



# City of Rockingham

## MINUTES

### Ordinary Meeting of Council Minutes

Held on Tuesday 23 March 2021 at 6:00pm  
City of Rockingham Council Chambers



**City of Rockingham**  
**Ordinary Meeting of Council**  
**6:00pm Tuesday 23 March 2021**



**CONTENTS**

<b>1.</b>	<b>Declaration of Opening/Announcement of Visitors</b>	<b>4</b>
<b>2.</b>	<b>Record of Attendance/Apologies/Approved Leave of Absence</b>	<b>4</b>
<b>3.</b>	<b>Responses to Previous Public Questions Taken on Notice</b>	<b>5</b>
<b>4.</b>	<b>Public Question Time</b>	<b>12</b>
<b>5.</b>	<b>Applications for Leave of Absence</b>	<b>19</b>
<b>6.</b>	<b>Confirmation of Minutes of the Previous Meeting</b>	<b>19</b>
<b>7.</b>	<b>Matters Arising from Minutes of Previous Meeting</b>	<b>19</b>
<b>8.</b>	<b>Announcement by the Presiding Person without Discussion</b>	<b>20</b>
<b>9.</b>	<b>Declaration of Member's and Officer's Interest</b>	<b>20</b>
<b>10.</b>	<b>Petitions/Deputations/Presentations/Submissions</b>	<b>20</b>
<b>11.</b>	<b>Matters for which the Meeting may be Closed</b>	<b>21</b>
	<b>Corporate and Community Development Committee</b>	<b>22</b>
	CS-006/21 Disposal of Lot 1484 on Diagram 180048 (30) Ray Street, Rockingham (Challenger Precinct)	22
<b>12.</b>	<b>Receipt of Minutes of Standing Committees</b>	<b>24</b>
<b>13.</b>	<b>Officers Reports and Recommendations of Committees</b>	<b>24</b>
	<b>Audit Committee</b>	<b>25</b>
	AC-001/21 The City of Rockingham Internal Control Audit Results	25
	AC-002/21 Summary of Completed Internal Audits for the 2019/2020 Financial Year	32
	AC-003/21 Compliance Audit Return 2020 (January 2020 to 31 December 2020)	36
	<b>Planning and Engineering Services Committee</b>	<b>39</b>
	PD-012/21 Proposed Standard Structure Plan - Millars Landing North	39
	EP-003/21 Tender T20/21-39 - Provision of Services to Dredge and Remove Sand from the Bent Street Boat Ramp Navigation Channel	79
	EP-004/21 Treatment of the Bent Street Boat Ramp Overflow Parking	84
	EP-005/21 Tender T20/21-44 - Construction of Buildings and Landscaping at Baldivis District Sporting Complex	89
	<b>Corporate and Community Development Committee</b>	<b>95</b>
	CS-007/21 Council Policy – Service Complaints	95
	CS-008/21 Budget Review – February 2021 ( <i>Absolute Majority</i> )	100
	GM-010/21 Adoption of Proposed City of Rockingham Waste Local Law 2020 ( <i>Absolute Majority</i> )	105

	GM-011/21 Council Policy – Functions Hosted by Council	113
	GM-012/21 Council Policy – Use of the Councillors' Lounge	120
	GM-013/21 Entry Statement Concept designs for the purpose of public consultation	128
	CD-007/21 Reconciliation Action Plan 2021-2023	139
	CD-008/21 Rockingham Renaissance Technopole Inc.	144
<b>14.</b>	<b>Receipt of Information Bulletin</b>	<b>153</b>
<b>15.</b>	<b>Report of Mayor</b>	<b>154</b>
	MR-003/21 Meetings and Functions Attended by the Mayor and Deputy Mayor	154
<b>16.</b>	<b>Reports of Councillors</b>	<b>157</b>
<b>17.</b>	<b>Reports of Officers</b>	<b>157</b>
<b>18.</b>	<b>Addendum Agenda</b>	<b>157</b>
<b>19.</b>	<b>Motions of which Previous Notice has been given</b>	<b>157</b>
<b>20.</b>	<b>Notices of Motion for Consideration at the Following Meeting</b>	<b>157</b>
<b>21.</b>	<b>Questions by Members of which Due Notice has been given</b>	<b>157</b>
<b>22.</b>	<b>Urgent Business Approved by the Person Presiding or by Decision of Council</b>	<b>157</b>
<b>23.</b>	<b>Matters Behind Closed Doors</b>	<b>157</b>
<b>24.</b>	<b>Date and Time of Next Meeting</b>	<b>157</b>
<b>25.</b>	<b>Closure</b>	<b>157</b>

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**Tuesday 23 March 2021 – Council Chambers**



**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 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

**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
Mr Peter Doherty	Director Legal Services and General Counsel
Mr Michael Holland	Director Community Development
Mr Peter Varris	Manager Governance and Councillor Support

	<p>Mr Peter Le Ms Sarah Mylotte</p> <p><b>2.3 Members of the Gallery:</b></p> <p><b>2.4 Apologies:</b></p> <p>Cr Matthew Whitfield Cr Joy Stewart</p> <p><b>2.5 Approved Leave of Absence:</b></p>	<p>Senior Legal Officer Administration Officer, Governance and Councillor Support</p> <p>13</p> <p>Baldivis Ward Rockingham/Safety Bay Ward</p> <p>Nil</p>
<b>3.</b>	<b>Responses to Previous Public Questions Taken on Notice</b>	
<b>3.1</b>	<p><b>Ms Teresa Ong, Singleton – City vehicle log book / gift register / new Community Infrastructure planning process</b></p> <p>At the Council meeting held on 23 February 2021, Ms Ong asked the following questions that were taken on notice and the Chief Executive Officer provided a response in a letter dated 10 March 2021 as follows:</p> <p><b>City vehicle log book</b></p> <p>The office of the Auditor General has informed at a seminar, that all cars owned by Local Government entities must have a log book in each car with the trips and mileage recorded.</p> <p>Those leased under salary sacrifice are exempt or part of an employment package.</p> <p>This is reportable to the ATO.</p> <p><u>Question</u></p> <p>1. Do all cars used by the City of Rockingham employees have the log book and is this use reported by employees or the City to the ATO?</p> <p><u>Response</u></p> <p><i>The City complies with all Australian Taxation Office requirements including the completion of log books by required employees.</i></p> <p><u>Question</u></p> <p>2. Who audits these mileage log books and how often?</p> <p><u>Response</u></p> <p><i>The City is available for a taxation audit at any time the Australian Taxation Office chooses to do so. Log books are maintained for taxation reporting purposes only.</i></p> <p><b>Gift register</b></p> <p>It's noted that gift registers are only kept for 5 years available to the public once an officer has left the employ of the City of Rockingham.</p> <p>The Auditor Generals department stated yesterday at a workshop that each Council should have in place a "Timeline Records disposal policy" and this should be displayed on the Council website.</p> <p><u>Question</u></p> <p>3. Does City of Rockingham have this and is it on the website?</p> <p><u>Response</u></p> <p><i>In accordance with its Records Management Plan the City uses the General Disposal Authority for Local Government Records (Authority). This document is available on the following website:</i></p> <p><a href="https://www.wa.gov.au/organisation/state-records-office-of-western-australia/retention-and-disposal">https://www.wa.gov.au/organisation/state-records-office-of-western-australia/retention-and-disposal</a></p>	

*The Local Government Act 1995 and Regulations also provide specific retention and disposal timeframes for various documents.*

*There is no requirement for the Authority to be published on the City's website.*

*During the French trip, by the Mayor, ex CEO and Manager of Investment Services, the Mayor on his return declared 2 gifts. One a bottle of French wine.*

*The other 2 City of Rockingham employees did not declare anything.*

*Surely French good manners would have ensured that all in the Australian group received the same gifts.*

*I doubt they expected the group to share one bottle.*

Question

4. Did no one check the gift register on their return?

*When the ex CEO had left, surely the Acting CEO would take on the role of checking the finances and gift register from the French trip.*

*The Mayor advised that while he received a bottle of wine as a gift he does not believe the officers in attendance were provided a gift. In any case it is up to the officers to make any declarations of gifts received.*

**New Community Infrastructure planning process**

*For a new building to be provided can you please confirm the pathway to be undertaken.*

*Starts off with the Director of Community Development who does an assessment of the needs for this building. Does he set the amount of \$ required for the building.*

*Then goes to planning where the design and configuration goes into the plans by the Director of Planning and Development Services.*

*Then goes to Engineering to manage the tender and contract management by the Director of Engineering and Parks Services.*

Question

5. Is this the correct process?

Response (provided at the meeting)

*The Mayor noted that Ms Ong was incorrect in her understanding of community infrastructure planning and delivery, and would confirm the process in writing. As the Mayor refuted 'any stuff up' or lack of budget in regards the facility and recalled that it has a kitchen and toilets. The Secret Harbour Surf Life Saving Club was directly involved in all stages of the planning and delivery of the \$5 million facility. The Club was very keen to retain control over any commercial space which was provided through the lease arrangements.*

Response (additional information)

*No, this process is not correct. The methodology used in the planning community infrastructure is outlined in the Community Infrastructure Plan (2020) available on the City's website: <https://rockingham.wa.gov.au/forms-and-publications/your-city/our-vision/community-infrastructure-plan-2020>*

*Cost estimates for projects within the implementation plan are developed by an independent Quantity Surveyor and presented to Council for consideration. They are not determined by officers or the Director Community Development.*

*The governance of major projects such as those in the Community Infrastructure Plan (CIP) follows the City's Project Management Framework, and involves officers with relevant expertise from across the various Divisions. In relation to projects within the CIP, the Director Community Development, along with two other Directors oversee the entire project from inception to completion. Officers from various departments across all Divisions form the Project Control Group who take responsibility for the different aspects of project delivery depending on the nature of the project.*

Question

6. So where in all these processes have some design flaws been overlooked and not included in the building of the Secret Harbour Surf Life Club? No kitchen. Toilet issues.

Response (additional information)

*The planning and construction of the Secret Harbour Surf Lifesaving Club (SHSLC) was completed in full consultation with the SHSLSC Committee at the time.*

*The facility includes a kitchen and kiosk for club use, and toilets for both club and public use. It does not include a kitchen or toilets in the proposed commercial area.*

Question

7. Were the issues done on purpose due to lack of \$? Did the Council hope the Surf Life Saving Club would pay for the issues or is this a bit of a stuff up?

Response (additional information)

*A commercial kitchen and toilets on the ground floor were not included in the facility design due to the specific requirements of commercial operators. As there was no commercial operator proposed at the time of design, the requirements were unknown and not included.*

*The SHSLSC requested, and were granted responsibility for managing the entire facility by way of a 20 year lease. This included management of the proposed commercial space. The responsibility for attracting a tenant and negotiating subsequent fit out with the tenant is that of the SHSLSC. The SHSLSC have attempted to attract a suitable tenant on a number of occasions, however have been unsuccessful.*

**3.2 Mrs Diane Park, Waikiki – Renaissance Technopole**

At the Council meeting held on 23 February 2021, Mrs Park asked the following questions that were taken on notice and the Chief Executive Officer provided a response in a letter dated 12 March 2021 as follows:

Preamble

In 2017 I attended a council meeting where an item regarding Renaissance Technopole PTY Ltd was brought to council.

At the council meeting it was approved that council would support this private company and underwrite losses for the sum of \$500,000 over 2 years, \$250,000 per year, with rate payer funds.

It was also established that this company would utilise space in the Murdoch Building on Dixon Road.

It was stated at the council meeting that this company would bring jobs and businesses to the City of Rockingham.

Doing research and gathering information I am a little shocked at the information I have gained.

In the middle of 2017 flights were booked for a trip to France.

Members involved in this trip were Ex CEO, The Mayor, City of Rockingham Manager Investments Attractions and the President of Australia/France Chamber of Commerce.

Again all costs for this trip, estimated at approximately \$40,000 were paid using rate payer funds.

Prior to this trip taking place, a company LYS PTY Ltd was registered on 26/08/2017 with directors being City of Rockingham Manager for Business Attractions and the President of the French Chamber of Commerce.



It should also be noted that the Manager of Business Attractions employed by the C of R from February 2016, was also the director of a private company registered in 2000 to an address in Riches Way, Bull Creek a private home.

August 2017 Council meeting a budget of \$352,000 was approved as a start-up amount for a private company Renaissance Technopole PTY Ltd, based on an estimated budget that wasn't inclusive of rent for the office space at Murdoch Building or included any staffing or ongoing operational costs. The funds to cover this amount came from the Learning City Strategy Fund. (Council decision GMS014/17)

This amount again coming from rate payer funds.

Renaissance Technopole was registered with ASIC on 27/09/2017.

This company was registered to the same address in Bull Creek, as LYS Pty Ltd.

In August 2018 Renaissance Technopole Pty Ltd, (after the ex CEO and Manager Business Attractions had left the employment of the City of Rockingham) was registered as a NFP company Rockingham Renaissance Technopole Inc., to the same address in Bull Creek as LYS Pty Ltd. The CEO and an Executive Officer were appointed to the Board of Rockingham

Renaissance Technopole Inc. negotiations took place to transfer the Lease Licence from City of Rockingham to Rockingham Renaissance Technopole.

The President of the French/ Australian Chamber of Commerce was appointed as Chairperson of this new company and was tasked with completing the 'set-up'.

A Quote from the City Minutes April 2018:-

The Technopole will be the major catalyst enabling major investment flows to the City. Therefore the future City EDS should reflect and support these overall endeavours'

It appears that the facilities at the Murdoch Building have been cancelled and Renaissance Technopole Inc. have moved to offices/shop unit in Harrison Street, Rockingham.

It has also been noted that the sum of \$135,000 has been paid to Murdoch for rent of the office space for Renaissance Technopole PTY Ltd. The lease agreement being with the City of Rockingham, can we assume that \$135,000 in rent was above the \$352,000 already allocated for start-up fees for this company?

Having visited the premises, in Harrison Street, several times they appear to be completely empty and not in use.

We are looking at approximately \$400,000, possible more if council paid the rent to Murdoch of \$135,000 on behalf of this private company.

Rate payer's funds have been used to start up a private business and cover expenses for a trip to France and undertaken to cover losses of the private company to the amount of \$500,000.

As noted the present CEO, Mayor and Executive Officer have background knowledge with this company and hopefully my questions need not be taken on notice.

Response to Preamble

*None of the underwriting funding has been paid to date.*

Question

1. How many businesses and how much employment has been brought or created in Rockingham by this company, Renaissance Technopole, for the rate payer funds used to establish this company?



Response (provided at the meeting)

The CEO noted that as Mrs Park is aware, the City pursued the opportunity to engage and build strong relationships with the French companies involved with the Australian Defence submarine construction and maintenance arrangements with an objective of the companies establishing their headquarters and some operations in Rockingham given its proximity to both HMAS Stirling, Western Trade Coast and Henderson. The opportunity was to also re-activate the Murdoch University campus which had been under utilised due to the University cutting back course delivery. He advised that while not aware of any direct employment at this stage, the opportunity remains.

The Mayor added that the Murdoch University reduced its course delivery at the Rockingham campus resulting in a drop of students from around 1000 to perhaps 100. The City seeks to re-activate the facility for long term benefit for the community. The establishment of the Technopole and other related economic opportunities has been significantly hampered by both the Federal Government's delay in announcing the location of the submarine construction and the impact of COVID-19.

Question

2. Why was there a need to start up a NFP Company when Renaissance Technopole PTY Ltd is still a registered company?

Response (provided at the meeting)

The Technopole is run through the not-for-profit body which was set up to keep the arrangements at 'arms-length' from the City as some of the commercial aspects are not core business. He advised that he understood that the Pty Ltd company name was obtained to secure the name for intellectual property purposes.

Question

3. Does the council own the premises that are occupied now by Technopole in Harrison Street, Rockingham?

Response (provided at the meeting)

The building that the Technopole has secured in Rockingham is not a city asset and has been secured for zero rent plus outgoings.

Question

4. As rate payers seem to be the only entity funding this company, where can the minutes/financial report of the Company AGM be found and a full financial acquittal should be available.

Response

The Technopole is being operated as a NFP incorporated association. The City is not aware that Renaissance Technopole Pty Ltd has been utilised.

Question

5. Was the \$135,000 rent, paid to Murdoch, in addition to the start-up amount of \$352,000?

Response

The rent paid to Murdoch University for 'research space' is not in addition to, but inclusive of the original budget.

Question

6. What due diligence does the City of Rockingham perform, prior to handing out rate payer funds to companies, to enable Company start up?

Response

This is a unique situation. Please refer to response for Question 1.

Question

7. Has this council given funds to any other company to enable them to start a business?

Response

*Please refer to response for Question 1.*

*This was a unique situation that the City sought to ensure that Rockingham obtained opportunities from the increased spending in defence, including the activation of the Murdoch University Campus.*

Question

8. The City also signed an agreement with The French Chamber of Commerce that the City pay an annual fee of \$3,000 membership, why?

Response

*The City signed a Memorandum of Friendship with FACCI in 2016 which does not mandate membership of that organisation, however, it was aimed at a cooperative relationship between the parties. This has precipitated introductions being made with visiting French delegations including company representatives and politicians, some of whom have visited the Murdoch University Campus and Rockingham in an endeavour to promote Rockingham and economic development opportunities.*

**3.3 Ms Dawn Jecks, Safety Bay – Little penguins / Complaints process**

At the Council meeting held on 23 February 2021, Ms Jecks asked the following questions that were taken on notice and the A/Director Planning and Development Services provided a response in a letter dated 2 March 2021 as follows:

Decline in Rockingham's Iconic Little Penguin

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.

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 and that in the 2 years from 2017 to 2019 the Penguin population has halved in size. So clearly the decline in numbers is accelerating.

The Shoalwater Islands Marine Park (and Penguin Island) is managed by the Department of Biodiversity, Conservation and Attractions and I understand that the City has approached the DBCA to prepare a management plan to guide ongoing actions.

Question

1. What date was the letter sent to the DBCA by I assume the CEO of COR?

Response (provided at meeting)

*The Mayor confirmed that the letter had been sent but would clarify the date (on notice). The Mayor noted that he and the CEO raised and advocated concern regarding the decline in little penguin numbers in meetings with both the Premier and Minister for Tourism.*

Additional Information

*Further to the Mayor's response above, the City's letter to the Department of Biodiversity, Conservation and Attractions was dated 12th February 2021 and requested that a formal working group be formed to establish management strategies to address the decline in the Little Penguin population. On the same day, the City also wrote to Primary Industries and Regional Development requesting that it participate in a working group.*

*PIRD has responded to the City's request and a response is yet to be received from DBCA.*

*The actions mentioned above have complimented other activities undertaken by the City including a briefing to the October 2020 Councillor Engagement Session and a report in the Information Bulletin to the November 2020 Planning and Engineering Services Committee.*

*Further, the City wrote to the Premier in October 2020 seeking assistance in the allocation of funding and resources to enable DBCA to undertake the preparation and implementation of a Management Plan to help protect the Little Penguin population, in collaboration with the City and other stakeholders.*

*The request was reiterated when the City met with the Premier in December 2020 and confirmed in writing.*

*Finally, the matter was also brought to the attention of the Minister for Tourism during a meeting held in January 2021 and confirmed in writing following the meeting.*

2. Have we had a response to the letter and if so did the DBCA commit to the preparation of a management plan? If so, what is the estimated timeframe for this to happen?

Response (provided at meeting)

*The Mayor advised no response had been received.*

Regarding the working group that has been established to discuss the findings of the most recent Population Estimate Report and commence discussions on a proposed way forward with representatives from the City, the DBCA, as well as two experts from Murdoch University (including Dr Belinda Cannell)

I note that in the latest Population Estimate study mention is made of watercraft injury with the report estimating that up to 25% of mortalities for the period between 2007 and 2019 can be attributed to collisions with watercraft.

The Shoalwater Islands Marine Park is a very popular destination for the boating community and the windsurfing community. Penguins like to travel just beneath the surface of the water and can be difficult to spot due to their smallness in size. As a result, boat users are very seldom aware of incidents where they have caused a penguin fatality (Cannell 2020). The City is aware of the threat posed by marine vessels and has installed informative signage at all City boat ramps. The signage advises boat users to slow down and look out for penguins.

3. What evidence does the City have indicating that the signs advising boat users to slow down and look out for penguins are making a difference?

Response (provided at meeting)

*The Mayor advised that he doubts that the City can verify the effectiveness of the signage. Perhaps Dr Belinda Cannell could consider this in her research.*

I believe that as a City we need better structures in place to enable a more proactive approach in identifying and tackling emerging issues. We need structures in place at a local level, so we can be on the front foot and proactively protect our local environment, which we all know is so important to our local economy. I don't mean just the Penguins. That's why I put up my motion at the AEM for a Sustainability & Environment Community Advisory Committee.

Reading what the council officers had to say in their initial report about such a committee, it's clear to me that they didn't get what I was asking for because it's different to what we had in place under CEAC which was abandoned on 24th July 2012.

	<p><u>Complaints Process</u></p> <p>I went along to the Corporate and Community Development Committee Meeting committee last week when the new Model Code of Conduct for Council Members was discussed, and the bit about having new Complaints Officer appointed, was discussed. Before the meeting, I had already read the officers report and the relevant sections and references in LG Act etc.</p> <p>At the meeting, something that was just brushed over was the bit about CEO being the complaints officer for complaints made about Elected Members.</p> <p>4. Maybe I missed something. Our Elected Members / Council are the employer of CEO. The CEO is the employee, so that means we have the 'employee' investigating and judging the 'employer'? How is that going to work? What about the conflict of interest? Where's the Procedural fairness? Where's the Transparency? City wants to appoint CEO as complaints officer! So he makes complaint, receives complaint, hears complaint and judges complaint. It wouldn't happen in private sector and surely it's not being contemplated by our Council, our elected representatives?</p> <p><i>The Mayor referred the question to the CEO.</i></p> <p><i>The CEO advised that the local government is the final decision maker in respect to Division 3 complaints. The CEO will not, as a complaints officer, determine the outcome or consequences of a breach complaint. The local government industry through various bodies were not supportive of some of the provisions that have been established by the regulation. The CEO noted that in response WALGA is looking to establish a panel of independent complaints officers that could be appointed by local governments to deal with, investigate and advise the local government, as well as developing a framework for dealing with complaints.</i></p> <p><i>The City needs to deal with the new legislation and ensure the necessary requirements are in place. For the interim, the model code of conduct applies for Council, committee members and candidates. As such the City needs to have in place a complaints officer and the requisite form to deal with any potential complaint. The City will be arranging an Engagement Session for Councillors to consider the Model Code of Conduct and the processes and procedures required.</i></p>
4.	<p><b>Public Question Time</b></p>
6:03pm	<p><b>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.</b></p> <p>4.1 <b>Ms Teresa Ong, Singleton – Bert England Lodge / Challenger Court / City vehicles</b></p> <p>The Mayor invited Ms Ong to present her questions to the Council. Ms Ong asked the following questions:</p> <p>Following on from the proposed sale of the Bert England Lodge, which I applaud as its not core business and aged care is a very risky business with the current accreditation standards.</p> <p>I note the City of Rockingham also own Challenger Court, a 50 aged care unit complex.</p> <p>1. Are there plans for this non core City of Rockingham business to be sold off to an accredited aged care provider as per the same process as the Bert England Lodge,</p> <p>Also the money held in reserves for both these properties should be moved back to general funds once the decision to sell has been made to ensure the reserves stay in the City of Rockingham funds.</p> <p><i>The Mayor advised that the matter is on the agenda as a confidential item for consideration at tonight's meeting.</i></p>

Further to my questions from February, I am resubmitting in the hope that I will get some proper answers, not the airy fairy non descript part answers received.

2. Are there log books in each of the City of Rockingham cars? Yes/No

*The Mayor noted that Ms Ong's previous questions were responded to in full and in writing and regardless whether she did not like the answers.*

*In answer to the question, no, although log books are maintained for taxation purposes in cars which have reporting requirements to the Australian Taxation Office.*

3. Which position in the City of Rockingham audits these log books?

*The Mayor noted none. The City is available for a taxation audit at any time the Australian Taxation Office chooses to do so. Log books are maintained for taxation reporting purposes only.*

4. How often are the mileage books audited?

*The Mayor advised that log books are not audited by the City. They are reviewed annually for taxation reporting requirements.*

5. Who reports the use of the cars to the ATO, the City of Rockingham or the individual employee?

*The Mayor advised the City of Rockingham.*

#### **4.2 Mr Peter Bird, Safety Bay – Kiteboarders / Safety**

The Mayor invited Mr Bird to present his question to the Council. Mr Bird asked the following question:

My question pertains to an incident on Shoalwater beach where my wife was badly injured by a kiteboard sail and its lines. She suffered a broken bone to her wrist, deep slice and cut to her forearm from the abrasive kite cord, extensive bruising to her ribs and up her inner right arm. She was picked up and flung to the ground forcefully and became entangled in the control lines. After initial attendance to the Rockingham hospital emergency department where she was x-rayed, deep laceration to her forearm treated then put into a cast. There has been multiple follow up appointments for treatment including x-rays, new casts, CT scans, and now physio for injuries to her back and an exacerbation of arthritis in her hand.

This incident was frightening and demonstrated just how dangerous this activity can be to any beach users, it is incompatible with all other beach activities.

I have been informed that the City has no policy to control where this activity can take place, as it stands, it's any beach, or area within the beach confines for rigging up then launching, operating and landing.

I have spoken with all the authorities with interest in this issue such as Western Australian Kiteboarders Association, DOT Marine and the Water Police all whom have indicated it has become a growing and worrying problem.

As this incident happened on ground managed by the City not in the water, the authorities can't action anything as yet. I have attempted to, and failed to get information from the City, in fact have been instructed not to contact the City any more in regard to this issue. My follow up email to a senior officer has not elicited any response at all.

1. Will the City restrict the area where kiteboards can be used, including rigging up, launching and landing, and that these areas will not impact on the rest of the beach users

*The Mayor thanked Mr Bird for his question and noted he is very sorry to hear of the injuries to his wife, and hoped that she is recovering well.*

*He advised that this is a question on a complicated matter. It needs further investigation, across several teams within the City.*

*The Mayor took the question on notice, and noted it will be investigated, so that a considered response can be sent to Mr Bird.*

*The Mayor extended best wishes for Mrs Bird's recovery.*

**4.3**

**Ms Sarah Stand, Golden Bay – Parking / Waste**

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

1. Why don't they change the laws of parking in small tiny lanes where they are building lots of houses. I live on 1 Lamboo Lane Golden Bay and I constantly have the neighbour across the street from me parking his car on the lane in front of his garage making it impossible for me to reverse into my 1 car garage (not double). See attached pics. Once I came home honked the horn non-stop and then had to contact the property manager to get him to move the car. I am a senior person and what if I have a doctor's appointment or an emergency to attend to and I can't get my car out?

I contacted Aaron Rigby Team leader Rangers at Rockingham and he said there is nothing they can do about it unless the laws change. See attached his email. I also spoke with Councillor Lorna Buchan who agreed with me that I have the right to be able to park into my car space and leave as I need to. I am not the only one having this problem I spoke to a lot of people in tiny lanes in Lakelands and Mandurah with overpopulated houses with the same problem their cars being blocked and they are being harrassed and frustrated by unruly neighbours.

I also contacted Aaron Blair Coordinator Waste Collection and he agreed with me and said how frustrated his bin drivers are because they are unable to get into the lane and pick up trash because of cars parked on lanes. I agreed with him because I recall about 6 months ago the yellow trash bin collector was honking real loud and I came out and he said " unless this person moves his car I can't collect the trash on this lane" so he told me to go and knock on their door which I did. This is very frustrating for me and others who want to do things right and so unfair for trash bin collectors who have such a hard task in front of them on the day. The people doing this are uncaring people, who have no respect for anyone and unless a law is put in place with a fine they'll continue doing this.

*The Mayor advised that the legality of parking at the location cited is being thoroughly investigated by the Inquiry and Appeals Officer in the Compliance and Emergency Liaison team.*

*The investigation will also consider what options are available, should it be deemed that there are insufficient parking controls.*

*Ms Stand will be advised of the outcome of this investigation including any actions arising, once it is complete.*

2. Why don't they pass a law on these tiny lanes that residents need to close their trash lids and bring it in and not leave it in the middle of the road and trash flapping for days and for health reasons? I live at 1 Lamboo Lane and the front of my house faces the lane and the bedroom also. Every Saturday when trash is collected I wait till evening time and I have to walk across and shut a bunch of trash lids because I cannot sleep at night and for health reasons. I have also a friend at Lakelands experiencing the same problem she has 2 children and goes around closing trash lids for health reasons

and to get some rest. This is very frustrating for people and this is done by unruly neighbours, thugs who don't care about people or the law and they know they can get away with it. I hope a law comes into effect asap with a fine as Jenelle mentioned to me there might be. Please see attached pic of me walking across to shut lids. These people try to find excuses why they don't shut their trash lids but it's just excuses they don't want to do what is right.

*The Mayor advised The City has Health Local Laws that require a bin to be brought into a property in a reasonable time after collection. A reasonable time isn't defined, but it is generally accepted as being within 24 hours.*

*The Health Local Laws require bin lids to be closed, as a way to either prevent birds and wildlife from getting into full bins, or to prevent odours from coming from the rubbish.*

*If there is a property with a bin being left out for prolonged duration, or one that either creates odours or attracts animals because the lids are not closed, you are able to contact the City's Health Services to discuss this further.*

*The Mayor noted that there are currently no fines in place for these contraventions. If the City's proposed Waste Local Law is adopted, then there will be more penalties for waste offences.*

**4.4 Mrs Diane Park, Waikiki – Technopole / Livestreaming / Councillors Lounge**

The Mayor invited Mrs Park to present her questions to the Council. Mrs Park asked the following questions:

Technopole

I would like to refer back to my questions from last month's council meeting regarding the funding of Technopole a NFP company that have received \$352,000 of rate payer funds and the subsequent replies to my questions I have received from Council.

1. If as stated in the past 3 plus years, even taking into account Covid 19, Technopole have not been able to secure one job or one business in Rockingham shouldn't this council cut our losses and disassociate ourselves from this NFP group?

As stated in the responses, the company was made a NFP company to keep council at 'arm's length' and yet we still have our CEO as a board member.

*The Mayor advised that there is a report on the Technopole included in the Council agenda tonight. The report will be discussed as part of Council meeting.*

2. Whilst at the time it seemed feasible to try and build relationships with French Companies involved with the Australian Defence submarine construction with an objective of establishing their headquarters in Rockingham. Does this council feel it is in the best interest of spending ratepayer funds to continue to support a company that has already received a huge amount of rate payer funds for absolutely no return?
3. As this company are now looking for a further \$250,000 grant I would hate to see more of our rates go 'down the tube' and I personally object to extra funding. Can council put this matter out for public consultation due to the large amount of funding being asked for by this Company?

*The Mayor advised that there is a report on the Technopole included in the Council agenda tonight. The report will be discussed as part of Council meeting.*



4. I asked previously where I could find the financial spreadsheet and AGM minutes for this company. This questions wasn't answered and I ask again, what the rest of the \$352,000 has been spent on after deducting the rent paid to Murdoch Campus for offices. I have discovered that funds have been used for insurance, trademark registration, business plan development, operational setup etc. but this still leaves a balance of over \$77,000 unaccounted for, can council advise what the remaining amount was used for?

*The Mayor took the question on notice.*

5. Have any Directors or Board Members been paid from money given to Technopole?

*The Mayor noted not to his knowledge but took the question on notice.*

#### Livestreaming

6. Referring back to December 2019 council meeting it was approved that video and audio coverage of council meetings would take place and equipment installed. What steps have been taken to incorporate the video coverage of council meetings? I do remember it was stated at that meeting these council chambers could possibly become office space and the expertise of a consultant would be sought to establish the feasibility of such a project. Some, in the public gallery, witnessed unsavoury behaviour from some councillors at the last council meeting perhaps it's time to install this equipment and any update that can be provided by council would be appreciated.

*The Mayor advised that Council at its July 2020 meeting directed the CEO to implement audio and video recording during the 2020/2021 financial year.*

*Council meetings are currently audio recorded and the provision for video recording and livestreaming is being scoped for minor refurbishment works in the Council Chamber, including disability access arrangements. Planning for these works is underway.*

#### Councillors Lounge

With reference to Alcohol in the Councillors lounge, it's sad after just a year we have to revisit this subject. A democratic vote against alcohol in the councillor's lounge received the vote to remove it.

7. As there is to be an alternative motion to enable councillors to bringing in their own alcohol, if supported, are we now to see Councillors walking into council with their little tippie bags under their arms to drink or offer to volunteers?
8. Where is the health and safety policy, drugs and alcohol policy? Does this council do random testing amongst employees? I acknowledge that councillors are not employees of the City, they are, however, utilising this public building by way of a Councillors Lounge.
9. This is a public building, alcohol is not allowed on beaches, parks etc. would you allow alcohol to be taken into libraries, aqua jetty and other public buildings?
10. Can the council inform us if there are fridges containing alcohol in the CEO, Mayor's, Executives offices and if so who pays for this alcohol?

*The Mayor advised that the City has Policy in relation to Occupational Health and Safety as well as Drugs and Alcohol in the workplace (which includes random testing of employees).*

*The consumption of alcohol is permitted in public places subject to certain approval being granted. The City on occasion hosts functions in its buildings accompanied by the modest provision of alcohol.*

*There are no fridges containing alcohol in the CEO or Executive Offices. The Mayor's office has a fridge that is stocked with a variety of beverages.*

*The cost to the City for the 2020 calendar year is as follows –*

- \$37.15 of non-alcoholic beverages*
- \$48.00 of alcoholic beverages.*

**4.5 Ms Dawn Jecks (on behalf of Mrs Mary Kegie), Rockingham – Memorial Policy Submission**

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

Ms Jecks spoke on behalf of Mrs Kegie (present in the public gallery) in respect to a written submission by Mrs Kegie and delivered by hand to the City offices expressing concern regarding the proposed Memorials Policy. While it was noted that the submission was date stamped by counter staff upon delivery, Mrs Kegie has not received an acknowledgement of receipt.

*The Mayor noted that the City usually acknowledges receipt of electronic submissions and these are generally addressed in the officer report that is presented to Council.*

*The Director Engineering and Parks advised that while the officer report is due to be presented to Council in April 2021 it is normal practice to acknowledge receipt of a hard copy submission and he would follow up to ensure this occurs.*

**4.6 Ms Dawn Jecks, Safety Bay – Penguins / climate change**

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

Decline in Rockingham's Iconic Little Penguin

On 23 February 2021 at public question time I asked 4 questions. Thank you for the response to 3 of my questions, namely Q1, 2 and 4. In my Q3, I asked for a copy of the letter sent on 12 February 2021 by City of Rockingham to the DBCA. I have not received it. I ask again tonight for it to be provided to me.

1. Further, regarding the City's response dated 2 March 2021, there were 4 other letters referenced in the response and I would like a copy of each of them. This includes –
  - Letter from CoR to Primary Industries & Regional Development (PIRD)
  - Response back to the City from PIRD
  - The October 2020 letter sent by the City to the Premier
  - The January 2021 letter sent by the City to the Minister for Tourism which was part of the follow up to the January meeting with the Minister.
2. In the City's February public question time response to me dated 2 March 2021, regarding the working group comprising of representatives of the City, the DBCA and 2 experts from Murdoch University, that been established to commence discussions on a way forward. Can I have the dates and minutes of all meetings conducted to date and the date of the next scheduled meeting?

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

3. I want to ask about previous Penguin reports received by the City. I understand that there are Penguin Research reports going back about ten years or thereabouts. I assume that upon receipt of each report that the contents would be summarised by an officer of the City and a report presented to Council along the lines of what was presented 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. I would like copies of all the City Penguin reports written by officers going back as far as they exist. I am guessing from 2014 or thereabouts.

We are now in a time where the climate is impacting our local ecosystems, the health of which is crucial to our local tourism and economy. I am keen for us to have increased community engagement to better enable us to be more proactive in identifying and tackling emerging Sustainability & Environment Issues. I have reviewed what I can find regarding the City's environmental and sustainability strategy's and management plans but I could see very little opportunity for community engagement that is proactive and outcomes driven. Maybe that's why, ten years on, the Penguins are in such trouble?

That's why I put up my motion at the AEM for a 'Sustainability & Environment Community Advisory Committee. Reading what the council officers had to say in their initial report about such a committee, I am not sure that they understood exactly what I was asking for. I am asking for something very different to what we had in place a decade ago under CEAC which was abandoned on 24th July 2012.

4. Can the City provide names and details of all environmental and sustainability strategy's and management plans they are responsible for?

*The Mayor took the above questions on notice.*

**4.7 Mr Tom Mannion, Safety Pay – Credit Cards / Policy**

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

My questions are an extension of previous questions I raised around the Policy regarding the use of the cities credit cards for entertainment.

Mr Pearson's response was that the use of corporate credit cards covering my question was covered by an Executive Policy created as an internal document for City administration and are not adopted by Council and therefore not for public access.

In following up with the Department of Local Government on the City's response, the DLG response pointed out the following:

Regulation 29C(2)(c) of the Local Government (Administration) Regulations 1996 require local governments to publish current policies on its website.

The Act states:

Role of council:

2.7(2)(b) determine the local government's policies

	<p>The Department of Local Government in identifying the role of the CEO state:</p> <p>The Chief Executive Officer (CEO) heads the administration and manages the day to day operations of the local government and implements council policies and decisions.</p> <p>So it would be fair to say that the Act expects Policy to be determined by the Elected Members and procedures on "How" to be developed by the Administration.</p> <ol style="list-style-type: none"><li>1. Credit card expenditure has accounted for \$5m in past 3 years, Why have the Elected Members failed to determine the Policy on credit cards for oversight of expenditure as required by the Act but left it to the administration to determine the Policy?</li><li>2. When was this Executive policy on the use of credit cards covering the expenditure for entertainment written and approved by who?</li><li>3. Who in the City's administration is empowered is to make secret "executive policy" that has not been determined by Council?</li><li>4. Why is the City failing to comply with Regulation 29C(2)(c) of the Local Government (Administration) Regulations 1996?</li></ol> <p><i>The Mayor took the above questions on notice.</i></p> <p><b>6:37pm There being no further questions the Mayor closed Public Question Time.</b></p>
<b>5.</b>	<b>Applications for Leave of Absence</b>
	<p>Cr Joy Stewart seeks leave of absence for one month including the April 2021 Council meeting.</p> <p><b>Moved Cr Jones, seconded Cr Liley:</b></p> <p>That Council <b>APPROVES</b> Leave of Absence for Councillor Joy Stewart for one month including the April 2021 Council meeting.</p> <p style="text-align: right;"><b>Carried – 9/0</b></p>
<b>6.</b>	<b>Confirmation of Minutes of the Previous Meeting</b>
	<p><b>Moved Cr Hamblin, seconded Cr Buchanan:</b></p> <p>That Council <b>CONFIRMS</b> the Minutes of the Ordinary Council meeting held on 23 February 2021, as a true and accurate record subject to the following amendment:</p> <p>Item GM-009/21 Extraordinary Vacancy for Baldivis Ward / Various Committee Vacancies - Resignation of Cr Whitfield (<i>Absolute Majority</i>)</p> <p>Moved Cr Stewart, seconded Cr Hamblin:</p> <p>That Council:</p> <ol style="list-style-type: none"><li>1. <b>SEEKS</b> the approval of the Western Australian Electoral Commissioner for the Baldivis Ward extraordinary vacancy remain unfilled, and fix the ordinary election day of <del>24</del> 16 October 2021 as the day for holding the poll needed for the <del>extraordinary</del> election to fill the vacancy.</li></ol> <p style="text-align: right;"><b>Carried – 9/0</b></p>
<b>7.</b>	<b>Matters Arising from Minutes of Previous Meeting</b>
	<p>Nil</p>

8.	Announcement by the Presiding Person without Discussion		
	6:38pm	<p>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> <p>The Mayor advised that he received letter from Cr Kevin Bailey, Mayor of the City of Swan stating the following –</p> <p><i>“On behalf of the City of Swan, I sincerely thank the City of Rockingham for its support to our residents and property owners who were adversely impacted by the Wooroloo bushfire in February 2021.</i></p> <p><i>The City's generous donation of \$10,000 to the Lord Mayor's Distress Relief Fund will go directly to the affected residents and will help them get back on their feet.</i></p> <p><i>Your actions will make a world of difference to our community, and we deeply appreciate your assistance and support.”</i></p>	
9.	Declarations of Members and Officers Interests		
	9.1	Item EP-005/21	<p><b>Tender T20/21-44 - Construction of Buildings and Landscaping at Baldivis District Sporting Complex</b></p> <p>Councillor: Cr Edwards</p> <p>Type of Interest: Financial</p> <p>Nature of Interest: Cr Edwards' partner is a Director of Shelford Constructions Pty Ltd.</p> <p>Extent of Interest: Not Applicable</p>
	9.2	Item CD-008/21	<p><b>Rockingham Renaissance Technopole Inc.</b></p> <p>Officer: Mr Michael Parker, Chief Executive Officer</p> <p>Type of Interest: Impartiality</p> <p>Nature of Interest: Mr Parker is on the Board of Directors for Rockingham Renaissance Technopole.</p> <p>Extent of Interest: Not Applicable</p>
	6:39pm	<p><b>The Mayor noted the interests declared in Items 9.1 and 9.2, and asked if there were any further interests to declare.</b></p> <p><b>The Mayor noted there were no further interests declared.</b></p>	
10.	Petitions/Deputations/Presentations/Submissions		
	6:40pm	<p><b>Cr Cottam - Public Apology</b></p> <p>Cr Cottam made the following address -</p> <p><i>“I would like to let everybody know that:</i></p> <p><i>A complaint was made to the Local Government Standards Panel, in which it was alleged that I contravened the Local Government (Rules of Conduct) Regulations 2007 and when I used derogatory language to comment on the Facebook post of a local community member.</i></p> <p><i>The Panel found that I breached regulation 7(1)(b) to the said Regulations and that my conduct was in breach of the City's Code of Conduct and deserving a penalty.</i></p> <p><i>I accept that I should not have engaged in that relevant conduct, and</i></p> <p><i>I now apologise to the public, the gallery and my fellow Councillors.”</i></p>	

11.	Matters for which the Meeting may be Closed
	<p><b>6:41pm</b> The Mayor advised in accordance with section 5.23(2)(c) of the Local Government Act 1995 – if there are any questions or debate on Confidential Item CS-006/21 Disposal of Lot 1484 on Diagram 180048 (30) Ray Street, Rockingham (Challenger Precinct), then the Council will need to defer the matter for consideration at Agenda Item 23 - Matters Behind Closed Doors.</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)

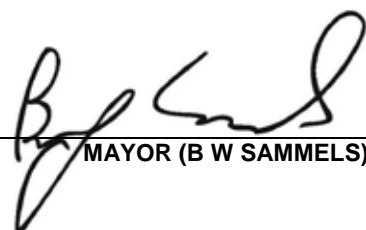
This item may be discussed behind closed doors as per Section  
5.23(2)(c) of the Act

Corporate Services Director and Support		
		
<b>Reference No &amp; Subject:</b>	CS-006/21	Disposal of Lot 1484 on Diagram 180048 (30) Ray Street, Rockingham (Challenger Precinct)
File No:	LGS/702-03	
Proponent/s:		
Author:	Mr John Pearson, Director Corporate Services	
Other Contributors:	Ms Helen Savage, Senior Project Officer Ms Naomi Edwards, Coordinator City Properties	
Date of Committee Meeting:	16 March 2021	
Previously before Council:	27 April 2011 (CCB-009/11), 19 December 2017 (GMS-027/17(a))	
Disclosure of Interest:		
Nature of Council's Role in this Matter:	Executive	
Site:	Lot 1484 on Diagram 180048 (30) Ray Street, Rockingham	
Lot Area:	2.7189 ha	
Attachments:		
Maps/Diagrams:	1. Location Plan 2. Aerial Photo	

**Voting Requirements**

Simple Majority

Confirmed at a Council meeting held  
on Tuesday 27 April 2021

  
MAYOR (B W SAMMELS)



### Officer Recommendation

That Council **APPROVES** the disposal of Lot 1484 on Diagram 180048 (30) Ray Street, Rockingham (Challenger Precinct, consisting of the facility, land, and business) to:

1. The State of Western Australia for the purpose of aged care in the first instance; or
2. An aged care provider.

### Committee Recommendation

That Council **APPROVES** the disposal of Lot 1484 on Diagram 180048 (30) Ray Street, Rockingham (Challenger Precinct, consisting of the facility, land, and business) to:

1. The State of Western Australia for the purpose of aged care in the first instance; or
2. An aged care provider.

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 Buchan, seconded Cr Hamblin:**

That Council **APPROVES** the disposal of Lot 1484 on Diagram 180048 (30) Ray Street, Rockingham (Challenger Precinct, consisting of the facility, land, and business) to:

1. The State of Western Australia for the purpose of aged care in the first instance; or
2. An aged care provider.

Carried – 9/0

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

Not Applicable

<b>12.</b>	<b>Receipt of Minutes of Committees</b>
	<p><b>Moved Cr Edwards, seconded Cr Davies:</b></p> <p>That Council <b>RECEIVES and CONSIDERS</b> the minutes of the:</p> <ol style="list-style-type: none"><li>1. Audit Committee meeting held on 10 March 2021;</li><li>2. Planning and Engineering Services Committee meeting held on 15 March 2021; and</li><li>3. Corporate and Community Development Committee meeting held on 16 March 2021.</li></ol> <p style="text-align: right;"><b>Carried – 9/0</b></p>
<b>13.</b>	<b>Officers Reports and Recommendations of Committees</b>
	<p><b>Method of Dealing with Agenda Business</b></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><b>Withdrawn Items</b></p> <p>The following officer report items were withdrawn for discussion:</p> <p>AC-002/21 Summary of Completed Internal Audits for the 2019/2020 Financial Year</p> <p>PD-012/21 Proposed Standard Structure Plan - Millars Landing North</p> <p>EP-005/21 Tender T20/21-44 - Construction of Buildings and Landscaping at Baldivis District Sporting Complex</p> <p>CS-007/21 Council Policy – Service Complaints</p> <p>CS-008/21 Budget Review – February 2021 (<i>Absolute Majority</i>)</p> <p>GM-010/21 Adoption of Proposed City of Rockingham Waste Local Law 2020 (<i>Absolute Majority</i>)</p> <p>GM-011/21 Council Policy – Functions Hosted by Council</p> <p>GM-012/21 Council Policy – Use of the Councillors' Lounge</p> <p>GM-013/21 Entry Statement Concept designs for the purpose of public consultation</p> <p>CD-007/21 Reconciliation Action Plan 2021-2023</p> <p>CD-008/21 Rockingham Renaissance Technopole Inc.</p>

## Audit Committee

Audit Committee		
<b>Reference No &amp; Subject:</b>	AC-001/21	The City of Rockingham Internal Control Audit Results
File No:	CPM/109	
Proponent/s:		
Author:	Mr Rafal Kolodynski, Manager Internal Audit	
Other Contributors:		
Date of Committee Meeting:	10 March 2021	
Previously before Council:		
Disclosure of Interest:		
Nature of Council's Role in this Matter:	Executive	
Site:		
Lot Area:		
Attachments:	Confidential Attachment A – Financial Year 2019/2020 Internal Controls Audit Results 2020	
Maps/Diagrams:		

## Purpose of Report

The purpose of this report is to provide information on the following two aspects:

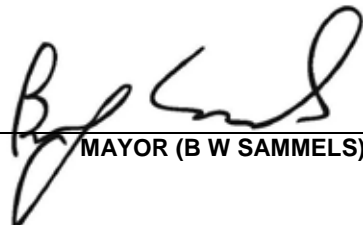
1. To outline the methodology and scope of the testing carried out by the Internal Audit team to complete controls testing for the 2019/20 financial year.
2. Provide overview of the findings and actions that were implemented during that review.

## Background

The Local Government (Audit) Regulations 1996 r.17 states that a review is to be conducted every three financial years. The review is to test the appropriateness and effectiveness of a local government's systems and procedures in relation to;

- (a) Risk management;
- (b) Internal control; and
- (c) Legislative compliance.

Confirmed at a Council meeting held  
on Tuesday 27 April 2021

  
MAYOR (B W SAMMELS)

In addition to the above regulation, the Local Government (Financial Management) Regulations 1996 r. 5(2)(c) states that the CEO has duties in respect to financial management to perform reviews of the appropriateness and effectiveness of the financial management systems and procedures not less than once in every 3 financial years.

Because the City has taken on the commitment of providing a best practice internal audit function, this testing occurs every year.

In regards to regulation 5(2)(c) requirements, the purpose of this report is to provide information on:

1. The methodology and scope of the testing carried out by the Internal Audit team to complete controls tested for the 2019/20 financial year, and;
2. Provide an overview of the findings identified and the actions that were proposed during that review.

This report has been conducted in accordance with the Local Government (Financial Management) Regulations 1996 r. 6.

*A local government is to ensure that an employee to whom is delegated responsibility for the day to day accounting or financial management operations of a local government is not also delegated the responsibility for —*

*(a) conducting an internal audit; or*

*(b) reviewing the discharge of duties by that employee,*

*or for managing, directing or supervising a person who carries out a function referred to in paragraph (a) or (b).*

## Details

Internal controls in the context of auditing are typically defined as processes that are designed to assure the achievement of the organisation's objectives in;

- (a) Operational effectiveness and efficiency;
- (b) Reliable financial reporting, and;
- (c) Compliance with laws, regulations, legislative compliance and policies.

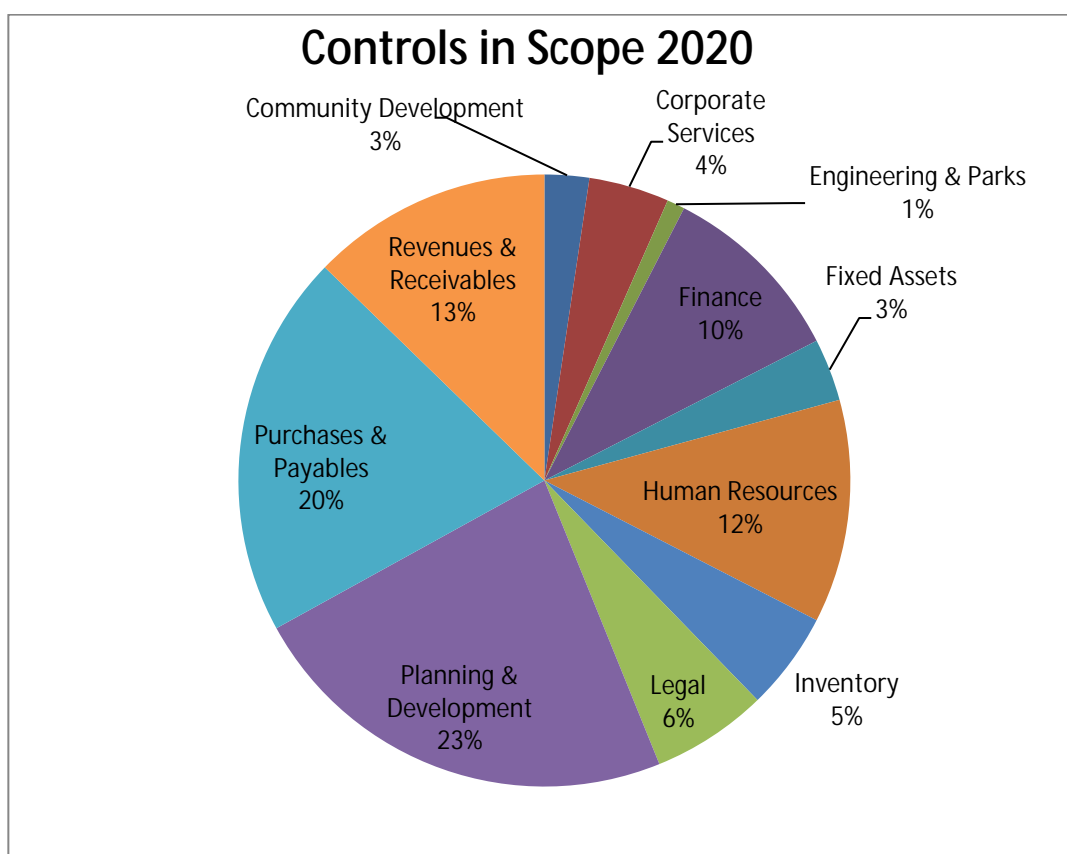
Internal audit provides an independent, methodical approach to test if the City's processes are operating effectively, efficiently and as intended.

As the City has a myriad of mechanisms that govern the way in which it operates, key controls have been identified and scoped to test for the 2019/20 financial year.

The scope has been broken down into 12 main processes. Each main process has multiple key controls to test. The purpose is to give a City wide overview of how well these controls have been designed and how well they are operating.

### The City of Rockingham Internal Controls Framework for the financial year 2019/20

	Main Processes	Key Controls in Scope 2019/20	As a percentage
1	Community Development	5	3%
2	Corporate Services	9	4%
3	Engineering & Parks	2	1%
4	Finance	21	10%
5	Fixed Assets	7	3%
6	Human Resources	25	12%
7	Inventory	11	5%
9	Legislative / Regulatory	13	6%
10	Planning & Development	49	23%
11	Purchases & Payables	43	20%
12	Revenues & Receivables	27	13%
	<b>Total</b>	<b>212</b>	<b>100%</b>

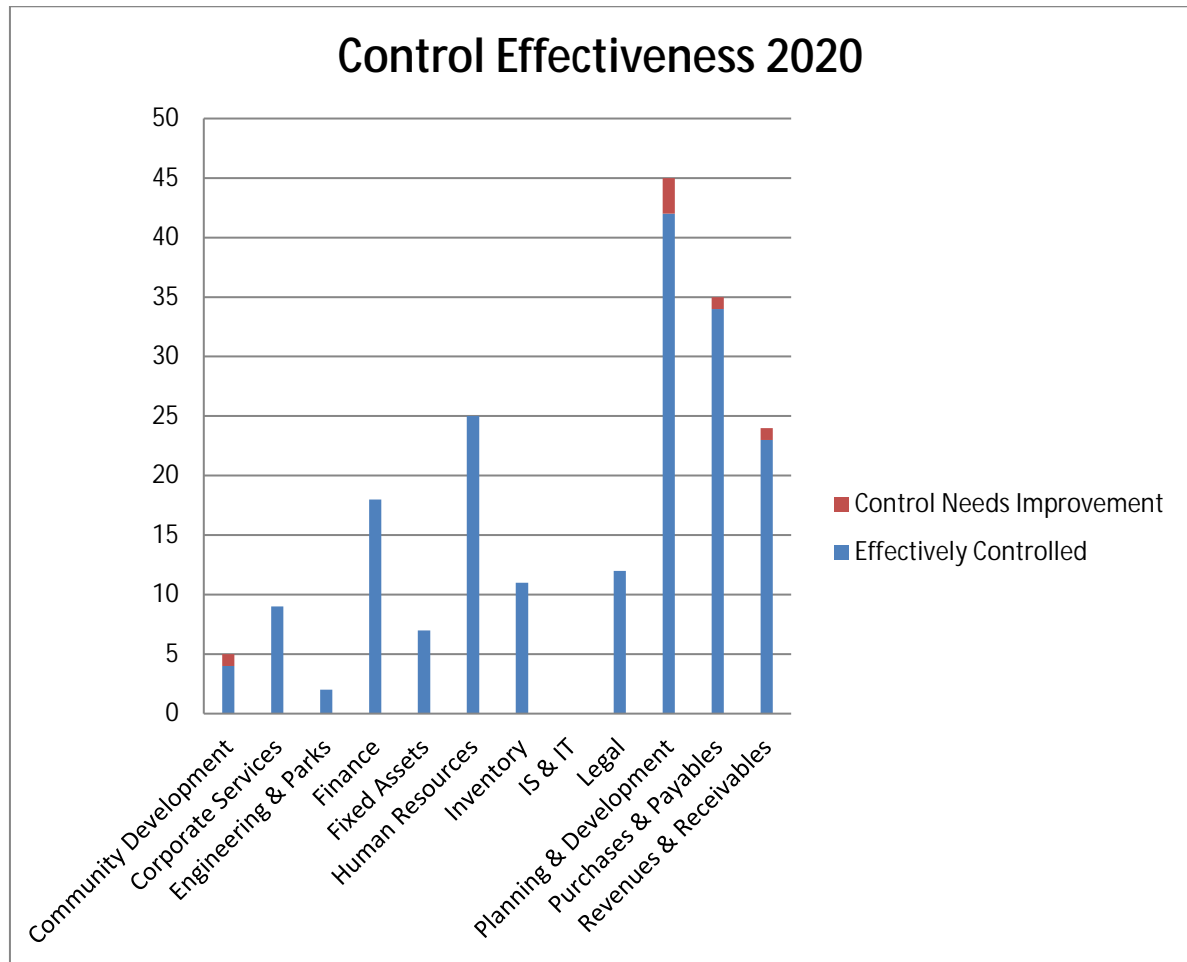


In Summary, 212 controls have been tested of which 9 (4%) were self-assessed. The paragraph "Controls Self-Assessment Testing 2019/2020" explains the self-assessment process.

#### Control Effectiveness 2019/2020

The below graph shows a representation of the distribution of controls tested that require improvement.

Controls that have been in effect for the full financial year can be tested in accordance with the City's statistical audit methodology. When the controls are sampled using this methodology the testing should provide a reasonably accurate representation of the population.



#### Control Self-Assessment Testing 2019/2020

For the 2019/20 Financial Year, Internal Audit conducted 9 Control Self-Assessments for the City.

##### What is control self-assessment?

It is an approach where attestations are made by the Director and senior staff who are responsible for a specific control that requires testing. The attestation is a confirmation that the control in question has worked as intended over the financial year being tested.

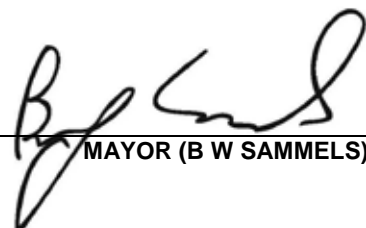
##### Benefits to the City

Using Control Self-Assessment has benefits to the City as it allows previously assessed strong controls to be assessed by their own department. This fosters an improved awareness of controls and accountabilities within the department as the responsible officers will need to confirm that the control is still operating as intended. It also reduces the impact and disruption to the department by substituting substantive testing with an attestation.

##### Limitations

This approach has certain limitations. Control self-assessment can only be done once every 2 years for any given control. This is because it only provides a certain level of assurance as to whether the controls are working as intended. For this year, we will be conducting Control Self-Assessment on certain controls. For the next year, these controls will be formally tested by Internal Audit.

Confirmed at a Council meeting held  
on Tuesday 27 April 2021

  
MAYOR (B W SAMMELS)

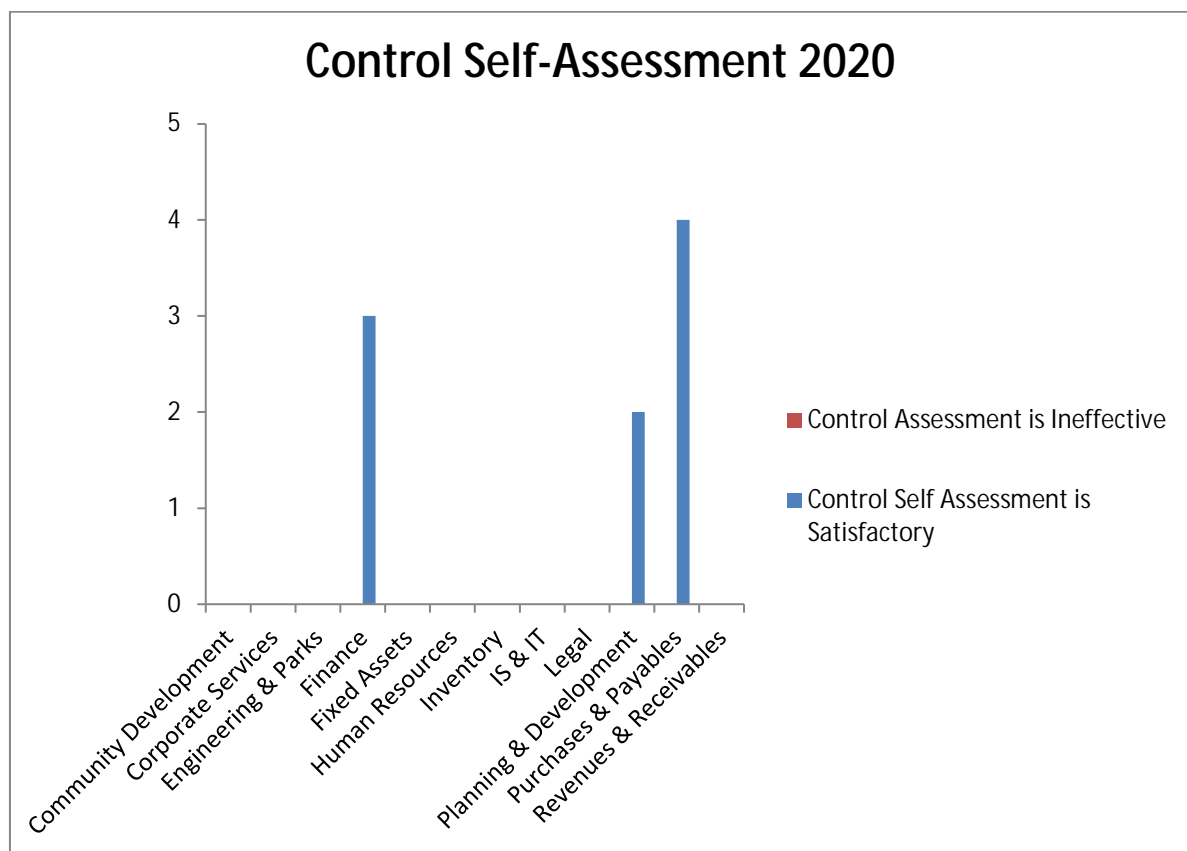
What is the process?

The process for control self-assessment consists of identifying the controls that were assessed as working well in the past. The selected controls will then be assessed on the following criteria:

1. Has the control being assessed changed during the tested financial year?
2. Were any new controls introduced for the process during the tested financial year?
3. Was there a change of any key employees involved in the assessed process?

In addition to these questions the Director is asked if they would still like Internal Audit to test the control. If the relevant Director is comfortable with the control, they sign the assessment document and the control is automatically assessed as working as intended within the current testing cycle.

Below are the results of the City's Self Controls Assessment for the 2019/2020 Financial Year. As can be seen, all controls were assessed as being effective.



**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 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 and compliant environment.*

**d. Policy**

Not Applicable

**e. Financial**

Not Applicable

**f. Legal and Statutory**

Local Government (Audit) Regulations 1996

17. CEO to review certain systems and procedures

(1) The CEO is to review the appropriateness and effectiveness of a local government's system and procedures in relation to -

- (a) risk management; and
- (b) internal control; and
- (c) legislative compliance.

(2) The review may relate to any or all of the matters referred to in sub regulation (1) (a), (b) and (c), but each of those matters is to be the subject of a review not less than once every 3 financial years.

(3) The CEO is to report to the audit committee the results of that review.

Local Government (Financial Management) Regulations 1996

5. CEO's duties as to financial management

(2) The CEO is to –

(c) undertake reviews of the appropriateness and effectiveness of the financial management systems and procedures of the local government regularly (and not less than once in every 3 financial years) and report to the local government the results of those reviews.

**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 of Rockingham Internal Controls Framework is planned and scoped out for every financial year and it is expected that the scope of controls reviewed will change slightly to reflect changes in the operating environment at the City.

The overall performance of the City's controls has been managed very well. The controls in place were found to be appropriate and working as intended. Some exceptions were noted but considered no more significant than Medium/Low risk exposure for the identified processes. The CEO and the Executive Audit Committee are satisfied that the controls within the City are working as intended.

**Voting Requirements**

Simple Majority

### Officer Recommendation

That Council **ACKNOWLEDGES** the outcome of the review in accordance with regulation 17 of the Local Government (Audit) Regulations 1996, regulation 5 (2) (c) of the Local Government (Financial Management Regulations) 1996 and the Internal Controls tested for the 2019/20 financial year.

### Committee Recommendation

That Council **ACKNOWLEDGES** the outcome of the review in accordance with regulation 17 of the Local Government (Audit) Regulations 1996, regulation 5 (2) (c) of the Local Government (Financial Management Regulations) 1996 and the Internal Controls tested for the 2019/20 financial year.

Committee Voting (Carried) – 4/0

### 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 Buchan, seconded Cr Hamblin:**

That Council **ACKNOWLEDGES** the outcome of the review in accordance with regulation 17 of the Local Government (Audit) Regulations 1996, regulation 5 (2) (c) of the Local Government (Financial Management Regulations) 1996 and the Internal Controls tested for the 2019/20 financial year.

**Carried – 9/0**

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

Not Applicable

Audit Committee		
<b>Reference No &amp; Subject:</b>	AC-002/21	<b>Summary of Completed Internal Audits for the 2019/2020 Financial Year</b>
File No:	CPM/109	
Proponent/s:		
Author:	Mr Rafal Kolodynski, Manager Internal Audit	
Other Contributors:		
Date of Committee Meeting:	10 March 2021	
Previously before Council:		
Disclosure of Interest:		
Nature of Council's Role in this Matter:	Executive	
Site:		
Lot Area:		
Attachments:	Confidential Attachment B - Summary of Completed Internal Audits for Financial Year 2019/2020	
Maps/Diagrams:		

### Purpose of Report

The purpose of this report is to communicate the completed internal audits for the financial year 2019/20.

### Background

The completed audits for the financial year 2019/20 have been designed to provide feedback to management on the effectiveness of specific operations at the City. The scope of the completed audits were designed to ensure that appropriate processes are followed, that legal obligations are satisfied and controls are designed to prevent and detect error, fraud and misappropriation.

Four audits were conducted during the 2019/20 financial year. As a result of the audits a total of 8 recommendations were endorsed by the Executive Audit Committee. Out of the 8 recommendations raised, 4 recommendations have been actioned. The other 4 recommendations are currently being implemented or actioned.

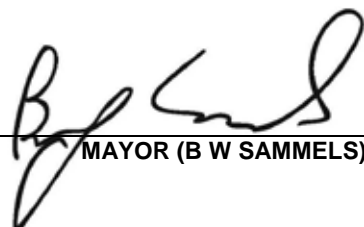
### Details

#### Recording, custody and disposal of Portable and Attractive Assets

##### Overview

This audits consisted of four main objectives:

Confirmed at a Council meeting held  
on Tuesday 27 April 2021

  
MAYOR (B W SAMMELS)

Objective 1

Review any relevant policies and procedures in relation to portable and attractive assets and test their appropriateness.

Objective 2

Test that there are adequate controls to record and track portable and attractive assets.

Objective 3

Review if stocktakes are being conducted, that the results are appropriately documented, and that any missing items are appropriately investigated.

Objective 4

Review if appropriate disposal procedures exist and are followed.

Summary of Findings

The City did not have an appropriate documented process in recording, tracking and disposing of portable and attractive assets at the City.

Status of Actions:

The 4 recommendations raised are currently being actioned.

**Accurate Invoice Generation (Fees and Charges)**

Overview

The audit objectives were to:

Objective 1

Determine if there is a City wide invoicing process and test its appropriateness.

Objective 2

Review a sample of invoices and examine if the correct fees and charge rates were used and that the invoice is appropriately supported.

Objective 3

Review any conflict of interest process and test that declarations are retained, assessed and conflicts of interest are appropriately addressed.

Objective 4

Review the credit note process and test its appropriateness.

Objective 5

Review the appropriateness of recordkeeping throughout the whole process.

Summary of Findings

The findings identified in this Audit were of a minor nature this process is working as intended.

Status of Actions:

All 4 recommendations have now been completed.

**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 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 and compliant environment.*

**d. Policy**

Not Applicable

**e. Financial**

Not Applicable

**f. Legal and Statutory**

Local Government (Audit) Regulations 1996

17. CEO to review certain systems and procedures

(1) The CEO is to review the appropriateness and effectiveness of a local government's system and procedures in relation to -

- (a) risk management; and
- (b) internal control; and
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(3) The CEO is to report to the audit committee the results of that review.

Local Government (Financial Management) Regulations 1996

5. CEO's duties as to financial management

(2) The CEO is to –

(c) undertake reviews of the appropriateness and effectiveness of the financial management systems and procedures of the local government regularly (and not less than once in every 3 financial years) and report to the local government the results of those reviews.

**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**

For the 2019/2020 financial year, the completed audits have:

- (1) Not identified any ongoing significant risks exposing the City
- (2) Not identified any fraud or misappropriation

Progress of endorsed Internal Audit Response Plans has been monitored and tracked. At this stage response plans have been actioned satisfactorily by the responsible Directors

### Voting Requirements

Simple Majority

### Officer Recommendation

That Council **ACKNOWLEDGES** the outcomes of the standalone internal audits in accordance with regulation 17 of the Local Government (Audit) Regulations 1996, regulation 5 (2) (c) of the Local Government (Financial Management Regulations) 1996 and the Internal Controls tested for the 2019/20 financial year.

### Committee Recommendation

That Council **ACKNOWLEDGES** the outcomes of the standalone internal audits in accordance with regulation 17 of the Local Government (Audit) Regulations 1996, regulation 5 (2) (c) of the Local Government (Financial Management Regulations) 1996 and the Internal Controls tested for the 2019/20 financial year.

Committee Voting (Carried) – 4/0

### 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 Edwards, seconded Cr Hamblin:**

That Council **ACKNOWLEDGES** the outcomes of the standalone internal audits in accordance with regulation 17 of the Local Government (Audit) Regulations 1996, regulation 5 (2) (c) of the Local Government (Financial Management Regulations) 1996 and the Internal Controls tested for the 2019/20 financial year.

**Carried – 9/0**

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

Not Applicable

Audit Committee		
<b>Reference No &amp; Subject:</b>	AC-003/21	Compliance Audit Return 2020 (January 2020 to 31 December 2020)
File No:	CPM/190	
Proponent/s:		
Author:	Mr Rafal Kolodynski, Manager Internal Audit	
Other Contributors:		
Date of Committee Meeting:	10 March 2021	
Previously before Council:		
Disclosure of Interest:		
Nature of Council's Role in this Matter:	Executive	
Site:		
Lot Area:		
Attachments:	2020 Compliance Audit Return	
Maps/Diagrams:		

### Purpose of Report

For Council to adopt the Local Government Compliance Audit Return for the period 1 January 2020 to 31 December 2020.

### Background

Under the Local Government Act 1995 the Minister for Local Government introduced the Local Government Statutory Compliance Return to be completed annually.

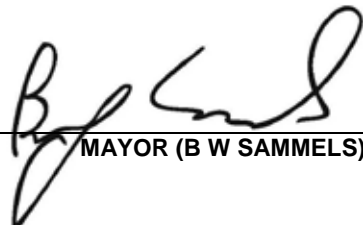
The purpose of the return is to show that Council has met its statutory obligations under the various provisions of the Local Government Act 1995 and other relevant Acts and Regulations.

The Local Government (Audit) Regulations 1996 was amended in December 2011 in order for the Compliance Audit Return to go through the Audit Committee before its final adoption by Council at a Council Meeting.

### Details

The completed Compliance Audit Return is to be included in the Council agenda and each Councillor must be given the opportunity to review the Compliance Audit return and make comment. Any matters of concern by Councillors relating to the Return need to be recorded in the Minutes of the Council Meeting.

Confirmed at a Council meeting held  
on Tuesday 27 April 2021

  
MAYOR (B W SAMMELS)



After the Compliance Audit Return has been presented to the Council a certified copy of the return, along with the relevant section of the minutes and any additional information explaining or qualifying the compliance audit is to be submitted to the Executive Director of the Department of Local Government by 31 March 2021.

### 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 Community Plan 2015-2025:

**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 and compliant environment.*

**d. Policy**

Not Applicable

**e. Financial**

Nil

**f. Legal and Statutory**

As per Regulation 14 of the Local Government (Audit) Regulations 1996 (the regulations) the Compliance Audit Return is prepared in the form approved by the Minister, is then reviewed by the City's Audit Committee and then presented to Council for adoption and recorded in the minutes of the meeting at which it is adopted.

As per Regulation 15 the Compliance Audit Return is adopted to Council, a certified copy and relevant sections of the minutes and other relevant documents need to be provided to the Executive Director by 31 March 2021.

**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*

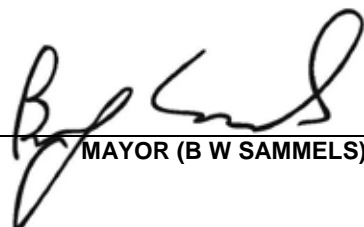
Nil

### Comments

The completion of the Compliance Audit Return is a statutory requirement, however it is also an excellent assessment tool for testing the City's internal procedures and practices. The Compliance Audit Return for 2020 has been completed by all relevant staff. The specific areas addressed by the Compliance Audit Return are:

- Commercial Enterprises by Local Governments
- Delegation of Power /Duty
- Disclosure of Interest

Confirmed at a Council meeting held  
on Tuesday 27 April 2021



MAYOR (B W SAMMELS)

- Disposal of Property
- Finance
- Integrated Planning and Reporting
- Local Government Employees
- Official Conduct
- Tenders for Providing Goods and Services

In completing the Compliance Audit Return the responsible staff for the process have checked the relevant supporting documentation against the legislative or regulatory requirements.

A copy of the Compliance Audit Return is attached for Council adoption.

### Voting Requirements

Simple Majority

### Officer Recommendation

That Council **ADOPTS** the Compliance Audit Return for the period 1 January 2020 to 31 December 2020.

### Committee Recommendation

That Council **ADOPTS** the Compliance Audit Return for the period 1 January 2020 to 31 December 2020.

Committee Voting (Carried) – 4/0

### 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 Buchan, seconded Cr Hamblin:**

That Council **ADOPTS** the Compliance Audit Return for the period 1 January 2020 to 31 December 2020.

**Carried – 9/0**

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

Not Applicable

**Planning and Engineering Services Committee**

**Planning and Development  
Strategic Planning and Environment Services**

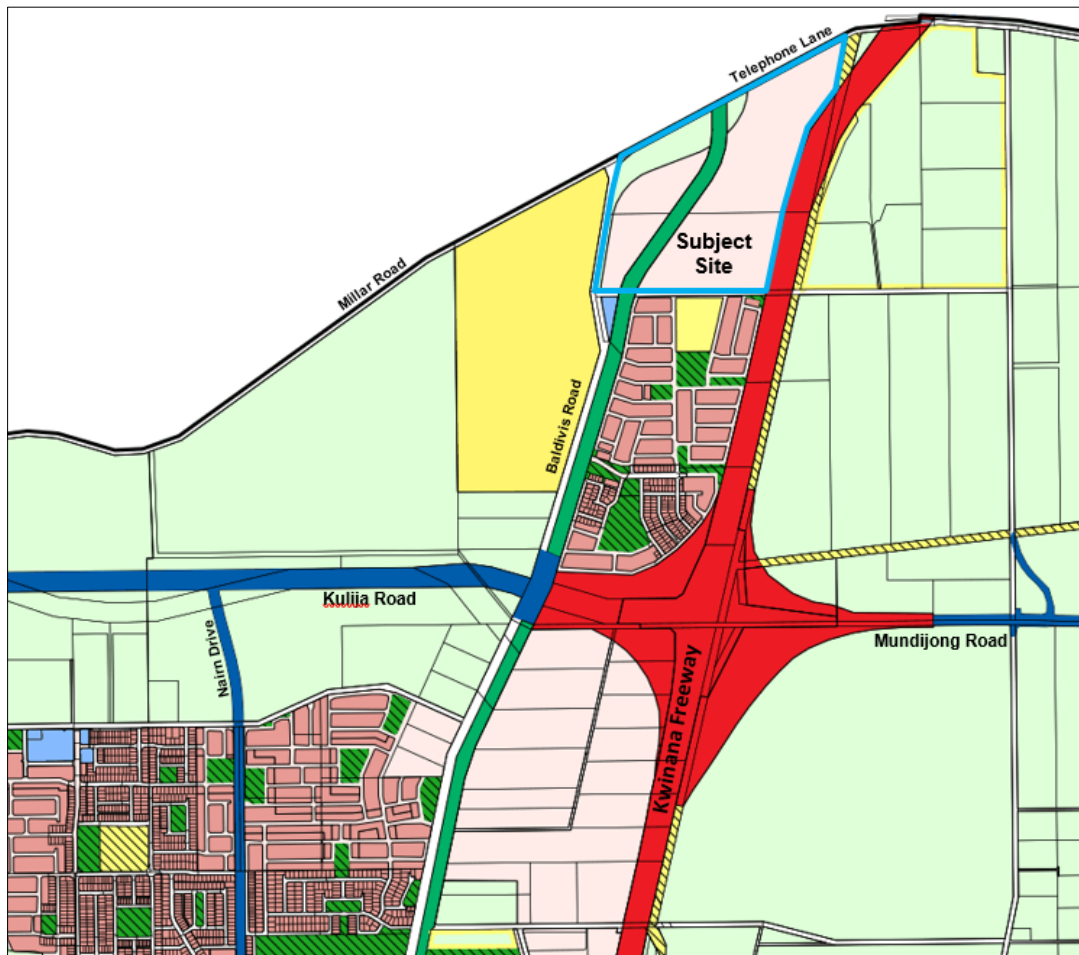


<b>Reference No &amp; Subject:</b>	<b>PD-012/21</b>	<b>Proposed Standard Structure Plan - Millars Landing North</b>
File No:	LUP/1857	
Applicant:	CLE Town Planning and Design on behalf of Cedar Woods Properties	
Owner:	Kayea Property Pty Ltd trading as Cedar Woods Properties	
Author:	Mr Robert Casella, Senior Strategic Planning Officer	
Other Contributors:	Mr Tristan Fernandes, Coordinator Strategic Planning Mr Brett Ashby, Manager Strategic Planning and Environment	
Date of Committee Meeting:	15 March 2021	
Previously before Council:		
Disclosure of Interest:		
Nature of Council's Role in this Matter:	Executive	
Site:	Lots 447, 459 and 709 Baldivis Road, Baldivis	
Lot Area:	55.99853ha	
LA Zoning:	Development	
MRS Zoning:	Urban	
Attachments:	Schedule of Submissions	
Maps/Diagrams:	<ol style="list-style-type: none"><li>1. Location Plan</li><li>2. East Baldivis District Structure Plan</li><li>3. Aerial Photograph</li><li>4. Advertised Structure Plan Map</li><li>5. Advertised Concept Master Plan</li><li>6. Concept Master Plan for the Urban Village</li><li>7. Location of Advertising</li><li>8. Long Term Cycle Network Plan</li><li>9. Geomorphic Wetland Map</li><li>10. Tree Survey</li><li>11. Public Open Space</li><li>12. Relocation Options for Western Pocket Park</li><li>13. Northern Drain Public Open Space</li></ol>	

## Purpose of Report

To consider the proposed Millars Landing (North) Structure Plan following the completion of public advertising. The location of the subject site is shown in Figure 1.

Note: Pursuant to changes to the *Planning and Development (Local Planning Scheme) Regulations 2015*, which came into effect on 16 February 2021, Structure Plans prepared to guide subdivision and development of urban land are now referred to as 'Standard Structure Plans'. For the purposes of this Report 'Standard Structure Plans' will simply be referred to as a 'Structure Plan' for ease of reference.



1. Location Plan

## Background

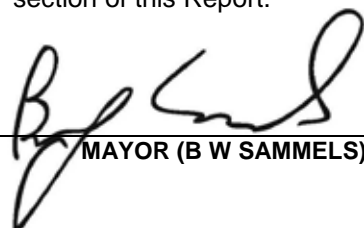
### East Baldvis District Structure Plan

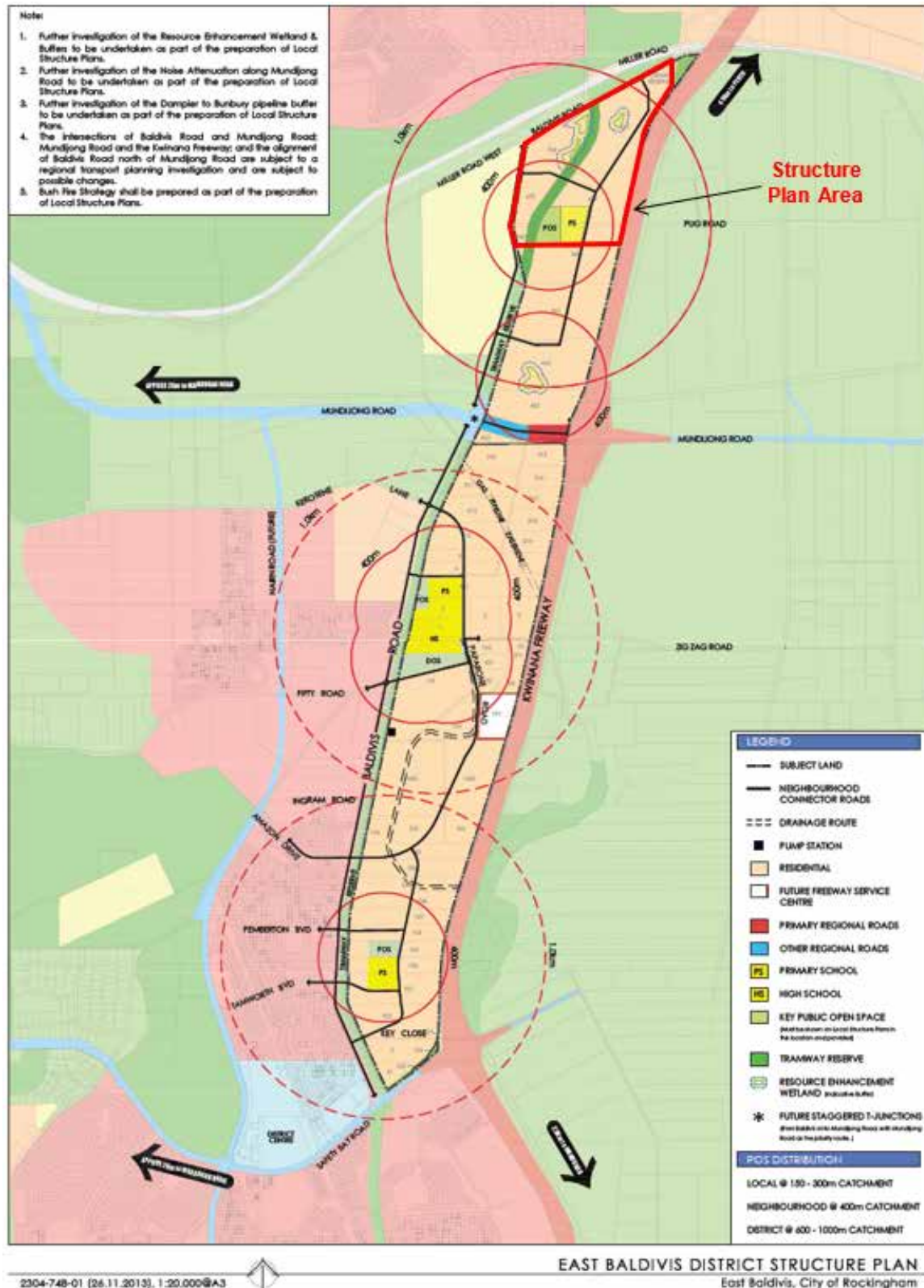
In February 2014, the Council endorsed the East Baldvis District Structure Plan (EBDSP) for the purpose of guiding and informing the City's consideration of Local Structure Plans and regional planning initiatives/proposals (see Figure 2).

The District Structure Plan provided for a primary school site on the subject land, as well as two neighbourhood connector road access points onto Baldvis Road and another access point to Telephone Lane. The primary school was relocated into the adjoining Millars Landing Structure Plan area which is also being developed by Cedar Woods Properties.

The District Structure Plan also references the opportunity to provide a Local Centre to provide daily convenience needs to residential areas located north of Kulija Road. The proposal provides for a Local Centre which is addressed within the 'Comments' section of this Report.

Confirmed at a Council meeting held  
on Tuesday 27 April 2021

  
MAYOR (B W SAMMELS)



## 2. East Baldvins District Structure Plan

The Structure Plan proposes a revised location for the co-located primary school site and Public Open Space (POS). The Structure Plan generally reflects the neighbourhood connector road network and accounts for the identified Resource Enhancement Wetland.

### Zoning

Confirmed at a Council meeting held  
on Tuesday 27 April 2021

MAYOR (B W SAMMELS)



On 27 December 2013, the Western Australian Planning Commission (WAPC) advised that the Hon Minister for Planning had approved the rezoning of the majority of subject land from 'Urban Deferred' to 'Urban' under the Metropolitan Region Scheme.

On 5 September 2014, the WAPC advised that the Hon Minister for Planning had approved the lifting on Urban Deferment over portion of Lots 709 Baldvis Road and Lot 447 Telephone Lane. The lifting of Urban Deferment reflected an agreed outcome reached within a State Administrative Tribunal mediation between State Government agencies and the Applicant to accommodate the ultimate configuration for the Kwinana Freeway and Mundijong Road interchange and future grade separated flyover the freight railway line.

The Structure Plan proposal has acknowledged the land requirements for this future road infrastructure.

#### North East Baldvis Structure Plan (Millar's Landing)

In September 2017, the WAPC approved the North East Baldvis Structure Plan commonly referred to as Millars Landing. The Structure Plan provides for 830 dwellings and contains the primary school site originally intended to be provided in the subject land. The Structure Plan also provides for a Local Centre comprising a total floorspace of 1,500m<sup>2</sup> Net Lettable Area. It is noted that this Structure Plan area is also being developed by Cedar Woods Properties (the landowner for this proposal). The interface between the Structure Plan area and the proposal are shown in Figures 6 and 7 of this Report.

### Details

#### Site Context

The subject site is bounded by Telephone Lane to the north, the Kwinana Freeway to the east, Pug Road and the Millars Landing Estate to the south and Baldvis Road to the west. The site is adjacent to the Rockingham Regional Memorial Park and approximately 700m from the City's Landfill Facility. An aerial photograph of the site is shown below in Figure 3.



3. Aerial Photograph

### Description of the Proposal (as advertised)

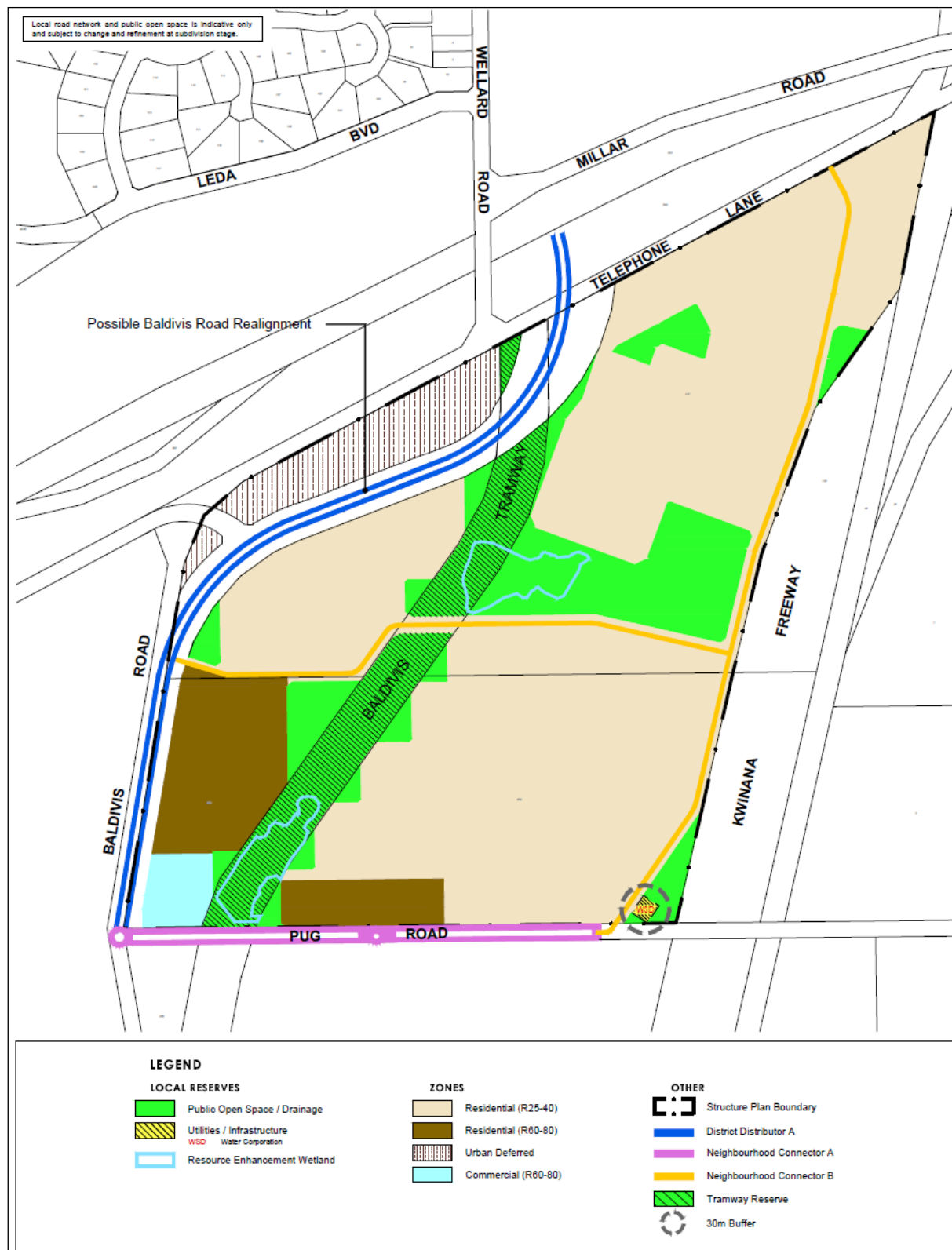
The Structure Plan contains the following elements:

1. Residential densities ranging from R25 to R40 and R60 to R80 and distributed across the Structure Plan area in the following manner:
  - (i) R25 (Average 350m<sup>2</sup> lot size) density applied as the base coding across the Structure Plan area;
  - (ii) R30 (Average 300m<sup>2</sup> lot size) density to be applied over lots that are:
    - Adjacent to POS and/or the Baldivis Tramway Reserve;
    - Front onto a Neighbourhood Connector Road; and
    - Located at the end of street blocks.
  - (iii) R40 (Average 220m<sup>2</sup> lot size) density applied over lots that meet the criteria for R30 density but are serviced via a rear laneway.
  - (iv) R60 (Average 150m<sup>2</sup> lot size) and R80 (Average 120m<sup>2</sup> lot size) densities are proposed within an urban village precinct in the vicinity of the commercial centre and Baldivis Tramway reservation.
2. The provision of 5.6ha of POS in addition to the 5.21ha associated with the Baldivis Tramway reserve.
3. Road connections on the external network at Telephone Lane to the north, Baldivis Road to the west, and Pug Road to the south.
4. A Local Commercial Centre at the intersection of Pug Road and Baldivis Road, providing a combined retail floor space with the land immediately south of the Structure Plan area of 2,500m<sup>2</sup>. The land use comprise of the following:
  - 1,500m<sup>2</sup> for a small supermarket; and
  - 1,000m<sup>2</sup> for retail specialty shops likely to range in 100m<sup>2</sup> to 200m<sup>2</sup> tenancies (i.e. newsagents, café, pharmacy or takeaway).

In accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations), the Structure Plan application submitted for assessment contained the following technical documentation:

- Environmental Assessment and Management Strategy
- Bushfire Management Plan
- Landscape Master Plan
- Local Water Management Strategy
- Traffic Impact Assessment
- Transport Noise Assessment
- Retail Needs Assessment
- Engineering Servicing Report

The proposed Structure Plan is shown in Figures 4 and 5 and a concept plan for the village centre component is shown in Figure 6.



#### 4. Advertised Structure Plan

Confirmed at a Council meeting held  
on Tuesday 27 April 2021

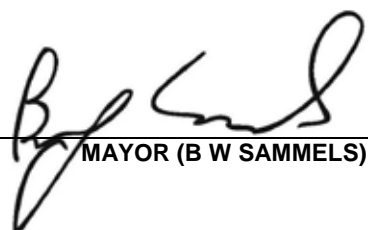
MAYOR (B W SAMMELS)





5. Advertised Concept Master Plan

Confirmed at a Council meeting held  
on Tuesday 27 April 2021

  
MAYOR (B W SAMMELS)



6. Concept Master Plan for the Urban Village

## Implications to Consider

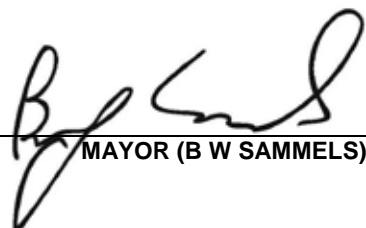
### a. Consultation with the Community

#### Advertising Methodology

In accordance with the Notice of Exemption to the Regulations signed by the Minister for Planning in response to the declared 'State of Emergency' resulting from the outbreak of COVID-19, the City advertised the Structure Plan for a period of 42 days, an additional 14 days to the standard requirement of the Regulations.

The advertising period commenced on 11 December 2020 and concluded on 22 January 2021.

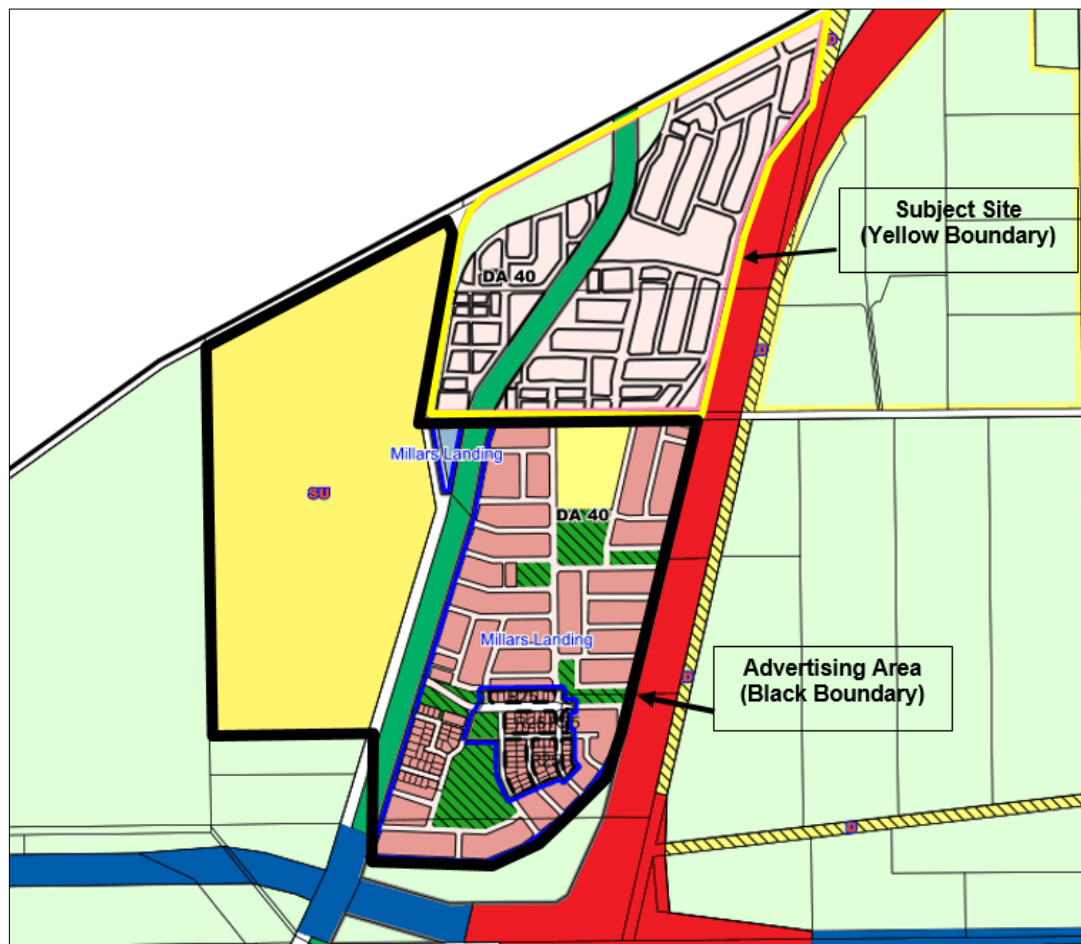
Confirmed at a Council meeting held  
on Tuesday 27 April 2021

  
MAYOR (B W SAMMELS)

Advertising was carried out in the following manner:

1. Nearby owners and occupiers (123 referrals) of properties, which were considered to have a direct or indirect impact from the proposed Structure boundary, were notified of the proposal by letter (refer to Figure 7).
2. The City erected two signs in prominent locations along Baldivis Road, being at the intersections with Pug Road and Wellard Road.
3. The City placed a notice in the Sound Telegraph newspaper which circulated the area on 16 December 2020.
4. Copies of the proposed Structure Plan and relevant documents were made available for inspection on the City's website.

Advertising was undertaken in accordance with the requirements of Schedule 2, Part 4, Clause 18 of the *Regulations*.



7. Location of Advertising

*Note: Advertising area is the land contained within black border.*

#### Summary of Public Submissions

At the close of the advertising period, the City had received two (2) submissions from landowners and occupiers.

Of the two submissions received, one objected to the proposal, whilst the other raised concerns.

A full copy of the submissions received during the advertising period are set out in the Schedule of Submissions attached to this Report.

Response to Submission Issues

The following matters were raised in received submissions:

<b>Amenity</b>	
<b><u>Submission:</u></b>	
<b>(i)</b>	<b>Property values will be negatively impacted by the development of the Structure Plan area.</b>
<b><u>Applicant's Response:</u></b> <i>Property values are affected by numerous factors and, as a general rule, are not a planning consideration. The Structure Plan is facilitating urban development in accordance with a pre-existing planning framework, including an 'Urban' zoning under the Metropolitan Region Scheme and a 'Development' zoning under the City's Town Planning Scheme No.2.</i>	
<b><u>City's Comment:</u></b> Impacts on property values are not a relevant planning consideration.	
<b><u>Submission:</u></b>	
<b>(ii)</b>	<b>Object to the development of the area, raising the following concerns:</b>
<b>(a)</b>	<b>How does the development comply with the Master Plan?</b>
<b>(b)</b>	<b>Has the additional population been considered for the area?</b>
<b>(c)</b>	<b>What benefit would this have for my property?</b>
<b>(d)</b>	<b>Fear of 'cheap' housing against the freeway in the long term.</b>
<b><u>Applicant's Response:</u></b> <i>The Structure Plan has been designed in accordance with the WAPC's Liveable Neighbourhoods policy and in a manner that is responsive to the characteristics of the local area.</i> <i>CLE understands that this comment was made primarily in respect of the lots facing the noise wall along the Kwinana Freeway. It could be considered that provision of lots backing onto the noise wall would be a more effective way of managing the visual impact of the wall, however, bushfire hazard management considerations dictate that a street interface is required. The project team is committed to managing the visual impact of the noise wall in other ways, such as through its design and materials and the use of landscaping.</i> <i>The impact of development on local services and infrastructure has been assessed and addressed through the technical reporting that accompanies the Structure Plan. This includes the Traffic Impact Assessment prepared by traffic consultants Cardno and the Engineering Servicing Report prepared by engineers Tabec, both of which are appendices to the lodged Structure Plan Report. All technical reporting for the Structure Plan was prepared in the context of the East Baldivis District Structure Plan which provides a higher-level planning framework for the local area.</i> <i>The relevant servicing authorities, including the Water Corporation and Western Power, have raised no objection to the Structure Plan. Where necessary, infrastructure upgrades and extensions will be undertaken by the developer.</i>	
<b><u>City's Comment:</u></b>	
<b>(a)</b>	The subject site is zoned 'Urban' under the Metropolitan Region Scheme, and 'Development' under the City's Town Planning Scheme, allowing for future urbanisation. Future urban development is also guided by the East Baldivis District Structure Plan. The proposal addresses the requirements of the District Structure Plan and provides for land uses that are consistent with the zoning of the land.
<b>(b)</b>	The subject site has been considered as part of the City's forward planning and forecasting for infrastructure capacity requirements, as reflected in the City's Community Infrastructure Plan, of which, development of the site will incur contributions towards district level community infrastructure within the locality.



Amenity (cont...)	
(c)	The proposal seeks to introduce a Local Centre to provide for the daily needs of the surrounding community and introduce developed POS to cater for the recreation requirements of the community.
(d)	Within subsequent stages of the planning process, the City will assess development applications for residential dwellings to ensure the proposal will achieve the design requirements contained with State Planning Policy 7.3 – <i>Residential Design Codes</i> .
Environment	
<b><u>Submission:</u></b>	
(i)	<b>The Structure Plan should incorporate low lying topography into Public Open Space and provide as many trees as possible within the Structure Plan area.</b>
<b><u>Applicant's Response:</u></b>	
<p><i>The topographical, ecological and hydrological aspects of the Structure Plan area have been assessed and addressed by the Structure Plan report and the supporting technical reports, particularly the Environmental Assessment and Management Strategy and the Local Water Management Strategy (both prepared by consultants RPS). The Structure Plan's response in this regard will be assessed by the City in the context of relevant State and local-level policies and guidelines.</i></p> <p><i>The project team considers the native, mature trees within the Structure Plan area to be an asset and has sought to incorporate as many as possible into public open space areas and road verges. These include the main public open space area, stretching from the Tramway across to the Freeway reserve, which is in a low-lying part of the site and performs a drainage function. Together with the Tramway itself, this network of public open space assists to enable the Resource Enhancement Wetlands within the Tramway reserve to be rehabilitated.</i></p>	
<b><u>City's Comment:</u></b>	
<p>Development of the site is required to provide a minimum of 10% open space in accordance with <i>Liveable Neighbourhoods</i>. Of this 10% open space requirement, a minimum of 8% of the open space is to be unrestricted. A maximum of 2% of the total open space requirement can accommodate constrained land, where drainage or vegetation protection can be co-located within POS.</p> <p>The Structure Plan provides 11.47ha of open space, of which 5.6ha (10.9%) of the gross subdivisible area is unrestricted open space for recreation purposes. The balance is attributed towards the Baldivis Tramway Reserve and planted stormwater treatment areas.</p> <p>Much of the low lying topographical areas are designed to accommodate stormwater detention in vegetated basins.</p> <p>The Baldivis Tramway Reserve, a 5.21ha linear reserve, is proposed to be improved in accordance with the Baldivis Tramway Reserve masterplan through revegetation, tree planting and related infrastructure to enhance the conservation category wetlands and natural diversity within the reserve. The works will also facilitate passive recreation with an interconnected path network linking to southern Baldivis.</p> <p><i>Liveable Neighbourhoods</i> requires a balance of functions to be provided within various sized POS, including for active recreation, passive recreation, conservation, drainage and cultural and heritage purposes.</p>	

**Environment (cont...)**

The Structure Plan states that no clearing of vegetation is proposed. As a result, the City carried out its own tree survey, prioritising the retention of select trees and nominating others for removal due to them being either damaged, dead or a liability if retained. The applicant has incorporated the findings into the Structure Plan proposal.

The Revegetation and Weed Management Plan supporting the Structure Plan suggests that an extensive revegetation program is proposed for the Tramway Reserve. This is considered additional to the normal 10% provision of open space and is strongly supported by the City.

**b. Consultation with Government Agencies**

As part of the advertising process, relevant government agencies and servicing authorities were notified of the proposal in writing and invited to comment pursuant to Schedule 2, Part 4, Clause 18(1)(b) of the Regulations. In this regard, the City invited comments from the following agencies:

- ATCO Gas Australia
- Department of Biodiversity, Conservation and Attractions;
- Department of Health
- Department of Education
- Department of Fire and Emergency Services
- Department of Planning, Lands and Heritage
- Department of Transport
- Department of Water and Environmental Regulation
- Main Roads Western Australia
- Public Transport Authority
- Telstra
- Water Corporation

Following the close of the advertising period, the City received seven (7) submissions from State Agencies and Service Authorities. A full copy of the submissions received during the advertising period is set out in the Schedule of Submissions contained within the Attachment to this Report.

The submissions that raised matters for consideration are outlined as follows:

**1. Department of Water and Environmental Regulation**

**Submission:**

- (i) **The Local Water Management Strategy in its current form, is not considered satisfactory to support the Structure Plan, as required under State Planning Policy 2.9 - Water Resources, due to issues pertaining to the management of groundwater, surface water and wetlands which have the potential to significantly alter the proposed Structure Plan layout.**

**Applicant's Response:**

The project hydrologists, RPS, are consulting with the Department of Water and Environmental Regulation to work through comments relating to the Local Water Management Strategy (LWMS).

**City's Comment:**

The City's technical assessment has identified a number of items requiring modification or clarification to the Local Water Management Strategy. Key issues are provided in the Comments section of the Report.

1. Department of Water and Environmental Regulation (cont...)
<p>Matters having a technical substance are provided in the City's Local Government Report for consideration by the Western Australian Planning Commission, which broadly cover the following topics:</p> <ul style="list-style-type: none"><li>- Clarification and corrections on the models provided for both stormwater and groundwater.</li><li>- Addressing basin depths to ensure there is no freestanding water; and</li><li>- Engineering concept plans to address drainage within the rehabilitated wetlands and requirements for necessary subsoil drainage infrastructure throughout the Structure Plan area.</li></ul>
<p><b><u>Submission:</u></b></p> <p>(ii) <b>Summary Section states “subsoil drains are proposed to be set at the AAMGL or topographic surface (whichever is lower)”.</b></p> <p><b>It is noted that the onsite bore data that informed the modelling only span a limited number of winter peaks.</b></p> <p><b>The Department has reservations to a controlled groundwater level, and groundwater model outputs, based upon an annual average maximum groundwater level (AAMGL) when there is only a limited dataset.</b></p>
<p><b><u>Applicant's Response:</u></b></p> <p><i>RPS completed a groundwater monitoring program measuring monthly groundwater levels from December 2012 to December 2014, capturing two winter peaks which is a standard temporal dataset for a pre-development monitoring program.</i></p> <p><i>Additional data was also used to inform the groundwater modelling. Previous monitoring provided monthly groundwater levels from monitoring bores B1, B8 and B9 from June 2005 until October 2008.</i></p> <p><i>Water levels recorded in 2013 represent the maximum (or equal maximum with 2005 levels) for the majority of bores across the site.</i></p> <p><i>Many developments do not complete a detailed groundwater model and thus this is considered to be a much more rigorous assessment approach than is typically undertaken.</i></p>
<p><b><u>City's Comment:</u></b></p> <p>The site is highly constrained by a high ground water table. This constraint has largely driven the design of the Structure Plan area to address clearance of development to the groundwater table and the configuration of POS.</p> <p>In light of this constraint, accurate groundwater modelling is essential to inform future stages of the planning process.</p> <p>The City's technical assessment has noted the same concern with the submitted LWMS as noted by the Department. In this regard, the City has identified a number of technical matters within the LWMS that require modification or clarification. These matters will be outlined within the Local Government Report to ensure the site can be appropriated developed.</p>
<p><b><u>Submission:</u></b></p> <p>(iii) <b>Section 2.8.2 - Figures 3 and 4</b></p> <p><b>AAMGL and MGL calculation indicates groundwater continues to drop east of the Peel Main Drain. Is this correct?</b></p>
<p><b><u>Applicant's Response:</u></b></p> <p><i>The Peel Main Drain forms a boundary condition in the groundwater level contouring process. The contours / levels displayed east of the PMD are an artefact of the contouring process but do not impact the calculated levels across the subject site.</i></p>

1. Department of Water and Environmental Regulation (cont...)	
<u>City's Comment:</u> The City has reviewed this comment and agrees the LWMS does not clearly address this matter which is required to inform the subdivision process, specifically, clarification must be provided on the AAMGL and MGL calculations by utilising contours calibrated with groundwater model rather than GIS interpolation for accuracy in modelling assumptions.	
<u>Submission:</u> <b>(iv) Section 5.1</b> <b>With regard to bioretention areas being sized at 2% of the connected impervious areas, the overarching criteria for managing water quality is the retention and treatment of the first 15mm of runoff, consistent with the Decision process for stormwater management in Western Australia (DWER, 2017).</b>	
<u>Applicant's Response:</u> <i>This is not considered a variation from what is documented in the Decision process for stormwater management in Western Australia (DWER, 2017) as the criteria in that document is to "manage – retain and/or detain and treat (if required) runoff from constructed impervious surfaces....".</i> <i>A large portion of the runoff will be managed via retention and treatment within the bioretention areas and the balance of the runoff will be managed via detention and treatment (in-line treatment via plant nutrient uptake) within the vegetated conveyance and flood storage areas.</i> <i>This approach has been adopted in response to preliminary consultation with the City of Rockingham during which the impact of multiple bioretention basins on POS useability was raised as a key concern.</i>	
<u>City's Comment:</u> The City has reviewed this comment and agrees the LWMS does not clearly address this matter which is required to inform that subdivision process. It is recommended the LWMS apply DWER's superseded specifications for the management of the first 15mm of rainfall to accurately determine the sizing requirements of bioretention basins.	
<u>Submission:</u> <b>(v) Section 5.3.1</b> <b>Please identify the proposed onsite retention for lots greater than 300m².</b>	
<u>Applicant's Response:</u> <i>Section 5.3.1 states: "run-off from roofs and paving will be confined within the property boundary for all lots greater than 300 m². Lots of this size will be required to install soakwells sized to store lot runoff from the 15 mm event (indicative sizing is two soak wells of 1.5 m diameter x 1.2 m depth) within the front gardens to cater for this run-off."</i>	
<u>City's Comment:</u> The City's assessment determined the information presented is appropriate to address this stage of the planning process. It is noted that further technical considerations for drainage will be required as a component of the subdivision process.	
<u>Submission:</u> <b>(vi) Section 5.3.3</b> <b>(a) Section states "bioretention area has The stormwater modelling has adopted a design infiltration rate of 3 m/d (125 mm/hr) for the biofiltration basins which is based on the fact that amended soil media will be used in the basins along with a subsoil drainage system beneath the basins to facilitate effective infiltration".</b> <b>Please clarify whether the modelled infiltration rate and emptying capacity is based upon the discharge capacity of subsoils?</b>	



1. Department of Water and Environmental Regulation (cont...)
<p>(b) Section states “<i>Additional opportunities for at-source treatment of road reserve runoff will be investigated at subdivision stage when the appropriate level of design information is available to inform the siting of street-scale treatment options such as roadside swales and tree pits</i>”.</p> <p>Conceptual siting of this infrastructure is to be provided at this level of planning as these concepts will guide the Urban Water Management Plan design. Given issues with regard to limited clearance to groundwater and storage capacity ability to have losses of runoff within the road reserve may alleviate some of the pressure on the end of pipe systems.</p>
<p><u>Applicant's Response:</u></p> <p>(a) <i>This is based primarily on the design hydraulic conductivity of the filtration media underlying the biofiltration basin. However, RPS has also undertaken analytical assessment of the hydraulic capacity of the subsoil drainage system (i.e. using standard pipe flow equations).</i></p> <p><i>Based on standard subsoil pipe sizing (DN150) and grade (1:500), the subsoil drainage systems beneath basins will have greater capacity than the flows generated by the assumed infiltration rate, for all but a couple of the largest bioretention basins. RPS (with Tabec) will undertake more detailed assessment at the detailed design stage to appropriately size subsoil drainage pipes (e.g. DN225 outlet pipes may be utilised beneath a small number of large bioretention basins).</i></p> <p><i>Further details can be provided in any future revisions to the LWMS.</i></p> <p>(b) <i>Any street-scale Water Sensitive Urban Design devices will ultimately become the maintenance responsibility of the City and it is noted that consolidated bioretention treatment areas for the minor events at POS locations represents a smaller maintenance requirement for the City whilst also effectively managing the minor events via treatment and infiltration.</i></p> <p><i>The Local Water Management Strategy is therefore non-prescriptive in terms of street scale stormwater treatment, as these details are best resolved at detailed design stage in consultation with the City.</i></p> <p><i>However, the intention of the Local Water Management Strategy is not to preclude the use of streetscale stormwater treatment areas / devices. RPS proposes to include a map of indicative / potential locations for streetscale stormwater treatment in the next revision of the Local Water Management Strategy.</i></p> <p><i>The map will provide guidance on the locations which may be suitable (based on the location of crossovers and other services) for raingardens and tree pits etc, for further investigation at detailed design stage.</i></p>
<p><u>City's Comment:</u></p> <p>(a) The LWMS states that the minimum hydraulic conductivity will be 3m/day, through constant infiltration methods.</p> <p>The City recommends the bioretention basin design apply a minimum of 5m/day hydraulic conductivity and include subsoil pipe outflow to allow flows to be accounted for within the downstream conveyance system.</p> <p>(b) The LWMS does not provide any details as to how stormwater will be treated at-source, for runoff captured from the road reserve. If the intention is to include within the Urban Water Management Plan (UWMP) as an additional stormwater treatment measure, then conceptual siting of this infrastructure should be included to guide the preparation and assessment of the UWMP design at the subsequent planning stages.</p>

1. Department of Water and Environmental Regulation (cont...)
<p><b><u>Submission:</u></b></p> <p><b>(vii) Section 5.4.2</b></p> <p>The detention basins are proposed to be designed to receive subsoil discharge, meaning large areas will have inverts at a level subject to groundwater inundation. Is it not the intent of the central conveyance swale to direct subsoil discharge and provide some water quality treatment before discharge into the Peel Main Drain? Large areas of seasonally inundated land is an undesirable outcome with regard to water quality and disease vectors.</p>
<p><b><u>Applicant's Response:</u></b></p> <p><i>Correct, the conveyance swale and the northern detention basin (Basin T) will direct subsoil discharge and provide some water quality treatment via plant nutrient uptake before discharge into the Peel Main Drain (whereas the southern detention basin (Basin D/M) is slightly elevated relative to the final outlet level which provides opportunity for subsoil drainage beneath/adjacent to the basin to limit inundation.</i></p> <p><i>The conveyance swale will be a shallow partially rock-lined "baseflow" swale to assist with the conveyance of baseflow from the subsoil drainage systems that discharge to the tramway reserve, as well as ensure that stormwater events that are detained within the tramway and REWs are able to effectively drain away following rainfall events.</i></p> <p><i>The width of the baseflow channel in the conveyance swales (and the base area of detention basin T) have been kept to a minimum and will be partially rock-lined to avoid complete clogging with vegetation over time, and manage continuous flows to reduce areas of stagnant water and reduce mosquito breeding habitat.</i></p>
<p><b><u>City's Comment:</u></b></p> <p>In accordance with the Peel-Harvey Water Quality Improvement Plan, the LWMS should be updated to direct subsoil discharge into the Peel Main Drain. The LWMS should address how Phosphorus will be absorbed into the soil profile during periods of groundwater saturation. Consideration should be given to the provision of some water quality treatment prior to discharging into the Peel Main Drain.</p>
<p><b><u>Submission:</u></b></p> <p><b>(viii) Section 5.4.3</b></p> <p><b>Resource Enhancement Wetlands (REW's) that exist on the site that are to be developed, or have drainage infrastructure sited within then (e.g. the conveyance swale) will need to have a reclassification process undertaken prior to endorsement of the LWMS or adoption of a Structure Plan.</b></p>
<p><b><u>Applicant's Response:</u></b></p> <p><i>The project team since 2016 has engaged with the City of Rockingham (as the long term land managers of the wetlands) on their preferred wetland management outcomes. The initial engagement with the City occurred in 2016. At this meeting, the City provided advice (which they had previously provided to the then landowners BGC in 2015) on the wetland's they required to be retained, and those wetlands which can be subject to development or infilled or used for drainage.</i></p> <p><i>In 2016, and again in 2018 the project team (post further assessments of the wetland status within the site) deliberately asked the City to affirm their wetland position, particularly prior to RPS/Tabec undertaking the detailed groundwater / stormwater modelling and drainage design and then CLE preparing the LSP design. Noting the City's position on the wetlands within the site will significantly guide the drainage and engineering design and then subsequently the LSP design. Again, in 2018 the City reaffirmed their wetland management preference, which included prioritising the retention of the wetlands within the Tramway Reserve and immediate adjacent areas.</i></p>

**1. Department of Water and Environmental Regulation (cont...)**

*Lastly, the project team met with the City in May 2020 to present the final draft of the LSP design, landscape concept design and corresponding drainage designs, which all aligned with the City's preferred wetland retention and management outcomes. The City's comments mostly related to stormwater basin locations and usable POS area queries. The City accepted the LSP and associated reports (including the LWMS) were clearly undertaken and finalised based upon the City's advice on the wetland's to be retained and agreed management treatments.*

*We don't believe a reclassification process is required as through the Structure Plan approval process, the City is the responsible authority who will be the long term land manager of the wetlands and associated wetland management treatments including stormwater drainage and revegetation areas.*

City's Comment:

The City has assessed the proposal to reclassify and remove a portion of the Resource Enhancement Wetlands mapped on the subject land and generally supports the outcomes proposed within the Structure Plan. This is further explained within the Comments section of this Report.

The reclassification and removal of Resource Enhancement Wetlands proposed by the Structure Plan Report, are recommended to be addressed as an element of the Wetland Management Plan. It is recommended the wetlands are reclassified before any development of the site.

With respect to the wetlands intended to be retained and rehabilitated, the applicant must prepare a Wetland Management Plan, detailing rehabilitation measures, weed control and ongoing wetland management actions, as stipulated in the Environmental Assessment Report. It is therefore recommended Part One of the Structure Plan Report be modified requiring the preparation of a Wetland Management Plan as a condition of subdivision.

The reclassification of Resource Enhancement Wetlands to be removed as proposed by the Structure Plan Report is recommended to be addressed as an element of the Wetland Management Plan. It is recommended the wetlands are reclassified before any development of the site.

The reclassification of wetlands is a State process and in this regard it is recommended the Western Australian Planning Commission determine the appropriate process to reclassify the Resource Enhancement Wetlands.

Submission:

**(ix) Appendix H**

**Flood storage areas appear indicated they will have a "potential saturated zone". This departs from the best practice principle of dry areas with a minimum clearance to MGL or CGL of 0.3m. This represents a risk of standing water and mosquito breeding conditions.**

Applicant's Response:

*The drainage strategy has been developed to consider many factors including the primary objectives of stormwater quality and quantity management, and groundwater level control and quality management, along with other factors such as maintaining the hydrology of retained wetlands, managing the outcomes and useability of the Tramway reserve, and avoiding significant surface level discrepancies (and associated issues with significant batter slopes, public access and safety, reduced amenity etc.) at the interface between the development and retained wetland and tramway reserve areas.*

*To lift and drain (via subsoil drainage) the flood storage and conveyance areas would have significant implications for final surface levels, the interface with retained wetland and tramway reserve areas and fill quantities.*

1. Department of Water and Environmental Regulation (cont...)
<p><u>City's Comment:</u></p> <p>It is recommended the LWMS be updated to apply the best practice principle for dry areas by designing a minimum clearance to Maximum Ground Level or Controlled Ground Level of 0.5m.</p> <p>The applicant is also required to prepare a Mosquito Management Plan and implement the outcomes at subdivision stage.</p>
<p><u>Submission:</u></p> <p>(x) <b>Appendix H</b> <b>MGL and/or CGL should be annotated on cross-sections and any integrated subsoil outlets.</b></p>
<p><u>Applicant's Response:</u></p> <p><i>These can be provided in any future LWMS revisions.</i></p>
<p><u>City's Comment:</u></p> <p>To validate the assumptions and inputs provided in the LWMS, the report is required to be modified addressing DWER's requirements to include MGL and/or CGL annotations on cross-sections and integrated subsoil outlets prior to the Structure Plan being adopted.</p>
<p><u>Submission:</u></p> <p>(xi) <b>General:</b> <b>It is recommended "sensitivity analysis", or similar is undertaken to identify risk of blockage for the stormwater and subsoil system as a result of flow in the Peel Main Drain.</b></p>
<p><u>Applicant's Response:</u></p> <p><i>Backwater conditions in the PMD have been assessed in the stormwater modelling through the modelling of a conservative high tailwater scenario whereby the 100yr flood level in the Peel Main Drain is assumed to coincide with peak discharge from the subject site. The results of this assessment are provided in the long-sections in Appendix K.</i></p> <p><i>Regarding the subsoil system, during large storm events, the water levels at the drainage outlet may temporarily rise above the subsoil drainage level. However, any back-up in the subsoil drainage system has a minimum 0.7 m of unsaturated zone soil/storage to buffer against the peak Peel Main Drain 100 year flood level (e.g. finished lot levels are a minimum of 700mm above the Peel Main Drain 100 year flood level). This is considered normal / typical operating conditions for subsoil drainage systems.</i></p>
<p><u>City's Comment:</u></p> <p>To ensure there is adequate capacity in the drainage infrastructure and swales/culverts discharging into the outlet for the Peel Main Drain, it is recommended that a sensitivity analysis (or equivalent analysis), be undertaken to identify the risk of blockage for the stormwater and subsoil system as result of flow in the Peel Main Drain and weed growth/siltation at the swale outlet.</p> <p>Technical assessment of the LWMS also identified a need for a sensitivity analysis to be undertaken to include groundwater base flow in an average and maximum groundwater year, which should be included in an updated LWMS.</p> <p>To address the comments raised by the Department of Water and Environmental Regulation in its submission, and the matters identified within the City's technical assessment, it is recommended the Local Water Management Strategy be updated in the manner contained in recommendation 1 below.</p> <p>The City also recommends the preparation and implementation of a Mosquito Management Plan through the subdivision process, which is outlined in Recommendation 2.</p>

<b>1. Department of Water and Environmental Regulation (cont...)</b>
<b><u>Recommendation 1:</u></b> That the LWMS be modified as follows: <ul style="list-style-type: none"><li>(i) Include a comparison to 2018 long-term peak groundwater levels, prior to acceptance off the LWMS and Structure Plan Report.</li><li>(ii) Clarify the AAMGL and MGL calculations by utilising contours calibrated with groundwater model rather than GIS interpolation.</li><li>(iii) Replace the bio-retention sizing criteria of “2% connected impervious area” with DWER’s superseded specifications for the management of the first 15mm of rainfall.</li><li>(iv) Lots less than 300m<sup>2</sup> to include an actual on-lot containment criteria or specifying that alternative disposal methods to soak well storage.</li><li>(v) Include subsoil pipe outflow as a replacement to constant infiltration, whilst adopting a minimum 5m/day hydraulic conductivity for amended soil media.</li><li>(vi) Provide conceptual siting of roadside swales and tree pits.</li><li>(vii) Provide water quality treatment measures prior to subsoil discharge into the Peel Main Drain, particularly, addressing how phosphorus will be adsorbed into the soil profile during periods of groundwater saturation, in accordance with the Peel-Harvey Water Quality Improvement Plan.</li><li>(viii) Apply the best practice principles for dry areas by designing a minimum clearance to Maximum Ground Level or Controlled Ground Level of 0.5m.</li><li>(ix) Include the MGL and/or CGL annotations on the cross sections and integrated subsoil outlets under Appendix H.</li><li>(x) Include a sensitivity analysis, or similar, to identify:<ul style="list-style-type: none"><li>(a) Any risks of blockage for the stormwater and subsoil system as a result of flow into the Peel Main Drain and weed growth/situation at the swale outlet.</li><li>(b) Groundwater base flow in an average and maximum groundwater year.</li></ul></li></ul>
<b><u>Recommendation 2:</u></b> Amend Part One of the Structure Plan Report include the requirement to prepare and also implement a Mosquito Management Plan as a condition of Subdivision Approval.
<b>2. Public Transport Authority</b>
<b><u>Submission:</u></b> There are plans for a future public bus route to run along Baldivis Road adjacent to the development site.  Transperth notes there are sections of residential development at the eastern end of Pug Road, adjacent to the Kwinana Freeway that will not be within an acceptable waking distance to public transport.
<b><u>Applicant's Response:</u></b> <i>The project team welcomes the PTA's advice regarding provision of a bus service along Baldivis Road at an appropriate time, which will be of benefit to the community at large and particularly the Urban Village and commercial component. We note that accessibility to bus services could be further improved if the PTA provided a service along Pug Road and then southward past the primary school site planned within the Millars Landing (South) Local Structure Plan area. A network of Neighbourhood Connector roads, which are of a standard that can support bus services, is planned for this route.</i>

### 3. Department of Transport (DoT)

City's Comment:

Providing bus services along the planned neighbourhood connector road network would provide a greater level of service to the future residents in the Millars Landing (North) Structure Plan, as well as to those existing and future residents to the south. The Structure Plan provides a network of Neighbourhood Connector roads which are capable of accommodating a bus service, allowing the PTA to consider an alternate route in the future.

Submission:

- (i) DoT notes that paths are to be constructed in the Structure Plan area, together with connections to the Principal Shared Path network. The planning for paths and connections should also take into account the Long Term Cycling Network Plan, which was endorsed by the City of Rockingham on 23 June 2020.

Applicant's Response:

*As noted by Department of Transport, the Structure Plan provides a network of shared paths provided in accordance with the principles of Liveable Neighbourhoods and the recommendations of the Traffic Impact Assessment prepared by Cardno. We note that DoT's Long Term Cycling Network Plan proposes a 'Primary Route' along the Kwinana Freeway and a 'Secondary Route' along Baldivis Road. Connections from both of these routes to the internal network of shared paths will be provided, creating a high degree of accessibility and permeability.*

City's Comment:

It is recommended the Structure Plan be updated to reflect the paths and connections adopted in the Long Term Cycling Network Plan.



8. Long Term Cycle Network Plan

Recommendation 3:

Amend the Structure Plan Report and Traffic Impact Assessment Report to reflect shared use paths and connection in accordance with the adopted Long Term Cycling Network Plan.

4. Department of Fire and Emergency Services (DFES)
<p><b><u>Submission:</u></b></p> <p>DFES notes section 3.3 and Appendix 3 of the BMP contains information regarding a preliminary BAL analysis, including Method 2 calculations. DFES notes this is preliminary information only and may be used to inform future design and a BAL Contour Map.</p> <p>Therefore, DFES has not assessed the Method 2 calculations. The BMP will require modification at subsequent stages of planning, including the provision of a BAL Contour Map and all the required inputs, demonstrating that no future development areas will be impacted by BAL-40 / BAL-FZ.</p> <p>At the Structure Planning stage, consideration should be given to the intensification of land use and how this relates to identified bushfire hazards. DFES is satisfied that the bushfire hazard level assessment has adequately identified the bushfire risk and considered how compliance with the bushfire protection criteria can be achieved at subsequent planning stages.</p> <p>Notwithstanding the above, modifications as indicated above to the BMP are required prior to subsequent planning stages to ensure compliance with the bushfire protection criteria. These modifications should be undertaken to support subsequent stages of the planning process (subdivision and development applications).</p>
<p><b><u>Applicant's Response:</u></b></p> <p><i>We note DFES' advice that "DFES is satisfied that the bushfire hazard level assessment has adequately identified the bushfire risk and considered how compliance with the bushfire protection criteria can be achieved as subsequent planning stages". As requested by DFES, we have no objection to providing further information at future stages of the planning process to demonstrate compliance with SPP 3.7.</i></p>
<p><b><u>City's Comment</u></b></p> <p>DFES comments are addressed within the Structure Plan Report.</p>

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**

Assessment of the Structure Plan has been informed by the following strategies and policies:

Regional Planning Framework

- *Directions 2031 and Beyond: Metropolitan Planning Beyond the Horizon ('Directions 2031') (2010)*
- *South Metropolitan and Peel Sub-Regional Planning Framework (2018)*
- *Liveable Neighbourhoods (2009)*
- *SPP 3.0 - Urban Growth and Settlement*
- *SPP 3.7 - Planning in Bushfire Prone Areas*
- *SPP 4.2 - Activity Centres for Perth and Peel*
- *SPP 4.2 - Activity Centres (Draft)*
- *SPP 7.0 - Design of the Built Environment*

- SPP 7.2 - *Precinct Design*
- DC Policy 2.3 - *Public Open Space in Residential Areas*

Local Planning Framework

- Planning Policy 3.1.2 - *Local Commercial Strategy*
- Planning Policy 3.4.3 - *Urban Water Management*

These Policies are identified, where relevant, to discussion of the key issues identified in the Comments section of this Report. Further detailed technical comments will be included in the Local Government Report when submitted to the WAPC for determination.

**e. Financial**

Nil

**f. Legal and Statutory**

Planning and Development (Local Planning Schemes) Regulations (2015)

In accordance with Clause 19(1) of the Regulations, the local government:

- (a) must consider all submissions made to the local government within the period specified in a notice advertising the Structure Plan; and
- (b) may consider submissions made to the local government after that time; and
- (c) may request further information from a person who prepared the Structure Plan; and
- (d) may advertise any modifications proposed to the Structure Plan to address issues raised in submissions.

Determination of a Structure Plan ultimately rests with the WAPC. In accordance with Clause 20 of the Regulations, the local government must perform the following actions:

- (1) The local government must prepare a report on the proposed Structure Plan and provide it to the WAPC no later than 60 days after the day that is the latest of:
  - (a) the last day for making submissions specified in a notice given or published under clause 18(3A); or
  - (b) the last day for making submissions after a proposed modification of the Structure Plan is advertised under clause 19(2); or
  - (c) a day agreed by the Commission.
- (2) The report on the proposed Structure Plan must include the following:
  - (a) a list of the submissions considered by the local government, including, if relevant, any submissions received on a proposed modification to the Structure Plan advertised under clause 19(2);
  - (b) any comments by the local government in respect of those submissions;
  - (c) a schedule of any proposed modifications to address issues raised in the submissions;
  - (d) the local government's assessment of the proposal based on appropriate planning principles; and
  - (e) a recommendation by the local government on whether the proposed Structure Plan should be approved by the WAPC, including a recommendation on any proposed modifications.

**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 Comments section provides the City's technical assessment in relation to key matters associated with the proposed Structure Plan.

### 1. Urban Structure

The Structure Plan covers an area of approximately 44.25 ha of gross urban zoned land. It will facilitate an estimated 650 residential dwellings, through the provision of R25 (average 350m<sup>2</sup>) to R80 (average 120m<sup>2</sup>) densities. The development achieves 14.5 dwellings per gross urban hectare, generally complying with the minimum density targets under *Liveable Neighbourhoods* for 15 dwellings.

The Structure Plan provides for an interconnected network of streets that integrated with its surrounds and provides appropriate access for future residents, consistent with the requirements of *Liveable Neighbourhoods*.

The provision of POS is focussed around the Baldivis Tramway Reserve which traverses through the property, generally in a north-south direction, with the provision of a large neighbourhood activity reserve, capable of accommodating senior competition sports for rugby and soccer and junior AFL sports. Other reserves have been strategically placed to provide POS within a walkable catchment of all dwellings.

The Structure Plan identifies 7,600m<sup>2</sup> of land for the purpose of commercial development, located at the intersection of Baldivis Road and Pug Road, creating a main-street style development along Pug Road.

The proposed mix of lot sizes provides variety within proximity to proposed POS and to support the proposed bus route along Baldivis Road. The supporting urban land uses are also located consistently with the principles of *Liveable Neighbourhoods* for Community Design.

*Liveable Neighbourhoods* stipulates that a Structure Plan layout should enhance local identity by responding to site context, site characteristics, setting, landmarks and views and incorporate key elements of natural and cultural significance.

This requires the integration of new areas, as far as practical, with existing development. This is to be achieved by:

- *The provision of frequent local street connections in order to gain the benefits of integrated urbanism;*
- *Designing the movement network to balance the benefits of integration against any significant adverse effects (e.g. likelihood of heavy through traffic) that may occur in areas that were built under a different planning philosophy; and*
- *Ensure the interface and edge treatments of new areas generally transition into the existing urban character.*

The proposal addresses the requirements of *Liveable Neighbourhoods* and the planning framework.

*Liveable Neighbourhoods* also encourages smaller residential lots and higher density housing in areas close to a Town or Neighbourhood Centre, near public transport stops, and in areas with high amenity, such as parks. In this regard, the provision of medium and high density land within the proposed Structure Plan Amendment is considered appropriate in the following locations:

- Along Neighbourhood Connector roads proposed to be serviced by a proposed bus route;
- On the end of street block to encourage housing diversity; and
- Adjacent to and overlooking POS.

To ensure the intent of *Liveable Neighbourhoods* is achieved, it is recommended that the location criteria contained within Part One of the Structure Plan Report be modified to provide low density (R25) densities in eastern portion of the Structure Plan area adjacent to the Kwinana Freeway.

The proposal seeks to provide densities in accordance with *Liveable Neighbourhoods*, and as such, complies with the State Government's Operational Policy.

The City will also impose the preparation of Local Development Plans for medium density residential development and for the Local Centre. The Local Development Plans will need to address the urban design principles of State Planning Policy No.7 – *Design of the Built Environment*.

## 2. Environmental Assessment

### Resource Enhancement Wetlands

Wetlands are classified into three management categories. These being Conservation, Resource Enhancement and Multiple Use.

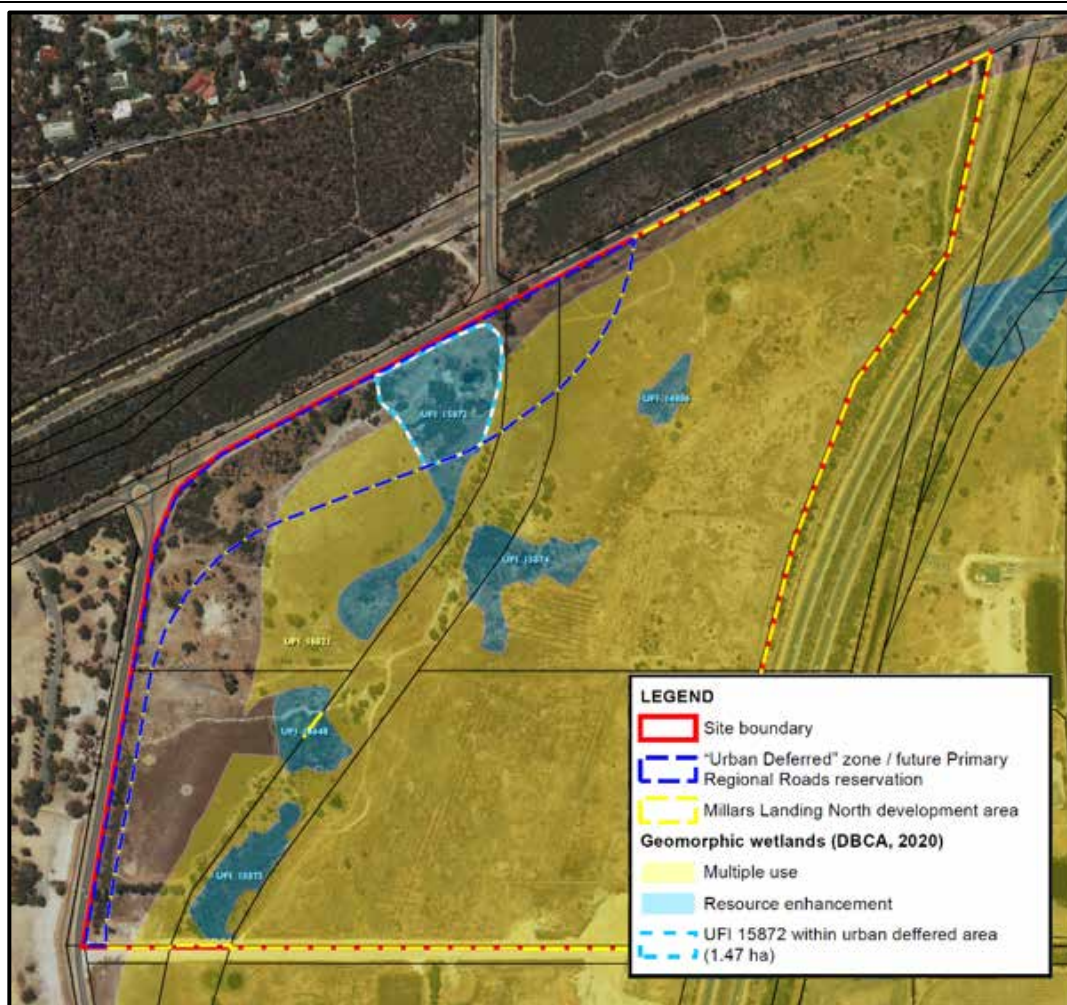
Resource Enhancement Wetlands are considered as a 'priority wetland' with the ultimate objective to manage, restore and protect towards improving their conservation value. These wetlands have the potential to be restored to Conservation category. This can be achieved by restoring wetland function, structure and biodiversity.

Wetlands within the Perth metropolitan area were classified within the 1996 report, *Wetlands of the Swan Coastal Plain Volume 2B Wetland Mapping, Classification and Evaluation: Wetland Atlas* (Hill et al.).

The classification of wetlands is currently being reviewed by the Department of Biodiversity, Conservation and Attractions. The City did not receive advice during the advertising period from the Department but it has indicated it will make a late submission to inform the WAPC's consideration of the proposal.

It is noted that within preliminary discussions with the Department, it noted that a number of previously identified Resource Enhancement Wetlands are being reconsidered in light of new information.

The Structure Plan proposes to retain three of the five Resource Enhancement Wetland's (REW's) contained on the site, within the POS and the Baldivis Tramway Reserve.



9. Geomorphic Wetland Map

## 2. Environmental Assessment (cont...)

Of the remaining wetland areas, the proposal seeks to rehabilitate the completed degraded nature of the wetlands on the site by retaining the existing topography of the wetlands, retain remnant vegetation and revegetate degraded elements of the wetland. The City's assessment has determined the proposal represent an overall net benefit to improving environmental outcomes on the subject land.

In conjunction with the proposed vegetated detention swales and basins, there is concern for mosquito breeding and harbourage within the vegetated detention swales and basins traversing the site. The locality is known for mosquitoes that carry the Ross River and Barmah Forest viruses. The application has provided no information as to how mosquitos will be managed in the development. A Mosquito Management Plan is required prior to the subdivision approval.

### Fauna

The Tramway is known to support a population of the endangered Quenda, as well as provide habitat for other local species, particularly snakes, frogs and Oblong turtles; Oblong turtles are the only native freshwater turtle species in the Perth metropolitan area, The City's monitoring program has identified the oblong turtle as being under increasing threat of local extinction.

The Environmental Report provides a commitment by the developer to the preparation of a Wetland Management Plan(s), Fauna Management Plan and Fauna Relocation Management Plan as conditions of Subdivision Approval.

In addition to the actions identified in the Environmental Report, the City has concerns regarding the proximity of the playing field to the Tramway reserve and retained REW. Due to the higher level of service required for the playing field, through the seasonal application of fertiliser, it is expected an increase in nutrient runoff will be experienced.

The development should be supported by a Nutrient and Irrigation Management Plan at subdivision stage, in accordance with provision 6.3.1 of State Planning Policy 2.1 *Peel-Harvey Coastal Plain Catchment*, detailing how nutrients export will be minimised from the site.

It is recommended that Part One – Implementation Report be updated to include the commitments identified in the Environmental Assessment and Management Strategy by including the following items required the preparation and lodgement of, to the City's satisfaction:

1. A Mosquito Management Plan
2. A Wetland Management Plan, detailing:
  - Y The rehabilitation measures,
  - Y Weed control; and
  - Y The ongoing wetland management actions proposed.
3. A Fauna Management Plan (FMP) which includes the information on relocation of native fauna species. The FMP is to identify:
  - Y Risks to vertebrate fauna species from the proposed residential development; and
  - Y Management strategies to minimise, mitigate and manage the risk to vertebrate fauna from the proposed residential development during the bulk earthworks phase.
4. A Fauna Relocation Management Plan (FRMP), detailing:
  - Y A trapping program for reptiles, amphibians and mammals from the surface water bodies across the site;
  - Y Capture and relocation measures for frogs, tadpoles, free swimming turtles, nesting turtles and snakes.
5. A Nutrient and Irrigation Management Plan addressing:
  - Y How nutrients will be managed;
  - Y Details of the treatment measures for stormwater entering the proposed subsoil drainage;
  - Y Application of nutrient retentive soils to treat stormwater generated by the large turfed area of POS; and
  - Y Irrigation and fertiliser application regimes.



## 2. Environmental Assessment (cont...)

### Vegetation Retention

The Environmental Assessment and Management Strategy, prepared by RPS, references an historical Tree Survey, undertaken in 2011, as the predominant resource for the environmental impact assessment, despite a more recent survey prepared in 2019. As the vegetation onsite has changed substantially over the past 10 years (through bushfire and ongoing tree growth/deaths), it is considered the tree retention outcomes presented are not representative of the City's ongoing discussions with the applicant to date.

The City has conducted its own Tree Retention Survey, providing a list of priority trees to be retained within the Structure Plan. It is recommended the Landscape Plans be updated to reflect the prior trees identified by the City for retention.



10. Tree Survey

Where trees located outside of the Baldivis Tramway Reserve and POS, the Structure Plan should include details of how the surveyed trees will be retained.

To ensure their retention, it is recommended that a plan be provided to overlay the Structure Plan with mapping of the pre-development and post development elevation levels. It is recommended that this include the point locations of Trees 37-57 and 90-92, which are generally located outside of the nominated POS or Tramway locations.

As part of the City's technical assessment of the Structure Plan and supporting Environmental Report, further minor technical modifications are recommended to address the matters raised above, the detail of which will be forwarded to the WAPC for its consideration.

## 2. Environmental Assessment (cont...)

### **Recommendation 4:**

- (i) Update Section 7.2 of Part One – Additional Reporting, to include the following additional reporting requirement to be prepared prior to the commencement of works on site:
- (a) A Wetland Management Plan, detailing:
    - Rehabilitation measures;
    - Weed control; and
    - Ongoing wetland management actions.
  - (b) A Fauna Management Plan, identifying:
    - The Risk to vertebrate fauna species from the propose residential development;
    - Management strategies to minimise, mitigate and manage the risk to vertebrate fauna from the proposed residential development during the bulk earthworks phase.
  - (c) A Fauna Relocation Management Plan, addressing:
    - A trapping program for reptiles, amphibians and mammals from the surface water bodies across the site;
    - Capture and relocation measures for frogs, tadpoles, free swimming turtles and nesting turtles and snakes;
  - (d) A Nutrient and Irrigation Management Plan, addressing:
    - How nutrients will be managed;
    - Details of the treatment measures for stormwater entering the proposed subsoil drainage;
    - Application of nutrient retentive soils to be used to treat stormwater generated by the large turfed area of POS; and
    - Irrigation and fertiliser application regimes.
- (ii) Amend the Landscape Concept Plans to illustrate the location of all significant trees identified as suitable for retention, specifically:
- High priority: Trees labelled 3, 4, 7, 8, 11, 12, 14, 22-24, 30-34, 58-79 and 85
  - Lot priority: Trees labelled 7, 14, 20 and 76

### 3. Public Open Space (POS)

The Structure Plan provides for approximately 5.69ha of credible POS across 15 different sites. This equates to 12.9% of the gross subdivisible area (2.9% over the minimum 10%).



#### 11. Public Open Space

As detailed earlier, the site is traversed by the Baldivis Tramway Reserve, an approximately 60m wide Parks and Recreation Reserve supporting a combination of recreation, conservation and cultural values. It contributes an additional 5.21ha of passive recreation and conservation space to the benefit and enjoyment of the community.

The overall provision and distribution of POS within the Structure Plan has some limitations due to existing groundwater levels and requirements to address the management stormwater drainage.

Many of the small parks are designed as breakout parks along the Tramway Reserve. Although this is not opposed, it has created a number of triangular shaped parks and portions of left over areas used to reduce abnormalities in the movement network and lot dimensions. Due to the restricted sizes and shape, the proposed breakout parks result in inflexible areas, compromising the long term viability of the POS, as the needs of the community changes over time.

*Liveable Neighbourhoods* classifies dedicated drainage reserves as restricted open space, and is not considered to form part of the 8% creditable area, unless the site is capable of being used for recreational purposes. The City's assessment has identified a number of areas which should be should not be credited as useable POS, due to their functionality and design:

#### Western Pocket Park

This reserve is located on the outer edge of the development, 1,806m<sup>2</sup> in area and is of an irregular triangular shape.

Planning Policy 3.4.1 – *Public Open Space* states any areas of POS should not be less than 2,000m<sup>2</sup>, unless it can be demonstrated the POS will satisfy the intent and design criteria of the City.

It is recommended the Western Pocket Park be repositioned within the Urban Village Precinct to the south, to provide a high level of amenity surrounded by higher density product to better integrate with the urban context and provide visual relief to those higher densities.



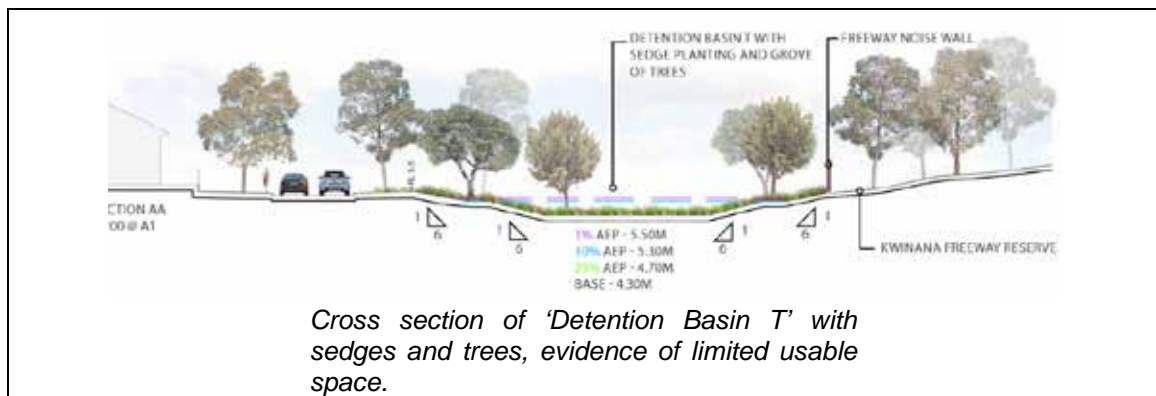
### 3. Public Open Space (POS) cont...)



12. Relocation options for Western Pocket Park

#### Northern Drain POS

This POS is located along the eastern boundary to the north of the Structure Plan. It is a triangular shaped reserve, having an area of 2,483m<sup>2</sup>. The POS Schedule contained in Part 2 suggests that 1,700m<sup>2</sup> is unrestricted space.



*Cross section of 'Detention Basin T' with sedges and trees, evidence of limited usable space.*

#### 13. Northern Drain POS

The design of the reserve is primarily focused around a drainage basin with no areas for useable activities. This is further supported by the Structure Plan report, contrary to the POS schedule, which states "...the basin will be relatively deep, making this park generally unsuitable for recreation..."

It is recommended the POS Schedule be updated to reflect this site as being 100% restricted POS.

#### South- Eastern Pocket Park

Located in the south east corner of the site, it occupies a triangular area of 3,950m<sup>2</sup>. The site contains an existing sewer pump station. The reserve is designed to accommodate a drainage basin for the 1:1 to 1:5 year events, with the balance a narrow triangular parcel approximately 380m<sup>2</sup> in area after removing the battered slopes of the drainage basin. This parcel of POS is not considered usable open space.

The POS Schedule credits this reserve with 1,000m<sup>2</sup> as unrestricted. Given there is no benefit of the POS, other than for drainage and sewer infrastructure, it is recommended the POS Schedule be updated to reflect the site as 'restricted' POS.

### 3. Public Open Space (POS) cont...)

#### Public Open Space Schedule

The POS Schedule has clustered the calculation of the break-out parks along the Tramway Reserve as part of the POS calculation. Instead, the City recommends that the POS Schedule separate the figures for each reserve to enable a review of the creditable areas of each POS.

Specifically, the northern slither of POS along the north eastern boundary of the Tramway reserve is designed to facilitate a drainage channel and biofiltration basin, constraining the usability of the portion of POS. This portion of reserve should therefore be classed as 'restricted'.

Discrepancies are also identified when comparing the total 1:1 year drainage area contained within the POS Schedule and the LWMS (0.66ha and 0.2794ha, respectively), a difference of 0.3806ha. This is not illustrated on any LWMS plans. Much of the stormwater from 1:1 year events overflow into the centre channel within the existing Tramway Reserve.

It is recommended the 1:1year drainage area calculations provided in the POS Schedule and LWMS be clarified and that the POS Schedule revised to ensure there are no deductions for 1:1 year storage events being stored within the existing Tramway Reserve, as the Tramway Reserve is already identified in the POS Schedule as a deduction.

#### Tramway Reserve

The Tramway Reserve is a regional linear reserve extending from Karnup in the south, to Jandakot in the north. The portion of the reserve traversing through the subject site is proposed to have a portion utilised for stormwater drainage management.

The City has a Master Plan for the portion of Tramway within the City's jurisdiction which identifies a number of management and enhancement measures to improve recreational and conservation value of the reserve.

The City has identified a number of infrastructure provisions proposed by the Structure Plan which need to be updated to align with the City's specifications, including:

On street parking;

- Dimensions and construction standard of pathways;
- Acceptable swale depth;
- Revegetation;
- Weed control;
- Pedestrian and wildlife linkages;
- Infrastructure provisions; and
- Mosquito management.

These matters have been outlined in the Schedule of Modifications for the Western Australian Planning Commission's (WAPC's) consideration.

#### **Recommendation 5:**

**That the WAPC implement the following changes to the POS:**

- (i) **Reposition the Western Pocket POS to be located within the Urban Village Precinct.**
- (ii) **Update the Public Open Space Schedule to reflect the following:**
  - (a) **Northern Drain POS as 100% restricted.**
  - (b) **South Easter Pocket Park as 100% restricted.**
- (iii) **Amend Section 7.2 of Part One of the Structure Plan Report to introduce a requirement to provide detailed landscape designs, illustrating the improvement works in the Baldvis Tramway Reserve, to the satisfaction of the City of Rockingham in accordance with the Baldvis Tramway Masterplan.**



#### 4. Drainage

As mentioned above, the City supports stormwater being discharged and treated within the Tramway Reserve.

The site is located within the lower reaches of the Serpentine River Catchment with the land east of the Tramway Reserve within the 100 year floodway event (1% Annual Exceedance Probability). The depth of flooding across the majority of the residential area is between 0.06m and 0.25m, increasing to 0.75m and 1m in small pockets. The application proposes to fill the eastern half of the subject site to achieve the requirement minimum building height of 0.5m above the modelled 1:100 average recurrence interval (ARI) flood event.

The site contains six wetlands distributed across the site. Through pre-lodgement consultation, the City required the retention and rehabilitation works over the portions of REW's located within the Tramway Reserve, as well as a portion of the REW contained within the large Neighbourhood POS of the Structure Plan.

The key design consideration of the City is to ensure that POS suitable for recreation is not compromised by the design of the Drainage infrastructure. As part of the City's assessment of the Structure Plan and supporting LWMS, a number of modifications are required to the document(s) prior to the Structure Plan being supported, the detail of which will be forwarded to the WAPC for its consideration.

***For drainage related outcomes, refer to Recommendation 1 under the Submissions Section.***

#### 5. Activity Centre

The Structure Plan proposes a Commercial zone at the north-east corner of Baldivis Road and Pug Road to form part of a greater Local Centre to be collocated with the approved Commercial zoned land located in the adjoining North East Baldivis (Millars Landing) Structure Plan area.

In accordance with State Planning Policy 4.2 – Activity Centres for Perth and Peel (SPP4.2), an Retail Sustainability Assessment (RSA) was required to assess the potential effects of the sustainable future provision of shopping by existing and planned activity centres in the locality, taking into account:

- The supportable shop-retail floor space for an appropriate service population, based on the normative primary service (trade) areas;
- The Commission's *Guidelines for Retail Sustainability Assessment*;
- An assessment of the costs imposed on public authorities by the proposed development, including the implications for and optimal use of public infrastructure and services provided or planning in the locality; and
- Overall costs and benefits of the proposal with findings expressed in terms of any potential impacts on each affected activity centre.
- Specify the methodology, assumptions and data used in such analysis.

The policy provides for a hierarchy of activity centres, which differentiates such centres and planning principles in terms of their roles and functions within the overall network. Local Centres for instance, are expected to provide local community hubs to service the daily convenience shopping needs of the residents in the local area, providing walkable access to service and facilities.

Currently, the Millars Landing Local Centre, abutting the site to the south, has been allocated a nominal size of 1,500m<sup>2</sup> of retail floor space, without the provision for a supermarket.

The Structure Plan proposes to provide an expansion of 1,000m<sup>2</sup> for speciality retail floorspace (5 to 10 shops), whilst permitting a small supermarket of 1,500m<sup>2</sup> within the Baldivis North East (Millars Landing) Structure Plan. The total centre area proposed is to provide a centre comprising of 2,400m<sup>2</sup> retail floorspace.

For the Baldivis locality, Planning Policy 3.1.2 – *Local Commercial Strategy* (PP3.1.2) permits a typical Local Centre to have a retail floor space up to 1,500m<sup>2</sup>, servicing a catchment of up to 5,000 residents. The proposed local centre is expected to draw the majority of its business from residents of the Millars Landing Estate, supporting a population of approximately 4,150 residents at maturity.

## 5. Activity Centre (cont...)

The City engaged Macroplan, a specialist retail sustainability consultant, to carry out a peer review of the submitted RSA against SPP4.2, PP3.1.2 and available data relevant to the hierarchy and population forecasts for the Baldivis locality.

The independent analysis received from Macroplan, supports the key findings of the Retail RSA prepared in support of the Structure Plan.

Macroplan state that the Local Centre at the future intersection of Baldivis and Pug Road, with up to 2,400 – 2,500m<sup>2</sup> retail and commercial Net Lettable Area (including back-of-house and storage areas) and anchored by a small supermarket of up to 1,500m<sup>2</sup>, is unlikely to undermine any established or planned centre in the area, nor is it anticipated to result in deterioration in the level of service to the local community. The economic activity generated from the development of the centre is considered to be a net community benefit.

In light of Macroplan's advice, it is recommended that a variation to the City's policy position in PP3.1.2 be supported in order to facilitate development of a centre to service the daily convenience needs of the Millars Landing residents.

To ensure the Local Centre maintains its role within the hierarchy of centres, it is recommended that Millars Landing (North) Structure Plan clearly outline that the total NLA of the Millars Landing Local Centre should not exceed 2,500m<sup>2</sup>.

In particular, Section 5.3 of Part One should be amended to state that the Commercial zone north-east of the intersection of Baldivis Road and Pug Road allow for an expansion of the Millars Landing Local Centre by approximately 1,000m<sup>2</sup> of retail/commercial NLA, in addition to the 1,500m<sup>2</sup> designated on the southern side of Pug Road.

### **Recommendation 6:**

**Update Section 5.3 of Part One by clearly outlining that a maximum retail/commercial Net Lettable Area of 1,000m<sup>2</sup> is permitted.**

## 6. Bushfire Management Plan (BMP)

The Bushfire Management Plan (BMP) suggests that all future habitable development will be located on land with either a Low or Moderate bushfire hazard.

The City recommends modifications to the Structure Plan to address bushfire planning requirements for the residential cell directly abutting the eastern side of the Tramway Reserve, to the south of the central neighbourhood POS. In this regard, it is recommended that sufficient separation be demonstrated for an appropriate Bushfire Attack Level (BAL) to bushfire prone vegetation prior to the approval of the Structure Plan.

The BMP highlights that subsequent planning stages will require consideration for asset protection zones (APZ's) for lots having an interface with retained/rehabilitated POS vegetation sufficient to achieve BAL-29 or lower. This is contrary to the intent of supporting landscape plans or requiring the City to have to manage the vegetation within the Tramway Reserve.

### **Recommendation 7:**

**Amend the Bushfire Management Plan to include a BAL contour plan, demonstrating that no future development areas will be impacted by BAL-40 / BAL-FZ.**

## 7. Transport

The subject site is serviced by Baldivis Road to the west, Pug Road to the south and Telephone Lane to the north. The site also adjoins the Kwinana Freeway reserve to the east.

The freight rail line located to the north of the subject site, between Telephone Lane and Millars Road, is approximately 110m from the subject site. In conjunction with the Kwinana Freeway, a Primary Regional Road, future lots will be subject to transport noise impacts. The Noise Report provided to support the Structure Plan proposal outlines development can be considered to these noise noises however, a further more detailed report will be required at subdivision stage to outline how impacts will be managed.

## 7. Transport

Internally, the Structure Plan proposes three Neighbourhood Connectors, two east west connections and a north-south.

The City's assessment of the Traffic Impact Assessment identified that there are a number of outstanding items (i.e. intersection treatments, design configuration, confirmation of road reservation widths as well as upgrades to Baldivis Road and Pug Road) that are to be determined during the subdivision stage. A number of modifications are required to be made to the document prior to the Structure Plan being supported, of which the detail will be forwarded to the WAPC for its consideration.

### Conclusion

The proposed Millars Land (North) Structure Plan will provide an estimated yield of 650 dwellings, anticipated to accommodate a population of 1,750 people. The Structure Plan facilitates the provision for a total of 2,500m<sup>2</sup> retail floor space within a local commercial precinct, in conjunction with the approved Millars Landing Structure Plan to the south.

The Structure Plan is considered to generally address the complexities attributed to the site. The City recommends modifications to technical documents to ensure the detailed planning and development of the site can be progressed in an appropriate manner.

The recommended changes to the Structure Plan also seek to address the future usability of POS for recreation purposes together with the drainage infrastructure to manage the site's challenging hydrology.

In light of the above, the proposed Structure Plan is supported subject to the following modifications.

#### Recommendation 1:

- (i) Include a comparison to 2018 long-term peak groundwater levels, prior to acceptance of the LWMS and Structure Plan Report.
- (ii) Clarify the AAMGL and MGL calculations by utilising contours calibrated with groundwater model rather than GIS interpolation.
- (iii) Replace the bio-retention sizing criteria of "2% connected impervious area" with DWER's superseded specifications for the management of the first 15mm of rainfall.
- (iv) Lots less than 300m<sup>2</sup> to include an actual on-lot containment criteria or specifying that alternative disposal methods to soak well storage.
- (v) Include subsoil pipe outflow as a replacement to constant infiltration, whilst adopting a minimum 5m/day hydraulic conductivity for amended soil media.
- (vi) Provide conceptual siting of roadside swales and tree pits.
- (vii) Provide some water quality treatment measures prior to subsoil discharge into the Peel Main Drain, particularly, addressing how phosphorus will be adsorbed into the soil profile during periods of groundwater saturation, in accordance with the Peel-Harvey Water Quality Improvement Plan.
- (viii) Apply the best practice principles for dry areas by designing a minimum clearance to Maximum Ground Level or Controlled Ground Level of 0.5m.
- (ix) Include the MGL and/or CGL annotations on the cross sections and integrated subsoil outlets under Appendix H.

#### Recommendation 2:

Amend Part One of the Structure Plan Report include the requirement to prepare and also implement a Mosquito Management Plan as a condition of Subdivision Approval.

#### Recommendation 3:

Amend the Structure Plan Report and Traffic Impact Assessment Report to reflect shared use paths and connection in accordance with the adopted Long Term Cycling Network Plan.

Recommendation 4:

- (i) Amend Section 7.2 of Part One - Additional Reporting, to include the following additional reporting requirement to be prepared prior to the commencement of works on site:
  - (a) A Wetland Management Plan, detailing:
    - Rehabilitation measures;
    - Weed control; and
    - Ongoing wetland management actions.
  - (b) A Fauna Management Plan, identifying:
    - The Risk to vertebrate fauna species from the propose residential development; and
    - Management strategies to minimise, mitigate and manage the risk to vertebrate fauna from the proposed residential development during the bulk earthworks phase.
  - (c) A Fauna Relocation Management Plan, addressing:
    - A trapping program for reptiles, amphibians and mammals from the surface water bodies across the site; and
    - Capture and relocation measures for frogs, tadpoles, free swimming turtles and nesting turtles and snakes.
  - (d) A Nutrient and Irrigation Management Plan, addressing:
    - How nutrients will be managed;
    - Details of the treatment measures for stormwater entering the proposed subsoil drainage;
    - Application of nutrient retentive soils to be used to treat stormwater generated by the large turfed area of POS; and
    - Irrigation and fertiliser application regimes.
- (ii) Amend the Landscape Concept Plans to illustrate the location of all significant trees identified as suitable for retention, specifically:
  - High priority: Trees labelled 3, 4, 7, 8, 11, 12, 14, 22-24, 30-34, 58-79 and 85.
  - Lot priority: Trees labelled 7, 14, 20 and 76.

Recommendation 5:

- (i) Reposition the Western Pocket POS to be located within the Urban Village Precinct.
- (ii) Update the Public Open Space Schedule in Part Two of the Structure Plan Report to reflect the following:
  - (a) Northern Drain POS as 100% restricted.
  - (b) South Eastern Pocket Park as 100% restricted.
- (iii) Amend Section 7.2 of Part One of the Structure Plan Report to introduce a requirement to provide detailed landscape designs, illustrating the improvement works in the Baldivis Tramway Reserve, to the satisfaction of the City of Rockingham in accordance with the Baldivis Tramway Masterplan.

Recommendation 6:

Amend Section 5.3 of Part One by clearly outlining that a maximum retail/commercial Net Lettable Area of 1,000m<sup>2</sup> is permitted.

Recommendation 7:

Amend the Bushfire Management Plan to include a BAL contour plan, demonstrating that no future development areas will be impacted by BAL-40/BAL-FZ.

## Voting Requirements

Simple Majority

## Officer Recommendation

That Council **APPROVES** the lodgement of a Local Government Report to the Western Australian Planning Commission, with respect to the proposed Standard Structure Plan prepared over Lots 447, 459 and 709 Baldivis Road, Baldivis with the recommendation that the Structure Plan be approved subject to the following modifications being made to the satisfaction of the WAPC on advice of the City:

1. Amend the Local Water Management Strategy in the following manner:
  - (i) Include a comparison to 2018 long-term peak groundwater levels, prior to acceptance of the LWMS and Structure Plan Report.
  - (ii) Clarify the AAMGL and MGL calculations by utilising contours calibrated with groundwater model rather than GIS interpolation.
  - (iii) Replace the bio-retention sizing criteria of "2% connected impervious area" with DWER's superseded specifications for the management of the first 15mm of rainfall.
  - (iv) Lots less than 300m<sup>2</sup> to include an actual on-lot containment criteria or specifying that alternative disposal methods to soak well storage.
  - (v) Include subsoil pipe outflow as a replacement to constant infiltration, whilst adopting a minimum 5m/day hydraulic conductivity for amended soil media.
  - (vi) Provide conceptual siting of roadside swales and tree pits.
  - (vii) Provide water quality treatment measures prior to subsoil discharge into the Peel Main Drain, particularly, addressing how phosphorus will be adsorbed into the soil profile during periods of groundwater saturation, in accordance with the Peel-Harvey Water Quality Improvement Plan.
  - (viii) Apply the best practice principles for dry areas by designing a minimum clearance to Maximum Ground Level or Controlled Ground Level of 0.5m.
  - (ix) Include the MGL and/or CGL annotations on the cross sections and integrated subsoil outlets under Appendix H.
2. Amend Part One of the Structure Plan Report to include the requirement to prepare and also implement a Mosquito Management Plan as a condition of Subdivision Approval.
3. Amend the Structure Plan Report and Traffic Impact Assessment Report to reflect shared use paths and connection in accordance with the adopted Long Term Cycling Network Plan.
4. Amend Section 7.2 of Part One of the Structure Plan Report - Additional Reporting, to include the following additional reporting requirement to be prepared prior to the commencement of works on site:
  - (i) A Wetland Management Plan, detailing:
    - Rehabilitation measures;
    - Weed control; and
    - Ongoing wetland management actions.
  - (ii) A Fauna Management Plan, identifying:
    - The Risk to vertebrate fauna species from the propose residential development; and
    - Management strategies to minimise, mitigate and manage the risk to vertebrate fauna from the proposed residential development during the bulk earthworks phase.

- (iii) A Fauna Relocation Management Plan, addressing:
  - A trapping program for reptiles, amphibians and mammals from the surface water bodies across the site; and
  - Capture and relocation measures for frogs, tadpoles, free swimming turtles and nesting turtles and snakes.
- (iv) A Nutrient and Irrigation Management Plan, addressing:
  - How nutrients will be managed;
  - Details of the treatment measures for stormwater entering the proposed subsoil drainage;
  - Application of nutrient retentive soils to be used to treat stormwater generated by the large turfed area of POS; and
  - Irrigation and fertiliser application regimes.
- 5. Amend the Landscape Concept Plans to illustrate the location of all significant trees identified as suitable for retention, specifically:
  - (i) High priority: Trees labelled 3, 4, 7, 8, 11, 12, 14, 22-24, 30-34, 58-79 and 85
  - (ii) Lot priority: Trees labelled 7, 14, 20 and 76
- 6. Reposition the Western Pocket POS to be located within the Urban Village Precinct.
- 7. Update the Public Open Space Schedule in Part Two of the Structure Plan Report to reflect the following:
  - (i) Northern Drain POS as 100% restricted.
  - (ii) South Easter Pocket Park as 100% restricted.
- 8. Amend Section 7.2 of Part One of the Structure Plan Report to introduce a requirement to provide detailed landscape designs, illustrating the improvement works in the Baldivis Tramway Reserve, to the satisfaction of the City of Rockingham in accordance with the Baldivis Tramway Masterplan.
- 9. Amend Section 5.3 of Part One of the Structure Plan Report by clearly outlining that a maximum retail/commercial Net Lettable Area of 1,000m<sup>2</sup> is permitted.
- 10. Amend the Bushfire Management Plan to include a BAL contour plan, demonstrating that no future development areas will be impacted by BAL-40 / BAL-FZ.
- 11. Address minor technical comments identified within the City's assessment contained within the Schedule of Modifications.

### Committee Recommendation

That Council **APPROVES** the lodgement of a Local Government Report to the Western Australian Planning Commission, with respect to the proposed Standard Structure Plan prepared over Lots 447, 459 and 709 Baldivis Road, Baldivis with the recommendation that the Structure Plan be approved subject to the following modifications being made to the satisfaction of the WAPC on advice of the City:

- 1. Amend the Local Water Management Strategy in the following manner:
  - (i) Include a comparison to 2018 long-term peak groundwater levels, prior to acceptance of the LWMS and Structure Plan Report.
  - (ii) Clarify the AAMGL and MGL calculations by utilising contours calibrated with groundwater model rather than GIS interpolation.
  - (iii) Replace the bio-retention sizing criteria of "2% connected impervious area" with DWER's superseded specifications for the management of the first 15mm of rainfall.
  - (iv) Lots less than 300m<sup>2</sup> to include an actual on-lot containment criteria or specifying that alternative disposal methods to soak well storage.

- (v) Include subsoil pipe outflow as a replacement to constant infiltration, whilst adopting a minimum 5m/day hydraulic conductivity for amended soil media.
  - (vi) Provide conceptual siting of roadside swales and tree pits.
  - (vii) Provide water quality treatment measures prior to subsoil discharge into the Peel Main Drain, particularly, addressing how phosphorus will be adsorbed into the soil profile during periods of groundwater saturation, in accordance with the Peel-Harvey Water Quality Improvement Plan.
  - (viii) Apply the best practice principles for dry areas by designing a minimum clearance to Maximum Ground Level or Controlled Ground Level of 0.5m.
  - (ix) Include the MGL and/or CGL annotations on the cross sections and integrated subsoil outlets under Appendix H.
2. Amend Part One of the Structure Plan Report to include the requirement to prepare and also implement a Mosquito Management Plan as a condition of Subdivision Approval.
3. Amend the Structure Plan Report and Traffic Impact Assessment Report to reflect shared use paths and connection in accordance with the adopted Long Term Cycling Network Plan.
4. Amend Section 7.2 of Part One of the Structure Plan Report - Additional Reporting, to include the following additional reporting requirement to be prepared prior to the commencement of works on site:
- (i) A Wetland Management Plan, detailing:
    - Rehabilitation measures;
    - Weed control; and
    - Ongoing wetland management actions.
  - (ii) A Fauna Management Plan, identifying:
    - The Risk to vertebrate fauna species from the propose residential development; and
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10. Amend the Bushfire Management Plan to include a BAL contour plan, demonstrating that no future development areas will be impacted by BAL-40 / BAL-FZ.
11. Address minor technical comments identified within the City's assessment contained within the Schedule of Modifications.

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 Hamblin, seconded Cr Buchan:

That Council **APPROVES** the lodgement of a Local Government Report to the Western Australian Planning Commission, with respect to the proposed Standard Structure Plan prepared over Lots 447, 459 and 709 Baldivis Road, Baldivis with the recommendation that the Structure Plan be approved subject to the following modifications being made to the satisfaction of the WAPC on advice of the City:

1. Amend the Local Water Management Strategy in the following manner:
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  - (iii) Replace the bio-retention sizing criteria of "2% connected impervious area" with DWER's superseded specifications for the management of the first 15mm of rainfall.
  - (iv) Lots less than 300m<sup>2</sup> to include an actual on-lot containment criteria or specifying that alternative disposal methods to soak well storage.
  - (v) Include subsoil pipe outflow as a replacement to constant infiltration, whilst adopting a minimum 5m/day hydraulic conductivity for amended soil media.
  - (vi) Provide conceptual siting of roadside swales and tree pits.
  - (vii) Provide water quality treatment measures prior to subsoil discharge into the Peel Main Drain, particularly, addressing how phosphorus will be adsorbed into the soil profile during periods of groundwater saturation, in accordance with the Peel-Harvey Water Quality Improvement Plan.
  - (viii) Apply the best practice principles for dry areas by designing a minimum clearance to Maximum Ground Level or Controlled Ground Level of 0.5m.



- (ix) Include the MGL and/or CGL annotations on the cross sections and integrated subsoil outlets under Appendix H.
- 2. Amend Part One of the Structure Plan Report to include the requirement to prepare and also implement a Mosquito Management Plan as a condition of Subdivision Approval.
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- 9. Amend Section 5.3 of Part One of the Structure Plan Report by clearly outlining that a maximum retail/commercial Net Lettable Area of 1,000m<sup>2</sup> is permitted.

10. Amend the Bushfire Management Plan to include a BAL contour plan, demonstrating that no future development areas will be impacted by BAL-40 / BAL-FZ.
11. Address minor technical comments identified within the City's assessment contained within the Schedule of Modifications.

**Carried – 5/4**

**Councillors having voted for the motion:**

Cr Hamblin              Cr Buchan  
Cr Jones                Cr Buchanan  
Cr Sammels

**Councillors having voted against the motion:**

Cr Davies                Cr Edwards  
Cr Cottam               Cr Liley

<b>The Council's Reason for Varying the Committee's Recommendation</b>
--

Not Applicable

**Council Resolution – En bloc Resolution**

**Moved Cr Jones, seconded Cr Liley:**

That the committee recommendations in relation to Agenda Items EP-003/21 and EP-004/21 be carried en bloc.

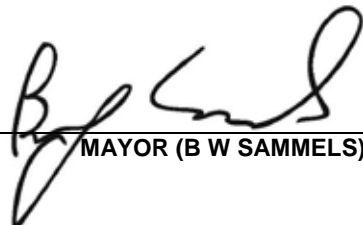
**Carried – 9/0**

Engineering and Parks Services Engineering Services		
<b>Reference No &amp; Subject:</b>	EP-003/21	<b>Tender T20/21-39 - Provision of Services to Dredge and Remove Sand from the Bent Street Boat Ramp Navigation Channel</b>
File No:	T20/21-39	
Proponent/s:		
Author:	Mr Manoj Barua, Manager Engineering Services	
Other Contributors:	Mr Stephen Forrester, Coordinator Coastal Engineering and Fleet	
Date of Committee Meeting:	15 March 2021	
Previously before Council:		
Disclosure of Interest:		
Nature of Council's Role in this Matter:	Executive	
Site:		
Lot Area:		
LA Zoning:		
MRS Zoning:		
Attachments:		
Maps/Diagrams:	1. Locality Plan 2. Disposal Pipe Layout	

**Purpose of Report**

To provide Council with details of the Tender received for Tender T20/21-39 - Provision of Services to Dredge and Remove Sand from the Bent Street Boat Ramp Navigation Channel, document the results of the Tender assessment and make recommendations regarding award of the Tender.

Confirmed at a Council meeting held  
on Tuesday 27 April 2021

  
MAYOR (B W SAMMELS)

## Background

The City faces complex challenges in managing its boat launching facilities at Bent Street, including the presence of the Marine Park and other environmental and social issues. As a consequence, the City is undertaking the Coastal Facility Strategy development. Until such time as the strategy defines the future needs of this facility, the City is continuing to maintain this asset for recreational use.

Tender T20/21-39 - Provision of Services to Dredge and Remove Sand from the Bent Street Boat Ramp Navigation Channel was advertised in the West Australian on Saturday, 10 October 2020. The Tender closed at 2.00pm, Wednesday, 28 October 2020 and was publicly opened immediately after the closing time.

This contract is for sand extraction and pumping of dredged material (slurry pumping) to allow continued safe navigation for vessels travelling between the Bent Street Boat Ramp and Warnbro Sound. The works are proposed to be completed using a cutter suction dredge or similar equipment.

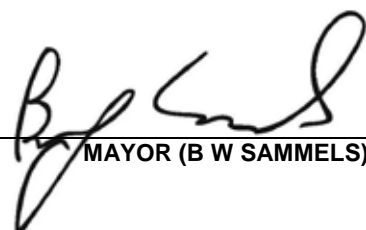
The scope of works include:

- Removal of approximately 13,000m<sup>3</sup> of material from the inner and outer Bent Street Boat Ramp Navigation Channel in accordance with the area shown on the Figure 1.
- Dredge material to be pumped via a combination of submerged and land based pipe route to the beach area adjacent to the Carlisle Street Boat Ramp and stockpiled in accordance with the area shown in the Figure 2.
- Environmental monitoring and management of the works as per the requirement of Department of Biodiversity, Conservation and Attraction (DBCA).
- Removal and transport of the dredge material to the Miller Road Landfill site.



1. Locality Plan

Confirmed at a Council meeting held  
on Tuesday 27 April 2021

  
MAYOR (B W SAMMELS)



## 2. Disposal Pipe Layout

### Details

The City received one submission from Hydraplant Dredging Pty Ltd trading as CGC Dredging.

A panel comprising of Director Engineering and Parks Services, Manager Engineering Services, Coordinator Coastal Engineering and Fleet and Coastal Engineering Officer undertook Tender evaluations and risk assessments. Since there was only one submission, the City's assessment focused on determining whether the submission is suitable for proceeding to award of contract.

CGC Dredging submitted a number of proposed condition variations to the City's standard conditions of contract. The City sought a number of clarifications from CGC Dredging on these as part of the assessment process, resulting in a delay of bringing the matter to Council.

### Implications to Consider

**a. Consultation with the Community**

Not Applicable

**b. Consultation with Government Agencies**

Department of Biodiversity, Conservation and Attractions (DBCA) was informed about the Tender and possible dredging timeframe.

Department of Transport (DoT) was consulted for determining the timeframe for the dredging.

**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 1:** *Actively Pursue Tourism and Economic Development*

**Strategic Objective:** *Coastal Destination - Promote the City as the premier metropolitan coastal tourism destination.*

**Aspiration 3:** *Plan for Future Generations*

**Strategic Objective:** *Infrastructure Planning - Plan and develop community, sport and recreation facilities which meet the current and future needs of the City's growing population.*

**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**

Lump Sum Tenders

The submission is for an amount of \$565,785.50. CGC Dredging has confirmed that its submitted price will remain valid until the contract obligations are fulfilled.

A total amount of \$800,000 is allocated in the 2021/2022 Team Plan for undertaking a range of dredging and coastal excavation including this specific work.

**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**

The works were initially planned to be undertaken in March 2021.

While CGC initially confirmed its availability for March 2021 as part of its Tender submission, in January 2021 it advised the City that DoT has assigned a job to them and is not available to undertake dredging at Bent Street Boat Ramp Navigation Channel until 2021/2022. It was advised that CGC is under a binding contract with DoT which obliges it to perform any jobs assigned by DoT ahead of jobs from any other party.

Since then, the City has discussed the timing of works with both DoT and CGC. While a specific date is still not locked in, it is of the City's understanding that DoT will be prepared to release CGC for undertaking the City's dredging works in September 2021. The City will continue to liaise with both CGC and DoT to lock in a mutually agreeable time for undertaking the dredging works at Bent Street Boat Ramp Navigation Channel.

Although the contract is of a lump sum, there is a potential risk that there may be variations due to the additional conditions imposed on the City. The City has undertaken detailed risk assessment of the conditions and deemed the risks to be acceptable. These risks will be mitigated where possible through the City's contract management processes and the City has allocated sufficient contingencies to allow the works to be successfully completed.



Following consideration of the submission in accordance with the Tender assessment criteria, CGC Dredging demonstrated the capability and experience to undertake the works. Based on the extensive market research undertaken by the City, it is considered that the Tender submitted by CGC Dredging offers the best value available to the City and is therefore recommended as the preferred Tenderer.

### Voting Requirements

Simple Majority

### Officer Recommendation

That Council **ACCEPTS** the Tender submitted from Hydraplant Dredging Pty Ltd trading as CGC Dredging for Tender T20/21-39 - Provision of Services to Dredge and Remove Sand from the Bent Street Boat Ramp Navigation Channel in accordance with the Tender documentation for the lump sum value of \$565,785.50 (ex GST).

### Committee Recommendation

That Council **ACCEPTS** the Tender submitted from Hydraplant Dredging Pty Ltd trading as CGC Dredging for Tender T20/21-39 - Provision of Services to Dredge and Remove Sand from the Bent Street Boat Ramp Navigation Channel in accordance with the Tender documentation for the lump sum value of \$565,785.50 (ex GST).

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** the Tender submitted from Hydraplant Dredging Pty Ltd trading as CGC Dredging for Tender T20/21-39 - Provision of Services to Dredge and Remove Sand from the Bent Street Boat Ramp Navigation Channel in accordance with the Tender documentation for the lump sum value of \$565,785.50 (ex GST).

Carried en bloc

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

Not Applicable

## Engineering and Parks Services Parks Services



<b>Reference No &amp; Subject:</b>	<b>EP-004/21</b>	<b>Treatment of the Bent Street Boat Ramp Overflow Parking</b>
File No:	CPR/297-13	
Author:	Mr Adam Johnston, Manager Parks Services	
Other Contributors:	Mr Michael Wilson, Senior Projects Officer	
Date of Committee Meeting:	15 March 2021	
Previously before Council:		
Disclosure of Interest:		
Nature of Council's Role in this Matter:	Executive	
Site:	Safety Bay Foreshore (R22035), Safety Bay	
Lot Area:	272,137m <sup>2</sup>	
LA Zoning:	Reserve Class A, Recreation	
MRS Zoning:		
Attachments:	<ol style="list-style-type: none"><li>Appendix 1 - Option 1A-B</li><li>Appendix 2 - Option 2-3</li></ol>	
Maps/Diagrams:	<ol style="list-style-type: none"><li>Safety Bay Foreshore Bent Street Boat Ramp Overflow Parking Area</li><li>Degradation Images - Safety Bay Foreshore Bent Street Boat Ramp Overflow Parking Area</li></ol>	

### Purpose of Report

To provide Council with details of the recommended option to upgrade the Safety Bay Foreshore - Bent Street Boat Ramp overflow parking area.

### Background

Within the Safety Bay Foreshore Reserve an area of informal parking has been allocated as an overflow for vehicles with boat trailers accessing the Bent Street Boat Ramp facility. Maintaining a suitable surface to the parking area has become increasingly difficult due to wear and tear on the turf. Options to improve the current situation have been investigated and are set out in this report.





/ . Safety Bay Foreshore, Bent Street Boat Ramp Overflow Parking Area Location

Bent Street overflow parking looking north, May 2020	Bent Street overflow parking looking south, May 2020

2. Degradation Images - Safety Bay Foreshore, Bent Street Boat Ramp Overflow Parking Area

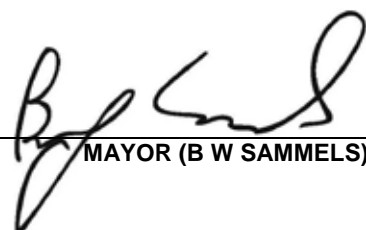
#### Details

The Bent Street Boat Ramp overflow trailer boat parking was formed in 2006, as during peak boating season from October to January, the existing formalised parking was insufficient to meet the parking demands.

Demand for the overflow parking has increased year-on-year which results in severe degradation of the turf, particularly to the driveway section. Through winter the City invests substantial resources and funds in rehabilitating the overflow parking area. Nearby residents have complained about the negative visual impact and sand drift from the exposed soil.

Five separate options were investigated to minimise the ongoing rehabilitation requirements and associated maintenance costs. Options and estimated cost are detailed as below:

Confirmed at a Council meeting held  
on Tuesday 27 April 2021

  
MAYOR (B W SAMMELS)

Option	Description	Estimated Capital Cost (\$)	Estimated annual Maintenance cost (\$)	Annualised Lifecycle Cost (\$)
1A	Asphalt driveway and grass parking areas, without a rain garden	60,000	1,500	3,900
1B	Asphalt driveway and grass parking areas, with a drainage rain garden adjacent to Safety Bay Road	62,500	2,000	4,500
2	Installation of turf cells to the driveway area, retain turf to remainder of area	91,000	7,000	13,067
3	Retain as is, fully grassed	48,000	10,000	14,800
4	Fully asphalt the entire area.	120,000	500	5,300

Public comment was sought on the five options. A question on the preferred options was included in the boat owner's survey during consultation for the Coastal Facilities Strategy, and via a direct mail out survey to residents living within 500 metres of the Bent Street Boat Ramp.

### Implications to Consider

**a. Consultation with the Community**

City of Rockingham boat owners were consulted during the Coastal Facilities Strategy consultation. A question within the online survey specifically addressed the Bent Street overflow carpark treatment options. The survey was issued on 3 November 2020 and concluded on 25 November 2020. Residents within 500 metres of the Bent Street Boat Ramp were direct mailed a survey form on Monday, 9 November 2020 and responses were received up until Friday, 22 January 2021.

**b. Consultation with Government Agencies**

Consultation with the Department of Planning, Lands and Heritage confirmed that works can proceed as public work under the Public Works Act 1902.

**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 1:** *Actively Pursue Tourism and Economic Development*

**Strategic Objective:** *Coastal Destination - Promote the City as the premier metropolitan coastal tourism destination.*

**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 3:** *Plan for Future Generations*

**Strategic Objective:** *Infrastructure Planning - Plan and develop community, sport and recreation facilities which meet the current and future needs of the City's growing population.*

**d. Policy**

Nil

**e. Financial**

The lifecycle assessment has been undertaken as follows:

Option	Capital Cost (\$)	Annual Maintenance Cost (\$)	Estimated Life (years)	Annual Lifecycle Cost (\$)
1A	60,000	1,500	25	3,900
1B	62,500	2,000	25	4,500
2	91,000	7,000	15	13,067
3	48,000	10,000	10	14,800
4	120,000	500	25	5,300

The recommended option being Option 1A asphalt driveway and grass parking areas, without a rain garden will cost \$60,000.

The capital cost to reinstate the current layout with turf is \$48,000 (Option 3). Funding for the capital cost of Option 1A has been included in the 2021/2022 Business Plan.

Current annual maintenance costs to maintain the turf to the overflow parking area are in the order of \$10,000 per annum. It is estimated that installation of an asphalt driveway will reduce turf replacement costs to approximately \$1,500 per annum, resulting in an annual lifecycle cost of \$3,900 achieving a significant reduction in annual maintenance of \$8,500 per annum.

**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**

Through the Coastal Facilities Strategy boat owner survey 112 responses were received. Responses indicated a slight preference for Option 1A asphalt driveway with grass. Retaining as is (Option 3) was not supported.

In the direct mail out, 69 residents responded. The feedback demonstrated a clear preference for having an asphalt driveway and grassed parking area. There was no preference between having and not having a rain garden. A rain garden being a planted area that captures stormwater runoff filtering it to aid in the removal of nutrients and pollutants. The addition of a rain garden was included as an option, as having a planted buffer between Safety Bay Road and the asphalt driveway allowed some screening and softening of the formalised driveway, as well as assisting in stormwater diversion. There are increased costs associated with maintaining a rain garden, as well as risks of damage through vehicles reversing into and driving through the garden.

Installing asphalt on the driveway section (Option 1A, 1B) will eliminate the need to returf these areas in future, generating significant savings and allowing alternative management practices to improve the longevity of turf in the parking areas through temporary and rotational cordoning off.

Option 2 is considered problematic, as the turf cells are not considered to be able to work effectively with the volumes of traffic. They are also costly and cause management issues through an inability to level the surface as required.

Option 3 involves removing the existing turf and releveling of the site. It will bring temporary maintenance cost benefits, however, the same issues as currently experienced can be expected to reoccur within 1-2 years.

Option 4 to fully asphalt the overflow parking was polarising for both boat owners and residents. Twenty five residents and 39 boat owners had this as their preferred option, however, 33 residents and 30 boat owners had this as their least preferred option.

Current maintenance methods to meet overflow parking requirements at Bent Street Boat Ramp are proving increasingly costly and ineffective. The area is unsightly during peak season and then remains unusable to the community during the rehabilitation phase. Residents and boat owners alike would prefer that the treatment of this area is changed to reflect the realities of its usage, and their combined preference is for Option 1A, being an asphalt driveway and grassed parking area.

### Voting Requirements

Simple Majority

### Officer Recommendation

That Council **SUPPORTS** Option 1A - asphalt driveway and grass parking areas, without a rain garden as an amendment to the current Safety Bay Foreshore, Bent Street Boat Ramp overflow parking area.

### Committee Recommendation

That Council **SUPPORTS** Option 1A - asphalt driveway and grass parking areas, without a rain garden as an amendment to the current Safety Bay Foreshore, Bent Street Boat Ramp overflow parking area.

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 **SUPPORTS** Option 1A - asphalt driveway and grass parking areas, without a rain garden as an amendment to the current Safety Bay Foreshore, Bent Street Boat Ramp overflow parking area.

**Carried en bloc**

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

Not Applicable



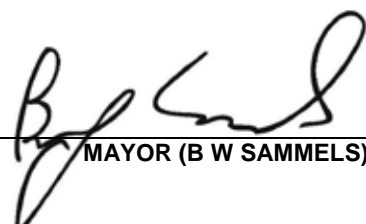
6:47pm Having earlier declared a financial interest, Cr Hayley Edwards departed the Chambers.

Engineering and Parks Services Infrastructure Project Delivery	
Reference No & Subject:	EP-005/21 Tender T20/21-44 - Construction of Buildings and Landscaping at Baldivis District Sporting Complex
File No:	T20/21-44
Proponent/s:	
Author:	Mrs Danielle Quinlivan, A/Manager Infrastructure Project Delivery
Other Contributors:	Mr Gary Rogers, Manager Community Infrastructure Planning Mr Rob Pollock, Major Infrastructure Project Officer Mr Tony Bailey, Manager Asset Services Ms Aquilla Williams, Infrastructure Operations Officer
Date of Committee Meeting:	15 March 2021
Previously before Council:	
Disclosure of Interest:	Cr Hayley Edwards declared a Financial Interest in Item EP-005/21 Tender T20/21-44 - Construction of Buildings and Landscaping at Baldivis District Sporting Complex, as per Sections 5.60A and 5.65 of the Local Government Act 1995, as her partner is a Director of Shelford Constructions Pty Ltd.
Nature of Council's Role in this Matter:	Executive
Site:	Lot 531 Eighty Road, Baldivis
Lot Area:	194,091m <sup>2</sup>
LA Zoning:	
MRS Zoning:	
Attachments:	
Maps/Diagrams:	

### Purpose of Report

To provide Council with details of the Tenders received for Tender T20/21-44 - Construction of Buildings and Landscaping at the Baldivis District Sporting Complex, document the results of the Tender assessment and make recommendations regarding award of the Tender.

Confirmed at a Council meeting held  
on Tuesday 27 April 2021

  
MAYOR (B W SAMMELS)

## Background

Tender T20/21-44 - Construction of Buildings and Landscaping at the Baldivis District Sporting Complex was advertised in the West Australian on Saturday, 21 November 2020. The Tenders closed at 2.00pm, Wednesday, 23 December 2020 and was publicly opened immediately after the closing time.

## Details

With the completion of the Baldivis District Sporting Complex civil works, this new contract includes the following works:

- Stage 1 Landscaping;
- Construction of the Maintenance Shed, District Pavilion, Change Rooms, Northern Carpark and Stage 2 Landscaping; and
- Construction of the Indoor Recreation Centre;

Within these works include provision of furniture, kitchen equipment (for the Café and District Pavilion), signage, ICT equipment and Water Corporation headwork.

The total period of the contract shall be 60 weeks from the date of site possession with a 12 month defect liability period following practical completion.

All evaluations were undertaken under delegated authority of Director Engineering and Parks Services by a Tender Assessment Panel comprising of:

- Manager Community Infrastructure Planning;
- Manager Infrastructure Project Delivery;
- Major Infrastructure Project Officer; and
- Acting Manager Asset Services

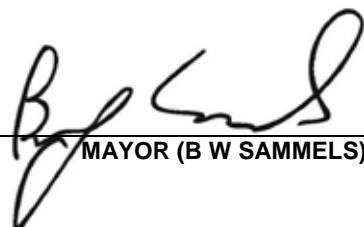
Three submissions included the option of an alternate submission. The alternative submissions included some indicative prices and were based on material substitutions. If appropriate, material substitutions can be considered in conjunction with the successful tenderer, so the alternative submissions were not assessed and have been excluded from the evaluation table below.

In accordance with the advertised Tender assessment criteria, the evaluation of the Tender produced the following weighted scores:

Assessment Criteria	Level of Service	Understand Tender Requirements	Tendered Price/s	Total Weighted Scores	Local Content*	Total Score
Max. Points	30 Pts	40 Pts	30 Pts	100 Pts	Max 5 Pts	
<b>Crothers Pty Ltd</b>	<b>25.95</b>	<b>29.75</b>	<b>28.8</b>	<b>84.5</b>	<b>3.5</b>	<b>88.00</b>
Pindan Contracting Pty Ltd	25.5	31.75	27.21	84.46	3	87.46
Cooper Oxley Group Pty Ltd	24.4	30.3	26.7	81.3	NA	81.3
ADCO Constructions Pty Ltd	23.4	30.5	27.3	81.2	NA	81.2
PACT Construction Pty Ltd	24.2	27.5	28.5	80.2	NA	80.2
Shelford Constructions Pty Ltd	23.8	27.3	27.1	78.1	NA	78.1
EMCO Building	22.3	24.4	26.50	73.2	NA	73.2
BE Projects (WA) Pty Ltd	20	22.6	29.2	71.8	NA	71.8
Candor Contractors Pty Ltd	14.8	21.0	25.7	61.4	NA	61.4
Plus Buildings WA Pty Ltd	10.9	17.4	28.5	56.7	NA	56.7

\*In accordance with the Request for Tender and the City's Policy Framework, due to the close scores between the top two scoring Tenderers, the assessment panel assessed the Local Content initiatives for these two companies. The Tender document package included a series of questions that each submission answered which was the basis of what the additional five points.

Confirmed at a Council meeting held  
on Tuesday 27 April 2021



MAYOR (B W SAMMELS)

## 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 1:** *Actively Pursue Tourism and Economic Development*

**Strategic Objective:** *Attractions and Events - Seek to host iconic community events and attractions that will entice residents and visitors throughout the year.*

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

**Strategic Objective:** *Youth Development and Involvement - Engage and encourage youth to become actively involved in contributing to the wellbeing of our community.*

**Strategic Objective:** *Accessibility - Ensure that the City's infrastructure and services are accessible to seniors and to people with a disability.*

**Strategic Objective:** *Aboriginal Heritage and Inclusion - Strengthen relationships with Aboriginal people which foster mutual respect and support, and cultural awareness.*

**Strategic Objective:** *Community Capacity Building - Empower the community across all ages and abilities to be culturally aware and involved with a diverse range of community initiatives that incorporate volunteering, sport, culture and the arts.*

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

**Aspiration 3:** *Plan for Future Generations*

**Strategic Objective:** *Infrastructure Planning - Plan and develop community, sport and recreation facilities which meet the current and future needs of the City's growing population.*

**Strategic Objective:** *Alternative Energy Applications - Embrace new technology and apply alternative energy solutions to City facilities and services.*

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**

Tenderers Lump sum pricing is detailed below (all prices are ex GST).

Tenderer	Price Total
Crothers Pty Ltd	\$18,180,835.00
Pindan Contracting Pty Ltd	\$19,243,919.00
Cooper Oxley Group Pty Ltd	\$19,647,500.00
ADCO Constructions Pty Ltd	\$19,173,000.00
PACT Construction Pty Ltd	\$18,354,475.00
Shelford Constructions Pty Ltd	\$19,328,118.00

Tenderer	Price Total
EMCO Building	\$19,743,000.00
BE Projects (WA) Pty Ltd	\$17,960,838.82
Candor Contractors Pty Ltd	\$20,395,073.81
Plus Buildings WA Pty Ltd	\$18,388,859.04

A total budget of \$ \$23,242,516 has been allocated for this project in the 2020/2021 budget. The total budget is inclusive of project management fees and contingencies not captured in the Tenderer Price Total.

Grant income secured for this project includes:

- \$1 million from Community Sporting and Recreation Facilities Fund (CSRF);
- \$100,000 from Cricket Australia; and
- \$10 million from WA Recovery Fund.

**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 expertise and ability to satisfy the required Level of Service and Understanding of Requirements. This criteria, along with the Price consideration, was the basis of the assessment matrix. The assessment panel used this information collectively to make an informed assessment of the Tenderer's ability to successfully deliver the contract scope.

Crothers Pty Ltd (Crothers) and Pindan Contracting Pty Ltd (Pindan) in particular, demonstrated excellent levels of competency, capacity and understanding in their submissions. Both companies have extensive construction experience in both size, value and complexity. Crothers is a large WA construction company and headquartered in Geraldton. Pindan is headquartered in Belmont and is owned by Singaporean property development company Oxley.

The key features of Crothers submission that ultimately resulted in it being the recommended Tenderer include:

- Crothers has extensive experience in the use of Project Bank Accounts, since 2017 (Project Bank Accounts are a mechanism designed to ensure subcontractors are paid in a timely manner for the work they do), having completed 19 projects under this method;
- Whilst Crothers has a heavy commitment schedule, its capacity statement indicates it has capacity to complete the contract scope;
- Two site managers and one finishing manager have been allocated for the different stages of work, which will be built concurrently. This is a significant advantage to the City and demonstrates specialised, expertise knowledge for each stage of the works and the completion of the project;



- Crothers is accredited in ISO 9001 (Quality Management Systems) and ISO 4801 (Safety Management Systems) demonstrating consistent results that maximise value to the customer;
- Crothers provided an extensive risk assessment captured site specific risks and how to control and mitigate those risks;
- A particular note was Crothers construction program, which included a very detailed and comprehensive schedule. It demonstrated a high level of understanding with strong resources allocation, and a very good method for project sequencing. Included in the detailed construction management plans were traffic management, environmental management, communication plans, phase management, resource handover, and purchasing lead times;
- Crothers has stated that 20% of its employees are locally based. Thirty nine locally based suppliers and subcontractors were proposed to be used for the works which stretched across a large number of trades and small-medium sized businesses; and
- Reference checks, including those from other Local Governments, where very positive and supported the Panel's assessment of Crothers.

Whilst Pindan submitted an excellent submission, it came second mostly due to the price difference with Pindan's lump sum tender amount being \$1 million more than Crothers.

Following consideration of the submissions in accordance with the Tender assessment criteria, Crothers provided competitive pricing and demonstrated its expertise and capacity to complete the works within the required timeframe, quality standards and within budget. Crothers is therefore recommended as the preferred Tenderer.

### Voting Requirements

Simple Majority

### Officer Recommendation

That Council **ACCEPTS** the Tender submitted from Crothers Pty Ltd for Tender T20/21-44 - Construction of Buildings and Landscaping at the Baldivis District Sporting Complex in accordance with the Tender documentation for the lump sum value of \$18,180,835.00 (ex GST).

### Committee Recommendation

That Council **ACCEPTS** the Tender submitted from Crothers Pty Ltd for Tender T20/21-44 - Construction of Buildings and Landscaping at the Baldivis District Sporting Complex in accordance with the Tender documentation for the lump sum value of \$18,180,835.00 (ex GST).

Committee Voting (Carried) - 4/0

### 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 Jones, seconded Cr Buchan:**

That Council **ACCEPTS** the Tender submitted from Crothers Pty Ltd for Tender T20/21-44 - Construction of Buildings and Landscaping at the Baldivis District Sporting Complex in accordance with the Tender documentation for the lump sum value of \$18,180,835.00 (ex GST).

**Carried – 8/0**

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

Not Applicable

**6:48pm Cr Edwards rejoined the meeting.**

## Corporate and Community Development Committee

### Corporate Services Customer and Corporate Support



<b>Reference No &amp; Subject:</b>	<b>CS-007/21</b> <b>Council Policy – Service Complaints</b>
File No:	CUS/22-02
Proponent/s:	
Author:	Mr Michael Yakas, Manager Customer and Corporate Support
Other Contributors:	
Date of Committee Meeting:	16 March 2021
Previously before Council:	23 March 2010 (CES36/3/10), 18 August 2020 (CS-021/20), 20 October 2020 (CS-025/20), 19 January 2021 (CS-001-21)
Disclosure of Interest:	
Nature of Council's Role in this Matter:	Executive
Site:	
Lot Area:	
Attachments:	
Maps/Diagrams:	

### Purpose of Report

For Council to adopt the revised Council Policy – Service Complaints following the public consultation process.

### Background

The revised Council Policy – Service Complaints was approved for the purposes of public comment at the Council meeting held 19 January 2021.

### Details

The Council Policy - Service Complaints has been developed to demonstrate the City's commitment to quality complaints handling. It acknowledges that service complaints are a source of valuable feedback to assist in ultimately improving services provided to the community and are handled in an open and transparent manner.

Confirmed at a Council meeting held  
on Tuesday 27 April 2021

  
MAYOR (B W SAMMELS)

## Implications to Consider

### a. Consultation with the Community

The draft policy was advertised for a minimum of 14 days in accordance with Council Policy – Policy Framework and closed on 25 February 2021.

Public consultation was carried out as follows:

1. A notice was publicised in the Sound Telegraph on 10 February 2021; and
2. A copy of the draft policy was advertised on the City's website with submissions invited through the Share Your Thoughts page.

At the close of the public consultation period, one submission was received.

#	Name	Address	Issues Raised	Officer Response
1	Mr Jarl Andersen	19 McKenzie Road SHOALWATER WA 6169	I don't really have anything to add or suggest, other than to say, I acknowledge that there is a Service Complaints Policy.	The comment has been noted.

### 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 and compliant environment.*

### d. Policy

The Council Policy – Service Complaints is a revision of the existing Council Policy – Service Complaints Policy.

Council Policy – Policy Framework provides the requirement for Council to advertise the draft policy for a 14 day period or more before consideration for final adoption.

### 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

Complaints are an important way for the management of an organisation to be accountable to the public. It also provides valuable feedback on organisational performance and the conduct of employees. Having an effective complaint handling process is fundamental to the provision of a quality service.

At the Corporate and Community Development meeting held on 12 January 2021 some minor amendments to the policy were discussed. The following amendments have been made to the policy being adopted:

- Service complaints will be coordinated by the Manager Customer and Corporate Support or a person acting in the role;
- An alternate officer will be appointed to coordinate the service complaints process when a complaint is made against the Manager Customer and Corporate Support; and
- Defining the term 'prior involvement'.

## Voting Requirements

Simple Majority

## Officer Recommendation

That Council **ADOPTS** the revised Council Policy – Service Complaints.

## Committee Recommendation

That Council **ADOPTS** the revised Council Policy – Service Complaints.

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 Buchan, seconded Cr Edwards:**

That Council **ADOPTS** the revised Council Policy – Service Complaints.

### **Council Policy – Service Complaints**

#### **Council Policy Objective**

To outline the City's commitment to quality service complaint resolution.

#### **Council Policy Scope**

This policy applies to all service complaints handled by the City of Rockingham.

#### **Council Policy Statement**

Council acknowledges that service complaints are a source of valuable feedback to assist in ultimately improving services provided to the community. All service complaints are handled in an open and transparent manner.

Council is confident that it can resolve the majority of complaints received, however it recognises that the City will not be able to satisfy every customer on every occasion.

### **Eligibility**

- Any directly involved party may lodge a service complaint
- A service complaint arises after all reasonable attempts have been made to resolve an issue on an informal basis.
- Service complaints cannot be made where another avenue of appeal exists e.g. State Administrative Tribunal
- Service Complaints must be lodged not later than 12-months after the date on which the person aggrieved first had notice of the matters alleged in the complaint.

### **Lodgement**

A service complaint must be lodged on an approved service complaint form and completed in full.

### **Process**

1. Service complaints will be coordinated by the Manager Customer and Corporate Support or a person acting in the role. Complaints will be forwarded to the Chief Executive Officer or the Director of the relevant team. Service complaints must be dealt with within 28 working days.
2. If the complainant is not satisfied with the response provided by the Chief Executive Officer or the Director of the relevant team, the issue may be referred to the Customer Service Review Committee, at the request of the complainant. The Customer Service Review Committee meets on an as-needs basis.
3. The complainant will be provided 10 minutes to present their complaint to the Customer Service Review Committee.
4. The Customer Service Review Committee's recommendation will be presented at the next Council meeting or the meeting immediately thereafter.
5. The complainant will receive a written response from the Chief Executive Officer after Council has considered the complaint.

At any stage during the service complaints process, if a complaint is considered minor, irrelevant, vexatious or to have no merit, the Chief Executive Officer may refuse to entertain the complaint. The complainant will be advised they may refer their complaint to the Ombudsman Western Australia.

### **Customer Service Review Committee**

The Customer Service Review Committee will consist of the Chief Executive Officer and three Elected Members.

### **Perception of Bias**

In accordance with the Ombudsman WA principles for an effective complaints handling system complaints are to be dealt with in an equitable, objective and unbiased manner. Any committee member who has had prior involvement with the complaint must declare such involvement and exclude themselves from the Customer Service Review Committee meeting.

When a complaint is made against the General Management Division, the Director Corporate Services will replace the Chief Executive Officer on the Customer Service Review Committee.

When a complaint is made against the Manager Customer and Corporate Support, an alternate officer will coordinate the service complaint process.

Where a complaint is in relation to a staff member, the Chief Executive Officer is responsible for implementing all actions and outcomes.

Executive support will be provided by the Manager Customer and Corporate Support.

### **Definitions**

**Customer** relates to any person having dealings with the City.

**Prior involvement** the fact or condition of previously being involved or participating with the complaint or complainant.

**Service complaint** is an expression of dissatisfaction with a standard of service, a process, a product, or the behaviour of an employee or contractor.

**Legislation**

Nil

**Other Relevant Policies/ Key Documents**

Council Policy – Customer Service

**Responsible Division**

Corporate Services

**Review Date**

March 2024

Carried – 9/0

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

Not Applicable



## Corporate Services Financial Services



<b>Reference No &amp; Subject:</b>	<b>CS-008/21</b>	<b>Budget Review – February 2021</b> <b>(Absolute Majority)</b>
<b>File No:</b>	FLM/17-05	
<b>Proponent/s:</b>		
<b>Author:</b>	Mr Khushwant Kumar, Financial Controller	
<b>Other Contributors:</b>	Mr Allan Moles, Manager Financial Services	
<b>Date of Committee Meeting:</b>	16 March 2021	
<b>Previously before Council:</b>		
<b>Disclosure of Interest:</b>		
<b>Nature of Council's Role in this Matter:</b>	Executive	
<b>Site:</b>		
<b>Lot Area:</b>		
<b>Attachments:</b>	February 2021 Budget Review	
<b>Maps/Diagrams:</b>		

### Purpose of Report

To adopt the February 2021 Budget Review.

### Background

The City undertakes three Budget Reviews during the year to monitor its financial performance against the annual budget, and to review projections to the end of the financial year. Any variations of the annual budget arising from the review process are presented for Council's consideration and authorisation.

The February 2021 Budget Review is a mandatory review and once it has been adopted by Council, must be submitted to the Department of Local Government, Sport and Cultural Industries.

### Details

The February 2021 Budget Review includes details of transactions during the July 2020 to February 2021 period and adjustments required to the annual budget. The document includes the following information:

1. Summary of Budget Position
2. Summary of Major Amendments
3. Summary Statement of Operating and Non-Operating Revenue and Expenditure by Department

Confirmed at a Council meeting held  
on Tuesday 27 April 2021

  
MAYOR (B W SAMMELS)

## Implications to Consider

**a. Consultation with the Community**

Nil

**b. Consultation with Government Agencies**

Nil at this stage. This Budget Review, once adopted by Council, will be submitted to the Department of Local Government, Sport and Cultural Industries pursuant to Regulation 33A(4) of the Local Government (Financial Management) Regulations 1996.

**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 and compliant environment.*

**d. Policy**

Nil

**e. Financial**

The overall effect of the various budget amendments is a surplus of \$140,756.

**f. Legal and Statutory**

Regulation 33A of the Local Government (Financial Management) Regulations 1996 requires local governments to undertake a Budget Review between 1 January and 31 March each financial year. It is to be presented to Council within 30 days of the review being completed. Council is to consider the review submitted and is to determine (by absolute majority) whether to adopt the review, any parts of the review or any recommendations made in the review. Within 30 days after Council has made a determination, a copy of the review and documentation is to be provided to the Department of Local Government, Sport and Cultural Industries.

Section 6.8(1)(b) of the Local Government Act 1995 requires a local government not to incur expenditure from municipal funds until it has been approved by absolute majority in advance by the Council.

**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 amendments over \$250K proposed in the Budget Review are summarised in the February 2021 Budget Review attachment under the Summary of Major Amendments (page 2). Below is an explanation of these amendments.

### Opening Position

The opening position has been adjusted to reflect the actual according to the Audited Annual Financial Statements for last financial year. The opening surplus has been reduced by \$226,872 to reflect the final surplus position.

### **Operating Expenditure**

Operating expenditure has decreased by \$277K and includes the following major amendments:

1. An increase of \$1.2M for landfill levy at Millar Road Landfill due to an increase in the amount of waste being received. This will be offset by increased revenue at the Landfill (refer to Operating Revenue item 3).
2. A decrease of \$412K for arterial lighting with \$115K of this amount reallocated to individual capital lighting upgrade projects.
3. A decrease of \$400K for dredging at Bent Street due to the unavailability of the contractor with these works rescheduled for next financial year.
4. A decrease of \$393K for COVID-19 initiatives as this amount has been reallocated to the individual projects partially funded by new grants including the Mike Barnett netball courts upgrade and Local Roads and Community Infrastructure (Phase 1) projects (refer Non-Operating Expenditure item 4).
5. A decrease of \$300K for fuel and oil expenditure on the City's fleet due to lower fuel prices and reduced demand for fuel.

### **Operating Revenue**

Operating revenue has increased by \$10.7M and includes the following major amendments:

1. An increase of \$7.5M for the Baldivis Indoor Recreation Centre being the balance of the WA Recovery Funding grant for this project. The total grant is \$10.0M and this will reduce the loan funding requirement for this project. It is anticipated that the City will receive \$3.0M in the current financial year with the balance to be carried forward to next financial year along with the unexpended project expenditure (refer to Non-Operating Revenue item 1).
2. An increase of \$4.5M for various projects being the amount of the Local Roads and Community Infrastructure (Phase 2) grant (refer Non-Operating Expenditure items 1-3 and 5-9).
3. An increase of \$1.2M for the Millar Road Landfill tip entry fees being the additional revenue generated from the increased amount of waste received at the Landfill (refer to Operating Expenditure item 1).
4. An increase of \$460K for the Mike Barnett netball courts upgrade project being the WA Recovery grant received for this project (refer to Non-Operating Expenditure item 4).
5. An increase of \$400K for parking fines due to the anticipated increase in fines issued which is consistent with last year's figures.
6. A reduction of \$2.7M for general purpose grant funding being the adjustment for the prepayment of the Federal Assistance Grants and Local Road Grants to reflect the funding received for the current financial year.
7. A reduction of \$500K for the Aqua Jetty Stage 2 WA Recovery grant funding due to the confirmation that the City will only receive \$500K in this financial year with the balance of the \$10M to be received in the following financial years.
8. A reduction of \$494K for State Black Spot grant funding received which is offset by a reduction in projects costs (refer Non-Operating Expenditure item 10).
9. A reduction of \$310K for interest on investments due to the low interest rates.

### **Non-Operating Expenditure**

Non-operating expenditure has increased by \$4.9M and includes the following major amendments:

1. An increase of \$500K for the Secret Harbour street lighting upgrade project that is funded under the Local Roads and Community Infrastructure (Phase 2) grant (refer Operating Revenue item 2).
2. An increase of \$1.1M for the Koorana Reserve Upgrade project being the reallocation of funds from individual asset upgrade projects at Koorana Reserve into a single combined project and an additional \$335K that is funded under the Local Roads and Community Infrastructure (Phase 2) grant (refer Operating Revenue item 2).

3. An increase of \$911K for the Construct Limestone Seawall Mersey Point project which is funded under the Local Roads and Community Infrastructure (Phase 2) grant (refer Operating Revenue item 2).
4. An increase of \$803K for the Mike Barnett netball courts upgrade project funded by the WA Recovery grant and the City's COVID-19 initiatives funding (refer Operating Expenditure item 4 and Operating Revenue item 4).
5. An increase of \$445K for the Dixon Road - EB - Road resurfacing (Day Road to Mandurah Road) project that is funded under the Local Roads and Community Infrastructure (Phase 2) grant (refer Operating Revenue item 2).
6. An increase of \$388K for the Safety Bay Rd - Road resurfacing (Coventry Road to Royal Road) project that is funded under the Local Roads and Community Infrastructure (Phase 2) grant (refer Operating Revenue item 2).
7. An increase of \$381K for the Currie Street - Road resurfacing (Hokin Street to Welch Way) project that is funded under the Local Roads and Community Infrastructure (Phase 2) grant (refer Operating Revenue item 2).
8. An increase of \$315K for the Young Road - Road resurfacing (Serpentine Road to Doghill Road) project that is funded under the Local Roads and Community Infrastructure (Phase 2) grant (refer Operating Revenue item 2).
9. An increase of \$279K for the Baldivis Road - Road resurfacing (Stakehill Road to Karnup Road) project that is funded under the Local Roads and Community Infrastructure (Phase 2) grant (refer Operating Revenue item 2).
10. A reduction of \$1.1M for the Mandurah Road State Black Spot project due to realised economies of scale. These resulted from combining delivery of this project with a separate Road Rehabilitation (MRRG funding) project. As a result, the City was able to make significant savings on traffic management costs and through utilising a profiler which was able to improve productivity for both projects.

#### Non-Operating Revenue

Non-operating revenue has decreased by \$7.5 million and includes the following major amendment:

1. A decrease of \$7.5M for the Baldivis Indoor Recreation Centre being the reduction in loan funding required due to the WA Recovery Funding grant for this project (refer to Operating Revenue item 1).

The other proposed amendments including expenditure offset by additional revenues, internal allocations and other minor changes are detailed in the February 2021 Budget Review document.

#### Voting Requirements

Absolute Majority

#### Officer Recommendation

That Council **ADOPTS** the February 2021 Budget Review.

#### Committee Recommendation

That Council **ADOPTS** the February 2021 Budget Review.

Committee Voting (Carried) – 5/0

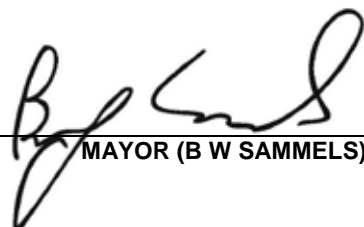
#### The Committee's Reason for Varying the Officer's Recommendation

Not Applicable

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

Not Applicable

Confirmed at a Council meeting held  
on Tuesday 27 April 2021



MAYOR (B W SAMMELS)

### Council Resolution

**Moved Cr Buchan, seconded Cr Hamblin:**

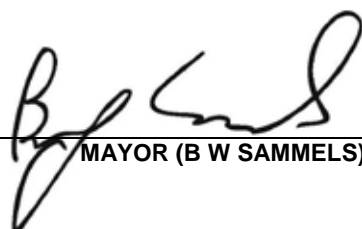
That Council **ADOPTS** the February 2021 Budget Review.

**Carried by Absolute Majority – 9/0**

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

Not Applicable

Confirmed at a Council meeting held  
on Tuesday 27 April 2021



MAYOR (B W SAMMELS)

## General Management Services Governance and Councillor Support



<b>Reference No &amp; Subject:</b>	GM-010/21	Adoption of Proposed City of Rockingham Waste Local Law 2020 (Absolute Majority)
File No:	LWE/67-05	
Proponent/s:		
Author:	Ms Jelette Edwards, Governance Coordinator	
Other Contributors:	Mr Nuno Dionisio, Manager Waste Services Mr Allan Moles, Manager Finance Services Ms Erica King, Manager Health and Building Services Mr Peter Varris, Manager Governance and Councillor Support	
Date of Committee Meeting:	16 March 2021	
Previously before Council:	27 October 2020 (GM-024/20)	
Disclosure of Interest:		
Nature of Council's Role in this Matter:	Legislative	
Site:		
Lot Area:		
Attachments:	1. Proposed Waste Local Law 2020 2. Submissions for Proposed Waste Local Law 2020	
Maps/Diagrams:		

### Purpose of Report

For Council adopt the proposed Waste Local Law 2020.

The purpose and effect of the local law is:

**Purpose:** The objective of this local law is to regulate the storage, collection and disposal of waste and refuse from premises and on waste facilities in the City.

**Effect:** Unless otherwise authorised, the storage, collection and disposal of waste and refuse within the City must be carried out in accordance with the provisions of the local law.

### Background

At the October 2020 Council Meeting council resolved to start the local law process and advertise the proposed local law for a period of six weeks.

Part 4 of the City of Rockingham Health Local Law 1996 and in particular clauses 39 to 44 and 46 to 48 deal with waste and waste collection.

Confirmed at a Council meeting held  
on Tuesday 27 April 2021

  
MAYOR (B W SAMMELS)

Existing Health local laws were made under the Health Act 1911. A new Public Health Act came into effect in 2016 which repealed various provisions of the Health Act. These dealt with the powers of local governments in relation to the collection and removal of rubbish, and had the effect of transferring the powers of a local government to make local laws about waste to the Waste Avoidance and Resource Recovery Act 2007.

- A previous proposed City of Rockingham Waste Local Law 2018 was adopted by Council for public consultation at the May 2018 Council Meeting. Any Waste Local Law must be signed off by the Director General of the Department of Water and Environmental Regulation (DWER). The Waste Local Law 2018 proposed a few different clauses from the Western Australian Local Government Association (WALGA) Template Waste Local Law.
- The City wrote to the Minister for Environment; Disability Services in July 2018 about the Proposed Waste Local Law 2018 advising the local law process had started and that the City was seeking public submissions.
- In August 2018 the Director General of the DWER advised they had been referred the correspondence from the City and would provide comment as soon as practicable.
- The City wrote to DWER in September 2018 seeking a response if possible by 31 October 2018.
- A response was received from DWER in October 2018 advising that they were reviewing the Waste Local Law and would advise once comments have been considered.
- In February 2019 the City received comments from DWER regarding the City's Waste Local Law 2018. The comments included 16 changes that would need to be made before the CEO of DWER would consider consent.
- In 2018 and 2019 extensive internal consultation and legal advice was sought regarding the changes to the local law.
- In March 2020 after internal consultation a Proposed Waste Local Law 2020 was sent to the Director General of DWER for comment.
- A response was received in April 2020 advising that:  
*"The Department of Water and Environmental Regulation does not encourage amendments to the WALGA Template Waste Local Law because the template has received general approval from the Joint Standing Committee on Delegated Legislation."*

### Details

A proposed new City of Rockingham Waste Local Law 2020 is attachment 1. It is based on a WALGA Template Waste Local Law. There is only one difference from the model local law and the proposed local law. The addition of Item 29 in the Schedule 2 – Prescribed offences.

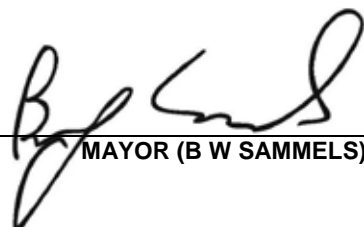
Item No.	Clause No.	Description	Modified Penalty
29	3.3	Depositing household, commercial or other waste into, or removing waste from, a receptacle provided for the use of the general public in a public place without approval	\$100

Clause 3.3 is already in the template local law. The main reason for the addition of a modified penalty is to deter the general public from removing waste from bins in public places without approval. This is especially important with the introduction of the new legislation for the Container Deposit Scheme. As there is a possibility that the new scheme will encourage people to look for recyclable containers that receive a refund in public bins.

Clause 3.2 is already in the template local law and deals with deposit and removal of waste from a receptacle from premises, for example people's bins on verges put out for collection. There is a corresponding penalty for this clause. This clause will hopefully deter people from removing waste from people's bins due to the new Container Deposit Scheme.

It should be noted that there are inherent health and injury risks with people going through public and private bins.

Confirmed at a Council meeting held  
on Tuesday 27 April 2021



MAYOR (B W SAMMELS)



The draft local law is divided into 5 Parts:

1. Definitions.
2. Disposal of refuse – this Part deals with rubbish receptacles, placement on streets for collection, the use of receptacles and what may be placed in them, and other provisions to ensure that waste is able to be removed efficiently.
3. General duties of owners and occupiers in relation to waste.
4. Operation of Waste facilities; and
5. Enforcement provisions – including a Schedule of modified penalties that may be imposed.

In summary, there are few practical differences between how current provisions relating to waste are dealt with. The proposed local law puts them into a more up to date legislative framework that includes the application of an alternative enforcement option (infringements).

On 15 January 2021 after the public submission period, the City received correspondence from DWER advising some issues needed to be received before approval will be given. The City wrote to DWER on 1 February 2020 responding to the issues outlined in the letter dated 15 January 2021. On 19 February 2021 the City of Rockingham received approval from DWER for the City of Rockingham Waste Local Law 2021 with one additional minor change from the propose local law advertised. The change was to move the signature block and common seal provisions to the end of the local law.

### Implications to Consider

#### a. Consultation with the Community

The process to make a local law is set out in section 3.12(3) of the Local Government Act 1995. Amongst other things this requires a local government to give state-wide and local public notice stating that it proposes to make a local law, the purpose and effect of which is summarized in the notice for a period of six weeks after it first appears.

The purpose and effect of the local law is:

**Purpose:** The objective of this local law is to regulate the storage, collection and disposal of waste and refuse from premises and on waste facilities in the City.

**Effect:** Unless otherwise authorised, the storage, collection and disposal of waste and refuse within the City must be carried out in accordance with the provisions of the local law.

The proposed Waste Local Law 2020 was advertised as follows, with submission period being 9 November 2020 to 8 January 2021 (more than six weeks):

- The West Australian newspaper – 9 November 2020
- The Sound Telegraph newspaper – 11 November 2020
- City's website via Share Your Thoughts – From 9 November 2020
- City's administration building noticeboard and front counter – from 9 November 2020
- City's library counters and noticeboards – From 9 November 2020

A summary of the community consultation results and feedback are below and are to be considered by Council before it makes the local law. The full submissions are detailed in attachment 2 to this report. There were 32 public submission received within the submission period and one submission received outside the submission period and is not included in this report. The public comments made did not lead to any changes in the proposed local law.

Summarised comments	Response
Concerns about fines for weight limits for bins.	The weight limit is an existing requirement as the collection vehicles have a lifting capacity of 70kg per bin. If a bin is overweight a notification sticker is placed on the bin. This method will still be used, however in serial offenders a fine may be imposed after all other notifications have been ignored.

Summarised comments	Response
Concerned about the fines in the Waste Local Law 2020.	The fines in the Proposed Waste Local Law 2020 are set by the Department of Water and Environmental Regulation. The action taken on any alleged transgression will be based on time, place and circumstances related to that offence.
Concerns about fining people for going through bins for the purpose of getting items that could be recycled for the Container Deposit Scheme.	Collecting beverage containers from public or other bins is discouraged due to the inherent risks to health and injury with people going through public and private bins. The action taken on any alleged transgression will be based on time, place and circumstances related to that offence.
Disposal of household batteries and other hazardous materials.	The City provides several options for people to dispose of their batteries responsibly, in addition to a number of other options including businesses where batteries can be purchased.
Improving the local capacity to handle recycling and food waste would be ideal.	The City has committed to investigate the implementation of FOGO by 2025, in line with the State's Waste Strategy.

**b. Consultation with Government Agencies**

As part of the process, a copy of proposed local law was sent to the Minister for Local Government to the Minister for Environment, Department of Water and Environmental Regulation and Department of Local Government, Sporting and Cultural Industries.

Name	Comments	Response
Department of Local Government, Sporting and Cultural Industries	<p>The Department's comments on the City of Rockingham Waste Local Law 2020 are provided below.</p> <p>The Department has refrained from checking the draft in detail, as a comprehensive analysis will be performed by DWER. However, some standard comments and the Minister's directions are noted for the City's attention.</p> <p>City of Rockingham Waste Local Law 2020</p> <p><b>1. Consent of the CEO Department of Water and Environment Regulation</b></p> <p>The Department is aware that this local law is made under the Waste Avoidance and Resource Recovery Act 2007. This means that the City will need to obtain the consent of the CEO of the Department of Water and Environment Regulation (DWER). The City should contact DWER to obtain this consent if it has not done so already.</p> <p><b>2. Compliance with WALGA model.</b></p> <p>The Department of Water and Environmental Management has advised that all waste local laws must now comply with the WALGA template model. The City should ensure that the local law follows the WALGA template. If the local law does not follow the template, it is possible that the local law will not receive DWER approval. If the City requires a copy of the template, this can be obtained from DWER or WALGA.</p>	Comments noted.

Name	Comments	Response
Hon. Stephen Dawson MLC, Minister for Environment	The proposed Waste Local Law 2020 has been referred to the Chief Executive Officer of the Department of Water and Environmental Regulation, Mr Mike Rowe, who will consider the matter and provide comment.	Comments noted.

On 15 January 2021 after the public submission period. The City received correspondence from Department of Water and Environmental Regulation (DWER) advising some issues needed to be received before approval will be given. The City wrote to DWER on 1 February 2020 responding to the issues outlined in the letter dated 15 January 2021. On 19 February 2021 the City of Rockingham received approval from DWER for the City of Rockingham Waste Local Law 2021 with one additional minor change from the proposed local law advertised. The change was to move the signature block and common seal provisions to the end of the local law.

**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 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 and compliant environment.*

**d. Policy**

Not Applicable

**e. Financial**

Funds have been allocated in the budget for costs associated with drafting, advertising and eventual Gazettal of the proposed local law. There will be a resourcing impact in administering this new local law, which creates 40 offences that can be dealt with through official caution, modified penalty infringements or lead directly to court proceedings. The advent of the law will also enable the City to leverage community education and awareness of the risk and consequence of poor waste management practices. These impacts will be further considered in the team planning processes to ensure that City employs best practice administration of this legislation.

**f. Legal and Statutory**

Section 61 of the Waste Avoidance and Resource Recovery Act 2007 specifies that waste local laws are to be made in accordance with the process set out by sections 3.11 to 3.17 of the Local Government Act 1995 (the Act).

Section 3.12 of the Act provides the procedure for making local laws that needs to be followed to for the local law to be valid.

Section 3.12(2) to (4) of the Act provides the initial procedure for making local laws.

- (2) At a council meeting the person presiding is to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner.
- (3) The local government is to —
  - (a) give Statewide public notice stating that —
    - (i) the local government proposes to make a local law the purpose and effect of which is summarized in the notice; and
    - (ii) a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and

- (iii) submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given;

and

- (b) as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister; and
- (c) provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.
- (3a) A notice under subsection (3) is also to be published and exhibited as if it were a local public notice.
- (4) After the last day for submissions, the local government is to consider any submissions made and may make the local law\* as proposed or make a local law\* that is not significantly different from what was proposed.

\* *Absolute majority required.*

**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 proposed local law will further support the administration of safe and effective waste management in the City of Rockingham.

There are two minor changes from the template that have been approved by DWER:

- additional modified penalty for clause 3.3; and
- moving the signature block and common seal provisions to the end of the local law.

Clause 3.3 is already in the WALGA Template Waste Local Law. The only change is attaching a modified penalty to this clause. The main reason for the addition of a modified penalty is to deter the general public from going through public bins. The City anticipates this behaviour might occur because of the introduction of the Container Deposit Scheme. The City has already received complaints regarding people going through bins for containers.

The only change from the advertised proposed local law was moving the signature block and common seal provisions to the end of the local law.

### Voting Requirements

Absolute Majority

### Officer Recommendation

That Council:

1. In accordance with section 3.12(4) of the Local Government Act 1995, **ADOPTS** the City of Rockingham Waste Local Law 2020.
2. In accordance with section 3.12(5) of the Local Government Act 1995, **DIRECTS** the Chief Executive Officer to cause the local law to be published in the Government Gazette and a copy sent to the Minister for Local Government, the Minister for Environment and Director General of the Department of Water and Environmental Regulation.

3. After Gazettal, in accordance with section 3.12(6) of the Local Government Act 1995, **DIRECTS** the Chief Executive Officer to give local public notice:
  - a. Stating the title of the local law;
  - b. Summarising the purpose and effect of the local law (specifying the day on which it comes into operation); and
  - c. Advising that copies of the local law may be inspected or obtained from the City office.
4. Following Gazettal, in accordance with the Local Laws Explanatory Memoranda Directions as issued by the Minister on 12 November 2010, **DIRECTS** that a copy of the local law and duly completed explanatory memorandum signed by the Mayor and Chief Executive Officer be sent to the Western Australian Parliamentary Joint Standing Committee on Delegated Legislation.

### Committee Recommendation

That Council:

1. In accordance with section 3.12(4) of the Local Government Act 1995, **ADOPTS** the City of Rockingham Waste Local Law 2020.
2. In accordance with section 3.12(5) of the Local Government Act 1995, **DIRECTS** the Chief Executive Officer to cause the local law to be published in the Government Gazette and a copy sent to the Minister for Local Government, the Minister for Environment and Director General of the Department of Water and Environmental Regulation.
3. After Gazettal, in accordance with section 3.12(6) of the Local Government Act 1995, **DIRECTS** the Chief Executive Officer to give local public notice:
  - a. Stating the title of the local law;
  - b. Summarising the purpose and effect of the local law (specifying the day on which it comes into operation); and
  - c. Advising that copies of the local law may be inspected or obtained from the City office.
4. Following Gazettal, in accordance with the Local Laws Explanatory Memoranda Directions as issued by the Minister on 12 November 2010, **DIRECTS** that a copy of the local law and duly completed explanatory memorandum signed by the Mayor and Chief Executive Officer be sent to the Western Australian Parliamentary Joint Standing Committee on Delegated Legislation.

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

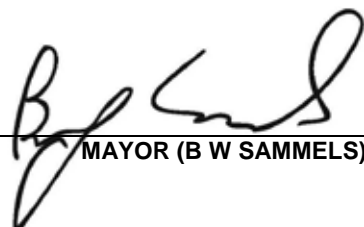
### Council Resolution

**Moved Cr Buchanan, seconded Cr Jones:**

That Council:

1. In accordance with section 3.12(4) of the Local Government Act 1995, **ADOPTS** the City of Rockingham Waste Local Law 2020.
2. In accordance with section 3.12(5) of the Local Government Act 1995, **DIRECTS** the Chief Executive Officer to cause the local law to be published in the Government Gazette and a copy sent to the Minister for Local Government, the Minister for Environment and Director General of the Department of Water and Environmental Regulation.

Confirmed at a Council meeting held  
on Tuesday 27 April 2021



MAYOR (B W SAMMELS)

3. After Gazettal, in accordance with section 3.12(6) of the Local Government Act 1995, **DIRECTS** the Chief Executive Officer to give local public notice:
  - a. Stating the title of the local law;
  - b. Summarising the purpose and effect of the local law (specifying the day on which it comes into operation); and
  - c. Advising that copies of the local law may be inspected or obtained from the City office.
4. Following Gazettal, in accordance with the Local Laws Explanatory Memoranda Directions as issued by the Minister on 12 November 2010, **DIRECTS** that a copy of the local law and duly completed explanatory memorandum signed by the Mayor and Chief Executive Officer be sent to the Western Australian Parliamentary Joint Standing Committee on Delegated Legislation.

**Carried by Absolute Majority – 9/0**

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

Not Applicable

## General Management Services Governance and Councillor Support



<b>Reference No &amp; Subject:</b>	<b>GM-011/21</b>	<b>Council Policy – Functions Hosted by Council</b>
File No:	CPM/3	
Proponent/s:		
Author:	Mr Peter Varris, Manager Governance and Councillor Support	
Other Contributors:		
Date of Committee Meeting:	16 March 2021	
Previously before Council:	17 December 2019 (GM-032/19), 27 January 2021 (GM-004/21)	
Disclosure of Interest:		
Nature of Council's Role in this Matter:	Executive	
Site:		
Lot Area:		
Attachments:		
Maps/Diagrams:		

### Purpose of Report

For Council to adopt the revised Council Policy – Functions Hosted by Council following the public consultation process.

### Background

At its December 2019 meeting Council resolved that the CEO review the policies surrounding the provision of free alcohol at City functions and prepare a report for Council.

Research on the provisions of alcohol at functions had previously been provided to Council, and in preparing the review of Council's policies research was undertaken into other metropolitan local governments. All hosted a similar range of functions as the City of Rockingham with none prohibiting the provision of alcohol. Research showed that the modest provision of alcohol at functions hosted by local governments is common place and is seen as appropriate for civic purposes.

The Functions Hosted by Council policy was subsequently reviewed and was approved at the January 2021 Council meeting for the purposes of public comment.

Confirmed at a Council meeting held  
on Tuesday 27 April 2021

  
MAYOR (B W SAMMELS)



## Details

The current Functions Hosted by Council policy has a level of procedure that is more appropriate to be dealt with at an Executive Policy or procedure level. The reviewed policy better defines the broad type of functions that are in practice hosted by Council, notes the approval process for functions and identifies the appropriate provision of alcohol at functions.

The Australia Day Function and Award was incorporated in the review of the overarching policy and as a consequence the specific 'Australia Day' policy can be rescinded.

The Functions Hosted by Council policy was subject to public consultation in conjunction with the Use of the Councillors' Lounge policy. The author has endeavoured to apply comments received to the relevant policy. As a consequence the City noted five submissions received which are listed later in this report.

## Implications to Consider

### a. Consultation with the Community

The draft policy was advertised for a minimum of 14 days in accordance with Council Policy – Policy Framework and closed on 3 March 2021.

Public consultation was carried out as follows:

1. A notice was publicised in the Sound Telegraph on 17 February 2021; and
2. A copy of the draft policy was advertised on the City's website with submissions invited through the Share Your Thoughts page.

At the close of the public consultation period, five submissions were received.

No.	Name	Comment	Response
1	Mr Rachael R van Doren	Alcohol and meals I don't believe should be funded by ratepayers under any circumstances. As a resident, I don't pay my rates to ensure councillors and guests are kept fed and watered. The money should be spent on other things within the community. The policy also states that is to the mayor's discretion, leaving something to a personal choice should not be part of a policy.	Comments noted. The responsible provision of modest alcohol at Council hosted functions is considered appropriate and in the interest of the City. The Mayor's discretion is in conjunction with the CEO and is subject to – <ul style="list-style-type: none"><li>- Availability of budget and resourcing</li><li>- Venue availability</li></ul>
2	Mrs D D Devlin	Definitely no alcohol, it is not necessary and not a cost our rates should be used to pay for.	Comments noted. The responsible provision of modest alcohol at Council hosted functions is considered appropriate and in the interest of the City.
3	Ms S E Moreton	Alcohol should not be included in the council before /during or after the meetings, why should rate payers pay for this when there is so many other/better things ratepayers money should be used for.	Comments noted. The responsible provision of modest alcohol at Council hosted functions is considered appropriate and in the interest of the City.

No.	Name	Comment	Response
4	Ms Ella Solin	Yes of course it is important to be able to entertain guests and clients with a glass or two of alcoholic beverage especially in the evening. I fully support the idea	Comments noted. The responsible provision of modest alcohol at Council hosted functions is considered appropriate and in the interest of the City.
5	Ms Teresa Ong	Alcohol should not be served as per policy in the after dinner rooms for Councillors post meetings as happens now against the alcohol policy. Its just a change of room.	Comments noted. The responsible provision of modest alcohol at Council hosted functions is considered appropriate and in the interest of the City.

**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 and compliant environment.*

**d. Policy**

Council Policy – Policy Framework provides the requirement for Council to advertise the draft policy for a 14 day period or more before consideration for final adoption. This consultation has been undertaken.

**e. Financial**

Nil

**f. Legal and Statutory**

Section 2.7(2)(b) of the Local Government Act 1995 states that the role of Council is to determine the local government's policies.

**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**

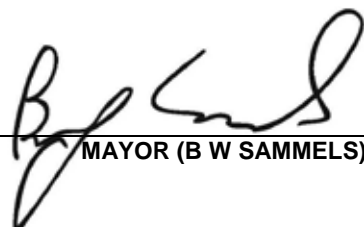
The hosting of functions, ceremonies, receptions and hospitality remains an important activity for local government in fulfilling its strategic and civic objectives and obligations.

The reviewed policy will provide greater clarity in respect to the types of functions hosted by Council, the purpose and intent of those functions and the manner in which they are delivered.

**Voting Requirements**

Simple Majority

Confirmed at a Council meeting held  
on Tuesday 27 April 2021



MAYOR (B W SAMMELS)

### Officer Recommendation

That Council:

1. **RESCINDS** the Council Policy – Australia Day Functions and Awards; and
2. **ADOPTS** the revised Council Policy – Functions Hosted by Council.

### Committee Recommendation

That Council:

1. **RESCINDS** the Council Policy – Australia Day Functions and Awards; and
2. **ADOPTS** the revised Council Policy – Functions Hosted by Council.

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:

1. **RESCINDS** the Council Policy – Australia Day Functions and Awards; and
2. **ADOPTS** the revised Council Policy – Functions Hosted by Council, as follows.

#### **Council Policy - Functions Hosted by Council**

##### **Council Policy Objective**

To provide guidance for the approval of civic functions, ceremonies, receptions and/or the provision of hospitality.

##### **Council Policy Scope**

This policy applies to Council Members, invited guests, and City employees and contractors involved in the delivery of functions, ceremonies and receptions.

##### **Council Policy Statement**

##### **Civic Functions, Ceremonies and Receptions**

To fulfil its strategic and civic objectives and obligations the City of Rockingham may host civic functions, ceremonies, receptions and hospitality from time to time as the need arises. These functions include, but are not limited to the following -

##### **Australia Day Awards Presentation and Citizenship Ceremony**

As a member of the Australia Day Council, the City of Rockingham promotes the Australia Day Awards to recognise meritorious contributions to the Rockingham community in specified categories including –

- Community Citizen of the Year
- Senior Community Citizen of the Year
- Young Community Citizen of the Year
- Active Citizenship (Group or Event)

The award presentation is held in the morning of Australia Day in conjunction with a citizenship ceremony and is followed by light refreshment in the form of a breakfast or morning tea.

A selection panel (which includes those holding the title 'Freeman of the City') is appointed by Council to assess award nominations and recommend to Council the category award recipients. Assessment is to include, but not limited to, the criteria set out by the Australia Day Council.

#### Citizenship Ceremonies

The City of Rockingham hosts the final ceremony to confer Australian citizenship to new Australians. These ceremonies comprise the formal conferral process as set out by the Federal Government, as well as modest refreshment at the conclusion of the formalities to celebrate the achievement.

#### Volunteer Appreciation Functions

The City of Rockingham recognises the valuable contribution performed by volunteers in the community. Receptions may be held each year to recognise the contributions of the following –

- Advisory Committee community representatives
- Uniformed and emergency service groups
- Community welfare, seniors and youth groups
- Service clubs
- Sporting and recreation groups
- Arts and theatre groups
- Other individuals, groups and organisations making a positive contribution to the community

#### Annual Civic Reception

Once a year the City of Rockingham may host a reception to recognise those stakeholders that have made a significant contribution to the City in the preceding year and to engage those stakeholders that may contribute to the City's strategic objectives.

Stakeholders include Members of Parliament, representatives of State and Federal Government departments, representatives of private industry and not-for-profits, representatives from neighbouring local governments and regional groups.

The function is also used to recognise the contribution of retiring Council members.

Councillors are permitted to invite two members (or one couple) from the community who in their opinion have made a significant contribution to the local community, and who have not otherwise been recognised in a reception in the past twelve months.

#### Pioneers Recognition

A City of Rockingham pioneer is a resident who has resided in the City of Rockingham for 50 consecutive years or more and is 65 years of age or older.

The City may recognise the contribution of its pioneers by hosting a luncheon each year.

#### Naval Receptions

The location of HMAS Stirling naval base in the City of Rockingham fosters an important relationship between the City and the Australian Navy. Receptions for visiting naval vessels and service personnel will be hosted at the discretion of the Mayor, and will generally occur when the visit is of special significance.

A 'Freedom of Entry' ceremony will only occur on rare occasions for serving Australian defence forces, supported by resolution of Council.

#### Visiting Dignitary Receptions

The City of Rockingham may host receptions for visiting delegations and dignitaries. These may include –

- Visits by State and Federal Ministers and Cabinet
- Visits by heads of State and Federal Departments
- Official delegations from recognised global friendship relationship
- Dignitaries that may contribute to the City's strategic objectives

#### Opening of new/upgraded facilities and services

The City of Rockingham may conduct a ceremony to formally open a new or upgraded facility or to introduce a new service.

Often conditions of third party funding will require that formal recognition be made of the third party's contribution through such a ceremony.

#### Other Award Functions

The City of Rockingham may from time to time host awards for achievement in the community such as the Sport Star Awards, art awards, etc.

#### Council Dinners and Reciprocal Obligations

The City of Rockingham may provide a meal and refreshment for Council members and City officers who have been in attendance at a Council meeting or other after hours meeting, such as Councillor Engagement Sessions or councillor professional development.

The Mayor has the discretion to invite an attending guest or dignitary to the meal.

Through its membership of various organisations the City of Rockingham has reciprocal obligations in the provision of meals and refreshments after meetings hosted by the City.

#### Community Events

The City of Rockingham may host a variety of community events that align with the City's strategic and community objectives. These events are coordinated by the responsible City Department often through contracted service delivery.

#### Approval Process

Unless otherwise approved by Council resolution, the Mayor in conjunction with the Chief Executive Officer shall have discretion to determine whether a civic function or reception is to be held.

The date, time, venue and invitation list is to be determined by the Mayor in conjunction with the Chief Executive Officer.

Observance of the Council Policy relating to 'Acknowledgement of Country' is required for all civic functions, ceremonies and receptions.

All functions, ceremonies and receptions shall be conducted with consideration to –

- Availability of budget and resourcing
- Venue availability

The Chief Executive Officer may establish Executive Policy to guide City employees and contractors in relation to the coordination of civic functions, ceremonies and receptions.

#### Provision of Alcohol

There are occasions where the consumption of alcoholic beverages provided by the City of Rockingham is appropriate, representative of the values and strategic objectives of the City and in the public interest. These occasions include –

- Civic Functions as detailed in this policy and served by a person trained in the responsible service of alcohol;
- fellowship after a Council or Committee Meeting;
- fellowship after a non-Council meeting hosted by the City;
- fellowship with visiting dignitaries hosted by the City.

All service of alcohol is to be undertaken in a manner to ensure no person is adversely affected by the consumption of alcohol.

#### **Definitions**

Honorary Freeman of the City – An honour bestowed upon a valued individual of the community, without any other rights or privilege other than the right to use the title.

Freedom of Entry – A military group bestowed with the honour of Freedom of the Municipality of the City of Rockingham and granted Freedom of Entry. Dating back to medieval times, Freedom of Entry is the highest accolade bestowed on any military group and signifies good relations between the City and the military.

**Legislation**

Australian Citizenship Act 2007 (cth)  
Liquor Control Act 1988

**Other Relevant Policies/ Key Documents**

Council Policy – Acknowledgement of Country  
Council Policy – Use of Councillors' Lounge  
Council Policy – Global Friendship Policy  
Council Policy – Honorary Freeman of the City of Rockingham  
Executive Policy – Civic Services – Functions, Events and Catering  
Liquor Control Act 1988 – A Guide for Local Governments  
Australian Citizenship Ceremonies Code

**Responsible Division**

General Management Services

**Review Date**

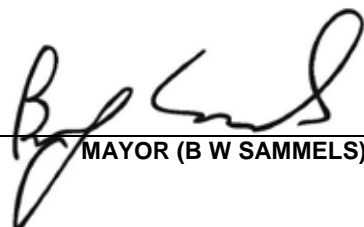
Xxxxx

**Carried – 9/0**

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

Not Applicable

Confirmed at a Council meeting held  
on Tuesday 27 April 2021



MAYOR (B W SAMMELS)

## General Management Services Governance and Councillor Support



<b>Reference No &amp; Subject:</b>	<b>GM-012/21</b>	<b>Council Policy – Use of the Councillors' Lounge</b>
<b>File No:</b>	CPM/3	
<b>Proponent/s:</b>		
<b>Author:</b>	Mr Peter Varris, Manager Governance and Councillor Support	
<b>Other Contributors:</b>		
<b>Date of Committee Meeting:</b>	16 March 2021	
<b>Previously before Council:</b>	17 December 2019 (GM-032/19), 27 January 2021 (GM-004/21)	
<b>Disclosure of Interest:</b>		
<b>Nature of Council's Role in this Matter:</b>	Executive	
<b>Site:</b>		
<b>Lot Area:</b>		
<b>Attachments:</b>	Table of Submissions – Use of Councillors' Lounge	
<b>Maps/Diagrams:</b>		

### Purpose of Report

For Council to adopt the revised Council Policy – Use of the Councillors' Lounge following the public consultation process.

### Background

At its December 2019 meeting Council resolved to remove all alcoholic beverages from the Councillors' lounge and directed the CEO to review the policies surrounding the provision of free alcohol and report back to Council. The Policy relating to the use of the Councillors Lounge was captured in this review.

The review included research into the practices of other local governments in the metropolitan area, the great majority of which have facilities allocated for council member use, and includes to a varying degree, the provision of alcohol for civic purposes.

It was noted that the cost of all beverages consumed in the Councillors' lounge (both alcoholic and non-alcoholic) was \$2,100 in 2018 and \$1,600 (January to October) in 2019.

A draft policy was prepared and was approved at the January 2021 Council meeting for the purpose of public comment.

Confirmed at a Council meeting held  
on Tuesday 27 April 2021

  
MAYOR (B W SAMMELS)



## Details

The current policy relating to the use of the Councillors' lounge had a number of shortcomings which needed to be addressed with particular focus on permitted use, access rights, conditions of access and complaint management.

While the initial review of the policy suggested the return of a limited range and quantity of alcoholic beverages to the Councillors' lounge, this was not supported by the Governance Review Committee and was subsequently deleted from the draft. The draft policy provides for "light refreshments". Light refreshments excludes the service or provision of alcoholic beverages.

The policy has been subject to public consultation in conjunction with the Functions Hosted by Council policy. The author has endeavoured to apply comments received to the relevant policy. As a consequence nine submissions were received and are noted further in this report.

## Implications to Consider

### a. Consultation with the Community

The draft policy was advertised for a minimum of 14 days in accordance with Council Policy – Policy Framework and closed on 3 March 2021.

Public consultation was carried out as follows:

1. A notice was publicised in the Sound Telegraph on 17 February 2021; and
2. A copy of the draft policy was advertised on the City's website with submissions invited through the Share Your Thoughts page.

At the close of the public consultation period, nine submissions were received. Below is a summary of submissions. A table of the submissions in full is attached.

No.	Name	Comment	Response
1	Ms Rachel Fiorini	Objects to the availability of alcohol to councillors 24/7.	Comments noted. Alcohol is not available to Councillors "24/7".
2	Mrs Jo E Herbert	Objects to provision of alcohol with reference to alcohol in workplaces.	Comments noted. Councillors are not employees and the Councillors' lounge is not a 'workplace'.
3	Mr Tony Solin	Advocates for return of alcohol in Councillors' Lounge for hospitality purposes.	Comments noted. Council has previously resolved to remove alcoholic beverages from the Councillors' lounge.
4	Mrs D Kerferd	Advocates for return of alcohol in the Councillors' Lounge for hospitality purposes.	Comments noted. Council has previously resolved to remove alcoholic beverages from the Councillors' lounge.
5	Mrs Jennifer Solin	Advocates for return of alcohol in the Councillors' Lounge for hospitality purposes.	Comments noted. Council has previously resolved to remove alcoholic beverages from the Councillors' lounge.

No.	Name	Comment	Response
6	Mr Ron Pease	Notes experience as former councillor and current committee member. Notes benefit of hosting guest in Councillors' Lounge and offering hospitality including appropriate service of alcohol. Disagrees with the removal of alcohol from Councillors' Lounge and advocates for its return.	Comments noted. Council has previously resolved to remove alcoholic beverages from the Councillors' lounge.
7	Mr Brad Heggs	Objects to the inclusion of alcohol in the Councillors' Lounge.	Comments noted. Council has previously resolved to remove alcoholic beverages from the Councillors' lounge. The draft policy submitted for public comment reflects this position.
8	Mr Kalani Scarrott	Advocates for the inclusion of alcohol in the Councillors' Lounge for hospitality purposes.	Comments noted. Council has previously resolved to remove alcoholic beverages from the Councillors' lounge.
9	Ms Teresa Ong	Objects to the provision of alcohol in the Councillors' Lounge. Advocates for the responsible service of alcohol for any special function.	Comments noted. Council has previously resolved to remove alcoholic beverages from the Councillors' lounge. The draft policy submitted for public comment reflects this position. Responsible service of alcohol has been underpinned in the Functions Hosted by Council policy.

**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 and compliant environment.*

**d. Policy**

Council Policy – Policy Framework provides the requirement for Council to advertise the draft policy for a 14 day period or more before consideration for final adoption. This consultation has been undertaken.

**e. Financial**

Nil

**f. Legal and Statutory**

Section 2.7(2)(b) of the Local Government Act 1995 states that the role of Council is to determine the local government's policies.

**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**

Submissions received on the draft revised Use of Councillors' Lounge policy were almost evenly split between those that wished the return of alcoholic beverages to the Councillors' lounge for civic purposes (five submissions), and those that advocated for the status quo of no alcoholic beverages in the Councillors' lounge (four submissions).

While the author has no strong opinion on the matter of the provision of alcoholic beverages the revised policy in its current form is better able to manage the appropriate and responsible service of alcohol in the Councillors' lounge should this be Council's decision.

**Voting Requirements**

Simple Majority

**Officer Recommendation**

That Council **ADOPTS** the revised Council Policy – Use of the Councillors' Lounge, as follows.

**Council Policy - Use of the Councillors' Lounge**

**Council Policy Objective**

To outline the use and accessibility of the Councillors' Lounge by Councillors and guests.

**Council Policy Scope**

Council members and guests hosted in the Councillors' Lounge.

**Council Policy Statement**

**Permitted Use**

The following usage is permitted for the Councillors' Lounge –

- Council member access directly related to Council business;
- Hosting guests following a Council or Committee meeting;
- Hosting members of an official delegation on City business; and
- Hosting members of a non-Council meeting in which a Council member is a Council appointed delegate.

Use of the Councillors' Lounge for any purpose related to a Council Member's or other person's candidature for election is strictly prohibited. The Councillors' Lounge is not to be accessed on local government election days.

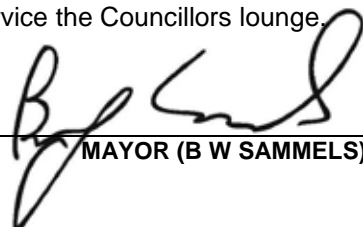
The Councillors' Lounge will be stocked with light refreshments, including snacks.

**Access Rights**

Other than Council members, the following persons are permitted access to the Councillors' Lounge –

- Council member hosted guests;
- City employees providing support to Council members; and
- City employees and contractors required to service the Councillors lounge.

Confirmed at a Council meeting held  
on Tuesday 27 April 2021



MAYOR (B W SAMMELS)

### **Conditions of Access / Etiquette**

The Councillors' Lounge is provided as a working and relaxation area for Council Members. People in attendance are to ensure that courtesy and respect is shown for other users at all times. Persons in attendance must wear an acceptable standard of dress (minimum - smart casual).

In using the Councillors' Lounge a Council Member -

- must introduce their guest/s to others in attendance;
- is responsible for the hosting and conduct of their guest/s;
- must ensure that the supply of refreshments is not abused or removed from the vicinity of the Councillors' Lounge or the adjacent meeting rooms;
- when departing must escort their guest/s from the Councillors' Lounge and, where appropriate, from the Administration Building;
- must remain with their guest/s while they are in attendance, or make arrangements for another Member to host their guest/s in their absence;
- must ensure that the Councillors' Lounge is kept generally clean and tidy; and
- must ensure the Councillors' Lounge is kept secure in accordance with protocols in place.

Should a guest be a family member (or a person in the care) of a Council Member, the guest may remain in attendance for short durations while the Member attends Council business.

### **Complaint Handling**

A complaint of a breach of this policy by a Council Member or a guest is to be referred to the Mayor for investigation and resolution in accordance with procedure contained in the City of Rockingham Code of Conduct.

A complaint of a breach of this policy by the Mayor is to be referred to the Deputy Mayor for investigation and resolution in accordance with procedure contained in the City of Rockingham Code of Conduct.

A complaint of a breach of this policy by a City employee or a contractor is to be referred to the Chief Executive Officer for investigation and resolution.

### **Definitions**

Nil

### **Legislation**

Nil

### **Other Relevant Policies/ Key Documents**

City of Rockingham Code of Conduct

### **Responsible Division**

General Management Services

### **Review Date**

xxxxx

## **Committee Recommendation**

That Council **ADOPTS** the revised Council Policy – Use of the Councillors' Lounge, as follows.

### **Council Policy - Use of the Councillors' Lounge**

#### **Council Policy Objective**

To outline the use and accessibility of the Councillors' Lounge by Councillors and guests.

#### **Council Policy Scope**

Council members and guests hosted in the Councillors' Lounge.

## **Council Policy Statement**

### **Permitted Use**

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- Council member access directly related to Council business;
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- Hosting members of a non-Council meeting in which a Council member is a Council appointed delegate.

Use of the Councillors' Lounge for any purpose related to a Council Member's or other person's candidature for election is strictly prohibited. The Councillors' Lounge is not to be accessed on local government election days.

The Councillors' Lounge will be stocked with light refreshments, including snacks.

**Alcohol to be allowed in the Councillors' Lounge supplied by the Councillors at their own expense.**

### **Access Rights**

Other than Council members, the following persons are permitted access to the Councillors' Lounge –

- Council member hosted guests;
- City employees providing support to Council members; and
- City employees and contractors required to service the Councillors lounge.

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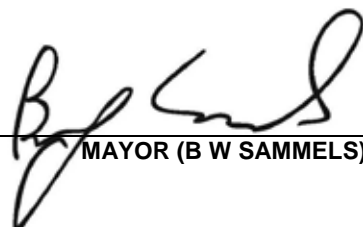
### **Definitions**

Nil

### **Legislation**

Nil

Confirmed at a Council meeting held  
on Tuesday 27 April 2021



MAYOR (B W SAMMELS)

**Other Relevant Policies/ Key Documents**

City of Rockingham Code of Conduct

**Responsible Division**

General Management Services

**Review Date**

XXXXX

Committee Voting (Carried) – 3/2  
(Cr Buchanan and Cr Cottam voted against)

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

To provide the capacity for Councillors to host and provide guests with alcoholic beverages without cost to the City.

**Implications of the Changes to the Officer's Recommendation**

The draft policy presented to Council has the capacity to address the service of alcoholic beverages, whether this is through the City's resources or through the individual resources of Councillors. Requirements for the appropriate service of alcohol is encompassed in the 'Functions Hosted by Council' policy. While storage of alcoholic beverages can be accommodated within the existing Councillors' lounge facility as it has been in the past, the proposal for Councillor supplied alcoholic beverages presents challenges for the City. The responsibility for the security, allocation and accounting of Councillor supplied alcoholic beverages will need to rest with the individual Councillor/s.

**Council Resolution**

**Moved Cr Hamblin, seconded Cr Liley:**

That Council **ADOPTS** the revised Council Policy – Use of the Councillors' Lounge, as follows.

**Council Policy - Use of the Councillors' Lounge**

**Council Policy Objective**

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**Council Policy Statement**

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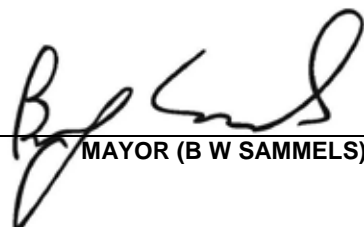
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**Access Rights**

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Confirmed at a Council meeting held  
on Tuesday 27 April 2021



MAYOR (B W SAMMELS)

- Council member hosted guests;
- City employees providing support to Council members; and
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A complaint of a breach of this policy by a City employee or a contractor is to be referred to the Chief Executive Officer for investigation and resolution.

#### **Definitions**

Nil

#### **Legislation**

Nil

#### **Other Relevant Policies/ Key Documents**

City of Rockingham Code of Conduct

#### **Responsible Division**

General Management Services

#### **Review Date**

xxxxx

**Carried – 8/1**

#### **Councillors having voted for the motion:**

Cr Hamblin	Cr Liley
Cr Buchan	Cr Buchanan
Cr Cottam	Cr Davies
Cr Jones	Cr Edwards

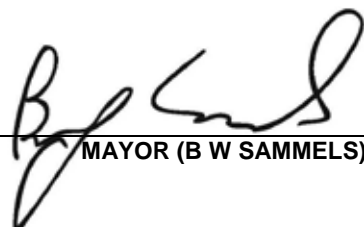
#### **Councillors having voted against the motion:**

Cr Sammels

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

Not Applicable

Confirmed at a Council meeting held  
on Tuesday 27 April 2021

  
MAYOR (B W SAMMELS)



## General Management Services Strategy Marketing and Communications



<b>Reference No &amp; Subject:</b>	<b>GM-013/21</b>	<b>Entry Statement Concept designs for the purpose of public consultation</b>
<b>File No:</b>	ECD/73	
<b>Proponent/s:</b>		
<b>Author:</b>	Ms Nollaig Baker, Manager Strategy, Marketing and Communications	
<b>Other Contributors:</b>	Mr James Henson, Manager Land and Development Infrastructure Mr Michael Parker, Chief Executive Officer	
<b>Date of Committee Meeting:</b>	16 March 2021	
<b>Previously before Council:</b>	December 2018 (GM-049/18)	
<b>Disclosure of Interest:</b>		
<b>Nature of Council's Role in this Matter:</b>	Executive	
<b>Site:</b>	MRS Regional Road Reserve	
<b>Lot Area:</b>		
<b>Attachments:</b>	Concept Designs	
<b>Maps/Diagrams:</b>	Location Images: Patterson Road Median Mandurah Road Median Safety Bay Road Roundabout	

### Purpose of Report

To consider proceeding with the upgrade to the existing entry statements on Safety Bay Road, Mandurah Road and Patterson Road, Rockingham, following public advertising.

### Background

In the City's Strategic Community Plan (2019-2029) one of our community's aspiration is for Rockingham to be recognised and admired as a contemporary and vibrant destination, renowned for its natural beauty and world class coastal and marine environments.

Additionally, in the development of the Tourist Destination Strategy (2019–2024) a lack of identifiable destination and directional signage for visitors was identified as a weakness.

As a result, the City undertook an audit of its current signage at the primary entry roads and at its Ordinary meeting on 11 December 2018, Council resolved to;

***APPROVE*** the development of entry statement signage designs for the Safety Bay Road, Mandurah Road and Patterson Road municipal boundaries, based on the theme of the Kulija Road entry statement.

Confirmed at a Council meeting held  
on Tuesday 27 April 2021

  
MAYOR (B W SAMMELS)

Given that the Kulija Road entry statement is recognised as meeting the City's branding and place-making objectives, the new entry statements for the other three primary entry roads into the city are planned to be variants to the Kulija Road approach.

In support of the site selection, the City also engaged GTA Consultants to carry out a risk assessment on the proposed locations for the entry statements and to assess and if necessary propose suitable barriers and traffic treatments to minimise possible vehicle collisions if believed warranted.

Following this assessment the City engaged with Main Roads WA (MRWA) for advice and in principle support to proceed to the design stage. Following which, they advised that in principle support could not be provided for the identified locations on Patterson Road and Mandurah Road as these roads are regional roads listed as controlled access and as a result a formal application would need to be made outlining the location, footprint and design parameters prior to any approval being granted. As the third location at the Safety Bay Road/Baldivis Road Roundabout is a City controlled road, MRWA approval is not required, however, the City has every intention of consulting with MRWA in the interests of orderly and proper planning.

Equipped with this knowledge, the City proceeded to a Request for Quote process for the development of Concept Designs in July 2020. The successful landscape consultant UDLA has since developed concepts for each location based on the comparable design elements applicable to the Kulija Road entry statement.

These draft concepts were then presented to Council at the January 2021 Engagement Session.

## Details

Entry statements can be located in either the median or the verge, however medians are considered more suitable due to the two way visibility and the separation from verge side pedestrian movement. Traffic treatments to protect the artwork such as wire rope deflection barriers or W- Beams are also less desirable within the verge area.

Consequently, the Working Group agreed on sites within the median of Patterson Road and Mandurah Road; and in the centre of the Safety Bay/Baldivis Road Roundabout.

The reasoning was that the Patterson Road and Mandurah Road sites had no interferences from overhead power lines or street lights and the Safety Bay Road/Baldivis Road roundabout allows for 360 degree views of the entry statement.

To support this decision, GTA Consultants were engaged to carry out a risk assessment on the proposed locations and to develop site envelope concept designs for the installation for the proposed locations.

This included any treatments required to reduce the risk such as barriers and whether the material used to construct the statement is required to be frangible or non-frangible. It was assumed at the time that both Patterson Road and Mandurah Road would likely require wire rope barriers as hazard mitigation.

The appointed Landscape Architect's (UDLA) scope was always to develop three initial draft concept designs based on the Kulija Road entry statement design from which a preferred option would be selected following a period of public comment.

The first draft concepts named *Beacon*, *Totems* and *Kulija* formed part of the presentation at the January 2021 Council Engagement Session. The City's brand element of the iconic little penguin is a prominent feature on all three concepts and the use of both the English and Nyoongar language for the words – welcome and farewell are also a feature.

Following feedback from this session UDLA developed the final draft concepts as outlined in Appendix 1 for the purpose of seeking public comment.

Option 1: Beacon  
Option 2: Totem  
Option 3: Kulija

Following a proposed five week public consultation period, the outcomes will be presented to Council to approve the final concept. In the meantime the City will continue to engage with MRWA to facilitate approval.

To proceed to construction and installation subject to MRWA approval and completion of detailed design the City proposes that this project be scheduled in the following stages:

Patterson Road: 2021/2022

Mandurah Road: 2022/2023

Safety Bay Road/Baldivis Road Roundabout: 2023/2024

While all locations provide an equally relevant impact in promoting the City of Rockingham, the installation focus was based on the prominence and exposure to vehicular traffic entering the City on any one day.

The traffic volumes at each location are comparable, however, the south bound traffic on Paterson Road is marginally higher and therefore considered to be the main priority.

Location	Traffic Volumes
<b>Patterson Road ( South of Office Road)</b>	<b>17,223</b> Vehicle per day (southbound, 2020 MRWA traffic data)
<b>Patterson Road ( South of Charles Street)</b>	<b>15,217</b> vehicles per day (southbound, July 2018 City's traffic data)
<b>Mandurah Road (South of Singleton Beach Road)</b>	<b>14,839</b> vehicles per day (northbound, 2020 MRWA traffic data)
<b>Safety Bay Road (West of Kwinana Freeway)</b>	<b>14,217</b> vehicles per day (westbound, 2020 MRWA traffic data)

### Implications to Consider

**a. Consultation with the Community**

The Entry Statement concepts for all three (3) locations will be advertised for public comment by way of a publication in a local newspaper for a period of 35 days. A vote button will also be created on the City's website under 'Share your thoughts' to determine support for the respective options.

**b. Consultation with Government Agencies**

The City will continue to liaise with Main Roads WA and the Department of Planning, Lands and Heritage, in relation to the Entry Statement project. Additional consultation will also occur with the below-mentioned Government Agencies, following consent from Council to advertise the proposal

- (i) ATCO;
- (ii) Water Corporation; and
- (iii) Western Power

**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 1:** *Actively Pursue Tourism and Economics Development*

**Strategic Objective:** *Marketing and Promotion – Develop and implement effective marketing approaches to promote the City as a destination of choice for the local community, visitors, investors and businesses.*

**d. Policy**

Nil

**e. Financial**

The approved budget for the design development component of the project is \$70,000

Following the Council engagement session an amended budget for construction and installation is \$150,000 per site is proposed to limit expenditure to within what is considered to be achievable.

Subject to public consultation and Council approval the budget would be allocated in the subsequent revisions of the Business Plan.

Year	Location	Budget
2021/22	Patterson Road	\$150,000
2022/23	Mandurah Road	\$150,000
2023/24	Safety Bay Roundabout	\$150,000

To obtain the necessary approval from Main Roads WA, prior to moving to detailed design, and given the complexities attached to installing the Patterson Road and Mandurah Road signage on a controlled access highway, it will be necessary to request a variation to the original scope in the amount of approximately \$4000. This will include liaison with the traffic consultant to address all the relevant Main Roads regulation.

This will fund the consultant putting together an acceptable design package in order for MRWA to undertake a comprehensive assessment.

**f. Legal and Statutory**

Section 6(1) of the *Planning and Development Act 2005* states that local governments are entitled to section 6 exemptions from the requirement of a local planning scheme.

The City will however, need to comply with section 6(2) and 6(3) of the *Planning and Development Act 2005*, which requires the local government to:

- Have regard to the purpose and intent of the region planning scheme;
- Have regard to the orderly and proper planning and the preservation of the amenity of that locality; and
- Consult the WAPC to ensure that the public work will comply with subsection (2).

**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**

Entry statements are an important element of branding and place-making for local government. They can have many purposes from the identification of a location or boundary, increasing brand awareness, establishing a sense of community identity and pride, to enticing tourists to visit.

The City of Rockingham has four primary entry roads being Patterson Road, Kulija Road, Safety Bay Road and Mandurah Road. Each entry road has a different entry statement approach from the elevated and distinctive signage and landscaping treatment on Kulija Road to no presence on Safety Bay Road.

The City's current entry statements at Patterson Road and Mandurah Road are disparate, dated and could be enhanced to better reflect the City's brand and image as the first point of entry for visitors and residents. The proposed entry statements will reflect the City's brand identity *where the coast comes to life* and the Community's vision to be recognised and admired as a contemporary and vibrant destination, renowned for its natural beauty and world class coastal and marine environments.

The City is keen to address the disparate approach to entry statements and facilitate an outcome which displays a consistent and recognisable theme. It is therefore recommended that Council support the concept designs and the locations for the purposes of seeking public comment.

### Voting Requirements

Simple Majority

### Officer Recommendation

That Council:

1. **APPROVES** the locations identified in the images below, subject to Main Roads WA approval.
2. **SUPPORTS** the draft entry statement concept designs for the purpose of seeking public comment on the preferred options.

### Committee Recommendation

That Council:

1. **APPROVES** the locations identified in the images below, subject to Main Roads WA approval.
2. **SUPPORTS** the draft entry statement concept designs for the purpose of seeking public comment on the preferred options.



1. Patterson and Alumina Road





2. Mandurah Road



3. Safety Bay Road

Committee Voting (Carried) – 3/2  
(Cr Buchanan and Cr Cottam voted against)

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

Not Applicable

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

Not Applicable

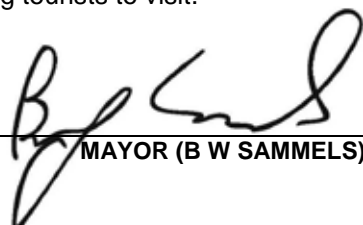
### Alternate Motion

Cr Mark Jones proposed the following Alternate Motion:

That Council:

1. **DEFERS** seeking public comment on the draft entry statement concept designs and locations until other alternate cost-effective options are investigated and presented for consideration.
2. **DIRECTS** the Chief Executive Officer to develop an overall (draft) signage strategy by September 2021 for the City to increase brand awareness, promote community events and services, locality / suburb boundaries and enticing tourists to visit.

Confirmed at a Council meeting held  
on Tuesday 27 April 2021

  
MAYOR (B W SAMMELS)

### Reason for Alternate Motion

The current proposal for 3 entry signs at a cost of \$450,000 seems excessive having regard to their intended purpose and proposed locations. The current uncertain economic climate plus the declining numbers to our local penguin population has also created concerns in our community in relation to this large capital expenditure. The signs will not likely attract additional visitors and are static in nature. The City does have existing entry signs on Mandurah Road (picture attached) and Patterson Road that could be upgraded / rebranded to contain the penguin image and would not require further approval from Main Roads.

The location of signage in the middle of the round-a-bout in Baldivis is concerning as it may be distracting to drivers at a critical moment. Main Roads do not normally permit advertising signage within round-a-bouts or within 50 metres of an intersection.

The City should investigate using variable digital signage on the Freeway and/or at the Freeway Service Centres for attracting visitors. Variable digital signage in key locations throughout the City (like that used at the Aqua Jetty) would be beneficial in advertising community events, services and announcements. Presently, the City and many community groups print banners / signs to display in road verges. Digital signage will require a larger capital outlay, but can be updated quickly without lead times in comparison to printing banners and installing. There is also an opportunity to use the digital signage to advertise local business / services and create income.

There is a need to create greater community identity and pride by installing locality / suburb signage like the City of Cockburn (picture attached). The City of Rockingham has 17 localities / suburbs so the design and location of these signs needs to be carefully considered having regard to the other existing and proposed signage.

The development of an overall City signage strategy will not only provide future strategic guidance for the installation of signage to promote the City, but it will also provide greater community engagement, pride and identity. The signs should be contemporary and vibrant to match our community's vision for our City.



Existing Entry Sign – Mandurah Road



City of Cockburn: Locality / Suburb Sign



## Implications to Consider

**a. Consultation with the Community**

The Entry Statement concepts for all three (3) locations will be advertised for public comment by way of a publication in a local newspaper for a period of 35 days. A vote button will also be created on the City's website under 'Share your thoughts' to determine support for the respective options.

**b. Consultation with Government Agencies**

The City will continue to liaise with Main Roads WA and the Department of Planning, Lands and Heritage, in relation to the Entry Statement project. Additional consultation will also occur with the below-mentioned Government Agencies, following consent from Council to advertise the proposal

- (i) ATCO;
- (ii) Water Corporation; and
- (iii) Western Power

**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 1:** *Actively Pursue Tourism and Economics Development*

**Strategic Objective:** *Marketing and Promotion – Develop and implement effective marketing approaches to promote the City as a destination of choice for the local community, visitors, investors and businesses.*

**d. Policy**

Nil

**e. Financial**

The approved budget for the design development component of the project is \$70,000

Following the Council engagement session an amended budget for construction and installation is \$150,000 per site is proposed to limit expenditure to within what is considered to be achievable.

Subject to public consultation and Council approval the budget would be allocated in the subsequent revisions of the Business Plan.

Year	Location	Budget
2021/22	Patterson Road	\$150,000
2022/23	Mandurah Road	\$150,000
2023/24	Safety Bay Roundabout	\$150,000

To obtain the necessary approval from Main Roads WA, prior to moving to detailed design, and given the complexities attached to installing the Patterson Road and Mandurah Road signage on a controlled access highway, it will be necessary to request a variation to the original scope in the amount of approximately \$4000. This will include liaison with the traffic consultant to address all the relevant Main Roads regulation.

This will fund the consultant putting together an acceptable design package in order for MRWA to undertake a comprehensive assessment.

**f. Legal and Statutory**

Section 6(1) of the *Planning and Development Act 2005* states that local governments are entitled to section 6 exemptions from the requirement of a local planning scheme.

The City will however, need to comply with section 6(2) and 6(3) of the *Planning and Development Act 2005*, which requires the local government to:

- Have regard to the purpose and intent of the region planning scheme;
- Have regard to the orderly and proper planning and the preservation of the amenity of that locality; and
- Consult the WAPC to ensure that the public work will comply with subsection (2).

**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

**Officer Comment on Alternate Motion**

In the City's Strategic Community Plan (2019-2029) one of our community's aspiration is for Rockingham to be recognised and admired as a contemporary and vibrant destination, renowned for its natural beauty and world class coastal and marine environments.

Additionally, in the development of the Tourist Destination Strategy (2019–2024) a lack of identifiable destination and directional signage for visitors was identified as a weakness.

Consequently, at its Ordinary meeting on 11 December 2018 Council resolved to;

***APPROVES*** the development of entry statement signage designs for the Safety Bay Road, Mandurah Road and Patterson Road municipal boundaries, based on the theme of the Kulija Road entry statement.

The purpose of the above resolution was to address the disparate nature of the existing signage at the City's primary entry roads with a consistent design based on the theme of the Kulija Road Entry Statement. This entry statement aligns with the City's brand identity and features elements of the City's logo such as the wave and little penguin.

Following feedback from the Councillor Engagement Session on 12 January 2021 where draft entry statement concepts were presented, the scope of the concept designs was scaled back to reduce the costs and to stage the expenditure over three years.

To inform this project the City, through GTA Transport Engineering Consultants, conducted a risk assessment on each of the proposed sites. The risk assessment reported that no sight line issues will be created by a future entry statement at Safety Bay Roundabout provided it's frangible in structure and no higher than 15m. The City's proposed entry statement concepts range in height for this location is 4m in height.

The proposed entry statements intended purpose is to create a sense of place and brand identity. A welcoming structure such as the proposed entry statements supports a positive image of the City for the local community, visitors and investors alike and further establishes the City of Rockingham as the place where the coast comes to life.

It must be noted that Main Roads WA approval will be sought for all three locations.

The variable digital signage on the Freeway and at service stations is advertising space. The City can choose to utilise these spaces as part of a promotional campaign such as the recent billboard advertising of Rediscover Rockingham. The Tourist Destination Strategy (2019- 2024) has actions to address this. There are further options for promotional digital signage available throughout the City supplied by private companies. The City currently uses variable message boards which are temporary at key locations to communicate significant messages such as COVID-19 and most recently the Romance on the Green event.

The City believes there is merit in addressing the brand identity of the City's various suburbs but this is a different project. However this would have major financial implications and the costs would have to be determined.

The purpose of this item is to seek public comment from the wider community and for Council to approve the identified locations.

While it is understood that there has been commentary on social media in relation to the proposal, in the interest of having a robust community engagement platform it is recommended that the City continue to advertise the project through all the available channels such as the local media outlets, the City's 'Share your Thoughts' section of the website, social media, and via Rock Port.

Consequently, Cr Jones's Alternate motion is not supported at this time.

Once consultation has been completed the results will be presented to Council allowing all members an opportunity to make an informed decision.

### Officer Recommendation

That Council:

1. **APPROVES** the locations identified in the images below, subject to Main Roads WA approval.
2. **SUPPORTS** the draft entry statement concept designs for the purpose of seeking public comment on the preferred options.

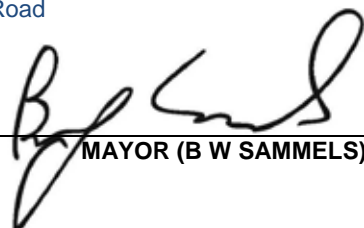


4. Patterson and Alumina Road



5. Mandurah Road

Confirmed at a Council meeting held  
on Tuesday 27 April 2021

  
MAYOR (B W SAMMELS)



6. Safety Bay Road

### Council Resolution

**Moved Cr Jones, seconded Cr Cottam:**

That Council:

1. **DEFERS** seeking public comment on the draft entry statement concept designs and locations until other alternate cost-effective options are investigated and presented for consideration.
2. **DIRECTS** the Chief Executive Officer to develop an overall (draft) signage strategy by September 2021 for the City to increase brand awareness, promote community events and services, locality / suburb boundaries and enticing tourists to visit.

**Carried – 5/4**

**Councillors having voted for the motion:**

Cr Jones  
Cr Buchanan  
Cr Davies  
Cr Cottam  
Cr Buchan

**Councillors having voted against the motion:**

Cr Edwards  
Cr Hamblin  
Cr Liley  
Cr Sammels

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

Not Applicable

## Community Development Community Capacity Building



### Reference No & Subject:

CD-007/21      Reconciliation Action Plan 2021-2023

File No:

CSV/3382-03

Proponent/s:

Author:

Ms Belinda Trowbridge, Coordinator Community Capacity Building

Other Contributors:

Mr Steven Jacobs, Community Development Officer (Aboriginal Engagement)

Ms Jillian Obiri-Boateng, Collaborative Manager Community Capacity Building

Ms Julia Dick, Collaborative Manager Community Capacity Building

Date of Committee Meeting:

16 March 2021

Previously before Council:

25 February 2020 (CD-001/20)

Disclosure of Interest:

Nature of Council's Role in this Matter:

Executive

Site:

Lot Area:

Attachments:

1. Reconciliation Action Plan 2021-2023
2. Public comments on draft Reconciliation Action Plan 2020-2023

Maps/Diagrams:

### Purpose of Report

To seek Council's adoption of the Reconciliation Action Plan 2021-2023 for submission to Reconciliation Australia for final endorsement.

### Background

At Council Meeting on 25 February 2020, it was resolved:

*"That Council **ENDORSES** the draft Reconciliation Action Plan 2020-2023 for the purpose of public and stakeholder comment."*

Confirmed at a Council meeting held  
on Tuesday 27 April 2021

  
MAYOR (B W SAMMELS)



## Details

The draft Reconciliation Action Plan (RAP) 2020-2023 was open for public comment for a period of six weeks from 28 February to 8 April 2020. The length of the public comment period was extended beyond the standard 28 days due to the COVID-19 related restrictions and interruptions that may have impacted people's capacity to provide a response.

The City received seven submissions of feedback during the public comment period these all indicated support for the document. A summary of the submissions received is provided below.

At the commencement of the public comment period, the City provided the draft RAP 2020-2023 to Reconciliation Australia (RA) for feedback and conditional endorsement. On 24 April 2020 they provided extensive feedback regarding changes that were required to bring the document in line with the specific wording of actions that are required by RA to meet an Innovate RAP template. The intent of the original actions included in the draft can be achieved through the newly worded actions included in the final document.

Additional consultation with the Aboriginal Advisory Group (AAG) also considered the feedback received and provided additional comments and feedback on the revised document and in particular the Acknowledgment of Country statement.

Comment	Officer response
<i>Johnathon Ford</i> Suggestions regarding: <ul style="list-style-type: none"><li>Improved measures/KPIs</li><li>A statement from 'our mob' regarding vision and aspirations</li><li>Acknowledgment of Country</li></ul> General support for the RAP and the associated commitment to tourism and procurement.	The following inclusions have been incorporated: <ul style="list-style-type: none"><li>the 'Governance' key element and associated actions/deliverables as required by the Innovate RAP template</li><li>a statement from the Chair of the Aboriginal Advisory Group</li><li>Acknowledgement of Country statement endorsed by AAG.</li></ul> All comments are noted.
<i>Trevor Roots</i> General comments indicating support for the RAP	Comments noted.
<i>Jarl Andersen</i> General comments regarding reconciliation	Comments noted.
<i>Michelle Sidebottom</i> Support for the RAP particularly regarding Aboriginal tourism and WAITOC (WA Indigenous Tourism Operators Council)	Comments noted.
<i>Robert Taylor</i> Support for the RAP particularly regarding Aboriginal tourism and WAITOC (WA Indigenous Tourism Operators Council)	Comments noted.
<i>Rita Lusted</i> Suggestions for the draft RAP included: <ul style="list-style-type: none"><li>A map to be included and also to be used as a pamphlet/brochure/handout</li><li>Cultural protocols such as Welcome to Country should elaborate further and include the difference between a Welcome and an Acknowledgement</li></ul>	<ul style="list-style-type: none"><li>The City will endeavour to implement suggestion once the RAP is finalised.</li><li>The City has a RAP Implementation Policy that describes to staff the difference between a Welcome to Country and an Acknowledgement of Country.</li><li>This is covered by deliverable 6.1 "Investigate broadening the membership of the City's Heritage Advisory Committee to include a</li></ul>

Comment	Officer response
<ul style="list-style-type: none"><li>· Matters regarding to Aboriginal heritage to go through the Aboriginal Advisory Group (AAG)</li><li>· Guidelines should be developed in consultation with the AAG</li><li>· AAG needs to become a committee</li></ul>	<ul style="list-style-type: none"><li>· relevant qualified Aboriginal person (paid consultant) to advise stakeholders on Aboriginal heritage matters as they arise.</li><li>· The AAG will be involved in the development of guidelines in relation to City heritage matters.</li><li>· The AAG has discussed becoming a formal committee of Council, however its preference at this stage is to remain as an advisory group. Deliverable 1.2 regarding the 'engagement plan' has been expanded to include "leader to leader opportunities".</li></ul>
<p><i>Karen Jacobs</i> Provided tracked changes within the draft document with suggestions for enhancements and improvements.</p>	<p>Most of the suggestions have been incorporated as required by the Innovate RAP template, and other improvements incorporated where relevant. All comments are noted.</p>

### Implications to Consider

**a. Consultation with the Community**

Significant consultation with community members, staff and Elected Members occurred and is reflected in the final document.

Consultants CSD Network and Kambarang were engaged to assist with the consultation process. Several consultations were held to develop the draft RAP including:

- RAP working group
- staff that identified that they would like to be Reconciliation Champions within the City
- Community members
- AAG

Extensive consultation with Reconciliation Australia (not a state or federal government agency) from April 2020 till February 2021 resulted in significant changes to the draft document and culminated in "conditional endorsement" status being achieved.

In addition to the public comment period, several drafts of the proposed actions/ document were presented to the AAG:

- By mail/email 9 October 2020, 1 February 2021
- By phone, week of 1 February 2021 as COVID-19 restrictions were in place
- At the AAG meetings on 8 October 2020, 19 November 2020 and 25 February 2021 where final endorsement was received.

**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 Objectives contained in the Strategic Community Plan 2019-2029:

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

**Strategic Objectives:** *Aboriginal heritage and inclusion: Strengthen relationships with Aboriginal people which foster mutual respect and support, and cultural awareness.*



*Community capacity building: Empower the community across all ages and abilities to be culturally aware and involved with a diverse range of community initiatives that incorporate volunteering, sport, culture and the arts.*

**d. Policy**

The development of the RAP was guided by the Strategic Development Framework Policy (for Community Plan Strategies).

If approved, a review of the Acknowledgement of Country Council Policy will follow.

**e. Financial**

A total of \$405K will be incorporated into the relevant team plans over the strategy timeframe and where required incorporated into the City's business plan, for costs associated with the implementation of the RAP 2021-2023.

**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

The overall feedback provided during the public comment period was positive and supported the actions outlined.

Subsequent feedback from RA resulted in significant changes to some areas of the document primarily to ensure alignment with specific wording required by RA. The changes required by RA and the delays caused by COVID-19 also meant that the timeframes for the draft RAP 2020-2023 were also updated to reflect the two year maximum timeframe for an Innovate RAP template which has resulted in a revised timeframe of 2021-2023. Conditional endorsement of the RAP has now been granted by RA.

As the AAG is the City's major engagement stakeholder in relation to the RAP, updated versions of the document were provided to them through a variety of mechanisms. The revised documents were presented for discussion at meetings, via email/mail and through follow up phone calls on several occasions from October 2020 to February 2021 culminating in a meeting of the AAG on 25 February 2021 where endorsement of the RAP was attained.

The revised RAP 2021-2023 will ensure the City has clearly identified key actions to deliver on its commitment to reconciliation within the Rockingham community.

## Voting Requirements

Simple Majority

## Officer Recommendation

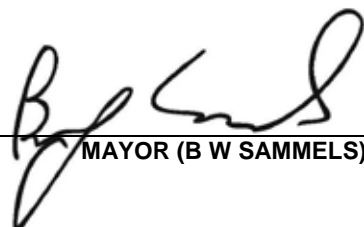
That Council **ADOPTS** the Reconciliation Action Plan 2021-2023.

## Committee Recommendation

That Council **ADOPTS** the Reconciliation Action Plan 2021-2023.

Committee Voting (Carried) – 5/0

Confirmed at a Council meeting held  
on Tuesday 27 April 2021



MAYOR (B W SAMMELS)

### 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 Buchan, seconded Cr Liley:**

That Council **ADOPTS** the Reconciliation Action Plan 2021-2023.

**Carried – 9/0**

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

Not Applicable

## Community Development Community Development



<b>Reference No &amp; Subject:</b>	<b>CD-008/21      Rockingham Renaissance Technopole Inc.</b>
<b>File No:</b>	ECD/125-05
<b>Proponent/s:</b>	Ms Christine Caseris, Chairman, Renaissance Technopole
<b>Author:</b>	Mr Michael Holland, Director Community Development
<b>Other Contributors:</b>	Ms Carly Kroczeck, Senior Project Officer Mr Scott Jarvis, Manager Economic Development and Tourism
<b>Date of Committee Meeting:</b>	16 March 2021
<b>Previously before Council:</b>	GM-024/18 (28 August 2018), GM-002/18 (23 January 2018), GM-014/17 (22 August 2017), GM-007/17 (28 March 2017)
<b>Disclosure of Interest:</b>	Mr Michael Parker declared an Impartiality Interest in Item CD-008/21 Rockingham Renaissance Technopole Inc. as detailed in Clause 3.3 of the City's Code of Conduct and as per Section 5.70 of the Local Government Act 1995, as he is on the Board of Directors for Rockingham Renaissance Technopole
<b>Nature of Council's Role in this Matter:</b>	Executive
<b>Site:</b>	
<b>Lot Area:</b>	
<b>Attachments:</b>	
<b>Maps/Diagrams:</b>	

### Purpose of Report

To provide Council with an update on the actions of the Rockingham Renaissance Technopole Inc. (RRTI) to date, and seek a decision on the level of support to be provided by the City now that a formal position on the availability of the Murdoch University Rockingham Campus has been received.

### Background

In March 2017, Council resolved to support the Rockingham Renaissance (RR) concept, along with the establishment of a research and development industry innovation hub at Murdoch University's Rockingham campus as follows:

1. **ENDORSES** the "Rockingham Renaissance" concept.
2. **SUPPORTS** the establishment of a research and development industry innovation hub at the Murdoch University Campus.
3. **SUPPORTS** the establishment of a defence related strategic economic development alliance between the City of Rockingham and the City of Cherbourg, France.

Confirmed at a Council meeting held  
on Tuesday 27 April 2021

  
MAYOR (B W SAMMELS)

The overall aim of the RR concept, as outlined in the Council report, was to:

*....establish a sustained brand association between the City of Rockingham and “everything French”. In essence it is proposed that the City becomes the Western Australian gateway to all French related investment, both defence and otherwise.*

The catalyst for this was the then impending award of the Federal Government’s contract to build 12 new submarines for the Australian Defence Force to French group DCNS.

To facilitate the development of the RR concept, the City entered into a Memorandum of Understanding (**MOU**) with the French Scientific and Technological Exchanges and Space Research (**ESTER**) Technopole. The MOU set guiding principles for establishing cross-cultural links and understanding the French research, development and innovation model.

To support the RR concept, the March 2017 Council report outlined the potential to establish an industry innovation hub at Murdoch University’s Rockingham Campus. The hub was to be structured in such a way that would satisfy criteria set by Australian State and Federal Government funding programs, but still operate in a manner that was similar to the French industry research and development model.

The RRTI was to be established as an independent not for profit entity, that would operate independently of the City of Rockingham.

In August 2017, the City prepared and presented to Council, an indicative budget for the setup of RRTI. At the 22 August 2017 Ordinary Council Meeting, Council resolved to:

1. *ALLOCATE* \$352,000 to facilitate the establishment of the Renaissance Technopole at Rockingham Murdoch Campus
2. *TRANSFER* \$352,000 from the Learning City Strategy fund.

These funds were to be used for legal costs associated with setting up a not for profit entity, engaging a consultant to develop a business plan, outgoings associated with the accommodation at Murdoch University, insurance, initial operational setup such as computers, printers, telephone, branding and software, as well as a 10% contingency to cover any unplanned expenses.

In October 2017, Murdoch University granted a non-exclusive licence to the City to occupy parts of the Rockingham Campus for a period of six months from 10 October 2017 to 10 April 2018. Once the initial six month period ended, the licence continued on a month to month basis up until 30 September 2020. This licence required the City to pay outgoings on a monthly basis, however due to protracted lease negotiations, the City and Murdoch University reached an agreement to cease paying outgoings from 31 December 2018.

In January 2018, a report was presented to Council with a range of initiatives that related to the setting up of the not-for-profit entity RRTI. At this meeting Council resolved to:

1. *DELEGATE* Authority to the CEO to appoint a Chairman and remaining directors to the Board of the not-for-profit entity, the Renaissance Technopole Inc.
2. *SUPPORT* further discussion with Murdoch University for the purposes of maximising security of tenure for the longer term.
3. *REQUEST* a briefing and progress report from the Renaissance Technopole Inc. Board in May 2018.

In February 2018, the City contracted Outcast Productions to assist with setting up the RRT as a not for profit entity and Jackson McDonald, solicitors was briefed to have RRTI registered as an incorporated association.

The majority of expenditure related to the August 2017 Council resolution to fund the establishment of the RRT occurred during this time. Actual expenditure documented is as follows:

Item	Estimated (\$)	Actual (\$)
Legal Costs	50,000	52,826
Trademark Registration	0	10,308
Business Plan Development and NFP establishment	90,000	73,263
Outgoings – Murdoch University	116,000	135,863
Insurance	20,000	0
Initial Operational Setup	45,000	2,576
Contingency	32,100	0
<b>TOTAL</b>	<b>352,000</b>	<b>274,836</b>
<b>SURPLUS/DEFICIT</b>		<b>(77,163)</b>

Table 1: RRT Expenditure 2017/2018

The City has since transferred the unused portion of the allocated \$352,000 to the RRTI to assist with the initial operational setup. RRTI has advised that it has approximately \$20,000 remaining of the original \$352,000 provided.

The above expenditure is in addition to other expenses incurred by the City in investigating and developing the initial RR concept prior to the 2017 resolutions of Council, as well as other expenses incurred outside of the set up costs of RRTI. These expenses include: membership to the French Australian Chamber of Commerce and Industry (**FACCI**), travel expenses, as well as substantial officer time at a manager, director and Chief Executive Officer level.

In 2018, an operating budget was prepared by Outcast Productions, with assistance from KPMG for the first two years of the RRTI's operations. The budget was submitted to the City for consideration, and was subsequently presented to Council in August 2018. It was noted in the report to Council that the preparation of a budget for RRTI, being a unique concept was extremely difficult, and there could be significant variation in the predicted revenue and expenses.

The budget, as shown below, identifies an operating deficit in year one and an operating surplus in year two. The budget was developed on the basis of receiving substantial income from subleasing office space and laboratories at Murdoch University's Rockingham Campus, estimated at \$817,200 in year one and \$1,225,300 in year two.

	Proposed Budget Year One (Estimates)	Proposed Budget Year Two (Estimates)
<b>Operating Income</b>		
Membership	\$ 195,100	\$ 292,650
Leasing Offices	\$ 337,200	\$ 505,800
Leasing Laboratories	\$ 480,000	\$ 720,000
Other Income	\$ 94,550	\$ 134,325
<b>Total Operating Income</b>	<b>\$ 1,106,850</b>	<b>\$ 1,652,775</b>
<b>Operating Expenditure</b>		
Lease Costs (outgoings)	\$ 116,000	\$ 116,000
Salaries	\$ 280,392	\$ 420,588
IT	\$ 100,000	\$ 150,000
Utilities	\$ 60,000	\$ 90,000
Set up and other expenditure	\$ 561,750	\$ 776,588
<b>Total Operating Expenditure</b>	<b>\$ 1,118,142</b>	<b>\$ 1,205,713</b>
<b>Net year one operating position</b>	<b>\$ -11,292</b>	<b>\$ 447,062</b>
Balance of funds available from initial start up	\$ 68,384	\$ 0
<b>End of Year Financial Position</b>	<b>\$ 57,092</b>	<b>\$ 447,062</b>

Table 2: Proposed Budget – RRT Year One and Two

The above budget was used as the basis for seeking Council approval to underwrite the operating expenses of RRTI. Taking into consideration the budget was likely to be fluid and highly dependent on being able to lease office space and attract members, officers recommended financial support higher than the projected deficit to Council for consideration.

After consideration of the budget, and actions required to establish the RRT, on the 28 August 2018 Council resolved to:

1. *APPROVE the underwriting of operating deficits of Rockingham Renaissance Technopole Inc. to a maximum \$250,000 per year for two years.*
2. *ALLOCATE \$250,000 in the 2018/2019 Annual Budget to provide for any operating deficit that the Rockingham Renaissance Technopole Inc incurs in that financial year.*
3. *RESOLVE to amend the Council's resolution of 23 January 2018 as follows:*  
*DELEGATES Authority to the Chief Executive Officer to appoint Members to the not for profit entity, the Rockingham Renaissance Technopole Inc.*
4. *APPOINT the Chief Executive Officer as a Member of the Rockingham Renaissance Technopole Inc.*
5. *DELEGATE to the Chief Executive Officer, pursuant to section 5.42 of the Local Government Act 1995, the authority to determine the conditions to which the underwriting of operating deficits will be subject.*
6. *DIRECT the Chief Executive Officer to develop and implement systems to ensure the City is kept fully informed of the financial position of Rockingham Renaissance Technopole Inc.*

To date, the City understands that the RRTI has not derived substantial income from the sources identified in the budget, and there has not been substantial expenditure against key items.

RRTI held its first board meeting on 6 September 2018 and was registered as an incorporated association on 5 October 2018.

In March 2020, Council endorsed the Economic Development Strategy 2020 -2025. This Strategy included an ongoing action related to RRTI as follows:

*7.2.8 Maintain current level of support provided to the Rockingham Renaissance Technopole, in line with Council resolution GMS-014/17, August 2017.*

### Details

On Wednesday 9 February 2021, the Chairperson of RRTI provided Councillors with a project update. On Friday 12 February 2021, the City received correspondence from the Chairperson requesting from the City:

1. *A letter of support from the CoR highlighting the City's enthusiasm in assisting the project as originally experienced.*
2. *The current position of the City regarding future funding in-line with the original 250K proposed regardless of Murdoch. Current cash on hand is approx. 20K which is insufficient to cover establishment expenses.*
3. *The cities view should the board wish to pursue alternative funding (other than CoR) on the basis that no further funding is provided by the CoR.*

The request from RRTI to remove the link between funding to underwrite operating expenses and securing a formal commitment with Murdoch University came about due to Murdoch University advising RRTI that it was no longer able to provide access to space at the Rockingham Campus. Murdoch University indicated it would be reviewing all existing business decisions and recommended that RRTI re-engage with it in early 2021. In March 2021, Murdoch University advised in writing that *"Murdoch University has progressed its review as outlined in our previous correspondence. We can confirm that the Murdoch University Rockingham Campus will be allocated for other purposes and accordingly, will be unavailable for use by the Renaissance Technopole."* If RRTI is to continue with the development of a research and innovation hub, it will need to secure an alternate venue.

RRTI has indicated that a number of businesses have expressed an interest in becoming a member of RRTI. It is understood by the City, that none of those businesses have formalised their interest and become financial members, and that a major stumbling block has been the RRTI's inability to formalise lease arrangements with Murdoch University and the fact the City's underwriting was tied to use of the Rockingham Campus.

The City understand RRTI has relied on the City's financial contribution to fund operating expenses.

### 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 1:** *Actively Pursue Tourism and Economic Development*

**Strategic Objective:** *Investment attraction: Attract local and international investment to the City to contribute to the local economy.*



**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 and compliant environment.*

**Strategic Objective:** *Key stakeholder partnerships: Foster relationships and partnerships with key stakeholders to achieve enhanced community outcomes.*

**d. Policy**

Nil

**e. Financial**

If Council chooses to alter the August 2018 resolution and provide \$250,000 upfront over two years to fund, rather than underwrite the operating costs of RRTI, funding is available in the 2020/2021 annual budget.

**f. Legal and Statutory**

The City has not entered into any legal agreements with RRTI to fund operating costs.

The Rules of Association of RRTI specify the CEO of the City of Rockingham (or delegate) must be a member of the RRTI Board. Unless the Rules of the Association are altered by the Board, this requirement will still stand, and the CEO will continue to be a member of the Board.

**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

If successful, RRTI has the potential to attract large scale investment to the City. It is a unique concept that has the potential to create employment opportunities, and contribute towards marketing Rockingham as a desirable location for businesses to establish in support of the defence industry.

Since the original RR concept was developed, the economic climate and ability to forge international relationships has changed significantly. The ongoing health pandemic has prevented international travel, and has had a major financial impact on businesses locally, nationally and internationally. It is unknown when international travel may resume, and given the impact COVID-19 has had on many European countries, the ability to continue resourcing investment in developing international relations such as that between Rockingham and France, which is central to the success of the RRT, is unknown.

Over the last few years, the involvement and support of the State Government in driving innovation to create additional employment opportunities in the defence and trade areas has increased. Since the creation of the RR concept, a number of defence and trade related initiatives have been announced. These include:

- Western Trade Coast (WTC) – a 3,900 hectare industrial region designed as a gateway to global industry;
- Investment in the Australian Marine Complex, world class centre for excellence in fabrication, assembly, maintenance and technology servicing defence, marine, oil and gas industries;
- Commitment to Westport – a future container port and transport link; and

- Greater investment by the Department of Jobs, Tourism, Science and Innovation to create local jobs and a stronger, more diverse Western Australian (WA) economy.

In addition, the WA Labor Party, if re-elected in the upcoming State election, has committed to establishing a global high-tech manufacturing hub as part of the southern industrial precinct between Henderson, Latitude 32, Rockingham and Kwinana. Once established, the area will become a consolidated strategic industrial hub to support developing industries such as batteries, hydrogen, renewable energy and defence. Although the project is still in the early stage, it appears to have similarities with the RR concept in trying to attract global investment into the defence industry.

Since its inception, RRTI has spent considerable time promoting the opportunities that exist in Rockingham and the competitive advantages associated with being located close to Garden Island, the WTC, Murdoch University, TAFE and the future Smart Village. Several international delegations have been hosted by RRTI and visited Rockingham and Murdoch University. The City has also addressed various international delegations, including the FACCI to promote the RRTI.

As the option of subleasing office space and laboratories at Murdoch University's Rockingham Campus is no longer viable, and with the need to establish a physical base in Rockingham, RRTI has entered into a commercial lease agreement for the old ANZ branch located on the Rockingham Foreshore. Whilst this venue may provide an administration base for RRTI, there are no set opening hours or staffing arrangements in place. The location is not consistent with the original vision, nor the Council resolution to endorse the development of a research and innovation hub at Murdoch University. RRTI no longer has the ability to generate income through the sublease of the laboratories and office spaces that would have been available to businesses, if the accommodation arrangement with Murdoch University had come to fruition. Generation of income by way of subleasing was a key component of the financial model prepared for this project and it now means RRTI is somewhat reliant on income generated through membership fees and hosting events. When compared with the possibilities surrounding the activation and co-location of key industry stakeholders at Murdoch University, the current location of RRTI limits opportunities to bring together industry to drive innovation and generate employment opportunities in Rockingham.

Beyond the establishment of RRT as a not for profit incorporated entity and the establishment and development of relationships set out above, there has been little in the way of tangible outcomes achieved (eg income generated or memberships secured). This is by no means a discredit to the work of the RRT Chairperson and Board. With all of the above road blocks in place (including the vastly different world economy) there is currently little evidence to suggest that RRTI will become financially sustainable in the short to medium term regardless of the City's direct financial assistance.

Given that RRTI does not have access to the meeting rooms and laboratories at Murdoch University, identified as the main income generator, there is now a significant gap in the financial model developed in 2018. At no time, was the City's concept to fully fund the operating costs of RRTI.

In assessing the request from RRTI to consider providing \$250,000 over two years (i.e. a total of \$500,000) as a contribution towards operating costs, rather than being used to underwrite an operating deficit, officers have considered the following:

- Current and past financial position of RRTI, and alignment to the Business Plan/financial model developed by KPMG
- The level of financial support and officer time the City has already invested
- Funding committed by external parties to assist with operating costs
- Current and future membership potential
- The outcomes achieved to date
- The proposed future strategy for establishing a research and innovation hub in the absence of a lease with Murdoch University
- The long term financial sustainability of RRTI
- The strategic direction of the City as outlined in relevant Community Plan Strategies

- State Government projects with similar aims
- The current and future financial position of the City

After considering all of this information, it is difficult for officers to recommend a change to previous Council resolutions and the action identified in the Economic Development Strategy (2020 -2025). On this basis, it is recommended that Council does not provide additional upfront financial support to RRTI. The RR concept has merit in line with the original concept, however due to the change in the local and global environment as described earlier, it seems the concept has changed over the last few years and it is no longer aligned to Council's original resolution that aimed to activate Murdoch University's Rockingham Campus.

It needs to be acknowledged that the economic climate has changed in the time since Council resolved to support the RR concept. Noting the financial impact the health pandemic has had on businesses and individuals, as well as Council's expressed desire to keep rates as low as possible, it is difficult for officers to be satisfied that providing additional upfront financial support to RRTI will provide a tangible benefit to both the City and community.

RRTI is in a situation where it needs to generate income through sources other than leasing office space and laboratories at Murdoch University to remain financially viable. As RRTI is an independent body, officers have no objection if, in the absence of financial support from the City, RRTI chooses to seek financial support from other sources to assist in funding operating costs.

The original RR concept has merit. It was a worthwhile project for the City to attempt to bring to fruition for the economic development and employment opportunities it may have generated. The City will continue to support the RRT Board where possible.

### Voting Requirements

Simple Majority

### Officer Recommendation

That Council:

1. **ACKNOWLEDGES** the Rockingham Renaissance Technopole Inc. Board for their commitment and dedication to the Technopole project.
2. **NOT SUPPORTS** the request from the Rockingham Renaissance Technopole Inc. to provide an upfront financial contribution of \$250,000 to fund their operating expenses.
3. **SUPPORTS** the Rockingham Renaissance Technopole Inc. Board to seek alternate funding.

### Committee Recommendation

That Council:

1. **ACKNOWLEDGES** the Rockingham Renaissance Technopole Inc. Board for their commitment and dedication to the Technopole project.
2. **NOT SUPPORTS** the request from the Rockingham Renaissance Technopole Inc. to provide an upfront financial contribution of \$250,000 to fund their operating expenses.
3. **SUPPORTS** the Rockingham Renaissance Technopole Inc. Board to seek alternate funding.

Committee Voting (Carried) – 4/1

(Cr Cottam voted against)

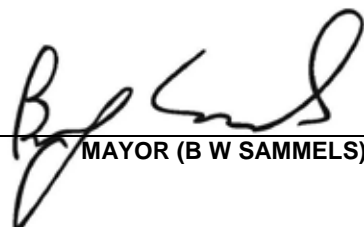
### The Committee's Reason for Varying the Officer's Recommendation

Not Applicable

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

Not Applicable

Confirmed at a Council meeting held  
on Tuesday 27 April 2021



MAYOR (B W SAMMELS)

### Council Resolution

**Moved Cr Buchan, seconded Cr Buchanan:**

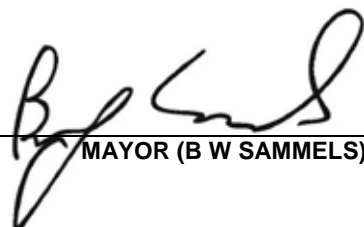
That Council:

1. **ACKNOWLEDGES** the Rockingham Renaissance Technopole Inc. Board for their commitment and dedication to the Technopole project.
2. **NOT SUPPORTS** the request from the Rockingham Renaissance Technopole Inc. to provide an upfront financial contribution of \$250,000 to fund their operating expenses.
3. **SUPPORTS** the Rockingham Renaissance Technopole Inc. Board to seek alternate funding.

**Carried – 9/0**

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

Not Applicable



MAYOR (B W SAMMELS)

<b>14.</b>	<b>Receipt of Information Bulletin</b>
	<p><b>Moved Cr Buchan, seconded Cr Jones:</b></p> <p>That Council <b>RECEIVES</b> the Information Bulletin as follows:</p> <ol style="list-style-type: none"><li>1. Planning and Development Services Bulletin – March 2021;</li><li>2. Engineering and Parks Services Bulletin – March 2021;</li><li>3. Corporate and General Management Services Bulletin - March 2021; and</li><li>4. Community Development Bulletin – March 2021.</li></ol> <p style="text-align: right;"><b>Carried – 9/0</b></p>

**15. Report of Mayor**

**City of Rockingham  
Mayor's Report**



<b>Reference No &amp; Subject:</b>	<b>MR-003/21</b>	<b>Meetings and Functions Attended by the Mayor and Deputy Mayor</b>
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:	23 March 2021	
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 23 February 2021 to 23 March 2021.

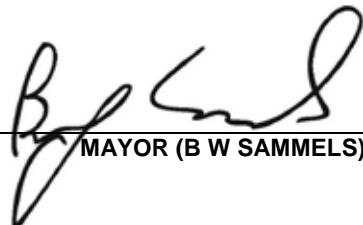
**Background**

Nil

**Details**

Date	Meeting/Function
23 February 2021	Council meeting
24 February 2021	Training for Councillors Australian Citizenship Ceremony <i>Short Fiction and Poetry Awards Book Launch – attended by Deputy Mayor Deb Hamblin</i>
25 February 2021	Australian Citizenship Ceremony
2 March 2021	Rockingham Senior High School Education Support Board meeting Australian Citizenship Ceremony
3 March 2021	Australian Citizenship Ceremony
8 March 2021	South West Group Board meeting
9 March 2021	Councillor Engagement Session <i>Rockingham Senior High School Board meeting – attended by Deputy Mayor Deb Hamblin</i> <i>Joint Development Assessment Panel meeting – attended by Deputy Mayor Deb Hamblin</i>

Confirmed at a Council meeting held  
on Tuesday 27 April 2021

  
MAYOR (B W SAMMELS)

Date	Meeting/Function
10 March 2021	Radio Interview Audit Committee
11 March 2021	Key Leaders in Business Breakfast City Safe Advisory Committee <i>Safety Bay Bowling Club meeting – attended by Deputy Mayor Deb Hamblin</i>
14 March 2021	<i>Rotary Open Opportunities – International Women's Day 2021 – attended by Deputy Mayor Deb Hamblin</i>
15 March 2021	Planning and Engineering Services Committee Councillor Engagement Session
16 March 2021	<i>Murdoch University Graduation Presentation – attended by Deputy Mayor Deb Hamblin</i>
17 March 2021	Opening of the Rockingham Youth Centre
19 March 2021	Multicultural Day, Malibu School Opening of the International Food Festival
23 March 2021	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

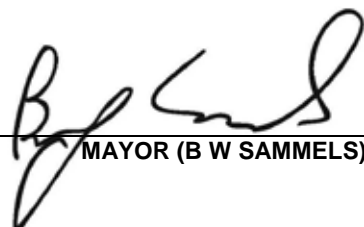
### Voting Requirements

Simple Majority

### Officer Recommendation

That Council **RECEIVES** the Mayor's Report for the period 23 February 2021 to 23 March 2021.

Confirmed at a Council meeting held  
on Tuesday 27 April 2021



MAYOR (B W SAMMELS)



### Council Resolution

**Moved Cr Cottam, seconded Cr Buchanan:**

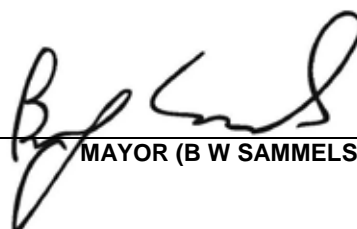
That Council **RECEIVES** the Mayor's Report for the period 23 February 2021 to 23 March 2021.

**Carried – 9/0**

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

Not Applicable

Confirmed at a Council meeting held  
on Tuesday 27 April 2021



MAYOR (B W SAMMELS)

<b>16.</b>	<b>Reports of Councillors</b>
<b>16.1</b>	<b>Cr Liley – Rockingham International Food Festival</b>  Cr Liley congratulated all involved in the staging of the Rockingham International Food Festival on Friday night. The feedback received has been very positive.
<b>16.2</b>	<b>Cr Buchan – Diploma in Local Government (Elected Member)</b>  Cr Buchan advised that she has enrolled in the Diploma in Local Government (Elected Member) and has commenced undertaking units in the course.
<b>17.</b>	<b>Reports of Officers</b>
	Nil
<b>18.</b>	<b>Addendum Agenda</b>
	Nil
<b>19.</b>	<b>Motions of which Previous Notice has been given</b>
	Nil
<b>20.</b>	<b>Notices of Motion for Consideration at the Following Meeting</b>
	Nil
<b>21.</b>	<b>Questions by Members of which Due Notice has been given</b>
	Nil
<b>22.</b>	<b>Urgent Business Approved by the Person Presiding or by Decision of the Council</b>
	Nil
<b>23.</b>	<b>Matters Behind Closed Doors</b>
	Nil
<b>24.</b>	<b>Date and Time of Next Meeting</b>
	The next Ordinary Council meeting for the City of Rockingham will be held on <b>Tuesday 27 April 2021</b> commencing at 6:00pm in the Council Chambers, Civic Boulevard, Rockingham.
<b>25.</b>	<b>Closure</b>
	There being no further business, the Mayor thanked those persons present for attending the Council Meeting, and declared the meeting closed at <b>7:31pm</b> .