



The Council of the City of Cockburn

Special Council Meeting  
**Agenda Paper**

For Monday, 30 October 2023



City of Cockburn  
PO Box 1215, Bibra Lake  
Western Australia 6965

Cnr Rockingham Road and  
Coleville Crescent, Spearwood

Telephone: (08) 9411 3444  
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### **NOTICE OF MEETING**

Pursuant to Clause 2.5 of Council's Standing Orders, a Special Meeting of Council has been called for Monday 30 October 2023.

The meeting is to be conducted at 7pm in the City of Cockburn Council Chambers, Administration Building, Coleville Crescent, Spearwood.

The purpose of this meeting is to .

The Agenda will be made available on the City's website prior to the Meeting.

A handwritten signature in black ink, appearing to read 'D. Simms', is positioned above the name of the Chief Executive Officer.

Daniel Simms  
**Chief Executive Officer**

## The Council of the City Of Cockburn

### Special Council Meeting 30 October 2023 at 7pm

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## The Council of the City Of Cockburn

**Special Council Meeting  
30 October 2023 at 7pm**

### **Agenda**

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#### **1. Declaration of Meeting**

“Kaya, Wanju Wadjuk Budjar” which means “Hello, Welcome to Wadjuk Land”.

The Presiding Member will acknowledge the Nyungar People who are the traditional custodians of the land on which the meeting is being held and pay respect to the Elders of the Nyungar Nation, both past and present and extend that respect to Indigenous Australians present.

#### **2. Appointment of Presiding Member (If required)**

#### **3. Disclaimer (To be read aloud by Presiding Member)**

Members of the public, who attend Meetings, should not act immediately on anything they hear at the Meetings, without first seeking clarification of Council's position. Persons are advised to wait for written advice from the Council prior to taking action on any matter that they may have before Council.

#### **4. Acknowledgement of Receipt of Written Declarations of Financial Interests and Conflict of Interest (by Presiding Member)**

#### **5. Apologies & Leave of Absence**

#### **6. Public Question Time**

#### **7. Deputations**

**8. Declaration by Members Who have Not Given Due Consideration to Matters Contained in the Business Paper Presented before the Meeting**

**9. Purpose of Meeting**

Purpose of the meeting:

1. Election of Deputy Mayor
2. Setting of Fees and Allowances
3. Appointments to Committees, Reference Groups and External Groups.

## 10 Reports - CEO (and Delegates)

### 10.1 Governance and Strategy

#### 10.1.1 Election of Deputy Mayor

**Author** Manager Legal and Compliance

**Attachments** 1. Election of Deputy Mayor Using Optional Preferential Voting [↓](#)  
2. LG Formality of Ballot Papers Guide [↓](#)

#### RECOMMENDATION

That Council:

- (1) NOTES that Councillor \_\_\_\_\_ has been declared elected to fill the role of Deputy Mayor for the City of Cockburn for a term to conclude at the start of the first meeting of the Council after the local government's next ordinary elections.

#### Background

The filling of office of the deputy mayor is to be in accordance with s2.15 of *Local Government Act 1995* (the Act), to be elected by the Council.

Schedule 2.3 Clause 7(1) of the Act provides that the office of the Deputy Mayor is to be filled as the first matter dealt with after the election of Council.

#### Submission

N/A

#### Report

The appointment of the Deputy Mayor is for a two-year term, with the role being re-elected after every ordinary council election cycle. The day on which the term begins is the day the Deputy Mayor is elected and ends at the start of the first meeting after the City's next ordinary elections.

The role of the Deputy Mayor, in accordance with Section 5.34 of the Act, is to perform the functions of the Mayor if –

- a) *The office of the Mayor is vacant; or*
- b) *The Mayor is not available or is unable or unwilling to perform the functions of the mayor.*

The role of the Mayor, in accordance with Section 2.8 of the Act is –

- a) *Presides at meetings in accordance with the Act;*
- b) *Provides leadership and guidance to the community in the City.*
- c) *Carries out civic and ceremonial duties on behalf of the City.*

- d) *Performs such other functions as are given to the Mayor by the Act or any other written law; and*
- e) *Liaises with the Chief Executive Officer on the City's affairs and the performance of its functions.*

*Clause 8 and 9 of Schedule 2.3, Division 2 states:*

#### **8. How deputy mayor or deputy president is elected**

- (1) *The council is to elect a councillor (other than the mayor or president) to fill the office.*
- (2) *The election is to be conducted in accordance with the procedure prescribed by the mayor or president, or if he or she is not present, by the CEO.*
- (3) *Nominations for the office are to be given to the person conducting the election in writing before the meeting or during the meeting before the close of nominations.*
  - (a) *Nominations close at the meeting at a time announced by the person conducting the election, which is to be a sufficient time after the announcement by that person that nominations are about to close to allow for any nominations made to be dealt with*
- (4) *If a councillor is nominated by another councillor the person conducting the election is not to accept the nomination unless the nominee has advised the person conducting the election, orally or in writing, that he or she is willing to be nominated for the office.*
- (5) *The council members are to vote on the matter by secret ballot as if they were electors voting at an election.*
- (6) *Subject to clause 9(1) the votes cast under subclause (5) are to be counted, and the successful candidate determined, in accordance with Schedule 4.1 as if those votes were votes cast at an election.*
- (7) *As soon as is practicable after the result of the election is known, the person conducting the election is to declare and give notice of the result in accordance with regulations, if any.*

#### **9. Votes may be cast a second time**

- (1) *If, when the votes cast under clause 8(5) are counted, there is an equality of votes between 2 or more candidates who are the only candidates in, or remaining in, the count, the count is to be discontinued and, not more than 7 days later, a special meeting of the council is to be held.*
- (2) *Any nomination for the office may be withdrawn, and further nominations may be made, before or when the special meeting is held.*
- (3) *When the special meeting is held the council members are to vote again on the matter by secret ballot as if they were voting at an election.*
- (4) *The votes cast under subclause (3) are to be counted, and the successful candidate determined, under Schedule 4.1 as if those votes were votes cast at an election.*

Councillors may nominate themselves or any other Councillor for the role of Deputy Mayor. Nomination forms for the position of Deputy Mayor are circulated to all Council Members. Nominations are to be given to the person conducting the election in writing before the meeting or during the meeting before the close of nominations.

Should there be more than one nomination; a secret ballot will be held to appoint the Deputy Mayor, in accordance with the Act, Schedule 2.3, Division 2, Clause 8 - How deputy mayor or deputy president is elected, which states – “(2) *The election is to be conducted in accordance with the procedure prescribed by the mayor or president, or if he or she is not present, by the CEO.*”

The election is to be conducted in accordance with the procedure prescribed by the Mayor.

1. The Executive Governance and Strategy is the person conducting the election.
2. The person conducting will call for nominations at the meeting, advising the time of close of nominations.
3. Nominations received for Elected Members from another Elected Member are not to be accepted by the (person conducting) unless the nominee has confirmed acceptance of the nomination to the person conducting.
4. Nominees will have up to 3 minutes to present on their candidacy.
5. The Elected Members are to vote on the matter by secret ballot as if they were voting at an election.
6. Ballot papers will be in the prescribed form, in accordance with the *Local Government (Elections) Regulations 1997*.
7. In the event 2 nominations are received, Elected Members will indicate their vote by writing “1” in the square next to the name of the candidate they want to vote for.
8. In the event there are 3 or more nominations received, Elected Members will have the choice of writing “1” in the square next to the name of the candidate they want to vote for, or by writing consecutive numbers in the squares next to the names of the candidates in the order of their choice. Elected Members are not required to write a number in all spaces.
9. Votes are to be counted as if they were votes cast at an election (Schedule 4.1 of the Act).
10. If there are only 2 candidates, the first preference votes are counted, and the candidate with the greatest number of first-preference votes is elected.
11. If there are 3 or more candidates, the first preference votes for each candidate must be counted.
12. A candidate is elected to the office of Deputy Mayor if the number of first-preference votes for the candidate exceeds 50 per cent of the total number of all the first-preference votes.
13. In the event no candidate is elected after steps 9 and 10 of this procedure are concluded, the process in Points 11 and 12 must be followed.
14. The candidate with the fewest first preference votes will be excluded.
15. Any ballot papers of the excluded candidate which contain no preference votes at all, or no preference votes for any continuing candidates be excluded as exhausted ballot papers.



16. Any remaining ballot papers of the excluded candidate be transferred to the next available preference for a continuing candidate.
17. The process is to continue until a continuing candidate has more than 50 per cent of the total number of votes for continuing candidates.

Elected Members may nominate themselves or another Elected Member in advance, by submitting their nomination using the nomination form, to the CEO.

If a Deputy Mayor is not elected due to equality of votes, that count is to be discontinued and, not more than seven (7) days later, a Special Meeting of Council is to be held.

In the event there is still an equality of votes, after following the procedure, the returning officer will be required to following the process prescribed in regulation 75E, Steps for drawing lots (*Local Government (Elections) Regulations 1997*).

Any nominations may be withdrawn, and further nominations may be made before or when the Special Meeting is held.

If, at the Special Council Meeting, an equal number of votes exist after the count, the person conducting the election is to draw lots to determine which candidate is to be declared the Deputy Mayor.

The appointment will be in place for two years until October 2025.

The person elected by Council as Deputy Mayor will make a declaration on the prescribed form before acting in the office.

The declaration is to be made in the presence of an authorised person, before whom a statutory declaration may be made, pursuant to Schedule 2 of the *Oaths, Affidavits and Statutory Declarations Act, 2005*.

### **Strategic Plans/Policy Implications**

#### Listening and Leading

A community focused, sustainable, accountable and progressive organisation.

- Best practice Governance, partnerships and value for money.

### **Budget/Financial Implications**

The allowances payable to the Deputy Mayor are contained within existing budget provisions. There are no financial implications from the recommendations in this report.

**Legal Implications**

Schedule 2.3 Clause 7(1) and Schedule 4.1 Division 2 of the *Local Government Act 1995* refer.

**Community Consultation**

N/A

**Risk Management Implications**

Failure to elect a Deputy Mayor would be in breach of the *Local Government Act 1995*. There are no associated risks identified within the City's operational risk register.

**Advice to Proponent(s)/Submitters**

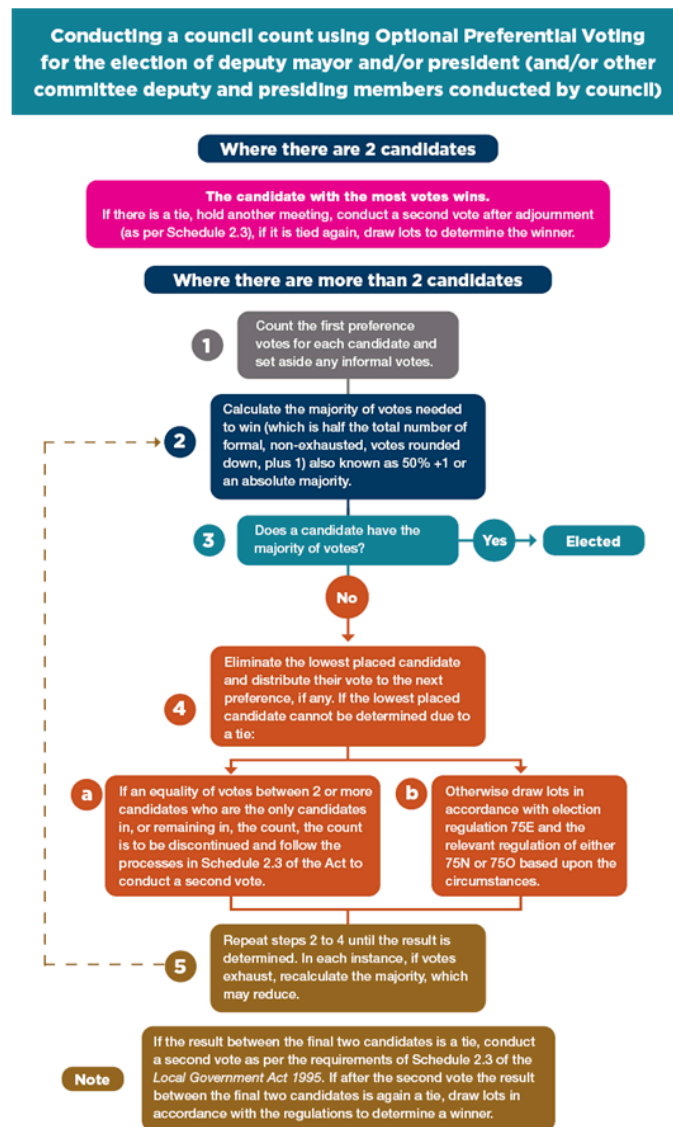
Elected Members were provided advice on 23 October 2023.

**Implications of Section 3.18(3) *Local Government Act 1995***

Nil



## Election of Deputy Mayor Using Optional Preferential Voting



Source: <https://www.dlgsc.wa.gov.au/> 10 October 2023

2023

Local Government Election



# FORMALITY OF BALLOT PAPERS GUIDE



WESTERN AUSTRALIAN  
Electoral Commission



## 1. FORMALITY OF BALLOT PAPERS

A ballot paper can be admitted to the count if, in the Returning Officer's opinion, it clearly indicates an elector's wishes.

The Returning Officer may review a decision in the course of a re-count of votes and, in determining the formality of any ballot paper, is to take into account any instructions given by the Electoral Commissioner. The Returning Officer's decision is final.

Please refer to the Returning Officer if clarification on any aspect of the formality of ballot papers is required.

## 2. GIVING EFFECT TO THE ELECTOR'S WISHES

The key words in the legislation refer to accepting a ballot paper that '*clearly indicates the elector's wishes*'.

## 3. MARKING THE BALLOT PAPER

In an election where one office is to be filled and only two candidates are named on the ballot paper, an elector needs to mark the ballot paper by writing the numeral '1' in the square beside the name of the candidate whom the elector wishes to be elected.

If only one office is to be filled at the election and three or more candidates are named on the ballot paper, or two or more offices are to be filled at the election, an elector is to mark the ballot paper by writing numeral '1' in the square opposite the name of the candidate for whom the elector votes as the elector's first preference. Electors may indicate further preferences for **some** or **all** of the remaining candidates by writing the numeral '2' in the square opposite the name of the candidate for whom the elector votes as the elector's second preference, and so on, until the elector has finished allocating their preferences. The elector is not required to number all the squares.

The regulation states that the elector is to use the number 1 to indicate their first choice of candidate. Some variations are acceptable.

#### **4. INITIALS AND OTHER MARKINGS**

In State parliamentary elections, ballot papers bearing the signature or initials of the elector are informal because the relevant laws expressly state this. However, while electors in local government elections are entitled to secrecy when casting a vote under the Act and Regulations, a ballot paper is not rendered informal simply because the elector reveals his or her identity by his or her own choice. This typically may occur where an elector initials a correction.

#### **5. RETURNING OFFICER'S DECISION IS FINAL**

The final decision on whether a ballot paper is to be admitted rests with the Returning Officer.

The Returning Officer will refer to the Electoral Commissioner's guidelines as well as the Act and Regulations, but the resolution of validity will always be circumstance specific.

The physical appearance of markings on the ballot paper may well influence the Returning Officer's decision on the formality of the ballot paper.

#### **6. EXAMPLES OF FORMAL AND INFORMAL BALLOT PAPERS**

Examples of three categories of formality are given in the following pages to be used as guidelines:

- Single vacancy elections with two candidates
- Single vacancy elections with more than two candidates
- Multiple vacancy elections.

**SINGLE VACANCY – TWO CANDIDATES**

Ballot Paper

**ELECTION OF ONE COUNCILLOR  
CITY OF MARYVILLE  
WEST WARD**

Election Date: Saturday 21 October 2023

**How to vote**

Write the number 1 in the square next to the name of the candidate who you want to vote for.

**CANDIDATES**

CANDIDATE, A

CANDIDATE, B

**FORMAL**  
The mark is made in line with voting instructions.

Ballot Paper

**ELECTION OF ONE COUNCILLOR  
CITY OF MARYVILLE  
WEST WARD**

Election Date: Saturday 21 October 2023

**How to vote**

Write the number 1 in the square next to the name of the candidate who you want to vote for.

**CANDIDATES**

CANDIDATE, A

CANDIDATE, B

**FORMAL**  
The elector's first preference is clearly indicated.

Ballot Paper

**ELECTION OF ONE COUNCILLOR  
CITY OF MARYVILLE  
WEST WARD**

Election Date: Saturday 21 October 2023

**How to vote**

Write the number 1 in the square next to the name of the candidate who you want to vote for.

**CANDIDATES**

CANDIDATE, A

CANDIDATE, B

**INFORMAL**  
The elector has not indicated a first preference.

Ballot Paper

**ELECTION OF ONE COUNCILLOR  
CITY OF MARYVILLE  
WEST WARD**

Election Date: Saturday 21 October 2023

**How to vote**

Write the number 1 in the square next to the name of the candidate who you want to vote for.

**CANDIDATES**

CANDIDATE, A

CANDIDATE, B

**INFORMAL**  
The arrows do not indicate a preference for one candidate over another.



Ballot Paper

**ELECTION OF ONE COUNCILLOR  
CITY OF MARYVILLE  
WEST WARD**

Election Date: Saturday 21 October 2023

**How to vote**

Write the number 1 in the square next to the name of the candidate who you want to vote for.

**CANDIDATES**

CANDIDATE, A

CANDIDATE, B

**INFORMAL**  
It is not clear which mark indicates the preference.

Ballot Paper

**ELECTION OF ONE COUNCILLOR  
CITY OF MARYVILLE  
WEST WARD**

Election Date: Saturday 21 October 2023

**How to vote**

Write the number 1 in the square next to the name of the candidate who you want to vote for.

**CANDIDATES**

CANDIDATE, A

CANDIDATE, B

**INFORMAL**  
The dot is not a clear indication of the elector's choice.

Ballot Paper

**ELECTION OF ONE COUNCILLOR  
CITY OF MARYVILLE  
WEST WARD**

Election Date: Saturday 21 October 2023

**How to vote**

Write the number 1 in the square next to the name of the candidate who you want to vote for.

**CANDIDATES**

CANDIDATE, A

CANDIDATE, B

**FORMAL**  
The tick symbol can be taken as an indication of choice – in the absence of other ballot paper markings.

Ballot Paper

**ELECTION OF ONE COUNCILLOR  
CITY OF MARYVILLE  
WEST WARD**

Election Date: Saturday 21 October 2023

**How to vote**

Write the number 1 in the square next to the name of the candidate who you want to vote for.

**CANDIDATES**

CANDIDATE, A

CANDIDATE, B

**FORMAL**  
The cross symbol can be taken as an indication of choice – in the absence of other ballot paper markings.

**SINGLE VACANCY – MORE THAN TWO CANDIDATES**

Ballot Paper

**ELECTION OF ONE COUNCILLOR  
CITY OF MARYVILLE  
WEST WARD**

Election Date: Saturday 21 October 2023

**How to vote**

Write the number 1 in the square next to the candidate who is your first choice. If you want to, you may show more choices by writing consecutive numbers in the squares next to the names of other candidates in the order of your choice, starting with the number 2 up to 6.

You do not need to write a number in all the squares.

**CANDIDATES**

CANDIDATE, A	<input type="text" value="1"/>
CANDIDATE, B	<input type="text" value="3"/>
CANDIDATE, C	<input type="text" value="6"/>
CANDIDATE, D	<input type="text" value="5"/>
CANDIDATE, E	<input type="text" value="2"/>
CANDIDATE, F	<input type="text" value="4"/>

**FORMAL**  
The elector's full preferences are clearly marked.

Ballot Paper

**ELECTION OF ONE COUNCILLOR  
CITY OF MARYVILLE  
WEST WARD**

Election Date: Saturday 21 October 2023

**How to vote**

Write the number 1 in the square next to the candidate who is your first choice. If you want to, you may show more choices by writing consecutive numbers in the squares next to the names of other candidates in the order of your choice, starting with the number 2 up to 6.

You do not need to write a number in all the squares.

**CANDIDATES**

CANDIDATE, A	<input type="text" value="1"/>
CANDIDATE, B	<input type="text" value="4"/>
CANDIDATE, C	<input type="text" value="5"/>
CANDIDATE, D	<input type="text" value="2"/>
CANDIDATE, E	<input type="text" value="3"/>
CANDIDATE, F	<input type="text"/>

**FORMAL**  
The elector has allocated their preferences for 5 candidates.

Ballot Paper

**ELECTION OF ONE COUNCILLOR  
CITY OF MARYVILLE  
WEST WARD**

Election Date: Saturday 21 October 2023

**How to vote**

Write the number 1 in the square next to the candidate who is your first choice. If you want to, you may show more choices by writing consecutive numbers in the squares next to the names of other candidates in the order of your choice, starting with the number 2 up to 6.

You do not need to write a number in all the squares.

**CANDIDATES**

CANDIDATE, A	<input type="checkbox" value="x"/>
CANDIDATE, B	<input checked="" type="checkbox"/>
CANDIDATE, C	<input type="checkbox" value="3"/>
CANDIDATE, D	<input type="checkbox" value="4"/>
CANDIDATE, E	<input type="checkbox" value="2"/>
CANDIDATE, F	<input type="checkbox" value="5"/>

**INFORMAL**  
It is not clear which of the tick or cross indicates a positive preference.

Ballot Paper

**ELECTION OF ONE COUNCILLOR  
CITY OF MARYVILLE  
WEST WARD**

Election Date: Saturday 21 October 2023

**How to vote**

Write the number 1 in the square next to the candidate who is your first choice. If you want to, you may show more choices by writing consecutive numbers in the squares next to the names of other candidates in the order of your choice, starting with the number 2 up to 6.

You do not need to write a number in all the squares.

**CANDIDATES**

CANDIDATE, A	<input type="checkbox"/>
CANDIDATE, B	<input checked="" type="checkbox"/>
CANDIDATE, C	<input type="checkbox"/>
CANDIDATE, D	<input checked="" type="checkbox"/>
CANDIDATE, E	<input checked="" type="checkbox"/>
CANDIDATE, F	<input type="checkbox"/>

**INFORMAL**  
The elector's choice is unclear.  
Note - Initials do not invalidate a ballot paper.

Ballot Paper

**ELECTION OF ONE COUNCILLOR  
CITY OF MARYVILLE  
WEST WARD**

Election Date: Saturday 21 October 2023

**How to vote**

Write the number 1 in the square next to the candidate who is your first choice. If you want to, you may show more choices by writing consecutive numbers in the squares next to the names of other candidates in the order of your choice, starting with the number 2 up to 6.

You do not need to write a number in all the squares.

**CANDIDATES**

CANDIDATE, A	<input type="checkbox" value="1"/>
CANDIDATE, B	<input type="checkbox" value="2"/>
CANDIDATE, C	<input type="checkbox" value="4"/>
CANDIDATE, D	<input type="checkbox" value="5"/>
CANDIDATE, E	<input type="checkbox" value="2"/>
CANDIDATE, F	<input type="checkbox" value="6"/>

**FORMAL**  
*The elector has indicated a first preference. As there are two second preferences marked, the ballot paper will become exhausted after the first preference.*

Ballot Paper

**ELECTION OF ONE COUNCILLOR  
CITY OF MARYVILLE  
WEST WARD**

Election Date: Saturday 21 October 2023

**How to vote**

Write the number 1 in the square next to the candidate who is your first choice. If you want to, you may show more choices by writing consecutive numbers in the squares next to the names of other candidates in the order of your choice, starting with the number 2 up to 6.

You do not need to write a number in all the squares.

**CANDIDATES**

CANDIDATE, A	<input type="checkbox" value="1"/>
CANDIDATE, B	<input type="checkbox"/>
CANDIDATE, C	<input type="checkbox"/>
CANDIDATE, D	<input type="checkbox"/>
CANDIDATE, E	<input type="checkbox"/>
CANDIDATE, F	<input type="checkbox"/>

**FORMAL**  
*A first preference is clear. As there is no second preference marked, the ballot paper will become exhausted after the first preference.*

**MULTIPLE VACANCY**

Ballot Paper

**ELECTION OF ONE COUNCILLOR  
CITY OF MARYVILLE  
WEST WARD**

Election Date: Saturday 21 October 2023

**How to vote**

Write the number 1 in the square next to the candidate who is your first choice. If you want to, you may show more choices by writing consecutive numbers in the squares next to the names of other candidates in the order of your choice, starting with the number 2 up to 6.

You do not need to write a number in all the squares.

**CANDIDATES**

CANDIDATE, A	<input type="checkbox"/>
CANDIDATE, B	<input checked="" type="checkbox"/>
CANDIDATE, C	<input type="checkbox"/>
CANDIDATE, D	<input type="checkbox"/>
CANDIDATE, E	<input type="checkbox" value="2"/>
CANDIDATE, F	<input type="checkbox"/>

**FORMAL**  
*The tick symbol can be taken as an indication of the first preference. The ballot paper will become exhausted after the second preference.*

Ballot Paper

**ELECTION OF ONE COUNCILLOR  
CITY OF MARYVILLE  
WEST WARD**

Election Date: Saturday 21 October 2023

**How to vote**

Write the number 1 in the square next to the candidate who is your first choice. If you want to, you may show more choices by writing consecutive numbers in the squares next to the names of other candidates in the order of your choice, starting with the number 2 up to 6.

You do not need to write a number in all the squares.

**CANDIDATES**

CANDIDATE, A	<input type="checkbox" value="1"/>
CANDIDATE, B	<input type="checkbox" value="3"/>
CANDIDATE, C	<input type="checkbox" value="5"/>
CANDIDATE, D	<input type="checkbox" value="7"/>
CANDIDATE, E	<input type="checkbox" value="9"/>
CANDIDATE, F	<input type="checkbox" value="11"/>

**FORMAL**  
*The elector has indicated a first preference. As there is no second preference marked, the ballot paper will become exhausted after the first preference.*

Level 2, 111 St Georges Terrace  
Perth WA 6000

GPO Box F316  
Perth WA 6841

PHONE (08) 9214 0400 or 13 63 06  
EMAIL [waec@waec.wa.gov.au](mailto:waec@waec.wa.gov.au)  
WEBSITE [www.elections.wa.gov.au](http://www.elections.wa.gov.au)  
FAX (08) 9226 0577

**Translating and Interpreting Service (TIS)**

13 14 50 and then ask for (08) 9214 0400

**National Relay Service**

Speak and Listen number 1300 555 727  
SMS Relay number 0423 677 767



WESTERN AUSTRALIAN  
Electoral Commission

181899

**10.1.2 Appointment to Standing Committees**

**Responsible Executive** Executive Governance and Strategy

**Author** Manager Legal and Compliance

- Attachments**
1. Standing Committees 21-23 Appointments [↓](#)
  2. Audit Risk and Compliance Committee Terms of Reference - Amended [↓](#)
  3. Governance Committee Terms of Reference - Amended [↓](#)
  4. Organisational Performance Committee Terms of Reference - Amended [↓](#)
  5. Expenditure Review Committee Terms of Reference - Amended [↓](#)

**RECOMMENDATION**

That Council:

- (1) AMENDS the Terms of Reference for each Committee as **attached**, to include provision for the appointment of Deputy Members; and
- (2) APPOINTS the following Elected Members to the City of Cockburn Committees as per the Terms of Reference for each Committee:

a) Audit Risk and Compliance Committee

Member	Deputy Member

b) Governance Committee

Member	Deputy Member

c) Organisational Performance Committee

Member	Deputy Member

d) Expenditure Review Committee

Member	Deputy Member

**TO BE CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL**

**Background**

The City has four established Committees of Council. Membership of those Committees is comprised of Elected Members in accordance with the Terms of Reference for each Committee.

**Submission**

N/A

**Report**

Each of the City’s standing Committees meet bi-monthly, on a rotational basis, from February to December. Membership is comprised of a minimum of **four** Elected Members, with the ARC also appointing suitably qualified independent members.

The independent member positions for the ARC are currently vacant.

The City’s current meeting framework and timetable is as follows:

- Week 1** OCM Agenda Briefing
- Week 2** OCM at 7pm with pre meeting briefing and dinner at 6pm
- Week 3** **Elected Member Strategic Briefing Forum** – at 6pm
- Week 4** **February, April, June, August, October**  
OP Co and Gov Co Committees meet concurrently from 6pm
- Week 4** **March, May, July, September, November**  
ARC and ERC Committees meet concurrently from 6pm

The City’s Committee structure seeks to improve and support Council’s decision-making process.



The City's recent independent Governance Review included a recommendation that appointments to each Committee be limited to a maximum of **five** Elected Members for each Committee. This recommendation provides for balance of workload across the Committees and encourages more effective use of participant time.

The City has not previously appointed Deputy Committee members, however s5.11A of the Act provides for Council to appoint Deputy Committee members. This also gives opportunity to members wishing to fulfil a role on a committee which is at capacity membership, where an appointed member is unable to attend.

It is recommended at least 3 Deputy members be appointed for each Committee to ensure a quorum can be achieved where members may be on leave of absence or an unexpected apology.

Following establishment of each Committee appointment, those committees will appoint a Presiding Member, and a Deputy Presiding Member, from the members appointed.

#### Audit Risk and Compliance Committee (ARC)

Responsible Executive: Executive Governance and Strategy

Section 7.1A of the Act requires the establishment of an Audit Committee for the purpose of overseeing the Annual Financial Audit, Annual Compliance Audit, and the triennial (three yearly) review of the local government's systems and procedures in relation to risk management, internal control and legislative compliance.

The ARC facilitates the external financial audit reporting, compliance functions, internal audit program reporting.

The ARC fulfils the statutory requirements under the Act and supports effective oversight measures and transparency for the City of Cockburn.

This is the only Committee of the City which is open to public attendance. It is also the only committee with independent membership and is regularly attended by representatives from the Office of the Auditor General, and the City's appointed external auditor.

#### Governance Committee (GovCo)

Responsible Executive: Executive Governance and Strategy

Undertakes Council policy review, local law review and development, Corporate Business Plan and associated KPI review, reporting and recommendations, review of nominations of Council delegates to appointment to Reference Groups and other external organisations.

This Committee receives and considers items for recommendation to Council on various governance related matters and Corporate Business Plan reporting.

### Organisational Performance Committee (OpCo)

Responsible Executive: People Experience and Transformation

Recommends and monitors KPI's related to the CEO role, and Strategic KPI's for monitoring Organisational Performance, the succession planning framework, delegations review and remuneration policy review.

The OpCo sets the KPI's for the CEO and monitors the progress on delivery. This Committee may take advice from external expertise, in accordance with the CEO Performance Management Framework. The City engages with external advisory services to provide advice to the OpCo where required.

The OpCo makes recommendations to the CEO on the succession planning framework for the roles of Acting CEO and the seven Executive Officers.

### Expenditure Review Committee (ERC)

Responsible Executive: Chief Financial Officer

Reviews Service Level Plans produced for all Units, review of expenditure proposals not allocated in the adopted annual budget, make recommendations on expenditure proposals, monitors expenditure of funds from annual allocation to the Grants, Donations and Sponsorship Budget and reviews Community Funding Guidelines.

The ERC makes recommendations to Council on the City's rating strategy and policy, setting of fees and charges, commercial revenues, Federal and State grants, and debt funding.

This Committee has a strong financial focus, also considering the City's Long Term Financial Plan, including operational and capital expenditure.

### Code of Conduct Complaints Committee

In accordance with the City's Elected Member Code of Conduct – Complaints of Alleged Behaviour Breach Policy, the membership of the Complaints Committee for the consideration of any Complaint is to include all members of the council except a Council member who is a Complainant or a Respondent in that Complaint.

This means all Elected Members are appointed members of the Code of Conduct Complaints Committee, and meetings are convened to include all members except the Elected Member(s) who are Complainants or Respondents in the complaint.

### Nominations

Elected Members are requested to submit nominations in writing to the CEO before commencement of the meeting. Final call for nominations will be made at consideration of this item.

Where more nominations are received than recommended vacancies for representation, Elected Members are encouraged to consider nominating for a Deputy position, or alternatively Council may appoint more members than the recommended maximum of five.

The Terms of Reference for all Committees do not propose any restrictions on maximum membership, so all nominees will be appointed, accordingly no election process for nominations is required. Council are required to consider the nominations, and endorse any appointments by absolute majority.

It should be noted that the City's Committee Structure is currently the subject of a review, a matter which has been deferred by Council to be considered after the commencement of the new CEO. The Committee structure will be reviewed in due course, and a change to the structure may result in a change to the committee appointments.

### **Strategic Plans/Policy Implications**

#### Listening and Leading

A community focused, sustainable, accountable, and progressive organisation.

- Best practice Governance, partnerships and value for money.

### **Budget/Financial Implications**

There are no financial implications from the recommendations in this report.

### **Legal Implications**

The Local Government Act 1995 – Sections 5.8 - Establishment of Committees, Section 5.9 Committees, types of, Section 5.10 Committee members, appointment of, and Section 5.11 Committee membership, tenure of.

### **Community Consultation**

N/A

### **Risk Management Implications**

Committee memberships conclude after the Ordinary Election cycle, following which Council is required to determine new committee membership. There are no operational risks associated with the recommendations in this report.

### **Advice to Proponent(s)/Submitters**

N/A

### **Implications of Section 3.18(3) *Local Government Act 1995***

Nil



## Elected Member Memberships – November 2021 to October 2023 (updated 21/06/23)

### Standing Committees

<b>Audit, Risk and Compliance (ARC) – Established 10/3/22</b>		<b>Meetings - Fourth Thursday of Mar, May, Jul, Sep, Week 1 Dec</b>	
<b>Elected Members</b>		<b>Staff</b>	<b>2023 Meetings</b>
Cr Allen (PM)	Cr Corke (24/3/22)	Executive Governance and Strategy (EM) Manager, Legal and Compliance (MT) Executive as required	Administration Building 16/3, 25/5, 27/7, 28/9, 7/12
DM Widenbar	Cr Separovich (Dep) (24/3/22)		
Cr Dewan	Mayor Howlett (17/3/22)		
Independent Member:			<b>Contact Details</b> Council Minute Officer <a href="mailto:minuteclerk@cockburn.wa.gov.au">minuteclerk@cockburn.wa.gov.au</a> ECM Ref: 200/008
<b>Organisational Performance Committee (OpCo) – Established 10/3/22</b>		<b>Meetings - Fourth Thursday of Feb, Apr, Jun, Aug, Oct</b>	
<b>Elected Members</b>		<b>Staff</b>	<b>2023 Meetings</b>
Mayor Howlett (PM)	Cr Reeve-Fowkes (14/7/22)	Executive People Experience & Transformation Manager, Strategy and Integrated Planning (JD) Executive members as required	Administration Building 23/2, 27/4, 22/6, 24/8, 26/10
Cr Corke	Cr Separovich		
Cr Dewan	Cr Stone		
Cr Eva			
Independent Consultant: Helen Hardcastle, Learning Horizons (not required for all meetings)			<b>Contact Details</b> Council Minute Officer <a href="mailto:minuteclerk@cockburn.wa.gov.au">minuteclerk@cockburn.wa.gov.au</a> ECM Ref: 200/011
<b>Governance Committee (GovCo) – Established 10/3/22</b>		<b>Meetings - Fourth Thursday of Feb, Apr, Jun, Aug, Oct</b>	
<b>Elected Members</b>		<b>Staff</b>	<b>2023 Meetings</b>
Cr Stone (PM)	Cr Reeve-Fowkes (14/7/22)	Executive Governance and Strategy (EM) Manager, Legal and Compliance (MT) Executive Members as required	Administration Building 23/2, 27/4, 22/6, 24/8, 26/10
DM Widenbar	Cr Kirkwood (10/2/23)		
Cr Corke	Cr Separovich		
Cr Eva			
			<b>Contact Details</b> Council Minute Officer <a href="mailto:minuteclerk@cockburn.wa.gov.au">minuteclerk@cockburn.wa.gov.au</a> ECM Ref: 200/009
<b>Expenditure Review Committee (ERC) – Established 10/3/22</b>		<b>Meetings - Fourth Thursday of Mar, May, Jul, Sep, Nov</b>	
<b>Elected Members</b>		<b>Staff</b>	<b>2023 Meetings</b>
Cr Corke (PM)	Cr Reeve-Fowkes (14/7/22)	Chief Financial Officer Manager, Strategy and Integrated Planning (JD) Executive Member as required	Administration Building 23/3, 25/5, 27/7, 28/9, 23/11
DM Widenbar	Cr Separovich		
Cr Dewan	Cr Stone		
			<b>Contact Details</b> Council Minute Officer <a href="mailto:minuteclerk@cockburn.wa.gov.au">minuteclerk@cockburn.wa.gov.au</a> ECM Ref: 200/010
<b>Code of Conduct Complaints Committee (CoCCC) – Established 1 June 2022</b>		<b>Meetings - Fourth Thursday of Feb, Apr, Jun, Aug, Oct</b>	
<b>Elected Members</b>		<b>Staff</b>	<b>2023 Meetings</b>
Mayor Howlett (PM)		Chief Executive Officer Executive Governance and Strategy (EM) Manager, Legal and Compliance (MT) Executive Members as required	Administration Building As required
All Elected Members			
			<b>Contact Details</b> Council Minute Officer <a href="mailto:minuteclerk@cockburn.wa.gov.au">minuteclerk@cockburn.wa.gov.au</a> ECM Ref: 200/012



## Audit, Risk and Compliance Committee (ARC)

### Terms of Reference

#### Purpose

The purpose of the ARC is to provide independent assurance and assistance to the Council in overseeing the financial reporting process, monitoring the effectiveness of internal control systems, assessing the management of financial and other risks, and ensuring compliance with relevant laws and regulations. The ARC also aims to promote transparency and accountability in the City's operations and to provide guidance and recommendations for continuous improvement of financial and risk management practices.

#### Background

1. The Audit, Risk and Compliance Committee (ARC) is a formally appointed Committee of Council.
2. The ARC does not have executive powers or authority to implement actions in areas over which the administration (management) has responsibility and remains independent of the administration.

#### Objectives and Duties

1. The ARC facilitates:
  - a. external financial audit reporting which includes reviewing and ensuring the accuracy and completeness of the financial statements of the City of Cockburn;
  - b. examination of an Annual Financial Audit Report received and follow up of any matters raised in the report and subsequent management letter, to ensure appropriate action is taken in respect of those matters;
  - c. vetting and responding to Office of the Auditor General (OAG) Local Government performance audits, whether the City is directly involved or not;
  - d. compliance with the Council functions under Part 6 of the Local Government Act 1995 (the Act) in relation to the City's financial management;
  - e. compliance with the Council functions under Part 7 of the Act in relation to Audit requirements;
  - f. appropriate internal audit program endorsed by Council;
  - g. the review of the CEO's Report provided under:
    - i. Regulation 17 (3) of the *Local Government (Audit) Regulations 1996*; and
    - ii. Regulation 5 (2) (c) of the *Local Government (Financial Management) Regulations 1996*;
  - h. compliance with Regulation 17 of the *Local Government (Audit) Regulations 1996* in relation to:
    - i. Risk management;

- ii. Internal control; and
- iii. Legislative compliance;

and to review the appropriateness and effectiveness of the systems and procedures in relation to these matters on a triennial basis every three (3) financial years;

- i. Monitor and report on the effectiveness of the City's risk management framework, including reviewing risk assessments, risk treatment plans, and the effectiveness of controls;
  - j. effective communication between the external auditor, internal auditor, administration (management) and the Council;
  - k. effective management of financial and other risks to the City through a comprehensive risk management framework;
  - l. the protection of City assets; and
  - m. review of the annual Compliance Audit Return required under Regulation 14 of the *Local government (Audit) Regulations 1996*.
2. The ARC performs any other function conferred on it by the Act, Regulations, or any other written law.

#### Membership

1. The Committee will comprise of a minimum of four (4) Elected Members, who shall be appointed by Council, and includes one (1) independent, appropriately qualified appointed member.
2. Deputy Members will be appointed in accordance with the Act.
3. Payment of any fee to the independent member is prohibited by the Act.
4. No less than two proxies will be appointed, who will attend in the absence of a member.
5. A quorum shall be deemed present when at least half of the appointed Committee members are in attendance at a meeting.
6. Elected Members who are ARC members (including proxies) will be encouraged to undertake training to support their role as ARC Members.
7. Training recommendations will be in accordance with the Executive Governance and Strategy recommendations.
8. The CEO and the officers responsible for the external and internal audit functions, risk management and legislative compliance will attend meetings to advise and provide information, as required and cannot be members.
9. Other City officers shall attend as required to provide administrative and secretarial support.
10. Representatives of the OAG and the contracted external and internal auditor shall be invited to attend the meetings as appropriate but must attend the meetings where the draft annual financial report and results of the external audit are to be considered.

### Meetings

1. The Committee shall meet on a quarterly basis or more frequently as required, with a minimum of four meetings per year.
2. The Committee shall be held in person at 6:00pm on meeting dates in accordance with Council's endorsed meeting schedule.
3. An Audit Committee Calendar will be produced as guidance for the matters to be included on each regular meeting agenda and will be arranged to coincide with legislative timeframes where necessary

### Delegation

1. The ARC will be delegated the authority to meet with the appointed external auditor, as required by section 7.12A of the Act.

### Reporting

1. Agenda papers for the ARC will be published and made available to members no less than 7 days before a meeting.
2. Reports and decisions of the ARC will be considered at the next Ordinary Council Meeting, or Special Council Meeting as may be required.
3. The accompanying officer report will include all specific recommendations and a summary of the items considered at the relevant Committee meeting.
4. The Committee shall report to Council any significant issues or concerns regarding financial management, internal control, risk management, or legislative compliance that it identifies during its activities.

Strategic Link:	Strategic Community Plan 'Listening and Leading'
Category:	Governance
Lead Business Unit:	Legal and Compliance
Public Consultation: (Yes or No)	No
Adoption Date: (Governance Purpose Only)	8 June 2023
Next Review Due: (Governance Purpose Only)	June 2025
ECM Doc Set ID: (Governance Purpose Only)	11210905

## Governance Committee (GovCo)



### Terms of Reference

#### Purpose

To give concentrated focus on key aspects of the City's Governance allowing the Committee to consider matters within the Objectives and Duties of the Committee and advise Council.

#### Background

1. The Governance Committee (GovCo) is a formally appointed Committee of Council.
2. Section 2.7 (2) (b) of the *Local Government Act 1995* (the Act) stipulates that it is the role of the Council to "determine the local government's policies".
3. Section 3.11 of the Act provides for the making of Local Laws under the Act and other Acts of State Parliament, as well as the procedures for doing so.
4. Section 5.56 of the Act and Regulation 19DA of the *Local Government (Administration) Regulations 1996* requires Council to develop a Corporate Business Plan which will cover the period of at least 4 financial years. The plan is reviewed annually and must be consistent with the priorities set out in the Strategic Community Plan, for the organisational operations related to asset management, workforce planning and long-term financial planning.

#### Objectives and Duties

1. The GovCo will be responsible for:  
The regular and timely review of the Council Policy documents. This includes the consideration of new Policy statements, as appropriate, but does not incorporate Policies of an Administrative nature, which are the responsibility of the Chief Executive Officer (CEO) to consider and authorise.
  - a. Overseeing the development and review of Local Laws for consideration by Council.
  - b. The review of the Corporate Business Plan and associated Key Performance Indicators and subsequent recommendation to Council.
  - c. The review of the Corporate Governance Framework.
  - d. Other matters referred by decision of Council.

#### Membership

1. The GovCo will comprise of a minimum of four Elected Members, who shall be appointed by Council for a two year term, in accordance with the two year Electoral Cycle.
2. Deputy Members will be appointed in accordance with the Act.



3. The CEO, Executive and administrative staff, under the direction of the CEO, shall attend each Meeting of the Committee to provide the necessary advisory, administrative and secretarial support to the Committee.

#### Meetings

1. The GovCo shall meet five (5) times each year, on the fourth Thursday in February, April, June, August, and October and on any other occasions as may be required to undertake the functions of the Committee.
2. The Committee shall be held in person at 6:00pm to 7:00pm or at 7:30 to 8:30pm on a rotating basis with the Organisational Performance Committee.
3. Any external Consultant or other officer of the Council may be invited to attend any Meeting of the Committee to address any specific item of business on the Agenda.

#### Delegation

1. Nil

#### Reporting

1. The Minutes of each Meeting are forwarded for inclusion on the Agenda of the next practicable Ordinary Council Meeting for the Committee recommendations to be considered in accordance with the *Standing Orders Local Law 2016*.
2. Reports from GovCo are referred to the next practicable Ordinary Council Meeting for determination by Council.
3. Reports to Council shall include any recommendations from the Committee, including the Officer Recommendation.

# Organisational Performance Committee (OPCo)



## Terms of Reference

### Background

1. The Organisational Performance Committee is a formally appointed Committee of Council.
2. Section 5.38 of the *Local Government Act 1995* (The Act) and Regulation 18D of the *Local Government (Administration) Regulations 1996* (The Regulations) require that the local government (Council) undertake a review of the performance of the Chief Executive Officer (CEO) on at least an annual basis.
3. Section 5.56 of the *Local Government Act 1995* and Regulation 19C of the *Local Government (Administration) Regulations 1996* (The Regulations) require that the local government (Council) must adopt and apply strategic performance indicators as a measure of its organisational planning framework.
4. Sections 5.42, 5.43 and 5.44 of the *Local Government Act 1995* provides Council with the power to delegate some of its functions and powers to the CEO and for the CEO to sub delegate some functions and powers to other officers.

### Objectives and Duties

1. The OPCo is responsible for recommending the Key Performance Indicators (KPIs) related to the CEO role and for monitoring the progress of achieving the KPIs. In determining the extent and ongoing status of the KPIs, the Committee may resource the assistance of external expertise to monitor and make recommendations to the Committee on the performance of the CEO.
2. The OPCo will also assist in setting and monitoring Strategic KPIs for measuring Organisational Performance.
3. The OPCo will also assist the CEO in recommending a Succession Planning Framework for the roles of Acting CEO and the seven (7) Executive Officers.
4. The OPCo will also be responsible for overseeing the regular (at least annual) review of the delegations of functions and power to the CEO.
5. The OPCo will be responsible for recommending the endorsement and oversight of the City's Remuneration Policy in relation to the CEO, Executive, Senior Leadership Team and the Enterprise Agreement principles.

### Membership

1. The OPCo will comprise of a minimum of four Elected Members, who shall be appointed by Council.
  2. Deputy Members will be appointed in accordance with the Act.
3. City staff, under the direction of the CEO, shall provide secretarial and administrative support to the Committee

### Meetings

1. The Committee shall meet five (5) times each year, on the fourth Thursday in February, April, June, August and October and on other occasions as may be required to consider the functions of the Committee.
2. The Committee shall be held in person at 6:00pm to 7:00pm or at 7:30pm to 8:30pm on a rotating basis with the other three Committees as determined in advance, in accordance with the two-year Electoral cycle.
3. Any external Consultant or officer of the City of Cockburn may be invited to attend any Meeting of the Committee to address a particular item of business on the Agenda.
4. The CEO and / or any City Officers in attendance at the Committee Meetings may be required to leave the Meeting upon a motion to that effect being carried at the Meeting. In addition, the CEO and any officer in attendance will be required to declare a Financial Interest in any item to be considered at the Committee Meeting which impacts on their Employment Contract.

### Delegation

1. Nil

### Reporting

1. The Committee shall ensure that the Minutes of each Meeting are forwarded for inclusion on the Agenda of the next practicable Ordinary Council Meeting for the Committee recommendations to be considered.
2. The Report to Council accompanying the Minutes shall provide a summary of the matters considered at the relevant Committee meeting.



## Expenditure Review Committee (ERC)

### Terms of Reference

#### Background

1. The Expenditure Review Committee (ERC) is a formally appointed Committee of Council.
2. The ERC will review each Service Level Plan produced for all Business and Service Units established in accordance with the City's adopted organisation structure to ensure the need, standards, resourcing, and benchmarking for each Plan is warranted.
3. Section 6.8 of the *Local Government Act 1995* stipulates the requirements for authorising expenditure proposals to be incurred in addition to the adopted Budget.
4. Provisional allocation for Donations and Grants is to be up to a maximum of 1.5% of Rates Revenue (excluding any specified area rates). The Council committee (established for this purpose) makes recommendations regarding individual donations and grants.
5. Provisional allocation for Community Events is to be up to a maximum of 0.8% of Rates Revenue (excluding any specified area rates). Council approves the annual calendar of events each year.

#### Objectives and Duties

1. The ERC will review each Service Level Plan produced for all units established in accordance with the City's adopted Organisation Structure to ensure that each Plan contains sufficient information related to the need, standards, resourcing and benchmarking.
2. The ERC will assess all expenditure proposals not otherwise allocated in the City's annual budget and make recommendations to Council on whether the proposals should be accepted.
3. The ERC will be responsible for assessing and recommending the allocation of funding in the Major Donations and Significant Sponsorship Categories of the "Community Funding for Community Organisations and Individuals (Grants, Donations and Sponsorships) Policy, as well as considering applications for Funding proposals received outside of established guidelines.
4. The ERC will monitor the expenditure of funds from the annual allocation of funds to the Grants, Donations and Sponsorship Budget.
5. The ERC will be responsible for reviewing the Community Funding Guidelines and recommending any proposed amendments, as considered appropriate.
6. The ERC will be responsible for the review of the annual community events program funded by Council and to recommend a calendar of events for the following financial year.

7. The ERC will be presented with a report on the statistics for the previous year's events program to demonstrate the success (or otherwise) of the various events and to review the community feedback received for the adopted events.
8. Oversight and review of the City's revenue streams, and make recommendations to the Council, including:
  - a. Rating Strategy and Policy
  - b. Fees and Charges
  - c. Commercial Revenues
  - d. Federal and State Grants
  - e. Debt Funding
9. Review and make recommendations to the Council on the Long Term Financial Plan including:
  - a. Operational (income and expenditure)
  - b. Capital (income and expenditure)
10. Oversight and review of:
  - a. operating surpluses (deficit)
  - b. make recommendations to the Council on reallocations and priority adjustments in such areas of reserve transfers to meet requirements as outlined in asset management plans and other adopted plans.

#### Membership

1. The ERC will comprise of a minimum of four Elected Members, who shall be appointed by Council.
  2. Deputy Members will be appointed in accordance with the Act.
3. Relevant City staff shall attend each Meeting of the Committee to provide the necessary advisory, administrative and secretarial support to the Committee.

#### Meetings

1. The Committee shall meet five (5) times each year, on the fourth Thursday in March, May, July, September, and November and may meet on other occasions to consider any urgent matters related to the functions of the Committee.
2. The Committee shall be held in person at 6:00pm to 7:00pm or at 7:30 to 8:30pm on a rotating basis with the other 3 Committees as determined in advance, in accordance with the two-year Electoral cycle.

#### Delegation

1. Nil.

### Reporting

1. The Committee shall ensure that that Minutes of each Meeting are forwarded for inclusion on the Agenda of the next practicable Ordinary Council Meeting for the Committee recommendations to be considered.
2. The Report to Council accompanying the Minutes shall provide a summary of the matters considered at the Committee meeting and any relevant clarifying commentary.

July 2022

**10.1.3 Appointment of Delegates - WALGA, JDAP, LEMC**

- Author** Manager Legal and Compliance and Manager Development Services
- Attachments**
1. WALGA, JDAP, LEMC 21-23 Appointments [↓](#)
  2. 2023 Election Letters by Zone - WALGA [↓](#)
  3. WALGA State Council Elected Member Prospectus [↓](#)
  4. City of Cockburn - DAPs - Local Government Nominations [↓](#)
  5. Elected Members Appointment Standing Committees, Reference-Groups, Boards External Organisations Policy [↓](#)

**RECOMMENDATION**

That Council:

- (1) NOMINATES the following Elected Members (maximum of three) as its delegates to the Western Australian Local Government Association (WALGA) South Metropolitan Zone:

Member	Deputy Member
1.Mayor Howlett	1.Cr Corke
2.Cr Stone	2.Cr Separovich
3.Deputy Mayor Widenbar	3.

- (2) Pursuant to Regulation 26 of the Planning and Development (Development Assessment Panels) Regulations 2011, NOMINATES the following Council Members to the Metro Outer Joint Development Assessment Panel to take effect from 26 January 2024 and NOTIFIES the DAP Secretariat Metro Outer Joint Development Assessment Panel of the outcome:

Member	Alternate Member
1.Cr Stone	1.DM Widenbar
2.Cr Corke	2.Cr Separovich

- (3) APPOINTS the following Council Members to the Local Emergency Management Committee

Member	Deputy Member
1.Mayor Howlett	1.
2.Cr Dewan	2.
3.Cr Eva	3.
4.Cr Reeve-Fowkes	4.
5. Cr Separovich	5.

## Background

The purpose of this report is for Council to appoint delegates to the Western Australian Local Government Association South Metropolitan Zone, the Metro Outer Joint Development Assessment Panel, and the Local Emergency Management Committee.

Elected Member appointments to these organisations will be considered at the first Ordinary Council Meeting following the elections. All memberships lapse on the date of the next ordinary Council elections.

Sitting Elected Members who were appointed to an external organisation and whose tenure remains unaffected by the election cycle will automatically be renominated for the position and first to be considered for appointment, unless they choose to resign as a Council delegate, until the next ordinary elections are held.

## Submission

N/A

## Report

### Western Australian Local Government Association South Metropolitan Zone

WALGA is the peak advocacy body representing local government in this State.

It is comprised of a number of zones, including the South Metropolitan Zone, which covers the districts of Melville, Fremantle, East Fremantle, Cockburn, Kwinana, and Rockingham.

WALGA Zone meetings consider a broad range of portfolio functions across the spectrum of local government responsibilities, which have the general capacity to impact on local communities.

Each zone submits recommendations from its meetings to be considered by the WALGA State Council (Executive).

Once adopted, the State Council decisions become the official position promoted on behalf of the sector.

WALGA has requested that all local governments advise of their appointed Zone delegates by 3 November 2023. Accordingly, this matter is presented to Council for its consideration.

State Councillors are paid an annual sitting fee and expenses incurred to attend State Council meetings are reimbursable.

WALGA has requested that any Elected Members considering nominating review the Elected Member Prospectus Becoming a Zone Delegate or State Councillor (refer Attachment 2).



In accordance with the Elected Members Appointments – Standing Committees, Reference Groups, Boards and External Organisations Policy, the sitting Elected Members who were appointed are automatically renominated for the position and are first to be considered for appointment, unless they choose to resign as a Council delegate, until the next ordinary elections are held.

There is one member vacancy and one deputy member vacancy.

### **Metro Outer Joint Development Assessment Panel**

Appointing members to the Development Assessment Panel.

Development Assessment Panels (DAPs) are panels set up by the State Government pursuant to the *Planning and Development Act 2005* (the Act). DAPs comprise a mix of technical experts and Local Government representatives with the power to determine some types of development applications in place of the relevant decision-making authority.

The *Planning and Development (Development Assessment Panel) Regulations 2011* (the Regulations) give effect to the provisions in the Act and enable the operation, constitution, and administration of DAPs.

Each DAP consists of five panel members, three being specialist members and two Local Government Elected Members.

Under the Regulations, each DAP determines development applications that meet set type and value thresholds.

The role of DAP members is to determine development applications within a certain type and value threshold through consistent, accountable, and professional decision making.

The City of Cockburn is part of the *Metro Outer Joint Development Assessment Panel* (JDAP).

The City's current members were appointed on 26 January 2022 and are due to expire on 26 January 2024.

The purpose of this report is to request Council to nominate four members for the next two-year term ending 26 January 2026.

In accordance with the Elected Members Appointments – Standing Committees, Reference Groups, Boards and External Organisations Policy, the sitting Elected Members who were appointed are automatically renominated for the position and are first to be considered for appointment, unless they choose to resign as a Council delegate, until the next ordinary elections are held.

### **Role of a JDAP Member**

Local representation is a vital component of the JDAP. It is the responsibility of nominated members to review reports relating to development proposals and provide constructive feedback in the context of the local planning framework, community expectations and known local issues which may impact the proposal.

All information including reports, agendas and minutes are located on the *WA.gov.au* website (Department of Planning, Lands and Heritage) as public information.

All Elected Members, whether nominated or not, can obtain agenda and minutes via the DAP website.

#### Development Assessment Panels Reforms

The State Government's *Action Plan for Planning Reform* identifies changes to improve the DAP system to ensure development assessment processes are streamlined and outcomes-focussed, and that DAP processes are more consistent and transparent.

No changes will be made to the current local member representation and as such Cockburn is still required to nominate four (4) members.

The City's current Local Government members on the JDAP are:

- Chontelle Stone (Local Member 1)
- Phoebe Corke (Local Member 2)
- Tom Widenbar (Alternate Local Member 1)
- Michael Separovich (Alternate Local Member 2).

Members will be appointed by the Minister for Planning for a period of two years.

All appointed members will be placed on the Local Government member register and advised of DAP training dates and times.

It is a mandatory requirement, pursuant to the Regulations, for all DAP members to undertake training before being able to sit on a DAP and determine applications. Members who have already undertaken the required training are not required to attend further training but are encouraged to attend refresher training.

JDAP 'Local Members' may receive payments, as set out below for their attendance at training sessions and/ or meetings, as per the Planning and Development (Development Assessment Panel) Regulations 2011, Schedule 2 – Fees for DAP Members (Regulation 30, 31):

Item		Member Fee
2.	Fee for any other member per meeting to determine development applications.	\$425.00
4.	Fee per meeting for any other member to determine applications to amend or cancel determination.	\$100.00
6.	Fee for any other member attending proceeding in State Administrative Tribunal.	\$425.00
7.	Fee for training for DAP members.	\$400.00
8.	Fee for re-training for DAP members.	\$200.00

The number of JDAP meetings in any given year fluctuates greatly.

The following demonstrates the number of meetings over the last four years:

- 2020 – 12 meetings
- 2021 – 9 meetings
- 2022 – 10 meetings
- 2023 – 4 meetings.

Meetings occur during business hours and are generally held by electronic means via Zoom, rather than requiring attendance in person.

The agenda for each meeting is released seven days before the meeting via the DAP website to provide time for review.

More detailed, comprehensive information regarding DAPs can be obtained from the DPLH website.

In accordance with the Elected Members Appointments – Standing Committees, Reference Groups, Boards and External Organisations Policy, the sitting Elected Members who were appointed are automatically renominated for the position and are first to be considered for appointment, unless they choose to resign as a Council delegate, until the next ordinary elections are held.

### **Local Emergency Management Committee**

All local governments in Western Australia are required to establish a Local Emergency Management Committee (LEMC), pursuant to the *Emergency Management Act 2005* (EMA).

#### **38. Local emergency management committees**

- (1) *A local government is to establish one or more local emergency management committees for the local government's district.*
- (2) *If more than one local emergency management committee is established, the local government is to specify the area in respect of which the committee is to exercise its functions.*
- (3) *A local emergency management committee consists of —*
  - (a) *a chairman and other members appointed by the relevant local government in accordance with subsection (4); and*
  - (b) *if the local emergency coordinator is not appointed as chairman of the committee, the local emergency coordinator for the local government district.*
- (4) *Subject to this section, the constitution and procedures of a local emergency management committee, and the terms and conditions of appointment of members, are to be determined by the SEMC.*

The City of Cockburn has established a LEMC under Section 38(1) of the *Emergency Management Act 2005* to oversee, plan and test the Local Emergency Management Arrangements.

The LEMC includes representatives from agencies, organisations and community groups that are relevant to the identified risks and emergency management arrangements for the community.

The LEMC is not an operational committee but rather the organisation established by the City to assist in the development of local emergency management arrangements for its' district.

The LEMC membership must include at least one local government representative and the Local Emergency Coordinator. Relevant government agencies and other statutory authorities will nominate their representatives to be members of the LEMC.

The City's LEMC membership composition will change from time to time and change in size depending on risk and emergency events.

Previous Council representatives appointed to the LEMC were Mayor Howlett and Councillors Eva, Separovich and Stone.

Administrative support is provided by the City of Cockburn.

In accordance with the Elected Members Appointments – Standing Committees, Reference Groups, Boards and External Organisations Policy, the sitting Elected Members who were appointed are automatically renominated for the position and are first to be considered for appointment, unless they choose to resign as a Council delegate, until the next ordinary elections are held. The sitting Elected Members who were appointed have been automatically renominated for appointment.

### **Strategic Plans/Policy Implications**

#### Listening and Leading

A community focused, sustainable, accountable, and progressive organisation.

- Best practice Governance, partnerships and value for money.

### **Budget/Financial Implications**

There are no budget implications from the recommendations in this report.

### **Legal Implications**

N/A

### **Community Consultation**

N/A

### **Risk Management Implications**

The City is required to provide nominations to WALGA and the DAP Secretariat within the requested timelines. There are no operational risks associated with the recommendations in this report.

**Advice to Proponent(s)/Submitters**

N/A

**Implications of Section 3.18(3) *Local Government Act 1995***

Nil.



## Elected Member Representation – November 2021 to October 2023

## WALGA, JDAP and LEMC

<b>WA Local Government Association (WALGA) South Metropolitan Zone</b>				
Elected Members		Staff	2023 Meetings	
Mayor Howlett	Cr Terblanche (12/2/22)	Chief Executive Officer	Meeting Time 5.30pm	ECM Ref: 028/004
Cr Stone	DM Widenbar (10/2/22)			Chantelle O'Brien - 9213 2013
Deputy: Cr Corke (10/2/22)				<a href="mailto:cobrien@walga.asn.au">cobrien@walga.asn.au</a>
Deputy: Cr Separovich				
<b>Joint Development Assessment Panel (JDAP)</b>				
Elected Members		Staff	2023 Meetings	ECM Ref: 028/002
Cr Stone	DM Widenbar (Dep)	Various – Planning	Location and frequency as required	Dept Planning – DAPS
Cr Corke	Cr Separovich (Dep)			6552 4051 <a href="mailto:daps@dplh.wa.gov.au">daps@dplh.wa.gov.au</a>
<b>Local Emergency Management Committee</b>				
Elected Members		Staff	2023 Meetings	Contact Details
Mayor Howlett	Cr Reeve-Fowkes (14/7/22)	Head of Comm. Safety and Ranger Services (ME) Environmental Health Coordinator (PO) Fire and Emergency Management Officer (JM) Safer Cities Coordinator (TR)	5pm - Dining Room	ECM Ref: 083/002 - 027/006
Cr Dewan	Cr Separovich			Janaya Meneghini - 9411 3741
Cr Eva				<a href="mailto:j.meneghini@cockburn.wa.gov.au">j.meneghini@cockburn.wa.gov.au</a>



17 October 2023

Dear Chief Executive Officer of the South Metropolitan Zone

**ELECTIONS FOR THE 2023-2025 STATE COUNCIL, ZONE CHAIR AND DEPUTY CHAIR**

In accordance with sub-clause 9(3) of the Western Australian Local Government Association [Constitution](#), nominations are hereby called from Delegates to the South Metropolitan Zone for the positions of State Councillor and Deputy State Councillor.

Terms of office for elected State Councillors and Deputy State Councillors will be two years, commencing on 6 December 2023 at the first Ordinary Meeting of the new State Council until and including the day prior to the December 2025 Ordinary Meeting of State Council. For the South Metropolitan Zone, there are 3 State Councillor positions and 3 Deputy State Councillor positions on State Council.

Nominations are also called from Zone Delegates for the position of Zone Chair and Zone Deputy Chair.

Only elected Zone Delegates are eligible to nominate for these positions. Zone Delegates are invited to submit their nominations to [nominations@walga.asn.au](mailto:nominations@walga.asn.au) marked to the attention of the WALGA Chief Executive Officer. It is preferred that nominations are sent in by **9:00am on Wednesday, 8 November**. **However, nominations can still be submitted prior to the commencement of the Zone meeting and from the floor.**

Elections will be formally held at the South Metropolitan Zone meeting on 27 November 2023. An Agenda item will clearly list the nominations received at that time for the positions of State Councillor, Deputy State Councillor, Zone Chair and Zone Deputy Chair.

An induction for all incoming State Councillors and Deputy State Councillors will be held on Thursday, 30 November, ahead of the first meeting of the new State Council on Wednesday, 6 December at the WALGA office in West Leederville.

Further information about WALGA, State Council, and the role of State Councillors can be found in WALGA's [Elected Member Prospectus](#).

Attached for your convenience are nomination forms for all positions.

**Please ensure that this correspondence, and the Prospectus, is disseminated to your Council's Zone Delegates.**

For enquiries, please contact Tony Brown, Executive Director Member Services on (08) 9213 2051 or at [tbrown@walga.asn.au](mailto:tbrown@walga.asn.au), or Kathy Robertson, Manager Association and Corporate Governance on (08) 9213 2036 or at [krobertson@walga.asn.au](mailto:krobertson@walga.asn.au).

Yours sincerely

A handwritten signature in black ink, appearing to read 'Nick Sloan', is written over a light blue horizontal line.

**Nick Sloan**  
Chief Executive Officer





# **Elected Member Prospectus**

## **Becoming a Zone Delegate or State Councillor**

**2023**





## About WALGA

WALGA is an independent, member-based, not for profit organisation representing and supporting the WA Local Government sector.

Our purpose is to leverage the collective strength and influence of the Local Government sector for the benefit of WA Local Governments and their communities.

### What does WALGA do?

WALGA provides value to Member Local Governments by advocating and facilitating sector solutions and policy, and by delivering member-centric, quality services.

### How does WALGA work?

WALGA employs approximately 100 staff across the areas of:

- Policy, including asset management, community, emergency management, environment, infrastructure, planning, roads and waste;
- Services and advice including governance, industrial relations, procurement, recruitment, supplier panels, tender management, and training for officers and Elected Members; and
- Operational functions including events, finance, human resources, information technology, marketing and media management.

### How is WALGA funded?

A number of components contribute to the WALGA operational budget. As with most member-based organisations, WALGA has an annual Membership fee paid by all Member Local Governments. To ensure fairness, the annual Membership fee is indexed to the size and capacity of each Local Government. It contributes less than 10 per cent of WALGA total turnover.

WALGA secures additional funding through charges to State and Federal departments and agencies for the administration of grants; fee-for-services selected for use by Member Local Governments; and returns from supplier contracts as part of group buying arrangements that guarantee lowest market rates for Members.

## Role of Zones

State Councillors are elected to State Council from one of 17 Zones, which are groupings of Local Governments convened together on the basis of population, commonalities of interest and geographical alignment.

The relationship between State Council and Zones within the Western Australian Local Government Association is a critical one in the political representation of Local Government at the State and Federal levels.

Zones have an integral role in shaping the political and strategic direction of WALGA. Not only are Zones responsible for bringing relevant local and regional issues to the State Council decision making table, they are a key player in developing policy and legislative initiatives for Local Government.

WALGA's Constitution outlines that the functions of Zones are to:

- elect one or more State Councillors;
- consider the State Council agenda;
- provide direction and feedback to their State Councillor; and
- any other function deemed appropriate by the Zone.

Additional activities undertaken by Zones include:

- developing and advocating on positions on regional issues affecting Local Government;
- progressing regional Local Government initiatives;
- identifying relevant issues for action by WALGA;
- networking and information sharing; and
- contributing to policy development through policy forums and other channels.

Zones provide input into State Council's advocacy efforts in two critical ways:

1. by passing resolutions on items contained in the State Council Agenda; and
2. by generating new Agenda items for consideration by State Council.

## Zone Motions

To generate new Agenda items for consideration by State Council, a Zone may pass a resolution requesting that WALGA take action. For example, a Zone motion may request WALGA to investigate an issue, undertake advocacy, or develop policy.

It is best practice that Zone motions are submitted with the backing of a resolution of Council. However, as Zones are self-governing and autonomous, individual Zone Delegates may submit motions for the Zone to consider.

It is recommended that the Zone be advised whether a motion to be considered has been endorsed by Council or has been submitted by an individual Zone Delegate.

### **Role of a Zone Delegate**

Zone Delegates are elected or appointed to represent their Council on the Zone and make decisions on their Council's behalf at the regional level.

In fulfilling their role as Council's representative, the Zone Delegate should give regard to their Council's positions on policy issues.

There is also an expectation that Zone Delegates will report back to their Council about decisions made by the Zone.

### **Role of State Council**

WALGA is governed by a President and a 24-member State Council, elected from the Local Government sector.

Each State Councillor represents a WALGA Zone. There are 5 metropolitan Zones and 12 country Zones. All 139 WA Local Governments are invited to be Members of WALGA and a Zone.

Elected Members are able to nominate to represent their Local Government on their Zone and in turn, through the Zone election process, to represent the Zone on State Council.

State Council's primary role is to govern the successful operation of WALGA and broadly includes:

- Strategy formulation and policy making;
- Development, evaluation and succession of the Chief Executive Officer;
- Monitoring financial management and performance, including the annual budget;
- Monitoring and controlling compliance and organisational performance;
- Ensuring effective identification, assessment and management of risk;
- Promoting ethical and responsible decision making;

- Ensuring effective communication and liaison with members and stakeholders; and;
- Ensuring an effective governance framework and culture.

### Role of a State Councillor

State Councillors have ultimate responsibility for the overall successful operations of WALGA.

The principal roles of State Councillors relate to:

- policy positions and issues;
- the strategic direction of WALGA;
- financial operations and solvency; and
- all matters as prescribed by law.

State Councillors, as directors of a board, are required to act consistently in the “best interests of the organisation as a whole”. This effectively means that the duties of a State Councillor are owed to all Member Local Governments.

State Councillors are also expected to be champions for WALGA and for the Local Government sector.

### Commitment of the Role of State Councillor

State Councillors are expected to attend State Council meetings, of which there are five ordinary meetings per year. As State Councillors are elected to State Council by their Zone, State Councillors would also be expected to attend and play a prominent role in Zone meetings, including reporting back to their Zone about WALGA’s activities and advocacy.

State Councillors are expected to attend WALGA events and functions and play an active role in representing the Local Government sector, and contributing to policy debates and other forums.

State Council operates a number of internal and external committees and policy forums. There is an expectation that State Councillors play a leading role in serving on State Council’s committees on behalf of WALGA and the Local Government sector.

State Councillors are paid an annual sitting fee and expenses incurred to attend State Council meetings are reimbursable.

## Opportunities for State Councillors

State Councillors, as board members of WALGA, are key leaders in the Local Government sector in Western Australia. Not only do State Councillors represent their community on their Council, they also have the opportunity to represent their region (Zone) and the Local Government sector at the state level.

All State Councillors will be appointed to a Policy Team or the Finance & Services Committee. Policy Teams provide State Councillors with hands-on exposure to development of policy positions and submissions to Government on behalf of the WA Local Government sector. The Chair of the relevant Policy Team will also have the opportunity to attend meetings with Government Ministers to advocate on behalf of Local Government.

## Become Involved

We hope that involvement in your Association – by representing your Council on the Zone, or representing your Zone on State Council – will be an enriching and rewarding experience.

Consider nominating for a position on the Zone or State Council and play a role in shaping policy and advocacy on behalf of Local Government in Western Australia!

## Contacts

Chantelle O'Brien, Governance Support Officer  
(08) 9213 2013 [cobrien@walga.asn.au](mailto:cobrien@walga.asn.au)

Kathy Robertson, Manager Association and Corporate Governance  
(08) 9213 2036 [krobertson@walga.asn.au](mailto:krobertson@walga.asn.au)

Tony Brown, Executive Director Member Services  
(08) 9213 2051 [tbrown@walga.asn.au](mailto:tbrown@walga.asn.au)



Department of **Planning,  
Lands and Heritage**

Our ref: PLH2023P1487 DG-2023-2773  
Enquiries: DAP Secretariat 6551 9919

Mr Daniel Arndt  
Acting Chief Executive Officer  
City of Cockburn  
Via email to: [darndt@cockburn.wa.gov.au](mailto:darndt@cockburn.wa.gov.au)

Dear Mr Arndt

## **DEVELOPMENT ASSESSMENT PANELS – LOCAL GOVERNMENT NOMINATIONS**

As you are aware, representation of local interests is a key part of the Development Assessment Panel (DAP) system. In accordance with this premise, under Regulation 24 of the *Planning and Development (Development Assessment Panels) Regulations 2011*, Councils are required to nominate, as soon as possible following elections, four elected members to sit as DAP members.

In addition to the above, all existing local government DAP members are currently appointed for a term ending 26 January 2024. Prior to this expiry date, your local government is required to nominate four (4) DAP members for appointment by the Minister for Planning.

Given the upcoming local government elections on 21 October 2023, both requirements can be met by using the attached form and submitting it and a copy of the Council resolution, it via email to the DAP Secretariat at [daps@dplh.wa.gov.au](mailto:daps@dplh.wa.gov.au), no later than Friday 24 November 2023.

If you are unable to provide nominations by the above date, please contact the DAP Secretariat to discuss alternative arrangements and implications.

The WA Government has launched OnBoardWA as part of its commitment to increase the diversity and backgrounds of Government Boards and Committees along with the total number of women appointed.

I encourage you to consider diversity of representation when putting forward your nominations in supporting this important commitment. Further Information about OnBoardWA can be found at [OnBoardWA | Welcome to OnBoardWA \(jobs.wa.gov.au\)](https://www.onboardwa.wa.gov.au).

The WA Government is committed to continue implementing the Action Plan for Planning reform to ensure the planning system continues to deliver great outcomes and great places for Western Australians. Changes to the DAP system, identified as part of the reform initiatives, aim to provide a more robust DAP process that promotes consistency and transparency in decision-making.

Postal address: Locked Bag 2506 Perth WA 6001 Street address: 140 William Street Perth WA 6000  
Tel: (08) 6551 8002 info@dplh.wa.gov.au [www.dplh.wa.gov.au](http://www.dplh.wa.gov.au)  
ABN 68 565 723 484  
wa.gov.au

Please note that the local government membership configuration on DAPs will not be affected by the reform initiatives.

If you have any queries regarding this request for nominations, please contact Ashlee Kelly at the DAP Secretariat on (08) 6551 9919 or email [daps@dplh.wa.gov.au](mailto:daps@dplh.wa.gov.au). Further information is available online at [www.wa.gov.au](http://www.wa.gov.au) at [Development Assessment Panels](#).

Yours sincerely



Anthony Kannis PSM  
Director General  
28 September 2023

*Att. Local Government Development Assessment Panel Member Nomination Form*

<b>Title</b>	<b>Elected Members Appointments – Standing Committees, Reference Groups, Boards &amp; External Organisations</b>
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### Policy Type

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Council

### Policy Purpose

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This policy is to provide the guidance for Council to establish Standing Committees, Reference Groups and to appoint delegates to external committees/groups. It outlines the membership and requirements of such groups. Additionally it covers the broad principles around participation in external committees/groups.

### Policy Statement

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Generally, appointments to Standing Committees, Reference Groups and external committees/groups will be made biennially, following Council elections. When required, membership changes may be made; new groups may be established and appointments made, and or groups disbanded or membership ceased to external groups.

For all appointments, the Chief Executive Officer, or another officer allocated by the CEO for this purpose, is to seek expressions of interest from Elected Members. In seeking expressions of interest, the Chief Executive Officer is to provide as much information as possible, including frequency / timing of meetings and whether remuneration to members is applicable. The following process for nominations and appointments is to be applied:

(1) Standing Committees

The Local Government Act 1995, Section 5.8, states that a local government may establish committees to assist the Council and exercise the powers and discharge the duties of the local government that can be delegated to committees. Section 5 of the Act refers.

Elected Member appointments will be considered at the first Ordinary Council Meeting following the elections, unless there is a time imposed requirement for any related Committee Meeting to be held prior, in order to facilitate the business of that Committee. In those circumstances, a Special Meeting of Council will consider the appointment of members to the Committee/s.

The Terms of Reference (TOR) for each Standing Committee will be provided to all elected members with the relevant Agenda for the Meeting at which the appointments are to be considered.

Elected Members wishing to be considered for membership of any Standing Committee are to nominate their intent to the CEO, or another officer nominated by the CEO for this purpose, any time following the receipt of the Agenda Papers for the Meeting at which the appointments are to be made. It is allowable for Elected Members to nominate as either a Member, or Deputy Member, of a Committee

[1]



Title	<b>Elected Members Appointments – Standing Committees, Reference Groups, Boards &amp; External Organisations</b>
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## **PROCEDURE**

Nominations from Elected Members for appointment to any Standing Committees will be administratively recorded to verify the time each nomination is received by the City.

At 10.00am on the day of the Council Meeting at which the appointments are to be considered, the CEO will ensure that all nominations from Elected Members are documented in the order which they were received.

At the point of the Meeting where nominations are to be considered, the Presiding Member will advise the Meeting of the name/s of the Elected Member/s and, if necessary, order the nominations for each Committee to be considered and put in the form of several motions, pursuant to Standing Orders Clause 10.5.

The sequence of the motions will be put in the order that they were received from each Elected Member and will be voted upon until each nomination is considered, or withdrawn.

### (2) Reference Groups

Council may establish reference groups for the purposes of dealing with issues of special focus or nature. These groups have no decision making authority but may provide advice and recommendations to Council.

A Terms of Reference is to be established for each group. The Terms of Reference is to include:

1. Name of the group
2. Purpose of the group
3. Membership of the group
4. Quorum
5. Roles and Responsibilities
6. Accountability (reporting structure and process)
7. Term (if temporary) or planned review of group
8. Meeting information – frequency, records, communication, confidentiality

Elected Member appointments to Reference Groups will be considered at the first Ordinary Council Meeting following the elections. All memberships lapse on the date of the next ordinary Council elections. Sitting Elected Members who were appointed to a Reference Group and whose tenure remains unaffected by the election cycle will be automatically be renominated for the position and first to be considered for appointment, unless they choose to resign as a member of the Reference Group, until the next ordinary elections are held.

Any other Elected Member wishing to be considered for membership of any Reference Group is to nominate their intent to the CEO, or another officer appointed by the CEO for this purpose, any time following the receipt of the Agenda Papers for the Meeting at which the appointments are to be made.

[2]

<b>Title</b>	<b>Elected Members Appointments – Standing Committees, Reference Groups, Boards &amp; External Organisations</b>
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The process for dealing with the nominations and having them formally considered by Council will follow the same procedure applicable to Standing Committees, as noted in (1) above.

(3) External Organisations

Council may appoint delegates to externally established committees and advisory / reference groups for the purposes of facilitating two way communications.

Elected Member appointments to these organisations will be considered at the first Ordinary Council Meeting following the elections. All memberships lapse on the date of the next ordinary Council elections. Sitting Elected Members who were appointed to an external organisation and whose tenure remains unaffected by the election cycle will automatically be renominated for the position and first to be considered for appointment, unless they choose to resign as a Council delegate, until the next ordinary elections are held.

Where a vacancy exists on an External Organisation for a Council appointed delegate, any Elected Member wishing to be considered for the position is to nominate their intent to the CEO, or another officer appointed by the CEO for this purpose, any time following the receipt of the Agenda Papers for the Meeting at which the appointments are to be made.

The process for dealing with the nominations and having them formally considered by Council will follow the same procedure applicable to Standing Committees, as noted in (1) above

To ensure that Council appointed delegates to external groups do not compromise or commit Council on issues, delegates are to comply with the following principles.

1. Council appointed delegates to external committees or organisations may provide input and vote on matters under consideration, provided that their input is not, or could be, in conflict with a position of Council and is otherwise considered by the delegate to be in the best interests of the City of Cockburn.
2. Where an issue, or issues, under consideration by an external committee or organisation is known to be, or could be, in conflict with a formal position of Council, it is the responsibility of the Council appointed delegate to present the formal Council position to the committee or organisation at which he or she is representing Council.
3. In cases where a matter under consideration by the external committee or organisation is known in advance and is likely to be of specific interest to Council, the Council appointed delegate should notify the Chief Executive Officer (CEO) of the matter immediately, and prior to the meeting at which the matter is to be discussed, for advice.

[3]

<b>Title</b>	<b>Elected Members Appointments – Standing Committees, Reference Groups, Boards &amp; External Organisations</b>
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4. Where, in the opinion of the CEO, the matter is of a politically sensitive nature, the CEO shall refer the matter to the Mayor to, if appropriate, make a statement on behalf of the City.
5. Where the Mayor speaks on behalf of Council on an issue pursuant to Clause (3) 3 above, this position shall be made known to the Council appointed delegate to convey to the relevant meeting at which the issue is to be considered.
6. Should an issue arise at a meeting of which no previous indication or notice was given, and which is, or could be, of interest to Council, the Council appointed delegate should inform the meeting of that fact and refrain from formally participating in any outcome associated with the issue or committing Council, or presenting an opinion on the matter, on behalf of Council.
7. Where a Council appointed delegate to an external committee or organisation is uncertain whether an item or issue raised at a meeting of the committee or organisation is, or is likely to be, an issue of interest to the Council, the delegate should preface any remarks or action taken in the role of Council delegate that, in the absence of any formal position adopted by the City in relation to the matter, the comments and other participatory action by the delegate are provided to the best of the delegate’s knowledge as being in the best interests of the City of Cockburn, but may be subject to being amended or overruled in the future, by decision of the Council.

Strategic Link:	Strategic Community Plan
Category	Elected Members
Lead Business Unit:	Governance, Risk Management and Compliance
Public Consultation: (Yes or No)	No
Adoption Date: (Governance Purpose Only)	10 June 2021
Next Review Due: (Governance Purpose Only)	June 2023
ECM Doc Set ID: (Governance Purpose Only)	8232349

[4]

Document Set ID: 8232349  
Version: 4, Version Date: 18/06/2021

### 10.1.4 Appointment of Delegates - Reference Groups

<b>Responsible Executive</b>	Executive Governance and Strategy
<b>Author</b>	Governance Officer and Manager Legal and Compliance
<b>Attachments</b>	<ol style="list-style-type: none"> <li>1. Reference Groups 21-23 Appointments <a href="#">↓</a></li> <li>2. Policy - Elected Member Appointments Standing Committees, Reference Groups, Boards and External Organisations <a href="#">↓</a></li> <li>3. Aboriginal Reference Group - Terms of Reference <a href="#">↓</a></li> <li>4. Age Friendly Reference Group - Terms of Reference <a href="#">↓</a></li> <li>5. Bush Fire Advisory Reference Group - Terms of Reference <a href="#">↓</a></li> <li>6. Community Safety and Crime Prevention Reference Group - Terms of Reference <a href="#">↓</a></li> <li>7. Disability Reference Group - Terms of Reference <a href="#">↓</a></li> <li>8. Youth Advisory Collective - Terms of Reference <a href="#">↓</a></li> <li>9. Cockburn Sister Cities Reference Group - Terms of Reference <a href="#">↓</a></li> <li>10. Neighbourhood Watch Reference Group - Terms of Reference <a href="#">↓</a></li> <li>11. Multicultural Reference Group - Terms of Reference <a href="#">↓</a></li> </ol>

#### RECOMMENDATION

That Council:

- (1) APPOINTS Council Members as delegates to the following City's Reference Groups:

a) Aboriginal Reference Group

Member	Deputy
Cr Stone	Cr Dewan
Cr Corke	

b) Age Friendly Reference Group

Member	Deputy
Cr Dewan	

c) Bushfire Advisory Reference Group

Member	Deputy
Cr Stone	Cr Eva
Cr Dewan	

d) Community Safety and Crime Prevention Reference Group

Member	Deputy
Cr Dewan	

e) Disability Reference Group

Member	Deputy
Cr Dewan	

f) Youth Advisory Collective	
Member	Deputy
Cr Separovich	
Cr Dewan	
g) Sister Cities Reference Group	
Member	Deputy
Mayor Howlett	
Deputy Mayor Widenbar	
Cr Corke	
Cr Separovich	
Cr Eva	
h) Neighbourhood Watch Reference Group	
Member	Deputy
Cr Dewan	
i) Multicultural Reference Group	
Member	Deputy
Mayor Howlett	
Cr Corke	
Cr Dewan	

## Background

The City has nine internally administered Reference Groups.

There are vacancies in seven groups.

Those groups are established in accordance with the City's Elected Members Appointments – Standing Committees, Reference Groups, Board & External Organisations Policy.

Following the ordinary election cycle every two years, a Special Council Meeting is convened to appoint delegates to these groups. Elected Members are invited to nominate which groups they have an interest in, detailing the reason why they wish to be appointed to the group.

Nominations are to be made to the Chief Executive Officer (CEO), following receipt of the Agenda Papers for the meeting at which the appointments are to be made.

The process for dealing with the nominations will follow the same procedure applicable to Standing Committees.

## Submission

N/A

## Report

Council has established reference groups for the purposes of dealing with issues of special focus or nature. These groups have no decision-making authority but may provide advice and recommendations to Council.

Membership of Reference Groups is in accordance with the Terms of Reference for each group. Generally, those terms provide for a two year membership from appointment.

Sitting Elected Members who were appointed to a Reference Group and whose tenure remains unaffected by the election cycle will be automatically be renominated for the position and first to be considered for appointment, unless they choose to resign as a member of the Reference Group, until the next ordinary elections are held as provided for in the City's Elected Members Appointments – Standing Committees, Reference Groups, Boards & External Organisations Policy.

Elected Members who wish to resign from a reference group is to write to the CEO, prior to the meeting, advising that they wish to resign from the reference group.

Council sets the Terms of Reference for each Reference Group, in the event Council seeks to revisit the Elected Member membership component, or any other term within the Terms of Reference, it can do so by Council decision.

The report presents the vacancies for each group, in accordance with the current Terms of Reference for each group, noting two groups do not have any current vacancies.

### Aboriginal Reference Group

The Aboriginal Reference Group acts in a guiding role, using their collective and individual voice, cultural understandings and personal experiences, to compliment the City of Cockburn's commitment to:

- Its recognition of the Beeliiar peoples of the Whadjuk Nyungar Nation
- Actions within its Reconciliation Action Plan, including employment of Aboriginal and Torres Strait Islander peoples, procurement of Aboriginal and Torres Strait Islander service providers, the development of an Aboriginal Cultural and Visitors Centre, and provision of culturally relevant service delivery.

Frequency of Meetings	Current Continuing Membership	Vacancy
Bi-monthly (February to December) on the first Tuesday of the month.	Cr Stone Cr Corke Deputy Cr Dewan	Nil



**Age Friendly Reference Group**

The City of Cockburn Age-friendly Reference Group represents seniors within the community by voicing their concerns, providing advice and exchanging information with City of Cockburn, providing facilities for meetings, administrative support and updates on senior specific issues and opportunities arising within the Cockburn district.

<b>Frequency of Meetings</b>	<b>Current Continuing Membership</b>	<b>Vacancy</b>
Monthly (February to November) on the second Tuesday of each month.	Cr Dewan.	Nil

**Bushfire Advisory Reference Group**

To advise the City of Cockburn on all matters relating to preventing, controlling, and extinguishing of bush fires, and any other function assigned to the Reference Group under Section 67 of the Bush Fires Act 1954, regulations, or Council policy.

<b>Frequency of Meetings</b>	<b>Current Continuing Membership</b>	<b>Vacancy</b>
Quarterly (or as required).	Cr Stone Cr Dewan Deputy Cr Eva	No limit on Elected Member membership

**Community Safety and Crime Prevention Reference Group**

The purpose is to assist in the development of Community Safety and Crime Prevention initiatives relevant to the City of Cockburn.

<b>Frequency of Meetings</b>	<b>Current Continuing Membership</b>	<b>Vacancy</b>
Quarterly (March, June, September, December)	Cr Dewan	No limit on Elected Member membership

**Disability Reference Group**

Its purpose is to provide services, programs and facilities inclusive and accessible for people with disability.

<b>Frequency of Meetings</b>	<b>Current Continuing Membership</b>	<b>Vacancy</b>
Bi-monthly (February, April, June, August, October), plus November AGM.	Cr Dewan	Nil



**Youth Advisory Collective**

The purpose of the Group is to represent the aspirations, views and needs of young people and to participate in projects for the benefit of young people in the City of Cockburn

<b>Frequency of Meetings</b>	<b>Current Continuing Membership</b>	<b>Vacancy</b>
Fortnightly on Wednesday	Cr Separovich Cr Dewan	No limit on Elected Member membership

**Sister Cities Reference Group**

The purpose of the Group is to facilitate the development and maintenance of effective international relations and enhance the City of Cockburn in conjunction with its partnered Cities.

<b>Frequency of Meetings</b>	<b>Current Continuing Membership</b>	<b>Vacancy</b>
As required (minimum two meetings per year).	Mayor Howlett DM, Widenbar Cr Corke Cr Separovich Cr Eva	No limit on Elected Member membership

**Cockburn Neighbourhood Watch Reference Group**

The Group's purpose is to assist WA Police (WAPOL) promote crime prevention strategies to the broader public.

<b>Frequency of Meetings</b>	<b>Current Continuing Membership</b>	<b>Vacancy</b>
Monthly on the first Monday of every month (except January) at the City's Administration building.	Cr Dewan	No limit on Elected Member membership

**Multicultural Reference Group**

The purpose of the Group is to act in a guiding role and provides a voice for people of cultural and linguistically diverse (CaLD) backgrounds living in the City of Cockburn.

<b>Frequency of Meetings</b>	<b>Current Continuing Membership</b>	<b>Vacancy</b>
Bi-monthly (February to November)	Mayor Howlett Cr Corke Cr Dewan	No limit on Elected Member membership

**Strategic Plans/Policy Implications**Listening and Leading

A community focused, sustainable, accountable, and progressive organisation.

- Best practice Governance, partnerships and value for money.

**Budget/Financial Implications**

There are no budget implications from the recommendation in this report. Annual budget provisions are made for the reference groups where required

**Legal Implications**

Reference groups are not formal committees of Council and have no decision making authority. Appointment of members is in accordance with the adopted Terms of Reference and Council Policy.

**Community Consultation**

N/A

**Risk Management Implications**

Due to the City's Policy, Memberships to Reference Groups can be enduring where Elected Members are re-elected. There are no Reference Groups which would not see continued Elected Member representation following the Ordinary Election. There are no operational risks associated with the recommendations in this report.

**Advice to Proponent(s)/Submitters**

N/A

**Implications of Section 3.18(3) *Local Government Act 1995***

Nil.



## Elected Member Representation – November 2021 to October 2023

## Reference Groups

<b>Cockburn Aboriginal Reference Group</b>			
Elected Members		Staff	Meeting – 5.15pm (Tuesday)
Cr Corke	DM Widenbar (Dep)	Head of Community Development (KJ)	2023 Meetings:
Cr Stone	Cr Dewan (Dep)	Family and Community Development Manager (BF) Aboriginal Community Development Officer (KM & MK)	
			ECM Ref: 027/009
			First Nations Community Development Officer - 9411 3487
<b>Cockburn Age Friendly Reference Group</b>			
Elected Members		Staff	2023 Meetings
Cr Dewan		Childcare and Seniors Manager (DK) Senior Centre Coordinator (JM)	2pm – Admin/Seniors Centre 9/3, 13/4, 11/5, 8/6, 13/7, 10/8, 14/9, 12/10, 9/11
			ECM Ref: 027/039
			Annette Anderson <a href="mailto:aanderson@cockburn.wa.gov.au">aanderson@cockburn.wa.gov.au</a>
<b>Cockburn Bushfire Advisory Reference Group</b>			
Elected Members		Staff	2023 Meetings
Cr Stone	Cr Eva (Dep)	Head of Community Safety and Ranger Services (ME)	6pm - 21/3 Jandakot Fire Station
Cr Dewan			6pm - 18/7 Dining Room 6pm - 24/10 Dining Room
			ECM Ref: 027/007
			Fire and Emergency Management Officer <a href="mailto:j.meneghini@cockburn.wa.gov.au">j.meneghini@cockburn.wa.gov.au</a>
<b>Cockburn Disability Reference Group</b>			
Elected Members		Staff	2023 Meetings
Cr Dewan		Disability Access and Inclusion Officer (BR)	10am – Administration Building 7/2, 4/4, 6/6, 1/8, 3/10 (7/11 AGM) (Xmas lunch 5/12)
			ECM Ref: 027/004
			Disability Access and Inclusion Officer 9411 3502 <a href="mailto:browe@cockburn.wa.gov.au">browe@cockburn.wa.gov.au</a>
<b>Cockburn Sister Cities Reference Group</b>			
Elected Member		Staff	2023 Meetings
Mayor Howlett	Cr Separovich	Executive Corporate Affairs Manager Advocacy and Engagement	Administration Building – as required
DM Widenbar	Cr Eva		
Cr Corke			ECM Ref: 027/016
			Manager Advocacy and Engagement <a href="mailto:dnewman@cockburn.wa.gov.au">dnewman@cockburn.wa.gov.au</a>
<b>Crime Prevention Reference Group</b>			
Elected Members		Staff	2023 Meetings
Cr Dewan		Head of Community Safety and Ranger Services (ME) Community Safety Manager (WW) Community Safety Liaison Officer (LK) Youth Services Manager (EH) Senior Library Manager (AH)	10am (Wednesdays) 15/3, 14/6, 13/9, 13/12
			ECM Ref: 027/014
			Community Safety Manager <a href="mailto:wwu@cockburn.wa.gov.au">wwu@cockburn.wa.gov.au</a> Community Safety Liaison Officer <a href="mailto:Lara.Kirkwood@cockburn.wa.gov.au">Lara.Kirkwood@cockburn.wa.gov.au</a>
<b>Multicultural Reference Group</b>			
Elected Member		Staff	2023 Meetings
Mayor Howlett		Community Development Manager Cultural Diversity Officer	Bi-monthly (Feb-Nov) Administration building
Cr Corke			
Cr Dewan			ECM Ref: 027/045
			Liz Vuchocho <a href="mailto:lvuchocho@cockburn.wa.gov.au">lvuchocho@cockburn.wa.gov.au</a>



## Elected Member Representation – November 2021 to October 2023

<b>Neighbourhood Watch Reference Group</b>			
Elected Member	Staff	2023 Meetings	ECM Ref: 028/009
Cr Dewan	Head of Community Safety and Ranger Services (ME)	6pm - First Wednesday of month	Community Safety Liaison Officer
Cr Stone (6/7/22)	Community Safety Manager (WW)	Function Room	<a href="mailto:lara.kirkwood@cockburn.wa.gov.au">lara.kirkwood@cockburn.wa.gov.au</a>
Cr Kirkwood (10/2/23)	Community Safety Liaison Officer (LK)		
<b>Youth Advisory Collective</b>			
Elected Member	Staff	2023 Meetings	ECM Ref: 027/010
Cr Separovich	Youth Development Officer (HJ)	5pm   fortnightly on Wednesdays	Youth Development Officer
Cr Dewan			<a href="mailto:kmulford@cockburn.wa.gov.au">kmulford@cockburn.wa.gov.au</a>

<b>Title</b>	<b>Elected Members Appointments – Standing Committees, Reference Groups, Boards &amp; External Organisations</b>
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### Policy Type

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Council

### Policy Purpose

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This policy is to provide the guidance for Council to establish Standing Committees, Reference Groups and to appoint delegates to external committees/groups. It outlines the membership and requirements of such groups. Additionally it covers the broad principles around participation in external committees/groups.

### Policy Statement

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Generally, appointments to Standing Committees, Reference Groups and external committees/groups will be made biennially, following Council elections. When required, membership changes may be made; new groups may be established and appointments made, and or groups disbanded or membership ceased to external groups.

For all appointments, the Chief Executive Officer, or another officer allocated by the CEO for this purpose, is to seek expressions of interest from Elected Members. In seeking expressions of interest, the Chief Executive Officer is to provide as much information as possible, including frequency / timing of meetings and whether remuneration to members is applicable. The following process for nominations and appointments is to be applied:

(1) Standing Committees

The Local Government Act 1995, Section 5.8, states that a local government may establish committees to assist the Council and exercise the powers and discharge the duties of the local government that can be delegated to committees. Section 5 of the Act refers.

Elected Member appointments will be considered at the first Ordinary Council Meeting following the elections, unless there is a time imposed requirement for any related Committee Meeting to be held prior, in order to facilitate the business of that Committee. In those circumstances, a Special Meeting of Council will consider the appointment of members to the Committee/s.

The Terms of Reference (TOR) for each Standing Committee will be provided to all elected members with the relevant Agenda for the Meeting at which the appointments are to be considered.

Elected Members wishing to be considered for membership of any Standing Committee are to nominate their intent to the CEO, or another officer nominated by the CEO for this purpose, any time following the receipt of the Agenda Papers for the Meeting at which the appointments are to be made. It is allowable for Elected Members to nominate as either a Member, or Deputy Member, of a Committee

[1]

<b>Title</b>	<b>Elected Members Appointments – Standing Committees, Reference Groups, Boards &amp; External Organisations</b>
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### **PROCEDURE**

Nominations from Elected Members for appointment to any Standing Committees will be administratively recorded to verify the time each nomination is received by the City.

At 10.00am on the day of the Council Meeting at which the appointments are to be considered, the CEO will ensure that all nominations from Elected Members are documented in the order which they were received.

At the point of the Meeting where nominations are to be considered, the Presiding Member will advise the Meeting of the name/s of the Elected Member/s and, if necessary, order the nominations for each Committee to be considered and put in the form of several motions, pursuant to Standing Orders Clause 10.5.

The sequence of the motions will be put in the order that they were received from each Elected Member and will be voted upon until each nomination is considered, or withdrawn.

#### (2) Reference Groups

Council may establish reference groups for the purposes of dealing with issues of special focus or nature. These groups have no decision making authority but may provide advice and recommendations to Council.

A Terms of Reference is to be established for each group. The Terms of Reference is to include:

1. Name of the group
2. Purpose of the group
3. Membership of the group
4. Quorum
5. Roles and Responsibilities
6. Accountability (reporting structure and process)
7. Term (if temporary) or planned review of group
8. Meeting information – frequency, records, communication, confidentiality

Elected Member appointments to Reference Groups will be considered at the first Ordinary Council Meeting following the elections. All memberships lapse on the date of the next ordinary Council elections. Sitting Elected Members who were appointed to a Reference Group and whose tenure remains unaffected by the election cycle will be automatically be renominated for the position and first to be considered for appointment, unless they choose to resign as a member of the Reference Group, until the next ordinary elections are held.

Any other Elected Member wishing to be considered for membership of any Reference Group is to nominate their intent to the CEO, or another officer appointed by the CEO for this purpose, any time following the receipt of the Agenda Papers for the Meeting at which the appointments are to be made.

[2]

<b>Title</b>	<b>Elected Members Appointments – Standing Committees, Reference Groups, Boards &amp; External Organisations</b>
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The process for dealing with the nominations and having them formally considered by Council will follow the same procedure applicable to Standing Committees, as noted in (1) above.

(3) External Organisations

Council may appoint delegates to externally established committees and advisory / reference groups for the purposes of facilitating two way communications.

Elected Member appointments to these organisations will be considered at the first Ordinary Council Meeting following the elections. All memberships lapse on the date of the next ordinary Council elections. Sitting Elected Members who were appointed to an external organisation and whose tenure remains unaffected by the election cycle will automatically be renominated for the position and first to be considered for appointment, unless they choose to resign as a Council delegate, until the next ordinary elections are held.

Where a vacancy exists on an External Organisation for a Council appointed delegate, any Elected Member wishing to be considered for the position is to nominate their intent to the CEO, or another officer appointed by the CEO for this purpose, any time following the receipt of the Agenda Papers for the Meeting at which the appointments are to be made.

The process for dealing with the nominations and having them formally considered by Council will follow the same procedure applicable to Standing Committees, as noted in (1) above

To ensure that Council appointed delegates to external groups do not compromise or commit Council on issues, delegates are to comply with the following principles.

1. Council appointed delegates to external committees or organisations may provide input and vote on matters under consideration, provided that their input is not, or could be, in conflict with a position of Council and is otherwise considered by the delegate to be in the best interests of the City of Cockburn.
2. Where an issue, or issues, under consideration by an external committee or organisation is known to be, or could be, in conflict with a formal position of Council, it is the responsibility of the Council appointed delegate to present the formal Council position to the committee or organisation at which he or she is representing Council.
3. In cases where a matter under consideration by the external committee or organisation is known in advance and is likely to be of specific interest to Council, the Council appointed delegate should notify the Chief Executive Officer (CEO) of the matter immediately, and prior to the meeting at which the matter is to be discussed, for advice.

[3]

<b>Title</b>	<b>Elected Members Appointments – Standing Committees, Reference Groups, Boards &amp; External Organisations</b>
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4. Where, in the opinion of the CEO, the matter is of a politically sensitive nature, the CEO shall refer the matter to the Mayor to, if appropriate, make a statement on behalf of the City.
5. Where the Mayor speaks on behalf of Council on an issue pursuant to Clause (3) 3 above, this position shall be made known to the Council appointed delegate to convey to the relevant meeting at which the issue is to be considered.
6. Should an issue arise at a meeting of which no previous indication or notice was given, and which is, or could be, of interest to Council, the Council appointed delegate should inform the meeting of that fact and refrain from formally participating in any outcome associated with the issue or committing Council, or presenting an opinion on the matter, on behalf of Council.
7. Where a Council appointed delegate to an external committee or organisation is uncertain whether an item or issue raised at a meeting of the committee or organisation is, or is likely to be, an issue of interest to the Council, the delegate should preface any remarks or action taken in the role of Council delegate that, in the absence of any formal position adopted by the City in relation to the matter, the comments and other participatory action by the delegate are provided to the best of the delegate’s knowledge as being in the best interests of the City of Cockburn, but may be subject to being amended or overruled in the future, by decision of the Council.

Strategic Link:	Strategic Community Plan
Category	Elected Members
Lead Business Unit:	Governance, Risk Management and Compliance
Public Consultation: (Yes or No)	No
Adoption Date: (Governance Purpose Only)	10 June 2021
Next Review Due: (Governance Purpose Only)	June 2023
ECM Doc Set ID: (Governance Purpose Only)	8232349

[4]





# Aboriginal Reference Group (ARG)

## Terms of Reference

January 2022

*The Aboriginal Reference Group acknowledges meeting on Nyungar Boodjar and respects Nyungar cultural protocols. They acknowledge and embrace all Aboriginal and Torres Strait Islander cultures living, working or visiting the Cockburn community.*

*The City of Cockburn has worked with its Aboriginal Reference Group (ARG) formally known as the Aboriginal Advisory Committee since 2002, to assist in its strategic and operational outcomes.*

Version no.	Date	Author	Comments/Amendments
1.0	0		
2.0	March 2021		
3.	October 21	M Kickett	

Document Set ID: 10976221  
Version: 2, Version Date: 09/09/2022

## Name

### Aboriginal Reference Group (ARG)

## Purpose

The Aboriginal Reference Group acts in a guiding role, using their collective and individual voice, cultural understandings and personal experiences, to compliment the City of Cockburn's commitment to:

- Its recognition of the Beeliar peoples of the Whadjuk Nyungar Nation, being the Traditional Custodians of the lands upon which the City of Cockburn conducts its business;
- Actions within its Reconciliation Action Plan, including employment of Aboriginal and Torres Strait Islander peoples, procurement of Aboriginal and Torres Strait Islander service providers, the development of an Aboriginal Cultural and Visitors Centre, and provision of culturally-relevant service delivery

The ARG will act to feedback Aboriginal and Torres Strait Islander communities comments in relation to City of Cockburn service delivery and project development, and in regards to others working in partnership with the City of Cockburn.

The Aboriginal Reference Group and the City of Cockburn will assist and support each other to establish strong partnerships and relationships with the local Aboriginal and Torres Strait Islander communities.

The Aboriginal Reference Group aims to respect, support and generate awareness of Aboriginal and Torres Strait Islander cultures.

The City supports the ARG by providing facilities for meetings, administrative support and the covering of associated costs.

## Membership of the Reference Group

Memberships will be for a term of two (2) years.

Memberships will be staggered with 50% coming up for election in one year and the other 50% in the next, in order to maintain continuity and develop leadership.

An Annual General Meeting (AGM) will be the process for working through the elections.

Made up of:

- 15 Aboriginal and/or Torres Strait Islander peoples who are part of the City of Cockburn (live, work or are active members in). This includes two memberships

for younger people aged 16 – 35 years, who are identified as Emerging Leaders, and nominated by the ARG. This allows for leadership development and succession planning.

- Aboriginal Community Development Officers, City of Cockburn.
- One, or where required two, Elected Members who have been nominated to this group.
- City of Cockburn staff: Family and Community Development Manager, and/or Manager Community Development (or delegates).

Details of members will be kept on a Membership Register.

The process of coming to agreement is generally by consensus decision-making. However voting will be used in specific circumstances, including at the election process at the Annual General Meeting and other required circumstances.

Voting rights apply only to community members of the Reference Group, and are not applicable to City of Cockburn staff, guests and Elected Members.

## Quorum

A quorum consists of five members.

## Roles & Responsibilities

### Members

Members are expected to prepare for the meeting by reading Minutes, Agenda, and Action Sheet, and to have followed up on any Actions allocated to them.

Be respectful of the Chair and assist in maintaining an orderly and positive meeting by taking turns to speak and encouraging others to voice opinions.

Be in contact with people in the community in order to effectively represent a range of community views in the meetings.

Maintain positive relationships and communication with City of Cockburn staff and Elected Members, in order to be an effective liaison between them and community.

### Chairperson

A Chairperson will be elected by the members of the Reference Group, to Chair the meetings in a timely, respectful and unbiased manner, addressing Agenda items, facilitating progression of decision making and ensuring the participation of all members.

A Deputy Chair will be elected to Chair in the absence of the Chairperson, and if neither is available then a member will be asked to Chair the meeting

The Chair, or another nominated member, may be asked by the City to represent the Aboriginal Reference Group at times in an official capacity, and this role should be carried out with respect and integrity.

#### **City of Cockburn staff**

The Aboriginal Community Development Officer is a City of Cockburn staff member with responsibility for coordinating the ARG, providing administrative support and assisting with the progression of meeting outcomes, in conjunction with the ARG. The Officer reports at meetings on current relevant projects and budgets, and provides a liaison point between the ARG and the City.

Other City staff attend in an advisory role, and provide a further contact point at the City in relation to ARG queries or concerns.

#### **Elected Members**

Elected Members attend Reference Groups to provide a level of support to the Group and its membership, but not to 'drive' the Group in achieving its objectives. The Group should be able to operate as autonomously as possible and the attending Elected Members should not try influence outcomes.

The Elected Members are also expected to adhere to the Code of Conduct and all requirements of the Terms of Reference.

### **Accountability and Process**

The ARG acts in consultation with the City of Cockburn in the delivery of City outcomes and objectives and has no public voice outside of its support role for the City of Cockburn.

The ARG does not provide Traditional Owner sign-off or consultation, on any project that requires Traditional Owner or cultural guidance. This should be dealt with through the appropriate channels.

Members of the ARG are not permitted to discuss City of Cockburn business outside of the boundaries of official ARG and City of Cockburn.

Membership to the ARG is a position of responsibility. Members are expected to provide leadership in the group so that other members will be proactive and participate, and assist the group to function well.

An Information Pack will be provided to all potential and new members, with the Terms of Reference, including Code of Conduct, membership requirements and social media guidelines. Members are required to sign their understanding and agreement to all these documents, as a provision of membership.

Members will be notified of the meeting dates for the year ahead so they can plan to attend, in line with the requirement of membership. This includes new members who join part way through the year.

Group members are required to be transparent about any Conflicts of Interest which may arise, where discussion items or decisions could result in potential personal benefit, financial or otherwise. There should be no promotion of personal business or skills within the group setting. Any members who have a Conflict of Interest with an agenda item or discussion point must declare this at the start of each meeting, as per the standing agenda item, and should leave the meeting for the discussion and decision on the related item. If a conflict of interest arises during the meeting this must also be declared, and noted in the Minutes for transparency and record.

Members are unpaid volunteers, however where specialised cultural advice is sought at additional meetings, then payment can be considered.

The ARG may have its own social media 'closed group' (by invite only) as a means of keeping in contact, with members being vigilant about respectful and confidential use of this social media group. Social media guidelines will need to be agreed to.

The proceedings of the Meetings will be recorded as the Minutes and confirmed as an accurate record at the following meeting, with a Minute-taker funded by the City. Any information provided to the Meetings on a confidential basis will not be recorded in detail to protect its integrity. Confidentiality is an important function of the group and is part of the Code of Conduct.

### **Membership Process**

Members can join the Aboriginal Reference Group by either 1) being elected to the Group at the Annual General Meeting 2) being appointed via a membership process if a vacancy opens up during the year.

#### **Annual General Meeting**

- Memberships are staggered with 50% coming up for election in one year and the other 50% in the next, in order to maintain continuity and build leadership.
- The Aboriginal and Torres Strait Islander community is informed of the election process via various contact lists, promotion and advertising.
- Any potential nominees are asked to contact the City's Aboriginal Community Development Officer to go through the Reference Group's Information Pack, and sign their agreement of these documents.
- Nomination forms are then sent to [customer@cockburn.wa.gov.au](mailto:customer@cockburn.wa.gov.au) by the closing date.
- A minimum quorum of 50% is required at the Meeting.
- At the Meeting the Aboriginal Reference Group steps down and a City of Cockburn staff member chairs the meeting.
- The relevant 50% of positions on the Aboriginal Reference Group are declared open and a list of nominations presented.

- A secret ballot then takes place, followed by announcement of the successful new members, and the total membership of the Group for the year ahead.
- When the positions of Chairperson and Deputy Chair come due for election, then nominations are taken, followed by a secret ballot and announcement of the new positions for the following 2 year term.
- An agenda item for the Meeting will allow for adoption of any changes to the Terms of Reference, as discussed at the regular meeting in the month before the General Meeting.

#### Appointments during the year

- New membership will be encouraged if a vacancy opens up during the year, via suggestions from current members, or advertising by various means.
- Interested people should be in contact with the City's Aboriginal Community Development Officer to go through the Reference Group's Information Pack. Nominees are required to sign their agreement with these documents.
- The nominee is asked to attend one meeting as a guest prior to their nomination being considered.
- A nomination form is then sent to [customer@cockburn.wa.gov.au](mailto:customer@cockburn.wa.gov.au) and will be put on the Agenda for the next ARG meeting.
- The nominee will be informed of the outcome as soon as possible.

#### Term

The Terms of Reference will be reviewed by the Aboriginal Reference Group and relevant staff every 2 years.

#### Meetings

Meeting times to be bi-monthly throughout the calendar year as follows, with meeting times proposed as 5.15pm on the first Tuesday of each month except February:

1 <sup>st</sup> Meeting	Bunaru	February
2 <sup>nd</sup> Meeting	Djiran	April
3 <sup>rd</sup> Meeting	Mukaru	June
4 <sup>th</sup> Meeting	Djilba	August
5 <sup>th</sup> Meeting	Kambarang	October
6 <sup>th</sup> Meeting	Birak	December
Annual General Meeting		January

It is expected that members attend meetings. Apologies can be accepted but the missing of 3 meetings will result in a potential loss of membership.

An Annual General Meeting of the ARG will be held in mid-January, to elect 50% of membership, in a staggered election process. Advertising for this to be done well in advance to encourage attendance and new members.

## Code of conduct for Reference Group members

Members are required to understand and be in agreement with the Code of Conduct, as breaches may result in the forfeiting of membership. Key aspects are as below, but are not limited to these stated.

### Conflicts of Interest

Reference Group members must not use their position as a means of making personal gain or influencing others in this regard. Meetings or Group discussion should therefore not be misused by bringing personal interest or potential personal gain to the agenda or discussion. This includes promotion of personal businesses or skills, particularly if there is monetary or other gain.

### Misuse of position as a Group Member

Reference Group members are not permitted to use their position to exert influence in any community setting or to claim to be representing the Reference Group without the express direction to do so from the City, or to bring disrepute to the Group or to the City.

Where approved, members may represent the Group if in an official capacity at an agreed upon function, Members are then required to do so in a professional and respectful manner.

### Communication

Members are required to use positive and respectful means of communicating with each other, with staff, and with the wider community.

Members are not to use channels of communication as a means of raising a dispute or conflict, or discussing Reference Group business without permission – specifically via social media/Facebook, email lists, radio/TV, public forums or print media.

Social media is not to be used to discuss ARG or City business, or to unfairly target individuals (members, staff or others) or breach confidentiality and/or cultural safety.

### Respect

All members of the ARG are expected to show respect and consideration for all those who provide support for this Reference Group. This includes fellow members, City staff, guests, contractors, sub-contractors and wider community members who may be present at meetings.

There will be no tolerance for acts of discrimination, victimisation, harassment or bullying of any kind.

All ARG members are expected to value and respect the diversity and contribution of all Aboriginal and Torres Strait Islander community members on the ARG.

All members are expected to engage with each other with due respect and protocol, as they would in their own communities.

All members will maintain a culturally safe and healthy meeting place to discuss Reference Group business.

### **Integrity**

Members of the ARG have a responsibility to act with good intent towards their fellow ARG members, the City of Cockburn and all who engage with the ARG. This means:

- Maintaining the Business confidentiality of the City of Cockburn (written, spoken or otherwise)
- Maintaining the Personal confidentiality of fellow ARG members and all others who support or engage the ARG (written, spoken or otherwise)
- Ensuring that the behaviour of members reflects the best interest of the ARG and the City of Cockburn, in line with the 'Respect' item above
- Declaring one's own Conflict of Interest where applicable and removing oneself from the meeting where this is the case
- Being honest, open and fair, in all dealings and conversations whilst conducting ARG business

### **Managing disputes or breaches**

Direct discussion between parties will be encouraged in the first instance where there is disagreement or potential breach of the Code of Conduct, separate to a Reference Group meeting. Staff or another third party may be appointed to be involved if required.

A letter of warning can be sent if this is deemed the most appropriate and beneficial process. However if this fails then the next step will be taken, as per below.

A formal meeting will be set up with the member alleged to have breached the Code of Conduct, to include relevant City of Cockburn staff member/s and an agreed upon Reference Group member, to discuss and give a fair hearing of members perspective.

If the breach is of a serious nature and is found to be substantiated then the Reference Group member will be asked to resign their membership. If they refuse their membership will be formally revoked.

Anyone who has had their membership revoked will not have the option of returning to the Group in the future, and this information will be kept on the Membership Register.



**Member’s agreement of Terms of Reference and Code of Conduct**

Members of the City’s Aboriginal Reference Group must have read and understood the Terms of Reference, and Code of Conduct with regard to membership of the ARG. Breaches of the Terms of Reference or Code of Conduct may lead to removal of member(s) from the group.

I have read, understood and agree to these documents.

Aboriginal Reference Group Member Name:

\_\_\_\_\_

Signature: \_\_\_\_\_

Witness: \_\_\_\_\_

Date: \_\_\_\_\_

**City of Cockburn**

9 Coleville Crescent, Spearwood WA 6193

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Document Set ID: 10976221  
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# City of Cockburn Age-friendly Reference Group

Terms of Reference

October 2019

Version no.	Date	Author	Comments/Amendments
1.0	7.10.2019	Jill Zumach – Julie McDonald	

Document Set ID: 11551179  
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**Member's agreement of Terms of Reference and Code of Conduct**

Members of the City's Age-friendly Reference Group (AFRG) must have read and understood the Terms of Reference, and Code of Conduct with regard to membership of the AFRG.

Breaches of the Terms of Reference or Code of Conduct may lead to removal of member(s) from the group.

I have read, understood and agree to these documents.

Age-friendly Reference Group Member

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Witness: \_\_\_\_\_

Date: \_\_\_\_\_

## Name

Name of this Group shall be known as:

**City of Cockburn Age-friendly Reference Group (AFRG)**

## Purpose

The City of Cockburn Age-friendly Reference Group represents seniors within the community by voicing their concerns, providing advice and exchanging information with City of Cockburn.

The City of Cockburn supports the Group by providing facilities for meetings, administrative support and updates on senior specific issues and opportunities arising within the Cockburn district. The AFRG was established in 2019.

## Membership of the Reference Group

The AFRG will have 12 members consisting of:

- Consumer Representatives, Industry Representatives, an Elected Member and City of Cockburn Representatives
- Resident(s) of Cockburn, who are seniors and/or a carer, or an advocate of a senior
- 

The City of Cockburn representatives are made up of the following:

- An Elected Member City of Cockburn
- Childcare and Seniors Manager
- Senior Centre Coordinator (CSC)

Guest speaker(s) will be invited to give presentation on specific issues with approval from the Chairperson. Other interested community members representing seniors issues may attend the meeting provided the CSC is informed prior to the meeting date.

Details of members will be kept on Membership Register.

Voting rights apply only to community members of the Reference Group, and are not applicable to City of Cockburn staff, guests and Elected Members.

### Membership Process

Members can join the Age-friendly Reference Group by either 1) being elected to the Group at the Annual General Meeting 2) being appointed via a membership process if a vacancy opens up during the year.

- 1) Annual General Meeting annually:
  - Memberships are staggered with 50% coming up for election in one year and the other 50% in the next, in order to maintain continuity and build leadership.
  - Any potential nominees are asked to contact the City's Seniors Centre Coordinator to go through the Reference Group's Information Pack, and sign their agreement of these documents.
  - Nomination forms are then sent to [customer@cockburn.wa.gov.au](mailto:customer@cockburn.wa.gov.au) by the closing date.
  - At the meeting the Age-friendly Reference Group steps down and a City of Cockburn staff member chairs the meeting.
  - The relevant 50% of positions of the Age-friendly Reference Group are declared open and a list of nominations presented.
  - A secret ballot then takes place, followed by announcement of the successful new members, and the total membership of the Group for the year ahead.
  - When the positions of Chairperson and Deputy Chair come due for election, then nominations are taken, followed by a secret ballot and announcement of the new positions for the following 2 year term.
  - An agenda item for the meeting will allow for adoption of any changes to the Terms of Reference, as discussed at the regular meeting in the month before the General Meeting.
  
- 2) Appointments during the year:
  - New membership will be encouraged if a vacancy opens up during the year, via suggestions from current members, or advertising by various means.
  - Interested people should contact the City's Seniors Centre Coordinator to be guided through the Reference Group's Information Pack. A nomination form is then sent to [customer@cockburn.wa.gov.au](mailto:customer@cockburn.wa.gov.au) and will be put on the Agenda for the next AFRG meeting.
  - The nominee will be informed of the outcome as soon as possible.

### Quorum

A quorum constitutes at least 50% of active Cockburn AFRG members.

## Roles & Responsibilities

### Members

Members are expected to prepare for the meeting by reading Minutes, Agenda, and Action Sheet, and to have followed up on any Actions allocated to them.

Be respectful of the Chair and assist in maintaining an orderly and positive meeting by taking turns to speak and encouraging others to voice opinions.

Be in contact with people in the community in order to effectively represent a range of community views in the meetings.

Maintain positive relationships and communication with City of Cockburn staff and Elected Members, in order to be an effective liaison between them and community.

### Chairperson

A Chairperson will be elected by the members of the Reference Group, to Chair the meetings in a timely, respectful and unbiased manner, addressing Agenda items, facilitating progression of decision making and ensuring the participation of all members.

A Deputy Chair will be elected to Chair in the absence of the Chairperson, and if neither is available then a member will be asked to Chair the meeting

The Chair, or another nominated member, may be asked by the City to represent the Age-friendly Reference Group at times in an official capacity, and this role should be carried out with respect and integrity.

### City Officers

The City of Cockburn will assist with the facilitation of the Cockburn AFRG by providing the following Officer support:

- Prepare the monthly AFRG Agenda and disseminate to the Group and to Elected Members via Personal Assistant to Mayor and Elected Members
- Attend monthly AFRG meetings and support development of the minutes
- Ensure that any correspondence from the meeting requiring administrative attention is disseminated
- Provide available resources to the Group for events organised and endorsed by the Group or City events the Group is supporting
- Maintain the AFRG Member database for Cockburn;
- Promote AFRG in the community
- Receive and assess new membership applications
- Distribute information/invitations to all Cockburn AFRG Members, as appropriate; and support AFRG Members with applications to seniors related awards or programs.

### Elected Members

Elected Members attend Reference Groups to provide a level of support to the Group and its membership, but not to 'drive' the Group in achieving its objectives. The Group should be able to operate as autonomously as possible and the attending Elected Members should not try influence outcomes.

The Elected Members are also expected to adhere to the Code of Conduct and all requirements of the Terms of Reference.

### Accountability and Process

The AFRG is primarily autonomous and operates at a local level within the direction and guidance provided by City of Cockburn Age-Friendly Strategy. The AFRG acts in consultation with the City of Cockburn in the delivery of City outcomes and objectives and it has no public voice outside of its support role for the City of Cockburn.

Members of the AFRG are not permitted to discuss City of Cockburn business outside of the boundaries of official AFRG and City of Cockburn business. Membership to the AFRG is a position of responsibility. Members are expected to provide leadership in the group so that other members will be proactive and participate, and assist the group to function well.

An Information Pack will be provided to all potential and new members, with the Terms of Reference, including Code of Conduct, membership requirements and social media guidelines. Members are required to sign their understanding and agreement to all these documents, as a provision of membership.

Members will be notified of the meeting dates for the year ahead so they can plan to attend, in line with the requirement of membership. This includes new members who join part way through the year.

Group members are required to be transparent about any Conflicts of Interest which may arise, where discussion items or decisions could result in potential personal benefit, financial or otherwise. There should be no promotion of personal business or skills within the group setting. Any members who have a Conflict of Interest with an agenda item or discussion point must declare this at the start of each meeting, as per the standing agenda item, and should leave the meeting for the discussion and decision on the related item. If a conflict of interest arises during the meeting this must also be declared, and noted in the Minutes for transparency and recording. The proceedings of the Meetings will be recorded as the Minutes and confirmed as an accurate record at the following meeting, with a Minute-taker funded by the City. Any information provided to the Meetings on a confidential basis will not be recorded



in detail to protect its integrity. Confidentiality is an important function of the group and is part of the Code of Conduct.

The members will attend community and seniors activities to promote AFRG, support the City's AFRG Strategy and advocate for seniors issues.

Represent AFRG at City of Cockburn organised events, as appropriate, identify opportunities to promote AFRG and increase membership and seniors participation.

Working Groups may be formed to work on a particular project. At least one member will be from the Reference Group while the remainder of the members may include non-members. The Reference Group member is responsible for ensuring feedback to the AFRG. Working Groups are able to organise times and frequency of meetings to suit their members.

### Term

Terms of Reference to be reviewed by the AFRG every 24 months, from the first meeting after the Annual General Meeting.

### Meetings

Meetings are held at the City of Cockburn, every Second Tuesday of the month, 2pm to 3pm. There will not be a meeting in December or January.

The proceedings of the meetings are to be recorded as the minutes and confirmed as an accurate record at the following meeting. Any information provided to the meetings on a confidential basis will not be recorded in detail to protect its integrity.

It is expected that members attend meetings. Apologies can be accepted but the missing of 3 meetings may result in a potential loss of membership.

An Annual General Meeting of the AFRG will be held in November, to elect 50% of membership, in a staggered election process. Advertising for this to be done well in advance to encourage attendance and new members.

The Cockburn AFRG is a democratic forum where members are encouraged to address the Group with any seniors issues, concerns or opportunities which are in accordance with its functions.

The City of Cockburn provides financial support to the Group for sundry expenses that occur throughout the year. City Officers have the responsibility to administer these funds, in conjunction with relevant decisions of the Group.

## Code of conduct for Reference Group members

Members are required to understand and be in agreement with the Code of Conduct, as breaches may result in the forfeiting of membership. Key aspects are as below, but are not limited to these stated.

### Conflicts of Interest

Reference Group members are required not to use their position as a means of making personal gain or influencing others in this regard. Meetings or Group discussion should therefore not be misused by bringing personal interest or potential personal gain to the agenda or discussion. This would include promotion of personal businesses or skills, particularly if there is monetary or other gain.

### Misuse of position as a Group Member

Reference Group members are required not to use their position to exert inappropriate influence in any community setting, to incorrectly claim to be representing the Reference Group, or to bring disrepute to the Group or to the City.

Where approved, members may represent the Group if in an official capacity at an agreed upon function, and are then expected to do so in a professional and respectful manner.

### Communication

Members are required to use positive and respectful means of communicating with each other, with staff, and with the wider community.

Members are not to use channels of communication as a means of raising a dispute or conflict, or discussing Reference Group business without permission – specifically via social media/Facebook, email lists, radio/TV, public forums or print media.

Social media is not to be used to discuss AFRG or City business, or to unfairly target individuals (members, staff or others) or breach confidentiality.

### Respect

All members of the AFRG are expected to show respect and consideration for all those who provide support for this Reference Group. This includes fellow members, City staff, guests, contractors, sub-contractors and wider community members who may be present at meetings.

There will be no tolerance for acts of discrimination, victimisation, harassment or bullying of any kind.

All AFRG members are expected to value and respect the diversity and contribution of all members sitting on the AFRG.

All members are expected to engage with each other with due respect and protocol, as they would in their own communities.

### Integrity

Members of the AFRG have a responsibility to act with good intent towards their fellow AFRG members, the City of Cockburn and all who engage with the AFRG. This means:

- Maintaining the Business confidentiality of the City of Cockburn (written, spoken or otherwise)
- Maintaining the Personal confidentiality of fellow AFRG members and all others who support or engage the AFRG (written, spoken or otherwise)
- Ensuring that the behaviour of members reflects the best interest of the AFRG and the City of Cockburn, in-line with the Respect item above
- Declaring one's own Conflict of Interest where applicable and removing oneself from the meeting where this is the case
- Being honest, open and fair, in all dealings and conversations whilst conducting AFRG business

### Managing disputes or breaches

Direct discussion between parties will be encouraged in the first instance where there is disagreement or potential breaches of the Code of Conduct, separate to a Reference Group meeting. Staff or another third party can be involved if required.

A letter of warning can be sent if this is deemed the most appropriate and beneficial process. However if this fails then the next step will be taken, as per below.

A formal meeting will be set up with the member alleged to have breached the Code of Conduct, to include relevant City of Cockburn staff member/s and an agreed upon Reference Group member, to discuss and give a fair hearing of their perspective.

If the breach is of a serious nature and is found to be substantiated then the Reference Group member will be asked to resign their membership. If they refuse then their membership will be formally revoked.

Anyone who has had their membership revoked will not have the option of returning to the Group in the future, and this information will be kept on the Membership Register.



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# Bush Fire Advisory Reference Group

## Terms of Reference

July 2023

Version no.	Date	Author	Comments/Amendments
1.0	24/09/19	M. Emery	Creation and reformatting with Accepted changes from Group
2.0	07/2023	C. Mora	Update purpose, objectives, and additional membership terms to align with other City reference groups

Document Set ID: 11410562  
 Version: 1, Version Date: 23/03/2023

### Name

Name of this group shall be known as;

**Bush Fire Advisory Reference Group** or (BFARG)

### Purpose

To advise the City of Cockburn (hereafter: the City) on all matters relating to preventing, controlling, and extinguishing of bush fires, and any other function assigned to the Reference Group under Section 67 of the *Bush Fires Act 1954*, regulations, or Council policy.

Ensure operational alignment and collaboration between all agencies involved in bush fire prevention and mitigation.

Monitor the effectiveness of the currency and implementation of local laws, the Bushfire Risk Management Plan, and other relevant emergency management plans.

- Check the various relevant legislation and rules
- Check the currency of the plan and identify any early risks and/or changes in the operating environment.

Provide a channel for escalation of any systemic blockages.

Be a collective voice for local needs.

### Objectives & Strategies

The purpose of the group will be achieved through:

1. Open communication and information sharing on bushfire issues and concerns
2. Providing meaningful reports on issues arising
3. Providing guidance in the development of policies, programs and community preparedness activities relating to the prevention of and preparedness for bushfires
4. Providing guidance in the development of strategic policies, programs and plans to ensure effective response and recovery from bushfires within the City of Cockburn
5. Ensuring effective governance guides the group in achieving its objectives.

## Membership of the Group

The BFARG will comprise of;

- South Coogee Volunteer Bush Fire Brigade
  - Captain or proxy
  - First Lieutenant or proxy
- Jandakot Volunteer Bush Fire Brigade
  - Captain or proxy
  - First Lieutenant or proxy
- Elected Member/s appointed by Council in accordance with Council policy
  - Nominated Chair
- City of Cockburn staff – Head of Community Safety and Ranger Services, Fire and Emergency Management Manager, and Fire and Emergency Management Officer or equivalents
- Chief Bushfire Control Officer
- Deputy – Chief Bushfire Control Officers
  
- Fire Control Officers (operational).

Guests;

- Regional staff and representatives from the Department of Fire and Emergency Services and/or the Department of Biodiversity, Conservation and Attractions
- Others as invited.

## Membership Resignation

- A member may resign from membership of the BFARG by giving written notice of the resignation to the Fire and Emergency Management Officer or equivalent
- The resignation takes effect when the City's Fire and Emergency Management Officer or equivalent receives the notice.

## Quorum

A quorum constitutes more than 50% of members.

## Roles & Responsibilities

### Members

- Prepare for, attend, and participate in meetings
- Adhere to the Terms of Reference for this group (This Document)
- Provide information and advice on items related to the group's purpose, scope, and objectives
- Be respectful to the Chair and other members and assist in maintaining an orderly and positive meeting by taking turns to speak and encouraging others to voice opinions
- Maintain positive relationships and communication with City staff and Elected Members, to be an effective liaison.

### Chairperson

This role shall be filled by a City of Cockburn Elected Member appointed to the Reference Group by the Council.

The Chairperson shall ensure:

- The meeting is conducted according to the Terms of Reference
- Matters are dealt with in an orderly and efficient manner
- Meetings are kept on time.

In the absence of the Chair, an attending City of Cockburn staff member will undertake this role.

### Elected Members

- Attend to provide a level of support and its membership
- Not to 'drive' the Group in achieving its objectives
- Not to try influence outcomes
- Meet responsibilities of Members as detailed in the Terms of Reference.

### Fire and Emergency Management Officer

- Coordinating the BFARG
- Administrative support to the BFARG
- Progression of meeting outcomes
- Liaison between the BFARG and the City

## Accountability and Process

Members are required to:

- Act with honesty, good faith, and integrity
- Abide by the Terms of Reference and Code of Conduct



- Actively participate in meetings
- Declare any actual or perceived conflicts of interest at the commencement of the meeting
- Maintain confidentiality of discussions within meetings.

Members are not permitted to:

- Liaise with the media and represent either the opinions of Council or the group
- Use any Reference Group for any public lobbying or political purposes, including use of social media to promote specific campaigns or strategies
- Discuss City of Cockburn business outside of the boundaries of official BFARG and the City of Cockburn.

### Term

The BFARG will be ongoing until terminated by agreement by resolution of Council.

These Terms of Reference will be reviewed biennially in line with the Local Government election cycle and may be amended, varied, or modified in writing after consultation and agreement by resolution of the Council.

### Meeting Information

#### Decision-making

- The process of coming to an agreement is generally by consensus decision-making
- A motion is carried if a majority of the Group members present at the meeting vote in favour of the motion.

#### Meetings

- Quarterly (typically February, May, August, and November), or as determined by the BFARG
- Held at the City of Cockburn Administration Building or other City facilities
- Generally, meetings will not exceed one and a half hours
- Members to attend in person
- Requests for virtual attendance should be received by the Fire and Emergency Management Officer no later than five business days prior to the meeting
- Chaired by the Chairperson.

#### Notice of motion for significant matters

A Member may have significant matters of business included in the agenda of a meeting by forwarding a notice of motion in writing to the minute taker no less than 14 clear days before the meeting so it can be considered by the membership.

The notice of motion must include a draft version of the motion proposed to be moved by the member.

### **Code of Conduct for Reference Group Members**

Members are required to understand and agree with the Code of Conduct, as breaches may result in the forfeiting of membership.

#### Conflicts of Interest

BFARG members must not use their position as a means of making personal gain or influencing others in this regard. Meetings or group discussions should therefore not be misused by bringing personal interest or potential personal gain to the agenda or discussion. This includes the promotion of personal businesses or skills.

#### Misuse of position as a member

BFARG members are not permitted to use their position to exert influence in any community setting to claim to be representing the BFARG without the express direction to do so from the City, or to bring disrepute to the Group or to the City.

Where approved by the City, members may represent the Group if in an official capacity at an agreed upon function. Members are then required to do so in a professional and respectful manner

#### Communication

Members are required to use positive and respectful means of communicating with each other, with staff, and with the wider community.

### **Integrity**

Members of the BFARG have a responsibility to act with good intent towards their fellow BFARG members, the City of Cockburn and all who engage with the BFARG. This means:

- Maintaining the business confidentiality of the City of Cockburn (written, spoken or otherwise)
- Maintaining the personal confidentiality of fellow BFARG members and all others who support or engage the BFARG (written, spoken or otherwise)

- Declaring one's own conflict of interest where applicable and removing oneself from the meeting where this is the case
- Being honest, open, and fair, in all dealings and conversations whilst conducting BFARG business.



# Community Safety & Crime Prevention Reference Group

## Terms of Reference

August 2019

Version no.	Date	Author	Comments/Amendments
1.0	0		
2.0			

Document Set ID: 11382301  
Version: 1, Version Date: 23/02/2023

## Name

Name of this group shall be known as;

### **Community Safety & Crime Prevention Reference Group**

## Purpose

To assist in the development of Community Safety & Crime Prevention initiatives relevant to the City of Cockburn.

Support Community Safety & Crime Prevention projects and funding applications for relevant initiatives within the City of Cockburn.

Provide guidance on the development of policy for Community Safety & Crime Prevention programmes, including 'Community Policing Through Environmental design' (CPTED) principles.

Discuss interagency cooperation on all issues pertaining to Community Safety & Crime Prevention and devise working response plans, as appropriate.

## Membership

- City of Cockburn Elected Member(s)
- WA Police (WAPOL)
  - OIC of Cockburn Police
  - OIC of Murdoch Police
  - OIC of Fremantle Police
  - WAPOL Community Engagement Officer(s)
- State Agency Representatives:
  - Department of Corrective Services
  - Department of Communities
  - Department of Education
- City of Cockburn Staff
  - Ranger & Community Safety Services Manager
  - CoSafe Operations Coordinator,
  - Community Safety Officer

- Manager, Library Services
- Manager Community Development
- Youth Services Manager
- Community Development Coordinator
- Aboriginal Community Development Officer

### Quorum

A quorum constitutes more than 50% of the Community Safety & Crime Prevention Reference Group.

### Roles & Responsibilities

#### 1.1 Chairperson

This role shall be filled by a City of Cockburn Elected Member appointed to the Reference Group by the Council.

In the absence of the Chair, the City of Cockburn Rangers & Community Safety Services Manager will undertake this role.

#### 1.2 Community Safety Officer

It will be the role of the Community Safety Officer to prepare the quarterly agenda, take minutes & circulate business papers to the Group.

### Objectives & Strategies

The objective of the Reference Group is to identify community concerns, perception of crime and anti-social behaviour within the City of Cockburn. This will be achieved through:

1. Liaison between the members on crime prevention issues, concerns and expectations;
2. Encourage members to participate in crime prevention events, programmes and initiatives;
3. Provide guidance in the development of policies and programmes that encourages a reduction, of crime, including the perception of crime, and anti-social behaviour within the community;

4. As requested from time to time, assist in the development of the City's Community Safety and Crime Prevention Plan. The Reference Group may also be asked to contribute to annual reviews of this plan; and
5. Provide interagency cooperation to address community safety issues.

### Term

The Reference Group will operate on a two year cycle, to be reviewed following local government elections in October (biannually)

### Meetings

The Community Safety & Crime Prevention Reference Group will meet quarterly at the City's Operations Centre, 52 Wellard Street, Bibra Lake, unless otherwise agreed by the Group, at a date and time agreed by the Group. Generally meetings are scheduled for one hour, with a further 30 minutes allocated as required.

Ad-hoc invitees as agreed by the Group.

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Document Set ID: 11382301  
Version: 1, Version Date: 23/02/2023





# Disability Reference Group (DRG)

## Terms of Reference

October 2019

*City's Vision:*

*To make the City of Cockburn the most attractive place to live, work, visit and invest in, within the Perth Metro area.*

*DRG Vision:*

*A caring community where all people within the City and surrounds with a disability are included, valued, respected and have universal access to all opportunities*

*Values:*

- *Respect*
- *Inclusiveness*
- *Sustainability*
- *Safety*

Version no.	Date	Author	Comments/Amendments
1			
2			
3			

## Name

The Disability Reference Group (DRG)

## Definitions

DRG Member means a member of the DRG, who has had membership confirmed and recorded and signed to abide by the Group's Terms of Reference

Role means to attend the DRG and support both the City's and DRG mission and values. To build relationships and work collaboratively with DRG members, City of Cockburn representatives and Guests.

## Purpose

To assist the City to provide services, programs & facilities inclusive and accessible for people with disability.

The DRG is a point of contact for community consultation and co-design of services and programs.

## Membership of the Reference Group

The DRG will comprise of a maximum of 20 people

The DRG Facilitator will however need to take into account room hire availability, room hire costs, size of room, accessibility in determining maximum attendance.

Eligibility for membership includes the below members who support the purpose of the DRG.

### DRG Members include:

- Residents of City of Cockburn with disability
- Parents/Carer of a person with disability (under 65) living in the City of Cockburn
- Staff representing a disability organisation in the City of Cockburn with up to five members with a limit of one representative per organisation
- Up to four representatives from the City of Cockburn including, Disability and Inclusion officer, Family and Community Development Manager, Cockburn Care Manager,
- One City of Cockburn Elected Member.

### Applying for membership:

A person who wants to become a member must complete and submit an application form to the City's DRG Facilitator. The City's Disability Access & Inclusion Officer is the DRG Facilitator

Dealing with membership applications:

The City's DRG Facilitator must consider each application for membership of the group and decide whether to accept or reject the application.

The City's DRG Facilitator must consider applications in the order in which they are received and whether there is a position available.

The City's DRG Facilitator may delay its consideration of an application if further information needs to be clarified by the applicant or that the applicant needs to provide further information in support of the application.

The City's DRG Facilitator presents the accepted nomination to the DRG. The City's DRG Facilitator will notify the applicant of the DRG's decision to accept or reject the application as soon as practicable after making the decision.

If the City's DRG Facilitator rejects the application, the DRG Facilitator is not required to give the applicant its reasons for doing so.

Becoming a member:

1. DRG Nomination form completed and presented to the City's DRG Facilitator prior to the AGM and is presented to the DRG elected at the AGM or
2. Nomination form completed and presented to the City's DRG Facilitator throughout the year and elected by when a casual vacancy occurs.

An applicant for membership of the DRG becomes a member when the DRG accepts the application. Each person who becomes a member of the DRG receives a copy of the DRG Terms of Reference in force at the time their membership commences and must sign in agreeance to the terms.

A copy of the DRG Terms of Reference will be provided to new members by electronic transmission in an accessible format or hard copy.

Members must be at least 18 years of age.

The City provides financial support to the DRG for sundry expenses that occur throughout the year. City officers have the responsibility to administer these funds, in conjunction with relevant decisions of the group.

Voting rights of members:

Each DRG member has one vote at a general meeting of the group.

Voting rights apply only to community members of the Reference Group, and are not applicable to City of Cockburn staff, guests and Elected Members.

When a membership ceases:

A person ceases to be a member when any of the following takes place:

- the person resigns from the DRG
- the person is expelled from the group
- the person does not renew their membership through correct processes

The minute taker must record in the minutes which person ceased to be a member and why.

At a general meeting, the DRG may by general consensus decision-making elect a member who is eligible fill the vacant position.

#### Membership Resignation:

A member may resign from membership of the DRG by giving written notice or verbal notice of the resignation to the DRG meeting Facilitator.

The resignation takes effect when the City's DRG Facilitator receives the notice.

#### Register of Members:

The City's DRG Facilitator will maintain a spreadsheet containing a register of its members and record in the register any change in the membership of the DRG. Any change to the register to be recorded within 28 days after the change occurs.

The register of members must include each member's name and a residential, postal or email address.

### **Quorum**

For the monthly meeting of DRG member's quorum is four members, of which one must be either the Chairperson or Deputy Chairperson.

For the annual general meeting of DRG member's quorum is four members of which one must be either the Chairperson or Deputy Chairperson. No business is to be conducted at a DRG meeting unless a quorum is present.

If a quorum is not present within 20 minutes after the notified commencement time of a DRG meeting. Unmet business may be rolled over to the next due meeting.

### **Roles & Responsibilities**

The City Supports the DRG by providing facilities for meetings, administrative support and meetings.

The City provides financial support to the DRG for sundry expenses that occur throughout the year. City officers have the responsibility to administer these funds, in conjunction with relevant decisions of the group.

#### Members

Members are expected to prepare for the meeting by reading Minutes, Agenda, and Action Sheet, and to have followed up on any Actions allocated to them. Be respectful of the Chair and assist in maintaining an orderly and positive meeting by taking turns to speak and encouraging others to voice opinions.

Be in contact with people in the community in order to effectively represent a range of community views in the meetings.

Maintain positive relationships and communication with City of Cockburn staff and Elected Members, in order to be an effective liaison between them and community.

#### The Chair Person

Chairperson: means the DRG member holding office as the chairperson of the DRG.

It is the duty of the chairperson to consult with the City's DRG Facilitator regarding the business to be conducted at each DRG meeting and general meeting. The Chairperson convenes and presides at DRG meetings.

Term: 1 year

#### The Deputy Chair

It is the Duty of the Deputy Chair to preside in the event of the Chair being absent.

Term: 1 year

#### DRG members

DRG member: means a member of the DRG, who has had membership confirmed and recorded and signed to abide by the groups Terms of Reference.

To attend the DRG and support both the City's & DRGs mission and values. To build relationships and work collaboratively with the DRG members, City of Cockburn representatives and Guess.

Term: 1 year

#### City of Cockburn staff

The Disability Access and Inclusion Officer (DAOI) is a City of Cockburn staff member with responsibility for coordinating/facilitating the DRG, providing administrative support and assisting with the progression of meeting outcomes, in conjunction with the DRG. The Officer reports at meetings on current relevant projects and budgets, and provides a liaison point between the DRG and the City.

The DAIO is the DRG Facilitator who provides support and guidance to the DRG.

Term: As per employment & role

Other City staff attend in an advisory role, and provide a further contact point at the City in relation to DRG queries or concerns.

#### Elected Members

Elected Members attend Reference Groups to provide a level of support to the Group and its membership, but not to 'drive' the Group in achieving its objectives. The Group should be able to operate as autonomously as possible and the attending Elected Members should not try influence outcomes.

The Elected Members are also expected to adhere to the Code of Conduct and all requirements of the Terms of Reference, and to have experience with disability or completed disability awareness training.

The role of the elected members is to provide an informative link between the Council and DRG.

Term: 2 years

#### Non Members include:

- Minute taker appointed by the City which is a remunerated position. Duty is to record the minutes of the meetings.
- Guest Presenters are invited guests to the DRG group.

### **Accountability and Process**

The Terms of Reference assist with the governance of the Reference Group. The rules of the DRG provide the scope and limitations of the Reference Group's activities.

## Membership Process

DRG Nomination form completed and presented to the City's DRG Facilitator prior to the AGM and is presented to the DRG elected at the AGM or Nomination form completed and presented to the City's DRG Facilitator throughout the year and elected by when a casual vacancy occurs.

An applicant for membership of the DRG becomes a member when the DRG accepts the application. Each person who becomes a member of the DRG receives a copy of the DRG Terms of Reference in force at the time their membership commences and must sign in agreement to the terms.

A copy of the DRG Terms of Reference will be provided to new members by electronic transmission in an accessible format or hard copy.

Members must be at least 18 years of age.

A person ceases to be a DRG member if the person:

- resigns from the DRG or is removed from the DRG or
- becomes permanently unable to act as a DRG member because of health reasons; or
- Fails to attend 3 consecutive DRG meetings, of which the person has been given notice, without having notified the DRG that the person will be unable to attend.

### Suspension or expulsion

The City's DRG Facilitator may decide to suspend a member's membership or to expel a member from the DRG if:

- The member contravenes any of these rules; or
- The member acts detrimentally to the interests of the DRG and City.

The City's DRG Facilitator must give the member written notice of the suspension or expulsion.

The notice will be given to the member confirming suspension or expulsion.

A decision of the City's DRG Facilitator to suspend the member's membership or to expel the member from the Association takes immediate effect.

When a person is expelled they are expelled permanently from the group.

#### Consequences of suspension

During the period a member's membership is suspended, the member loses any rights (including voting rights) arising as a result of membership; and  
When a member's membership is suspended, the City's DRG Facilitator must record in the register of members:

- That the member's membership is suspended; and
- The date on which the suspension takes effect; and
- The period of the suspension.

When the period of the suspension ends, the City's DRG Facilitator must record in the register of members that the member's membership is no longer suspended.

### **Review of Terms of Reference**

The DRG Terms of Reference will be reviewed by the City, every 2-4 years.

The DRG Mission and goals will be reviewed by the members annually.

### **Meetings**

#### Notice of DRG meetings

The Agenda of each DRG meeting must be given to each DRG member at least 24 hours before the time of the meeting.

The Agenda must state the date, time and place of the meeting and must describe the general nature of the business to be conducted at the meeting.

The only business that may be conducted at the meeting is the business described in the Agenda.

#### Annual General Meeting (AGM)

The City and DRG must determine the date, time and place of the annual general meeting. The City's DRG Facilitator must give to each member at least 14 days' notice of a general meeting. City's DRG Facilitator must send written notice to all the members:

- calling for nominations for election to the DRG; and
- stating the date by which nominations must be received by



The notice will specify the date, time and place of the meeting and indicate the general nature of each item of business to be considered at the meeting.

A DRG member who wishes to be considered for election to the DRG at the annual general meeting must nominate for election by completing a DRG member application and submitting at least 7 days before the annual general meeting.

The City's DRG Facilitator may invite members to nominate for the Chair or Deputy Chair position. A member whose nomination does not comply with above is not eligible for election to the DRG.

Election of Chairperson and Deputy Chairperson will be done at the AGM.

At the annual general meeting, the group must decide if the number of members nominating for DRG membership is not greater than the number to be elected, the chairperson of the meeting:

- must declare each of those members to be elected to the position; and
- for the position of DRG member is greater than the number to be elected;

A vote will be held to decide on the members to be elected. Voting rights apply only to community members of the DRG, and are not applicable to City of Cockburn staff, guests and Elected Members.

The ordinary business of the annual general meeting is as follows:

- to confirm the minutes of the previous annual general meeting and of any special general meeting held since then if the minutes of that meeting have not yet been confirmed
- to receive and consider the Chairs annual report on the group's activities during the preceding year; and
- to receive and consider the City's DRG Facilitators report on the group's activities during the preceding year
- Any other business of which notice (Agenda) has been given in accordance with these rules may be conducted at the annual general meeting.

The chairperson or, in the chairperson's absence, the deputy chairperson must preside as chairperson of each general meeting.

If the chairperson and deputy chairperson are absent or are unwilling to act as chairperson of a general meeting, the DRG members at the meeting must choose one of them to act as chairperson of the meeting.

The ordinary business of the annual general meeting is as follows:

- to confirm the minutes of the previous annual general meeting and of any special general meeting held since then if the minutes of that meeting have not yet been confirmed
- to receive and consider the Chairs annual report on the group's activities during the preceding year; and
- to receive and consider the City's DRG Facilitators report on the group's activities during the preceding year
- Any other business of which notice (Agenda) has been given in accordance with these rules may be conducted at the annual general meeting.

The chairperson or, in the chairperson's absence, the deputy chairperson must preside as chairperson of each general meeting.

- If the chairperson and deputy chairperson are absent or are unwilling to act as chairperson of a general meeting, the DRG members at the meeting must No business is to be conducted at a general meeting unless a quorum is present.
- If a quorum is not present within 30 minutes after the notified commencement time of a general meeting:
- In the case of the annual general meeting, the meeting is adjourned and rescheduled (by the DRG Facilitator) subject to an appropriate time and venue.
- Written notice of another venue and time is given to the members before the day to which the meeting is adjourned.

#### Minutes of AGM

- The Minute Taker appointed by the City's DRG Facilitator, must take and provide minutes of each general meeting to the Facilitator.
- The minutes must record the business considered at the meeting, any resolution on which a vote is taken and the result of the vote.
- In addition, the minutes of each annual general meeting must record:
- The names of the DRG members attending the meeting; and
- Any forms given to the chairperson of the meeting and
- The chairperson must ensure that the minutes of a general meeting are reviewed and recorded as correct.

- When the minutes of a general meeting have been confirmed as correct they are, in the absence of evidence to the contrary, taken to be proof that:
- The meeting to which the minutes relate was duly convened and held; and
- The matters recorded as having taken place at the meeting took place as recorded; and
- Any election or appointment purportedly made at the meeting was validly made.

#### Minutes of DRG meetings

The City's DRG Facilitator must ensure that minutes are taken and kept of each DRG meeting. The minutes must record the following:

- The names of the DRG members present at the meeting;
- The name of any person attending the meeting
- The business considered at the meeting;
- Any motion on which a vote is taken at the meeting and the result of the vote.

The chairperson must ensure that the minutes of a DRG meeting are reviewed and confirmed by the DRG at the next DRG meeting.

Disclosure of a DRG member's material personal interest in a matter being considered at a DRG meeting must be recorded in the minutes of the meeting.

#### Financial report

The City's DRG Facilitator will update at each DRG Meeting the financial balance of remaining DRG funds

#### Meetings Schedule

The DRG meet nine times in each year on the dates and at the times and places predetermined by the City and the DRG members.

Meetings are held in the City monthly (excluding December & January). The proceedings of the DRG meetings are to be recorded as the Minutes and confirmed as an accurate record at the following meeting. Refer to the rules of the meetings for further detail.

The Venue and time of the DRG meeting are to be decided collaborate with the City's DRG Facilitator and DRG taking into account business hours, venue size, hire charges, availability and accessibility and must be determined by the City's DRG

Facilitator as soon as practicable after the annual general meeting at which the DRG members are elected.

### Term of Office

The term of office of a DRG member begins when the member:

- is elected at an annual general meeting or
- is appointed to fill a vacancy
- A DRG member holds office until the positions on the DRG are declared vacant at the next annual general meeting.

A DRG member may be re-elected.

### Voting

Voting at an AGM will be as follows:

- Each DRG member has one vote and
- DRG members may vote in person
- City of Cockburn Staff have no voting rights
- Minute taker has no voting rights
- Elected Member has no voting rights
- A motion is carried if a majority of the DRG members present at a general meeting vote in favour of the motion.
- If votes are divided equally on a question, the chairperson of the meeting has a second or casting vote.
- If the question is whether or not to confirm the minutes of a previous general meeting, only members who were present at that meeting may vote.
- For DRG member has one vote and
- DRG members may vote in person
- City of Cockburn Staff have no voting rights
- Minute taker has no voting rights
- Elected Member has no voting rights

- A motion is carried if a majority of the DRG members present at a general meeting vote in favour of the motion.
- If votes are divided equally on a question, the chairperson of the meeting has a second or casting vote.
- If the question is whether or not to confirm the minutes of a previous general meeting, only members who were present at that meeting may vote.
- For a person to be eligible to vote at a general meeting as a DRG member, or on behalf of a DRG member, the Voter must have been an DRG member at the time notice of the meeting was given
- Acceptance of absentee votes at AGM will be at the discretion of the City's Reference Group Facilitator.

Voting at DRG meetings will be as follows:

Significant decisions will be determined by a voting process and determined by a simple majority

The process of coming to agreement is generally by consensus decision-making. Voting will be used in specific circumstances, including at the election process at the Annual General Meeting, and when making other significant decisions.

Voting rights apply only to community members of the DRG, and are not applicable to City of Cockburn staff, guests and Elected Members.

Each DRG member present at a DRG meeting has one vote on any question arising at the meeting.

A motion is carried if a majority of the DRG members present at the DRG meeting vote in favour of the motion.

If the votes are divided equally on a question, the chairperson of the meeting has a second or casting vote.

A vote may take place by the DRG members present indicating their agreement or disagreement or by a show of hands, unless the DRG decides that a secret ballot is needed to determine a particular question.

If a secret ballot is needed, the chairperson of the meeting must decide how the ballot is to be conducted.

Members

Chair - 1 vote

Deputy Chair – 1 vote

DRG members – 1 vote

City of Cockburn Staff- no voting rights

City of Cockburn Elected Members- no voting rights

Minute Taker -no voting rights

Guests and/or Presenters- no voting rights

Member's use of technology to participate in DRG meetings and AGM

The presence of a DRG member at a DRG and AGM meeting need not be by attendance in person but may be by that DRG member and each other DRG member at the meeting being simultaneously in contact by telephone or other means of instantaneous communication.

A member who participates in a DRG meeting as allowed above is taken to be present at the meeting and, if the member votes at the meeting, the member is taken to have voted in person.

Reimbursement to DRG Members

A DRG member is entitled to be reimbursed from the City for any out-of-pocket expenses for travel incurred:

- In attending a DRG meeting or
- In attending a general meeting;
- If discussed and agreed by the City's DRG Facilitator prior to the meeting.

Funds - source & control

- Funds are provided by the City of Cockburn and administrated and controlled by the City's DRG Facilitator
- Publication by DRG members about the DRG business is prohibited
- A DRG member must not publish, or cause to be published, any statement about the business conducted by the DRG at a general meeting or DRG meeting unless:
  - The DRG member has been authorised to do so at a DRG meeting; and
  - The authority given to the DRG member has been recorded in the minutes of the DRG meeting at which it was given.

## Code of conduct for Reference Group members

Members are required to understand and be in agreement with the Code of Conduct, as breaches may result in the forfeiting of membership. Key aspects are as below, but are not limited to these stated.

### Conflicts of Interest

Reference Group members must not use their position as a means of making personal gain or influencing others in this regard. Meetings or Group discussion should therefore not be misused by bringing personal interest or potential personal gain to the agenda or discussion. This includes promotion of personal businesses or skills, particularly if there is monetary or other gain.

### Misuse of position as a Group Member

Reference Group members are not permitted to use their position to exert influence in any community setting or to claim to be representing the Reference Group without the express direction to do so from the City, or to bring disrepute to the Group or to the City.

Where approved, members may represent the Group if in an official capacity at an agreed upon function, Members are then required to do so in a professional and respectful manner.

### Communication

Members are required to use positive and respectful means of communicating with each other, with staff, and with the wider community.

Members are not to use channels of communication as a means of raising a dispute or conflict, or discussing Reference Group business without permission – specifically via social media/Facebook, email lists, radio/TV, public forums or print media.

Social media is not to be used to discuss ARG or City business, or to unfairly target individuals (members, staff or others) or breach confidentiality and/or cultural safety.

### Respect

All members of the ARG are expected to show respect and consideration for all those who provide support for this Reference Group. This includes fellow members, City staff, guests, contractors, sub-contractors and wider community members who may be present at meetings.

There will be no tolerance for acts of discrimination, victimisation, harassment or bullying of any kind.

All ARG members are expected to value and respect the diversity and contribution of all Aboriginal and Torres Strait Islander community members on the ARG.

All members are expected to engage with each other with due respect and protocol, as they would in their own communities.

All members will maintain a culturally safe and healthy meeting place to discuss Reference Group business.

### **Integrity**

Members of the ARG have a responsibility to act with good intent towards their fellow ARG members, the City of Cockburn and all who engage with the ARG. This means:

- Maintaining the Business confidentiality of the City of Cockburn (written, spoken or otherwise)
- Maintaining the Personal confidentiality of fellow ARG members and all others who support or engage the ARG (written, spoken or otherwise)
- Ensuring that the behaviour of members reflects the best interest of the ARG and the City of Cockburn, in line with the 'Respect' item above
- Declaring one's own Conflict of Interest where applicable and removing oneself from the meeting where this is the case
- Being honest, open and fair, in all dealings and conversations whilst conducting ARG business

### **Managing disputes or breaches**

Direct discussion between parties will be encouraged in the first instance where there is disagreement or potential breach of the Code of Conduct, separate to a Reference Group meeting. Staff or another third party may be appointed to be involved if required.

A letter of warning can be sent if this is deemed the most appropriate and beneficial process. However if this fails then the next step will be taken, as per below.

A formal meeting will be set up with the member alleged to have breached the Code of Conduct, to include relevant City of Cockburn staff member/s and an agreed upon Reference Group member, to discuss and give a fair hearing of members perspective.

If the breach is of a serious nature and is found to be substantiated then the Reference Group member will be asked to resign their membership. If they refuse their membership will be formally revoked.

Anyone who has had their membership revoked will not have the option of returning to the Group in the future, and this information will be kept on the Membership Register.

### **Member's agreement of Terms of Reference and Code of Conduct**

Members of the City's Cockburn Sister Cities Reference Group must have read and understood the Terms of Reference, and Code of Conduct with regard to membership of the Cockburn Sister Cities Reference Group. Breaches of the Terms of Reference or Code of Conduct may lead to removal of member(s) from the group.



I have read, understood and agree to these documents.

Disability Reference Group Member Name:

\_\_\_\_\_

Signature: \_\_\_\_\_

Witness: \_\_\_\_\_

Date: \_\_\_\_\_

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# City of Cockburn Youth Advisory Collective

Terms of Reference

September 2019

Version no.	Date	Author	Comments/Amendments
1.0			

Document Set ID: 8760782  
Version: 1, Version Date: 09/10/2019

## Name

Name of this Group shall be known as:

### **City of Cockburn Youth Advisory Collective (YAC)**

Note: In 2013, the appointed Youth Advisory Reference Group members voted to change the name to a Youth Advisory **Collective** believing a "collective" was a more accurate representation and more attractive name for young people looking to join.

## Purpose

1. To represent the aspirations, views and needs of young people and participate in projects for the benefit of young people in the City of Cockburn.
2. To act as a consultative body on matters arising in Council business, which affect young people.
3. The Reference Group is established by the City of Cockburn and is administered and structured by the Youth Services service unit.

The City of Cockburn supports the Group by providing facilities for meetings, administrative support and updates on community and youth specific issues and opportunities arising within the Cockburn district.

## Membership of the Collective

- Active Cockburn YAC members between the ages of 12 and 24 years
- City of Cockburn Councillor(s) appointed by Council
- City of Cockburn Officers

## Quorum

A quorum constitutes at least 50% of active CockburnYAC members.

## Roles & Responsibilities

### YAC Chairperson

The YAC has agreed to share the chairperson role at meetings amongst its members. Where a young person is not willing to chair a Youth Services staff member will chair.

The Cockburn YAC Chairperson will be responsible for the following duties:

1. Chair the Cockburn YAC meetings;
2. Ensure continued promotion of key messaging through the Cockburn YAC Facebook page;
3. Raise a positive profile of young people in the community;
4. Promote Cockburn YAC in the community and to other Elected Members; and
5. Conduct presentations on behalf of Cockburn YAC when invited.

If the Chairperson is unavailable for one of the mentioned duties, another YAC member can be appointed by the YAC.

### City Officers

The City of Cockburn will assist with the facilitation of the Cockburn YAC by providing the following Officer support:

1. Prepare the monthly YAC Agenda and disseminate to the Group and to Elected Members, via Personal Assistant to Mayor and Elected Members;
2. Attend fortnightly YAC meetings and take minutes;
3. Ensure that any correspondence from the meeting requiring administrative attention is disseminated;
4. Chair the YAC fortnightly meetings in the absence of the YAC Chairperson;
5. Provide available resources to the Group for events organised and endorsed by the Group or City events the Group is supporting;
6. Maintain the YAC Member database for Cockburn;
7. Promote YAC in the community;
8. Receive and assess new membership applications;
9. Distribute information/invitations to all Cockburn YAC Members, as appropriate; and
10. Support YAC Members with applications to youth related awards or programs.

### Members

Active Members will be responsible to undertake the following functions:

1. Participate in fortnightly YAC meetings;
2. Raise a positive profile of young people in the community;
3. Promote Cockburn YAC in the community; and
4. Encourage community members who are interested in joining YAC to attend a meeting by pre-arrangement.

## Accountability and Process

The YAC is primarily autonomous and operates at a local level within the direction and guidance provided by Cockburn Youth Services and the Cockburn Youth Strategy, via the following activities:

1. Attend community and youth activities to promote YAC, support the City's Youth Services Strategy and advocate for youth issues;
2. Represent YAC at City of Cockburn organised events, as appropriate;
3. Identify opportunities to promote YAC and increase membership and youth participation;
4. Induct new YAC members; and
5. Organise a timetable of events and activities for the YAC, once endorsed at a meeting.

## Term

Terms of Reference to be reviewed by the YAC every four (4) years, or as directed by Council or the City of Cockburn Youth Services Manager.

## Meetings

Meetings are held at the City of Cockburn Youth Centre on a Wednesday, 5pm to 6pm, every two weeks, except during school holidays. The City of Cockburn provides light refreshments for attendees at the meeting.

The proceedings of the meetings are to be recorded as the minutes and confirmed as an accurate record at the following meeting.

Any information provided to the meetings on a confidential basis will not be recorded in detail to protect its integrity.

The Cockburn YAC is a democratic forum where members are encouraged to address the Group with any youth issues, concerns or opportunities which are in accordance with its functions.

The City of Cockburn provides financial support to the Group for sundry expenses that occur throughout the year. City Officers have the responsibility to administer these funds, in conjunction with relevant decisions of the Group.



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Document Set ID: 8760782  
Version: 1, Version Date: 09/10/2019





# Cockburn Sister Cities Reference Group

Terms of Reference

September 2023

Version no.	Date	Author	Comments/Amendments
1	14 September 2023	Manager, Advocacy & Engagement	
2			
3			

## Name

Cockburn Sister Cities Reference Group

## Purpose

The purpose of the Reference Group is to:

- Facilitate the development and maintenance of effective international relations and enhance the City of Cockburn in conjunction with its partnered Cities
- Establish guidelines for Council to follow when considering engagement with potential new international relationships or partners.
- Consider the rationale and criteria for entering into new international relationships and terminating existing arrangements.

## Membership of the Reference Group

Membership of the Reference Group will comprise of elected members duly appointed by Council following the biennial election cycle.

The Mayor may be appointed to the Reference Group on an ex officio basis, upon indicating to this effect.

Notice of resignation is effected by notification in writing being provided to the Chief Executive Officer (CEO)

The Reference Group may invite persons with specific interest in a matter to attend and/or present at a meeting.

City officers, as directed by the Chief Executive Officer (CEO), will attend meetings for the purpose of providing advisory, administrative, and secretarial support.

The term of the Cockburn Sister Cities Reference Group will continue until formally disbanded by Council.

## Quorum

At least 50% of elected members appointed to the Reference Group are required to be in attendance prior to the opening and ongoing conduct of the Reference Group meetings. If quorum is not present either before the start of the meeting or at any time during the meeting, the meeting shall be adjourned to some future time or date and time.

## Roles & Responsibilities

The primary role of the Reference Group is to ensure that the integrity of the City of Cockburn Sister City arrangements are upheld and regularly monitored for

effectiveness and ongoing value to the Cockburn community, in accordance with relevant adopted Policies.

It will be the responsibility of the Reference Group to participate in any arrangements related to inward delegations from overseas partner Cities and to ensure that outward delegations are comprised of adequate representation to ensure the purpose of the visit is justifiable.

The Reference Group will ensure that any recommendation it makes regarding expenditure which has not been provided for by the City's Sister City activities budget is reported to Council for approval.

The Reference Group will ensure relevant matters are referred to Council for endorsement

## Meetings

Meetings of the Cockburn Sister Cities Reference Group will be conducted on an as required basis, with a minimum of two meetings per calendar year.

Meetings can be called by either the Presiding member or CEO, as required.

The reference group is to appoint a presiding member using the methodology described in Section 5.12 of the Local Government Act.

An agenda will be prepared and circulated to each member prior to the Meeting.

Minutes of the Meeting will be taken and stored as an official record by the City of Cockburn.

Any resolution/s of the Meeting which require a Council decision to be effective will require a formal Report to be prepared and presented at the next practicable Ordinary Council Meeting, together with any officer recommendation/s, for Council consideration.

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# Cockburn Neighbourhood Watch Reference Group

Terms of Reference

October 2022

Version no.	Date	Author	Comments/Amendments
1.0	0		
2.0	September 2022	M. Charles	Removal of 7PM commencement times and expand the role of the City's officers

Document Set ID: 11022995  
 Version: 2, Version Date: 25/11/2022

## Name

Name of this group shall be known as;

**Cockburn Neighbourhood Watch (NHW) Reference Group.**

## Purpose

To assist WA Police (WAPOL) promote crime prevention strategies to the broader public. The Reference Group is established by the City of Cockburn and is administered and structured by WAPOL, pursuant to Neighbourhood Watch WA Policies and Procedures.

The City of Cockburn supports the Group by providing facilities for meetings, administrative support and updates on community safety issues arising within the Cockburn district.

## Membership of the Reference Group

- Active Cockburn NHW volunteers
- City of Cockburn Councillor(s) appointed by Council
- WA Police (WAPOL)
- City of Cockburn Officers

## Quorum

A quorum constitutes at least 50% of active Cockburn NHW volunteers.

## Roles & Responsibilities

### NHW Chairperson

The role shall be filled by a Councillor appointed to the Reference Group by the Council, except if the Councillor declines, in which case, another person can be selected by the Reference Group.

The Cockburn NHW Chairperson will be responsible for the following duties:

1. Chair the Cockburn NHW Reference Group meetings;
2. Ensure continued promotion of key messaging through the Cockburn NHW Facebook page;
3. Promote Cockburn NHW in the community and to other Elected Members;  
and

4. Conduct presentations on behalf of Cockburn NHW when invited.

### City Officers

The City of Cockburn will assist with the facilitation of the Cockburn NHW Reference Group by providing the following Officer support:

1. Prepare the monthly NHW Agenda and disseminate to the group;
2. Attend monthly NHW Meetings and take Minutes;
3. Ensure that any correspondence from the Meeting requiring administrative attention is disseminated;
4. Provide available resources to the Group for events organised and endorsed by the Group;
5. Liaise with NHW State Coordinator, when required, on procedural requirements;
6. Maintain the NHW Volunteer database for Cockburn; and
7. Distribute information/invitations to all Cockburn NHW Volunteers, as appropriate.
8. Encourage community members who are interested in joining NHW to attend a meeting by pre-arrangement.

The City Officers will not have any voting rights.

### Volunteers

Active volunteers will be responsible to undertake the following functions:

1. Volunteers to operate in accordance with the guidelines of the NHW Volunteer Operational Procedures
2. Over a 12 month period, participate in at least five monthly NHW Reference Group meetings or activities;
3. Chair monthly meetings in absence of the Chairperson, decided by popular vote; and
4. Encourage community members who are interested in joining NHW to attend a meeting by pre-arrangement.

## Accountability and Process

The Reference Group is primarily autonomous and operates at a local level within the direction and guidance provided by the WAPOL philosophy of *'Neighbourhood Watch is a program to watch out for and help neighbours in reducing crime in the community'* via the following activities:

1. Letterbox drop promotional and community safety related material provided by the NHW State Coordinator, WA Police and City of Cockburn;
2. Organise NHW volunteers to attend Community / Resident Association meetings;
3. Attend community activities to promote NHW and crime prevention;
4. Represent NHW at City of Cockburn or NHW State organised events, as appropriate;
5. Identify opportunities to promote the NHW brand and increase volunteer

- participation;
6. Induct new Cockburn NHW volunteers and provide training opportunities;
  7. Nominate Cockburn NHW volunteers for Awards; and
  8. Organise a timetable of events and activities for the Cockburn NHW group, once endorsed at a Meeting of the Group.

## Term

Terms of Reference to be reviewed by the NHW Cockburn Reference Group every four (4) years, or as directed by Council or WAPOL.

## Meetings

Meetings are held at the City of Cockburn Administration Building on the first Wednesday of each month (except January).

The time of the meeting is to be agreed by a simple majority vote at the previous meeting by the attending active volunteers.

The City of Cockburn provides a light meal for attendees at the Meeting.

The proceedings of the meetings are to be recorded as the Minutes and confirmed as an accurate record at the following meeting.

Any information provided to the meetings on a confidential basis will not be recorded in detail to protect its integrity.

The Cockburn NHW Reference Group is a democratic forum where members are encouraged to address the Group with any safety/security issues or concerns which are in accordance with its functions.

The City of Cockburn provides financial support to the Group for sundry expenses that occur throughout the year. City Officers have the responsibility to administer these funds, in conjunction with relevant decisions of the Group



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Document Set ID: 11022995  
Version: 2, Version Date: 25/11/2022



# Multicultural Reference Group (MRG)

## Terms of Reference

May 2023

*The Multicultural Reference Group acknowledges the traditional owners of this land the Nyungar people of Beeliar Boodja. Long ago, now and in the future, they care for country.*

*The Multicultural Reference Group Nyungar moort Beeliar Boodja-K kaadadjiny, Koorra, yeyi, benang baalap nidja boodja-k kaaradjiny.*

Version no.	Date	Author	Comments/Amendments
1			
2			
3			

## Name

Multicultural Reference Group (MRG)

## Purpose

The Multicultural Reference Group acts in a guiding role and provides a voice for people of cultural and linguistically diverse (CaLD) backgrounds living in the City of Cockburn.

The group provides the City with specialist knowledge on the needs and priorities of local multicultural communities, to ensure residents wellbeing and access to services.

The group assists the City with communication and consultation with multicultural communities.

The group assists the City in identifying ways to celebrate the benefits of cultural diversity and advises of important dates and celebrations.

## Membership of the Reference Group

Membership will normally be for a term of two(2) years.

Membership terminates when an Ordinary Local Government election occurs every two years in October. Members may be reappointed.

The MRG will comprise of:

- A maximum of fifteen (15) people from diverse backgrounds who are residents of the City of Cockburn.
- Cultural Diversity Officer, City of Cockburn or equivalent position
- Elected Member/s appointed by Council in accordance with Council Policy
- City of Cockburn staff – Community Development Lead, and/or Family and Community Development Manager (or delegates).

Members join the MRG by submitting an Expression of Interest (EOI) Form and being appointed by the Group.

- Inaugural membership of non-Elected Member MRG members will be by appointment by the Chief Executive Officer or delegated officer of the City of Cockburn.

## Membership Resignation

- A member may resign from membership of the MRG by giving written notice or verbal notice of the resignation to the MRG meeting Facilitator.

- The resignation takes effect when the City's MRG Facilitator receives the notice

## Quorum

A quorum consists of eight (8) members.

## Roles & Responsibilities

### Members

- Attend, prepare for and participate in meetings
- Adhere to the Terms of Reference
- Represent community views and provide information and advice on items related to the group's purpose, scope, and objectives
- Be respectful of the Chair and assist in maintaining an orderly and positive meeting by taking turns to speak and encouraging others to voice opinions
- Maintain positive relationships and communication with City staff and Elected
- Members, to be an effective liaison.

### Chairperson

- A Chairperson is elected by the members of the Reference Group, to ensure:
  - the meeting is conducted according to the Terms of Reference
  - matters are dealt with in an orderly and efficient manner
  - meetings are kept on time.
- A Deputy Chair is elected by members and is to be Chair in the absence of the Chairperson, if neither is available then a member will be asked to Chair the meeting.

### Cultural Diversity Officer

- Coordinating the MRG
- Administrative support to the MRG
- Progression of meeting outcomes
- Liaison between the MRG and the City

### Elected Members

- Attend to provide a level of support and its membership
- Not to 'drive' the Group in achieving its objectives
- Not to try influence outcomes
- Meet responsibilities of Members as detailed in the Terms of Reference.

## Accountability and Process

Members are required to:

- Act with honesty, good faith, and integrity
- Abide by the Terms of Reference and Code of Conduct
- Actively participate in meetings
- Provide leadership in the group so that other members will be proactive and participate
- and assist the group to function well
- Declare any actual or perceived conflicts of interest at the commencement of the meeting; Represent the interests of their local community rather than individual interests or issues
- Maintain confidentiality of discussions within meetings.

Members are not permitted to:

- Liaise with the media and represent either the opinions of council or the group
- Use any Community Reference Group for any public lobbying or political purposes,
- including use of social media to promote specific campaigns or strategies
- Discuss City of Cockburn business outside of the boundaries of official MRG and the
- City of Cockburn.

## Term

The MRG will be ongoing until terminated by agreement by resolution of Council.

These Terms of Reference will be reviewed biennially in line with the Local Government election cycle and may be amended, varied, or modified in writing after consultation and agreement by resolution of Council.

### Review

- The effectiveness of the MRG is to be reviewed annually by the MRG and may be subject to a review of Council.

## Meetings

Meetings are:

- Bimonthly, (February – November) or as determined by the MRG
- Held at the City of Cockburn Administration Building or other City facilities
- Members to attend in person or virtually
- Chaired by the Chairperson or Vice Chairperson in the absence of the Chairperson
- In the absence of both Chairperson and Vice Chairperson members Cultural Diversity Officer or City of Cockburn staff present to chair the meeting.

### Decision-making

- The process of coming to agreement is generally by consensus decision-making. However, voting will be used in specific circumstances.
- A motion is carried if a majority of the Group members present at the meeting vote in favour of the motion.

### Voting rights of members

Each MRG member has one vote at a general meeting of the group.

Voting rights apply to members of the Multicultural Reference Group only, and are not applicable to City of Cockburn staff, guests and Elected Members.

If the votes are divided equally on a question, the chairperson has a casting vote.

A vote may take place by a show of hands, unless the Group decides that a secret ballot is required.

## Code of conduct for Reference Group members

Members are required to understand and be in agreement with the Code of Conduct, as breaches may result in the forfeiting of membership. Key aspects are as below, but are not limited to these stated.

### Conflicts of Interest

Reference Group members must not use their position as a means of making personal gain or influencing others in this regard. Meetings or Group discussion should therefore not be misused by bringing personal interest or potential personal gain to the agenda or discussion. This includes promotion of personal businesses or skills, particularly if there is monetary or other gain.

### Misuse of position as a Group Member

Reference Group members are not permitted to use their position to exert influence in any community setting or to claim to be representing the Reference Group without the express direction to do so from the City, or to bring disrepute to the Group or to the City.

Where approved, members may represent the Group if in an official capacity at an agreed upon function, Members are then required to do so in a professional and respectful manner.

### Communication

Members are required to use positive and respectful means of communicating with each other, with staff, and with the wider community.

Members are not to use channels of communication as a means of raising a dispute or conflict, or discussing Reference Group business without permission – specifically via social media/Facebook, email lists, radio/TV, public forums or print media.

Social media is not to be used to discuss ARG or City business, or to unfairly target individuals (members, staff or others) or breach confidentiality and/or cultural safety.

### Respect

All members of the ARG are expected to show respect and consideration for all those who provide support for this Reference Group. This includes fellow members, City staff, guests, contractors, sub-contractors and wider community members who may be present at meetings.

There will be no tolerance for acts of discrimination, victimisation, harassment or bullying of any kind.

All ARG members are expected to value and respect the diversity and contribution of all Aboriginal and Torres Strait Islander community members on the ARG.

All members are expected to engage with each other with due respect and protocol, as they would in their own communities.

All members will maintain a culturally safe and healthy meeting place to discuss Reference Group business.

### **Integrity**

Members of the ARG have a responsibility to act with good intent towards their fellow ARG members, the City of Cockburn and all who engage with the ARG. This means:

- Maintaining the Business confidentiality of the City of Cockburn (written, spoken or otherwise)
- Maintaining the Personal confidentiality of fellow ARG members and all others who support or engage the ARG (written, spoken or otherwise)
- Ensuring that the behaviour of members reflects the best interest of the ARG and the City of Cockburn, in line with the 'Respect' item above
- Declaring one's own Conflict of Interest where applicable and removing oneself from the meeting where this is the case
- Being honest, open and fair, in all dealings and conversations whilst conducting ARG business

### **Managing disputes or breaches**

Direct discussion between parties will be encouraged in the first instance where there is disagreement or potential breach of the Code of Conduct, separate to a Reference Group meeting. Staff or another third party may be appointed to be involved if required.

A letter of warning can be sent if this is deemed the most appropriate and beneficial process. However if this fails then the next step will be taken, as per below.

A formal meeting will be set up with the member alleged to have breached the Code of Conduct, to include relevant City of Cockburn staff member/s and an agreed upon Reference Group member, to discuss and give a fair hearing of members perspective.

If the breach is of a serious nature and is found to be substantiated then the Reference Group member will be asked to resign their membership. If they refuse their membership will be formally revoked.

Anyone who has had their membership revoked will not have the option of returning to the Group in the future, and this information will be kept on the Membership Register.

### **Member's agreement of Terms of Reference and Code of Conduct**

Members of the City's Cockburn Sister Cities Reference Group must have read and understood the Terms of Reference, and Code of Conduct with regard to membership of the Cockburn Sister Cities Reference Group. Breaches of the Terms of Reference or Code of Conduct may lead to removal of member(s) from the group.



I have read, understood and agree to these documents.

Multicultural Reference Group Member Name:

\_\_\_\_\_

Signature: \_\_\_\_\_

Witness: \_\_\_\_\_

Date: \_\_\_\_\_



**City of Cockburn**

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### 10.1.5 Appointment of Delegates - External Organisations

**Responsible Executive** Executive Governance and Strategy

**Author** Manager Legal and Compliance

**Attachments**

1. Extern Groups 21-23 Appointments [↓](#)
2. Elected Members Appointment Standing Committees, Reference Groups, Boards External Organisations Policy [↓](#)

#### RECOMMENDATION

That Council:

(1) NOMINATES Council Members as delegates to the following External Organisations:

1. Alcoa Kwinana Environmental Improvement Plan Advisory Group

Member	Deputy Member
Cr Corke	Cr Separovich

2. Beeliar Regional Park Community Advisory Committee

Member	Deputy Member
Cr Corke	Cr Eva

3. Cockburn Central YouthCare Council

Member	Deputy Member
Cr Dewan	

4. Cockburn Coast Liaison Group

Member	Deputy Member
Cr Corke	Mayor Howlett
Cr Separovich	

5. Cockburn Sound Management Council

Member	Deputy Member
Cr Corke	Cr Separovich

6. Jandakot Airport Community Aviation Consultation Group

Member	Deputy Member
Cr Dewan	

7. Jandakot Regional Park Community Advisory Committee

Member	Deputy Member
Cr Corke	

8. Perth Airport Municipalities Group	
Member	Deputy Member
9. Perth South West Metropolitan Alliance - South West Corridor Development Foundation (SWCDeF) and Environmental Forum	
Member	Deputy Member
Cr Dewan	Cr Corke
10. South West Metropolitan Sub Group	
Member	Deputy Member
Mayor Howlett	Cr Dewan
11. Wetlands Centre Cockburn Board of Management	
Member	Deputy Member
Cr Eva	
12. Woodman Point Regional Park Community Advisory Committee	
Member	Deputy Member
Cr Separovich	Cr Corke
13. Woodman Point Water Resource Recovery Facility Reference Group	
Member	Deputy Member
Cr Separovich	DM Widenbar

## Background

The City appoints Elected Members to external groups where requests for membership are received.

There are currently 13 external groups considered in this report, where the Council nominates Elected Members for membership.

In accordance with the City's Elected Members Appointments – Standing Committees, Reference Groups, Boards and External Organisations Policy, Elected Member appointments to these organisations lapse on the date of the next ordinary Council elections. Sitting Elected Members who were appointed to an external organisation and whose tenure remains unaffected by the election cycle will automatically be renominated for the position and first to be considered for appointment, unless they choose to resign as a Council delegate, until the next ordinary elections are held.

The purpose of this report is to consider appointments to external organisations.

**Submission**

N/A

**Report**

Council may appoint delegates to externally established committees and advisory/reference groups.

The consideration of these appointments is usually presented at the first meeting post the October elections for the purposes of facilitating two-way communication.

All memberships lapse on the date of the next ordinary Council elections.

Sitting Elected Members who were appointed to an external organisation and whose tenure remains unaffected by the election cycle will automatically be renominated for the position and first to be considered for appointment, unless they choose to resign as a Council delegate, until the next ordinary elections are held.

**Alcoa Kwinana Environmental Improvement Plan Advisory Group**

To act as a community reference group for development of an environmental improvement plan for Alcoa's Kwinana Refinery.

<b>Frequency of Meetings</b>	<b>Current Continuing Membership</b>	<b>Vacancy</b>
Ad hoc meeting	Cr Separovich	Nil

**Beeliar Regional Park Community Advisory Committee**

Organised by Department of Conservation and Land Management. This committee is formed by community members and LGAs, discusses issues pertaining to the Beeliar Regional Park and associated management plan.

<b>Frequency of Meetings</b>	<b>Current Continuing Membership</b>	<b>Vacancy</b>
Four times a year	Cr Corke Deputy Cr Eva	Nil

**Cockburn Central Youth Care Council**

Established by YouthCARE to meet the needs of our community and supporting the social, emotional, and spiritual wellbeing is increasingly important for both children and adults.

<b>Frequency of Meetings</b>	<b>Current Continuing Membership</b>	<b>Vacancy</b>
Four times a year	Cr Dewan	Nil

### Cockburn Coast Liaison Group

Comprising senior representation from the Department of Planning, cities of Cockburn and Fremantle, and DevelopmentWA, this group was established to guide the district structure plan project.

Frequency of Meetings	Current Continuing Membership	Vacancy
Ad hoc meeting.	Cr Corke Cr Separovich Deputy Mayor Howlett	Nil

### Cockburn Sound Management Council

State Government committee responsible for management of activities within the Sound and surrounding areas.

Frequency of Meetings	Current Continuing Membership	Vacancy
Four times a year.	Cr Corke Deputy Cr Separovich	Nil

### Jandakot Airport Community Aviation Consultation Group

An independent committee established to provide a forum for appropriate community engagement on airport planning and operations. The Jandakot Airport CACG comprises representatives from Federal, State and Local Governments, Airservices Australia, Jandakot Airport Holdings, aircraft operators, and local community organisations.

Frequency of Meetings	Current Continuing Membership	Vacancy
Three times a year	Cr Dewan.	Nil

### Jandakot Regional Park Community Advisory Committee

The Jandakot Regional Park Community Advisory Committee (the Committee) was established by the Department of Parks and Wildlife (DPAW) to provide a regular forum to hear public opinion and exchange advice on management issues affecting regional parks. The Committee consists of community representatives, DPAW Officers, Local Government Officers, and invites a Councillor representative from each Local Government to attend.

Frequency of Meetings	Current Continuing Membership	Vacancy
Four times a year	Cr Corke.	

### Perth Airport Municipalities Group

The Perth Airports Municipalities Group Inc (PAMG) is a not-for-profit association now comprising of thirteen local governments members. Meets with stakeholders such as the operators of Perth Airport, Jandakot Airport, representatives from Airservices Australia and the Department of Infrastructure and Regional Development & Cities to discuss matters which either directly or indirectly impact on the community such as aircraft noise, flight paths, off-airport development, on-airport development etc

Frequency of Meetings	Current Continuing Membership	Vacancy
Quarterly	No elected members appointed as this Group meeting on Thursdays	1 Member 1 Deputy

### Perth South West Metropolitan Alliance - South West Corridor Development Foundation (SWCDeF) and Environmental Forum

The Perth South West Metropolitan Alliance Board is supported by a number of internal forums that report to the CEOs' Forum.

The Perth South West Metropolitan Alliance also seeks nominations from Member Councils for committees comprising of Councillors and Officers including the South West Corridor Development Foundation Incorporated Associated (SWCDEF Inc.) and the South West Environmental Forum.

A decision was made to combine councillor representation for SWCDEF and the Environmental Forum so that each Council nominates a representative and deputy for the Environmental Forum and SWCDEF in a combined capacity.

Frequency of Meetings	Current Continuing Membership	Vacancy
5 times per year	Cr Dewan Deputy Cr Corke	Nil

### South West Metropolitan Sub Group (South West Regional Road Group)

The Metropolitan Regional Road Group was developed under the guiding principles of past and current State Roads Funds to Local Government (SRFLG) Agreements and Procedures of the State Road Funds to Local Government Advisory Committee (SAC).

The Metropolitan Regional Road Group (MRRG) manages and administers State allocated funding for Road Projects and Black Spot Programs on the local road network of the Metropolitan Region. The Metropolitan Local Governments are divided into six subgroups.

Frequency of Meetings	Current Continuing Membership	Vacancy
Once or twice yearly	Mayor Howlett Deputy Cr Dewan	Nil

### Wetlands Centre Cockburn Board of Management

Responsible for all decisions pertaining to the centre, operations, and surroundings, overseeing overarching decisions regarding the use, alteration, or development of wetlands and wetland resources.

Frequency of Meetings	Current Continuing Membership	Vacancy
Monthly	Cr Eva	Nil

### Woodman Point Regional Park Community Advisory Committee

The Department of Environment and Conservation established the Woodman Point Regional Park Community Advisory Committee in 1999 as a regular forum for public opinion and the exchange of advice on management issues affecting the Park.

The committee's role is to assist in planning for the Park and to provide advice regarding its ongoing management.

Frequency of Meetings	Current Continuing Membership	Vacancy
Three times a year	Cr Separovich Deputy Cr Corke	Nil



### Woodman Point Water Resource Recovery Facility Reference Group

The Woodman Point Water Resource Recovery Facility Reference Group is a dedicated volunteer group that represents community members living in close proximity to the plant. The group is independently chaired and meets regularly to provide community insight and feedback to inform our operations.

Frequency of Meetings	Current Continuing Membership	Vacancy
As required	Cr Separovich Deputy DM Widenbar	Nil

### Strategic Plans/Policy Implications

#### Listening and Leading

A community focused, sustainable, accountable, and progressive organisation.

- Best practice Governance, partnerships and value for money..

### Budget/Financial Implications

There are no budget implications from the recommendations in this report.

### Legal Implications

Terms of Reference or rules governing these groups are determined by the Groups. These groups are external to the City and are established under the relevant rules or legislation as applicable.

### Community Consultation

N/A

### Risk Management Implications

There are no operational risks associated with the recommendations in this report

### Advice to Proponent(s)/Submitters

N/A

### Implications of Section 3.18(3) *Local Government Act 1995*

Nil.



## Elected Member Representation – November 2021 to October 2023

## External Groups

Alcoa Kwinana Environmental Improvement Plan Advisory Group			
Elected Members	Staff	2023 Meetings	ECM Ref: 028/042
Cr Separovich	Coordinator Environmental Health	4pm - Alcoa Social Club, Hope Valley Road, Naval Base	Ashley Wright, Community Relations Officer, Kwinana Alumina Refinery <a href="mailto:Ashley.wright1@alcoa.com">Ashley.wright1@alcoa.com</a>
Beeliar Regional Park Community Advisory Committee (BRPCAC)			
Elected Members	Staff	2023 Meetings	ECM Ref: 063/006
Cr Corke Cr Eva (Dep)	Roe 8 Rehabilitation Project Manager (RP) Environmental Officer – Natural Resource (AH)	Cockburn Wetlands Education Centre, Hope Road, Bibra Lake 4pm: 9/3, 8/6, 7/9, 30/11	Tanya Davis, Dept Biodiversity, Conservation and Attractions <a href="mailto:tanya.davis@dbca.wa.gov.au">tanya.davis@dbca.wa.gov.au</a>
Cockburn Central Youth Care Council (CYCC)			
Elected Members	Staff	2023 Meetings	ECM Ref: 162/003 or 097/015
Cr Dewan		Jandakot Primary School Feb, May, Aug, Nov	Trevor Harvey - 0419 961 966 <a href="mailto:trevor@harves.net">trevor@harves.net</a>
Cockburn Coast Liaison Group			
Elected Members	Staff	2023 Meetings	ECM Ref: 028/041
Cr Separovich Cr Corke	Mayor Howlett (Dep) Chief of Built and Natural Environment (DA) Head of Planning (CC)	Administration Building – ad hoc	Paul Gazzzone – Development WA <a href="mailto:Paul.Gazzzone@developmentwa.com.au">Paul.Gazzzone@developmentwa.com.au</a>
Cockburn Sound Management Council			
Elected Members	Staff	2023 Meetings	ECM Ref: 028/038
Cr Corke Cr Separovich (Dep)	Head of Sustainability and Environment	3/2/, 5/5, 4/8, 3/11 (Venues tbc)	Tina Runnion, Dept Water & Enviro <a href="mailto:tina.runnion@dwer.wa.gov.au">tina.runnion@dwer.wa.gov.au</a>
Jandakot Airport Community Aviation Consultation Group (JACACG)			
Elected Members	Staff	2023 Meetings	ECM Ref: 028/043
Cr Dewan	Senior Strategic Planner (DR)	Jandakot Airport Management, 16 Eagle Drive, Jandakot 4pm   6/6, 5/9, 5/12/2023	Nicole Hardy, CACG Secretary, C/- Jandakot Airport Holdings P/L <a href="mailto:cacg@jandakotairport.com.au">cacg@jandakotairport.com.au</a> <a href="mailto:operations@jandakotairport.com.au">operations@jandakotairport.com.au</a>
Jandakot Regional Park Community Advisory Committee (JRPCAC)			
Elected Members	Staff	2023 Meetings	ECM Ref: 063/006 – 028/025
Cr Corke	Roe 8 Rehabilitation Project Manager Environmental Officer Natural Resource	Cockburn Wetlands Education Centre, Hope Road, Bibra Lake 4.30pm: 16/3, 15/6, 21/9, 7/12/2023	Tanya Davis, Dept Biodiversity, Conservation & Attractions 9442 0300 <a href="mailto:tanya.davis@dbca.wa.gov.au">tanya.davis@dbca.wa.gov.au</a>
Perth Airport Municipalities Group (PAMG)			
Elected Members	Staff	Meeting Details	ECM Ref: 028/020
This Group currently has no CoC Elected Member Representation	Manager Strategic Planning	5pm to 6.30pm	PAMG Secretary <a href="mailto:PAMG@belmont.wa.gov.au">PAMG@belmont.wa.gov.au</a>



## Elected Member Representation – November 2021 to October 2023

<b>Perth South-West Metropolitan Alliance – Environmental Forum/ SWCDEF</b>			
Elected Members	Staff	2023 Meetings	ECM Ref: 028/039
Cr Dewan Cr Corke (Dep)	Coordinator Environmental Management, Planning & Policy Environmental Officer Natural Resource	16/2 (12pm) Rockingham 11/5 (12pm) Cockburn 17/8 (12pm) East Fremantle 9/11 (12pm) Fremantle	Joanna Ong (City of Melville) <a href="mailto:Joanna.Ong@melville.wa.gov.au">Joanna.Ong@melville.wa.gov.au</a>
<b>Metropolitan Regional Road Group (MRRG) – South-West Metropolitan Sub-Group (SWMSG)</b>			
Elected Members	Staff	2023 Meetings	ECM Ref: 028/021
Mayor Howlett Cr Dewan (Dep)	Manager Civil Projects (AA) Head of Projects (TG) Manager Transport and Traffic (BM)	Various	Kimberley Broszlt (City of Melville)
<b>Wetlands Centre Cockburn Board of Management</b>			
Elected Members	Staff	2023 Meetings	ECM Ref: 064/001
Cr Eva			(08) 9417 84600 <a href="mailto:community@thewetlandscentre.org.au">community@thewetlandscentre.org.au</a>
<b>Woodman Point Regional Park Community Advisory Committee (WPRPCAC)</b>			
Elected Members	Staff	2023 Meetings	ECM Ref: 028/036 – 063/006
Cr Separovich Cr Corke (Dep)	Head of Sustainability and Environment Enviro Coordinator, Management, Planning & Policy (RG) Environmental Officer (LA)	Woodman Point Recreation Camp, 5pm: 5/7, 13/9, 6/12	Tanya Davis, Dept Biodiversity, Conservation & Attractions - 9442 0300 <a href="mailto:tanya.davis@dbca.wa.gov.au">tanya.davis@dbca.wa.gov.au</a>
<b>Woodman Point Wastewater Treatment Plant Community Reference Group (WPWWTPCRG)</b>			
Elected Members	Staff	2023 Meetings	ECM Ref: 028/036
Cr Separovich DM Widenbar (Dep)		As required	Jess Moloney-Christie, Water Corporation - 9420 2883 <a href="mailto:Jess.Moloney-Christie@watercorporation.com.au">Jess.Moloney-Christie@watercorporation.com.au</a>

<b>Title</b>	<b>Elected Members Appointments – Standing Committees, Reference Groups, Boards &amp; External Organisations</b>
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### Policy Type

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Council

### Policy Purpose

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This policy is to provide the guidance for Council to establish Standing Committees, Reference Groups and to appoint delegates to external committees/groups. It outlines the membership and requirements of such groups. Additionally it covers the broad principles around participation in external committees/groups.

### Policy Statement

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Generally, appointments to Standing Committees, Reference Groups and external committees/groups will be made biennially, following Council elections. When required, membership changes may be made; new groups may be established and appointments made, and or groups disbanded or membership ceased to external groups.

For all appointments, the Chief Executive Officer, or another officer allocated by the CEO for this purpose, is to seek expressions of interest from Elected Members. In seeking expressions of interest, the Chief Executive Officer is to provide as much information as possible, including frequency / timing of meetings and whether remuneration to members is applicable. The following process for nominations and appointments is to be applied:

(1) Standing Committees

The Local Government Act 1995, Section 5.8, states that a local government may establish committees to assist the Council and exercise the powers and discharge the duties of the local government that can be delegated to committees. Section 5 of the Act refers.

Elected Member appointments will be considered at the first Ordinary Council Meeting following the elections, unless there is a time imposed requirement for any related Committee Meeting to be held prior, in order to facilitate the business of that Committee. In those circumstances, a Special Meeting of Council will consider the appointment of members to the Committee/s.

The Terms of Reference (TOR) for each Standing Committee will be provided to all elected members with the relevant Agenda for the Meeting at which the appointments are to be considered.

Elected Members wishing to be considered for membership of any Standing Committee are to nominate their intent to the CEO, or another officer nominated by the CEO for this purpose, any time following the receipt of the Agenda Papers for the Meeting at which the appointments are to be made. It is allowable for Elected Members to nominate as either a Member, or Deputy Member, of a Committee

[1]

Title	<b>Elected Members Appointments – Standing Committees, Reference Groups, Boards &amp; External Organisations</b>
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### **PROCEDURE**

Nominations from Elected Members for appointment to any Standing Committees will be administratively recorded to verify the time each nomination is received by the City.

At 10.00am on the day of the Council Meeting at which the appointments are to be considered, the CEO will ensure that all nominations from Elected Members are documented in the order which they were received.

At the point of the Meeting where nominations are to be considered, the Presiding Member will advise the Meeting of the name/s of the Elected Member/s and, if necessary, order the nominations for each Committee to be considered and put in the form of several motions, pursuant to Standing Orders Clause 10.5.

The sequence of the motions will be put in the order that they were received from each Elected Member and will be voted upon until each nomination is considered, or withdrawn.

#### (2) Reference Groups

Council may establish reference groups for the purposes of dealing with issues of special focus or nature. These groups have no decision making authority but may provide advice and recommendations to Council.

A Terms of Reference is to be established for each group. The Terms of Reference is to include:

1. Name of the group
2. Purpose of the group
3. Membership of the group
4. Quorum
5. Roles and Responsibilities
6. Accountability (reporting structure and process)
7. Term (if temporary) or planned review of group
8. Meeting information – frequency, records, communication, confidentiality

Elected Member appointments to Reference Groups will be considered at the first Ordinary Council Meeting following the elections. All memberships lapse on the date of the next ordinary Council elections. Sitting Elected Members who were appointed to a Reference Group and whose tenure remains unaffected by the election cycle will be automatically be renominated for the position and first to be considered for appointment, unless they choose to resign as a member of the Reference Group, until the next ordinary elections are held.

Any other Elected Member wishing to be considered for membership of any Reference Group is to nominate their intent to the CEO, or another officer appointed by the CEO for this purpose, any time following the receipt of the Agenda Papers for the Meeting at which the appointments are to be made.

[2]

<b>Title</b>	<b>Elected Members Appointments – Standing Committees, Reference Groups, Boards &amp; External Organisations</b>
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The process for dealing with the nominations and having them formally considered by Council will follow the same procedure applicable to Standing Committees, as noted in (1) above.

(3) External Organisations

Council may appoint delegates to externally established committees and advisory / reference groups for the purposes of facilitating two way communications.

Elected Member appointments to these organisations will be considered at the first Ordinary Council Meeting following the elections. All memberships lapse on the date of the next ordinary Council elections. Sitting Elected Members who were appointed to an external organisation and whose tenure remains unaffected by the election cycle will automatically be renominated for the position and first to be considered for appointment, unless they choose to resign as a Council delegate, until the next ordinary elections are held.

Where a vacancy exists on an External Organisation for a Council appointed delegate, any Elected Member wishing to be considered for the position is to nominate their intent to the CEO, or another officer appointed by the CEO for this purpose, any time following the receipt of the Agenda Papers for the Meeting at which the appointments are to be made.

The process for dealing with the nominations and having them formally considered by Council will follow the same procedure applicable to Standing Committees, as noted in (1) above

To ensure that Council appointed delegates to external groups do not compromise or commit Council on issues, delegates are to comply with the following principles.

1. Council appointed delegates to external committees or organisations may provide input and vote on matters under consideration, provided that their input is not, or could be, in conflict with a position of Council and is otherwise considered by the delegate to be in the best interests of the City of Cockburn.
2. Where an issue, or issues, under consideration by an external committee or organisation is known to be, or could be, in conflict with a formal position of Council, it is the responsibility of the Council appointed delegate to present the formal Council position to the committee or organisation at which he or she is representing Council.
3. In cases where a matter under consideration by the external committee or organisation is known in advance and is likely to be of specific interest to Council, the Council appointed delegate should notify the Chief Executive Officer (CEO) of the matter immediately, and prior to the meeting at which the matter is to be discussed, for advice.

[3]

<b>Title</b>	<b>Elected Members Appointments – Standing Committees, Reference Groups, Boards &amp; External Organisations</b>
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4. Where, in the opinion of the CEO, the matter is of a politically sensitive nature, the CEO shall refer the matter to the Mayor to, if appropriate, make a statement on behalf of the City.
5. Where the Mayor speaks on behalf of Council on an issue pursuant to Clause (3) 3 above, this position shall be made known to the Council appointed delegate to convey to the relevant meeting at which the issue is to be considered.
6. Should an issue arise at a meeting of which no previous indication or notice was given, and which is, or could be, of interest to Council, the Council appointed delegate should inform the meeting of that fact and refrain from formally participating in any outcome associated with the issue or committing Council, or presenting an opinion on the matter, on behalf of Council.
7. Where a Council appointed delegate to an external committee or organisation is uncertain whether an item or issue raised at a meeting of the committee or organisation is, or is likely to be, an issue of interest to the Council, the delegate should preface any remarks or action taken in the role of Council delegate that, in the absence of any formal position adopted by the City in relation to the matter, the comments and other participatory action by the delegate are provided to the best of the delegate’s knowledge as being in the best interests of the City of Cockburn, but may be subject to being amended or overruled in the future, by decision of the Council.

Strategic Link:	Strategic Community Plan
Category	Elected Members
Lead Business Unit:	Governance, Risk Management and Compliance
Public Consultation: (Yes or No)	No
Adoption Date: (Governance Purpose Only)	10 June 2021
Next Review Due: (Governance Purpose Only)	June 2023
ECM Doc Set ID: (Governance Purpose Only)	8232349

[4]

Document Set ID: 8232349  
Version: 4, Version Date: 18/06/2021

## 10.1.6 Fees and Allowances

<b>Responsible Executive</b>	Executive Governance and Strategy
<b>Author</b>	Manager Legal and Compliance
<b>Attachments</b>	<ol style="list-style-type: none"><li>1. Elected Members Entitlements - Allowances and Reimbursements Policy <a href="#">↓</a></li><li>2. Local Government Chief Executive Officers and Elected Members Determination No 1 of 2023 (FINAL) <a href="#">↓</a></li></ol>

### RECOMMENDATION

That Council:

- (1) Pursuant to section 5.98(1)(b) of the *Local Government Act 1995*, ENDORSES that the Mayor, and Councillors (Elected Members) are to receive the maximum annual attendance fee specified by the Salaries and Allowances Tribunal pursuant to the *Salaries and Allowances Act 1975*; and
- (2) Pursuant to section 5.98(5) of the *Local Government Act 1995*, ENDORSES that the Mayor is to receive the maximum annual allowance specified by the Salaries and Allowances tribunal pursuant to the *Salaries and Allowances Act 1975*; and
- (3) Pursuant to section 5.98A(1) of the *Local Government Act 1995*, ENDORSES that the Deputy Mayor is to receive the maximum annual allowance specified by the Salaries and Allowances Tribunal pursuant to the *Salaries and Allowances Act 1975*; and
- (4) Pursuant to s5.99A of the *Local Government Act 1995* ENDORSES the Elected Members receive the maximum allowance specified by the Salaries and Allowances Tribunal, pursuant to the *Salaries and Allowances Act 1975*, less the costs of supplied ICT hardware and equipment

**TO BE CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL**

### Background

Council reviews the Annual Fee/Meeting Fee payable to the Mayor, Deputy Mayor, Councillors, and allowances payable following each Ordinary Election.

The purpose of this report is to affirm, or set, as required, the fees and allowances payable to Elected Members, in accordance with City's Elected Members Entitlements - Allowances and Reimbursements Policy (the Policy).

### Submission

N/A



## Report

The Policy recommends payment of the maximum that the Mayor and Deputy Mayor be paid the maximum amount determined by the Salaries and Allowances Tribunal of the annual allowance to which the Mayor/Deputy Mayor is entitled, subject to the formal resolution of Council.

The Policy also recommends that meeting attendance fees are paid by way of an annual allowance, and be the maximum determined by the Salaries and Allowances Tribunal, subject to the formal resolution of Council.

The current maximum allowances are as follows:

Allowance	Maximum
Mayoral Allowance	\$93,380
Deputy Mayor Allowance	\$23,345
Mayor Meeting Allowance	\$49,435
Councillor Meeting Allowance	\$32,960

All Elected Members are paid the maximum annual amount for ICT Expenses subject to the formal resolution of Council. The allowance will be paid annually in advance within the range set by the Salaries and Allowances Tribunal through a determination from time to time, calculated from each ordinary election and the full amount will be provided for in each annual budget.

With respect to ICT expenses, the Tribunal's intention is for the maximum annual allowance to cover the cost of providing ICT hardware and equipment. It is not the intention for the allowance to be paid in addition to providing equipment and hardware.

ICT expenses means:

- (a) rental charges in relation to one telephone and one facsimile machine, as prescribed by regulation 31(1)(a) of *Local Government (Administration) Regulations 1996*, (the LG Regulations);
- (b) any other expenses that relate to information and communications technology (for example, telephone call charges and internet service provider fees) and that are a kind of expense prescribed by regulation 32(1) of the LG Regulations; or
- (c) any expenses, including the purchase costs, of ICT hardware provided to elected members.

Elected Members will receive the maximum allowance of \$3,500, less the costs associated with providing ICT hardware and equipment.

## Strategic Plans/Policy Implications

### Listening and Leading

A community focused, sustainable, accountable, and progressive organisation.

- Best practice Governance, partnerships and value for money.

## Budget/Financial Implications

The costs associated with the recommendations in this report were adopted by Council with the FY24 Budget.

## Legal Implications

Elected Members are not required to declare a financial interest in this item.

### **5.98. Fees etc. for council members**

- (1A) In this section — determined means determined by the Salaries and Allowances Tribunal under the Salaries and Allowances Act 1975 section 7B.
- (1) A council member who attends a council or committee meeting is entitled to be paid —
- (a) the fee determined for attending a council or committee meeting; or
  - (b) where the local government has set a fee within the range determined for council or committee meeting attendance fees, that fee.
- (2A) A council member who attends a meeting of a prescribed type at the request of the council is entitled to be paid —
- (a) the fee determined for attending a meeting of that type; or
  - (b) where the local government has set a fee within the range determined for meetings of that type, that fee

### **5.98A. Allowance for deputy mayor or deputy president**

- (1) *A local government may decide\* to pay the deputy mayor or deputy president of the local government an allowance of up to the percentage that is determined by the Salaries and Allowances Tribunal under the Salaries and Allowances Act 1975 section 7B of the annual local government allowance to which the mayor or president is entitled under section 5.98(5). \* Absolute majority required.*
- (2) *An allowance under subsection (1) is to be paid in addition to any amount to which the deputy mayor or deputy president is entitled under section 5.98.*

**5.99. Annual fee for council members in lieu of fees for attending meetings**

*A local government may decide\* that instead of paying council members a fee referred to in section 5.98(1), it will instead pay all council members who attend council or committee meetings —*

- (a) the annual fee determined by the Salaries and Allowances Tribunal under the Salaries and Allowances Act 1975 section 7B; or*
- (b) where the local government has set a fee within the range for annual fees determined by that Tribunal under that section, that fee. \* Absolute majority required*

**5.99A. Allowances for council members in lieu of reimbursement of expenses**

- (1) A local government may decide\* that instead of reimbursing council members under section 5.98(2) for all of a particular type of expense it will instead pay all eligible council members —*
  - (a) the annual allowance determined by the Salaries and Allowances Tribunal under the Salaries and Allowances Act 1975 section 7B for that type of expense; or*
  - (b) where the local government has set an allowance within the range determined by the Salaries and Allowances Tribunal under the Salaries and Allowances Act 1975 section 7B for annual allowances for that type of expense, an allowance of that amount, and only reimburse the member for expenses of that type in excess of the amount of the allowance. \* Absolute majority required*

**Community Consultation**

N/A

**Risk Management Implications**

There are no operational risks associated with the recommendations in this report.

**Advice to Proponent(s)/Submitters**

N/A

**Implications of Section 3.18(3) Local Government Act 1995**

Nil

<b>Title</b>	<b>Elected Members Entitlements - Allowances &amp; Reimbursements</b>
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### Policy Type

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Council

### Policy Purpose

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The objectives of this policy are:

1. To provide a clear outline of entitlements available to Elected Members under the Local Government Act 1995 ( the Act) and Local Government (Administration) Regulations 1996 ( the Regulations) and within the prescribed ranges established by the Salaries and Allowances Tribunal through a determination published in the Government Gazette from time to time.
2. To enable Elected Members to be accessible to the community, their colleagues and the City's staff.

Equipment and facilities subject to this policy are provided to Elected Members on the absolute understanding that they will not be used for any election purposes.

### Policy Statement

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In addition to those entitlements available to Elected Members (Member/s) under legislation, the policy outlines "approved expenses" the City will reimburse to Elected Members when incurred in their capacity as an Elected Member.

The Council also recognises that Elected Members have a responsibility to undertake training and development necessary to fulfil their duties of public office. To this end Council has a separate policy "Attendance at Conferences, Seminars and Training" which provides for allowances to facilitate attendance at conferences and training opportunities.

#### (1) Prescribed allowances

##### 1. Mayoral Allowance

The annual local government allowance for the Mayor (in addition to any fees or reimbursements of expenses payable under the Act and Regulations) is recommended to be the maximum amount as determined by the Salaries and Allowances Tribunal, subject to the formal resolution of Council

##### 2. Deputy Mayoral Annual Allowance

An annual local government allowance is to be paid to the Deputy Mayor (in addition to any fees or reimbursements of expenses payable under the Act and-Regulations), is recommended to be the maximum percentage determined by the Salaries and Allowances Tribunal of the annual allowance to which the Mayor is entitled, subject to the formal resolution of Council.

[1]

Title	<b>Elected Members Entitlements - Allowances &amp; Reimbursements</b>
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3. Annual Meeting Attendance Allowance

In lieu of paying Elected Members a meeting attendance fee for Council, Committee or prescribed meetings, it is recommended to pay the maximum amount within the range set by the Salaries and Allowances Tribunal from time to time that may be paid annually, subject to the formal resolution of Council.

(2) Prescribed expense reimbursements (Administration Regulation 31(1)(b))

1. Travel expenses

Elected members who attend Council, Committee, Council appointed Reference Groups or other formally arranged meetings, briefings, civic functions, seminars or training on behalf of the Council, are entitled to be reimbursed travel expenses. Councillors will be automatically paid the prescribed mileage, allowance for attendance at formal Council meetings and Standing Committee meetings, in accordance with Clause (9) 2(a) of this Policy.

2. Child care costs

Elected members are entitled to be reimbursed childcare costs, while attending Council and Committee Meetings and other meetings.

In accordance with Regulation 31(1)(b) of the *Local Government (Administration) Regulations 1996*, childcare costs will be paid to the maximum allowance as determined by the Salaries and Allowances Tribunal annual determination, or the actual cost per hour, whichever the lesser amount is.

The expense incurred for childcare costs can be reimbursed using the claim form and substantiated with details of date(s), the provider's name and address, meeting/event attended and number of hours, together with original receipts attached to the claim form, or other proof of expenditure.

Childcare costs will not be paid for where the care is provided by a family member living in the same premises as the Elected Member.

(3) Discretionary expense reimbursements (Administration Regulation 32(1))

1. Parking

Car-parking fees:

- (a) Incurred attending an event in their capacity as a Council member; or
- (b) Incurred where an Elected Member having driven their private vehicle to their place of work, attends an event (in their capacity as a Council Member) directly following work, instead of travelling to the event by taxi.

[2]

<b>Title</b>	<b>Elected Members Entitlements - Allowances &amp; Reimbursements</b>
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2. Minor hospitality

Elected Members may be reimbursed reasonable minor hospitality costs, up to a maximum amount of \$30, incurred while attending meetings, functions, events and other occasions while undertaking the recognised functions of an Elected Member referred to elsewhere in this Policy.

3. Consumable Office supplies

Elected members may be reimbursed for any consumable office supplies reasonably required to undertake the recognised functions of an Elected Member, excluding any costs incurred relevant to any elections.

4. Other approved expenses

Council will reimburse the following expenses incurred by Elected Members in carrying out their duties or performing their functions:

- (a) Dry cleaning specifically incurred because of attending recognised Council related functions referred to elsewhere in this Policy
- (b) Hire of clothing when attending a recognised Council related function.
- (c) Permissible personal expenses not otherwise paid in advance by the City incurred as a result of attending a conference, seminar or training as a delegate of Council in accordance with Council Policy "Attendance at Conferences, Seminars and Training".
- (d) Reimbursement of legal representation costs incurred in accordance with Council Policy "Legal Representation & Costs Indemnification – Elected Members & Employees".
- (e) Reimbursement of one(1) Membership of a Professional Association per year, subject to the purpose of the Association being related to the role or function of an elected member, up to a maximum value of \$1,000.

(4) Prescribed allowances paid in lieu of reimbursements

1. Information and Communication Technology (ICT) Allowance

All Elected Members are paid the maximum annual amount for ICT Expenses subject to the formal resolution of Council. The allowance will be paid annually in advance within the range set by the Salaries and Allowances Tribunal through a determination from time to time, calculated from each ordinary election and the full amount will be provided for in each annual budget. The ICT Allowance is for costs relating to:

- (a) telephone rental at the Elected Members' private residence;
- (b) Council related charges for telephone calls made from telephones located at the Elected Members' private residences; and
- (c) mobile telephone rental and call charge plans.
- (d) Laptop, iPad or any desktop computer (with monitor), including,
  - appropriate software

[3]

<b>Title</b>	<b>Elected Members Entitlements - Allowances &amp; Reimbursements</b>
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- printer/scanner
- broadband internet access and router
- associated consumables

(5) Discretionary non-monetary allowances paid in lieu of reimbursements

1. Equipment and stationery

Elected Members will be eligible to receive the following to assist them to undertake the recognised functions of an Elected Member.

- (a) Elected Members will be provided with a mobile computer, compatible with the City's security and other systems.
- (b) Elected Members will be provided with access to a computer for their use within the City's Administration Centre.
- (c) Elected Members will be supplied, as reasonably required to undertake the functions of an Elected Member, with:
  - i. Business cards, and
  - ii. Letterhead template.
- (d) Elected Members will be supplied with a name badge at the commencement of their term of office. Replacement name badges will be supplied, upon request, if lost, stolen, damaged or worn.

(6) Mayoral Vehicle Provision

1. The position of Mayor shall, for the purpose of carrying out the recognised functions of the Mayoral office, be entitled to receive the provision of a fully maintained local government owned vehicle to the equivalent standard of that provided to the Senior Employees. The Mayor of the day may elect to choose a vehicle of a lesser standard at his/her discretion, subject to the City's Light Fleet Purchasing Guidelines.
2. All costs associated with the private use of the Mayoral vehicle are to be reimbursed to the City of Cockburn by the Mayor in accordance with the "Mayoral Motor Vehicle Agreement" detailed in (6) 3 below.
3. Details of the arrangement for the provision, use and responsibilities for the vehicle in (6) 2 above is included in a Deed of Agreement between the City of Cockburn and the Mayor.
4. The calculation of the reimbursement for the private use is by way of a Logbook in accordance with the requirements of the Australian Taxation Office.
5. All disputes in regard to this policy will be referred to the Chief Financial Officer in the first instance. In the event that the Member and the Director cannot reach an agreement, the matter will be submitted to Council for resolution.

[4]

Title	Elected Members Entitlements - Allowances & Reimbursements
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(7) Provision of Support

1. Mayor

The Mayor shall, in carrying out the Mayoral duties and responsibilities, be entitled to receive, the benefit of the following facilities and resources without the reduction of the fees and allowances approved by Council under section 5.98, 5.98A, 5.99 and 5.99A of the Local Government Act 1995.

- (a) the use of an office;
- (b) a City employee or other employee resource to the extent considered appropriate by the CEO ;
- (c) all items associated with the effective and efficient administration of the Mayor's office as determined from time to time by the CEO;
- (d) access to the Elected Member's Lounge and refreshments; and
- (e) the provision of paper copies of all Council and Committee Meeting agendas, upon written request to the CEO.

2. Deputy Mayor and other Councillors:

The Deputy Mayor and other Councillors shall in carrying out their civic duties and responsibilities be entitled to receive the benefit of the following facilities and resources without the reduction of the fees and allowances approved by Council under section 5.98, 5.98A, 5.99 and 5.99A of the *Local Government Act 1995*:

- (a) access to the Elected Member's Lounge and refreshments;
- (b) access to a suitably equipped shared office, reading room, meeting and conference rooms within the Administration Centre with photocopying, printing, facsimile, internet and telephone facilities, as deemed necessary by the CEO to fulfil their Council related functions;
- (c) some secretarial support as deemed necessary by the CEO including limited word processing, photocopying, and postage; and
- (d) the provision of paper copies of all Council and Committee Meeting agendas, upon written request to the CEO.

(8) Insurance

The City will insure or provide insurance cover for Elected Members for:

1. Accidental injury whilst engaged in the performance of the official duties of their office, including direct travel to and from activity.
2. Liability for matters arising out of the performance of the official duties of their office but subject to any limitations set out in the policy of cover/insurance.
3. Spouses/partners of Elected Members when the spouse/partner is accompanying the Member in an official (non-personal) capacity.

[5]



<b>Title</b>	<b>Elected Members Entitlements - Allowances &amp; Reimbursements</b>
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(9) Policy Administration

1. Time Limit on Claims and Approval Process

- (a) Elected Members applying to receive reimbursement of expenses in accordance with the provision of this policy must submit the appropriate Reimbursement of Expenses Form to the Chief Executive Officer, together with acceptable supporting documentation.
- (b) Requests for reimbursement must be received within six (6) calendar months after the expenses is incurred.

2. Payment of fees/allowances

- (a) All Allowances will be paid automatically unless an Elected Member has advised the Chief Executive Officer in writing that they do not want to claim any or part of the available allowances.
- (b) All allowances will be paid monthly in arrears, except for the ICT allowance which will be paid annually in advance, calculated from each ordinary election and will be provided for in each annual budget.
- (c) Any taxation liability arising from these payments is the individual responsibility of each Elected Member.
- (d) If an Elected Member has previously advised that they do not want all or part of the available allowances that they are entitled to, any subsequent request for full or additional payment will not be back paid, but will accrue from the date of such request.
- (e) If an Elected Member ceases to hold office, payment will only be made up to and including the final day of engagement.

3. Dispute Resolution

Any disputes regarding this policy will be referred to the Chief Executive Officer in the first instance. If the Elected Member and the Chief Executive Officer cannot reach an agreement, the matter will be reported to Council for resolution.

Strategic Link:	Governance Framework
Category	Elected Members
Lead Business Unit:	Governance, Risk and Compliance
Public Consultation: (Yes or No)	No
Adoption Date: (Governance Purpose Only)	14 July 2022
Next Review Due: (Governance Purpose Only)	The policy is to be reviewed every two years through consultation with Elected Members to ensure that it meets its objective and provides clear accountability requirements unless legislative amendments require an immediate review.  July 2024
ECM Doc Set ID: (Governance Purpose Only)	8232292

[6]

Document Set ID: 8232292  
Version: 8, Version Date: 29/07/2022

## WESTERN AUSTRALIA

## SALARIES AND ALLOWANCES ACT 1975

## DETERMINATION OF THE SALARIES AND ALLOWANCES TRIBUNAL

## ON LOCAL GOVERNMENT CHIEF EXECUTIVE OFFICERS AND ELECTED MEMBERS

## Pursuant to Section 7A and 7B

6 April 2023

## PREAMBLE

**Statutory Context**

1. Section 7A of the *Salaries and Allowances Act 1975* ('the SA Act') requires the Salaries and Allowances Tribunal ('the Tribunal') to "inquire into and determine, the amount of remuneration, or the minimum and maximum amounts of remuneration, to be paid or provided to chief executive officers of local governments".
2. Under Section 7B(2) of the SA Act, the Tribunal must inquire into and determine the amount of:
  - fees, or the minimum and maximum amounts of fees, to be paid under the *Local Government Act 1995* ('the LG Act') to elected council members for attendance at meetings;
  - expenses, or the minimum and maximum amounts of expenses, to be reimbursed under the LG Act to elected council members; and
  - allowances, or the minimum and maximum amounts of allowances, to be paid under the LG Act to elected council members.
3. By issuing this Determination, the Tribunal discharges its obligations under Section 8 of the SA Act, which requires determinations under sections 7A and 7B to be issued at intervals of not more than 12 months.

**Considerations**

4. The Tribunal has considered sections 2.7 to 2.10 and section 5.41 of the LG Act, which outlines the roles and responsibilities of local governments, councillors, mayors, presidents and their deputies, and the functions of local government Chief Executive Officers (CEOs).
5. The Tribunal invited individual local governments, the Department of Local Government, Sport and Cultural Industries, the Western Australian Local Government Association, Local Government Professionals WA and other interested individuals to provide information or submissions regarding developments across the sector.

6. Eleven submissions were received. All submissions received were considered within the Tribunal's deliberations.

#### **Band allocation model**

7. The Tribunal continues to apply the four Band allocation model. The model allows a number of measurable and non-measurable factors to be considered when assessing appropriate levels of remuneration. The model is adjusted annually to accommodate incremental increases experienced by all organisations.
8. The Tribunal notes that the remuneration ranges provide flexibility to local governments to set remuneration within the allocated Band. The Tribunal will only adjust a Band classification when a local government or regional local government can demonstrate a substantial and sustained increase in functions, roles or scope of the organisation.

#### **Christmas and Cocos Islands**

9. In 2016, the Commonwealth and WA Governments entered an agreement under the *Christmas Island Act 1958* (Cth), the *Cocos (Keeling) Islands Act 1995* (Cth) and the *Indian Oceans Territories (Administration of Laws) Act 1992* (WA), by which the Tribunal has the power to determine the remuneration of local government CEOs and the fees, expenses and allowances for local government elected members of the Shires of Christmas Island and Cocos (Keeling) Islands.
10. This inquiry reviewed remuneration provided by the Shires of Christmas and Cocos (Keeling) Islands.

#### **CONCLUSIONS**

11. The Tribunal has determined that CEO remuneration Bands be increased by 3.5%. The Tribunal considered this appropriate given the economic conditions, the wider public service framework and the mandatory 0.5% superannuation increase from July 2023.
12. The Tribunal notes that each local government must set remuneration within the band to which it is allocated. Any increase, within the bands, must be determined by each local government through its own assessment of whether changes are justified.
13. In reviewing the band allocation model and all other relevant information, the Tribunal has examined local governments with potential to change band classification. The Tribunal considers no change is warranted for any local government at this time.
14. When establishing eligibility for a Regional/Isolation Allowance and the rates as part of the 2012 inquiry, the Tribunal considered the District Allowance (Government Officers) General Agreement 2010 amount and boundaries. The Tribunal also considered the regional price index, isolation as measured by the Accessibility/Remoteness Index of Australia, climate as measured by the Bureau of Meteorology's Relative Strain Index, and market and recruitment pressures in these regions. Specific issues associated with a Local Government brought to the

Tribunal's attention through either submissions or the Tribunal's meetings was also considered.

15. A formula was developed using maximum district allowance rates, market recruitment pressures, and an additional allowance based on specific local issues. The quantum of this formula and boundary has been reviewed in previous inquiries, and again in this inquiry with the Tribunal determining it remains as the most appropriate method for determining eligibility and rates for the Regional/Isolation Allowance.
16. The Regional/Isolation Allowance rates have been reviewed and increased up to a maximum of \$10,000, reflecting market conditions and pressures.
17. The application of motor vehicles provided to Chief Executive Officers as a tool of the trade is being reviewed to determine if it should be applied to a wider group of regional local governments.
18. The reimbursement of motor vehicle expenses for members has been updated to reflect application of the 1600cc Motor Vehicle Allowance (MVA) rate under the *Local Government Officers' (Western Australia) Award 2021* for members seeking reimbursement for use of their personal Electric Vehicle. This follows advice received from Government Sector Labour Relations, Department of Mines, Industry Regulation and Safety. The Tribunal is keeping abreast of changes to the MVA rates as they relate to Electric Vehicles and will update the determination accordingly should these be amended in the future.
19. The Tribunal has determined Elected Member attendance fees, and annual allowance ranges be increased by 1.5%, rounded to the nearest \$5. The Tribunal considered this appropriate given the expectation of a degree of voluntary service as an elected member, and as fees and allowances are not intended to be full time salaries.
20. The Tribunal received submissions requesting changes to annual allowances provided to elected members in lieu of expenses. The annual allowance for travel and accommodation expenses has been increased to \$100. All other allowances remain unchanged.
21. Clarity had been sought on the annual allowance for ICT expenses. The annual allowance is intended to provide councils with flexibility and recognises the varied scenarios and preferences local governments may have in providing ICT to elected members, to enable them to undertake their duties.
22. If an annual ICT allowance is preferred over reimbursement of costs, councils must calculate, with consideration to their internal policies and procedures, including asset management, an amount within the ICT allowance range (currently \$500 - \$3,500) that considers the total cost of ICT and ensures payment will not result in a windfall gain for council members. It is not intended for the maximum ICT allowance to be paid in addition to providing equipment and hardware.
23. It is emphasised that fees and allowances, in lieu of reimbursement of expenses, provided to elected members are not considered payment for work performed in a manner akin to regular employment arrangements. Elected members are provided these fees and allowances to

recognise the commitment of their time and to ensure there are no out of pocket expenses incurred in the fulfilment of their duties. The Tribunal's original 2013 determination stated that "fees and allowances provided to elected members are not intended to be full time salaries for members". The Tribunal continues to recognise the degree of voluntary community service in the role of elected members.

24. The explanatory notes have been updated providing clarity on instances where a deputy is performing the functions of a mayor or president.

The Determination will now issue.

**DETERMINATION FOR LOCAL GOVERNMENT CHIEF EXECUTIVE OFFICERS  
AND ELECTED MEMBERS PURSUANT TO SECTION 7A AND 7B OF THE  
SALARIES AND ALLOWANCES ACT 1975**

**PART 1: INTRODUCTORY MATTERS**

*This Part deals with some matters that are relevant to the determination generally.*

**1.1 Short title**

This determination may be cited as the *Local Government Chief Executive Officers and Elected Members Determination No. 1 of 2023*.

**1.2 Commencement**

This determination comes into operation on 1 July 2023.

**1.3 Content and intent**

- (1) The remuneration listed in this determination comprises all remuneration as defined under the *Salaries and Allowances Act 1975* as including salary, allowances, fees, emoluments and benefits.
- (2) The determination applies to
  - a. Chief Executive Officers (CEOs);
  - b. Acting Chief Executive Officers; and
  - c. Elected Members
- (3) The remuneration specified in this determination for CEOs is based on a person being appointed to one local government CEO position only. In the case of a person appointed to undertake the duties of more than one CEO position simultaneously, the relevant local governments must seek a determination from the Tribunal for the multiple CEO positions held by that person.
- (4) If a local government undergoes an amalgamation or a rezoning of local government boundaries, the local government is required to seek a new determination from the Tribunal.
- (5) This determination provides for the amount of fees, expenses and allowances to be paid or reimbursed to elected council members under the *Local Government Act 1995*

(‘the LG Act’) Part 5 Division 8. The determination applies to elected council members who are members of the council of a local government, and under section 3.66 of the LG Act.

- (6) Where the Tribunal has determined a specific amount for a fee, expense or allowance for elected council members of a local government or regional local government, the amount determined by the Tribunal will be payable to an eligible elected council member.
- (7) Where the Tribunal has determined a minimum and maximum amount for a fee, expense or allowance for elected council members of a local government or regional local government, each local government or regional local government council will set an amount within the relevant range determined and the amount set will be payable to an eligible elected council member.
- (8) The fees, expenses and allowances determined are intended to recognise the responsibilities of elected council members, mayors and presidents of local governments and chairs of regional local governments and to remunerate them for the performance of the duties associated with their office.
- (9) Nothing in this determination shall be interpreted and/or applied in such a manner as to circumvent the intention of the Tribunal to ensure transparency and accountability in the remuneration of Local Government CEOs and the provision of fees, expenses and allowances to elected members.

#### 1.4 Terms used

In this determination, unless the contrary intention appears -

**chair** means a person who is elected or appointed from among the members of a council of a regional local government as its chair;

**committee meeting** means a meeting of a committee of a council where the committee comprises –

- (a) council members only; or
- (b) council members and employees of the local government or regional local government;

**council**, in relation to:

- (a) a local government, means the council of the local government;

(b) a regional local government, means the council of the regional local government;

**council member**, in relation to:

(a) a local government –

(i) means a person elected under the LG Act as a member of the council of the local government; and

(ii) includes the mayor or president of the local government;

(b) a regional local government –

(i) means a person elected under the LG Act as a member of the council of a local government and who is a member of the council of the regional local government; and

(ii) includes the chair of the regional local government;

**LG Regulations** means the *Local Government (Administration) Regulations 1996*;

**mayor** means a council member holding the office of mayor, whether elected by the council from amongst its members or elected by the electors;

**president** means a council member holding the office of president, whether elected by the council from amongst its members or elected by the electors.

### 1.5 Pro rata payments

- (1) The Total Reward Package specified in this determination for CEOs is based on a person serving in the office on a full-time basis. The relevant range shall be payable on a pro rata basis if the position is undertaken on a part time basis.
- (2) The amount of a person's entitlement to remuneration, annual attendance fee or annual allowance specified in this determination shall be apportioned on a pro rata basis according to the portion of a year that the person holds office.

### 1.6 Local government band allocations

Unless the contrary intention appears, this determination allocates local governments to the bands set out in Schedule 1. Regional local governments (as constituted under Part 3 Division 4 of the LG Act) are allocated to a Band only with respect to CEOs.



## PART 2: TOTAL REWARD PACKAGE

*This Part deals with the remuneration payable to Chief Executive Officers.*

### 2.1 GENERAL

- (1) Offices listed in this Part have been assigned by the Tribunal to one of four classifications designated Band 1 to Band 4.
- (2) Each classification (Band 1 to Band 4) has a commensurate Total Reward Package (TRP) range.
- (3) Typical components of a TRP include:
  - (a) Base salary;
  - (b) Annual leave loading;
  - (c) Associated FBT accrued (total annual amount of fringe benefits tax paid by the local government for all fringe benefits provided to a CEO);
  - (d) Association membership fees;
  - (e) Attraction/retention allowance, not being provided under Part 3;
  - (f) Personal benefit value of the provision of a motor vehicle for private use (if applicable) as defined under Part 5 of this determination;
  - (g) Cash bonus and performance incentives;
  - (h) Cash in lieu of a motor vehicle;
  - (i) Fitness club fees;
  - (j) Grooming/clothing allowance;
  - (k) Health insurance;
  - (l) School fees and/or child's uniform;
  - (m) Superannuation (all mandatory and non-mandatory employer superannuation contributions);
  - (n) Travel or any other benefit taken in lieu of salary;
  - (o) Travel for spouse or any other member of family;
  - (p) Unrestricted entertainment allowance;
  - (q) Utilities allowance (any water, power or other utility subsidy provided to the CEO); and
  - (r) Any other form of payment, in cash or not, in consideration as a reward or benefit of the CEOs duties.
- (4) The only exclusions from the TRP are:
  - (a) items listed in Parts 3, 4 and 5 of this determination (however, any superannuation guarantee associated with the payment of a Regional/Isolation Allowance and any associated FBT accrued from the

- provision of a motor vehicle or accommodation are to be included as part of the TRP);
- (b) employer obligations such as professional development (restricted to the CEO), reimbursement for genuine work expenses or the cost of recruitment and relocation expenses; and
  - (c) items considered by the local government to be a tool of trade (i.e. equipment needed to undertake the duties of a CEO) and which are not a direct or indirect reward or benefit for the performance of duties as a CEO.

## 2.2 LOCAL GOVERNMENT CLASSIFICATION

- (1) The ranges of TRP in Table 1 apply where a local government or regional local government has been classified into the relevant band.

**Table 1: Local government band classification – Total Reward Package range**

Band	Total Reward Package
1	\$265,616 - \$404,488
2	\$219,071 - \$340,778
3	\$167,533 - \$276,327
4	\$136,023 - \$213,356

- (2) Local governments have been classified in Schedule 1.
- (3) Regional local government Councils have been classified in Table 2 below.

**Table 2: Regional local government councils band classification**

Regional Local Government Councils	Band
Bunbury-Harvey Regional Council	4
Eastern Metropolitan Regional Council	2
Mindarie Regional Council	3
Murchison Regional Vermin Council	4
Pilbara Regional Council	4
Rivers Regional Council	3
Southern Metropolitan Regional Council	2
Tamala Park Regional Council	2
Western Metropolitan Regional Council	4

- (4) A person who holds a dual appointment of the CEO of the Shire of East Pilbara and the CEO of the Pilbara Regional Council, shall be entitled to receive a TRP range equivalent to the Band 2 range (\$219,071 - \$340,778).

### PART 3: REGIONAL/ISOLATION ALLOWANCE

*This Part deals with the Regional/Isolation Allowance that may be payable to Chief Executive Officers from local governments identified in this Part.*

#### 3.1 GENERAL

- (1) Local governments listed in Table 3 in this Part may provide a Regional/Isolation Allowance to a CEO, in addition to the CEO's Total Reward Package, in recognition of the regional and isolation factors which may affect the attraction and retention of the CEOs of those local governments.
- (2) There is no requirement to provide a Regional/Isolation Allowance to a CEO. Payment of this allowance is at the discretion of the local government, within the parameters set by the Tribunal.
- (3) When a local government chooses to use any or all of this allowance, the payment of the allowance should be properly justified and applied in a transparent manner considering the issues outlined in 3.2.
- (4) When a local government chooses to pay all or any of this allowance, it is to be paid to the CEO as salary.

#### 3.2 DETERMINING APPROPRIATENESS AND RATE OF ALLOWANCE

- (1) When assessing the appropriateness of providing a Regional/Isolation Allowance, an eligible local government must consider the impact of factors outlined in 3.2(3) on attraction and retention of a CEO. In the event these factors have little or no impact, the Local Government should not provide this Allowance.
- (2) In the event a Regional/Isolation Allowance is considered appropriate, the amount of the Allowance should be proportionate to the circumstances faced by the Local Government.
- (3) The following factors should be considered when determining whether to apply the Regional/Isolation Allowance:
  - a) *Remoteness* - issues associated with the vast distances separating communities within a Local Government or the distance of the Local Government from Perth or a Regional Centre.
  - b) *Cost of living* - the increased cost of living highlighted specifically in the Regional Price Index.
  - c) *Social disadvantage* - reduced specialist health services, schooling opportunities for children, employment opportunities for spouse, reduced

lifestyle commodities when compared to Perth and regional centres, and access to professional and personal support networks.

- d) *Dominant industry* - the impact that a dominant industry such a mining or agriculture has on an area and the ability to attract and retain people in the face of a dominant industry.
- e) *Attraction/retention* - the ability to recruit suitably qualified candidates and being able to retain them in light of the above concerns in competition with positions in Perth, regional centres and private industry.
- f) *Community expectations* - the pressures on a CEO to meet expectations when professional or operational expertise is not readily available.

### 3.3 REGIONAL/ISOLATION ALLOWANCE

Local governments eligible for the Regional/Isolation Allowance are listed in Table 3.

**Table 3: Regional/Isolation Allowance**

Local Government	Maximum Regional/Isolation Allowance Per Annum
Ashburton Shire	\$55,000
Broome Shire	\$45,000
Carnamah Shire	\$38,600
Carnarvon Shire	\$38,600
Chapman Valley Shire	\$38,600
Christmas Island Shire	\$90,000
Cocos (Keeling) Islands Shire	\$90,000
Coolgardie Shire	\$38,600
Coorow Shire	\$38,600
Cue Shire	\$50,000
Derby-West Kimberley Shire	\$55,000
Dundas Shire	\$38,600
East Pilbara Shire	\$55,000
Esperance Shire	\$32,200
Exmouth Shire	\$45,000
Greater Geraldton City	\$32,200
Halls Creek Shire	\$75,000
Irwin Shire	\$38,600
Jerramungup Shire	\$32,200
Kalgoorlie-Boulder City	\$38,600
Karratha City	\$70,000

Local Government	Maximum Regional/Isolation Allowance Per Annum
Kent Shire	\$12,900
Kondinin Shire	\$12,900
Kulin Shire	\$12,900
Lake Grace Shire	\$12,900
Laverton Shire	\$50,000
Leonora Shire	\$50,000
Meekatharra Shire	\$50,000
Menzies Shire	\$38,600
Merredin Shire	\$12,900
Mingenew Shire	\$38,600
Morawa Shire	\$38,600
Mount Magnet Shire	\$38,600
Mount Marshall Shire	\$12,900
Mukinbudin Shire	\$32,200
Murchison Shire	\$38,600
Narembeen Shire	\$12,900
Ngaanyatjarraku Shire	\$50,000
Northampton Shire	\$38,600
Nungarin Shire	\$12,900
Perenjori Shire	\$38,600
Port Hedland Town	\$70,000
Ravensthorpe Shire	\$38,600
Sandstone Shire	\$38,600
Shark Bay Shire	\$45,000
Three Springs Shire	\$38,600
Upper Gascoyne Shire	\$50,000
Westonia Shire	\$32,200
Wiluna Shire	\$50,000
Wyndham-East Kimberley Shire	\$55,000
Yalgoo Shire	\$38,600
Yilgarn Shire	\$32,200

## **PART 4: HOUSING ALLOWANCE**

*This Part deals with the Housing Allowance that may be payable to Chief Executive Officers.*

### **4.1 GENERAL**

- (1) In recognition of the need for local governments to provide accommodation as a result of a lack of suitable housing or recruitment issues, on either a permanent or temporary basis, local governments are able to utilise this allowance as required.
- (2) When a local government utilises this allowance, the payment of the allowance should be properly justified and applied in a transparent manner.
- (3) Any accommodation provided under this Part must be located within or adjacent to the local government area in which the CEO is employed.
- (4) Local governments should tailor the provision of any housing allowance to suit their particular circumstances. This may include the CEO making contributions towards the cost of the accommodation.

### **4.2 APPLICABLE HOUSING ALLOWANCE**

- (1) Where a local government owns a property and provides that property to the CEO for accommodation, the value of this accommodation will not be included in the Total Reward Package.
- (2) For reporting purposes, the value of the local government owned property shall be valued at the annual Gross Rental Value of the property as determined by the Valuer General.
- (3) Where a local government leases accommodation for the use of the CEO, the lease costs will not be included in the Total Reward Package.
- (4) For reporting purposes, the value of the local government leased property shall be the annual actual costs of the accommodation lease.

## PART 5: MOTOR VEHICLE

*This Part deals with the provision of motor vehicles to Chief Executive Officers.*

### 5.1 GENERAL

- (1) For local governments generally, except those listed in Table 3 under Part 3 of this determination, the private benefit value of any motor vehicle provided to the CEO by the local government is to be included in the Total Reward Package.
- (2) For local governments listed in Table 3 under Part 3 of this determination, any motor vehicle provided to the CEO or an allowance provided to a CEO for use of a private motor vehicle for work-related purposes, is to be considered a tool of trade (i.e. a tool needed to undertake the duties of a CEO in these local governments) and any private benefit will not be considered as part of the Total Reward Package.

### 5.2 PRIVATE BENEFIT VALUE

- (1) The private benefit value of the motor vehicle will be dependent on the type of motor vehicle provided, method of ownership (i.e. local government owned or leased), maintenance and running costs, insurance, any applicable luxury car tax and the amount of private use of the vehicle (i.e. non-business use).
- (2) As a general rule, the private benefit value will be based upon the annual costs multiplied by the percentage of private use.
- (3) Local governments and CEOs will need to agree on the most appropriate way to record the amount of private use in order to calculate the private benefit value.



## PART 6: MEETING ATTENDANCE FEES

*This Part deals with fees payable to council members for attendance at council and other meetings*

### 6.1 GENERAL

- (1) Pursuant to section 5.98(1)(b) of the LG Act, a council member who attends a council meeting is entitled to be paid the fee set by the local government or the regional local government within the range determined in section 6.2 of this Part for council meeting attendance fees.
- (2) Pursuant to section 5.98(1)(b) and (2A)(b) of the LG Act, a council member who attends a committee meeting or (at the request of the local government or regional local government) a meeting of a type prescribed in regulation 30(3A) of the LG Regulations is entitled to be paid the fee set by the local government or regional local government within the range determined in section 6.3 of this Part for attending committee meetings or, as the case requires, meetings of that type.
- (3) Each of the following meetings is a type of meeting prescribed in regulation 30(3A) of the LG Regulations -
  - (a) meeting of a WALGA Zone, where the council member is representing a local government as a delegate elected or appointed by the local government;
  - (b) meeting of a Regional Road Group established by Main Roads Western Australia, where the council member is representing a local government as a delegate elected or appointed by the local government;
  - (c) council meeting of a regional local government where the council member is the deputy of a member of the regional local government and is attending in the place of the member of the regional local government;
  - (d) meeting other than a council or committee meeting where the council member is attending at the request of a Minister of the Crown who is attending the meeting;
  - (e) meeting other than a council meeting or committee meeting where the council member is representing a local government as a delegate elected or appointed by the local government.
- (4) Pursuant to section 5.99 of the LG Act, a local government or regional local government may decide by an absolute majority that instead of paying council

members an attendance fee referred to in section 5.98(1) of the LG Act, it will pay all council members who attend council or committee meetings a fee set within the range for annual fees determined in section 6.4 of this Part.

- (5) Regulation 30(3C) of the LG Regulations prevents the payment of a fee to a council member for attending a meeting of a type prescribed in regulation 30(3A) of those regulations if –
  - (a) the person who organises the meeting pays the council member a fee for attending the meeting; or
  - (b) the council member is paid an annual fee in accordance with section 5.99 of the LG Act; or
  - (c) the council member is deputising for a council member at a meeting of a regional local government and the member of the regional local government is paid an annual fee in accordance with section 5.99 of the LG Act.
- (6) In determining the fees set out in this Part, the Tribunal has taken into account a range of factors including –
  - (a) the time required to prepare adequately for the meetings including consideration of agenda papers, site visits related to agenda items and consultation with council staff and community members;
  - (b) the role of the council member, mayor or president including, but not limited to, representation, advocacy, and oversight and determination of policy and local legislation;
  - (c) particular responsibilities associated with the types of meetings attended;
  - (d) responsibilities of a mayor, president or chair to preside over meetings; and
  - (e) the relative “size” of the local government as reflected in the Tribunal’s local government banding model.
- (7) The Tribunal has not determined a specific meeting attendance fee for the purposes of section 5.98(1)(a) or (2A)(a) of the LG Act.

## **6.2 COUNCIL MEETING ATTENDANCE FEES – PER MEETING**

- (1) The ranges of fees in Table 4 and Table 5 apply where a local government or regional local government decides by an absolute majority to pay a council member a fee referred to in section 5.98(1)(b) of the LG Act for attendance at a council meeting.

**Table 4: Council meeting fees per meeting – local governments**

Band	For a council member other than the mayor or president		For a council member who holds the office of mayor or president	
	Minimum	Maximum	Minimum	Maximum
1	\$640	\$825	\$640	\$1,240
2	\$390	\$610	\$400	\$815
3	\$205	\$430	\$205	\$660
4	\$95	\$250	\$95	\$510

**Table 5: Council meeting fees per meeting – regional local governments**

	For a council member other than the chair		For a council member who holds the office of chair	
	Minimum	Maximum	Minimum	Maximum
All regional local governments	\$95	\$250	\$95	\$510

### 6.3 COMMITTEE MEETING AND PRESCRIBED MEETING ATTENDANCE FEES – PER MEETING

- (1) The ranges of fees in Table 6 and Table 7 apply where a local government or regional local government decides to pay a council member a fee referred to in –
  - (a) section 5.98(1)(b) of the LG Act for attendance at a committee meeting; or
  - (b) section 5.98(2A)(b) of the LG Act for attendance at a meeting of a type prescribed in regulation 30(3A) of the LG Regulations.

**Table 6: Committee meeting and prescribed meeting fees per meeting – local governments**

For a council member (including the mayor or president)		
Band	Minimum	Maximum
1	\$325	\$415
2	\$195	\$305
3	\$100	\$215
4	\$50	\$125

**Table 7: Committee meeting and prescribed meeting fees per meeting – regional local governments**

For a council member (including the chair)		
	Minimum	Maximum
All regional local governments	\$50	\$125

#### **6.4 ANNUAL ATTENDANCE FEES IN LIEU OF COUNCIL MEETING, COMMITTEE MEETING AND PRESCRIBED MEETING ATTENDANCE FEES**

- (1) The ranges of fees in Table 8 and Table 9 apply where a local government or regional local government decides by an absolute majority that, instead of paying council members an attendance fee referred to in section 5.98 of the LG Act, it will pay an annual fee to all council members who attend council, committee or prescribed meetings.

**Table 8: Annual attendance fees in lieu of council meeting, committee meeting and prescribed meeting attendance fees – local governments**

For a council member other than the mayor or president			For a council member who holds the office of mayor or president	
Band	Minimum	Maximum	Minimum	Maximum
1	\$25,600	\$32,960	\$25,600	\$49,435
2	\$15,470	\$24,170	\$15,470	\$32,410
3	\$8,000	\$17,030	\$8,000	\$26,370
4	\$3,735	\$9,890	\$3,735	\$20,325

**Table 9: Annual attendance fees in lieu of council meeting, committee meeting and prescribed meeting attendance fees – regional local governments**

For a council member other than the chair			For a council member who holds the office of chair	
	Minimum	Maximum	Minimum	Maximum
All regional local governments	\$1,870	\$10,990	\$2,055	\$16,480

**PART 7: ANNUAL ALLOWANCE FOR A MAYOR, PRESIDENT, CHAIR,  
DEPUTY MAYOR, DEPUTY PRESIDENT AND DEPUTY CHAIR**

*This Part deals with annual allowances payable to mayors, presidents, chair and their deputies, in addition to any entitlement to meeting attendance fees or the reimbursement of expenses.*

**7.1 GENERAL**

- (1) Pursuant to section 5.98(5) of the LG Act, the mayor or president of a local government and the chair of a regional local government are entitled, in addition to any fees or reimbursement of expenses payable under section 5.98(1) or (2), to be paid the annual allowance set by the local government or regional local government within the range determined in section 7.2 of this Part.
- (2) Pursuant to section 5.98A(1) of the LG Act, a local government or regional local government may decide, by an absolute majority, to pay the deputy mayor or deputy president of the local government, or the deputy chair of the regional local government, an allowance of up to the percentage that is determined by the Tribunal of the annual allowance to which the mayor or president of the local government, or the chair of the regional local government, is entitled under section 5.98(5) of the LG Act. That percentage is determined in section 7.3 of this Part. This allowance is in addition to any fees or reimbursement of expenses payable to the deputy mayor, deputy president or deputy chair under section 5.98 of the LG Act.
- (3) In determining the allowances set out in this Part, the Tribunal has taken into account a range of factors including the following –
  - (a) the leadership role of the mayor, president or chair;
  - (b) the statutory functions for which the mayor, president or chair is accountable;
  - (c) the ceremonial and civic duties required of the mayor, president or chair, including local government business related entertainment;
  - (d) the responsibilities of the deputy mayor, deputy president or deputy chair when deputising;
  - (e) the relative “size” of the local government as reflected in the Tribunal’s local government banding model;
  - (f) the civic, ceremonial and representation duties particular to the Lord Mayor of Western Australia’s capital city.

## 7.2 ANNUAL ALLOWANCE FOR A MAYOR, PRESIDENT OR CHAIR

- (1) The ranges of allowances in Table 10 apply where a local government sets the amount of the annual local government allowance to which a mayor or president is entitled under section 5.98(5) of the LG Act.
- (2) The range of allowances in Table 11 apply where a regional local government sets the amount of the annual local government allowance to which a chair is entitled under section 5.98(5) of the LG Act.
- (3) Despite the provisions of subsection (1), the Perth City Council is to set the amount of the annual local government allowance to which the Lord Mayor is entitled within the range of \$62,432 to \$139,327.

**Table 10: Annual allowance for a mayor or president of a local government**

Band	For a mayor or president	
	Minimum	Maximum
1	\$53,330	\$93,380
2	\$16,000	\$65,915
3	\$1,070	\$38,450
4	\$535	\$20,875

**Table 11: Annual allowance for a chair of a regional local government**

	For a chair	
	Minimum	Maximum
All regional local governments	\$535	\$20,875

## 7.3 ANNUAL ALLOWANCE FOR A DEPUTY MAYOR, DEPUTY PRESIDENT OR DEPUTY CHAIR

- (1) The percentage determined for the purposes of section 5.98A(1) of the LG Act is 25 per cent.
- (2) If the office of mayor or president is vacant under section 5.34(a) of the Local Government Act 1995, and the deputy performs the functions of mayor or president for a continuous period of no less than four months, the deputy will be entitled to receive the mayor or president allowance according to the applicable local government band in 7.2 of the Determination. Refer to the explanatory notes.

## PART 8: EXPENSES TO BE REIMBURSED

*This Part deals with expenses for which council members are entitled to be reimbursed.*

### 8.1 GENERAL

- (1) Pursuant to section 5.98(2)(a) and (3) of the LG Act, a council member who incurs an expense of a kind prescribed in regulation 31(1) of the LG Regulations is entitled to be reimbursed for the expense to the extent determined in section 8.2(1) to (5) of this Part.
- (2) Regulation 31(1) of the LG Regulations prescribes the following kinds of expenses that are to be reimbursed:
  - (a) rental charges incurred by a council member in relation to one telephone and one facsimile machine; and
  - (b) child care and travel costs incurred by a council member because of the member's attendance at a council meeting or a meeting of a committee of which he or she is also a member.
- (3) Pursuant to section 5.98(2)(a) and (3) of the LG Act, a council member who incurs an expense of a kind prescribed in regulation 32(1) of the LG Regulations is entitled to be reimbursed for the expense to the extent determined in section 8.2(6) to (8) of this Part.
- (4) Regulation 32(1) of the LG Regulations prescribes the following kinds of expenses that may be approved by a local government for reimbursement –
  - (a) an expense incurred by a council member in performing a function under the express authority of the local government;
  - (b) an expense incurred by a council member to whom paragraph (a) applies by reason of the council member being accompanied by not more than one other person while performing the function if, having regard to the nature of the function, the local government considers that it is appropriate for the council member to be accompanied by that other person; and
  - (c) an expense incurred by a council member in performing a function in his or her capacity as a council member.



**8.2 EXTENT OF EXPENSES TO BE REIMBURSED**

- (1) The extent to which a council member can be reimbursed for rental charges in relation to one telephone and one facsimile machine is the actual expense incurred by the council member.
- (2) The extent to which a council member can be reimbursed for child care costs incurred because of attendance at a meeting referred to in regulation 31(1)(b) of the LG Regulations is the actual cost per hour or \$35 per hour, whichever is the lesser amount.
- (3) The extent to which a council member of a local government can be reimbursed for reasonable travel costs referred to in regulation 31(1)(b) of the LG Regulations is:
  - (a) if the person lives or works in the local government district or an adjoining local government district, the actual cost for the person to travel from the person's place of residence or work to the meeting and back; or
  - (b) if the person does not live or work in the local government district or an adjoining local government district, the actual cost, in relation to a journey from the person's place of residence or work and back:
    - (i) for the person to travel from the person's place of residence or work to the meeting and back; or
    - (ii) if the distance travelled referred to in subparagraph (i) is more than 100 kilometres, for the person to travel from the outer boundary of an adjoining local government district to the meeting and back to that boundary.
- (4) The extent to which a council member of a regional local government can be reimbursed for reasonable travel costs referred to in regulation 31(1)(b) of the LG Regulations is the actual cost for the person to travel from the person's place of residence or work to the meeting and back.
- (5) For the purposes of subsections (3) and (4), travel costs incurred while driving a privately owned or leased vehicle (rather than a commercially hired vehicle) are to be calculated at the same rate contained in Section 30.6 of the *Local Government Officers' (Western Australia) Award 2021* as at the date of this determination. For members with Electric Vehicles, the 1600cc Motor Vehicle Allowance rate should be applied.
- (6) The extent to which a council member can be reimbursed for child care costs incurred in any of the circumstances referred to in regulation 32(1) of the LG Regulations is the actual cost per hour or \$35 per hour, whichever is the lesser amount.

- (7) The extent to which a council member can be reimbursed for intrastate or interstate travel and accommodation costs incurred in any of the circumstances referred to in regulation 32(1) of the LG Regulations is at the same rate applicable to the reimbursement of travel and accommodation costs in the same or similar circumstances under the *Public Service Award 1992* issued by the Western Australian Industrial Relations Commission as at the date of this determination.
- (8) The extent to which a council member can be reimbursed for any other cost incurred under regulation 32(1) of the LG Regulations is the actual cost upon presentation of sufficient evidence of the cost incurred.

## PART 9: ANNUAL ALLOWANCES IN LIEU OF REIMBURSEMENT OF EXPENSES

*This Part deals with annual allowances that a local government or regional local government may decide to pay.*

### 9.1 GENERAL

- (1) Pursuant to section 5.99A of the LG Act, a local government or regional local government may decide by absolute majority that instead of reimbursing council members under the LG Act section 5.98(2) for all of a particular type of expense, it will pay all council members, for that type of expense, the annual allowance determined in section 9.2 of this Part or, as the case requires, an annual allowance within the range determined in that section.
- (2) Where a local government or regional local government has decided to pay council members an annual allowance for an expense of a particular type instead of reimbursing expenses of that type under section 5.98(2) of the LG Act, section 5.99A of the LG Act provides for reimbursement of expenses of that type in excess of the amount of the allowance.
- (3) In determining the maximum annual allowance for expenses of a particular type, the Tribunal has taken into account a range of factors including the following:
  - (a) the intent of the allowance to reflect the extent and nature of the expenses incurred and not to result in a windfall gain for council members;
  - (b) the capacity of local governments to set allowances appropriate to their varying operational needs;
  - (c) the particular practices of local governments in the use of information and communication technology (e.g. laptop computers, iPads); and
  - (d) the varying travel requirements of council members in local governments associated with geography, isolation and other factors.
- (4) With respect to ICT expenses, the Tribunal's intention is for the maximum annual allowance to cover the cost of providing ICT hardware and equipment. It is not the intention for the allowance to be paid in addition to providing equipment and hardware.

**9.2 ANNUAL ALLOWANCES DETERMINED INSTEAD OF REIMBURSEMENT FOR PARTICULAR TYPES OF EXPENSES**

(1) In this section:

***ICT expenses*** means:

- (a) rental charges in relation to one telephone and one facsimile machine, as prescribed by regulation 31(1)(a) of the LG Regulations;
- (b) any other expenses that relate to information and communications technology (for example, telephone call charges and internet service provider fees) and that are a kind of expense prescribed by regulation 32(1) of the LG Regulations; or
- (c) any expenses, including the purchase costs, of ICT hardware provided to elected members.

***travel and accommodation expenses*** means:

- (a) travel costs, as prescribed by regulation 31(1)(b) of the LG Regulations; or
  - (b) any other expenses that relate to travel or accommodation and that are a kind of expense prescribed by regulation 32(1) of the LG Regulations.
- (2) For the purposes of section 5.99A(b) of the LG Act, the minimum annual allowance for ICT expenses is \$500 and the maximum annual allowance for ICT expenses is \$3,500.
- (3) For the purposes of section 5.99A(a) of the LG Act, the annual allowance for travel and accommodation expenses is \$100.

## SCHEDULE 1: LOCAL GOVERNMENT BAND ALLOCATIONS

Local Government	Band
Albany City	1
Armadale City	1
Ashburton Shire	2
Augusta-Margaret River Shire	2
Bassendean Town	3
Bayswater City	1
Belmont City	1
Beverley Shire	4
Boddington Shire	4
Boyup Brook Shire	4
Bridgetown-Greenbushes Shire	3
Brookton Shire	4
Broome Shire	2
Broomehill-Tambellup Shire	4
Bruce Rock Shire	4
Bunbury City	1
Busselton City	1
Cambridge Town	2
Canning City	1
Capel Shire	3
Carnamah Shire	4
Carnarvon Shire	2
Chapman Valley Shire	4
Chittering Shire	3
Christmas Island Shire	3
Claremont Town	3
Cocos (Keeling) Islands Shire	4
Cockburn City	1
Collie Shire	3
Coolgardie Shire	3
Coorow Shire	4
Corrigin Shire	4
Cottesloe Town	3
Cranbrook Shire	4
Cuballing Shire	4
Cue Shire	4

Local Government	Band
Cunderdin Shire	4
Dalwallinu Shire	3
Dandaragan Shire	3
Dardanup Shire	3
Denmark Shire	3
Derby-West Kimberley Shire	2
Donnybrook Balingup Shire	3
Dowerin Shire	4
Dumbleyung Shire	4
Dundas Shire	4
East Fremantle Town	3
East Pilbara Shire	2
Esperance Shire	2
Exmouth Shire	3
Fremantle City	1
Gingin Shire	3
Gnowangerup Shire	4
Goomalling Shire	4
Gosnells City	1
Greater Geraldton City	1
Halls Creek Shire	3
Harvey Shire	2
Irwin Shire	3
Jerramungup Shire	4
Joondalup City	1
Kalamunda Shire	2
Kalgoorlie-Boulder City	1
Karratha City	1
Katanning Shire	3
Kellerberrin Shire	4
Kent Shire	4
Kojonup Shire	3
Kondinin Shire	4
Koorda Shire	4
Kulin Shire	4
Kwinana City	1
Lake Grace Shire	4

Local Government	Band
Laverton Shire	3
Leonora Shire	3
Mandurah City	1
Manjimup Shire	2
Meekatharra Shire	3
Melville City	1
Menzies Shire	4
Merredin Shire	3
Mingenew Shire	4
Moora Shire	3
Morawa Shire	4
Mosman Park Town	3
Mount Magnet Shire	4
Mount Marshall Shire	4
Mukinbudin Shire	4
Mundaring Shire	2
Murchison Shire	4
Murray Shire	2
Nannup Shire	4
Narembeen Shire	4
Narrogin Shire	3
Nedlands City	2
Ngaanyatjarraku Shire	4
Northam Shire	2
Northampton Shire	3
Nungarin Shire	4
Peppermint Grove Shire	4
Perenjori Shire	4
Perth City	1
Pingelly Shire	4
Plantagenet Shire	3
Port Hedland Town	1
Quairading Shire	4
Ravensthorpe Shire	3
Rockingham City	1
Sandstone Shire	4
Serpentine-Jarrahdale Shire	2

Local Government	Band
Shark Bay Shire	4
South Perth City	2
Stirling City	1
Subiaco City	2
Swan City	1
Tammin Shire	4
Three Springs Shire	4
Toodyay Shire	3
Trayning Shire	4
Upper Gascoyne Shire	4
Victoria Park Town	2
Victoria Plains Shire	4
Vincent City	2
Wagin Shire	4
Wandering Shire	4
Wanneroo City	1
Waroona Shire	3
West Arthur Shire	4
Westonia Shire	4
Wickepin Shire	4
Williams Shire	4
Wiluna Shire	4
Wongan-Ballidu Shire	4
Woodanilling Shire	4
Wyalkatchem Shire	4
Wyndham-East Kimberley Shire	2
Yalgoo Shire	4
Yilgarn Shire	3
York Shire	3



Signed on 6 April 2023.

M Seares AO  
CHAIR

B A Sargeant PSM  
MEMBER

Hon J Day  
MEMBER

**SALARIES AND ALLOWANCES TRIBUNAL**

**LOCAL GOVERNMENT ELECTED MEMBERS EXPLANATORY NOTES**

*This section does not form part of the determination*

**1. Entitlements**

The entitlement of a council member to a fee, allowance or reimbursement of an expense established under the LG Act, the LG Regulations and this determination, cannot be proscribed, limited or waived by a local government. Any eligible claim against those entitlements is to be paid in accordance with the applicable financial procedures of the local government.

**2. Local governments to set amounts within the range determined**

Where the Tribunal has determined a minimum and maximum amount for a fee, expense or allowance for members of the council of a local government or a regional local government, each council is to set, by absolute majority, an amount within the relevant range determined and the amount set will be payable to elected council members.

**3. Superannuation**

Nothing in this determination establishes a liability for the payment of superannuation by local governments. Elected council members are eligible for superannuation payments if their council has resolved unanimously to become an Eligible Local Governing Body (ELGB) pursuant to section 221A and section 221B of the *Income Tax Assessment Act 1936* (Cwlth). Where the council is an ELGB, it is deemed to have an employer/employee relationship with its elected council members and this attracts the application of a number of statutory obligations. Alternative arrangements described in Australian Taxation Office (ATO) Interpretative Decision ATO ID 2007/205 allow for elected council members and councils to agree for whole or part of meeting attendance fees to be paid into a superannuation fund. Where the council is an ELGB, fees for attendance at council, committee and prescribed meetings (whether paid via a per meeting fee or annual allowance) are to be inclusive of any superannuation guarantee liability. This information is not published by way of legal or financial advice.

**4. Performing functions of mayor or president if vacant**

If the deputy performs the functions of mayor or president for a continuous period of no less than four months, the deputy will be entitled to receive the mayor or president allowance according to the applicable local government band in 7.2 of the Determination. This can be applied retrospectively, in instances where an initial short term period of acting becomes a continuous period of acting for four months or more.

## 11. Confidential Business

Nil

## 12. Resolution of Compliance

### **RECOMMENDATION**

That Council is satisfied that resolutions carried at this Meeting and applicable to items concerning Council provided services and facilities, are:-

- (1) integrated and co-ordinated, so far as practicable, with any provided by the Commonwealth, the State or any public body;
- (2) not duplicated, to an extent Council considers inappropriate, services or facilities as provided by the Commonwealth, the State or any other body or person, whether public or private; and
- (3) managed efficiently and effectively.

## 13. Closure of Meeting