

# minutes

## Policy Committee

MEETING HELD ON

MONDAY 2 AUGUST 2021

### **Acknowledgement of Traditional Custodians**

The City of Joondalup acknowledges the traditional custodians of the land, the Whadjuk people of the Noongar nation, and recognises the culture of the Noongar people and the unique contribution they make to the Joondalup region and Australia. The City of Joondalup pays its respects to their Elders past and present and extends that respect to all Aboriginal and Torres Strait Islander peoples.

*This document is available in alternate formats upon request*

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# CITY OF JOONDALUP

## MINUTES OF THE POLICY COMMITTEE MEETING HELD IN CONFERENCE ROOM 2, JOONDALUP CIVIC CENTRE, BOAS AVENUE, JOONDALUP ON MONDAY 2 AUGUST 2021.

### ATTENDANCE

#### Committee Members

Cr Christine Hamilton-Prime,JP	<i>Presiding Member</i>	
Mayor Hon. Albert Jacob, JP		<i>absent from 7.10pm to 7.13pm</i>
Cr Kerry Hollywood	<i>Deputy Presiding Member</i>	
Cr Christopher May		<i>from 5.55pm</i>
Cr Nige Jones		
Cr Russ Fishwick, JP		
Cr John Chester		
Cr Russell Poliwka	<i>Deputising for Cr May</i>	<i>to 5.55pm</i>

#### Observers

Cr John Raftis		<i>from 5.48pm</i>
Cr Tom McLean, JP		
Cr Russell Poliwka		<i>from 5.55pm</i>
Cr Suzanne Thompson		

#### Officers

Mr James Pearson	Chief Executive Officer
Mr Mat Humfrey	Director Corporate Services
Mr Jamie Parry	Director Governance and Strategy
Mr Nico Claassen	Director Infrastructure Services
Ms Dale Page	Director Planning and Community Development
Mr Shane Fraser	Manager Community Development and Library Services
Mr Brad Sillence	Manager Governance
Mrs Natasha Mossman	Governance Officer

### ACKNOWLEDGEMENT OF TRADITIONAL CUSTODIANS

Prior to the opening of the Policy Committee meeting, the Presiding Member acknowledged the traditional custodians of the land.

### DECLARATION OF OPENING

The Presiding Member declared the meeting open at 5.45pm.

## DECLARATIONS OF FINANCIAL INTEREST / PROXIMITY INTEREST / INTEREST THAT MAY AFFECT IMPARTIALITY

### Disclosures of Financial Interest / Proximity Interest

Nil.

### Disclosure of interest affecting Impartiality

Elected Members (in accordance with clause 22 of Schedule 1 of the *Local Government [Model Code of Conduct] Regulations 2021*) and employees (in accordance with the Code of Conduct) are required to declare any interest that may affect their impartiality in considering a matter. This declaration does not restrict any right to participate in or be present during the decision-making process. The Elected Member / employee is also encouraged to disclose the nature of their interest.

<b>Name / Position</b>	<b>Cr Christopher May.</b>
<b>Item No. / Subject</b>	Item 4 - Review of Community Funding Programs and Policies.
<b>Nature of Interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr May is a committee member of the Northshore Country Club, and is also a board member of Craigie Heights Primary School and Springfield Primary School.

## APOLOGIES AND LEAVE OF ABSENCE

### Apologies

Nil

### Leave of Absence Previously Approved

Cr John Logan                      22 July to 8 August 2021 inclusive.

## CONFIRMATION OF MINUTES

### MINUTES OF THE POLICY COMMITTEE HELD ON 10 MAY 2021

**MOVED** Cr Fishwick, **SECONDED** Cr Hollywood that the minutes of the meeting of the Policy Committee held on 10 May 2021 be confirmed as a true and correct record.

The Motion was Put and

**CARRIED (7/0)**

**In favour of the Motion:** Cr Hamilton-Prime, Mayor Jacob, Crs Chester, Fishwick, Hollywood, Jones and Poliwka.

## **ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION**

Nil

## **IDENTIFICATION OF MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC**

In accordance with Clause 5.2 of the City's *Meeting Procedures Local Law 2013*, this meeting was not open to the public.

## **PETITIONS AND DEPUTATIONS**

Nil.

## REPORTS

ITEM 1	REVISED COMMUNICATIONS POLICY	ELECTED MEMBERS'	MEMBERS'
<b>WARD</b>	All		
<b>RESPONSIBLE DIRECTOR</b>	Mr Jamie Parry Governance and Strategy		
<b>FILE NUMBERS</b>	101262, 101515		
<b>ATTACHMENTS</b>	Attachment 1 Attachment 2	Social Media Guidelines for Elected Members. Revised <i>Elected</i> <i>Members</i> <i>Communications Policy</i> .	
<b>AUTHORITY / DISCRETION</b>	Legislative - includes the adoption of local laws, planning schemes and policies.		

### PURPOSE

For Council to adopt a revised *Elected Members' Communications Policy*.

### EXECUTIVE SUMMARY

The *Elected Members' Communications Policy* (the policy) provides guidance around the appropriate communication systems by elected members while undertaking their role at the City. The policy has been amended over time and was last reviewed by Council at its meeting held on 19 May 2020 (Item CJ068-05/20 refers) where revised provisions around meetings that are held externally by elected members were included.

On 3 February 2021, the *Local Government (Model Code of Conduct) Regulations 2021* came into effect, which introduced model standards of conduct for council members (elected members), committee members and local government election candidates. A behavioural provision within the model, requires that elected members, committee members and local government election candidates must ensure the use of social media and other forms of communication complies with the code. As required by the *Local Government Act 1995*, Council adopted the model code provisions as part of its new *Code of Conduct for Council Members, Committee Members and Candidates*, at its meeting held on 18 May 2021 (Item CJ071-05/21 refers).

In view of the new code, changes are suggested to the policy to better reflect the desired standards of social media use by elected members as well as amending the policy to reflect the City's new *Code of Conduct for Council Members, Committee Members and Candidates*.

*It is therefore recommended that Council ADOPTS the revised Elected Members Communications Policy, as detailed in Attachment 2 to this Report.*

## BACKGROUND

As part of an overall review of the City's policy framework following the period of Joint Commissioners, the City's inaugural *Communications Policy* was adopted by Council at its meeting held on 11 October 2005 (Item CJ206-10/05 refers). At that time the policy detailed:

- the Chief Executive Officer as determining the styles, formats, protocols and processes for all written communications received by the City
- the Chief Executive Officer being responsible for determining the content and presentation of the City's website
- the principles of elected member communication and the statutory requirements that relate to the same
- how elected members are to interact with the media
- how correspondence of the Mayor and Councillors is to be treated
- electronic correspondence for elected members and the use of information technology supplied by the City
- access to information held by the City.

The policy was reviewed by Council at its meeting held on 20 March 2012 (Item CJ032-03/12 refers) as part of the City's broader review of its policy framework and manual. The review included incorporating elected member communication matters detailed in other policies into one succinct policy, as well as some other minor amendments. The policy was last reviewed by Council at its meeting held on 19 May 2020 (Item CJ068-05/20 refers) to include revised provisions around meetings that are held externally by elected members.

On 3 February 2021, the *Local Government (Model Code of Conduct) Regulations 2021* came into effect, which introduced model standards of conduct for council members (elected members), committee members and local government election candidates. As part of that model, the following behavioural provision around personal integrity was included:

**"8. Personal integrity**

(1) *A council member, committee member or candidate—*

- (a) *must ensure that their use of social media and other forms of communication complies with this code; and*
- (b) *must only publish material that is factually correct."*

As required by the *Local Government Act 1995*, Council adopted the model code provisions as part of its new *Code of Conduct for Council Members, Committee Members and Candidates*, at its meeting held on 18 May 2021 (Item CJ071-05/21 refers).

In terms of the use of social media by elected members, the City has existing guidelines around the use of social media by elected members (Attachment 1 to this Report), that were acknowledged by Council at its meeting held on 20 November 2012 (Item CJ233-11/12 refers). This guideline has formed part of the *Elected Members Induction Manual* and induction program since that time and offers guidance to elected members in terms of their social media use.

## DETAILS

In view of the new code, changes are suggested to the policy to better refer the desired standards of social media use by elected members as well as minor revisions to reflect the City's new *Code of Conduct for Council Members, Committee Members and Candidates*.

In the main, the revised policy suggests elected members when using social media must:

- expressly state on all postings the stated views are their own and are not those of the City or the Council
- not imply that they are authorised to speak as a representative of the City or the Council, or give the impression that the views expressed are those of the City or the Council
- not use the City logo or insignia, or use the identity or likeness of another elected member, City employee, contractor or other member of the City
- only disclose and discuss publicly available information
- ensure that all content published is accurate and not misleading and complies with all relevant City policies and legislative requirements
- endeavour to be polite and respectful to all people they interact with
- comply with their record keeping responsibilities when using social media for elected member activities and Council related matters
- adhere to the guidelines of the relevant social media platform/website, as well as copyright, privacy, defamation, contempt of court, discrimination, harassment and other applicable laws.

The revised policy is detailed in Attachment 2 to this Report.

## Issues and Options Considered

Council can either:

- adopt the revised *Elected Members' Communications Policy* as presented
- adopt the revised *Elected Members' Communications Policy* with further amendments  
or
- not adopt the revised *Elected Members' Communications Policy*.

## Legislation / Strategic Community Plan / Policy Implications

### Legislation

*Local Government Act 1995.*  
*Local Government (Model Conduct of Conduct) Regulations 2021.*  
*State Records Act 2000.*  
*Freedom of Information Act 1992.*  
*City of Joondalup Code of Conduct for Council Members, Committee Members and Candidates.*



## Strategic Community Plan

<b>Key theme</b>	Governance and Leadership.
<b>Objective</b>	Effective Representation.
<b>Strategic initiative</b>	Ensure the elected body has a comprehensive understanding of its roles and responsibilities.
<b>Policy</b>	<i>Elected Members' Communications Policy.</i> <i>Elected Members' Entitlements Policy.</i> <i>Records Management Policy.</i> <i>Elections Caretaker Policy.</i>

## Risk Management Considerations

Should effective and detailed communication arrangements not be specified for elected members, there could be risk associated with elected members contravening legislative provisions around their conduct.

## Financial / Budget Implications

There are no financial implications associated with the adoption of the revised policy.

## Regional Significance

Not applicable.

## Sustainability Implications

Not applicable.

## Consultation

Not applicable.

## COMMENT

In support of good governance practices, the *Elected Members' Communications Policy* has been created to detail an elected member's appropriate use of, and access to communication systems and information managed and retained by the City. In terms of social media, it is often difficult for members of the community and indeed elected members, to distinguish between whether an elected member's social media activity is in their capacity as an elected official, or whether it is activity as an individual private citizen.

In view of this and the new provisions within the *Code of Conduct for Council Members, Committee Members and Candidates*, the suggested policy amendments will allow the communication standards of elected members to be known to the community, but just as importantly, to offer protection for elected members from possible breaches of the code. It is not considered that the suggested provisions go over and above the required conduct and behavioural standards.

The *Social Media Guideline for Elected Members* will be revised to provide additional guidance to elected members on the appropriate use of social media while in office.

## VOTING REQUIREMENTS

Simple Majority.

*Cr Raftis entered the room at 5.48pm.*

*Cr May entered the room at 5.55pm.*

## OFFICER'S RECOMMENDATION

That Council ADOPTS the revised *Elected Members' Communications Policy* as detailed in Attachment 2 to this Report.

**MOVED Mayor Jacob, SECONDED Cr Hollywood that Council ADOPTS the revised *Elected Members' Communications Policy* as detailed in Attachment 2 to this Report, subject to replacing clause 3.4 with the following:**

**1      "3.4    *Use of Social Media***

***Elected Members must ensure that their use of social media and other forms of communication complies with the Code of Conduct for Council Members, Committee Members and Candidates."***

**The Motion was Put and**

**CARRIED (7/0)**

**In favour of the Motion:** Cr Hamilton-Prime, Mayor Jacob, Crs Chester, Fishwick, Hollywood, Jones and May.

*Appendix 1 refers*

*To access this attachment on electronic document, click here: [Attach1agnPOLICY210802.pdf](#)*

**ITEM 2 REVISED CIVIC CENTRE POLICY**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Jamie Parry Governance and Strategy
<b>FILE NUMBERS</b>	101270, 101515
<b>ATTACHMENT</b>	Attachment 1 Revised <i>Civic Centre Policy</i> .
<b>AUTHORITY / DISCRETION</b>	Legislative - includes the adoption of local laws, planning schemes and policies.

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**PURPOSE**

For Council to adopt a revised *Civic Centre Policy*.

**EXECUTIVE SUMMARY**

The *Civic Centre Policy* (the policy) provides guidance around the use of the City's Council Chamber and civic centre meetings rooms, as well as a number of activities relating to meetings. The policy was initially created in 1999 and was last reviewed by Council at its meeting held on 20 March 2012 (Item CJ032-03/12 refers) where a range of changes were made to the City's overall policy framework.

In line with the need for periodic reviews of policies, some minor changes to the policy are suggested to improve its operation and to reflect current legislative intent.

*It is therefore recommended that Council ADOPTS the revised Civic Centre Policy, as detailed in Attachment 1 to this Report.*

**BACKGROUND**

The *Civic Centre Policy* (formerly known as the *Elected Members – General Policy*) was first created in 1999 and has been subsequently amended by the Council since that time, the last being 20 March 2012 (Item CJ032-03/12 refers) where a range of changes were made as part of a review of the City's overall policy framework.

The current policy details, among other things, the use of the Council Chamber and civic centre meeting rooms, as well as recording activities and requirements for Council and electors' meetings.

**DETAILS**

In the main the policy is retained in its current form, however a minor procedural change is recommended. Instead of the Mayor being the determining person in terms of the use of the civic centre rooms (including the Council Chamber) it is suggested that the policy be amended to reflect that the City's Chief Executive Officer will be the determining person in terms of use, however they will consult with the Mayor in making their decision.

Although the Mayor has a statutory function to carry out the civic and ceremonial duties on behalf of the City (section 2.8 of the *Local Government Act 1995*), the Chief Executive Officer has the function to manage the day to day operations of the City (section 5.41 of the *Local Government Act 1995*). Such functions would include determining the use of City facilities, including the appropriate use of the City's Civic Building and meeting rooms. The suggested amendments are therefore detailed in the revised policy (Attachment 1 to this Report).

Of relevance to this policy review, it is worthy to note previous suggestions have made at a number of Annual General Meetings of Electors, for the City to live stream the audio of Briefing Sessions and to make a recording available on the website following the meeting. On considering these motions, Council has always resolved that it does not support audio recordings of Briefing Sessions being made available to members of the public, noting the audio of Council meetings is available to members of the public as well as streamed, on the City's website. This position is reflected in the current policy.

The primary purpose of Briefing Sessions is to inform elected members on the items of business to be presented and discussed at the forthcoming Council meeting, where questions can be addressed, and further clarity sought. However, Briefing Sessions are not a decision-making forum and not all items or reports are discussed.

As per the policy, the City currently streams the audio of its Council meetings on its website and also makes available the audio recording soon after the meeting is complete. However, legal issues around audio streaming of meetings have been widely publicised and have been critical of this activity, considering the decisions a Council has to make; elected members' various roles at meetings; the limited protection offered to elected members and others from defamation; and transmitting data across a wide, and more so, global audience.

The City has been previously guided by a legal article published and distributed to the local government sector regarding the question of whether Council meetings should be streamed live online, with the recordings being made available to electors by uploading to the local government's website as soon as practical, and maintained online as an archive.

The article provides an explanation of the risks associated with recording and live streaming of meetings. The arguments against recording are considered pertinent for non-decision-making forums such as Briefing Sessions. The City has assessed the risks related to the audio recording of its formal decision-making meeting and in the interests of the community, has decided that it is of benefit.

In terms of defamation protection, the WA State Parliament recognised the risks associated with audio recordings on a local government's website when it introduced a new section 9.57A into the *Local Government Act 1995* (the Act), as follows:

**"9.57A. Local government protected from liability for defamation: council proceedings on website**

(1) *In this section —*

***council proceedings*** means proceedings at a meeting of the council or a committee of the council;

***matter*** has the meaning given in the Defamation Act 2005 section 4.

(2) *A local government is not liable to an action for defamation in relation to matter published on its official website as part of a broadcast, audio recording, or video recording, of council proceedings."*

The level of protection offered against defamation in the provision above, does not include Briefing Sessions as they are not deemed to be a meeting of the Council. Therefore, a risk of defamation is still apparent where any proceedings of Briefing Sessions are live streamed or uploaded onto the City's website.

Briefing Sessions only serve as an opportunity for elected members to gain further information around matters to be presented to Council in the following week, and any discussion at a Briefing Session is not the reason behind decisions being made. In view that Briefing Sessions are not the formal decision-making forums, the current practices of only streaming and making available the audio recording of Council meetings, is suggested to be maintained.

Notwithstanding Council at its meeting held on 21 April 2020 (Item CJ045-04/20 refers) reviewed its procedures for Strategy Sessions, Briefing Sessions and Council / Committee meetings which resulted in the audio recording of Briefing Sessions (that are held by electronic means) being placed on the City's website. This change was a result of the need for City of Joondalup to hold various closed meetings, due to the COVID-19 pandemic and the subsequent adjusted legislative framework.

### Issues and options considered

Council can either:

- adopt the revised *Civic Centre Policy* as presented
- adopt the revised *Civic Centre Policy* with further amendments  
or
- not adopt the revised *Civic Centre Policy*.

### Legislation / Strategic Community Plan / Policy Implications

<b>Legislation</b>	<i>Local Government Act 1995.</i> <i>City of Joondalup Meeting Procedures Local Law 2013.</i>
<b>Strategic Community Plan</b>	
<b>Key theme</b>	Governance and Leadership.
<b>Objective</b>	Effective Representation.
<b>Strategic initiative</b>	Ensure the elected body has a comprehensive understanding of its roles and responsibilities.
<b>Policy</b>	<i>Elections Caretaker Policy.</i> <i>General Disposal Authority for Local Government Records.</i>

### Risk Management Considerations

Not applicable.

### Financial / Budget Implications

There are no financial implications associated with the adoption of the revised policy.

### Regional Significance

Not applicable.

**Sustainability mplications**

Not applicable.

**Consultation**

Not applicable.

**COMMENT**

In line with the need for periodic reviews of policies, the suggested minor changes to the policy is anticipated to improve its operation and reflect current legislative intent.

**VOTING REQUIREMENTS**

Simple Majority.

**OFFICER'S RECOMMENDATION**

That Council ADOPTS the revised *Civic Centre Policy* as detailed in Attachment 1 to this Report.

**MOVED** Cr Hollywood, **SECONDED** Cr Chester that “Item 2 - Revised Civic Centre Policy”, **BE REFERRED BACK** to the Chief Executive Officer to:

- 1 retain the current provisions in clause 2.1;
- 2 provide further clarity in regard to the use of other rooms and facilities within the Civic Centre, such as ward rooms and the Councillors' Lounge.

**The Motion was Put and**

**CARRIED (7/0)**

**In favour of the Motion:** Cr Hamilton-Prime, Mayor Jacob, Crs Chester, Fishwick, Hollywood, Jones and May.

*Appendix 2 refers*

To access this attachment on electronic document, click here: [Attach2agnPOLICY210802.pdf](#)

### ITEM 3 REVISED ELECTIONS CARETAKER POLICY

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<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Jamie Parry Governance and Strategy
<b>FILE NUMBERS</b>	107644, 101515
<b>ATTACHMENT</b>	Attachment 1 Revised <i>Elections Caretaker Policy</i> .
<b>AUTHORITY / DISCRETION</b>	Legislative - includes the adoption of local laws, planning schemes and policies.

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#### PURPOSE

For Council to adopt a revised *Elections Caretaker Policy*.

#### EXECUTIVE SUMMARY

At its meeting held on 11 December 2018 (Item CJ229-12/18 refers) Council adopted an *Elections Caretaker Policy* (the policy) which establishes protocols for the purposes of preventing actual and perceived advantage or disadvantage to a candidate in the City of Joondalup elections.

On 3 February 2021, the *Local Government (Model Code of Conduct) Regulations 2021* came into effect, which introduced model standards of conduct for council members (elected members), committee members and local government election candidates. As required by the *Local Government Act 1995*, Council adopted the model code provisions as part of its new *Code of Conduct for Council Members, Committee Members and Candidates*, at its meeting held on 18 May 2021 (Item CJ071-05/21 refers).

In view of the new code, changes are suggested to the policy to reflect the City's new *Code of Conduct for Council Members, Committee Members and Candidates*.

*It is therefore recommended that Council ADOPTS the revised Elections Caretaker Policy, as detailed in Attachment 1 to this Report.*

#### BACKGROUND

At its meeting held on 11 December 2018 (Item CJ229-12/18 refers) Council adopted an *Elections Caretaker Policy* (the policy) which establishes protocols for the purposes of preventing actual and perceived advantage or disadvantage to a candidate in the City of Joondalup elections.

The policy details matters, such as, but not limited to:

- decisions that are made by Council and the circumstances where a major decision may be undertaken
- the role of the Chief Executive Officer during the caretaker period
- information and material published by the City, including on-line formats and social media
- attendance and participation in functions and events
- use of the City's resources
- access to information held by the City.

On 3 February 2021, the *Local Government (Model Code of Conduct) Regulations 2021* came into effect, which introduced model standards of conduct for council members (elected members), committee members and local government election candidates. As required by the *Local Government Act 1995*, Council adopted the model code provisions as part of its new *Code of Conduct for Council Members, Committee Members and Candidates*, at its meeting held on 18 May 2021 (Item CJ071-05/21 refers).

## DETAILS

In view of the new code, changes are suggested to the policy to reflect the City's new *Code of Conduct for Council Members, Committee Members and Candidates*.

There are no other suggested changes to the policy at this time.

## Issues and Options Considered

Council can either:

- adopt the revised *Elections Caretaker Policy* as presented
- adopt the revised *Elections Caretaker Policy* with further amendments  
or
- not adopt the revised *Elections Caretaker Policy*.

## Legislation / Strategic Community Plan / Policy Implications

<b>Legislation</b>	<i>Local Government Act 1995.</i> <i>Local Government (Model Code of Conduct) Regulations 2021.</i> <i>City of Joondalup Code of Conduct for Council Members, Committee Members and Candidates.</i>
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## Strategic Community Plan

<b>Key theme</b>	Governance and Leadership.
<b>Objective</b>	Effective representation.
<b>Strategic initiative</b>	Ensure the elected body has a comprehensive understanding of its roles and responsibilities.
<b>Policy</b>	<i>Elections Caretaker Policy.</i>

## Risk Management Considerations

There is no statutory requirement for a caretaker period to be implemented prior to elections, however such a policy would meet the intent of the *Local Government Act 1995* that seeks to ensure that local governments are efficient and effective and accountable to their communities.

The City's brand and image may be damaged if decisions are made that are not reflective of the community's desires during a caretaker period, or where there is a misuse of City resources for political gain.

## Financial / Budget Implications

There are no financial implications associated with the adoption of the revised policy.



**Regional significance**

Not applicable.

**Sustainability implications**

Not applicable.

**Consultation**

Not applicable.

**COMMENT**

The primary purpose of any caretaker period is to avoid governments making major decisions that would bind an incoming government, prevent the use of public resources in ways that are seen as advantageous to, or promoting, the sitting government members who are seeking re-election, or new candidates, and ensuring government officials act impartially in relation to candidates.

**VOTING REQUIREMENTS**

Simple Majority.

**MOVED Cr May, SECONDED Cr Jones that Council ADOPTS the revised *Elections Caretaker Policy* as detailed in Attachment 1 to this Report.**

**The Motion was Put and**

**CARRIED (7/0)**

**In favour of the Motion:** Cr Hamilton-Prime, Mayor Jacob, Crs Chester, Fishwick, Hollywood, Jones and May.

*Appendix 3 refers*

To access this attachment on electronic document, click here: [Attach3agnPOLICY210802.pdf](#)

**Disclosure of interest affecting Impartiality**

<b>Name / Position</b>	<b>Cr Christopher May.</b>
<b>Item No. / Subject</b>	Item 4 - Review of Community Funding Programs and Policies.
<b>Nature of Interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr May is a committee member of the Northshore Country Club, and is also a board member of Craigie Heights Primary School and Springfield Primary School.

## **ITEM 4 REVIEW OF COMMUNITY FUNDING PROGRAMS AND POLICIES**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Ms Dale Page Planning and Community Development
<b>FILE NUMBERS</b>	39290, 101515, 50591
<b>ATTACHMENTS</b>	Attachment 1 <i>Community Funding Policy</i> Attachment 2 <i>Recognition of Community and Sporting Groups Policy</i> Attachment 3 <i>Draft Community Funding Program Policy</i> Attachment 4 <i>Draft Arts Development Scheme Policy</i>
<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting, and amending budgets.

**PURPOSE**

For Council to consider:

- a review of the City's community funding programs and associated policies
- proposed changes to the City's community funding programs
- a proposed draft *Community Funding Program Policy* and *Arts Development Scheme Policy*.

**EXECUTIVE SUMMARY**

Throughout 2020 and early 2021 the City has undertaken a review of its funding programs and policies. This included reviews of the following policies:

- *Community Funding Policy*.
- *Recognition of Community and Sporting Groups Policy*.

The following funding programs were also reviewed:

- Community Funding Program.
- Sports Development Program.
- Joondalup Sporting Achievement Grants.
- Arts Development Scheme.
- Mural Arts Program.
- Recognition of Community and Sporting Groups Fund.
- Small Community Group Incorporation Grant.
- City of Joondalup Youth Awards.
- Friends Groups Special Purpose Grants.

As a result, the City is proposing a number of changes to the funding programs and informing policies to ensure funding programs continue to provide the greatest benefit to the broadest cross-section of the community.

The following changes are being proposed to the funding programs:

<b>Fund / Grant Name</b>	<b>Proposed change to program</b>	<b>Proposed change to program budget</b>
Community Funding Program	Continue – new format	Amalgamate into new Community Funding Program
Sports Development Program	Continue – new format	
Joondalup Sports Achievement Grant	Cease	
Recognition of Community and Sporting Groups Fund	Cease	
Small Community Group Incorporation Grants	Continue – current format	No impact
City of Joondalup Youth Awards	Continue – current format	No impact
Arts Development Scheme	Continue – current format	No impact
Mural Arts Program	Continue – current format	No impact
Small Community Group Incorporation Grants	Continue – current format	No impact
Friends Groups Special Purpose Grants	Continue – current format	No impact

To achieve this, the City is proposing to revoke the current:

- *Community Funding Policy*
- *Recognition of Community and Sporting Groups Policy.*

These policies are suggested to be replaced with the following:

- *Community Funding Program Policy.*
- *Arts Development Scheme Policy.*

*It is therefore recommended that Council:*

- 1 *NOTES the outcomes of the review of the City of Joondalup funding programs and policies, and the recommended changes to the City's funding programs as detailed in this Report;*
- 2 *REVOKES the current Community Funding Policy and Recognition of Community and Sporting Groups Policy as detailed in Attachments 1 and 2 to this Report;*
- 3 *ADOPTS the new Community Funding Program Policy and Arts Development Scheme Policy, as detailed in Attachments 3 and 4 to this Report.*

## **BACKGROUND**

The City currently offers a range of funding programs for local community groups and individuals. These grant programs are governed by two policies:

- *Community Funding Policy.*
- *Recognition of Community and Sporting Groups Policy.*

As guided by the two policies, the City currently provides a range of programs, these include the following:

- Community Funding Program.
- Sports Development Program.
- Joondalup Sporting Achievement Grants.
- Arts Development Scheme.
- Mural Arts Program.
- Recognition of Community and Sporting Groups Fund.

Over time, the funding programs and the policies that govern them, have been reviewed to meet the changing needs and demands of the community, while still meeting the objectives of the policies.

As well as the funding programs (that are policy led), the City also delivers a number of grants programs that have been directed either by Council decision or by the City. These include the following grants:

- Small Community Group Incorporation Grants.
- City of Joondalup Youth Awards.
- Friends Groups Special Purpose Grants.

## **DETAILS**

A number of these funding programs are enshrined through policy statements adopted by Council, while others are established practices that have been in place for many years. A summary of all the community funding programs and the policies that guide them are provided below.

## Community Funding Policy

The *Community Funding Policy* (Attachment 1 refers) was adopted in October 2005, the result of a review and consolidation of former funding policies. The *Community Funding Policy* has been amended twice, in August 2012 (CJ170-08/12 refers) and March 2016 (CJ046-03/16 refers).

The policy's objective is *"To support the City's role as a community partner in building capacity and developing community ownership and identity."*

Any funding request below \$10,000 is determined by the Chief Executive Officer, anything above \$10,000 is presented to the Council for determination.

Within the *Community Funding Policy* there are four specific funding programs listed, these are outlined below.

### Community Funding Program

The Community Funding Program currently provides general funding opportunities for local organisations and community groups, as well as organisations that provide services to local residents. Financial assistance can be sought for small capital items, projects, activities, and events. Funds are allocated across the following three categories:

- Community Development.
- Culture and Arts Development.
- Environmental Development.

The Community Funding Program is subject to eligibility criteria, and groups must:

- be a not-for-profit organisation, community organisation, community group/club, company limited by guarantee, school, or religious organisation
- offer a project, activity or service based in the City of Joondalup or which will primarily benefit Joondalup residents.

The following table represents the level of funding applied for and the amount allocated in the last four financial years across all three fund categories:

Year	Funds Requested	Funds Allocated
2016-17	\$117,934	\$68,864
2017-18	\$151,709	\$56,111
2018-19	\$83,491	\$46,422
2019-20*	\$75,777	\$5,377

\* Only one round of funding run due to COVID-19

Some examples of programs and activities supported by the Community Funding Program includes the following:

- The Human Excellence Project (\$2,500) - mental health program.
- Beldon Scout Group (\$2,059) - 40th-anniversary history project.
- LifePLUS Seniors Club (\$1,877) - indoor bowling mat.
- Indian Blue Chorus (\$1,000) - audio visual equipment.

### Sports Development Program

The Sports Development Program was initially two separate funding programs, one being part of the City's Community Funding Program, which was established in 1999 and was similar to those above, with an annual allocation of \$25,000. The other program was the Sports Development Program, which was established in 2002 and focussed on elite sporting clubs in the City of Joondalup, with an annual allocation of \$90,000.

Following a review in 2016, these two funding programs were amalgamated to form the current Sports Development Program, with an annual allocation of \$115,000. The Sports Development Program assists incorporated community clubs in undertaking sporting and club development initiatives that align with the City's, State Government's, and individual club's strategic directions.

The Sports Development Program is subject to eligibility criteria, and groups must be:

- incorporated (under *Associations Incorporations Act 2015*)
- located within the City of Joondalup and/or servicing its residents
- affiliated with and submit a letter of support from a state sporting association or industry body who are recognised by the Department of Local Government, Sport and Cultural Industries
- have a club name reflecting the locale in which the club operates and in recognition of the level of funding and subsidies afforded to it by the City of Joondalup.

The following table depicts the level of funding requested and allocated since 2016-17:

<b>Year</b>	<b>Funds Requested</b>	<b>Funds Allocated</b>
2016-17	\$166,384	\$109,084
2017-18	\$103,680	\$85,465
2018-19	\$166,162	\$105,000
2019-20*	\$28,251	\$21,505

\* Only one round of funding run due to COVID-19

Some examples of programs and activities supported by the Sports Development Program include the following:

- Whitford Junior Football Club (\$5,000) - girl's football development program.
- Sorrento Bowling Club (\$3,120) - development of a volunteer management plan.
- Wanneroo Joondalup Lacrosse Club (\$6,500) - junior modcrosse shared equipment.

### Joondalup Sporting Achievement Grant

The Joondalup Sporting Achievement Grant (JSAG) is a grants program that provides donations to local individuals participating at national or international-level sporting events.

Eligible individuals must reside within the City of Joondalup, be under the age of 18 or be an athlete with a disability and participating in a formally recognised event (recognised by the sport's governing body).

The current grants provide financial contributions to eligible individuals of:

- \$100 if the athlete is representing Western Australia within Western Australia.
- \$200 if the athlete is representing Western Australia interstate.
- \$300 if the athlete is representing Australia.

Unlike the other grant programs, this program provides an “as right” access to funding. If deemed eligible, the applicant is entitled to receive the grant funds, irrespective of the funding level previously committed.

The following table depicts the level of funding requested and allocated since 2016-17:

Year	No. of applications received	No. of applications approved	Funds Requested	Funds Allocated
2016-17	232	201	\$37,250	\$32,600
2017-18	265	234	\$55,100	\$48,900
2018-19	318	272	\$64,300	\$55,900
2019-20*	186	150	\$36,100	\$31,700

\* Funding ceased in March 2020 as a result of the COVID-19 restrictions

Several high-profile and prominent local sports people have been recipients of JSAG funding since its inception, including:

- Jessica Bratich-Johnson – Karate (inaugural inductee in the City’s Walk of Fame).
- Jack Darling – Australian Football League.
- Liam Hendriks – Baseball (2019 and 2021 Major League Baseball (MLB) All-Star and 2020 MLB Reliever of the Year).

#### Arts Development Scheme

The Arts Development Scheme is the annual allocation of funds to encourage the delivery of arts programs and projects by professional art companies and individuals within the City of Joondalup.

The Scheme aims to increase opportunities for residents to participate in and attend quality cultural experiences and events within the City of Joondalup.

The following table depicts the level of funding requested and allocated since 2016-17:

Year	Funds Requested	Funds Allocated
2016-17	\$62,666	\$20,000
2017-18	\$50,527	\$4,200
2018-19	\$20,000	\$20,000
2019-20	\$69,651	\$20,000

Some examples of projects and activities supported by the Arts Development Scheme include the following:

- Black Swan State Theatre of WA (\$3,000) - *Unsung Heroes*.
- Zap Circus (\$3,000) - circus school tours.
- Whiskey and Boots (\$10,000) - Mama Stitch storytelling performances.

## Recognition of Community and Sporting Groups Policy

In 2007, the Council adopted the *Recognition of Community and Sporting Groups Policy* (Attachment 2 refers) that recognises the significant anniversary dates of community and sporting groups. To implement this policy, the City delivers the Recognition of Community and Sporting Groups Fund.

Upon application the City will recognise those groups that have served the community for the following amount of time:

Years of service	Amount
25	\$2,000
50	\$3,000
75	\$5,000
100	\$7,000

For a community and sporting group to be eligible under this policy, the group must:

- be an incorporated not-for-profit sport, recreation, or community organisation
- demonstrate equitable access to the public
- have been operational within the suburbs/localities within the current boundaries of the City of Joondalup for the period of time applied for and have provided service to the residents of the City of Joondalup.

The following table represents the level of funding applied for and the amount allocated in the last four financial years:

Year	Funds Requested	Funds Allocated
2016-17	\$9,000	\$9,000
2017-18	\$22,000	\$22,000
2018-19	\$12,000	\$12,000
2019-20	\$2,000	\$2,000

Some examples of the groups recently recognised by the *Recognition of Community and Sporting Groups Policy* include:

- Whitfords Rainbow Toy Library for 25 years' service.
- Wanneroo Joondalup Tee Ball Club for 25 years' service.
- Mullaloo Surf Life Saving Club for 50 years' service.

## Small Community Group Incorporation Grants

Following the receipt of a notice of motion, Council at its meeting held on 13 December 2016 (CJ202-12/16 refers) agreed to list funds in its annual budget process to support micro-community groups.

As part of the 2017-18 budget, and since that time, an amount of \$800 has been included in the annual budget to assist small community groups with one-off costs associated with becoming incorporated associations.



To be eligible for this support, groups must meet the following criteria:

- Have a membership of less than 30 people.
- At least 50% of members reside in the City of Joondalup.
- Be not incorporated but eligible to become incorporated.
- Undertake activities that are not for profit.
- Bring benefit to the City of Joondalup as a primary focus.

Since the establishment of the program there have only been three applications, all of which have been supported by the City. The groups benefited from this grant include the following:

- Northern Brewers Homebrew Club - \$152 in 2018-19 to become incorporated.
- The Human Excellence Project - \$180 in 2019-20 to become incorporated.
- Northern Lights Music Western Australia - \$160 in 2020-2021 to become incorporated.

### Youth Awards

The Focussing on the Future Youth Awards program was created in 2009 to address the school attrition rate at the time. The program encourages young people to continue their secondary studies through the provision of a financial reward.

In 2013 the award was changed to the City of Joondalup Youth Awards. Each year six awards of \$1,000 are presented to secondary students and one award of \$5,000 to a second or third-year undergraduate at ECU Joondalup. The undergraduate award also provides opportunity for a paid internship of up to 12 weeks at the City of Joondalup.

The following criteria apply:

- Secondary Awards
  - aged between 15 and 18
  - participating in a high school or vocational education and training program in the City of Joondalup
  - be a resident of the City of Joondalup.
- Tertiary Award
  - aged between 18 and 25
  - second or third-year undergraduate at ECU Joondalup undertaking studies relevant to a local government career
  - be a resident of the City of Joondalup.

Students are ineligible if in receipt of another academic scholarship of \$500 or greater.

The following table represents the level of funding applied for and the amount allocated in the last four financial years:

Year	Funds Requested	Funds Allocated
2016-17	\$40,000	\$11,000
2017-18	\$49,000	\$10,000
2018-19	\$106,000	\$11,000
2019-20	\$39,000	\$11,000

## Friends Groups Special Purpose Grants

The City has an established Friends Groups Special Purpose Grants funding program to assist the Friends Groups based within the City of Joondalup. Friends Groups assist the City to manage bushland and natural areas and make a valuable contribution towards local conservation and biodiversity.

The following criteria apply for groups to be eligible for funding:

- Groups must discuss proposed projects with City prior to lodging applications.
- Applications require approval from the City.
- All contractors must be approved by the City.
- Groups must seek support of relevant external organisations or stakeholders involved in the project and submit letters of support with application.
- Groups must supply copies of licences required to carry out project.

Annual grants range from \$2,350 to \$3,850 - depending on the area of bushland the group cares for and the group's historic contribution of volunteer hours. Groups can also submit an annual claim to reimburse administration expenses associated with running a group, to a maximum of \$500.

Year	No. of Natural Areas	Funds Requested	Funds Allocated
2016-17	16	\$27,674	\$27,674
2017-18	17	\$37,973	\$37,973
2018-19	16	\$46,439	\$46,439
2019-20	16	\$42,314	\$42,314

## Issues and Options Considered

There are several options available to Council:

- maintain the status quo and leave existing community funding programs and policies in their current format
- revoke some or all of the community funding programs and policies  
or
- review the existing community funding programs and policies and consider deleting, maintaining, and amalgamating them.

The City has pursued Option 3 within this Report. A review of the existing funding programs and policies has been undertaken to assess current need and alignment with the City's *Strategic Community Plan*. A number of changes are proposed to be undertaken as a result of this review, and these are outlined below.

Council could choose to consider the changes as presented or make its own recommendations specific to each program and/or policy presented.

## Community Funding Program

The City has undertaken a review of the current Community Funding Program as well as the other funding programs listed. It is recommended that Council considers amalgamating a number of the current grant programs to create a single community funding program that provides maximum benefit and opportunity to the community groups that it would serve.

This option would propose to either cease and/or amalgamate the following funding programs:

- Community Funding Program (amalgamate program and funds) (\$77,500).
- Sports Development Program (amalgamate program and funds) (\$115,000).
- Joondalup Sporting Achievement Grants (cease program and amalgamate funds) (\$46,000).
- Recognition of Community and Sporting Groups Fund (cease program and amalgamate funds) (\$24,000).

The budgeted funds for these programs (approximately \$192,500 in 2021-22) are proposed to be rolled into a new Community Funding Program. This new funding program would be open to a wider range of local community groups, aiming to be more accessible and competitive, ensuring successful grant applications provide best value for money for the community.

It should be noted that this proposal would result in ceasing the current Joondalup Sporting Achievement Grant and the Recognition of Community and Sporting Groups Fund in their entirety, while the previous Community Funding Program and Sports Development Program will be delivered within the proposed new Community Funding Program.

If supported, the current *Community Funding Policy* would be replaced with a new *Community Funding Program Policy* that reflects these changes.

#### Proposed *Community Funding Program Policy*

The City has prepared a draft *Community Funding Program Policy* that is intended to replace the existing *Community Funding Policy* and provide direction for the proposed Community Funding Program.

The proposed objective of the draft policy is to “support the delivery of community-initiated activities for the benefit of the City of Joondalup community”.

The key elements of the draft policy include funding priorities, eligibility, and approvals mechanisms.

#### *Funding Priorities*

The funding priorities will align with the City’s *Strategic Community Plan* and contribute to positive community outcomes. The proposed priorities are for projects that:

- strengthen community participation
- encourage connected communities
- promote healthy and active lifestyles
- build resilient and sustainable communities.

The priority areas will be one of the criteria used to determine grant application eligibility (eligible grants must address at least one of these priority areas). To determine the order in which to issue the grants to applicants, consideration will be given to how successfully the applicant has addressed the priority area in their application.

### *Funding Eligibility*

Applicants will need to provide evidence of eligibility as part of the application process. It is proposed that applicants must be:

- incorporated through the *Associations Incorporations Act 2015* (or other similar state or federal legislation)
- delivering a program, event or activity that benefits the City of Joondalup community.

Previous policies and grant programs have not been consistent or clear about eligibility criteria, especially in regard to what “not-for-profit” means. To address this, the City is proposing to use a new “incorporated entity” criteria. Being an incorporated entity requires a group to have been registered with and approved by the State Government as an organisation that does not return funds back to its members or stakeholders. This is considered the best legal definition of “not-for-profit”.

It is also proposed that applicants be required to provide evidence that their activity is benefitting the City of Joondalup community, irrespective of where the applicant is based or the level of their memberships. Previous grant programs required applicants to be based or located within the City of Joondalup.

The Sports Development Program required all applicants to have a name that reflects them being within the City of Joondalup local government area. In the past this requirement has contributed to applicants being ineligible to apply which has impacted on the delivery of valuable programs that would have benefitted the Joondalup community.

### *Funding Approval*

The approval to allocate funds for the new Community Funding Program is proposed to remain as per existing requirements. The Chief Executive Officer will approve applications for funding of up to and including \$10,000 (excluding GST), while applications for funding greater than \$10,000 (excluding GST) will require the approval of Council.

It is proposed that two rounds of the new Community Funding Program will be available each financial year. One round will open early in the financial year (July/August) and the second in the latter half of the financial year (February/March).

The new draft policy outlines that the Chief Executive Officer has the discretion to approve funding guidelines as deemed appropriate. This aligns with the existing *Community Funding Policy* that states, “*Funding guidelines will be determined from time to time in accordance with this policy at the discretion of the Chief Executive Officer*”.

### Comparison with other Local Governments

As a comparison, the City of Wanneroo provides a similar Community Funding Program with a total pool of funds of \$154,000. The City of Stirling’s Community Collaborations program has a total pool of funds of \$50,000.

### **Recognition of Community and Sporting Groups Policy**

As outlined previously, this Report recommends the cessation of the Recognition of Community and Sporting Groups program and policy.

The program provides limited benefits to the City and the community. The City has other programs in place that successfully acknowledges the efforts of community groups and volunteers, including civic functions, social media posts, and City publications. While it is noted that community groups do financially benefit from this program, the funds provided are essentially donations, with no restriction as to what they are spent on, nor is there a requirement to acquit the money.

### **Joondalup Sporting Achievement Grant**

As outlined previously, it is recommended to cease this program and re-purpose its current operational budget into the proposed new consolidated Community Funding Program.

The program is the only funding program the City provides that is not only operated as an “as right” grant (that is, if you meet the eligibility criteria you are eligible to receive the funds) but that also provides direct funding to individuals.

The funding of individual athletes, irrespective of their age or function is not a core role of local government and does not provide any additional connection to the increase in physical activity or connection to local communities.

Should Council support cessation of this program, it should be noted that young athletes are already supported via the Federal Government’s Local Sporting Champion Program which provides between \$500 to \$750 for athletes travelling to competitions. This program is administered locally by Federal Members of Parliament.

While the City (and local government in general) does have a role to play in supporting the development of sporting opportunities, young people and people with disabilities, this is addressed in other programs and activities and does not require the convergence of these unique challenges to be addressed by a specific funding program such as the JSAG.

### **Small Community Group Incorporation Grants**

This program is proposed to continue as an operational activity.

The program is not currently listed within any funding policy and it is not proposed that it be included in any of the proposed new policies.

Providing small grants to non-incorporated groups to become incorporated provides significant value and benefits the City and the Joondalup community.

### **City of Joondalup Youth Awards**

It is proposed that the City of Joondalup Youth Awards continue in their current format.

The program is well subscribed, and the objectives continue to meet the needs of the community and the City.

The program is not currently listed within any funding policy and it is not proposed that it be included in any of the proposed new policies.

### **Friends Groups Special Purpose Grants**

It is proposed that the Friends Groups Special Purpose Grants continue in their current format. The program is well subscribed, and the objectives still meet the needs of the community and the City.

The program is not currently listed within any funding policy and it is not proposed that it be included in any of the proposed new policies.

### **Mural Arts Program**

It is proposed that the Mural Arts Program will continue in its current format of supporting artist or community driven murals.

The program is well subscribed, and the objectives still meet the needs of the community and the City.

While the Mural Arts Program is listed within the current *Community Funding Policy*, it is not proposed to include or list this program in either of the two proposed new policies.

The Mural Arts Program will continue to be managed operationally by the City.

### Arts Development Program

It is proposed that the Arts Development Program will continue in its current format.

While the program is listed within the current *Community Funding Policy*, it has not been listed in the draft *Community Funding Program Policy* which will focus solely on the Community Funding Program.

It is therefore recommended that Council supports the establishment of a stand-alone *Arts Development Scheme Policy*.

This new draft policy has an objective to “support the development of new audiences in the Joondalup area through attraction of professional performing arts companies to the City of Joondalup for performances and workshops”. It aligns with the recently adopted *Cultural Plan*, specifically the aspirational outcome “The community is empowered to lead the delivery of cultural programming”.

The proposed new *Arts Development Scheme Policy* is provided for consideration (Attachment 4 refers).

### Summary of Proposed Changes

Fund / Grant Name	Proposed change to Fund / Grant	Proposed change to Fund / Grant budget	Proposed change to Policy
Community Funding Program	Continue – new format	Amalgamate into new Community Funding Program	Revoke current <i>Community Funding Policy</i> and incorporate in new Community Funding Program Policy
Sports Development Program	Continue – new format		
Joondalup Sports Achievement Grant	Cease		
Recognition of Community and Sporting Groups Fund	Cease		
Small Community Group Incorporation Grants	Continue – current format	No impact	Operational Not currently listed in any Policy – No Change
City of Joondalup Youth Awards	Continue – current format	No impact	Operational Not currently listed in any Policy – No Change
Arts Development Scheme	Continue – current format	No impact	Currently listed in <i>Community Funding Policy</i> . Proposed to be extracted and governed under new Arts Development Scheme Policy
Mural Arts Program	Continue – current format	No impact	Currently listed in <i>Community Funding Policy</i> . Proposed to be extracted and delivered operationally
Small Community Group Incorporation Grants	Continue – current format	No impact	Operational Not currently listed in any Policy – No Change
Friends Groups Special Purpose Grants	Continue – current format	No impact	Operational Not currently listed in any Policy – No Change

**Legislation / Strategic Community Plan / Policy Implications**

**Legislation** Not applicable.

**Strategic Community Plan**

**Key theme** Community Wellbeing.

**Objective** Community spirit. To have proud and active residents who participate in local activities and services for the betterment of the community.

**Strategic initiative** Promote the sustainable management of local organisations and community groups.

**Policy** *Community Funding Policy.*  
*Recognition of Community and Sporting Groups Policy.*

**Risk Management Considerations**

Any change to funding schemes has a risk of adverse reactions from the groups and individuals potentially affected. The review does not propose to reduce the value of grants provided to the community, but to re-distribute the current level of funding into one pool of funds to maximise community benefit. By providing access to a combined larger pool of funds there is the potential for the funding program to be accessed by a greater number of community groups, based on fair and equitable criteria.

**Financial / Budget Implications**

It is proposed to retain all of the current fund amounts, while amalgamating the budget amounts from the Community Funding Program, Sports Development Program, Joondalup Sports Achievement Grant, and Recognition of Community and Sporting Groups Fund into the new Community Funding Program. Within the recently approved 2021-22 Budget all currently on-hold funding programs have retained their full budget amounts, therefore, there is no expected impact on current or future budgets.

**Regional Significance**

Not applicable.

**Sustainability Implications**

The proposed Community Funding Program includes a funding priority to build resilient and sustainable communities. Local organisations and community groups can benefit from funding opportunities to undertake sustainability initiatives.

**Consultation**

Not applicable.

**COMMENT**

Should Council endorse the recommendations as presented, it is considered that the City would finalise development of the funding guidelines in late 2021 and prepare for the launch of the new Community Funding Program in early 2022, allowing the first round of funding of the new program to occur in the second half of the 2021-22 financial year.

## VOTING REQUIREMENTS

Simple Majority.

## OFFICER'S RECOMMENDATION

That Council:

- 1 NOTES the outcomes of the review of the City of Joondalup funding programs and policies, and the recommended changes to the City's funding programs as detailed in this Report;
- 2 REVOKES the current *Community Funding Policy* and *Recognition of Community and Sporting Groups Policy* as detailed in Attachments 1 and 2 to this Report;
- 3 ADOPTS the new *Community Funding Program Policy* and *Arts Development Scheme Policy*, as detailed in Attachments 3 and 4 to this Report.

**MOVED Cr Hollywood, SECONDED Mayor Jacob that Council:**

- 1 **NOTES the outcomes of the review of the City of Joondalup funding programs and policies, and the recommended changes to the City's funding programs as detailed in this Report;**
- 2 **REVOKES the current *Community Funding Policy* and *Recognition of Community and Sporting Groups Policy* as detailed in Attachments 1 and 2 to this Report;**
- 3 **ADOPTS the new *Community Funding Program Policy* and *Arts Development Scheme Policy*, as detailed in Attachments 3 and 4 to this Report;**
- 4 **LISTS FOR CONSIDERATION as part of the mid-year budget review deliberations, the amount of funding to be allocated under the new grants scheme.**

**The Motion was Put and**

**CARRIED (7/0)**

**In favour of the Motion:** Cr Hamilton-Prime, Mayor Jacob, Crs Chester, Fishwick, Hollywood, Jones and May.

*Appendix 4 refers*

To access this attachment on electronic document, click here: [Attach4agnPOLICY210802.pdf](#)



## ITEM 5 APPOINTMENT OF AN ACTING OR TEMPORARY CHIEF EXECUTIVE OFFICER POLICY

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Jamie Parry Director Governance and Strategy
<b>FILE NUMBERS</b>	74574, 101515
<b>ATTACHMENTS</b>	Attachment 1 Draft <i>Appointment of an Acting or Temporary Chief Executive Officer Policy</i> . Attachment 2 City of Joondalup Delegation of Authority 1.6 Appointment of an Acting Chief Executive Officer.
<b>AUTHORITY / DISCRETION</b>	Legislative - includes the adoption of local laws, planning schemes and policies.

### PURPOSE

For Council to adopt a new *Appointment of an Acting or Temporary Chief Executive Officer Policy*.

### EXECUTIVE SUMMARY

Section 5.39C of the *Local Government Act 1995* provides that with regard to the temporary employment or appointment of Chief Executive Officer, "a local government must prepare and adopt\* a policy that sets out the process to be followed in relation to:

- (a) the employment of a person in the position of Chief Executive Officer for a term not exceeding 1 year;
- (b) the appointment of an employee to act in the position of Chief Executive Officer for a term not exceeding 1 year.

\* Absolute majority required"

A draft policy has been prepared as provided in Attachment 1 to this Report. The policy aligns with the current Delegation of Authority related to appointment of an Acting Chief Executive Officer.

*It is therefore recommended that Council BY AN ABSOLUTE MAJORITY ADOPTS the Appointment of an Acting or Temporary Chief Executive Officer Policy as detailed in Attachment 1 to this Report.*

## BACKGROUND

Section 5.39C of the *Local Government Act 1995* provides that with regard to the temporary employment or appointment of Chief Executive Officer, “a local government must prepare and adopt a policy that sets out the process to be followed in relation to:

- (a) *the employment of a person in the position of Chief Executive Officer for a term not exceeding 1 year;*
- (b) *the appointment of an employee to act in the position of Chief Executive Officer for a term not exceeding 1 year.*

*\* Absolute majority required.”*

The City has had a delegation in place since 11 October 2005 relating to the appointment of an Acting Chief Executive Officer. The Delegation was last reviewed by the Council at its meeting held 15 June 2021 (Item CJ079-06/21 refers).

The policy proposed fulfils the requirements of section 5.39C of the *Local Government Act 1995*.

## DETAILS

Section 5.39(1a)(a) of the *Local Government Act 1995* provides the following:

### **“5.39 Contracts for CEO and senior employees**

- 1(a)(a) *an employee may act in the position of a CEO or a senior employee for a term not exceeding one year without a written contract for the position in which he or she is acting.”*

Section 5.39C of the *Local Government Act 1995* provides the following:

### **“5.39C Policy for temporary employment or appointment of CEO**

- (1) *A local government must prepare and adopt\* a policy that sets out the process to be followed by the local government in relation to the following —*
  - (a) *the employment of a person in the position of CEO for a term not exceeding 1 year;*
  - (b) *the appointment of an employee to act in the position of CEO for a term not exceeding 1 year.**\* Absolute majority required.*
- (2) *A local government may amend\* the policy.*  
*\* Absolute majority required.*
- (3) *When preparing the policy or an amendment to the policy, the local government must comply with any prescribed requirements relating to the form or content of a policy under this section.*
- (4) *The CEO must publish an up-to-date version of the policy on the local government’s official website.”*

A draft policy has been prepared as required by the legislation and is provided in Attachment 1 to this Report.

**Legislation / Strategic Community Plan / Policy Implications**

**Legislation** Sections 5.39(1a)(a) and 5.39C of the *Local Government Act 1995*.

**Strategic Community Plan**

**Key theme** Governance and Leadership.

**Objective** Corporate capacity.

**Strategic initiative** Maintain a highly-skilled and effective workforce.

**Policy** Delegation of Authority 1.6 - Appointment of an Acting Chief Executive Officer.

**Risk Management Considerations**

Council currently has a delegation of authority in place for the appointment of an acting Chief Executive Officer.

The proposed policy sets out the process to be followed in relation to:

- a the employment of a person in the position of Chief Executive Officer for a term not exceeding one year
- b the appointment of an employee to act in the position of Chief Executive Officer for a term not exceeding one year.

Adoption of the policy reduces the risk of the City not having a process in place for appointment of an acting or temporary Chief Executive Officer.

**Financial / Budget Implications**

Not applicable.

**Regional Significance**

Not applicable.

**Sustainability Implications**

Not applicable.

**Consultation**

Not applicable.

**COMMENT**

The proposed policy has been prepared to comply with the provisions of section 5.39C of the *Local Government Act 1995* in regard to the appointment of an acting Chief Executive Officer or temporary Chief Executive Officer.

## VOTING REQUIREMENTS

Absolute Majority.

**MOVED Cr Jones, SECONDED Cr May that Council BY AN ABSOLUTE MAJORITY ADOPTS the *Appointment of an Acting or Temporary Chief Executive Officer Policy* as detailed in Attachment 1 to this Report.**

**The Motion was Put and**

**CARRIED (7/0)**

**In favour of the Motion:** Cr Hamilton-Prime, Mayor Jacob, Crs Chester, Fishwick, Hollywood, Jones and May.

*Appendix 5 refers*

*To access this attachment on electronic document, click here: [Attach5agnPOLICY210802.pdf](#)*

## ITEM 6 REVIEW OF THE COMMUNITY ART EXHIBITION

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Mat Humfrey Corporate Services
<b>FILE NUMBER</b>	109180, 101515
<b>ATTACHMENTS</b>	Nil
<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

### PURPOSE

For Council to review the terms and conditions of its annual Community Art Exhibition (CAE).

### EXECUTIVE SUMMARY

The CAE is an annual art exhibition open to artists who are residents / ratepayers of the City of Joondalup or members of local not-for-profit visual arts' associations based within the City of Joondalup. The exhibition aims to promote and support local arts and culture by providing an opportunity for artists from the community to extend their networks and promote their practice by exhibiting and selling their artwork to the general public. It is a popular event in the City's annual Cultural Services calendar.

Held in June at Lakeside Joondalup Shopping City since 1998, the CAE exhibition has been situated for the majority of these years in the Great Space; the busiest and most commercial area of the centre. It attracts over 11,000 visitors to the exhibition over a three-week period each year.

In 2014 and 2018, Council reviewed the CAE and made changes to the terms and conditions. The CAE is well received and operated in a professional manner, however as it has been three years since the last review it is timely another review is undertaken.

It is therefore recommended that the following changes be made:

- Due to the changing nature of traditional media, and a shift away from media categories in art exhibitions (as per City's Invitation Art Prize) it is recommended that prizes based on categories be discontinued, and replaced with the following revised awards (this will see a modest rise in total prize money allocated for the CAE of \$2,250, noting that prize money has not been increased for many years):
 

-	Most Outstanding Artwork	\$ 4,000
-	Highly Commended	\$ 1,500
-	Celebrating Joondalup	\$ 1,500
-	Arts <i>in focus</i>	\$ 1,500
-	Student Award	\$ 750
-	Popular Choice	\$ 500

- Due to challenges with inclement weather during the month of June (venue leaking) and the confusion with having a call for entries for both City art awards being open at the same time, it is recommended that the CAE be held during the months of March and April.
- The current terms and conditions do not specify the age range for the Student Award. It is recommended that for clarity reasons it be limited to students aged 12 to 18 years of age.
- Artists entering the CAE must either be a resident / ratepayer of the City of Joondalup or a member of an arts association that has its primary base within the City. Non-residents make up on average around 30% of entries. It is proposed to retain the Celebrating Joondalup Award however a change is recommended to restrict criteria for this award to Joondalup residents / ratepayers only as it is appropriate that this prize is awarded to a resident of the City.

## BACKGROUND

The CAE is an annual art exhibition open to all residents / ratepayers and members of local visual arts' associations. It has been managed by the City for many years (1998) and is a very popular event in the City's annual calendar of cultural events.

The exhibition's main aim is to promote and support local artists from their community to extend their networks and promote their practice by exhibiting and selling their artwork to the public.

At its meeting held on 21 October 2014 (CJ201-10/14 refers), Council resolved the following:

*"That Council:*

- 1 *AGREES to amend the Terms and Conditions of the Community Art Exhibition by:*
  - 1.1 *Increasing the Community Art Exhibition artwork size restriction to 100cm x 100cm (including frame) and three-dimensional artworks to a size of 100cm high x 100cm wide and x 100cm deep;*
  - 1.2 *Introducing a change to the Terms and Conditions to include an option for the City to limit entries to a maximum of 200; 1.3 Increase the Community Art Exhibition price restriction to \$2,000;*
- 2 *REQUESTS a further report following the 2017 Community Art Exhibition that evaluates the amendments made in Part 1 above."*

At its meeting held on 26 June 2018 (CJ108-06/18 refers), Council resolved the following:

*"That Council AGREES:*

- 1 *to continue with the stipulated Terms and Conditions for size, price restrictions and limitation of the entries displayed in the Community Art Exhibition;*
- 2 *that the Textiles and Photomedia categories are merged to become the Mixed Media Category \$1,000 prize from 2019 onwards;*
- 3 *a new category 'Youth Photography' is included for online display only and that the Community Art Exhibition judges nominate the winner for a \$250 prize."*

As a result of it being a few years since the last review it is timely to again review the terms and conditions and make adjustments accordingly.

## DETAILS

The CAE is held in June of each year and is held in the Great Space of Lakeside Joondalup Shopping City with an excess of 11,000 visitors through the area. It is not restricted to any medium or theme, it offers non-acquisitive prizes across several categories and attracts on average, in excess of 150 entries.

### Issues and Options Considered

#### Categories and Prizes

Council as part of its review in 2018 made minor changes to the categories (merged the Textiles and Photomedia to be renamed Mixed Media, and a youth photography category was introduced).

The following table depicts the categories, number of entries per category and the amount of prize money offered:

Category	2017	2018	2019	2020	2021	Prize Amount (2021)
Most Outstanding Work**						\$1,500
Works on Paper	30	25	24	36	39	\$1,000
Painting	114	75	83	92	119	\$1,000
Three Dimensional	11	6	10	15	8	\$1,000
Textiles	5	3				
Photomedia	14	6				
Mixed Media			18	27	24	\$1,000
Arts <i>in focus</i>	95	22	12	10	15	\$500
Celebrating Joondalup	31	33	25	27	24	\$250
Popular Choice	174	153	135	179	188	\$500
Student Photography Award			18	9	6	\$250 voucher
Student Award	8	10	5	12	8	\$250 voucher

\*\* All entries are eligible for the most outstanding works prize.

Except for the changes to the categories in 2014, the prize amounts and categories have remained in place for a number of years.

Due to the changing nature of traditional media, there is a shift away from media categories in art awards / exhibitions across the visual arts sector, particularly those coordinated by local governments. It is recommended that the current category prizes be replaced with the following:

- Most Outstanding Artwork \$ 4,000
- Highly Commended \$ 1,500
- Celebrating Joondalup \$ 1,500
- Arts *in focus* \$ 1,500
- Student Award \$ 750
- Popular Choice \$ 500

These prizes will bring them in line with formats operated by Cities of Melville and Belmont and the Town of Bassendean, also the City's Invitation Art Prize (IAP) judges across all media categories. Based on this principle, it is recommended that the Student Awards be combined as one.

These changes will also see a moderate increase in total prize money offered by \$2,250.

In the past the recipient of the Arts *in focus* Award was afforded a professional development opportunity with a solo exhibition at the Joondalup Art Gallery (JAG) located within Central Walk. However, the City recently agreed not to renew the lease of the facility on behalf of the Joondalup Community Arts Association (JCAA). The decision to close JAG compromised the City's ability to host a professionally curated solo show for the award winner and alternate venues have and will continue to be explored.

The City for the 2019 and 2020 Arts *in focus* Award winners utilised a pop-up venue in commercial premises to house the solo exhibition. It is recommended to retain this prize, with the offer of a solo exhibition to continue and the City will work the winner on a suitable location.

It is further recommended that the Celebrating Joondalup Award be restricted to residents / ratepayers of the City of Joondalup.

While not an award category, the City also selects an artist (based on recommendation from the judging panel) to commission a piece of artwork to be displayed on the City's Inside-Out Billboard located on the City of Joondalup Library. This is also recommended to continue.

### Dates of CAE

The CAE is held in June of each year, which has provided challenges:

- With the event being held during winter the venue leaks and this increases the risk of damage and the need to install safety measures such as slip mats which detracts from the exhibition.
- Entries for both the CAE and the City's Invitational Art Prize (IAP) are opened at around the same time which causes confusion amongst artists.

It is recommended that CAE be moved to be held in March / April of each year. This minimises the risk of wet weather, while also allowing for entries to be called early reducing the confusion between CAE and IAP.

For 2022 the following dates are proposed (these will vary slightly each year):

CAE Dates	Call for Entries	Start of Exhibition	VIP Event	Finish Date
2021	1 March to 30 April 2021	6 June 2021	5 June 2021	20 June 2021
Proposed (2022)	6 December 2021 to 4 February 2022	27 March 2022	26 March 2022	10 April 2022

### Entry requirements

The CAE has a few criteria that are to be met to be eligible for entry:

- All artists must be a resident / ratepayer of the City of Joondalup or a member of one of the community art associations that are based within the City of Joondalup.
- All artworks must not be greater than 1m<sup>2</sup> x 1m<sup>2</sup>.
- Due to capacity of venue, total artworks for the CAE are limited to 200.
- Price restriction for each artwork not to exceed \$2,000.

The size limits and the total number of artworks is to ensure that the event remains manageable given the constraints of the venue while also ensuring that the artworks are displayed in a respectful manner.



Over the last three CAE's, the total pieces of artwork entered averages 168, with an average of 30% from artists residing outside the City of Joondalup.

As part of the 2021 CAE, the City received five artworks that exceeded the size limit. In all cases each artist was offered the opportunity to submit an alternate piece that complied.

It is proposed that these entry requirements remain unchanged.

The terms and conditions of entry do not specify the age group for the Student Awards. It is proposed to clarify by stating the eligibility for the student award be restricted to between 12 and 18 years of age.

### **Legislation / Strategic Community Plan / Policy Implications**

**Legislation** Not applicable.

#### **Strategic Community Plan**

**Key theme** Community wellbeing.

**Objective** Cultural Development. For the community to have access to world-class cultural artistic events and facilities.

**Strategic initiative** Promote local opportunities for art development.

**Policy** Not applicable.

### **Risk Management Considerations**

Hosting such an event within a public shopping centre provides several challenges that would normally be mitigated within a professional gallery environment. These are managed through a well-developed risk management plan.

### **Financial / Budget Implications**

The 2021-22 annual budget contains an amount of \$65,210 to host the next CAE.

### **Regional Significance**

While the CAE is primarily focussed on developing artists locally, the statistics show an average of 30% of the exhibitors reside outside the City therefore the event has an interest from beyond the City of Joondalup's boundaries.

The on-going provision of an accessible and high-calibre art event is integral to the cultural development and vibrancy of the City of Joondalup and for the development of visual arts within the industry of local government. The CAE attracts community artists and is an important cultural event held by the City in the northern corridor.

### **Sustainability Implications**

#### Environmental

Art strengthens the public realm by creating points of interest, animating spaces and providing beauty, character and colour to place.

#### Social

The relevance of the City's cultural position increases the value of the City's cultural resources.

## Economic

Art is a driver for cultural tourism.

### **Consultation**

Each CAE provides the opportunity for artists and attendees to provide feedback.

### **COMMENT**

The visual arts form an important part of the cultural and economic development of the Joondalup region. While the IAP hosted in October of each year caters for professional artists and fosters the growth of the City's art collection, the CAE contributes to the Joondalup community's sense of wellbeing through the promotion and support of local arts and culture, culminating in a showcase exhibition operated to a professional standard.

The CAE is a well run and popular event on the City's cultural event calendar. The proposed changes are minor in nature while maintaining the overall objective of the exhibition.

### **VOTING REQUIREMENTS**

Simple Majority.

*Mayor Jacob left the room at 7.10pm and returned at 7.13pm.*

### **OFFICER'S RECOMMENDATION**

That Council:

- 1 AGREES to host the annual Community Art Exhibition during the months of March and April of each year;
- 2 DELETES the current prize categories, and replaces them with the following:

2.1	Most Outstanding Artwork	\$ 4,000;
2.2	Highly Commended	\$ 1,500;
2.3	Celebrating Joondalup	\$ 1,500;
2.4	Arts <i>in focus</i>	\$ 1,500;
2.5	Student Award	\$ 750;
2.6	Popular Choice	\$ 500;
- 3 AGREES to include in the terms and conditions of the Community Art Exhibition that to be eligible for the Student Awards, entrants are to be aged between 12 and 18 years of age;
- 4 AGREES that the 'Celebrating Joondalup Award' be restricted to residents and / or ratepayers of the City of Joondalup.

**MOVED Cr May, SECONDED Cr Jones that Council:**

- 1 **AGREES to host the annual Community Art Exhibition during the months of March and April of each year;**
- 2 **DELETES the current prize categories, and replaces them with the following:**
  - 2.1 **Most Outstanding Artwork \$ 4,000;**
  - 2.2 **Highly Commended \$ 1,500;**
  - 2.3 **Celebrating Joondalup \$ 1,500;**
  - 2.4 **Arts *in focus* \$ 1,500;**
  - 2.5 **Student Award \$ 750;**
  - 2.6 **Popular Choice \$ 500;**
- 3 **AGREES to include in the terms and conditions of the Community Art Exhibition that to be eligible for the Student Awards, entrants are 18 years of age or younger;**
- 4 **AGREES that the 'Celebrating Joondalup Award' be restricted to residents and / or ratepayers of the City of Joondalup.**

**The Motion was Put and****CARRIED (4/3)****In favour of the Motion:** Crs Hamilton-Prime, Chester, Jones and May.**Against the Motion:** Mayor Jacob, Crs Fishwick and Hollywood.

## **URGENT BUSINESS**

Nil

## **MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

## **REQUESTS FOR REPORTS FOR FUTURE CONSIDERATION**

Nil

## **CLOSURE**

There being no further business, the Presiding Member declared the Meeting closed at 7.23pm the following Committee Members being present at that time:

CR CHRISTINE HAMILTON-PRIME, JP  
MAYOR ALBERT JACOB, JP  
CR KERRY HOLLYWOOD  
CR CHRISTOPHER MAY  
CR NIGE JONES  
CR RUSS FISHWICK, JP  
CR JOHN CHESTER