



City of Rockingham

MINUTES

Corporate and Community Development Committee Meeting

Held on Tuesday 18 April 2023 at 4:00pm
City of Rockingham Council Chamber



City of Rockingham
Corporate and Community Development
Committee Minutes
4:00pm Tuesday 18 April 2023



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City of Rockingham
Corporate and Community Development
Committee Meeting Minutes
Tuesday 18 April 2023 - Council Chamber



1. Declaration of Opening

The Chairperson declared the Corporate and Community Development Committee meeting open at **4:00pm** and welcomed all present.

Acknowledgement of Country

The Chairperson noted that the City of Rockingham acknowledges the Traditional Owners and Custodians of this land, the Binjareb and Whadjuk Nyoongar peoples 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.

2. Record of Attendance/Apologies/Approved Leave of Absence

2.1 Council Members

Cr Leigh Liley	Chairperson
Cr Craig Buchanan, JP	
Cr Sally Davies	
Cr Caroline Hume	
Cr Robert Schmidt	
Cr Dawn Jecks	Observer

2.2 Executive

Mr Michael Parker	Chief Executive Officer
Mr John Pearson	Director Corporate Services
Mr Michael Holland	Director Community Development
Mr Peter Doherty	Director Legal Services and General Counsel
Mr Jim Olynyk, JP	Manager Governance and Councillor Support
Mr Michael Yakas	Manager Customer and Corporate Support
Mr Alvin Santiago (<i>from 4:16pm</i>)	Manager Financial Services
Ms Nollaig Baker (<i>until 4:04pm</i>)	Manager Strategy and Corporate Communications
Mr Nick Brown	Manager Community and Leisure Facilities
Mr Gary Rogers	Manager Community Infrastructure Planning
Ms Mary-Jane Rigby	Manager Community Safety and Support Services
Mr Paul Hayward	Manager, Community Capacity Building
Ms Alison Oliver	Manager Library and Information Services
Ms Melissa James	A/Manager Economic Development and Tourism
Ms Helen Savage	Senior Projects Officer (Corporate Services)
Ms Louise Pleasance	Governance Coordinator
Ms Sue Langley	Governance Officer
Ms Beth Dubberlin	A/Coordinator Community Safety and Support Services
Ms Ainsley Jones	Community Development Officer

	<p>2.3 Members of the Gallery: Nil</p> <p>2.4 Apologies: Cr Rae Cottam</p> <p>2.5 Approved Leave of Absence: Nil</p>
3.	Responses to Previous Public Questions Taken on Notice
	<p>3.1 Mr James Mumme, Shoalwater – Strategic Community Plan Review Consultation</p> <p>At the Corporate and Community Development Committee meeting held on 21 March 2023, Mr Mumme asked the following question that was taken on notice. The Chief Executive Officer provided a response in a letter dated 5 April 2023 as follows:</p> <p><u>Question</u></p> <p>1a. GM-006/23 Strategic Community Plan Review Consultation. I commend Council’s efforts to achieve inclusiveness. “At all of the pop-up consultations researchers verbally surveyed community members across a representative demographic from our community”. What representative demographic categories were included in the survey and what were the criteria for inclusion?</p> <p><u>Response (provided at the meeting)</u></p> <p><i>The Chairperson advised that the criteria for inclusion was participants who had not taken part in an online or face to face consultation, or contacted an Elected Member about an issue in the past two years. This was to ensure that people who usually don’t engage were engaged. Those who did not meet this criteria were invited to participate via the Share Your Thoughts section of the City’s website.</i></p> <p><i>To ensure a mixture of demographics, the interview included questions on the following</i></p> <ul style="list-style-type: none"> · suburb · age · gender · cultural and linguistic diversity (speak another language at home) · if they are Aboriginal or Torres strait islander · if they live with a disability or chronic condition or care for someone who does · if they rent · If they have children under 10 at home <p><u>Question</u></p> <p>1b. Was it related to their incidents in the whole population?</p> <p><u>Response</u></p> <p><i>The City through its consultants endeavoured to align the sample participants for the various targeted demographics with the latest ABS demographic data for the City of Rockingham.</i></p>
4.	Public Question Time
	<p>4:01pm The Chairperson opened Public Question Time and invited members of the Public Gallery to ask questions. The Chairperson noted that questions should relate to the business of the Committee and this is the only opportunity in the meeting for the public to ask questions.</p> <p>There were none.</p>

5.	Confirmation of Minutes of the Previous Meeting
	<p>Moved Cr Hume, seconded Cr Schmidt:</p> <p>That Committee CONFIRMS the Minutes of the Corporate and Community Development Committee Meeting held on 21 March 2023, as a true and accurate record.</p> <p style="text-align: right;">Committee Voting (Carried) – 5/0</p>
6.	Matters Arising from the Previous Minutes
	Nil
7.	Announcement by the Presiding Person without Discussion
	<p>4:02pm The Chairperson announced to all present that decisions made at Committees of Council are recommendations only and may be adopted in full, amended or deferred when presented for consideration at the next Council meeting.</p>
8.	Declarations of Members and Officers Interests
	<p>4:02pm The Chairperson asked if there were any interests to declare.</p> <p style="text-align: center;">There were none.</p>
9.	Petitions/Deputations/Presentations/Submissions
	Nil
10.	Matters for which the Meeting may be Closed
	Nil
11.	Bulletin Items
	<p>Corporate and General Management Services Information Bulletin – April 2023</p> <p>Corporate Services</p> <ol style="list-style-type: none"> 1. Corporate Services Team Overview 2. Project Status Reports <ol style="list-style-type: none"> 2.1 Online Rostering 2.2 Mandalay Upgrade 3. Information Items <ol style="list-style-type: none"> 3.1 List of Payments March 2023 3.2 Monthly Financial Management Report February 2023 3.3 Awarding of Tenders by CEO - Delegated Authority 3.4 Delegated Authority to Dispose of Property by way of Lease 3.5 Development Contribution Scheme <p>General Management Services Directorate</p> <ol style="list-style-type: none"> 1. General Management Services Team Overview 2. Project Status Reports 3. Information Items <ol style="list-style-type: none"> 3.1 Meetings and Events 3.2 Use of the Common Seal <p>Governance and Councillor Support</p> <ol style="list-style-type: none"> 1. Governance and Councillor Support Team Overview 2. Project Status Reports

<ul style="list-style-type: none">3. Information Items<ul style="list-style-type: none">3.1 Freedom of Information (FOI) Requests3.2 Council Member Requests3.3 Citizenships3.4 Coming Events3.5 Notice of Motion – Status Report <p>Human Resources</p> <ul style="list-style-type: none">1. Human Resources Team Overview2. Project Status Reports3. Information Items<ul style="list-style-type: none">3.1 Recruitment3.2 Occupational Safety and Health Statistics <p>Strategy, Marketing and Communications</p> <ul style="list-style-type: none">1. Strategy, Marketing and Communications Team Overview2. Project Status Reports<ul style="list-style-type: none">2.1 Strategic Community Plan (2019-2029) - Major Review2.2 Customer Satisfaction Survey 20223. Information Items<ul style="list-style-type: none">3.1 Team Plan3.2 Signage Framework Policy3.3 Community Engagement -Share your thoughts3.4 Social Media3.5 Media Tracking <p>Legal Services & General Counsel</p> <ul style="list-style-type: none">1. Legal Services & General Counsel Team Overview2. Project Status Reports3. Information Items<ul style="list-style-type: none">Provision of Legal Advice<ul style="list-style-type: none">3.1 Legal Advice – Local Government Operational Matters3.2 Legal Advice – Local Government Operational Matters

Committee Recommendation

Moved Cr Buchanan, seconded Cr Davies:

That Council Members acknowledge having read the Corporate and General Management Services Information Bulletin – April 2023 and the content be accepted.

Committee Voting (Carried) – 5/0

4:04pm Ms Baker, Manager Strategy and Corporate Communications left the meeting.

<p>Community Development Information Bulletin – April 2023</p> <p>Community Safety and Support Services</p> <ul style="list-style-type: none">1. Community Safety and Support Services Team Overview2. Project Status Reports<ul style="list-style-type: none">2.1 Alcohol Management Plan2.2 Community Services Mapping2.3 CCTV Plan2.4 Assertive Outreach2.5 Social Connection and Support Pilot Project2.6 Community Safety and Support Services Strategy Implementation

3. Information Items
 - 3.1 Community Support Services
 - 3.2 Rockingham Connect Community Transport Project
 - 3.3 Community Safety

Library Services

1. Library Services Team Overview
2. Project Status Reports
3. Information Items
 - 3.1 February 2023 Library Services Statistics
 - 3.2 Mary Davies Library and Community Centre
 - 3.3 Baldivis South Community Centre
 - 3.4 Rockingham Library
 - 3.5 Safety Bay Library
 - 3.6 Warnbro Community Library
 - 3.7 February 2023 Library Facebook Activity

Community Infrastructure Planning

1. Community Infrastructure Planning Team Overview
2. Project Status Reports
3. Information Items
 - 3.1 Aqua Jetty Stage 2
 - 3.2 Baldivis District Sporting Complex
 - 3.3 Lark Hill Sportsplex Northern Expansion
 - 3.4 Stan Twight Reserve Clubroom Redevelopment
 - 3.5 Anniversary Park Clubroom Masterplan
 - 3.6 Community Infrastructure Functionality Audit Report

Community Capacity Building

1. Community Capacity Building Team Overview
2. Project Status Reports
 - 2.1 Seniors Strategy
 - 2.2 Health and Wellbeing Strategy
 - 2.3 Cultural Development and the Arts Strategy
3. Information Items
 - 3.1 Community Grants Program
 - 3.2 Tertiary Scholarship Scheme
 - 3.2 Reconciliation Action Plan (RAP)
 - 3.3 Disability Access and Inclusion
 - 3.4 Seniors
 - 3.5 City Volunteers
 - 3.6 Rockingham Volunteer Centre
 - 3.7 Early Years, Children and Families
 - 3.8 Sport and Recreation
 - 3.9 Health and Wellbeing
 - 3.10 Rockingham Youth Centre (RYC)
 - 3.11 Cultural Development and the Arts

Community and Leisure Facilities

1. Community and Leisure Facilities Team Overview
2. Project Status Reports
3. Information Items
 - 3.1 Aqua Jetty
 - 3.2 Warnbro Community Recreation Centre

	<ul style="list-style-type: none">3.3 Mike Barnett Sports Complex3.4 Rockingham Aquatic Centre3.5 Warnbro Community Recreation Centre Master Plan3.6 Mike Barnett Sports Complex Master Plan3.7 Gary Holland Community Centre3.8 Autumn Centre
	Economic Development and Tourism
	<ul style="list-style-type: none">1. Economic Development and Tourism Team Overview2. Project Status Reports<ul style="list-style-type: none">2.1 Local Business Development2.2 Iconic Economic Development / Tourism Events2.3 Destination Marketing2.4 Visitor Servicing Fee for Service3. Information Items<ul style="list-style-type: none">3.1 Stakeholder Engagement - Economic Development3.2 Stakeholder Engagement - Tourism

Committee Recommendation

Moved Cr Buchanan, seconded Cr Schmidt:

That Council Members acknowledge having read the Community Development Information Bulletin – April 2023 and the content be accepted.

Committee Voting (Carried) – 5/0

12. Agenda Items

Corporate Services

Corporate Services Financial Services



Reference No & Subject:	CS-006/23	Change in Method of Valuation from Unimproved Value to Gross Rental Value
File No:	RTV/1-14	
Proponent/s:		
Author:	Mr Alvin Santiago, Manager Financial Services	
Other Contributors:	Ms Toni Gumina, Coordinator Rates	
Date of Committee Meeting:	18 April 2023	
Previously before Council:		
Disclosure of Interest:		
Nature of Council's Role in this Matter:	Executive	
Site:		
Lot Area:		
Attachments:		
Maps/Diagrams:		

Purpose of Report

The purpose of this report is to seek Council's authorisation to apply to the Minister for Local Government (the Minister), seeking approval to change the method of valuation of 27 residential and commercial lots in Baldvis from Unimproved Valuation (UV) to Gross Rental Valuation (GRV) pursuant to Section 6.28 (1) of the *Local Government Act 1995* (the Act).

Background

Each local government has a role in ensuring that rating principles are correctly applied to rateable land within their district, such that rural land is rated on UV and non-rural land is rated on GRV. The City of Rockingham (City) consulted with the UV property owners using land use declaration questionnaires to clarify the predominant use of the land. Thirty one (31) confirmed that the properties are used for non-rural purposes and 45 properties did not respond.

At the March 2023 Ordinary Council Meeting, 31 properties were supported to be changed from UV to GRV. Further evidence was sought on the 45 properties that did not respond to the land use survey.

For the non-responding properties, City officers performed further investigation, as described in the consultation section of this report, to verify the use of the land. Twenty seven (27) of the 45 non-responding properties have been identified as used for non-rural purposes but rated based on UV rather than GRV. The remaining 18 properties will remain unchanged.

This report summarises the results of officer investigations and the basis for recommending the valuation method be changed from UV to GRV on the identified properties.

Details

The table below summarises the relevant information on properties that warrant the change from UV to GRV.

Non-responding properties to the Land Declaration Survey

Assess #	Land Area	Zoning	UV Rates	GRV Rates	Increase
241590	43362m ²	Development	\$2,009	\$2,284	\$275
244790	4842m ²	Rural	\$655	\$1,725	\$1,070
245154	48598m ²	Rural	\$768	\$4,941	\$4,173
245310	16000m ²	Rural	\$655	\$1,655	\$1,000
245510	26433m ²	Rural	\$655	\$1,703	\$1,048
230880	4475m ²	Rural	\$655	\$2,540	\$1,885
230850	3393m ²	Rural	\$655	\$1,266	\$611
230830	3584m ²	Rural	\$655	\$1,283	\$628
241420	63898m ²	Rural	\$655	\$2,004	\$1,349
347902	20053m ²	Rural	\$655	\$2,377	\$1,722
241050	196475m ²	Rural	\$983	\$1,771	\$788
240542	7574m ²	Rural	\$655	\$1,795	\$1,140
239710	84304m ²	Rural	\$874	\$1,748	\$874
240980	60169m ²	Rural	\$655	\$4,034	\$3,379
243140	232457m ²	Rural	\$1,682	\$6,275	\$4,593
243090	20234m ²	Rural	\$655	\$1,888	\$1,233
242920	41582m ²	Rural	\$819	\$1,888	\$1,069
242560	20270m ²	Rural	\$787	\$2,151	\$1,364
244190	30677m ²	Rural	\$655	\$2,028	\$1,373
243990	20568m ²	Rural	\$655	\$1,631	\$976
244630	30531m ²	Rural	\$768	\$2,028	\$1,260
362975	91m ²	Residential	\$655	\$1,266	\$611
359650	3167m ²	Residential	\$841	\$2,017	\$1,176
244140	1217m ²	Residential	\$655	\$1,266	\$611
242910	28668m ²	Rural	\$710	\$1,678	\$968
246330	74398m ²	Rural	\$655	\$2,993	\$2,338
243122	589788m ²	Rural	\$1,638	\$7,804	\$6,166

Implications to Consider

a. Consultation with the Community

Direct written consultation with affected ratepayers occurred between 19 January 2022 and 1 March 2022. No response was received from the above properties.

b. Consultation with Government Agencies

Consultation with the Department of Local Government, Sporting and Cultural Industries on required evidence and documentation for the Minister to make a determination.

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: *Revenue sources – Identify and implement strategies to introduce alternative revenue sources for the City.*

d. Policy

Nil

e. Financial

The change in valuation has no financial impact in the current financial year. If Council adopts the officer recommendation and the Minister for Local Government determines the land is predominantly used for non-rural purposes, an approximate increase in rates revenue of \$48,000 for the next financial year could occur. However Council may choose to implement concessions for impacted properties to assist in any transition. This would decrease anticipated revenue.

f. Legal and Statutory

Section 6.28 (1) of the *Local Government Act 1995* – Minister determines the valuation method of the land.

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

The process carried out by the City in reviewing and recommending changing the method of valuation of properties identified is summarised as follows:

1. Identification of all remaining UV properties.
2. Consulted with the property owners on 19 January 2022 and invited written responses and submissions within 28 days. The following documentation was provided to the ratepayers:
 - A letter advising the affected property owners about the City's review of UV properties and the rationale for such review.
 - Land Use Declaration Form – providing ratepayers with a mechanism to provide feedback regarding the predominant use of the land.
 - Frequently Asked Questions – providing further detail on the process used to apply a Change in Method of Valuation of Land.

3. Where the property owner confirmed in the land use declaration that the property is no longer used for rural purposes, the consultation was deemed complete without further investigation. The written declaration is used as supporting evidence for the change.
4. Where the property owner did not respond to the letter dated 19 January 2022, another letter was sent on 1 March 2022 seeking a response by 18 March 2022.
5. For properties with no response or where the response indicated the land is used for rural purposes, officers performed further investigation to confirm any changes that may affect the predominant use of the properties. This investigation included, but was not limited to, reviewing aerial maps, existing permits and licences in the property and other publicly searchable information that supports the predominant use of the property.

The change in method of valuation of land currently applied on the reviewed properties may result in a significant increase in rates in some circumstances. Concession may be relevant and this would be considered during the annual budget adoption process.

Council is requested to approve the officer recommendation and request the Minister to approve the change of method of valuation of the properties presented from UV to GRV.

Voting Requirements

Simple Majority

Officer Recommendation

That Council:

1. **SUPPORTS** the change in valuation method from Unimproved Value (UV) to Gross Rental Value (GRV) for the following property assessments:

241590	245510	241420	239710	242920	244630	242910
244790	230880	347902	240980	242560	362975	246330
245154	230850	241050	243140	244190	359650	243122
245310	230830	240542	243090	243990	244140	
2. **APPROVES** the valuation methodology taking effect from 1 July 2023 subject to publication in the Government Gazette prior to this date.

Committee Recommendation

Moved Cr Davies, seconded Cr Schmidt:

That Council:

1. **SUPPORTS** the change in valuation method from Unimproved Value (UV) to Gross Rental Value (GRV) for the following property assessments:

241590	245510	241420	239710	242920	244630	242910
244790	230880	347902	240980	242560	362975	246330
245154	230850	241050	243140	244190	359650	243122
245310	230830	240542	243090	243990	244140	
2. **APPROVES** the valuation methodology taking effect from 1 July 2023 subject to publication in the Government Gazette prior to this date.

Committee Voting (Carried) – 5/0

The Committee's Reason for Varying the Officer's Recommendation

Not Applicable

Implications of the Changes to the Officer's Recommendation

Not Applicable

Corporate Services Director and Support



Reference No & Subject:	CS-007/23	Council Policy – Property Investment Framework
File No:	CPR/1263-2	
Proponent/s:		
Author:	Ms Helen Savage, Senior Projects Officer (Corporate Services)	
Other Contributors:	Mr John Pearson, Director Corporate Services	
Date of Committee Meeting:	18 April 2023	
Previously before Council:	18 October 2022 (CS-014/22)	
Disclosure of Interest:		
Nature of Council's Role in this Matter:	Executive	
Site:		
Lot Area:		
Attachments:		
Maps/Diagrams:		

Purpose of Report

To endorse the Council Policy – Property Investment Framework for the purposes of public advertising.

Background

In October 2022, Council resolved for a Property Investment Framework policy to be prepared, post a Councillor Engagement Session on this matter in September 2022.

Currently properties are acquired, retained and disposed of on a needs basis rather than on a policy driven approach. The purpose for introducing a Property Investment Framework ('the Framework') is to provide a means of identifying and classifying property and managing any funds that are generated from identified investment properties.

The City of Rockingham (City) owns 72 properties that are held in freehold title however there is currently no basis upon which to segregate and identify the purpose of the properties.

Details

Council Policy – Property Investment Framework proposes to classify freehold properties into one of three categories – strategic, investment or non-operational. Importantly, the Framework will provide consistent criteria to be applied in assessing investment properties for acquisition and a classification for freehold land owned by the City, noting many have restrictions due to land planning laws in Western Australia. The policy also identifies and give instructions to relevant cash backed reserves.

Implications to Consider

a. Consultation with the Community

Should Council endorse the officer recommendation, Council Policy – Property Investment Framework will be advertised in accordance with Council Policy – Policy Framework for a period of no less than 14 calendar days and be placed on the City’s website, as a public notice in the local newspaper and on social media.

Following public advertising, a report will be prepared in consideration of all comments received for Council to adopt the Council Policy – Property Investment Framework.

b. Consultation with Government Agencies

Nil

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: *Revenue sources – Identify and implement strategies to introduce alternative revenue sources for the City.*

Strategic Objective: *Strategic and sustainable financial planning – Undertake long-term resource planning and allocation, with prioritised spending on core services, infrastructure development and asset management.*

d. Policy

The Council Policy – Policy Framework guides the process for adopting and/or amending a Council Policy, this policy has been adhered to.

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

A Property Investment Framework will provide guiding principles for the management of the City’s conservative property investment portfolio. Whilst the Framework will deliver a basis to classify all City owned properties, it focuses on identifying and managing ‘investment properties’ with the intention to generate their highest revenue potential and use. The intent is for the portfolio to be self-sustaining and to provide an additional source of revenue for the City.

The Framework will also formalise the use of two cash reserves namely the ‘Investment Property Income Reserve’ and the ‘Investment Property Reserve’.

The ‘Investment Property Income Reserve’ will propose to hold all net surplus funds generated from investment properties which will be set aside to meet all expenses incurred in managing the investment properties. The ‘Investment Property Reserve’ will propose to hold all property investment revenue generated from the disposal of non-operational property.

Voting Requirements

Simple Majority

Officer Recommendation

That Council **ENDORSES** the Council Policy – Property Investment Framework for the purposes of public advertising.

Committee Recommendation

Moved Cr Schmidt, seconded Cr Hume:

That Council **ENDORSES** the Council Policy – Property Investment Framework for the purposes of public advertising.

Council Policy - Property Investment Framework

Council Policy 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.

Council Policy 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).

Council Policy 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.

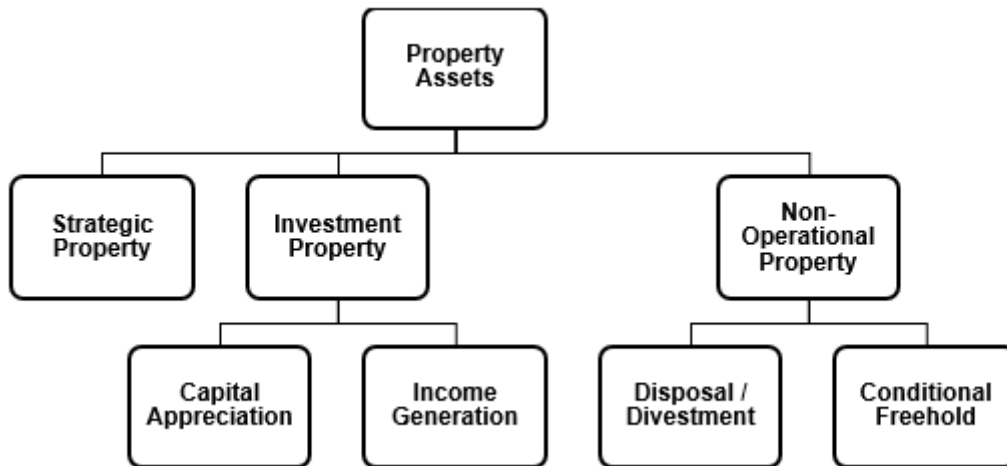
Authorised Investments

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.



Of the 72 properties that are owned by the City the following table provides a summary of the number of properties the City holds within each.

Property Classification	Number of Properties
Strategic Property	44
Investment Property	2
Capital Appreciation	1
Income Generation	1
Non-Operational Property	26
Disposal / Divestment	8
Conditional Freehold	18

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 Policies/ 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

1 April 2025

Committee Voting (Carried) – 5/0

The Committee's Reason for Varying the Officer's Recommendation

Not Applicable

Implications of the Changes to the Officer's Recommendation

Not Applicable

General Management Services

General Management Services Governance and Councillor Support



Reference No & Subject:	GM-010/23	Draft Council Policy – Council Member Entitlements (<i>Absolute Majority</i>)
File No:	CPM/3-08	
Proponent/s:		
Author:	Mr Jim Olynyk, Manager Governance and Councillor Support	
Other Contributors:	Mr David Blurton, Senior Project Officer	
Date of Committee Meeting:	18 April 2023	
Previously before Council:		
Disclosure of Interest:		
Nature of Council's Role in this Matter:	Executive	
Site:		
Lot Area:		
Attachments:	1. Minutes of the Governance Review Committee meeting held on 12 April 2023	
Maps/Diagrams:		

Purpose of Report

To consider a new draft Council Policy – Council Member Entitlements for the purpose of public comment.

Background

Local Government elected members are entitled to be paid a range of fees and expense reimbursements under Part 5 of the *Local Government Act 1995* (Act) and Part 8 of the *Local Government (Administration) Regulations 1996* (Regulations).

The amount of each payment is considered annually by the Salary and Allowances Tribunal (SAT) which is an independent body established under the *Salaries and Allowances Act 1975*, which includes salary and allowances for a number of public officials including Local Government elected members and Chief Executive Officers (CEO).

The SAT works with a band allocation model which is determined by the size of the local government and sets a payment range for each type of allowance or fee based on its band rating. The City of Rockingham is a Band 1 local government.

SAT also considers a number of factors when setting ranges and invites public submissions as part of the process. SAT determinations relating to Elected Members and CEOs remuneration are normally handed down April of each year to enable local governments to incorporate financial implications in their annual budget processes.

To assist in the determination of elected member fees, allowances and expense reimbursements some Councils have adopted a policy to clearly define their position. The Council Policy 'Governance and Meeting Framework' does currently make reference to what will be paid, however these are set amounts with no reference to review. It is recommended that a standalone Council Policy be developed to further clarify entitlements and to ensure that the policy meets statutory requirements and aligns with annual SAT determinations.

Details

The purpose of the draft Council Policy – Council Member Entitlements (draft Policy) is to outline the entitlements including allowances, fees and reimbursement of the expenses that may be paid to Council Members.

Implications to Consider

a. Consultation with the Community

Pending Council approval of the draft Policy it will be advertised for public comment for 14 days in accordance with the Council Policy – Policy Framework.

b. Consultation with Government Agencies

Officers have undertaken research into Elected Member Entitlements policies and compared similar metropolitan local governments with the following observations;

- All eight Metropolitan Councils researched pay the maximum of the range for Annual Attendance Fees, Mayoral Attendance Fees, Mayoral Allowance and Deputy Mayoral Allowance. The City of Mandurah's policy defers consideration to the Annual Budget process and the budget document indicates the maximum allowances are to be paid to elected members for the 2022/2023 financial year.
- Of the eight Metropolitan Councils researched six paid Attendance Fees and Allowances in arrears with the balance silent on the matter.

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 system of governance which empower the Council to make considered and informed decisions within a transparent, accountable, ethical and compliant environment.*

d. Policy

Council Policy – Policy Framework provides the requirement for Council to advertise the draft policy for a minimum of 14 days or as required by legislation.

Should Council adopt the draft Council Policy – Council Member Entitlements the reference to Annual Attendance Fees will be removed from the Governance and Meeting Framework Policy.

e. Financial

Eventual adoption of the Policy will provide the mechanism to adjust Council Member Entitlements as a result of the SAT's annual review process and inclusion in the City's budget processes.

f. Legal and Statutory

Section 5.98 (1A) of the Act states that Fees etc. for Council Members are determined by the Salaries and Allowances Tribunal under the *Salaries and Allowances Act 1975* s.7B.

Section 5.98(2) of the Act and r.31 of the Regulations prescribe the kinds of expenses that are to be reimbursed by all local governments. These include child care and travel costs associated with attendance at Council or Committee meetings and prescribed training.

Under section 5.99A of the Act, Councils may decide that instead of reimbursing Council members for a particular type of expense it will instead pay an annual allowance for that type of expense. This is historically the case with Information and Communication Technology (ICT) expense allowance at the City of Rockingham.

Council can also resolve to reimburse other expenses as per r.32 of the Regulations.

32. For the purposes of section 5.98(2)(b), the kinds of expenses that may be approved by any local government for reimbursement by the local government are —

(a) an expense incurred by a council member in performing a function under the express authority of the local government; and

(b) an expense incurred by a council member to whom paragraph (a) applies by reason of the council member being accompanied by not more than one other person while performing the function if, having regard to the nature of the function, the local government considers that it is appropriate for the council member to be accompanied by that other person; and

(c) an expense incurred by a council member in performing a function in his or her capacity as a council member.

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

The draft Policy and discussion paper was presented to the Councillor Engagement Session on 14 March 2023 for discussion and feedback.

A point for discussion was the inclusion of a clause to enable the reimbursement of professional memberships and subscriptions related to fulfilling the role of a Councillor.

Officers consider that it is appropriate to consider this issue as part of a review of Council Policy - Council Member Professional Development to ensure that the Professional Development needs of elected members are delivered by appropriate organisations in a consistent manner.

This Policy if implemented, will provide a mechanism by which Councillor allowances will automatically be adjusted in line with SAT adjustments which would be consistent with the practice at most other metropolitan local governments.

Further, the draft Policy was presented to the Governance Review Committee meeting of 12 April 2023 for consideration.

Voting Requirements

Absolute Majority

Officer Recommendation

That Council **APPROVES** the draft Council Policy – Council Member Entitlements with one minor amendment for the purpose of public consultation, as per Attachment 1 for a minimum of 14 days.

Governance Review Committee Recommendation

That Council **APPROVES** the draft Council Policy – Council Member Entitlements with one minor amendment for the purpose of public consultation, as per Attachment 1 for a minimum of 14 days.

Carried – 4/0

The Governance Review¹ Committee's Reason for Varying the Officer's Recommendation

The Committee amended clause 1.4 (b) of the draft policy to state that the Council Member may elect to make the Annual Allowance and Annual Attendance Fee payment to superannuation.

Implications of the Changes to the Officer's Recommendation

The amendment provides clarity that the payment is not a superannuation guarantee payment.

Officer Recommendation if Different to Governance Review Committee Recommendation

That Council **APPROVES** the draft Council Policy – Council Member Entitlements for the purpose of public consultation for a minimum of 14 days.

The Officer's Reason for Varying the Governance Review Committee Recommendation

The Draft Policy has been included in the Officer Recommendation and therefore reference to Attachment 1 is removed.

Committee Recommendation

Moved Cr Davies, seconded Cr Hume:

That Council **APPROVES** the draft Council Policy – Council Member Entitlements for the purpose of public consultation for a minimum of 14 days.

Council Member Entitlements Policy

Council Policy 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* (SA Act).

The Policy also details other support provided by the 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.

Council Policy Scope

This policy applies to all Council Members.

¹ Amend Advisory Committee to Governance Review Committee for consistency.

Council Policy 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. Council Member's may elect to make the payment of the Annual Allowances and Annual Attendance Fees to the nominated Council Member's superannuation fund, 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.

Note: Sitting Council Members may avail themselves to current payment arrangements until such time that their current term expires.

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.

Note: Sitting Council Members may avail themselves to current payment arrangements until such time that their current term expires.

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 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:

- a. Citizenship Ceremonies and civic functions.
- b. 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.
- c. Any City convened meeting requiring a Council Member to attend, including councillor engagement sessions, workshops and other forums.

- d. 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
- e. 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 Policies/ 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

Review every two years

Committee Voting (Carried/) – 5/0

The Committee's Reason for Varying the Officer's Recommendation

Not Applicable

Implications of the Changes to the Officer's Recommendation

Not Applicable

General Management Services Governance and Councillor Support



Reference No & Subject:	GM-011/23	Draft Council Policy – Election Caretaker Policy
File No:	CPM/3-08	
Proponent/s:		
Author:	Mr Jim Olynyk, Manager Governance and Councillor Support	
Other Contributors:	Mr David Blurton, Senior Project Officer	
Date of Committee Meeting:	18 April 2023	
Previously before Council:		
Disclosure of Interest:		
Nature of Council's Role in this Matter:	Executive	
Site:		
Lot Area:		
Attachments:	1. Minutes of the Governance Review Committee meeting held on 12 April 2023 (<i>Refer to Attachment 1 of GM-010/23</i>)	
Maps/Diagrams:		

Purpose of Report

For Council to approve the new draft Council Policy – Election Caretaker Period Policy for the purpose of public comment.

Background

The following motion was passed by the Council at its Ordinary meeting on 20 December 2022.

Moved Cr Buchan, seconded Cr Edwards:

That Council DIRECTS the Chief Executive Officer to prepare a draft Council Policy – Election Caretaker Period to be discussed at a Councillor Engagement Session for consideration and feedback from Councillors prior to being presented through the Corporate and Community Development Committee and the April 2023 Council meeting.

Carried – 12/0

Officers presented a discussion paper and WALGA policy template at the Councillor Engagement Session on 14 March 2023. This followed an announcement on the 23rd of February 2023 by the Minister for Housing; Lands; Homelessness; Local Government which introduced the *Local Government Amendment Bill 2023*.

New Part 2 Division 5 of the Amendment Bill relates to Caretaker Periods and if supported by the Parliament will enshrine Council's responsibilities for the period preceding the local government election day in legislation.

Officers have prepared a draft Election Caretaker Period Policy for the consideration of the Council which is based on the WALGA template and feedback from the Councillor Engagement Session (refer attachment 1). Those parts of the WALGA template which have been superseded by the Amendment Bill have been removed from the draft policy.

As discussed at the Councillor Engagement Session, adoption of an Election Caretaker Period Policy prior to the drafting of Regulations to the *Local Government Amendment Bill 2023* is likely to require the Council to reconsider the Policy once adopted.

Details

In developing the draft Policy, officers undertook research on the election caretaker period policies and practices of eight metropolitan local governments and the following represents a summary of these findings;

- Advertising and public consultation is restricted during the election caretaker period (caretaker period) generally, however exceptions may apply. For example requirements under legislation.
- Typically, events which may give rise to an advantage for Council members who are seeking re-election during the caretaker period are avoided.
- All local governments avoid promotional activities and publications on election issues during the caretaker period and are prohibited in persuading voting in any way.
- The definition of significant expenditure varies substantially between local governments. From 0.01% of Budgeted Revenue (\$6,563 Kwinana) to 0.5% of Budgeted Revenue (\$973,828 Perth). There is also variation in the structure of this clause. Some local governments do not define "significant expenditure", others limit definition to include unbudgeted items only to ensure normal operations can continue during the caretaker period.
- Some local governments require the Chief Executive Officer (CEO) to maintain a separate register of information requested by Candidates during the caretaker period. Officers consider that this is unnecessary as the request is captured by the City's record keeping systems in any case.
- Some local governments expand their policies to include responsibilities of employees during the caretaker period. Officers consider that this is already covered in the City's Employee Code of Conduct with regard to provision of information to third parties for advantage (clause 4.20 and 4.21).
- Some local governments expand their policies to capture responsibilities and expectations of elected members in the lead up to State and Federal elections. It is not recommended to include this in a draft policy as it changes the scope and intent of this policy. A separate policy can be developed if Council considers this is warranted.

Implications to Consider

a. Consultation with the Community

Pending Council approval of the draft Policy it will be advertised for public comment for 14 days in accordance with the Council Policy – Policy Framework.

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 system of governance which empower the Council to make considered and informed decisions within a transparent, accountable, ethical and compliant environment.*

d. Policy

Council Policy – Policy Framework provides the requirement for Council to advertise the draft policy for a minimum of 14 days before final consideration by Council.

e. Financial

Not Applicable

f. Legal and Statutory

The intent of the new legislation is to prohibit Significant Acts by a local government (with exceptions) within the Election Caretaker Period. Definitions of both Caretaker Period and Significant Act are included in the *Local Government Amendment Bill 2023* as follows;

1.4A. Caretaker period

(1) In this Act —

caretaker period, in relation to a local government, means a period that —

(a) begins at the close of nominations (as defined 8 in section 4.49(a)) for a relevant election for the local government; and

(b) ends

(i) on the day after the day on which the returning officer declares the result of the relevant election under section 4.77; or

(ii) if section 4.57(1) applies to the relevant election — on the day after the day on which the close of nominations falls; or

(iii) if section 4.58(1) applies to the relevant election — on the day after the day on which the candidate dies.

(2) In subsection (1) —

relevant election means any of the following —

(a) an ordinary election;

(b) an inaugural election;

(c) an election under section 4.11, 4.12, 4.13 or 4.14;

(d) an election under section 4.15 after an election that is a relevant election under paragraph (a), (b) or (c) or this paragraph is declared invalid.

Significant Act means any of the following —

(a) making a local law (including making a local law to amend or repeal a local law);

(b) entering into, or renewing or terminating, the contract of employment of the CEO or of a senior employee;

(c) entering into a major land transaction;

(d) entering into a land transaction that is preparatory to entry into a major land transaction;

(e) commencing a major trading undertaking;

(f) entering into a contract, or other agreement or arrangement, in prescribed circumstances;

(g) inviting tenders in prescribed circumstances;

(h) deciding to do anything referred to in paragraphs (a) to (g);

(i) an act done under a written law or otherwise that is a prescribed act.

Provision is made in the legislation for Council to deal with any of the above matters during the Caretaker Period in the following circumstances;

- Emergencies,
- if the decision was made prior to the caretaker period,
- If it is necessary to comply with a written law, court order or contractual obligation,
- If authorised by the Departmental CEO during an emergency or to ensure the proper operation of the local government.

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

The draft Policy was presented to the Governance Review Committee meeting of 12 April 2023 for consideration, including the following specific matters:

Councillor Engagement Sessions during the Caretaker Period

The WALGA template prohibits discussion on matters considered Significant Acts at forums, briefings, or engagement sessions during the Caretaker Period. Nothing in the *Local Government Amendment Bill 2023* prevents this occurring, however this could give rise to a perceived or actual advantage for Councillors seeking re-election.

Existing policies at the Cities of Cockburn, Joondalup, Kwinana, Mandurah and Belmont prohibit discussion on significant matters in forums, however Perth, Stirling, Vincent and Melville are silent on the matter.

It was recommended to prohibit discussion on Significant Acts and Election Campaign Issues in Engagement Sessions to avoid any actual or perceived advantage for sitting members in line with the objective of the Policy.

Council Member Addresses / Speeches

This clause in the draft Policy reflects the WALGA template.

The role of the Mayor is clearly defined by section 2.8 of the *Local Government Act 1995* and includes the following responsibilities;

(c) carries out civic and ceremonial duties on behalf of the local government; and

(d) speaks on behalf of the local government.

Research indicates that the Cities of Belmont, Perth, Joondalup, Vincent and Kwinana have the same text as the WALGA policy template and the draft Policy as presented.

The Cities of Stirling, Melville and Cockburn "Prohibit all elected member candidate speeches during the period except for short welcome speeches".

The City of Mandurah permits all elected members to deliver speeches if the Mayor or Deputy Mayor is unavailable, but the CEO is to determine who this is on a rotational basis.

It was recommended to adopt this clause as is, noting the Mayor's legal obligation to speak on behalf of the local government and the prohibition on using an official speech or address during a Caretaker Period for campaign purposes.

City Website and Social Media Content

At present, Individual Councillor Information on the City's website is limited to phone number, email address and term of office. Officers consider that continuing to provide this information during the caretaker period does not give rise to any advantage for Council members who have re-nominated for election.

Election profiles including biographical information are provided on the Western Australian Electoral Commission (WAEC) Website once the nomination period has closed. They are not normally provided on the City's website, however the City can provide a link to the WAEC website during the caretaker period.

Officers recommended removal of points 1 and 2 of section 5.3 of the WALGA template.

Civic Events and Functions

The WALGA template and draft Policy reflects that the City will avoid scheduling Civic events and functions during the Caretaker Period which may give rise to an actual or perceived electoral advantage for Councillors who are candidates, however the following events are historically held in September/October each year at the City of Rockingham.

- Sports Star Awards
- Seniors Expo
- Pioneers Lunch
- Castaways Sculpture Awards
- Australian Citizenship Ceremony

If Council is not willing to reschedule these events then consideration should be given to changing clause 5.1 of the WALGA template.

The draft Policy also reflects that all candidates will be invited to and be recognised at each of these events. For the 2021 election, there were 19 Candidates, three of whom were Councillors seeking re-election. In addition to the cost implications that this presents, some events such as the Pioneers Lunch have limited places and attendance by all candidates would restrict the number of seniors able to attend.

Industry practice reflects the following;

The Cities of Cockburn, Kwinana, Melville, Perth, Stirling and Joondalup limit Civic events to essential only during the caretaker period but are silent on whether candidates are invited. Only the City of Vincent ensures that all candidates are invited to Civic events during the Caretaker Period.

It was recommended to modify clause 5.1 to exclude traditional city events held during September / October each year and to not invite all candidates to civic events during this period for the reasons outlined above. The following was proposed to replace clause 5.1 of the draft policy.

5.1 Civic Events and Functions

With the exception of the following events, The City will avoid scheduling Civic Events and Functions held during a Caretaker Period, which may give rise to any actual or perceived electoral advantage to Council Members who have nominated for re-election.

- Sports Star Awards
- Seniors Expo
- Pioneers Lunch
- Castaways Sculpture Awards
- Australian Citizenship Ceremony

While an Election Caretaker Policy will provide protocols to be observed during the Caretaker period, it should not inhibit the normal business of the local government which is not related to the election.

In summary, the adoption of an Electoral Caretaker Policy is recommended, however Council should note that the Policy is likely to be revisited once the subsidiary legislation is passed through Parliament.

Voting Requirements

Simple Majority

Governance Review Committee Recommendation

That Council **APPROVES** the draft Council Policy – Election Caretaker Policy for the purpose of public consultation, as per Attachment 1 for a minimum of 14 days.

Carried – 3/1
Cr Buchan voted against

The Governance Review² Committee's Reason for Varying the Officer's Recommendation

Not Applicable

Implications of the Changes to the Officer's Recommendation

Not Applicable

Officer Recommendation if Different to Governance Review Committee Recommendation

That Council **APPROVES** the draft Council Policy – Election Caretaker Policy for the purpose of public consultation for a minimum of 14 days.

The Officer's Reason for Varying the Governance Review Committee Recommendation

The Draft Policy has been included in the Officer Recommendation and therefore reference to Attachment 1 is removed.

Committee Recommendation

Moved Cr Davies, seconded Cr Buchanan:

That Council **APPROVES** the draft Council Policy – Election Caretaker Policy for the purpose of public consultation for a minimum of 14 days.

Election Caretaker Period Policy

Council Policy Objective

This Policy establishes protocols for the purpose of avoiding actual and perceived advantage or disadvantage to a candidate in a Local Government Election, through the use of public resources or decisions made by the Council or administration on behalf of the City of Rockingham during the period immediately prior to an election.

Council Policy Scope

This Policy applies to Council Members and Employees during a 'Caretaker Period' relevant to:

- a) Decisions made by the Council;
- b) Decisions made under delegated authority;
- c) Promotional materials published by the City of Rockingham;
- d) Discretionary community consultation;
- e) Events and functions, held by the City of Rockingham or other organisations;
- f) Use of the City of Rockingham's resources;
- g) Access to information held by the City of Rockingham.

^{2 2} Amend Advisory Committee to Governance Review Committee for consistency.

Council Policy Statement

1. Caretaker Period Protocols

The Chief Executive Officer (CEO) will ensure that:

- (a) At least 30-days prior to a Caretaker Period, the CEO will advise Council Members and employees in writing of the dates that the Caretaker Period commences and concludes.
- (b) Candidates are provided with a copy of this Policy at the time of their nomination for election, to ensure their awareness of the protocols and equitable access requirements.

2. Councillor Engagement Sessions

Consideration of a Significant Act or an Election Campaign Issue at Councillor Engagement Sessions during the Caretaker Period are prohibited, except where the CEO determines that Extraordinary Circumstances or an Emergency applies.

The CEO is required to provide Council with advice as to why Extraordinary Circumstances or an Emergency applies and details of this advice are to be retained, with the Engagement Session meeting notes, as a Local Government record.

Note: Councillor Engagement Sessions are defined in Council Policy – Governance and Meeting Framework.

3. Delegated Authority Decision Making

During a Caretaker Period, Employees who have Delegated Authority for matters which relate to, or are subsidiary to a Significant Act are prohibited from exercising the Delegation.

Where staff have Delegated Authority for determining matters considered an election campaign issue, the matter will be referred to the CEO for review and consideration prior to the staff member exercising the Delegation.

4. Caretaker Period Protocols - Candidates

Candidates, including Council Members who have nominated for re-election, relevant to an Election Day or Extraordinary Election Day, shall be provided with equitable access to the City of Rockingham's public information in accordance with s.5.94 of the *Local Government Act 1995*.

The CEO shall ensure that assistance and advice provided to candidates as part of the conduct of the election is provided equally to all candidates.

Council Members nominating for re-election, may access information and assistance regarding the City of Rockingham's operations and Council matters during a Caretaker Period, but only to the extent necessary to perform their role as a Councillor and limited to matters currently relevant to the City of Rockingham [refer s.5.92 of the *Local Government Act 1995*].

All election process enquiries from Candidates, including Council Members who have nominated for re-election, will be directed to the Returning Officer, or where the matter is outside the responsibility of the Returning Officer, to the CEO.

4.1 Candidate Requests on behalf of Electors, Residents or Ratepayers

Where a Candidate, including Council Members who have nominated for re-election, requires the assistance of the Administration to respond to a request made by an Elector, Resident or Ratepayer, then the Administration will provide the response directly to the requesting Elector, Resident or Ratepayer and will also advise the candidate of the outcome.

4.2 Candidate Campaign Electoral Materials

Candidates, including Council Members who have nominated for re-election, should note that the City of Rockingham's official crest or logo may not be used in campaign Electoral Materials without the express permission of the City.

4.3 Access to Information and Advice

During a Caretaker Period all Council Members will scrupulously avoid using or accessing City of Rockingham's information, resources or employee resources and expertise for the purpose of gaining electoral advantage or disadvantage relevant to their own candidacy or any other person's candidacy [refer s.5.93 of the *Local Government Act 1995*].

During a Caretaker Period, all Council Member requests for information and advice from the City of Rockingham will be reviewed by the CEO and where the subject of the information or advice is considered as relating to an Election Campaign Issue, the CEO will either make a determination, or refer the request for Council's determination, as to if the information or advice is / is not to be provided, including if information is provided to one candidate, or if that information is also to be provided to all candidates (i.e. including candidates who are not current Council Members).

4.4 Media and Publicity

During a Caretaker Period, all Council Member requests for media advice or assistance, including Council Members who have nominated for re-election, will be referred to the CEO for review.

The CEO will only authorise Council Member access to media advice or assistance where, in the CEO's opinion, the subject matter is relevant to the City of Rockingham's objectives or operations and is not related to an Election Campaign Issue or purpose or to the Council Member's candidacy or the candidacy of another person.

4.5 Council Member Business Cards, City Printed Materials

Council Members must ensure that City business cards and Local Government printed materials are only used for purposes associated with their role as a Councillor, in accordance with section 2.10 of the *Local Government Act 1995*.

Council Members are prohibited from using City business cards or printed materials at any time, including times outside a Caretaker Period, for any election campaign purpose, either in support of their own candidacy or the candidacy of another person.

4.6 Council Member Participation in Events and Functions

During a Caretaker Period Council Members may continue to fulfil their role through attendance at events and functions hosted by external bodies.

4.7 Council Member Delegates to External Organisations

At any time, including times outside of a Caretaker Period, Council Members who are the Council's appointed delegate to an external organisation, must not use their attendance at an external organisation's meeting, event or function for any purpose associated with an election campaign purpose, including; recruiting campaign assistance or to promote their own candidacy or the candidacy of another person.

4.8 Council Member Addresses / Speeches

Excluding the Mayor and Deputy Mayor, when fulfilling their functions prescribed in sections 2.8 and 2.9 of the *Local Government Act 1995*, Council Members who have nominated for re-election, shall not be permitted to make speeches or addresses during a Caretaker Period at events or functions organised or sponsored by the City, unless expressly authorised by the CEO.

In any case, the Mayor, Deputy Mayor and Council Members are prohibited from using an official speech or address during a Caretaker Period to promote an election campaign purpose.

4.9 Council Member Misuse of Local Government Resources

A Council Member who uses City resources for the purpose of persuading electors to vote in a particular way commits a "misuse of Local Government resources" breach in accordance with Clause 17 of the Code of Conduct for Council Members, Committee Members and Candidates.

This prohibition on misuse of Local Government Resources for electoral purposes applies at all times and is not only applicable to a Caretaker Period.

For clarity, Local Government resources includes, but is not limited to: employee time or expertise, City provided equipment, information and communication technologies, stationery, hospitality, images, communications, services, reimbursements and allowances provided by the City.

5. City Publicity, Promotional and Civic Activities

Publicity campaigns and promotional activities during a Caretaker Period may be undertaken only for the purposes of:

- (a) Promoting City services and activities, where such promotion does not relate to an electoral campaign issue and would otherwise be undertaken as part of normal operations; and,
- (b) Conducting the Election and promoting Elector participation in the Election.

All other, publicity and promotional activities of City initiatives will be, where reasonably practicable, avoided during the Caretaker Period, including the announcement of Significant Act decisions, made prior to the commencement of a Caretaker Period or proposed to be made after a Caretaker Period.

The CEO may determine if Extraordinary Circumstances apply and if a Significant Act decision announcement is necessary during a Caretaker Period.

5.1 Civic Events and Functions

With the exception of the following events, The City will avoid scheduling Civic Events and Functions held during a Caretaker Period, which may give rise to any actual or perceived electoral advantage to Council Members who have nominated for re-election.

- Sports Star Awards
- Seniors Expo
- Pioneers Lunch
- Castaways Sculpture Awards
- Australian Citizenship Ceremony

5.2 City Publications and Communications

All City publications and communications distributed during a Caretaker Period must not include content that:

- (a) may actually, or be perceived to, persuade voting in an election; or
- (b) is specific to a candidate or candidates, to the exclusion of other candidates;
- (c) draws focus to or promotes a matter which is a Significant Act or which is an Electoral Campaign Issue

All City publications and communications proposed to occur immediately prior to, throughout or during, a Caretaker Period must be reviewed and approved by the CEO prior to publication or distribution.

5.3 City Website and Social Media Content

1. New website or social media content which relates to a Significant Act or Election Campaign Issue will not be published during a Caretaker Period, unless Extraordinary Circumstances apply.
2. Content posted by the public, candidates or Council Members on the City's social media channels, which is perceived as candidate election campaign material or promotes a candidate or candidates will be removed.

5.4 Community Consultation

It is prohibited under this policy, except where the process has substantially commenced and/or approvals are in place, for public consultation to be commenced during the Caretaker Period on an issue which is considered a Significant Act or an Election Campaign Issue, unless the consultation is a mandatory statutory process or required under existing policy.

Definitions

Caretaker Period - has the same meaning as section 1.4A of the *Local Government Amendment Bill 2023*, specifically being the period from the close of nominations (as defined in section 4.49(a) and ending;

- a) On the day after the day on which the returning officer declares the result of the relevant election under section 4.77;
- b) If section 4.57(1) applies, where there are less candidates than vacancies, on the day after the day on which the close of nominations falls;
- c) If section 4.58(1) applies where the candidate dies after the close of nominations but before the vacant office or offices is or are filled, on the day after the day on which the candidate dies.

Caretaker Protocol - means the practices or procedures prescribed in this Policy.

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

Election Campaign Issue - means an important issue that is the source of community or Council debate or discussion during or prior to the Caretaker Period.

Election Day - means the day fixed under the *Local Government Act 1995* for the holding of any poll needed for an election, including an extraordinary election to elect a new Mayor. For the purposes of this Policy, 'Election Day' meaning generally excludes an Extraordinary Election Day unless otherwise specified in this Policy.

Electoral Material - includes any advertisement, handbill, pamphlet, notice, letter, email, social media post or article that is intended or calculated to affect an Election Day result, but does not include:

1. An advertisement in a newspaper announcing the holding of a meeting (s.4.87(3) of the Local Government Act 1995); or
2. Any materials exempted under Regulation 78 of the Local Government (Elections) Regulations 1997; or
3. Any materials produced by the City of Rockingham relating to the election process by way of information, education or publicity, or materials produced by or on behalf of the Returning Officer for the purposes of conducting an election.

Emergency - has the same meaning as Section 3.73 of the *Local Government Amendment Bill 2023*.

Events and Functions - including gatherings for the purpose of discussion, review, acknowledgement, communication, consultation, celebration or promotion, of any matter relevant to the City of Rockingham and / or its stakeholders and may take the form of conferences, workshops, forums, launches, promotional activities, social occasions such as dinners and receptions, including; gatherings coordinated or facilitated by the City of Rockingham or an external entity.

Extraordinary Circumstances - includes a circumstance that requires the Council to announce a Significant Act during the Caretaker Period because, in the CEO's opinion, delaying the decision or announcement to occur after the Caretaker Period has reasonable potential to:

- a) Incur or increase legal, financial and/or reputational risk; or
- b) Cause detriment to the strategic objectives of the City of Rockingham.

Public Consultation - includes a process which involves an invitation to individuals, groups, organisations or the wider community to provide comment on a matter, proposed action or proposed policy which may be perceived as or is actually an electoral / campaign issue, but does not include statutory consultation / submission periods prescribed in a written law.

Significant Act - has the same meaning as defined in *Local Government Amendment Bill 2023* and in addition includes any decision:

- a) Relating to the City of Rockingham entering into a sponsorship arrangement with a total City contribution that would constitute Significant Expenditure, unless the Council resolved "in principle" support for the sponsorship prior to the Caretaker Period taking effect and sufficient funds are allocated in the Annual Budget;
- b) That would commit the City of Rockingham to actions that, in the CEO's opinion, are significant to the Local Government operations, strategic objectives and / or will have significant impact on the community;
- c) That in the CEO's opinion, may be perceived as or is actually an Election Campaign Issue;
- d) That adopts a new, or significantly changes an existing, policy, service or service level that incurs Significant Expenditure, unless the decision is necessary to comply with legislation;

- e) Initiated through a Notice of Motion by a Council Member, where the effect of that motion will change the status quo or, in the CEO's opinion, may be relevant to the circumstances described in sub-clauses (a) to (d) above or the relevant legislation;
- f) That initiates or adopts a new Local Planning Scheme, amendment to a Local Planning Scheme or Planning Policy.

Significant Expenditure - means expenditure that exceeds 0.025% of the City's annual budgeted operating revenue (exclusive of GST) in the relevant financial year or \$50,000 whichever is the greater value. This excludes normal operational items and projects included in adopted Council budgets.

Legislation

Division 5 *Local Government Amendment Bill 2023*

Sections 4.87, 5.93 and 5.103 of the *Local Government Act 1996*

Regulation 8 of the *Local Government (Rules of Conduct) Regulations 1996*

Other Relevant Policies/ Key Documents

City of Rockingham Code of Conduct Elected Members.

Responsible Division

General Management Services

Review Date

Review every two years

Committee Voting (Carried) – 4/1

Cr Schmidt voted against

The Committee's Reason for Varying the Officer's Recommendation

Not Applicable

Implications of the Changes to the Officer's Recommendation

Not Applicable

4:16pm Mr Santiago, Manager Financial Services joined the meeting.

13.	Reports of Council Members
	Nil
14.	Addendum Agenda
	Nil

15. Motions of which Previous Notice has been given

General Management Services

**General Management Services
Governance and Councillor Support**



Reference No & Subject:	GM-012/23	Notice of Motion – Council Meeting Location, 2024
File No:	CPM/3	
Proponent/s:	Cr Robert Schmidt	
Author:	Mr Jim Olynyk, Manager Governance and Councillor Support	
Other Contributors:	Mr Michael Parker, Chief Executive Officer	
Date of Committee Meeting:	18 April 2023	
Previously before Council:		
Disclosure of Interest:		
Nature of Council's Role in this Matter:	Executive	
Site:		
Lot Area:		
Attachments:		
Maps/Diagrams:		

Purpose of Report

To respond to the following Notice of Motion from Cr Robert Schmidt –

That Council DIRECTS the Chief Executive Officer to investigate moving a single Ordinary Council Meeting to a City Community Facility in 2024 and provide a report to Council with a proposal to implement with costing, by November 2023.

Background

Notice of Cr Schmidt's proposed motion was provided to the City of Rockingham (City) on 31 March 2023 and the following reasons were given in support –

The City of Rockingham is a large and continually growing Local Government in Western Australia. As the 5th Largest Local Government in WA, opportunities must be identified so the councils can engage with their community through innovation, leadership and forward thinking. By taking an Ordinary Council Meeting out to the community so that there is a greater understanding and willingness for Council to hear and listen to the community in a greater way. This Notice of Motion meets the City's Aspiration 4 of its Strategic Community Plan 2019 - 2029 - Deliver Quality Leadership and Business Expertise.

The community wants to see its council as much as possible, and this notice of motion fulfils that.

Details

A Notice of Motion has been submitted by Cr Schmidt as detailed above. This request accords with clause 3.9 of the City of Rockingham *Standing Orders Local Law 2001*.

Implications to Consider

a. **Consultation with the Community**

Nil

b. **Consultation with Government Agencies**

Nil

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**

Council's Policy – 'Governance and Meeting Framework' states:

Ordinary Council Meetings are the principal forum in which decisions are made by the Council, the peak decision making body of the City of Rockingham. Meetings are conducted on the fourth Tuesday of the month commencing at 6pm and held in the City of Rockingham Civic Administration Centre.

Council's Policy – 'Recording and Streaming Council Meeting' states:

Council Meetings 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 and periods of adjournment or as determined by the Presiding Member.

e. **Financial**

There will be costs associated with the logistics of moving the Council meeting from the Civic Administration Centre to another location including additional officer time, advertising, set up, furniture, security and livestreaming. These costs are unknown at the time of preparing this report.

f. **Legal and Statutory**

Section 5.25(1) (g) of the *Local Government Act 1995* (the Act) stipulates the giving of public notice of the date and agenda for Council and Committee meetings.

Regulation 12(2) of the *Local Government (Administration) Regulations 1996* further refines the Act to specify that the time and place of ordinary council meetings and committees that are open to the public must be published on the City's website.

The Local Government Amendment Bill 2023 is expected to be Gazetted in May/June 2023 and will require all tier one Local Governments of which City of Rockingham is one, to Livestream all Council meetings. This will provide logistical challenges and cost to conduct meetings externally.

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

Council at its October 2022 meeting resolved the 2023 meeting dates for Council and Standing Committees all of which are to be conducted as per policy within the City's Civic Administration Centre.

The schedule of Council and Committee meetings are well promoted on the City's website and social media platforms including, Rockport. Any change to meeting dates, times or venue would need to be published on the City's website as soon as practicable after change is made.

Apart from the general logistics of moving the Council meeting from the Civic Administration Centre to another location including additional officer time, advertising, set up, furniture and livestreaming, the subject of maintaining a secure environment is paramount. The City has an obligation to those in attendance at Council Meetings to maintain a secure and safe environment which may prove to be a challenge if the meeting is moved offsite. The risks and costs associated with these particular matters are unknown at the time of preparing this report.

Undertaking Council Meetings at different venues outside of the Council Chamber has been undertaken in Regional and remote Councils who may have significant distance between population centres. Often different townsites within a local government district are significant distances apart (in some cases hundreds of kilometres) making it difficult for people to physically access Council meetings.

The City of Kwinana when adopting its 2023 Council Meeting dates included two meetings to be held external to the Administration Centre, these being at Honeywood Pavillion/Ngook Boorn Mia Mia and Casuarina Wellard Community Hall. To correspond with Council meetings to be held at these locations the City of Kwinana proposed to facilitate a community forum and sausage sizzle prior to the Council meeting, including community presentations and/or informal engagement on community needs. The first of these meetings held at the Honeywood Pavillion/Ngook Boorn Mia Mia in March 2023 was attended by 11 members of the public which is higher than normal attendance. There were no questions asked by members of the public present.

The following Figure 1 demonstrates the District of the City of Rockingham and its suburbs. From its most northern extremity to the south the City is some 18km in length.

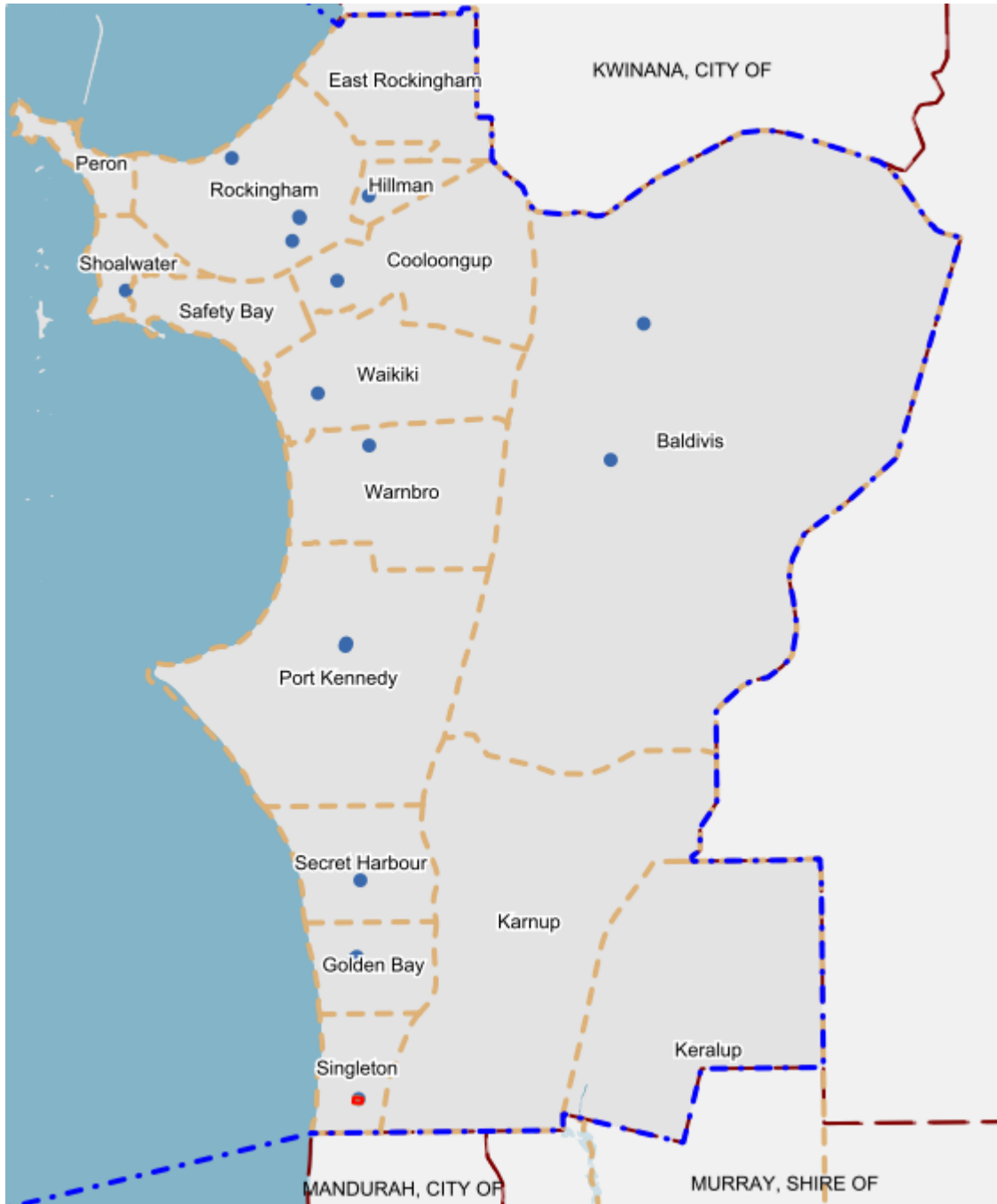


Figure 1: City of Rockingham District.

The distance of travel for any member of the community to attend a Council Meeting is considered, generally, minimal and with the advent of Livestreaming of Council Meetings there is a greater opportunity for community access to Council meetings than before this initiative

A component of Cr Schmidt's reason is 'By taking an Ordinary Council Meeting out to the community so that there is a greater understanding and willingness for Council to hear and listen to the community in a greater way.' Ordinary Council meetings are the principal forum in which decisions are made by the Council, the peak decision making body of the City of Rockingham. Although an opportunity exists for members of the public to ask questions at Council Meetings this is a formalised process which does not lend itself to engagement which appears to be a significant component of the supporting reason to the Notice of Motion. If the primary intent is for Council to engage with the community in a less formalised manner then perhaps other forums such as an annual Community Forum at a City

facility away from the Administration Centre may be an option, and separate to the Council Meeting process is an opportunity.

Conclusion

Given the intent of the Notice of Motion is primarily concerned with community engagement, '*By taking an Ordinary Council Meeting out to the community so that there is a greater understanding and willingness for Council to hear and listen to the community in a greater way.*' Officers are of the view that moving the location of a Council Meeting to a venue within the City will not achieve the desired result.

Given the Administration Centre's proximity to City of Rockingham residents, the availability of Livestreaming and the strong attendance experienced in the public gallery of meetings, the Notice of Motion is not supported.

However, it is noted that Council sets its meeting schedule for the following year in the October / November period each year.

Voting Requirements

Simple Majority

Officer Recommendation

That Council **NOT SUPPORT** Cr Schmidt's Notice of Motion to:

DIRECTS the Chief Executive Officer to investigate moving a single Ordinary Council Meeting to a City Community Facility in 2024 and provide a report to Council with a proposal to implement with costing, by November 2023.

Notice of Motion from Cr Robert Schmidt

That Council **DIRECTS** the Chief Executive Officer to investigate moving a single Ordinary Council Meeting to a City Community Facility in 2024 and provide a report to Council with a proposal to implement with costing, by November 2023.

Committee Recommendation

Moved Cr Schmidt, seconded Cr Buchanan:

That Council **DIRECTS** the Chief Executive Officer to investigate moving a single Ordinary Council Meeting to a City Community Facility in 2024 and provide a report to Council with a proposal to implement with costing, by November 2023.

Committee Voting (Lost) – 2/3

Crs Liley, Hume and Davies voted against

The Committee's Reason for Varying the Officer's Recommendation

Not Applicable

Implications of the Changes to the Officer's Recommendation

Not Applicable

16.	Notices of motion for Consideration at the Following Meeting
	Nil
17.	Urgent Business Approved by the Person Presiding or by Decision of the Committee

Note: Mr Pearson, Director Corporate Services tabled a confidential report for urgent business. The Chairperson approved the item and noted the report will be discussed under Matters Behind Closed Doors.

18. Matters Behind Closed Doors

Moved Cr Davies, seconded Cr Schmidt:

That the Corporate and Community Development Committee **CLOSES** the meeting to the members of the gallery and Officers in accordance with section 5.23(2)(b) of the *Local Government Act 1995* to allow the Committee to discuss Confidential Item CS-008/23 Write Off Charges.

Committee Voting (Carried) – 5/0

4:28pm The Chairperson requested that members of the gallery and Officers depart the meeting. The meeting resumed behind closed doors.


Corporate Services

CONFIDENTIAL ITEM

NOT FOR PUBLIC ACCESS

Section 5.95(3) *Local Government Act 1995* (Act)

This item may be discussed behind closed doors as per Section 5.23(2)(b) of the Act

Corporate Services Director and Support		
Reference No & Subject:	CS-008/23	Write Off Charges – Assessment 172960
File No:	LGS/688-4	
Proponent/s:		
Author:	Mr John Pearson, Director Corporate Services	
Other Contributors:		
Date of Committee Meeting:	18 April 2023	
Previously before Council:		
Disclosure of Interest:		
Nature of Council's Role in this Matter:	Executive	
Site:		
Lot Area:		
Attachments:		
Maps/Diagrams:		

Purpose of the Report

For Council to approve write-off of funds in relation to assessment number 172960.

Voting Requirements

Simple Majority

Committee Recommendation

Moved Cr Schmidt, seconded Cr Davies:

That Committee **ENDORSES** the Officer Recommendation contained within the confidential report.

Committee Voting (Carried) – 5/0

The Committee's Reason for Varying the Officer's Recommendation

Not Applicable

Implications of the Changes to the Officer's Recommendation

Not Applicable

Moved Cr Davies, seconded Cr Buchanan:

That the Corporate and Community Development Committee meeting be **OPENED** to the public.

Committee Voting (Carried) – 5/0

4:54pm The meeting came out from behind closed doors.

19.	Date and Time of Next Meeting
	The next Corporate and Community Development Committee meeting will be held on Tuesday 16 May 2022 in the Council Boardroom, Council Administration Building, Civic Boulevard, Rockingham. The meeting will commence at 4:00pm.
20.	Closure
	There being no further business, the Chairperson thanked those persons present for attending the Corporate and Community Development Committee meeting, and declared the meeting closed at 4:55pm .