>not</u> to be members but can be observers.</i></p> <p><i>Note: To properly fulfil its functions under regulation 16(c) of the Local Government (Audit) Regulations 1996, the Audit Committee is to report direct to Council.</i></p> <p>- As required - No set time</p>	<p>Mayor Hamblin Cr Buchan Cr Edwards Cr Liley</p> <p><i>Cr Davies (Deputy)</i></p>

Committee	Terms of Reference and Meeting Details	Representatives appointed Oct 2021 to Oct 2023 (as per composition)
<b>Australia Day Awards Selection Panel</b>	To select persons for Australia Day Awards from Nominations received.  - As required - No set time	Cr Buchanan Cr Davies  <i>Cr Schmidt (Deputy)</i>
<b>Behaviour Complaints Committee</b>	To deal with complaints under the Council Policy – Code of Conduct Complaints Management Process  - As required - No set time - Council Chambers	All Council Members
<b>Bush Fire Advisory Committee</b>  <i>(Note: setup as per s.67 of the Bush Fires Act 1954)</i>	<ul style="list-style-type: none"> <li>Provide advice and guidance to Council on matters relating to bushfire risk management; and</li> <li>Facilitate collaboration between stakeholders with a shared responsibility for bushfire management within the City of Rockingham including prevention, preparedness, response and recovery.</li> </ul> - Quarterly - 1st Tuesday - 6:30pm	Cr Schmidt  <i>Cr Jecks (Deputy)</i>
<b>CEO Performance Review Committee</b>	To undertake the performance review of the CEO including summarising the feedback of individual Councillors.  - As required - No set time	Mayor Hamblin Cr Buchan Cr Edwards Cr Liley
<b>City Safe Advisory Committee</b>	To provide strategic input into the development and review of City of Rockingham Community Safety Strategies and support the delivery of strategy actions.  - Monthly - 2 <sup>nd</sup> Thursday - 4:00pm	Cr Edwards Cr Schmidt Cr Wormal
<b>Coastal Facilities Advisory Committee</b>	To provide input and advice into the development, implementation and performance of the City of Rockingham Coastal Facilities Strategy.  - Quarterly - 4th Monday - 4:00pm	Cr Buchan Cr Jecks  <i>Cr Liley (Deputy)</i>

Committee	Terms of Reference and Meeting Details	Representatives appointed Oct 2021 to Oct 2023 (as per composition)
<b>Community Grants Program Committee</b>	<p>To consider and make recommendations to Council regarding the Major Grant, Major Event Sponsorship, and Community Infrastructure Grant applications, and to provide feedback to staff on the Community Grants Program.</p> <ul style="list-style-type: none"> <li>- As required</li> <li>- 8:00am</li> </ul>	<p>1. Cr Buchanan 2. Cr Edwards 3. Cr Liley 4. Cr Buchan</p> <p>1. Cr Jecks (Deputy) 2. Cr Wormall (Deputy) 3. Cr Jones (Deputy) 4. Cr Schmidt (Deputy)</p>
<b>Cultural Development and the Arts Advisory Committee</b>	<p>To provide advice and guidance on cultural development and the arts, whilst representing the community's needs and aspirations in line with the City's Cultural Development and the Arts Strategy.</p> <ul style="list-style-type: none"> <li>- Bi-monthly</li> <li>- 3<sup>rd</sup> Wednesday</li> <li>- 4:15pm</li> </ul>	<p>Cr Davies</p> <p>Cr Buchanan (Deputy)</p>
<b>Customer Service Review Committee</b>	<p>To implement the Service Complaints Policy.</p> <ul style="list-style-type: none"> <li>- As required</li> <li>- No set time</li> </ul> <p><b>Note:</b> The Chief Executive Officer is a voting representative on the Customer Service Review Committee and the Director Corporate Services is the deputy.</p>	<p>Mayor Hamblin Cr Buchan Cr Buchanan CEO, Mr Parker</p> <p>Cr Edwards (Deputy) Director Corporate Services, Mr Pearson (Deputy for CEO)</p>
<b>Disability Access and Inclusion Advisory Committee</b>	<p>To represent the Community by providing advice/support to Council with regard to the implementation of the Disability Access and Inclusion Plan/Strategy and to provide advice to improve City controlled disability access and inclusion within the City of Rockingham.</p> <ul style="list-style-type: none"> <li>- Bi-monthly</li> <li>- Wednesday</li> <li>- Commence at 9:00am</li> </ul>	<p>Cr Hume Cr Jones</p>
<b>Environmental Advisory Committee</b>	<p>To provide strategic, non-operational, input into the development and review of Community Plan Strategies, policies, City led development projects and other matters referred by the City that relate to environmental matters not addressed in the Terms of Reference of existing advisory groups</p> <ul style="list-style-type: none"> <li>- As required</li> <li>- No set time</li> </ul>	<p>Cr Jecks Cr Wormall</p> <p>Cr Edwards (Deputy)</p>

Committee	Terms of Reference and Meeting Details	Representatives appointed Oct 2021 to Oct 2023 (as per composition)
<b>Global Friendship Committee</b>	<ul style="list-style-type: none"> <li>- Promoting awareness of the social and economic importance of the Global Friendships program to the community.</li> <li>- Planning and arranging visits to and from global affiliates</li> <li>- Measuring the performance and effectiveness of individual Global Friendships in terms of community and economic development benefit</li> <li>- New Global Friendship proposals</li> <li>- Reviewing the performance and effectiveness of each Global Friendship every four years to assess the degree of activity, value to Council and associated benefits for the City of Rockingham.</li> <li>- Bi-monthly</li> <li>- 3<sup>rd</sup> Thursday</li> <li>- 5:00pm</li> </ul>	<p>Mayor Hamblin Cr Hume Cr Schmidt</p> <p><i>Cr Davies (Deputy)</i></p>
<b>Governance Review Committee</b>	<p>To provide advice to Council in respect to the good governance of the City of Rockingham including reviews of governance obligations and process.</p> <ul style="list-style-type: none"> <li>- As required</li> <li>- 4:00pm</li> </ul>	<p>Mayor Hamblin Cr Buchan Cr Davies Cr Liley</p> <p><i>Cr Edwards (Deputy)</i></p>
<b>Heritage Reference Group</b>	<p>To provide a Forum to discuss the conservation and preservation of natural and culturally significant heritage sites within the Rockingham district.</p> <ul style="list-style-type: none"> <li>- As required</li> <li>- No set time</li> </ul>	<p>Cr Cottam</p> <p><i>Cr Buchanan (Deputy)</i></p>
<u>Junior Council</u>	<p>Raising awareness of Council's role in the community and enabling young people to present issues to Council from a youth (Grade 6) perspective</p> <ul style="list-style-type: none"> <li>- Monthly during school terms</li> <li>- 4th Thursday</li> <li>- Two Sessions (9:00am and 1:00pm)</li> </ul>	<p>All Council Members invited to attend</p>
<b>RoadWise Advisory Committee</b>	<p>To provide input and advice into the development, implementation and performance of the 'City of Rockingham Road Safety Action Plan' linked to the 'Towards Zero' State Road Safety Strategy 2008-2020."</p> <ul style="list-style-type: none"> <li>- Quarterly</li> <li>- 1st Monday</li> <li>- 4.00pm</li> </ul>	<p>Cr Wormall</p> <p><i>Cr Schmidt (Deputy)</i></p>

Committee	Terms of Reference and Meeting Details	Representatives appointed Oct 2021 to Oct 2023 (as per composition)
<b>Rockingham Education and Training Advisory Committee</b>	To consider and make recommendations regarding the Tertiary Scholarship Scheme applications and provide advice and guidance on education, training and lifelong learning within the City of Rockingham to Council.  - Quarterly - Monday - 4:15pm	Mayor Hamblin Cr Davies
<b>Seniors Advisory Committee</b>	To provide information, advice and guidance to Council on matters pertaining to seniors within the City of Rockingham  - Bi-monthly - Thursday - 10:00am	Cr Hume Cr Jecks
<b>Sports Advisory Committee</b>	To provide advice and guidance on sport and recreation relevant to the City of Rockingham, whilst representing the community's needs and aspirations in line with the City's relevant Community Plan Strategy/Strategies.  - Quarterly – Feb, May, Aug and Nov - 1st Monday - 5:00pm	Cr Liley Cr Schmidt

Carried by Absolute Majority – 12/0

**The Council's Reason for Varying the Committee's Recommendation**

Not Applicable

## General Management Services Governance and Councillor Support



<b>Reference No &amp; Subject:</b>	<b>GM-033/21</b>	<b>Representation on Non Council Committees and Organisations</b>
File No:	GOV/39	
Proponent/s:		
Author:	Ms Jelette Edwards, A/Manager Governance and Councillor Support	
Other Contributors:		
Date of Special Council Meeting:	26 October 2021	
Previously before Council:		
Disclosure of Interest:		
Nature of Council's Role in this Matter:	Executive	
Site:		
Lot Area:		
Attachments:		
Maps/Diagrams:		

### Purpose of Report

For Council to consider appointing representatives to various non Council committees and organisations for the period ending on the next ordinary local government election day in October 2023.

### Background

Council has been active in its advocacy by nominating representatives for various non Council committees and organisations. This is an effective method of providing advocacy or input on behalf of the City and the community on many non-Council projects and issues.

### Details

To assist Council in appointing representatives for the ensuing 2 years, the following notes Council's current representatives, purpose and provision for adding representatives appointed for 2021-2023.

It is important that Council continues to be represented on active non Council committees and organisations within the community.

### Implications to Consider

a. **Consultation with the Community**

Not Applicable

b. **Consultation with Government Agencies**

Not Applicable

c. **Strategic**

Community Plan

This item addresses the Community's Vision for the future and specifically the following Aspiration and Strategic Objective(s) contained in the Strategic Community Plan 2019-2029:

**Aspiration 4:** *Deliver Quality Leadership and Business Expertise*

**Strategic Objective:** *Effective Governance – Apply systems of governance which empower the Council to make considered and informed decisions within a transparent, accountable, ethical and compliant environment.*

d. **Policy**

Nil

e. **Financial**

Nil

f. **Legal and Statutory**

Nil

g. **Risk**

**All Council decisions are subject to risk assessment according to the City's Risk Framework.**

Implications and comment will only be provided for the following assessed risks.

*Customer Service / Project management / Environment : High and Extreme Risks*

*Finance / Personal Health and Safety : Medium, High and Extreme Risks*

Nil

### Comments

It is important that the Council has the opportunity to reflect the City's and community views on deliberations, services and projects delivered by various agencies and bodies not under the control of the local government.

It needs to be noted that in some instances Council representation is not guaranteed as these committees and organisations are independent from the City of Rockingham and will have varying processes for appointing membership.

### Voting Requirements

Simple Majority

### Officer Recommendation

That Council **APPOINTS** Council Members as Council representatives to the following non Council committees and organisations for the period ending on the next ordinary local government election day in October 2023.

## Council Resolution

### Moved Cr Cottam, seconded Cr Davies:

That Council **APPOINTS** Council Members as Council representatives to the following non Council committees and organisations for the period ending on the next ordinary local government election day in October 2023:

#### Non Council Committees and Organisations

Committee	Purpose / Role	Representatives appointed Oct 2021 to Oct 2023 (as per composition)
<b>Australian Coastal Councils Association Inc. Management Committee</b>	<p>The Australian Coastal Councils Association Inc. is a national body which represents the interests of coastal councils and their communities.</p> <p>The role of the Association is to advocate on behalf of coastal councils. It also commissions research on behalf of councils in coastal areas in relation to a range of coastal issues, including:</p> <ul style="list-style-type: none"> <li>• The shortfall in resources to meet increasing demand for infrastructure and services;</li> <li>• Coastal erosion and the projected impacts of sea level rise;</li> <li>• The legal risks faced by coastal councils in relation to planning for climate change;</li> <li>• Proposed changes to arrangements for natural disaster funding, which will shift more of the recovery costs onto the States and local government;</li> <li>• The impact of tourists and other visitors on coastal communities.</li> <li>• The continuing impacts of high population growth in peri-urban and regional coastal councils</li> </ul>	Cr Jones
<b>Cockburn Sound Management Council</b>	Provide advice to the Minister for Environment on the environmental management of Cockburn Sound.	Cr Jecks  Cr Edwards (Deputy)
<b>Development Assessment Panel</b>	To determine certain development applications in the place of the original decision maker, being the local government authority and/or the WAPC. DAP's are comprised of independent 3 technical experts and 2 elected local government representatives.	<u>Local Govt. Members:</u> Cr Buchan Cr Jones  <u>Alternative Members:</u> Mayor Hamblin Cr Edwards
<b>Jandakot Airport Community Aviation Consulting Group (JACACG)</b>	<p>The role and purpose of the JACACG is to provide a forum for community consultation, which will:</p> <ul style="list-style-type: none"> <li>- enable residents affected by airport operations, Jandakot Airport Holdings and aviation operators at the airport, local authorities, airport users, and other stakeholders, to exchange information on issues relating to the operation of Jandakot Airport and its impacts;</li> <li>- allow concerns about airport operations and development to be articulated and taken into account by Jandakot Airport Holdings, with a genuine desire to resolve issues that may emerge;</li> <li>- complement the consultative requirements established for airport Master Plans and Major Development Plans.</li> </ul>	Cr Buchan  Cr Liley (Deputy)

Committee	Purpose / Role	Representatives appointed Oct 2021 to Oct 2023 (as per composition)
<b>Local Emergency Management Advisory Committee</b>	To advise and assist in the establishment, development, review and testing of local emergency management arrangements and to carry out emergency management activities as directed by State Emergency Management Committee or prescribed by regulations.	Cr Schmidt  <i>Cr Edwards (Deputy)</i>
<b>Local Government Association – South Metropolitan Zone</b>	Provide Council input on Local Government Issues at a Regional level.	Mayor Hamblin Cr Hume Cr Edwards
<b>Main Roads Regional Grants Committee</b>	To review the Road Funding Grant applications made by Metropolitan Councils and make recommendations to the State Road Funds to Local Advisory Committee.	Cr Wormall
<b>Peel-Harvey Catchment Council</b>	A not-for-profit, community based Natural Resource Management organisation that promotes an integrated approach to catchment management and the way we protect and restore the environment within the Peel-Harvey catchment	Cr Cottam
<b>Peron Naturaliste Partnership Board</b>	Regional body representing coastal and estuarine local governments of Bunbury, Busselton, Mandurah, Rockingham, Capel, Dardanup, Harvey and Waroona on coastal and climate change issues.	Cr Jones  <i>Cr Hume (Deputy)</i>
<b>Point Peron Rehabilitation Committee</b>	Established by the former Hon Phil Edman MLC to rehabilitate and preserve the history and infrastructure of the Point Peron gun emplacements and batteries.	Cr Wormall
<b>Rockingham Lakes Regional Park Advisory Committee</b>	The Committee's main task is the future and ongoing management of the Park.  Members of the Committee have been drawn from a wide range of park users and community interest groups, including local government, volunteers, conservation and recreation groups and local business.	Cr Jecks  <i>Cr Jones (Deputy)</i>
<b>South West Corridor Development Foundation (SWCDF)</b>	Comprised of Cockburn, East Fremantle, Fremantle, Kwinana, Melville and Rockingham local government authorities.  The role of SWCDF is: <ul style="list-style-type: none"> <li>To facilitate and promote economic and community development of the South Metropolitan region.</li> <li>Carry out projects to promote regional economic development and cultural development, workforce and skills development and environmental restoration activities.</li> </ul>	Cr Schmidt  <i>Cr Hume (Deputy)</i>  <b>Note:</b> <i>The same representative and deputy will be appointed to both the South West Corridor Development Foundation and the South West Environmental Reference Group in a combined capacity.</i>
<b>South West Environmental Reference Group</b>	The role of the Group is to: <ul style="list-style-type: none"> <li>Oversee the implementation of the Regional Natural Resources Management (NRM) Strategy development by the South West Group</li> </ul>	

Committee	Purpose / Role	Representatives appointed Oct 2021 to Oct 2023 (as per composition)
	<ul style="list-style-type: none"> <li>Provide advice and feedback on the identification and implementation of priority project and activities progressed through the Regional NRM Strategy.</li> <li>Actively engage with key stakeholders (government, corporate and community) to progress NRM projects and activities that benefit the region.</li> <li>Identify opportunities to improve collaboration on NRM activities between South West Group member Councils and stakeholder organisations.</li> </ul>	
<b>South West District Planning Committee</b>	<p>In September 2009, the South West District Planning Committee became an Advisory Committee, with meetings scheduled at the discretion and direction of the Western Australian Planning Commission (WAPC). This was in response to the Government's decision to reduce the number of boards and committees in order to improve the operational efficiencies, reduce costs and to make Government more responsive.</p> <p>The function and duties of the Committee are as follows:</p> <ul style="list-style-type: none"> <li>To assist and advise the Western Australian Planning Commission on Regional Planning matters; investigate, report and formulate recommendations in respect of matters affecting or likely to affect the Metropolitan Region Scheme with particular regard to the South West section of the Metropolitan Region;</li> <li>To exercise such functions of the Western Australian Planning Commission as the Commission may delegate to it under the provisions of Section 20 of the Act;</li> <li>To exercise such functions of the Metropolitan Planning Council as the Council may delegate to it under the provisions of Section 37 of the Act; and</li> <li>To act as a forum for representatives of member Councils and their Technical Officers to discuss planning matters of mutual interest, which do not necessarily have any relationship to the Western Australian Planning Commission.</li> </ul> <p>Council has a statutory obligation to be represented on the South West District Planning Committee.</p>	<i>Chairperson of the City's Planning and Engineering Services Committee to be appointed</i>
<b>South West Group</b>	<p>Comprised of Cockburn, East Fremantle, Fremantle, Kwinana, Melville and Rockingham local government authorities.</p> <p>The role of the South West Group is:</p> <ul style="list-style-type: none"> <li>To chart the strategic direction of the South West Group</li> <li>To prioritise and oversight the activities and projects of the South West Group</li> <li>To consider opportunities for efficiency and improved service delivery through cooperation between member Local Governments</li> <li>To consider reports and other formal documents of the South West Group</li> </ul> <p>To consider advice from the South West Corridor Planning and Infrastructure Committee and other committees and groups as required.</p>	Mayor Hamblin

Committee	Purpose / Role	Representatives appointed Oct 2021 to Oct 2023 (as per composition)
<b>Tourism Rockingham</b>	Promote tourism.  This Committee has an active history of support for local Tourism and is based on the Tourist Authority office in Rockingham which services this industry. Council has been represented since its inception.	Cr Hume  <i>Cr Edwards (Deputy)</i>

**Carried by Absolute Majority – 12/0**

**The Council's Reason for Varying the Committee's Recommendation**

Not Applicable

<b>10.</b>	<b>Questions by Members of which Due Notice has been given</b>
	Nil
<b>11.</b>	<b>Urgent Business Approved by the Person Presiding or by Decision of Council</b>
	Nil
<b>12.</b>	<b>Closure</b>
	There being no further business, the Mayor thanked those persons present for attending the Special Council meeting, and declared the meeting closed at <b>6:57pm</b> .