City of Rockingham

MINUTES

Corporate & Engineering Services Standing Committee Meeting

Held on

Tuesday 19 July 2011

4:00pm

Council Boardroom
Council Administration Building
Civic Boulevard, Rockingham
City of Rockingham
Corporate & Engineering Services
Standing Committee Meeting
4:00pm Tuesday 19 July 2011

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14. **Addendum Agenda**
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19. **Date and Time of Next Meeting**
20. **Closure**
City of Rockingham
Corporate & Engineering Services
Standing Committee Meeting
4:00pm Tuesday 19 July 2011

MINUTES

1. Declaration of Opening

The Chairman declared the Corporate and Engineering Services Standing Committee Meeting open at 4:04pm and welcomed all present.

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

<table>
<thead>
<tr>
<th>2.1 Councillors</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cr Barry Sammels</td>
</tr>
<tr>
<td>Cr Lorraine Dunkling</td>
</tr>
<tr>
<td>Cr Paul Ellis</td>
</tr>
<tr>
<td>Cr Richard Smith</td>
</tr>
</tbody>
</table>

| Deputising for Cr Deb Hamblin |

<table>
<thead>
<tr>
<th>2.2 Executive</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr Andrew Hammond</td>
</tr>
<tr>
<td>Mr Chris Thompson</td>
</tr>
<tr>
<td>Mr Ian Daniels</td>
</tr>
<tr>
<td>Mr Cadell Buss</td>
</tr>
<tr>
<td>Mr Allan Moles</td>
</tr>
<tr>
<td>Mr Gary Rogers</td>
</tr>
<tr>
<td>Mr Ned Fimmano</td>
</tr>
<tr>
<td>Ms Sue Langley</td>
</tr>
</tbody>
</table>

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<thead>
<tr>
<th>Members of the Public: 2</th>
</tr>
</thead>
</table>

| Press: Nil               |

CONFIRMED AT A CORPORATE & ENGINEERING SERVICES MEETING HELD ON TUESDAY, 16 AUGUST 2011

PRESIDING MEMBER
2.3 Apologies:

Cr Deb Hamblin

Mr John Pearson Director Corporate Services

2.4 Approved Leave of Absence: Nil

3. Responses to Previous Public Questions Taken on Notice

Nil

4. Public Question Time

4.1 Mr Andre Zaugg, Warnbro - Installation of roundabout at the intersection of Gamble and Currie Streets, Warnbro

The Mayor invited Mr Zaugg to present his questions to the Corporate & Engineering Services Standing Committee. Mr Zaugg asked the following questions:

1. Why were the affected owners not notified within a suitable timeframe as required under section 3.51 of the Local Government Act 1995? Second to this, why was there no reasonable time for submissions to be made?

Mr Thompson, Director Engineering & Parks Services advised that letters were hand delivered the previous week to residents. Due to the 2011/12 budget only recently being adopted and another project unable to be progressed due to weather, work was commenced at the Gamble and Currie Streets roundabout as it fitted into the timeframe.

4:09pm Mr Gary Rogers attended the Corporate and Engineering Services Committee meeting.

2. Why was the location of Gamble and Currie Streets chosen over alternative sites – namely the dangerous intersection of Kingsbridge and Currie Streets – as previously discussed by Council?

The Mayor advised that there has been two fatalities at this location and numerous accounts of anti-social behaviour.

Mr Ian Daniels, Manager Engineering Services, advised that a study had been undertaken for the intersection at Kingsbridge and Currie Streets and it was reported that it would be too difficult to construct a roundabout at that intersection.

3. Why was a large roundabout structure chosen as the preferred traffic calming method over alternatives, such as slowpoints, chicanes and speedbumps?

Mr Daniels advised that due to this being a bus route it was chosen as the best possible solution to slow vehicles down in this area.
4. Was the safety of the residents of 116 Currie Street considered in the design plans with said residents now having a driveway exit directly into the entrance to the roundabout? Another safety concern of the tenants (and owner) is bringing the road 7 metres closer to the master bedroom - with an approximate gap of 4 to 5 metres being proposed, is this deemed sufficient space for both safety, noise and light intrusion in the house?

The Mayor advised that safety is always taken into consideration and acknowledges that it does bring the road slightly closer and that the Council would look at ways to work through various options to lessen the impact and absorb noise and light.

5. On being notified of concerns from affected residents via both phone and email on Monday 18 July 2011, and with the matter to be addressed at the meeting of the Corporate and Engineering Services Committee on 19 July 2011 at 4pm, why did work commence at 8am on the morning of the 19 July 2011?

Mr Thompson advised that there was no alternative location and that the roundabout at Gamble and Currie Streets had already been identified by consultants.

Mr Thompson also advised that Mr Daniels would liaise with Mr Zaugg to arrange an on-site meeting with the residents as soon as possible to discuss all concerns.

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5. **Confirmation of Minutes of the Previous Corporate and Engineering Services Standing Committee Meeting**

Moved Cr Dunkling, seconded Cr Ellis:

That Council:

1. _CONFIRM_ the Minutes of the Corporate & Engineering Services Standing Committee Meeting held on 21 June 2011, as a true and accurate record.

2. _CONFIRM_ the Minutes of the Special Corporate & Engineering Services Standing Committee Meeting held on 28 June 2011, as a true and accurate record.

Committee Voting - 4/0

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6. **Matters Arising from the Previous Corporate and Engineering Services Standing Committee Meeting Minutes**

Nil

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7. **Announcement by the Presiding Person without Discussion**

The Chairman announced to all present that decisions made at Committees of Council are recommendations only and may be adopted in full, amended or deferred when presented for consideration at the next Council meeting.

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8. **Declarations of Members and Officers Interests**

Nil

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9. **Petitions/ Deputations/ Presentations/ Submissions**

Nil
## 10. Matters for which the Meeting may be Closed

Nil

## 11. Bulletin Items

### Corporate & Executive Services Information Bulletin - July 2011

**Corporate Services**
1. Corporate Services Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 Re-engineering of Management Reports
   3.2 Authority Informix to SQL Conversion
   3.3 Minutes and Agenda Software
   3.4 Customer Request Management System
   3.5 Facilities Booking System
   3.6 Mobile Computing (AIM) Licensing Fees
   3.7 Scanning Building Licence Applications
   3.8 Disaster Recovery Solution
4. Information Items

**Executive Services**
1. Executive Services Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 Review of City of Rockingham Local Laws
   3.2 New Format for Council Agendas, Minutes & Reports
   3.3 Review of all Council Policies
   3.4 Review of Delegated Authority to Chief Executive Officer
4. Information Items
   4.1 Minor Donations – Delegation of Authority to the Chief Executive Officer
   4.2 Fire Attendance by COR Appliances & Crews
   4.3 Emergency Management and Recovery
   4.4 Newsletter – National Sea Change Taskforce

**Human Resources**
1. Human Resources Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 Employee Health & Wellbeing Programme
   3.2 Corporate Training Programme
   3.3 Advanced Diploma of Management
   3.4 Leadership & Management Programme
   3.5 Elected Member Training Programme
4. Information Items

**Economic Development**
1. Economic Development Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 Printing and Graphic Design Services Tender
   3.2 Leadership Forum
   3.3 Media and Public Relations Strategy
   3.4 Global Friendship Activity Database

4. Information Items
   4.1 Marketing Approvals
   4.2 Media Tracking for June 2011

### Strategy Coordination
1. Strategy Coordination Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 Development and implementation of a Community Plan
4. Information Items
   4.1 Establishing linkages between the Community Plan, the Specific Purpose Plans and the Team Plans
   4.2 2011 Customer Satisfaction Survey
   4.3 Co-ordinating the development of a 10 year infrastructure plan
   4.4 Co-ordinating the development and implementation of a Development Contribution Scheme
   4.5 Operational Team Plans
   4.6 New Ideas Incentive Scheme
   4.7 City Scoreboard
   4.8 Climate Change Response Plan
   4.10 Other Initiatives Managed by the Strategy Co-ordination Group

**Committee Recommendation:**
That Councillors acknowledge having read the Corporate and Executive Services Information Bulletin – July 2011 and the contents be accepted.

Committee Voting - 4/0

### Engineering & Parks Services Information Bulletin – July 2011

**Engineering Services**
1. Engineering Services Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 Stormwater Drainage Investigations (Smart Village South)
4. Information Items
   4.1 Delegated Authority for approval of Engineering Drawings - Subdivisions
   4.2 Delegated Authority for acceptance of As-Constructed Engineering Drawings - Subdivisions
   4.3 Delegated Authority to approve the release of Cash Bonds for private subdivisional works
   4.4 Delegated Authority for approval of requests for installation of street lighting
   4.5 Delegated Authority for approval of requests for installation of Directional Signs
   4.6 Delegated Authority for approval of Memorial Seating
   4.7 Delegated Authority for Thoroughfare Closures
4.8 Delegated Authority for the payment of Crossover Subsidies
4.9 Mundijong Road Extension (Auslink Funded)
4.10 Footpath Construction and Replacement Program 2011/12
4.11 Local area Traffic Management and Road Safety Design Projects 2010/11
4.12 Handover of Subdivisional Roads

**Engineering Operations**

1. Engineering Operations Team Overview
2. Human Resource Update
3. Project Status Reports
4. Information Items
   4.1 Road Construction Program Roads to Recovery 2010/11
   4.2 Road Construction Program Main Roads Direct Grant 2010/11
   4.3 Road Construction Program Main Roads Grant 2010/11
   4.4 Road Construction Program Federal Black Spot 2010/11
   4.5 Road Construction Program State Black Spot 2010/11
   4.6 Road Construction Program Municipal Works 2010/11
   4.7 Underpass upgrade Municipal Works 2010/11
   4.8 Road Resurfacing Municipal Works 2010/11
   4.9 Road Maintenance Program 2010/11
   4.10 Quotation Q11/12-14 Installation of Brick Paving
   4.11 Light Vehicle Fleet Replacement Program 2010/2011
   4.12 Heavy Plant Replacement Program 2010/2011
   4.13 Light Commercial Vehicles Replacement Program 2010/2011
   4.14 Road Construction Program Roads to Recovery 2011/12
   4.15 Road Construction Program Main Roads Direct Grant 2011/12
   4.16 Road Construction Program Main Roads Grant 2011/12
   4.17 Road Construction Program Federal Black Spot 2011/12
   4.18 Road Construction Program State Black Spot 2011/12
   4.19 Road Construction Program Municipal Works 2011/12
   4.20 Road Resurfacing Municipal Works 2011/12
   4.21 Road Maintenance Program 2011/12
   4.22 Passenger Vehicle Fleet Program 2011/12
   4.23 Heavy Plant Program 2011/2012
   4.24 Light Commercial Vehicles Program 2011/2012

**Parks Services**

1. Parks Services Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 Warnbro Foreshore Car Park Shoring
   3.2 Kwinana Equestrian Beach Rehabilitation
4. Information Items
   4.1 Lennox Reserve POS development
   4.2 Surf Drive POS development
   4.3 Delegated Development Approvals

**Asset Management**

1. Asset Management Team Overview
2. Human Resource Update
<table>
<thead>
<tr>
<th>3. Project Status Reports</th>
</tr>
</thead>
<tbody>
<tr>
<td>3.1 Annual Playground Safety/Condition Audit</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>4. Information Items</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.1 Asset Management Improvement Strategy</td>
</tr>
<tr>
<td>4.2 Asset Management Systems</td>
</tr>
<tr>
<td>4.3 Lease Management</td>
</tr>
</tbody>
</table>

**Building Maintenance**

1. Building Maintenance Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 Challenger Lodge Acoustic Control
   3.2 Graffiti Management System Upgrade (Office of Crime Prevention Grant)
4. Information Items
   4.1 Building Maintenance
   4.2 Dismantling of Elanora House

**Capital Projects**

1. Capital Projects Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 Coastal Management Consultants (Sand Drift/Erosion Problems)
   3.2 Coastal Infrastructure Facilities Consultant (Jetties/Boat Ramp Planning)
   3.3 Lighting Consultants (Technical Planning/Designs, Underground Power Program)
   3.4 Major Project Property Development Planning (Design Modifications/Tender Planning/Structural Testing)
   3.5 Hymus Street Erosion Strategy
4. Information Items
   4.1 Delegated Successful Written Tender Notification
   4.2 Delegated Release of Retention/Bank Guarantee’s
   4.3 Palm Beach Underground Power Project
   4.4 Proposed Shoalwater North Underground Power Project
   4.5 2011 Public Area Lighting & Arterial Lighting
   4.6 Lark Hill Wind Turbine
   4.7 Waste Education Centre at Millar Road Landfill Facility
   4.8 Bent Street Boat Ramp Access
   4.9 Palm Beach Jetty
   4.10 Point Peron Boat Launching Facility
   4.11 Waikiki Foreshore Protection Works - RLGIP
   4.12 McLarty Hall Timber Flooring
   4.13 Challenger Court Carpet Replacement
   4.14 Hillman Hall Refurbishment
   4.15 Museum Roof Replacement
   4.16 Bert England Lodge Air-conditioning
   4.17 Wanneroo Recreation Centre
   4.18 Bert England Lodge Kitchen Renovations
   4.19 Laurie Stanford Reserve Toilet


| 4.20 | Rhonda Scarrott Skatepark, Golden Bay |
| 4.21 | Read Street & Rae Road, Rockingham - Traffic Light Signal Upgrade |
| 4.22 | Read Street & Chalgrove Avenue, Rockingham - Traffic Light Signal Upgrade |

**Waste & Landfill Services**

1. Waste & Landfill Services Team Overview
2. Human Resource Update
3. Project Status Reports
4. Information Items
   4.1 Waste kerbside collection
   4.2 240 litre bin service
   4.3 Waste kerbside collection
   4.4 Destroyed and Stolen Refuse Bins (Domestic Only)
   4.5 Waste kerbside collection
   4.6 Education / promotion
   4.7 Power station
   4.8 T11/12-28 Collection, transport and processing of co-mingled recyclable material

**Committee Recommendation:**

That Councillors acknowledge having read the Engineering and Parks Services Information Bulletin - July 2011 and the contents be accepted.

Committee Voting - 4/0

**12. Agenda items**
Corporate and Engineering Services
Corporate Services


File no: FLM/88
Proponent/s: Ms Vanisha Govender, Financial Accountant
Author: Ms Vanisha Govender, Financial Accountant
Other contributors: 
Date of Committee meeting: 19 July 2011
Previously before Council: 
Disclosure of interest: 
Nature of Council’s role in this matter: Executive Function

Site: 
Lot area: 
Maps/diagrams: 

1. Purpose of Report
To receive the monthly Financial Management Report for May 2011.

2. Background
Nil
3. **Details**

The monthly Financial Management Report includes the following:

1. Statement of Financial Activity by Program
2. Statement of Net Current Assets
3. Other schedules and charts for management information purposes.

4. **Implications to consider**

   a. **Consultation with the Community**
      
      N/A

   b. **Consultation with Government agencies**
      
      N/A

   c. **Strategic**
      
      Nil

   d. **Policy**
      
      Nil

   e. **Financial**
      
      Major variances (above $250,000) between budget estimates and actual results for the month to which the statement relates are shown in the supporting documentation.

   f. **Legal and Statutory**
      

5. **Comments**

The financial position at the end of June 2011 is anticipated to be better than predicted in the last Budget Review with further savings and increased revenue identified. A number of projects are also not expected to be completed by the end of June resulting in a surplus position of around $7 million.

6. **Voting requirements**

Simple Majority

7. **Officer recommendation**


8. **Committee Recommendation**


Committee Voting - 4/0
9. **The Committee’s Reason for Varying the Officer’s Recommendation**

Not applicable.

10. **Implications of the Changes to the Officer’s Recommendation**

Not applicable.
1. **Purpose of Report**

   To present a list of payments made under Delegated Authority for confirmation of Council.

2. **Background**

   Nil

3. **Details**

   Nil
4. **Implications to consider**

a. **Consultation with the Community**
   N/A

b. **Consultation with Government agencies**
   N/A

c. **Strategic**
   Nil

d. **Policy**
   Nil

e. **Financial**
   Nil

f. **Legal and Statutory**
   Regulation 13 (1) & (3) of the Local Government (Financial Management) Regulations 1996 requires a list of payments made under Delegated Authority to be prepared each month and presented to the Council at the next ordinary meeting of Council.

5. **Comments**

Nil

6. **Voting requirements**

Simple Majority

7. **Officer recommendation**

That Council **ACCEPT** the attached List of Payments for June 2011 totalling $13,461,094.40 paid under Delegated Authority, in accordance with Regulation 13 of the Local Government (Financial Management) Regulations 1996.

8. **Committee Recommendation**

That Council **ACCEPT** the attached List of Payments for June 2011 totalling $13,461,094.40 paid under Delegated Authority, in accordance with Regulation 13 of the Local Government (Financial Management) Regulations 1996.

   Committee Voting – 4/0

9. **The Committee’s Reason for Varying the Officer’s Recommendation**

Not applicable.

10. **Implications of the Changes to the Officer’s Recommendation**

Not applicable.
<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>CS-024/11</th>
<th>Change of Basis of Rates</th>
</tr>
</thead>
<tbody>
<tr>
<td>File no:</td>
<td>RTV/1-03</td>
<td></td>
</tr>
<tr>
<td>Proponent/s:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Author:</td>
<td>Ms A Gumina, Senior Rates Officer</td>
<td></td>
</tr>
<tr>
<td>Other contributors:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Date of Committee meeting:</td>
<td>19 July 2011</td>
<td></td>
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<tr>
<td>Previously before Council:</td>
<td></td>
<td></td>
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<tr>
<td>Disclosure of interest:</td>
<td></td>
<td></td>
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<tr>
<td>Nature of Council's role in this matter:</td>
<td>Executive Function</td>
<td></td>
</tr>
<tr>
<td>Site:</td>
<td>Lot 9011 on Diagram 70546</td>
<td></td>
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<tr>
<td>Lot area:</td>
<td></td>
<td></td>
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<tr>
<td>Attachments:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maps/diagrams:</td>
<td>Landgate Plan No. 70546</td>
<td></td>
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</tbody>
</table>
1. **Purpose of Report**

To seek Council’s authorisation to apply to the Minister for Local Government, seeking approval for a determination pursuant to Section 6.28 (1) of the Local Government Act 1995, to change the Basis of Rates from Unimproved Valuation (UV) to Gross Rental Valuation (GRV) for 49 residential lots in Baldivis.

2. **Background**

Council has been using Gross Rental Valuations in areas of land used predominantly for non-rural purposes since the 1987/88 financial year. In order to ensure that the rating methodologies applied within the City are equitable for properties with similar land characteristics in areas of land which have been sub-divided for development since the last determination was made by the Minister for Local Government, it is considered more appropriate to change the Basis of Rates for Unimproved Valuation (UV) to Gross Rental Valuation (GRV).

The large broad acre lot which has been sub-divided into smaller blocks is rated on UV basis, whereas sub-divided blocks which are classified as residential are more appropriate to be rated under the GRV basis. To change the Basis of Rating from UV to GRV, it is necessary to obtain the Minister’s approval prior to implementation.

3. **Details**

It is recommended that an application be made to the Minister for Local Government to change the Basis of Rates for the 49 lots from UV to GRV method. It should be noted that if the Basis of Rates for the 49 properties is changed to the GRV method, their rates in most cases would be rated as minimum rated properties at the current rate of $599 per annum. The actual rate charge will depend on the period of rateability from the date of approval of the plans by the Western Australian Planning Commission. From that date to the approval of the change of Basis of Rates to GRV by the Minister, the relevant properties will be rated under the UV basis, and GRV basis from that date onwards.

Areas of land covered by the 49 lots, proposed for change from the Unimproved Valuation District to the Gross Rental Value District are shown in the approved Diagram of Survey listed below.

<table>
<thead>
<tr>
<th>Plan No.</th>
<th>No. of Blocks</th>
<th>Former Tenure</th>
</tr>
</thead>
<tbody>
<tr>
<td>70546</td>
<td>49</td>
<td>Lot 9011, Baldivis</td>
</tr>
</tbody>
</table>

4. **Implications to consider**

a. **Consultation with the Community**
   
   N/A

b. **Consultation with Government agencies**
   
   N/A

c. **Strategic**
   
   Nil

d. **Policy**
   
   Nil
e. **Financial**

If Council adopts the recommendation contained in this report, the 49 individual lots will cease to be rated under the UV basis as from the date of Ministerial approval and will be rated under the GRV basis from that date onwards.

f. **Legal and Statutory**

Section 6.28(1) of the Local Government Act 1995 - Basis of Rates

<table>
<thead>
<tr>
<th>5. <strong>Comments</strong></th>
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<tr>
<td>Nil</td>
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<tr>
<th>6. <strong>Voting requirements</strong></th>
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<tbody>
<tr>
<td>Simple Majority</td>
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<tr>
<th>7. <strong>Officer recommendation</strong></th>
</tr>
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The Council REQUEST the Minister for Local Government approve, pursuant to Section 6.28(1) of the Local Government Act 1995, to include all land shown on the approved Diagram of Survey as listed below within the Gross Rental Valuations boundary and rated on GRV basis, to be effective from the date of ministerial approval.

<table>
<thead>
<tr>
<th>Plan No.</th>
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<tr>
<th>8. <strong>Committee Recommendation</strong></th>
</tr>
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</table>

The Council:

1. REQUEST the Minister for Local Government approve, pursuant to Section 6.28(1) of the Local Government Act 1995, to include all land shown on the approved Diagram of Survey as listed below within the Gross Rental Valuations boundary and rated on GRV basis, to be effective from the date of ministerial approval.

<table>
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2. Matters relating to the change of basis of rates be REPORTED in the Information Bulletins along with appropriate cartography.

Committee Voting - 4/0

<table>
<thead>
<tr>
<th>9. <strong>The Committee’s Reason for Varying the Officer’s Recommendation</strong></th>
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</table>

The Committee changed the Officer's Recommendation to allow any reporting on the change of basis of rates to be included in the monthly Information Bulletins.

<table>
<thead>
<tr>
<th>10. <strong>Implications of the Changes to the Officer’s Recommendation</strong></th>
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Not applicable.
### Purpose of Report

Council consideration of closing the Administration Office over the Christmas/New Year period 2011/12.

### Background

In 2001 Council resolved to close the Administration Office for three normal working days over the 2001/2002 Christmas/New Year period, being the additional paid leave day specified in the Local Government Officers’ (WA) Award for New Year and staff taking approved accrued RDO’s, annual leave or leave without pay for the remaining two days.
Except for 2003/04 when it remained open, the office has been subsequently closed over the Christmas/New Year period since that time.

Statistics kept during 2003/04 when the office remained open, indicate that over the three days that the office would have otherwise been closed (from 29 to 31 December 2003), a total of 205 customers had visited the Administration Building. This figure compares to the estimated customers during normal periods of between 120 and 140 per day, or between 360 and 420 for the three-day period. No statistics are available for telephone calls received over this period.

3. Details

The matter of closing the office over the Christmas/New Year period for 2011/12 was discussed with the Chief Executive Officer and it was resolved, on behalf of the majority of staff, to recommend to Council that the office be closed from (inclusive dates) Monday, 26 December 2011 to Monday, 2 January 2012 – reopening on Tuesday, 3 January 2012.

It was considered that closing the office over this period provides for an efficient mode for getting work done as it provides an opportunity for staff to relax over the festive season and return to work in the new year, refreshed to tackle the work at hand.

Clause 27.7.1 of the Local Government Officers (WA) Award 1999 specifies that each employee is entitled to a day’s paid absence for the day following New Year’s Day (or the day following the day observed in lieu of New Years Day).

4. Implications to Consider

a. Consultation with the Community
   Advertisements will be placed in the local papers, Council website, notice board and Council libraries advising the dates that the office will be closed.

b. Consultation with Government Agencies
   N/A

c. Strategic
   Community Plan
   This item addresses the Community’s Vision for the future and specifically the following Aspiration/s contained in the Community Plan 2011:-

   **Aspiration 15:** Governance systems that ensure decision making and resource allocation is accountable, participative, legally and ethically compliant.

d. Policy
   Observance of Clause 16 of the Rockingham Enterprise Agreement 2005 concerning rostering of staff for the days following the New Year’s Day public holiday and the Boxing Day public holiday.

e. Financial
   Nil

f. Legal and Statutory
   Nil

5. Comments

The period between Christmas and New Year is traditionally a quiet time with a reduced demand for over the counter business and with supporting advertising, the Office closure in previous years has had minimal effect on customer service.
Should the office be closed for this period, Rangers/Security will continue to work on a roster basis and nominated staff will be available for emergency situations.

The additional Public Service Holiday to be taken on the next working day following New Year’s Day (i.e., 2 January 2012) must be taken on the 28 December, with the remaining two days (29, 30 December 2011) being taken as approved accrued RDO’s, annual leave or leave without pay.

Emergency and Planned Time Off (EPTO) as specified in the Enterprise Agreement would not be applicable for those two days nor will accrual of time under the provisions of the flexible working arrangement.

### 6. Voting Requirements

Simple Majority

### 7. Officer Recommendation

That Council **APPROVE** the closure of the Administration Office over the Christmas/New Year period from Wednesday, 28 December 2011, re-opening at 8:30am on Tuesday, 3 January 2012, with staff taking 28 December 2011 as the additional Public Service Holiday specified in the Local Government Officers’ (WA) Award for New Year and approved accrued RDO’s, annual leave or leave without pay for the remaining two days (29, 30 December 2011).

### 8. Committee Recommendation

That Council **APPROVE** the closure of the Administration Office over the Christmas/New Year period from Wednesday, 28 December 2011, re-opening at 8:30am on Tuesday, 3 January 2012, with staff taking 28 December 2011 as the additional Public Service Holiday specified in the Local Government Officers’ (WA) Award for New Year and approved accrued RDO’s, annual leave or leave without pay for the remaining two days (29, 30 December 2011).

Committee Voting – 4/0

### 9. The Committee’s Reason for Varying the Officer’s Recommendation

Not applicable.

### 10. Implications of the Changes to the Officer’s Recommendation

Not applicable.
Corporate & Engineering Services
Occasional & Advisory Committee Minutes
Executive Services

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>ES-024/10 Local Emergency Management Advisory Committee</th>
</tr>
</thead>
<tbody>
<tr>
<td>File no:</td>
<td>EMS/16-04</td>
</tr>
<tr>
<td>Proponent/s:</td>
<td>City of Rockingham Local Emergency Management Advisory Committee</td>
</tr>
<tr>
<td>Author:</td>
<td>Mr Ned Fimmano, Manager Executive Services</td>
</tr>
<tr>
<td>Other contributors:</td>
<td></td>
</tr>
<tr>
<td>Date of Committee meeting:</td>
<td>19 July 2011</td>
</tr>
<tr>
<td>Terms of Reference:</td>
<td>To formulate and oversee the City of Rockingham Emergency Management Plan.</td>
</tr>
<tr>
<td>Composition:</td>
<td>1 Councillor, 18 Community Members</td>
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<td>Executive Support: Executive Services Team</td>
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<tr>
<td>Disclosure of interest:</td>
<td>Executive Function</td>
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<td>Nature of Council’s role in this matter:</td>
<td></td>
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<tr>
<td>Attachments:</td>
<td>Minutes of the Local Emergency Management Advisory Committee dated Monday, 20 June 2011</td>
</tr>
<tr>
<td>Maps/diagrams:</td>
<td></td>
</tr>
</tbody>
</table>

1. **Receipt of Minutes**

That Council receive the minutes of the Local Emergency Management Committee meeting held on 20 June 2011 for information.

2. **Recommendations to Standing Committee**

2.1 **Recommendation 1: Business Continuity Plans**

Advisory Committee Recommendation:

That Council *adopt* a strategy to develop Business Continuity Plans for all service areas within the City of Rockingham to enable to continued provision of local government services to the community and aid any recovery process.
Implications to Consider

a. Strategic
   Community Plan
   This item addresses the Community’s Vision for the future and specifically the following Aspiration/s contained in the Community Plan 2011:-
   Aspiration 2: A safe community where residents feel secure, relaxed and comfortable within their home, work and social environments.

b. Policy
   Nil

c. Financial
   There are potentially significant costs associated with the development of Business Continuity Plans. The total cost will not be known until quotes have been obtained, however, it is anticipated that an amount of between $50-100,000 would be required to proceed with the development of Business Continuity Plans.

d. Legal and Statutory
   Nil

e. Voting Requirements
   Simple Majority

Officer Comments & Recommendation if Different to Committee Recommendation

Council cannot adopt a strategy to develop Business Continuity Plans until a draft strategy plan has been prepared and implemented.

The purpose of developing Business Continuity Plans is to ensure the continuation of Council’s business during and following any critical incident that results in disruption to Council’s normal operating capability.

Four key elements of Business Continuity Plans include the prevention, preparedness, response and recovery framework as follows:

- Prevention – Risk Management Planning
- Preparedness – Business Impact Analysis
- Response – Incident Response Planning
- Recovery – Recovery Planning

Business Continuity Planning is a collection of procedures and information which is developed, compiled and maintained in readiness for use in the event of an emergency or disaster.

The aim of the Business Continuity Plan is to ensure that the critical functions located at the Council Office and Depot are reinstated as soon as possible, ensuring an unbroken level of front line services, whilst full restoration is planned and implemented.

Put simply, Business Continuity is the process of planning to ensure that an organisation can survive an event that causes interruption to normal business processes and Council support is requested.

3. Officer Recommendation

That Council ENDORSE the concept of business continuity planning for the City of Rockingham to enable the continued provision of local government services in the event of an emergency or disaster and this matter be pursued via a Risk Management Project for the City.
4. **Committee Recommendation**

That Council:

1. **RECEIVE** the minutes of the Local Emergency Management Committee meeting held on 20 June 2011 for information.

2. **ENDORSE** the concept of business continuity planning for the City of Rockingham to enable the continued provision of local government services in the event of an emergency or disaster and this matter be pursued via a Risk Management Project for the City.

   Committee Voting - 4/0

5. **The Committee’s Reason for Varying the Officer’s Recommendation**

   Not applicable.

6. **Implications of the Changes to the Officer’s Recommendation**

   Not applicable.
Corporate and Engineering Services
Executive Services

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>ES-025/11 Extractive Industries Amendment Local Law 2011</th>
</tr>
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<tbody>
<tr>
<td>File No:</td>
<td>LWE/112</td>
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<tr>
<td>Proponent/s:</td>
<td></td>
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<tr>
<td>Author:</td>
<td>Ms Jelette Edwards, Governance Co-ordinator</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Mr Ned Fimmano, Manager Executive Services</td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>19 July 2011</td>
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<td>Nature of Council’s Role in this Matter:</td>
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</tr>
<tr>
<td>Maps/Diagrams:</td>
<td></td>
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</tbody>
</table>

1. **Purpose of Report**

To commence the local law process as set out in Section 3.12 of the *Local Government Act 1995* (the Act) for the proposed City of Rockingham Extractive Industries Amendment Local Law 2011.

2. **Background**

The City of Rockingham Extractive Industries Local Law 2000 was gazetted in the *Government Gazette* on 21 March 2001 and it has now been more than 10 years since adoption. As per section 3.16 of the Act, periodic reviews of local laws need to be conducted every 8 years.

At the 27 November 2007 Council Meeting an 8 year review of the City of Rockingham Local Laws was initiated, and a report on the review findings was presented to Council at the 27 February 2010 Council Meeting. The report identified that the Extractive Industries Local Law 2000 was one of the local laws that needed to be re-examined. The Extractive Industries Local Law has now been re-examined resulting in amendments needing to be made. The adoption of the amendments is now required in order to begin the local law process as set out in Section 3.12 of the Act.
3. **Details**

The re-examination period of the Extractive Industries Local Law revealed that the current local law is lacking consistency with the Western Australian Local Government Association (WALGA) Extractive Industries Model Local Law and the local laws from other metropolitan local governments. A summary of the amendments is listed below:

- addition of definitions for occupier, owner and person in clause 1.1;
- addition of occupier of land and written notification needed from the local government in clause 2.3(1);
- addition of clause regarding faces being safe and better sloped in 2.3(1)(c);
- addition of clause concerning geotechnical information in clause 2.3(1)(k);
- clarify wording of clause 3.1(1);
- change date of annual licence fee payment in clause 3.1(4)(a);
- addition of the word “and” in clause 3.1(4)(c);
- addition of clause to ensure a copy of public liability insurance is given to the local government in clause 3.1(4)(d);
- addition of clause in 3.1(4) regarding licensee having an agreement with local government to pay for extraordinary expenses incurred by the local government due to damage caused by licensee;
- renumber clauses 3.1(4)(q) and 3.1(4)(r) to clauses 3.1(4)(r) and 3.1(4)(s) respectively;
- change date of annual licence fee payment in clause 3.2;
- addition of wording to implement a time frame in clause 5.2(1);
- addition of clause regarding minimum clearance for water table as stipulated by the Department of Water in clause 6.1;
- deletion of clause 6.2, prohibitions;
- addition of new clause 6.2 regarding obligations of licensee;
- addition of clause 6.3 regarding prohibitions of licensee;
- renumber clause 6.3 regarding blasting to 6.4 regarding blasting;
- change public liability sum to $20,000,000 in clause 7.1(1);
- addition of Part 9 regarding modified penalties and forms;
- addition of a schedule for prescribed offences.

4. **Implications to Consider**

a. **Consultation with the Community**
   The proposed Extractive Industries Amendment Local Law 2011 will be published in the Weekend Courier, Sound Telegraph and the West Australian. Notices will also be placed on the website and at libraries inviting public comment.

b. **Consultation with Government Agencies**
   Consultation will take place with the Department of Local Government (DLG), the Western Australian Local Government Association (WALGA) and the Joint Standing Commission of Delegated Legislation (JSCDL) relating to the Amendment Local Law.
c. Strategic

Community Plan

This item addresses the Community’s Vision for the future and specifically the following Aspiration/s contained in the Community Plan 2011:-

Aspiration 15: Governance systems that ensure decision making and resource allocation is accountable, participative, legally and ethically compliant.

d. Policy

Nil

e. Financial

An allocation of $5,800 for new and local law amendments has been included in the 2010/2011 Budget. For the draft Extractive Industries Amendment Local Law 2011 initial stage, the budget allocation will be used for advertisements placed in the West Australian, the Sound Telegraph and the Weekend Courier for the public consultation period.

f. Legal and Statutory

Compliant with the procedure for making local law as per section 3.12 of the Local Government Act 1995.

5. Comments

A review of the Extractive Industries Local Law 2000 has identified some areas that need amendments, additions and deletions of clauses. The review was conducted with the Manager of Engineering Services and the Governance Co-ordinator. Justifications for the amendments that were summarised in the details section of the report are elaborated on below.

- Definitions of the occupier, owner and person have been included in the amendment to clarify their meanings.
- An addition of the words occupier of the land and written notification from the local government of the planning approval to conduct the extractive industry in clause 2.3(1) has been added so that it is clear that the occupier of the land is consulted if different from the owner or applicant, and to ensure a planning approval has been granted by the local government.
- Clause 2.3(1)(c)(vii) has been added to give a detailed section on faces in rehabilitation decommissioning programme.
- Clause 2.3(1)(k) has been included to ensure geotechnical information is provided to the local government.
- Clause 2.3(1) has been amended to clarify that the local government will not consider applications for a licence if planning approval has not first been obtained.
- Wording in clause 3.1(1) clarified the intent of the clause.
- The date in clause 3.1(4)(a) has been changed to 30 June to be in line with budgets that run in financial years not calendar years.
- Minor formatting with the addition of the word “and” in clause 3.1(4)(c) to accommodate new clause 3.1(4)(d).
- The addition of clause 3.1(4)(d) to ensure a copy of the public liability insurance policy is provided to the local government.
- The addition of new clause in 3.1(4)(q) regarding licensee having an agreement with local government to pay for extraordinary expenses incurred by the local government due to damage caused by the licensee.
• Clauses 3.1(4)(q) and 3.1(4)(r) to clause 3.1(4)(r) and 3.1(4)(s) were renumbered respectively to accommodate the new clause 3.1(4)(q);
• The date in clause 3.2 has been changed to 30 June to be in line with budgets that run in financial years not calendar years.
• Additional wording was added onto clause 5.2(1) to set out a notice period for local government.
• Addition of clause 6.1(e) to ensure minimum clearance for water table as stipulated by the Department of Water.
• Deletion of clause 6.2 as a new prohibitions section is being added in the new clause 6.3.
• Addition of new clause 6.2 regarding obligations of licensee to clearly set out the obligations of a licensee and penalties if these obligations are not carried out, and as shown in the WALGA Extractive Industries Model Local Law 2010.
• New prohibitions clause 6.3 has been written in accordance with the WALGA Extractive Industries Model Local Law 2010.
• Clause 6.3 Blasting will be renumbered to 6.4 Blasting due to the addition of the obligations to licensee clause.
• The public liability sum will rise to a minimum of $20,000,000 in clause 7.1(1) as advised by our insurers that this is the preferred minimum for these activities.
• Addition of Part 9 regarding modified penalties and forms has been written in accordance with the WALGA Extractive Industries Model Local Law 2010.
• Addition of a schedule for prescribed offences has been written in accordance with the WALGA Extractive Industries Model Local Law 2010.

All the amendments, deletions and additions reflect good governance by implementing clearer instructions for everyone involved with extractive industries as well as making the penalties and amounts for public liability insurance clear and up to date with current industry practices. All the amendments have also been reviewed in conjunction with other local governments’ extractive industries local laws and the WALGA Model Extractive Industries Local Law.

6. Voting Requirements

Absolute Majority

7. Officer Recommendation

That Council:

1. Give NOTICE as per section 3.12(2) of the Local Government Act 1995 and regulation 3. of the Local Government (Functions and General) Regulations 1996, that the purpose and effect of the proposed Extractive Industries Amendment Local Law 2011 be included in the agenda for the Council Meeting to be held on 26 July 2011.

PURPOSE
To amend the City of Rockingham Extractive Industries Local Law 2000 by making the local law more clear with regards to licence provisions, obligations of licensees, prohibitions and penalties for prescribed offences in schedule, and to ensure consistency with the model local law and other local governments.

EFFECT
The extractive industry licensees can more clearly understand the local law provisions, licences can be better managed and the prescribed offences are clearer and more enforceable.
2. **ADOPT** the Proposed City of Rockingham Extractive Industries Amendment Local Law 2011 and initiate the local laws process as per section 3.12 of the *Local Government Act 1995*.

3. **CONSIDER** the following City of Rockingham Extractive Industries Amendment Local Law 2011 following the closure of the public consultation period of at least 6 weeks.

---

**LOCAL GOVERNMENT ACT 1995**

*City of Rockingham*

**EXTRACTIVE INDUSTRIES AMENDMENT LOCAL LAW 2011**

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the City of Rockingham resolved on ............. 2011 to make the following local law.

1. **Citation**

This local law may be cited as the *City of Rockingham Extractive Industries Amendment Local Law 2011*.

2. **Commencement**

This local law comes into operation 14 days after the date of publication in the *Government Gazette*.

3. **Principal local law**

In this local law, the *City of Rockingham Extractive Industries Local Law 2000* published in the *Government Gazette* on 21 March 2001, is referred to as the principal local law. The principal local law is amended.

4. **Clause 1.1 amended**

After local government definition, insert alphabetically --

“occupier” has the meaning given to it in the Act;

“owner” has the meaning given to it in the Act;

“person” does not include the local government;

5. **Clause 2.3 amended**

(a) Delete subclause 1 and insert --

1. A person seeking the issue of a licence in respect of any land must apply in the form determined by the local government from time to time and must forward the application duly completed and signed by both the applicant and the owner of the land and any occupier of the land to the CEO together with written notification from the local government of planning approval to conduct the extractive industry; and -

(b) After subclause 1(c)(vi), insert --

1(c)(vii) how any face is to be made safe & batters sloped.

(c) After subclause 1(j), insert --

1(k) copies of any geotechnical information relating to the excavation site.

6. **Clause 3.1 amended**

(a) In subclause 1 delete the words “may refuse to consider” and insert, “will not consider”

(b) In subclause 4(a) delete the words “31st December” and insert, “30 June”

(c) In subclause 4(c) after the words “of the CEO” insert, “; and”
(d) After subclause 4(c), insert--

4(d) a copy of the public liability insurance policy required under clause 7.1(1).

(e) Delete paragraphs 4(q), 4(r) and 4(s) and insert --

4(q) requiring the licensee to enter into an agreement with the local government by which it agrees to pay any extraordinary expenses incurred by the local government in repairing damage caused to thoroughfares in the district by heavy or extraordinary traffic conducted by or on behalf of the licensee under the licence;

4(r) requiring the licensee to enter into an agreement with the local government in respect of any condition or conditions imposed under this local law; and

4(s) any other matter for properly regulating the carrying on of an extractive industry.

7. Clause 3.2 amended
In clause 3.2 delete the words “31 December” and insert, “30 June”.

8. Clause 5.2 amended
After subclause 1(b) insert --

then subject to the local government giving the licensee 14 days notice of its intention to do so -

9. Clause 6.1 amended
After subclause (d) insert --

(e) The minimum clearance to the estimated water table stipulated by the Department of Water or otherwise as adopted by the local government.

10. Clause 6.2 amended
Delete clause 6.2 and heading, and insert --

6.2 Obligations Of The Licensee
A licensee shall -

(a) where the local government so requires, securely fence the excavation to a standard determined by the local government and keep the gateways locked when not actually in use in order to prevent unauthorised entry;

(b) erect and maintain warning signs along each of the boundaries of the area excavated under the licence so that each sign -

(i) is not more than 200 metres apart;
(ii) is not less than 1.8 metres high and not less than 1 metre wide; and
(iii) bears the words “DANGER EXCAVATIONS KEEP OUT”;

(c) except where the local government approves otherwise, drain and keep drained to the local government's satisfaction any excavation to which the licence applies so as to prevent the accumulation of water;

(d) restore and reinstate the excavation site in accordance with the terms and conditions of the licence, the site plans and the works and excavation programme approved by the local government;

(e) take all reasonable steps to prevent the emission of dust, noise, vibration and other forms of nuisance from the excavation site; and

(f) otherwise comply with conditions imposed by the local government in accordance with clause 3.1.

Penalty $5,000 for each offence, and if an offence is of a continuing nature, to a daily penalty not exceeding a fine of $500 in respect of each day or part of a day during which the offence has continued.
11. Clause 6.3 amended
Delete clause 6.3 and heading, and insert --

6.3 Prohibitions
A licensee shall not -
(a) remove any trees or shrubs within 40 metres (or such lesser distance as may be allowed, in writing, by the local government) of the boundary of any thoroughfare on land in respect of which a licence has been granted, except for the purpose of constructing access thoroughfares, erecting buildings or installing plant for use in connection with the excavation and then only with the express approval of the local government and subject to any conditions which the local government may impose in accordance with clause 3.1;
(b) store, or permit to be stored, any explosives or explosive devices on the site to which the licence applies other than with the approval of the local government and the Department of Minerals and Energy; or
(c) fill or excavate, other than in accordance with the terms and conditions of the licence, the site plans and the works and excavation programme approved by the local government.

Penalty $5,000 for each offence, and if an offence is of a continuing nature, to a daily penalty not exceeding a fine of $500 in respect of each day or part of a day during which the offence has continued.

12. Clause 6.4 inserted
After clause 6.3 insert --

6.4 Blasting
(1) A licensee must not carry out or permit to be carried out any blasting in the course of excavating unless -
(a) the local government has otherwise given written approval in respect of blasting generally or in the case of each blast;
(b) subject to sub-clause (2), the blasting takes place only between the hours of 8.00am and 5.00pm, or as determined by the local government, on Mondays to Fridays inclusive;
(c) the blasting is carried out in strict accordance with the AS2187 SAA Explosives Code, the Mines Safety and Inspection Act 1994, the Environment Protection Act 1986, and all relevant local laws of the local government; and
(d) the blasting is in compliance with any other conditions imposed by the local government concerning -
(i) the time and duration of blasting;
(ii) the purposes for which the blasting may be used;
(iii) the methods of detonation and blasting;
(iv) the types of explosives to be used; and
(v) such other matters as the local government may reasonably require in the interests of the safety and protection of members of the public and of property within the district.

The penalty for each offence is $5,000 and, for an offence is of a continuing nature, a daily penalty not exceeding a fine of $500 in respect of each day or part thereof during which the offence has continued.
(2) A person must not carry out or permit to be carried out any blasting on a Saturday, Sunday or Public Holiday except with the prior approval of the local government.

Penalty $2,000.

13. Clause 7.1 amended

In subclause (1) delete the number “$10,000,000” and insert, “$20,000,000”.

14. Part 9 inserted

PART 9 - MODIFIED PENALTIES

9.1 Modified Penalties

(a) An offence against a clause specified in the Schedule is a prescribed offence for the purposes of section 9.16(1) of the Act.

(b) The amount of the modified penalty for a prescribed offence is that specified adjacent to the clause in the Schedule.

9.2 Forms

For the purposes of this local law -

(a) the form of the infringement notice given under section 9.16 of the Act is that of Form 2 in Schedule 1 of the Local Government (Functions and General) Regulations 1996;

(b) the form of the notice sent under section 9.20 of the Act withdrawing an infringement notice is that of Form 3 in Schedule 1 of the Local Government (Functions and General) Regulations 1996.

15. Schedule inserted

After Part 9, insert --

SCHEDULE

Prescribed Offences

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<tr>
<th>CLAUSE</th>
<th>DESCRIPTION</th>
<th>MODIFIED DAILY PENALTY ($)</th>
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<tbody>
<tr>
<td>2.1(a)</td>
<td>Excavate without a licence</td>
<td>500.00</td>
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<td>2.1(b)</td>
<td>Carry on Extractive Industry without a licence or in breach of terms and conditions</td>
<td>500.00</td>
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<tr>
<td>6.1</td>
<td>Excavate not within boundary limits</td>
<td>500.00</td>
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<tr>
<td>6.2(a)</td>
<td>Gateways not kept locked where required</td>
<td>500.00</td>
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<tr>
<td>6.2(b)</td>
<td>Warning signs not erected or maintained as required</td>
<td>500.00</td>
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<tr>
<td>6.2(c)</td>
<td>Excavation area not drained of water adequately</td>
<td>500.00</td>
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<tr>
<td>6.2(d)</td>
<td>In breach of terms and conditions of licence</td>
<td>500.00</td>
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<tr>
<td>6.2(e)</td>
<td>Did not take reasonable steps to prevent the emission of dust, noise, vibration and other forms of nuisance on excavation site</td>
<td>500.00</td>
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<td>6.2(f)</td>
<td>Did not comply with conditions in accordance to clause 3.1</td>
<td>500.00</td>
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<td>6.3(a)</td>
<td>Remove trees or shrubs near boundary without approval</td>
<td>500.00</td>
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<td>6.3(b)</td>
<td>Store without required approval explosive or explosive devices</td>
<td>500.00</td>
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<tr>
<td>6.3(c)</td>
<td>Fill or excavate in breach of licence</td>
<td>500.00</td>
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<td>6.4(1)(a)</td>
<td>Blasting without approval of the local government</td>
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<tr>
<td>6.4(1)(b)</td>
<td>Blasting outside times authorised</td>
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<tr>
<td>6.4(1)(c)</td>
<td>Blasting in breach of AS2187 SAA Explosives Code, the Mines Safety and Inspection Act 1994, the Environmental Protection Act 1986 and all relevant local laws of the local government</td>
<td>500.00</td>
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<tr>
<td>CLAUSE</td>
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<tr>
<td>6.4(1)(d)</td>
<td>Blasting in breach of conditions imposed by the local government</td>
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<tr>
<td>6.4(2)</td>
<td>Blasting without approval on Saturday, Sunday or public holiday</td>
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<tr>
<td>7.4(a)</td>
<td>Does not restore and reinstate excavated site in accordance with the local government or a manner local government may agree in writing</td>
<td>500.00</td>
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<tr>
<td>7.4(b)</td>
<td>Any face permitted to remain on excavation site is not left safe with all loose materials removed</td>
<td>500.00</td>
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<tr>
<td>7.4(c)</td>
<td>Agreed floor level of the excavation site is not graded to an even surface as approved by the local government</td>
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</tr>
<tr>
<td>7.4(d)</td>
<td>Stockpiles of materials are left so that portions of material can escape onto other land, stream, watercourse or drain</td>
<td>500.00</td>
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<tr>
<td>7.4(e)</td>
<td>Retaining walls not erected where necessary to prevent subsidence of land</td>
<td>500.00</td>
</tr>
<tr>
<td>7.4(f)</td>
<td>Buildings, plant, equipment erected, installed or used and all holes remaining from site are not removed or filled.</td>
<td>500.00</td>
</tr>
<tr>
<td>7.4(g)</td>
<td>Does not break up, scarify, cover with topsoil and plant with grass, trees and shrubs all parts of the site where buildings, plant and equipment erected or installed and all areas of site which were used for stockpiling</td>
<td>500.00</td>
</tr>
</tbody>
</table>

Dated: ..................... 2011

The Common Seal of the City of Rockingham was affixed by authority of a resolution of the Council in the presence of -

BARRY SAMMELS, Mayor.

ANDREW HAMMOND, Chief Executive Officer.

8. Committee Recommendation

That Council:

1. Give NOTICE as per section 3.12(2) of the Local Government Act 1995 and regulation 3. of the Local Government (Functions and General) Regulations 1996, that the purpose and effect of the proposed Extractive Industries Amendment Local Law 2011 be included in the agenda for the Council Meeting to be held on 26 July 2011.

PURPOSE

To amend the City of Rockingham Extractive Industries Local Law 2000 by making the local law more clear with regards to licence provisions, obligations of licensees, prohibitions and penalties for prescribed offences in schedule, and to ensure consistency with the model local law and other local governments.

EFFECT

The extractive industry licensees can more clearly understand the local law provisions, licences can be better managed and the prescribed offences are clearer and more enforceable.
2. **ADOPT** the Proposed City of Rockingham Extractive Industries Amendment Local Law 2011 and initiate the local laws process as per section 3.12 of the *Local Government Act 1995*.

3. **CONSIDER** the following City of Rockingham Extractive Industries Amendment Local Law 2011 following the closure of the public consultation period of at least 6 weeks.

**LOCAL GOVERNMENT ACT 1995**

*City of Rockingham*

**EXTRACTIVE INDUSTRIES AMENDMENT LOCAL LAW 2011**

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the City of Rockingham resolved on .......... 2011 to make the following local law.

1. **Citation**

This local law may be cited as the *City of Rockingham Extractive Industries Amendment Local Law 2011*.

2. **Commencement**

This local law comes into operation 14 days after the date of publication in the *Government Gazette*.

3. **Principal local law**

In this local law, the *City of Rockingham Extractive Industries Local Law 2000* published in the *Government Gazette* on 21 March 2001, is referred to as the principal local law. The principal local law is amended.

4. **Clause 1.1 amended**

After local government definition, insert alphabetically --

“occupier” has the meaning given to it in the Act;

“owner” has the meaning given to it in the Act;

“person” does not include the local government;

5. **Clause 2.3 amended**

(a) Delete subclause 1 and insert --

1. A person seeking the issue of a licence in respect of any land must apply in the form determined by the local government from time to time and must forward the application duly completed and signed by both the applicant and the owner of the land and any occupier of the land to the CEO together with written notification from the local government of planning approval to conduct the extractive industry; and -

(b) After subclause 1(c)(vi), insert --

1(c)(vii) how any face is to be made safe & batters sloped.

(c) After subclause 1(j), insert --

1(k) copies of any geotechnical information relating to the excavation site.

6. **Clause 3.1 amended**

(a) In subclause 1 delete the words “may refuse to consider” and insert, “will not consider”

(b) In subclause 4(a) delete the words “31st December” and insert, “30 June”

(c) In subclause 4(c) after the words “of the CEO” insert, “;” and”
(d) After subclause 4(c), insert--

4(d) a copy of the public liability insurance policy required under clause 7.1(1).

(f) Delete paragraphs 4(q), 4(r) and 4(s) and insert --

4(q) requiring the licensee to enter into an agreement with the local government by which it agrees to pay any extraordinary expenses incurred by the local government in repairing damage caused to thoroughfares in the district by heavy or extraordinary traffic conducted by or on behalf of the licensee under the licence;

4(r) requiring the licensee to enter into an agreement with the local government in respect of any condition or conditions imposed under this local law; and

4(s) any other matter for properly regulating the carrying on of an extractive industry.

7. **Clause 3.2 amended**

In clause 3.2 delete the words “31 December” and insert, “30 June”.

8. **Clause 5.2 amended**

After subclause 1(b) insert --

then subject to the local government giving the licensee 14 days notice of its intention to do so -

9. **Clause 6.1 amended**

After subclause (d) insert --

(e) The minimum clearance to the estimated water table stipulated by the Department of Water or otherwise as adopted by the local government.

10. **Clause 6.2 amended**

Delete clause 6.2 and heading, and insert --

**6.2 Obligations Of The Licensee**

A licensee shall -

(a) where the local government so requires, securely fence the excavation to a standard determined by the local government and keep the gateways locked when not actually in use in order to prevent unauthorised entry;

(b) erect and maintain warning signs along each of the boundaries of the area excavated under the licence so that each sign -

(i) is not more than 200 metres apart;

(ii) is not less than 1.8 metres high and not less than 1 metre wide; and

(iii) bears the words “DANGER EXCAVATIONS KEEP OUT”;

(c) except where the local government approves otherwise, drain and keep drained to the local government’s satisfaction any excavation to which the licence applies so as to prevent the accumulation of water;

(d) restore and reinstate the excavation site in accordance with the terms and conditions of the licence, the site plans and the works and excavation programme approved by the local government;

(e) take all reasonable steps to prevent the emission of dust, noise, vibration and other forms of nuisance from the excavation site; and

(f) otherwise comply with conditions imposed by the local government in accordance with clause 3.1.
11. **Clause 6.3 amended**

Delete clause 6.3 and heading, and insert --

**6.3 Prohibitions**

A licensee shall not -

(a) remove any trees or shrubs within 40 metres (or such lesser distance as may be allowed, in writing, by the local government) of the boundary of any thoroughfare on land in respect of which a licence has been granted, except for the purpose of constructing access thoroughfares, erecting buildings or installing plant for use in connection with the excavation and then only with the express approval of the local government and subject to any conditions which the local government may impose in accordance with clause 3.1;

(b) store, or permit to be stored, any explosives or explosive devices on the site to which the licence applies other than with the approval of the local government and the Department of Minerals and Energy; or

(c) fill or excavate, other than in accordance with the terms and conditions of the licence, the site plans and the works and excavation programme approved by the local government.

Penalty $5,000 for each offence, and if an offence is of a continuing nature, to a daily penalty not exceeding a fine of $500 in respect of each day or part of a day during which the offence has continued.

12. **Clause 6.4 inserted**

After clause 6.3 insert --

**6.4 Blasting**

(1) A licensee must not carry out or permit to be carried out any blasting in the course of excavating unless -

(a) the local government has otherwise given written approval in respect of blasting generally or in the case of each blast;

(b) subject to sub-clause (2), the blasting takes place only between the hours of 8.00am and 5.00pm, or as determined by the local government, on Mondays to Fridays inclusive;

(c) the blasting is carried out in strict accordance with the AS2187 SAA Explosives Code, the Mines Safety and Inspection Act 1994, the Environment Protection Act 1986, and all relevant local laws of the local government; and

(d) the blasting is in compliance with any other conditions imposed by the local government concerning -

(i) the time and duration of blasting;

(ii) the purposes for which the blasting may be used;

(iii) the methods of detonation and blasting;

(iv) the types of explosives to be used; and

(v) such other matters as the local government may reasonably require in the interests of the safety and protection of members of the public and of property within the district.

The penalty for each offence is $5,000 and, for an offence is of a continuing nature, a daily penalty not exceeding a fine of $500 in respect of each day or part thereof during which the offence has continued.
(2) A person must not carry out or permit to be carried out any blasting on a Saturday, Sunday or Public Holiday except with the prior approval of the local government.

Penalty $2,000.

13. Clause 7.1 amended

In subclause (1) delete the number “$10,000,000” and insert, “$20,000,000”.

14. Part 9 inserted

After Part 8 insert --

PART 9 - MODIFIED PENALTIES

9.1 Modified Penalties

(a) An offence against a clause specified in the Schedule is a prescribed offence for the purposes of section 9.16(1) of the Act.

(b) The amount of the modified penalty for a prescribed offence is that specified adjacent to the clause in the Schedule.

9.2 Forms

For the purposes of this local law -

(a) the form of the infringement notice given under section 9.16 of the Act is that of Form 2 in Schedule 1 of the Local Government (Functions and General) Regulations 1996, and

(b) the form of the notice sent under section 9.20 of the Act withdrawing an infringement notice is that of Form 3 in Schedule 1 of the Local Government (Functions and General) Regulations 1996.

15. Schedule inserted

After Part 9, insert --

SCHEDULE

Prescribed Offences

<table>
<thead>
<tr>
<th>CLAUSE</th>
<th>DESCRIPTION</th>
<th>MODIFIED DAILY PENALTY ($)</th>
</tr>
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<tbody>
<tr>
<td>2.1(a)</td>
<td>Excavate without a licence</td>
<td>500.00</td>
</tr>
<tr>
<td>2.1(b)</td>
<td>Carry on Extractive Industry without a licence or in breach of terms and conditions</td>
<td>500.00</td>
</tr>
<tr>
<td>6.1</td>
<td>Excavate not within boundary limits</td>
<td>500.00</td>
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<tr>
<td>6.2(a)</td>
<td>Gateways not kept locked where required</td>
<td>500.00</td>
</tr>
<tr>
<td>6.2(b)</td>
<td>Warning signs not erected or maintained as required</td>
<td>500.00</td>
</tr>
<tr>
<td>6.2(c)</td>
<td>Excavation area not drained of water adequately</td>
<td>500.00</td>
</tr>
<tr>
<td>6.2(d)</td>
<td>In breach of terms and conditions of licence</td>
<td>500.00</td>
</tr>
<tr>
<td>6.2(e)</td>
<td>Did not take reasonable steps to prevent the emission of dust, noise, vibration and other forms of nuisance on excavation site</td>
<td>500.00</td>
</tr>
<tr>
<td>6.2(f)</td>
<td>Did not comply with conditions in accordance to clause 3.1</td>
<td>500.00</td>
</tr>
<tr>
<td>6.3(a)</td>
<td>Remove trees or shrubs near boundary without approval</td>
<td>500.00</td>
</tr>
<tr>
<td>6.3(b)</td>
<td>Store without required approval explosive or explosive devices</td>
<td>500.00</td>
</tr>
<tr>
<td>6.3(c)</td>
<td>Fill or excavate in breach of licence</td>
<td>500.00</td>
</tr>
<tr>
<td>6.4(1)(a)</td>
<td>Blasting without approval of the local government</td>
<td>500.00</td>
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<tr>
<td>6.4(1)(b)</td>
<td>Blasting outside times authorised</td>
<td>500.00</td>
</tr>
<tr>
<td>6.4(1)(c)</td>
<td>Blasting in breach of AS2187 SAA Explosives Code, the Mines Safety and Inspection Act 1994, the Environmental Protection Act 1986 and all relevant local laws of the local government</td>
<td>500.00</td>
</tr>
</tbody>
</table>
## Clause Description Modified Daily Penalty ($)

<table>
<thead>
<tr>
<th>Clause</th>
<th>Description</th>
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</thead>
<tbody>
<tr>
<td>6.4(1)(d)</td>
<td>Blasting in breach of conditions imposed by the local government</td>
<td>500.00</td>
</tr>
<tr>
<td>6.4(2)</td>
<td>Blasting without approval on Saturday, Sunday or public holiday</td>
<td>500.00</td>
</tr>
<tr>
<td>7.4(a)</td>
<td>Does not restore and reinstate excavated site in accordance with the local government or a manner local government may agree in writing</td>
<td>500.00</td>
</tr>
<tr>
<td>7.4(b)</td>
<td>Any face permitted to remain on excavation site is not left safe with all loose materials removed</td>
<td>500.00</td>
</tr>
<tr>
<td>7.4(c)</td>
<td>Agreed floor level of the excavation site is not graded to an even surface as approved by the local government</td>
<td>500.00</td>
</tr>
<tr>
<td>7.4(d)</td>
<td>Stockpiles of materials are left so that portions of material can escape onto other land, stream, watercourse or drain</td>
<td>500.00</td>
</tr>
<tr>
<td>7.4(e)</td>
<td>Retaining walls not erected where necessary to prevent subsidence of land</td>
<td>500.00</td>
</tr>
<tr>
<td>7.4(f)</td>
<td>Buildings, plant, equipment erected, installed or used and all holes remaining from site are not removed or filled.</td>
<td>500.00</td>
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<td>7.4(g)</td>
<td>Does not break up, scarify, cover with topsoil and plant with grass, trees and shrubs all parts of the site where buildings, plant and equipment erected or installed and all areas of site which were used for stockpiling</td>
<td>500.00</td>
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Dated: ……………. 2011

The Common Seal of the City of Rockingham was affixed by authority of a resolution of the Council in the presence of -

BARRY SAMMELS, Mayor.

ANDREW HAMMOND, Chief Executive Officer.

Committee Voting - 4/0

### 9. The Committee's Reason for Varying the Officer's Recommendation

Not applicable.

### 10. Implications of the Changes to the Officer's Recommendation

Not applicable.
**Reference No & Subject:** ED-009/11  
**Global Friendship Committee**

<table>
<thead>
<tr>
<th>File No:</th>
<th>ECD/1-04</th>
</tr>
</thead>
<tbody>
<tr>
<td>Author:</td>
<td>Mr Cadell Buss, Manager Economic Development</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Mrs Ana Stulich, Economic Development Officer</td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>19 July 2011</td>
</tr>
<tr>
<td>Terms of Reference:</td>
<td>To coordinate Council’s global friendship relationships and related issues.</td>
</tr>
<tr>
<td>Composition:</td>
<td>3 Councillors, 6 Committee Members, Executive Support – Economic Development Team</td>
</tr>
<tr>
<td>Disclosure of Interest:</td>
<td>Executive Function</td>
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<tr>
<td>Nature of Council’s Role in this Matter:</td>
<td></td>
</tr>
<tr>
<td>Attachments:</td>
<td>Minutes of the Global Friendship Committee Meeting held on 16 June 2011.</td>
</tr>
<tr>
<td>Maps/Diagrams:</td>
<td></td>
</tr>
</tbody>
</table>

### 1. Receipt of Minutes

That Council receive the minutes of the Global Friendship Committee held on 16 June 2011 for information.

### 2. Recommendations to Standing Committee

#### 2.1 Recommendation 1: Attendance at the Sister Cities Conference

**Advisory Committee Recommendation:**

That Council **APPROVE** Cr Paul Ellis attending the Sister City Conference in Toowoomba, Queensland as a representative from the Global Friendship Committee.
Implications to Consider

a. Strategic
   Community Plan
   This item addresses the Community’s Vision for the future and specifically the following Aspiration contained in the Community Plan 2011:
   **Aspiration 14:** Economic Development opportunities that make visiting, living, working and investing in the City of Rockingham an attractive proposition.

b. Policy
   In accordance with the Global Friendship Policy, 5.4 Terms of Reference of Global Friendship Committee: Promoting awareness of the social and economic importance of the Global Friendships program to the community.

c. Financial
   The registration fees for the 2011 Sister Cities Annual Conference are $872 and come from the Global Friendship budget (210353.1608) which has a total budget of $10,000.

d. Legal and Statutory
   Nil

e. Voting Requirements
   Simple Majority

Officer Comments & Recommendation if Different to Committee Recommendation

The Global Friendship Committee moved that Cr Paul Ellis attend the Sister City Conference on behalf of the Committee. Following the meeting, Cr Paul Ellis declined the nomination to attend and Mr Mike Jakins offered to attend on behalf of the Committee.

Mr Mike Jakins serves the Committee as a community representative and will be in Queensland on a family holiday during the Conference. He will pay for his own accommodation and transportation to and from the Conference.

3. Officer Recommendation

That Council **ENDORSE** the nomination of Mr Mike Jakins to attend the Sister City Conference to be held in Toowoomba, Queensland from 14-17 August 2011.

4. Committee Recommendation

That Council:

1. **RECEIVE** the minutes of the Global Friendship Committee held on 16 June 2011 for information.
2. **ENDORSE** the nomination of Mr Mike Jakins to attend the Sister City Conference to be held in Toowoomba, Queensland from 14-17 August 2011.

   Committee Voting - 4/0

5. The Committee’s Reason for Varying the Officer’s Recommendation

Not applicable.
6. Implications of the Changes to the Officer's Recommendation

Not applicable.
## Reference No & Subject:

<table>
<thead>
<tr>
<th>File No:</th>
<th>MAN3-04</th>
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<tbody>
<tr>
<td>Proponent/s:</td>
<td>Mr Scott Lambie, Coordinator Traffic Services</td>
</tr>
<tr>
<td>Author:</td>
<td>EP-040/11 Support for speed limit change – Mandurah Road, East Rockingham</td>
</tr>
<tr>
<td>Other Contributors:</td>
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<tr>
<td>Date of Committee Meeting:</td>
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<td>Previously before Council:</td>
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<td>Disclosure of Interest:</td>
<td>Advocacy</td>
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<td>Nature of Council’s Role in this Matter:</td>
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## Site:

| Site: | SLK 2.5 – 5.2 Mandurah Road, East Rockingham |
| Lot Area: | |
| Attachments: | |
| Maps/Diagrams: | Locality Plan |
1. **Purpose of Report**

To recommend a reduction of the current posted speed limit on a section of Mandurah Road in East Rockingham.

2. **Background**

Due to significant increases in approvals for industrial developments adjacent to Mandurah Road (SLK 2.5 - 5.2) in East Rockingham, the City’s Engineering Services have identified safety concerns with the associated increase in heavy vehicles mixing with the regular passenger traffic using this section of road. The current posted speed limit is 80km/h, which was reduced from 90km/h in 2008. The section of Mandurah Road directly north of the identified section is speed zoned at 70km/h.
3. Details

The section of Mandurah Road for which the speed limit reduction is proposed can be found within the suburb of East Rockingham, zoned for general industry. The approximate location is from SLK (straight line kilometre) 2.5 to 5.2 with SLK 0.0 being the intersection of Mandurah Road and Patterson Road, Kwinana. The current posted speed limit of the identified road section is 80km/h with a 70km/h zone located to the north, ending at the old Rockingham cemetery.

With the significant increase in industrial approvals adjacent to this section of road, the current speed limit is inappropriate for the high number of heavy vehicles (up to 27.5 metres long) requiring access and egress from the numerous industrial sites. While conditions of approval granted to these new developments often required road modifications to be undertaken at the developer's expense to provide safer access, consultants engaged to undertake the designs have indicated that it is impracticable to accommodate a design that meets the required Australian Standards for such a high speed road environment.

4. Implications to Consider

a. Consultation with the Community
   Nil

b. Consultation with Government Agencies
   The City's Engineering Services has been in consultation with Main Roads officers with regard to the speed limit on Mandurah Road. The Commissioner of Main Roads is the sole authority that determines speed limits on all public roads and also the signing and pavement markings associated with road treatments however, as this section of Mandurah Road is under the control and management of the City of Rockingham, Main Roads has requested Council support before undertaking a review of the speed zoning.

c. Strategic
   Community Plan
   This item addresses the Community's Vision for the future and specifically the following Aspiration/s contained in the Community Plan 2011:-
   Aspiration 2: A safe community where residents feel secure, relaxed and comfortable within their home, work and social environments.

d. Policy
   Nil

e. Financial
   Costs associated with the erection of the signage will be borne by Main Roads WA.

f. Legal and Statutory
   Road Traffic Act 1974, Section 111 (2) (a) (iii) allows for the Governor of Western Australia to make regulations empowering Main Roads to erect traffic signs and traffic control devices.
   Main Roads Act 1930 section 16 (1b) and (1c) The Commissioner is deemed to always having the authorization to operate traffic signs and traffic control signals and similar devices.
   Local Government Act 1995 Section 9.46 (1) provides that roads vested under the control and management of a local government are to be considered property of the local government.
5. **Comments**

Recent road modification designs submitted for engineering approval required deceleration and acceleration lanes of such long length that they would overlap neighbouring property frontages, potentially impacting on the ability for those sites to be developed. There is also limited statutory power for the city to require a developer to undertake road improvements beyond the extents of their property frontage. These constraints can then lead to compromised designs being submitted to Main Roads WA for regulatory approval. Main Roads have previously advised that they will generally not approve designs if they are below minimum requirements recommended by Australian Standards and Austroads guidelines, or any road design that Main Roads WA considers to have a high probability of future litigation.

Officers from the City's Engineering Services department have inspected the site and have undertaken electronic monitoring of the road operating conditions to determine the suitability of the proposed changes. With the increase in development along Mandurah Road, the increase in both heavy and passenger traffic and the additional impact of the proposed Mundijong Road extension will have on the above, it can be found that a speed limit reduction of at least 10km/h is required.

6. **Voting Requirements**

Simple Majority

7. **Officer Recommendation**

That Council *SUPPORT* the implementation of a reduced posted speed limit of no higher than 70km/h for Mandurah Road SLK2.5 – 5.2 within East Rockingham.

8. **Committee Recommendation**

That Council *SUPPORT* the implementation of a reduced posted speed limit of no higher than 70km/h for Mandurah Road SLK2.5 – 5.2 within East Rockingham.

Committee Voting - 4/0

9. **The Committee’s Reason for Varying the Officer’s Recommendation**

Not applicable.

10. **Implications of the Changes to the Officer’s Recommendation**

Not applicable.
## Support for speed limit change - Port Kennedy Drive, Port Kennedy

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>EP-041/11 Support for speed limit change - Port Kennedy Drive, Port Kennedy</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>POR2</td>
</tr>
<tr>
<td>Proponent/s:</td>
<td>Mr Scott Lambie, Traffic Services Coordinator</td>
</tr>
<tr>
<td>Author:</td>
<td>19 July 2011</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>CES399/11/08; November 2008</td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>19 July 2011</td>
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<tr>
<td>Previously before Council:</td>
<td>CES399/11/08; November 2008</td>
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<td>Disclosure of Interest:</td>
<td>Advocacy</td>
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<td>Nature of Council’s Role in this Matter:</td>
<td>SLK 3.0 – 4.9 Port Kennedy Drive, Port Kennedy</td>
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<td>Site:</td>
<td>SLK 3.0 – 4.9 Port Kennedy Drive, Port Kennedy</td>
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<tr>
<td>Lot Area:</td>
<td>Locality Plan</td>
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<td>Attachments:</td>
<td>Locality Plan</td>
</tr>
<tr>
<td>Maps/Diagrams:</td>
<td>Locality Plan</td>
</tr>
</tbody>
</table>
1. **Purpose of Report**

To re-affirm support for the reduction of speed limits on sections for Port Kennedy Drive, west of Warnbro Sound Avenue.

2. **Background**

In early 2008, a request from developer Mirvac was received by Main Roads, requesting the consideration of a reduction in speed limit along Port Kennedy Drive, west of Warnbro Sound Avenue. Main Roads, once completing the preliminary assessment of the proposal, found that the request was reasonable when supported by additional development adjacent to Port Kennedy Drive. As Port Kennedy Drive is under the care and control of the City of Rockingham, Main Roads requested confirmation of the city’s position on this proposal. In November 2008, Council resolved to take the following action:

1. **Support the consideration of reduced speed limits on Port Kennedy Drive, west of Warnbro Sound Avenue, subject to the limits being lowered in conjunction with appropriate traffic calming treatments to be installed by developers Mirvac.**

2. **Notify Main Roads WA of Council’s decision.**

Subsequent meetings between Mirvac’s representatives, Main Roads and the city officers has seen the portion of Port Kennedy Drive under consideration for speed zone change reduced to a 1.9km long portion at the western most end.

3. **Details**

Port Kennedy Drive is located in Port Kennedy, running east / west between Ennis Avenue and the Kennedy Bay development Near Long point. The section of road identified for speed limit reduction proposal starts approximately 250m west of the intersection of Bayside Boulevard and Port Kennedy Drive, and continues for the remaining 1.9km where it ends at the entry to the Bridgeport Point boat ramp. The currently posted speed limit is 80km/h.

It is proposed that the speed limit within the identified section of Port Kennedy Drive (SLK 3.0 – 4.9) would be reduced to 60km/h. Main Roads acknowledged that changes to regulatory signage alone will not reduce the incidence of speeding and anti social behaviour and as a result, Mirvac
and their consultant engineers are working closely with the City to install appropriate traffic calming treatments that will assist in achieving speed limit compliance. 3 large blister islands have so far been installed and are due to be landscaped. Street lighting is also proposed for this section of Port Kennedy Drive. Further treatments have been requested by both Main Roads and the City and are currently being designed.

4. Implications to Consider

a. Consultation with the Community
   Nil

b. Consultation with Government Agencies
   The City's Engineering Services has been in consultation with Main Roads officers with regard to the speed limit on Port Kennedy Drive. The Commissioner of Main Roads is the sole authority that determines speed limits on all public roads and also the signing and pavement markings associated with road treatments however, as Port Kennedy Drive is under the control and management of the City of Rockingham, Main Roads has requested Council support before undertaking a review of the speed zoning.

c. Strategic
   Community Plan
   This item addresses the Community’s Vision for the future and specifically the following Aspiration/s contained in the Community Plan 2011:-
   
   **Aspiration 2:** A safe community where residents feel secure, relaxed and comfortable within their home, work and social environments.

d. Policy
   Nil

e. Financial
   Costs associated with the erection of the signage will be borne by Main Roads WA.

f. Legal and Statutory
   Road Traffic Act 1974, Section 111 (2) (a) (iii) allows for the Governor of Western Australia to make regulations empowering Main Roads to erect traffic signs and traffic control devices.

   Main Roads Act 1930 section 16 (1b) and (1c) The Commissioner is deemed to always having the authorization to operate traffic signs and traffic control signals and similar devices.

   Local Government Act 1995 Section 9.46 (1) provides that roads vested under the control and management of a local government are to be considered property of the local government.

5. Comments

Inspection of Port Kennedy Drive by City of Rockingham Engineering staff has previously been carried out to determine the suitability of the proposed changes. Traffic counts recorded in Port Kennedy Drive indicated an operating speed of 86km/h prior to any traffic calming works commencing.

The implementation of a reduced speed limit with appropriate traffic calming treatments will greatly improve the safety of road users without impeding the primary role of Port Kennedy Drive as part of the road network.
As no road environment changes are proposed for the portion of Port Kennedy Drive adjacent to the existing Kennedy Park subdivision, adjacent to Warnbro Sound Avenue, Main Roads have indicated that a speed limit reduction for this section would not be supported.

6. Voting Requirements

Simple Majority

7. Officer Recommendation

That Council SUPPORT the implementation of a reduced speed limit on Port Kennedy Drive, SLK3.0 – 4.9 in Port Kennedy, subject to the installation of approved traffic calming treatments, installed by developers Mirvac, to the satisfaction of the City.

8. Committee Recommendation

That Council SUPPORT the implementation of a reduced speed limit on Port Kennedy Drive, SLK3.0 – 4.9 in Port Kennedy, subject to the installation of approved traffic calming treatments, installed by developers Mirvac, to the satisfaction of the City.

Committee Voting - 4/0

9. The Committee’s Reason for Varying the Officer’s Recommendation

Not applicable.

10. Implications of the Changes to the Officer’s Recommendation

Not applicable.
## Reference No & Subject:

<table>
<thead>
<tr>
<th>Reference No &amp; Subject</th>
<th>Tranby College Oval Memorandum of Understanding (MoU)</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>LUP/35</td>
</tr>
<tr>
<td>Proponent/s:</td>
<td>Mr Chris Thompson, Director Engineering &amp; Parks Services</td>
</tr>
<tr>
<td>Author:</td>
<td>Mr Gary Rogers, Manager Capital Projects</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Mr James Henson, Manager Parks Development</td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>19 July 2011</td>
</tr>
<tr>
<td>Previously before Council:</td>
<td>CES319/9/05, September 2005; CES273/8/05, August 2005</td>
</tr>
<tr>
<td>Disclosure of Interest:</td>
<td>Mr J Henson, Manager Parks Services, declared an interest affecting impartiality as detailed within Section 5.70 of the Local Government Act (1995) and regulation 34C of the Local Government (Administration) Regulations 1995 as he is on the Board of Tranby College</td>
</tr>
</tbody>
</table>

### Nature of Council’s Role in this Matter:

- Executive Function

### Site:

- Lot 1626 Rockingham
- 45,000m²

### Attachments:

- Memorandum of Understanding (MoU) attached

### Maps/Diagrams:

- Aerial view of Tranby college and the oval
1. **Purpose of Report**

To seek Council adoption of the Memorandum of Understanding (MoU) between the City of Rockingham and Tranby College, Baldivis, for the maintenance of Tranby College Community Oval.

2. **Background**

At the meeting of Council held on 27 September 2005, the five year parks and reserves development program identified a contribution of $350,000 in the 2006/07 financial year towards the cost of developing a joint use senior oval at Tranby College.

At its ordinary Meeting held on Wednesday 26 April 2006, Council resolved the following:

1. *That Council approve the inclusion of $350,000 in the 2006/07 Annual Budget for the Tranby College joint use oval.*

In consideration of this recommendation, Council resolved to generally support the scope and content of the proposal, noting that the matter would be the subject of detailed discussions between the parties concerning the division of duties and costs, and that the Council would further consider the agreement as negotiations progressed.

3. **Details**

The joint development of an oval at Tranby College has financial benefits for both the college and the City, in that the land has been provided by Tranby College and the cost of construction and maintenance was shared. Development of the senior oval at the school has provided a facility that will serve the Baldivis community and complement the adjacent cricket facility on Arpenteur Oval.

To date, the maintenance costs have been reconciled at the end of each financial year; however, it is proposed to replace the current fiduciary process with an agreed baseline rate, inclusive of all the maintenance activities, which can then be divided equally.

4. **Implications to Consider**

a. **Consultation with the Community**

Not Applicable
b. Consultation with Government Agencies
Not Applicable

c. Strategic
Community Plan
This item addresses the Community’s Vision for the future and specifically the following Aspiration/s contained in the Community Plan 2011:-

Aspiration 5: Community facilities and services delivered in a timely manner, able to meet expectations and serve new and growing neighbourhoods.

Aspiration 15: Governance systems that ensure decision making and resource allocation is accountable, participative and legally and ethically compliant.

Aspiration 16: A Council which engages with all elements of the community in order to make decisions that respect Rockingham’s unique sense of place whilst positively contributing to its future prosperity.

d. Policy
Not Applicable

e. Financial
A contribution of $41,040 excluding GST, per annum, is included in the Park Operations Budget to cover the City’s 50% share of the annual maintenance costs, currently undertaken by the City, which is to be reviewed on an annual basis.

f. Legal and Statutory
The Memorandum of Understanding is not a legal document.

5. Comments
The final draft has been vetted by City officers and is considered acceptable. It is recommended the Chief Executive Officer sign and seal the final document.

6. Voting Requirements
Simple Majority

7. Officer Recommendation
That Council ADOPT the Memorandum of Understanding (MoU) between the City of Rockingham and Tranby College for the maintenance of Tranby College oval, from 1 January 2011 to 31 December 2018.

8. Committee Recommendation
That Council ADOPT the Memorandum of Understanding (MoU) between the City of Rockingham and Tranby College for the maintenance of Tranby College oval, from 1 January 2011 to 31 December 2018.

Committee Voting – 4/0

9. The Committee’s Reason for Varying the Officer’s Recommendation
Not applicable.
10. Implications of the Changes to the Officer’s Recommendation

Not applicable.
**Corporate and Engineering Services**  
**Engineering & Parks Services**

### Reference No & Subject:

<table>
<thead>
<tr>
<th>EP-043/11</th>
<th>Tender T11/12-13 - Goddard Street landscaping</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>T11/12-13</td>
</tr>
<tr>
<td>Proponent/s:</td>
<td>Mr James Henson, Manager Parks Services</td>
</tr>
<tr>
<td>Author:</td>
<td>Mr Bruce Foster, Contract Coordinator</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Mr Ken Sullivan, Irrigation Assets Officer</td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>19 July 2011</td>
</tr>
<tr>
<td>Previously before Council:</td>
<td></td>
</tr>
<tr>
<td>Disclosure of Interest:</td>
<td></td>
</tr>
<tr>
<td>Nature of Council’s Role in this Matter:</td>
<td>Executive Function</td>
</tr>
</tbody>
</table>

### Site:

- Lot Area:
- Attachments:
- Maps/Diagrams:

#### 1. Purpose of Report

Provide Council with details of the tenders received for Tender T11/12-13 Goddard Street landscaping, document the results of the tender assessment and make recommendations regarding award of the tender.

#### 2. Background

Tenders were advertised in the West Australian on Saturday, 21 May 2011 for Tender T11/12-13 Goddard Street Landscaping. Tenders closed at 2.00pm, Wednesday 8 June 2011 and were publicly opened immediately after the closing time.
3. **Details**

Tenders were received from the following companies:

<table>
<thead>
<tr>
<th>Company</th>
<th>Tendered Amount (GST Exclusive)</th>
</tr>
</thead>
<tbody>
<tr>
<td>DME Contractors</td>
<td>$90,715</td>
</tr>
<tr>
<td>Environmental Industries</td>
<td>$96,676</td>
</tr>
<tr>
<td>Landscape Systems Pty Ltd</td>
<td>$134,766</td>
</tr>
<tr>
<td>Earthcare (Australia) Pty Ltd</td>
<td>$121,440</td>
</tr>
<tr>
<td>Phase 3 Landscape Construction Pty Ltd</td>
<td>$101,225</td>
</tr>
</tbody>
</table>

A panel comprising Manager Parks Services, Contracts Coordinator and Irrigation Assets Officer undertook tender evaluations.

Evaluation of tenders, in accordance with the advertised tender assessment criteria, produced the following weighted scores:

<table>
<thead>
<tr>
<th>Assessment Criteria</th>
<th>Max. Points</th>
<th>DME Contractors</th>
<th>Environmental Industries</th>
<th>Phase 3 Landscape Construct</th>
<th>Earthcare (Aust)</th>
<th>Landscape Systems</th>
</tr>
</thead>
<tbody>
<tr>
<td>Level of Service</td>
<td>27%</td>
<td>24%</td>
<td>24%</td>
<td>23%</td>
<td>22%</td>
<td>24%</td>
</tr>
<tr>
<td>Performance and experience of Tenderer</td>
<td>28%</td>
<td>25%</td>
<td>25%</td>
<td>22%</td>
<td>25%</td>
<td>23%</td>
</tr>
<tr>
<td>Beneficial effects of Tender</td>
<td>5%</td>
<td>4%</td>
<td>4%</td>
<td>4%</td>
<td>4%</td>
<td>5%</td>
</tr>
<tr>
<td>Tendered Price/s</td>
<td>40%</td>
<td>40%</td>
<td>38%</td>
<td>36%</td>
<td>30%</td>
<td>27%</td>
</tr>
<tr>
<td>Total Weighted Scores</td>
<td>100%</td>
<td>93%</td>
<td>91%</td>
<td>85%</td>
<td>81%</td>
<td>79%</td>
</tr>
</tbody>
</table>

4. **Implications to Consider**

a. **Consultation with the Community**
   - Not applicable

b. **Consultation with Government Agencies**
   - Not applicable

c. **Strategic**
   - Community Plan
     - This item addresses the Community's Vision for the future and specifically the following Aspiration/s contained in the Community Plan 2011:-
**Aspiration 6:** Civic buildings, public places and transport infrastructure of contemporary design, constructed and maintained using best practice principles.

**Aspiration 15:** Governance systems that ensure decision making and resource allocation is accountable, participative and legally and ethically compliant.

d. **Policy**

In accordance with the City of Rockingham’s Purchasing Policy to deliver a best practice approach and procedures for internal purchasing for the City, and to ensure that integrity over the whole of the purchasing process is maintained and that the calling of tenders is a transparent process demonstrating fairness and equity.

e. **Financial**

Expenditure will be within estimates for this component of the project, and included within the total capital funding allocated for the construction of the Goddard Street Carriageway duplication in 2011/12.

f. **Legal and Statutory**

In accordance with Local Government Act 1995 Section 3.57 and Local Government (Functions and General) Regulations 1996, Part 4, Division 2, regulation 11 (1). Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than $100,000 unless sub regulation (2) states otherwise.

5. **Comments**

It was evident that the number and quality of many of the submissions reviewed was indicative of the competitive nature of this type of service.

All tenderers demonstrated the capacity and ability to perform the project, as well as sufficient experience and ability to provide the service.

Following consideration of the submissions in accordance with the tender criteria and evaluation of the tender assessment matrix, the submission received from DME Contractors is considered to represent the best value to City and is therefore recommended as the preferred tenderer.

6. **Voting Requirements**

Simple Majority

7. **Officer Recommendation**

That Council ACCEPT the tender submitted by; DME Contractors, 23 Furniss Road, Darch, WA 6069 for Tender T11/12-13 Goddard Street landscaping in accordance with the tender documentation.

8. **Committee Recommendation**

That Council ACCEPT the tender submitted by; DME Contractors, 23 Furniss Road, Darch, WA 6069 for Tender T11/12-13 Goddard Street landscaping in accordance with the tender documentation.

Committee Voting - 4/0

9. **The Committee’s Reason for Varying the Officer’s Recommendation**

Not applicable.
10. Implications of the Changes to the Officer’s Recommendation

Not applicable.
<table>
<thead>
<tr>
<th><strong>Reference No &amp; Subject:</strong></th>
<th><strong>EP-044/11</strong> Removal of the Dress Circle Reserve Pond, Warnbro</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>File No:</strong></td>
<td>R/43492</td>
</tr>
<tr>
<td><strong>Proponent/s:</strong></td>
<td>Mr James Henson, Manager Parks Services</td>
</tr>
<tr>
<td><strong>Author:</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Other Contributors:</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Date of Committee Meeting:</strong></td>
<td>19 July, 2011</td>
</tr>
<tr>
<td><strong>Previously before Council:</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Disclosure of Interest:</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Nature of Council’s Role in this Matter:</strong></td>
<td>Executive Function</td>
</tr>
</tbody>
</table>

| **Site:**                   | Lot 4112 Warnbro                                             |
| **Lot Area:**               | 18330m²                                                      |
| **Attachments:**            |                                                               |
| **Maps/Diagrams:**         | Aerial image attached                                       |
1. **Purpose of Report**

To seek Council support for the proposal to remove the ornamental pond at Dress Circle Reserve, Warnbro.

2. **Background**

The City of Rockingham is investigating a proposal to remove the ornamental pond on the reserve bordered by Dress Circle, Manly Crescent and Moreton Crescent, Warnbro due to issues of poor water quality.

3. **Details**

City officers have undertaken comprehensive community consultation involving over 180 residences within the vicinity of Dress Circle Reserve to determine the level of support for retaining or removing the ornamental pond on the reserve.

Due to the low water level and subsequent thermal affects, the current state of the pond presents an undesirable image, which affects the use and the intrinsic value of the area.

The intent of the original design did not factor in the long term function of the feature and the build-up of organic material, further adding to the high nutrient levels of the aquatic environment, which now dominates the parkland amenity.

The largest proportion of all comment received supported the removal. Samples of the nature and sentiment are as follows:

<table>
<thead>
<tr>
<th>Comments received in the affirmative</th>
<th>Comments received in the negative</th>
</tr>
</thead>
<tbody>
<tr>
<td>I have no objection to the proposal to remove Dress Circle Reserve ornamental pond.</td>
<td>Fix the problem and return our park and water feature to good health.</td>
</tr>
<tr>
<td>No we would not be upset that the pond is taken away for good, was bit worried about the mosquitoes thriving there.</td>
<td>I do not want to see the pond removed as it is a nice feature.</td>
</tr>
</tbody>
</table>
Comments received in the affirmative | Comments received in the negative
---|---
I agree with removing the pond and replacing it with soft landscaping. |  
Reluctantly, we have to agree it is better to remove the pond and the money directed to a maintenance free solution. |  
To deep and too close to children’s playground. |  
The ornamental pond has become not so ornamental |  

### 4. Implications to Consider

a. **Consultation with the Community**
   Extensive consultation has been carried out with the local community.  
   A ‘letter drop’ will be delivered to all residents adjoining the reserve explaining the intended works and duration of activity.

b. **Consultation with Government Agencies**
   Not applicable

c. **Strategic**
   This project addresses the community’s vision for the future and specifically the following aspirations of the Community Plan 2011:
   
   **Aspiration 5:** Community facilities and services delivered in a timely manner, able to meet expectations and serve new and growing neighbourhoods.
   
   **Aspiration 15:** Governance systems that ensure decision making and resource allocation is accountable, participative and legally and ethically compliant.
   
   **Aspiration 16:** A Council which engages with all elements of the community in order to make decisions that respect Rockingham’s unique sense of place whilst positively contributing to its future prosperity.

d. **Policy**
   Not applicable

e. **Financial**
   It is estimated that $20,000 will be required to undertake the removal project and funds have been identified in the 2011/12 Budget - Work Order 20844 to carry out these works.

f. **Legal and Statutory**
   Nil

### 5. Comments

City officers have continued to resolve the water quality issues, and other than periodic draining of the pond, which cannot be sustained long term, the costly and increasingly temporary measures have failed to rectify the issue.
The community consultation also revealed concerns relating to public safety, having the pond so close to the playground and evidence of mosquito habitat due to the subsequent algal growth. Any major upgrade to the feature in order to guarantee water quality into the future would involve a redesign of the existing pond at a cost in excess of $150,000, which has not been identified in the City’s business plan.

It is therefore recommended that it represents better value to the City and the wider community to have the pond removed and reinstated with soft landscaping.

6. **Voting Requirements**
   
   Simple Majority

7. **Officer Recommendation**
   
   That Council **APPROVE** the removal of the Dress Circle Reserve ornamental pond in Warnbro, and reinstate the area with soft landscaping.

8. **Committee Recommendation**
   
   That Council **APPROVE** the removal of the Dress Circle Reserve ornamental pond in Warnbro, and reinstate the area with soft landscaping.

Committee Voting - 4/0

9. **The Committee’s Reason for Varying the Officer’s Recommendation**
   
   Not applicable.

10. **Implications of the Changes to the Officer’s Recommendation**
    
    Not applicable.
### 1. Purpose of Report

Provide Council with details of the submissions received for Tender T11/12-27 Period supply and delivery of sprinklers, pressure pvc pipe, poly pipe and subsidiary fittings, document the results of the tender assessment and make recommendations regarding award of the Tender.

### 2. Background

Tenders were advertised in the West Australian on Saturday, 4 June 2011 and the Weekend Courier on Friday, 3 June 2011 for Tender T11/12-27 Period supply and delivery of sprinklers, pressure pvc pipe, poly pipe and subsidiary fittings. Tenders closed at 2.00pm, Wednesday 22 June 2011 and were publicly opened immediately after the closing time.
3. **Details**

Tenders were received from the following companies:

**Company**

Coastal Irrigation Supplies

Total Eden

Reece

Thinkwater Bunbury

Thinkwater

A panel comprising Contracts Coordinator, Irrigation Asset Officer and Reticulation Coordinator undertook tender evaluations.

Evaluation of tenders, in accordance with the advertised tender assessment criteria, produced the following weighted scores:

<table>
<thead>
<tr>
<th>Assessment Criteria</th>
<th>Max. Points</th>
<th>Total Eden</th>
<th>Coastal Irrigation Supplies</th>
<th>Think Water Bunbury</th>
<th>Think Water</th>
<th>Reece</th>
</tr>
</thead>
<tbody>
<tr>
<td>Level of Service</td>
<td>13%</td>
<td>12%</td>
<td>10%</td>
<td>12%</td>
<td>9%</td>
<td>10%</td>
</tr>
<tr>
<td>Performance and experience of Tenderer</td>
<td>12%</td>
<td>12%</td>
<td>12%</td>
<td>11%</td>
<td>10%</td>
<td>10%</td>
</tr>
<tr>
<td>Beneficial effects of Tender</td>
<td>5%</td>
<td>5%</td>
<td>5%</td>
<td>3%</td>
<td>4%</td>
<td>3%</td>
</tr>
<tr>
<td>Tendered Price/s</td>
<td>70%</td>
<td>62%</td>
<td>62%</td>
<td>56%</td>
<td>47%</td>
<td>36%</td>
</tr>
<tr>
<td>Total Weighted Scores</td>
<td>100%</td>
<td>91%</td>
<td>89%</td>
<td>82%</td>
<td>70%</td>
<td>59%</td>
</tr>
</tbody>
</table>

4. **Implications to Consider**

a. **Consultation with the Community**

   Not applicable

b. **Consultation with Government Agencies**

   Not applicable

c. **Strategic**

   **Community Plan**

   This item addresses the Community’s Vision for the future and specifically the following Aspiration/s contained in the Community Plan 2011:-
**Aspiration 4:** A healthy community engaging in positive and rewarding lifestyles with access to a range of passive and active recreational and personal development opportunities

**Aspiration 6:** Civic buildings, public places and infrastructure of contemporary design, constructed and maintained using best practice principles

**Aspiration 13** A community that is welcoming and desirable in the eyes of residents and non-residents alike

**Aspiration 15** Governance systems that ensure decision making and resource allocation is accountable, participative and legally and ethically compliant.

d. **Policy**

In accordance with Council’s Purchasing Policy to deliver a best practise approach and procedures for internal purchasing for the City, and to ensure that integrity over the whole of the purchasing process is maintained and that the calling of tenders is a transparent process demonstrating fairness and equity.

e. **Financial**

The 2011/12 budget allocation for this tender is $235,602 which is the operating expenditure that has been identified to maintain the City’s irrigation assets for a twelve month period.

f. **Legal and Statutory**

In accordance with Local Government Act 1995 Section 3.57 and Local Government (Functions and General) Regulations 1996, Part 4, Division 2, regulation 11 (1). Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than $100,000 unless subregulation (2) states otherwise.

5. **Comments**

Following assessment of the submissions in accordance with the tender selection criteria, the assessment panel deemed that it was operationally beneficial to select two tender submissions so as to ensure availability, level of service and performance for the tendered works. Submissions received from Total Eden and Coastal Irrigation Supplies represent best value to the City. Total Eden and Coastal Irrigation Supplies are local companies utilising local employees and supporting local business.

6. **Voting Requirements**

Simple Majority

7. **Officer Recommendation**

That Council **ACCEPT** the Tenders submitted by:
- Total Eden, 1 Altona Street, Bibra Lake, WA 6163
- Coastal Irrigation Supplies, Unit 8, 7-9 Fielden Way, Port Kennedy WA 6172

for Tender T11/12-27 Period supply and delivery of sprinklers, pressure pvc pipe, poly pipe and subsidiary fittings in accordance with the tender documentation for the contract to 30 June 2013 and with works allocated based on availability, price, level of service and proven performance along with suitability in relation to specific job requirements.
8. Committee Recommendation

That Council **ACCEPT** the Tenders submitted by:

- Total Eden, 1 Altona Street, Bibra Lake, WA 6163
- Coastal Irrigation Supplies, Unit 8, 7-9 Fielden Way, Port Kennedy WA 6172

for Tender T11/12-27 Period supply and delivery of sprinklers, pressure PVC pipe, poly pipe and subsidiary fittings in accordance with the tender documentation for the contract to 30 June 2013 and with works allocated based on availability, price, level of service and proven performance along with suitability in relation to specific job requirements.

Committee Voting - 4/0

9. The Committee’s Reason for Varying the Officer’s Recommendation

Not applicable.

10. Implications of the Changes to the Officer’s Recommendation

Not applicable.
Corporate and Engineering Services
Advisory & Occasional Committee Minutes
Engineering & Parks Services

Reference No & Subject: EP-046/11 Rockingham RoadWise Advisory Committee

File No: RDS/15-05
Author: Ms Catherine Frean, Engineering Technical Officer - Transport
Other Contributors: Mr Scott Lambie, Traffic Services Coordinator
Date of Committee Meeting: 19 July 2011
Terms of Reference: To provide input and advice into road safety matters with the outcome of having a safe and efficient transport network in the City of Rockingham.
Composition: 1 Councillor, 6 Community Representatives
Executive Support: Engineering & Parks Services Division – Traffic Services Team

Disclosure of Interest:
Nature of Council’s Role in this Matter: Executive Function
Attachments: Minutes of Meeting held on 13 June 2011
Maps/Diagrams:

1. Receipt of Minutes
That Council receive the minutes of the RoadWise Advisory Committee meeting held on Monday 13 June 2011 for information.

2. Recommendations to Standing Committee
There are no recommendations to the Standing Committee.

3. Committee Recommendation
That Council RECEIVE the minutes of the RoadWise Advisory Committee meeting held on Monday 13 June 2011 for information.
Committee Voting - 4/0

CONFIRMED AT A CORPORATE & ENGINEERING SERVICES MEETING HELD ON TUESDAY, 16 AUGUST 2011

PRESIDING MEMBER
4. **The Committee’s Reason for Varying the Officer’s Recommendation**

Not applicable.

5. **Implications of the Changes to the Officer’s Recommendation**

Not applicable.
<table>
<thead>
<tr>
<th><strong>Reference No &amp; Subject:</strong></th>
<th>EP-047/11</th>
<th><strong>Support for the proposal to declare a portion of Rockingham Beach Road as a 'Main Road'.</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>File No:</strong></td>
<td>ROC2-04</td>
<td><strong>Main Roads Western Australia</strong></td>
</tr>
<tr>
<td><strong>Proponent/s:</strong></td>
<td></td>
<td><strong>Mr Scott Lambie, Coordinator Traffic Services</strong></td>
</tr>
<tr>
<td><strong>Author:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Other Contributors:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Date of Committee Meeting:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Previously before Council:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Disclosure of Interest:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Nature of Council's Role in this Matter:</strong></td>
<td>Executive Function</td>
<td></td>
</tr>
</tbody>
</table>

**Site:**

| **Lot Area:** | 1.465km of Rockingham Beach Road – southern boundary of Cooperative Bulk Handling (CBH) grain facility to City of Rockingham northern boundary. |
| **Attachments:** | Locality plan |
| **Maps/Diagrams:** | Locality plan |
1. **Purpose of Report**

Support a request that Main Roads WA accept responsibility of control and maintenance of a 1.465km portion of Rockingham Beach Road which is exposed to significant heavy vehicle use due to this being the only route available for the Cooperative Bulk Handling Ltd (CBH) grain facility.

2. **Background**

In March 2011, the Town of Kwinana petitioned Main Roads WA with the request that Main Roads take over the control and maintenance of Kwinana Beach Road due to the high maintenance costs as a result of heavy haulage traffic accessing the CBH grain facility. At the February 2011 meeting of Council, the Town of Kwinana Council passed a resolution to request Main Roads WA to take ownership of Kwinana Beach Road (and any future maintenance) due to its strategic importance as part of the state grain freight route.

A response from Main Roads WA to the above request was received by the Town of Kwinana in April 2011. Within the response, Main Roads WA confirmed that a formal road classification assessment would be undertaken to determine the legitimacy of the request. However, Main Roads noted that a portion of Rockingham Beach Road within the City of Rockingham was also used as the primary freight route to the CBH grain facility and requested that the City of Rockingham endorse the Town of Kwinana’s re-classification request.
In June 2011, the Town of Kwinana formally requested consideration by the City of Rockingham and that the City's views were relayed to Main Roads WA.

3. Details

In November 2010, the State Government Minister for Transport announced a Grain Freight Rail Assistance package with funding for rail and road improvements along the State's Grain Freight Routes. The government funding has been made up of Federal Government $135 million and State Government $179 million. Part of this funding ($118 million) was allocated for the improvement to the road network in the Wheat belt area. Unfortunately the City of Rockingham's Rockingham Beach Road and Town of Kwinana's Kwinana Beach Road were not included in the road funding program.

Traffic count data

Traffic count survey data taken between 17 April – 30 April 2009 (by the Town of Kwinana) indicated that the average weekday traffic consisted of 7.5% (349) class 9 vehicles per day being a standard ‘As of right’ tri-axle Semi-trailer (19.0m) and 8.8% (410) class 11 vehicles being your typical ‘Double road train’ Prime mover + 2 x Tri-axle trailers (36.5m long).

These figures indicate that there is a significant over-representation, even for an industrial road, of heavy vehicles using this section of Rockingham Beach Road.

CBH report

A total of 313,200 tonnes of grain were delivered to the CBH grain facility by road between November 2009 to October 2010, of which 253,700 (81%) was delivered in the six months from December 2009 to May 2010.

A "Freight Pool Year" typically runs from November to October. The Freight Pool Year from November 2009 to October 2010 was not a significant crop year.

The above volumes represented grain that was moved between CBH sites and does not include grower direct deliveries. In the 2010/11 harvest (i.e. November 2010 to January 2011) there was, for the first time, some deliveries direct from growers. It should be noted that comparatively, the 2010/11 grain harvest produced a very poor yield.

CBH has only controlled freight, around 751,800 tonnes, since November 2008 under the grain logistics coordination model known as Grain Express. This equates to a 375,915 tonnes average per year or 31,326 tonnes per month.

4. Implications to Consider

a. Consultation with the Community
   Nil

b. Consultation with Government Agencies
   The City received e-mail correspondence from the Town of Kwinana requesting Rockingham's consideration and support to this request. Attached to the e-mail were copies of correspondence between Main Roads and the Town of Kwinana.

c. Strategic
   Community Plan
   This item addresses the Community's Vision for the future and specifically the following Aspiration/s contained in the Community Plan 2011:-

   **Aspiration 6:** Civic buildings, public places and transport infrastructure of contemporary design, constructed and maintained using best practice principals.
d. Policy
Nil

e. Financial
No specific budget allocations for road improvements within the identified 1.465km section of Rockingham Beach Road have been identified within the City of Rockingham business plan. There may be minor maintenance work undertaken from time to time which would become the responsibility of Main Roads WA should the road section be handed over.

f. Legal and Statutory
Main Roads Act 1930 section (13) Proclamation of highways and main roads.

5. Comments
The identified 1.465km section of Rockingham Beach Road has a primary purpose of servicing the CBH grain facility and northern Kwinana beaches. It is not a critical route to service residential properties south of Governor Road. When looking at other similar grain port facilities and roads of regional significance around the state, examples can be found where the primary route servicing the facility is under Main Roads control.

- **Albany CBH grain facility:** For the last several kilometres, all grain that is transported to the Albany CBH facility is transported on state roads and highways (i.e. under MRWA control) via Hanrahan road and Princess Royal Drive. Both of these roads are controlled and fully maintained by Main Roads Western Australia. Albany Port Authority control Princess Royal Drive after it crosses into their jurisdiction. The City of Albany does not fund or maintain any of the grain freight routes to the Albany CBH grain receival facility.

- **Geraldton CBH grain facility:** For the last several kilometres, all grain that is transported to the Geraldton CBH facility is transported on state roads and highways (i.e. under MRWA control) until they reach Portway and Marine Terrace, which are both controlled and fully maintained by the City of Geraldton-Greenough. The City of Geraldton-Greenough though, has both of these roads recognised as ‘Roads of Regional Significance’ with the Mid-West Regional Road Group.

The Mid-West Regional Road Group (which covers Geraldton and the mid-west region of WA) has a separate classification titled ‘Roads of Regional Significance’. This classification recognises roads under a local government authorities control that form part of a specific route for 1) Freight and Community access, 2) Tourism/Recreation and 3) Road Function.

There are 12 criteria under the Freight and Community sub-heading for Roads of Regional significance. Of these 12 criteria, it is believed that Rockingham Beach Road meets several of the 12 criteria (noting that not all 12 criteria have to be met to comply) which include:

- A road which performs a district distributor function in major urban centres.
- A road which forms part of an inter-regional route.
- A road which links inter-regional or regional routes.
- The development of parallel routes should be avoided.
- A road which connects major transport terminals or connects a major transport terminal to a major route.
- A road which serves a major resource or industrial site.
- A road providing access to regional institutions or community service centres.
- A road used for hauling grain from an off road rail bin to a rail head.
- A road which forms part of a regional heavy haulage route.
6. Voting Requirements

Simple Majority

7. Officer Recommendation

That Council SUPPORT the request by the Town of Kwinana that Main Roads WA to take ownership of a 1.465km section of Rockingham Beach Road from the City of Rockingham northern boundary to the Commercial Bulk Handling Ltd grain facility and consequently take responsibility for any future maintenance required.

8. Committee Recommendation

That Council SUPPORT the request by the Town of Kwinana that Main Roads WA to take ownership of a 1.465km section of Rockingham Beach Road from the City of Rockingham northern boundary to the Commercial Bulk Handling Ltd grain facility and consequently take responsibility for any future maintenance required.

Committee Voting – 4/0

9. The Committee’s Reason for Varying the Officer’s Recommendation

Not applicable.

10. Implications of the Changes to the Officer’s Recommendation

Not applicable.
Corporate & Engineering Services
Occasional & Advisory Committee Minutes
Engineering & Parks Services

Reference No & Subject: EP-048/11 Marine Infrastructure Advisory Committee

File no: COM/71
Author: Mr Matthew Donaldson, Coastal Engineering Officer
Other contributors: Mr Gary Rogers, Manager Capital Projects
Date of Committee meeting: 19 July 2011
Terms of reference: To advise Council on Marine Infrastructure matters
Composition: 2 Councillors, 13 Community members
State Government representatives
Executive Support Engineering & Parks Services Division:
Manager Capital Projects & Coastal Engineering Officer

Disclosure of interest:
Nature of Council’s role in this matter: Executive Function
Attachments: Minutes of Meeting held 26 May 2011
Maps/diagrams:

1. **Receipt of Minutes**

   That Council receive the minutes of the Marine Infrastructure Advisory Committee meeting held on 26 May 2011 for information.

2. **Recommendations to Standing Committee**

   There are no recommendations to the Standing Committee.

3. **Committee Recommendation**

   That Council **RECEIVE** the minutes of the Marine Infrastructure Advisory Committee meeting held on 26 May 2011 for information.

   Committee Voting - 4/0
4. The Committee’s Reason for Varying the Officer’s Recommendation

Not applicable.

5. Implications of the Changes to the Officer’s Recommendation

Not applicable.
13. **Reports of Councillors**  
Nil

14. **Addendum Agenda**  
Nil

15. **Motions of which Previous Notice has been given**  
Nil

16. **Notices of Motion for Consideration at the Following Meeting**  
Nil

17. **Urgent Business Approved by the Person Presiding or by Decision of the Committee**  
Nil

18. **Matters Behind Closed Doors**  
Nil

19. **Date and Time of Next Meeting**  
The next Corporate and Engineering Services Standing Committee Meeting will be held on **Tuesday 16 August 2011** in the Council Boardroom, Council Administration Building, Civic Boulevard, Rockingham. The meeting will commence at 4:00pm.

20. **Closure**  
There being no further business, the Chairman thanked those persons present for attending the Corporate and Engineering Services Standing Committee meeting, and declared the meeting closed at 4:45pm.

21. **Attachments**  
Nil