



City of Rockingham

AGENDA

Special Meeting of Council

To be held on Tuesday 31 October 2023 at 6:00pm
City of Rockingham Council Chambers

Note: This meeting will be subject to Council's
Recording and Streaming Meeting's policy



Notice of Meeting



Dear Mayor and Council Members

A Special Meeting of the Council of the City of Rockingham will be held on Tuesday 31 October 2023 in the Council Chambers, Civic Boulevard, Rockingham. The meeting will commence at 6:00pm.

The purpose of the meeting is to:

- Elect a Council Member to the position of Deputy Mayor for a period ending in October 2025
- Allocation of positions for Council Member seating in accordance with clause 8.2 of the *City of Rockingham Standing Orders Local Law 2001*
- Appoint Council Members to Standing Committees
- Appoint Council Members to Occasional Committees, Advisory Committees, Working Parties, Liaison Groups and to Non Council Committees and Organisations

A handwritten signature in blue ink, appearing to read 'Michael Parker'.

MICHAEL PARKER
CHIEF EXECUTIVE OFFICER

26 October 2023

DISCLAIMER

PLEASE READ THE FOLLOWING IMPORTANT DISCLAIMER BEFORE PROCEEDING:

Statements or decisions made at this meeting should not be relied or acted on by an applicant or any other person until they have received written notification from the City. Notice of all approvals, including planning and building approvals, will be given to applicants in writing. The City of Rockingham expressly disclaims liability for any loss or damages suffered by a person who relies or acts on statements or decisions made at a Council or Committee meeting before receiving written notification from the City.

City of Rockingham
Special Council Meeting
6:00pm Tuesday 31 October 2023



1.	Declaration of Opening																																								
	<p>Acknowledgement of Country</p> <p>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.</p> <p>Recording and Live Streaming of proceedings</p> <p>In accordance with Council Policy this meeting is being live streamed on the City's website, with the exception of confidential items and periods of adjournment or as determined by the Presiding Member.</p> <p>By being present at this meeting, members of the public consent to the possibility that their image and voice may be live streamed to the public. Recordings are also made available on the City's website following the meeting.</p> <p>Please note that clause 8.5 of the City's <i>Standing Orders Local Law 2001</i> provides that "no person is to use any electronic, visual or audio recording device or instrument to record the proceedings of the Council or a committee without the written permission of the Council".</p> <p>If anyone breaches this Standing Order they will be asked to leave the Council Chamber.</p>																																								
2.	Record of Attendance/Apologies/Approved Leave of Absence																																								
	<p>2.1 Council Members</p> <table> <tr> <td>Mayor Deb Hamblin</td><td></td></tr> <tr> <td>Cr Brett Wormald</td><td>Baldivis Ward</td></tr> <tr> <td>Cr Kelly Middlecoat</td><td>Baldivis Ward</td></tr> <tr> <td>Cr Mike Crichton</td><td>Baldivis Ward</td></tr> <tr> <td>Cr Lorna Buchan</td><td>Comet Bay Ward</td></tr> <tr> <td>Cr Robert Schmidt</td><td>Comet Bay Ward</td></tr> <tr> <td>Cr Craig Buchanan, JP</td><td>Rockingham/Safety Bay Ward</td></tr> <tr> <td>Cr Caroline Hume</td><td>Rockingham/Safety Bay Ward</td></tr> <tr> <td>Cr Dawn Jecks</td><td>Rockingham/Safety Bay Ward</td></tr> <tr> <td>Cr Mark Jones</td><td>Rockingham/Safety Bay Ward</td></tr> <tr> <td>Cr Leigh Liley</td><td>Rockingham/Safety Bay Ward</td></tr> </table> <p>2.2 Executive</p> <table> <tr> <td>Mr Michael Parker</td><td>Chief Executive Officer</td></tr> <tr> <td>Mr Sam Assaad</td><td>Director Asset Services</td></tr> <tr> <td>Mr John Pearson</td><td>Director Corporate Services</td></tr> <tr> <td>Mr Peter Doherty</td><td>Director Legal Services and General Counsel</td></tr> <tr> <td>Mr Michael Holland</td><td>Director Community Development</td></tr> <tr> <td>Mr Peter Ricci</td><td>Director Planning and Development Services</td></tr> <tr> <td>Mr Jim Olynyk, JP</td><td>Manager Governance and Councillor Support</td></tr> <tr> <td>Ms Louise Pleasance</td><td>Governance Coordinator</td></tr> <tr> <td>Ms Sue Langley</td><td>Governance Officer</td></tr> </table>	Mayor Deb Hamblin		Cr Brett Wormald	Baldivis Ward	Cr Kelly Middlecoat	Baldivis Ward	Cr Mike Crichton	Baldivis Ward	Cr Lorna Buchan	Comet Bay Ward	Cr Robert Schmidt	Comet Bay Ward	Cr Craig Buchanan, JP	Rockingham/Safety Bay Ward	Cr Caroline Hume	Rockingham/Safety Bay Ward	Cr Dawn Jecks	Rockingham/Safety Bay Ward	Cr Mark Jones	Rockingham/Safety Bay Ward	Cr Leigh Liley	Rockingham/Safety Bay Ward	Mr Michael Parker	Chief Executive Officer	Mr Sam Assaad	Director Asset Services	Mr John Pearson	Director Corporate Services	Mr Peter Doherty	Director Legal Services and General Counsel	Mr Michael Holland	Director Community Development	Mr Peter Ricci	Director Planning and Development Services	Mr Jim Olynyk, JP	Manager Governance and Councillor Support	Ms Louise Pleasance	Governance Coordinator	Ms Sue Langley	Governance Officer
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	<p>2.3 Members of the Gallery:</p> <p>2.4 Apologies:</p> <p>Cr-Elect Peter Hudson Rockingham/Safety Bay Ward</p> <p>2.5 Approved Leave of Absence:</p>
3.	Election of a Council Member to the Position of Deputy Mayor for a Period Ending in October 2025 (<i>Procedure attached</i>)
4.	Declaration by Deputy Mayor
5.	Allocation of Council Seating
	<p>As per <i>City of Rockingham Standing Orders Local Law 2001</i> clause 8.2 Members to Occupy Own Seats states -</p> <p><i>At the first meeting held after each ordinary election day, the CEO is to allot by random draw, a position at the Council table to each Council Member and the Council Member is to occupy that position when present at meetings of the Council until such time as there is a call by a majority of Council Members for re-allotment of positions.</i></p>
6.	Public Question Time
	<p>Note: In accordance with regulation 7(4)(b) of the <i>Local Government (Administration) Regulations 1996</i> questions at a Special Council Meeting need to relate to the purpose of that meeting.</p>
7.	Declarations of Members and Officers Interests
8.	Reports of Council Members
9.	Reports of Officers
	<p>General Management Services 5</p> <p>GM-031/23 Appointment of Members to Council Standing Committees (<i>Absolute Majority</i>) 5</p> <p>GM-032/23 Representation on Council Occasional and Advisory Committees (<i>Absolute Majority</i>) 11</p> <p>GM-033/23 Representation on Non Council Committees and Organisations 19</p>
10.	Questions by Members of which due notice has been given
11.	Urgent business approved by the person presiding or by decision of Council
12.	Closure

General Management Services

General Management Services Governance and Councillor Support



Report number / title:	GM-031/23	Appointment of Members to Council Standing Committees (<i>Absolute Majority</i>)
File number:	GOV/39	
Proponent/s:		
Author:	Mr Jim Olynyk, Manager Governance and Councillor Support	
Other Contributor/s:		
Date of Special Council meeting:	31 October 2023	
Previously before Council:		
Disclosure of Interest:		
Nature of Council's role:	Executive	
Attachments:		
Maps/Diagrams:		
Site:		
Lot Area:		

Purpose of Report

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

- Planning and Asset Services Committee (Previously Planning and Engineering Services)
- Corporate and Community Development Committee

Background

Council decisions are assisted through the operation of a committee system which supports the Council in exercising its duties and powers under the provisions of the *Local Government Act 1995*.

Details

The following information on the committee system is contained within the Councillor's Manual produced by Western Australian Local Government Association.

1 Committee System

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

A Council is not obliged to have any Committees.

1.1 Types of Committees

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

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

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

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

1.2 Membership and Term of Office

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

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

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

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

Standing Orders Local Law

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

PART 18 – COMMITTEES OF THE COUNCIL

18.1 Establishment and Appointment of Committees

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

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

18.2 Appointment of Deputy Committee Members

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

Standing Committees appointments prior to the 2023 Local Government Election were as follows:

Planning and Assets Services Committee

Members

Cr Hayley Edwards (Chairperson)
Cr Lorna Buchan
Mayor Deb Hamblin
Cr Dawn Jecks
Cr Mark Jones
Cr Brett Wormall

Deputies

Cr Caroline Hume
Cr Rae Cottam
Cr Leigh Liley
Cr Robert Schmidt
Cr Craig Buchanan
Cr Sally Davies

Corporate and Community Development Committee

Members

Cr Leigh Liley (Chairperson)
Cr Craig Buchanan
Cr Rae Cottam
Cr Sally Davies
Cr Caroline Hume
Cr Robert Schmidt

Deputies

Mayor Deb Hamblin
Cr Mark Jones
Cr Lorna Buchan
Cr Brett Wormall
Cr Hayley Edwards
Cr Dawn Jecks

Implications to Consider

a. Consultation with the Community

Not Applicable

b. Consultation with Government Agencies

Not Applicable

c. Strategic

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 2023-2033:

Aspiration: **5. Leadership Aspiration - Transparent and accountable leadership and governance**

Outcome/Objective: *Quality Leadership - Ensure accountable and transparent governance*

d. Policy

Governance and Meeting Framework Policy applies.

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

The Policy provides for the 'Standing Committee Membership Concept'. Where practicable, each Councillor will be a member of one of the Standing Committees and deputy for the other, if possible each Standing Committee will have representation from each ward.

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

1. Planning and Asset Services Committee

Committee Composition – 6 Council Members, 6 Deputies

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

2. Corporate and Community Development Committee

Committee Composition – 6 Council Members, 6 Deputies

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

e. **Financial**

Nil

f. **Legal and Statutory**

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

5.10. *Committee members, appointment of*

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

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

the local government is to appoint the CEO or the CEO's representative, as the case may be, to be a member of the committee.

5.11A. *Deputy committee members*

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

** Absolute majority required.*
- (2) *A person who is appointed as a deputy of a member of a committee is to be —*
 - (a) *if the member of the committee is a council member — a council member; or*
 - (b) *if the member of the committee is an employee — an employee; or*
 - (c) *if the member of the committee is not a council member or an employee — a person who is not a council member or an employee; or*
 - (d) *if the member of the committee is a person appointed under section 5.10(5) — a person nominated by the CEO*

- (3) *A deputy of a member of a committee may perform the functions of the member when the member is unable to do so by reason of illness, absence or other cause.*
- (4) *A deputy of a member of a committee, while acting as a member, has all the functions of and all the protection given to a member.*
[Section 5.11A inserted by No. 17 of 2009 s. 20.]

5.11. *Committee membership, tenure of*

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

g. Risk

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

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

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

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

Nil

Comments

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

Notwithstanding that a quorum for a Standing Committee meeting is three members, there is greater potential for robust committee recommendations when a full complement of Committee Members are available. The allocation of a direct deputy member should a Committee member be unable to attend a meeting supports this and has worked well.

The following are meeting dates and times for November and December 2023:

November

Monday 20 November 2023	Planning and Asset Services Committee	5:00pm
Tuesday 21 November 2023	Corporate and Community Development Committee	5:00pm

December

Monday 11 December 2023	Planning and Asset Services Committee	5:00pm
Tuesday 12 December 2023	Corporate and Community Development Committee	5:00pm

Absolute Majority

That Council **APPOINTS** six (6) Council Members and six (6) deputies as follows to the Council's Standing Committees for the period ending on the ordinary election day in October 2025:

[illegible][illegible]

General Management Services Governance and Councillor Support



Report number / title:	GM-032/23	Representation on Council Occasional and Advisory Committees (<i>Absolute Majority</i>)
File number:	GOV/39	
Proponent/s:		
Author:	Mr Jim Olynyk, Manager Governance and Councillor Support	
Other Contributor/s:		
Date of Special Council meeting:	31 October 2023	
Previously before Council:		
Disclosure of Interest:		
Nature of Council's role:	Executive	
Attachments:	1. Audit Committee Terms of Reference	
Maps/Diagrams:		
Site:		
Lot Area:		

Purpose of Report

For Council to consider appointing representatives to Council's Occasional and Advisory Committee's for the period ending on the next ordinary local government election day in October 2025.

Background

Council decisions are assisted through the operation of a committee system which supports Council in exercising its duties and powers under the provisions of the *Local Government Act 1995*. Occasional Committee's comprise of Council Members only and Advisory Committees are comprised of both Council Members and Community Representatives, both committee types provide recommendations to Council in line with their terms of reference.

Details

To assist Council in appointing representatives for the ensuing two years, the Council's current representatives, terms of reference and meeting details are contained within the Table as part of the Officer recommendation.

Implications to Consider

a. Consultation with the Community

In accordance with the Governance and Meeting Framework Policy community membership on Advisory Committees is reviewed and nominations sought every non-election year.

b. Consultation with Government Agencies

Not Applicable

c. Strategic

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 2023-2033:

Aspiration: **5. Leadership Aspiration - Transparent and accountable leadership and governance**

Outcome/Objective: *Quality Leadership - Ensure accountable and transparent governance*

d. Policy

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

Occasional Committees (Council Members only)

Occasional Committees comprise of Council Members only. They provide recommendations to Council in line with their terms of reference. Occasional committees meet as and when required as determined by the Committee or Council.

Advisory Committees (Community and Council Members)

Advisory Committees comprise of Council Members and community members. Providing recommendations to Council in line with their terms of reference. Advisory committees meet as and when required as determined by committee members or Council. Only in special circumstances should staff be voting members of committees. Their role should be that of providing professional advice and executive support.

e. Financial

Nil

f. Legal and Statutory

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

5.10. Committee members, appointment of

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

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

- (b) *that a representative of the CEO be a member of the committee, the local government is to appoint the CEO or the CEO's representative, as the case may be, to be a member of the committee.*

5.11A. Deputy committee members

- (1) *The local government may appoint* a person to be a deputy of a member of a committee and may terminate such an appointment* at any time.*
** Absolute majority required.*
- (2) *A person who is appointed as a deputy of a member of a committee is to be —*
(a) *if the member of the committee is a council member — a council member; or*
(b) *if the member of the committee is an employee — an employee; or*
(c) *if the member of the committee is not a council member or an employee — a person who is not a council member or an employee; or*
(d) *if the member of the committee is a person appointed under section 5.10(5) — a person nominated by the CEO*
- (3) *A deputy of a member of a committee may perform the functions of the member when the member is unable to do so by reason of illness, absence or other cause.*
- (4) *A deputy of a member of a committee, while acting as a member, has all the functions of and all the protection given to a member.*

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

5.11. Committee membership, tenure of

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

g. Risk

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

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

Customer Service / Project management / Environment : High and Extreme Risks
Finance / Personal Health and Safety : Medium, High and Extreme Risks

Nil

Comments

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

Voting Requirements

Absolute Majority

Officer Recommendation

That Council **APPOINTS** Council Members to each of the following Occasional and Advisory Committees for the period ending on the next ordinary local government election day in October 2025:

Occasional Committees:

Committee / Current Representatives	Terms of Reference / Meeting Details	Representatives appointed from October 2023-October 2025 (as per composition)	Executive Support / Responsible Officer
Audit Committee Mayor Hamblin Cr Liley Cr Buchan Cr Edwards (Deputy - Cr Davies)	The Audit Committee is an advisory committee established pursuant to section 7.1A.(1) of the Act. It is responsible to and assists the Council, in fulfilling its oversight responsibilities in relation to systems of risk management, internal control and compliance with laws and regulations and provides advice or recommendations on such matters. This is in order to facilitate informed decision making by Council in relation to its legislative functions and duties of the City of Rockingham. (Refer to Attachment 1 for a copy of the full Audit Committee Terms of Reference) - As required - No set time	Cr Cr Cr Cr Cr (Deputy) Cr (Deputy)	General Management Services Manager Internal Audit
Behaviour Complaints Committee All Council Members	To deal with complaints under the Council Policy – Code of Conduct Complaints Management Process - As required - No set time	All Council Members	All Council Members
CEO Performance Review Committee Mayor Hamblin Cr Edwards Cr Buchan Cr Liley	To undertake the performance review of the CEO including summarising the feedback of individual Councillors. - As required - No set time	Cr Cr Cr Cr Cr (Deputy) Cr (Deputy)	General Management Services Manager Governance and Councillor Support
Community Grants Program Committee Cr Buchanan Cr Edwards Cr Liley Cr Buchan (Deputy 1 - Cr Jecks) (Deputy 2 - Cr Wormall) (Deputy 3 - Cr Jones) (Deputy 4 - Cr Schmidt)	To consider and make recommendations to Council regarding the Major Grant, Major Event Sponsorship, and Community Infrastructure Grant applications, and to provide feedback to staff on the Community Grants Program. - As required - 8:00am	Cr Cr Cr Cr Cr (Deputy) Cr (Deputy) Cr (Deputy) Cr (Deputy)	General Management Services Manager Human Resource Development

Committee / Current Representatives	Terms of Reference / Meeting Details	Representatives appointed from October 2023-October 2025 (as per composition)	Executive Support / Responsible Officer
Customer Service Review Committee Mayor Hamblin Cr Buchan Cr Buchanan CEO <i>(Deputy - Cr Edwards)</i> <i>(Deputy to CEO – Director Corporate Services)</i>	To implement the Service Complaints Policy. - As required - No set time <i>Note: The Chief Executive Officer is a voting representative on the Customer Service Review Committee and the Director Corporate Services is the deputy</i>	Cr Cr Cr Cr (Deputy) Cr (Deputy)	Corporate Services Manager Customer and Corporate Support
Governance Review Committee Mayor Hamblin Cr Liley Cr Buchan Cr Davies <i>(Deputy - Cr Edwards)</i>	To provide advice to Council in respect to the good governance of the City of Rockingham including reviews of governance obligations and process. - As required - No set time	Cr Cr Cr Cr Cr (Deputy) Cr (Deputy)	General Management Services Manager Governance and Councillor Support

Advisory Committees:

Committee and Current Representatives	Terms of Reference and Meeting Details	Representatives appointed from 2023-2025 (as per composition)	Executive Support / Responsible Officer
Australian Citizen Awards Selection Panel Cr Buchanan Cr Davies <i>(Deputy - Cr Schmidt)</i>	To select persons for Australia Day Awards from Nominations received. - As required - No set time	Cr Cr Cr (Deputy) Cr (Deputy)	General Management Services Manager Governance and Councillor Support
Bush Fire Advisory Committee Cr Schmidt <i>(Deputy - Cr Jecks)</i> <i>(Note: setup as per s.67 of the Bush Fires Act 1954)</i>	<ul style="list-style-type: none"> Provide advice and guidance to Council on matters relating to bushfire risk management; and Facilitate collaboration between stakeholders with a shared responsibility for bushfire management within the City of Rockingham including prevention, preparedness, response and recovery. - Quarterly - First Tuesday - 6:30pm	Cr Cr (Deputy) Cr (Deputy)	Planning and Development Services Emergency Liaison Coordinator

Committee and Current Representatives	Terms of Reference and Meeting Details	Representatives appointed from 2023-2025 (as per composition)	Executive Support / Responsible Officer
Coastal Facilities Advisory Committee Cr Buchan Cr Jecks <i>(Deputy - Cr Liley)</i>	To provide input and advice into the development, implementation and performance of the City of Rockingham Coastal Facilities Strategy. - Quarterly - Fourth Monday - 4:00pm	Cr Cr <i>Cr (Deputy)</i> <i>Cr (Deputy)</i>	Asset Services Manager Technical Services
Community Safety and Support Services Advisory Committee <i>(Previously City Safe Advisory Committee)</i> Cr Edwards Cr Schmidt Cr Wormall	To provide strategic guidance and to represent the identified strengths, needs and aspirations of the community for the development, adoption and implementation of the Community Safety and Support Services Strategy. - Bi-monthly - Second Thursday - 4:00pm	Cr Cr Cr <i>Cr (Deputy)</i> <i>Cr (Deputy)</i>	Community Development Manager Community Safety and Support
Cultural Development and the Arts Advisory Committee Cr Davies <i>(Deputy - Cr Buchanan)</i>	To provide strategic advice and guidance on cultural development and the arts, whilst representing the community's needs and aspirations in line with the City's Cultural Development and the Arts Strategy - Bi-monthly - Third Wednesday - 4:15pm	Cr <i>Cr (Deputy)</i> <i>Cr (Deputy)</i>	Community Development Manager Community Capacity Building
Disability Access and Inclusion Advisory Committee Cr Hume Cr Jones	To represent the Community by providing advice/ support to Council with regard to the implementation of the Disability Access and Inclusion Plan/Strategy and to provide advice to improve City controlled disability access and inclusion within the City of Rockingham. - Bi-monthly - Wednesday - 9:00am	Cr Cr <i>Cr (Deputy)</i> <i>Cr (Deputy)</i>	Community Development Manager Community Capacity Building
Environmental Advisory Committee Cr Jecks Cr Wormall <i>(Deputy – Cr Edwards)</i>	To provide strategic, non-operational, input into the development and review of Community Plan Strategies, policies, City led development projects and other matters referred by the City that relate to environmental matters not addressed in the Terms of Reference of existing advisory groups - As required - No set time	Cr Cr <i>Cr (Deputy)</i> <i>Cr (Deputy)</i>	Planning and Development Services Manager Strategic Planning and Environment

Committee and Current Representatives	Terms of Reference and Meeting Details	Representatives appointed from 2023-2025 (as per composition)	Executive Support / Responsible Officer
Global Friendship Committee Mayor Hamblin Cr Hume Cr Schmidt <i>(Deputy – Cr Davies)</i>	<ul style="list-style-type: none"> - Promoting awareness of the social and economic importance of the Global Friendships program to the community. - Planning and arranging visits to and from global affiliates - Measuring the performance and effectiveness of individual Global Friendships in terms of community and economic development benefit - New Global Friendship proposals - Reviewing the performance and effectiveness of each Global Friendship every four years to assess the degree of activity, value to Council and associated benefits for the City of Rockingham. <ul style="list-style-type: none"> - As required - No set time 	Cr Cr Cr <i>Cr (Deputy)</i> <i>Cr (Deputy)</i>	General Management Services Manager Governance and Councillor Support
Heritage Reference Group Cr Cottam <i>(Deputy - Cr Buchanan)</i>	To provide a Forum to discuss the conservation and preservation of natural and culturally significant heritage sites within the Rockingham district. <ul style="list-style-type: none"> - As required - No set time 	Cr <i>Cr (Deputy)</i> <i>Cr (Deputy)</i>	Planning and Development Services Manager Statutory Planning – City's Heritage Consultant
RoadWise Advisory Committee Cr Wormald <i>(Deputy - Cr Schmidt)</i>	To provide input and advice into the development, implementation and performance of the 'City of Rockingham Road Safety Action Plan' linked to the 'Driving Change' State Road Safety Strategy 2020-2030. <ul style="list-style-type: none"> - Quarterly - First Monday - 4.00pm 	Cr <i>Cr (Deputy)</i> <i>Cr (Deputy)</i>	Asset Services Manager Technical Services
Rockingham Education and Training Advisory Committee Mayor Hamblin Cr Davies	To consider and make recommendations regarding the Tertiary Scholarship Scheme applications and provide advice and guidance on education, training and lifelong learning within the City of Rockingham to Council. <ul style="list-style-type: none"> - three meetings per year - Monday - 4:15pm 	Cr Cr <i>Cr (Deputy)</i> <i>Cr (Deputy)</i>	Community Development Manager Community Capacity Building
Seniors Advisory Committee Cr Hume Cr Jecks	To provide information, advice and guidance to Council on matters pertaining to seniors within the City of Rockingham <ul style="list-style-type: none"> - Bi-monthly - Thursday - 10:00am 	Cr Cr <i>Cr (Deputy)</i> <i>Cr (Deputy)</i>	Community Development Manager Community Capacity Building

Committee and Current Representatives	Terms of Reference and Meeting Details	Representatives appointed from 2023-2025 (as per composition)	Executive Support / Responsible Officer
Sports Advisory Committee Cr Liley Cr Schmidt	To provide advice and guidance on sport and recreation relevant to the City of Rockingham, whilst representing the community's needs and aspirations in line with the City's relevant Community Plan Strategy/Strategies. - Quarterly - First Monday - 5:00pm	Cr Cr Cr (Deputy) Cr (Deputy)	Community Development Manager Community Capacity Building

General Management Services Governance and Councillor Support



Report number / title:	GM-033/23	Representation on Non Council Committees and Organisations
File number:	GOV/39	
Proponent/s:		
Author:	Mr Jim Olynyk, Manager Governance and Councillor Support	
Other Contributor/s:		
Date of Special Council meeting:	31 October 2023	
Previously before Council:		
Disclosure of Interest:		
Nature of Council's role:	Executive	
Attachments:		
Maps/Diagrams:		
Site:		
Lot Area:		

Purpose of Report

For Council to consider appointing representatives to various non Council committees and organisations for the period ending on the next ordinary local government election day in October 2025.

Background

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

Details

To assist Council in appointing representatives for the ensuing two years, the Council's current representatives, terms of reference and meeting details are contained within the Table as part of the Officer recommendation.

Implications to Consider

- a. **Consultation with the Community**
Not Applicable
- b. **Consultation with Government Agencies**
Not Applicable

c. Strategic

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 2023-2033:

Aspiration: **5. Leadership Aspiration - Transparent and accountable leadership and governance**

Outcome/Objective: *Quality Leadership - Ensure accountable and transparent governance*

d. Policy

Nil

e. Financial

Nil

f. Legal and Statutory

Nil

g. Risk

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

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

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

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

Nil

Comments

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

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

Voting Requirements

Simple Majority

Officer Recommendation

That Council **APPOINTS** Council Members as Council representatives to the non Council committees and organisations as detailed below, for the period ending on the next ordinary local government election day in October 2025:

Committee and Current Representatives	Purpose / Role	Representatives appointed from 2023-2025 (as per composition)	Executive Support / Responsible Officer
Australian Coastal Councils Association Inc. Management Committee Cr Jones	<p>The Australian Coastal Councils Association Inc. is a national body which represents the interests of coastal councils and their communities.</p> <p>The role of the Association is to advocate on behalf of coastal councils. It also commissions research on behalf of councils in coastal areas in relation to a range of coastal issues, including:</p> <ul style="list-style-type: none"> The shortfall in resources to meet increasing demand for infrastructure and services; Coastal erosion and the projected impacts of sea level rise; 	Cr <i>Deputy not required</i>	<i>General Management Services</i> <i>Chief Executive Officer</i>

Committee and Current Representatives	Purpose / Role	Representatives appointed from 2023-2025 (as per composition)	Executive Support / Responsible Officer
	<ul style="list-style-type: none"> The legal risks faced by coastal councils in relation to planning for climate change; Proposed changes to arrangements for natural disaster funding, which will shift more of the recovery costs onto the States and local government; The impact of tourists and other visitors on coastal communities; The continuing impacts of high population growth in peri-urban and regional coastal councils <ul style="list-style-type: none"> Monthly 7:30am (WA time) teleconference 		
Cockburn Sound Management Council Cr Jecks (Deputy - Cr Edwards)	Provide advice to the Minister for Environment on the environmental management of Cockburn Sound. <i>Note: DWER Training required for all government board and committee members</i> <ul style="list-style-type: none"> Quarterly (February, June, September, December) First Friday 12:30pm Various Locations 	Cr Cr (Deputy)	<i>Planning and Development Services</i> <i>Manager Strategic Planning and Environment</i>
Development Assessment Panel Local Government Members: 1 - Cr Buchan 2 - Cr Jones Alternative Members: 1 – Mayor Hamblin 2 - Cr Edwards	To determine certain development applications in the place of the original decision maker, being the local government authority and/or the WAPC. DAP's are comprised of independent 3 technical experts and 2 elected local government representatives. <ul style="list-style-type: none"> As required Any Local Government within South West Corridor 	Local Govt. Members: Cr Cr Alternative Members: Cr Cr	<i>Planning and Development Services</i> <i>Manager Statutory Planning</i>
Jandakot Airport Community Aviation Consulting Group (JACACG) Cr Buchan (Deputy – Cr Liley)	The role and purpose of the JACACG is to provide a forum for community consultation, which will: <ul style="list-style-type: none"> enable residents affected by airport operations, Jandakot Airport Holdings and aviation operators at the airport, local authorities, airport users, and other stakeholders, to exchange information on issues relating to the operation of Jandakot Airport and its impacts; allow concerns about airport operations and development to be articulated and taken into account by Jandakot Airport Holdings, with a genuine desire to resolve issues that may emerge; and 	Cr Cr (Deputy)	<i>General Management Services</i> <i>Chief Executive Officer</i>

Committee and Current Representatives	Purpose / Role	Representatives appointed from 2023-2025 (as per composition)	Executive Support / Responsible Officer
	<ul style="list-style-type: none"> complement the consultative requirements established for airport Master Plans and Major Development Plans. 4 times per year. 4pm Jandakot Airport Holdings 		
Local Emergency Management Advisory Committee Cr Schmidt <i>(Deputy - Cr Edwards)</i>	To advise and assist in the establishment, development, review and testing of local emergency management arrangements and to carry out emergency management activities as directed by State Emergency Management Committee or prescribed by regulations. <ul style="list-style-type: none"> Quarterly Third Wednesday 10am City of Rockingham 	Cr <i>Cr (Deputy)</i>	<i>Planning and Development Services Emergency Liaison Coordinator</i>
Main Roads Regional Grants Committee Cr Wormall	To review the Road Funding Grant applications made by Metropolitan Councils and make recommendations to the State Road Funds to Local Advisory Committee. <ul style="list-style-type: none"> As required (usually 2-3 per annum) A Council within Perth South West Metropolitan Alliance or Main Roads WA 4:00pm 	Cr <i>Deputy not required</i>	<i>Asset Services Manager Technical Services</i>
Peel-Harvey Catchment Council <i>No current Council representative</i>	A not-for-profit, community based Natural Resource Management organisation that promotes an integrated approach to catchment management and the way we protect and restore the environment within the Peel-Harvey catchment <ul style="list-style-type: none"> Bi-monthly Third Thursday 	Cr	<i>Planning and Development Services Manager Strategic Planning and Environment</i>
Peron Naturaliste Partnership Board Cr Jones <i>(Deputy - Cr Hume)</i>	Regional body representing coastal and estuarine local governments of Bunbury, Busselton, Mandurah, Rockingham, Capel, Dardanup, Harvey and Waroona on coastal and climate change issues. <ul style="list-style-type: none"> At least three times a year Meetings typically held on a Friday at various locations (usually in the Bunbury region) 	Cr <i>Cr (Deputy)</i>	<i>Planning and Development Services Manager Strategic Planning and Environment</i>

Committee and Current Representatives	Purpose / Role	Representatives appointed from 2023-2025 (as per composition)	Executive Support / Responsible Officer
Perth South West Environmental Reference Forum Cr Schmidt <i>(Deputy - Cr Hume)</i>	<p>The role is to:</p> <ul style="list-style-type: none"> Oversee the implementation of the Regional Natural Resources Management (NRM) Strategy development by the South West Group Provide advice and feedback on the identification and implementation of priority projects and activities progressed through the Regional NRM Strategy. Actively engage with key stakeholders (government, corporate and community) to progress NRM projects and activities that benefit the region. Identify opportunities to improve collaboration on NRM activities between South West Group member Councils and stakeholder organisations. <p>- 4 to 6 times per year</p>	Cr Cr (Deputy) <i>Note: The same rep and deputy will be appointed to both SWCDF and the Perth South West Environmental Reference Forum in a combined capacity.</i>	<i>Planning and Development Services Manager Strategic Planning and Environment</i>
Perth South West Metropolitan Alliance GVR/7 <i>(formerly South West Group)</i> Mayor Hamblin	<p>Comprised of Cockburn, East Fremantle, Fremantle, Kwinana, Melville and Rockingham local government authorities.</p> <p>The role is to:</p> <ul style="list-style-type: none"> Chart the strategic direction of the South West Group Prioritise and oversight the activities and projects of the South West Group Consider opportunities for efficiency and improved service delivery through cooperation between member Local Governments Consider reports and other formal documents of the South West Group Consider advice from committees and groups as required. <p>- 4 to 6 times per year - various locations (host Council)</p>	Mayor Hamblin Note: <i>Mayor to be appointed</i>	<i>General Management Services Chief Executive Officer</i>
Point Peron Rehabilitation Committee Cr Wormald	<p>Established by the former Hon Phil Edman MLC to rehabilitate and preserve the history and infrastructure of the Point Peron gun emplacements and batteries.</p> <p>- As required</p>	Cr Cr (Deputy)	<i>Planning and Development Services Manager Statutory Planning</i>
Rockingham Lakes Regional Park Advisory Committee Cr Jecks <i>(Deputy – Cr Jones)</i>	<p>The Committee's main task is the future and ongoing management of the Park.</p> <p>Members of the Committee have been drawn from a wide range of park users and community interest groups, including local government, volunteers, conservation and recreation groups and local business.</p> <p>- Bi-Monthly - Second Wednesday - 5:00pm - Committee Room</p>	Cr Cr (Deputy)	<i>Asset Services Manager Park Services</i>

Committee and Current Representatives	Purpose / Role	Representatives appointed from 2023-2025 (as per composition)	Executive Support / Responsible Officer
South West Corridor Development Foundation (SWCDF) Cr Schmidt <i>(Deputy - Cr Hume)</i>	<p>Comprised of Cockburn, East Fremantle, Fremantle, Kwinana, Melville and Rockingham local government authorities.</p> <p>The role of SWCDF is:</p> <ul style="list-style-type: none"> To facilitate and promote economic and community development of the South Metropolitan region. Carry out projects to promote regional economic development and cultural development, workforce and skills development and environmental restoration activities. <ul style="list-style-type: none"> 4 times per year and AGM Various Locations (host Councils) 	<p>Cr (as per PSWERF)</p> <p>Cr (Deputy)</p> <p><i>Note: The same rep and deputy will be appointed to both SWCDF and the Perth South West Environmental Reference Forum in a combined capacity.</i></p>	
South West District Planning Committee Cr Edwards	<p>In September 2009, the South West District Planning Committee became an Advisory Committee, with meetings scheduled at the discretion and direction of the Western Australian Planning Commission (WAPC). This was in response to the Government's decision to reduce the number of boards and committees in order to improve the operational efficiencies, reduce costs and to make Government more responsive.</p> <p>The function and duties of the Committee are as follows:</p> <ul style="list-style-type: none"> To assist and advise the Western Australian Planning Commission on Regional Planning matters; investigate, report and formulate recommendations in respect of matters affecting or likely to affect the Metropolitan Region Scheme with particular regard to the South West section of the Metropolitan Region; To exercise such functions of the Western Australian Planning Commission as the Commission may delegate to it under the provisions of Section 20 of the Act; To exercise such functions of the Metropolitan Planning Council as the Council may delegate to it under the provisions of Section 37 of the Act; and To act as a forum for representatives of member Councils and their Technical Officers to discuss planning matters of mutual interest, which do not necessarily have any relationship to the Western Australian Planning Commission. <p>Council has a statutory obligation to be represented on the South West District Planning Committee.</p> <ul style="list-style-type: none"> Meetings as required by the WAPC 	<p><i>Chairperson of the City's Planning and Asset Services Committee to be appointed</i></p>	<p><i>Planning and Development Services Manager Statutory Planning</i></p>

Committee and Current Representatives	Purpose / Role	Representatives appointed from 2023-2025 (as per composition)	Executive Support / Responsible Officer
Western Australian Local Government Association – South Metropolitan Zone Mayor Hamblin Cr Hume Cr Edwards	Provide Council input on Local Government Issues at a Regional level. <i>Note: The two longest serving delegates become the voting delegates for the WA Local Government Association Annual General Meeting. The other delegate is proxy.</i> - Bi-monthly - Fourth Monday - 5:30pm - Various Locations – Host Councils	Cr Cr Cr	<i>General Management Services Chief Executive Officer</i>

In accordance with Schedule 2.3, Clause 8 - How deputy mayor or deputy president is election:

- The council is to elect a Council Member (other than the mayor) to fill the office.
- The election is to be conducted in accordance with the procedure prescribed by the mayor, or if he or she is not present, by the CEO.
- Nominations for the office of Deputy Mayor are to be given to the person conducting the election in writing before the meeting or during the meeting before the close of nominations who will announce a time for close of nominations, which will be a sufficient time after the announcement that nominations are about to close.
- If a Council Member is nominated by another Council Member, the person conducting the election is not to accept the nomination unless the nominee has advised verbally or in writing that they are willing to be nominated for the office.
- Nominees for the position shall have the opportunity to address the Council for ten minutes per person prior to the election vote. A further period of five minutes may be granted to each nominee if the majority of the Council so agree.
- The Council Members are to vote on the matter by secret ballot using the optional Preferential Voting system.
- Subject to clause 9(1) of Schedule 2.3 of the *Local Government Act 1995*, the votes cast are to be counted, and the successful candidate determined, in accordance with Schedule 4.1 Division 2 – One office elections of the *Local Government Act 1995*, as if those votes were votes cast at an election.
- Any nomination may be withdrawn or new nominations, in writing, may be received before or when the Special Meeting of Council commences.
- If subject to 9(1) there is an equality of votes, a further election for Deputy Mayor needs to be held, the Council Members are to vote again on the matter by secret ballot as if they were voting at an election. The Special Meeting of Council is to be held not more than 7 days later in accordance with Schedule 4.1.
- If there is again an equality of votes so that a successful candidate cannot be determined, the person conducting the election will draw lots to determine which candidate is elected as Deputy Mayor.
- The person successfully elected as Deputy Mayor must then make a declaration in accordance with section 2.29 of the *Local Government Act (1995)* before acting in the office.



**City of Rockingham
Audit Committee
Terms of Reference**

Role

Council has established the Audit Committee in accordance with the *Local Government Act 1995* (Act) and accompanied regulations.

The Audit Committee is an advisory committee established pursuant to section 7.1A.(1) of the Act. It is responsible to and assists the Council, in fulfilling its oversight responsibilities in relation to systems of risk management, internal control and compliance with laws and regulations and provides advice or recommendations on such matters. This is in order to facilitate informed decision making by Council in relation to its legislative functions and duties of the City of Rockingham (City).

The Audit Committee will engage with management in a constructive and professional manner to perform its oversight responsibilities.

Membership

The Audit Committee is to comprise 4 members of Council.

Secretarial Support

The Chief Executive Officer (CEO) is to provide secretarial support to the Audit Committee.

Other Attendees

The CEO is responsible for providing all necessary advice and officer attendance to enable informed decisions to be made.

Responsibilities

The Audit Committee has no executive powers or authority to implement actions in areas where the CEO has legislative responsibility and has no delegated authority from Council.

Council authorises the Audit Committee, in accordance with the Terms of Reference, to:

- § Review the internal and external auditor's annual audit plans and the outcomes/results of all audits undertaken;
- § Monitor and consider the CEO's reviews conducted under regulation 17(1) of the *Local Government (Audit) Regulations 1996* and regulation 5(2)(c) of the *Local Government (Financial Management) Regulations 1996*;
- § Support the auditor of the local government to conduct an audit and carry out the auditor's other duties under the Act in respect of the local government;
- § Oversee the implementation of any action that the local government is required to take under section 7.12A(3) of the Act;
- § Formally meet with the City's auditors as necessary;
- § Seek resolution on any disagreements between management and the external auditors on financial reporting; and
- § Advise Council on the above as required.

The City's Audit Committee has the following functions as stipulated in regulation 16 of the *Local Government (Audit) Regulations 1996* as follows:

- (a) to guide and assist the local government in carrying out:
 - (i) its functions under Part 6 of the Act; and
 - (ii) its functions relating to other audits and other matters related to financial management;
- (b) to guide and assist the local government in carrying out the local government's functions in relation to audits conducted under Part 7 of the Act;



- (c) to review a report given to it by the CEO under regulation 17(3) (the CEO's report) and is to:
 - (i) report to the council the results of that review; and
 - (ii) give a copy of the CEO's report to the Council;
- (d) to monitor and advise the CEO when the CEO is carrying out functions in relation to a review under:
 - (i) regulation 17(1); and
 - (ii) the *Local Government (Financial Management) Regulations 1996* regulation 5(2)(c);
- (e) to support the auditor of the local government to conduct an audit and carry out the auditor's other duties under the Act in respect of the local government;
- (f) to oversee the implementation of any action that the local government:
 - (i) is required to take by section 7.12A(3);
 - (ii) has stated it has taken or intends to take in a report prepared under section 7.12A(4)(a);
 - (iii) has accepted should be taken following receipt of a report of a review conducted under regulation 17(1); and
 - (iv) has accepted should be taken following receipt of a report of a review conducted under the *Local Government (Financial Management) Regulations 1996* regulation 5(2)(c); and
- (g) to perform any other function conferred on the audit committee by these regulations or another written law.

The Audit Committee will therefore have the following duties:

Risk management role, fraud and internal control

- § Reviewing and recommending Council Policy on Risk Management for the effective identification and management of the City's strategic risks;
- § Providing oversight on strategic risk exposures and, Council Policy on Risk Management;
- § Reviewing the effectiveness of processes for identifying, managing, treating and mitigating the City's strategic risks and ensuring that treating residual risks are aligned with the City's Risk Management Policy.

Internal audit

- § Assessing the internal audit plan to ensure that it addresses identified strategic risks that may threaten the achievement of strategic objectives;
- § Receive and review internal audit reports and provide recommendations to the Council on significant issues identified in audit reports and action to be taken on issues raised;
- § Review Financial Performance Reports;
- § Review with management the results of the audit; and
- § Oversight of management action in response to issues raised by the Office of the Auditor General Western Australia (OAG).

Compliance and ethics

- § Monitor suggested enhancements of systems and processes to monitor compliance with legislative requirements;
- § Keep informed of the findings of any industry based inquiries and reports, by regulatory agencies;
- § Obtain regular updates from management about any significant compliance matters; and
- § Review suggested improvements to the annual Compliance Audit Return and report.



External audit

- § Meet with the OAG to discuss the results of the financial audit (audit exit meeting);
- § Liaise with the CEO to ensure that the City does everything in its power to assist the OAG to conduct the audit and carry out its duties under the Act;
- § Review reports from the OAG including auditor's reports, closing reports and management letters;
- § Reviewing performance audit outcomes conducted on the City;
- § Review results of industry based performance audit reports and better practice guidance issued by the OAG, including any self-assessments performed by management on industry based performance audit; and
- § Meet with External Auditors on matters as requested by the Audit Committee.

Other responsibilities

- § Perform any other activities related to the duties of the Audit Committee as requested by Council.

Meetings

Meeting dates and time

Although the Audit Committee is to meet at least once annually, other meetings will be held as required.

Audit Committee Meetings Closed to Public

Audit Committee Meetings are closed to public in accordance with section 5.23(2) of the Act as the Audit Committee deals with risks, possible internal control deficiencies and audits which if these matters are publically disclosed, could impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law, endanger the security of the City's property, prejudice the maintenance or enforcement of a lawful measure for protecting public safety.

Review of Terms of Reference

In accordance with Council Policy – Governance and Meeting Framework Policy.