



City of Rockingham

MINUTES

Ordinary Meeting of Council Minutes

Held on Tuesday 24 November 2020 at 6:00pm
City of Rockingham Council Chambers



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Ordinary Meeting of Council
6:00pm Tuesday 24 November 2020



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1. Declaration of Opening

The Mayor declared the Council meeting open at **6:00pm**, welcomed all present, and delivered the Acknowledgement of Country.

The Mayor noted that in accordance with clause 8.5 of the City of Rockingham Standing Orders Local Law 2001, Council has given permission for the administration to record proceedings of this meeting.

Council meetings are recorded in accordance with the City's Policy – Recording and Streaming Council Meetings. By being present at this meeting, members of the public consent to the possibility that their voice may be recorded. Recordings will be made available on the City's website following the meeting.

The City of Rockingham disclaims any liability for any loss arising from any person or body relying on any statement, discussion, recommendation or decision made during this meeting.

Where an application for an approval, a licence, or the like is considered or determined during this meeting the City warns that neither the applicant nor any other person or body should rely upon that discussion or determination until written notice of either an approval and the conditions which relate to it or the refusal of the application has been issued by the City. The official record of the meeting will be written minutes kept in accordance with the Local Government Act 1995 and any relevant regulations.

Public question time and deputations will not be recorded.

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

2.1 Councillors

Cr Barry Sammels (Mayor)	Rockingham/Safety Bay Ward
Cr Deb Hamblin (Deputy Mayor)	Rockingham/Safety Bay Ward
Cr Sally Davies	Baldivis Ward
Cr Hayley Edwards	Baldivis Ward
Cr Matthew Whitfield	Baldivis Ward
Cr Lorna Buchan	Comet Bay Ward
Cr Mark Jones	Comet Bay Ward
Cr Craig Buchanan	Rockingham/Safety Bay Ward
Cr Rae Cottam	Rockingham/Safety Bay Ward
Cr Leigh Liley	Rockingham/Safety Bay Ward
Cr Joy Stewart	Rockingham/Safety Bay Ward

2.2 Executive

Mr Michael Parker	Chief Executive Officer
Mr Bob Jeans	Director Planning and Development Services
Mr Sam Assaad	Director Engineering and Parks Services
Mr John Pearson	Director Corporate Services

	<p>Mr Peter Doherty Mr Michael Holland Mr Peter Varris Mr Peter Le Ms Sarah Mylotte</p>	<p>Director Legal Services and General Counsel Director Community Development Manager Governance and Councillor Support Senior Legal and Councillor Liaison Officer Administration Officer, Governance and Councillor Support</p>
2.3	Members of the Gallery:	12
2.4	Apologies:	Nil
2.5	Approved Leave of Absence:	Nil
3.	Responses to Previous Public Questions Taken on Notice	
3.1	<p>Mr James Mumme, Shoalwater – Recycling / Bushfire Control / PK Boat Ramp</p> <p>At the Council meeting held on 27 October 2020, Mr Mumme asked the following questions that were taken on notice and the Director Engineering and Parks Services provided a response in a letter dated 4 November 2020 as follows:</p> <p>Source sorting of waste</p> <p><u>Question</u></p> <p>1. Has the three bin system produced a discernible reduction waste going to landfill?</p> <p><u>Response</u></p> <p><i>Yes. The three bin system increased the recovery rate of household waste to 48%, compared to 23% of the previous two bin system.</i></p> <p><u>Question</u></p> <p>2. Is there any evidence that the system has so far produced cleaner recyclables?</p> <p><u>Response</u></p> <p><i>There is no direct evidence to suggest that the three bin system effected the cleanliness of recyclables.</i></p> <p><u>Question</u></p> <p>3. What is the current level of the contents of our yellow topped bins that actually ends up being recycled?</p> <p><u>Response</u></p> <p><i>An audit conducted in March 2020 showed that the yellow lidded recycling bin has a 17% contamination rate. Based on this, 83% of the contents of the recycling bin is recyclable.</i></p> <p><u>Question</u></p> <p>4. If a container is not clean or has a lid on it, does it automatically go to landfill even if it's in the recycling bin?</p> <p><u>Response</u></p> <p><i>It will depend on the level of cleanliness, the type of container with lid, and the processing equipment at the Material Recovery Facility.</i></p>	

Question

5. Would Council please consider a new version of this sticker (tabled) that communicates more effectively and come up with cost effective ways of circulating it?

Response

Yes. Your feedback will be taken into consideration when it is due for reproduction.

Bushfire Control

WALGA has been running webinars on this. I joined yesterday's one and was very impressed.

Question

6. Did the City nominate anyone to join?

Response

Yes the City's Bushfire Mitigation Supervisor has registered for all three webinars in this series and other staff members have registered for select webinars.

Question

7. Many Councils have been talking with traditional owners about Burn Smart documents. Has Rockingham engaged with any local traditional owners to develop more effective ways of controlling dangerous fires? If so what has been the outcome?

Response

At this time no specific engagement has occurred, however through previous forums on this topic much of the burning that traditional owners undertook was regular burning of sites which reduced accumulated fuel loads which in turn results in less intense wild fires? The City will implement the same philosophy in the method to which it will carry out planned burns within its managed lands and has developed a comprehensive Burn Plan Procedure and Guidelines to provide for good bushfire mitigation measures as well as maintaining the burn sites biodiversity values.

Question

8. Is Council aware of the level of woody weed invasion on Lewington Reserve? Will something be done urgently about the buckthorns presently about to shed their seeds and bridal creepers in flower?

Response

Weed control within the City's managed natural areas is an ongoing work load for the City's Environmental Maintenance Teams and its supporting contractors. Spring and into early summer following winter planting works is the predominant time that weed control activities occur. Weed control at Lewington Reserve is being reviewed and treatments will be implemented as required.

Question

9. Can Council advise residents how important it is in terms of fire prevention to remove woody weeds from bushland after they have died or been cut?

Response

The connection to fire prevention is relative to fuel loading within the reserve and the bushfire priority rating that the reserve falls within according to the City's Bushfire Risk Management Plan. Residents should not be removing any vegetation weeds or otherwise from City managed natural areas without first receiving written permission from authorised City officers.

Question

10. Can Council advise me and residents the best times for spraying grasses before they grow tall and seed in order to reduce fuel load?

Response

How residents choose to control weeds within their own managed lands is their choice and seasonal conditions will play a factor as to when to enact specific treatment methods. Most properties within a bushfire risk zone will have in place individual Bushfire Management Plans which the City's Fire Prevention Officers ensure adherence.

Boat Ramps at Port Kennedy

11. The costs of options for these range from \$2.1 million to \$10.1 million. What sums would the City reasonably expect could be provided from the Commonwealth, from the State, and from other sources?

Response (provided at the meeting)

The cost provided as part of the feasibility study is preliminary and indicative only. If the City decides to proceed with the extension it will explore a number of external funding opportunities. The traditional method of external funding for recreational boating facility construction is through the Department of Transport's [Recreational Boating Facilities Scheme Grants \(RBFS\)](#) which funds up to 75% of the total project cost based on the available funding pool. It is too early to comment about funding possibilities in absence of a specific project and specific timeframe.

3.2 Mr Mal McFetridge, Safety Bay – Rates Previous years – Financial Ratios

At the Council meeting held on 27 October 2020, Mr McFetridge asked the following question/s that were taken on notice and the Director Corporate Services provided a response in a letter dated 4 November 2020 as follows:

Question

1. What was the justification used for the rate rises between FY2009/10 and FY2017/18?

Response

Reasons include:

- *Rapid population growth and provision of infrastructure*
- *Asset management*
- *Sustainability*
- *Service delivery*

Question

2. In FY2017/18 Council's Auditor found significant adverse trends in the financial position or the financial management practices of the City which was later confirmed by the Auditor General in their letter to Council dated 8 November 2018. That is that the Asset Sustainability Ratio had not met Local Government benchmarks for FY2016/17 and FY2017/18. This ratio indicates whether a local government is replacing or renewing existing non-financial assets at the same rate that its overall asset stock is wearing out. In fact on the 'mycouncil' website it shows that from FY2012/13 to FY2017/18, six years, it had only met the benchmark once. This ratio is dependent on the correct depreciation figure being used in the equation and if it doesn't it gives a misleading solution that is, that Council has to spend more on infrastructure maintenance and construction. What was the impact on our rates that this error caused?

Response

Nil. There is no error in the financial statements.

Question

3. The second ratio that did not meet the benchmarks over the same six year period was the 'Operating Surplus Ratio'. This ratio is a measure of a local government's ability to cover its operational costs and have revenues available for capital funding or other purposes. As the Mayor stated previously another ratio that is dependent on depreciation rates. What was the impact on our rates given that the ratio indicated that Council had no money for capital funding?

Response

Nil.

Question

4. In FY2018/19 Council reduced the depreciation figure from \$71,103,872 to \$38,144,756. Given both the ratios which did not meet the Local Government benchmarks exceeded these benchmarks when this reduction took place have Councillors been inadvertently misled by this error imposing rate increases way above those actually required for the maintenance and construction of infrastructure?

Response

No.

Question

5. With the exclusion of two self-supporting loans how much did borrowings contribute to the planning, design or construction of planned infrastructure from FY2011/12 to FY2019/20 reducing the impact of rate rises on our community?

Response

Debt raising is always used as a planning tool to ensure sustainability of the City and will be raised if and as required. Without using debt in the planning process, rate increases are likely to have been higher than those planned. No debt has been applied to the balance sheet between 2011/2012 to 2019/2020.

Question

6. How much cash did Developer Contributions contribute to Council infrastructure funding from FY2011/12 to FY2019/20 reducing the impact of rate rises on our community?

Response

\$20 million from the 2011/2012 financial year to 2019/2020 financial year.

Question

7. Will Councillors ask for an independent investigation into the justification of the rate rises imposed on ratepayers from FY2011/12 to FY2017/18 given the error in the use of an incorrect depreciation figure in the calculations of the seven mandatory financial and asset ratios required by the Department of Local Government Sport and Community the adjustment of this depreciation figure which has resulting in these ratios either exceeding or improving on the local government benchmarks?

Response (provided at the meeting)

The Mayor advised that a Councillor is free to call for an investigation should they consider it warranted.

3.3 Mr Phillip Franzone, Singleton – Building Act and Regulations

At the Council meeting held on 27 October 2020, Mr Franzone asked the following question/s that were taken on notice and the Director Planning and Development Services provided a response in a letter dated 10 November 2020 as follows:

Question

At the last Council meeting I asked a question with reference to the City of Rockingham's role and responsibility relating to the administration and enforcement of the Building Act and Regulations. The reply received still leaves me somewhat unclear on several issues and my questions tonight seek clarification with respect to some content of the reply.

Firstly, and I apologise if my question to the previous meeting was poorly worded but the information I am seeking relates to the Building Act and Regulations in their entirety. Whilst the Act contains 16 parts, the author of the reply appears to have limited his response to only two parts of the Act, that is Part 2 (Building and demolition permits) and Part 4 (Occupancy permits and building approval certificates).

The reply received gives a detailed explanation of how the City of Rockingham, as the responsible Permit Authority -

"controls the construction, occupation and demolition of buildings and incidental structures through the issue of permits, and enforcement of compliance with permits."

The reply states –

"Permit Authorities must ensure buildings are constructed and occupied in accordance with relevant permit, and may prosecute for failure to obtain a permit when required."

There is no reference in the reply to building works that do not require building permits such as some incidental structures and some buildings below prescribed sizes.

- 1a. Can the Council clarify whether the reply received intends to imply that the City of Rockingham's role and responsibility relating to the administration and enforcement of the Building Act and Regulations is limited to only parts 2 and 4 of the Building Act or does this responsibility extend to all 16 parts of the Building Act?

Response

Generally speaking, a person must not do building work unless a building permit is in effect for that work. There are various exemptions, some of which are set out in Schedule 4, cl 2 of the Building Regulations 2012. One such exemption is the "construction, erection, assembly or placement of a fence, screen or similar structure, other than a fence forming part of a barrier to a private swimming pool" in the circumstances set out in Item 4 of that clause.

When a building permit is required for building work within the City, the City will usually be the relevant permit authority. The right and duties of a permit authority are not limited to Parts 2 and 4 of the Building Act 2011. Others also have various rights and duties under the legislation - including the Building Commission and private certifiers.

- 1b. Does the City of Rockingham have any role in ensuring building works that do not require a building permit are compliant and safe?

Response

I repeat my answer to question 1a. If the building work is such that a building permit is not required, the City does not have jurisdiction to assess it.

Question

My second question seeks to clarify how compliance with the Act is monitored and enforced.

The reply I received asserts that –

“Building Authorities will appoint authorised persons to inspect building work where it is deemed necessary.”

The terminology ‘deemed necessary’ is somewhat subjective and infers discretion may be exercised in determining if and when inspection of building works is carried out.

2. Can the Council clarify, in broad terms -

- a) What are its criteria for determining it is necessary to appoint an authorised person to inspect building works?

Response

The City will appoint an “authorised person” to inspect building work where it is considered necessary to gain an expert opinion beyond that of the City’s Building Surveyor. For example, structural engineers may be appointed in instances where the City’s Building Surveyor has concerns over structural safety.

- b) How does it monitor that the provisions of building permits are being complied with and approximately what percentage of building permits issued are inspected by an authorised person?

Response

The Building Regulations 2012 prescribe when inspections or tests may be required. Those regulations do not prescribe any testing for Class 1 or Class 10 (residential) buildings.

This is to be contrasted with regulation 27 of the Building Regulations 2012 which prescribes inspection requirements for all Class 2 to Class 9 (commercial) buildings. These inspections are undertaken by the private certifier engaged for the building work, not the permit authority.

Regulation 28 of the Building Regulations 2012 prescribes the inspection requirements for all private swimming pool barrier fences and those inspection are undertaken by the City.

All works that require a building permit (both residential and commercial) also require the submission of a Notice of Completion to the permit authority within seven days of completion of the building work, or the stage of building work, to which the building permit relates. This establishes the end date of the building permit for compliance and record keeping purposes.

In addition, Class 2 to Class 9 building work also require an Occupancy Permit to be approved by the permit authority prior to occupation, which references the required inspections under regulation 27 of the Building Regulations 2012.

- c) What mechanism and protocols does the City have in place to identify building works that are being carried out without a building permit being issued when a building permit would otherwise be required?

Response

Generally the majority of unapproved structures are brought to the City’s attention through customer requests. This can be through concerns raised by neighbours on whether recent building works have been approved, or by the City’s Building Surveyors noting unapproved building works.

The City's Building Services also undertake desktop audits of properties through the use of aerial mapping to determine if there are unapproved structures on properties that should have obtained a building permit.

- d) What mechanisms and protocols does the City have in place to ensure building works that do not require a building permit comply with the appropriate regulations?

Response

I repeat my answer to question 1a.

3.4 Mr Tom Mannion, Safety Bay – Credit Card Policy

At the Council meeting held on 27 October 2020, Mr Mannion asked the following question/s that were taken on notice and the Director Corporate Services provided a response in a letter dated 4 November 2020 as follows:

Question

I have a copy of the City of Rockingham Information Statement published July 2020 states "A member of the public can write to the City on any policy, activity or service of the City."

I have written on several occasions now but as yet I have not been provided with a copy of any credit card policy.

1. Can the City provide a definition of what is an Executive Policy and where it states that this Executive Policy is not for public access?

Response

Council Policy - Policy Framework provides definition of an Executive Policy. It states that:

"An Executive Policy is adopted by the Executive Management Team and establishes a whole organisation approach to operational Policy. It may address several issues:

- It may specify in detail how the City will carry out, apply and/or action a Council Policy.*
- It may establish a minimum standard to be adopted for the organisation, such as Human Resources and Information and Communication Technology (ICT) matters, to ensure there is a consistent approach to these matters.*
- It may provide the guidelines that the Executive Management Team wishes to set in respect to operational matters within the organisation.*

Executive Policies are created as internal documents for City administration and are not adopted by Council".

Given that Executive Policies are created as internal documents for City administration, they are not for public access.

Question

2. Is this Executive Policy the City claims that covers the expenditure using credit cards on café's, restaurants, entertainment, gifts, flowers etc available to be viewed by the Elected Members if not, why not?

Response

Yes. Elected members can access any information held by the City that is relevant to the performance by them in their role.

Question

3. The City's response to my question last month on the refuelling of vehicles paid by credit card was that the vehicle in question was a hire vehicle and that credit cards are not shared. On the several occasions this hire vehicle was refuelled was the City officer the holder of the credit card with the vehicle and the person that paid for this service?

Response

Yes.

Question

The City has yet to install a warning sign as agreed to the location at The Pond alerting the public to the potential risk. I have a copy of minutes from the Pond water testing results taken from Council with the following: "The primary threats to human consumers of seafood considered here relate to contamination of filter feeding shellfish by faecal pathogens (eg: bacteria) and the accumulation of bio toxins from toxic algae. It is unlikely that shellfish from The Pond are collected and consumed.

Clearly the City has failed to acknowledge the number of public crabbing in this area, from boats, paddle boards and shore fishing.

4. When will the City install the warning sign alerting the public to the risks associated to public health as previously agreed?


Response

During your meeting with City Officers on the 8th January 2019, to discuss a number of concerns regarding both The Pond and the Forrester Road basin, you had advised that the warning signage erected at The Pond had weathered and was difficult to read. The City's Officers agreed to assess the condition of the sign, and replace it if it was weathered.

The signage was originally installed over a decade ago, in conjunction with the Department of Health, at a number of storm water discharge points throughout the metropolitan area. It was intended to notify recreational water users that a storm water discharge point was nearby, and that swimming immediately after heavy rain should be avoided.

The City replaced the sign on the 24th August 2020. The sign is at the Hawker Street entrance to The Pond, which is the same location as the previous sign. This sign is considered adequate to notify beach users of the discharge point.



	
4.	Public Question Time
	<p>6:01pm The Mayor opened Public Question Time and invited members for the Public Gallery to ask questions. The Mayor noted that this was the only opportunity in the meeting for the public to ask questions.</p> <p>4.1 Ms Dawn Jecks, Safety Bay – Little Penguin Studies</p> <p>The Mayor invited Ms Jecks to present her question to the Council. Ms Jecks asked the following question:</p> <ol style="list-style-type: none"> In reference to the Planning and Development Services Bulletin November 2020 page 27 under Section 4.3 Little Penguin Population - Penguin Island written by COR Coordinator Sustainability and Environment. <p>Firstly I would like to acknowledge and congratulate the COR for their ongoing funding towards annual studies that are being undertaken by Murdoch University into the population of the Little Penguin colony at Penguin Island which is managed by the Department of Biodiversity, Conservation and Attractions (DBCA).</p> <p>I note that the findings of the latest Population Estimate study have shown an estimated decline of 80% of overall population size since the initial baseline study was undertaken in 2007</p> <p>According to the COR Planning and Development Services November Bulletin, in the 2 years from 2017 to 2019 the Penguin population has halved in size. I understand that currently there is no management plan in place to protect our Little Penguins. I find this very disturbing given how important the Little Penguin is to our local economy and Rockingham identity.</p> <p>The Shoalwater Islands Marine Park (and Penguin Island) is managed by the Department of Biodiversity, Conservation and Attractions and I understand that the City and has recently approached the DBCA to prepare a management plan to guide ongoing actions. I would like to acknowledge and congratulate the COR for this important first step towards getting some measures in place to give our Little Penguins at least some protection.</p>

Whilst the City can advocate for management strategies to be formulated by DBCA (as the responsible agency), in order to address this rapid decline in Penguin numbers in the timely manner that the science is telling us is needed, I believe we need improved education of our local community as to what's happening and why we all need to play our part in ensuring that our Little Penguins don't disappear under our watch.

I note that the latest report from Belinda Cannell has been attached as Appendix 2 so thank you for that. However, I am wondering if I could get copies of previous years Little Penguin study reports done by Belinda Cannell for the COR?

If so, would like to request these copies as an electronic version of the reports rather than wasting resources on a printed version.

The Mayor thanked Ms Jecks for her comments and support for the City's action on this important matter.

The Mayor agreed that community education is an important element of the management response and the City will be looking at options to increase community awareness surrounding the Little Penguins population, and the impact of that human activity in the area can have on them.

The City does have the previous population reports available and will arrange for electronic copies of them to be sent to you.

4.2 Ms Teresa Ong, Singleton – Annual Meeting of Electors / Technopole

The Mayor invited Ms Ong to present her questions to the Council. Ms Ong asked the following questions:

1. Has this date been set for the Annual Meeting of Electors?

The Mayor advised that the date is subject to a report this evening and is anticipated to be Wednesday 16 December 2020 at 6pm.

2. Can the Annual Meeting of Electors be held in a larger area to ensure anyone who wishes to attend can get into the meeting? It would be a bad move to prevent people who wish to attend, from attending.

The Mayor advised that the City has no intention to deter the attendance of the electors, however social distancing and other precautions will still need to be observed. The venue has yet to be determined, however it is anticipated that it will be the Reception Room if available at that time.

3. Were you aware that the former Manager Investment Attraction has continuously operated a Pty business called MPT Pty Ltd since 2000, while still being employed by the City of Rockingham?

The Mayor advised he was not aware.

4. Prior to the delegations trip to Paris that the Mayor attended, did at any time the former Manager Investment Attraction who accompanied you, and was employed by the City, make you aware of a potential conflict of interest in his attending this trip?

The Mayor advised, no and he is not aware that a conflict of interest existed at the time.

5. Prior to departing for the ratepayer funded trip to France, did the former Manager Investment Attraction make you aware that he had registered a business with possible French connections?

The Mayor advised, no, he was not made aware at the time.

6. Did the former Manager Investment Attraction make the Mayor aware that he had registered a joint business with another member of the delegation to France - President WA Chapter of the French Australian Chamber of Commerce?

The Mayor advised, no, however has become aware in recent times.

7. How many air fares did the City pay for?

The Mayor advised the City paid for himself, the then CEO, the Manager Investment Attraction and the President WA Chapter of the French Australian Chamber of Commerce.

4.3 Mr Tom Mannion, Safety Bay – Health safety sign / outstanding rates

The Mayor invited Mr Mannion to present his questions to the Council. Mr Mannion asked the following questions:

1. Given that the drain at Forrester Road will flow when pump is activated at any time of the day even when no rain has occurred, why then after agreeing with public requests to install a sign alerting the public to the risks associated with water flowing from this drain has the city chosen to ignore this health risk?

The Mayor referred the question to the Director Planning and Development Services.

Mr Jeans advised that the City does not necessarily agree with Mr Mannion's version of events and asked for the question to be taken on notice.

2. Our local papers have run stories in previous years showing that in 2015 unpaid rates for Rockingham were approx. \$2.2m, with 2017 doubling to approximately \$4.8 and 2018 again showing unpaid rates at \$5.3m. Clearly this shows the struggle many home owners are faced with.

What are the figures for unpaid rates for the years 2018/19 and 2019/20?

The CEO advised that the number of people paying their rates within the 35 days and taking up rate smoothing option has increased from last year and requested that the question be taken on notice.

4.4 Mr James Mumme, Shoalwater – Lake Richmond ground water / weeds / little penguins

The Mayor invited Mr Mumme to present his questions to the Council. Mr Mumme asked the following questions:

Groundwater samples around Lake Richmond.

In reply to my earlier question about research suggesting that poor water quality is killing the thrombolites at Lake Richmond, Council said that they will study groundwater samples from the Water Corporation's bores located to the north-east and that "sample readings will determine whether further soil testing will be required."

- 1a. If the results from the north-east show good amounts of sulphides, what is the next step?
- 1b. If the results show poor amounts of sulphides, what is the next step?
- 1c. Is there any reason why Council should not proceed forthwith to obtain groundwater samples from around the rest of the Lake?

The Mayor took the above questions on notice.

Review of Weed Management at Lake Richmond

Thank you for the replies to my questions asked at the November 2020 Planning and Engineering Services Committee meeting. The reply said "The maintenance contractor has been directed to increase their effort in removing fruiting buckthorns as a matter of priority."

I went down this afternoon to the site and in 5 minutes I found two stumps treated by the contractor but I also found nearby two tall mature buckthorn trees covered in berries. I also found other weeds covered in ripe fruits. It seems that the contractor isn't identifying weeds in fruit or doesn't have time to deal with them.

- 2a. Will Council ensure that all female buckthorns around Lake Richmond are removed asap?
- 2b. Does Council think that the community is getting value for money from the contractor?
- 2c. Will Council restructure the weed management strategy to remove dangerous weeds at the point before they bear fruits?

Mr Mumme offered the services of the 'Friends of Point Peron' to help with weed management.

The Mayor took the above questions on notice, and noted his appreciation of Mr Mumme's offer.

Our Little Penguins facing extinction

At the Planning meeting I asked council to cancel the proposed extension to the Port Kennedy Launching Ramps because of increased risk to penguins from boat strikes. The reply said that Council has requested that the DBCA "prepare a management plan ... to determine and guide management strategies to support the Little Penguins population."

DBCA already has a management plan for the Shoalwater Islands Marine Park that includes many pages devoted to supporting the Little Penguins and makes reference to boat strikes killing seabirds. The plan includes the statement "ensure that approvals and the setting of conditions for new developments and operations are consistent with the management objectives and targets for the marine park (DEC, MRPA EPA, DoF, CoR)".

- 3a. Why did council put out a questionnaire for public comment on a proposed option to increase the launching ramps and build groynes at Port Kennedy to the public without mentioning the issue of environmental impacts and without the first checking with DBCA's management objectives and targets for the marine park and the penguins?
- 3b. Has Council's action in advertising this proposal created an expectation in the community that the option has official support and could well happen?
- 3c. Where did the suggestion to expand the launching ramps at Port Kennedy originate?

The Mayor took the above questions on notice.

4.5 Mr Phil Franzone, Singleton – Building Compliance requirements

The Mayor invited Mr Franzone to present his questions to the Council. Mr Franzone asked the following questions:

At the September general meeting of this Council, I asked a question relating to the role and responsibilities of the Council with respect to the administration of the Building Act and Regulations.

My question at the September meeting attempted to clarify the powers of the City relevant to its legal obligations and duty of care to the ratepayers with reference to building works within the City. The answer received was substantial in content but limited in detail relative to my question. However, I was relieved that the reply confirmed that *"Local Governments, such as the City of Rockingham are the main Permit Authority responsible for control."* and *"A Permit Authority controls the construction, occupation and demolition of buildings and incidental structures through the issue of permits and enforcement of compliance with permits."*

The second part of my question seeking information as to how the City enforced the Building Act was largely ignored. The only reference made being that: "Permit Authorities will appoint authorised persons to inspect buildings where it is deemed necessary" No detail was provided as to how the City identified potential breaches.

I asked further questions at the October Council meeting in order to clarify some aspects of the replies I received to my questions at the September meeting. The majority of my questions were clarified and I thank the author for his response.

However, two issues continue to concern me.

Firstly, in response to my question 2(b) - how does the Council monitor that the provisions of the Building Permits are being complied with and, broadly speaking, what percentage of permits issued are inspected for compliance, the author replied that - the Building Regulations prescribe when inspections and tests may be required and that the Regulations do not prescribe any testing for residential buildings. The author gave no indication as to what percentage, if any, of permits were inspected for compliance.

It is noted that the Regulations prescribes when inspections or tests may be prescribed. It does not prohibit additional inspections.

It is further noted that the Act requires that the person named as the builder on the permit must ensure that work complies with the conditions of the permit.

- 1a. Does the reply received to my question 2(b) asked at the October meeting mean that the Council does not conduct any inspections of residential buildings because the Regulations do not prescribe any tests.
- 1b. Does the Council rely solely on the integrity of the Builder, including his submission of a Notice of Completion, that conditions of the Building Permit have been complied with?
- 1c. Alternatively, if Council does conduct inspections or any other form of monitoring of residential buildings, or the builder responsible, during or after construction has been completed, again broadly speaking, what percentage of Permits and/or builders is subject to inspections or monitoring?

The Mayor took the above questions on notice.

The other issue I would appreciate further information on is the response received to my question 2(c) that is - building works carried out without a building permit where a building permit would otherwise be required. The respondent refers to - "unapproved structures." I am unclear as to what the City's definition of an "unapproved structure" is and for the purpose of my question I have assumed that an unapproved structure is any structure that cannot be approved because it does not comply with the Building act and regulations and/or does not meet appropriate recognized and acceptable engineering and safety standards.

Common building works that do not require building permits and are most likely to affect residential ratepayers are identified in Schedule 4 cl 2, items 1 -8 and 10 and cover the like of non-habitable class 10a buildings such as sheds and garages, pergolas, retaining walls, masts and antennas, certain repairs and renovations and fences other than swimming pool fences. All of these building works can be carried out without a building permit - but only if they comply with conditions forming part of and identified within the relevant item.

Logic would suggest that if a ratepayer built a garage far exceeding the maximum size permitted by the regulations, that structure would clearly be an "unapproved structure" and a building permit would be required. Alternatively, the structure might comply with size prerequisites but was not anchored to acceptable engineering and safety standards and was likely to blow away in a strong wind. Such a structure, although unsafe, would comply with the requirements of Schedule 4 and therefore a building permit would not be required. Would this constitute an unapproved structure? I suspect that the City would or should take appropriate action if such cases were to be brought to their attention.

However, I am unclear as to whether this logic extends to other lesser structures identified within the regulations such as fences, including dividing fences. I mention dividing fences because it does not appear that the act and regulations differentiate between types of fences. Neither do they specifically exempt dividing fences from the act and regulations.

In order to clarify the City's position I would like to ask the following hypothetical question. The question is in two parts

2a. If a ratepayer was to inform the City that they believed a structure (including a fence or a dividing fence) had been erected in breach of Schedule 4, cl2 of the Building Regulations, or in breach of any other part of the Building Act and Regulations, and provided reasonable evidence to support their belief, does the City have any legal obligation and/or duty of care to the ratepayer to investigate as to whether the structure complied with the act and regulations and was or was not an approved structure?

The second part of this question attempts to clarify the respondent's statement "If the building work is such that a building permit is not required, the City does not have jurisdiction to assess it."

2b. If a ratepayer was to inform the City that they believed a structure (including a fence or a dividing fence) may have been erected in compliance with Schedule 4, cl2 of the Building Regulations, but was constructed or erected in a manner that may be in breach of other parts of the Building Act and Regulations, by way of example, Section 79 (1) of the act, and provided reasonable evidence in support of their belief, is the City powerless to assess the structure in order to determine whether other breaches have occurred because it complies to the requirements of Schedule 4, cl2 of the Building Regulations.

The Mayor took the above questions on notice.

4.6 Mr Mal McFetridge, Safety Bay – Public Question Time / Rates

The Mayor invited Mr McFetridge to present his questions to the Council. Mr McFetridge asked the following questions:

Before putting my questions to Council most of which address the rate rises imposed on our community from FY2010/11 to 2019/20, I would like to point out that Councillors elected, or Council officers employed, after 2017 would not have been involved in the decisions of Council with reference to these rate rises or the justification of them. Additional I will use round figures in my questions.

Mr McFetridge extended his appreciation to Councillors Stewart, Liley and Hamblin in endeavouring to keep rate increases to a minimum in the past.

1. What are the reasons for Public Question Time not being recorded and shouldn't the person asking question or questions of Council be asked if they want their questions recorded or not for example I would like my questions recorded to ensure an accurate record of Council's responses are minuted?

The Mayor advised that Council has adopted its recording and live streaming of Council Meetings policy which notes that public question time will not be recorded.

The Mayor took the question on notice.

2. In questions 2 & 3 at last month's Council meeting I asked what impact did the accounting error, that is, using a depreciation figure almost twice that which should have been used in calculating financial ratios had on past rate rises, (That was \$71 million as opposed to the correct figure of \$38 Million). Both the 'Asset Sustainability Ratio' and the 'Operating Surplus Ratio' which indicate whether or not Council is raising sufficient funding for the construction and renewal of infrastructure had not met Local Government benchmarks for years and yet, when the correct figure was used to calculate these ratios in FY2018/19 they exceeded these government benchmarks indicating the City of Rockingham was spending significantly above the baseline for the construction and renewal of its infrastructure. The Council's response was that there was no impact on past rate rises and there was no error in the financial statements. It should be recognised that the Auditor General, as per their letter with respect to the FY2017/18 budget, stated that the 'Asset Sustainability Ratio' and the 'Operating Surplus Ratio' were below the DLGSCI benchmarks and addressed two other ratios in the letter, the 'Asset Consumption Ratio' and the 'Asset Renewal Funding Ratio' which must have caused some concern stating that they were 'supported by verifiable information and reasonable assumptions.' The same was not said about the 'Asset Sustainability Ratio' and the 'Operating Surplus Ratio'. What was the reason or reasons the wrong depreciation figure was used?

The Mayor took the question on notice.

3. Given that in FY2012/13 Council's assets were stated as \$444 million and the depreciation figure used was \$33 million and, 6 years later, FY 2017/18, Council's assets were listed as \$2 billion the depreciation for that financial year stated as \$71 million which was reduced in FY2018/19 to \$38 million, only \$5 million more than the 2012/13 figure how does Council explain this? (It should be noted that in FY2007/08 the Depreciation figure used in the rate setting statement was \$18.3 million.)

The Mayor took the question on notice.

4. Are Councillors aware that that according to the DLGSCI Asset Management Guidelines- Page 38 Asset Sustainability Ratio' it states that quote 'If capital expenditure on renewing or replacing assets is at least equal to depreciation on average over time, then the local government is ensuring the value of its existing stock of physical assets is maintained. If capital expenditure on existing assets is less than depreciation then, unless a local government's overall asset stock is relatively new, it is likely that it is underspending on renewal or replacement. Un-quote. This last part of the statement is exactly the result that the significant accounting error delivered, the use of high depreciation amounts always producing a ratio that did not meet government benchmarks until depreciation was significantly reduced. As this ratio is a simple one to calculate why wasn't this error found earlier, this ratio only meeting the LG benchmarks once from 2012 to 2019?

The Mayor took the question on notice.

	<p>5. In question 5 at last month's meeting I asked how many loans with the exception of the two self supporting loans had been taken out from FY2011/12 to FY2019/20 to reduce the rate burden on our community. The answer was a bit flowery but revealed no loans were taken out over this period even though the agendas of Council meetings stated that loans would be raised. For instance in FY2014/15 \$18.9 million was to be borrowed, in FY2015/16, \$5.25 million in FY2018/19 \$5million but the actual loans taken out were Zero. Why was this when the debt service ratio and Gross Debt to Operating Revenue suggest that Council was in a good position to borrow as far back as 2013 when debt servicing levels were between 3 and 6%?</p> <p><i>The Mayor took the question on notice.</i></p> <p>6. In question 6 I asked how much cash did Developer Contributions Plan which was implemented by Council in 2012 contribute to the building of infrastructure from FY2011/12 to FY2019/20. The answer was \$20 million. This figure matches those from the Developer Contribution Plan Report 2020 which are only estimates but are far from reality if we look at the transfer from the Developer Contribution reserve fund, This suggest that only \$11.2 million was transferred from the fund during this period far short of the response to my question of \$20 million. It is of interest that the administration of the DCP in the report is \$3.2 million! Which is closer to the right figure, \$20 million or \$11.2 million?</p> <p><i>The Mayor took the question on notice.</i></p> <p>7. In the Council meeting minutes of April 2012, page 242 it states that 'the City is now pre-funding the majority of infrastructure associated with community infrastructure plans'. Just what does this mean?</p> <p><i>The Mayor took the question on notice.</i></p> <p>8. In the Council meeting minutes of June 2012, page 207 it states that quote 'Whilst the finances of the city are not dire, unless continued action is taken to address the situation major problems are likely to be encountered within the medium term. The City has supported this view and has adopted rate increases with attempt to correct historical finance matters. The approach taken will take at least eight years to ensure security'. Un-quote. Why only eight years, (2020 being the end of the eight year period.) when the ten year business plan is a rolling plan to ensure fairness and equity with reference to the funding issues of Council? What are the 'historical finance matters and the major problems that might be encountered. After all, this Council survived the Global Financial crisis through the excellent management of pre 2008 administrations. Surely nothing could be worse than GFC?</p> <p><i>The Mayor took the question on notice.</i></p> <p>6:37pm There being no further questions the Mayor closed Public Question Time.</p>
5.	Applications for Leave of Absence
	<p>Cr Hayley Edwards requested a leave of absence for the January 2021 Council meeting.</p> <p>Moved Cr Stewart, seconded Cr Hamblin:</p> <p>That Council APPROVES Cr Edwards application for leave of absence for the January 2021 Council meeting.</p> <p style="text-align: right;">Carried – 11/0</p>

6.	Confirmation of Minutes of the Previous Meeting
	<p>Moved Cr Jones, seconded Cr Buchan:</p> <p>That Council CONFIRMS the Minutes of the Ordinary Council meeting held on 27 October 2020, as a true and accurate record.</p> <p style="text-align: right;">Carried – 11/0</p>
7.	Matters Arising from Minutes of Previous Meeting
	Nil
8.	Announcement by the Presiding Person without Discussion
	<p>6:39pm The Mayor 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 Council meeting.</p>
9.	Declarations of Members and Officers Interests
	<p>6:39pm The Mayor asked if there were any interests to declare.</p> <p>There were none.</p>
10.	Petitions/Deputations/Presentations/Submissions
	Nil
11.	Matters for which the Meeting may be Closed
	<p>6:39pm The Mayor advised in accordance with section 5.23(2)(b) and (e)(iii) of the Local Government Act 1995 – if there are any questions or debate on the following Confidential Items then the Council will need to defer the matter for consideration at Agenda Item 23 - Matters Behind Closed Doors.</p> <p>GM-025/20 Advisory Committee Membership – Review Appointments (<i>Absolute Majority</i>)</p> <p>GM-028/20 Recommendations from the Australia Day Awards Selection Panel Meeting held on 9 November 2020</p> <p>There were no questions or request for debate.</p>

Corporate and Community Development Committee

CONFIDENTIAL ITEM

NOT FOR PUBLIC ACCESS

Section 5.95(3) Local Government Act 1995 (the Act)

This item may be discussed behind closed doors as per Section 5.23(2)(b) and (e)(iii) of the Act

General Management Services Governance and Councillor Support	
Reference No & Subject:	GM-025/20 Advisory Committee Membership – Review Appointments (<i>Absolute Majority</i>)
File No:	GOV/39
Proponent/s:	
Author:	Ms Jelette Edwards, Governance Coordinator
Other Contributors:	Mr Peter Varris, Manager Governance and Councillor Support Ms Julia Dick, Collaborative Manager Community Capacity Building Ms Jillian Obiri-Boateng, Collaborative Manager Community Capacity Building Mr Manoj Barua, Manager Engineering Services Mr David Caporn, Manager Compliance and Emergency Liaison Mr Michael Ross, Manager Statutory Planning Ms Mary-Jane Rigby, Manager Community Safety and Support Services
Date of Committee Meeting:	17 November 2020
Previously before Council:	
Disclosure of Interest:	
Nature of Council's Role in this Matter:	Executive
Site:	
Lot Area:	
Attachments:	
Maps/Diagrams:	

Voting Requirements

Absolute Majority

Officer Recommendation

That Council **APPOINTS** the organisational representatives and community members to each of the following Advisory Committees until 30 September 2022.

Advisory Committees

Terms of Reference and Meeting Details	Representatives appointed from 2019-2021	Representatives appointed from 2020-2022
<p><u>Australia Day Awards Selection Panel</u> To select persons for Australia Day Awards from Nominations received.</p> <ul style="list-style-type: none"> - Meetings as required - No set time - Committee Room 	<p>Cr Buchanan Cr Davies Cr Stewart (Deputy)</p>	<p>Mrs Eileen Frith – Honorary Freeman Mr Laurie Smith – Honorary Freeman Mr Graham Cross</p>
<p><u>Bush Fire Advisory Committee</u> To –</p> <ul style="list-style-type: none"> · Provide advice and guidance to Council on matters relating to bushfire risk management; and · Facilitate collaboration between stakeholders with a shared responsibility for bushfire management within the City of Rockingham including prevention, preparedness, response and recovery. <ul style="list-style-type: none"> - Meeting quarterly commencing March - 1st Tuesday - Commence at 6:30pm - Committee Room 	<p>Cr Cottam</p>	<p>Mr Ryan Bulluss – Representing Karnup Volunteer Fire and Emergency Service Mr Tim Fisher – Department of Biodiversity Conservation and Attractions Mr Andrew Munro – Representing Rockingham Volunteer Fire and Rescue Service Mr Brenton Smith – Representing Baldivis Volunteer Fire and Emergency Service Mr Stephen Summerton – Representing Secret Harbour Volunteer Fire and Rescue Service Mr Terry Wegwermer – Representing Department of Fire and Emergency Services</p>
<p><u>City Safe Advisory Committee</u> To provide strategic input into the development and review of City of Rockingham Community Safety Strategies and support the delivery of strategy actions.</p> <ul style="list-style-type: none"> - Monthly - 2nd Thursday - Commence at 4:00pm - Boardroom 	<p>Cr Hamblin Cr Jones Cr Sammels</p>	<p>Ms Sarah Blake Mr Bob Cooper Mr Rob Dedman Ms Tania Gigg Ms Annette Harwood Ms Emma Leighannah del Pino Mr Pradeep Satya Mr Peter Skilton Mr Darrell Wilson</p>

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<p><u>Coastal Facilities Advisory Committee</u> To provide input and advice into the development, implementation and performance of the City of Rockingham Coastal Facilities Strategy.</p> <ul style="list-style-type: none"> - Quarterly - 4th Monday - Commence at 4:00pm - Committee Room 	<p>Cr Stewart Cr Buchan</p>	<p>Mr Les Dodd Mr Ron Pease JP Ms Vaughn Chapple – <i>Representing Department of Biodiversity, Conservation and Attractions</i></p> <p>Mr Mark Kleeman – <i>Representing Department of Primary Industries and Regional Development</i> Mr Chris Aleman – <i>Representing Marine Rescue Rockingham *same organisation – just name change*</i> Mr Ole Otness – <i>Representing The Cruising Yacht Club</i> Vacant – <i>Representing Mangles Bay Fishing Club</i></p>
<p><u>Cultural Development and the Arts Advisory Committee</u> To provide advice and guidance on cultural development and the arts, whilst representing the community's needs and aspirations in line with the City's Cultural Development and the Arts Strategy.</p> <ul style="list-style-type: none"> - Bi-monthly - 3rd Wednesday - Commence at 4:15pm - Committee Room 	<p>Cr Buchanan Cr Cottam (Deputy)</p>	<p>Ms Dany-el Baker Ms Jayd King Ms Zoe Nicolaou Ms Meg Salazar Ms Lorri Skinner</p>
<p><u>Disability Access and Inclusion Advisory Committee</u> To represent the Community by providing advice/support to Council with regard to the implementation of the Disability Access and Inclusion Plan/Strategy and to provide advice to improve City controlled disability access and inclusion within the City of Rockingham.</p> <ul style="list-style-type: none"> - Bi-monthly - Wednesday - Commence at 9:00am - Boardroom 	<p>Cr Jones Cr Cottam</p>	<p>Ms Stephenie Fielding Mr Gareth Goodway Mr Glenn Firth Ms Janet Halpin Ms Amy Hutchinson Ms Pamela Madden Ms Tennille O'Neill Ms Stevie Thomas</p>
<p><u>Global Friendship Committee</u></p> <ul style="list-style-type: none"> - Promoting awareness of the social and economic importance of the Global Friendships program to the community. - Planning and arranging visits to and from global affiliates - Measuring the performance and effectiveness of individual Global Friendships in terms of community and economic development benefit 	<p>Cr Sammels Cr Hamblin Cr Cottam</p>	<p>Ms Dale Kerferd Ms Caroline Hume Mr Dirk Mulder Ms Fiona Nutz Ms Charmaine Oosthuizen Ms Kez Wickham St George</p>

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<ul style="list-style-type: none"> - New Global Friendship proposals - Reviewing the performance and effectiveness of each Global Friendship every four years to assess the degree of activity, value to Council and associated benefits for the City of Rockingham. - Bi-monthly - 3rd Thursday - Commence at 5:00pm - Committee Room 		
<p><u>Heritage Reference Group</u></p> <p>To provide a Forum to discuss the conservation and preservation of natural and culturally significant heritage sites within the Rockingham district.</p> <ul style="list-style-type: none"> - As required - Commence at 4:00pm - Committee Room 	<p>Cr Cottam <i>Cr Buchanan (Deputy)</i></p>	<p>Mrs Wendy Durant – Representing Rockingham District Historical Society Mrs Sylvia Reed – Representing Rockingham District Historical Society Mrs Deborah Armstrong – (Deputy) Representing Rockingham District Historical Society Mr John Papalia – (Deputy) Representing Rockingham District Historical Society</p>
<p><u>RoadWise Advisory Committee</u></p> <p>To provide input and advice into the development, implementation and performance of the 'City of Rockingham Road Safety Action Plan' linked to the 'Towards Zero' State Road Safety Strategy 2008-2020."</p> <ul style="list-style-type: none"> - Quarterly - 1st Monday - Commence at 4.00pm - Committee Room 	<p>Cr Whitfield <i>Cr Cottam (Deputy)</i></p>	<p>Mr Richard Bryant Mr Anthony Gale Mr Jozef Janickovic Ms Jayd King Ms Donna Williams Ms Arlene Yates Vacant – Representing WA Police Mrs Engel Prendergast – Representing Western Australian Local Government Association (WALGA) Ms Tania Gigg – Representing School Drug Education Aware (SDERA)</p>
<p><u>Rockingham Education and Training Advisory Committee (RETAC)</u></p> <p>To consider and make recommendations regarding the Tertiary Scholarship Scheme applications and provide advice and guidance on education, training and lifelong learning within the City of Rockingham to Council.</p> <ul style="list-style-type: none"> - Quarterly - Monday - Commence at 4:15pm - Boardroom 	<p>Cr Davies Cr Hamblin</p>	<p>Ms Vanessa Aitkins– Independent Schools representative Ms Kendal Drew Mr Jette Oksis – Representing Department of Education (South Metro Regional Office) Mr David Sadler – University representative</p>

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		Mr Martin Turnbull – <i>Representing South Metro TAFE</i> Dr Lynette Vernon – <i>University representative</i>
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Committee Recommendation

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Committee Voting (Carried) – 5/0

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

The Committee changed the officer's recommendation to include the application received on 16 November 2020 for Mr Gary Clark to be a representative on the Coastal Facilities Advisory Committee representing Mangles Bay Fishing Club.

Implications of the Changes to the Officer's Recommendation

Not Applicable

Council Resolution

Moved Cr Whitfield, seconded Cr Edwards:

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Terms of Reference and Meeting Details	Representatives appointed from 2019-2021	Representatives appointed from 2020-2022
<u>Australia Day Awards Selection Panel</u> To select persons for Australia Day Awards from Nominations received. <ul style="list-style-type: none">- Meetings as required- No set time- Committee Room	Cr Buchanan Cr Davies Cr Stewart (Deputy)	Mrs Eileen Frith – <i>Honorary Freeman</i> Mr Laurie Smith – <i>Honorary Freeman</i> Mr Graham Cross
<u>Bush Fire Advisory Committee</u> To – <ul style="list-style-type: none">• Provide advice and guidance to Council on matters relating to bushfire risk management; and• Facilitate collaboration between stakeholders with a shared responsibility for bushfire management within the City of Rockingham including prevention, preparedness, response and recovery. <ul style="list-style-type: none">- Meeting quarterly commencing March- 1st Tuesday- Commence at 6:30pm- Committee Room	Cr Cottam	Mr Ryan Bulluss – <i>Representing Karnup Volunteer Fire and Emergency Service</i> Mr Tim Fisher – <i>Department of Biodiversity Conservation and Attractions</i> Mr Andrew Munro – <i>Representing Rockingham Volunteer Fire and Rescue Service</i> Mr Brenton Smith – <i>Representing Baldivis Volunteer Fire and Emergency Service</i> Mr Stephen Summerton – <i>Representing Secret Harbour Volunteer Fire and Rescue Service</i> Mr Terry Wegwermer – <i>Representing Department of Fire and Emergency Services</i>
<u>City Safe Advisory Committee</u> To provide strategic input into the development and review of City of Rockingham Community Safety Strategies and support the delivery of strategy actions. <ul style="list-style-type: none">- Monthly- 2nd Thursday- Commence at 4:00pm- Boardroom	Cr Hamblin Cr Jones Cr Sammels	Ms Sarah Blake Mr Bob Cooper Mr Rob Dedman Ms Tania Gigg Ms Annette Harwood Ms Emma Leighannah del Pino Mr Pradeep Satya Mr Peter Skilton Mr Darrell Wilson

Terms of Reference and Meeting Details	Representatives appointed from 2019-2021	Representatives appointed from 2020-2022
<p><u>Coastal Facilities Advisory Committee</u> To provide input and advice into the development, implementation and performance of the City of Rockingham Coastal Facilities Strategy.</p> <ul style="list-style-type: none"> - Quarterly - 4th Monday - Commence at 4:00pm - Committee Room 	<p>Cr Stewart Cr Buchan</p>	<p>Mr Les Dodd Mr Ron Pease JP Ms Vaughn Chapple – <i>Representing Department of Biodiversity, Conservation and Attractions</i> Mr Mark Kleeman – <i>Representing Department of Primary Industries and Regional Development</i> Mr Chris Aleman – <i>Representing Marine Rescue Rockingham *same organisation – just name change*</i> Mr Ole Otness – <i>Representing The Cruising Yacht Club</i> Mr Gary Clark – <i>Representing Mangles Bay Fishing Club</i></p>
<p><u>Cultural Development and the Arts Advisory Committee</u> To provide advice and guidance on cultural development and the arts, whilst representing the community's needs and aspirations in line with the City's Cultural Development and the Arts Strategy.</p> <ul style="list-style-type: none"> - Bi-monthly - 3rd Wednesday - Commence at 4:15pm - Committee Room 	<p>Cr Buchanan Cr Cottam (Deputy)</p>	<p>Ms Dany-el Baker Ms Jayd King Ms Zoe Nicolaou Ms Meg Salazaar Ms Lorri Skinner</p>
<p><u>Disability Access and Inclusion Advisory Committee</u> To represent the Community by providing advice/support to Council with regard to the implementation of the Disability Access and Inclusion Plan/Strategy and to provide advice to improve City controlled disability access and inclusion within the City of Rockingham.</p> <ul style="list-style-type: none"> - Bi-monthly - Wednesday - Commence at 9:00am - Boardroom 	<p>Cr Jones Cr Cottam</p>	<p>Ms Stephenie Fielding Mr Gareth Goodway Mr Glenn Firth Ms Janet Halpin Ms Amy Hutchinson Ms Pamela Madden Ms Tennille O'Neill Ms Stevie Thomas</p>
<p><u>Global Friendship Committee</u></p> <ul style="list-style-type: none"> - Promoting awareness of the social and economic importance of the Global Friendships program to the community. - Planning and arranging visits to and from global affiliates - Measuring the performance and effectiveness of individual Global Friendships in terms of community and economic development benefit - New Global Friendship proposals 	<p>Cr Sammels Cr Hamblin Cr Cottam</p>	<p>Ms Dale Kerferd Ms Caroline Hume Mr Dirk Mulder Ms Fiona Nutz Ms Charmaine Oosthuizen Ms Kez Wickham St George</p>

Terms of Reference and Meeting Details	Representatives appointed from 2019-2021	Representatives appointed from 2020-2022
<ul style="list-style-type: none"> - Reviewing the performance and effectiveness of each Global Friendship every four years to assess the degree of activity, value to Council and associated benefits for the City of Rockingham. - Bi-monthly - 3rd Thursday - Commence at 5:00pm - Committee Room 		
<p><u>Heritage Reference Group</u></p> <p>To provide a Forum to discuss the conservation and preservation of natural and culturally significant heritage sites within the Rockingham district.</p> <ul style="list-style-type: none"> - As required - Commence at 4:00pm - Committee Room 	<p>Cr Cottam Cr Buchanan (Deputy)</p>	<p>Mrs Wendy Durant – Representing Rockingham District Historical Society Mrs Sylvia Reed – Representing Rockingham District Historical Society Mrs Deborah Armstrong – (Deputy) Representing Rockingham District Historical Society Mr John Papalia – (Deputy) Representing Rockingham District Historical Society</p>
<p><u>RoadWise Advisory Committee</u></p> <p>To provide input and advice into the development, implementation and performance of the 'City of Rockingham Road Safety Action Plan' linked to the 'Towards Zero' State Road Safety Strategy 2008-2020."</p> <ul style="list-style-type: none"> - Quarterly - 1st Monday - Commence at 4.00pm - Committee Room 	<p>Cr Whitfield Cr Cottam (Deputy)</p>	<p>Mr Richard Bryant Mr Anthony Gale Mr Jozef Janickovic Ms Jayd King Ms Donna Williams Ms Arlene Yates Vacant – Representing WA Police Mrs Engel Prendergast – Representing Western Australian Local Government Association (WALGA) Ms Tania Gigg – Representing School Drug Education Aware (SDERA)</p>
<p><u>Rockingham Education and Training Advisory Committee (RETAC)</u></p> <p>To consider and make recommendations regarding the Tertiary Scholarship Scheme applications and provide advice and guidance on education, training and lifelong learning within the City of Rockingham to Council.</p> <ul style="list-style-type: none"> - Quarterly - Monday - Commence at 4:15pm - Boardroom 	<p>Cr Davies Cr Hamblin</p>	<p>Ms Vanessa Aitkins– Independent Schools representative Ms Kendal Drew Mr Jette Oksis – Representing Department of Education (South Metro Regional Office) Mr David Sadler – University representative</p>

Terms of Reference and Meeting Details	Representatives appointed from 2019-2021	Representatives appointed from 2020-2022
		Mr Martin Turnbull – <i>Representing South Metro TAFE</i> Dr Lynette Vernon – <i>University representative</i>
<u>Seniors Advisory Committee</u> To provide information, advice and guidance to Council on matters pertaining to seniors within the City of Rockingham - Bi-monthly - Thursday - Commence at 10:00am - Committee Room	Cr Stewart Cr Cottam	Ms Lorraine Dunkling Ms Caroline Hume Ms Karen Fewster Ms Lynn Locke Mr Ron Pease JP Ms Valerie Turnell
<u>Sports Advisory Committee</u> To provide advice and guidance on sport and recreation relevant to the City of Rockingham, whilst representing the community's needs and aspirations in line with the City's relevant Community Plan Strategy/Strategies. - Quarterly – Feb, May, Aug and Nov - 1st Monday - Commence at 5:00pm - Boardroom	Cr Liley Cr Edwards	Mr Alexandre Carrano Mr Gary Clark Ms Simone Ireland Mr Simon Read Ms Claudia Wells Ms Carolyn Wilson

Carried by Absolute Majority – 11/0

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

Not Applicable

General Management Services

CONFIDENTIAL ITEM

NOT FOR PUBLIC ACCESS

Section 5.95(3) Local Government Act 1995 (the Act)

This item may be discussed behind closed doors as per Section
5.23(2)(b) of the Act

General Management Services Governance and Councillor Support	
Reference No & Subject:	GM-028/20 Recommendations from the Australia Day Awards Selection Panel Meeting held on 9 November 2020
File No:	COM/7
Author:	Ms Emma Lewis, Administration Officer – Civic Services
Other Contributors:	
Date of Council Meeting:	24 November 2020
Disclosure of Interest:	
Nature of Council's Role in this Matter:	Executive
Attachments:	Confidential Attachment as per Section 5.95 of the Local Government Act 1995 Confidential Minutes of the Australia Day Awards Selection Panel meeting dated 9 November 2020
Maps/Diagrams:	

Purpose of Report

For Council to approve the Australia Day Awards Selection Panel recommendations as listed in the report.

Voting Requirements

Simple Majority

Recommendation to Council

Advisory Committee Recommendation 1 of 1: Nominations received for Community Citizen of the Year Awards 2021

That Council:

1. **ACCEPTS** the recommendation by the Australia Day Awards Selection Panel on the recipients for the following 2021 awards –
 - a) Community Citizen of the Year
 - b) Young Community Citizen of the Year (under 25 years of age)
 - c) Senior Community Citizen of the Year (over 65 years of age)
 - d) Active Citizenship (Group or Event)
2. **WITHHOLDS** the release of the name of the successful award recipients until they are formally presented at the 2021 Australia Day ceremony.

Officer Recommendation if Different to Advisory Committee Recommendation

Not Applicable

The Officer's Reason for Varying the Advisory Committee Recommendation

Not Applicable

Council Resolution

Moved Cr Whitfield, seconded Cr Buchanan:

That Council:

1. **ACCEPTS** the recommendation by the Australia Day Awards Selection Panel on the recipients for the following 2021 awards –
 - a) Community Citizen of the Year
 - b) Young Community Citizen of the Year (under 25 years of age)
 - c) Senior Community Citizen of the Year (over 65 years of age)
 - d) Active Citizenship (Group or Event)
2. **WITHHOLDS** the release of the name of the successful award recipients until they are formally presented at the 2021 Australia Day ceremony.

Carried – 11/0

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

Not Applicable

12.	Receipt of Minutes of Committees
	<p>Moved Cr Buchan, seconded Cr Hamblin:</p> <p>That Council RECEIVES and CONSIDERS the minutes of the:</p> <ol style="list-style-type: none">1. Planning and Engineering Services Committee meeting held on 16 November 2020;2. Corporate and Community Development Committee meeting held on 17 November 2020; and3. Audit Committee meeting held on 20 November 2020. <p style="text-align: right;">Carried – 11/0</p>
13.	Officers Reports and Recommendations of Committees
	<p>Method of Dealing with Agenda Business</p> <p>The Mayor advised the meeting that with the exception of the items identified to be withdrawn for discussion that the remaining reports committee recommendations would be adopted en bloc, ie all together.</p> <p>Withdrawn Items</p> <p>Nil</p>

Audit Committee

Note: The Audit Committee meeting was held following the publishing of the November 2020 Council agenda.

The Chief Executive Officer advised that the Audit Committee supported the officer recommendation however the Audited Financial Report and Management Report were in draft form awaiting the 'sign off' by the Auditor General. The Audit Committee minutes will be confirmed noting the correction.

The Auditor General has now approved the documents unchanged.

Audit Committee		
Reference No & Subject:	AC-006/20	Adoption of the Annual Financial Report for 2019/2020
File No:	CPM/109-02	
Proponent/s:		
Author:	Mr Khushwant Kumar, Financial Controller	
Other Contributors:	Mr John Pearson, Director Corporate Services	
Date of Committee Meeting:	20 November 2020	
Previously before Council:		
Disclosure of Interest:		
Nature of Council's Role in this Matter:	Executive	
Site:		
Lot Area:		
Attachments:	<ol style="list-style-type: none">1. Audited Financial Report 2019/20202. Draft Independent Auditor's Report3. City of Rockingham Closing Audit Report	
Maps/Diagrams:		

Purpose of Report

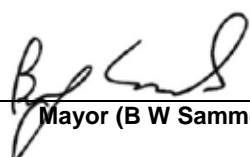
To present to Council the Audited Financial Report, Independent Auditor's Report and Management Report for the year ended 30 June 2020.

Background

Council is required to accept the Audited Financial Report which will be included as part of the City's Annual Report.

Council's Auditors have now completed the audit and have provided their draft Independent Auditor's Report and Management Report which they will present to the Audit Committee.

Confirmed at a Council meeting held
on Tuesday 15 December 2020


Mayor (B W Sammels)

Details

The draft Independent Auditor's Report includes the following statement;

"In my opinion the annual financial report of the City of Rockingham:

- (i) is based on proper accounts and records; and*
- (ii) fairly represents, in all material respects, the results of the operations of the City for the year ended 30 June 2020 and its financial position at the end of that period in accordance with the Local Government Act 1995 (the Act) and, to the extent that they are not inconsistent with the Act, Australian Accounting Standards."*

There are no matters identified as significant by the Auditor in the Audit Report.

The draft Management Letter includes one moderate finding and this finding has been addressed by the City.

Some of the key indicators included in the Annual Financial Report for 2019/2020 are;

- The City has net assets of \$2.18 billion.
- Total operating revenue for the year was \$147.18 million.
- Total rate revenue for the year was \$91.55 million.
- The outstanding borrowings as at 30 June 2020 was \$9.04 million.

The closing surplus reported in the Rate Setting Statement for the year was \$48.84 million which was made up of;

- \$30.47 million carried forward funds due to works in progress and uncompleted capital projects;
- \$5.22 million for unspent grants and Rates paid in advance, which are both non-cash items and adjusted due to requirements of the new accounting standards;
- \$3.38 million restricted funds for unspent grants;
- \$1.81 million restricted funds for Municipal bond liabilities;
- \$3.60 million restricted funds for Bert England Lodge;
- \$4.36 million unrestricted funds being net savings during the year.

During the 2019-20 financial year, the City adopted three new accounting standards AASB 15 Revenue from Contracts with Customers, AASB 16 Leases and AASB 1058 Income for Not-for-Profit Entities. Due to these changes, rates received in advance which were recorded as revenue when received, are now treated as a financial liability.

Further, under any performance obligation any revenue received in advance is now treated as a contract liability until the performance obligation(s) under the contract are satisfied. This will affect unspent grants which is treated as a liability at the adoption of the new accounting standard. Developer contributions and cash in lieu of parking revenue which are not spent during the year are also treated as a liability, because of the new accounting standard.

Implications to Consider

a. Consultation with the Community

Nil

b. Consultation with Government Agencies

Nil

c. Strategic

Community Plan

This item addresses the Community's Vision for the future and specifically the following Aspiration and Strategic Objective(s) contained in the Strategic Community Plan 2019-2029:

Aspiration 4: *Deliver Quality Leadership and Business Expertise*

Strategic Objective: *Effective Governance – Apply systems of governance which empower the Council to make considered and informed decisions within a transparent, accountable, ethical compliant environment.*

d. Policy

Nil

e. Financial

The anticipated surplus used for budget calculations was \$32.43 million and the actual surplus was \$43.62 (\$48.84 million minus non-cash item of \$5.22 million). The difference is made up of an additional \$6.19 million carried forward funds, \$0.64 million restricted funds and \$4.36 million in unrestricted funds.

f. Legal and Statutory

Section 6.4(1) and 6.4(2) of the Local Government Act 1995 (the Act) requires a Local Government to prepare an annual financial report for the preceding financial year which is to be presented in the manner and form prescribed.

Section 6.4(3) of the Act requires a Local Government to submit to its auditor the accounts balanced up to the last day of the preceding financial year, and to submit the annual financial report by 30 September.

Section 7.9(1) of the Act requires an audit to be conducted to examine the accounts and annual financial report submitted for audit; and to prepare a report thereon, which is required to be forwarded to the Mayor, Chief Executive Officer and the Minister for Local Government.

Regulation 51(2) of the Local Government (Financial Management) Regulations 1996 requires a local government to submit a copy of the annual financial report to the Department within 30 days of Local Government receiving the auditor's opinion on the financial position and the results of the operations of the local government.

Regulation 10(1) of the Local Government (Audit) Regulations 1996 requires the auditors to submit an audit report to the persons specified in section 7.9(1) of the LGA within 30 days of completing the audit.

g. Risk

All Council decisions are subject to risk assessment according to the City's Risk Framework.

Implications and comment will only be provided for the following assessed risks.

Customer Service / Project management / Environment : High and Extreme Risks

Finance / Personal Health and Safety : Medium, High and Extreme Risks

Nil

Comments

The current Independent Auditor's Report for 2019/2020 is clear of any negative findings.

The City's management is satisfied with the financial year outcome and believes the report demonstrates the City's financial position.

Voting Requirements

Simple Majority

Officer Recommendation

That Council:

1. **ADOPTS** the Audited Financial Report for the year ended 30 June 2020.
2. **NOTES** the Management Report for year ended 30 June 2020.

Committee Recommendation

That Council:

1. **ADOPTS** the draft¹ Audited Financial Report for the year ended 30 June 2020.
2. **NOTES** the draft Management Report for year ended 30 June 2020.

Committee Voting (Carried) – 5/0

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

Not Applicable

Implications of the Changes to the Officer's Recommendation

Not Applicable

Council Resolution

Cr Davies advised that she wished to propose an amendment to the recommendation as follows –

3. **ACKNOWLEDGES** the efforts and work put into preparing and finalising the 2019/2020 financial statements and congratulates officers on a job well done during the ongoing COVID-19 pandemic environment.

Comment/Reasons:

I believe it is important that Council acknowledge the hard work of City officers over the last twelve months in managing the City's resources and providing a supportive and protective environment for our community. The MARKYT Community Resilience Scorecard survey, performed independently of the City by CATALYSE, noted the City of Rockingham as an industry leader in responding to the pandemic, with feedback from the Rockingham community placing the City's response in the good-to-excellent category with a score of 78. The industry average was 68.

These things don't happen by chance and it is the hard work of everyone which ensures a safe and vibrant community. I feel it is incumbent on the Council, given the clean bill of health related to the City's finances and the overarching wellbeing of the Rockingham community led by the City, that relevant recognition be provided. In this instance, it is my view that a motion such as the one I am moving, demonstrates this.

Moved Cr Davies, seconded Cr Whitfield:

That Council:

1. **ADOPTS** the Audited Financial Report for the year ended 30 June 2020.
2. **NOTES** the Management Report for year ended 30 June 2020.
3. **ACKNOWLEDGES** the efforts and work put into preparing and finalising the 2019/2020 financial statements and congratulates officers on a job well done during the ongoing COVID-19 pandemic environment.

Carried – 11/0

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

Not Applicable

¹ The Audit Committee were informed that reports were yet to be approved by the Auditor General and therefore were draft documents.

Council Resolution – En bloc Resolution

Moved Cr Jones, seconded Cr Hamblin:

That the committee recommendations in relation to Agenda Items PD-049/20 and EP-022/20 be carried en bloc.

Carried – 11/0

Planning and Engineering Services Committee

**Planning and Development Services
Land and Development Infrastructure Services**



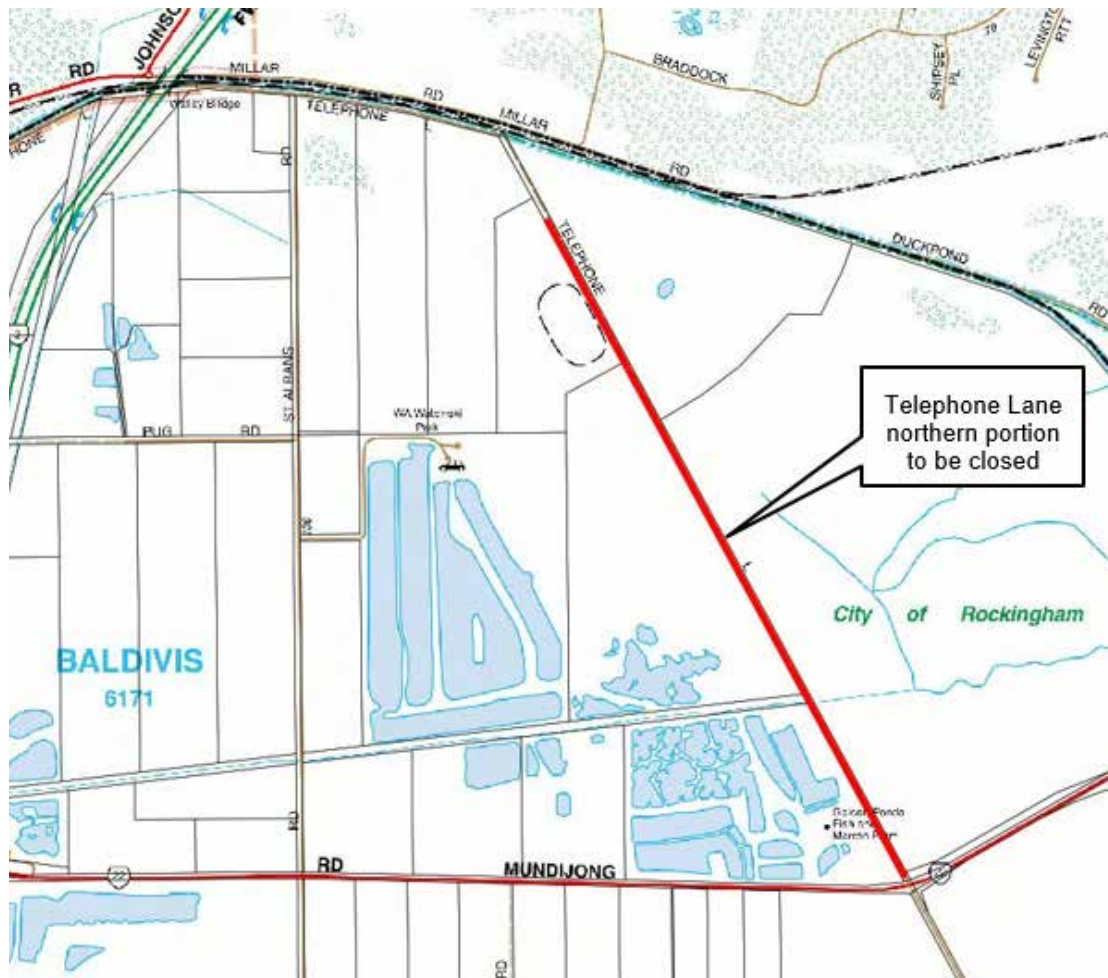
Reference No & Subject:	PD-049/20	Proposed Road Closure - Portion of Telephone Lane between Mundijong Road and Millar Road, Baldvis and Reclassify as Emergency Access Way (Final Approval)
File No:	LUP/2160	
Applicant:		
Owner:	Crown	
Author:	Mr David Waller, Coordinator Statutory Planning	
Other Contributors:	Mr Mike Ross, Manager Statutory Planning Mr Manoj Barua, Manager Engineering Services Mr Adam Johnston, Manager Parks Services	
Date of Committee Meeting:	16 November 2020	
Previously before Council:	23 February 2010 (PD15/2/10); July 2009 (PD86/7/09)	
Disclosure of Interest:		
Nature of Council's Role in this Matter:	Executive	
Site:	Telephone Lane Road Reservation between Mundijong Road and Millar Road, Baldvis	
Lot Area:	Area of Road Closure 4.6ha	
LA Zoning:	Local Road	
MRS Zoning:	Rural	
Attachments:	Letter from Mr Reece Whitby, MLA Member for Baldvis	
Maps/Diagrams:	1. Location Plan 2. Portion of Existing Telephone Lane to be Closed (Shown in Red) 3. Consultation Plan	

Maps/Diagrams:

4. Photograph - Telephone Lane North of Mundijong Road 1
5. Photograph - Telephone Lane North of Mundijong Road 2
6. Photograph - Telephone Lane South of Millar Road

Purpose of Report

For Council to consider proceeding with a road closure for a portion of Telephone Lane between Mundijong Road and Millar Road, Baldvis and support reclassifying it as an Emergency Access Way, following the close of advertising.



1. Location Plan

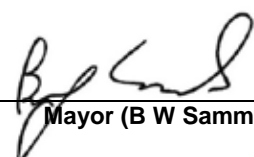
Background

Previous Application

In July 2009, Council resolved to advertise the proposed closure of the unconstructed portion of Telephone Lane. At the time the application was from the adjoining owner being Wellard Limited (now the previous owner). Reports of bogged vehicles, due to the road not being trafficable and 'hoon' behaviour that frequented the area were being reported to the City at the time. There was also evidence of illegal dumping of rubbish.

The proposal was advertised for 35 days. Advertising closed on 4 December 2009, with submissions only received from Government Agencies. No owner or resident submissions were received.

Confirmed at a Council meeting held
on Tuesday 15 December 2020


Mayor (B W Sammels)

In February 2010, Council resolved to request the Minister for Lands proceed with the partial road closure of Telephone Lane, pursuant to Section 58 of the Land Administration Act 1997.

In April 2010, the then Department of Planning (DoP) advised the City that the land use options for the general area north of Mundijong Road remained to be concluded, under the draft Southern Metropolitan and Peel Sub-Regional Structure Plan, and that the need for closure should await the outcomes of the comprehensive planning review.

In this regard, the Regional Planning Framework was not finalised until several years later, and as such, no further action was taken on the matter.

In August 2017, the Wellard Limited landholdings were purchased by Stocklands Miami (Qld) Pty Ltd.

In March 2018, the Western Australian Planning Commission (WAPC) released the Perth and Peel@3.5 Million land use planning and infrastructure frameworks (Frameworks), which included associated Sub-Regional Structure Plans. The land is identified as Planning Investigation under this Regional Planning Framework, which means it is subject to further investigation to consider the land's suitability for a possible change of use.

Current Request

In June 2020, the City was copied into an email to Mr Reece Whitby MLA from the owner of No.328 Mundijong Road, Baldivis that a portion of Telephone Lane, north of Mundijong Road, was being used as a 4WD track and creating noise impacts into the early hours of the morning.

On 29 June 2020, the City received a copy of correspondence from Mr Whitby's Office notifying Mr Matthew Swinbourn, MLC that the issue was occurring outside the boundary of his Baldivis jurisdiction and affecting one of Mr Swinbourn's constituents.

On 3 July 2020, the City responded to Mr Whitby MLA, advising that it was investigating temporary road closure, subject to consultation outcomes, with the objective of installing a physical barrier to prevent access to the road for a period of six months and that advice would be sought from the Department of Planning Land and Heritage (DPLH) on the permanent closure of Telephone Lane (north) or another land tenure approach which achieved the same outcome. The City also advised that hoon behaviour should be reported to the WA Police and that City's SmartWatch would include this location in its routine patrols in the weeks following.

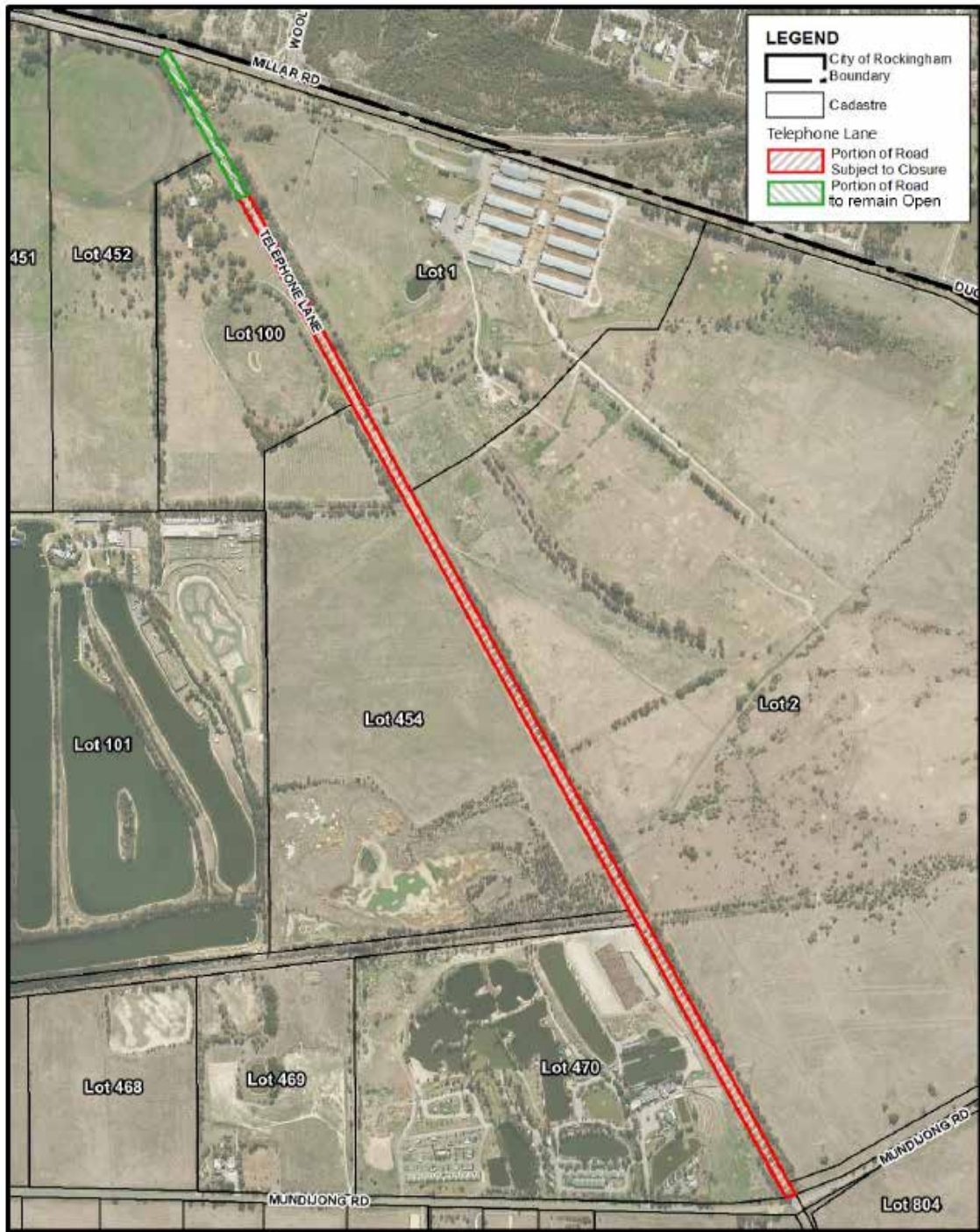
On 6 July 2020, the City provided the same update to Mr Swinbourn's MLC Office.

Details

The application is to close the portion of Telephone Lane north of Mundijong Road, which is approximately 2.3km long and is 4.6ha in area.

The two parts to the road closure are as follows:

1. Temporary road closure of the unconstructed portion of Telephone Lane to general traffic until 7 September 2021, as an interim measure including the installation of gates; and
2. Permanent road closure and reclassification of the unconstructed portion of Telephone Lane as an Emergency Access Way.



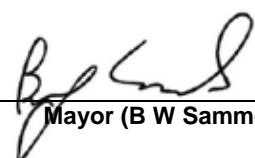
2. Portion of Existing Telephone Lane to be Closed (Shown in Red)

Implications to Consider

a. **Consultation with the Community**

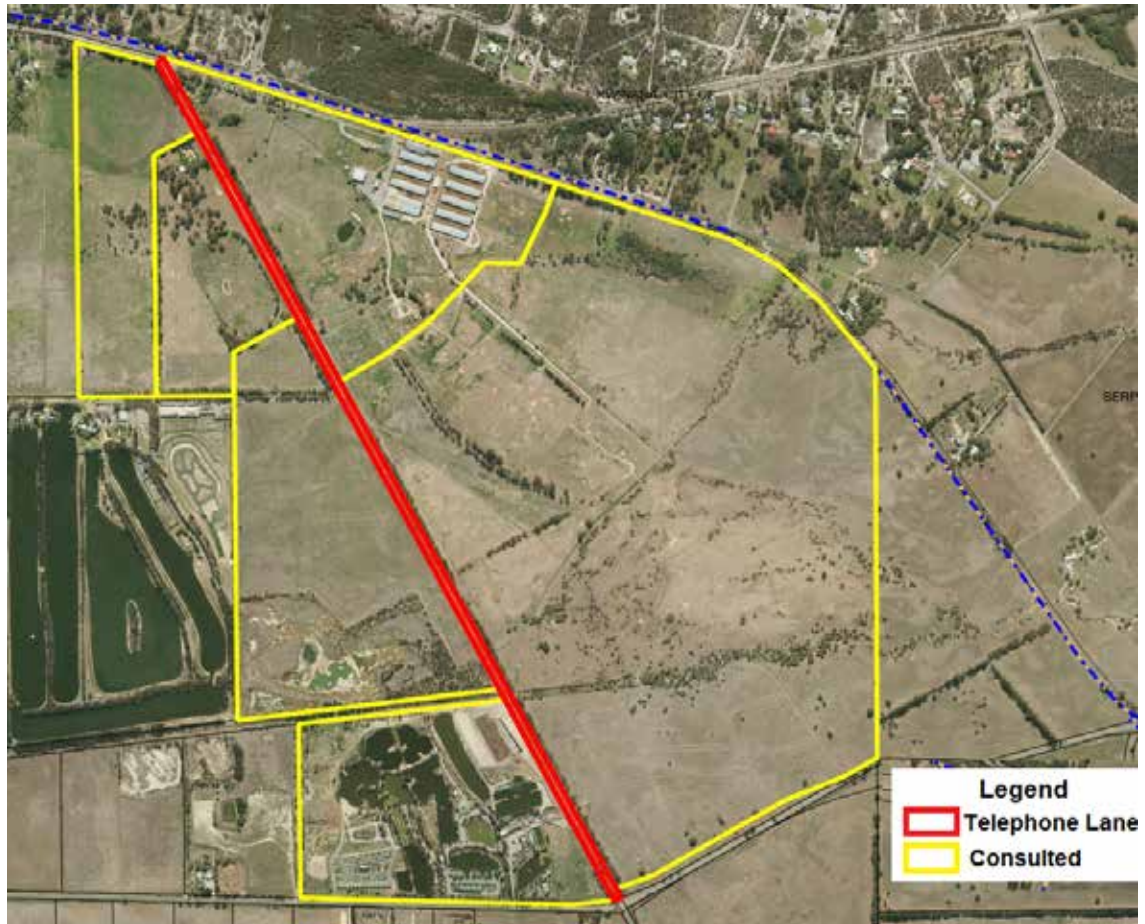
In September 2020, the City advertised closure of the northern portion of Telephone Lane for a temporary period of 12 months, up until September 2021. This did not require Council to again make a decision to initiate closure proceedings, given Council's previous resolution in 2010. In re-advertising the proposal for closure, however, the City gave notification of both the proposed temporary and permanent closures, of which permanent closure requires a Council resolution of support to proceed.

Confirmed at a Council meeting held
on Tuesday 15 December 2020


Mayor (B W Sammels)

Accordingly, a notice seeking comment was placed in the Sound Telegraph on 29 July 2020 for a period of 35 days and the proposal was referred to property owners and occupiers as shown on the plan below.

Following completion of the advertising on 4 September 2020, the City received no response or objection from the community. The City received two Government Agency submissions.



3. Consultation Plan

b. Consultation with Government Agencies

The following authorities were also consulted during the advertising period. The details of which, are listed below:

- (i) Department of Fire and Emergency Services;
- (ii) Department of Planning, Lands and Heritage;
- (iii) Department of Water and Environmental Regulation;
- (iv) ATCO Gas Australia Pty Ltd;
- (v) Development WA;
- (vi) Main Roads WA;
- (vii) Telstra;
- (viii) Water Corporation; and
- (ix) Western Power.

The two formal submissions have been summarised below, with the Officer's response to the comments made.

1. Department of Fire and Emergency Services (DFES)

Submission:

From DFES's perspective, there is no immediate consequence to the region from an operational stand point, noting this location appears to be one of Perth's unofficial recreational 4WD site during the winter months.

In lieu of closing it though, and the fact the current format for the reserve is of no value to the majority of the public, the City of Rockingham may opt to consider the opportunity to re-establish this road reserve as a strategic fire control line or emergency exit for emergency services use only (sign posted restricted access) as a possible treatment strategy in their Bushfire Risk Management Plan (as applicable). Also, this reserve may provide an alternative route in the event of fires that impact on Millar Road, St Alban Road and Baldivis Road.

There has been some history of fires burning across grass paddocks in the eastern and northern parts of Baldivis, Western Mundijong, particularly in and around Millar Road, St Albans Road and Mundijong Road, so it may be reasonable for the City to consider repurposing this reserve rather than closing it.

The City's Officer should open dialogue with their Coordinator Emergency Management/CBFCO - Mr Greg Whip and the City's Bushfire Mitigation Officers before concluding upon a final position.

City's Comment:

The last major fire in Baldivis in 2019 burnt in a northerly direction from Karnup Rd in the south, through to Mundijong Road, before it was able to be contained. The City's Compliance and Emergency Liaison Team has advised it could have quite easily jumped Mundijong Road to the north. The City considers that a serviceable strategic firebreak/Emergency Access Way would prove valuable during emergency incidents in the future and improve community bushfire safety. Upgrades to the road, however, will be required to make it accessible to emergency vehicles.

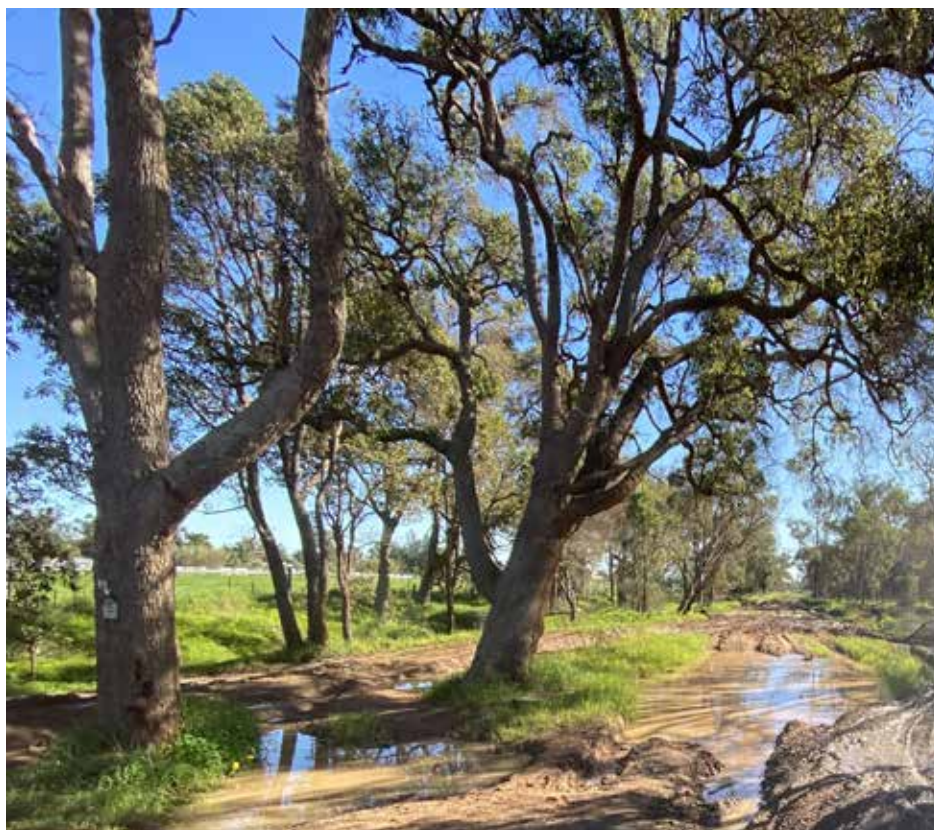
The recommendation of DFES is supported by the City's a Compliance and Emergency Liaison Services and the City's Engineering and Parks Services.

It is recommended that this section of Telephone Lane be reclassified as an Emergency Access Way, which can be used for fire control and restricted access to emergency vehicles. The Emergency Access Way will also remain available for other services.



4. Photograph - Telephone Lane North of Mundijong Road 1

1. Department of Fire and Emergency Services (DFES) (cont...)



5. Photograph - Telephone Lane North of Mundijong Road 2



6. Photograph - Telephone Lane South of Millar Road

Recommendation:

That the submission from DFES be supported.

That the portion of Telephone Lane generally between Mundijong Road and Millar Road is closed and reclassified as an 'Emergency Access Way'.

2. Western Power

Western Power advised that it no longer provides specific advice on planning proposals and referred to 'Dial before you dig'.

City's Comment:

Noted.

No submissions were received from the Department of Planning, Lands and Heritage, Department of Water and Environmental Regulation, ATCO Gas Australia Pty Ltd, Development WA, Main Roads WA, Telstra and the Water Corporation.

c. Strategic

Community Plan

This item addresses the Community's Vision for the future and specifically the following Aspiration and Strategic Objective contained in the Strategic Community Plan 2019-2029:

Aspiration 3: *Plan for Future Generations*

Strategic Objective: *Responsive planning and control of land use: Plan and control the use of land to meet the needs of the growing population, with consideration of future generations*

d. Policy

Nil

e. Financial

The City's Parks Services has received a \$147,400 Mitigation Activity Funds (MAF) grant through the Office of Bushfire Risk Management (OBRM). The \$147,400 grant will cover costs of a 4 metre wide limestone track, passing lanes and gates with rock armour installed at the sides of the gates. The City has 12 months to complete works and is required to expend the funds by approximately November 2021.

There will be ongoing costs for maintenance of the limestone track and gates, including weed treatments to the track and surrounds, along with any repairs required to gates from damages caused by unauthorised access. These costs are estimated to be in the order of \$5,500 per annum.

f. Legal and Statutory

The care, control and management of Telephone Lane rests with the City. The City is therefore responsible for the road and providing its recommendation on temporary and permanent road closure.

Temporary Closure

Section 3.50 provides a Local Government to close a road for a period of 4 weeks without notification and longer than 4 weeks subject to advertising. Section 3.50 provides:

3.50. Closing certain thoroughfares to vehicles

(1) *A local government may close any thoroughfare that it manages to the passage of vehicles, wholly or partially, for a period not exceeding 4 weeks.*

(1a) *A local government may, by local public notice, order that a thoroughfare that it manages is wholly or partially closed to the passage of vehicles for a period exceeding 4 weeks.*

(2) *The order may limit the closure to vehicles of any class, to particular times, or to such other case or class of case as may be specified in the order and may contain exceptions.*

[(3) deleted]

(4) *Before it makes an order wholly or partially closing a thoroughfare to the passage of vehicles for a period exceeding 4 weeks or continuing the closure of a thoroughfare, the local government is to —*

- (a) give local public notice of the proposed order giving details of the proposal, including the location of the thoroughfare and where, when, and why it would be closed, and inviting submissions from any person who wishes to make a submission; and
 - (b) give written notice to each person who —
 - (i) is prescribed for the purposes of this section; or (ii) owns land that is prescribed for the purposes of this section; and
 - (c) allow a reasonable time for submissions to be made and consider any submissions made.
- (5) The local government is to send to the Commissioner of Main Roads appointed under the Main Roads Act 1930 a copy of the contents of the notice required by subsection (4)(a).
- (6) An order under this section has effect according to its terms, but may be revoked by the local government, or by the Minister, by order of which local public notice is given.
- [(7) deleted]
- (8) If, under subsection (1), a thoroughfare is closed without giving local public notice, the local government is to give local public notice of the closure as soon as practicable after the thoroughfare is closed.
- (9) The requirement in subsection (8) ceases to apply if the thoroughfare is reopened.

Permanent Closure

The responsibility for determining applications for the closure and re-classification of road reserves rest with the Minister for Planning, Lands and Heritage on advice from the Department of Planning, Lands and Heritage (State Land Services).

Section 58

- (1) When a local government wishes a road in its district to be closed permanently, the local government may, subject to subsection (3), request the Minister to close the road.
- (2) When a local government resolves to make a request under subsection (1), the local government must in accordance with the regulations prepare and deliver the request to the Minister.
- (3) A local government must not resolve to make a request under subsection (1) until a period of 35 days has elapsed from the publication in a newspaper circulating in its district of notice of motion for that resolution, and the local government has considered any objections made to it within that period concerning the proposals set out in that notice.

Once the reversioned reservation has been reclassified and approved by the Minister, the City will be required to accept a Management Order over the portion of road as an Emergency Access Way.

g. Risk

All Council decisions are subject to risk assessment according to the City's Risk Framework.

Implications and comment will only be provided for the following assessed risks.

Customer Service / Project management / Environment: High and Extreme Risks

Finance / Personal Health and Safety: Medium, High and Extreme Risks

Nil

Comments

There is a history of fires burning in the eastern and northern parts of Baldivis. DFES has recommended that establishing the Telephone Road reserve as a strategic fire control line or emergency exit for emergency services use only, would prove valuable during emergency incidents and improve community bushfire safety. Repurposing the reserve, rather than closing it, is also supported by the City's Fire and Emergency Services Liaison.

Closing the road to the general public will also address the anti-social behaviour of 4WD motorists using the reserve. The small portion of Telephone Lane towards Millar Road, however, needs to be retained as a road reserve for lot access to Lot 100 Telephone Lane. Changing the road reserve to an Emergency Access Way will retain the land in the ownership of the Crown and therefore, will not prejudice any future planning options for the area.

It is recommended that the Council:

1. Support the temporary road closure. This will be an immediate action by the City and includes installing gates and rock armour at either end of Telephone Lane (portion) to prevent vehicle access; and
2. Support the permanent closure and reclassification this part of Telephone Lane as an Emergency Access Way. This will involve the City seeking approval from the Minister for Lands.

Subject to approval from the Minister for Lands on permanent closure and reclassifying part of Telephone Lane as an Emergency Access Way, proceed with the road upgrade works as an Emergency Access Way. The timing and extent of works (i.e. 4m width or 6m width) of which is dependent upon grant funding or accommodating the works in a future Business Plan.

Given that it could take months before a decision from the Minister for Lands on permanent closure and reclassification of a portion of Telephone Lane, Council's support for temporary closure will enable immediate action to close the road in the interim.

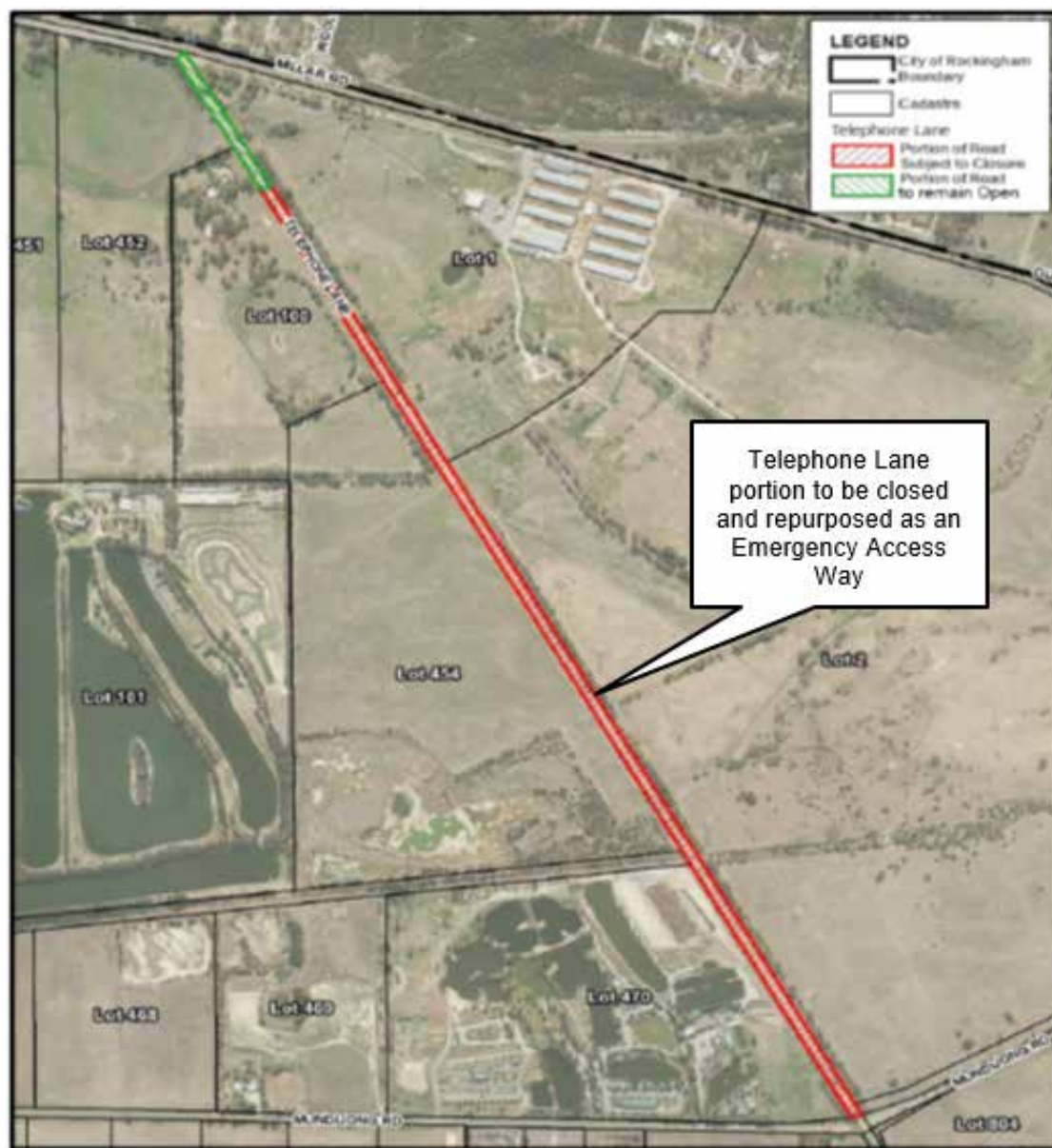
Voting Requirements

Simple Majority

Officer Recommendation

That Council:

1. **SUPPORTS** temporary closure of the northern portion of Telephone Lane generally between Mundijong Road and Millar Road until 30 September 2021.
2. **SUPPORTS** permanent closure and reclassification of the northern portion of Telephone Lane generally between Mundijong Road and Millar Road as an Emergency Access Way, in accordance with the plan below:

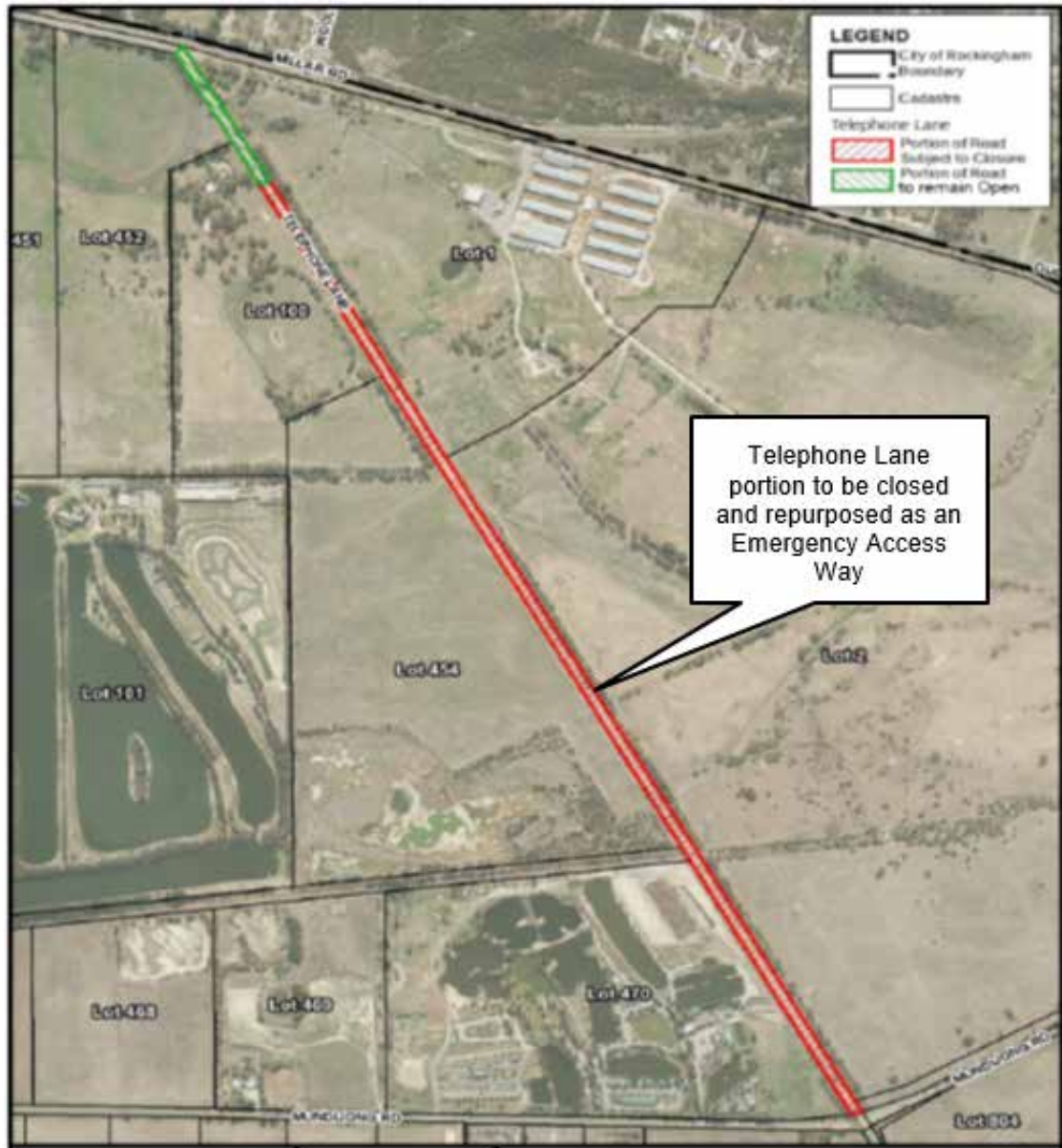


Portion of Existing Telephone Lane to be Closed (Shown in Red)

Committee Recommendation

That Council:

1. **SUPPORTS** temporary closure of the northern portion of Telephone Lane generally between Mundijong Road and Millar Road until 30 September 2021.
2. **SUPPORTS** permanent closure and reclassification of the northern portion of Telephone Lane generally between Mundijong Road and Millar Road as an Emergency Access Way, in accordance with the plan below:



Portion of Existing Telephone Lane to be Closed (Shown in Red)

Committee Voting (Carried) - 5/0

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

Not Applicable

Implications of the Changes to the Officer's Recommendation

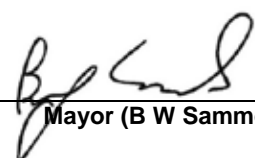
Not Applicable

Council Resolution

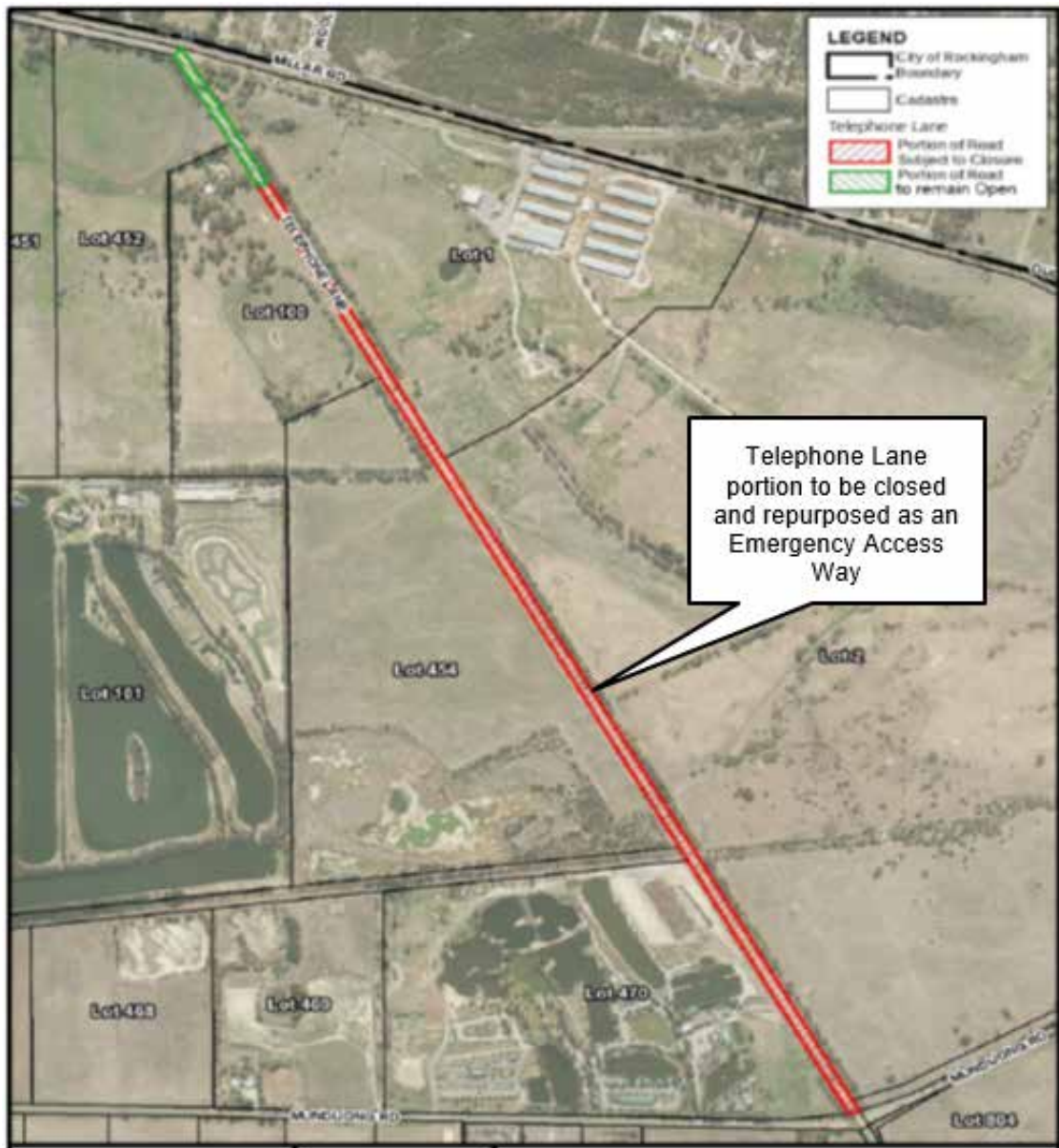
That Council:

1. **SUPPORTS** temporary closure of the northern portion of Telephone Lane generally between Mundijong Road and Millar Road until 30 September 2021.

Confirmed at a Council meeting held
on Tuesday 15 December 2020


Mayor (B W Sammels)

2. **SUPPORTS** permanent closure and reclassification of the northern portion of Telephone Lane generally between Mundijong Road and Millar Road as an Emergency Access Way, in accordance with the plan below:



Portion of Existing Telephone Lane to be Closed (Shown in Red)

Carried en bloc

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

Not Applicable

Engineering and Parks Services Parks Services



Reference No & Subject:	EP-022/20	Tender T19/20-104 - Supply and Laying of New Irrigation Systems at Various Sites
File No:	T19/20-104	
Proponent/s:		
Author:	Mr Adam Johnston, Manager Parks Services	
Other Contributors:		
Date of Committee Meeting:	16 November 2020	
Previously before Council:		
Disclosure of Interest:		
Nature of Council's Role in this Matter:	Executive	
Site:	Various Parks and Reserves	
Lot Area:		
LA Zoning:		
MRS Zoning:		
Attachments:		
Maps/Diagrams:		

Purpose of Report

To provide Council with details of the Tenders received for Tender T19/20-104 - Supply and Laying of New Irrigation Systems at Various Sites, document the results of the Tender assessment and make recommendations regarding award of the Tender.

Background

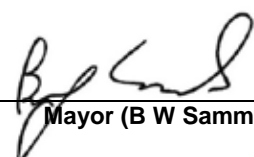
Tender T19/20-104 - Supply and Laying of New Irrigation Systems at Various Sites was advertised in the West Australian on Saturday, 26 September 2020. The Tender closed at 2.00pm, Wednesday, 21 October 2020 and was publicly opened immediately after the closing time.

Details

This contract is for the replacement of fourteen (14) infield irrigation systems at the following City reserves:

- Y Anniversary Park, Rockingham - R31572
- Y Charles Bailey Gardens, Rockingham - Patterson Road Reserve
- Y Benjamin Way Reserve, Rockingham - R39545

Confirmed at a Council meeting held
on Tuesday 15 December 2020


Mayor (B W Sammels)

- Y Centenary Park, Safety Bay - R32215
- Y Dress Circle Reserve, Warnbro - R43492
- Y Eva Lynch Reserve, Warnbro - R43788
- Y Hawker Street Reserve, Safety Bay - R33198
- Y Haselmere Circus, Rockingham - R33669
- Y Nolin Way Reserve, Secret Harbour - R47411
- Y Seabrooke/Hennessey Reserve, Rockingham - R33083
- Y Secret Harbour Oval, Secret Harbour - R43066
- Y St Raphael Reserve, Port Kennedy - R45193
- Y Turner Street Reserve, Warnbro - R26343
- Y Warramunga Reserve, Rockingham - R41196

The scope of works include all pipe, fittings, sprinklers and labour to replace the current in field irrigation systems and to connect to the existing bore and controller infrastructure.

An Addendum was issued on 7 October 2020 advising of a change in the valve box sizing and the reduction in the minimum diameter of the control wiring conduit, with the Addendum acknowledged by all tenderers.

Tenders were received from:

- Horizon West Landscape & Irrigation Pty Ltd
- Acemark Investments ATF the Mcfadden Trust trading as Hydroquip Pumps Pty Ltd
- Sanpoint Pty Ltd trading as LD Total
- Total Eden Pty Ltd
- NewGround Water Services Pty Ltd

The contract requires practical completion for all sites by 1 May 2021.

A panel comprising Manager Parks Services, Mr Adam Johnston, Irrigation Supervisor, Mr Brendan Evans and Contract Management Supervisor, Mr Aaron Osinski undertook Tender evaluations.

The Tender reserved the right to award the Tender on a part-by-part/item-by-item basis. On assessment there was no advantage in separating the contract between tenderers aside from Benjamin Way Reserve, where it was deemed advantageous to assess separately due to the competitive pricing received for this reserve.

Each tenderer was requested to provide information about its organisation's business connection to the City of Rockingham and where after assessment of the submissions there was three or less points between the first ranked tenderer and the remainder, the assessment panel was required to compare and score, out of five, each submission's local content information. Therefore, this was undertaken for NewGround Water Services and Total Eden and reflected in the assessment scoring. The scoring for Benjamin Way Reserve did not meet the criteria to assess local content, as there was not less than three points separating the highest ranked tenderer from the other tenderers.

Evaluation of the Tender, in accordance with the advertised Tender Assessment Criteria, produced the following weighted scores:

All Reserves - Excluding Benjamin Way Reserve

Assessment Criteria	Level of Service	Understanding of Tender Requirements	Tendered Price/s	Total Weighted Scores	Local Content	Total Score (inc local content)
Max. Points	20 Pts	30 Pts	50 Pts	100 Pts	5 Pts	105 Pts
NewGround Water Services	17.5	26.2	50.0	93.7	2.3	96.0
Total Eden	19.0	26.8	46.2	92.0	2.0	94.0
Hydroquip Pumps	14.3	19.0	44.3	77.6	N/A	77.6
Horizon West Landscape & Irrigation	14.3	10.0	46.4	70.7	N/A	70.7
LD Total	14.3	9.3	41.7	65.3	N/A	65.3

Benjamin Way Reserve

Assessment Criteria	Level of Service	Understanding of Tender Requirements	Tendered Price/s	Total Weighted Scores
Max. Points	20 Pts	30 Pts	50 Pts	100 Pts
Total Eden	19.0	26.8	50.0	95.8
NewGround Water Services	17.5	26.2	47.6	91.3
Hydroquip Pumps	14.3	19.0	48.0	81.3
Horizon West Landscape & Irrigation	14.3	10.0	48.6	72.9
LD Total	14.3	9.3	42.7	66.3

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 Aspirations and Strategic Objectives contained in the Strategic Community Plan 2019-2029:

Aspiration 2: *Grow and Nurture Community Connectedness and Wellbeing*

Strategic Objective: *Services and facilities: Provide cost effective services and facilities which meet community needs.*

Aspiration 4: *Deliver Quality Leadership and Business Expertise*

Strategic Objective: *Management of current assets: Maintain civic buildings, sporting facilities, public places and road and cycle way infrastructure based on best practice principles and life cycle cost analysis.*

d. Policy

In accordance with the City's Purchasing Policy, for purchases above \$250,000, a public tender process is to be conducted in accordance with the provision of section 3.57 of the Local Government Act 1995; and Local Government (Functions and General) Regulations 1996, Part 4, Division 2, regulation 11A(1).

e. Financial

Funds totalling \$631,818 have been budgeted in the 2020/2021 capital work orders for eleven (11) of the fourteen (14) sites. In addition to capital funds grant funding of \$320,000 has been received through the Local Roads and Community Infrastructure (LRCI) Program allocated to St Raphael Reserve (\$250,000), Haselmere Circus (\$30,000) and Dress Circle (\$40,000). The total funding available being \$951,818.

The total lump sum for the recommended successful tenderers is \$809,010.

f. Legal and Statutory

In accordance with section 3.57 of the Local Government Act 1995 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 \$250,000 unless sub regulation (2) states otherwise'.

g. Risk

All Council decisions are subject to risk assessment according to the City's Risk Framework.

Implications and comment will only be provided for the following assessed risks.

*Customer Service / Project management / Environment : High and Extreme Risks
Finance / Personal Health and Safety : Medium, High and Extreme Risks*

Nil

Comments

Tenderers were required to address the defined qualitative criteria demonstrating their ability to satisfy the required Level of Service, Understanding of Tender Requirements and Price. The panel, to make an informed determination on the tenderers ability to successfully deliver the contract scope, evaluated the substance and detail of materials provided reflecting the variance in submissions through the assessment matrix scores. NewGround Water Services and Total Eden demonstrated high levels of competency and understanding for the majority of the Service and Understanding criterion with price being the final determinate as to whom was the recommended tenderer.

Secret Harbour Oval is under a shared use agreement with the Department of Education (DoE) and the replacement of this irrigation system requires acceptance by DoE to fund 50% of the tendered replacement cost. Consultation will continue with DoE following acceptance of the recommended tenderers.

Through consideration of the submissions in accordance with the Tender Assessment Criteria, NewGround Water Services provided competitive pricing and demonstrated that it has the required capacity to complete the works within the required timeframe and is therefore recommended as the preferred tenderer for thirteen (13) of the fourteen (14) reserves with the exception being Benjamin Way Reserve.

Total Eden provided the most competitive pricing for Benjamin Way Reserve and demonstrated that it also has the required capacity to complete the works within the required timeframe and therefore are recommended as the preferred tenderer for Benjamin Way Reserve.

Voting Requirements

Simple Majority

Officer Recommendation

That Council **ACCEPTS**:

1. The Tender submitted from NewGround Water Services Pty Ltd - 18A Elgee Road, Bellevue Western Australia 6056 for Tender T19/20-104 - Supply and Laying of New Irrigation Systems at Various Sites in accordance with the Tender documentation for thirteen of the fourteen tendered reserves excluding Benjamin Way Reserve for the lump sum value of \$787,110 (excl GST). Secret Harbour Oval as a separable portion valued at \$70,650 (excl GST) will only be awarded upon acceptance by the Department of Education to fund fifty (50) percent of the tendered sum being \$35,325 (excl GST).
2. The Tender submitted from Total Eden Pty Ltd - 1 Altona Street, Bibra Lake Western Australia 6163 for Tender T19/20-104 - Supply and Laying of New Irrigation Systems at Various Sites in accordance with the Tender documentation for Benjamin Way Reserve for the lump sum value of \$21,900 (excl GST).

Committee Recommendation

That Council **ACCEPTS**:

1. The Tender submitted from NewGround Water Services Pty Ltd - 18A Elgee Road, Bellevue Western Australia 6056 for Tender T19/20-104 - Supply and Laying of New Irrigation Systems at Various Sites in accordance with the Tender documentation for thirteen of the fourteen tendered reserves excluding Benjamin Way Reserve for the lump sum value of \$787,110 (excl GST). Secret Harbour Oval as a separable portion valued at \$70,650 (excl GST) will only be awarded upon acceptance by the Department of Education to fund fifty (50) percent of the tendered sum being \$35,325 (excl GST).
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Committee Voting (Carried) - 5/0

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

Not Applicable

Implications of the Changes to the Officer's Recommendation

Not Applicable

Council Resolution

That Council **ACCEPTS**:

1. The Tender submitted from NewGround Water Services Pty Ltd - 18A Elgee Road, Bellevue Western Australia 6056 for Tender T19/20-104 - Supply and Laying of New Irrigation Systems at Various Sites in accordance with the Tender documentation for thirteen of the fourteen tendered reserves excluding Benjamin Way Reserve for the lump sum value of \$787,110 (excl GST). Secret Harbour Oval as a separable portion valued at \$70,650 (excl GST) will only be awarded upon acceptance by the Department of Education to fund fifty (50) percent of the tendered sum being \$35,325 (excl GST).
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Carried en bloc

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

Not Applicable

Corporate and Community Development Committee

General Management Services Governance and Councillor Support



Reference No & Subject:	GM-026/20 Council Meetings Dates for 2021
File No:	GOV/74
Proponent/s:	
Author:	Mr Peter Varris, Manager Governance and Councillor Support
Other Contributors:	
Date of Committee Meeting:	17 November 2020
Previously before Council:	
Disclosure of Interest:	
Nature of Council's Role in this Matter:	Executive
Site:	
Lot Area:	
Attachments:	
Maps/Diagrams:	

Purpose of Report

For Council to consider the dates proposed for Council meetings for the 2021 year.

Background

In accordance with the Local Government Act 1995, a local government is to at least once a year give local public notice of the date, time and place for Council meetings for the next 12 months.

The Governance and Meeting Framework notes that Council meetings are generally held on the fourth Tuesday of each month commencing at 6:00pm in the Council Chamber. The Planning and Engineering Services Committee and Corporate and Community Development Committee generally meet in the Council Boardroom commencing at 4:00pm on the following dates:

- Planning and Engineering Services Committee – Third Monday of each month.
- Corporate and Community Development Committee – Third Tuesday of each month.

Council at its meeting held on 27 October 2020 made the following decision to accommodate the 2021 Elections:

*That Council APPROVES the following meeting schedule for September to November 2021 –
September 2021*

Tuesday 7 September Proposed Councillor Engagement Session

Confirmed at a Council meeting held
on Tuesday 15 December 2020

Mayor (B W Sammels)

<i>Monday 13 September</i>	<i>Planning and Engineering Services Committee</i>
<i>Tuesday 14 September</i>	<i>Corporate and Community Development Committee</i>
<i>Tuesday 21 September</i>	<i>Ordinary Council Meeting</i>
<i>Tuesday 28 September</i>	<i>Proposed Councillor Engagement Session</i>
<u><i>October 2021</i></u>	
<i>Monday 4 October</i>	<i>Planning and Engineering Services Committee</i>
<i>Tuesday 5 October</i>	<i>Corporate and Community Development Committee</i>
<i>Tuesday 12 October</i>	<i>Ordinary Council Meeting</i>
<i>Saturday 16 October</i>	<i>Election Day</i>
<i>Tuesday 19 October</i>	<i>Swearing in Ceremony (Swearing in – Crs/Mayor and photos)</i>
<i>Tuesday 26 October</i>	<i>Special Council Meeting (Elect Deputy Mayor and Committee Appointments)</i>
<u><i>November 2021</i></u>	
<i>Tuesday 9 November</i>	<i>Proposed Councillor Engagement Session</i>
<i>Monday 15 November</i>	<i>Planning and Engineering Services Committee</i>
<i>Tuesday 16 November</i>	<i>Corporate and Community Development Committee</i>
<i>Tuesday 23 November</i>	<i>Ordinary Council Meeting</i>

Details

The exception to the above is the compression of the meeting schedule in December where the Council meeting is brought forward by one week to accommodate the Christmas season, resulting in the Committee meetings also being held one week earlier.

The fourth Tuesday for January 2021 falls on Australia Day so it is proposed to hold the meeting on Wednesday 27 January 2021.

Therefore the following dates are scheduled for meetings in 2021:

- 1) Council Meetings (commencing at 6:00pm in the Council Chambers)

January 27 (Wed)	May 25	August 24	October 26 (Special)
February 23	June 22	September 21	November 23
March 23	July 27	October 12	December 21
April 27			

- 2) Planning and Engineering Services Committee (commencing at 4:00pm)

January 18	April 19	July 19	October 4
February 15	May 17	August 16	November 15
March 15	June 14	September 13	December 13

- 3) Corporate and Community Development Committee (commencing at 4:00pm)

January 19	April 20	July 20	October 5
February 16	May 18	August 17	November 16
March 16	June 15	September 14	December 14

Implications to Consider

a. Consultation with the Community

Advertising will be undertaken in the local newspaper, Council website, social media platforms, City libraries and notice boards advising the scheduled dates for Committee and Council meetings.

b. Consultation with Government Agencies

Nil

c. Strategic

Community Plan

This item addresses the Community's Vision for the future and specifically the following Aspiration and Strategic Objective(s) contained in the Strategic Community Plan 2019-2029:

Aspiration 4: *Deliver Quality Leadership and Business Expertise*

Strategic Objective: *Effective Governance – Apply systems of governance which empower the Council to make considered and informed decisions within a transparent, accountable, ethical compliant environment.*

d. Policy

The Governance and Meeting Framework Policy specifies that Council meetings are to be conducted on the fourth Tuesday of the month and Standing Committees to be held the Monday and Tuesday the week prior.

The scheduling of 'Standing' Committee meetings and Councillor Engagement Sessions is driven by the Governance Meeting and Framework policy once a Council meeting schedule has been adopted.

e. Financial

Cost of advertising is expected to cost approximately \$1,000.

f. Legal and Statutory

Section 5.25(1)(g) of the Local Government Act, 1995 (the Act) stipulates the giving of public notice of the date and agenda for Council and Committee meetings.

Regulation 12(1) of the Local Government (Administration) Regulations 1996 further refine the Act to specify time, place and types of committees that must be advertised.

Only Committees with decision making powers delegated from Council need to be open to the public and require its meeting schedule advertised. While no City of Rockingham Committee has delegated authority, in line with good governance practice 'Standing' Committees are open to the public and allow public question time.

g. Risk

All Council decisions are subject to risk assessment according to the City's Risk Framework.

Implications and comment will only be provided for the following assessed risks.

Customer Service / Project management / Environment : High and Extreme Risks

Finance / Personal Health and Safety : Medium, High and Extreme Risks

Nil

Comments

The City endeavours to provide effective, timely and responsive decision making to meet the needs of the community and proponents of matters before Council.

Notwithstanding the use of delegated authority and policy to assist in timely and consistent decision making, the process to gain a Council decision is often a lengthy one. The current committee systems and meeting arrangements have been in place since 2013 and have been serving Council and the community very well.

The schedule of Committee meetings and Councillor Engagement Sessions are determined in accordance with the Governance and Meeting Framework Policy. There is no legislative requirement to advertise the meeting dates of the Committees as they do not make decisions through Council delegated authority.

The schedule of Council and Committee meetings are well promoted on the City's website and social media platforms including, Rockport.

Voting Requirements

Simple Majority

Officer Recommendation

That Council **APPROVES** the following Council meeting dates for 2021 -

Council Meetings (commencing at 6:00pm in the Council Chambers)

- | | |
|--------------------|------------------------|
| - January 27 (Wed) | - August 24 |
| - February 23 | - September 21 |
| - March 23 | - October 12 |
| - April 27 | - October 26 (Special) |
| - May 25 | - November 23 |
| - June 22 | - December 21 |
| - July 27 | |

Committee Recommendation

That Council **APPROVES** the following Council meeting dates for 2021 -

Council Meetings (commencing at 6:00pm in the Council Chambers)

- | | |
|--------------------|------------------------|
| - January 27 (Wed) | - August 24 |
| - February 23 | - September 21 |
| - March 23 | - October 12 |
| - April 27 | - October 26 (Special) |
| - May 25 | - November 23 |
| - June 22 | - December 21 |
| - July 27 | |

Committee Voting (Carried) – 5/0

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

Not Applicable

Implications of the Changes to the Officer's Recommendation

Not Applicable

Council Resolution

Moved Cr Stewart, seconded Cr Cottam:

That Council **APPROVES** the following Council meeting dates for 2021 -

Council Meetings (commencing at 6:00pm in the Council Chambers)

- | | |
|--------------------|------------------------|
| - January 27 (Wed) | - August 24 |
| - February 23 | - September 21 |
| - March 23 | - October 12 |
| - April 27 | - October 26 (Special) |
| - May 25 | - November 23 |
| - June 22 | - December 21 |
| - July 27 | |

Carried – 11/0

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

Not Applicable

14.	Receipt of Information Bulletin
	<p>Moved Cr Buchanan, seconded Cr Stewart:</p> <p>That Council RECEIVES the Information Bulletin as follows:</p> <ol style="list-style-type: none">1. Planning and Development Services Bulletin – November 2020;2. Engineering and Parks Services Bulletin – November 2020;3. Corporate and General Management Services Bulletin - November 2020; and4. Community Development Bulletin – November 2020. <p style="text-align: right;">Carried – 11/0</p>

15. Report of Mayor

City of Rockingham Mayor's Report		
Reference No & Subject:	MR-011/20	Meetings and Functions Attended by the Mayor and Deputy Mayor
File No:	GOV/85	
Proponent/s:	City of Rockingham	
Author:	Cr Barry Sammels, Mayor	
Other Contributors:	Cr Deb Hamblin, Deputy Mayor	
Date of Council Meeting:	24 November 2020	
Previously before Council:		
Disclosure of Interest:		
Nature of Council's Role in this Matter:	Executive	

Purpose of Report

To advise on the meetings and functions attended by the Mayor and Deputy Mayor during the period 28 October 2020 to 24 November 2020.

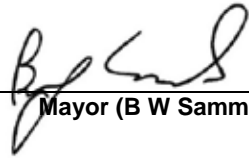
Background

Nil

Details

Date	Meeting/Function
28 October 2020	YouthCARE Chaplaincy Coffee Fundraiser
29 October 2020	Safety Bay Senior High School Year 12 Graduation Ceremony
30 October 2020	Rockingham Senior High School ESC Year 10 and 12 Assembly Meeting with Tourism Rockingham WA Royal Life Saving Bravery Awards
31 October 2020	Rockingham Kwinana Chamber of Commerce Mineral Resources Regional Business Awards
1 November 2020	100 th Anniversary of Naval Association of Australia
2 November 2020	Australian Citizenship Ceremony
3 November 2020	Records Management Training session
4 November 2020	10 th Anniversary WA Children's Environment and Health Local Government Policy Awards Dinner to commemorate 100 th Anniversary of Naval Association of Australia
7 November 2020	Rockingham Districts Little Athletics Centre Open Day Launching Ceremony Rescue Vessel 'Orion'

Confirmed at a Council meeting held
on Tuesday 15 December 2020


Mayor (B W Sammels)

Date	Meeting/Function
8 November 2020	Safety Bay Tennis Club Open Day
9 November 2020	Telephone Interview with Radio Fremantle for Seniors Week
10 November 2020	Rockingham Senior High School ESC AGM Councillor Engagement Session
11 November 2020	<i>Key Leaders in Business Breakfast – attended by Deputy Mayor Deb Hamblin</i> RSL Remembrance Day Service <i>Totally and Partially Disabled Veterans of WA Remembrance Day Service – attended by Deputy Mayor Deb Hamblin</i>
12 November 2020	Pre-recording of Kolbe College Award Ceremony City Safe Advisory Committee
13 November 2020	<i>REIWA Presentation – attended by Deputy Mayor Deb Hamblin</i>
16 November 2020	Briefing on Local Recovery Coordination Group meeting
17 – 19 November 2020	<i>WA Grants Commission Visiting Program – attended by Deputy Mayor Deb Hamblin</i>
18 November 2020	Local Recovery Coordination Group virtual meeting
19 November 2020	Presentation of certificates to Junior Council Councillor Bus Tour
20 November 2020	Promotion for Mentoring Program to support Unemployed Youth Rockingham Connections Week Audit Committee Baldivis Secondary College Year 12 Graduation
21 November 2020	Marine Rescue Rockingham Annual Thank You and Presentation Evening
22 November 2020	<i>Guest Judge at Breakthrough Music Competition – attended by Deputy Mayor Deb Hamblin</i>
24 November 2020	Safety for Seniors Christmas Party Launch of the Act-Belong-Commit Schools Take pART Murals Council meeting

Implications to Consider

a. Consultation with the Community

Nil

b. Consultation with Government Agencies

Nil

c. Strategic

Nil

d. Policy

Nil

e. Financial

Nil

f. Legal and Statutory

Nil

g. Risk

All Council decisions are subject to risk assessment according to the City's Risk Framework.

Implications and comment will only be provided for the following assessed risks.

Customer Service / Project management / Environment : High and Extreme Risks

Finance / Personal Health and Safety : Medium, High and Extreme Risks

Nil

Comments

Nil

Voting Requirements

Simple Majority

Officer Recommendation

That Council **RECEIVES** the Mayor's Report for the period 28 October 2020 to 24 November 2020.

Council Resolution

Moved Cr Stewart, seconded Cr Cottam:

That Council **RECEIVES** the Mayor's Report for the period 28 October 2020 to 24 November 2020.

Carried – 11/0

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

Not Applicable

16.	Reports of Councillors
	<p>16.1 Cr Rae Cottam – Yorga Djenna Bidi Program</p> <p>Cr Cottam advised that she was successful in receiving a scholarship to the Yorga Djenna Bidi program through the Western Australian Aboriginal Leadership Institute.</p> <p>Cr Cottam noted that she graduated from the program and appreciated the opportunity to obtain skills that she will be able to apply to her role as Councillor.</p> <p>Councillor Cottam's achievement was acknowledged by applause from those in attendance.</p> <p>16.2 Cr Edwards - Farewell to Scott Hewitt – Manager Rockingham Visitor Centre</p> <p>Cr Edwards advised that she received a statement from Tourism Rockingham as follows –</p> <p><i>After 27 years of service – Tourism Rockingham has announced that Rockingham Visitor Centre Manager – Scott Hewitt has decided that the time is right to end his tenure effective from 4th December 2020.</i></p> <p><i>Scott came on board under the leadership of the president - late Mr Bob Maxwell and was employed by Mr Bill Ritchie OAM who had re-established the Rockingham Tourist Information Centre when he retired in 1983 and became a volunteer Manager/Secretary and Treasurer.</i></p> <p><i>It was 10 years later in 1993 that a fresh-faced young Scott Hewitt applied for a position at the Visitor Centre located at 43 Kent Street – behind the Rockingham Museum and he worked from a card table as his desk!</i></p> <p><i>'Employing Scott was the best move ever', according to Mr Ritchie and when Scott ably took over the role as Manager when Mr Ritchie stepped back, Scott served the tourism industry and the community in general exceptionally from that point on...</i></p> <p><i>Scott can be very proud of his record during his long management role – he was able to formulate a working committee to bring a one day Mussel festival operated by Marjie Hansen and Nicki & Geoff Beck from Blue Lagoon Mussels under the banner of Tourism Rockingham - to help create a two day Musselfest, a calendar highlight in Rockingham for 13 years that attracted over 40,000 visitors each year.</i></p> <p><i>Under Scott's guidance and support from RVC staff member, in particular Ms Heather Hackett who will also regrettably be leaving on the 18th December 2020, Tourism Rockingham thrived and were self-sustaining for many years through building up corporate relationships; accommodation booking commissions; memberships and small grants from the City of Rockingham. Scott also played a 'hands-on' role on behalf of the City when the management licence of the Gary Holland Community Centre from 2010 – 2020 was awarded to the not-for-profit organisation.</i></p> <p><i>Council Officers and many former and present Councillors have been active members of the Tourism Rockingham executive committee working with Scott and his team - including Crs Chris Elliott; Paul Ogilvie and Brian Warner – who worked closely with TR when Council implemented the RVC moving to the GHCC in 2009.</i></p> <p><i>Also involved were Cr Matthew Whitfield and former Crs Lorraine Dunkling, Andy Burns and Stacey Graham who held the position of president of Tourism Rockingham for 13 years.</i></p> <p><i>With the development of the Tourist Destination Strategy (2019-2024) – the City of Rockingham is now substantially invested in the promotion of tourism in Rockingham, working closely with Tourism Rockingham and the Rockingham Visitor Centre and Council's Economic Development and Tourism department.</i></p> <p><i>Tourism Rockingham president Emi Barzotto said both Scott and Heather had made an outstanding contribution not just to Tourism Rockingham but to the whole community and wished them well in their future endeavours.</i></p> <p>Cr Edwards asked the Mayor if he could write to Mr Hewitt acknowledging his service to tourism in Rockingham.</p> <p>The Mayor noted that he would.</p>

17. Reports of Officers

General Management Services

General Management Services Governance and Councillor Support	
Reference No & Subject:	GM-029/20 Annual Report and Annual Meeting of Electors 2019/2020 (<i>Absolute Majority</i>)
File No:	IFM/26 and GVR/60
Proponent/s:	
Author:	Mr Peter Varris, Manager Governance and Councillor Support
Other Contributors:	
Date of Council Meeting:	24 November 2020
Previously before Council:	
Disclosure of Interest:	
Nature of Council's Role in this Matter:	Executive
Site:	
Lot Area:	
Attachments:	Draft Annual Report 2019/2020
Maps/Diagrams:	

Purpose of Report

Council's consideration of acceptance of the Annual Report for 2019/2020 and scheduling of the date to conduct the Annual Meeting of Electors for 2019/2020.

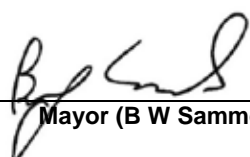
Background

Section 5.54 of the Local Government Act 1995 requires Council to accept the Annual Report no later than 31 December each year.

Should the auditor's report not be available in time for the Annual Report to be accepted by 31 December, then the local government is to accept the Annual Report no later than two months after the auditor's report becomes available.

Preparation of the Annual Report has progressed in anticipation that the Audit Committee would consider the Annual Financial Statements and Audit Report for 2019/2020 with a recommendation to Council at this ordinary meeting. As a part of the process the Annual Report is also presented for consideration at this meeting.

Confirmed at a Council meeting held
on Tuesday 15 December 2020


Mayor (B W Sammels)

In accordance with section 5.27 of the Local Government Act 1995, a general meeting of electors of a district is to be held once every financial year. The meeting is to be held not more than 56 days after the local government accepts the annual report for the previous financial year.

Details

Industry best practice is to endeavour to hold the Annual Meeting of Electors in the same calendar year that the financial year ended. This is dependent on the timing of the audit of the City's financial statements and the receipt of the audit statement.

The timing of this important process has been hampered by the late amendments to Financial Regulations and the adjustment to the Minister for Local Government's COVID-19 order.

The Audit Committee is considering the Audited Annual Financial Reports for 2019/2020 (a key component of the Annual Report) on Friday 20 November 2020, with a Committee recommendation presented to this Ordinary Council Meeting.

The acceptance of the Annual Report will trigger the timeline for the Annual Meeting of Electors, necessitating it to be held by Wednesday 20 January 2021.

It is proposed to hold the Annual Meeting of Electors for 2019/2020 at 6:00pm, Wednesday 16 December 2020.

Implications to Consider

a. Consultation with the Community

The availability of the Annual Report is advertised in conjunction with the statutory advertising required for the Annual Meeting of Electors. Advertising will appear in the local press, City website, social media platform, libraries and notice boards.

Statutory advertising is required to be carried out requiring the Chief Executive Officer to convene an electors' meeting by giving at least 14 days' local public notice.

b. Consultation with Government Agencies

Nil

c. Strategic

Community Plan

This item addresses the Community's Vision for the future and specifically the following Aspiration and Strategic Objective(s) contained in the Strategic Community Plan 2019-2029:

Aspiration 4: *Deliver Quality Leadership and Business Expertise*

Strategic Objective: *Effective Governance – Apply systems of governance which empower the Council to make considered and informed decisions within a transparent, accountable, ethical compliant environment.*

d. Policy

Nil

e. Financial

The cost for advertising the meeting is anticipated to be approximately \$750.

f. Legal and Statutory

Part 5 Division 5 of the Local Government Act 1995 (the Act) specifies the legislative requirements for preparation and acceptance of the Annual Report.

Section 5.53(1) of the Act requires a local government to prepare an annual report for each financial year.

Section 5.53(2) specifies the content of the Annual Report, including a report from the Mayor, a report from the Chief Executive Officer, an overview of the plan for the future, the financial reports for the year under review, the auditor's report, and specified information including that relating to employees, disability services, and complaints.

Section 5.54(1) specifies that the Annual Report is to be accepted by Absolute Majority decision.

Section 5.55 notes that the Chief Executive Officer is to give local public notice of the availability of the annual report as soon as practicable after the report has been accepted by the local government.

Section 5.27 of the Local Government Act 1995 and Part 3 of the Local Government (Administration) Regulations 1996 specify the legislative requirements for annual meeting of electors, including when a meeting is to be held, the matters to be discussed (Annual Report and other General Business), who may vote and how, and the procedure at the meeting.

g. Risk

All Council decisions are subject to risk assessment according to the City's Risk Framework.

Implications and comment will only be provided for the following assessed risks.

Customer Service / Project management / Environment : High and Extreme Risks

Finance / Personal Health and Safety : Medium, High and Extreme Risks

Nil

Comments

To facilitate the process of holding the Annual Meeting of Electors in a timely manner Council consideration of the Annual Report is sought. The draft Annual report will incorporate the Annual Financial Statements and Auditors Report for 2019/2020 as adopted at the meeting considering this report.

In accordance with Section 5.55 of the Local Government Act 1995 local public notice of the availability of the Annual Report will be given.

The Annual Meeting of Electors for 2018/2019 was held at 6:00pm on 18 December 2019 and was held in December the previous three years.

The Local Government Act 1995, Section 5.33 notes that all decisions made at an electors' meeting are to be considered at the next ordinary council meeting or, if that is not practicable, at the first ordinary council meeting after that meeting; or at a special meeting called for that purpose, whichever happens first.

It is anticipated that the outcomes of the 2019/2020 Annual Meeting of Electors will be presented to the ordinary Council meeting in January 2021.

Voting Requirements

Absolute Majority

Officer Recommendation

That Council:

1. **ADOPTS** the Annual Report for the financial year ending 30 June 2020.
2. **APPROVES** the Annual Meeting of Electors for 2019/2020 on Wednesday 16 December 2020 commencing at 6:00pm.

Council Resolution

Moved Cr Whitfield, seconded Cr Stewart:

That Council:

1. **ADOPTS** the Annual Report for the financial year ending 30 June 2020.
2. **APPROVES** the Annual Meeting of Electors for 2019/2020 on Wednesday 16 December 2020 commencing at 6:00pm.

Carried by Absolute Majority – 11/0

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

Not Applicable

18.	Addendum Agenda
	Nil
19.	Motions of which Previous Notice has been given

Corporate and Community Development Committee

General Management Services Governance and Councillor Support



Reference No & Subject:	GM-027/20	Notice of Motion – Restoration of Local Mail Services
File No:	GOV/74	
Proponent/s:	Cr Craig Buchanan	
Author:	Mr Peter Varris, Manager Governance and Councillor Support	
Other Contributors:		
Date of Committee Meeting:	17 November 2020	
Previously before Council:		
Disclosure of Interest:		
Nature of Council's Role in this Matter:	Executive	
Site:		
Lot Area:		
Attachments:		
Maps/Diagrams:		

Purpose of Report

To respond to the following Notice of Motion from Cr Buchanan –

That Council DIRECTS the CEO to write to the Commonwealth Minister for Communications, Hon. Paul Fletcher MP, and to our local federal and state representatives, calling for the speedy restoration of daily, weekday postal deliveries across the City, and for the restoration of Saturday opening hours across local Australia Post outlets.

Background

The following reasons were given in support –

Under the recently implemented 'Alternating Delivery Model' (ADM), Australia Post are now delivering to homes in a number of local suburbs every second day, rather than daily.

In some cases, that equates to just two deliveries a week (i.e. on a Tuesday and a Thursday).

Impacted suburbs include: Baldivis, Cooloongup, East Rockingham, Hillman, Peron, Port Kennedy, Rockingham, Safety Bay, Secret Harbour, Shoalwater, Waikiki, and Warnbro.

At the same time, Australia Post outlets in Waikiki and Warnbro are now closed on a Saturday, severely limiting access to Australia Post services for those in fulltime employment.

Regular, reliable postal services, and access to Australia Post outlets, are vital communications options for many residents, not least those most vulnerable in our community.

A reliable delivery service is also vital to the City in its communications with residents, especially in the run up to and during elections.

We obviously have no direct say in the provision of Australia Post services, but it is fitting that the City assume an advocacy position on this issue, and that the CEO communicates that view to federal and state authorities.

Details

Australia Post has made several changes to its services to accommodate the shift towards digital communication and the significant growth in parcel delivery.

This includes changes to postal delivery times –

- Express Post – next business day (prices from \$5.75).
- Priority Post – 1 to 4 business days (\$1.50 or \$1.10 concession).
- Regular Post – up to 2 business days longer than Priority Post (\$1.00 or 60c concession).

The basic postage rate has increased from 70c to \$1.00.

Letter deliveries have been reduced from daily in the metropolitan areas to every second day.

Interstate letter delivery timeframes increase from minimum three business days to seven full days.

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 and Strategic Objective(s) contained in the Strategic Community Plan 2019-2029:

Aspiration 4: *Deliver Quality Leadership and Business Expertise*

Strategic Objective: *Effective Governance – Apply systems for governance which empower the Council to make considered and informed decisions within a transparent, accountable, ethical and compliant environment.*

d. Policy

Nil

e. Financial

Nil

f. Legal and Statutory

Nil

g. Risk

All Council decisions are subject to risk assessment according to the City's Risk Framework.

Implications and comment will only be provided for the following assessed risks.

Customer Service / Project management / Environment : High and Extreme Risks

Finance / Personal Health and Safety : Medium, High and Extreme Risks

Nil

Comments

Cr Buchanan's comment that "*regular, reliable postal services, and access to Australia Post outlets, are vital communications options for many residents, not least those most vulnerable in our community*" is a reasonable view given that many, particularly elderly residents continue to rely on hardcopy mail, as well as in-person bill paying through Australia Post.

The combination of the reduced home delivery and the time delay of interstate mail will have an impact on the timely delivery of communication and bills to people who rely of hardcopy mail services.

The City notes that the Federal Member for Brand has expressed concern regarding the changes to Australia Post in a press release date 16 September 2020.

The City conducts its elections through the Western Australian Electoral Commission through postal ballot and prior to the 2019 election had used regular post for this purpose without concern regarding delivery times. Last year there were a number of complaints regarding late and non-delivery of ballots through Australia Post.

Given the changes by Australia Post coupled with concern on reliable delivery, the City will need to consider the use of priority post for the 2021 postal ballot.

As a consequence Cr Buchanan's Notice of Motion is supported.

Voting Requirements

Simple Majority

Officer Recommendation

That Council **DIRECTS** the CEO to write to the Commonwealth Minister for Communications, Hon. Paul Fletcher MP, and to our local federal and state representatives, calling for the speedy restoration of daily, weekday postal deliveries across the City, and for the restoration of Saturday opening hours across local Australia Post outlets.

Notice of Motion from Cr Craig Buchanan

That Council **DIRECTS** the CEO to write to the Commonwealth Minister for Communications, Hon. Paul Fletcher MP, and to our local federal and state representatives, calling for the speedy restoration of daily, weekday postal deliveries across the City, and for the restoration of Saturday opening hours across local Australia Post outlets.

Committee Recommendation

That Council **DIRECTS** the CEO to write to the Commonwealth Minister for Communications, Hon. Paul Fletcher MP, and to our local federal and state representatives, calling for the speedy restoration of daily, weekday postal deliveries across the City, and for the restoration of Saturday opening hours across local Australia Post outlets.

Committee Voting (Carried) – 5/0

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

Not Applicable

Implications of the Changes to the Officer's Recommendation

Not Applicable

Council Resolution

Moved Cr Buchanan, seconded Cr Liley:

That Council **DIRECTS** the CEO to write to the Commonwealth Minister for Communications, Hon. Paul Fletcher MP, and to our local federal and state representatives, calling for the speedy restoration of daily, weekday postal deliveries across the City, and for the restoration of Saturday opening hours across local Australia Post outlets.

Carried – 11/0

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

Not Applicable

20.	Notices of Motion for Consideration at the Following Meeting
	Nil
21.	Questions by Members of which Due Notice has been given
	Nil
22.	Urgent Business Approved by the Person Presiding or by Decision of the Council
	Nil
23.	Matters Behind Closed Doors
	Nil
24.	Date and Time of Next Meeting
	The next Ordinary Council meeting for the City of Rockingham will be held on Tuesday 15 December 2020 commencing at 6:00pm in the Council Chambers, Civic Boulevard, Rockingham.
25.	Closure
	There being no further business, the Mayor thanked those persons present for attending the Council Meeting, and declared the meeting closed at 7:03pm .