City of Cockburn

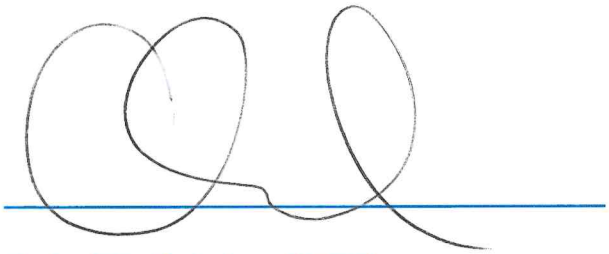
Governance Committee

Minutes

For Tuesday, 18 August 2026

These Minutes are confirmed

Presiding Member's signature



Date 20 October 2026

Governance Committee Meeting
6pm, Tuesday, 18 August 2026

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Minutes

Attendance

Elected Members
Cr C Stone (Presiding Member)
Deputy Mayor P Corke
Cr T Dewan
Cr P Eva
Cr C Reeve-Fowkes
Cr H Srhoy
Cr T Widenbar (from 6.11pm)
Cr C Zhang

In Attendance

Mr D Simms	Chief Executive Officer
Mr D Arndt	Director Sustainable Development and Safety
Ms C Bywater	Director Corporate and System Services
Ms K Johnson	Director Community and Place
Mr A Lees	Director Infrastructure Services
Mr J Blanchard	General Counsel
Ms T Hardmeier	Service Lead Governance and Council Support
Ms R Theunissen	Senior Governance Officer
Ms A Schultz	Assistant Governance Officer

1. Declaration of Meeting

The Presiding Member declared the meeting open at 6.00pm.

Acknowledgement of Country
The Presiding Member acknowledged that the meeting was being held on the Whadjuk Nyungar lands and thanked her Elders for their strength and resilience. It is due to their strength and resilience they are the oldest living culture in the world.

2. Appointment of Presiding Member

N/A

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

Nil.

4. Apologies & Leave of Absence

Nil.

5. Confirmation of Minutes

5.1 (2026/MINUTE NO 0050) Minutes of the Governance Committee Meeting - 16/06/2026

Committee Recommendation
MOVED Cr T Dewan SECONDED Cr C Reeve-Fowkes

That Committee confirms the Minutes of the Governance Committee Meeting held on Tuesday, 16 June 2026 as a true and accurate record.

CARRIED 7/0

6. Business Left Over from Previous Meeting (if adjourned)

Nil.

7. Declaration by Members who have Not Given Due Consideration to Matters Contained in the Business Paper Presented before the Meeting

Nil.

En Bloc Resolution

6.03pm The following items were carried by en bloc resolution:

8.1.2
8.1.3
8.1.4
8.1.5
8.2.1
8.2.3
8.3.1
8.4.1
8.4.2

8 Reports - CEO (and Delegates)

8.1 Sustainable Development and Safety

8.1.1 (2026/MINUTE NO 0051) Adoptions for Advertising: Draft Local Planning Policy 5.24 - Advertising of Development Applications

Responsible Executive	Director Sustainable Development and Safety
Author(s)	Service Lead Statutory Planning
Attachments	1. Draft Local Planning Policy - Advertising of Development Applications

Officer Recommendation/Committee Recommendation
MOVED Deputy Mayor P Corke SECONDED Cr P Eva
That Council:

(1) ADOPTS the Draft Local Planning Policy 5.24 – Advertising of Development Applications for the purposes of public consultation, as shown in Attachment 1; and

(2) ADVERTISES the draft Local Planning Policy 5.24 – Advertising of Development Applications in accordance with Clause 4 of the Planning and Development (Local Planning Schemes) Regulations 2015; Procedure For Making Local Planning Policy.

CARRIED 7/0

Background

The Western Australian planning framework requires that certain development applications (DAs) be publicly advertised to provide affected landowners, occupiers and other stakeholders with an opportunity to comment prior to a decision being made.

The Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations) prescribe mandatory advertising requirements for specific classes of development, including circumstances requiring community consultation and the minimum duration of advertising periods.

While the Regulations establish these minimum requirements, they also provide local governments with a significant level of discretion in how public advertising is undertaken where it is not explicitly prescribed.

This discretion extends to decisions regarding whether advertising is required, the form and manner of advertising, the extent of the notification area, and the information published during consultation.

The City currently advises development applications in accordance with statutory obligations and established practice. However, the absence of a policy may result may result in inconsistent consultation and uncertainty for applicants, the community and decision-makers.

The draft Local Planning Policy 5.24 – Advertising of Development Applications provides clear guidance on how the City will exercise its discretion in relation to public advertising.

The policy seeks to promote consistency, transparency and fairness in community consultation processes, while recognising the need to process development applications efficiently and within prescribed statutory timeframes.

The policy acknowledges the balance between the community's reasonable expectations to be informed of, and comment on, development proposals, applicants' development entitlements and the City's decision making based on relevant planning considerations.

The policy supports informed decision-making by ensuring submissions are received where appropriate, placing public comments within the proper exercise of planning discretion.

Adoption of the policy will provide a clear and consistent framework for officers, applicants and the community, complementing the City's Local Planning Scheme and broader statutory planning responsibilities.

Submission

N/A

Report

The Policy consolidates and formalises the City's approach to public notification by clearly identifying when advertising will be required, the form and extent of notification, and how submissions will be managed and considered. It seeks to improve transparency and consistency for applicants, the community and decision-makers, while ensuring that statutory timeframes and administrative efficiency are maintained.

Complex Applications

'Complex Applications' are defined by the Regulations as:

(a) an application for approval of development that is a use of land if the use is not specifically referred to in the zoning table for this Scheme in respect of the zone in which the development is located; or

(b) an application of a kind identified elsewhere in this Scheme, or in a local planning policy, as a complex application for development approval.

A key component of the Policy is to identify 'complex applications', which are required to undergo an extended advertising process. The categories of complex applications have been deliberately selected based on historic development proposals that have demonstrated a higher propensity for community interest and submissions, including certain land uses in residential areas, proposals with significant amenity impacts, and large-scale developments.

By clearly identifying these application types upfront, the Policy provides greater certainty regarding advertising expectations while ensuring that proposals with the greatest potential community impact receive an appropriate level of consultation.

Clause 64 of the Planning and Development (Local Planning Schemes) Regulations 2015 expressly provides for a Local Planning Policy to identify classes of development applications that are to be treated as complex applications for the purposes of public advertising.

Currently the City does not have clearly defined categories of development applications that are considered 'complex'. As a result, determinations as to whether an application warrants 'complex' advertising have been made on a case-by-case basis. The Policy therefore addresses this gap by identifying specific classes of development that, based on historic experience, are more likely to generate heightened community interest, concern or submissions.

Where an application is classified as complex under the Policy, it is subject to enhanced statutory consultation requirements, including:

- A minimum advertising period of 28 days, rather than the standard 14 days for 'non-complex' applications
- A minimum notification radius of 200 metres, consistent with the requirements of the Regulations.

In addition, the Regulations require that all three forms of public notice be undertaken for complex applications. Accordingly, the Policy stipulates that complex applications must be advertised by:

- Publishing details of the proposal on the City's website
- Erecting a sign on the development site in a conspicuous location
- Giving written notice to owners and occupiers of affected properties within the prescribed radius.

By clearly defining complex applications the Policy provides certainty to applicants, ensures legislative compliance and provides clearer guidance to assessing officers on when to advertise a proposal.

Preparation and Scope

The Policy has been prepared having regard to, and is largely informed by, the *Western Australian Local Government Association* (WALGA) model Local Planning Policy for advertising development applications.

It has been adapted where necessary to reflect the City's local context, planning framework and operational practices, while remaining consistent with the intent and requirements of the Regulations.

The scope of the Policy is deliberately limited to Development Applications only. Advertising associated with strategic planning proposals (such as scheme amendments, structure plans or local development plans) is inherently more bespoke

and governed by separate statutory and policy frameworks. Strategic planning processes typically require targeted and tailored consultation approaches depending on the nature, scale and strategic implications of the proposal, and therefore a uniform or blanket advertising approach is not considered appropriate.

To maintain the integrity and impartiality of the development assessment process, planning officers must remain independent from activities intended to influence or shape a proposal and should not facilitate community engagement workshops for applications they may subsequently assess, as this may create a perceived or actual conflict of interest.

The engagement activities outlined in this Policy are therefore intended solely to inform the assessment of a lodged development application and are not intended to satisfy broader community engagement requirements for City-led projects. Where the City is the proponent, community engagement should be undertaken in accordance with the Council Policy 'Community Engagement', which may require public consultation to occur before a development application is lodged.

Duration

The Policy clarifies the duration of public advertising periods prescribed by legislation, being 14 days for 'non-complex' applications and 28 days for 'complex' applications, in accordance with Clause 64 of the Regulations. These statutory timeframes cannot be varied by the City unless the applicant provides their written consent to an extension.

Engagement with Community Associations

The Policy expressly requires engagement with recognised Resident and Ratepayer Associations where a 'complex' development application is proposed. This requirement reflects the role these associations play in representing collective local interests and facilitating informed community input on development proposals.

Where an application is classified as 'complex', the Policy mandates that, in addition to standard public advertising requirements, the City will notify the relevant Resident or Ratepayer Association for the suburb in which the subject site is located. Where a development site is located within 200 metres of a suburb boundary, the Policy further requires that the Resident or Ratepayer Association for the adjoining suburb also be notified.

This notification is undertaken concurrently with the statutory advertising process and is intended to ensure that representative community bodies are made aware of proposals that have potential to generate heightened interest or concern. While Resident and Ratepayer Associations do not have a determinative role in the assessment process, their submissions are considered in the same manner as other public submissions, having regard to relevant planning considerations.

Strategic Plans/Policy Implications

Our Places
Enhancing distinctive, liveable areas with well-connected, safe transport options.
• Plan for growth and sustainable development.
Strengthen unique, liveable and adaptive places.

Our Governance
Transparent leadership that listens, communicates openly and plans for a sustainable future.
• Facilitate transparent and accountable governance for today and tomorrow.
Strengthen engagement, communication and enhance customer experience.

Budget/Financial Implications

The cost of advertising development applications will be recovered by the City from the proponents in accordance with the *Planning and Development Regulations 2009* fees and charges.

Legal Implications

N/A

Community Consultation

In accordance with the Planning and Development (Local Planning Schemes) Regulations 2015, new local planning policies must be advertised for a period of 21 days. After the consultation period, the local government must:

(1) Review the proposed policy in light of any submissions made; and
(2) Resolve to:
    a. Proceed with the policy without modification; or
    b. Proceed with the policy with modification; or
    c. Not proceed with the policy.

The draft policy will therefore come back to Council following community consultation for final adoption.

Risk Management Implications

Should Council not proceed with adoption, the City will be left with no strategic overview on how discretion should be exercised in relation to public advertising of DAs. This may lead to:

- Inconsistent decision making
- Reduced certainty for applicants and the community regarding advertising expectations and consultation processes
- Increased potential for complaints or challenge due to perceived procedural unfairness or lack of transparency
- Ongoing absence of defined ‘complex application’ classes, limiting consistent application of extended advertising provisions permitted under the Regulations

- Less efficient use of officer resources due to continued reliance on case-by-case justification of advertising decisions
- Reputational risk to the City arising from perceptions of inadequate or inconsistent community engagement.

Advice to Proponent(s)/Submitters

N/A

Implications of Section 3.18(3) Local Government Act 1995

Nil.

Title	**ADVERTISING OF DEVELOPMENT APPLICATIONS**
Policy Number (Governance Purpose)	**LPP XX**

Policy Type

Local Planning Policy

Citation

This is a Local Planning Policy prepared under Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015. This policy may be cited as Local Planning Policy (LPP) XX

Introduction

The Town Planning Scheme includes a number of clauses relating to public notice for development applications. Many requirements relating to public notification of development applications are mandatory, while others provide the City with discretion as to whether a proposal is to be advertised and the method of advertising.

This policy provides guidance on the exercise of discretion under Town Planning Scheme No. 3 in terms of when public notice is given for development applications, and the means and duration of public notice periods, where these periods are not prescribed by the Town Planning Scheme.

Community feedback helps identify local issues and impacts that should be considered as part of the assessment process.

This policy provides guidance for the consistent advertising of development applications. Each application will continue to be assessed on its individual merits, having regard to the Town Planning Scheme and other relevant planning considerations. It should not be assumed that the City is limited only to the provisions of this policy when exercising its planning discretion.

Applicants are strongly encouraged to discuss proposals with adjoining owners and occupiers prior to the submission of any development application. It is important to note that this Local Planning Policy does not constitute part of the Town Planning Scheme and therefore does not bind the City in respect of any application for planning approval but requires the City to have due regard to the provisions of the Policy, including its objectives.

Should there be any conflict between this Policy and the Town Planning Scheme, then the provisions of the Scheme prevail.

This policy does not replace or alter the Council's obligations under the Freedom of Information Act 1992.

[1]

Title	**ADVERTISING OF DEVELOPMENT APPLICATIONS**
Policy Number (Governance Purpose)	**LPP XX**

Objectives

- To provide for a consistent approach to the circumstances when public notice is undertaken, and the means and duration of public notice periods, of planning proposals.
- To recognise the balance between the need for the community to be informed of, and have reasonable opportunity for input into, planning proposals, and the administrative need to process planning proposals in an efficient manner, and within prescribed statutory timeframes.
- To outline the process the City will use when undertaking advertising and considering submissions.
- To ensure that, before making final decisions on planning proposals of any kind, persons likely to be affected are given an opportunity to comment.
- Within the operative statutory framework, to achieve an appropriate balance between the community's reasonable expectations and applicants' development entitlements.
- To provide greater consistency and transparency around when development applications are advertised and how the community can provide feedback.

Application

This policy applies to the entire Scheme area of the City of Cockburn and will be applied by the City when making discretionary decisions relating to advertising of development applications. In circumstances where advertising is undertaken, it will include both owners and occupiers of properties that, in the opinion of the City, may be affected by the proposal and/or other stakeholders where these are identified.

This policy also applies to Development Applications for which the City is not the final decision making authority, such as application to be determined by a Development Assessment Panel or the Western Australian Planning Commission (if advertising is permitted).

This policy does not apply to planning referrals to statutory bodies or government agencies as required under clause 66 of the Deemed Provisions.

This policy does not apply to public engagement undertaken by the City.

Title	**ADVERTISING OF DEVELOPMENT APPLICATIONS**
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Policy Provisions

(1) Requirement to give notice of certain Development Applications

In addition to where notice is prescribed by the Scheme, public notice will also be given of the following development applications prior to consideration for approval where the approval:

- Involves development on a site listed on the Register of Heritage Places under the Heritage of Western Australia Act 1990, listed on the Scheme Register of Heritage Places or included in a Heritage Area declared under the Scheme, where that application involves the permanent or semi-permanent alteration to the built fabric of any structure on the land
- Proposes the demolition of any building or structure on a site listed on the on the Register of Heritage Places under the Heritage of Western Australia Act 1990, listed on the Scheme Register of Heritage Places or included in a Heritage Area declared under the Scheme or a site listed on the Municipal Inventory
- Involves a significant exercise of discretion in terms of the Scheme, Residential Design Codes or Policy provisions
- Involves potentially significant urban design or streetscape impacts
- Represents a significant variation to the bulk, scale or design of the existing surrounding buildings
- Has potentially significant amenity impacts on nearby residential areas or neighbours in terms of visual impact, streetscape, privacy, noise, intensity of use, traffic generation and adequacy of parking
- Has significant strategic planning impacts in terms of the implementation of a strategic planning objective, the scale of the development, or are significantly different from the predominant and expected pattern of land use with the locality

Notwithstanding the above, planning proposals that do not meet the above criteria are able to be advertised, at the discretion of the City if it is considered in the public interest to do so.

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(2) Variations to the Residential Design Codes

The City, in accordance with Part A of the R-Codes, may advertise proposed variations to the R-Codes where in the opinion of the decision maker such a variation may adversely impact an adjoining owner.

The City will only advertise variations to the deemed-to-comply provisions of the R-Codes. Submissions pertaining to compliant aspects of the dwelling design cannot be considered.

The City may waive the notification requirements in respect of residential planning applications involving the exercise of discretion under the Residential Design Codes where the applicant provides a copy of the application plan/s including a certification by the owners and occupiers of the adjoining property stating that they have no objections to the proposal. Signatures should include all persons shown as the owners on the Certificate of Title and ownership details will be confirmed.

Certifications must include:

- The full name of the owner/s and occupier/s certifying non-objection clearly printed and a signature
- A statement indicating no objection to the proposal; and
- A current contact address and contact phone number

(3) Complex Applications

The following development applications shall be treated as complex applications for the purposes of Clause 64 of the Planning and Development (Local Planning Schemes) Regulations 2015 (excluding amendments to existing authorised development):

- Childcare Centres in the Residential Zone
- Medical Centres in the Residential Zone
- Health Studios in the Residential Zone
- Smalls Bars in all zones
- Liquor Stores in all zones
- Restricted Premises in all zones
- Night Clubs in all zones
- New Activity Centres or substantial expansions of existing Activity Centres
- Any use not listed in the Zoning Table of Town Planning Scheme 3
- Proposals of $15 million or more (excluding public works, single or grouped dwellings and industrial developments)

Complex applications will be advertised for a minimum of 28 days by doing all of the following (in accordance with the Regulations):

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Complex applications will be advertised for a minimum of 28 days by doing all of the following (in accordance with the Regulations):

- Publishing details of the proposal on Comment on Cockburn;
- Giving notice to owners and occupiers of every property within 200m of the proposed development; and
- Erecting a sign in a conspicuous place on the land subject of the application

In addition, the City will notify the relevant Community/Residents' Associations of the suburb within which the complex application is located. Should the subject site be located within 200m of a suburb boundary, the Community Association of that suburb will also be notified. The list of Community Associations that will be notified can be found on the City's website.

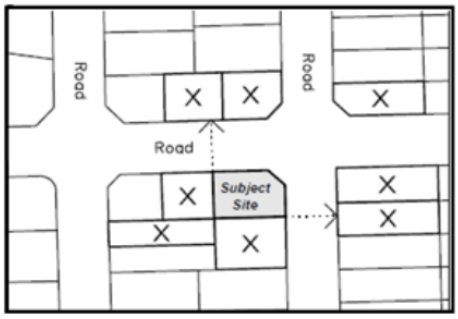
Not withstanding the above, the City may treat any application before it as complex at the discretion of the City if it is considered in the public interest to do so.

(4) Non-Complex Applications (excluding R-Code Variations)

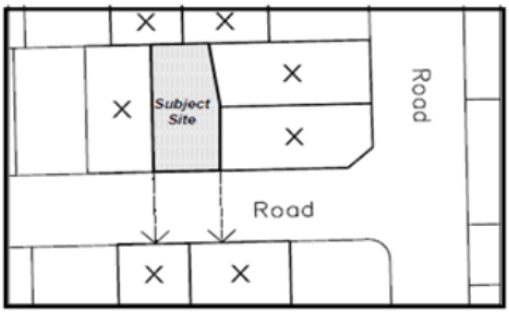
Development applications that require advertising (such as 'A' uses or uses identified in section (1) above) by notifying adjoining owners/occupiers of the proposal.

Adjoining property means any land (or owner of land) which abuts an application site or is separated from the site by only a pathway, driveway, right-of-way or similar thoroughfare.

Example 1



Example 2



The above examples are a minimal guide only and the City may, at its discretion, advertise the proposal to a larger radius. Logical geographical breaks may be taken into consideration when determining a larger radius, such as street ends, culs-de-sac, grouped dwelling arrangements and lot layouts.

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(5) Contents of Advertising Materials

In advertising a development application, the City will specify:

- The details of the proposal and any accompanying material in relation to the application
- The manner and form in which submissions may be made
- The applicable period for making submissions and the last day of that period
- How affected persons can view plans or seek further information

(6) Availability of Documents

All plans and documents forming part of the development application shall be made available for public viewing and access during the public consultation period of that proposal. The documentation may be viewed at the City's Administration building without appointment.

Affected persons may also request digital copies of the material, subject to the City's privacy obligations.

(7) Applications where the City is not the decision maker

Public notice will be given of development applications where the City is not the decision maker in the same way as those where the final decision is made by the City. A full copy of any submission received will be forwarded to the decision maker. The City will inform submitters of the decision maker's final decision.

(8) Procedures for dealing with submissions

Copies of written submissions will be given to the applicant to provide the applicant the opportunity to respond to issues raised in any submissions. Personal details such as names, telephone numbers and addresses will not be given to the applicant.

Should the application be considered by Council, the applicant, the landowner, and all parties who have made a submission on the development application will be notified in writing of the date at which an item will be listed on a meeting agenda. In all cases, the City will endeavour to ensure that the written notification is provided at least one week prior to the scheduled meeting date.

Officer reports to Council will include a summary of the issues raised in any of the submissions received as part of the consultation process. If the text of a submission is to be included in the report, the author's personal details will not be identified.

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(9) Consideration of Submissions

The City, in assessing a development application, will have regard for any submissions received during public advertising. The City has a duty to properly balance its consideration of all relevant factors in an objective and impartial manner. The opinions of neighbours and the wider community (where relevant), help the City and the Council by highlighting local issues and concerns which need to be considered and assessed in the consideration of a development application.

However, the City's officers and the Council are not obliged to agree with, or uphold, every opinion expressed, nor to incorporate all suggestions into its decision.

As the responsible planning authority, the City cannot consider non-planning matters. Submissions which are based on civil or non-planning matters will not be considered. These include:

- Possible impact on property values
- Neighbour disputes
- Competition/business impacts
- Construction inconvenience during building works

If no submissions are received by the City within the prescribed time frame, it will be assumed that those who had been notified have no objection to the proposal.

Public notification is given to consider the impact a proposal may have on amenity. In assessing a development application, the City will give greater weight to planning-related matters raised, rather than the number of signatures or volume of correspondence received. The City may decline to consider anonymous petitions or submissions where the identity and address of the signatories cannot reasonably be verified. Submissions will be treated confidentially if the submitter requests their identity remain confidential

The City will assess each submission on the merit of the planning issues it raises. The total number of submissions received, or the proportion of objections and non-objections, is not a relevant consideration in the assessment process.

Public notification of a development application is therefore not intended to provide a mechanism for gauging community support or opposition by way of a 'vote', but to identify relevant planning matters for consideration.

(10) Duration of public notice

The periods for public notice of development applications are prescribed by Clause 64 of the Planning and Development (Local Planning Schemes) Regulations 2015. These are:

- Complex applications: 28 days
- Non-Complex applications: 14 days

The public notice period may be extended with the consent of the applicant.

Title	**ADVERTISING OF DEVELOPMENT APPLICATIONS**
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The periods for public notice of development applications are prescribed by Clause 64 of the Planning and Development (Local Planning Schemes) Regulations 2015. These are:

- Complex applications: 28 days
- Non-Complex applications: 14 days

The public notice period may be extended with the consent of the applicant.

The period for public advertising excludes *holiday periods* as defined by the Regulations. These periods are:

- A period commencing on 25 December in a year and ending on the next 1 January; or
- A period of 7 days commencing on Good Friday in a year

(11) Additional public notice of proposal previously advertised

Additional public notice shall be given in the same manner under the provisions of this policy where:

- a planning proposal is subsequently significantly modified prior to its final determination and additional variations arise from the modifications; or

- Where the application to amend an existing planning approval is received, and additional variations arise from the proposed amendments;

(12) Refusal of applications without giving of public notice

Any planning proposals may be refused by the City without the giving of public notice.

(13) Cost of Advertising

In accordance with the Planning and Development Regulations 2009, the City will recover the cost of advertising from the applicant. The cost of advertising shall be payable prior to the commencement of advertising. Additional advertising costs incurred by the City following the initial payment shall be recovered prior to the determination of the development application.

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Strategic Link:	
Category	
Lead Business Unit:	
Public Consultation: **(Yes or No)**	
Adoption Date: (Governance Purpose Only)	
Next Review Due: (Governance Purpose Only)	
ECM Doc Set ID: (Governance Purpose Only)	

8.1.2 (2026/MINUTE NO 0052) Draft Local Planning Policy: Fencing

Responsible Executive	Director Sustainable Development and Safety
Author(s)	Service Manager Development Services
Attachments	1. Local Planning Policy 5.1 - Development of the Public Realm (with tracked changes) 2. Draft Local Planning Policy 5.25 - Fencing

Committee Recommendation
MOVED Cr C Reeve-Fowkes SECONDED Cr H Srhoy
That Council:

(1) ADOPTS the Draft Local Planning Policy 5.25 - Fencing for the purpose of public consultation, as shown in Attachment 2;

(2) NOTES that Local Planning Policy 5.1 - Development of the Public Realm will be modified to remove all 'Uniform Fencing' provisions, following the final approval of the Draft Local Planning Policy - Fencing, on the basis that the amendment is minor and does not require formal advertising; and

(3) ADVERTISES the Draft Local Planning Policy 5.25 - Fencing in accordance with Clause 4 of the Planning and Development (Local Planning Schemes) Regulations 2015; Procedure for making Local Planning Policy.

CARRIED 7/0

Background

The City currently assesses fencing proposals against the deemed-to comply provisions of the *Residential Design Codes, Fencing Local Law* and objectives of the relevant zone pursuant to *Town Planning Scheme No. 3.* While these provisions provide a statutory framework for assessment, they do not establish detailed local guidance regarding the design, appearance and location of fencing across the City's diverse residential neighbourhoods.

Council's recent consideration of a front fencing application in the Rural Zone highlighted the challenges associated with assessing proposals where limited local policy guidance exists. During its deliberations, Council encountered the challenge of balancing resident expectations for privacy and security with the City's objectives for attractive streetscapes, passive surveillance and neighbourhood character.

The preparation of *Draft Local Planning Policy 5.25 - Fencing* (draft policy) establishes transparent and consistent assessment criteria for fencing proposals in order to provide greater certainty for residents, applicants and decision-makers.

This report recommends adoption of the draft policy for the purpose of advertising.

Submission

Nil.

Report

The Draft Local Planning Policy - Fencing (Attachment 2) has been prepared to provide guidance on the design and assessment of fencing throughout the City.

The draft policy does not apply to industrial or commercial land, given fencing for these areas do not impact residential amenity and can be considered as part of a comprehensive assessment of an industrial or commercial application.

The objectives of the draft policy are to:

- Provide clear guidance to applicants so they can confidently proceed with fencing development and obtain consistent advice from the City
- Provide clear guidance on the assessment of fencing proposals so the City and Council can ensure consistent decision-making
- Ensure street fencing is consistent with the character of an area
- Balance passive surveillance with privacy and noise considerations through appropriate fencing selections.

Provisions relating to 'Uniform Fencing' within existing *Local Planning Policy 5.1 - Development of the Public Realm* are proposed to be relocated to the *Draft Local Planning Policy - Fencing* to consolidate fencing development into one policy (Attachment 2).

Relocation of existing provisions from one local planning policy to another constitutes a 'minor amendment' which does not need advertising, pursuant to Schedule 2 Clause 5 (2) of the *Planning and Development (Local Planning Schemes) Regulations 2015.*

The draft policy provides circumstances where a development approval would not be required. Further, clear guidance is provided on the governance framework and legislation, to help remove any confusion on the differences between the City's *Fencing Local Law* and the requirements of the *Town Planning Scheme No. 3.*

The draft policy contains imagery which is intended to define fencing types and improve clarity for assessors and applicants.

It is recommended that the draft policy be adopted for the purpose of advertising, so the City can review any submissions made by the community and improve the policy where required before consideration of its final approval.

Strategic Plans/Policy Implications

Our Places

Enhancing distinctive, liveable areas with well-connected, safe transport options.

• Strengthen unique, liveable and adaptive places.

Budget/Financial Implications

N/A

Legal Implications

N/A

Community Consultation

In accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*, new local planning policies must be advertised for a period of 21 days. After the consultation period, the local government must:

(1) Review the proposed policy in light of any submissions made; and

(2) Resolve to:
   a. Proceed with the policy without modification; or
   b. Proceed with the policy with modification; or
   c. Not proceed with the policy

The draft policy will therefore come back to Council following community consultation for final adoption.

Risk Management Implications

Should Council not proceed with adoption, the City will be left will be reliant on the Fencing Local Laws and the objectives of the relevant zone pursuant to Town Planning Scheme No. 3 to provide guidance on the assessment of fencing proposals.

Advice to Proponent(s)/Submitters

N/A

Implications of Section 3.18(3) Local Government Act 1995

Nil.

Policy
Development of the Public Realm

Policy Number
LPP 5.1

Policy Type
Local Planning Policy

Policy Purpose

The purpose of this Local Planning Policy is to establish the development standards and requirements for public domain areas, including Local Reserves and Public Open Space (POS), while ensuring adherence to environmental, aesthetic, and safety standards. This policy sets forth criteria to exempt certain developments from the need for development approval, in line with Part 61 of the Planning and Development (Local Planning Schemes) Regulations 2015, specifically for Local Reserves under the City's Town Planning Scheme No. 3 (TPS 3). It aims to facilitate development by outlining the conditions under which no development approval is required and to provide guidance on matters such as uniform fencing to enhance visual appeal and passive surveillance.

The policy also addresses the management and development of natural areas within POS and drainage reserves, ensuring they are designed and maintained in accordance with ecologically sustainable principles, including the State Wetland Conservation Policy and the City's Natural Areas Management Plan. It specifies land features unacceptable for public open space credit, integrates requirements for bushfire risk assessment, and clarifies the consideration of bushfire protection zones relative to public open space. Overall, this policy aims to balance development needs with environmental protection, public amenity, community safety and desired built form outcomes.

The Western Australian Planning Commission provides the following strategic guidance on the matter of public open space:

- Operational Policy - Liveable Neighbourhoods
- Development Control Policy (DCP) 2.3 - Public Open Space in Residential Areas o State Planning Policy 3.7 - Planning for Bushfire Risk Requirements for the

provision of public open space in urban areas are detailed under Element 5 of Liveable Neighbourhoods. While Element 5 provides comprehensive requirements in relation to public open space provision, it is silent in relation to a number of land circumstances which the City of Cockburn deems inappropriate for crediting as part of public open space. This Policy identifies such land features which will not be accepted by the City as part of the public open space requirement.

Policy Statement

(1) Development On Local Reserves (Parks and Recreation) for which development approval is not required

1. Where a proposal meets the provisions of table 1 below, no development approval is required.

2. Where a proposal does not meet the provisions of table 1 below, development approval is required, and advertising may be required subject to assessment of the impact on adjoining landowners.

3. Where a development approval is required, the application for development form, drawings, justification letter and checklist must be completed. The City will not require a copy of the Certificate of title or the consent and indemnity form.

TABLE 1

Development Type	Planning Requirements and Exemptions
Tree / Shrub Planting	No Development Approval Required, irrespective of plant size or height.
Footpaths, Dual Use Paths	No Development Approval required for footpaths or dual use paths that have obtained prior civil approvals for their respective locations by the City as required.
Sand Pits	No Development Approval required.

Play or Gym Equipment	• Manufactured play or gym equipment shall be exempt from Development Approval. • Bespoke play or gym equipment shall be assessed by a qualified playground auditor and confirmed to be compliant to be deemed exempt from Development Approval.
Drinking Fountains	No Development Approval required.
Shade sails	• Development Approval is not required where replacing 'like for like' within the same location, footprint and height. • Development Approval is not required for new shade sails, provided the development is setback a minimum of 2m from any lot boundary or road reserve.
Picnic, Barbecue Areas and Shelters	No Development Approval is required provided the development is setback a minimum of 2m from any lot boundary or road reserve.
Walkway Shelters, Sheltered Roofed Structures	No Development Approval is required provided the development is setback a minimum of 2m from any lot boundary or road reserve.
Pot Plants	No Development Approval required, regardless of size or scale.
Retaining Walls	• Development Approval is not required for Retaining Wall applications in line with City approved civil drawings under an approved subdivision where the land has already been ceded as a local reserve and Retaining Walls

Development Type	Planning Requirements and Exemptions
	greater than 2m in height (measured from the Natural Ground Level) are setback a minimum of 2m of any lot boundary or road reserve. • Where Retaining Walls greater than 2m in height (measured from the Natural Ground Level) are setback within 2m of any lot boundary or road reserve, whichever is applicable, Development Approval is required. • Development Approval is required where the lot has not been ceded as a local reserve.
Free standing walls	• Development Approval is not required for free standing walls in line with City approved civil drawings under an approved subdivision, where the land has already been ceded as a local reserve and the Free Standing Walls greater than 2m in height (measured from the Natural Ground Level) are setback 2m of any lot boundary or road reserve, whichever is applicable. • Where the Free standing walls greater than 2m in height (measured from the Natural Ground Level) are setback within 2m of any lot boundary or road reserve, whichever is applicable Development Approval is required. • Development Approval is required where the lot has not been ceded as a local reserve.
Seating	No Development Approval required.
Litterbins	No Development Approval required.
Access Roads	• Development Approval is not required for access roads which are less than 20m in length and constructed from compacted materials (such as limestone) in line with City approved civil drawings under an approved subdivision, where the land has already been ceded as a local reserve.

Development Type	Planning Requirements and Exemptions
	• Development Approval is required for hard surface access roads which are constructed from asphalt or concrete, and are longer than 20m in length, where the land has already been ceded. • All access roads require development approval where proposed on land yet to be ceded as a reserve.
Access roads within Public Open Space sites	• Development Approval is not required for access roads which are less than 20m in length and constructed from compacted materials (such as limestone) in line with approved civil drawings under an approved subdivision by the City where the land has already been ceded as a local reserve. • Development Approval is required for hard surface access roads which are constructed from asphalt or concrete, and are longer than 20m in length, where the land has already been ceded. • Where the lot has not been ceded – development approval is required.
Car parking	• Development Approval is not required where replacing car parking areas like for like, meaning the exact same location, footprint and number of bays. • Development Approval is required for all new car parking bays or car parking areas.
Vehicle charger infrastructure	• No Development Approval required where locating this infrastructure within an approved car parking area. • Development Approval is required for all new car parking bays and car parking areas which proposed vehicle charger infrastructure.
Irrigation systems	No Development Approval required.
Bores	No Development Approval required.

Development Type	Planning Requirements and Exemptions
Sports lights/ floodlighting	• No Development Approval is required where replacing sports lights/ floodlights like for like, meaning the exact same location, height and light omission. • Development Approval is required for all new sports lights/ flood lights. • No Development Approval is required for Shelter and footpath lighting and solar bollards.
Goal posts and practice nets, volleyball posts, nets and cricket nets	• No Development Approval is required where replacing goal posts and practice nets like for like, meaning the exact same location, height and width. • Development Approval is required for all new goal posts and practice nets.
New volleyball courts, hockey pitches and bowling greens	Development Approval required.
Drainage basins and sumps	• Development Approval is not required for drainage basins and sumps applications in line with City approved civil drawings under an approved subdivision, where the land has already been ceded as a local reserve. • Development Approval is required where the lot has not been ceded as a local reserve.
Conversion of stormwater drainage swales into underground detention basins	Development Approval required.
Fences (all types)	• Development Approval is not required for fence applications in line with City approved civil drawings under an approved subdivision where the land has already been ceded as a local reserve. • Development Approval is required where the lot has not been ceded as a local reserve.
Entry Statement signage	Development Approval required.
Jetty, Pontoons, Groynes and boardwalks	Development Approval required.

Development Type	Planning Requirements and Exemptions
Skate parks and pump tracks	Development Approval required.
Water play	Development Approval is not required for recycled water play where the location is setback greater than 2m of any lot boundary or road reserve, whichever is applicable.
Toilet facility/ Ablutions	Development Approval required.
Artwork	• No Development Approval required for Artwork. • Development Approval is required for any Artwork that proposes a variable message sign.
New buildings/ facilities including enclosed bin storage areas	Development Approval required.
Bird Hides	No Development Approval required.
Closed-Circuit Television (CCTV)	• Development Approval is not required where CCTV is proposed to be affixed to an approved building or structure. • Development Approval is required, where CCTV is proposed on a freestanding pole within 2m of any lot boundary or road reserve, whichever is applicable.
Sea Containers and other Transportable Structures	• Development Approval is not required where: i. they relate to storage of items on a temporary basis for an approved use on the local reserve that has obtained Development Approval; and ii. the location of the sea container is agreed to in writing by Head of Development Assessment and Compliance.

(2) Provision of Public Open Space (POS)

1. The following land will not be accepted by the City as part of any public open space requirement:
   a. Subdivision entry statements.
   b. Land where public access is incapable, restricted or denied.
   c. Buffers separating incompatible land uses where the width of such buffer is below 30m.
   d. Road verges.
   e. Land with a restriction on the certificate of title which in the opinion of the City will unreasonably impede the ability to use the land for public open space.

2. No part of the 20m building protection zone should be included within any area of current or proposed public open space, unless:

a. The identified area is already cleared of natural vegetation and is proposed to remain clear of vegetation in a manner that facilitates the ongoing low fuel levels being maintained (such as irrigated manicured parkland); and

b. There is a physical barrier (e.g. 3m concrete footpath, retaining structure, wall, masonry fencing) which demarcates this portion of the public open space such that it does not gradually regenerate through natural processes such as being adjoined by bushland.

3. The following land will not be accepted by the City as public open space unless, in the opinion of the City, there is some community benefit in doing so. The City may allow such land to be included in restricted use public open space:

a. Land within or forming part of any utility or easement containing underground infrastructure (such as a gas pipeline) or above ground infrastructure (such as a transmission line corridor);

4. The following land will not be accepted by the City as public open space, unless 'in principle' support is also obtained at the local structure plan stage from Department of Regional Development and Lands and the land will be remediated or investigated to the satisfaction of the Department of Environment and Conservation and the City prior to vesting:

a. Land considered to be 'contaminated' or 'possibly contaminated' under the Contaminated Sites Act 2003

5. All other aspects of public open space provision are to comply with Element 5 of Liveable Neighbourhoods.

(3) Incorporation of Natural Areas in Public Open Space and Drainage Areas

1. Where development is proposed adjacent to a natural area Management Plan/s must be submitted and approved by the City.

2. Where development includes or is adjacent to a wetland, buffers are provided and managed to protect and maintain wetland values. Buffers also act to protect the community from potential impacts such as nuisance midge. The City will apply buffer distances as outlined in Department of Water and Environment and

Department of Planning, Lands and Heritage wetland buffer guidelines. A 50m buffer is generally required.

3. Where development includes or is adjacent to a wetland an adequate midge buffers must be provided.

4. Natural areas and their associated ecological values must be assessed by a suitably qualified environmental specialist and a report provided to council the City prior to planning or development approval.

5. Drainage associated with development and land use is to be managed in line with the following principles:-

a. Discharge of drainage directly into wetlands will not be permitted. Discharge may be acceptable following suitable treatment to remove nutrients and other pollutants, provided that adverse hydrological impacts will not occur.

b. The integrity of wetland and buffer vegetation is to be maintained by design and implementation of best practice Water Sensitive Urban Design Principles, particularly where drainage facilities are established within the setback to the wetland.

6. Where natural areas are to be retained or conserved within POS and/or drainage reserves the area should be designed and developed in accordance with the following design requirements;

a. A site survey is to be undertaken to identify areas of vegetation that are deemed to have significant ecological value. Measures should then be identified to protect and retain vegetation where possible.

b. To ensure that the integrity of the area is protected and disturbance is minimised, the limit of the natural area shall be determined in consultation with the City and clearly marked on site prior to any works being undertaken and no works including earthworks, clearing or pruning are to be undertaken

in these areas without first obtaining approval from the City and other relevant authorities.

c. Where appropriate a Revegetation and Maintenance Management Plan will be submitted for approval by the City prior to any works/construction taking place on the land. The plan should illustrate how and when revegetation works are to occur including weed control and a comprehensive species list. The following key elements should also be reflected in the plan:

i. As a general rule a final revegetation density of 1.6 plants per square metre is to be achieved prior to hand over of maintenance responsibilities to the City. Detailed and agreed completion criteria are to be included in the Revegetation and Maintenance Management Plan. ii. As bond or a bank guarantee for revegetation and maintenance will be required to be lodged with the City. The bond shall be equal to the revegetation and maintenance costs plus 25%. iii. Illustrate how dieback management procedures will be implemented and complied with.

d. To ensure that cut and fill batters around natural management areas can be effectively managed and maintained; slopes shall not be steeper than 1 in 6. Such batters are to be stabilised initially using hydromulch or similar and then by planting with native species.

e. To minimise the potential of weeds and grasses invading natural areas, only clean sand fill shall be used on batter slopes and in adjacent areas. Use of top soil is not acceptable.

To minimise the potential of adjoining grassed areas invading natural management areas, these areas should be defined and separated by a hard edge such as kerbing, walls or paths which shall be constructed as part of subdivision or development of the area. To minimise the potential growth of weeds and grasses in the natural management areas, sprinklers in adjacent irrigated grass and garden areas should, as far as practicable, be positioned to spray away from the natural management area.

f. To minimise the potential for any ongoing physical disturbance, any paths through or around a natural management area should be designed to avoid areas of high vegetation quality and or diversity, not unduly fragment the area and where necessary control indiscriminate movement through such areas by the provision of board walks, fencing, low walls or other appropriate barriers.

g. As a general rule, paths through natural management areas should be in keeping with the natural environment. The location and form of paths is subject to approval from the City. Where necessary and appropriate, paths should also function as a fire break and provide fire access.

h. As a general rule the area will be maintained by the developer for a minimum of 2 years. However handover will not occur until such times as the City is satisfied that the relevant completion criteria as outlined in the Revegetation and Management Plan has been met.

Approvals for the subdivision and/or development of land that includes natural areas will contain appropriate conditions which require the application of the above principles.

i. Prior to a development approval, including structure plans, local development plans, and subdivision determinations being issued the City may require the preparation and approval of a Bushfire Management Plan to establish and mitigate the risk that retaining natural vegetation may have upon adjoining development.

~~(4) Uniform Fencing~~

~~1. The below requirements apply to all uniform fencing constructed within the City.~~

~~2. Uniform fencing is required to be provided by developers and landowners where land abuts public open space, drainage sites, pedestrian access ways, regional roads, other roads of district importance or any other public place.~~

~~3. The requirement for the construction of uniform fencing shall be triggered through the development and/or subdivision of land.~~

~~4. The City shall impose a condition on planning approvals (where applicable) requiring the applicant/owner to construct uniform fencing in accordance with this policy.~~

~~5. The City shall recommend to the Western Australian Planning Commission (WAPC) that a condition be imposed on subdivision approvals (where applicable) requiring the applicant/owner to construct uniform fencing in accordance with this policy.~~

~~6. The following general uniform fencing standards apply:~~

~~a. Uniform fencing shall generally be a minimum height of 1800mm above natural ground level. This does not include retaining walls. Uniform fencing below 1800mm in height may be considered appropriate for specific locations, including where it is required to be installed above a retaining wall.~~

~~b. Uniform fencing shall be constructed of limestone, brick, masonry or other durable materials approved by the City. Uniform fencing using modular construction may be considered provided that the wall presents a rendered or similar finish and it can be~~

demonstrated that the repair and maintenance requirements of such a wall is satisfactory to the City.

c. Colorbond® steel (or similar), ring-lock/cyclone, super-six/fibro cement and twin-side post and panel fencing are not acceptable materials where uniform fencing is required.

d. Uniform fencing, where visually permeable infill panels are required shall be constructed of wrought iron, steel, aluminium or other similar durable material to the satisfaction of the City. Timber infill panels are generally not supported due to its high maintenance and low durability compared to metal products. Infill panels shall be constructed above 1.2m in height above natural ground level and shall be visually permeable in accordance with the definition contained in the Residential Design Codes of Western Australia (R-Codes). Visually permeable infill panels below 1.2m may also be considered for approval.

e. Uniform fencing piers shall be a maximum of 300mm above the fence line and provided at any interval of not more than 7.5m for limestone, brick or masonry and 6m for all other fences.

f. Approval for the subsequent removal and/or modification of uniform fencing will not be granted unless it is demonstrated by the applicant that the alternative maintains Council's objectives of achieving a high level of visual amenity, high durability and adequate passive surveillance (where appropriate).

g. Fencing which may impede visual sightlines and pedestrian /or vehicular movement is required to be no higher than 750mm within 1.5m of a vehicle crossover.

h. Any solid uniform fencing shall be treated with non-sacrificial graffiti protection to the City's satisfaction.

i. Full elevation and site plans are required to be submitted to the City for its endorsement prior to the installation of any uniform fencing.

7. The following general uniform fencing standards apply when abutting Primary and Other Regional Roads and Railway Reserves:

a. Uniform fencing abutting regional roads and railway reserves may be required to provide additional elements to satisfy noise attenuation measures in order to comply with *State Planning Policy 5.4 'Road and Rail Transport Noise and Freight Considerations in Land Use Planning*.

~~b. Uniform fencing abutting regional roads and rail reserves shall generally be of solid construction without visually permeable infill panels.~~

~~c. Extensive portions of solid uniform fencing shall be suitably broken up with different materials/textures/landscaping to provide visual relief.~~

~~8. Uniform fencing abutting local roads shall generally be of solid construction but may in some instances be required to provide visually permeable infill panels to promote passive surveillance depending on the location and traffic associated with the road.~~

~~9. Uniform fencing abutting POS shall provide visually permeable infill panels to promote passive surveillance. Minor portions of solid uniform fencing may be permitted to screen some areas of residential land including drying areas. Pedestrian access gates (and stairs if required) are encouraged to be constructed as part of the uniform fencing between residential lots and POS to encourage use of the POS by the adjoining residents.~~

~~10. Uniform fencing abutting PAWs shall generally be required to provide visually permeable infill panels to promote passive surveillance of the PAW. Minor portions of solid uniform fencing may be permitted to screen some areas of residential land including drying areas.~~

Strategic Link:	Town Planning Scheme No.3
Category:	Planning – Town Planning & Development
Lead Business Unit:	Development Services
Public Consultation: (Yes or No)	Yes
Adoption Date: (Governance Purpose Only)	12 May 2026
Next Review Due: (Governance Purpose Only)	May 2028

ECM Doc Set ID: (Governance Purpose Only)	4514044

Title	**FENCING**
Policy Number (Governance Purpose)	**LPP 5.25**

Policy Type

Local Planning Policy

Citation

This is a Local Planning Policy prepared under Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015. This policy may be cited as Local Planning Policy (LPP) 5.25.

Introduction

Fencing can have impactful consequences to streetscape character and neighbourliness. Fencing adjacent to the public realm contributes to the amenity of an area. The design of a fence influences passive surveillance, opportunities for natural supervision of the street and overall community safety through *crime prevention through environmental design* (CPTED) principles. Planning controls are required to provide clarity on fencing types and objectives for fencing development within the City of Cockburn.

'*Dividing Fences*' are exempt from requiring development approval as construction is prescribed by the City's *Fencing Local Law* (as amended). Disputes between neighbours relating to '*Dividing Fences*' pursuant to the *Dividing Fences Act 1961* is a civil matter between neighbours. More advice on this process is provided by the Department of Local Government, Industry Regulation and Safety.

'*Uniform Fences*', '*Street Fences*' and '*Boundary Fences*' are, in contrast to '*Dividing Fences*', a matter regulated by statutory planning, and may require development approval from the City.

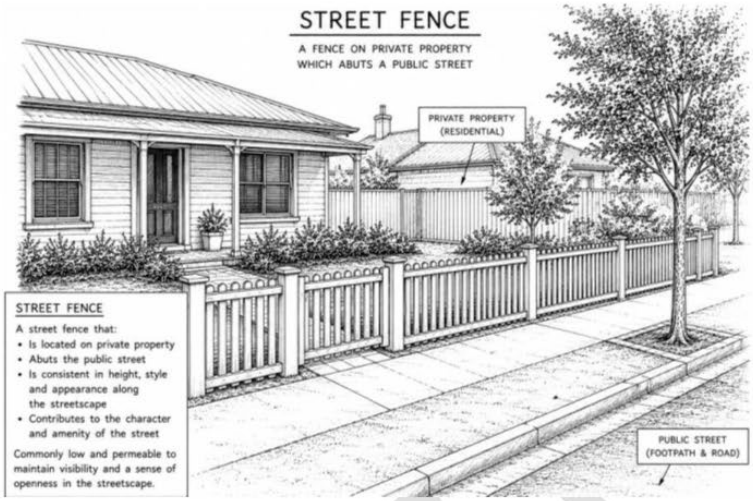
This local planning policy provides guidance on consistent decision-making relating to fencing proposals, where a development application is required. The policy also provides clarification on acceptable material types, intended to assist in addressing community expectations around the character of their suburbs.

For the purpose of this policy, fencing types are defined below:

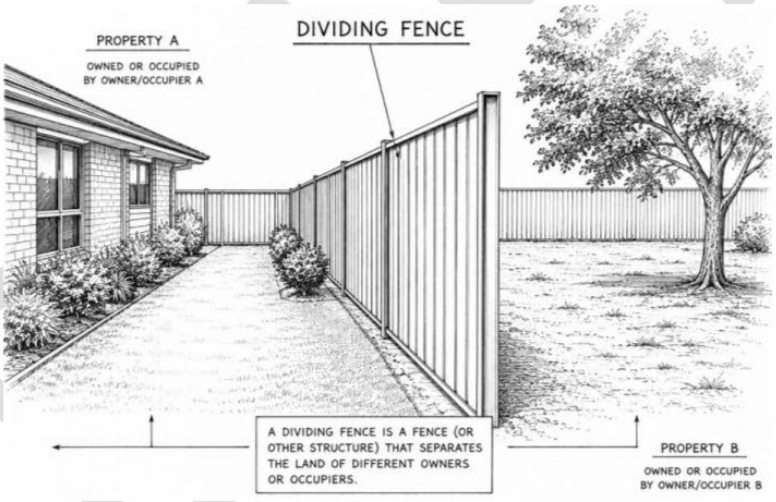
1. **Street Fences** - fences located along the primary street frontage, including side fences within the street setback area, of an individual lot and visible from the public realm, forming part of the streetscape presentation of a single property.

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Title	**FENCING**
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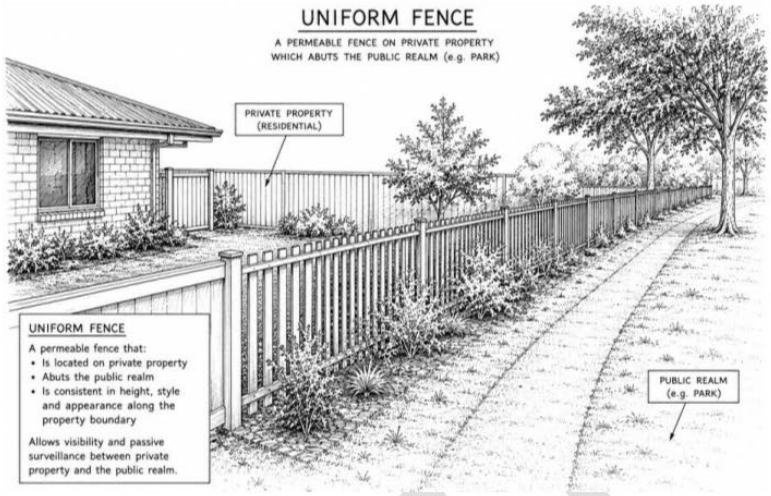
2. **Dividing Fences** - side boundary fences shared by two neighbouring properties. Controlled by the Fencing Local Law and the *Dividing Fences Act.* Does not require development approval.



3. **Uniform Fences** - fences located along the boundary of multiple lots adjoining the public realm (such as secondary streets and public open space). Uniform fences are established to provide consistent and coordinated fencing treatment, initially installed by a developer or subdivider as part of an approved subdivision or development application.

[2]

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4. **Boundary Fence** - fences located along or near the boundary of an individual lot adjoining a secondary street, public open space, reserve, right-of-way, or other public realm interface, other than the primary street.



Objectives

- To provide clear guidance to applicants so they can confidently proceed with fencing development and obtain consistent advice from the City.
- To provide clear guidance on the assessment of fencing proposals so the City and Council can ensure consistent decision-making.
- To ensure street fencing is considerate to the character of an area.

[3]

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- To balance passive surveillance with privacy and noise considerations through appropriate fencing selections.

Application

This policy applies to the development of street, boundary and uniform fencing on land capable of residential development pursuant to *Town Planning Scheme No.3* (TPS3).

This policy does not apply where fencing requirements are specified within an approved Local Development Plan.

This policy does not apply to 'Dividing Fences' pursuant to the City's *Fencing Local Law* under the *Dividing Fences Act 1961*.

Policy Provisions

(1) Exemptions from the requirement to obtain Development Approval under the Planning and Development Act.

i. All Dividing Fences.

ii. Development which is classed as exempt pursuant to Clause 61 of *Planning and Development (Local Planning Scheme) Regulations 2015,* unless otherwise identified as requiring approval pursuant to this policy.

iii. Uniform Fencing which is required as a condition of subdivision approval, where details will be submitted as part of civil engineering drawings as part of subdivision clearance and will be constructed consistent with Clause 6 of this policy.

iv. Boundary Fencing along the secondary street which is constructed of sufficient fencing materials pursuant to the *Fencing Local Law* and is no greater than 1.8m in height.

v. Street Fencing in the Rural, Rural Living and Resource Zones, where the development complies with Clause 4 of this policy.

vi. All Entry Statements, where they meet the requirements of this policy.

(2) Local Character Provisions

Development is to have due regard to the established local character and streetscape of the area, including the following considerations:

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i. The objectives of the applicable zone under Town Planning Scheme No. 3 and the City's Local Planning Strategy, including intended future character (where applicable).

ii. The degree of openness and visual permeability of the existing streetscape.

iii. The prevailing streetscape character and whether the development will positively or negatively contribute to that character.

iv. **Rural** and **Resource** zoned land is characterised by low-density development, open landscapes, generous setbacks and built form that complements the rural setting without creating excessive visual bulk, while supporting environmental values, rural lifestyle land uses and (for the Resource Zone) the protection of underground water resources.

v. **Rural Living** zoned land is characterised by low-density residential development on large lots, with built form and fencing treatments that may be more typical of residential areas, while still maintaining a spacious semi-rural character.

vi. **Residential** zoned land is characterised pursuant to *Local Planning Policy 1.2 Residential Design Guidelines.*

vii. In **Rural** and **Resource** zoned land, a presumption of support will be given to materials sympathetic to rural character, such as:

- Rammed earth
- Gabion and stone walls
- Coffee rock
- Masonry materials with either face brick or a light or cream rendered finish
- Wrought iron and or decorative steel

(3) Exercise of Discretion

The City may consider variations to the provisions of this Policy where it is satisfied that the proposed development responds appropriately to the site context and achieves the overall objectives of this Policy, including in the following considerations:

i. Where additional privacy is required for private open space and no alternative private open space area is available on the lot.

ii. Where fencing is necessary to mitigate traffic noise impacts, particularly for properties adjoining higher-order or high traffic volume roads.

iii. Where a swimming pool or spa is located within the front setback area of the property.

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iv. Where innovative or high-quality construction materials and design elements contribute positively to the streetscape and built form outcomes.

v. Where natural ground levels, retaining, or site constraints influence the practical application of fencing height or material requirements.

(4) Street Fencing Design Principles

i. Development in the **Residential Zone** shall comply with the design principles of the *Residential Design Codes* (R-Codes), unless the City exercises its discretion against Clause 3 of this policy.

ii. Development within the **Rural** and **Resource** zones shall have regard to the rural character and environmental values of the locality, in accordance with the following:

a. Solid fencing is not permitted.
b. Colorbond® steel (or similar), ring-lock/cyclone, super-six/fibro cement and twin-side post and panel fencing are not permitted.
c. Fencing is to comprise rural or open-style materials, including timber post and rail, wire, or similar visually permeable (as defined by the R-Codes) construction materials.
d. Fencing is to be designed and constructed to complement and integrate with the surrounding landscape character.
e. Fencing should allow, where practicable, for the movement and passage of native wildlife.

iii. Development within the **Rural Living** zone shall maintain an open and semi-rural streetscape character in accordance with the following:

a. Front fencing may be solid to a maximum height of 1.2 metres, with any portion above 1.2 metres up to a maximum height of 1.8 metres to be visually permeable.
b. Solid front fencing adjoining vehicle accessways is to be truncated, splayed, or otherwise designed to maintain safe sightlines for vehicles and pedestrians.

(5) Boundary Fencing adjacent Public Open Space

i. All boundary fencing abutting public open space (parks and recreation reserves) requires development approval, unless replacing 'like for like' or minor maintenance.

ii. Fencing abutting public open space shall generally be open-style with portions of solid fencing permitted to screen some areas for privacy purposes.

Title	**FENCING**
Policy Number (Governance Purpose)	**LPP 5.25**

(6) Uniform Fencing

i. Where subdivision or development proposals abut public open space, drainage reserves, pedestrian access ways, regional roads or other roads of district importance or any other public place, uniform fencing shall be installed.

ii. For subdivision proposals, the City shall recommend to the Western Australian Planning Commission (WAPC) that a condition be imposed on subdivision approvals (where applicable) requiring the applicant/landowner to construct uniform fencing in accordance with this policy.

iii. For development proposals, the City shall request fencing details during assessment, or if appropriate, condition further details to be provided, to ensure consistency with this policy.

iv. Where considered appropriate, uniform fencing should incorporate gates that open onto the public realm, provided the gates are self-closing.

v. Uniform fencing shall generally be consistent in height, materials, design and appearance along its length.

vi. Any proposed modifications to existing uniform fencing require development approval and should generally comply with the following:

a. Materials and colours are to complement the existing fencing.
b. Fence heights are to remain generally consistent with the existing fencing.
c. The proposal can demonstrate a high level of visual amenity, high durability and adequate passive surveillance (where appropriate).

vii. The following **general uniform fencing standards** apply:

a. Uniform Fencing shall generally be a minimum height of 1800mm above Natural Ground Level excluding retaining walls.
b. Where fencing is located on top of, or in conjunction with, a retaining wall, the combined height of the retaining wall and fencing shall not exceed 1800mm above natural ground level unless otherwise approved by the City.
c. Proposals for combined retaining wall and fencing exceeding 1800mm will be assessed having regard to visual impact, streetscape compatibility, overlooking, and bulk and scale.
d. Uniform fencing shall be constructed of limestone, brick, masonry or other durable materials approved by the City. Uniform fencing using modular construction may be considered provided that the wall presents a rendered or similar finish and it can be demonstrated that the repair and maintenance requirements of such a wall is satisfactory to the City.

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e. Colorbond® steel (or similar), ring-lock/cyclone, super-six/fibro cement and twin-side post and panel fencing are generally not supported where uniform fencing is required.

f. Where uniform fencing requires visually permeable infill panels, such panels shall be constructed from wrought iron, steel, aluminium, or other durable materials as determined by the Local Government.

g. Timber infill panels are generally not supported due to higher maintenance requirements and reduced durability compared to metal alternatives.

h. Visually permeable infill panels shall generally be provided above 1.2m above natural ground level and shall comply with the definition of 'visually permeable' contained in the R-Codes.

i. Notwithstanding the above, visually permeable infill panels below 1.2m above natural ground level may be considered where it can be demonstrated that streetscape outcomes are enhanced; and safety, surveillance, and visual permeability are not compromised.

j. Uniform fencing piers shall be a maximum of 300mm above the fence line and provided at any interval of not more than 7.5m for limestone, brick or masonry and 6m for all other fences.

k. Fencing which may impede visual sightlines and pedestrian /or vehicular movement is required to be no higher than 750mm within 1.5m of a vehicle crossover.

l. Any solid uniform fencing shall be treated with non-sacrificial graffiti protection to the City's satisfaction.

m. The following general uniform fencing standards apply when abutting Primary and Other Regional Roads and Railway Reserves:

- Uniform fencing abutting regional roads and railway reserves may be required to provide additional elements to satisfy noise attenuation measures in order to comply with State Planning Policy 5.4 '*Road and Rail Transport Noise and Freight Considerations in Land Use Planning*'.
- Uniform fencing abutting regional roads and rail reserves shall generally be of solid construction without visually permeable infill panels.

n. Extensive portions of solid uniform fencing shall be suitably broken up with different materials/textures/landscaping to provide visual relief.

o. Uniform fencing abutting local roads shall generally be of solid construction but may in some instances be required to provide visually permeable infill panels to promote passive surveillance depending on the location and traffic associated with the road.

p. Uniform fencing abutting POS shall provide visually permeable infill panels to promote passive surveillance. Minor portions of solid uniform fencing may be permitted to screen some areas of residential land

Title	**FENCING**
Policy Number (Governance Purpose)	**LPP 5.25**

including drying areas. Pedestrian access gates (and stairs if required) are encouraged to be constructed as part of the uniform fencing between residential lots and POS to encourage use of the POS by the adjoining residents.

q. Uniform fencing abutting PAWs shall generally be required to provide visually permeable infill panels to promote passive surveillance of the PAW. Minor portions of solid uniform fencing may be permitted to screen some areas of residential land including drying areas.

(7) Entry Statements

In considering proposals for entry statements, the following considerations will be made:

a) Entry Statements will be permitted within three (3) metres of a vehicle entry point, provided vehicle sightlines (via a 1.5m by 1.5m truncation) are maintained.

b) Entry Statements may be made of an alternative material to the front fence and are not subject to the same permeability requirements.

c) Entry statements consisting of Colorbond® will generally no be supported.

(8) Pool Barriers

i. All swimming pools require a pool barrier to be installed pursuant to the Building Act 2011 and the City shall prioritise pool safety over all other considerations.

ii. The City recognises that swimming pool and spa safety barriers are an important safety requirement and must comply with the Building Act 2011, Building Regulations 2012 and applicable pool safety barriers standards

iii. A development application is required for all fencing on the front boundary, or primary street setback area, where a private swimming pools/spa is installed within the primary street setback area and the street fence is intended to act as a safety barrier.

iv. Where a swimming pool or spa is located within the primary street setback area, abuts a public open space, a reserve or is subject to specific fencing requirements under a Local Development Plan, and a street fence, boundary or estate fence is required to form part of the pool safety safety barrier, the City may support variations to the applicable street fencing requirements where the variation is necessary to achieve pool barrier compliance.

v. Such variations will generally only be supported to the minimum extent necessary with consideration given to streetscape, visual permeability, passive surveillance and residential amenity.

Title	**FENCING**
Policy Number (Governance Purpose)	**LPP 5.25**

All images within this policy have been generated using AI

Strategic Link:	Town Planning Scheme No.3
Category	Planning – Town Planning & Development
Lead Business Unit:	Statutory Planning – Development Services
Public Consultation: **(Yes or No)**	Yes
Adoption Date: (Governance Purpose Only)	
Next Review Due: (Governance Purpose Only)	
ECM Doc Set ID: (Governance Purpose Only)	

DRAFT

[10]

8.1.3 (2026/MINUTE NO 0053) Policy Review: Use of Closed Circuit Television (CCTV)

Responsible Executive	Director Sustainable Development and Safety
Author(s)	Service Manager Rangers and Community Safety
Attachments	1. Use of Closed Circuit Television (CCTV) Policy (tracked changes) 2. Use of Closed Circuit Television (CCTV) Policy

Committee Recommendation
MOVED Cr C Reeve-Fowkes SECONDED Cr H Srhoy

The Committee recommends Council ADOPTS the amended Use of Closed-Circuit Television (CCTV) Policy, as shown by Attachment 2.

CARRIED 7/0

Background

The purpose of this Policy is to establish a consistent and transparent framework for the installation, management and use of Closed-Circuit Television (CCTV) systems within the City of Cockburn.

This Policy aims to support community safety, protect City assets, and enhance workplace health and safety by ensuring that CCTV systems are deployed, operated and governed in a lawful, proportionate and accountable manner.

Submission

The City's CCTV Policy was last updated in 2019. Since that time, the City's community safety operating environment, CCTV capability and available resources have changed significantly.

The proposed policy update reflects the City's current CCTV resources, including fixed CCTV infrastructure and mobile CCTV trailers. It also provides clearer guidance on the purpose and appropriate use of CCTV, including its role in supporting community safety, deterring unlawful and anti-social behaviour, and improving the safety and security of City employees, contractors and the broader community.

Updating the policy will ensure the City has a contemporary framework for the deployment, management and review of CCTV assets, aligned with current operational needs and community safety priorities.

Report

The previous CCTV Policy was developed with reference to the City's Community Safety and Crime Prevention Plan 2022–2027.

The revised policy has been updated to better reflect the City's current CCTV resources, including fixed CCTV infrastructure and mobile CCTV trailers.

The Policy also strengthens the rationale for the use of CCTV across the City, recognising its role in supporting community safety, assisting in the prevention and detection of unlawful and anti-social behaviour, and enhancing the safety of City employees, contractors and the broader community.

The updated policy has been reviewed by representatives from internal City departments including Community Safety, CoSafe, Safety, People Experience and Information Services.

The updated policy provides a clearer framework for the appropriate deployment, management and review of CCTV assets to ensure they continue to support the City's operational, community safety and organisational risk management objectives.

Strategic Plans/Policy Implications

Our Community
A diverse, active, and connected community that feels safe and has access to local services.
• Strengthen and facilitate a safe and secure Cockburn.

Our Governance
Transparent leadership that listens, communicates openly and plans for a sustainable future.
• Champion strategic partnerships and stakeholder collaboration.
• Facilitate transparent and accountable governance for today and tomorrow.

Budget/Financial Implications

N/A

Legal Implications

N/A

Community Consultation

Community consultation for the CCTV Policy was previously undertaken in 2019 as part of the Policy's development.

As the proposed update is administrative and operational in nature and primarily seeks to bring the Policy in line with the City's current CCTV resources, including mobile CCTV trailers, further community consultation was determined not to be required.

The updated policy does not propose a significant change in policy direction. Rather, it clarifies the purpose and application of CCTV, including its role in supporting community safety, deterring unlawful and anti-social behaviour, and improving the safety and security of City employees, contractors and the broader community.

Risk Management Implications

Updating the CCTV Policy will assist in reducing organisational, operational and community safety risks by ensuring the City's approach to CCTV is contemporary, clearly documented and aligned with current resources and practices.

The revised policy provides a clearer framework for the appropriate deployment, management and use of CCTV assets, including mobile CCTV trailers. This supports improved decision-making, accountability and consistency in how CCTV is used across the City.

The updated policy also assists in managing risks associated with staff safety, public safety, asset protection, privacy, data management and reputational impacts. Maintaining an up-to-date policy ensures CCTV is used for appropriate purposes and supports the City's broader risk management and community safety objectives.

Title	Use of ~~Closed Circuit~~Surveillance ~~Television (CCTV)~~ Systems

Policy Type

Council

Policy Purpose

The purpose of this Policy is to establish a consistent and transparent framework for the installation, management and use of surveillance systems, also known as Closed-Circuit Television (CCTV), within the City of Cockburn.

This Policy aims to support community safety, protect City assets, and enhance workplace health and safety by ensuring that surveillance systems are deployed, operated and governed in a lawful, proportionate and accountable manner.
~~The purpose of this policy is to provide a framework for the overarching use and installation of CCTV in public locations or private property where there is collaboration with the City. CCTV is an established technology and is continually evolving. The proliferation of CCTV within the community has been the result of the foreseen benefits of CCTV.~~

Policy Statement

The City of Cockburn is committed to improving community safety and security through the installation of surveillance systems. Surveillance acts as a deterrent to anti-social and criminal behaviour. It also assists regulatory compliance and a means of capturing evidence to support investigations.
~~The City of Cockburn has endorsed a Community Safety and CCTV Strategy which details Council's level of support for the implementation of Closed Circuit Television as a tool to reduce criminal and anti-social activity.~~

Surveillance systems may also be used to support workplace safety by monitoring work environments, identifying hazards, and assisting in the review of incidents involving staff, contractors, and visitors. Footage may be utilised to investigate workplace incidents, verify reported events, and inform corrective actions and continuous improvement initiatives. The use of surveillance systems for these purposes will be conducted in accordance with relevant workplace policies, privacy obligations, and legislative requirements including the Surveillance Devices Act 1998, Privacy and Responsible Information Sharing Act 2024, Freedom of Information Act 1994.

The reference to surveillance system or device in this policy includes any device capable of capturing and recording audio-visual data, as well as any supporting equipment including but not limited to: CCTV cameras, poles, wireless transmitters, body worn cameras, routers and servers, which are necessary to achieve the objective of the surveillance of a particular area.
~~CCTV does not absolutely prevent crime or anti-social behaviour, but can reduce the incidence of opportunistic anti-social behaviour and may provide forensic evidence when such events occur. In 2016, the City of Cockburn signed a Memorandum of Understanding~~

[1]

Title	**Use of ~~Closed Circuit~~Surveillance ~~Television (CCTV)~~ Systems**

~~with the WA Police to share data from the City's CCTV system to further enhance community safety.~~

Installation of Surveillance Systems

Surveillance installations will be undertaken to enhance community safety, protect City facilities and assets, and support authorised investigating agencies.

The installation of new surveillance systems will be guided by the following principles:

- Surveillance may be installed where recurrent anti-social or criminal behaviour has been identified, for regulatory compliance or as a proactive measure to minimise damage to City assets and facilities.
- Surveillance may be installed at City facilities and managed spaces to improve the safety and welfare of the community, staff, and visitors.
- Installations must comply with City of Cockburn security specifications and/or relevant industry standards.
- Surveillance systems may be permanent or temporary and may be installed on City or private land, subject to landowner consent.
- Surveillance systems will generally be signposted; however, in limited circumstances (e.g. covert surveillance for Local Law enforcement), signage may not be appropriate, and alternative notification measures will be considered where required.
- The use of replica or "dummy" cameras is not preferred but may be considered in specific circumstances.
- Surveillance systems may operate continuously or be event-activated.

Allocation and Deployment of Mobile Surveillance Resources

The City may utilise mobile surveillance assets, including trailer-mounted, temporary, or relocatable systems, to respond to emerging or changing risks across the community.

The allocation and distribution of mobile surveillance resources will be based on:

- Identified or reported anti-social behaviour, criminal activity, regulatory compliance or safety risks.
- Protection of City infrastructure, facilities, and assets.
- Community safety priorities and operational needs.
- Requests or intelligence from authorised officers, business units, or partner agencies.

Mobile surveillance deployments will be:

- Risk-based, proportionate, and time-limited where appropriate.
- Subject to periodic review to ensure continued relevance and effectiveness.
- Installed and operated in accordance with the same standards, legislative obligations, and governance requirements as fixed CCTV systems.

Use and Management of Surveillance Footage

[2]

Title	**Use of ~~Closed Circuit~~Surveillance ~~Television (CCTV)~~ Systems**

The City manages surveillance footage to support community safety, regulatory compliance, and lawful investigations.

Surveillance within and around the workplace is to ensure the security of City systems and data, compliance with applicable laws and City policies, to safeguard community information, and to ensure that resources are used appropriately and efficiently.

Surveillance footage may be used for:

- Workplace safety monitoring and incident review.
- Investigation of employee misconduct, in accordance with internal policies and procedures.
- Enforcement of Local Laws and related regulatory investigations.
- Review and investigate incidents at City venues and facilities relating to the use of those venues and facilities.
- Supporting Western Australia Police and other authorised agencies in investigations, in accordance with Memorandums of Understanding, Deeds, or lawful orders.
- Evidence retention, incident analysis, and continuous improvement of safety measures.

The City may capture and retain images and data relating to vehicles, individuals, and other identifiable details for these purposes.

Access to, use, and release of surveillance footage will be:

- Strictly controlled in accordance with a Code of Practice or operational guidelines.
- Managed in compliance with all relevant State and Commonwealth legislation.
- Surveillance footage will generally be retained for a period of 31 days, after which it will be automatically overwritten or securely deleted. This is dependant on the site capability and arrangements.
- Where footage is identified as relevant to an investigation, incident, complaint, or legal matter, it may be retained for a longer period. In such cases, the footage will be securely stored and managed in accordance with applicable legislation, the City's record-keeping requirements, and operational procedures to ensure its integrity and availability for evidentiary purposes.

Surveillance Artificial Intelligence (AI) Usage

The City may utilise Artificial Intelligence (AI) capabilities within its surveillance systems to enhance operational efficiency, public safety outcomes, incident detection, and the management of surveillance data.

The use of AI-enabled surveillance technologies must:

- Comply with all applicable legislation relating to privacy, surveillance, records management, and information security.
- Be implemented only for lawful and authorised Council purposes.
- Support, but not replace, human decision-making and operational oversight.
- Be subject to appropriate governance, transparency, risk assessment, and accountability measures.

[3]

Title	Use of ~~Closed Circuit~~Surveillance ~~Television (CCTV)~~ Systems

- Ensure that any AI-generated alerts, recommendations, or analysis are reviewed by authorised personnel before operational action is taken where practicable.
- Be proportionate to the intended purpose and minimise unnecessary collection, processing, or retention of personal information.

All AI technologies associated with surveillance systems must be deployed, managed, and monitored in accordance with the City's current Artificial Intelligence (AI) Policy and any associated procedures, standards, or governance frameworks. Where inconsistencies arise, the City's AI Policy will take precedence in relation to the use, management, and oversight of AI systems.

The City reserves the right to suspend, modify, or remove AI functionality where risks, compliance concerns, or operational issues are identified.

Supporting Arrangements

The City may enter into Memorandums of Understanding or Deeds with law enforcement agencies or other authorised bodies to facilitate the lawful sharing of surveillance data for investigative purposes.

The City adopts a holistic approach to community safety, including the application of Crime Prevention Through Environmental Design (CPTED) principles. Surveillance is implemented as a complementary measure where environmental design and other preventative controls alone are insufficient to address identified risks.
~~Evidence suggests that CCTV improves the public perception of safety and reduces their fear of being a victim of crime in public places.~~

~~This Policy describes the criteria to be used when a new installation is being considered for deployment.~~

~~(1) CCTV will be installed where recurrent anti-social or criminal behaviour has been identified or installed in as a proactive measure to minimise damage to Council facilities.~~

~~(2) CCTV installations will meet the requirements of the City of Cockburn Community Safety and CCTV Strategy and the Australian New Zealand Policing Advisory Agency - Recommendations for CCTV Systems or any other relevant industry standards considered appropriate.~~

~~(3) CCTV installations will be clearly signed. In some instances, where covert cameras are used for monitoring breaches to Local Laws, such as dumping of rubbish, it may not be appropriate to install signage, but all efforts will be made to advise nearby residents as required.~~

~~(4) The use of "dummy" or replica Cameras is not permitted~~

~~(5) CCTV cameras may be passive or "event activated" for recording purposes.~~

[4]

Title	**Use of ~~Closed Circuit~~Surveillance ~~Television (CCTV)~~ System~~s~~**

~~(6) CCTV installations may be deployed on City or private land, with the permission of the land owner. Installations may be permanent or temporary. At times, the City may need to negotiate for the use of land and use of utilities, such as power, during the installation and ongoing operation of the CCTV system.~~

~~(7) Access to any CCTV footage and other operational matters will be controlled through a Code of Practice that is consistent with all CCTV relevant State and Commonwealth legislation.~~

~~(8) A CCTV system may use automated software to:~~
~~1. Scan passive footage to identify vehicles;~~
~~2. Alert f the presence of people;~~
~~3. confirm a specific activity has occurred; and~~
~~4. identify people~~

~~(9) The City may store images of vehicles, people and other identifying details for the purposes of evidence retention community safety and assisting law enforcement agencies provisioned through a Memorandum of Understanding or an order by a court.~~

Strategic Link:	Community Safety and CCTV Strategy
Category	~~Public Health & Security~~Community Safety
Lead Business Unit:	Sustainable Development and Safety~~Recreation and Community Safety~~
Public Consultation: **(Yes or No)**	No~~Yes~~
Adoption Date: (Governance Purpose Only)	~~14 September 2023~~
Next Review Due: (Governance Purpose Only)	~~September 2025~~
ECM Doc Set ID: (Governance Purpose Only)	8968124

Title	Use of Surveillance Systems

Policy Type

Council

Policy Purpose

The purpose of this Policy is to establish a consistent and transparent framework for the installation, management and use of surveillance systems, also known as Closed-Circuit Television (CCTV), within the City of Cockburn.

This Policy aims to support community safety, protect City assets, and enhance workplace health and safety by ensuring that surveillance systems are deployed, operated and governed in a lawful, proportionate and accountable manner.

Policy Statement

The City of Cockburn is committed to improving community safety and security through the installation of surveillance systems. Surveillance acts as a deterrent to anti-social and criminal behaviour. It also assists regulatory compliance and a means of capturing evidence to support investigations.

Surveillance systems may also be used to support workplace safety by monitoring work environments, identifying hazards, and assisting in the review of incidents involving staff, contractors, and visitors. Footage may be utilised to investigate workplace incidents, verify reported events, and inform corrective actions and continuous improvement initiatives. The use of surveillance systems for these purposes will be conducted in accordance with relevant workplace policies, privacy obligations, and legislative requirements including the Surveillance Devices Act 1998, Privacy and Responsible Information Sharing Act 2024, Freedom of Information Act 1994.

The reference to surveillance system or device in this policy includes any device capable of capturing and recording audio-visual data, as well as any supporting equipment including but not limited to: CCTV cameras, poles, wireless transmitters, body worn cameras, routers and servers, which are necessary to achieve the objective of the surveillance of a particular area.

Installation of Surveillance Systems

Surveillance installations will be undertaken to enhance community safety, protect City facilities and assets, and support authorised investigating agencies.

The installation of new surveillance systems will be guided by the following principles:

- Surveillance may be installed where recurrent anti-social or criminal behaviour has been identified, for regulatory compliance or as a proactive measure to minimise damage to City assets and facilities.

[1]

Title	Use of Surveillance Systems

- Surveillance may be installed at City facilities and managed spaces to improve the safety and welfare of the community, staff, and visitors.
- Installations must comply with City of Cockburn security specifications and/or relevant industry standards.
- Surveillance systems may be permanent or temporary and may be installed on City or private land, subject to landowner consent.
- Surveillance systems will generally be signposted; however, in limited circumstances (e.g. covert surveillance for Local Law enforcement), signage may not be appropriate, and alternative notification measures will be considered where required.
- The use of replica or “dummy” cameras is not preferred but may be considered in specific circumstances.
- Surveillance systems may operate continuously or be event-activated.

Allocation and Deployment of Mobile Surveillance Resources

The City may utilise mobile surveillance assets, including trailer-mounted, temporary, or relocatable systems, to respond to emerging or changing risks across the community.

The allocation and distribution of mobile surveillance resources will be based on:

- Identified or reported anti-social behaviour, criminal activity, regulatory compliance or safety risks.
- Protection of City infrastructure, facilities, and assets.
- Community safety priorities and operational needs.
- Requests or intelligence from authorised officers, business units, or partner agencies.

Mobile surveillance deployments will be:

- Risk-based, proportionate, and time-limited where appropriate.
- Subject to periodic review to ensure continued relevance and effectiveness.
- Installed and operated in accordance with the same standards, legislative obligations, and governance requirements as fixed CCTV systems.

Use and Management of Surveillance Footage

The City manages surveillance footage to support community safety, regulatory compliance, and lawful investigations.

Surveillance within and around the workplace is to ensure the security of City systems and data, compliance with applicable laws and City policies, to safeguard community information, and to ensure that resources are used appropriately and efficiently.

Surveillance footage may be used for:

- Workplace safety monitoring and incident review.
- Investigation of employee misconduct, in accordance with internal policies and procedures.
- Enforcement of Local Laws and related regulatory investigations.

Title	Use of Surveillance Systems

- Review and investigate incidents at City venues and facilities relating to the use of those venues and facilities.
- Supporting Western Australia Police and other authorised agencies in investigations, in accordance with Memorandums of Understanding, Deeds, or lawful orders.
- Evidence retention, incident analysis, and continuous improvement of safety measures.

The City may capture and retain images and data relating to vehicles, individuals, and other identifiable details for these purposes.

Access to, use, and release of surveillance footage will be:

- Strictly controlled in accordance with a Code of Practice or operational guidelines.
- Managed in compliance with all relevant State and Commonwealth legislation.
- Surveillance footage will generally be retained for a period of 31 days, after which it will be automatically overwritten or securely deleted. This is dependant on the site capability and arrangements.
- Where footage is identified as relevant to an investigation, incident, complaint, or legal matter, it may be retained for a longer period. In such cases, the footage will be securely stored and managed in accordance with applicable legislation, the City's record-keeping requirements, and operational procedures to ensure its integrity and availability for evidentiary purposes.

Surveillance Artificial Intelligence (AI) Usage

The City may utilise Artificial Intelligence (AI) capabilities within its surveillance systems to enhance operational efficiency, public safety outcomes, incident detection, and the management of surveillance data.

The use of AI-enabled surveillance technologies must:

- Comply with all applicable legislation relating to privacy, surveillance, records management, and information security.
- Be implemented only for lawful and authorised Council purposes.
- Support, but not replace, human decision-making and operational oversight.
- Be subject to appropriate governance, transparency, risk assessment, and accountability measures.
- Ensure that any AI-generated alerts, recommendations, or analysis are reviewed by authorised personnel before operational action is taken where practicable.
- Be proportionate to the intended purpose and minimise unnecessary collection, processing, or retention of personal information.

All AI technologies associated with surveillance systems must be deployed, managed, and monitored in accordance with the City's current Artificial Intelligence (AI) Policy and any associated procedures, standards, or governance frameworks. Where inconsistencies arise, the City's AI Policy will take precedence in relation to the use, management, and oversight of AI systems.

Title	Use of Surveillance Systems

The City reserves the right to suspend, modify, or remove AI functionality where risks, compliance concerns, or operational issues are identified.

Supporting Arrangements

The City may enter into Memorandums of Understanding or Deeds with law enforcement agencies or other authorised bodies to facilitate the lawful sharing of surveillance data for investigative purposes.

The City adopts a holistic approach to community safety, including the application of Crime Prevention Through Environmental Design (CPTED) principles. Surveillance is implemented as a complementary measure where environmental design and other preventative controls alone are insufficient to address identified risks.

Strategic Link:	Community Safety and CCTV Strategy
Category	Community Safety
Lead Business Unit:	Sustainable Development and Safety
Public Consultation: **(Yes or No)**	No
Adoption Date: (Governance Purpose Only)	
Next Review Due: (Governance Purpose Only)	
ECM Doc Set ID: (Governance Purpose Only)	8968124

8.1.4 (2026/MINUTE NO 0054) Policy Review: Community Funding to Support Local Economic Development (Grants)

Responsible Executive	Director Sustainable Development and Safety
Author(s)	Principal Economic Development
Attachments	1. Community Funding to Support Local Economic Development (Grants) Policy (tracked changes) 2. Community Funding to Support Local Economic Development (Grants) Policy

Committee Recommendation
MOVED Cr C Reeve-Fowkes SECONDED Cr H Srhoy

The Committee recommends Council ADOPTS the amended "Community Funding to Support Local Economic Development (Grants) Policy" as shown by Attachment 2.

CARRIED 7/0

Background

In compliance with Governance Committee requirements, a scheduled policy review of Community Funding to Support Local Economic Development (Grants) has now been completed.

It is proposed, as discussed at the Grants Funding & Events Working Group, that a full review of all Grants Funding policies will be reviewed and discussed through the Working Group over the next 12 months.

Submission

Nil.

Report

Upon completion of the review, a proposed update to the Policy to better reflect the current grants program deliverables to the business community, streamlining grant processing, eliminating duplication and improving on more effective resource allocation in assessing grant applications.

A review has been completed and identified that reducing the number of grant rounds currently offered from two per year to one per year be more effective in the delivery of the program.

Given the growing number of round grant requests (60 submitted in 2020/21 total to 80 in Round 1 in 2025/26 totalling $283,489.00, with an additional 69 being unsubmitted), a significant increase in resource requirement (set-up, assessment,

allocation, acquittal) with many businesses potentially resubmitting grant applications for re-assessment has been experienced.

Reducing the number of rounds offered will assist in better resource allocation, reduce duplicating applications and set up, assessment and acquittal processes for an under resourced Economic Development team.

Strategic Plans/Policy Implications

Our Economy
Attracting investment, supporting business and visitor growth and boosting local jobs through vibrant hubs.
• Empower and support local businesses.

Our Governance
Transparent leadership that listens, communicates openly and plans for a sustainable future.
• Champion strategic partnerships and stakeholder collaboration.

Budget/Financial Implications

N/A

Legal Implications

N/A

Community Consultation

N/A

Risk Management Implications

N/A

Advice to Proponent(s)/Submitters

N/A

Implications of Section 3.18(3) Local Government Act 1995

Nil.

Title	Community Funding to support local Economic Development (Grants)

Policy Type

Council

Policy Purpose

The purpose of this policy is to provide a framework for the provision of community funding to support local Economic Development.

Policy Statement

(1) Council provides up to two per cent of the annual rates income to a budget for grants, donations, sponsorships and subsidies. To ensure that these funds are distributed in a rational way, eligibility, selection and evaluation criteria are required for the assessment and prioritisation of applications to be funded.

(2) The funds allocated to applicants are to assist in the provision of activities and services that support local Economic Development and facilitate opportunities for local business, local activity centres and industry to thrive, and the objectives of the Local Economy outcome of the Strategic Community Plan 2020-2030. This program is divided into two (2) categories (A-B) to encourage and cater for a range of applications and activities.

Community Funding Category	Description	Open for applications	Maximum amount available per application	Approval
Category A – Economic Development Grants	One-off projects, programs or activities that support local economic development	~~Twice~~Once a year	$5,000	Delegated Authority
Category B – Economic Development – Minor & Major	Major funding proposals, minor funding and requests outside of established categories.	Upon enquiry and invitation to apply	Dependent on funding type (in alignment with Policy 'Grants, Donations and Sponsorships – Community Organisations and Individuals')	Council decision

(3) The categories are described in further detail in the associated 'Community Funding Guidelines for Economic Development' that outlines the relevant selection and evaluation criteria, and limitations of each funding category.

[1]

Title	Community Funding to support local Economic Development (Grants)

(4) Applicants for funding to be distributed from the Grants and Donations budget are required to apply and address the relevant criteria in one of the funding categories. Assessment and approval will be done according to the category and be done under the relevant delegated authority or recommendation by the Grants and Donations Committee to Council, and applicants cannot bypass these processes.

(5) An applicant may successfully apply for and receive funding from two different Community Funding categories per financial year, provided they meet the criteria for the particular category. This funding can be granted from either of the following categories:

- two different business categories from this policy, or
- seven different categories from the Community Funding for Community Organisations & Individuals (Grants, Donations & Sponsorships) policy

This is provided they meet the criteria for the particular category; however, the applications cannot be for the same project. Applicants that have been successful in previous years are eligible to apply provided all previous funding has been satisfactorily acquitted.

Strategic Link:	Strategic Community Plan
Category	Business, Economy & Technology
Lead Business Unit:	Business and Economic Development
Public Consultation: **(Yes or No)**	No
Adoption Date: (Governance Purpose Only)	
Next Review Due: (Governance Purpose Only)	
ECM Doc Set ID: (Governance Purpose Only)	9778000

[2]

Title	Community Funding to support local Economic Development (Grants)

Policy Type

Council

Policy Purpose

The purpose of this policy is to provide a framework for the provision of community funding to support local Economic Development.

Policy Statement

(1) Council provides up to two per cent of the annual rates income to a budget for grants, donations, sponsorships and subsidies. To ensure that these funds are distributed in a rational way, eligibility, selection and evaluation criteria are required for the assessment and prioritisation of applications to be funded.

(2) The funds allocated to applicants are to assist in the provision of activities and services that support local Economic Development and facilitate opportunities for local business, local activity centres and industry to thrive, and the objectives of the Local Economy outcome of the Strategic Community Plan 2020-2030. This program is divided into two (2) categories (A-B) to encourage and cater for a range of applications and activities.

Community Funding Category	Description	Open for applications	Maximum amount available per application	Approval
Category A – Economic Development Grants	One-off projects, programs or activities that support local economic development	Once a year	$5,000	Delegated Authority
Category B – Economic Development – Minor & Major	Major funding proposals, minor funding and requests outside of established categories.	Upon enquiry and invitation to apply	Dependent on funding type (in alignment with Policy 'Grants, Donations and Sponsorships – Community Organisations and Individuals')	Council decision

(3) The categories are described in further detail in the associated 'Community Funding Guidelines for Economic Development' that outlines the relevant selection and evaluation criteria, and limitations of each funding category.

[1]

Title	Community Funding to support local Economic Development (Grants)

(4) Applicants for funding to be distributed from the Grants and Donations budget are required to apply and address the relevant criteria in one of the funding categories. Assessment and approval will be done according to the category and be done under the relevant delegated authority or recommendation by the Grants and Donations Committee to Council, and applicants cannot bypass these processes.

(5) An applicant may successfully apply for and receive funding from two different Community Funding categories per financial year, provided they meet the criteria for the particular category. This funding can be granted from either of the following categories:

- two different business categories from this policy, or
- seven different categories from the Community Funding for Community Organisations & Individuals (Grants, Donations & Sponsorships) policy

This is provided they meet the criteria for the particular category; however, the applications cannot be for the same project. Applicants that have been successful in previous years are eligible to apply provided all previous funding has been satisfactorily acquitted.

Strategic Link:	Strategic Community Plan
Category	Business, Economy & Technology
Lead Business Unit:	Business and Economic Development
Public Consultation: **(Yes or No)**	No
Adoption Date: (Governance Purpose Only)	
Next Review Due: (Governance Purpose Only)	
ECM Doc Set ID: (Governance Purpose Only)	9778000

[2]

8.1.5 (2026/MINUTE NO 0055) Policy Review: Sustainability

Responsible Executive	Director Sustainable Development and Safety
Author(s)	Service Lead Sustainability and Climate Change and Service Manager Sustainability and Environment
Attachments	1. Sustainability\Sustainability Policy (tracked changes) 2. Sustainability Policy

Committee Recommendation
MOVED Cr C Reeve-Fowkes SECONDED Cr H Srhoy

The Committee recommends Council ADOPTS the amended Sustainability Policy, as shown by Attachment 2.

CARRIED 7/0

Background

The Sustainability Policy establishes Council's commitment to sustainability and provides strategic direction for integrating environmental protection and climate leadership into decision-making across the City's operations.

The policy was most recently reviewed and adopted by Council at the 14 September 2023 Ordinary Council Meeting. The policy applies to Elected Members in decision making and City staff in all aspects of planning, operations and program delivery.

Submission

The proposed amendment to the Sustainability Policy has been prepared by City officers as part of its standard practice of periodically reviewing its suite of Council policies to ensure they are contemporary and fit for purpose.

Report

As set out in the tracked changes (refer Attachment 1), minimal changes are proposed to the Sustainability Policy.

The policy is of good standing and remains fit for its intended purpose. The proposed amendments are administrative in nature and ensure the policy remains contemporary and aligned with current legislative and organisational frameworks.

The minor proposed amendments are limited to:

- Updating references to sustainability to align with contemporary terminology and wording now reflected within the *Local Government Act 1995*
- Updating references to relevant City corporate plans and strategies to ensure the Policy references the most current versions
- Minor edits to improve clarity, consistency and readability in alignment with the City's Corporate Writing Style Guide.

No changes are proposed to the overall intent of the policy, its objectives or the sustainability principles that guide the City's decision-making.

The draft policy review was presented to the Sustainability and Environment Reference Group (SERG) at its 9 July 2026 meeting. SERG members were supportive of the proposed amendments and did not suggest any further changes.

Strategic Plans/Policy Implications

Our Environment
Valuing natural assets, building climate resilience and using resources sustainably.
• Protect and enhance our natural areas and streetscapes.
Enhance climate resilience and champion environmental initiatives to mitigate impacts.

Our Community
A diverse, active, and connected community that feels safe and has access to local services.
• Celebrate and recognise Aboriginal and Torres Straight Islander and diverse cultures.

Our Places
Enhancing distinctive, liveable areas with well-connected, safe transport options.
• Plan for growth and sustainable development.
Strengthen unique, liveable and adaptive places.

Our Governance
Transparent leadership that listens, communicates openly and plans for a sustainable future.
• Facilitate transparent and accountable governance for today and tomorrow.

Budget/Financial Implications

N/A

Legal Implications

The Sustainability Policy supports the City in meeting the requirements of Section 1.3(3) of the *Local Government Act 1995,* which states that, in carrying out its functions, a local government is to use its best endeavours to meet the needs of current and future generations through the integration of environmental protection, social advancement and economic prosperity.

The proposed amendments do not alter the City's obligations under legislation and are administrative in nature.

Community Consultation

As the proposed amendments do not alter the intent, objectives or operation of the Sustainability Policy, broader public consultation is not required.

Risk Management Implications
The amendments reduce the risk of referencing outdated legislation and superseded corporate documents. No significant risks have been identified.

Advice to Proponent(s)/Submitters

N/A

Implications of Section 3.18(3) Local Government Act 1995

Nil.

Title	Sustainability

Policy Type

Council

Policy Purpose

Sustainability is one of the City of Cockburn's core values. Council seeks to have all employees think and act with sustainability at the forefront of their decision making.

This Policy seeks to address the requirements of section 3.1 of the *Local Government Act 1995,* relating to sustainability and climate change. ~~*Section 1.3,* states:~~

> ~~(3) *In carrying out its functions, a local government is to use its best endeavours to meet the needs of current and future generations through an integration of environmental protection, social advancement and economic prosperity.*~~

The City ~~of Cockburn~~ defines sustainability as:

> *Pursuing governance excellence to meet the needs of current and future generations through an integration of the environment, society and economy.*

This policy forms part of Council's integrated reporting framework which incorporates the Strategic Community Plan 2025-2035, Climate Change Strategy 2020-2030 ~~and Action~~ and the ~~annual State of~~Climate Change and Sustainability Snapshot in the City's Annual Report.

This policy applies to all Elected Members in decision-making and staff in all aspects of planning, operations and program delivery.

Policy Statement

Council is committed to achieving sustainability by ~~applying the followin~~directing the City to follow eleven principles to decision-making processes across the City's operations:

(1) Integrated decision-making

The Council will ~~carefully~~ consider both the long and short term implications of all decisions on the local economy, environment, and society.

(2) Environmental Conservation

The City ~~Council~~ will protect strategically identified remnant bushland, wetlands, the coastal environment, ecological corridors and associated eco-systems to ensure the integrity of these systems is conserved and enhanced for future generations.

(3) Sustainable Procurement

[1]

Title	Sustainability

~~Council~~The City will implement sustainable procurement practices that minimise unnecessary resource consumption, consider whole-of-life costs, circular economy principles, and deliver beneficial environmental, social and economic outcomes.

(4) Responsible Waste Management

The City ~~Council~~ will manage waste according to the waste hierarchy with the highest priority given to waste avoidance, followed by reuse and recycling, with 'energy from waste' and landfill as a last resort.

(5) Environmentally Sustainable Design (ESD)

The City ~~Council~~ will design, construct~~build~~ and operate all community facilities and civic infrastructure in a sustainable manner. All new ~~Council~~City facilities exceeding a budget of $1 million will set aside a minimum of three percent (3%) of the total project cost for innovative ESD initiatives that are beyond business as usual.

(6) Climate Change Action

~~Council~~The City is committed to ~~taking~~ acting on climate change and ensuring that mitigation and adaptation actions are equitable and consistent with ~~the aims of~~ the United Nations Sustainable Development Goals.

(7) Sustainable City Growth

~~Council~~The City will plan for population growth in accordance with the planning framework to ensure high density living is balanced with the provision of open space, ~~tree-lined streetscapes~~ urban greening and tree canopy, connected shared pathways, accessible community facilities and integrated transport infrastructure.

(8) Social Equity and Inclusion

~~Council~~The City recognises the First Nations people as the traditional owners of the land. The City embraces cultural diversity and celebrates the significance of the City's social and built heritage. Council will take action to improve universal accessibility, create welcoming and inclusive communities for everyone.

(9) Community Health and Wellbeing

~~Council~~The City will minimise risks to human health by managing the natural and built environment, delivering programs and infrastructure to reduce preventative illness, encourage healthy lifestyles and enable active transport.

(10) Economic Advancement

~~Council~~The City is committed to long term sustainable financial management and will deliver value for money for ratepayers. Council will strive for a diverse workforce and create opportunities for local employment, support the sustainable development

Title	Sustainability

of business through building capacity and capability and help empower the community ~~groups~~.

(11) Leadership and Governance

~~Council~~ The City will regularly review its performance, publicly report progress and continuously strive for excellence and to demonstrate leadership in sustainability. Consultation opportunities will be provided to the community and stakeholders on decisions that impact them.

Strategic Link:	Strategic Community Plan 2025-2035 Climate Change Strategy 2020-2030
Category	Environment & Sustainability
Lead Business Unit:	Growth and Sustainability ~~and Environment~~
Public Consultation: **(Yes or No)**	Yes
Adoption Date: (Governance Purpose Only)	
Next Review Due: (Governance Purpose Only)	
ECM Doc Set ID: (Governance Purpose Only)	4134030

[3]

Title	Sustainability

Policy Type

Council

Policy Purpose

Sustainability is one of the City of Cockburn's core values. Council seeks to have all employees think and act with sustainability at the forefront of their decision making.

This Policy seeks to address the requirements of section 3.1 of the *Local Government Act 1995,* relating to sustainability and climate change.

The City defines sustainability as:

> *Pursuing governance excellence to meet the needs of current and future generations through an integration of the environment, society and economy.*

This policy forms part of Council's integrated reporting framework which incorporates the Strategic Community Plan 2025-2035, Climate Change Strategy 2020-2030 and the Climate Change and Sustainability Snapshot in the City's Annual Report.

This policy applies to all Elected Members in decision-making and staff in all aspects of planning, operations and program delivery.

Policy Statement

Council is committed to achieving sustainability by directing the City to follow eleven principles to decision-making processes across the City's operations:

(1) Integrated decision-making

The Council will consider both the long and short term implications of all decisions on the local economy, environment, and society.

(2) Environmental Conservation

The City will protect strategically identified remnant bushland, wetlands, the coastal environment, ecological corridors and associated eco-systems to ensure the integrity of these systems is conserved and enhanced for future generations.

(3) Sustainable Procurement

The City will implement sustainable procurement practices that minimise unnecessary resource consumption, consider whole-of-life costs, circular economy principles, and deliver beneficial environmental, social and economic outcomes.

(4) Responsible Waste Management

Title	Sustainability

The City will manage waste according to the waste hierarchy with the highest priority given to waste avoidance, followed by reuse and recycling, with 'energy from waste' and landfill as a last resort.

(5) Environmentally Sustainable Design (ESD)

The City will design, construct and operate all community facilities and civic infrastructure in a sustainable manner. All new City facilities exceeding a budget of $1 million will set aside a minimum of three percent (3%) of the total project cost for innovative ESD initiatives that are beyond business as usual.

(6) Climate Change Action

The City is committed to acting on climate change and ensuring that mitigation and adaptation actions are equitable and consistent with the United Nations Sustainable Development Goals.

(7) Sustainable City Growth

The City will plan for population growth in accordance with the planning framework to ensure high density living is balanced with the provision of open space, urban greening and tree canopy, connected shared pathways, accessible community facilities and integrated transport infrastructure.

(8) Social Equity and Inclusion

The City recognises the First Nations people as the traditional owners of the land. The City embraces cultural diversity and celebrates the significance of the City's social and built heritage. Council will take action to improve universal accessibility, create welcoming and inclusive communities for everyone.

(9) Community Health and Wellbeing

The City will minimise risks to human health by managing the natural and built environment, delivering programs and infrastructure to reduce preventative illness, encourage healthy lifestyles and enable active transport.

(10) Economic Advancement

The City is committed to long term sustainable financial management and will deliver value for money for ratepayers. Council will strive for a diverse workforce and create opportunities for local employment, support the sustainable development of business through building capacity and capability and help empower the community.

(11) Leadership and Governance

[2]

Title	Sustainability

The City will regularly review its performance, publicly report progress and continuously strive for excellence and to demonstrate leadership in sustainability. Consultation opportunities will be provided to the community and stakeholders on decisions that impact them.

Strategic Link:	Strategic Community Plan 2025-2035 Climate Change Strategy 2020-2030
Category	Environment & Sustainability
Lead Business Unit:	Growth and Sustainability
Public Consultation: **(Yes or No)**	Yes
Adoption Date: (Governance Purpose Only)	
Next Review Due: (Governance Purpose Only)	
ECM Doc Set ID: (Governance Purpose Only)	4134030

[3]

8.2 Corporate and System Services

8.2.1 (2026/MINUTE NO 0056) Policy Review: Community Engagement

Responsible Executive	Director Corporate and System Services
Author(s)	Service Manger Communications and Engagement
Attachments	1. Community Engagement Policy Review - Current 2. Community Engagement Policy Review – Proposed

Committee Recommendation
MOVED Cr C Reeve-Fowkes SECONDED Cr H Srhoy
That Council:

(1) ADOPTS the draft Community Engagement Policy for the purpose of public consultation, as shown in Attachment 2;

(2) ADVERTISES the draft Community Engagement Policy for community and stakeholder feedback for a period of 28 days; and

(3) NOTES that a further report will be presented to Council following the consultation period, including a summary of submissions and any recommended amendments to the Policy.

CARRIED 7/0

Background

The City's existing Community Engagement Policy has been reviewed to ensure it reflects contemporary community engagement practices, aligns with legislative requirements, and supports a consistent approach to engagement across the organisation.

Community expectations regarding participation in decision-making continue to evolve, alongside the City’s engagement practices, digital engagement platforms and governance processes.

The draft Policy provides a clear framework for how and when the City engages with the community, ensuring engagement activities are transparent, inclusive, proportionate and fit for purpose.

The draft has been informed by:

- Elected Member briefing forums undertaken to inform policy development;
- a review of the City’s existing community engagement practices;
- benchmarking against other local governments;
- contemporary leading practice, including the principles of the International Association for Public Participation (IAP2); and
- feedback received through internal stakeholder workshops.

Following feedback from Elected Members, a full rewrite of the policy has been undertaken. Therefore, the proposed policy bears no resemblance to the existing approved policy.

Submission

N/A

Report

The draft Community Engagement Policy establishes the City's commitment to engaging with the community in a consistent, transparent and meaningful manner.

The Policy:
- outlines the City's commitment to genuine community engagement;
- established the principles that guide engagement activities;
- clarifies the roles and responsibilities of Council, Administration and the community;
- sets expectations for the planning, delivery and evaluation of engagement activities;
- supports consistent and informed decision-making; and
- provides flexibility to apply engagement approaches that are appropriate to the scale, complexity and impact of individual projects.

While the draft Policy has been simplified in to improve readability and accessibility, it has been strengthened to provide clearer governance direction. This includes enhanced guidance regarding decision-making, roles and responsibilities, engagement planning, inclusion and accessibility, evaluation, and the application of the IAP2 Spectrum.

Supporting procedures, guidance material and operational tools will continue to provide staff with detailed direction on implementation.

Throughout development of the policy, two Elected Member briefing sessions were undertaken to test the Policy's intent, scope and governance framework. While the review initially focused on minor amendments to the existing Policy; feedback from Elected Members identified an opportunity to undertake a more comprehensive review.

As a result, the draft Policy has been substantially revised to strengthen governance, provide greater clarity regarding community engagement expectations and align with contemporary best practice.

Key changes include:
- clearer policy intent and objectives
- strengthened engagement principles
- improved definitions and terminology
- greater emphasis on inclusive and accessible engagement
- clearer governance roles and responsibilities
- enhanced requirements for engagement planning and evaluation; and

- improved guidance regarding the supplication of engagement methods and the IAP2 Spectrum.

Overall, the proposed policy provides a contemporary governance framework that supports meaningful community participation while enabling engagement activities to be undertaken consistently, transparently, and appropriately across the organisation.

Public consultation on the draft policy will provide the community members and stakeholders with an opportunity to review and provide feedback on the proposed framework prior to its consideration by Council for final adoption.

Outline of changes

Area	Existing Policy	Draft Policy	Benefit
Policy structure	High-level principles supported by the Community Engagement Framework.	Expanded into a comprehensive governance policy covering the full engagement lifecycle.	Provides clearer direction and consistent expectations across the organisation.
Purpose and scope	Broad statement guiding the City's approach to engagement.	Clearly defines the purpose, scope and application of the Policy across all projects, programs, services and decisions.	Removes ambiguity about when the Policy applies.
Commitment to engagement	Defines quality engagement through six broad principles.	Introduces clear commitments including transparency, accessibility, proportionality, respect and accountability.	Better aligns with contemporary community expectations and best practice.
Decision-making framework	Limited guidance on when engagement should occur.	Introduces clear criteria for when engagement should occur, when it may not be appropriate, and how the level of engagement is determined.	Supports consistent and proportionate decision-making across the City.
IAP2 Spectrum	References community engagement principles but does not describe how different levels of engagement are applied.	Embeds the IAP2 Spectrum, including levels of influence, commitments to participants and guidance on communicating negotiables and non-negotiables.	Improves transparency by clearly setting community expectations.
Planning requirements	Refers to the Community Engagement Framework for implementation.	Introduces minimum planning requirements, proportionate planning, early project planning and documentation	Promotes consistent planning and improved governance across projects.

Area	Existing Policy	Draft Policy	Benefit
		expectations.	
Inclusion and accessibility	Commits to engaging diverse communities and recognises key community groups.	Expands expectations for stakeholder identification, reducing participation barriers and aligning engagement with the City's inclusion commitments.	Strengthens equitable participation and accessibility.
Closing the loop	Limited reference to reporting outcomes.	Establishes clear requirements to report back to the community on feedback received, decisions made and how input influenced outcomes.	Builds community trust and accountability.
Continuous improvement	No formal evaluation requirements.	Introduces monitoring, evaluation, performance reporting and continuous improvement.	Enables ongoing improvement of engagement practice.
Roles and responsibilities	Broad responsibilities for staff, consultants and Elected Members.	Clearly defines the responsibilities of Council, Executive Leadership Team, staff, the Community Engagement Team and community members.	Improves governance, accountability and organisational consistency.
Legislative context and definitions	Limited legislative references and no definitions section.	Adds legislative context, statutory consultation guidance and a comprehensive definitions section.	Provides greater clarity for staff, decision-makers and the community.
Engagement timeframes	Included a prescriptive expectation to avoid engagement between Good Friday and Easter Monday, and between Christmas and Australia Day.	Replaces fixed blackout periods with a principle-based approach requiring engagement timeframes to consider factors such as public holidays, school holidays, Council elections, legislative requirements and project constraints.	Provides greater flexibility to deliver engagement when appropriate while still encouraging timing that maximises community participation e.g. the Summer holidays are sometimes the best time to engage.

Strategic Plans/Policy Implications

Our Governance

Transparent leadership that listens, communicates openly and plans for a sustainable future.

- Strengthen engagement, communication and enhance customer experience.

Budget/Financial Implications

The implementation of the Policy will be managed within existing operational budgets.

Legal Implications

There are no direct legal implications arising from advertising the draft Policy.

The Policy supports the City's obligations for community engagement where required under relevant legislation and complements legislative consultation requirements applicable to specific projects.

Community Consultation

It is proposed that the Draft Community Engagement Policy be released for public consultation for a period of 28 days at a time when there are no other significant City-wide community engagements occurring.

The consultation will include:
- publication on Comment on Cockburn
- notification through the City's communication channels
- opportunities for written submissions.

Following consultation:
- submissions will be reviewed
- any recommended amendments will be incorporated where appropriate
- the final Policy will be presented to Council for consideration.

Risk Management Implications

Failure to adopt an updated Community Engagement Policy may result in:
- inconsistent engagement practices across the organisation
- reduced transparency in decision-making
- constraint around not being able to engage at the best time and consultation fatigue when multiple engagements are out at one time
- community uncertainty regarding how and when engagement occurs
- increased reputational risk where engagement expectations are not clearly communicated.

Adoption of the Policy provides a consistent governance framework that supports effective and proportionate community engagement.

Advice to Proponent(s)/Submitters

All submitters will be acknowledged and advised that their feedback will be considered before the Policy is presented to Council for final adoption.

Implications of Section 3.18(3) Local Government Act 1995

Nil.

Title	Community Engagement

Policy Type

Council

Policy Purpose

To guide the City in its approach to seeking input from stakeholders on decisions which impact on them. This policy applies to all employees and consultants engaged by the City.

Policy Statement

(1) Vision

As a local government, everything we do is done with and/or on behalf of the community. The City is committed to engaging with the community and stakeholders in a way that positively contributes to the City's planning, decision-making, programs and service delivery.

Community engagement activities support Council's leadership role by providing relevant community and stakeholder insights in a timely way.

Community consultation is vital to effective decision-making. However, we acknowledge that it may not be possible to consult with the community on every issue. We will prioritise engagement on issues where community input will have the greatest impact whilst being prudent with when and how engagement is undertaken.

(2) Defining quality engagement

Community engagement is a planned process with the specific purpose of working across organisations, stakeholders, and communities to help the City shape decisions or actions related to a problem, opportunity or outcome. (Based on IAP2 definition).

Together, the community, stakeholders and City define 'quality engagement' as having the following attributes:

- Inclusive: engagement activities are accessible to people of all abilities and diverse backgrounds, and all community members can participate and have their voices heard.
- Fit for purpose: engagement methods and processes match the context and project purpose.
- Informative: people know how to be involved and have the information they need to participate in a meaningful way.

Title	Community Engagement

- Transparent: the purpose, process, and outcomes of an engagement are clear, so participants understand how their input will be used in the decision-making process.

- Timely: engagement activities are delivered in a timely manner allowing for participants to fully consider information and avoiding periods of national holiday including between Good Friday and Easter Monday, and Christmas to Australia Day.

- Meaningful: the input sought is used to the degree possible, considering the varying and sometimes competing needs within the community, and followed through in a timely way

(3) Inclusion

(a) The City acknowledges the valuable insight of the Nyungar people as the Traditional Custodians of this land and commits to including and considering input from our Aboriginal and Torres Strait Island community through the Aboriginal Reference Group.

(b) The City acknowledges the valuable insight of seniors; young people, Culturally and Linguistically diverse people, First Nations people; Lesbian, Gay, Bisexual, Transgender, Intersex, Queer, and Asexual people, and people living with disabilities and actively seeks input from the community and relevant local Reference Groups.

(c) The City seeks to ensure that Elected Members don't unintentionally influence engagement in their role as decision makers by providing a dedicated activity or workshop on matters prior to decision making. Elected Members should only attend consultation sessions as an observer.

(4) Implementation

(a) The implementation of this policy will be guided by the Community Engagement Framework and other internal documents.

(b) All Community Engagement programs and timelines must be agreed and approved by the Manager Advocacy and Engagement.

(5) Parameters

(a) This policy applies to City employees and to consultants engaged by the City. It also recognises the important role Elected Members play in facilitating dialogue and engagement with their constituents.

(b) This policy complements but does not supersede any statutory obligations defined by relevant Federal, State and Local legislation.

Title	Community Engagement

(c) This policy excludes advertising, notification and other defined statutory requirements under the Planning and Development Regulations (Local Planning Schemes) 2015.

Strategic Link:	City of Cockburn's Strategic Community Plan Community Engagement Framework Cockburn Community Development Strategic Plan Communications Strategy and Action Plan Disability Access and Inclusion Plan Reconciliation Action Plan
Category	Community Support
Lead Business Unit:	Community Development & Services
Public Consultation: **(Yes or No)**	Yes
Adoption Date: (Governance Purpose Only)	14 September 2023
Next Review Due: (Governance Purpose Only)	September 2025
ECM Doc Set ID: (Governance Purpose Only)	4133906

Policy

Community Engagement Policy

Policy Type

Administration

Policy Purpose

This Policy will:

- Provide a clear and consistent approach to community engagement across the organisation
- Support effective and informed decision-making
- Set expectations for how and when the community will be engaged
- Promote transparency, accountability and trust in the City's decision-making processes.

Policy Statement

The City of Cockburn is committed to meaningful community engagement that supports informed and transparent decision-making.

Our community knows their neighbourhoods best. Community engagement helps us understand what matters most to the people who live, work and spend time here, and ensures these insights are considered alongside technical, financial, environmental, legislative and other relevant factors.

Where decisions are likely to impact the community, we will provide clear opportunities for people to be informed and, where appropriate, contribute to decision-making. The level of community influence will vary depending on the nature of the decision, including where consultation requirements are prescribed by legislation. This Policy applies to both statutory consultation and broader community engagement activities undertaken by the City. Where engagement is prescribed by legislation, the City will meet those requirements while clearly communicating the purpose of the process and any limitations on community influence.

Scope

This Policy applies to all community engagement activities undertaken by or on behalf of the City.

It applies to all employees, contractors and consultants engaged to plan or deliver community engagement.

This Policy applies to engagement undertaken across all projects, programs, services and decisions of the City.

This Policy does not apply to the advertising of development applications, which is managed in accordance with the relevant Local Planning Policies.

What is Community Engagement

Community engagement is a planned process of informing, consulting or involving the community in decisions that affect or interest them.

It may include a range of activities, from providing information through to seeking feedback or working collaboratively with the community to develop solutions.

Community engagement does not replace the role of Council as the decision-maker but supports better decision-making by incorporating community perspectives.

Principles

1. **Our Commitment to Community Engagement**
   1.1. The City is committed to community engagement that is:

   Clear and Transparent
   We will clearly communicate the purpose of engagement, the level of influence available, and how feedback will be used in decision-making.

   Inclusive and Accessible
   We will provide opportunities for a diverse range of people to participate and consider barriers that may prevent or limit participation.

   Meaningful and Proportionate
   We will undertake engagement where there is an opportunity for the community to inform or influence a decision and tailor the approach to the scale and impact of the project.

   Respectful
   We will value the time, input and perspectives of participants and ensure engagement is conducted in a fair and respectful manner.

   Accountable
   We will report back to the community on what we heard and how feedback was considered in the decision-making process.
2. **When We Engage**
   2.1. The City will undertake community engagement where there is an opportunity for the community to inform or influence a decision. Community engagement will generally be undertaken where:
   - A new policy, strategy or plan is being developed, or significantly updated
   - A proposal is likely to impact how people live, work or access services
   - Changes are proposed to services, infrastructure, facilities or programs

- A decision is likely to have social, environmental, economic or place-based impacts
- Community input is required to understand needs, values or priorities
- There is a high level of community interest
- Engagement is required by legislation.

2.2. The level and method of engagement will vary depending on the:

- Scale and complexity of the project or decision
- Level of impact on the community (local or city-wide)
- Level of influence available to the community
- Level of community interest or sensitivity
- Legislative requirements and timeframes.

Engagement will be planned as early as practicable to ensure the community has a genuine opportunity to contribute to decision-making. Where statutory consultation (see 14.1) is the only mechanism available, the City will clearly communicate the purpose of the process and any limitations on community influence.

3. **Engagement Timeframes**

3.1. Engagement timeframes will be determined based on the nature of the project or decision.

In setting timeframes, the City will consider:

- The level of impact on the community
- The complexity of the project or decision
- The level of engagement being undertaken
- Legislative requirements
- The need to provide a reasonable opportunity for participation.

3.2. The timing and duration of engagement activities will be determined having regard to the scale, complexity, level of impact, stakeholder needs, legislative requirements and project constraints. The timing and duration of engagement will be planned to support participation, taking into account factors such as public holidays, school holidays, time of year, Council elections and other engagement activities.

3.3. Shorter or longer timeframes may be applied where justified by the circumstances of the project, including where:

- Urgent decisions are required
- Engagement is highly targeted or localised
- Engagement is occurring across multiple stages
- Legislative timeframes apply.

4. **When Engagement May Not Occur**

4.1. There are circumstances where it may not be appropriate or practical to undertake community engagement.

Community engagement may not be undertaken where:

- There is no opportunity for the community to influence the outcome

- The matter is operational, minor in nature, or part of day-to-day service delivery
- The decision is required urgently, including in response to public safety, emergency or compliance matters
- Legal, commercial or confidentiality constraints limit the ability to engage
- The City is not the decision-maker and has no ability to influence the outcome
- The matter has already been subject to recent engagement and the decision aligns with that feedback.

4.2. Where engagement is not undertaken, the City will, where appropriate, communicate the decision and the reasons engagement did not occur. This ensures the community has a clear understanding of how their input will contribute to the outcome and supports transparency in decision-making.

5. **Levels of Engagement and Influence**

5.1. The City's approach to community engagement is guided by the International Association for Public Participation (IAP2) Spectrum. The Spectrum outlines different levels of engagement and the corresponding level of influence the community may have on a decision. The level of engagement selected for a project will be based on the scope of the project, the level of impact, and the degree of influence available to the community.
Different levels of engagement may be used at different stages of a project.

6. **Levels of Engagement**

6.1. Inform
Providing balanced and accessible information to help the community understand a decision, project or issue.

- Level of influence: No opportunity to influence the decision
- Commitment: We will keep you informed.

6.2. Consult
Seeking feedback on a proposal, option or decision.

- Level of influence: Feedback is considered as part of the decision-making process
- Commitment: We will listen to feedback and provide information on how it was considered.

6.3. Involve
Working with the community to ensure their views are understood and considered in developing options or decisions.

- Level of influence: Community input helps shape options and informs decisions

- Commitment: We will work with you and show how your input influenced the outcome.

6.4. Collaborate

Partnering with the community to develop solutions and identify preferred outcomes.

- Level of influence: Community input plays a significant role in shaping the final outcome
- Commitment: We will work together to develop solutions and incorporate your input wherever possible.

6.5. Empower

Placing decision-making in the hands of the community.

- Level of influence: The community makes the final decision
- Commitment: We will implement what you decide.

7. **Application of the Spectrum**

7.1. Not all projects will involve the same level of engagement.

The City will select the most appropriate level of engagement based on:

- The level of impact on the community
- The complexity of the decision
- The level of influence available
- Legislative or regulatory requirements
- The need for technical or specialist input.

7.2. In many cases, engagement will occur at multiple levels across the life of a project.

For example, a project may begin by informing the community, then consulting on options, and later involving or collaborating with stakeholders on detailed design.

8. **Communicating Influence**

8.1. For each engagement, the City will clearly communicate:

- The purpose of the engagement
- The level of engagement being undertaken
- What aspects of the project are open to influence (negotiables)
- What aspects are not open to influence (non-negotiables)
- How community feedback will be used in decision-making.

This ensures the community has a clear understanding of how their input will contribute to the outcome.

9. **Engagement Planning Requirements**

9.1. All community engagement activities must be planned in a consistent and proportionate way. Engagement scope and scale should reflect the level of impact community can have.

The level of planning will vary depending on the scale, complexity and impact of the project or decision.

For projects requiring community engagement, a project-specific Community Engagement Plan will be prepared. The Plan will identify the purpose of engagement, stakeholders, level of community influence, engagement methods, project-specific opportunities and constraints, and any negotiable and non-negotiable aspects of the decision. A risk assessment for the engagement is completed and included in the Community Engagement Plan.

10. **Minimum Planning Requirements**

10.1. At a minimum, engagement planning will:

- Clearly define the purpose of the engagement
- Identify the decision to be made
- Identify the level of engagement to be undertaken
- Identify what aspects of the project are open to influence (negotiables) and not open to influence (non-negotiables)
- Identify stakeholders and communities who may be impacted or interested
- Consider how to reach a diverse and representative range of participants
- Select appropriate engagement methods and communication channels
- Consider accessibility and inclusion requirements
- Identify potential risks and sensitivities
- Outline how feedback will be collected, analysed and reported
- Personal information collected through engagement will be managed in accordance with relevant privacy legislation and the City's privacy obligations.

11. **Proportionate Approach**

11.1. Engagement planning will be proportionate to the project.

- Lower impact or localised projects may require a simple and targeted engagement approach
- Higher impact or complex projects may require broader engagement, multiple methods, and more detailed planning.

This ensures that engagement is fit-for-purpose and makes effective use of resources.

12. **Early Planning**

12.1. Engagement will be considered early in the project lifecycle wherever possible.

Early planning supports:

- Clear identification of engagement objectives
- Alignment between project teams and decision-makers
- Identification of opportunities for meaningful community input

- Efficient delivery of engagement activities.

13. **Documentation and Consistency**
    13.1. The City will maintain internal tools, templates and guidance to support consistent and high-quality engagement practice across the organisation. These resources will support staff to:
    - Plan engagement activities
    - Deliver engagement using appropriate methods
    - Analyse and report feedback
    - Evaluate engagement outcomes.

14. **Stakeholders and Inclusion**
    14.1. The City is committed to inclusive and accessible community engagement that enables a diverse range of people to participate in decisions that affect them.

15. **Identifying Stakeholders**
    15.1. For each engagement, the City will identify individuals, groups and organisations who:
    - May be directly impacted by the decision or project
    - Have an interest in the outcome
    - Represent broader community or stakeholder perspectives.

    15.2. Stakeholders may include residents, businesses, community groups, user groups, visitors, government agencies and other interested parties. Facilitators of City reference groups will be contacted for them to advise what level of engagement should occur with their respective groups. Engagement will be tailored to ensure those most impacted have appropriate opportunities to participate.

16. **Inclusive Engagement**
    16.1. The City recognises that people experience barriers to participation in different ways.
    16.2. Engagement will be designed to:
    - Be accessible, inclusive and respectful
    - Provide clear and easy to understand information
    - Offer a range of ways to participate (online and in-person where appropriate)
    - Consider the needs of people with disability, culturally and linguistically diverse communities, Aboriginal and Torres Strait Islander peoples, young people (children and older youth), older adults and other underrepresented groups.

    16.3. Where appropriate, additional supports may be considered to enable participation.

17. **Addressing Barriers to Participation**
    17.1. In planning and delivering engagement, the City will consider and, where practicable, reduce barriers to participation, including:

- Accessibility of venues and digital platforms
- Language and communication needs
- Timing of engagement activities
- Cultural considerations
- Awareness and access to information.

17.2. This helps ensure engagement is representative and provides opportunities for a broad range of perspectives.
The City will seek to identify and appropriately engage stakeholders who may be disproportionately impacted or who may face barriers to participation, including Aboriginal and Torres Strait Islander peoples and culturally diverse communities.

18. **Alignment with City Commitments**

18.1. Community engagement will align with the City's broader commitments, including:

- Strategic Community Plan.
- Corporate Business Plan
- Disability Access and Inclusion Plan
- Reconciliation Action Plan

18.2. These commitments guide how the City engages with diverse communities and supports equitable participation.

19. **Closing the Loop**

19.1. The City is committed to informing the community about the outcomes of engagement and how their feedback has been considered in decision-making.

20. **Reporting Back**

20.1. Following engagement, the City will:

- Provide a summary of feedback received
- Communicate key themes and insights
- Where appropriate, make engagement outcomes publicly available
- Advise those who engaged if and when an item is going to Council.

20.2. This may be provided through the City's engagement platform, website, or other relevant communication channels.

21. **How Feedback is Used**

21.1. The City will clearly communicate:

- How community feedback was considered in the decision-making process
- What changes were made as a result of engagement (where applicable)
- Where feedback did not influence the outcome, the reasons why.

21.2. This ensures transparency and helps the community understand how their input contributed to the final decision.

22. **Communicating Decisions**

22.1. The City will communicate decisions arising from engagement, including:
- The final outcome
- The reasons for the decision
- Any next steps or implementation timeframes (where relevant).

Where possible, updates will be provided to those who participated in the engagement.

23. **Timeliness**

23.1. The City will aim to provide updates to the community in a timely manner following the completion of engagement and key decision points.

24. **Monitoring, Evaluation and Continuous Improvement**

24.1. The City is committed to continually improving its community engagement practice through the ongoing review of engagement activities, feedback and organisational learning.

25. **Monitoring and Evaluation**

25.1. Where appropriate, community engagement activities may be reviewed to identify opportunities to:
- improve engagement planning and delivery
- inform future projects and decision-making
- enhance engagement practices across the organisation.

25.2. The extent of any review will be proportionate to the scale, complexity and significance of the engagement.

26. **Organisational Learning**

26.1. The City may monitor information such as participation levels, engagement reach and feedback trends to support organisational learning and continuous improvement.

27. **Roles and Responsibilities**

Community engagement is a shared responsibility across the City. All employees have a role in ensuring engagement is planned and delivered in line with this Policy.

27.1. Council

Council is responsible for:

- Making decisions in the best interests of the community
- Considering community feedback alongside other relevant information, including technical, environmental, financial and legislative factors

Setting the strategic direction for community engagement through the adoption of this Policy and consideration of related governance documents. Councillors also play an important role in:

- Promoting community engagement opportunities

- Encouraging participation from the community through official channels managed by the City.

Elected Members may promote engagement opportunities and encourage participation but should not represent themselves as collecting official feedback on behalf of the City. Elected Members may attend community engagement activities but do not facilitate or lead engagement activities on behalf of the City. Where they participate, they do so in a manner that supports the integrity, fairness and independence of the engagement process.

To maintain the integrity and fairness of engagement processes:

- Community engagement activities are planned and delivered by the City in accordance with this Policy.
- Elected Members do not design, facilitate or collect formal feedback as part of community engagement activities.
- All community members are provided with equitable opportunities to participate through formal engagement processes.
- Feedback considered as part of decision-making is obtained through the City's formal engagement processes.

Feedback received through informal channels, including social media or third-party platforms, does not generally form part of the City's formal community engagement process unless it is formally submitted or otherwise incorporated into the engagement record.

27.2. Executive Leadership Team

The Executive Leadership Team is responsible for:

- Supporting the implementation of this Policy across the organisation
- Ensuring appropriate governance, oversight and resourcing of community engagement
- Promoting a consistent and best practice approach to engagement.

27.3. City Staff

City staff are responsible for:

- Planning and delivering community engagement in line with this Policy
- Ensuring engagement is appropriate to the scale and impact of the project
- Analysing feedback and using it to inform recommendations and decisions
- Communicating outcomes and closing the loop with the community
- Identifying opportunities to improve engagement practices

- Preparing engagement materials and communications, including Elected Member notices, in line with organisational processes
- Coordinating the promotion of engagement activities through appropriate communication channels
- Ensuring clear and consistent information is provided to the community about how to participate
- Managing formal feedback processes, including submissions, surveys and other engagement methods.

The City will communicate engagement outcomes and explain how community feedback was considered in decision-making.

27.4. Community Engagement Team

The Community Engagement team is responsible for:

- Providing advice, guidance and support to staff on engagement planning and delivery
- Developing and maintaining tools, templates and guidance materials
- Providing organisational oversight of community engagement to support a coordinated, consistent and strategic approach across the City.
- Providing strategic leadership and governance for the City's community engagement program, including promoting consistent practice, coordination across business units and continuous improvement.
- Supporting evaluation and continuous improvement of engagement practices.

27.5. Community and Stakeholders

Community members and stakeholders are encouraged to:

- Participate in engagement activities
- Provide constructive feedback
- Consider the information provided to support informed participation.

28. **Legislative and Policy Context**

28.1. Community engagement is undertaken within a legislative and policy framework that guides when and how the City consults with the community.

The City will meet all statutory requirements for consultation and engagement as outlined in relevant legislation.

Key legislation may include:

- Local Government Act 1995 (WA)
- Planning and Development Act 2005 (WA)
- Environmental Protection Act 1986 (WA)

- Public Health Act 2016 (WA)
- Any other relevant legislation requiring consultation or public notice.

Where legislation prescribes a minimum level of consultation, this will be treated as the minimum standard. Additional engagement may be undertaken where appropriate, in line with this Policy. Engagement undertaken under this Policy does not replace any statutory consultation requirements.

14.1 Statutory Consultation

28.2. Some decisions require statutory consultation or public notice under legislation.
Statutory consultation is a formal process required under legislation, with specific requirements for how and when the community is invited to provide feedback. While it provides an opportunity for submissions, statutory consultation may differ from broader community engagement activities undertaken under this Policy. The level of community influence may also be limited by legislative requirements.

15. Definitions

For the purpose of this Policy:

28.3. Community
Individuals or groups of people who live, work, study, visit or have an interest in the City.

28.4. Stakeholders
Individuals, groups or organisations that are impacted by, or have an interest in, a project, decision or activity of the City.

28.5. Communication
The one-way provision of information to the community about a project, service, initiative or decision, without seeking feedback or providing an opportunity to influence the outcome.

28.6. Community Engagement
A planned process of informing, consulting or involving the community in decisions that affect or interest them.

28.7. Consultation
A form of community engagement that seeks feedback on a proposal, option or decision.

28.8. International Association for Public Participation (IAP2)
An internationally recognised framework that guides the planning and delivery of community engagement.

28.9. Level of Engagement
The degree to which the community can influence a decision, typically

described using the IAP2 Spectrum (Inform, Consult, Involve, Collaborate, Empower).

28.10. Negotiables

Aspects of a project or decision that are open to community input and can be influenced through engagement.

28.11. Non-negotiables

Aspects of a project or decision that are fixed due to legislative, financial, technical or other constraints and are not open to community influence.

28.12. Engagement Methods

The tools and techniques used to involve the community, such as surveys, workshops, pop-ups, online platforms or submissions.

28.13. Formal Feedback

Structured input provided through recognised engagement methods, such as surveys, submissions or feedback forms, which are considered as part of the decision-making process.

Policy Information

Strategic Link:	Strategic Community Plan – Key Objective 'Listening and Leading'
Category:	Business, Economy & Technology
Lead Business Unit:	Corporate Affairs
Public Consultation: (Yes or No)	Yes
Adoption Date: (Governance Purpose Only)	
Next Review Due: (Governance Purpose Only)	
ECM Doc Set ID: (Governance Purpose Only)	

8.2.2 (2026/MINUTE NO 0057) People Experience Policy Reviews: Executive and Senior Leadership Team Remuneration and Performance Management, Payments to Employees in Addition to Contract or Award; Structure for Administering the City of Cockburn

Responsible Executive	Director Corporate and System Services
Author(s)	Service Manager People Experience and People Experience Specialist
Attachments	1. Payment to Employees in Addition to Contract or Award Policy (track changes) 2. Payments to Employees in Addition to Contract or Award - Policy 3. Structure for Administering the City of Cockburn - Policy (track changes) 4. Structure for Administering the City of Cockburn - Policy

Committee Recommendation
MOVED Cr T Dewan SECONDED Cr C Reeve-Fowkes
That Council:

(1) NOTES a revised Executive and Senior Leadership Team Remuneration and Performance Management Policy will be presented to the next Governance Committee Meeting

(2) ADOPTS the amended Payments to Employees in Addition to Contract or Award Policy, as shown by Attachment 2

(3) ADOPTS the amended Structure for Administering the City of Cockburn Policy, as shown by Attachment 4.

CARRIED 7/0

Background

At its Ordinary Meeting held on 12 May 2025, Council adopted the Policy Review Schedule for the 2026 and 2027 calendar years.

In accordance with the Schedule, the following People Experience policies were identified for review and consideration by the Governance Committee at its August 2026 meeting:

- Executive and Senior Leadership Team Remuneration and Performance Management Policy
- Payments to Employees in Addition to Contract or Award Policy
- Structure for Administering the City of Cockburn.

The Structure for Administering the City of Cockburn Policy was originally scheduled for review at the June 2026 Governance Committee meeting.

This report presents the outcomes of the policy reviews and recommends amendments to the above policies for Council's consideration.

The proposed amendments are intended to ensure the City maintains an appropriate organisational structure, leadership framework and people management controls to effectively deliver services, support good governance and achieve its strategic objectives.

Submission

N/A

Report

These policies form an important part of the City's governance, organisational effectiveness and workforce management framework by:

- Ensuring an appropriate organisational structure is maintained
- Providing a robust framework for leadership performance, accountability, and remuneration
- Facilitating transparent, consistent and compliant management of discretionary employee payments
- Supporting the attraction, retention, and recognition of employees
- Ensuring compliance with the *Local Government Act 1995* (WA) and contemporary governance practices.

These policies have been reviewed to ensure they remain contemporary, align with current organisational arrangements and workforce practices, and continue to support effective governance and administration.

Executive and Senior Leadership Team Remuneration and Performance Management Policy

The CEO is currently undertaking a comprehensive review of Executive and Senior Leadership Team Remuneration and Performance Management.

The scope of this review includes a review of the effectiveness of the current VAR payment structure in supporting the organisational culture and delivery of key corporate outcomes, attractiveness in terms of employee attraction and retention as well as broader policy implications and their alignment with both the Local Government Act and Industrial legislation. It is intended to present this policy to the next Governance Committee meeting.

Payments to Employees in Addition to Contract or Award Policy

This policy provides the governance framework for payments made to employees that are additional to contractual or industrial agreement entitlements. It is required

under section 5.50 of the *Local Government Act 1995* (WA) and establishes clear parameters for severance payments, industrial settlements, employee recognition payments and specialist allowances.

The policy supports transparent, equitable and compliant decision-making regarding discretionary employee payments, while assisting the City to attract, retain and recognise employees.

The review confirms the policy continues to satisfy the requirements of section 5.50 of the *Local Government Act 1995* (WA). Key amendments include reducing maximum severance payment maximum thresholds, expanding employee service recognition arrangements to include two-year and five-year milestones, refining farewell recognition provisions and introducing a Specialist Allowance provision. The Specialist Allowance enables the City to recognise critical skills, expertise and hazardous or high-risk work that is otherwise not compensated through existing industrial arrangements. The review also updates terminology and governance arrangements to reflect the current organisational structure.

Structure for Administering the City of Cockburn Policy

This policy establishes Council's approved organisational structure for administering the City and ensures compliance with section 5.2 of the *Local Government Act 1995* (WA). It defines the City’s high-level administrative structure and clarifies the respective responsibilities of Council and the Chief Executive Officer (CEO).

The policy provides the governance framework through which the City is organised to effectively deliver services, maintain accountability and ensure legislative compliance.

The review includes minor changes to simplify and modernise the policy. The revised policy adopts a strategic governance approach aligned with the City's current Executive Leadership Team model, comprising the Office of the CEO and four Directorates. The amendments reinforce the distinction between Council's governance responsibilities and the CEO's operational responsibilities while maintaining Council oversight of the City's high-level organisational structure. The policy also updates Senior Employee designations to reflect the current leadership model.

Overall, the reviews do not alter the fundamental intent of the policies. Rather, they improve readability, strengthen governance provisions, align policy content with current organisational arrangements and provide greater flexibility for effective workforce management.

Budget/Financial Implications

The financial implications arising from the proposed policy amendments are considered low and can be accommodated within existing budget allocations.

Variable Annual Remuneration (VAR) arrangements under the Executive and Senior Leadership Team remuneration Management Policy remain subject to approved budget provisions and the discretion of the CEO. Payments to Employees in Addition to Contract or Award Policy remain subject to prescribed thresholds, delegated approval requirements and available budget capacity.

Legal Implications

The proposed amendments are expected to have a positive compliance impact by strengthening alignment with the *Local Government Act 1995* (WA), including sections 5.2, 5.37, and 5.50, and by ensuring the City's policy framework remains contemporary and reflective of current organisational arrangements and workforce practices.

The amendments enhance governance, accountability and decision-making processes while supporting compliance with legislative requirements relating to organisational structure, senior employee management and payments to employees.

Failure to review and update these policies may increase the risk of misalignment between the City’s policy framework, organisational structure and legislative obligations, which could result in governance weaknesses, audit findings, compliance risks and reduced organisational effectiveness.

Community Consultation
N/A

Risk Management Implications

The proposed amendments are assessed as low risk and are expected to strengthen governance, compliance and workforce management practices across the City.

The policy reviews improve alignment with the *Local Government Act 1995* (WA) by supporting Council's responsibilities in relation to organisational structure, senior employee management and the governance of payments made in addition to contractual and industrial entitlements. The amendments also provide greater clarity regarding decision-making authority, accountability and administrative responsibilities, reducing the risk of non-compliance, governance deficiencies and adverse audit findings.

The revised policies establish clear and consistent frameworks for executive remuneration, organisational structure, employee recognition and employment-related payments. These frameworks support transparent, equitable and defensible decision-making, reducing the potential for inconsistent application, employee grievances, and industrial relations issues.

Any financial implications arising from the policies are expected to remain within approved budget allocations and existing governance frameworks. Employee payments and remuneration arrangements continue to be subject to defined thresholds, appropriate authorisation processes and budget availability, mitigating the risk of unplanned financial impacts.

The updated policies also support contemporary workforce practices and reinforce principles of transparency, accountability and good governance contributing to the City's reputation as a responsible and well-managed local government.

Overall, the proposed amendments are expected to strengthen legislative compliance, organisational effectiveness and governance outcomes, while presenting a low residual risk to the City.

Advice to Proponent(s)/Submitters

N/A

Implications of Section 3.18(3) Local Government Act 1995

Nil.

Policy	Payments to Employees in Addition to Contract or Award

Policy Type

Council

Policy Purpose

The purpose of the Policy is to establish a position for the City of Cockburn in relation to payments made to employees in addition to their contractual or industrial entitlements. Specifically, the Policy provides a framework for:

(1) The payment of severance to employees upon termination of employment, including payments arising from employment contracts, industrial agreements or orders issued by a Court or Tribunal.
(2) Defining an upper threshold for discretionary payments that may be made in the resolution of minor industrial matters or disputes
(3) Recognising long and meritorious service through the provision of approved monetary incentives.
(4) Determining a consistent and transparent method for the assessment and approval of any such additional payments.

~~1. Severance pay to terminating employees including amounts as part of a contract of employment, industrial Agreement or as ordered by a Court or Tribunal;~~

~~2. Provision of an upper threshold amount that may be payable in response to minor industrial disputes; and~~

~~3. The provision of a monetary incentive for the long service of employees.~~

~~4. The assessment method of any such additional amounts.~~

This Policy is established in accordance with section 5.50(1) of the *Local Government Act 1995* (WA), which requires local governments to adopt a policy governing payments made to employees that are additional to those prescribed under a contract of employment or applicable award.

~~The *Local Government Act 1995 (s5.50 (1))* requires Council to prepare a Policy detailing any payments made to employees in addition to any contract or applicable award.~~

Policy Statement

1. Severance pays to terminating employees

Subject to the mutual agreement of both the Chief Executive Officer and an Employee, the City may initiate a settlement process, by way of Employee resignation with a confidential Deed of Settlement, in the following circumstances.

Settlement Circumstance	~~Prescribed Upper~~Maximum

Policy	Payments to Employees in Addition to Contract or Award

	Payment Threshold
Industrial relations matter Where an employee has initiated or proposes to initiate action under industrial relations legislation. ~~Where an Employee has or proposes to take action against the City under industrial relation legislation.~~	Up to 26 weeks' ordinary base pay~~Up to a maximum of 52 weeks' pay~~
Illness, injury or incapacity Where an employee is unable to perform the inherent requirements of their role due to illness, impairment or injury and mutual agreement is reached to cease employment. ~~Where an Employee is unable to perform the inherent requirements of their role due to illness or injury and there has been a mutual agreement that the employment relationship must cease.~~	Up to 16 weeks' ordinary base pay~~Up to a maximum of 26 weeks' pay~~
Employment relationship no longer viable Where continuing the employment relationship is not considered to be in the best interests of the City and/or the employee. ~~In instances where an ongoing employment relationship has been deemed to not be in the best interests of the organisation and/or the Employee.~~	Up to 16 weeks' ordinary base pay~~Up to a maximum of 16 weeks' pay~~
Performance or conduct concerns Where sustained underperformance and/or unacceptable behaviour has been identified and the City proposes to conclude the employment relationship by mutual settlement~~Where the City determines an Employee is not meeting the performance expectation for a sustained period and/or demonstrates unreasonable conduct that is not conducive to a continuing working relationship and the City proposes to end the employment relationship by settlement~~.	Up to 16 weeks' ordinary base pay~~Up to a maximum of 12 weeks' pay~~

For the purpose of calculating severance payments, "ordinary base pay" excludes overtime, allowances (including vehicle allowances) and superannuation. The above thresholds do not include any statutory or legislative entitlements that may be payable.
~~Where the settlement payment is based on weekly pay, this is deemed to be the ordinary base rate of pay and excludes overtime, vehicle allowance, other allowances and superannuation). The prescribed upper threshold is not inclusive of any additional legislative and/or statutory entitlements that may also be payable.~~

Assessment of Payment Amounts

In determining an appropriate settlement amount, the City will consider:

- Relevant recommendations or indicative outcomes from a Court or Tribunal
- Legal and industrial risk, including the strength of each party's position
- Anticipated legal and associated costs

Policy	Payments to Employees in Addition to Contract or Award

- Operational impacts, including employee relations, engagement and reputational considerations
- The employee's length of service, role, performance, conduct and personal circumstances.

~~In assessing the amount to be payable, the following will be considered:~~

- ~~The amount recommended by the Court or Tribunal to settle the matter.~~
- ~~The risk of litigation and the strength of the respective case.~~
- ~~The cost of legal services for defence.~~
- ~~Disruptions to operations (including assessing employee engagement and reputational risks).~~
- ~~The length of service, position held and the personal circumstances of the Employee.~~

2. Minor Industrial Disputes

Subject to mutual agreement between the CEO and the employee, the City may enter into a financial settlement to resolve minor industrial disputes where this represents an appropriate and pragmatic resolution.

- Such settlements will not involve cessation of employment
- Payments will be formalised through a confidential Deed of Settlement
- A maximum payment of $10,000 may be approved in these circumstances.

~~Subject to mutual agreement of both the Chief Executive Officer and an Employee, the City may initiate a settlement process to resolve minor industrial disputes, in instances where a financial settlement is the only option to maintain a conducive working relationship. In these instances, severance of employment by way of resignation is not an option and settlement will mitigate the risk of adverse findings on the organisation.~~

~~An upper threshold of up to a maximum of $10,000 may be payable in these instances and is executed through a confidential Deed of Settlement.~~

3. Recognition of Long Service ~~Employees~~

~~Long standing employees who met service recognition milestones prior to 31 December 2023, will receive:~~

~~i. A certificate acknowledging the length of service.~~
~~ii. A lapel pin depicting the years of service.~~
~~iii. A payment in line with the table below.~~

~~Years of Service~~	~~Payment amount~~
~~10 years service~~	~~$1,000.00~~
~~15 years service~~	~~$1,500.00~~
~~20 years service~~	~~$2,000.00~~
~~25 years service and above~~	~~$2,500.00~~

Policy	Payments to Employees in Addition to Contract or Award

~~Payments will be made through the City's payroll system and will be subject to marginal income taxation rates as prescribed by the Australian Taxation Office.~~

Employees reaching service milestones will be recognised during the year the milestone is achieved. Eligible employees will be identified through reporting by the People Experience team and will receive a:

- Certificate of recognition
- Commemorative lapel pin
- Gift or gift voucher to the value outlined below:

Years of Service	Gift or Gift Voucher Amount
2 y~~Y~~ears	$50.00
5 y~~Y~~ears	$100.00
10 years~~' service~~	$200.00
20 years~~' service~~	$300.00
30 years~~' service~~	$400.00
40 years~~' service~~	$500.00

Recognition will be formally presented in accordance with the City's~~The gift voucher, pin and certificate will be presented to the Employee at an event that is prescribed within the~~ Reward and Recognition Policy (Administration Policy).

4. Payments on Cessation of ~~Ceasing~~ Employment

However, where an employee has completed a minimum of 5 years' continuous service, the City may:

- Provide a contribution of up to $250 towards a farewell gift; and
- Fund an appropriate farewell event, as determined by the CEO

~~The City of Cockburn will not make payments of gratuities to employees upon retirement or resignation.~~

5. Specialist Allowance

The CEO may approve a Specialist Allowance, in addition to an employee's substantive base salary, where an employee and/or the role they are in:

- Provides specialist skills, qualifications, licences, certifications or expertise critical to the City's operations
- Works in hazardous, high-risk or adverse working conditions not otherwise compensated for

Policy	Payments to Employees in Addition to Contract or Award

- Is impacted by labour market or skill shortages, is difficult to attract or retain and/or is assessed as a critical role necessary to ensure continuity of City operations
- Additional responsibilities, projects, or duties of strategic significance.

The CEO will determine the amount, duration and conditions of any allowance, having regard to operational needs, internal equity, market factors, budget availability and relevant legislative and industrial obligations. Allowances may be reviewed, varied or discontinued:

- at the CEO's discretion
- if the employee changes roles or responsibilities
- withdraws the provision of or no longer holds the skill, qualification, licence, certification or expertise.

~~In instances where an Employee has at least 10 years continuous service and resigns, the City may make provision to a maximum of $500 contribution for a leaving gift and meet the cost of an appropriate farewell celebration as determined by the CEO.~~

6. Roles and Responsibilities

- Council is responsible for endorsing this Policy and delegating authority to the CEO to approve payments within the prescribed limits
- The Chief Executive Officer (or approved delegate) is responsible for:
  - Approving all payments made under this Policy
  - Ensuring implementation and compliance with this Policy
  - Providing advice and interpretation where required
  - Supporting consistent and transparent application across the organisation.

7. Related policies:

- Reward and Recognition Policy
- Workforce Plan 2026 – 2030.

~~Council must endorse the provisions within this Policy and delegate authority to approval of such payments, to the prescribed maximum threshold, to the Chief Executive Officer.~~

~~The Chief Executive Officer (or nominated proxy) must approve all payments for circumstances covered by this Policy.~~

~~The Executive People Experience and Transformation is responsible for the implementation and compliance of this Policy, and in instances where clarification is required or there is a dispute provide interpretation of the provisions contained within this Policy.~~

Policy	Payments to Employees in Addition to Contract or Award

Strategic Link:	Workforce Plan 2022- 2026
Category:	Governance
Lead Business Unit:	People Experience and Safety
Public Consultation: **(Yes or No)**	No
Adoption Date: (Governance Purpose Only)	13 February 2024
Next Review Due: (Governance Purpose Only)	February 2026
ECM Doc Set ID: (Governance Purpose Only)	10064771

Policy

Payments to Employees in Addition to Contract or Award

Policy Type

Council

Policy Purpose

The purpose of this Policy is to establish the City of Cockburn's position in relation to payments made to employees in addition to their contractual or industrial entitlements.

Specifically, the Policy provides a framework for:

(1) The payment of severance to employees upon termination of employment, including payments arising from employment contracts, industrial agreements or orders issued by a Court or Tribunal.
(2) Defining an upper threshold for discretionary payments that may be made in the resolution of minor industrial matters or disputes
(3) Recognising long and meritorious service through the provision of approved monetary incentives.
(4) Determining a consistent and transparent method for the assessment and approval of any such additional payments.

This Policy is established in accordance with section 5.50(1) of the *Local Government Act 1995* (WA), which requires local governments to adopt a policy governing payments made to employees that are additional to those prescribed under a contract of employment or applicable award.

Policy Statement

1. Severance Payments to Employees

Subject to the mutual agreement of both the Chief Executive Officer (CEO) and the employee, the City may enter a negotiated settlement to conclude the employment relationship through resignation, formalised by a confidential Deed of Settlement, in the following circumstances:

Settlement circumstance	Maximum payment threshold
Industrial relations matter Where an employee has initiated or proposes to initiate action under industrial relations legislation.	Up to 26 weeks' ordinary base pay

Illness, injury or incapacity Where an employee is unable to perform the inherent requirements of their role due to illness, impairment or injury and mutual agreement is reached to cease employment.	Up to 16 weeks' ordinary base pay
Employment relationship no longer viable Where continuing the employment relationship is not considered to be in the best interests of the City and/or the employee.	Up to 16 weeks' ordinary base pay
Performance or conduct concerns Where sustained underperformance and/or unacceptable behaviour has been identified and the City proposes to conclude the employment relationship by mutual settlement.	Up to 16 weeks' ordinary base pay

For the purpose of calculating severance payments, "ordinary base pay" excludes overtime, allowances (including vehicle allowances) and superannuation. The above thresholds do not include any statutory or legislative entitlements that may be payable.

Assessment of Payment Amounts
In determining an appropriate settlement amount, the City will consider:

- Relevant recommendations or indicative outcomes from a Court or Tribunal
- Legal and industrial risk, including the strength of each party's position
- Anticipated legal and associated costs
- Operational impacts, including employee relations, engagement and reputational considerations
- The employee's length of service, role, performance, conduct and personal circumstances.

2. Minor Industrial Disputes
Subject to mutual agreement between the CEO and the employee, the City may enter into a financial settlement to resolve minor industrial disputes where this represents an appropriate and pragmatic resolution.

- Such settlements will not involve cessation of employment
- Payments will be formalised through a confidential Deed of Settlement
- A maximum payment of $10,000 may be approved in these circumstances.

3. Recognition of Long Service

Employees reaching service milestones will be recognised during the year the milestone is achieved. Eligible employees will be identified through reporting by the People Experience team and will receive a:

- Certificate of recognition
- Commemorative lapel pin
- Gift or gift voucher to the value outlined below:

Years of Service	Gift or Voucher Amount
2 years	$50
5 years	$100
10 years	$200
20 years	$300
30 years	$400
40 years	$500

Recognition will be formally presented in accordance with the City's Reward and Recognition Policy.

4. Payments on Cessation of Employment

The City will not provide gratuity payments upon resignation or retirement. However, where an employee has completed a minimum of 5 years' continuous service, the City may:

- Provide a contribution of up to $250 towards a farewell gift; and
- Fund an appropriate farewell event, as determined by the CEO

5. Specialist Allowance

The CEO may approve a Specialist Allowance, in addition to an employee's substantive base salary, where an employee and/or the role they are in:

- Provides specialist skills, qualifications, licences, certifications or expertise critical to the City's operations
- Works in hazardous, high-risk or adverse working conditions not otherwise compensated for
- Is impacted by labour market or skill shortages, is difficult to attract or retain and/or is assessed as a critical role necessary to ensure continuity of City operations
- Additional responsibilities, projects, or duties of strategic significance.

The CEO will determine the amount, duration and conditions of any allowance, having regard to operational needs, internal equity, market factors, budget availability and relevant legislative and industrial obligations. Allowances may be reviewed, varied or discontinued:

- at the CEO's discretion
- if the employee changes roles or responsibilities
- withdraws the provision of or no longer holds the skill, qualification, licence, certification or expertise.

6. Roles and Responsibilities

- Council is responsible for endorsing this Policy and delegating authority to the CEO to approve payments within the prescribed limits
- The Chief Executive Officer (or approved delegate) is responsible for:
  - Approving all payments made under this Policy
  - Ensuring implementation and compliance with this Policy
  - Providing advice and interpretation where required
  - Supporting consistent and transparent application across the organisation.

7. Related policies:

- Reward and Recognition Policy
- Workforce Plan 2026 – 2030.

Policy Information

Strategic Link:	Workforce Plan 2026 - 2030
Category:	Governance
Lead Business Unit:	People Experience
Public Consultation: (Yes or No)	No
Adoption Date: (Governance Purpose Only)	18 August 2026
Next Review Due: (Governance Purpose Only)	August 2029
ECM Doc Set ID: (Governance Purpose Only)	10064771

Title	Structure for Administering the City of Cockburn

Policy Type

Council

Policy Purpose

The City of Cockburn is administered through a structured organisational model comprising of the Office of the CEO and four Directorates. Collectively, these are led by the Executive Leadership Team (ELT) (the ~~. This structure is managed by a~~ Chief Executive Officer~~,~~ and four ~~Senior Officers~~Directors).

The structure is aligned to the City's strategic priorities, service delivery functions and operational requirements. It is subject to regular review to ensure it remains contemporary, fit-for-purpose, and responsive to emerging community needs, legislative obligations, and organisational efficiencies. Structural adjustments may be implemented where required to support new service delivery models, organisational reforms, or improved integration of functions.~~activities and functions of the City and is reviewed regularly. It is changed when the City embarks on new business opportunities, divests itself of service functions or when there is a need to reorganise functions into different units for better management.~~

This policy ensures the City of Cockburn fulfils its statutory obligation under section 5.2 of the *Local Government Act 1995* (WA), which requires that the Council ensure an appropriate structure for administering the local government. It also reinforces the clear separation between the Council's governance role and the CEO's operational responsibilities.

~~The Policy serves to ensure that the City of Cockburn complies with the obligation imposed on it by s5.2 of the *Local Government Act, 1995* (the Act) which prescribes that the council '…is to ensure that there is an appropriate structure for administering the local govenrment'.~~

Policy Statement

(1) Council ~~recognises~~ acknowledges its responsibility pursuant to s5.2 of the Act, to ensure that the City maintains an appropriate administrative structure. Council endorses the attached Structure for Administering the City of Cockburn as meeting this requirement. ~~and considers the attached 'Structure for Administering the City of Cockburn' an appropriate structure for administering its local government.~~

(2) Council approval is required to implement any variation to the *Structure for Administering the City of Cockburn* in relation to the Office of the CEO and four Directorates. The~~, however the~~ CEO has authority to ~~may~~ undertake minor ~~variations~~ amendments within this structure to appropriately allocate functions and resources, including the amalgamation of service or business units. Proposed

Title	Structure for Administering the City of Cockburn

changes which result in additional business or service unit creation require Council approval ~~as they see fit with regards to the allocations of functions and resources across those four Directorates~~.

(3) In accordance with the Act, the CEO's function is to manage the day-to-day operations of the local government and be responsible for employing those employees not designated as "senior employees".

(4) Consistent with the functions described in ~~(4)~~(3) above, Council notes the CEO will allocate employees across functions and activities, where ~~he or she~~they considers doing so increases organisational efficiency.

(6) The following positions are designated as Senior ~~Officers~~Employees pursuant to section 5.37 of the Act:~~The roles of:~~

- Director Community and Place
- Director Corporate and System Services
- Director Infrastructure Services
- Director ~~Planning and Sustainability~~Sustainable Development and Safety

are deemed to be a senior role and designated as a Senior Employee, pursuant to Section 5.37 of the Act. This is to ensure a distinction in this role between the Governance function of the organisation and the Governance responsibilities of the Council.

The following Directorate table provides clarity around the directorates, Senior ~~Officers~~ Eemployees and associated purpose.

Chief Executive Officer	Director Community and Place	Director Corporate and System Services	Director Infrastructure Services	Director ~~Planning and Sustainability~~Sustainable Development and Safety
Leading the strategic direction	Engaging and servicing the community	Running and improving the business	Maintaining the community	Planning and renewing communities

Strategic Link:	Strategic Community Plan – Key Objective 5A 'Facilitate transparent and accountable governance for today and tomorrow"'~~Workforce Plan~~
Category:	Governance
Lead Business Unit:	~~Human Resource~~People Experience
Public Consultation: **(Yes or No)**	No

Title	**Structure for Administering the City of Cockburn**

Adoption Date: (Governance Purpose Only)	9 July 2024
Next Review Due: (Governance Purpose Only)	July 2026
ECM Doc Set ID: (Governance Purpose Only)	4131297

Policy

Structure for Administering the City of Cockburn

Policy Type

Council

Policy Purpose

The City of Cockburn is administered through a structured organisational model comprising of the Office of the CEO and four Directorates. Collectively, these are led by the Executive Leadership Team (ELT) (the Chief Executive Officer and four Directors).

This structure is aligned to the City's strategic priorities, service delivery functions and operational requirements. It is subject to regular review to ensure it remains fit-for-purpose and responsive to emerging community needs, legislative obligations and achieving organisational efficiencies. Structural adjustments may be implemented where required to support new service delivery models, organisational reforms or improved integration of functions.

This policy ensures the City of Cockburn fulfils its statutory obligation under section 5.2 of the *Local Government Act 1995* (WA), which requires Council ensure an appropriate structure for administering the local government. It also reinforces the clear separation between the Council's governance role and the CEO's operational responsibilities.

Policy Statement

(1) Council acknowledges its responsibility under section 5.2 of the Act to ensure the City maintains an appropriate administrative structure. Council endorses the attached Structure for Administering the City of Cockburn as meeting this requirement.

(2) Council approval is required to implement any variation to the Structure for Administering the City of Cockburn in relation to the Office of the CEO and four Directorates, however the CEO may undertake minor variations as they see fit with regards to the allocations of functions and resources across those Directorates.

(3) In accordance with section 5.37 of the Act, the CEO's function is to manage the day-to-day operations of the local government and is responsible for employing those employees not designated as "senior employees".

(4) Consistent with the functions described in (3) above, Council notes the CEO will allocate employees across functions and activities, where they consider doing so increases organisational efficiency.

(5) The following positions are designated as Senior Employees pursuant to section 5.37 of the Act:

- Director Community and Place
- Director Corporate and System Services
- Director Infrastructure Services
- Director Sustainable Development and Safety

This is to ensure a distinction in this role between the Governance function of the organisation and the Governance responsibilities of the Council.

The following Directorate table provides clarity around the directorates, senior employees and associated purpose.

Chief Executive Officer	Director Community and Place	Director Corporate and System Services	Director Infrastructure Services	Director Sustainable Development and Safety
Leading the strategic direction	Engaging and servicing the community	Running and improving the business	Maintaining the community	Planning and renewing communities

Policy Information

Strategic Link:	Strategic Community Plan – Key Objective 5A 'Facilitate transparent and accountable governance for today and tomorrow"'
Category:	Governance
Lead Business Unit:	People Experience
Public Consultation: (Yes or No)	No
Adoption Date: (Governance Purpose Only)	18 August 2026
Next Review Due: (Governance Purpose Only)	August 2029
ECM Doc Set ID: (Governance Purpose Only)	4131297

8.2.3 (2026/MINUTE NO 0058) Policy Review: Financial Hardship

Responsible Executive	Director Corporate and System Services
Author(s)	Service Manager Strategic Finance and Rates and Revenue Manager
Attachments	1. Financial Hardship Policy (tracked changes) 2. Financial Hardship Policy

Committee Recommendation
MOVED Cr C Reeve-Fowkes SECONDED Cr H Srhoy

That Council ADOPTS the amended "Financial Hardship Policy", as shown by Attachment 2.

CARRIED 7/0

Background

This report outlines proposed changes to the Financial Hardship Policy.

The Policy, adopted by Council in September 2024 has been reviewed to ensure it remains responsive to current economic conditions, addresses matters identified through its implementation, and improves the clarity and effectiveness of its provisions and administration.

Submission

N/A

Report

The proposed amendments to the Financial Hardship Policy strengthen the City's ability to provide appropriate assistance to individuals and organisations experiencing genuine financial hardship, while maintaining responsible financial management and good governance.

The revised policy expands its application beyond rates and service charges to include sundry debtor accounts and other debts owed to the City where hardship assistance is considered appropriate. The purpose statement has also been broadened to better recognise the range of financial challenges that may be experienced by community members and organisations.

A number of amendments have been made to improve clarity, consistency and transparency of hardship assessments. These include:

- The introduction of guiding principles to support fair, transparent and consistent decision-making
- Enhanced financial hardship criteria

- clearer guidance regarding circumstances that may, or may not, constitute financial hardship
- a new evidence and assessment section to support informed decision making
- greater flexibility to consider individual circumstances, including vulnerability and exceptional situations.

The revised policy seeks to balance compassionate support for those experiencing financial hardship with the City's responsibility to protect public funds and ensure equitable and consistent decision-making.

Additional amendments include the introduction of a formal review process for applicants who are dissatisfied with a decision made under the Policy. Communication and confidentiality provisions have also been strengthened to ensure applicants are treated respectfully and that personal information is managed in accordance with legislative and privacy requirements.

Definitions throughout the Policy have been updated to support the expanded scope and improve its interpretation and administration.

Overall, the proposed amendments address matters identified through the application of the Policy since its adoption in September 2024, reflect current economic conditions, and provide a clearer, more consistent and effective framework for supporting residents and debtors experiencing genuine financial hardship.

Strategic Plans/Policy Implications

Our Governance
Transparent leadership that listens, communicates openly and plans for a sustainable future.
• Facilitate transparent and accountable governance for today and tomorrow.

Budget/Financial Implications

N/A

Legal Implications

The proposed amendments are consistent with the requirements of the *Local Government Act 1995 (WA), the* Local Government (Financial Management) Regulations 1996, and the Rates and Charges (Rebates and Deferments) Act 1992.

Community Consultation

N/A

Risk Management Implications

The proposed changes are assessed as low risk and are expected to strengthen governance, consistency and transparency in the administration of financial hardship assistance.

The amendments provide clearer guidance for the assessment and management of hardship applications, reducing the risk of inconsistent decision-making and improving the equitable treatment of applicants.

The inclusion of enhanced assessment criteria, evidence requirements and a formal review process strengthens accountability and supports defensible decision making.

Advice to Proponent(s)/Submitters

N/A

Implications of Section 3.18(3) Local Government Act 1995

Nil.

Policy
Financial Hardship

Policy Type
Council

Policy Purpose
The City of Cockburn acknowledges that genuine financial hardship genuine financial hardship may arise from temporary, ongoing or significant circumstances that affect an individual's or organisation's capacity to meet rates, service charges, fees or other debts owed to the City when they fall due.
due to exceptional circumstances ratepayers may at times encounter difficulty in paying rates and services as they fall due.

This Policy aims to balance the City's responsibility to recover revenue required to deliver essential community services with its commitment to support applicants experiencing genuine financial hardship, payment difficulty or vulnerability.

This Policy is intended to ensure that the City of Cockburn (City) offers fair, equitable, consistent, respectful, and dignified support to Ratepayers experiencing Financial Hardship, while treating all members of thewhile maintaining appropriate governance, accountability and responsible financial management.
community with respect and understanding during Financial Hardship.

This Policy explains what the City will consider as constituting Financial Hardship and options available to the City to assist those that qualify.

Policy Statement

(1) Scope

1. 1. This Policy applies to applications for financial hardship assistance in relation to:
   i. Rates and service services imposed by the City;
   ii. Sundry debtor accounts owing to the City; and
   iii. Other debts owing to the City where the City determines that hardship assistance is appropriate having regard to the nature of the debt, statutory requirements, contractual obligations and the applicant's circumstances.

all ratepayers of the City experiencing Financial Hardship and is applicable to rates and service charges as at the date of adoption of this Policy.

2. For rates and service charges, assistance will generally be prioritised for an applicant's principal place of residence. Applications relating to investment properties, commercial properties or non-residential properties may be considered only where exceptional circumstances are demonstrated.

3. The application of this Policy to sundry debtor accounts or other debts does not alter any statutory charge, contractual obligation, recovery right, legislative requirement or delegation that applies to that debt.

~~3.~~4. The provisions of the *Local Government Act 1995* (the Act), *Local Government (Financial Management) Regulations 1996*, and *Rates and Charges (Rebates and Deferments) Act 1992* apply.

(2) Objectives and Principles

1. ~~Payment Difficulties, or short-term Financial Hardship, occur where a change in a person's circumstances result in an inability to pay a rates or service charge debt.~~

2. ~~Financial Hardship occurs where a person is unable to pay a debt without affecting their ability to meet their basic living needs, or the basic living needs of their dependants.~~

3. The City recognises that ~~people~~ members of the~~in our~~ community may ~~be~~ experienc~~ing P~~payment d~~D~~ifficulties, f~~F~~inancial h~~H~~ardship or~~and~~ vulnerability. The City will administer this Policy having regard to the following principles:

   i. Fairness, consistency and procedural fairness;
   ii. Respect, dignity and confidentiality;
   iii. Early engagement and early intervention;
   iv. Realistic, affordable and sustainable payment outcomes;
   v. Appropriate referral to financial counselling and support services;
   vi. Transparent and accountable decision-making; and
   ~~i.~~ Responsible revenue collection and compliance with statutory obligations.

4. The key objectives of this Policy are to:

   i. provide a supportive and accessible process that enables applicants to approach the City about outstanding debts ~~a mechanism that enables ratepayers to feel comfortable in approaching the City about outstanding debts~~;

ii. reduce the number of people experiencing vulnerability being involved in formal recovery processes where hardship assistance is appropriate;

iii. ~~encourage~~ promote a consistent, fair and proactive approach ~~in~~to identifying and ~~assisting~~ supporting ~~ratepayers~~ applicants ~~who may be~~ experiencing payment difficulty ~~paying their rates due to personal or Financial Hardship~~ or financial hardship;

iv. encourage early engagement with the City with appropriate financial counselling, support services or community assistance programs~~people experiencing Financial Hardship, to access financial counselling support services earlier~~;

v. provide flexible and appropriate debt management options that support applicants to meet their obligations to the City in a sustainable way;~~enable more appropriate ways for the City to seek payment of rates arrears;~~

vi. ~~reduce costs to the ratepayer associated with recovery~~minimise the financial burden associated with legal and debt recovery processes where appropriate; and

vii. support transparent, consistent and accountable decision-making in the assessment and management of Financial Hardship applications.

(3) Financial Hardship Criteria

1. ~~1.~~ Financial Hardship may exist where an applicant is unable to pay an outstanding amount without adversely affecting their ability to meet their basic living needs, or the basic living needs of their dependants.
2. The City recognises that not all circumstances are alike and will take a flexible approach to assessing individual circumstances. Factors that may contribute to Financial Hardship include, but are not limited to:

~~Evidence of Financial Hardship will be required. However, the City recognises that not all circumstances are alike and will take a flexible approach to a range of individual circumstances including, but not limited to, the following situations:~~

i. Recent unemployment or under-employment

ii. ~~Sickness or recovery from sickness~~Serious illness, injury, disability or medical condition affecting the applicant or an immediate family member;

iii. Low income, ~~or~~ loss of income or reduction in income

iv. ~~iv.~~ Family violence, family breakdown, separation or the death of a spouse, partner or dependant;~~Unanticipated circumstances such as caring for and supporting extended family.~~

v. Caring responsibilities or unanticipated responsibility for supporting extended family;

vi. Natural disasters, emergencies, pandemics or other significant events;

vii. Financial misfortune or other serious circumstances affecting capacity to pay; and

viii. Other circumstances accepted by the City as relevant to the applicant's capacity to pay.

3. The following circumstances will generally not, on their own, constitute Financial Hardship:

i. Unwillingness to pay where capacity to pay exists;

ii. General payment difficulty where no genuine hardship is demonstrated;

iii. A dispute about the amount payable, which should be managed through the appropriate review, objection or dispute process;

iv. Failure to provide information reasonably required to assess the application; and

v. Investment or commercial property ownership, unless exceptional circumstances are demonstrated and approval is granted.

2. ~~Ratepayers are encouraged to provide information about their individual circumstances that may be relevant for assessment. This may include demonstrating a capacity to make some payment and where possible, entering into a payment arrangement.~~

3. The City will consider all relevant circumstances, applying the principles of fairness, integrity, ~~and~~ confidentiality and responsible financial management while ~~whilst~~ complying with statutory responsibilities.

(4) Evidence and Assessment

1. Applicants seeking assistance under this Policy may be required to provide information or supporting documentation reasonably necessary for the City to assess the application.

2. Supporting information may include one or more of the following:

i. evidence of income, expenditure and essential living costs;

ii. Centrelink, pensioner, seniors or concession card details;

iii. medical certificates or other relevant health documentation;

iv. bank statements;

v. a statement of financial position;

vi. information from a financial counsellor or other suitably qualified professional;

vii. a statutory declaration where other supporting evidence is unavailable, delayed or not reasonably obtainable; or

viii. any other information reasonably required by the City.

3. The City may take a flexible and reasonable approach to evidence where the applicant is experiencing vulnerability, family violence, emergency circumstances, language or literacy barriers, disability, illness or other circumstances that make formal documentation difficult to obtain.

4. The City may request further information where an application is incomplete or where the information provided is insufficient to assess the application.

5. The City may decline an application where the applicant does not provide information reasonably required to assess the application.

(5) Assistance and Support Options

1. Depending on the applicant's circumstances, the nature of the debt and applicable legislative or contractual requirements, assistance under this Policy may include one or more of the following:

i. payment arrangements;

ii. extensions of time to pay;

iii. temporary deferment of all or part of an eligible debt;

iv. suspension or non-application of interest where permitted;

v. referral to a Financial Counselling Service or other support service;

vi. review or variation of an existing arrangement where circumstances change;

vii. temporary suspension of debt recovery action while an application is being assessed; or

viii. any other assistance approved in accordance with the City's delegations and procedures.

2. Approval of hardship assistance does not remove the applicant's obligation to pay amounts owing to the City.

(6) Payment Arrangements

1. Payment arrangements for rates and service charges may be facilitated in accordance with Section 6.49 of *the Local Government Act 1995*. Payment arrangements for sundry debtor accounts or other debts may be facilitated where appropriate having regard to the nature of the debt and the City's administrative requirements.

2. An approved payment arrangement should include an agreed payment frequency, payment amount, repayment timeframe and review or completion date.

~~Payment arrangements may be facilitated in accordance with Section 6.49 of the Act and are to include an agreed frequency and amount.~~

~~2~~3.. ~~These arrangements will consider the following:~~When considering a payment arrangement or extension of time to pay, the City may have regard to whether:

i. The applicant ~~ratepayer~~ has supplied information reasonably required to assess ~~Evidence of~~ Financial Hardship;

ii. The applicant has demonstrated~~ratepayer has made~~ genuine intention~~effort~~ to address the debt ~~meet rate and service charge obligations in the past~~;

iii. The proposed ~~payment~~ arrangement is realistic, affordable and sustainable based on the applicant's circumstances;

~~will establish a known end date that is realistic and achievable; and~~

iv. The applicant is able to maintain regular payments in accordance with the arrangement; ~~The ratepayer will be responsible for informing the City of any change in circumstance that jeopardises the agreed payment schedule.~~

vi. a clearly review date or completion date is appropriate; and

vii. the applicant has agreed to advise the City of any materinal change in circumstances.

4. The City accepts payment arrangements for Centrelink customers via Centrepay where available and appropriate. Centrepay is a voluntary bill-paying service that enables eligible Centrelink customers to make regular deductions from Centrelink payments.

~~1~~5. Other payment methods may be considered where available and approved by the City.

~~3~~6. Payment made by ratepayers or sundry debtors in advance of any due date are outside the scope of this Policy.

4. ~~Centrepay~~

~~The City accepts payment arrangements for Centrelink customers via Centrepay. Any Centrelink customer can apply to make regular deductions from their Centrelink payment to make payment towards rates amounts due. Centrepay is a voluntary bill paying service which is free for Centrelink customers.~~

(~~5~~7) Deferment under the *Rates and Charges (Rebates and Deferments) Act 1992*

1. Persons eligible under the *Rates and Charges (Rebates and Deferments) Act 1992* should refer to the Department of Finance Fact Sheet for information on the application process and criteria – Pensioners and Seniors Concessions Scheme.

(~~8~~6) Deferment under this Policy

1. An applicant may apply to defer all or part of an eligible debt for a specified period of up to 12 months where Financial Hardship is demonstrated and the City is satisfied that deferment is appropriate having regard to the nature of the debt, the applicant's circumstances and applicable legislative or contractual requirements.

~~Ratepayers may apply to have rates and charges in part or whole deferred for a specified period (maximum 12 months).~~

2. For rates and service charges, deferment will generally only be available where the property is the applicant's principal place of residence, unless exceptional circumstances are demonstrated and approval is granted in accordance with the City's delegations.

3. For sundry debtor accounts or other debts, deferment or extension arrangements may be considered where appropriate to the nature of the debt and consistent with the City's statutory, contractual and financial management obligations.

~~2~~4. To be eligible to apply for deferment, the applicant must:

i. ~~The ratepayer must~~ be experiencing ~~undue and~~genuine, undue and unavoidable Financial Hardship; ~~and~~

ii. ~~The property must be the ratepayer's principal place of residence or principal place of business; and~~

iii. ~~The ratepayer must supply~~provide information or e~~E~~vidence that ~~which~~ substantiates ~~they meet~~ the Financial Hardship application;~~criteria; and~~

iv demonstrate that the debt cannot be paid in full within the required timeframe;

iviv. The ratepayer agrees to pay any portion of rates and chargesthe debt that is within their capacity to do sothe applicant's reasonable capacity during the deferment period, where applicable; and.

V commit to engaging with the City during the deferment period and advising the City of any material change in circumstances.

35. The City will review the applicant's circumstances before the expiry of the deferment period and may; a deferment on or before the expiry of the deferral period.

i. Extend the deferment period where continued Financial Hardship is demonstrated and approval is available under this Policy;

ii. enter into an agreed payment arrangement for the outstanding balance; or

iii. require the outstanding debt to be paid in accordance with the City's debt recovery procedures.

4. The ratepayer may be eligible for a further deferment period however must submit an application in accordance with this Policy.

5. The City will consider applications made by ratepayers impacted by Emergency Situations.

6. Applications for deferment made as a result of impacts by any Emergency Situations will:

i. Be available to all ratepayers impacted by the Emergency Situation for a deferment period of up to three (3) months; and

ii. Require evidence which substantiates the ratepayer meets the Financial Hardship criteria.

iii. Include agreement to pay any portion of rates and charges within the capacity of the ratepayer to do so

(97) Interest Charges

1. 1.

Interest will be charged on all overdue rates and charges in accordance with Section 6.51 of *the Local Government Act* 1995the Actunless otherwise excluded, suspended, not applied or written off in accordance with applicable legislation, Council policy, adopted fees and charges or the City's delegations.

~~1.~~2. Eligible pensioners, seniors or other eligible ratepayers entitled to a State Government rebate under the *Rates and Charges (Rebates and Deferments) Act 1992* are excluded from interest charges where applicable.

2. Interest ~~will not be charged~~ on overdue rates, ~~and~~ service charges or eligible debts may be suspended or not applied while an approved Financial Hardship payment arrangement is in place and is being reasonably adhere to, subject to applicable legislation, Council policy, adopted fees and charges and the City's delegations. ~~under an agreed payment arrangement that is reasonably adhered to.~~

3. Where an applicant does not comply with an approved arrangement and does not contact the City to discuss a reasonable alternative, the City may reinstate interest charges and recommence debt recovery action.

~~Interest may be written off where Financial Hardship affects a significant section of the community such as an Emergency Situation. The decision to write off interest will be made by Council (excluding the late payment interest applicable to the Emergency Services Levy).~~

(10~~8~~) Debt Recovery

1. The City is committed to working with applicants experiencing Financial Hardship to identify appropriate support measures before commencing or escalating formal debt recovery action where practicable.

~~The City will suspend debt recovery processes whilst negotiating a suitable payment arrangement or deferral with a ratepayer.~~

2. Where an applicant has applied for assistance under this Policy, the City may place debt recovery action on hold while the application is assessed.

~~Where a ratepayer is unable to make payments in accordance with the agreed payment arrangement and the ratepayer advises the City, making an alternative arrangement before defaulting on the 2nd due payment, the City will continue to suspend debt recovery processes.~~

3. ~~3.~~

~~Wher~~e an applicant has been approved for assistance and is complying with an agreed payment arrangement or deferment, the City will suspend debt recovery action for the duration of the arrangement, subject to the terms of the arrangement and applicable legislation.~~Where a ratepayer has not reasonably adhered to the agreed payment arrangement, for any rates and service charge amounts that remain outstanding on 1 July of the current financial year, the City will offer the ratepayer one further opportunity of adhering to a payment arrangement that will clear the total debt by the end of the next financial year~~

4. If an applicant misses a payment under an approved arrangement, the City will, where practicable, attempt to contact the applicant before recommencing formal recovery action. The City may vary the arrangement where the applicant demonstrates a change in circumstances and continued willingness to address the debt.
5. The City may recommence debt recovery action where the applicant:

   i. fails to comply with the terms of an approved payment arrangement or deferment without reasonable cause;
   ii. fails to maintain reasonable contact with the City regarding financial circumstances;
   iii. provides false or misleading information in support of a hardship application;
   iv. does not provide information reasonably required to assess or review the arrangement;
   v. no longer meets the eligibility requirements of this Policy; or
   vi. declines to enter into or maintain a reasonable arrangement despite having capacity to pay.

6. Formal debt recovery action may include reminder notices, final demand letters, referral to debt collection agencies, legal proceedings, recovery of rates and service charges in accordance with the *Local Government Act 1995*, recovery of sundry debts owing to the City, or any other lawful recovery action available to the City.
7. The City will seek to balance its responsibility to recover outstanding debts with its commitment to supporting applicants experiencing genuine Financial Hardship, vulnerability or payment difficulty.

(~~9~~11) Communication and Confidentiality

1. Any information provided in accordance with this policy will be treated as ~~strictly~~ confidential and managed in accordance with the City's Privacy Statement, recordkeeping requirements and applicable legislation.
2. The City recognises that applicants for Financial Hardship consideration are experiencing additional stressors and may have complex needs.
3. The City will ~~provide~~ ensure ~~additional time to respond to~~ communication ~~and will communicate in alternative formats where appropriate~~ with applicants are clear, respectful, timely and accessible.

4. Applicants seeking assistance under this Policy are encouraged to engage with the City as early as possible and provide accurate and complete information regarding their circumstances. ~~The City will ensure all communication with applicants is clear and respectful~~.

(12) Review of Decisions

1. An applicant who is dissatisfied with a decision made under this Policy may request an internal review.
2. The review will be undertaken by a person who was not involved in the original decision, where practicable, and in accordance with the City's delegations and governance framework.
3. The applicant will be advised of the review outcome in writing.
4. A dispute about the amount of a rate, service charge, fee, charge or sundry debt will be managed through the applicable objection, review, dispute or other legislative or administrative process and is not, of itself, a Financial Hardship application.

Definitions:

Applicant means a person, organisation, ratepayer, owner, occupier, sundry debtor or other debtor who applies for assistance under this Policy.

Deferment means a postponement of the payment of rates ~~and,~~ charges or other eligible debts in whole or in part for a specified period ~~(maximum 12 months) and,~~ subject to conditions as determined by the City and applicable legislative, contractual and delegation requirements.. ~~When the payment of~~ For rates and service ~~or~~ charges, ~~are~~ deferred~~,~~ payment ~~is not required until the agreed date as approved by the City, the ratepayer becomes deceased, the property is sold or there is a change in ratepayer. Deferred rates or charges are a charge on the property.~~ may remain a charge on the property where provided for by legislation.

Financial Counselling Service means a service that provide free, independent and confidential financial counselling support, including a service that is a ~~which is a~~ member of the Financial Counsellors Association of Western Australia (FCAWA).

Financial Hardship means a state of more than immediate financial disadvantage which results in ~~a ratepayer~~an applicant being unable to pay an outstanding amount without affecting the ability to meet the basic living needs or the basic living needs of their dependants~~the ratepayer or a dependant.~~

Factors contributing to Financial Hardship may include:

- family tragedy
- financial misfortune
- serious illness
- impacts of natural disaster
- pandemics
- other serious or difficult circumstances.

~~**Emergency Situations** includes natural disasters and pandemics which have caused Financial Hardship to a significant proportion of the community.~~

Evidence means information or documentation reasonably required to support an application for assistance under this Policy. Evidence may include documentation from a financial counsellor, accountant, employer, medical practitioner or other professional; financial records; concession details; a statement of financial position; or a statutory declaration where other evidence is unavailable or delayed.
~~written documentation by an approved Financial Counselling Service or the ratepayer's accountant, auditor or bank manager or other such written documentation from a professional (e.g. Doctor) which supports the ratepayer's position with respect to hardship.~~

Payment Difficulties means a state of immediate or short term financial disadvantage that results in an applicant ~~a ratepayer~~ being unable to pay an outstanding amount by due date because ~~reason~~ of a change in personal circumstances.

Sundry Debtor Account means an account or debt owing to the City that is not a rates or service charge debt.

Strategic Link:	Strategic Community Plan – Key Objective 'Listening and Leading'
Category:	Business, Economy & Technology
Lead Business Unit:	~~Revenue Management~~Rates and Revenue
Public Consultation: (Yes or No)	No
Adoption Date: (Governance Purpose Only)	10 September 2024
Next Review Due: (Governance Purpose Only)	September 2026
ECM Doc Set ID: (Governance Purpose Only)	9446126

Policy
Financial Hardship

Policy Type
Council

Policy Purpose
The City of Cockburn acknowledges that genuine financial hardship may arise from temporary, ongoing or significant circumstances that affect an individual's or organisation's capacity to meet rates, service charges, fees or other debts owed to the City when they fall due.

This Policy aims to balance the City's responsibility to recover revenue required to deliver essential community services with its commitment to support applicants experiencing genuine financial hardship, payment difficulty or vulnerability.

This Policy is intended to ensure that the City offers fair, equitable, consistent, respectful and dignified support, while maintaining appropriate governance, accountability and responsible financial management.

This Policy explains what the City may consider as constituting Financial Hardship and the types of assistance that may be made available to applicants who qualify.

Policy Statement

(1) Scope

1. This Policy applies to applications for financial hardship assistance in relation to:
   i. rates and service charges imposed by the City;
   ii. sundry debtor accounts owing to the City; and
   iii. other debts owing to the City where the City determines that hardship assistance is appropriate having regard to the nature of the debt, statutory requirements, contractual obligations and the applicant's circumstances.
2. For rates and service charges, assistance will generally be prioritised for an applicant's principal place of residence. Applications relating to investment properties, commercial properties or non-residential properties may be considered only where exceptional circumstances are demonstrated.

3. The application of this Policy to sundry debtor accounts or other debts does not alter any statutory charge, contractual obligation, recovery right, legislative requirement or delegation that applies to that debt.
4. The provisions of the *Local Government Act 1995, Local Government (Financial Management) Regulations 1996 and Rates and Charges (Rebates and Deferments) Act 1992* apply where relevant.

(2) Objectives and Principles

1. The City recognises that members of the community may experience payment difficulty, financial hardship or vulnerability. The City will administer this Policy having regard to the following principles:
   i. fairness, consistency and procedural fairness;
   ii. respect, dignity and confidentiality;
   iii. early engagement and early intervention;
   iv. realistic, affordable and sustainable payment outcomes;
   v. appropriate referral to financial counselling and support services;
   vi. transparent and accountable decision-making; and
   vii. responsible revenue collection and compliance with statutory obligations.
2. The key objectives of this Policy are to:
   i. provide a supportive and accessible process that enables applicants to approach the City about outstanding debts;
   ii. reduce the number of people experiencing vulnerability being involved in formal debt recovery processes where hardship assistance is appropriate;
   iii. promote a consistent, fair and proactive approach to identifying and supporting applicants experiencing payment difficulty or financial hardship;
   iv. encourage early engagement with the City and with appropriate financial counselling, support services or community assistance programs;
   v. provide flexible and appropriate debt management options that support applicants to meet their obligations to the City in a sustainable way;
   vi. minimise the financial burden associated with legal and debt recovery processes where appropriate; and

vii. support transparent, consistent and accountable decision-making in the assessment and management of Financial Hardship applications.

(3) Financial Hardship Criteria

1. Financial Hardship may exist where an applicant is unable to pay an outstanding amount without adversely affecting their ability to meet their basic living needs, or the basic living needs of their dependants.

2. The City recognises that not all circumstances are alike and will take a flexible approach to assessing individual circumstances. Factors that may contribute to Financial Hardship include, but are not limited to:

   i. Recent unemployment or under-employment;

   ii. Low income, loss of income or reduction in income;

   iii. Serious illness, injury, disability or medical condition affecting the applicant or an immediate family member;

   iv. Family violence, family breakdown, separation or the death of a spouse, partner or dependant;

   v. Caring responsibilities or unanticipated responsibility for supporting extended family;

   vi. Natural disasters, emergencies, pandemics or other significant events;

   vii. Financial misfortune or other serious circumstances affecting capacity to pay; and

   viii. Other circumstances accepted by the City as relevant to the applicant's capacity to pay.

3. The following circumstances will generally not, on their own, constitute Financial Hardship:

   i. Unwillingness to pay where capacity to pay exists;
   ii. General payment difficulty where no genuine hardship is demonstrated;
   iii. A dispute about the amount payable, which should be managed through the appropriate review, objection or dispute process;
   iv. Failure to provide information reasonably required to assess the application; and
   v. Investment or commercial property ownership, unless exceptional circumstances are demonstrated and approval is granted.

4. The City will consider all relevant circumstances, applying the principles of fairness, integrity, confidentiality and responsible financial management while complying with statutory responsibilities.

(4) Evidence and Assessment

1. Applicants seeking assistance under this Policy may be required to provide information or supporting documentation reasonably necessary for the City to assess the application.
2. Supporting information may include one or more of the following:
   i. evidence of income, expenditure and essential living costs;
   ii. Centrelink, pensioner, seniors or concession card details;
   iii. medical certificates or other relevant health documentation;
   iv. bank statements;
   v. a statement of financial position;
   vi. information from a financial counsellor or other suitably qualified professional;
   vii. a statutory declaration where other supporting evidence is unavailable, delayed or not reasonably obtainable; or
   viii. any other information reasonably required by the City.
3. The City may take a flexible and reasonable approach to evidence where the applicant is experiencing vulnerability, family violence, emergency circumstances, language or literacy barriers, disability, illness or other circumstances that make formal documentation difficult to obtain.
4. The City may request further information where an application is incomplete or where the information provided is insufficient to assess the application.
5. The City may decline an application where the applicant does not provide information reasonably required to assess the application.

(5) Assistance and Support Options

1. Depending on the applicant's circumstances, the nature of the debt and applicable legislative or contractual requirements, assistance under this Policy may include one or more of the following:
   i. payment arrangements;
   ii. extensions of time to pay;
   iii. temporary deferment of all or part of an eligible debt;
   iv. suspension or non-application of interest where permitted;
   v. referral to a Financial Counselling Service or other support service;
   vi. review or variation of an existing arrangement where circumstances change;

vii. temporary suspension of debt recovery action while an application is being assessed; or

viii. any other assistance approved in accordance with the City's delegations and procedures.

2. Approval of hardship assistance does not remove the applicant's obligation to pay amounts owing to the City.

(6) Payment Arrangements

1. Payment arrangements for rates and service charges may be facilitated in accordance with Section 6.49 of *the Local Government Act 1995*. Payment arrangements for sundry debtor accounts or other debts may be facilitated where appropriate having regard to the nature of the debt and the City's administrative requirements.

2. An approved payment arrangement should include an agreed payment frequency, payment amount, repayment timeframe and review or completion date.

3. When considering a payment arrangement or extension of time to pay, the City may have regard to whether:

i. the applicant has supplied information reasonably required to assess Financial Hardship;

ii. the applicant has demonstrated a genuine intention to address the debt;

iii. the proposed arrangement is realistic, affordable and sustainable based on the applicant's circumstances;

iv. the arrangement considers both the outstanding debt and any ongoing rates, service charges or other continuing obligations as they fall due;

v. the applicant is able to maintain regular payments in accordance with the arrangement;

vi. a clearly defined review date or completion date is appropriate; and

vii. the applicant has agreed to advise the City of any material change in circumstances.

4. The City accepts payment arrangements for Centrelink customers via Centrepay where available and appropriate. Centrepay is a voluntary bill-paying service that enables eligible Centrelink customers to make regular deductions from Centrelink payments.

5. Other payment methods may be considered where available and approved by the City.

6. Payment made by ratepayers or sundry debtors in advance of any due date are outside the scope of this Policy.

(7) Deferment under the *Rates and Charges (Rebates and Deferments) Act 1992*

1. Persons eligible under the *Rates and Charges (Rebates and Deferments) Act 1992* should refer to the Department of Finance Fact Sheet for information on the application process and criteria – Pensioners and Seniors Concessions Scheme.

(8) Deferment under this Policy

1. An applicant may apply to defer all or part of an eligible debt for a specified period of up to 12 months where Financial Hardship is demonstrated and the City is satisfied that deferment is appropriate having regard to the nature of the debt, the applicant's circumstances and applicable legislative or contractual requirements.
2. For rates and service charges, deferment will generally only be available where the property is the applicant's principal place of residence, unless exceptional circumstances are demonstrated and approval is granted in accordance with the City's delegations.
3. For sundry debtor accounts or other debts, deferment or extension arrangements may be considered where appropriate to the nature of the debt and consistent with the City's statutory, contractual and financial management obligations.
4. To be eligible to apply for deferment, the applicant must:
    i. be experiencing genuine, undue and unavoidable Financial Hardship;
    ii. provide information or evidence that substantiates the Financial Hardship application;
    iii. demonstrate that the debt cannot be paid in full within the required timeframe;
    iv. agree to pay any portion of the debt that is within the applicant's reasonable capacity during the deferment period, where applicable; and
    v. commit to engaging with the City during the deferment period and advising the City of any material change in circumstances.
5. The City will review the applicant's circumstances before the expiry of the deferment period and may:
    i. extend the deferment period where continued Financial Hardship is demonstrated and approval is available under this Policy;

ii. enter into an agreed payment arrangement for the outstanding balance; or

iii. require the outstanding debt to be paid in accordance with the City's debt recovery procedures.

(9) Interest Charges

1. Interest will be charged on overdue rates and service charges in accordance with Section 6.51 of *the Local Government Act 1995* unless otherwise excluded, suspended, not applied or written off in accordance with applicable legislation, Council policy, adopted fees and charges or the City's delegations.
2. Eligible pensioners, seniors or other eligible ratepayers entitled to a rebate under the *Rates and Charges (Rebates and Deferments) Act 1992* are excluded from interest charges where applicable.
3. Interest on overdue rates, service charges or eligible debts may be suspended or not applied while an approved Financial Hardship arrangement is in place and is being reasonably adhered to, subject to applicable legislation, Council policy, adopted fees and charges and the City's delegations.
4. Where an applicant does not comply with an approved arrangement and does not contact the City to discuss a reasonable alternative, the City may reinstate interest charges and recommence debt recovery action.

(10) Debt Recovery and Default Management

1. The City is committed to working with applicants experiencing Financial Hardship to identify appropriate support measures before commencing or escalating formal debt recovery action where practicable.
2. Where an applicant has applied for assistance under this Policy, the City may place debt recovery action on hold while the application is assessed.
3. Where an applicant has been approved for assistance and is complying with an agreed payment arrangement or deferment, the City will suspend debt recovery action for the duration of the arrangement, subject to the terms of the arrangement and applicable legislation.
4. If an applicant misses a payment under an approved arrangement, the City will, where practicable, attempt to contact the applicant before recommencing formal recovery action. The City may vary the arrangement where the applicant demonstrates a change in circumstances and continued willingness to address the debt.
5. The City may recommence debt recovery action where the applicant:

i. fails to comply with the terms of an approved payment arrangement or deferment without reasonable cause;

ii. fails to maintain reasonable contact with the City regarding financial circumstances;

iii. provides false or misleading information in support of a hardship application;

iv. does not provide information reasonably required to assess or review the arrangement;

v. no longer meets the eligibility requirements of this Policy; or

vi. declines to enter into or maintain a reasonable arrangement despite having capacity to pay.

6. Formal debt recovery action may include reminder notices, final demand letters, referral to debt collection agencies, legal proceedings, recovery of rates and service charges in accordance with the *Local Government Act 1995*, recovery of sundry debts owing to the City, or any other lawful recovery action available to the City.

7. The City will seek to balance its responsibility to recover outstanding debts with its commitment to supporting applicants experiencing genuine Financial Hardship, vulnerability or payment difficulty.

(11) Communication and Confidentiality

1. Any information provided in accordance with this Policy will be treated as confidential and managed in accordance with the City's Privacy Statement, recordkeeping requirements and applicable legislation.

2. The City recognises that applicants for Financial Hardship consideration are experiencing additional stressors and may have complex needs.

3. The City will ensure communications with applicants are clear, respectful, timely and accessible.

4. Applicants seeking assistance under this Policy are encouraged to engage with the City as early as possible and provide accurate and complete information regarding their circumstances.

(12) Review of Decisions

1. An applicant who is dissatisfied with a decision made under this Policy may request an internal review.

2. The review will be undertaken by a person who was not involved in the original decision, where practicable, and in accordance with the City's delegations and governance framework.

3. The applicant will be advised of the review outcome in writing.
4. A dispute about the amount of a rate, service charge, fee, charge or sundry debt will be managed through the applicable objection, review, dispute or other legislative or administrative process and is not, of itself, a Financial Hardship application.

Definitions:

Applicant means a person, organisation, ratepayer, owner, occupier, sundry debtor or other debtor who applies for assistance under this Policy.

Deferment means a postponement of the payment of rates, charges or other eligible debts in whole or in part for a specified period, subject to conditions as determined by the City and applicable legislative, contractual and delegation requirements. For rates and service charges, deferred amounts may remain a charge on the property where provided for by legislation.

Financial Counselling Service means a service that provides free, independent and confidential financial counselling support, including a service that is a member of the Financial Counsellors Association of Western Australia (FCAWA).

Financial Hardship means a state of more than immediate financial disadvantage that results in an applicant being unable to pay an outstanding amount without adversely affecting their ability to meet their basic living needs, or the basic living needs of their dependants.

Factors contributing to Financial Hardship may include:

- family tragedy
- financial misfortune
- serious illness
- impacts of natural disaster
- pandemics
- other serious or difficult circumstances.

Evidence means information or documentation reasonably required to support an application for assistance under this Policy. Evidence may include documentation from a financial counsellor, accountant, employer, medical practitioner or other professional; financial records; concession details; a statement of financial position; or a statutory declaration where other evidence is unavailable or delayed.

Payment Difficulties means a state of immediate or short-term financial disadvantage that results in an applicant being unable to pay an outstanding amount by the due date because of a change in circumstances.

Sundry Debtor Account means an account or debt owing to the City that is not a rates or service charge debt.

Strategic Link:	Strategic Community Plan – Key Objective 'Listening and Leading'
Category:	Business, Economy & Technology
Lead Business Unit:	Rates and Revenue
Public Consultation: (Yes or No)	No
Adoption Date: (Governance Purpose Only)	10 September 2024
Next Review Due: (Governance Purpose Only)	September 2028
ECM Doc Set ID: (Governance Purpose Only)	9446126

8.2.4 (2026/MINUTE NO 0059) Proposed Amendment to Compliments , Feedback and Complaints Policy

Responsible Executive	Director Corporate and System Services
Author(s)	Service Manger Information, Technology and Customer
Attachments	1. Compliments Feedback and Complaints (tracked changes) 2. Compliments Feedback and Complaints

Officer Recommendation

That Council ADOPTS the amended Compliments, Feedback and Complaints Policy as shown by Attachment 2.

6.11pm Cr Tom Widenar entered the meeting.

Committee Recommendation
MOVED Deputy Mayor P Corke SECONDED Cr C Reeve-Fowkes

That Council ADOPTS the amended Compliments, Feedback and Complaints Policy as shown by Attachment 2, with the addition of the words 'Elected Members' to Point 7.

CARRIED 8/0

Background

The purpose of this policy is to provide clarity on how the City will manage compliments, feedback and complaints.

Submission

N/A

Report

It is important that the City maintains a Council-adopted, public-facing policy that clearly outlines how compliments, feedback and complaints are managed, and what the community can expect when engaging with the City.

The proposed amendments improve clarity for community members, Elected Members and employees, particularly in relation to the definition and management of unreasonable complainant conduct. The amendments are informed by guidance published by the Western Australian Ombudsman and reflect recent legislative changes.

The Policy recognises the City's responsibility to manage public resources efficiently and effectively. It acknowledges that the nature, complexity and impact of a matter will influence the level of resources allocated to its investigation and management.

The Policy has been updated to provide clearer guidance on the management of unreasonable complainant conduct, consistent with amendments to the Local Government Act 1995 (WA), which enable CEOs to place reasonable restrictions on communications where complainant behaviour has become unreasonable.

Strategic Plans/Policy Implications

Listening and Leading
A community focused, sustainable, accountable, and progressive organisation.
• High quality and effective community engagement and customer service experiences.

Budget/Financial Implications

N/A

Legal Implications

The proposed amendments support compliance with recent changes to the *Local Government Act 1995 (WA)* relating to unreasonable complaints and the management of unreasonable complainant conduct. The legislative amendments provide a framework that enables CEOs to impose reasonable communication restrictions where a complainant has persistently pursued matters that been appropriately addressed.

The Policy has been updated to align with these legislative provisions and to provide clear guidance on the management of unreasonable complainant conduct, while maintaining the community's right to access the City’s complaints processes and other statutory review and appeal mechanisms.

Community Consultation

Nil.

Risk Management Implications

The proposed amendments are assessed as low risk and are expected to strengthen governance, transparency and consistency in the management of compliments, feedback and complaints.

The revised policy provides greater clarity regarding community expectations, roles responsibilities, and complaint management processes. This will support consistent decision-making, improve customer service outcomes, and reduce the risk arising from the inconsistent application of policy provisions.

Advice to Proponent(s)/Submitters

N/A

Implications of Section 3.18(3) Local Government Act 1995

Nil.

Title	Compliments, Feedback & Complaints

Policy Type

Council

Policy Purpose

The purpose of this policy is to guide the City of Cockburn in its management of compliments, feedback and complaints in a consistent and unbiased manner that complies with the Australian Standard Guidelines, the Ombudsman Western Australia Guidelines and the City's Customer Service Charter.

Policy Statement

1) The City of Cockburn will manage any feedback in accordance with its Customer Service Charter and Complaints Handling Procedure.

2) Feedback including complaints should be directed to the City's Administration.

3) Feedback will be used by to the relevant service unit to review and improve its services and to celebrate and share positive feedback.

4) The City will provide a complaint system that is:

   1. easy to use, fair and unbiased;

   2. accessible to people with disability and people from cultural and linguistically diverse backgrounds;

   3. able to provide a platform that enables the public to:

      i. be heard and understood

      ii. be respected

      iii. receive an explanation, apology or action where appropriate

5) The City will inform the complainant on the outcome of a complaint on conclusion of its investigations. If the investigation is prolonged, the City will ensure that the customer is kept up-to-date on any progress or delay.

6) The City will have a procedure for reviewing complaints if a customer is not satisfied with the way the City handled their initial complaint. If complainants have exhausted the review process at the City, they may request an external review through the Department of Local Government and/or the State Ombudsman.

Title	Compliments, Feedback & Complaints

7) The City recognises the right of complainants to express dissatisfaction with the City or its decisions/conduct/services/products or policy. However, should complainants become rude or abusive, communication with the City may be formally terminated. Should there be threatening or abusive behaviour that poses an Occupational Health and Safety risk to our employees or volunteers, the matter will be referred to the Police where appropriate.

8) Unreasonable complainants - The City has an obligation to responsibly manage its resources on behalf of its ratepayers. The substance of a complaint will dictate the resources allocated by the City. A person may be deemed an unreasonable complainant and a restriction of service may be applied to them should circumstances be considered warranted. This decision will be made by a designate senior employee. The Ombudsman Western Australia defines unreasonable complainant conduct as:

(i) Rude, angry and harassing
(ii) Aggressive conduct
(iii) Habitual or obsessive.This includes:

- Cannot 'let go' of their complaint
- Cannot be satisfied despite the best efforts of the agency
- Complains about frivolous matters on a consistent basis
- Make unreasonable demands on the agency where resources are substantially and unreasonably diverted away from its other functions or unfairly allocated (compared to other customers)

Each occasion will be judged on its merits to ensure that legitimate difficult dealings are not misinterpreted as unreasonable behaviour.

If a matter is consider closed by the City, unless there is a substantial change in facts or circumstances, or new information comes to light, no further correspondence on the matter will be responded to.

9) Unreasonable complaints - The City can lawfully decide not to take further action on a complaint, and to restrict ongoing correspondence about that complaint, where permitted by legislation.
This process:
- is complaint-focused, not behaviour-focused; and
- must not be used to manage abusive or aggressive conduct.

Under section 5.130 of the Local Government Act 1995, the City may decide not to take any further action on a complaint where:
either:
- the complaint has already been properly considered (Test 1), or
- the complaint is vexatious (Test 2);

[2]

Title	Compliments, Feedback & Complaints

and, in either case, further dealing with the complaint would involve an unreasonable use of time or resources.

The decision to restrict communication about a complaint under s 5.130 must be made by the Chief Executive Officer, or a delegated authority.

For operational purposes, this authority is normally delegated to Directors, in accordance with the CEO's delegation.

~~9)~~

10) Complaints about Elected Members:

Complaints regarding Elected Members are also covered by an Elected Members' Code of Conduct available on the City's website and the Local Government (Model Code of Conduct) Regulations 2021. The complaint must be made on the relevant Form, available from the City's website or by contacting the City.

11) Complaints about employees:

Complaints about employees must initially be directed to the Chief Executive Officer.

This Policy is supported by an internal Complaint Handling Procedure.

Strategic Link:	Listening and Leading
Category	High quality and effective community engagement and customer service experiences
Lead Business Unit:	Communications and Marketing
Public Consultation: **(Yes or No)**	No
Adoption Date: (Governance Purpose Only)	12 November 2024
Next Review Due: (Governance Purpose Only)	November 2026
ECM Doc Set ID: (Governance Purpose Only)	8029039

Title	Compliments, Feedback & Complaints

Policy Type

Council

Policy Purpose

The purpose of this policy is to guide the City of Cockburn in its management of compliments, feedback and complaints in a consistent and unbiased manner that complies with the Australian Standard Guidelines, the Ombudsman Western Australia Guidelines and the City's Customer Service Charter.

Policy Statement

1) The City of Cockburn will manage any feedback in accordance with its Customer Service Charter and Complaints Handling Procedure.

2) Feedback including complaints should be directed to the City's Administration.

3) Feedback will be used by to the relevant service unit to review and improve its services and to celebrate and share positive feedback.

4) The City will provide a complaint system that is:

    1. easy to use, fair and unbiased;

    2. accessible to people with disability and people from cultural and linguistically diverse backgrounds;

    3. able to provide a platform that enables the public to:

        i. be heard and understood

        ii. be respected

        iii. receive an explanation, apology or action where appropriate

5) The City will inform the complainant on the outcome of a complaint on conclusion of its investigations. If the investigation is prolonged, the City will ensure that the customer is kept up-to-date on any progress or delay.

6) The City will have a procedure for reviewing complaints if a customer is not satisfied with the way the City handled their initial complaint. If complainants have exhausted the review process at the City, they may request an external review through the Department of Local Government and/or the State Ombudsman.

[1]

Title	Compliments, Feedback & Complaints

7) The City recognises the right of complainants to express dissatisfaction with the City or its decisions/conduct/services/products or policy. However, should complainants become rude or abusive, communication with the City may be formally terminated. Should there be threatening or abusive behaviour that poses an Occupational Health and Safety risk to our employees or volunteers, the matter will be referred to the Police where appropriate.

8) Unreasonable complainants - The City has an obligation to responsibly manage its resources on behalf of its ratepayers. The substance of a complaint will dictate the resources allocated by the City. A person may be deemed an unreasonable complainant and a restriction of service may be applied to them should circumstances be considered warranted. This decision will be made by a designate senior employee. The Ombudsman Western Australia defines unreasonable complainant conduct as:

(i) Rude, angry and harassing
(ii) Aggressive conduct
(iii) Habitual or obsessive.This includes:

- Cannot 'let go' of their complaint
- Cannot be satisfied despite the best efforts of the agency
- Complains about frivolous matters on a consistent basis
- Make unreasonable demands on the agency where resources are substantially and unreasonably diverted away from its other functions or unfairly allocated (compared to other customers)

Each occasion will be judged on its merits to ensure that legitimate difficult dealings are not misinterpreted as unreasonable behaviour.

If a matter is consider closed by the City, unless there is a substantial change in facts or circumstances, or new information comes to light, no further correspondence on the matter will be responded to.

9) Unreasonable complaints

Under legislation, the City can determine a complaint to be unreasonable and decide not to take further action on a complaint and/or to restrict ongoing correspondence about the complaint. This process:

a) Will be complaint-focused, not behaviour focused; and
b) Will not be used to manage abusive or aggressive conduct.

Measures taken regarding aggressive and behaviour-based conduct will be managed under paragraph (8) of this policy.

Under the *Local Government Act* and associated regulations, the City may declare a complaint or category of subject matter as unreasonable. A complaint will only be

Title	Compliments, Feedback & Complaints

declared unreasonable when further dealing with the complaint would involve an excessive use of the City's time or resources, and:

a) The complaint has already been properly considered; or
b) The complaint is vexatious, misconceived, frivolous or without substance.

If the City decides to determine a complaint unreasonable and take no further action, it will provide the complainant a notice containing:

a) The decision;
b) The subject matter or category of subject matter that the decision applies to;
c) The period during with the decision will apply;
d) Advice on how to appeal the decision; and
e) Any other information required by legislation.

The City will ensure that, when considering whether to declare a complaint unreasonable, it applies the principles of procedural fairness.

9) Complaints about Elected Members:

Complaints regarding Elected Members are also covered by an Elected Members' Code of Conduct available on the City's website and the Local Government (Model Code of Conduct) Regulations 2021. The complaint must be made on the relevant Form, available from the City's website or by contacting the City.

10) Complaints about employees:

Complaints about employees must initially be directed to the Chief Executive Officer.

This Policy is supported by an internal Complaint Handling Procedure.

Strategic Link:	Listening and Leading
Category	High quality and effective community engagement and customer service experiences
Lead Business Unit:	Communications and Marketing
Public Consultation: **(Yes or No)**	No
Adoption Date: (Governance Purpose Only)	12 November 2024
Next Review Due: (Governance Purpose Only)	November 2026
ECM Doc Set ID: (Governance Purpose Only)	8029039

8.3 Infrastructure Services

8.3.1 (2026/MINUTE NO 0060) Policy Review: Local Area Traffic Management Investigation

Responsible Executive	Director Infrastructure Services
Author(s)	Principal Engineer Traffic and Transport and TravelSmart Officer
Attachments	1. Local Area Traffic Management Investigation Policy

Committee Recommendation
MOVED Cr C Reeve-Fowkes SECONDED Cr H Srhoy

That Council ADOPTS the "Local Area Traffic Management Investigation Policy" without amendment, as shown by Attachment 1.

CARRIED 7/0

Background

The purpose of this report is to advise Council of the outcomes of the review of the Local Area Traffic Management Investigation Policy and seek Council's adoption of the Policy without amendment.

Submission

N/A

Report

The Local Area Traffic Management Investigation Policy provides the framework used by the City to assess requests for traffic management investigations and prioritise locations for further assessment and potential treatment.

The City receives a significant number of traffic-related requests each year, with demand continuing to increase as the City's population and road network grow.

The Policy assists in ensuring requests are assessed consistently, transparently and equitably, while supporting the appropriate allocation of limited municipal resources to areas of greatest demonstrated need.

As part of the review, the Policy was assessed against current operational practices and relevant Austroads guidance.

The review found that the Policy continues to:

- provide a clear and consistent framework for assessing traffic management requests
- support transparent and evidence-based decision-making
- assist in prioritising investigations and funding towards locations with the greatest need
- align with contemporary Local Area Traffic Management principles and industry best practice
- appropriately distinguish between matters that may be addressed through traffic management measures and matters that are primarily behavioural or enforcement related.

The review did not identify any legislative, strategic, operational or industry changes that would necessitate amendments to the Policy.

City officers have also not identified any implementation issues that would warrant changes to the existing approach.

Accordingly, the Policy is considered fit for purpose and is recommended for adoption without amendment.

Strategic Plans/Policy Implications

Our Places
Enhancing distinctive, liveable areas with well-connected, safe transport options.
• Enhance connectivity and mobility through integrated transport networks.

Our Governance
Transparent leadership that listens, communicates openly and plans for a sustainable future.
• Facilitate transparent and accountable governance for today and tomorrow.
Strive for financial sustainability and operational excellence.

Budget/Financial Implications

There are no direct financial implications arising from the adoption of the Policy.

Legal Implications

N/A

Community Consultation

N/A

Risk Management Implications

Maintaining a contemporary policy framework aligned with current industry guidance reduces governance and reputational risks associated with inconsistent decision-making.

Advice to Proponent(s)/Submitters

N/A

Implications of Section 3.18(3) Local Government Act 1995

Nil.

Title	Local Area Traffic Management Investigation

Policy Type

Council

Policy Purpose

The City receives many requests for traffic management devices to be installed in local streets to improve the road safety and to address other traffic related amenity issues. For the purposes of this policy, the definition of traffic management is considered to include traffic calming devices such as speed humps, speed platforms and slow points within local street contexts.

The purpose of this policy is to define an objective and transparent methodology, using recognised criteria, to evaluate public requests for traffic management treatments and devices to manage the behaviour of vehicle traffic in local streets within residential and commercial areas to provide a safe and efficient road network.

Policy Statement

This policy provides a consistent, transparent, and accountable evaluation procedure to prioritise the provision of Local Area Traffic Management (LATM) treatments in appropriate locations where they will be of great benefit to the community. The evaluation procedure uses a warrant analysis and a point score procedure (Refer to Tables 2 and 3) which takes into account various factors including reported crash history, recorded traffic speed and traffic volume data.

This policy will assist as a guide in identifying funding opportunities and project priorities but will not be the only factor in allocating funds for road safety and traffic calming projects. Other considerations, such as funding availability and coordination with ongoing programs, will also influence project implementation.

(1) Scope

This policy applies to the local road network under the control of the City of Cockburn. Roads eligible for the investigation using the procedure outlined in this policy include Access Roads or Local Distributor roads as defined in the City of Cockburn Functional Road Hierarchy.

(2) Implementation

City officers shall refer to this policy for evaluating the need for the installation of remedial traffic calming measures. The following procedure shall be undertaken as follows:

1. All public requests for LATM Investigations in local streets shall be submitted by email to customer@cockburn.wa.gov.au (preferred) or by calling 08 9411 3444. The request must be supported by reasoning for request, together with

[1]

Title	Local Area Traffic Management Investigation

details of the name of the street, the suggested location of the device (if any), and the name and address of the person or persons lodging the request.

2. The assessment of traffic calming using this procedure will be limited to 'Local Distributor or Access' type roads either at intersections or along lengths of less than 500 metres of these road classes.

3. It is not the intention of this policy to include the assessment of road sections or major intersections within Primary or District Distributor (A, B) corridors, as these generally operate at higher speeds and will carry higher traffic volumes, and so LATM devices will adversely affect their operations.

4. The City's Transport and Traffic Team officers shall provide the applicant(s) with an initial response acknowledging the request and an interim advice (if possible) on an anticipated final reply date.

5. The level of investigation will be guided through the following criteria outlined in Table 1, noting that this criteria is in line with Austroads Guide to Traffic Management Part 8: Local Area Traffic Management (2020) and is being used increasingly by Local Government authorities nationally.

Table 1: Traffic Management Investigation Levels

Investigation level	Criteria
Level 1 - No investigation	The road has been investigated within the last 5 years; or
	The road is a cul-de-sac or road with no straight section greater than 100 metres; or
	Land development in the traffic catchment is not substantially complete (90% residential occupancy); or
	The road is classified as a District Distributor road
Level 2 - Investigate without the need for new traffic data	Traffic data exists and is less than 2 years old in areas where changes in land use are occurring slowly; or
	Traffic data exists and is less than 4 years old in areas with less than 10% change in traffic catchment or traffic generators.
Level 3 - Investigate by collecting new traffic data	When none of the above criteria apply

6. When investigation is justified (i.e. Levels 2 and 3), City officers will evaluate each LATM proposal using the Traffic Management Warrant System (TMWS) outlined in Table 2 below.

7. Reported crash data for the previous 5 years shall be obtained from Main Roads WA. Traffic speed and volume data shall be sourced from the City of Cockburn internal traffic database.

Title	Local Area Traffic Management Investigation

8. As indicated in Table 1, in the event that traffic data is not available or more than 2 years old along the section of concern, the Traffic and Transport Team will commission the collection of this data for a period of approximately one week if existing data is not available or more than 2 years old).

9. The Traffic and Transport Team officers will undertake a site inspection to confirm their understanding of the local area and generally observe traffic conditions and vehicle movements and operations in the vicinity of the subject site.

Table 2: TMWS Criteria and Weightings

		Point Scores for Each Parameter	
Traffic Parameter	**Range/Item**	**Local Road**	**Local Distributor**
1 Traffic Speed as 85th percentile in 50km/hr zone	< 50	0	0
	50 – 53	2	2
	54 – 57	5	5
	58 – 61	10	10
	62 – 65	15	15
	66 – 68	25	25
	69 – 72	40	40
	73 – 76	65	65
2 Traffic volumes in vehicles per day (Average Weekday traffic flow)	1000 – 1499	4	0
	1500 – 1999	7	0
	2000 – 2499	10	0
	2500 – 2999	14	0
	3000 – 3999	18	4
	4000 – 4999	24	7
	5000 – 5999	30	12
	≥ 6000	39 + 9 per 1000	18 + 7 per 1000
3.1 Crash data[1] (5 years – Fatal)	1 fatal	4	4
	2 fatal	20	20
	3 fatal	45	45
	more than 3	45 + 25 per fatal	45 + 25 per fatal
3.2 Crash data[1] (5 years – Injury)	1 injury	3	3
	2 injuries	12	12
	3 injuries	27	27
	more than 3	27 + 15 per	27 + 15 per

[1] Crash reduction factor to account for higher traffic volumes applies.

Traffic volume factor	
0 – 1000	1.0
1000 – 2000	0.9
2000 – 3000	0.8
3000 – 4000	0.7
4000 – 5000	0.6
over 5000	0.5

Title	Local Area Traffic Management Investigation

		Point Scores for Each Parameter	
Traffic Parameter	**Range/Item**	**Local Road**	**Local Distributor**
		injury	injury
3.3 Crash data[1] (5 years – non injury)	1 non injury 2 non injuries 3 non injuries more than 3	2 6 11 11 + 5 per non injury	2 6 11 11 + 5 per non injury
4.1 Road design and topography Restricted sight crest curve	< 50 km/h 50-60 km/h > 60 km/h	2 6 18	2 6 18
4.2 Road design and topography Restricted sight horizontal curve	< 50 km/h 50-60 km/h > 60 km/h	2 6 18	2 6 18
4.3 Road design and topography Bends with unrestricted sight	< 50 km/h 50-60 km/h > 60 km/h	0 2 6	0 2 6
4.4 Road design and topography Steep hill	< 50 km/h 50-60 km/h > 60 km/h	1 4 10	1 4 10
5.1 Vulnerable road users Major bicycle or pedestrian crossing point	< 1000 vehicles 1000 – 2000 vehs 2000 – 3000 vehs 3000 – 4000 vehs 4000 – 5000 vehs > 5000 vehs	1 2 4 6 8 10	1 2 4 6 8 10
5.2 Vulnerable road users Important bicycle route	< 1000 vehicles 1000 – 2000 vehs 2000 – 3000 vehs 3000 – 4000 vehs 4000 – 5000 vehs > 5000 vehs	0 1 2 3 4 5	0 1 2 3 4 5
6.1 Activity Generators College	< 30 km/h 30-40 km/h 40-50 km/h 50-60 km/h > 60 km/h	0 0 4 10 12	0 0 4 10 12
6.2 Activity Generators School	< 30 km/h 30-40 km/h 40-50 km/h 50-60 km/h > 60 km/h	0 2 4 8 10	0 2 4 8 10
6.3 Activity Generators	Under 30 km/h	0	0

[4]

Title	Local Area Traffic Management Investigation

		Point Scores for Each Parameter	
Traffic Parameter	**Range/Item**	**Local Road**	**Local Distributor**
Retail	30-40 km/h 40-50 km/h 50-60 km/h > 60 km/hr	0 2 4 8	0 2 4 8
7.1 Amenity factors Trucks (≥Austroads Class 3)	< 1% 1 - 2% 2 – 3% 3 – 4% 4 – 5% > 5%	0 2 4 7 10 12	0 0 1 3 6 8
7.2 Amenity factors Peak hour traffic (Max. peak hour volume as % of total traffic)	< 10% 10 – 20% 20 – 40% > 40%	0 5 15 20	0 3 10 15

10. A score shall then be determined in accordance with the details provided in Table 2, and based on this score the City officers will determine the level of action to be taken and whether or not the proposal can be supported. Table 3 in the next page demonstrates the level of action associated with each score range.

Table 3: Intervention Warrants

Decision	Total Point Score	Recommended Action
Criteria A - Denoted as 'Technical Problem' site	More than 50	Considered to be a site that has technical problems. Suitable solutions to be considered in accordance with Clause 12.
Criteria B - Denoted as 'Minor Technical Problem' site	30 to 50 points	Consider low cost non-capital works solutions (e.g. signing and pavement marking) if appropriate in accordance with Clause 13. Review again after 2 years.
Criteria C - Denoted as a site with 'Low Safety and Amenity Concerns'	Under 30 points	No further action required. Refer Clause 14.

[5]

Title	Local Area Traffic Management Investigation

11. The investigation outcomes including the level of investigation, and the recommended action is to be reported to the person initiating the request for LATM investigation.

12. Criteria A – Where the investigation identifies a 'Technical Problem' site exists further investigation is to be undertaken by the Transport and Traffic Team to determine the suitability of various LATM options (to respond to the issues at the subject site) and to prepare concept plans, community consultation and cost estimates for the later consideration of Council.

13. Criteria B - Where the investigation identifies a 'Minor Technical Problem' site exists further investigation is to be undertaken by the Transport and Traffic Team to determine the suitability of Low Cost 'Non-Capital' solutions (signage, line marking and/or maintenance driven solutions) to respond to the issues at the subject site and issue works requests to implement the required treatments. The City will revisit these sites 2 years following treatment to ensure effectiveness of treatment.

14. Criteria C -Where the investigation identifies the subject site as being one with 'Low Safety and Amenity Concerns', further treatment is not supported, the person or persons requesting the LATM investigation will be advised accordingly. No further investigation of this site will occur within 5 years (Refer Table 1), subsequent investigations will be initiated via customer request post this period.

Strategic Link:	Strategic Community Plan & Integrated Transport Strategy
Category	Transport, Traffic
Lead Business Unit:	Traffic & Transport
Public Consultation: **(Yes or No)**	No
Adoption Date: (Governance Purpose Only)	
Next Review Due: (Governance Purpose Only)	
ECM Doc Set ID: (Governance Purpose Only)	4133532

8.4 Office of the CEO

8.4.1 (2026/MINUTE NO 0061) Governance Policies Review: Related Party Disclosures, Caretaker Period, 'Elected Members Appointments' and Representation at City of Cockburn Related Forum

Responsible Executive	Chief Executive Officer
Author(s)	Service Lead Governance and Council Support
Attachments	1. Related Party Disclosures Policy (tracked changes) 2. Related Party Disclosures Policy 3. Elections Caretaker Period Policy (tracked changes) 4. Elections Caretaker Period Policy 5. Elected Members Representation Policy

Committee Recommendation
MOVED Cr C Reeve-Fowkes SECONDED Cr H Srhoy
That Council:

(1) ADOPTS the amended Related Party Disclosures Policy, as shown by Attachment 2;

(2) RENAMES and ADOPTS the amended Elections Caretaker Period Policy, as shown by Attachment 4;

(3) ADOPTS new Council Policy ‘Elected Member Representation’, as shown by Attachment 5; and

(4) REPEALS council policies ‘Elected Members Appointment – Standing Committees, Reference Groups, Boards and External Organisations’ and ‘Representation at City of Cockburn Forum’.

CARRIED 7/0

Background

At the 12 May 2025 Ordinary Meeting of Council, Council adopted a Policy Review Schedule for the 2026 and 2027 calendar years.

On the Schedule, the following Governance policies were scheduled for review at the August Governance Committee meeting:

- Elected Members Appointment – Standing Committees, Reference Groups, Boards and External Organisations (Elected Members Appointments)
- Representation at City of Cockburn Related Forum
- Related Party Disclosures
- Elections – Caretaker Period.

This reports presents to Council updates to the Related Party Disclosures and Elections – Caretaker Period policies and recommends that the Elected Members Appointments and Representation and City of Cockburn Related Forum policies be combined into a new Elected Member Representation Policy.

Submission

N/A

Report

An overview of each policy and proposed key changes are identified below for Council consideration.

Related Party Disclosures

This policy gives guidance to the application of Australian Accounting Standards Board Standard 124 – Related Party Disclosures (AASB 124) to the City of Cockburn.

Key proposed changes are:

- Changing policy ownership from Governance to Finance. The requirement for related party disclosures is contained in the Australian accounting standards and is a reported in the annual financial statements. The City's finance team are the subject matter experts on related party disclosures and policy ownership is recommended to shift to them for this reason
- Updating the list of related parties to align closer with AASB 124
- Updating the process for disclosures to reflect that a disclosure is required on resignation/termination or, in the case of an Elected Member, where they cease to hold office
- Removing the reference to a register of disclosures – completed forms are saved into ECM and reviewed by Finance as part of the preparation of the annual financial statements
- Updating the definitions to instead point to the relevant Australian accounting standard. This is to ensure that the definition is always accurate and up to date
- Removing all reference to 'ATTAIN' and the use of 'ATTAIN' as the City no longer uses this software.

Caretaker Policy – Elections (to be renamed 'Elections Caretaker Period Policy')

This policy provides guidance to candidates, Elected Members and staff on the requirements, expectations and restrictions that apply during the caretaker period preceding a local government election.

Key proposed changes are:

- Removing any content to do with the caretaker provisions under the Local Government Act, as it is not necessary to re-state the law in policy
- Removing the 'scope' as it is considered unnecessary
- Adding a clause stating that the CEO is to ensure that no item is listed for Council decision, during the caretaker period, where the resulting decision would constitute a 'significant act'. A further clause has been added to state that Elected Members may not submit Motions or Matters for Investigation during the caretaker period, if the resulting Council decision would be a 'significant act'. This change is proposed to ensure compliance with caretaker provisions in the Act
- Merging of clauses 7 (Major Policy Decisions), 8 (Council Forums, Workshops or Briefings Relating to Major Policy Decisions) and 9 (Prevailing Circumstances) of the current policy into one clause (clause 4 (Major Policy Decisions – Council Consideration or Briefing) in the proposed policy). This change is proposed to simplify the policy
- Adding a clause prohibiting the City from making major announcements during the caretaker period, or any announcement or public comment or statement on an electoral issue or which could be perceived to influence the result of an election. This change is proposed to help ensure that the City does not act in such a way that could perceived to influence the result of an election
- Re-wording of the public consultation clause to strongly discourage public consultation during the caretaker period but with flexibility to allow it to happen where the CEO deems appropriate or necessary. Public consultation will not be permitted on contentious or other issues which could be perceived to influence the result of the election, unless it is a mandatory statutory process
- Removal of clause 10 (Elected Member Interactions) in the current policy as superfluous
- Merging of clauses 11 (Publishing Electoral Material) and 13 (City of Cockburn Publications) of the current policy into one clause (clause 7 (City Communications) of the proposed policy). This change is proposed to simplify the policy
- Expansion of clause 8 (proposed policy) in respect of candidate/elected member communication. New clauses have been added that provide that candidates must not use photos of staff in electoral material, or display electoral material in City facilities or venues. This change is proposed to help ensure that City resources (including facilities or venues) are not used for electoral purposes and to safeguard the political neutrality of the City and its staff and maintain public confidence in the integrity and impartiality of the City
- Merging of clauses 14 (Media) and 18 (Media Advice) of the current policy into one clause (clause 9 (Media and Publicity). The clause has also been simplified as the Elected Member Code of Conduct already prohibits the use of City resources for electoral purposes. The clause now prohibits any media advice or opportunities being provided to Elected Members during the caretaker period, except to the Mayor and Deputy Mayor in accordance with their statutory role as spokesperson of the City. These changes are proposed to help ensure City

resources are not used, or perceived to be used, for an electoral purpose or in a way which may be perceived to influence the result of an election

- Re-wording of the participation at events and functions clause to strongly discourage any major or events being held during the caretaker period, but providing the flexibility to allow it to happen when the CEO deems it necessary or appropriate. Major events or functions will not be permitted where it could be perceived to influence the result of an election. The clause has also been re-worded to explicitly carve out routine operational programs and events run by the City. This clause has been further amended to provide that Elected Members who are candidates in a local, state or federal election may not officiate or give a speech at a City event or function, except if they are the Mayor or Deputy Mayor in accordance with their statutory role as a spokesperson of the City. These changes are proposed to help ensure City resources are not used, or perceived to be used, for an electoral purpose or in a way which may be perceived to influence the result of an election
- Merging of clauses 16 (Use of City of Cockburn Resources) and 21 (Electoral Signs) of the current policy into one clause (clause 12 (Use of City of Cockburn Resources). This clause has been amended to explicitly provide that City facilities and venues must not be used for an electoral purpose. It has also been amended to provide that Elected Members must not wear their Elected Members uniform, or any other clothing with the City of Cockburn crest or the title of their office, while campaigning or in photos used for their campaign. The clauses concerning election signs on verges have been stripped back as blanket bans on election signage may infringe the implied freedom of political communication. Election signage on City property (including thoroughfares) will be controlled by the Public Places Local Law 2026 once adopted by Council.
- Expansion of clause 13 (Use of City Information and Elected Member Requests) to provide that the Elected Members Request process must not be used for an electoral purpose. Elected Members are discouraged from submitting Elected Member Requests in response to matters identified or raised through election campaigning where doing so may be perceived as using their office or City resources to gain an electoral advantage
- Clause 14 (Additional Rules for staff) has been reworded to make clear the intent of the policy being not to unreasonably restrict the rights of staff as private citizens to participate in political and community activities, due to the implied freedom of political communication. The blanket ban on staff interacting with Elected Members and candidates on social media during the caretaker period has been removed as being too restrictive
- Amendment to clause 16 (Elected Members Nominating for State and Federal Government) to remove the requirement of the CEO to notify Elected Members of any pre-selection or nomination of Elected Members for State and Federal elections. This would be public information and could be accessed by Elected Members themselves relatively easily.

Elected Members Representation Policy (new)

The City currently has two policies, being the 'Elected Members Appointments' and 'Representation at City of Cockburn Related Forum'.

The Elected Members Appointments Policy prescribes the process to be followed for Elected Member appointments to internal or external committees, reference groups, boards and external organisations. It also sets out that Council may establish internal reference groups and the process for appointment to these reference groups.

The Representation at City of Cockburn Related Forum sets out the process to be followed where Council representation for occasional meetings forums or visits is requested.

As both policies largely deal with the process for Council representation it is recommended that both policies be merged into one, which is proposed to be called the Elected Member Representation Policy.

Key changes when comparing the current policies with the new proposed policy are:

- Removal of detailed procedural information from the policy to ensure it is kept at a policy level
- Introduction of proposed underlying principles for appointment being fairness, transparency and equity and the need to support the strategic interests of the City
- Clarification that in the absence of a Council appointment, the Mayor is the default representative of the City, in accordance with the statutory responsibilities of that office
- Clarification of the role of an appointed representative, particularly that they are to represent Council's adopted position where one exists, to act in the best interests of the City, and to report back to Council significant matters or outcomes. This is qualified by any statutory, fiduciary, legal or governance obligations the appointed representative owes the external body, which would take precedence
- Removal of the automatic priority for reappointment. The policy recognises that continuity of representation has its benefits but proposes that is to be considered in conjunction with other factors, such as relevant experience or expertise of Elected Members, interest in the subject matter, previous participation and contribution of a representative, and broader opportunities for Elected Member participation. This proposed approach is aligned with a broader proposed principles of the policy. The policy provides for favourable consideration for re-appointment where the representative has actively and effectively fulfilled their role and continuity of representation would be beneficial to the City
- Addition of clauses dealing with what is to happen where there are mid-term vacancies or additional appointments
- Addition of clauses dealing with removal and replacement of representatives
- Addition of clause clarifying that travel in a representative capacity may be funded by the City where there is sufficient budget

- Addition of new clause covering ‘delegations’ (excluding Sister Cities delegations). This clause clarifies that travel may be funded by the City where there is sufficient budget
- Addition of new clause requiring conflicts of interest to be identified and disclosed
- Addition of new clause clarifying the limitations of representation
- Removal of the requirement for representatives to notify the CEO of matters known in advance that may be of specific interest to Council. Representatives may not always be able to identify in advance which matters will be of interest to Council, particularly where agendas are broad or evolve during discussions. In some cases, confidentiality obligations may also limit the information that can be shared before a matter is considered. The requirement is therefore difficult to apply consistently in practice
- Removal of the requirement for representatives to report politically sensitive matters to the CEO. Similar issues arise in relation to confidentiality obligations and the practical difficulty of determining what constitutes a politically sensitive matter, making the requirement difficult to apply consistently
- Removal of the requirement for a Council-appointed delegate to refrain from participating in discussion or decision-making on matters that arise without prior notice and may be of interest to Council. Representatives are often appointed specifically to participate in discussions and decision-making on behalf of the relevant body. Requiring them to refrain from participating may limit the effectiveness of the appointment and may not be practical where issues arise during a meeting. In some cases, representatives may also have legal, governance or fiduciary obligations that require them to participate in matters before the body
- Removal of the requirement for representatives to qualify their comments by stating that any views expressed may later be amended or overruled by Council. Instead, the policy now states at proposed clause 4.6 that representatives should exercise caution to ensure they do not purport to represent Council’s views or imply Council endorsement where Council has not previously adopted a position.

  The current requirement is cumbersome and may create uncertainty regarding the representative's role as Council’s delegate if they cannot participate meaningfully and contribute effectively to discussions
- Addition of a dispute resolution clause.

Strategic Plans/Policy Implications

Our Governance
Transparent leadership that listens, communicates openly and plans for a sustainable future.
• Facilitate transparent and accountable governance for today and tomorrow.

Budget/Financial Implications

There are no significant budget or financial implications arising from the recommendations of this report.

Legal Implications

N/A

Community Consultation

N/A

Risk Management Implications

There is a low level of risk associated with adopting the officer recommendations as presented to Council. The updated and new policies are considered to be contemporary, aligned with legislative requirements, and promote good governance.

Advice to Proponent(s)/Submitters

N/A

Implications of Section 3.18(3) Local Government Act 1995

Nil.

Title	Related Party Disclosures

Policy Type

Council

Policy Purpose

The aim of this policy is to ensure that the City's financial statements contain the disclosures required by AASB 124 – Related Party Disclosures (AASB 124).~~To provide guidance in the preparation of City of Cockburn (the City) financial statements to ensure disclosure requirements are met for compliance with Australian Accounting Standards Board 124: Related Party Disclosures (AASB 124).~~

Policy Statement

~~1. Objective~~Introduction

~~2.~~1.

1.1. ~~1.1~~ AASB 124 requires that the City's financial statements ~~The objective of AASB 124 is to ensure that an~~disclose any related party relationships, transactions and outstanding balances, including commitments, which could have a material effect on the profit and loss and financial position of the City.

1.2. The objective of AASB is to draw attention to the possibility that the City's financial position and profit or loss may have been affected by the existence of related parties and by transactions and outstanding balances, including commitments, with these parties. ~~entity's financial statements contain~~

~~the disclosures necessary to draw attention to the possibility that its financial position and profit or loss may have been affected by the existence of 'related parties' and by transactions and outstanding balances, including commitments, with such parties.~~

~~3. 2.~~ Identification of ~~Key Management Personnel~~Related Parties

~~4.~~2.

2.1. For the purposes of determining the application of AASB 124, the City has identified the following persons as meeting the definition of ~~'KMP'~~related party:~~.~~

2.1.1. ~~An Elected Member~~Elected Members;

2.1.2. The Chief Executive Officer;

2.1.3. Directors;

2.1~~4~~.4. Close members of the family of any person listed above, including that person's child, spouse or domestic partner, children of a spouse or domestic partner, dependents of that person or person's spouse or domestic partner;

2.1.5. Entities that are controlled or jointly controlled by any person identified in clauses 2.1.1-2.1.4 above; and

2.1.6. Entities that a person identified in clauses 2.1-2.4 above has significant influence over or for which that person is a member of the key management personnel.

[1]

Title	Related Party Disclosures

~~2.1.2. A person employed under section 5.36 or 5.37 of the *Local Government Act 1995* in the capacity of CEO or Director~~

~~2.2. The Chief Executive Officer (CEO) will regularly review Key Management Personnel (KMP)~~

~~3. Identification of Related Parties~~

~~3.1 AASB 124 provides that the City will be required to disclose in its Annual Financial report, related party relationships, transactions, and outstanding balances. KMP are required to identify Related Parties in accordance with this policy.~~

~~5. 4.~~ Identification of Related Party Transactions

~~6.~~3.

43.1 A related party transaction is a transfer of resources, services or obligations between the City and a related party, regardless of whether a price is charged.

3.2. ~~For the purposes of determining whether a Related Party Transaction has occurred, T~~the following transactions ~~or provisions of services have been identified~~are examples of related party transactions: ~~as examples:~~

43.~~1~~2.1. Paying rates, fees and charges or any other amount to the City;
43.~~1~~2.2. Use of City owned or operated facilities (whether charged a fee or not);
43.~~1~~2.3. Attending City functions that are open~~ed~~ to the public;
43.~~1~~2.4. Employee compensation whether it is for ~~KMP~~ key management personnel or close family members of key management personnel; ~~or Close Family Members of KMP~~
43.~~1~~2.5. Lease arrangements for properties (whether for a City ~~-~~owned property or property leased by the City);

[2]

Title	Related Party Disclosures

43.21.6. Monetary and non-monetary transactions between the City and any business or associated entity owned or controlled by the related party in exchange for goods and/or services provided by/to the City;.

43.21.7. Sale or purchase of property owned by the City to a Related related Partyparty;.

43.21.8. Sale or purchase of property owned by a Related related Party party to the City;.

43.21.9. Loan arrangements;

43.21.10. Contracts and agreements for construction, consultancy, or services; and

43.21.11. Any other transaction, monetary or otherwise, involving an Entity entity that could affect the financial and operating policies position of the City through the presence of Controlcontrol, Joint joint Control control or Significant significant Influenceinfluence.

7. 5. Required Disclosures and Reporting

8.4.

54.1. For the purposes of determining relevant transactions, those identified in clauses 2.1.1-2.1.3 above will be required to complete regular related party disclosures, using the form approved by the CEO.

4.2. Disclosures will be required on an annual basis following the end of the financial year.

4.3. Disclosures are also required on resignation/termination, or in the case of an Elected Member, where they cease to hold office.

4.43. Disclosures do not need to be made of ordinary citizen transactions.

4.54. Elected Members are not required to disclose the payment of allowances, entitlements or reimbursements, the particulars of which are contained in the City's financial statements.

KMP as identified above, will be required to complete a Related Party Disclosures – Declaration in ATTAIN (the City's online compliance register).

5.2 The disclosure requirement above does not apply to:

5.2.1 Related party transactions that are ordinary citizen transactions not assessed as being material; and

5.2.2 For Elected Members, allowances and expenses incurred that are provided to an Elected Member during the financial year, under the Local Government Act 1995 and City of Cockburn Policy 'Elected Members Entitlements- Allowances and Reimbursement', the particulars of which are contained in City's annual report pursuant to the *Local Government Act 1995* and *Local Government (Administration) Regulations 1996*.

Title	Related Party Disclosures

~~9. 6.~~ Materiality

~~10.~~5.

5.1. Management will apply professional judgement in consultation with the City's external auditors to assess the materiality of transactions disclosed by related parties and their subsequent inclusion in the City's financial statements.

5.2. In assessing materiality, management will consider both the size and nature of the transaction, individually and collectively.

~~7. Register of Related Party Transactions~~

~~The City uses ATTAIN to maintain and keep up to date a register of Related Party Transactions that captures and records information required for disclosure purposes for each existing or potentially Related Party Transaction (including any Ordinary Citizen Transaction assessed) as being material in nature during a financial year.~~

Definitions:

CEO means the Chief Executive Officer of the City of Cockburn.

close family or ***close members of the family*** has the same meaning as ***close members of the family of a person*** found in paragraph 9[3] of the AASB 124.

control has the meaning in AASB 10 Consolidated Financial Statements

entity or ***entities*** include companies, trusts, joint ventures, partnerships and non-profit associations such as sporting clubs.

joint control has the meaning in paragraph 7 of AASB 11 Joint Arrangements (and paragraph 3 of AASB 128 Investments in Associates and Joint Ventures).

key management personnel has the meaning in paragraph 9[5] of the AASB 124.

ordinary citizen transactions are transactions done at arm's length and under the same terms and conditions applying to the general public.

related party has the meaning in paragraph 9[1] of the AASB 124.

related party transaction has the meaning in paragraph 9[2] of AASB 124.

significant influence has the meaning in paragraph 3 of AASB 128 Investments in Associates and Joint Ventures.

~~**Close Family Members of KMP**~~:	~~Family members who may be expected to significantly influence, or be influenced by, that KMP in their dealings with the City and include:~~ ~~(a) that person's children and spouse or domestic partner~~ ~~(b) children of that person's spouse or domestic partner;~~ ~~(c) dependents of that person or that person's spouse or~~

Title	Related Party Disclosures

	~~domestic partner.~~ ~~For the purposes of AASB 124, close family members could include extended members of a family (such as, without limitation, parents, siblings, grandparents, uncles/aunts, or cousins) if they could be expected significantly to influence, or be influenced by, the Key Management Person in their dealings with City.~~
~~**Control:**~~	~~Control of an entity is where there is:~~ ~~(a) power over the entity; and~~ ~~(b) exposure or rights to variable returns from involvement with the entity; and~~ ~~(c) the ability to use power over the entity to affect the amount of returns received, as determined in accordance with Australian Accounting Standard AASB 10 Consolidated Financial Statements, paragraphs 5 to 18, and Appendices A (Defined Terms) and B (Application Guidance).~~
~~**Joint Control:**~~	~~The contractually agreed sharing of control of an arrangement, which exists only when decisions about the relevant activities require the unanimous consent of the parties sharing control (AASB 128).~~
~~**Key Management Personnel (KMP):**~~	~~Those persons having authority and responsibility for planning, directing and controlling the activities of the entity, directly or indirectly.~~
~~**Ordinary Citizen Transactions (OCTs):**~~	~~Transactions that an ordinary citizen would undertake with the City, which are undertaken on arm's length terms and in the ordinary course of carrying out the City's functions and activities.~~ ~~Examples of ordinary citizen transactions assessed to be not material in nature include:~~ ~~(a) fees and charges approved by Council that are on terms and conditions no different to the general public and by their nature or amount are not material;~~ ~~(b) using the City's public facilities after paying the corresponding fees.~~
~~**Related Party:**~~	~~A person or entity that is related to the City as defined in AASB124, paragraph 9.~~ ~~Examples of related parties are:~~ ~~(a) entities set up, controlled, or significantly influenced by the City;~~ ~~(b) KMP;~~ ~~(c) close family members of KMP;~~ ~~(d) entities that are controlled or jointly controlled by KMP or their close family members~~
~~**Related Party Transaction:**~~	~~A transfer of resources, services or obligations between the City and a related party, regardless of whether a price is charged.~~
~~**Significant Influence:**~~	~~The power to participate in the financial and operating policy decisions of entity but is not control or joint control over those~~

[5]

Title	Related Party Disclosures

	~~policies (AASB 128).~~

Strategic Link:	~~Governance Framework~~Strategic Community Plan
Category	~~Governance~~Financial Reporting
Lead Business Unit:	~~Legal and Compliance~~Financial Services
Public Consultation: **(Yes or No)**	No
Adoption Date: (Governance Purpose Only)	~~12 November 2024~~8 September 2026
Next Review Due: (Governance Purpose Only)	~~November 2026~~September 2028
ECM Doc Set ID: (Governance Purpose Only)	6725236

[6]

Title	Related Party Disclosures

Policy Type

Council

Policy Purpose

The aim of this policy is to ensure that the City's financial statements contain the disclosures required by AASB 124 – Related Party Disclosures (AASB 124).

Policy Statement

1. Introduction
   1.1. AASB 124 requires that the City's financial statements disclose any related party relationships, transactions and outstanding balances, including commitments, which could have a material effect on the profit and loss and financial position of the City.
   1.2. The objective of AASB is to draw attention to the possibility that the City's financial position and profit or loss may have been affected by the existence of related parties and by transactions and outstanding balances, including commitments, with these parties.

2. Identification of Related Parties
   2.1. For the purposes of determining the application of AASB 124, the City has identified the following persons as meeting the definition of related party:
      2.1.1. Elected Members;
      2.1.2. The Chief Executive Officer;
      2.1.3. Directors;
      2.1.4. Close members of the family of any person listed above, including that person's child, spouse or domestic partner, children of a spouse or domestic partner, dependents of that person or person's spouse or domestic partner;
      2.1.5. Entities that are controlled or jointly controlled by any person identified in clauses 2.1.1-2.1.4 above; and
      2.1.6. Entities that a person identified in clauses 2.1-2.4 above has significant influence over or for which that person is a member of the key management personnel.

3. Identification of Related Party Transactions
   3.1 A related party transaction is a transfer of resources, services or obligations between the City and a related party, regardless of whether a price is charged.
   3.2. The following transactions are examples of related party transactions:
      3.2.1. Paying rates, fees and charges or any other amount to the City;
      3.2.2. Use of City owned or operated facilities (whether charged a fee or not);
      3.2.3. Attending City functions that are open to the public;
      3.2.4. Employee compensation whether it is for key management personnel or close family members of key management personnel;
      3.2.5. Lease arrangements for properties (whether for a City owned property or property leased by the City);

Title	Related Party Disclosures

3.2.6. Monetary and non-monetary transactions between the City and any business or associated entity owned or controlled by the related party in exchange for goods and/or services provided by/to the City;
3.2.7. Sale or purchase of property owned by the City to a related party;
3.2.8. Sale or purchase of property owned by a related party to the City;
3.2.9. Loan arrangements;
3.2.10. Contracts and agreements for construction, consultancy, or services; and
3.2.11. Any other transaction, monetary or otherwise, involving an entity that could affect the financial and operating position of the City through the presence of control, joint control or significant influence.

4. Required Disclosures and Reporting
   4.1. For the purposes of determining relevant transactions, those identified in clauses 2.1.1-2.1.3 above will be required to complete regular related party disclosures, using the form approved by the CEO.
   4.2. Disclosures will be required on an annual basis following the end of the financial year.
   4.3. Disclosures are also required on resignation/termination, or in the case of an Elected Member, where they cease to hold office.
   4.4. Disclosures do not need to be made of ordinary citizen transactions.
   4.5. Elected Members are not required to disclose the payment of allowances, entitlements or reimbursements, the particulars of which are contained in the City's financial statements.

5. Materiality
   5.1. Management will apply professional judgement in consultation with the City's external auditors to assess the materiality of transactions disclosed by related parties and their subsequent inclusion in the City's financial statements.
   5.2. In assessing materiality, management will consider both the size and nature of the transaction, individually and collectively.

Definitions:

CEO means the Chief Executive Officer of the City of Cockburn.

close family or ***close members of the family*** has the same meaning as ***close members of the family of a person*** found in paragraph 9[3] of the AASB 124.

control has the meaning in AASB 10 Consolidated Financial Statements

entity or ***entities*** include companies, trusts, joint ventures, partnerships and non-profit associations such as sporting clubs.

joint control has the meaning in paragraph 7 of AASB 11 Joint Arrangements (and paragraph 3 of AASB 128 Investments in Associates and Joint Ventures).

key management personnel has the meaning in paragraph 9[5] of the AASB 124.

ordinary citizen transactions are transactions done at arm's length and under the same terms and conditions applying to the general public.

Title	Related Party Disclosures

related party has the meaning in paragraph 9[1] of the AASB 124.

related party transaction has the meaning in paragraph 9[2] of AASB 124.

significant influence has the meaning in paragraph 3 of AASB 128 Investments in Associates and Joint Ventures.

Strategic Link:	Strategic Community Plan
Category	Financial Reporting
Lead Business Unit:	Financial Services
Public Consultation: **(Yes or No)**	No
Adoption Date: (Governance Purpose Only)	8 September 2026
Next Review Due: (Governance Purpose Only)	September 2028
ECM Doc Set ID: (Governance Purpose Only)	6725236

[3]

Title	~~Elections – Caretaker Period~~Elections Caretaker Period Policy

Policy Type

Council

Policy Purpose

The aim of this policy is to:

1. Provide a clear framework for Council operations during the caretaker period to prevent actions that could influence electoral outcomes.

2. Safeguard the transparency and neutrality of Council decision-making, communications, and use of resources.

3. Enable the ongoing delivery of routine Council functions while appropriately limiting non-urgent or significant decisions.

~~1. supplements the caretaker provisions of the *Local Government Act 1995* to provide additional guidance in the lead up to Election Day, ensuring that major decisions which would bind an incoming Council are avoided where possible, preventing the use of public resources in ways that can be seen to be advantageous to, or promoting candidates and also ensuring staff act impartially in relation to candidates.~~

~~2.~~

~~This Policy has implications for major decision making, public consultation, publications, publishing of information, the use of City of Cockburn resources and access to information and advice.~~

~~3.~~

Policy Statement

1. ~~1.~~Introduction
   - 1.1 The caretaker period is a critical time in the democratic process, requiring Council business to be conducted in a manner that maintains public confidence, supports fair and impartial elections, and avoids any perception of influencing electoral outcomes.
   - 1.2 This importance is reinforced in legislative requirements that prohibit or restrict Council or the City from making or doing significant acts and prohibit candidates and Elected Members from using City resources for electoral purposes.
   - 1.3 This policy is to be read in conjunction with these legislative requirements, which prevail over this policy where inconsistencies arise.

~~Legislation~~

~~1.1. This policy applies in addition to, and does not derogate from, the requirements of the *Local Government 1995* (the Act), and the *Local Government (Functions and General) Regulations 1996* (the Regulations).~~

Title	~~Elections – Caretaker Period~~Elections Caretaker Period Policy

~~1.2. In the event of any inconsistency the legislative provisions prevail.~~
~~1.3. This policy is to be read in conjunction with all other relevant legislation, local laws, delegations, policies, procedures, and processes of the City, providing guidance to ensure the continuation of ordinary business.~~

~~2. Scope~~

~~2.1. This Policy applies to Elected Members and employees of the City of Cockburn during the Caretaker Period and covers:~~

~~2.1.1. Notices of Motions and Matters for Investigation submitted by Elected Members~~
~~2.1.2. Decisions that are made by the Council;~~
~~2.1.3. Information and material published by the City;~~
~~2.1.4. Attendance and participation at functions and events;~~
~~2.1.5. Use of the City's resources;~~
~~2.1.6. Access to information held by the City;~~
~~2.1.7. Staff engagement with candidates and/or Elected Members.~~

~~2.2. This policy only applies to decisions made during the Caretaker Period and not announcement of decisions made prior to Caretaker Period. However, as far as practicable any such announcements should be made before Caretaker Period begins.~~

~~3. Caretaker Period~~

~~3.1. The Caretaker Period is defined in Section 1.4A of the Act~~
~~3.2. Unless otherwise specified in the Act, the Caretaker Period for Local Government Elections begins at the close of nominations (as defined in section 4.49(a) of the Act), being 4pm on the day 37 days prior to the Ordinary Election Day, and ends on the day after the returning officer declares the election results.~~

~~1. 2~~4. ~~Preparation~~ for and Notification ~~for of~~ Caretaker Period

2.1. ~~4.1. The Chief Executive Officer (~~The CEO~~)~~ will provide Elected Members and staff with 30 days' notice of the commencement of the caretaker period.

2.2. The CEO is responsible for ensuring that staff are aware of the requirements of the caretaker period, including those at law and under this policy.

~~ensure as far as possible that~~ 3. Council Business – Significant Acts

3.1. The CEO must ensure that no item is listed for a Council decision during the caretaker period if the CEO considers that the resulting Council decision would constitute a significant act.

[2]

Title	~~**Elections – Caretaker Period**~~**Elections Caretaker Period Policy**

3.2. Elected Members must not submit Motions or Matters for Investigation for consideration by Council during the caretaker period if the resulting Council decision would constitute a significant act.

[3]

Title	~~Elections – Caretaker Period~~Elections Caretaker Period Policy

all Elected Members and employees are aware of this Policy and practices, at least 30 (thirty) days prior to the start of the Caretaker Period.

5. Significant Acts

5.1. Significant Acts are dealt by the Act and Regulations
5.2. In accordance with Section 3.73(2) of the Act, a local government must not do a significant act during a caretaker period.
5.3. This prohibition is subject only to the exceptions prescribed in the Act and Regulations, and this is not subject to Prevailing Circumstances or other exceptions in this Policy.

6. Public Consultation

6.1. It is prohibited under this Policy, for Public Consultation on a contentious issue to be commenced during the Caretaker Period.
6.2. Despite subclause 1. above, Public Consultation may be commenced during the Caretaker Period if:

6.2.1. the process has substantially commenced and/or approvals are in place, or
6.2.2. the consultation is a mandatory statutory process or required under existing policy.

74. Major Policy Decisions – Council Consideration or Briefing

4.1.
7.1. As far as reasonably practicable, the Chief Executive OfficerCEO should avoidmust not list scheduling Major Policy Decisions or Funding Decisions for Council for consideration at Council Meetings during athe cCaretaker pPeriod.

4.2. 7.2. Such decisions should beshould either be:

4.2.1. 7.2.1. cConsidered by the Council prior to the local government cCaretaker pPeriod; or
4.2.2. 7.2.2. sScheduled for determination by the incoming Council.

Major Policy Decisions may be considered by Council, if the CEO is satisfied that Prevailing Circumstances apply. 4.3. The CEO may bring a Major Decision or Funding Decision to Council for consideration during the caretaker period if the CEO is satisfied that prevailing circumstances apply.
4.4 When determining whether prevailing circumstances apply, the CEO is to have regard to:
4.4.1. the significance of the decision;

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4.4.2. the urgency of the issue;
4.4.3. whether the process has substantially commenced and/or approvals are in place;
4.4.4. the possibility of legal and/or financial repercussions if it is deferred;
4.4.5. whether the decision is a mandatory statutory process or required under existing policy;
4.4.6. whether the decision is likely to be controversial or contentious; and
4.4.7. what is in the best interests of the City and its residents and ratepayers.

4.5. If the CEO is satisfied that prevailing circumstances apply, the CEO is to, either prior or at the same time the agenda for the relevant meeting is provided to Elected Members, provide Elected Members with advice setting out:
4.5.1. the reasons why prevailing circumstances apply; and
4.5.2. how any potential electoral impacts will be managed or mitigated.

4.6. As far as reasonably practicable, the CEO must not list for discussion or briefing at an Elected Members Briefing Forum any proposed Major Decision or Funding Decision, unless the CEO is satisfied that prevailing circumstances apply.

~~4.~~

5. Major Announcements during Caretaker Period
5.1. The City should, as far as reasonably practicable, avoid announcing the making of any prior Major Decision or Funding Decision during the caretaker period.
5.2. The City should, as far as reasonably practicable, avoid making any public statement, comment or announcement connected or related to an electoral issue, or which may influence (or be perceived to influence) the result of an election.

6. ~~Public Consultation~~Public Consultation
6.1. Public consultation should generally be avoided during the caretaker period.
6.2. Public consultation is expressly prohibited on issues which the CEO considers contentious or could reasonably be perceived to influence the result of an election.
6.3. Notwithstanding clauses 6.1-6.2, public consultation may occur during the caretaker period if it is a mandatory statutory process.

~~6.1. It is prohibited under this Policy, for Public Consultation on a contentious issue to be commenced during the Caretaker Period.~~
~~6.2. Despite subclause 1. above, Public Consultation may be commenced during the Caretaker Period if:~~

~~6.2.1. the process has substantially commenced and/or approvals are in place, or~~
~~6.2.2. the consultation is a mandatory statutory process or required under existing policy.~~

~~7.2. Such decisions should be either:~~

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~~7.2.1. Considered by the Council prior to the local government Caretaker Period; or~~
~~7.2.2. Scheduled for determination by the incoming Council.~~

~~7.3. Major Policy Decisions may be considered by Council, if the CEO is satisfied that Prevailing Circumstances apply.~~

~~8. Council Forums, Workshops or Briefings relating to Major Policy Decisions~~

~~8.1. As far as reasonably practicable, the Chief Executive Officer should avoid scheduling matters related to Major Policy Decisions for discussions at Council Forums, Workshops or Briefings during a Caretaker Period.~~
~~8.2. Matters related to Major Policy Decisions may be scheduled for discussions at Council Forums, Workshops or Briefings during a Caretaker Period if the CEO is satisfied that Prevailing Circumstances apply.~~

~~9. Prevailing Circumstances~~

~~9.1. When determining whether Prevailing Circumstances apply, the CEO is to have regard to a number of circumstances including, but not limited to:~~

~~9.1.1. whether the decision is significant~~
~~9.1.2. the urgency of the issue~~
~~9.1.3. whether the process has substantially commenced and/or approvals are in place~~
~~9.1.4. the possibility of legal and/or financial repercussions if it is deferred~~
~~9.1.5. unless the consultation is a mandatory statutory process or required under existing policy~~
~~9.1.6. whether the decision is likely to be controversial or contentious; and the best interests of the City of Cockburn.~~
~~9.1.7. If the CEO is satisfied that Prevailing Circumstances apply,~~

~~9.2. the CEO is required to provide Elected Members with advice setting out:~~

~~9.2.1. the reasons why Prevailing Circumstances apply; and~~
~~9.2.2. how potential electoral impacts will be managed or mitigated.~~

~~9.3. Details of advice provided under this clause are to be retained, with the Forum, Workshop or Briefing notes, as a Local Government record.~~

~~10. Elected Member Interactions~~

[6]

Title	~~Elections – Caretaker Period~~Elections Caretaker Period Policy

~~10.1. During the caretaker period, Elected Members should take particular care when:~~
~~10.1.1. Considering planning matters before the Council in its role as a responsible authority under the *Planning and Development Act 2005*. It should be noted that items considered by the Joint Development Assessment Panel are done so under an independent process and this policy does not apply;~~
~~10.1.2. Undertaking a consultation or advocacy role on behalf of members of the community; and~~
~~10.1.3. Representing the City's communications with State or Federal Government entities~~

7. ~~11.~~ City Communications~~Publishing Electoral Material~~

7.1 ~~11.1.~~ The City will not print or publish electoral material, other than material:
7.1.1. ~~, publish, or distribute, or authorise others to print, publish or distribute on behalf of the City anything that contains 'electoral material' during the Caretaker Period, other than~~ announcing the next local government election;
7.1.2. which~~, encouraging~~ encourages residents and ratepayers~~ts~~ to ~~ensure they are enrolled on the~~ enrol to vote;
7.1.3. which encourages nominations;
7.1.4. which promotes any candidate information session being held by the City; or
7.1.5. which encourages electors to vote.
7.2. Subject to clause 9 below, the City will not feature or promote any candidates or Elected Members in City communications printed or published during the caretaker period, including imagery of candidates.
7.3. Clause 7.2 does not apply to City communications which were published prior to the caretaker period or which the City is required to publish, by law.
7.4. ~~Electoral Roll and encouraging them to vote.~~

~~11.2. In accordance with Section 4.52 of the Act, the City will publish the required information about all candidates on its website.~~

~~11.3.~~ Elected Member profiles on the City's website cannot be used for electoral purposes, and changes to these profiles will not be made during the caretaker period if the Elected Member is a candidate in an election.
~~Other than information published in accordance with the Act, during the Caretaker Period no additions or changes will be made to information on the City's website about current Elected Members who are standing for re-election.~~

8. ~~12. Candidate and/or~~ Elected Member ~~Publications~~/Candidate Communications

8.1 ~~12.1.~~ Candidates ~~and/or Elected Members who publish Electoral Material~~ cannot claim or represent that electoral material they print or publish (or

Title	~~Elections – Caretaker Period~~Elections Caretaker Period Policy

cause to be printed or published) ~~that the Electoral Material~~ originates from ~~—~~or is authorised by the City.

8.2 ~~12.2.~~Candidates must not use or display the ~~The~~ City of Cockburn logo or crest ~~or anything resembling them,~~ on electoral material.

8.3 Candidates must not use ~~—— must not be used in Electoral Material.~~photos of staff in electoral material.

8.4. Candidates must not distribute electoral material at City events or functions, or display such material in City facilities or venues.

8.4 Candidates must not comment on City of Cockburn social media accounts during the caretaker period.

~~13. City of Cockburn Publications~~

~~13.1. There will be no interviews with Councillors or images of any Councillors in the City`s printed material during the Caretaker Period. This clause does not apply to information published prior to the Caretaker Period.~~

9. ~~14.~~ Media and Publicity

9.1. The CEO will as far as reasonably practicable, limit any proactive media or publicity campaigns during the caretaker period.

9.2. The CEO may permit proactive media or publicity campaigns where it concerns routine operational matters, such as the promotion of City services and facilities or community service announcements.

9.3. In accordance with the Mayor's statutory role as the spokesperson for the City under section 2.8(1)(b) of the Act, the Mayor (or Deputy Mayor as the case may be) may still be featured and quoted in media releases or responses issued during the caretaker period.~~14.1. Elected Members will not use their position as an elected~~

9.4. Media advice and opportunities will not be provided to Elected Members during the Caretaker Period, other than to the Mayor (or Deputy Mayor as the case may be) to facilitate a release or response in accordance with clause 9.3 above. ~~representative or their access to City staff or resources to gain media~~

~~attention in support of their or any candidate's election campaign.~~

~~14.2. During the Caretaker Period there will be no proactive publicity shots used by the City in any form involving any Elected Member, except the Mayor.~~

~~14.3. The Mayor will still be quoted in media responses during the Caretaker Period when providing information as spokesperson on behalf of the City.~~

~~14.4. Proactive statements in the media realm will be monitored under the Direction of the CEO during the Caretaker Period to ensure compliance with these provisions.~~

~~14.5. Proactive media during the Caretaker Period will be restricted to~~

Title	~~Elections – Caretaker Period~~Elections Caretaker Period Policy

~~operational matters or issues already resolved by Council.~~

~~14.6. Candidates may not use the City's social media accounts to profile themselves, their campaign or provide any responses or comments to questions or statements on the City's social media pages.~~

~~15~~10. ~~Attendance~~ Attendance and Participation at Events and Functions~~/Functions~~

~~15.1. Public Events Hosted by External Bodies~~

~~15.1.1. Elected Members may continue to attend events and functions hosted by external bodies during the Caretaker Period and may appear on externally managed social media pages.~~

10.1. Elected Members may continue to attend events and functions during the caretaker period.

10.2. Where reasonably practicable, the City should avoid hosting or holding any major events or functions during the caretaker period.

10.3. The City must not host or hold a major event or function during the caretaker period if the CEO considers, on reasonable grounds, that the event or function could influence (or be perceived to influence) the result of an election.

10.4. Elected Members who are a candidate in a local, state or federal election may not, during the caretaker period, officiate or give a speech at a City event or function.

10.5. Clause 10.2 does not apply to routine City services, programs and events, for example library, community and recreation centre programs, and other regularly scheduled activities.

10.6. Clause 10.4. does not apply where the Mayor (or Deputy Mayor as the case may be) is carrying out their functions under section 2.8(1)(b) of the Act.

10.7. Candidates must not promote their election campaign at City events or functions.

11.

~~15.2. City of Cockburn organised Civic Events/Functions/Official Openings~~

~~15.2.1. Events and/or functions organised by the City and held during the Caretaker Period will be limited to only those that the Chief Executive Officer, in conjunction with the Mayor, considers essential to the operation of the City.~~

~~15.2.2. Elected Members nominating as a candidate for local, state or federal government elections should not, where practicable, have any formal role at events/functions organised or sponsored by the City during the Caretaker Period, other than the provision of a short welcome, when appropriate. Any determination of whether it is otherwise appropriate for a Councillor to officiate at~~

Title	~~Elections – Caretaker Period~~Elections Caretaker Period Policy

a City arranged event / function will be at the discretion of the CEO, in conjunction with the Mayor.

15.2.3. Elected Members must not distribute any Electoral Material or promote their campaign at any City of Cockburn organised Civic Events, Functions, Official Openings, or similar

~~15.3.~~ Delegates or Representatives to Community and Advisory Groups

11.1. Elected Members may continue to participate and attend meetings where they have been appointed as a delegate or representative of Council.
11.2. Elected Members must not use their attendance at these meetings to promote their or another candidate's election campaign.

~~15.3.1. Elected Members appointed to community groups and other external organisations as representatives of the City shall not use their attendance at meetings of these groups for Electoral Purposes, to recruit assistance with electoral campaigning or promote their personal or other candidate's electoral campaigns~~

126. Use of City of Cockburn Resources

~~1~~26.1. The Elected Member Code of Conduct prohibits the use of City resources for an electoral purpose.
12.2. Staff must not undertake any tasks that are connected directly or indirectly with an election campaign.
12.3. Where a staff member is unsure whether a task may be connected directly or indirectly with an election campaign, they should seek advice from the CEO prior to undertaking that task.
12.4. City facilities and venues must not be used for an electoral purpose.
12.5. Election signs may be installed on or in thoroughfares in accordance with the relevant City of Cockburn local law or Main Roads requirements (where applicable).
12.6. Where an election sign is placed on a thoroughfare adjacent to private property, consent from the owner or occupier of that property is required.
12.7. Election signs must not be installed on any other City property.
12.8. Elected Members must not wear their Elected Members uniform, or any other clothing with the City of Cockburn Council crest, City of Cockburn logo, or the title of their office, while campaigning or in photos used for their campaign.

~~The Council's adopted Code of Conduct for Council Members, Committee Members and Candidates prohibits the use of the City's resources for Electoral Purposes.~~
~~16.2. The City's employees must not be asked to undertake any tasks connected directly or indirectly with an election campaign.~~
~~16.3. In any circumstances where the use of City resources might be construed as being related to a candidate's election campaign, advice is to be sought through the Chief Executive Officer.~~
~~16.4. Community groups who wish to hire City owned premises to interview or record (audio visual) election candidates in a~~

Title	~~Elections – Caretaker Period~~Elections Caretaker Period Policy

~~public forum may do so, subject to the relevant venue hire charge being paid in accordance with the City`s normal practices.~~

13~~7~~. Use of City Information & Elected Member Requests

13~~7~~.1. The Act and Elected Member Code of Conduct prohibit Elected Members from making improper use of their office to:

13.1.1 secure a personal advantage for themselves or others; or

13.1.2 to cause detriment to the City or any other person.

13.2. Elected Members may only request information from the City where that information is necessary for them to fulfil their statutory duties and responsibilities.

13.3. Elected Members may not use information obtained or acquired through their role as an Elected Member for an electoral purpose.

13.4. Elected Members must not use the Elected Members Request process for an electoral purpose.

~~Information, briefing material, and advice prepared or secured by staff for an Elected Member must be necessary to the carrying out of the Elected Member's role.~~

~~17.2. Information received or accessed in the role of an Elected Member is not to be used for Electoral Purposes. This includes claiming personal credit for previous Council decisions in marketing material.~~

~~18. Media Advice~~

~~18.1. Any requests for media advice or assistance from Elected Members during the Caretaker Period will be referred to the CEO.~~

~~18.2. No media advice will be provided in relation to election issues or in regard to publicity that involves specific Elected Members participating in the relevant election.~~

~~18.3. If satisfied that advice sought by an Elected Member during the Caretaker Period does not relate to the election or publicity involving any specific Elected Member, the CEO may authorise the provision of a response to such a request.~~

~~18.4. The City will continue to arrange media opportunities for the Mayor when required to fulfil the function of speaking on behalf of the City in accordance with Section 2.8(1)(d) of the Act. These media opportunities must not be used for Electoral Purposes.~~

~~18.5. The City will not arrange Any media opportunities for Councillors during the Caretaker Period.~~

14~~9~~. ~~City of Cockburn Employees~~Additional Rules for Staff

14.1. Staff are reminded of their obligations to act professionally, apolitically and impartially, and not in a way that undermines public confidence in the integrity of City.

14.2. To ensure the maintenance of an impartial and apolitical public service

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during the caretaker period, the following staff rules apply:
14.2.1. Staff must not make any public statement or comment that relates to an election issue, unless authorised by the CEO;
14.2.2. Staff must not undertake work, provide information or otherwise assist an Elected Member where the assistance is primarily for an electoral purpose, or could reasonably be perceived as conferring an electoral advantage on a candidate; and
14.2.3. Staff must not campaign, either in a paid or volunteer capacity, for a candidate in a City of Cockburn local government election.

~~19.1. During the Caretaker Period no City employee may make any public statement that relates to an election issue.~~
~~19.2. Employees must avoid assisting Elected Members in ways that could create a perception of being used for Electoral Purposes.~~
~~19.3. Employees must not accept employment (voluntary or paid) related to local elections for any candidate.~~
~~19.4. Employees must not interact with Elected Members or candidates on their social media pages during the Caretaker Period.~~

~~20~~15. ~~Local Government Election Process Enquiries~~Enquiries about the electoral process

15~~20~~.1. ~~All~~ enquiries about the electoral process will be referred to the Returning Officer in the first instance, as the primary point of contact for electoral matters.
15.2. Where an enquiry falls outside the functions of the Returning Officer, the CEO will allocate the enquiry to the appropriate officer for response.
~~All election process enquiries from candidates, whether current Elected Members or not, will initially be directed to the Returning Officer, or, where the matter is outside the responsibility of the Returning Officer, to the CEO or delegate.~~

~~21. Electoral Signs~~

~~21.1. Electoral signage is not permitted within road reserves (this includes Council verges outside private properties). This is based on a requirement for:~~

~~21.1.1. Pedestrian safety;~~
~~21.1.2. Risk aversion and exposed liability to the City for injuries or damage; and~~
~~21.1.3. Vehicle safety for manoeuvrability and sightlines.~~

~~21.2. Electoral signage is not permitted on City Reserves or City Infrastructure.~~
~~21.3. The installation of signage on private property requires permission from the owner.~~

~~22~~16. Elected Members Nominating for State and Federal Government ~~Implementation of Caretaker principles during State and Federal Government Elections~~

Title	~~Elections – Caretaker Period~~Elections Caretaker Period Policy

16.1. In accordance with the Act and Elected Member Code of Conduct, ~~22.1.~~ Elected Members ~~who nominate, or are pre-selected by a political party to contest a state or federal election,~~ should avoid any ~~appearance~~ perception that their position on Council is being used as a platform for a State or Federal election campaign.

16.2. Elected Members who are pre-selected to contest a State or Federal election, or who are standing for State or Federal elections, must notify the CEO, in writing, of that fact as soon as reasonably practicable after they are pre-selected or nominate (whichever the case may be).

16.3. Elected Members are encouraged, and may choose to, take a leave of absence from Council in the lead-up to a State or Federal election.

~~their state or federal election campaign during the election period.~~

~~22.2. An Elected Member may choose to take leave of absence from the Council for such period as they see fit and should, as soon as practicable after nominating or being pre-selected, notify the CEO in writing, who in turn will advise the other Elected Members~~

~~22.3. For state or federal elections, the Caretaker Period commences from the date of the election writ issued by the Governor or Governor General, as is relevant.~~

Related policies:
Nil

~~23.~~ Definitions:

Act means the Local Government Act 1995.

Caretaker pPeriod ~~is defined in~~has the meaning given in section 1.4A of the Act. ~~*Local Government Act 1995.*~~

CEO means the Chief Executive Officer of the City of Cockburn.

City means the City of Cockburn.

City communications means any form of communication printed or published by, or on behalf of, the City, including printed publications, electronic publications, media releases, websites, social media channels, advertising and other promotional material.

Elected Member Code of Conduct means the Code of Conduct adopted by Council under section 5.104 of the Act.

Election Issue means any matter that is publicly identified as an issue in a local

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Title	~~Elections – Caretaker Period~~Elections Caretaker Period Policy

government election campaign, including matters on which candidates have expressed differing views, and which could reasonably be perceived as influencing electors in determining how they vote.

~~***Election Day*** means the day fixed under the Local Government Act 1995 for the holding of any poll needed for an election.~~

Electoral mMaterial means any advertisement, article, handbill, letter, notice, pamphlet, ~~notice, letter or article~~placard or poster the purpose of which is to influence voters in an election. ~~that is intended or calculated to affect the result of an election, but does not include:~~
~~Any materials produced by the City relating to the election process by way of information, education or publicity, or materials produced by or on behalf of the Returning Officer for the purpose of conducting an election.~~

Electoral pPurpose has the meaning in clause 17(1) of the Local Government (Model Code of Conduct) Regulations 2021. ~~means the purpose of persuading electors to vote in a particular~~

~~way at an election, referendum or other poll held under the *Local Government Act 1995*, the *Electoral Act 1907* or the *Commonwealth Electoral Act 1918*.~~

Event~~s~~ and Function~~s~~ means any organised meeting, gathering, ceremony, activity or other formal occasion or similar event, whether organised by the City or a third party.

~~means gatherings of internal or external stakeholders conducted by the City to discuss, review, acknowledge, communicate, celebrate or promote a program, strategy or issue which is of relevance to the City and its stakeholders and may take the form of conferences, workshops, forums, launches, promotional activities, social occasions such as dinner and receptions.~~

Funding Decisions means any decision relating to grants, sponsorships or funding allocations, or to enter into a sponsorship or other similar agreement.

Major ~~Policy~~ Decision ~~excludes anything that constitutes a Significant Act,~~ means any decision that would establish or alter the strategic direction or priorities of the City, and which has significant, long-term, or difficult-to-reverse impacts that could reasonably be expected to bind or limit the discretion of an incoming Council. Without limiting the generality of the foregoing, examples of major policy decisions may include:

(a) Changing or substantially amending strategic and corporate direction
(b) Introducing or substantially changing Council policy or frameworks
(c) Decisions to expand, reduce or fundamentally change service levels
(d) Adopting or changing major advocacy positions
(e) Adopting or materially changing long-term financial strategy or resourcing priorities or allocation

~~;~~
~~Decisions relating to the remuneration of the CEO or any other designated senior officer;~~
~~Decisions relating to the City entering into a sponsorship arrangement with City of Cockburn residents or community organisations;~~

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Title	~~Elections – Caretaker Period~~Elections Caretaker Period Policy

~~Irrevocable decisions that commit the City to substantial expenditure or significant unforeseen action;~~
~~Irrevocable decisions that will have unforeseen significant impact on the City of Cockburn or the community;~~
~~Reports requested or initiated by an Elected Member, Candidate or member of the public that, in the CEO's opinion, may be perceived within the general community as an issue that adversely reflects upon the Council's decision-making process and has the potential to call into question whether decisions are soundly based and in the best interests of the community.~~

Print has the meaning in section 98(1) of the Criminal Code.

~~Prevailing Circumstances is defined in clause 9 of this Policy.~~

Public cConsultation means a process undertaken by the City to seek comments, feedback, submissions or input from individuals, groups, organisations or the community generally.~~means a process which involves an invitation to individuals, groups or organisations, or the community generally, to comment on an issue, proposed action or proposed policy.~~

Publish has the meaning in section 98(1) of the Criminal Code.

~~***Significant*** ***Significant aAct*** is defined in~~has the meaning given in section 3.73(1) of the ~~Local Government Act 1995.~~Act.

~~24. References~~
~~*Local Government Act 1995*~~
~~*Local Government Act (Functions and General) Regulations 1996*~~
~~City of Cockburn Code of Conduct for Council Members, Committee Members and Candidates~~
~~*Electoral Act 1907*~~
~~*Commonwealth Electoral Act 1918*~~

Strategic Link:	~~Strategic Community Plan~~Governance Framework
Category	~~Elected Members~~Governance
Lead Business Unit:	~~Legal and Compliance~~Governance and Council Support
Public Consultation: **(Yes or No)**	No
Adoption Date: (Governance Purpose Only)	~~12 November 2024~~8 September 2026

Title	~~Elections – Caretaker Period~~Elections Caretaker Period Policy

Next Review Due: (Governance Purpose Only)	~~November 2026~~September 2028
ECM Doc Set ID: (Governance Purpose Only)	8549055

Title	Elections Caretaker Period Policy

Policy Type

Council

Policy Purpose

The aim of this policy is to:

1. Provide a clear framework for Council operations during the caretaker period to prevent actions that could influence electoral outcomes.

2. Safeguard the transparency and neutrality of Council decision-making, communications, and use of resources.

3. Enable the ongoing delivery of routine Council functions while appropriately limiting non-urgent or significant decisions.

Policy Statement

1. Introduction
   - 1.1 The caretaker period is a critical time in the democratic process, requiring Council business to be conducted in a manner that maintains public confidence, supports fair and impartial elections, and avoids any perception of influencing electoral outcomes.
   - 1.2 This importance is reinforced in legislative requirements that prohibit or restrict Council or the City from making or doing significant acts and prohibit candidates and Elected Members from using City resources for electoral purposes.
   - 1.3 This policy is to be read in conjunction with these legislative requirements, which prevail over this policy where inconsistencies arise.

2 Preparation for and Notification of Caretaker Period
   - 2.1. The CEO will provide Elected Members and staff with 30 days' notice of the commencement of the caretaker period.
   - 2.2. The CEO is responsible for ensuring that staff are aware of the requirements of the caretaker period, including those at law and under this policy.

3. Council Business – Significant Acts
   - 3.1. The CEO must ensure that no item is listed for a Council decision during the caretaker period if the CEO considers that the resulting Council decision would constitute a significant act.
   - 3.2. Elected Members must not submit Motions or Matters for Investigation for consideration by Council during the caretaker period if the resulting Council decision would constitute a significant act.

Title	Elections Caretaker Period Policy

4. Major Policy Decisions – Council Consideration or Briefing
   - 4.1. As far as reasonably practicable, the CEO must not list Major Decisions or Funding Decisions for Council consideration during the caretaker period.
   - 4.2. Such decisions should either be:
     - 4.2.1. considered by the Council prior to the caretaker period; or
     - 4.2.2. scheduled for determination by the incoming Council.
   - 4.3. The CEO may bring a Major Decision or Funding Decision to Council for consideration during the caretaker period if the CEO is satisfied that prevailing circumstances apply.
   - 4.4 When determining whether prevailing circumstances apply, the CEO is to have regard to:
     - 4.4.1. the significance of the decision;
     - 4.4.2. the urgency of the issue;
     - 4.4.3. whether the process has substantially commenced and/or approvals are in place;
     - 4.4.4. the possibility of legal and/or financial repercussions if it is deferred;
     - 4.4.5. whether the decision is a mandatory statutory process or required under existing policy;
     - 4.4.6. whether the decision is likely to be controversial or contentious; and
     - 4.4.7. what is in the best interests of the City and its residents and ratepayers.
   - 4.5. If the CEO is satisfied that prevailing circumstances apply, the CEO is to, either prior or at the same time the agenda for the relevant meeting is provided to Elected Members, provide Elected Members with advice setting out:
     - 4.5.1. the reasons why prevailing circumstances apply; and
     - 4.5.2. how any potential electoral impacts will be managed or mitigated.
   - 4.6. As far as reasonably practicable, the CEO must not list for discussion or briefing at an Elected Members Briefing Forum any proposed Major Decision or Funding Decision, unless the CEO is satisfied that prevailing circumstances apply.

5. Major Announcements during Caretaker Period
   - 5.1. The City should, as far as reasonably practicable, avoid announcing the making of any prior Major Decision or Funding Decision during the caretaker period.
   - 5.2. The City should, as far as reasonably practicable, avoid making any public statement, comment or announcement connected or related to an electoral issue, or which may influence (or be perceived to influence) the result of an election.

6. Public Consultation
   - 6.1. Public consultation should generally be avoided during the caretaker period.
   - 6.2. Public consultation is expressly prohibited on issues which the CEO considers contentious or could reasonably be perceived to influence the result of an election.
   - 6.3. Notwithstanding clauses 6.1-6.2, public consultation may occur during the caretaker period if it is a mandatory statutory process.

Title	Elections Caretaker Period Policy

7. City Communications
   - 7.1 The City will not print or publish electoral material, other than material:
     - 7.1.1. announcing the next local government election;
     - 7.1.2. which encourages residents and ratepayers to enrol to vote;
     - 7.1.3. which encourages nominations;
     - 7.1.4. which promotes any candidate information session being held by the City; or
     - 7.1.5. which encourages electors to vote.
   - 7.2. Subject to clause 9 below, the City will not feature or promote any candidates or Elected Members in City communications printed or published during the caretaker period, including imagery of candidates.
   - 7.3. Clause 7.2 does not apply to City communications which were published prior to the caretaker period or which the City is required to publish, by law.
   - 7.4. Elected Member profiles on the City's website cannot be used for electoral purposes, and changes to these profiles will not be made during the caretaker period if the Elected Member is a candidate in an election.

8. Elected Member/Candidate Communications
   - 8.1 Candidates cannot claim or represent that electoral material they print or publish (or cause to be printed or published) originates from or is authorised by the City.
   - 8.2 Candidates must not use or display the City of Cockburn logo or crest on electoral material.
   - 8.3 Candidates must not use photos of staff in electoral material.
   - 8.4. Candidates must not distribute electoral material at City events or functions, or display such material in City facilities or venues.
   - 8.4 Candidates must not comment on City of Cockburn social media accounts during the caretaker period.

9. Media and Publicity
   - 9.1. The CEO will as far as reasonably practicable, limit any proactive media or publicity campaigns during the caretaker period.
   - 9.2. The CEO may permit proactive media or publicity campaigns where it concerns routine operational matters, such as the promotion of City services and facilities or community service announcements.
   - 9.3. In accordance with the Mayor's statutory role as the spokesperson for the City under section 2.8(1)(b) of the Act, the Mayor (or Deputy Mayor as the case may be) may still be featured and quoted in media releases or responses issued during the caretaker period.
   - 9.4. Media advice and opportunities will not be provided to Elected Members during the Caretaker Period, other than to the Mayor (or Deputy Mayor as the case may be) to facilitate a release or response in accordance with clause 9.3 above.

10. Attendance and Participation at Events and Functions
    - 10.1. Elected Members may continue to attend events and functions during the caretaker period.
    - 10.2. Where reasonably practicable, the City should avoid hosting or holding any major events or functions during the caretaker period.
    - 10.3. The City must not host or hold a major event or function during the caretaker

Title	Elections Caretaker Period Policy

period if the CEO considers, on reasonable grounds, that the event or function could influence (or be perceived to influence) the result of an election.

10.4. Elected Members who are a candidate in a local, state or federal election may not, during the caretaker period, officiate or give a speech at a City event or function.

10.5. Clause 10.2 does not apply to routine City services, programs and events, for example library, community and recreation centre programs, and other regularly scheduled activities.

10.6. Clause 10.4. does not apply where the Mayor (or Deputy Mayor as the case may be) is carrying out their functions under section 2.8(1)(b) of the Act.

10.7. Candidates must not promote their election campaign at City events or functions.

11. Delegates or Representatives to Community and Advisory Groups

11.1. Elected Members may continue to participate and attend meetings where they have been appointed as a delegate or representative of Council.

11.2. Elected Members must not use their attendance at these meetings to promote their or another candidate's election campaign.

12. Use of City of Cockburn Resources

12.1. The Elected Member Code of Conduct prohibits the use of City resources for an electoral purpose.

12.2. Staff must not undertake any tasks that are connected directly or indirectly with an election campaign.

12.3. Where a staff member is unsure whether a task may be connected directly or indirectly with an election campaign, they should seek advice from the CEO prior to undertaking that task.

12.4. City facilities and venues must not be used for an electoral purpose.

12.5. Election signs may be installed on or in thoroughfares in accordance with the relevant City of Cockburn local law or Main Roads requirements (where applicable).

12.6. Where an election sign is placed on a thoroughfare adjacent to private property, consent from the owner or occupier of that property is required.

12.7. Election signs must not be installed on any other City property.

12.8. Elected Members must not wear their Elected Members uniform, or any other clothing with the City of Cockburn Council crest, City of Cockburn logo, or the title of their office, while campaigning or in photos used for their campaign.

13. Use of City Information & Elected Member Requests

13.1. The Act and Elected Member Code of Conduct prohibit Elected Members from making improper use of their office to:

13.1.1 secure a personal advantage for themselves or others; or

13.1.2 to cause detriment to the City or any other person.

13.2. Elected Members may only request information from the City where that information is necessary for them to fulfil their statutory duties and responsibilities.

13.3. Elected Members may not use information obtained or acquired through

Title	Elections Caretaker Period Policy

their role as an Elected Member for an electoral purpose.

13.4. Elected Members must not use the Elected Members Request process for an electoral purpose.

14. Additional Rules for Staff

14.1. Staff are reminded of their obligations to act professionally, apolitically and impartially, and not in a way that undermines public confidence in the integrity of City.

14.2. To ensure the maintenance of an impartial and apolitical public service during the caretaker period, the following staff rules apply:

14.2.1. Staff must not make any public statement or comment that relates to an election issue, unless authorised by the CEO;

14.2.2. Staff must not undertake work, provide information or otherwise assist an Elected Member where the assistance is primarily for an electoral purpose, or could reasonably be perceived as conferring an electoral advantage on a candidate; and

14.2.3. Staff must not campaign, either in a paid or volunteer capacity, for a candidate in a City of Cockburn local government election.

15. Enquiries about the electoral process

15.1. All enquiries about the electoral process will be referred to the Returning Officer in the first instance, as the primary point of contact for electoral matters.

15.2. Where an enquiry falls outside the functions of the Returning Officer, the CEO will allocate the enquiry to the appropriate officer for response.

16. Elected Members Nominating for State and Federal Government

16.1. In accordance with the Act and Elected Member Code of Conduct, Elected Members should avoid any perception that their position on Council is being used as a platform for a State or Federal election campaign.

16.2. Elected Members who are pre-selected to contest a State or Federal election, or who are standing for State or Federal elections, must notify the CEO, in writing, of that fact as soon as reasonably practicable after they are pre-selected or nominate (whichever the case may be).

16.3. Elected Members are encouraged, and may choose to, take a leave of absence from Council in the lead-up to a State or Federal election.

Related policies:
Nil

Definitions:

Act means the Local Government Act 1995.

Caretaker period has the meaning given in section 1.4A of the Act.

CEO means the Chief Executive Officer of the City of Cockburn.

City means the City of Cockburn.

Title	Elections Caretaker Period Policy

City communications means any form of communication printed or published by, or on behalf of, the City, including printed publications, electronic publications, media releases, websites, social media channels, advertising and other promotional material.

Elected Member Code of Conduct means the Code of Conduct adopted by Council under section 5.104 of the Act.

Election Issue means any matter that is publicly identified as an issue in a local government election campaign, including matters on which candidates have expressed differing views, and which could reasonably be perceived as influencing electors in determining how they vote.

Electoral material means any advertisement, article, handbill, letter, notice, pamphlet, placard or poster the purpose of which is to influence voters in an election.

Electoral purpose has the meaning in clause 17(1) of the Local Government (Model Code of Conduct) Regulations 2021.

Event and Function means any organised meeting, gathering, ceremony, activity or other formal occasion or similar event, whether organised by the City or a third party.

Funding Decisions means any decision relating to grants, sponsorships or funding allocations, or to enter into a sponsorship or other similar agreement.

Major Decision means any decision that would establish or alter the strategic direction or priorities of the City, and which has significant, long-term, or difficult-to-reverse impacts that could reasonably be expected to bind or limit the discretion of an incoming Council. Without limiting the generality of the foregoing, examples of major policy decisions may include:

(a) Changing or substantially amending strategic and corporate direction
(b) Introducing or substantially changing Council policy or frameworks
(c) Decisions to expand, reduce or fundamentally change service levels
(d) Adopting or changing major advocacy positions
(e) Adopting or materially changing long-term financial strategy or resourcing priorities or allocation

Print has the meaning in section 98(1) of the Criminal Code.

Public consultation means a process undertaken by the City to seek comments, feedback, submissions or input from individuals, groups, organisations or the community generally.

Publish has the meaning in section 98(1) of the Criminal Code.

Significant act has the meaning given in section 3.73(1) of the Act.

Strategic Link:	Governance Framework

Title	Elections Caretaker Period Policy

Category	Governance
Lead Business Unit:	Governance and Council Support
Public Consultation: **(Yes or No)**	No
Adoption Date: (Governance Purpose Only)	8 September 2026
Next Review Due: (Governance Purpose Only)	September 2028
ECM Doc Set ID: (Governance Purpose Only)	8549055

[7]

Policy
Elected Members Representation

Policy Type
Council

Policy Purpose

The aim of this policy is to:

1. Establish a transparent and consistent framework for the appointment of Elected Members to represent the Council on internal and external committees, advisory or reference groups, boards, working groups and delegations.
2. Clarify the roles, responsibilities and expectations of Elected Members when acting as representatives of the Council.
3. Ensure the Council's interests are effectively represented while providing equitable opportunities for Elected Member participation.

Policy Statement

1. Introduction
   1.1. Council recognises that participation by Elected Members on internal or external committees, advisory or reference groups, boards, working groups and delegations can assist in advancing the City's strategic objectives, strengthening stakeholder relationships and ensuring the City's interests are appropriately represented.
   1.2. Appointments will be made in a fair, transparent and equitable manner, having regard to the skills, experience, interests and availability of Elected Members, and the strategic interests of the City.

2. Scope
   2.1. This policy applies to:
      2.1.1. Internal committee, reference groups and working groups established by Council:
      2.1.2. External committees, advisory groups, boards and working groups where the City has representation rights:
      2.1.3. Regional, State and industry bodies where Elected Member representation is sought:
      2.1.4. Meetings and forums where an Elected Member attends as an appointed representative of Council:

2.1.5. Delegations (excluding Sister City delegations), study tours or advocacy missions; and
2.1.6. Any other appointment by Council of an Elected Member to represent the City.

2.2. This policy does not apply to:
2.2.1. Attendance at events, which are addressed through the City's Attendance at Events Policy:
2.2.2. Attendance at conferences, functions or seminars pursuant to an approved continuing professional development application made under the Elected Member Professional Development Policy; and
2.2.3. Appointments made pursuant to specific legislative requirements.

3. Guiding Principles
3.1. Appointments should:
3.1.1. support the strategic interests of the City;
3.1.2. be made in a fair, transparent and equitable manner;
3.1.3. recognise the skills, experience and interests of Elected Members; and
3.1.4. balance continuity of representation with opportunities for participation by all Elected Members.

4. City representation
4.1. In accordance with the Local Government Act 1995, the Mayor is recognised as the principal spokesperson and civic leader of the City.
4.2. Unless Council determines otherwise, the Mayor is the default representative of the City for external engagements, meetings and forums where no other Elected Member has been appointed to represent the City.
4.3. Where Council appoints an Elected Member to represent the City on a committee, advisory or reference group, board, working group or similar body, that Elected Member becomes the City's authorised representative for that body.
4.4. The appointed representative is responsible for:
4.4.1. attending meetings where reasonably practicable;
4.4.2. representing Council's adopted position where one exists;
4.4.3. acting in the best interests of the City; and
4.4.4. reporting significant matters or outcomes to Council as appropriate.
4.5. Where an appointed representative is entitled to vote or otherwise participate in decision-making on behalf of Council, they should, where practicable, act consistently with Council's adopted position. Where no Council position exists, the representative shall exercise their discretion in the best interests of the City.
4.6. Representatives should exercise caution when attending and participating in external engagements, meetings and forums to ensure they do not purport to

represent Council's views or imply Council endorsement of a matter where Council has not previously adopted a position.

4.7. Unless restricted by legislation, Council may appoint one or more alternate representatives (proxies) to attend in the absence of the primary representative.

4.8. Nothing in this clause requires an appointed representative to act contrary to any statutory or fiduciary duty, governance obligation or confidentiality requirement arising from their appointment to an external body.

5. Establishment of Reference Groups

5.1. Council may establish reference groups to facilitate discussion, information sharing, strategic input or stakeholder engagement on matters relevant to the City.

5.2. A reference group is advisory in nature and does not have any delegated authority to make decisions on behalf of Council or the City.

5.3. In establishing a reference group, Council shall determine:

5.3.1. the purpose of the reference group;

5.3.2. its membership;

5.3.3. the term of the reference group; and

5.3.4. any applicable Terms of Reference.

5.4. Unless otherwise determined by Council, appointments to a reference group will be made in accordance with this policy.

6. Biennial Appointment Process

6.1. Following each ordinary local government election, Council will undertake a review of all Elected Member appointments to internal and external committees, advisory or reference groups, boards and working groups.

6.2. The CEO will:

6.2.1. prepare a list of appointments requiring Council representation;

6.2.2. invite nominations from Elected Members;

6.2.3. provide relevant information regarding each appointment, including expected time commitments, responsibilities, remuneration and any terms of reference; and

6.2.4. provide a list of all nominations, in order of receipt, to all Elected Members for their consideration.

6.3. All appointments will be made by resolution at a meeting of the Council.

6.4. In making appointments, Council should consider:

6.4.1. relevant experience or expertise;

6.4.2. demonstrated interest in the subject matter;

6.4.3. previous participation and contribution;

6.4.4. availability and capacity to attend meetings;

6.4.5. continuity of representation; and

6.4.6. broader opportunities for Elected Member participation.

6.5. Council recognises the benefits of continuity of representation, including established relationships, accumulated knowledge and subject matter expertise.
6.6. Whilst incumbent representatives will not be automatically re-appointed, Council may give favourable consideration to their re-appointment where:
6.6.1. they have actively and effectively fulfilled the role; and
6.6.2. continuity of representation would be beneficial to the City.
6.7. Unless otherwise specified, appointments remain in effect until the next biennial review or until otherwise determined by Council.

7. Mid-Term Vacancies and Additional Appointments
7.1. Where a vacancy arises or a new appointment opportunity becomes available between local government elections:
7.1.1. The CEO will invite expressions of interest from Elected Members; and
7.1.2. Council will determine the appointment by resolution at a meeting of Council.

8. Removal and Replacement of Representatives
8.1. Unless restricted by legislation, Council may remove and replace an appointed representative at any time by resolution at a meeting of Council.
8.2. In determining whether an appointed representative should be removed or replaced, Council may have regard to factors including:
8.2.1. the representative's attendance, participation and contribution;
8.2.2. changes to the City's strategic objectives or Council priorities;
8.2.3. changes to the role, purpose or requirements of the committee, advisory or reference group, board, working group or organisation; and
8.2.4. requests or recommendations from the relevant committee, advisory or reference group, board, working group or organisation.
8.3. Before considering removal for non-attendance reasons, the affected Elected Member should be provided an opportunity to respond.
8.4. Elected Members may resign as an appointed representative at any time in accordance with any applicable legislation or the Terms of Reference of the relevant committee, advisory or reference group, board or working group.

9. Meeting Requests and External Engagements
9.1. This clause must be read in conjunction with clause 4.
9.2. Where an Elected Member or external organisation requests a meeting about matters relating to Council, the request should ordinarily be coordinated through the CEO.
9.3. The CEO will determine, which, if any staff, are to attend meetings requested by an Elected Member of external organisation, and the extent of their involvement or participation.

9.4. Where a meeting relates primarily to a particular ward, the relevant ward Councillors should be notified of the meeting where practicable.
9.5. Notification pursuant to clause 9.4 above does not create an entitlement to attend unless attendance is considered appropriate by the Mayor or CEO.
9.6. In determining which Councillors should attend meetings with external organisations, consideration should be given to:
  9.6.1. the purpose of the meeting;
  9.6.2. existing Council appointments;
  9.6.3. the need for efficient and effective representation; and
  9.6.4. the role of the Mayor as principal spokesperson and civic leader of the City.
9.7. Where an appointed representative exists, they should ordinarily be invited to attend any meeting concerning that body.
9.8. The appointed representative may travel intrastate or interstate to attend meetings associated with their appointment, with travel paid for by the City subject to sufficient funding being available within the Elected Members travel budget (or other budget as applicable).

10. Delegations
  10.1. Council may appoint one or more Elected Members to represent the City as part of a delegation.
  10.2. A delegation may include visits, meetings, study tours, advocacy activities, fact-finding exercises or other engagements that support the City's strategic interests.
  10.3. In determining whether participation in a delegation is appropriate, Council must give consideration to the following:
    10.3.1. the strategic benefit to the City;
    10.3.2. the cost of participation;
    10.3.3. opportunities to advance Council priorities;
    10.3.4. the role and responsibilities of the proposed representative/s; and
    10.3.5. any reporting requirements arising from the delegation.
  10.4. Unless otherwise determined by Council or where the CEO is in attendance, Elected Members attending a delegation are expected to provide a report or briefing to Council following completion of the delegation.
  10.5. Elected Member participation in a delegation is subject to sufficient funding being available in the Elected Members travel budget (or other budget as applicable).
  10.6. This clause does not apply to Sister City delegations, which are captured by the Sister City Relationships and Engagement Policy.

11. Reporting and Communication
  11.1. Elected Members appointed as City representatives should keep Council suitably informed of significant matters arising from their participation.

12. Conflicts of Interest
    12.1. Elected Members appointed as City representatives must comply with the disclosure requirements of the Local Government Act 1995 and the City's policies relating to conflicts of interest.
    12.2. Where an actual, potential or perceived conflict of interest arises in relation to their representative role, the Elected Member should notify the Mayor and CEO as soon as practicable.

13. Limitations of Representation
    13.1. Appointment as a representative does not authorise an Elected Member to:
        13.1.1. make decisions on behalf of Council;
        13.1.2. engage in operational matters without proper authorisation;
        13.1.3. commit the City to any action, funding arrangement or position;
        13.1.4. purport to speak on behalf of Council where no Council position exists; and
        13.1.5. direct City employees.
    13.2. Representatives must distinguish personal views from Council-adopted positions.

14. Dispute Resolution
    14.1. 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 referred to Council for determination.

Related policies:

- Attendance at Events
- Elected Member Professional Development Policy
- Sister City Relationships and Engagement Policy

Definitions

CEO means the Chief Executive Officer of the City of Cockburn.

Policy Information

Strategic Link:	Governance Framework
Category:	Elected Members
Lead Business Unit:	Governance and Council Support

Public Consultation: (Yes or No)	No
Adoption Date: (Governance Purpose Only)	8 September 2026
Next Review Due: (Governance Purpose Only)	September 2028
ECM Doc Set ID: (Governance Purpose Only)	

8.4.2 (2026/MINUTE NO 0062) Statutory Compliance and Enforcement Policy

Responsible Executive Chief Executive Officer
Author(s) Courts and Legal Process Coordinator
Attachments 1. Statutory Compliance and Enforcement Policy

Committee Recommendation
MOVED Cr C Reeve-Fowkes SECONDED Cr H Srhoy
That Council:

(1) ADOPTS the draft 'Statutory and Compliance Enforcement' Policy, as shown in attachment 1;

(2) REPEALS the 'Completion of Firebreaks on Private Property' Policy;

(3) REQUESTS that the Chief Executive Officer brings the 'Access to Legal Services for Elected Members and Employees' Policy to the 20 October 2026 Governance Committee Meeting for review; and

(4) REQUESTS that the Chief Executive Officer brings the 'Obtaining Legal & Other Expert Advice & Legal Proceedings Between City of Cockburn & Other Parties' Policy to the 20 October 2026 Governance Committee Meeting for review.

CARRIED 7/0

Background

The City currently handles enforcement matters within the relevant Service Unit on a case-by-case basis, as established by internal processes and procedures. However, there is no formal policy that establishes the overall principles and aims of an enforcement process that can be understood by City Officers and the wider community.

The aim of this Policy is to establish a consistent framework for how City officers exercise enforcement and make decisions whether to educate, warn, infringe or prosecute. This will:

- Strengthen internal consistency
- Support officers who make enforcement decisions
- Provide a clear, transparent basis for the explanation of enforcement decisions.

The structured and tiered approach will support the City's reputation as it strengthens accountability and transparency.

Submission

N/A

Report

The aim of this policy is to have a publicly accessible document, creating transparency of enforcement processes which is vital for good governance. This Policy sets clear guidelines for City officers to follow, protecting officers utilising their discretion while allowing the community to understand reasons for the enforcement actions taken by the City.

As the City cannot investigate every contravention of the law, it must direct its resources towards matters that present the highest risk to safety, amenity and the environment. A structured guide to the exercise of officer discretion will assist the City to ensure decisions made are proportionate, defensible, transparent and aligned with other Service Areas. This will reduce the time and money spent on low-impact or low-risk complaints and support more consistent, defensible decision making.

While drafting the Statutory Compliance and Enforcement Policy, City's officers considered:

1. The Office of the Director of Public Prosecution for Western Australia's Statement of Prosecution Policy and Guidelines; and
2. Similar policies adopted by other Local Governments in the Perth Metropolitan Region.

Created in consultation with all affected Service Units, the Statutory Compliance and Enforcement Policy sets out:

1. Principles of Enforcement
2. Prioritisation of Enforcement Matters
3. Enforcement Options
4. Additional Enforcement Actions
5. Review and Appeal of Enforcement Actions
6. Communication with Third Parties about Compliance and Enforcement Action
7. Recovery of Legal Costs.

A key feature of the Policy is that, unless exceptional circumstances apply, the City will not provide substantive information or updates about an enforcement action to anyone other than the affected person. This includes requests made by Elected Members and employees who are not directly involved in the enforcement process.

This approach is underpinned by important principles of good governance. It protects the privacy and confidentiality of individuals involved in enforcement matters and ensures that personal information is only accessed and disclosed where there is a legitimate operational or legal need to do so.

It also reflects the statutory framework established under the Local Government Act 1995, which separates the governance and oversight responsibilities of Council and Elected Members from the administrative and operational functions carried out by the CEO and City officers.

Consistent with this framework, decisions relating to the investigation, assessment and enforcement of individual matters are administrative functions that must be

exercised independently and in accordance with applicable legislative and policy requirements.

In addition, limiting access to enforcement information supports procedural fairness and natural justice by helping to ensure that decisions are made impartially, based on relevant evidence and established processes. It also reduces the risk of actual, potential or perceived bias, undue influence or improper interference, and helps maintain public confidence in the integrity, consistency and independence of the City's enforcement processes.

While Elected Members do not have a role in the administration or operation of the City, the Policy does propose that a Council resolution is required before an appeal against a Court decision may be commenced.

This reflects the strategic and significant nature of such decisions, which may involve significant expenditure, extensive resource requirements, prolonged legal proceedings and impacts on the City’s reputation.

Unlike routine compliance enforcement matters, the decision to pursue an appeal is considered to be within Council’s governing role under the Local Government Act 1995. Additionally, Council oversight ensures that the risks and benefits of an appeal are considered whilst maintaining the integrity and independence of the City’s enforcement process.

This policy is intended to be an umbrella policy, which will underpin other service specific policies, procedures or guidelines to ensure that enforcement is applied in a consistent manner across Service Units. It is intended to supplement current Service Unit specific processes and procedures, not replace them.

This Policy will repeal the current Completion of Firebreaks on Private Property policy because the overarching process and principles in both Policies are the same.

If the Statutory and Compliance Enforcement Policy is adopted, City officers consider it appropriate to review the following policies at the next Governance Committee Meeting:

- Access to Legal Services for Elected Members Policy; and the
- Obtaining Legal & Other Expert Advice & Legal Proceedings Between City of Cockburn and Other Parties Policy.

All other relevant policies will be reviewed and considered in light of the Statutory Compliance and Enforcement Policy during the routine review process.

Strategic Plans/Policy Implications

Our Community
A diverse, active, and connected community that feels safe and has access to local services.
• Strengthen and facilitate a safe and secure Cockburn.

Our Governance
Transparent leadership that listens, communicates openly and plans for a sustainable future.
• Facilitate transparent and accountable governance for today and tomorrow.
• Strengthen engagement, communication and enhance customer experience.

Budget/Financial Implications

N/A

Legal Implications

N/A

Community Consultation

N/A

Risk Management Implications

There is a low level of risk associated with adopting the office recommendation as presented to Council. It will improve organisational performance by directing officer attention towards matters that present a genuine risk to safety, amenity and the environment. Deferring or not supporting the officer recommendation may have negative implications on the City's reputation and operational efficiencies through a lack of transparency of decision making.

Advice to Proponent(s)/Submitters

N/A

Implications of Section 3.18(3) Local Government Act 1995

Nil.

Policy

Statutory Compliance and Enforcement Policy

Policy Type

Council

Policy Purpose

This Policy provides a framework and guidance for employees who exercise compliance and enforcement discretion on behalf of the City. This policy should be read in conjunction with relevant legislation to ensure alignment with statutory processes.

Policy Statement

The City will endeavour to carry out its statutory compliance and enforcement responsibilities in accordance with the following:

1. Principles of Enforcement

1.1. Risk-based
The City, bearing in mind the greatest interest of its residents, will ensure resources are targeted where the risks of harm, unsafe practices or misconduct are the greatest. Matters which are trivial or otherwise deemed not in the public interest will not be pursued.

1.2. Proportionate
When determining regulatory response, the City will consider the level of harm or risk involved, as well as the individual's experience and their past behaviour.

1.3. Effective and Consistent
The City will apply the appropriate compliance tool to ensure that our regulatory interventions are responsive to the relevant circumstances and will achieve the desired outcomes. The City will aim for consistent enforcement and outcomes for similar conduct.

1.4. Constructive and Compliance Focused
The City will provide advice, guidance and support to the community to help them comply with the law. The City will prioritise achieving compliance as the preferred outcome and will only pursue enforcement action or penalties where appropriate or required under relevant legislation.

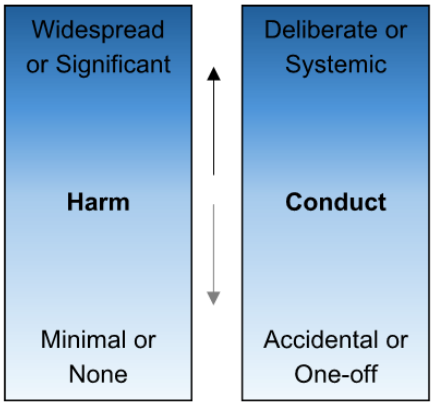
1.5. Accountable
The City is willing to explain decisions, however must protect the integrity of its investigations. The City will balance confidentiality requirements with the need to inform the community about its regulatory actions.

1.6. Evidence-based
The City will only investigate complaints or attend a property, including exercising powers of entry, where a complaint is supported by sufficient and credible information.

1.7. Transparent and Timely
The City will demonstrate impartiality and act with integrity. The community and those who the City regulates will know what to expect when engaging with the City. Furthermore, the City will strive to conduct investigations, compliance activities and enforcement action as efficiently as possible to limit disruption and to provide certainty about its actions. Unless confidentiality, legal or other constraints apply, the City will endeavour to provide the complainant with an outcome.

2. Prioritisation of Enforcement Matters

The City will endeavour to consider all matters involving a potential breach of the law. However, a formal investigation will not be undertaken for every matter brought to the City's attention. The City will use a risk-based approach to ensure proper targeting of resources towards areas that are most at risk. In doing so, any anonymous, speculative or unsupported complaints may not result in an investigation or response.



The City will prioritise resources towards deliberate or systemic conduct that has the potential to cause widespread or significant harm. The City will apply a common-sense approach based on reasonable judgement and the relevant legislation when prioritising resources and determining enforcement action. Accidental or one-off conduct that creates minimal or no harm will not be investigated unless it represents a breach of a statutory approval.

When determining harm, the City may have regard to factors including, but not limited to:

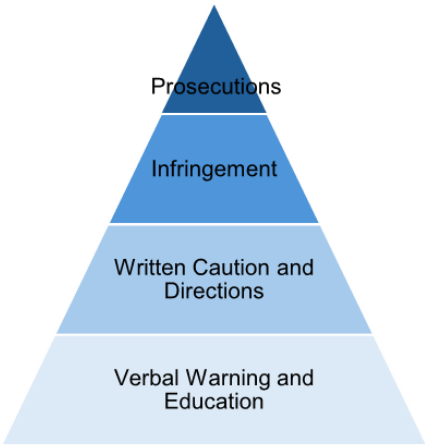
- Cost incurred by the City, including to rectify damage;
- Risk to the safety of the community or any person;

- Extent of injury caused;
- Environmental impacts;
- Victim vulnerability;
- The penalty associated with the action;
- The impact on the amenity of the district; and/or
- Any impact that is reasonably foreseeable as a result of the offending, whether it was actually inflicted or not.

When assessing the nature of conduct, the City may have regard to circumstances beyond the actions of the person subject to the enforcement. Conduct may be considered systematic where it forms part of a recurring pattern of the same or similar contraventions occurring at a particular location or in a particular manner, regardless of whether any individual person has previously committed the contravention.

The ethnicity, gender, religious beliefs, social position, marital status, sexual preference and political opinions or cultural views are irrelevant to the prioritisation of matters.

3. Enforcement Options



3.1. Verbal Warning and Education
An informal caution issued when a person has committed a minor offence or breach. Typically given where immediate compliance is achieved. The aim of a verbal warning should be education on the law and guidance on how to comply in the future.

3.2. Written Caution and Directions
A formal warning or notice issued to a person who has committed an offence, generally used for minor or unintentional conduct and/or where the person demonstrates a cooperative attitude. Written cautions may include a specified timeframe for compliance and threaten enforcement action if the person fails to comply in the future.

3.3. Infringement
A formal notice imposing a monetary penalty, utilised as an alternative to prosecution. It is a legal enforcement tool to address non-compliance in a timely manner without court proceedings, when the offence is not disputed or escalated. An infringement should be utilised for deliberate offending where there is a moderate risk of harm where a verbal warning or written caution is unsuitable or the person is not cooperative.

3.4. Prosecution

A formal legal action initiated by the City for an alleged breach. It involves presenting evidence in court to demonstrate that an offence has occurred. Prosecution should be utilised as a last resort, when warnings, cautions or infringements are ineffective or inappropriate. Prosecutions should be utilised for deliberate or systemic conduct that holds a greater risk of harm or where there is a financial benefit for the person not to comply with the law.

Where appropriate, the City will aim to encourage voluntary compliance through education and awareness first, applying escalating enforcement actions to those who demonstrate a disregard for the law or whose conduct is likely to cause harm to the City or its community. In these cases, the City will provide a clear pathway for voluntary compliance. In relation to building and planning disputes, compliance in the first instance may be in the form of a directions notice, proposed building order or building order under relevant legislation.

Nothing in this policy precludes the City from issuing infringements, commencing prosecution or undertaking another enforcement action for non-compliance at any time in the enforcement process. In these circumstances, the City will utilise discretion and consider any demonstrated disregard for the law and potential or actual harm caused by the conduct.

4. Additional Enforcement Actions

Additional enforcement actions will only be undertaken when deemed necessary by authorised City officers or required by legislation. In making this determination, officers will give particular consideration to the potential extent of harm that may be caused by not taking action, the cooperation of the affected person, and whether taking that action is necessary for the compliance and enforcement action. All additional enforcement action taken will be supported by statutory powers.

5. Review and Appeal of Enforcement Actions

5.1. Internal reviews and appeals

Unless otherwise specified, any request for the review or appeal of a compliance or enforcement action must be submitted within 28 days from the date the action was taken. Out of time applications will not be considered by the City.

Enforcement action is an operational matter dealt with by the City's administration. Unless exceptional circumstances apply, and authorisation in writing is provided to the City, only the person affected by a compliance or enforcement action can appeal or apply for a review of the decision.

The City relies on officer discretion when conducting internal reviews or appeals. Regard should be given to:

- Whether the City has sufficient evidence to prove each element of an offence;
- Whether the compliance and enforcement action was legally carried out;
- The strength and completeness of the evidence;
- Whether procedural fairness was afforded to the affected person;
- Whether the compliance and enforcement action was proportionate and reasonable;
- Whether the decision to undertake compliance and enforcement action is consistent with how similar cases have been handled;
- Whether the compliance and enforcement action was done in accordance with City policy and procedures;
- Any mitigating or exceptional circumstances; and/or
- The public interest.

5.2. External reviews and appeals

Unless exceptional circumstances apply, requests for the review of development compliance, building or statutory planning decisions must be lodged in the State Administrative Tribunal or the Courts.

The recipient of an infringement may elect to have their matter heard by the Court. When the City receives a valid election, it will lodge a prosecution notice with the relevant Court. The City will not file a prosecution notice if:

- The infringement has already been paid, in line with the *Criminal Procedure Act 2004*;
- The application is not made by the subject of the enforcement action; or
- In any other circumstance where the City determines that the matter is not suitable for referral to the Court.

Unless exceptional circumstances apply, the City will only communicate with and consider external appeal requests made by the person subject to the compliance or enforcement action.

5.3. City-initiated appeals

The City will not appeal a Court decision without a Council resolution.

In considering whether to appeal a decision, Council will consider:

- The prospects of success;
- The quality of the original case;
- Potential cost to the City to appeal the decision;
- Whether not appealing will set an undesirable precedent for the City; and
- Public interest.

6. Communication with Third Parties about Compliance and Enforcement Action

Unless exceptional circumstances apply, the City will not provide a substantial response to third parties, including Elected Members, on any ongoing or active compliance and enforcement action.

Elected Members play an important role in the governance and strategic direction of the City. They focus on the long-term priorities, objectives and interests of the community as a whole. The *Local Government Act 1995* establishes a clear separation between the governance responsibilities of Elected Members and the administrative and operational functions carried out by the CEO and City officers. Consistent with this framework, the assessment, investigation, review and determination of individual compliance and enforcement matters are administrative functions undertaken by authorised officers.

This approach protects the privacy and confidentiality of individuals involved in enforcement matters, supports procedural fairness and natural justice, and helps ensure that decisions are made independently, impartially and on the basis of relevant facts, legislation, policies and circumstances. It also reduces the risk of actual, potential or perceived bias, undue influence or improper interference in the enforcement process.

This clause does not restrict staff from providing information to auditors, the disclosure of information in any audit or financial statement, or the disclosure of information as required under any written law.

7. Recovery of Legal Costs

In all matters where costs are recoverable, the City will seek to recover its fair and reasonable costs. This will be done either by consent or by order of the Court.

8. Definitions
   8.1. **Additional enforcement action** includes, but is not limited to, the seizure of goods/animals; property entry; business closure and building evacuation.
   8.2. **Third party** means any person who is not the individual named in the enforcement action. When a company is the subject of enforcement action, a third party is any person who has not been appointed the corporation's representative under section 152 of the *Criminal Procedure Act 2004* (WA). Prior to the appointment of a corporation's representative, the City will consider anyone who is not a director to be a third party.

Policy Information

Strategic Link:	Privacy Management Policy
Category:	Legal
Lead Business Unit:	Governance and Council Support
Public Consultation: (Yes or No)	No
Adoption Date: (Governance Purpose Only)	
Next Review Due: (Governance Purpose Only)	
ECM Doc Set ID: (Governance Purpose Only)	

8.4.3 (2026/MINUTE NO 0063) Update: Elected Members Entitlements Policy

Responsible Executive	Chief Executive Officer
Author(s)	Service Lead Governance and Council Support
Attachments	1. Elected Members Entitlements Policy (tacked changes) 2. Elected Members Entitlements Policy

Officer Recommendation

The Committee recommends Council ADOPTS the amended Elected Members Entitlements Policy, as shown by Attachment 2.

At 6.18pm, Cr P Eva left the meeting.
At 6:18pm, Cr P Eva returned to the meeting.

Committee Recommendation
MOVED Cr C Reeve-Fowkes SECONDED Cr T Dewan

That Council ADOPTS the amended Elected Members Entitlements Policy, as shown by Attachment 2, subject to the following changes:

1. A new clause 4.1.1.5 is inserted as per the following:
    a. “4.1.1.5 meetings with residents”.
2. Clause 6.2.1.4 is amended to the following:
    a. “paper copies of all Council and Committee Meetings and Briefings Agendas, as well as Reference Group Agendas, upon written request to the CEO”.
3. Any other necessary consequential changes because of the above changes.
4. Increasing the maximum limit in clause 14.4.1 to $2,000.

LOST 2/6

For: Cr T Dewan and Cr C Reeve-Fowkes
Against: Cr C Stone, Deputy Mayor P Corke, Cr P Eva, Cr H Srhoy, Cr T Widenbar and Cr C Zhang

Committee Recommendation
MOVED Deputy Mayor P Corke SECONDED Cr P Eva

That Council ADOPTS the amended Elected Members Entitlements Policy, as shown by Attachment 2, subject to the following changes:

1. A new clause 4.1.1.5 is inserted as per the following:
    a. “4.1.1.5 meetings with residents”.
2. Clause 6.2.1.4 is amended to the following:

a. "paper copies of all Council and Committee Meetings and Briefings Agendas, as well as Reference Group Agendas, upon written request to the CEO".

3. Any other necessary consequential changes because of the above changes.

CARRIED 7/1

For: Cr C Stone, Deputy Mayor P Corke, Cr P Eva, Cr C Reeve-Fowkes, Cr H Srhoy, Cr T Widenbar and Cr C Zhang
Against: Cr T Dewan

Reason
The reasons have already been stated and are well known.

Background

On 2 April 2026, the Salaries and Allowances Tribunal (the Tribunal) issued the 2026 Local Government Determination, which sets out the remunerations, fees and allowances to be provided to local government CEOs and Elected Members.

As part of this Determination, the Tribunal updated their guidance on the ICT Allowance to clarify that where ICT equipment is provided to an Elected Member, the ICT Allowance is to be reduced by the cost of the supplied ICT equipment.

Specifically, the Tribunal said (at paragraph 60 of the Determination):

Annual Allowance in lieu of reimbursement of expenses – to avoid misuse of the ICT expense allowance and embed good practice, the Tribunal has determined that the wording for this allowance be amended to indicate that if ICT equipment is supplied to elected council members by the local government, the allowance is to be reduced by the cost of the supplied ICT equipment.

Local Government Chief Executive Officers and Elected Council Members Determination No 1 of 2026 – with effect from 1 July 2026

This report presents to Council updates to the Elected Members Entitlements Policy to ensure alignment with the Determination, as well as other updates to clarify the application of the policy in certain circumstances.

Submission

N/A

Report

To respond to the Tribunal Determination, the following changes have been made to the Elected Member Entitlements Policy:

- Clause 2.4 (proposed policy) has been amended to explicitly provide that the value of any supplied ICT equipment will be deducted from the ICT Allowance in the year of provision
- Clause 2.4 has been further amended to provide that where an Elected Member has expended more on ICT expenses than provided by the allowance, they may seek reimbursement for their reasonable out of pocket expenses
- Clause 4.6 (proposed policy) has been amended to provide that reimbursement for ICT expenses is not possible under the 'consumable office supplies' expense category, as these costs are covered by the ICT Allowance.

Other changes, not related to the Tribunal Determination, have also been made to clarify the application of the policy in certain circumstances. These changes are:

- Clause 3.1 (proposed policy) has been updated to clarify that receipts or other proof of expenditure is required for transport claim reimbursements. This is already done in practice, and this change is simply correcting an inadvertent omission
- Clause 4.1 (proposed policy) has been updated to clarify that travel expenses can be reimbursed for Elected Members attending meetings arranged by City staff where an Executive is in attendance
- Clause 4.2 (proposed policy) has been updated to explicitly provide that the City may book for and pay for partners to travel with an Elected Member on a reimbursement basis, however reimbursement for that travel must be made by the Elected Member to the City prior to departure. This is to ensure prompt reimbursement by Elected Members
- Clause 4.2 (proposed policy) has been further amended to clarify that an Elected Member may extend their travel for private reasons however the City will not pay for any accommodation on a reimbursement basis. The City may book said accommodation, but the Elected Member must make payment directly to the accommodation. This is to ensure public money is not being used for private purposes
- Clause 10 (proposed policy) has been updated to clarify that any reduction to an Elected Member's ICT Allowance resulting from the provision of ICT equipment does not constitute payment for that equipment, and is not relevant when determining the depreciated value payable should the Elected Member elect to keep that equipment.

Further changes made include:

- Removing point 3 of the purpose (current policy). The EM Code of Conduct already provides that City resources cannot be used for electoral purposes. Its inclusion in this policy is unnecessary

- Clause 4.4 (proposed policy) has been amended to clarify that the expense period for professional expenses is 1 November to 31 October every year, and that the allowance is adjusted for CPI at the beginning of each expense year
- Clause 7.3 (proposed policy) has been amended to provide that the CEO must provide Elected Members with PPE necessary to fulfill their role
- Clause 7.4 (proposed policy) has been amended to reference cab charge vouchers instead of access to an Uber account. The City has experienced issues in getting an account set-up, and cab charge vouchers are already in use across the organisation
- Clause 9.1 (proposed policy) has been amended to clarify that insurance can only cover Elected Members to the extend as allowanced by law. This is in response to recent LG reform which has limited insurance cover for Elected Members in certain circumstances.

The policy has also been updated to include clause numbering and to align with the current Policy template, as well as to remove superfluous wording.

Strategic Plans/Policy Implications

Our Governance
Transparent leadership that listens, communicates openly and plans for a sustainable future.
• Facilitate transparent and accountable governance for today and tomorrow.

Budget/Financial Implications

There are no significant budget or financial implications arising from the recommendations of this report.

Legal Implications

The City is required to comply with the terms of the Tribunal Determination. The changes made to the Policy in respect of the ICT Allowance ensure the City's EM Entitlements Policy is in alignment with the Tribunal Determination.

Community Consultation
N/A

Risk Management Implications

There is a low level of risk associated with adopting the office recommendation as presented to Council. It ensures the EM Entitlements Policy is aligned with the Tribunal Determination.

There may be a 'medium' to 'high' level of compliance risk if the Council were to amend the EM Entitlements Policy in such a way that it is not consistent with the Tribunal Determination, meaning it is inconsistent with legislation. This may lead to regulatory intervention.

Advice to Proponent(s)/Submitters

N/A

Implications of Section 3.18(3) Local Government Act 1995

Nil.

Title	Elected Members Entitlements

Policy Type

Council

Policy Purpose

The ~~a~~objectives ~~im~~ of this policy ~~are~~is:

1. To provide a clear statement 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 (SAT).

2. To support Elected Members to carry out their functions and responsibilities without being placed under undue financial burden.

~~3. Under the Act, equipment and facilities provided under this policy must not be used for any election purposes.~~

Policy Statement

1. Introduction

1.1. Under the Act and Regulations, the City must pay certain allowances and expenses to Elected Members, and may pay other allowances and expenses pursuant to a Council Policy.

1.2. This Policy sets out the allowances and expenses that must be paid, as well as the discretionary allowances, expenses and other benefits approved by Council to be paid under this Policy.

1.3. The intent of providing any discretionary allowances, expense reimbursement and other benefits is to support Elected Members to fulfil their statutory duties and responsibilities.

~~The policy outlines statutory entitlements "approved expenses" and other benefits and support, the City will reimburse or provide to Elected Members to support them to undertake their functions and responsibilities.~~

~~1.~~ Prescribed allowances

2.

~~1.1.~~ ~~2~~1.1.

Mayoral Allowance

~~1.1.1.~~ The annual local government allowance for the Mayor (in addition to any fees or reimbursements of expenses payable under the Act and Regulations) is to be the maximum amount determined by the Salaries and Allowances Tribunal.

2.1.1.

[1]

Title	Elected Members Entitlements

2~~1~~.2 Deputy Mayoral Annual Allowance

~~3.2.1.~~ The annual local government allowance is to be paid to the Deputy Mayor and is recommended to be the maximum percentage determined by the Salaries and Allowances Tribunal of the annual allowance to which the Mayor is entitled.

2.3~~1.3~~ Annual Meeting Attendance Allowance

2.3.1. In lieu of paying Elected Members a meeting attendance fee for meetings, Elected Members are to be paid the maximum amount set by the Salaries and Allowances Tribunal.

[2]

Title	Elected Members Entitlements

2.41.4 Information and Communication Technology (ICT) Allowance

2.4.1. All Elected Members ~~are~~ will be paid the *maximum annual ~~amount for ICT Expenses~~ICT Allowance. The allowance will be paid annually in advance.

2.4.2. The ICT Allowance is for costs relating to:

2.4.2.1. Telephone or facsimile rental at the Elected Members' private residence;

2.4.2.2. Council related charges for ~~tele~~phone calls made from ~~tele~~phones located at the Elected Members' private residence; ~~and~~

2.4.2.3 Charges associated with one (1) mobile telephone plan, including data, and 1 broadband/internet plan, or a combined plan as the case may be.

2.4.3. *In accordance with the SAT Determination, the value of any ICT equipment provided by the City to the Elected Member will be deducted from the ICT Allowance. This will be done on the year of provision with the amount deducted equal to the cost to the City for the supplied ICT equipment.

2.4.4. In the event an Elected Member expends more on ICT expenses then provided for by the ICT Allowance, the Elected Member may seek reimbursement for their reasonable 'out of pocket' expenses.~~Where an Elected Member has exhausted their allowance, the SAT determination provides for Elected Members to be reimbursed for reasonable 'out of pocket' expenses.~~

2.4.5. All claims for additional reimbursement pursuant to clause 2.4.4 must be supported by original receipts or other proof of expenditure, as well as evidence that the Elected Member has already incurred ICT expenses which expend the~~the~~ full ICT Allowance ~~has been fully expended.~~.

~~2.~~ Prescribed expense reimbursements (Administration Regulation 31(1)(b)~~-~~(c))

3.

~~2.1.~~ ~~2.1~~

~~-~~Travel expenses associated with Council and Committee meetings, and mandatory training

~~2.2.~~3.1.

3.1.1. Elected Members who attend Council and Committee meetings, and mandatory training required under section 5.126(1) of the Act, are entitled to be reimbursed travel expenses.

3.1.2. Travel expenses that may be claimed are ~~either one of the following~~:

3.1.2.1. ~~(a)~~ Motor vehicle expenses and parking fees; or

Title	Elected Members Entitlements

3.1.2.2. ~~(b)~~ Taxi, public transport or ride share transport services ('transport providers') (excluding chauffeur or private charter services).

3.1.3. All claims for motor vehicle expenses must be supported by a record, identifying the date, location and number of kilometres travelled.

3.1.4. All claims for expenses related to transport providers must be supported by original receipts or other proof of expenditure.

3..1.5. The amount to be reimbursed will be calculated at the same rate applicable to the reimbursement of travel costs in the same or similar circumstances under the *Local Government Officers' (Western Australia) Award 2021*.

3.1.6. The City will not provide reimbursement for any tips provided to transport providers.

Title	Elected Members Entitlements

2.3. 2.2 Child care costs associated with Council and Committee meetings, and mandatory training

2.4.3.2.

3.2.1. Elected Members are entitled to be reimbursed childcare costs, while attending Council and Committee Meetings and mandatory training required by section 5.126(1) of the Act.

3.2.2. In accordance with regulation 31(1)(b) of the Regulations, 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.

3.2.3. An Elected Member must provide the name, address and ABN (if applicable) of the childcare service provider before claiming childcare expenses. All subsequent claims are to include the name of the childcare provider.

3.2.4. 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))

4.

3.1. 3.1 Other travel expenses (motor vehicle and transport provider claims)

3.2.4.1.

4.1.1. Elected Members who attend the following are entitled to be reimbursed travel expenses:.

4.1.1.1. (a) who attend Council appointed Reference Groups or other formally arranged meetings, briefings or civic functions on behalf of Council;

4.1.1.2. (b) who attend pre-approved training or continuing professional development in relevant to or in connection with their role as an Elected Member; or

4.1.1.3. (c) who attend a pre-approved event or an event that is approved under Council Ppolicy 'Attendance at Events'; or.

4.1.1.4. meetings arranged by City staff where an Executive is in attendance.

are entitled to be reimbursed travel expenses.

Title	Elected Members Entitlements

4.1.2. Payment of travel expenses for attendance by Elected Members at continuing professional development is ~~Sub-clause (b) above is~~ subject to regulation 37 of the Regulations.

4.1.3. The amount that may be reimbursed and evidence required to substantiate a motor vehicle or transport provider claim is the same as outlined in ~~Clause (2) 1 of this Policy.~~clauses 3.1.3 to 3.1.4 above.

4.2. Other travel expenses (flights, accommodation and sundries)

4.2.1. Where an Elected Member is required to stay overnight to attend an event, function or training referenced in clauses 4.1.1.1 to 4.1.1.3 above, expenses that may be claimed include:

4.2.1.1. meals and refreshments (where not provided);

4.2.1.2. travel to and from the accommodation and the event, function or training location; and

4.2.1.3. dry cleaning and laundry expenses.

4.2.2. Where an Elected Member is required to travel via airplane intrastate, interstate or overseas to attend an event, function or training referenced in clauses 4.1.1.1 to 4.1.1.3 above, the mode and class of travel will be as per the below:

Title	Elected Members Entitlements

4.2.2.1. intrastate and interstate: economy class;
4.2.2.2. Overseas: business class for flights longer than 6 hours duration leaving Australia, unless otherwise approved by the CEO for medical reasons.

4.2.3. Where an Elected Member is required to stay overnight to attend an event, function or training referenced in clauses 4.1.1.1 to 4.1.1.3 above, the class and length of accommodation will be as per the below:
4.2.3.1. All types of travel: standard room from the night before the first day of the event until the last day of the event, unless otherwise approved by the CEO.

4.2.4. Where an Elected Member is travelling pursuant to clauses 4.2.2 and 4.2.3 above, the City may book and pay for a partner to travel with the Elected Member on the condition that the Elected Member must reimburse the City for their partner's flights prior to departing Perth.

4.2.5. An Elected Member may, when travelling pursuant to clauses 4.2.2 and 4.2.3 above, extend their stay for private reasons subject to the following conditions:
4.2.5.1. The City will book, but not pay for, accommodation associated with private travel. Payment must be made by the Elected Member directly to the accommodation provider.
4.2.5.2. Where the Elected Member has requested an earlier or later flight to accommodate the private travel, and that flight is more expensive than if the Elected Member were to fly in accordance with clause 4.2.3.1 above, the CEO may require the Elected Member to reimburse the City for the difference.

~~Where an Elected Member is required to stay overnight to attend an event function or training referenced in subclause 3.1 (b) and (c), expenses that may be claimed include:~~

~~(d) meals and refreshments (where not provided);~~

~~(e) travel to and from the accommodation and the event, function or training location; and~~

~~(f) dry cleaning and laundry travel~~

~~Where an Elected Member is required to travel via airplane intrastate, interstate or overseas to attend an event, function or training referenced in subclause 3.1 (b) or (c), the mode and class of travel will be as per the below:~~

~~(a) intrastate and interstate: economy class;~~

~~(b) Overseas: business class for flights longer than 6 hours duration, leaving Australia, unless otherwise approved by the CEO for medical reasons.~~

~~Where an Elected Member is required to stay overnight to attend an event, function or training referenced in sub-clause 3.1 (b) or (cc), the class and length of accommodation will be as per the below:~~

[7]

Title	Elected Members Entitlements

~~(c) All types of travel: standard room from the night before the first day of the event until the last day of the event, unless otherwise approved by the CEO.~~

~~3.3.~~ ~~4~~3.~~3~~2. Other child care costs

4.3.1. Elected Members who incur~~ring~~ child care costs while attending ~~other~~ Council appointed Reference Groups or other formally arranged meetings, briefings or civic functions on behalf of the Council are entitled to be reimbursed child care costs, on approval of the ~~Chief Executive Officer~~CEO.

4.3.2. The amount that may be reimbursed and evidence required to substantiate a claim is the same as outlined in clause ~~(2) (2.2) of this Policy.~~3.2 above.

~~Where an Elected Member is required to stay overnight to attend an event function or training referenced in subclause 3.1 (b) and (c), expenses that may be claimed include:~~

~~(d) meals and refreshments (where not provided);~~

~~(e) travel to and from the accommodation and the event, function or training location; and~~

~~(f) dry cleaning and laundry travel~~

~~Where an Elected Member is required to travel via airplane intrastate, interstate or overseas to attend an event, function or training referenced in subclause 3.1 (b) or (c), the mode and class of travel will be as per the below:~~

~~(a) intrastate and interstate: economy class;~~

~~(b) Overseas: business class for flights longer than 6 hours duration, leaving Australia, unless otherwise approved by the CEO for medical reasons.~~

~~Where an Elected Member is required to stay overnight to attend an event, function or training referenced in sub-clause 3.1 (b) or (cc), the class and length of accommodation will be as per the below:~~

~~(c) All types of travel: standard room from the night before the first day of the event until the last day of the event, unless otherwise approved by the CEO.~~

~~4~~3.~~4~~3 Professional expenses

Title	Elected Members Entitlements

4.4.1. Elected Members may be reimbursed for allowable professional expenses incurred as a result of:

4.4.1.1. ~~(a)~~ attending Council or Committee meetings;
4.4.1.2. ~~(b)~~ attending Council appointed Reference Groups or other formally arranged meetings, briefings or civic functions on behalf of Council;
4.4.1.3. ~~(cc)~~ attending pre-approved events or other events approved under Council Policy 'Attendance at Events'; or
~~(d)~~ 4.4.1.4. undertaking any other responsibilities or functions of an Elected Member as prescribed by law,

to a maximum limit of $1,500 per year, with the expense period being 1 November to 31 October every year.~~.~~

Title	Elected Members Entitlements

4.4.2. Allowable professional expenses include:

4.4.2.1. ~~(e)~~ clothing, footwear and formal wear hire;
4.4.2.2. ~~(f)~~ dry cleaning and clothing/footwear repairs;
4.4.2.3. ~~(g)~~ personal grooming; and
4.4.2.4. ~~(h)~~ where ~~sub-~~clause ~~3.3 (c)~~4.4.1.3 applies – registration/ticket fees (inclusive of any fees for official lunches, dinners and tours/inspections relevant to the event).

4.4.3. The ~~amount allocated for reimbursement of allowable personal expenses~~maximum limit specified in clause 4.4.1 above will be inflated annually for 1 November ~~from 1 July~~, based on the Consumer Price Index (All Groups Perth) Rate at July, and rounded to the nearest $10.

43.54 Minor hospitality expenses

4.5.1. Elected Members may be reimbursed reasonable minor hospitality costs, up to a maximum amount of $30 per instance, incurred while attending meetings, briefings, functions, events and other occasions on behalf of Council, or in their capacity as an Elected Member.

43.65 Consumable office supplies

4.6.1. Elected M~~m~~embers may be reimbursed for ~~any~~ consumable office supplies reasonably required to undertake the recognised functions of an Elected Member~~, excluding any costs incurred for electoral purposes.~~.
4.6.2. Claims cannot be made for ICT peripherals, accessories, consumables or other supplies (for example printers, ink, paper, cables, docking stations and other similar items), as these costs are expected to be covered by the ICT Allowance.

43.76 Other approved expenses

4.7.1. ~~Council~~ The City will reimburse Elected Members for the following expenses incurred in the course of performing their duties and functions~~will reimburse the following expenses incurred by Elected Members in carrying out their duties or performing their functions~~:

4.7.1.1. ~~Reimbursement of L~~legal ~~representation~~ costs incurred in accordance with the Act and Council Policy "~~A~~Access to Legal Services for Elected Members and Employees"~~.~~.

4.7.1.2. ~~Reimbursement of~~The cost 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.

4.5. Other entitlements provided for in legislation

[10]

Title	Elected Members Entitlements

54.1 Parental leave

4.1.1. In accordance with section 2.25A (5B) of the Act, Elected Members are entitled to parental leave for six months beginning on which the Elected Member or their spouse or de facto partner:

4.1.2.5.1.1.

5.1.1.1. (a) gives birth; or

5.1.1.2. (b) adopts, or becomes the guardian or foster parent of, a person who is under 16 years of age.

Title	Elected Members Entitlements

54.2 Superannuation

5.2.1. In accordance with section 5.99B of the Act and regulation 32A of the Regulations, the City will pay superannuation to Elected Members from 1 February 2025.

5.2.2. Superannuation will be paid in accordance with the *Superannuation Guarantee (Administration) Act 1992* (Cth).

5.2.3. An Elected Member may opt-out of receiving superannuation by providing written notice to the CEO.

~~5.~~6. Support and facilities available to Eelected Mmembers

65.1 Mayor

~~5.1.1.~~ The Mayor shall, in carrying out 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 Act:

~~5.1.2.~~6.1.1.

~~5.1.2.1.~~6.1.1.1. the use of an office;

~~5.1.2.2.~~6.1.1.2. a City employee or other employee resource to the extent considered appropriate by the CEO;

~~5.1.2.3.~~6.1.1.3. all items associated with the effective and efficient administration of the Mayor's office as determined from time to time by the CEO;

~~5.1.2.4.~~6.1.1.4. access to the Elected Member's lounge and refreshments; and

~~5.1.2.5.~~6.1.1.5. paper copies of all Council and Committee Meeting agendas, upon written request to the CEO.

65.2 Deputy Mayor and other Elected Members

6.2.1. 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 Act: ~~*Local Government Act 1995:*~~

6.2.1.1. access to the Elected Member's lounge and refreshments;

6.2.1.2. access to a suitably equipped shared office, ~~reading room,~~ meeting and conference rooms within the Administration Centre with computer, photocopying, printing, facsimile, internet and telephone facilities, to the extent ~~as~~ deemed necessary by the CEO to fulfil their Council related functions;

6.2.1.3. some secretarial support as deemed necessary by the CEO including limited word processing, photocopying, and postage; and

[12]

Title	Elected Members Entitlements

6.2.1.4. paper copies of all Council and Committee Meeting agendas, upon written request to the CEO.

[13]

Title	Elected Members Entitlements

7. Other supplies and benefits provided and available to Elected Members

5.1.3. 76.1 ~~Computer equipment~~ICT equipment

7.1.1. All Elected Members, following election to Council, are entitled to be provided with the following ~~computer~~ ICT equipment to the same standard~~s~~ as provided to City employees:

7.1.1.1. ~~(a)~~ a laptop or tablet;
7.1.1.2. ~~(b)~~ two screens;
7.1.1.3. ~~(c)~~ docking station; and
7.1.1.4. ~~(d)~~ mouse and keyboard (or tablet equivalent)

7.1.2. Computer equipment supplied to Elected Members will be replaced every four (4) years, following the Local Government Elections, or in the event there is hardware failure and this occurs prior to the scheduled replacement.

7.1.3. The cost of computer equipment provided will be deducted from the ICT Allowance paid to Elected Members, in accordance with clause 2.4.3.

76.2 Other equipment, supplies and items

7.2.1. All Elected Members, following election to Council, will be provided with the following equipment and supplies:

7.2.1.1. ~~(a)~~ name badge;
7.2.1.2. ~~(b)~~ building access card;
7.2.1.3. ~~(c)~~ a reasonable quantity of business cards; and
~~7.2.1.4. (d)~~ City of Cockburn electronic letterhead template
~~7.2.1.5.~~7.2.1.4.

~~7.2.2.~~ Elected Members may also request a reasonable supply of printed letterheads and envelopes.

~~7.2.3.~~7.2.2.

~~7.2.4.~~7.2.3. Additional reasonable quantities of business cards, letterheads and envelopes will also be made available to Elected Members, on request.

76.3 Clothing and PPE

7.3.1. All Elected Members, following election to Council, may request an Elected Member uniform, comprising of:

7.3.1.1. ~~(a)~~ one (1) jacket;
7.3.1.2. ~~(b)~~ three (3) collared/buttoned shirts or blouses; and
7.3.1.3. ~~(c)~~ two (2) casual polo shirts.

7.3.2. The CEO must provide Elected Members with personal protective equipment necessary to fulfill their role.

76.4 Use of ~~corporate~~ cab charge vouchers~~ride share account~~

Title	Elected Members Entitlements

7.4.1. In lieu of travelling by motor vehicle or other transport providers, Elected Members may request ~~access to the City's corporate ride share account~~a cab charge voucher for the ~~purposes of travelling to events, functions and training outlined in sub-clause 6.3 (a) to (c).~~travel in accordance with clauses 3.1 and 4.1.

76.5 Wellness initiatives

7.5.1. The City will make available the following to Elected Members to support their individual health and wellbeing:

7.5.1.1. ~~(a)~~ one (1) 'All Access' Cockburn ARC membership; and
7.5.1.2. ~~(b)~~ access to the City's Employee Assistance Program (EAP), to the same extent as provided to staff.

Title	Elected Members Entitlements

6. Mayoral Vehicle

8.

87.1. The Mayor will receive a fully maintained local government owned vehicle, to the equivalent standard as provided to the Chief Executive OfficerCEO, for the purpose of carrying out the recognised functions of the Mayoral office (the 'Mayoral Vehicle')

87.2. Details of the arrangement for the provision, use and responsibilities for the vehicle in (7) 7.1 above is included inMayoral Vehicle is as agreed between the City of Cockburn and the Mayor.

87.3. 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 (7) 7.2 clause 8.3 above.

87.4. 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.

87.5. If the Mayor is absent from Western Australia for more than fourteen days, the Mayoral Vvehicle is to be available to the Deputy Mayor during the period of absence.

8.6. The Deputy Mayor must enter into an agreement as set out in point (7) 7.2clause 8.2 above before using the Mayoral Vvehicle.

9. Insurance

10.9.

9.1. The City will insure or provide insurance cover to Elected Members for the following:

98.1.1 Accidental injury or death whilst engaged in the performance of the official duties of their office, including direct travel to and from activity;.

98.12.2 Liability for matters arising out of the performance of the official duties of their office but subject to any limitations imposed by law or as set out in the relevant policy of cover/insuranceinsurance policy;.

89.1.3. Spouses/partners of Elected Members when the spouse/partner is accompanying the Elected Member in an official (non–personal) capacity; and.

89.1.4. Travel insurance whilst travelling on official business.

11. (9) Return of computer ICT equipment and other specified items

12.10.

10.1. All computer ICT equipment and/or security passbuilding access card issued to an Elected Member must be returned within fourteen (14) days of that person ceasing to be an Elected Member and/or returned at the same time as the equipment is replaced.

Title	Elected Members Entitlements

10.2. In lieu of returning ICT ~~computer~~ equipment, Elected Members may elect to purchase the equipment at a depreciated value, as determined by the ~~Chief Executive Officer.~~ CEO.

10.3. Any deduction in an ICT allowance due to the provision of ICT equipment to an Elected Member is irrelevant in determine the depreciated value pursuant to clause 10.2

~~13. (10) Policy Administration~~

~~14. 10.1~~ Approval Process and Payment

~~15.~~11.

11.1. ~~(a)~~ Elected Members applying to receive reimbursement of expenses in accordance with this Ppolicy must submit the appropriate Reimbursement of Expenses Form to the ~~Chief Executive Officer~~CEO, together with acceptable supporting documentation.

~~10.2 Payment of fees/allowances~~

11.2. All prescribed a~~A~~llowances will be paid automatically unless an Elected Member has advised the ~~Chief Executive Officer~~CEO in writing that they do not want to claim any or part of an ~~the available~~ allowance~~s~~.

11.3. All prescribed allowances will be paid monthly in arrears, except for the ICT A~~a~~llowance which will be paid annually in advance, calculated from each ~~ordinary~~ Local Government E~~e~~lection.

11.4. Any taxation liability arising from ~~these~~ any payment made under this Policy~~s~~ is the individual responsibility of each Elected Member.

11.5. If an Elected Member has previously advised that they do not want ~~all or part of the available~~any or part of an allowance~~s~~ 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.

11.6. ~~(c)~~ If an Elected Member ceases to hold office:

11.6.1. ~~i.~~ payment (where made monthly) will only be made up to and including the final day of engagement; and

11.6.2. ~~ii.~~ repayment or recovery of fees or allowances paid in advance (inclusive of superannuation) will be recovered in accordance with regulations 32B and 34AE of the Regulations.

~~16.~~12. ~~10.3~~ Dispute Resolution

12.1.

Any disputes regarding this policy will be referred to the ~~Chief Executive Officer~~CEO in the first instance. If the Elected Member and the ~~Chief Executive Officer~~CEO cannot reach an agreement, the matter will be referred to Council for determination.

Related policies

- Attendance at Event Policy

[17]

Title	Elected Members Entitlements

- Elected Member Professional Development Policy
- Access to Legal Services for Elected Members and Employees – Policy

Definitions

CEO means the Chief Executive Officer of the City of Cockburn.

Strategic Link:	Governance Framework
Category	Elected Members
Lead Business Unit:	~~Legal and Compliance~~Governance and Council Support
Public Consultation: **(Yes or No)**	No
Adoption Date: (Governance Purpose Only)	~~13 May 2025~~8 September 2026
Next Review Due: (Governance Purpose Only)	~~May 2027~~September 2028
ECM Doc Set ID: (Governance Purpose Only)	8232292

Title	Elected Members Entitlements

Policy Type

Council

Policy Purpose

The aim of this policy is:

1. To provide a clear statement 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 (SAT).

2. To support Elected Members to carry out their functions and responsibilities without being placed under undue financial burden.

Policy Statement

1. Introduction

1.1. Under the Act and Regulations, the City must pay certain allowances and expenses to Elected Members, and may pay other allowances and expenses pursuant to a Council Policy.

1.2. This Policy sets out the allowances and expenses that must be paid, as well as the discretionary allowances, expenses and other benefits approved by Council to be paid under this Policy.

1.3. The intent of providing any discretionary allowances, expense reimbursement and other benefits is to support Elected Members to fulfil their statutory duties and responsibilities.

2. Prescribed allowances

2.1. Mayoral Allowance

2.1.1. The annual local government allowance for the Mayor (in addition to any fees or reimbursements of expenses payable under the Act and Regulations) is to be the maximum amount determined by the Salaries and Allowances Tribunal.

2.2 Deputy Mayoral Annual Allowance

The annual local government allowance is to be paid to the Deputy Mayor and is recommended to be the maximum percentage determined by the Salaries and Allowances Tribunal of the annual allowance to which the Mayor is entitled.

2.3 Annual Meeting Attendance Allowance

2.3.1. In lieu of paying Elected Members a meeting attendance fee for meetings, Elected Members are to be paid the maximum amount set by the Salaries and Allowances Tribunal.

Title	Elected Members Entitlements

2.4 Information and Communication Technology (ICT) Allowance

2.4.1. All Elected Members will be paid the *maximum annual ICT Allowance. The allowance will be paid annually in advance.

2.4.2. The ICT Allowance is for costs relating to:

2.4.2.1. Telephone or facsimile rental at the Elected Members' private residence;

2.4.2.2. Council related charges for phone calls made from phones located at the Elected Members' private residence;

2.4.2.3 Charges associated with one (1) mobile telephone plan, including data, and 1 broadband/internet plan, or a combined plan as the case may be.

2.4.3. *In accordance with the SAT Determination, the value of any ICT equipment provided by the City to the Elected Member will be deducted from the ICT Allowance. This will be done on the year of provision with the amount deducted equal to the cost to the City for the supplied ICT equipment.

2.4.4. In the event an Elected Member expends more on ICT expenses then provided for by the ICT Allowance, the Elected Member may seek reimbursement for their reasonable 'out of pocket' expenses.

2.4.5. All claims for additional reimbursement pursuant to clause 2.4.4 must be supported by original receipts or other proof of expenditure, as well as evidence that the Elected Member has already incurred ICT expenses which expend the full ICT Allowance.

3. Prescribed expense reimbursements (Administration Regulation 31(1)(b)-(c))

3.1. Travel expenses associated with Council and Committee meetings, and mandatory training

3.1.1. Elected Members who attend Council and Committee meetings, and mandatory training required under section 5.126(1) of the Act, are entitled to be reimbursed travel expenses.

3.1.2. Travel expenses that may be claimed are:

3.1.2.1. Motor vehicle expenses and parking fees; or

3.1.2.2. Taxi, public transport or ride share transport services ('transport providers') (excluding chauffeur or private charter services).

3.1.3. All claims for motor vehicle expenses must be supported by a record, identifying the date, location and number of kilometres travelled.

3.1.4. All claims for expenses related to transport providers must be supported by original receipts or other proof of expenditure.

3..1.5. The amount to be reimbursed will be calculated at the same rate applicable to the reimbursement of travel costs in the same or similar circumstances under the *Local Government Officers' (Western Australia) Award 2021*.

3.1.6. The City will not provide reimbursement for any tips provided to transport providers.

Title	Elected Members Entitlements

3.2. Child care costs associated with Council and Committee meetings, and mandatory training

3.2.1. Elected Members are entitled to be reimbursed childcare costs, while attending Council and Committee Meetings and mandatory training required by section 5.126(1) of the Act.

3.2.2. In accordance with regulation 31(1)(b) of the Regulations, 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.

3.2.3. An Elected Member must provide the name, address and ABN (if applicable) of the childcare service provider before claiming childcare expenses. All subsequent claims are to include the name of the childcare provider.

3.2.4. Childcare costs will not be paid for care provided by a family member living in the same premises as the Elected Member.

4. Discretionary expense reimbursements (Administration Regulation 32(1))

4.1. Other travel expenses (motor vehicle and transport provider claims)

4.1.1. Elected Members who attend the following are entitled to be reimbursed travel expenses:

4.1.1.1. Council appointed Reference Groups or other formally arranged meetings, briefings or civic functions on behalf of Council;

4.1.1.2. continuing professional development in relevant to or in connection with their role as an Elected Member;

4.1.1.3. a pre-approved event or an event that is approved under Council Policy 'Attendance at Events'; or

4.1.1.4. meetings arranged by City staff where an Executive is in attendance.

4.1.2. Payment of travel expenses for attendance by Elected Members at continuing professional development is subject to regulation 37 of the Regulations.

4.1.3. The amount that may be reimbursed and evidence required to substantiate a motor vehicle or transport provider claim is the same as outlined in clauses 3.1.3 to 3.1.4 above.

4.2. Other travel expenses (flights, accommodation and sundries)

4.2.1. Where an Elected Member is required to stay overnight to attend an event, function or training referenced in clauses 4.1.1.1 to 4.1.1.3 above, expenses that may be claimed include:

4.2.1.1. meals and refreshments (where not provided);

4.2.1.2. travel to and from the accommodation and the event, function or training location; and

4.2.1.3. dry cleaning and laundry expenses.

4.2.2. Where an Elected Member is required to travel via airplane intrastate, interstate or overseas to attend an event, function or training referenced in clauses 4.1.1.1 to 4.1.1.3 above, the mode and class of travel will be as per the below:

Title	Elected Members Entitlements

4.2.2.1. intrastate and interstate: economy class;
4.2.2.2. Overseas: business class for flights longer than 6 hours duration leaving Australia, unless otherwise approved by the CEO for medical reasons.

4.2.3. Where an Elected Member is required to stay overnight to attend an event, function or training referenced in clauses 4.1.1.1 to 4.1.1.3 above, the class and length of accommodation will be as per the below:
4.2.3.1. All types of travel: standard room from the night before the first day of the event until the last day of the event, unless otherwise approved by the CEO.

4.2.4. Where an Elected Member is travelling pursuant to clauses 4.2.2 and 4.2.3 above, the City may book and pay for a partner to travel with the Elected Member on the condition that the Elected Member must reimburse the City for their partner's flights prior to departing Perth.

4.2.5. An Elected Member may, when travelling pursuant to clauses 4.2.2 and 4.2.3 above, extend their stay for private reasons subject to the following conditions:
4.2.5.1. The City will book, but not pay for, accommodation associated with private travel. Payment must be made by the Elected Member directly to the accommodation provider.
4.2.5.2. Where the Elected Member has requested an earlier or later flight to accommodate the private travel, and that flight is more expensive than if the Elected Member were to fly in accordance with clause 4.2.3.1 above, the CEO may require the Elected Member to reimburse the City for the difference.

4.3. Other child care costs

4.3.1. Elected Members who incur child care costs while attending Council appointed Reference Groups or other formally arranged meetings, briefings or civic functions on behalf of the Council are entitled to be reimbursed child care costs, on approval of the CEO.

4.3.2. The amount that may be reimbursed and evidence required to substantiate a claim is the same as outlined in clause 3.2 above.

4.4 Professional expenses

4.4.1. Elected Members may be reimbursed for allowable professional expenses incurred as a result of:
4.4.1.1. attending Council or Committee meetings;
4.4.1.2. attending Council appointed Reference Groups or other formally arranged meetings, briefings or civic functions on behalf of Council;
4.4.1.3. attending pre-approved events or other events approved under Council Policy 'Attendance at Events'; or
4.4.1.4. undertaking any other responsibilities or functions of an Elected Member as prescribed by law,

to a maximum limit of $1,500 per year, with the expense period being 1 November to 31 October every year.

Title	Elected Members Entitlements

4.4.2. Allowable professional expenses include:
4.4.2.1. clothing, footwear and formal wear hire;
4.4.2.2. dry cleaning and clothing/footwear repairs;
4.4.2.3. personal grooming; and
4.4.2.4. where clause 4.4.1.3 applies – registration/ticket fees (inclusive of any fees for official lunches, dinners and tours/inspections relevant to the event).

4.4.3. The maximum limit specified in clause 4.4.1 above will be inflated annually for 1 November, based on the Consumer Price Index (All Groups Perth) Rate at July, and rounded to the nearest $10.

4.5 Minor hospitality expenses

4.5.1. Elected Members may be reimbursed reasonable minor hospitality costs, up to a maximum amount of $30 per instance, incurred while attending meetings, briefings, functions, events and other occasions on behalf of Council, or in their capacity as an Elected Member.

4.6 Consumable office supplies

4.6.1. Elected Members may be reimbursed for consumable office supplies reasonably required to undertake the recognised functions of an Elected Member.

4.6.2. Claims cannot be made for ICT peripherals, accessories, consumables or other supplies (for example printers, ink, paper, cables, docking stations and other similar items), as these costs are expected to be covered by the ICT Allowance.

4.7 Other approved expenses

4.7.1. The City will reimburse Elected Members for the following expenses incurred in the course of performing their duties and functions:
4.7.1.1. Legal costs incurred in accordance with the Act and Council Policy 'Access to Legal Services for Elected Members and Employees'.
4.7.1.2. The cost 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.

5. Other entitlements provided for in legislation

5.1 Parental leave

5.1.1. In accordance with section 2.25A(5B) of the Act, Elected Members are entitled to parental leave for six months beginning on which the Elected Member or their spouse or de facto partner:
5.1.1.1. gives birth; or
5.1.1.2. adopts, or becomes the guardian or foster parent of, a person who is under 16 years of age.

Title	Elected Members Entitlements

5.2 Superannuation

5.2.1. In accordance with section 5.99B of the Act and regulation 32A of the Regulations, the City will pay superannuation to Elected Members from 1 February 2025.

5.2.2. Superannuation will be paid in accordance with the *Superannuation Guarantee (Administration) Act 1992* (Cth).

5.2.3. An Elected Member may opt-out of receiving superannuation by providing written notice to the CEO.

6. Support and facilities available to Elected Members

6.1 Mayor

6.1.1. The Mayor shall, in carrying out 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 Act:

6.1.1.1. the use of an office;

6.1.1.2. a City employee or other employee resource to the extent considered appropriate by the CEO;

6.1.1.3. all items associated with the effective and efficient administration of the Mayor's office as determined from time to time by the CEO;

6.1.1.4. access to the Elected Member's lounge and refreshments; and

6.1.1.5. paper copies of all Council and Committee Meeting agendas, upon written request to the CEO.

6.2 Deputy Mayor and other Elected Members

6.2.1. 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 Act:

6.2.1.1. access to the Elected Member's lounge and refreshments;

6.2.1.2. access to a suitably equipped shared office, meeting and conference rooms within the Administration Centre with computer, photocopying, printing, facsimile, internet and telephone facilities, to the extent deemed necessary by the CEO to fulfil their Council related functions;

6.2.1.3. some secretarial support as deemed necessary by the CEO including limited word processing, photocopying, and postage; and

6.2.1.4. paper copies of all Council and Committee Meeting agendas, upon written request to the CEO.

Title	Elected Members Entitlements

7. Other supplies and benefits provided and available to Elected Members

7.1 ICT equipment

7.1.1. All Elected Members, following election to Council, are entitled to be provided with the following ICT equipment to the same standard as provided to City employees:
7.1.1.1. a laptop or tablet;
7.1.1.2. two screens;
7.1.1.3. docking station; and
7.1.1.4. mouse and keyboard (or tablet equivalent)

7.1.2. Computer equipment supplied to Elected Members will be replaced every four (4) years, following the Local Government Elections, or in the event there is hardware failure and this occurs prior to the scheduled replacement.

7.1.3. The cost of computer equipment provided will be deducted from the ICT Allowance paid to Elected Members, in accordance with clause 2.4.3.

7.2 Other equipment, supplies and items

7.2.1. All Elected Members, following election to Council, will be provided with the following equipment and supplies:
7.2.1.1. name badge;
7.2.1.2. building access card;
7.2.1.3. a reasonable quantity of business cards; and
7.2.1.4. City of Cockburn electronic letterhead template

7.2.2. Elected Members may also request a reasonable supply of printed letterheads and envelopes.

7.2.3. Additional reasonable quantities of business cards, letterheads and envelopes will also be made available to Elected Members, on request.

7.3 Clothing and PPE

7.3.1. All Elected Members, following election to Council, may request an Elected Member uniform, comprising of:
7.3.1.1. one (1) jacket;
7.3.1.2. three (3) collared/buttoned shirts or blouses; and
7.3.1.3. two (2) casual polo shirts.

7.3.2. The CEO must provide Elected Members with personal protective equipment necessary to fulfill their role.

7.4 Use of cab charge vouchers

7.4.1. In lieu of travelling by motor vehicle or other transport providers, Elected Members may request a cab charge voucher for the travel in accordance with clauses 3.1 and 4.1.

7.5 Wellness initiatives

7.5.1. The City will make available the following to Elected Members to support their individual health and wellbeing:
7.5.1.1. one (1) 'All Access' Cockburn ARC membership; and
7.5.1.2. access to the City's Employee Assistance Program (EAP), to the same extent as provided to staff.

Title	Elected Members Entitlements

8. Mayoral Vehicle

8.1. The Mayor will receive a fully maintained local government owned vehicle, to the equivalent standard as provided to the CEO, for the purpose of carrying out the recognised functions of the Mayoral office (the 'Mayoral Vehicle')

8.2. Details of the arrangement for the provision, use and responsibilities for the Mayoral Vehicle is as agreed between the City and the Mayor.

8.3. All costs associated with the private use of the Mayoral vehicle are to be reimbursed to the City by the Mayor in accordance with the 'Mayoral Motor Vehicle Agreement' detailed in clause 8.3 above.

8.4. 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.

8.5. If the Mayor is absent from Western Australia for more than fourteen days, the Mayoral Vehicle is to be available to the Deputy Mayor during the period of absence.

8.6. The Deputy Mayor must enter into an agreement as set out in clause 8.2 above before using the Mayoral Vehicle.

9. Insurance

9.1. The City will insure or provide insurance cover to Elected Members for the following:

9.1.1 Accidental injury or death whilst engaged in the performance of the official duties of their office, including direct travel to and from activity;

9.1.2 Liability for matters arising out of the performance of the official duties of their office but subject to any limitations imposed by law or as set out in the relevant insurance policy;

9.1.3. Spouses/partners of Elected Members when the spouse/partner is accompanying the Elected Member in an official (non–personal) capacity; and

9.1.4. Travel insurance whilst travelling on official business.

10. Return of ICT equipment and other specified items

10.1. All ICT equipment and/or building access card issued to an Elected Member must be returned within fourteen (14) days of that person ceasing to be an Elected Member and/or returned at the same time as the equipment is replaced.

10.2. In lieu of returning ICT equipment, Elected Members may elect to purchase the equipment at a depreciated value, as determined by the CEO.

10.3. Any deduction in an ICT allowance due to the provision of ICT equipment to an Elected Member is irrelevant in determine the depreciated value pursuant to clause 10.2

11. Approval Process and Payment

11.1. Elected Members applying to receive reimbursement of expenses in accordance with this Policy must submit the appropriate Reimbursement of Expenses Form to the CEO, together with acceptable supporting documentation.

11.2. All prescribed allowances will be paid automatically unless an Elected Member has advised the CEO in writing that they do not want to claim any or part of an allowance.

11.3. All prescribed allowances will be paid monthly in arrears, except for the ICT Allowance which will be paid annually in advance, calculated from each Local Government Election.

Title	Elected Members Entitlements

11.4. Any taxation liability arising from any payment made under this Policy is the individual responsibility of each Elected Member.
11.5. If an Elected Member has previously advised that they do not want any or part of an allowance 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.
11.6. If an Elected Member ceases to hold office:
11.6.1. payment (where made monthly) will only be made up to and including the final day of engagement; and
11.6.2. repayment or recovery of fees or allowances paid in advance (inclusive of superannuation) will be recovered in accordance with regulations 32B and 34AE of the Regulations.

12. Dispute Resolution
12.1. Any disputes regarding this policy will be referred to the CEO in the first instance. If the Elected Member and the CEO cannot reach an agreement, the matter will be referred to Council for determination.

Related policies

- Attendance at Event Policy
- Elected Member Professional Development Policy
- Access to Legal Services for Elected Members and Employees – Policy

Definitions

CEO means the Chief Executive Officer of the City of Cockburn.

Strategic Link:	Governance Framework
Category	Elected Members
Lead Business Unit:	Governance and Council Support
Public Consultation: **(Yes or No)**	No
Adoption Date: (Governance Purpose Only)	8 September 2026
Next Review Due: (Governance Purpose Only)	September 2028
ECM Doc Set ID: (Governance Purpose Only)	8232292

9. Motions of Which Previous Notice Has Been Given

Nil.

10. Notices Of Motion Given At The Meeting For Consideration At Next Meeting

Nil.

11. New Business of an Urgent Nature Introduced by Members or Officers

Nil.

12. Matters to be Noted for Investigation Without Debate

Nil.

13. Confidential Business

Nil.

14. Closure of Meeting

There being no further business to discuss, the Presiding Member declared the meeting closed at 6:33pm.