



City of Rockingham

MINUTES

Corporate and Community Development Committee

Held on Tuesday 20 February 2024 at 5:00pm
City of Rockingham Council Chamber



City of Rockingham
Corporate and Community Development
Committee Minutes
5:00pm Tuesday 20 February 2024



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City of Rockingham
Corporate and Community Development
Committee Meeting Minutes
Tuesday 20 February 2024 - Council Chamber



1. Declaration of Opening

The Chairperson declared the Corporate and Community Development Committee meeting open at **5:00pm** 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.

Recording and Live Streaming of proceedings

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.

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.

Please note that clause 8.5 of the City's *Standing Orders Local Law 2001* 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".

If anyone breaches this Standing Order they will be asked to leave the Council Chamber.

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

2.1 Council Members

Cr Craig Buchanan, JP	Chairperson
Cr Mike Crichton	
Cr Caroline Hume	
Cr Leigh Liley	
Cr Kelly Middlecoat	
Cr Robert Schmidt	

2.2 Executive

Mr Michael Parker	Chief Executive Officer
Mr John Pearson	Director Corporate Services
Mr Nick Brown	A/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 Allan Moles	Manager Waste Services
Mr Alvin Santiago	Manager Financial Services
Ms Nollaig Baker	Manager Strategy and Corporate Communications

	<p>Mr Richard Hardy A/Manager Community and Leisure Facilities</p> <p>Mr Gary Rogers Manager Community Infrastructure Planning</p> <p>Mr Paul Hayward Manager Community Capacity Building</p> <p>Ms Alison Oliver Manager Library and Information Services</p> <p>Ms Melissa James Manager Economic Development and Tourism</p> <p>Mr Matt Lewis Coordinator Community Safety and Support Services</p> <p>Ms Katie MacLachlan Financial Controller</p> <p>Ms Lauren Shaw Governance Officer – Councillor Support and FOI</p> <p>Ms Jen Weinman Governance Assistant</p> <p>Ms Diane Zanre PA to Director Community Development</p>
2.3	Members of the Gallery: 3
2.4	Apologies:
	<p>Mr Michael Holland Director Community Development</p> <p>Ms Mary-Jane Rigby Manager Community Safety and Support Services</p>
2.5	Approved Leave of Absence: Nil
3.	Responses to Previous Public Questions Taken on Notice
	Nil
4.	Public Question Time
5:03pm	The Chairperson opened Public Question Time and invited members of the Public Gallery to ask questions. The Chairperson noted that this was the only opportunity in the meeting for the public to ask questions.
4.1	<p>Ms Rebecca Privilege, Secret Harbour – Council Policy Review: Use of Councillors’ Lounge</p> <p>The Chairperson invited Ms Privilege to present her question to the Corporate and Community Development Committee.</p> <p>Ms Privilege asked the following question:</p> <ol style="list-style-type: none"> 1. Could you please clarify with the Use of Councillors’ Lounge Policy, under refreshments, it does not differentiate between alcoholic and non-alcoholic refreshments? <p><i>The Chairperson advised that a previous decision by Council was that there is to be no alcohol in the Councillors’ Lounge.</i></p>
5:05pm	There being no further questions the Chairperson closed Public Question Time.
5.	Confirmation of Minutes of the Previous Meeting
	<p>Moved Cr Hume, seconded Cr Liley:</p> <p>That Committee CONFIRMS the Minutes of the Corporate and Community Development Committee Meeting held on 19 December 2023, as a true and accurate record.</p> <p style="text-align: right;">Committee Voting (Carried) – 6/0</p>

6.	Matters Arising from the Previous Minutes		
	Nil		
7.	Announcement by the Presiding Person without Discussion		
	5:05pm	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.	
8.	Declarations of Members and Officers Interests		
	8.1	Item CS-001/24	Council Policy Review: Investment of Surplus Funds
		Council Member:	Cr Kelly Middlecoat
		Type of Interest:	Financial
		Nature of Interest:	Cr Middlecoat is both a shareholder and employee of National Australia Bank.
		Extent of Interest:	Not Applicable
	8.2	Item CS-002/24	Council Policy Review: Credit Cards
		Council Member:	Cr Kelly Middlecoat
		Type of Interest:	Impartiality
		Nature of Interest:	Cr Middlecoat is both an employee and shareholder of National Australia Bank, which is the credit card provider of the City of Rockingham. Cr Middlecoat declares that she will deal with the matter on its merits and vote accordingly.
		Extent of Interest:	Not Applicable
	8.3	Item CD-002/24	Community Grant Program applications round three 2023/2024
		Council Member:	Mayor Deb Hamblin
		Type of Interest:	Impartiality
		Nature of Interest:	Mayor Hamblin has friendships with the committee members of Cycling Without Age. Mayor Hamblin declares that she will deal with the matter on its merits and vote accordingly.
		Extent of Interest:	Not Applicable
	8.4	Item CD-002/24	Community Grant Program applications round three 2023/2024
		Council Member:	Cr Robert Schmidt
		Type of Interest:	Impartiality
		Nature of Interest:	Cr Schmidt is a member of the Golden Bay Community Garden and assisted the Singleton Irwinians Cricket Club with the grant application. Cr Schmidt declares that he will deal with the matter on its merits and vote accordingly.
		Extent of Interest:	Not Applicable

9.	Petitions/Deputations/Presentations/Submissions
	Nil
10.	Matters for which the Meeting may be Closed
	<p>5:08pm The Chairperson advised in accordance with section 5.23(2)(b) of the <i>Local Government Act 1995</i> – if there were any questions or debate on Confidential Item CD-001/24 - Seniors Advisory Committee – Appointment of Community Member (<i>Absolute Majority</i>) then the Corporate and Community Development Committee will need to defer the matter for consideration at Agenda Item 18 - Matters Behind Closed Doors.</p> <p>There were no questions or request for debate.</p>

Community Development

CONFIDENTIAL ITEM

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

Community Development Community Capacity Building Seniors Advisory Committee	
Report number / title:	CD-001/24 Seniors Advisory Committee – Appointment of Community Member (Absolute Majority)
File number:	CSV/3459
Proponent/s:	
Author:	Ms Bethany Dubberlin, Community Development Officer (Seniors)
Other Contributor/s:	Ms Rebekka Jarvis, Coordinator Community Capacity Building Mr Paul Hayward, Manager Community Capacity Building
Date of Committee Meeting:	20 February 2024
Previously before Council:	
Disclosure of Interest:	
Nature of Council's Role:	Executive
Attachments:	1. Minutes of the Seniors Advisory Committee meeting held on 9 December 2023 Confidential Attachment as per Section 5.23 of the <i>Local Government Act 1995</i>
Maps/Diagrams:	
Site:	
Lot Area:	

Purpose of Report

To appoint one new community member to the Seniors Advisory Committee.

Voting Requirements

Absolute Majority

Confirmed at a Corporate and Community
Development Committee meeting held on
Tuesday 19 March 2024


Presiding Member

Advisory Committee Recommendation

That Council **APPOINTS** the nominated Applicant as identified in the details section of the Confidential Report.

Officer Recommendation if Different to Advisory Committee Recommendation

Not Applicable

The Officer's Reason for Varying the Advisory Committee Recommendation

Not Applicable

Committee Recommendation

Moved Cr Hume, seconded Cr Schmidt:

That Council **APPOINTS** the nominated Applicant as identified in the details section of the Confidential Report.

Committee Voting (Carried) – 6/0

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

Not Applicable

Implications of the Changes to the Officer's Recommendation

Not Applicable

11.	Bulletin Items
	<p>Corporate and General Management Services Information Bulletin – February 2024</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 Microsoft 365 2.3 Food Organic Garden Organic (FOGO) Waste Collection and Processing Service 3. Information Items <ol style="list-style-type: none"> 3.1 List of Payments December 2023 and January 2024 3.2 Monthly Financial Management Report November and December 2023 3.3 Amendment to Rate Record – Non-Rateable Land 3.4 Awarding of Tenders by CEO - Delegated Authority 3.5 Lease Tenure Matters 3.6 Leased Property Maintenance Grants 3.7 Delegated Authority to Dispose of Property by way of Lease 3.8 Development Contribution Scheme 3.9 List of Write Offs for Debts under \$2,000 <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 3. Information Items <ol style="list-style-type: none"> 3.1 Freedom of Information (FOI) Requests 3.2 Council Member Requests 3.3 Citizenships 3.4 Australian Coastal Councils Association Inc. Newsletter 3.5 WALGA Quarterly Overview Report for the City of Rockingham 3.6 Local Government Election Cost 3.7 Coming Events 3.8 Notice of Motion – Status Report <p>Human Resources</p> <ol style="list-style-type: none"> 1. Human Resources Team Overview 2. Project Status Reports 3. Information Items <ol style="list-style-type: none"> 3.1 Recruitment 3.2 Workplace Health and Safety Statistics <p>Strategy, Marketing and Communications</p> <ol style="list-style-type: none"> 1. Strategy, Marketing and Communications Team Overview 2. Project Status Reports <ol style="list-style-type: none"> 2.1 Resident Perception Survey 2023 3. Information Items <ol style="list-style-type: none"> 3.1 Team Plan

	<ul style="list-style-type: none"> 3.2 Community Engagement – Share your thoughts 3.3 Social Media 3.4 Media Tracking <p>Legal Services & General Counsel</p> <ul style="list-style-type: none"> 1. Legal Services & General Counsel Team Overview 2. Project Status Reports 3. Information Items <ul style="list-style-type: none"> Provision of Legal Advice 3.1 Legal Advice – Local Government Operational Matters 3.2 Litigation
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Committee Recommendation

Moved Cr Middlecoat, seconded Cr Hume:

That Council Members acknowledge having read the Corporate and General Management Services Information Bulletin – February 2024 and the content be accepted.

Committee Voting (Carried) – 6/0

	<p>Community Development Information Bulletin – February 2024</p> <p>Community Safety and Support Services</p> <ul style="list-style-type: none"> 1. Community Safety and Support Services Team Overview 2. Project Status Reports <ul style="list-style-type: none"> 2.1 Alcohol Management Plan 2.2 Community Services Mapping 2.3 CCTV Plan 2.4 Assertive Outreach 2.5 Social Connection and Support Pilot Project 2.6 Crisis/Supported Accommodation 3. Information Items <ul style="list-style-type: none"> 3.1 Community Support Services 3.2 Rockingham Connect Community Transport Project 3.3 Community Safety <p>Library Services</p> <ul style="list-style-type: none"> 1. Library Services Team Overview 2. Project Status Reports 3. Information Items <ul style="list-style-type: none"> 3.1 November 2023 Library Services Statistics 3.2 December 2023 Library Services Statistics 3.3 Mary Davies Library and Community Centre 3.4 Baldivis South Community Centre 3.5 Rockingham Library 3.6 Safety Bay Library 3.7 Warnbro Community Library 3.8 November 2023 Library Facebook Statistics 3.9 December 2023 Library Facebook Statistics 3.10 Christmas Activities 2023 3.11 Warnbro Community Library STEAM Lab Project
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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 Safety Bay Foreshore Community Facility Development
 - 3.4 Stan Twight Reserve Clubroom Redevelopment
 - 3.5 Anniversary Park Clubroom Redevelopment
 - 3.6 Community Infrastructure Functionality Audit Report
 - 3.7 Baldivis Recreation Reserve Master Plan
 - 3.8 Lark Hill Sportsplex Northern Expansion

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
 - 2.4 Strategy for Early Years, Children and Young People
3. Information Items
 - 3.1 Grants
 - 3.2 Disability Access and Inclusion
 - 3.3 Reconciliation Action Plan
 - 3.4 Seniors
 - 3.5 City Volunteer Program
 - 3.6 Rockingham Volunteer Centre
 - 3.7 Early Years, Children and Families
 - 3.8 Sport and Recreation
 - 3.9 Health and Wellbeing
 - 3.10 Youth Development
 - 3.11 Cultural Development and the Arts
 - 3.12 Rockingham Arts Centre

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
 - 3.3 Mike Barnett Sports Complex
 - 3.4 Rockingham Aquatic Centre
 - 3.5 Mike Barnett Sports Complex – Needs Assessment and Feasibility Study
 - 3.6 Rockingham Hobby Hub
 - 3.7 Gary Holland Community Centre
 - 3.8 Autumn Centre
 - 3.9 Baldivis Indoor Sports Complex

Economic Development and Tourism

1. Economic Development and Tourism Team Overview
2. Project Status Reports
 - 2.1 Local Business Development
 - 2.2 Iconic Economic Development / Tourism Events

	2.3	Destination Marketing
	2.4	Visitor Servicing Fee for Service
	2.5	Tourism Strategy
	2.6	Mobile Visitor Service Unit
3.		Information Items
	3.1	Stakeholder Engagement - Economic Development and Tourism

Committee Recommendation

Moved Cr Middlecoat, seconded Cr Hume:

That Council Members acknowledge having read the Community Development Information Bulletin – February 2024 and the content be accepted.

Committee Voting (Carried) – 6/0

12. Agenda Items

Corporate Services

5:27pm Cr Middlecoat declared a Financial Interest in Item CS-001/24 Council Policy Review: Investment of Surplus Funds and left the Chamber.

Corporate Services Financial Services		
Report number / title:	CS-001/24	Council Policy Review: Investment of Surplus Funds
File number:	CPM/120-9	
Proponent/s:		
Author:	Mr Alvin Santiago, Manager Financial Services	
Other Contributor/s:		
Date of Committee meeting:	20 February 2024	
Previously before Council:	23 July 2019 (CS-012/19) 19 March 2019 (CS-002/19)	
Disclosure of Interest:		
Nature of Council's role:	Executive	
Attachments:	1. Council Policy - Investment of Surplus Funds <i>(marked up version)</i>	
Maps/Diagrams:		
Site:		
Lot Area:		

Purpose of Report

For Council to adopt the reviewed Council Policy – Investment of Surplus Funds (**Policy**).

Background

The Policy was originally adopted in July 2019. As a result of *Local Government Regulations Amendment Regulations 2023*, there were changes to Regulations 28 and 49 of the *Local Government (Financial Management) Regulations 1996* which need to be considered in the City of Rockingham's current Investment of Surplus Funds Policy.

Details

In summary the main revisions to this policy when compared to the policy adopted in 2019 are:

- Removal of Regulations 28 and 49 of the *Local Government (Financial Management) Regulations 1996*
- Terminologies and formatting

Confirmed at a Corporate and Community
Development Committee meeting held on
Tuesday 19 March 2024


Presiding Member

Implications to Consider

a. Consultation with the Community

The changes recommended to the Policy are minor as such, consultation with the community is not considered necessary.

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: *A vibrant economy creating opportunities*

Strategic Objective: *Growing the business economy – Attract and promote new businesses and investment opportunities.*

d. Policy

The Council Policy – Investment of Surplus Funds is an existing policy and remains substantively unchanged.

e. Financial

Nil

f. Legal and Statutory

Section 6.14 of the *Local Government Act 1995* (the Act) relates to the investment of funds, granting permission for funds held within the municipal or trust accounts to be invested.

Local Government (Financial Management) Regulations 1996, Regulation 19C provides specific details regarding how money may and may not be invested. Specifically, these requirements include the requirement to invest with authorised deposit-taking institutions as defined in the *Banking Act 1959* (Commonwealth) Section 5; or The Western Australian Treasury Corporation established by the *Western Australian Treasury Corporation Act 1986*.

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

- a) deposit with an institution except an authorised institution;
- b) deposit for a fixed term of more than 3 years;
- c) invest in bonds that are not guaranteed by the Commonwealth Government, or a State or Territory government;
- d) invest in bonds with a term to maturity of more than 3 years;
- e) invest in foreign currency.

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 City of Rockingham (**City**) has followed an appropriately conservative investment policy over the years through this Policy. The Policy has ensured security of funding and cash flow, and has shielded the City from significant variations in investment income.

The changes in the current Policy continue this conservative practice, while allowing for greater timeframe flexibility in line with the statutory requirements.

Voting Requirements

Simple Majority

Officer Recommendation

That Council **APPROVES** the reviewed Council Policy – Investment of Surplus Funds.

Committee Recommendation

Moved Cr Liley, seconded Cr Crichton:

That Council **APPROVES** the reviewed Council Policy – Investment of Surplus Funds:

Investment of Surplus Funds

Policy Objective

To:

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

Policy Scope

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

Policy Statement

Legislative Requirements

All investments are to be made in accordance with:

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

Delegation of Authority

For information purposes, delegated authority has been provided to the CEO in accordance with Section 5.42 of the Local Government Act 1995 for the investment of surplus funds. The CEO may in turn delegate the day-to-day management of investments to City officers subject to regular reviews.

Prudent Person Standard

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

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

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

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

Authorised Investments

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

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

Diversification and Credit Risk

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

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

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

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

Investment Quotations

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

Selection of Investment

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

- the rate of return offered for the respective investment,
- the relative risk of the respective investment, taking into account the Standard and Poor's, Fitch or Moody's rating,
- the requirement that no more than 50% of the City's total investment portfolio will be invested at any one time with one financial institution,
- Other relevant risk parameters such as overall portfolio diversity, credit quality, interest rates, market, maturity and liquidity risks at a portfolio level,
- the City's estimated future cash flow requirements.

Environmental Investing Considerations

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

Confirmed at a Corporate and Community
Development Committee meeting held on
Tuesday 19 March 2024


Presiding Member

Reporting and Record Keeping

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

Definitions

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

Investment Portfolio – A collection of investments.

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

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

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

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

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

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

Legislation

Local Government Act 1995 – S6.14

Other Relevant Policies/ Key Documents

Nil

Responsible Division

Corporate Services

Review Date

February 2027

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

5:30pm Cr Middlecoat rejoined the meeting.

5:32pm Mr Paul Hayward left the meeting and returned at 5:34pm

Confirmed at a Corporate and Community
Development Committee meeting held on
Tuesday 19 March 2024


Presiding Member

Cr Middlecoat declared an Impartiality Interest in Item CS-002/24 Council Policy Review: Credit Cards and will deal with this matter on its merits and vote accordingly (refer to Agenda Item 8 for specific details).

Corporate Services Financial Services		
Report number / title:	CS-002/24	Council Policy Review: Credit Cards
File number:	CPM/3-08	
Proponent/s:		
Author:	Mr Alvin Santiago, Manager Financial Services	
Other Contributor/s:		
Date of Committee meeting:	20 February 2024	
Previously before Council:	25 October 2022 (CS-013/22) 19 July 2022 (CS-009/22) 14 December 2021 (CS-023/21)	
Disclosure of Interest:		
Nature of Council's role:	Executive	
Attachments:	1. Council Policy – Credit Cards (2023) <i>(Marked up version)</i>	
Maps/Diagrams:		
Site:		
Lot Area:		

Purpose of Report

To seek Council approval of a reviewed Council Policy – Credit Cards (**Policy**)

Background

The Policy was originally adopted in October 2022.

Details

In summary the main revisions to this Policy when compared to the Policy adopted in October 2022 are minor changes in terminology and formatting. Since the adoption of the Policy in October 2022, no issues arose that would require any changes.

Implications to Consider

a. Consultation with the Community

The changes recommended to the Policy are administrative as such, consultation with the community is not considered necessary.

b. Consultation with Government Agencies

Nil

Confirmed at a Corporate and Community
Development Committee meeting held on
Tuesday 19 March 2024


Presiding Member

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 2023-2033:

Aspiration 5: *Transparent and accountable leadership and governance*

Strategic Objective: *Quality Leadership – Ensure accountable and transparent governance.*

d. **Policy**

The Council Policy – Credit Cards is an existing policy and no substantive changes are proposed.

e. **Financial**

Nil

f. **Legal and Statutory**

Section 6.8 of the *Local Government Act 1995* states that a local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure -

- f) is incurred in a financial year before the adoption of the annual budget by the local government;
- g) is authorised in advance by resolution; or
- h) is authorised in advanced by the mayor or president in an emergency

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

Corporate credit cards have been used by the City of Rockingham for many years with effective controls in place and subject frequently to both internal and external audit. Credit cards are a very efficient and effective purchasing option, which provides readily traceable and transparent use. A monthly listing of credit card transactions is provided to Council as part of the overall list of payments

Voting Requirements

Simple Majority

Officer Recommendation

That Council **APPROVES** the reviewed Council Policy – Credit Cards

Council Policy - Credit Cards

Policy Objective

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

Policy Scope

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

Policy Statement

Credit cards may only be issued to employees where efficiency and best value can be enhanced in purchasing goods and services. Credit cards must be used appropriately for City purposes within relevant delegations and in accordance with policies.

Cardholders must:

- Meet all requirements when using credit cards pursuant to the Council Policy – Procurement Framework and associated Executive Policies and procedures
- Ensure credit cards are only used for City purposes
- Not use the credit card for cash advances, over the counter cash withdrawals, ATM transactions, for the purchase of bank cheques, travellers' cheques or foreign currency without the express written permission of the Chief Executive Officer
- Not link or use the credit card for any type of reward system that provides cardholders with any personal benefit or reward
- Ensure that cards are only used by the cardholder to whom it has been issued
- Follow the instructions provided in Executive Policies and procedures related to credit cards
- Comply with the Service Provider's conditions of use
- Immediately report lost, stolen or damaged cards to the financial institution and the Credit Card Administrator
- Report any suspicious or unauthorised expenditure to the financial institution and the Credit Card Administrator.

The Chief Executive Officer must:

- Report monthly to Council with a list of credit card transactions
- Annually review credit card use, allocation and limits
- Ensure adherence to credit card policies and controls
- Report any instances of credit card fraud and suspected fraud to the Audit Committee
- Maintain Executive Policies and procedures to ensure that:
 - Credit cards are operated effectively in accordance with statutory requirements
 - Credit cards are acquitted on a monthly basis
 - Tax invoices/transaction receipts are evidenced and reconciled for all transactions
 - Credit card usage meets City of Rockingham procurement requirements
 - Credit cards are returned on periods of extended leave or termination of employment
 - Management and internal controls are maintained
 - Cardholder awareness and training is provided on credit card process and use requirements.

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

Definitions

Cardholder - means an employee who has been issued with a credit card. The card is embossed with the person's name and bears their signature.

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

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

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

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

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

Legislation

Local Government (Financial Management) Regulations 1996 – Regulation 11

Corruption and Crime Commission Act 2003 – Part 3

Other Relevant Policies/ Key Documents

Council Policy – Procurement Framework

Issue Notes (Terms of Use) as provided by the Service Provider

Responsible Division

Corporate Services

Review Date

February 2027

Alternate Motion

Cr Middlecoat proposed the following Alternate Motion:

That Council **DEFERS** Item CS-002/24 Council Policy Review: Credit Cards, to be presented at a Councillor Engagement Session.

Reason for Alternate Motion

Credit Card Policy to be deferred to a Councillor Engagement Session to enable Councillors to provide input into the reviewed policy as there has not been an opportunity to do so.

The Local Government Act mandates the Council to oversee financial allocations and establish policies. Potential misuse of corporate credit cards is a high risk area which can be mitigated through robust policies. Public scrutiny of credit card usage at the City highlights concerns over security, spending on gifts / hospitality, the number of cards issued and spending limits. To address these issues and align with community expectations, Councillors should provide feedback on the policy. As a relatively new policy adopted in 2022, assessing its impact is crucial for identifying potential improvements.

Implications for Alternate Motion

a. Consultation with the Community

The changes recommended to the Policy are administrative, as such consultation with the community is not considered necessary. For information purposes, the original draft policy was advertised for 28 days from 17 August 2022 to 14 September 2022. The notice was placed on the City of Rockingham (**City**) libraries and Administration Centre notice boards, the City's website, the Sound Telegraph newspaper and posted on the City's Facebook page. The City received four submissions. Relevant adjustments were made based on submissions

b. Consultation with Government Agencies

Nil; however advice is available online from the Western Australian Government Department of Finance.

Their Purchasing Card Guidelines states (updated October 2023):

"The benefits of using a Purchasing Card for Government purchasing has been well documented. The facility to make one streamlined payment per month to a Purchasing Card provider greatly reduces the amount of administration and paperwork for State agencies. The savings in time convert to savings in dollars, as studies have revealed. The Office of the Auditor General, Department of Treasury and Department of Finance support the use of Purchasing Cards for a range of purposes which are described in these Guidelines."

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 2023-2033:

Aspiration 5: *Transparent and accountable leadership and governance*

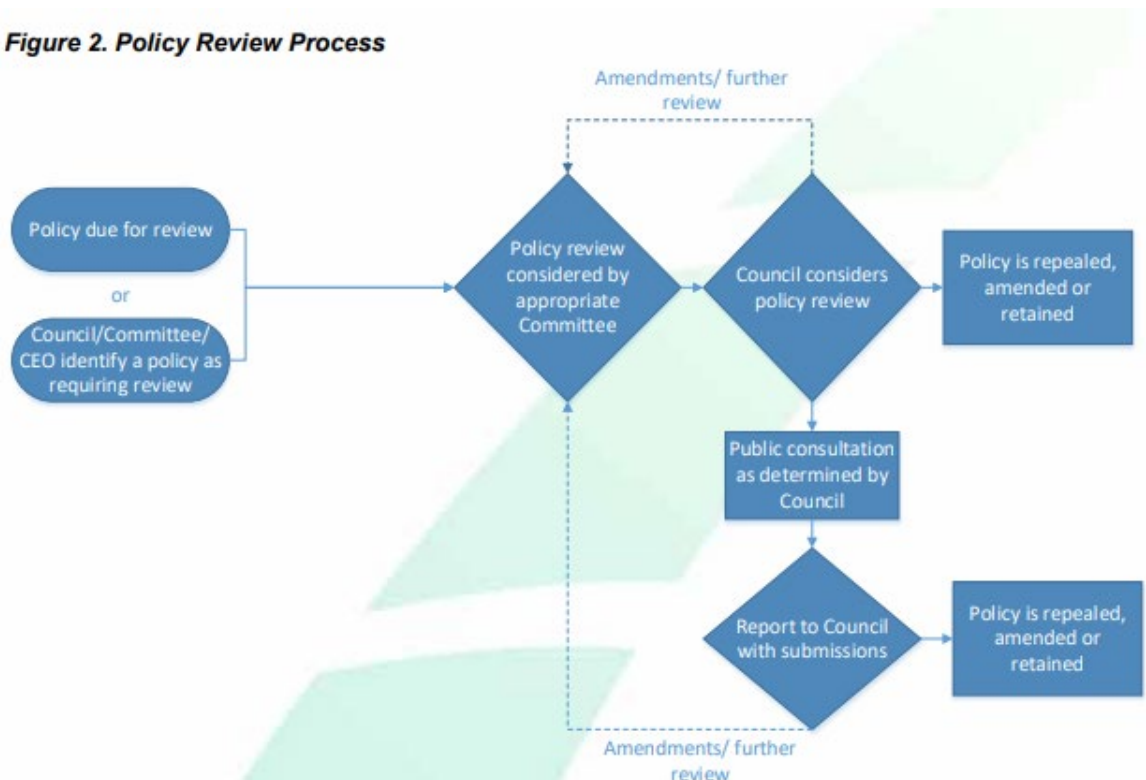
Strategic Objective: *Quality Leadership – Ensure accountable and transparent governance.*

d. Policy

The Council Policy – Credit Cards is an existing policy and no substantive changes are proposed.

Council Policy – Policy Framework provides the adopted process for policy review. See Figure 2 below. This is the adopted process.

Figure 2. Policy Review Process



e. Financial

Nil

f. Legal and Statutory

Section 6.8 of the *Local Government Act 1995* states that a local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure -

- i) is incurred in a financial year before the adoption of the annual budget by the local government;
- j) is authorised in advance by resolution; or
- k) is authorised in advanced by the mayor or president in an emergency

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

Officer Comment on Alternate Motion

Corporate credit cards have been used by the City of Rockingham for many years with effective controls in place and are frequently subjected to both internal and external audit. Credit cards are a very efficient and effective purchasing option, which provides readily traceable and transparent use. A monthly listing of credit card transactions is provided to Council as part of the overall list of payments.

Notwithstanding this, should Council want further input or to provide feedback beyond the approved process (i.e. policy considered through the appropriate committee [in this case the Corporate and Community Development Committee meeting]) then a Councillor Engagement Session may be arranged as required. It is understood some Councillors may seek further input on occasions. Officers however are satisfied the policy meets requirements as was adopted in October 2022 and the review has occurred in accordance with Council policy.

Officer Recommendation

Cr Middlecoat's motion is not supported.

Committee Recommendation

Moved Cr Middlecoat, seconded Cr Schmidt:

That Council **DEFERS** Item CS-002/24 Council Policy Review: Credit Cards, to be presented at a Councillor Engagement Session.

Committee Voting (Carried on the casting vote of the Presiding Member) 4/3

Council Members voting for the motion:

Cr Middlecoat

Cr Schmidt

Cr Buchanan (x 2 votes)

Council Members voting against the motion:

Cr Liley

Cr Hume

Cr Crichton

Note: Due to an equality of votes at the Committee meeting, the Presiding Member exercised the obligation to cast a second vote to reach a decision in this matter (Section 5.21(3) of the Local Government Act 1995).

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

Credit Card Policy to be deferred to a Councillor Engagement Session to enable Councillors to provide input into the reviewed policy as there has not been an opportunity to do so.

The Local Government Act mandates the Council to oversee financial allocations and establish policies. Potential misuse of corporate credit cards is a high risk area which can be mitigated through robust policies. Public scrutiny of credit card usage at the City highlights concerns over security, spending on gifts / hospitality, the number of cards issued and spending limits. To address these issues and align with community expectations, Councillors should provide feedback on the policy. As a relatively new policy adopted in 2022, assessing its impact is crucial for identifying potential improvements.

Implications of the Changes to the Officer's Recommendation

Not Applicable

General Management Services

Note: In accordance with section 3.12(2) of the Local Government Act 1995 the Presiding Member gave notice to the meeting of the purpose and effect of the proposed Cats Amendment Local Law 2024.

General Management Services Governance and Councillor Support	
Report number / title:	GM-001/24 Proposed Cats Amendment Local Law 2024 (<i>Absolute Majority</i>)
File number:	LWE/67
Proponent/s:	
Author:	Mr Jim Olynyk, Manager Governance and Councillor Support
Other Contributor/s:	Mr David Caporn, Manager Compliance and Emergency Liaison Mr David Blurton, Senior Projects Officer Mr Peter Doherty, Director Legal Service and General Counsel
Date of Committee meeting:	20 February 2024
Previously before Council:	20 April 2021 (GM-014/21)
Disclosure of Interest:	
Nature of Council's role:	Legislative
Attachments:	1. Proposed City of Rockingham Cats Amendment Local Laws 2024 2. Minutes of the Governance Review Committee meeting held on 5 February 2024
Maps/Diagrams:	
Site:	
Lot Area:	

Purpose of Report

To recommence the process of adopting a Cats Amendment Local Law with the following purpose and effect:

Purpose: To amend the *City of Rockingham Cats Local Law 2018* to specify areas that prohibit cats and make it an offence for a cat to be in these areas.

Effect: Specify areas within the City of Rockingham that prohibit the entry of cats and provide a penalty for offences of cats entering these specified areas.

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Presiding Member

Background

The proposed Cats Amendment Local Law 2021 was presented to the Governance Review Committee on 30 March 2021 and the Corporate and Community Committee meeting on 20 April 2021. Council adopted the proposed Cats Amendment Local Law 2021 for public advertising at its meeting on 27 April 2021.

The statutory process for developing Local Laws requires local public consultation for a minimum of six weeks and sending a copy of the proposed local law to the Minister for Local Government and any other relevant Minister.

The City of Rockingham (**City**) undertook a period of public consultation in May 2021 and received two submissions from the public, one in favour and one against the proposed amendment local law. It also referred the proposed local law to the Minister of Local Government, Sport and Cultural Industries as required by the process.

Correspondence was received from the Department of Local Government, Sport and Cultural Industries (**DLGSC**) on 16 July 2021 recommending modification to the proposed amendment local law as follows.

- *Several Minor edits, clause renumbering and reference modifications.*
- *Addition of a new column in Schedule 1 assigning an item number next to each reserve.*
- *Addition of an unmodified penalty under clause 4.2*

As pointed out by DLGSC staff, the proposed amendment local law as adopted by Council did not have an unmodified penalty identified which is problematic for the following reasons.

- (a) *There will be no unmodified penalty/general penalty for committing an offence.*
- (b) *The modified penalty of \$200 is invalid since it cannot be greater than 10% of the unmodified penalty (which is effectively zero).*

If the unmodified penalty isn't inserted, the clause will be unenforceable and likely to be disallowed by Parliament.

If the unmodified penalty is inserted, it is likely to be a "significant difference" which means the City will have to restart the section 3.12 process.

In light of DLGSC advice and following discussion with the City's Legal Counsel, it is recommended to recommence the Cats Amendment Local Law process.

Details

The **Cat Act 2011 (Cat Act)** requires that all cats over six months of age are sterilised, microchipped, registered with local government and wear a tag in a public place. The Cat Act allows local governments to make local laws on the following cat related matters (section 79), however it does not support the containment of cats to private property.

- (a) *the registration of cats;*
- (b) *removing and impounding cats;*
- (c) *keeping, transferring and disposing of cats kept at cat management facilities;*
- (d) *the humane destruction of cats;*
- (e) *cats creating a nuisance;*
- (f) *specifying places where cats are prohibited absolutely;*
- (g) *requiring that in specified areas a portion of the premises on which a cat is kept must be enclosed in a manner capable of confining cats;*
- (h) *limiting the number of cats that may be kept at premises, or premises of a particular type;*

- (i) *the establishment, maintenance, licensing, regulation, construction, use, record keeping and inspection of cat management facilities;*
- (j) *the regulation of approved cat breeders, including record keeping and inspection;*
- (k) *fees and charges payable in respect of any matter under this Act.*

Officers have considered a number of different approaches taken by local governments with regard to the issue of cat control. Some local governments have attempted to introduce local laws prohibiting cats in public places generally which has the intent of restricting cats to private property (Kwinana, Fremantle and Bassendean).

This approach has resulted in each Council requiring to undertake to modify their local laws at the direction of the Joint Standing Committee on Delegated Legislation (**JSCDL**) as their local laws are beyond the power of the Cat Act.

Several regional local governments have successfully adopted Cat local laws which act to prohibit cats from being in public places and non-public places without authority where they are considered a *nuisance* by an authorised person.

The Shire of Northam has successfully adopted a local law which effectively restricts cats from being in public and private places without the need for the cat be considered a nuisance and without having to undertake to modify their local law.

This highlights the inconsistent approach taken by JSDCL on the issue of cat control generally.

The Cat Act does allow for areas to be specified where cats can be prohibited absolutely. In this instance the proposal is only to prohibit cats in areas already identified in a City strategy.

Feral cats (*Felis catus*) are listed under the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (**EPBC Act**) as a key threatening process to the conservation of biodiversity in Australia. Feral cats prey on native fauna species, compete with native fauna for food, habitat and other resources.

The City's Natural Area Conservation Strategy 2017 (**Strategy**) identifies the following key management objectives to address the threats posed by feral cats within the City of Rockingham:

- Ensure feral animal control methods are suitable for use in close proximity to urban environments.
- Optimise the use of limited resources by undertaking monitoring to prioritise areas of high feral animal activity.
- Prioritise control in areas of high quality natural vegetation to prevent degradation of habitat value.
- Prioritise areas of known fauna habitat, particularly to support Southern Brown Bandicoot populations.

It should be noted that the Strategy does not distinguish between feral and domestic cats and domestic cats pose the same threats to biodiversity conservation as feral cats.

In terms of monitoring data relating to the density and distribution of feral fauna populations is collected through the City's biannual Feral Animal Control Program. The program indicates that both domestic and feral cats are present in the City's reserves and posing a threat to native fauna, however, domestic cat numbers in reserves are approximately double those of feral cats. To ensure the control programs are effective long term, the transition of cats from domestic to stray or feral must be prevented. By prohibiting access to reserves for domestic cats the effectiveness of the Feral Animal Control Program may also improve as it will more effectively target both the domestic and feral cat colonies.

The following City managed reserves have been prioritised for the Feral Animal Control Program as they are listed in the Strategy. The following areas have been added to the proposed City of Rockingham Cats Amendment Local Law 2024 to be cat prohibited areas.

1. Alf Powell Reserve
2. Anstey Q
3. Baldivis Children's Forest

4. Baldivis Nature Reserve
5. Baldivis Tramway
6. Bordeaux Ramble
7. CUD Swamp
8. Dixon Road Conservation Precinct
9. Frank Browne Reserve Rockingham Golf Course
10. Golden Bay Foreshore
11. Hidden Swamp
12. Karnup Reserve School Site
13. Karnup Town Site
14. Kinsale Bend
15. Lake Richmond
16. Lark Hill Environmental Reserve
17. Lennox Reserve
18. Lewington Reserve
19. Mandurah Hill
20. Minderoo Reserve
21. Port Kennedy Foreshore
22. Rockingham/The Esplanade Foreshore
23. Sawley Close Nature Reserve
24. Secret Harbour Foreshore
25. Shoalwater/Safety Bay Foreshore
26. Singleton Foreshore
27. St Claire Foreshore
28. Tamworth Hill Swamp
29. Tamworth Reserve
30. Trenant Park Gardens
31. Tuart Park
32. Warnbro/Waikiki Foreshore
33. Woodleigh Grove

The following areas are State managed reserves that are also recognised as priorities for the Feral Control Program. These areas have been added to the proposed City of Rockingham Cats Amendment Local Law 2024 to be cat prohibited areas.

34. Anstey Swamp
35. Lake Coo loongup
36. Lake Walyungup
37. Mandurah-Singleton Border reserve
38. Paganoni Swamp
39. Point Peron
40. Port Kennedy Drive-Ennis Avenue Reserve
41. Port Kennedy Dune conservation reserve
42. Port Kennedy Scientific Park
43. Rockingham Lakes East
44. Tern Island

These reserves are a vital component of the City's natural capital, underpinning its identity, prosperity and lifestyle. Many of these areas are recognised by the State and Commonwealth governments for their conservation significance for containing Threatened Ecological Communities, priority flora and fauna species or Conservation Category Wetlands.

With the addition of prohibited areas to the local law it will also mean the inclusion of the definition of a cat management facility, where cats would be relocated if found in a prohibited area.

While these amendments are being added, additional definition of cattery will also be added. This addition has found to be an omission that needs to be rectified.

Implications to Consider

a. Consultation with the Community

Local government may make local laws using the process set out in section 3.12 of the *Local Government Act 1995*. This requires a local government to give state-wide and local public notice stating that it proposes to make a local law, the purpose and effect of which is summarised in the notice for a period of 6 weeks after it first appears.

The purpose and effect of the City of Rockingham Cats Amendment Local Law 2024 is:

Purpose: To amend the City of Rockingham Cats Local Law 2018 to specify areas that prohibit cats and make it an offence for a cat to be in these areas.

Effect: Specify areas within the City of Rockingham that prohibit the entry of cats and provide a penalty for offences of cats entering these specified areas.

b. Consultation with Government Agencies

There has been consultation with the Department of Biodiversity, Conservation and Attractions (DBCA) who have welcomed the added enforcement measures. DBCA provided the City with the correct names for areas within their control.

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 2023-2033:

Aspiration: **3. Built Environment - A built environment carefully planned for today and tomorrow**

Outcome/Objective: *Plan for sustainable growth - Balance growth while maintaining the identified natural environment*

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

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

d. Policy

Nil

e. Financial

Funds have been allocated in the budget for costs associated with drafting, advertising and eventual Gazettal of the proposed local law.

f. Legal and Statutory

The Cat Act was created in November 2011 to encourage responsible cat ownership and provide powers for authorities to take action to support this. There are provisions in the Cat Act to specify places where cats are prohibited absolutely in local laws.

Section 79(1) of the Cat Act provides for a local government to make local laws to perform any of its functions under this Act.

Section 79(2) of the Cat Act states the local law only applies within the local government's district unless made to apply outside under section 80.

Section 79(3)(b) of the Cat Act allows a local law to be made for removing and impounding cats.

Section 79(3)(f) of the Cat Act allows a local law to be made for specifying places where cats are prohibited absolutely.

Section 3.16(4) of the *Local Government Act 1995* (**Act**) provides a local government to determine* whether or not it considers that a local law should be repealed or amended.

Section 3.12 of the Act provides the procedure for making local laws that needs to be followed for the local law to be valid.

Section 3.12(2) to (4) of the Act provides the initial procedure for making local laws.

- (2) *At a council meeting the person presiding is to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner.*
- (3) *The local government is to —*
 - (a) *give local public notice stating that —*
 - (i) *the local government proposes to make a local law the purpose and effect of which is summarized in the notice; and*
 - (ii) *a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and*
 - (iii) *submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given;*
 - and*
 - (b) *as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister; and*
 - (c) *provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.*
- (4) *After the last day for submissions, the local government is to consider any submissions made and may make the local law* as proposed or make a local law* that is not significantly different from what was proposed.*

** Absolute majority required.*

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 Cat Act does not provide the head of power for local governments to make local laws to restrict the wandering of cats. Despite some Council's adopting an approach which allows them greater authority to deal with nuisance cats, this comes with challenges in terms of enforcement, prosecution, community expectation and resourcing.

The JSCDL in its Annual Report 2022 made specific mention of various local governments attempting to make cat local laws that were inconsistent with the Cat Act.

Commentary included:

'This clause operated so that a cat owner would have to effectively confine their cat(s) to their property to avoid committing an offence. This is because:

- if not confined, given their range, it is very likely cats will stroll onto other private property.*
- it is impracticable to obtain consent from every private property owner in the district or even in close vicinity to the cat owner, making consent illusory.*

The Cat Act 2011 allows cats to be in public places unless they are not complying with the Act, including those requiring registration or sterilisation.

In the Reporting Period, the cat local laws outlined below were also inconsistent with the Cat Act 2011 for similar reasons. This was despite the DLGSC warning local governments that the Committee may request an undertaking to delete clauses that:

- *ban cats from public areas*
- *place conditions on when a cat may be permitted in a public area*
- *have the practical effect of limiting cats to their owner's premises.*

By contrast, the Committee found that clauses prohibiting cats from specific areas such as reserves, recreation sites, vacant land and cemeteries, as authorised by section 79(3)(f) of the Cat Act 2011, were within power.

By checking the Committee's undertakings list for local laws and following the DLGSCs advice, local governments can save time and cost by reducing the risk of their cat local laws being subject to undertakings.

In summary, the Cat Act 2011 does not authorise local laws banning or placing restrictions on cats in public places or forcing owners to confining them to avoid committing an offence. Any local law that does so will be beyond power.'

Following a similar approach exposes the Council to risk that JSCDL may require an undertaking from Council to modify its gazetted local law. This comment is made based on the apparent inconsistent approach of JSCDL and reference to Shire of Northam Cat Local Law 2019.

It is therefore recommended that Council revert to its original position from 2021 and nominate cat prohibited areas and other modifications as suggested by DLGSC.

The City is only prohibiting cats in areas within the City of Rockingham that have been prioritised for the Feral Animal Control Program. These areas have been added to the proposed City of Rockingham Cats Amendment Local Law 2024 to be cat prohibited areas. Some of these areas are State managed. However the *Cat Act 2011* allows local governments to create a local law for the whole City of Rockingham district, including areas not managed by the local government.

The amendment to the Local Law is proposed to ensure that the unique biodiversity found in the proposed cat prohibited areas of the City of Rockingham are protected from the threats posed by cats.

The list of areas prohibiting cats has been restricted to those areas that are identified as priorities in the Feral Animal Control Program and where intermittent trapping takes place.

Once this amendment local law is in force Ranger services will be able to take enforcement action in respect of any domestic cats found in these prohibited areas.

Governance Review Committee

This item was presented to the Governance Review Committee on 5th February 2024 where it was supported without change.

Voting Requirements

Absolute Majority

Governance Review Committee Recommendation

That Council:

1. **DIRECTS** the Chief Executive Officer in accordance with sections 3.12(3)(a) of the *Local Government Act 1995*, to give local public notice stating that:
 - It is proposed to make a Cats Amendment Local Law 2024, and a summary of its purpose and effect;
 - Copies of the proposed local law may be inspected at the City's offices and libraries;
 - Submissions about the proposed local law may be made to the City within a period of not less than six (6) weeks after the notice is given;

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2. **DIRECTS** the Chief Executive Officer in accordance with s3.12(3)(b), as soon as the notice is given, to supply a copy to the Minister for Local Government;
3. **DIRECTS** the Chief Executive Officer in accordance with s3.12(3)(c) of the Act, to supply a copy of the proposed local law to any person requesting it; and
4. **NOTES** that the results will be presented to Council for consideration of any submissions received.

Officer Recommendation if Different to Governance Review Committee Recommendation

Not Applicable

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

Not Applicable

Committee Recommendation

Moved Cr Schmidt, seconded Cr Liley:

That Council:

1. **DIRECTS** the Chief Executive Officer in accordance with sections 3.12(3)(a) of the *Local Government Act 1995*, to give local public notice stating that:
 - It is proposed to make a Cats Amendment Local Law 2024, and a summary of its purpose and effect;
 - Copies of the proposed local law may be inspected at the City's offices and libraries;
 - Submissions about the proposed local law may be made to the City within a period of not less than six (6) weeks after the notice is given;
2. **DIRECTS** the Chief Executive Officer in accordance with s3.12(3)(b), as soon as the notice is given, to supply a copy to the Minister for Local Government;
3. **DIRECTS** the Chief Executive Officer in accordance with s3.12(3)(c) of the Act, to supply a copy of the proposed local law to any person requesting it; and
4. **NOTES** that the results will be presented to Council for consideration of any submissions received.

Committee Voting (Carried) – 6/0

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



Report number / title:

GM-002/24

Council Policy Review: Governance and Meeting Framework

File number:

CPM/225-02

Confirmed at a Corporate and Community Development Committee meeting held on Tuesday 19 March 2024


Presiding Member

Proponent/s:	
Author:	Mr Jim Olynyk, Manager Governance and Councillor Support
Other Contributor/s:	Mr David Blurton, Senior Projects Officer Ms Louise Pleasance, Governance Coordinator
Date of Committee meeting:	20 February 2024
Previously before Council:	(Last major review 31 March 2016)
Disclosure of Interest:	
Nature of Council's role:	Executive
Attachments:	1. Council Policy – Governance and Meeting Framework (marked up version) 2. Minutes of the Governance Review Committee meeting held on 5 February 2024
Maps/Diagrams:	
Site:	
Lot Area:	

Purpose of Report

To review Council's Governance and Meeting Framework Policy.

Background

The Council's Governance and Meeting Framework Policy (**Policy**) is due for review. The Policy provides direction on the;

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

Officers have reviewed the Policy and presented a report to the Governance Review Committee for its consideration, and for which commentary appears later in this report. A marked up version of the existing policy and a final version subject to any changes identified by the Committee is now presented for further consideration and Council determination.

Details

Officers recommend a number of changes to the existing policy which are itemised below.

1. Change in policy objective and scope to more accurately reflect the contents of the Policy.
2. Inclusion of a prescribed meeting cycle for Ordinary Council Meetings and Standing Committee Meetings, which commences in February and concludes in December each year, removing the need to present a Council agenda item each calendar year setting the meeting schedule.
3. Inclusion of a process which facilitates the orderly change in meeting dates/times where Ordinary Council Meetings and Standing Committee Meetings fall on public holidays, or other special circumstances arise.

4. Addition of a process for calling Special Council Meetings including notice period which reflects the requirements of the *Local Government Act 1995 (Act)*.
5. Removal of Terms of Reference and membership of each Occasional and Advisory Committee from the Policy to the Appendix of the document. As a separate exercise, Officers are developing more detailed Terms of Reference for each Committee which will include expanded information including objective, scope, membership and meeting frequency. It is anticipated that this will be presented to each committee for consideration in 2024.
6. Addition of the text “directly to Council” in reference to the minutes of identified Occasional Committees. This will provide efficiency gains at an operational level by saving officer and Council Member time and streamline the decision making process. This will also alleviate the need for issues to be considered and potentially debated up to three separate times at Committee and Council meetings.
7. Changes to Advisory Committees as follows;
 - a. Additional text advising Advisory Committees are not open to the public, meeting procedures must comply with City of Rockingham *Standing Orders Local Law 2001* and minutes to be recorded in accordance with the Act.
 - b. Addition of a process for advertising Advisory Committee membership with exception of Bushfire Advisory Committee which is setup as per section 67 of the *Bush Fires Act 1954*.
 - c. Inclusion of a process to replace Advisory Committee members should they resign mid-term.
 - d. Removal of Junior Council Advisory Committee which reflects that this is not a formal Committee of the Council and has no Council representation.
8. Addition of the following details relevant to Councillor Engagement Sessions (**CES**) to ensure compliance with the Act and Department of Local Government, Sport and Cultural Industries Operational Guideline Number 5 – Council Forums.
 - a. That they are not a decision making forum or a forum for debate;
 - b. That matters discussed are considered confidential;
 - c. Council Members may express an opinion but must not foreshadow how they intend to vote;
 - d. Removal of modes on engagement (Information Exchange, Strategic Discussion and CEO Briefing Session) from the Policy prescribing the composition of the CES. The change is recommended to reflect current practice and to allow flexibility to discuss relevant issues.
 - e. Removal of the list identifying matters which should not be discussed at the CES. This better reflects the current practice, however care needs to be taken to ensure Councillor Members fulfil quasi-judicial responsibilities with regard to planning matters, a consideration that will need to be managed in the formulation of the CES Agenda.
9. Minor amendments to the Advocacy Position Register section of the Policy.

Implications to Consider

a. Consultation with the Community

The Governance and Meeting Framework Policy has minor impact on the community and therefore consultation with the community is not considered warranted.

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 2023-2033:

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

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

d. Policy

Council Policy - Governance and Meeting Framework

Provide a functional, transparent and legally compliant meetings framework that serves to:

- Engage elected members in policy and strategy development from concept through to adoption.
- Facilitate opportunity for elected members to participate in Council's policy and strategy agenda with the assistance and collaboration of Council officers.
- Provide elected members with accurate, relevant and topical information upon which to make decisions and undertake their roles.
- Capitalise upon the skills, knowledge and enthusiasm of community members who sit on Council advisory committees.

Council Policy - Policy Framework

To ensure that Council's Policies are relevant, clear, consistent and support the delivery of good governance for the district.

e. Financial

Not Applicable

f. Legal and Statutory

Local Government Act 1995

In particular Division 2, Part 5 of the Local Government 1995 deals with Council Meetings, committees and their meetings and covers Ordinary and Special Council meetings, calling and convening meetings, quorum, who presides at meetings, committees types and membership, powers and duties, voting, minutes and public participation etc.

Local Government (Administration) Regulations 1996

In particular Part 2 deals with Council and Committee meetings and covers membership, meeting may be closed to the public, public question time, revoking and changing decisions, content of minutes and publication of meeting details etc.

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 changes recommended to the Governance and Meeting Framework Policy will provide clarity on the function and operation of the Council's decision making processes and reflect Industry Best practice.

Further, suggested changes will improve efficiency with regard to both officer and Council Member time and streamline the decision making process of the Council.

Governance Review Committee

The Governance Review Committee (**Committee**) at its meeting held 5 February 2024, proposed the following amendments to the Committee's officer recommendation:

- The Committee also considered that the Policy should identify timeframes for the distribution of both agenda and minutes for both Standing Committees.
- The Committee also considered that the provision of meeting notes following Council Engagement Sessions to Council Members is appropriate.
- The Committee considered that no changes are required to the Committees Terms of Reference at this stage as a more exhaustive review is planned for later in 2024.

These proposed amendments are incorporated into the marked up version, Attachment 1 in yellow.

Voting Requirements

Simple Majority

Governance Review Committee Recommendation

That Council **ADOPTS** Council Policy - Governance and Meeting Framework Policy as per the officer recommendation presented to the Governance Review Committee with the following amendments:

1. Under Policy Statement at subheading Standing Committee Meetings, and after the paragraph:

In accordance with regulation 12(2)(b) of the Regulations, the Standing Committee meeting schedules for the coming year will be publically advertised and uploaded on the City's website before the beginning of the year in which the meetings are held.
Insert the following,
"Agendas for Standing Committee Meetings are made available to Council Members and on the City's website no later than 2pm on the Friday immediately preceding the meeting or as soon as reasonably practicable. Minutes of the Standing Committee Meetings are made available via the City's website in accordance with the Act."
2. Under Policy Statement at subheading Councillor Engagement Sessions delete paragraph:

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

Notes are to be kept of the Councillor Engagement Sessions including attendance, interests declared, key points, actions/outcomes and requests for further information.
And insert the following,

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

4. Remove of any changes to the Committees Terms of Reference included in the attachment to the Policy.

Officer Recommendation if Different to Governance Review Committee Recommendation

That Council **ADOPTS** the revised Council Policy - Governance and Meeting Framework Policy.

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

After further consideration Officers have amended the Governance Review Committee Recommendation to include:

- Under Policy Scope the 'advocacy position register' has been added.
- Under Policy Statement,
 - The addition of Asset Management under heading Standing Committee Meetings, subheading Planning and Asset Services Committee areas of consideration; and
 - The removal of Information Systems and Customer Service and inclusion of Customer and Corporate Support under heading Standing Committee Meetings, subheading Corporate and Community Development Committee areas of consideration.
 - At headings Occasional Committee Meetings and Advisory Committees a footnote has been added to reference the option for inclusion of the CEO as a Committee member.

These proposed amendments are incorporated into the marked up version, Attachment 1 in green.

Committee Recommendation

Moved Cr Liley, seconded Cr Schmidt:

That Council **ADOPTS** the revised Council Policy - Governance and Meeting Framework Policy:

Governance and Meeting Framework Policy

Policy Objective

To provide direction on the

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

Policy Scope

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

Policy Statement

Ordinary Council Meetings

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

A monthly cycle of meetings is to be conducted commencing in February of every calendar year. Subject to the exceptions set out in the following paragraph, Ordinary Council Meetings are held on the fourth

Tuesday of the month commencing at 6pm in the City Council Chambers. The meeting cycle is to be repeated and will conclude in December.

Where:

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

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

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

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

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

Special Council Meetings

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

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

Standing Committee Meetings

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

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

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

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

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

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

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

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

The Standing Committee membership and areas of consideration are:

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

Areas of consideration:

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

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

Areas of consideration:

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

Occasional Committee Meetings (Council Members only) *

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

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

Occasional Committee Meetings are not required to be open to the public, unless the Council has delegated authority to an individual Occasional Committee.

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

The Occasional Committees of the City are:

- **Audit Committee**
- **Behaviour Complaints Committee**

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

- **Chief Executive Officer's Performance Review Committee**
- **Community Grants Program Committee**
- **Customer Service Review Committee**
- **Governance Review Committee**

Advisory Committees (Community and Council Members) *

Advisory Committees meet when required as determined by their Terms of Reference, the Committee or Council. Advisory Committees consider matters relevant to their Terms of Reference and may make recommendations to the relevant Standing Committee.

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

Advisory Committees comprise of Council Members and Community Members. Representatives of Community Organisations and Government Agencies may also be members.

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

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

Should a Community Member, Community Organisation or Government Agency Representative resign mid-term then the committee may recommend to Council the name of a replacement or alternatively advertise the position. Council reserves the right to remove a member from an Advisory Committee at any time for any reason pursuant to Section 5.11(2)(b) of the Act.

Community Member, Community Organisation and Government Agency Representative terms will be appointed for a term of two years. In the interests of continuity and retention of knowledge, all Community Memberships will be reviewed by the Committee in the period between 1st July and 30th September in the year falling between local government ordinary elections. A nomination and selection process will be undertaken with all membership proposals being considered by Council for endorsement.

The Advisory Committees of the City are:

- **Australia Day Awards Selection Panel**
- **Bush Fire Advisory Committee**
- **Coastal Facilities Advisory Committee**
- **Community Safety and Support Services Advisory Committee**
- **Cultural Development and the Arts Advisory Committee**
- **Disability Access and Inclusion Advisory Committee**
- **Environmental Advisory Committee**
- **Global Friendship Advisory Committee**
- **Heritage Reference Group**
- **RoadWise Advisory Committee**
- **Rockingham Education and Training Advisory Committee**
- **Seniors Advisory Committee**
- **Sports Advisory Committee**

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

Councillor Engagement Sessions

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

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

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

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

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

Advocacy Position Register

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

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

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

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

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

Definitions

Nil

Confirmed at a Corporate and Community
Development Committee meeting held on
Tuesday 19 March 2024


Presiding Member

Legislation

Local Government Act 1995, Part 5 Administration, Division 2

Local Government (Administration) Regulations 1996, regulation 12

Other Relevant Policies/ Key Documents

City of Rockingham Standing Orders Local Law 2001

Terms of Reference relevant to each Committee

Responsible Division

General Management Services

Review Date

February 2027

Attachment – Committee Terms of Reference

Occasional Committees

Audit and Risk Committee

Note: The Local Government Act 1995 (s7.14A) requires that this committee is to be of three or more persons, which can include other persons as well as Elected Members. The Chief Executive Officer and employees are not to be members but can be observers.

Note: To properly fulfil its functions under regulation 16(c) of the Local Government (Audit) Regulations 1996, the Audit Committee is to report directly to Council.

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.

Behaviour Complaints Committee

Terms of Reference: To deal with complaints under the Council Policy – Code of Conduct Complaints Management Process.

The following authority has been delegated to the Behaviour Complaints Committee in respect to a complain related to the City of Rockingham Code of Conduct for Council Members, Committee Members and Candidates –

- (1) Authority to make a finding as to whether an alleged breach the subject of a complaint has or has not occurred, based upon evidence from which it may be concluded that it is more likely that the breach occurred than that it did not occur [MCC r.12(1) and (3)].

In making any finding the Committee must also determine reasons for the finding [MCC.r.12(7)].

- (2) Where a finding is made that a breach has occurred, authority to:
 - (a) take no further action [MCC.r.12(4(a)); or
 - (b) prepare and implement a plan to address the behaviour of the person to whom the complaint relates [MCC.r.12(4)(b), (5) and (6)].
- (3) Authority to dismiss a complaint and if dismissed, the Committee must also determine reasons for the dismissal [MCC.r.13(1) and (2)].

Conditions of Delegation

- (a) The Committee will make decisions in accordance with the principles and specified requirements established in Council Policy – Code of Conduct Complaints Management Process.
- (b) That part of a Committee meeting which deals with a Complaint will be held behind closed doors in accordance with s5.23(2)(b) of the Local Government Act 1995.
- (c) A Council Member is ineligible to perform the role of Committee Member and cannot be in attendance at that part of a meeting which deals with a complaint in which that Council Member is a Complainant, Respondent or otherwise subject to the complaint. The Committee is prohibited from exercising this Delegation in respect to a complaint forming part of the Committee agenda where a Committee Member in attendance at a Committee meeting is either the Complainant or Respondent or otherwise subject to the Complaint.
- (d) In the event of (c) above, the Committee may resolve to defer consideration to a future meeting at which the conflicted Committee Member is absent.

Note to Conditions (c) and (d): The purpose of this Condition is to require that a Committee Member who is identified as either the Complainant or Respondent (or subject to a complaint) is required to recuse themselves by notifying the Presiding Member of their intention to be absent for the part of the meeting at which the Complaint is dealt with.

Composition: All Council Members, 3 x Complaint Officers (Chief Executive Officer, Manager Governance and Councillor Support and Senior Legal Officer)

Executive Support: General Management Services – Governance and Councillor Team

Chief Executive Officers Performance Review Committee

Terms of Reference: To undertake the performance review of the CEO including summarising the feedback of individual Council Members

Composition: 4 Council Members

Executive Support: General Management Services – Human Resource Development Team

Community Grants Program Committee

Terms of Reference: 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.

Composition: 4 Council Members (4 Deputies)

Executive Support: Community Development - Community Capacity Building Team

Customer Service Review Committee

Terms of Reference: To implement the Service Complaints Policy.

Composition: 3 Council Members, Chief Executive Officer (Director Corporate Services to replace Chief Executive Officer should complaint be against General Management Team).

Executive Support: Corporate Services - Customer and Corporate Support Team

Governance Review Committee

Terms of Reference: To provide advice to Council in respect to the good governance of the City of Rockingham including reviews of governance obligations and process.

Composition: 4 Council Members (1 Deputy)

Executive Support: General Management Services – Governance and Councillor Support Team

Advisory Committees

Australia Day Awards Selection Panel

Terms of Reference: To select persons for Australia Day Awards from Nominations received.

Composition: 2 Council Members, (1 Deputy),
Honorary Freemans of the City of Rockingham,
1 Community member.

Executive Support: General Management Services – Governance and Councillor Support Team

Bush Fire Advisory Committee

Terms of Reference: To 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.

Composition: 1 Councillor,
1 Representative - Department of Fire and Emergency Services,
2 Representative - Singleton Volunteer Bush Fire Brigade,
2 Representatives - Baldivis Volunteer Bush Fire Brigade,
1 Representative - Rockingham Volunteer Fire and Rescue Service,
1 Representative - Secret Harbour Volunteer Fire and Rescue Service,
1 Representative - Department of Biodiversity, Conservation and Attractions.

Executive Support: Planning and Development Services - Compliance and Emergency Liaison Team

Coastal Facilities Advisory Committee

Terms of Reference: To provide input and advice into the development, implementation and performance of the City of Rockingham Coastal Facilities Strategy.

Composition: 2 Council Members,
2 Community Members,
1 Representative - Department of Biodiversity, Conservation and Attractions,
1 Representative - Department of Primary Industries and Regional Development,
1 Representative - Mangles Bay Fishing Club,
1 Representative - The Cruising Yacht Club,
1 Representative - Rockingham Volunteer Sea Rescue Group

Executive Support: Engineering and Parks Services - Engineering Services Team

Community Safety and Support Services Advisory Committee

Terms of Reference: 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.

Composition: 3 Council Members,
9 Community Members

Executive Support: Community Development - Community Safety and Support Services Team

Cultural Development and the Arts Advisory Committee

Terms of Reference: 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.

Composition: 1 Councillor, (1 Deputy),
5 Community Members

Executive Support: Community Development - Community Capacity Building Team

Disability Access and Inclusion Advisory Committee

Terms of Reference: To represent the community by providing advice/support to Council with regard to the implementation of the Disability Access and Inclusion Plan and to provide advice to improve City controlled disability access and inclusion within the City of Rockingham.

Composition: 2 Council Members (1 Deputy),
8 Community Members

Executive Support: Planning and Development Services – Strategic Planning and Environment Team

Environmental Advisory Committee

Terms of Reference: 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.

Composition: 2 Council Members (1 Deputy),
2 Community Members,
2 Representatives with qualifications and experience in environmental management,
1 Representative from the Department of Biodiversity, Conservation and Attractions,
1 Representative from WALGA

Executive Support: Planning and Development Services – Strategic Planning and Environment

Global Friendship Committee

Terms of Reference: To make recommendations to Council on:-

- 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.

Composition: 3 Council Members, (1 Deputy),
6 Community Members

Executive Support: General Management Services – Governance and Councillor Support Team

Heritage Reference Group

Terms of Reference: To provide a Forum to discuss the conservation and preservation of natural and culturally significant heritage sites within the Rockingham district.

Composition: 1 Council Member, (1 Deputy),
2 Representatives - Rockingham District Historical Society (2 Deputies)

Executive Support: Planning and Development Services - Statutory Planning Team

RoadWise Advisory Committee

Terms of Reference: 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."

Composition: 1 Councillor, (1 Deputy),
6 Community Members,
1 Representative – WALGA,
1 Representative – WA Police,
1 Representative – School Drug Education and Road Aware

Executive Support: Engineering and Parks Services - Engineering Services Team

Rockingham Education and Training Advisory Committee

Terms of Reference: 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.

Composition: 2 Council Members
1 Community Member
2 University Representatives
1 Representative - Department of Education,
1 Representative - Independent Schools
1 Representative – South Metro TAFE

Executive Support: Community Development - Community Capacity Building Team

Seniors Advisory Committee

Terms of Reference: To provide information, advice and guidance to Council on matters pertaining to seniors within the City of Rockingham.

Composition: 2 Council Members
6 Community Members

Executive Support: Community Development - Community Capacity Building Team

Sports Advisory Committee

Terms of Reference: 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.

Composition: 2 Council Members
6 Community Members

Executive Support: Community Development - Community Capacity Building Team

Committee Voting (Carried) – 6/0

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 Review Committee



Report number / title:	GM-003/23	Council Policy Review: Council Member Professional Development (Absolute Majority)
File number:	CPM/3-08	
Proponent/s:		
Author:	Mr Jim Olynyk, Manager Governance and Councillor Support	
Other Contributors:	Mr David Blurton, Senior Projects Officer	
Date of Committee meeting:	20 February 2024	
Previously before Council:		
Disclosure of Interest:		
Nature of Council's role:	Executive	
Attachments:	<ol style="list-style-type: none">1. Council Policy – Council Member Professional Development (<i>marked up version</i>)2. Minutes of the Governance Review Committee meeting held on 5 February 2024	
Maps/Diagrams:		
Site:		
Lot Area:		

Purpose of Report

To review Council Policy – Council Member Professional Development.

Background

The Council Member Professional Development Policy (**Policy**) was most recently reviewed by the Council in August 2023, however legislation requires the Council to review the policy after each ordinary election.

Officers have reviewed the Policy and presented a report to the Governance Review Committee for its consideration, and for which commentary appears later in this report. A marked up version of the existing policy and a final version subject to any changes identified by the Committee is now presented for further consideration and Council determination.

Minor changes are recommended to the Policy to reflect recent changes to legislation.

Details

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

Confirmed at a Corporate and Community
Development Committee meeting held on
Tuesday 19 March 2024


Presiding Member

Implications to Consider

a. Consultation with the Community

As this is an amendment to an existing policy and does not change the overall policy intent, but seeks to accommodate minor changes and clarification no community consultation is considered necessary.

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 2023-2033:

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

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

d. Policy

Council Policy – Policy Framework outlines the process for dealing with adoption of new or substantially amended policy. As this is an amendment to an existing policy and does not change the overall policy intent, but seeks to accommodate minor changes and clarification no further advertising is considered necessary.

e. Financial

Council Member Professional Development is accommodated within each annual Budget.

f. Legal and Statutory

Section 5.128 of the *Local Government Act 1995 (Act)* states;

- (1) A local government must prepare and adopt* a policy in relation to the continuing professional development of council members.

** Absolute majority required.*

- (2) A local government may amend* the policy.

** Absolute majority required.*

- (3) When preparing the policy or an amendment to the policy, the local government must comply with any prescribed requirements relating to the form or content of a policy under this section.

- (4) The CEO must publish an up-to-date version of the policy on the local government's official website.

- (5) A local government —

- (a) must review the policy after each ordinary election; and
(b) may review the policy at any other time.

A number of sections of the *Local Government Amendment Act 2023* were proclaimed recently including section 82, which inserts new Section 5.129 into the *Local Government Act 1995* and relates to Professional Development Fees and Expenses;

5.129. Fees and expenses

- (1) A local government may prepare and adopt* a policy under which the local government undertakes to do 1 or more of the following —

- (a) pay a fee to a council member in relation to their participation in a course of training that they are required to complete under section 5.126;

- (b) reimburse a council member for a fee or other expense incurred by the council member in relation to their participation in a course of training that they are required to complete under section 5.126;
 - (c) pay a fee to a council member in relation to their participation in continuing professional development under the local government's policy under section 5.128;
 - (d) reimburse a council member for a fee or other expense incurred by the council member in relation to their participation in continuing professional development under the local government's policy under section 5.128.
- * *Absolute majority required.*
- (2) The local government may do the following —
 - (a) amend* the policy at any time;
 - (b) revoke* the policy at any time (with or without replacing it).

* *Absolute majority required.*
 - (3) The CEO must publish an up-to-date version of the policy on the local government's official website.
 - (4) Regulations may do any of the following —
 - (a) prescribe monetary limits or ranges in respect of amounts that may be paid or reimbursed under a policy;
 - (b) provide that a policy can apply only in respect of prescribed courses of training or prescribed types of continuing professional development;
 - (c) otherwise provide for restrictions on the amounts that may be paid or reimbursed under a policy;
 - (d) make other provision in relation to the content of a policy;
 - (e) make provision in relation to the form of a policy;
 - (f) otherwise make provision in relation to policies.
 - (5) Despite any regulations made for the purposes of subsection (4), the Departmental CEO may authorise a local government to apply its policy to a course of training, or to any continuing professional development, to which the local government would not otherwise be authorised to apply the policy because of those regulations.
 - (6) Neither the *Salaries and Allowances Act 1975* section 7B nor a determination made under that section limits or otherwise affects what can be done under this section.

[Section 5.129 inserted: No. 11 of 2023 s. 82.]

New regulation 37 has also been inserted into the *Local Government (Administration) Regulations 1996*.

37. Fees and expenses (Act s. 5.129(4))

- (1) This regulation applies to a policy of a local government under section 5.129 to the extent that the policy makes provision under section 5.129(1)(c) or (d).
- (2) The policy must not allow for the payment or reimbursement of an amount in relation to the participation of a council member in continuing professional development unless the continuing professional development is relevant to either or both of the following —
 - (a) the council's role under the Act or another written law, including as described in section 2.7;
 - (b) the council member's role under the Act or another written law, including as described in any of sections 2.8 to 2.10.
- (3) The policy must not allow for the payment or reimbursement of an amount in relation to the participation of a council member in continuing professional development if the participation occurs during any of the following periods —

- (a) the period of 3 months ending on the day on which the term for which the council member was elected as an elector mayor or president, or as a councillor, ends;
- (b) if the council member delivers a notice of resignation to the CEO under section 2.31 specifying a later day from which the resignation takes effect under section 2.31(4) — the period that —
 - (i) begins on the date of delivery of the notice; and
 - (ii) ends when the resignation takes effect;
- (c) a period of suspension of the council or council member under Part 8 of the Act.

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

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

Section 5.129 of the Act permits a Council to adopt a policy to pay a fee or reimburse the Council Member where the member attends compulsory training under section 5.126 or other professional development events under section 5.128. It is not recommended that a separate fee be adopted for attendance at training or professional development events for Council Members, and the reimbursement of professional development expenses is considered adequate under the existing policy.

Regulation 37 of the *Local Government (Administration) Regulations 1996* places restrictions on the payment or reimbursement of continuing professional development within three months of the end of a Council Member’s term or during a period of notice of resignation or suspension of the Council Member. Council Members should note that this may include the WALGA Annual Conference which is normally held August/September each year.

Governance Review Committee

The Governance Review Committee at its meeting held 5 February 2024, proposed the following amendments to the officer recommendation

1. Under Policy Statement as the last paragraph insert,

“Payment or reimbursement of professional development costs cannot be made within three months of a Council Member’s term expiring as per Regulation 37(3)(a).”

The Committee proposed this amendment to reflect this requirement under the Policy Statement as it is applicable to all professional development contained within the Policy.
2. Under Policy Statement subheading Training – delete the last paragraph as follows,

“Council Members cannot enrol in courses that provide a formal qualification (or accreditation) within three months of their term of office concluding.”

The Committee proposed this amendment as Regulation 37(3)(a) is relevant only to payment and reimbursement and not enrolment.
3. Under Policy Statement subheading Conference and Attendance Guidelines, sub subheading Council Members, delete the last sentence in paragraph 3 as follows,

Participation in continuing professional development is not permitted within three months of a Council Members term expiring, as per Regulation 37(3)(a).

These amendments have been incorporated into the recommendation for consideration.

Voting Requirements

Absolute Majority

Governance Review Committee Recommendation

That Council **ADOPTS** the revised Council Policy – Council Member Professional Development.

Officer Recommendation if Different to Governance Review Committee Recommendation

Not Applicable

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

Not Applicable

Committee Recommendation

Moved Cr Liley, seconded Cr Hume:

That Council **ADOPTS** the revised Council Policy – Council Member Professional Development:

Council Member Professional Development Policy

Policy Objective

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

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

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

Policy Scope

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

Policy Statement

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

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

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

Training

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

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

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

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

Membership Subscriptions

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

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

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

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

Conference and Attendance Guidelines

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

International Conferences

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

Mayor

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

Committee Presiding Member

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

Council Members

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

All Council Members may attend conferences, held in the Perth Metropolitan Area and Peel Region provided that no more than four Council Members attend each conference with the exception of the WALGA annual conference where all Council Members may attend.

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

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

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

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

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

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

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

All expenses are to be administered as follows:

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

Legislation

Local Government Act 1995

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

Section 5.128 - Policy for continuing professional development

Section 5.129 - Fees and expenses Local Government (Administration) Regulations 1996 – regulations 35, 36 and 37

Local Government (Model Code of Conduct) Regulations 2021

Public Service Award 1992

Confirmed at a Corporate and Community
Development Committee meeting held on
Tuesday 19 March 2024


Presiding Member

Definitions

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

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

Award - The Public Service Award 1992, as amended.

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

Council Member - All elected members and the Mayor.

Partner - Either spouse or defacto partner.

Other Relevant Policies/ Key Documents

Nil

Responsible Division

General Management Services

Review Date

December 2025

Committee Voting (Carried) – 6/0

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

Not Applicable

Implications of the Changes to the Officer's Recommendation

Not Applicable

Confirmed at a Corporate and Community
Development Committee meeting held on
Tuesday 19 March 2024



Presiding Member

General Management Services Governance and Councillor Support



Report number / title:	GM-004/24 Council Policy Review: Use of Councillors' Lounge
File number:	CPM/225-02
Proponent/s:	
Author:	Mr Jim Olynyk, Manager of Governance
Other Contributor/s:	Mr David Blurton, Senior Projects Officer Ms Louise Pleasance, Governance Co-ordinator
Date of Committee meeting:	20 February 2024
Previously before Council:	23 March 2021 (GM-012/21)
Disclosure of Interest:	
Nature of Council's role:	Executive
Attachments:	1. Council Policy – Use of Councillors' Lounge (<i>marked up version</i>) 2. Minutes of the Governance Review Committee meeting held on 5 February 2024
Maps/Diagrams:	
Site:	
Lot Area:	

Purpose of Report

To review Council Policy – Use of the Councillors' Lounge.

Background

The Council Policy – Use of the Councillors' Lounge (**Policy**) is due for review March 2024. The Policy provides direction on the use and accessibility of the Councillors' Lounge by Councillors and guests.

Officers have reviewed the Policy and presented a report to the Governance Review Committee for its consideration, and for which there were no suggested changes. A marked up version of the existing policy and a final version is now presented for further consideration and Council determination.

Details

Only minor amendments are recommended to be made to the Policy.

Confirmed at a Corporate and Community
Development Committee meeting held on
Tuesday 19 March 2024


Presiding Member

Implications to Consider

a. Consultation with the Community

The Policy is internally focused and as the changes recommended to the Policy will have no impact on the community, consultation with the community is not considered warranted.

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 2023-2033:

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

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

d. Policy

Council Policy - Policy Framework

To ensure that Council's Policies are relevant, clear, consistent and support the delivery of good governance for the district.

e. Financial

Not Applicable

f. Legal and Statutory

Local Government Act 1995

In particular Division 2, Part 5 of the Local Government 1995 deals with Council Meetings, committees and their meetings.

Local Government (Administration) Regulations 1996

In particular Part 2 deals with Council and Committee meetings.

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 proposed changes to the policy are administrative in nature and it is recommended that the Committee support the changes to the Council Policy - Use of the Councillors' Lounge as presented.

Governance Review Committee

This item was presented to the Governance Review Committee on 5 February 2024 where it was supported without change.

Voting Requirements

Simple Majority

Governance Review Committee Recommendation

That Council **ADOPTS** the revised Council Policy – Use of the Councillors' Lounge.

Officer Recommendation if Different to Governance Review Committee Recommendation

Not Applicable

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

Not Applicable

Committee Recommendation

Moved Cr Liley, seconded Cr Crichton:

That Council **ADOPTS** the revised Council Policy – Use of the Councillors' Lounge:

Use of the Councillors' Lounge Policy

Policy Objective

To outline the use and accessibility of the Councillors' Lounge by Councillors and guests.

Policy Scope

Council Members and guests hosted in the Councillors' Lounge.

Policy Statement

Permitted Use

The following usage is permitted for the Councillors' Lounge –

- Council Member access directly related to Council business;
- Hosting guests following a Council or Committee meeting;
- Hosting members of an official delegation on City business; and
- Hosting members of a non-Council meeting in which a Council Member is a Council appointed delegate.

Use of the Councillors' Lounge for any purpose related to a Council Member's or other person's candidature for election is strictly prohibited. The Councillors' Lounge is not to be accessed on local government election days.

The Councillors' Lounge will be stocked with light refreshments, including snacks.

Access Rights

Other than Council Members, the following persons are permitted access to the Councillors' Lounge –

- Council Member hosted guests;
- City employees providing support to Council Members; and
- City employees and contractors required to service the Councillors lounge.

Conditions of Access / Etiquette

The Councillors' Lounge is provided as a working and relaxation area for Council Members. People in attendance are to ensure that courtesy and respect is shown for other users at all times. Persons in attendance must wear an acceptable standard of dress (minimum - smart casual).

In using the Councillors' Lounge a Council Member -

- must introduce their guest/s to others in attendance;
- is responsible for the hosting and conduct of their guest/s;

- must ensure that the supply of refreshments is not abused or removed from the vicinity of the Councillors' Lounge or the adjacent meeting rooms;
- when departing must escort their guest/s from the Councillors' Lounge and, where appropriate, from the Administration building;
- must remain with their guest/s while they are in attendance, or make arrangements for another member to host their guest/s in their absence;
- must ensure that the Councillors' Lounge is kept generally clean and tidy; and
- must ensure the Councillors' Lounge is kept secure in accordance with protocols in place.

Should a guest be a family member (or a person in the care) of a Council Member, the guest may remain in attendance for short durations while the member attends Council business.

Complaint Handling

A complaint of a breach of this policy by a Council Member or a guest is to be referred to the Mayor for investigation and resolution in accordance with procedure contained in the City of Rockingham Code of Conduct.

A complaint of a breach of this policy by the Mayor is to be referred to the Deputy Mayor for investigation and resolution in accordance with procedure contained in the City of Rockingham Code of Conduct.

A complaint of a breach of this policy by a City employee or a contractor is to be referred to the Chief Executive Officer for investigation and resolution

Definitions

Nil

Legislation

Nil

Other Relevant Policies/ Key Documents

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

Responsible Division

General Management Services

Review Date

February 2027

Committee Voting (Carried) – 6/0

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

Not Applicable

Implications of the Changes to the Officer's Recommendation

Not Applicable

Confirmed at a Corporate and Community
Development Committee meeting held on
Tuesday 19 March 2024


Presiding Member

Community Development

Cr Schmidt declared a Impartiality Interest in Item CD-002/24 Community Grants Program applications round three 2023/2024 and will deal with this matter on its merits and vote accordingly (refer to Agenda Item 8 for specific details).

Community Development Community Capacity Building Community Grants Program Committee		
Report number / title:	CD-002/24	Community Grant Program applications round three 2023/2024
File number:	GRS/48	
Proponent/s:		
Author:	Mrs Amanda Fairhead, Community Grants Officer	
Other Contributor/s:	Ms Rebekka Jarvis, Coordinator Community Capacity Building Mr Paul Hayward, Manager Community Capacity Building Mr Brett Ashby, Manager Strategic Planning and Environment Ms Melissa James, Manager Economic Development and Tourism Ms Mary-Jane Rigby, Manager Community Safety and Support Services Mr Gary Rogers, Manager Community Infrastructure Planning	
Date of Committee meeting:	20 February 2024	
Previously before Council:		
Disclosure of Interest:	Mayor Hamblin declared an Impartiality Interest in item CD-001/24 Community Grants Program applications round three 2023/2024, as detailed in Regulation 22 of the Local Government (Model of Conduct) Regulations 2021 and as per section 5.65 of the <i>Local Government Act 1995</i> , as she has friendships with the committee members of Cycling Without Age. Mayor Hamblin will consider the matter on its merits and vote accordingly.	
Nature of Council's role:	Executive	
Attachments:	1. Minutes of the Community Grants Program Advisory Committee meeting held on Tuesday 18 January 2024	
Maps/Diagrams:		
Site:		
Lot Area:		



Purpose of Report

For Council to approve the recommendations in relation to the Community Grants Program (CGP) 2023/2024 round three applications.

Background

The Community Grants Program objective is:

'To provide financial assistance to community groups and individuals that will build capacity within the community, stimulate volunteering and youth development, and deliver sustainable, accessible and demonstrated social, environmental and economic benefits.'

The CGP has five key areas comprising Minor Grants (Travel Subsidy Grants, Youth Encouragement Grants, General Grants), Major Grants, Major Events Sponsorship, City Property Grants (Leased/ Licenced Property Grants, Maintenance and Rates Subsidy), and Community Infrastructure Grants (Infrastructure Planning Grants and Infrastructure Capital Grants).

The City of Rockingham (**City**) is committed to supporting incorporated not-for-profit organisations / associations, or those limited by guarantee (e.g. community groups and clubs) to assist with the delivery of programs, projects and events that benefit the Rockingham community. Major Grants, Major Event Sponsorship and Community Infrastructure Grants are advertised three times per year and presented to Council for approval.

Round three applications closed 4.30pm Friday 17 November 2023.

Details

A total of nine applications were received in round three of the CGP 2023/2024. Eight applicants were eligible within the grant criteria; one application was ineligible within the grant criteria.

The eligible grants that were assessed were classified into the following categories:

- Major Event Sponsorship - Two
- Major Grants - Four
- Community Infrastructure Grants - Two

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: **1. Social - A family-friendly, safe and connected community**

Outcome/Objective: **Connected community - Provide opportunities for community engagement and participation**

Community health and wellbeing - Strengthen community health and wellbeing

Community health and wellbeing - Provide healthy lifestyle opportunities

Community health and wellbeing - Reinforce a strong sense of safety

Inclusive community - Build connectivity with our diverse community

Accessible services - Adapt services to meet changing community need

Aspiration: **2. Natural Environment - A place of natural beauty where the environment is respected**

Outcome/Objective: *Sustainable natural green spaces - Preserve and enhance biodiversity*

Sustainable natural green spaces - Improve community open spaces

Sustainable natural green spaces - Improve amenity

Sustainable natural green spaces - Increase tree canopy

Aspiration: **3. Built Environment - A built environment carefully planned for today and tomorrow**

Outcome/Objective: *Plan for sustainable growth - Create safe community places to live, recreate and work*

Plan for sustainable growth - Create vibrant coastal foreshore

Accessible and connected - Plan and advocate for transport solutions

Aspiration: **4. Economic - A vibrant economy creating opportunities**

Outcome/Objective: *A visitor destination - Promote the City as a place to visit*

Growing the business economy - Actively support and develop local business growth

d. Policy

The CGP operates in line with the CGP Policy and the Governance and Meeting Framework Policy as follows:

CGP Policy – The Community Grants Program Committee will consider applications for Major Grants, Major Events Sponsorship, and Community Infrastructure Planning and Capital Grants. This will occur over three funding rounds per annum, applying as far as is practicable, one third of budgeted funds per round.

Governance and Meeting Framework Policy states that the Community Grants Program Committee Terms of Reference is 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.

e. Financial

A total amount of \$49,768.73 is being recommended for Major Grants. If Council supports these recommendations, there will be a balance of approximately \$281,371.45 remaining in the Community Grants Budget 2023/2024.

It should be noted that the Community Grants balance changes on a daily basis due to General, Travel and Youth Encouragement grant approvals.

A total amount of \$55,834.00 is being recommended by officers for the Community Infrastructure Capital Grants. If Council supports these recommendations, there will be a balance of approximately \$2,610.60 remaining in the Community Infrastructure Capital Grants Budget 2023/2024.

f. Legal and Statutory

Not Applicable

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

Officers based their recommendations in accordance with the CGP funding criteria.

2023/ 2024 Budget:

CGP Budget allocated	\$600,000.00
Funds spent to date:	\$189,322.55
2022/2023 Major Grants funded in 2023/2024	\$44,587.27
Committed via Major Event Sponsorships	\$34,950.00
Remaining Balance	\$331,140.18
Recommended round three 2023 /2024 applications	\$49,768.73
If approved, Total Remaining	\$281,371.45

Community Infrastructure Budget allocated	\$160,000.00
Funds spent to date:	\$101,555.40
Balance	\$58,444.60
Recommended round three 2023 /2024 applications	\$55,834.00
If approved, Total Remaining	\$2,610.60

Voting Requirements

Simple Majority

Advisory Committee Recommendation

That Council **APPROVES** the allocation of funds under the 2023/2024 Community Grants Program (CGP) Round Three, subject to any listed additional conditions:

	Major Event Sponsorship	Amount Requested (\$)	Officer Recommendation (\$)
A.	WAKAA Inc. (Western Australia Kiwi & Australia Artists) WAKAA Festival Additional Grant Conditions: <ul style="list-style-type: none">Nil	\$13,461.73	\$10,561.73

Confirmed at a Corporate and Community Development Committee meeting held on Tuesday 19 March 2024


Presiding Member

	Major Event Sponsorship	Amount Requested (\$)	Officer Recommendation (\$)
B.	Rockingham Tourism Association Inc. Tri Rockingham (School Sport Australia- National triathlon Championships) Additional Grant Conditions: <ul style="list-style-type: none"> • Subject to providing the City of Rockingham with a copy of your organisation's Public Liability Insurance that will be current at the time of the program/event. • Your organisation is to follow the health advice provided by the WA Health Department in regards to COVID-19. • Funding for Tri Rockingham 2024 and 2025 is subject to partnership ratification from the School Sport WA. • Your organisation is to provide an opportunity for City of Rockingham Mayor to speak at the event • Encourage your guests, participants and committee members to promote Rockingham on their social media and include the following tags: <ul style="list-style-type: none"> ○ Facebook #RediscoverRockingham ○ Instagram #RediscoverRockingham • Visitor survey data and any relevant key findings are shared with the City as part of the post event acquittal 	\$19,125.00	\$15,525.00

	Major Grants	Amount Requested (\$)	Officer Recommendation (\$)
C.	Friends of Paganoni Swamp Control of serious weeds on the verge of Paganoni Road, Karnup Additional Grant Conditions: <ul style="list-style-type: none"> • Nil 	\$6,720.00	\$6,400.00
D.	Cycling Without Age Australia Rockingham Chapter Cycling without Age Rockingham – Insurance Costs Additional Grant Conditions: <ul style="list-style-type: none"> • Provide the City of Rockingham with a copy of the insurance purchased with the approved grant amount 	\$4,060.00	\$4,060.00
E.	West Australian Barefoot Water Ski Club 2024 Australian Barefoot Championships Additional Grant Conditions: <ul style="list-style-type: none"> • Nil 	\$10,000.00	\$10,000.00

	Major Grants	Amount Requested (\$)	Officer Recommendation (\$)
F.	<p>Rockingham Dog Club Inc. CCTV Camera Installation</p> <p>Additional Grant Conditions:</p> <ul style="list-style-type: none"> Gain written approval from the City of Rockingham leasing team prior to installation of CCTV system. Subject to providing the City of Rockingham with a signed letter on your organisation letterhead to state you have acknowledged and understand the legislative requirements of installing and managing a CCTV system. The letter must reference your organisation's acknowledgement of reading, accepting and meeting responsibilities associated with the management of the CCTV system (e.g. creating procedure manuals, purpose/intent statement for using CCTV, signage provision in area of CCTV Placement) in accordance to the following standards: <ul style="list-style-type: none"> Standards Australian Standard AS 4806.1 – 2006 Closed Circuit Television Management and Operations, Part 1, Section 2. Principles and Management of the CCTV System is the most relevant to the City's CCTV System. The objective of which is that a CCTV System should be documented in writing, clearly indicating intended uses. Legislation Freedom of Information Act 1992 Freedom of Information Act 1992 – request/s for access to CCTV information are covered in Part III Access to Documents, e.g. – a record Privacy Act 1988 Privacy Act 1988, Schedule 3 - general provisions for the protection of the privacy of individuals relating to CCTV Surveillance Devices Act 1998 Surveillance Devices Act 1998, Section 6 – regulation of use, installation and maintenance of optical surveillance devices, and Section 27 – use of optical surveillance devices in public interest Guidelines The Australia New Zealand Policing Advisory Agency (ANZPAA) has published the ANZPAA Recommendations for CCTV Systems ('the ANZPAA Recommendations'). This document was prepared by a national committee of police experts in forensic imaging, and covers many aspects of CCTV operation. The document is supported by WA Police and has also been adopted by the State CCTV Strategy as the minimum level for the use and installation of CCTV systems in Western Australia. See https://www.anzpaa.org.au/publications/general (download Australia and New Zealand Police Recommendations for CCTV Systems). Register the CCTV system with WA Police at Cam-Map WA Western Australia Police Force. This is free to register and allows police to have knowledge of CCTV locations in the community. This assists them with the prevention and detection of crime. 	\$3,222.00	\$3,222.00
Total: Major Grants and Major Event Sponsorship		\$56,588.73	\$49,768.73

	Community Infrastructure Capital	Amount Requested (\$)	Officer Recommendation (\$)
G.	Singleton Irwinians Cricket Club Turf wicket block installation Additional Grant Conditions: <ul style="list-style-type: none">A Memorandum of Understanding developed by the City outlining the SICC responsibility with respect to the management and maintenance.The SICC to provide evidence of how the Club intends to meet the existing shortfall in funds required for the proposed project.	\$50,000.00	\$50,000.00
H.	Golden Bay Community Garden Installation of gates, pathway and garden beds Additional Grant Conditions: <ul style="list-style-type: none">Lessor Consent for Alteration and Additions approval required	\$5,834.00	\$5,834.00
Total: Community Infrastructure Capital		\$55,834.00	\$55,834.00

Officer Recommendation if Different to Advisory Committee Recommendation

Not Applicable

The Officer's Reason for Varying the Advisory Committee Recommendation

Not Applicable

Committee Recommendation

Moved Cr Liley, seconded Cr Crichton:

That Council **APPROVES** the allocation of funds under the 2023/2024 Community Grants Program (CGP) Round Three, subject to any listed additional conditions

Committee Voting (Carried) – 6/0

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

Not Applicable

Implications of the Changes to the Officer's Recommendation

Not Applicable

Confirmed at a Corporate and Community
Development Committee meeting held on
Tuesday 19 March 2024


Presiding Member

**Community Development
Community Capacity Building
Community Grants Program Committee**



Report number / title:	CD-003/24	Review of Community Grants Program assessment criteria
File number:	GRS/48	
Proponent/s:		
Author:	Ms Amanda Fairhead, Community Grants Officer	
Other Contributors:	Ms Rebekka Jarvis, Coordinator Community Capacity Building Mr Paul Hayward, Manager Community Capacity Building	
Date of Committee meeting:	20 February 2024	
Previously before Council:		
Disclosure of Interest:		
Nature of Council's role:	Executive	
Attachments:	1. Minutes of the Community Grants Program Advisory Committee meeting held on 18 January 2024	
Maps/Diagrams:		
Site:		
Lot Area:		

Purpose of Report

For Council to approve the recommended assessment criteria for the Community Grants Program (CGP) until February 2026.

Background

In accordance with the CGP Policy, the newly appointed CGP Committee is required to consider and recommend assessment criteria for the forthcoming two years. The existing assessment criteria was approved at the CGP meeting held on Thursday 13 January 2022, and is due to be updated.

Details

The CGP Committee met on Thursday 18 January 2024 and considered the assessment criteria recommended by City Officers, which included one minor addition to the existing assessment criteria. This addition is outlined below:

'Priority will be given to organisations that have not previously applied, or have had few approved applications in the past 12 months'.

The CGP Committee endorsed the officer recommended assessment criteria.

Confirmed at a Corporate and Community Development Committee meeting held on Tuesday 19 March 2024


Presiding Member

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 2023-2033:

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

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

Sustainable Local Government - Optimise City resources

Sustainable Local Government - Continual improvement

d. **Policy**

The CGP Policy and Governance and Meeting Framework Policy each state *that the committee is to review its terms of reference and membership composition within three months of an ordinary local government election*. Any proposals for change are to be referred to Council for consideration prior to 31 March the following year.

e. **Financial**

Nil

f. **Legal and Statutory**

Not applicable

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 City of Rockingham (**City**) often receives applications from the same organisations each year, and sometimes for the same projects. The additional criteria will assist officers to prioritise applications and funding amounts, should a high volume of applications be received. The City will also soon be launching new CGP collateral and promoting the CGP, with a key aim being to encourage applications from organisations that may not have previously applied. In addition, it is intended that the new criteria may encourage organisations to explore other ways to become more financially sustainable, including other funding opportunities.

Voting Requirements

Simple Majority

Advisory Committee Recommendation

That Council **APPROVES** the following assessment criteria for funding applications for the Community Grants Program until February 2026:

- Good description of short term and/or long term community benefits
- Alignment with City strategies
- Amount of community involvement in the program/event:
 - (demonstrates types of community members involved)
 - (community impact – time / number of people / outcomes)
- Amount of volunteer involvement in program/event
- Recognition for the City
- Financial capacity of applicant to deliver the event
- Partnerships with other groups and/or consultation
- Other funding sources
- Capacity of program/event to grow and become sustainable in future
- Major events – short term and/or long term economic benefits
- Major events – attraction of overnight stays
- Governance and management of applicant organisation
- Project justification
- Financial commitment (applicant's dollar contribution / reason why not included)
- Project planning
- Design (Community Infrastructure Grant)
- Consulted with a relevant City staff member about this project prior to submitting the Grant application.
- **Priority will be given to organisations that have not previously applied, or have had few approved applications in the past 12 months**

Officer Recommendation if Different to Advisory Committee Recommendation

Not Applicable

The Officer's Reason for Varying the Advisory Committee Recommendation

Not Applicable

Committee Recommendation

Moved Cr Liley, seconded Cr Crichton:

That Council **APPROVES** the following assessment criteria for funding applications for the Community Grants Program until February 2026:

- Good description of short term and/or long term community benefits
- Alignment with City strategies
- Amount of community involvement in the program/event:
 - (demonstrates types of community members involved)
 - (community impact – time / number of people / outcomes)
- Amount of volunteer involvement in program/event

Confirmed at a Corporate and Community
Development Committee meeting held on
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- Recognition for the City
- Financial capacity of applicant to deliver the event
- Partnerships with other groups and/or consultation
- Other funding sources
- Capacity of program/event to grow and become sustainable in future
- Major events – short term and/or long term economic benefits
- Major events – attraction of overnight stays
- Governance and management of applicant organisation
- Project justification
- Financial commitment (applicant's dollar contribution / reason why not included)
- Project planning
- Design (Community Infrastructure Grant)
- Consulted with a relevant City staff member about this project prior to submitting the Grant application.
- **Priority will be given to organisations that have not previously applied, or have had few approved applications in the past 12 months**

Committee Voting (Carried) – 6/0

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

Not Applicable

Implications of the Changes to the Officer's Recommendation

Not Applicable

**Community Development
Community Capacity Building
Community Grants Program Committee**



Report number / title:	CD-004/24	Review of Community Grants Program funding rounds and amounts
File number:	GRS/48	
Proponent/s:		
Author:	Paul Hayward, Manager Community Capacity Building	
Other Contributors:	Ms Rebekka Jarvis, Coordinator Community Capacity Building	
Date of Committee meeting:	20 February 2024	
Previously before Council:		
Disclosure of Interest:		
Nature of Council's role:	Executive	
Attachments:	1. Minutes of the Community Grants Program Advisory Committee meeting held on 18 January 2024	
Maps/Diagrams:		
Site:		
Lot Area:		

Purpose of Report

For Council to approve recommendations to change the number of funding rounds for the Community Grants Program (**CGP**), as well as changes to maximum grant funding amounts for some categories.

Background

At its meeting on Thursday 18 January 2024 the CGP discussed changes to the number of Major Grant funding rounds per year, as well as the maximum grant funding amounts for General Grants, Travel Grants, Youth Encouragement Grants, Major Grants and Major Event Sponsorship. The CGP's recommendations are presented for Council consideration.

Details

Proposed changes to Major Grant funding rounds

Major Grants form part of the City's Community Grants Program, designed to empower eligible groups to build capacity and develop sustainability for the overall benefit of the community. There are currently three Major Grant rounds offered each financial year.

At its 18 January 2024 meeting the CGP discussed the number of grant rounds, and considered reducing the number of rounds from three per year, to two per year. The CGP acknowledged the following points raised by City Officers:

Confirmed at a Corporate and Community Development Committee meeting held on Tuesday 19 March 2024


Presiding Member

- Many volunteer-based organisation have limited resourcing, which can greatly impact their capacity to properly forward plan and prepare for major events and projects in the space of time that three funding rounds per year allows. Two funding rounds per year would allow more space between funding rounds, and more lead time before submission close off dates.
- Most grant applications require substantial follow-up by the Community Grants Officer (CGO), before progressing to assessment stage. This takes time and often means that the deadline for final submission is only just met. Reducing the number of funding rounds per year would afford more time for the CGO to work with applicants to develop applications to the required standard for assessment in time for submission.
- Changing the number of Major Grants rounds from three to two allows the CGO to offer more long term capacity-building opportunities, such as grant funding / writing workshops, one-on-one meetings, and the development of resources (E.g. 'how-to' guides and application assistance videos) to better equip applicants to write strong submissions, not only for City grants, but also for other external grant and sponsorship opportunities.
- Should the funding rounds change from three per year to two per year, closing dates would be tailored to ensure that summer and winter sporting clubs are still able to properly plan and apply for Major Grants. For example, Round one would close at the start of April, and Round 2 would close at the start of September.

Subsequently, the CGP recommended to change the number of Major Grant funding rounds per year, from three to two.

Proposed changes to funding amounts

The CGP discussed changes to some grant categories, for which the amounts have remained unchanged for a number of years. The Committee recommended the following:

- General Grants - \$3,000 – No change
- Travel Grant
 - Interstate Individual – Change from \$150 to \$300
 - Interstate Team – Change from \$750 to \$1,000
 - International Individual – Change from \$300 to \$500
 - International Team – Change from \$1,500 to \$2,000
- Youth Encouragement Grant – Change from \$500 to \$600
- Major Grants – Change from \$10,000 to \$15,000
- Major Event Sponsorship - \$20,000 up to three years - No change

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 2023-2033:

Aspiration: **1. Social - A family-friendly, safe and connected community**

Outcome/Objective: *Connected community - Provide opportunities for community engagement and participation*

Accessible services - Adapt services to meet changing community need

Connected community - Provide opportunities for community engagement and participation

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

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

Sustainable Local Government - Optimise City resources

Sustainable Local Government - Continual improvement

d. Policy

The CGP operates in accordance with Council's Community Grants Program Policy, with changes to be referred to Council for consideration.

e. Financial

All funding will be accommodated within the CGP budget of \$600,000 (Minor and Major grants), it is not anticipated that there will be a need to increase the budget.

f. Legal and Statutory

Not Applicable

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

In relation to funding rounds, the City often receives feedback from community groups that the timeframes for Major Grant applications can be challenging, due to their limited capacity and resourcing. The Community Grants Officer also spends significant time with most applicants to ensure that applications meet requirements, with submission often being finalised and fully received just in time for the submission close-off date. Changing the total number of Major Grant funding rounds to two per year, instead of three, will assist to alleviate this issue. In addition, it will provide increased capacity for the Community Grants Officer to deliver more capacity building workshops and initiatives that will benefit community groups' future funding applications, not only for City grant funding, but other external grant funding and sponsorship opportunities. This is conducive towards long term capacity building.

In relation to funding amounts, for a number of grant categories these amounts have not been reviewed for a number of years. The new recommended amounts acknowledge increasing costs of living and travel, as well as increases to expenses related to delivering programs, projects and events.

Voting Requirements

Simple Majority

Advisory Committee Recommendation

1. That Council **APPROVES** the Minor and Major Community Grants Program maximum grant amounts be amended as follows:
 - General Grants - \$3,000

Confirmed at a Corporate and Community Development Committee meeting held on Tuesday 19 March 2024


Presiding Member

- Travel Grant
 - Interstate Individual - \$300
 - Interstate Team - \$1,000
 - International Individual - \$500
 - International Team - \$2,000
 - Youth Encouragement Grant - \$600
 - Major Grants - \$15,000
 - Major Event Sponsorship - \$20,000 up to three years
2. That Council **APPROVES** for the funding rounds for Major Grants to change from **three** rounds per year to **two** rounds per year.

Officer Recommendation if Different to Advisory Committee Recommendation

Not Applicable

The Officer's Reason for Varying the Advisory Committee Recommendation

Not Applicable

Amendment to Committee Recommendation

Note: Cr Liley moved the Advisory Committee Recommendation, seconded by Cr Crichton. During debate Cr Schmidt proposed the following amendment to the substantive motion.

Moved Cr Schmidt, seconded Cr Middlecoat:

That the Committee removes item 2 of the substantive recommendation:

'That Council **APPROVES** for the funding rounds for Major Grants to change from **three** rounds per year to **two** rounds per year.'

Committee Voting (Lost on the casting vote of the Presiding Member) – 3/4

Council Members voting for the motion:

Cr Middlecoat
Cr Schmidt
Cr Buchanan

Council Members voting against the motion:

Cr Liley
Cr Hume
Cr Crichton
Cr Buchanan

Note: Due to an equality of votes at the Committee meeting, the Presiding Member exercised the obligation to cast a second vote to reach a decision in this matter (Section 5.21(3) of the Local Government Act 1995)

Committee Recommendation

Moved Cr Liley, seconded Cr Crichton:

That Council:

1. **APPROVES** the Minor and Major Community Grants Program maximum grant amounts be amended as follows:
 - General Grants - \$3,000
 - Travel Grant
 - Interstate Individual - \$300
 - Interstate Team - \$1,000
 - International Individual - \$500
 - International Team - \$2,000

- Youth Encouragement Grant - \$600
 - Major Grants - \$15,000
 - Major Event Sponsorship - \$20,000 up to three years
2. **APPROVES** for the funding rounds for Major Grants to change from **three** rounds per year to **two** rounds per year.

Committee Voting (Carried) – 6/0

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

Not Applicable

Implications of the Changes to the Officer's Recommendation

Not Applicable

Community Development Economic Development and Tourism



Report number / title:	CD-005/24	Temporary Way Forward for Provision of Visitor Servicing within the City of Rockingham
File number:	CPM/195-9	
Proponent/s:		
Author:	Miss Melissa James, Manager Economic Development and Tourism	
Other Contributor/s:		
Date of Committee meeting:	20 February 2024	
Previously before Council:	23 August 2022 (CD-023/22)	
Disclosure of Interest:		
Nature of Council's role:	Executive	
Attachments:		
Maps/Diagrams:		
Site:		
Lot Area:		

Purpose of Report

To seek Council approval to enter into a procurement process for a 12 month period for the provision of visitor servicing within the City of Rockingham.

Background

At the March 2022 Ordinary Council Meeting, Council approved the following:

DIRECTS the CEO to establish a city-owned and operated Mobile Visitor Information Service to be ready for activation in spring 2023 or 2024, before the next Tourism Strategy implementation period.

DIRECTS the CEO to undertake a procurement process, with a clear scope of works for a fee for service agreement of visitor servicing in Rockingham of up to \$100,000 per annum, for up to a two-year period ending 30 June 2024.

The outcome of the procurement process was presented to Council at its August 2022 Ordinary Council Meeting, and Council approved the following:

That Council **ACCEPTS** the quote submitted from Perth Wildlife Encounters Pty Ltd (Penguin Island Visitor Centre), 153 Arcadia Drive, Shoalwater WA 6169, for Quote 21/22-65 in accordance with the quote documentation submitted being from 1 September 2022 (or as soon as possible thereafter) until 30 June 2024.

Details

Since the Penguin Island Visitor Centre commenced operation on 1 October 2022, Tourism Rockingham (trading as Rockingham Visitor Centre) has continued to operate independently resulting in two accredited bricks and mortar Visitor Centres (Mersey Point and Gary Holland Community Centre) operating in Rockingham.

The Tourist Destination Strategy 2024-2029 (**TDS**) is currently being drafted with a Councillor Engagement Session scheduled for May 2024 to obtain feedback. Following engagement with Council, the draft TDS will be submitted in a report to Council for consideration, and then released for public comment.

The TDS will be focussed around the following Key Elements:

- Destination and product development
- Destination marketing
- Event attraction and activation
- Visitor servicing

Due to the timing of completing the TDS, officers suggest it would be prudent to seek a short term Visitor Servicing arrangement at the completion of the current Visitor Servicing contract which ends 30 June 2024. This would enable the outcomes of the new TDS and specifically any actions relating to Visitors Servicing to be taken into account in determining the medium to longer term Visitor Servicing arrangements.

Implications to Consider

a. **Consultation with the Community**

Nil

b. **Consultation with Government Agencies**

Nil

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: **4. Economic - A vibrant economy creating opportunities**

Outcome/Objective: *A visitor destination - Promote the City as a place to visit*

d. **Policy**

Council Policy – Procurement Framework is applicable to the procurement process.

e. **Financial**

\$100,000 has been allocated for visitor servicing in the 2024-25 budget.

f. **Legal and Statutory**

A Fee for Service Agreement will be required for the provision of visitor servicing.

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 TDS will be presented to Council in a Councillor Engagement Session in May this year, and will identify key themes resulting from the consultation process, and relevant actions to be implemented over the next five year period. One of the Key Elements of the TDS will be Visitor Servicing. Due to the timing of being able to implement relevant actions, a temporary way forward is required.

A new action of the TDS which was endorsed by Council at its March 2022 Council Meeting includes the provision of a City owned and operated Mobile Visitor Centre that will operate based on seasonal demand. The aim of the Mobile Visitor Centre will be to capture visitors out in destination in order to encourage extended stays and share visitor information.

In addition to the Mobile Visitor Centre, a fixed location should also be available for visitors to attend and receive information they are seeking whilst in Rockingham.

Currently, this service is being provided by Penguin Island Visitor Centre, operated by Perth Wildlife Encounters at 153 Arcadia Drive, Shoalwater. During the twelve month period between January and December 2023, the Penguin Island Visitor Centre reported 82,000 walk in visitors.

The Rockingham Visitor Centre, operated by Tourism Rockingham Inc. at the Gary Holland Community Centre has also continued to operate independently providing information to visitors and industry members. The City does not however have access to any visitor statistics or membership data for the Rockingham Visitor Centre as they are not required to provide any information through a monthly reporting process.

In order to bridge the gap for Visitor Servicing until the endorsement of the TDS, the following options have been identified by Officers, and relevant commentary has been included for Council's consideration:

Option 1: Undertake a Request for Quote (RFQ) process for the provision of visitor servicing in Rockingham for a period of 12 months (cost: \$100,000)

The current Fee for Service Agreement does not include an option to extend. As there are two accredited bricks and mortar Visitor Centres capable of fulfilling the requirements of the Visitor Servicing Fee for Service Agreement, a procurement process provides both Visitor Centres an opportunity to submit a quote to fulfil services required by the City for a twelve month period, to bridge the gap until the TDS has been endorsed.

Option 2: Split the funding 50/50 between the two accredited Visitor Centres within the City of Rockingham for a period of 12 months (cost: \$100,000)

As there are two accredited bricks and mortar Visitor Centres operating within Rockingham, Officers considered the option to split the funding between the two Visitor Centres to temporarily bridge the gap for twelve months until the TDS has been endorsed.

The proposed budget allocation for the 2024-25 financial year is \$100,000, in line with current visitor servicing arrangements under the Fee for Service Agreement. Key deliverables of the Fee for Service Agreement include:

- Destination marketing and promotion
- Stakeholder engagement
- Visitor servicing

In considering this option, Officers have considered that a funding amount of \$50,000 is likely not sufficient to meet the requirements of the Visitor Servicing Fee for Service Agreement as it currently stands, and responsibilities associated with the existing agreement would therefore need to be divided between different stakeholders. There is a risk that splitting the funding and key responsibilities across different stakeholders may be perceived as unfair or unfeasible.

Upon considering the two options, Officers recommend that a procurement process be undertaken for the provision of visitor servicing in Rockingham for a period of 12 months.

Voting Requirements

Simple Majority

Confirmed at a Corporate and Community
Development Committee meeting held on
Tuesday 19 March 2024



Presiding Member

Officer Recommendation

That Council **DIRECTS** the CEO to undertake a procurement process for a fee for service agreement for the provision of visitor servicing in Rockingham of up to \$100,000 per annum, for up to a one-year period ending 30 June 2025.

Committee Recommendation

Moved Cr Schmidt, seconded Cr Crichton:

That Council **DIRECTS** the CEO to undertake a procurement process for a fee for service agreement for the provision of visitor servicing in Rockingham of up to \$100,000 per annum, for up to a one-year period ending 30 June 2025.

Committee Voting (Carried) – 6/0

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

Not Applicable

Implications of the Changes to the Officer's Recommendation

Not Applicable

13.	Reports of Council Members
	Nil
14.	Addendum Agenda
	Nil
15.	Motions of which Previous Notice has been given
	Nil
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
	Nil
18.	Matters Behind Closed Doors
	Nil
19.	Date and Time of Next Meeting
	The next Corporate and Community Development Committee meeting will be held on Tuesday 19 March 2024 in the Council Boardroom, Council Administration Building, Civic Boulevard, Rockingham. The meeting will commence at 5:00pm.
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 6:22pm .