



City of Rockingham

MINUTES

Ordinary Meeting of Council Minutes

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



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



CONTENTS

1.	Declaration of Opening/Announcement of Visitors	4
2.	Record of Attendance/Apologies/Approved Leave of Absence	4
3.	Responses to Previous Public Questions Taken on Notice	5
4.	Public Question Time	5
5.	Applications for Leave of Absence	14
6.	Confirmation of Minutes of the Previous Meeting	14
7.	Matters Arising from Minutes of Previous Meeting	14
8.	Announcement by the Presiding Person without Discussion	14
9.	Declaration of Member's and Officer's Interest	14
10.	Petitions/Deputations/Presentations/Submissions	15
11.	Matters for which the Meeting may be Closed	15
	General Management Services	16
	GM-035/21 Nominations Received for Community Citizen of the Year Awards 2022	16
12.	Receipt of Minutes of Standing Committees	18
13.	Officers Reports and Recommendations of Committees	18
	Audit Committee	19
	AC-005/21 Adoption of the Annual Financial Report for 2020/2021	19
	AC-006/21 Report addressing the significant matters raised in the Local Government COVID-19 Financial Hardship Support Performance Audit	28
	Planning and Engineering Services Committee	35
	PD-034/21 Proposed Street Naming Theme - Kennedy Bay	35
	PD-035/21 Joint Development Assessment Panel Application - Industrial Development (Best Bar)	42
	Corporate and Community Development Committee	63
	GM-034/21 Annual Report and Annual Meeting of Electors 2020/2021 (<i>Absolute Majority</i>)	63
	CD-021/21 A study into a Multifunctional Performing Art Convention Centre in Rockingham	67
14.	Receipt of Information Bulletin	73
15.	Report of Mayor	74
	MR-011/21 Meetings and Functions Attended by the Mayor and Deputy Mayor	74

16.	Reports of Council Members	77
17.	Reports of Officers	77
18.	Addendum Agenda	77
19.	Motions of which Previous Notice has been given	78
	Planning and Engineering Services Committee	78
	EP-020/21 Notice of Motion - Stakehill Road, Baldivis	78
20.	Notices of Motion for Consideration at the Following Meeting	83
21.	Questions by Members of which Due Notice has been given	83
22.	Urgent Business Approved by the Person Presiding or by Decision of Council	83
23.	Matters Behind Closed Doors	83
24.	Date and Time of Next Meeting	83
25.	Closure	83

City of Rockingham
Ordinary Meeting of Council Minutes
Tuesday 23 November 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's Standing Orders Local Law 2001* provides that "[n]o person is to use any electronic, visual or vocal recording device or instrument to record the proceedings of the Council or a committee without the written permission of the Council".

In accordance with clause 8.5 of the *City's Standing Orders Local Law 2001*, Council has given permission for the administration to record proceedings of this meeting.

This permission does not extend to members of the public (including those in the gallery) meaning that they must not use any electronic, visual or vocal recording device or instrument (including a mobile telephone) to record any part of this meeting. If anyone breaches this Standing Order they will be asked to leave the Council chamber.

Council meetings are recorded in accordance with Council 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 Council Members

Mayor Deb Hamblin

Cr Hayley Edwards (*Deputy Mayor*) Baldivis Ward

Cr Sally Davies Baldivis Ward

Cr Brett Wormall Baldivis Ward

Cr Lorna Buchan Comet Bay Ward

Cr Robert Schmidt Comet Bay Ward

Cr Craig Buchanan Rockingham/Safety Bay Ward

Cr Rae Cottam Rockingham/Safety Bay Ward

Cr Caroline Hume Rockingham/Safety Bay Ward

Cr Dawn Jecks Rockingham/Safety Bay Ward

Cr Mark Jones Rockingham/Safety Bay Ward

Cr Leigh Liley Rockingham/Safety Bay Ward

<p>2.2 Executive</p> <p>Mr Michael Parker Mr Bob Jeans Mr Sam Assaad Mr John Pearson Mr Peter Doherty Mr Michael Holland Ms Jelette Edwards Mr Aiden Boyham Ms Sarah Mylotte</p> <p>Mr Sean Lenihan</p> <p>2.3 Members of the Gallery:</p> <p>2.4 Apologies:</p> <p>2.5 Approved Leave of Absence:</p>	<p>Chief Executive Officer Director Planning and Development Services Director Engineering and Parks Services Director Corporate Services Director Legal Services and General Counsel Director Community Development A/Manager Governance and Councillor Support City Media Officer Administration Officer, Governance and Councillor Support Technical Alliance</p> <p>29</p> <p>Nil</p> <p>Nil</p>
3.	Responses to Previous Public Questions Taken on Notice
	Nil
4.	Public Question Time
<p>6:04pm</p> <p>4.1</p>	<p>The Mayor opened Public Question Time and invited members for the Public Gallery to ask questions. The Mayor noted that this was the only opportunity in the meeting for the public to ask questions.</p> <p>Ms Janice Harwood, Baldivis – Stakehill Road, Baldivis</p> <p>The Mayor invited Ms Harwood to present her question to the Council. Ms Harwood asked the following question:</p> <p>Ms Harwood referred her question to the Notice of Motion to be raised this evening regarding Stakehill Rd East.</p> <p>While our Community fully supports the Notice of Motion and thanks the City for raising this, the recent speed reduction to 70kph has resulted in an increase in the illegal and dangerous driver behaviour we have previously reported to the City. I've had numerous reports from residents and other road users, and have personally witnessed an increase in tailgating, speeding, road rage, overtaking over double white lines on blind hills adjacent to intersections and driveways. Reports include vehicles speeding well above the new limit and up to 140kph on more than one occasion. Our community now feels more vulnerable and everyone I've spoken to has said the road is now worse than before. Comments include "I'm tired of being tailgated, we're at risk more now than ever, and it has made an awful situation worse." It has been over a month since the speed limit was reduced, but this dangerous driving behaviour continues at an unacceptable level. It is incredibly stressful for our community being subjected to this frequent dangerous behaviour and these drivers put our community and all other commuters at risk.</p> <p>1. What reassurances can the City give our Community that the road will be safe for residents and other commuters until the road is re-aligned and does the City have a duty of care to ensure this?</p>

The Mayor advised that the City did arrange an independent Road Safety Audit (RSA) for the road in 2019. The RSA recommended a number of measures, which have been fully implemented.

There is a report on today's agenda regarding a supplementary Road Safety Audit, we will be pursuing that.

4.2 Mr Jeff McGinniss, Baldivis – Stakehill Road, Baldivis

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

Mr McGinniss referred to the lack of turning provisions at Firbank Close as described in our Joint Submission to the City May 2021 (extract below) and the Stakehill Road East Meeting Outcomes Letter from Sam Assaad, Director Engineering and Park Services on 10 September 2021 which states:

"The City will investigate the turning movements at Firbank intersection and the location of the chevron sign and take necessary action, as required."

1. What was the result of the investigation, what action was required, and what action has the City taken to make Firbank Close intersection safe?

The Mayor advised that the City's officers have undertaken site visits on 14th & 15th September 2021 and counted the traffic turning movements at the intersection of Stakehill Rd and Firbank Close. The traffic volume turning into Firbank Close from Stakehill Rd wasn't noticeable. Firbank Close is a cul-de-sac road which provide access to 5 properties. Based on this, the request to install a turning lane at the intersection is not justified.

The location of the chevron hazard marker sign at Stakehill Rd was checked and the location of this sign is satisfactory, and the sign is required for road users safety to emphasise a marked change in the direction of travel and the presence of an obstruction to approaching traffic.

Mr McGinniss referred to an extract from the Stakehill Rd East Joint Submission - Page 12

Chevron sign indicating T junction opposite Firbank Close (#1 in blue)

This chevron sign causes more problems than it solves, as it almost completely stops vehicles from getting past any vehicle turning right into Firbank Close. The only safe way to turn right into Firbank from Stakehill Road, is to venture onto the "painted island" (#2) that precedes the right turning lane into the sand mine. This is the only way vehicles coming from behind can get past without a rear ender occurring. We have asked the City if the "painted island" can be made into a safe turning lane for Firbank but our request was denied.



I refer to our Joint Submission, Page 13 - Firbank Close, proximity to Sand Mine Mr Craig Sanford, Senior Development Manager, Development WA has advised that HOLCIM will shortly recommence sand mining the land on the southside of Stakehill Road East. As explained in our Joint Submission, and shown in the photo attached, the quarry entry is in close proximity to Firbank Close. This brings with it significant risk due to the volume of slow moving heavy loaded vehicles entering and exiting Stakehill Road East. The City is aware that I nearly lost my life at Firbank intersection and myself and other residents have witnessed several near misses particularly during peak times when large volumes of traffic travels to and from the freeway. Many drivers mistake the quarry turning lanes as turning lanes for Firbank Close. Currently, the only safe way to turn right into Firbank is to use these turning lanes which are for trucks heading in the opposite direction, to turn right into the sand mine. When the mine reopens, we will not be able to use these turning lanes to turn safely into Firbank, although the question remains whether drivers outside of our community will be aware of this.

2. Can the City please advise how many trucks will be using this entry onto Stakehill Rd East and what action will the City take to ensure that this section of road is made safe for all road users including safe access and egress to Firbank Close prior to sand mining activity recommencing?

The Mayor advised that heavy vehicle movements from the sand quarry site will be at the same or lower levels of the previous stage of the sand mining as per the initial traffic impact assessment completed for the site.

4.3 Ms Melanie Norman, Baldvis – Stakehill Road, Baldvis

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

Ms Norman referred her question to the Stakehill Road East Meeting Outcomes Letter from Sam Assaad, Director Engineering and Park Services 10 September 2021 which states:

The City advised that "it will collect regular traffic data after the change of speed limit to review the driver behaviour. If consistent poor driver behaviour is identified and it meets the requirement for referral to WA Police for speed enforcement, the City will send data to WA Police."

1. When will the data collection commence, how often will it be collected and will the results be disclosed to Council and our Community?

The Mayor advised that traffic patterns take three to six months to normalise after any road condition change. Data will be collected in February 2022 and September 2022 initially to determine the behaviour change that has occurred as a result of the speed limit change. Data will then be collected every two years in line with the City data collection program.

Ms Norman again referred to the above mentioned letter which states:

The City advised that it "will raise the poor driver behaviour issue on Stakehill Road at its next RoadWise Advisory Committee meeting which is attended by a WA Police representative."

2. What were the outcomes of this meeting and what further steps will the City take to decrease the dangerous driver behaviour on Stakehill Road East?

The Mayor advised that at the City's RoadWise Advisory Committee meeting on 12 October 2021 the speed limit reduction on Stakehill Road from Fletcher Road to Baldvis Road was discussed. The City has requested WA Police to enforce the new speed limit. The City advised that they will collect traffic data regularly to determine the level of compliance with the new speed limit.

4.4 Mr Mark Threlfall, Baldivis – Stakehill Road, Baldivis

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

Mr Threlfall referred to point 2 of this evening's Notice of Motion Stakehill Road East.

1. Can the City reassure our Community that the 2022 Road Safety Audit, in particular the assessment of the installation of safety barriers to the bend adjacent to my property will be based on relevant speed data, for instance, the actual speed that run off road crashes have occurred and/or the 2019 MetroCount Speed Statistics which showed vehicles travelling up to 141.9 kph past homes, driveways and Ukich Place intersection and that the assessment will not be based purely on the posted speed limit of 70kph and/or 10kph above?

The Mayor advised that the Road Safety Audit will be based on the recent traffic counts data collected prior to the audit and provided to the consultant. The Road Safety Audit will be undertaken by an independent consultant and will provide the recommendations to the City for consideration.

In 2013 we purchased our property at 4 Ukich Place Baldivis. It had always been a dream of ours to raise a family on acreage in Baldivis amongst beautiful flora and fauna in a tranquil rural setting with this particular property boasting a beautiful parkland area and space for our family.

However this 'dream' has been all but destroyed by the constantly increasing, unbearably noisy traffic, trucks and semi-trailers shaking our home and waking us up, off road motorbikes illegally tearing up the road, vehicles crashing into and through our property with our front door, living area and bedrooms only 15 metres from this seemingly "rural" but which is in fact an arterial main haulage road.

On 15 February 2016, the Planning and Engineering Services Committee reviewed the Proposed Karnup Phase One Structure Plan over Lots 316 and 1340 Stakehill Road, Karnup.

The minutes (page 22) refers to the Transportation Noise Assessment prepared for Stakehill Road East (Contour Plan attached) which shows properties to the north of Stakehill Rd well above acceptable noise level limits. The impact of noise on human health is well documented and I refer to the attached documents.

2. Will the City and Council consider the impact long term noise exposure from the road has on my family's and our communities human health standards and acoustic amenity upon gazettal of the MRS in investigating the merits of undertaking an upgrade of the road?

The Mayor advised that the impact of transport noise on human health is considered as part of the planning assessment when major upgrades to transport infrastructure are proposed. This is done by examining the proposal against the State Planning Policy 5.4 Road and Rail Noise. In considering the proposed upgrades of Stakehill Road, the proposal will be assessed against State Planning Policy 5.4 with the view to protecting the existing residents from unreasonable levels of transport noise, and determining appropriate noise mitigation design and construction standards.

The Mayor noted that on a personal level Council Members understand the beauty of where you live and the issues.

4.5 Ms Donna Larkins, Baldivis – Stakehill Road, Baldivis

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

Ms Larkins referred to the COR Strategic Community Plan 2019-2029 - Aspirations and Strategic Objectives, Notice of Motion Speed Limit Reduction Council Meeting August 2021 and Councillors discussions related to this Motion.

Notice of Motion Speed Limit Reduction Stakehill Road Pages 151-152

Implications to Consider

Aspirations 2: Grow and Nurture Community Connectedness and Wellbeing

Strategic Objective: Community Safety and Support - *Provide support to residents and visitors so they feel safe and secure at home and outdoors.*

Aspiration 4: Deliver Quality Leadership and Business Expertise Strategic Objective: Management of Current Assets - *Maintain road infrastructure based on best practice principles and life cycle cost analysis.*

The Notice of Motion to reduce the speed limit on Stakehill Road included Implications to Consider. There were three main Aspirations and Strategic Objectives from the City's Strategic Community Plan 2019 – 2029:

1. Grow and Nurture Community Connectedness and Wellbeing
2. Provide support to residents and visitors so they feel safe and secure at home and outdoors.
3. Maintain road infrastructure based on best practice principles and life cycle cost analysis.

Additionally, at the August Council Meeting, Councillors commented that the speed limit reduction should be a temporary fix and more needed to be done.

1. One - How will the City fulfil these Aspirations and Objectives, so that our community and the thousands of commuters using Stakehill Road can feel safe while the dangerous and illegal driving behaviour continues and the road remains unsafe?

The Mayor advised that the City continues to work with the community on their concerns. It is noted that the City has no authority to enforce the law regarding dangerous driving and excessive speeding issues. Any dangerous driving or excessive speeding should be reported to WA police. The City will continue to liaise with WA police.

2. How can the City ensure that residents living metres from the road "feel safe and secure at home and outdoors" when the threat of run off road crashes is ever present because of the road crash history and speeding and dangerous driving behaviour continues?

The Mayor advised that the City arranged an independent Road Safety Audit (RSA) for the road in 2019. Those recommendations have been fully implemented.

The City will be completing another Road Safety Audit once the 2021 crash data is released to identify any further improvements.

As mentioned please report to the police.

3. How has Stakehill Road East been maintained based on best practice principles and life cycle cost given it is a sixty year old road and what is its expected life cycle?

The Mayor advised that the lifecycle of assets depends on a number of factors. Roads are resurfaced to ensure that the road is in an appropriate condition. All of the City's road network is reviewed regularly to determine what maintenance or renewal is required as part of our asset management practices.

4.6 Ms Fiona Ewen , Baldivis – Stakehill Road, Baldivis

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

Ms Ewen referred to documents which identifies our area as regionally significant and recommended for conservation; the Department of Planning, Lands and Heritage recommendation to re-align Stakehill Rd East to “*retain rural landowner amenity and reduce impact on environmentally sensitive areas*” and Letter from Sam Assaad, Director, Engineering and Park Services, 23 June 2021.

1. What did the Stakehill Road Needs Study recommend?

The Mayor advised that the Needs Study recommended Stakehill Road be realigned into Development WA land with the original alignment being retained as a controlled access place (CAP) road. This realignment is reflected within the Planning Control Area imposed by the Department of Planning, Lands and Heritage.

2. What action will the City take to promote our area as regionally and environmentally significant and an inclusive and important part of the City of Rockingham?

The Mayor advised that the City is implementing the actions contained within its Sustainability Strategy to promote education and engagement of environmental and sustainability outcomes by expanding communications on local environmental issues and City efforts through a range of mediums. The City promotes its actions through the Sustainability Snapshot published annually.

The City also recognises that its natural areas are home to a unique diversity of plant and animal species. These natural areas are valued by residents as vital components of the City’s identity, prosperity and lifestyle. The City’s Community Plan Strategy – Natural Area Conservation establishes a management and monitoring program to ensure that these areas are well protected and managed.

Promotion of these areas as regionally and environmentally significant is undertaken by the Economic Development Team.

3. What action will the City take to restore our Rural Lifestyle, Sense of Place and Wellbeing, and Protect the Environmentally Sensitive Areas as recommended by the Department of Planning, Lands and Heritage and will the City and Council consider these values along with the Aspirations and Strategic Objectives upon gazettal of the MRS in investigating the merits of undertaking an upgrade of the road?

The Mayor advised that the City’s role is to make recommendations to the Department of Planning, Lands and Heritage to seek an appropriate transition between existing Rural land and future Urban areas. A separate report will be presented to Council in due course after the gazettal of the MRS Amendment for Stakehill Road; investigating the merits undertaking an upgrade of the road to inform the City’s Business Plan. The report will consider the costs and benefits of such an upgrade, mechanisms for delivery of the upgrade, and potential funding sources.

4.7 Ms Lorri Skinner, Rockingham – Multifunctional Performing Art Convention Centre in Rockingham

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

1. Of the 30 Local Government Areas in WA, 11 of them have one or more Performing Art Centres (total 15). Rockingham has a population of nearly 140,000 and is currently rated the 5th largest LGA.

A community survey run in 2021 by the Performing Art and Cultural Development Centre group, with 500 participated, showing that

- 99.7% think that Art and Culture contribute to a community.
- 98.7% agreed that a Multi-Art and Cultural Centre was needed to accommodate the Performing Arts, Visual, Literary and Master-craft Creative Industries in Rockingham.

I was aware this was a recommendation from 2008-2010 feasibility study.

Why does the City of Rockingham need to wait until the population reaches 200,000 to consider reviewing the need for a Performing Art Centre for Rockingham?

The Mayor advised that the City's Community Infrastructure Plan 2021 (CIP) refers to a set of Facility Provision Guidelines. These guidelines have been developed using industry benchmarks which include the Parks and Leisure Australia WA (PLAWA) Guidelines for Community Infrastructure (Parks and Leisure Australia, 2020). The PLAWA Guidelines for Community Infrastructure identify the provision of a facility including a performing arts theatre to have a population guideline of 1:250,000 which would be a regional facility. The ratio for a Performing Arts Centre as per the City's CIP and its associated Facility Provision Guidelines is 1:200,000 – 300,000, that is one Performing Arts Centre for 200,000 – 300,000 residents. The CIP was adopted by Council in September 2021. It should be noted that the ratios included in the facility guidelines are intended as a guide only. The City's community facility provision guidelines must be underpinned by the key principles of accessibility and equity, and must also be balanced by local social and economic conditions. As such, these guidelines must be regarded as flexible subject to location and design, levels of service provision, demographic change in the community, changing community expectations and improved models of service delivery and affordability.

2. As the Cultural Development and the Arts Strategic Plan isn't going to be looked at for another year, can we have this review brought forward to 2022, so that some outcomes can be included in the 5 year '2023-2028 Cultural Development and the Art Strategic Arts Plan' and move forward with some action to address them?

The Mayor advised that the current Cultural Development and the Arts Strategy (2018-2022) will be reviewed in the first half of the 2022 calendar year. Following this, the development of the next CDATA Strategy (2023-2027) will go through the City's Strategic Development Framework process, including a thorough community consultation process, in the 2022/2023 financial year (commencing in the second half of 2022 calendar year) in preparation for the adoption of the next Cultural Development and the Arts Strategy which will cover the years 2023-2027. These timeframes are set as part of the City's annual planning/budgeting processes.

3. There are 18 Local Dance Groups in the Rockingham area, who need stages.

The State Highland Dance Group resides in Rockingham with nowhere to put on larger national and international performances.

220-250 active Visual Artists, some in a professional capacity. The Rockingham Art centre had a wait list of 2 years for exhibition space bookings, after activation.

Although the premier Art event for Rockingham, Castaway Sculptures by the Sea bring ever growing crowds, but there is no Sculptural areas for artist to work. -120-150 practising writers, the first City of Rockingham produced Anthology was produced last year.

Theatre Production companies like Grey Lantern, using local talent and perform at the Fringe Festival. Go to Subiaco Performing Art Centre to put on their Theatre productions.

There are a large number of musicians working in Rockingham, mostly in teaching with no acoustically suitable local performing areas, including new Northern Lights Orchestra.

We need to focus back on our Arts and Cultural, before we lose our skilled artisans and the soul and excitement that Art and Culture are now generating in Rockingham is lost.

The Performing, Visual, Literary Arts and Master-craft Creative Industries are growing in number and expertise, along with the population in Rockingham. Where are they meant operate, connect and showcase their talent? If they have no home, they will go elsewhere.

The Mayor advised that the City currently caters for the visual, literary arts and some elements of master-craft creative industries specifically through the implementation of the existing Cultural Development and the Arts Strategy (2018-2022), namely through:

- *Key Element 1 – Cultural Development and the Arts Awareness; and*
- *Key Element 5 – Rockingham Arts Centre*

The Rockingham Arts Centre and the Gary Holland Community Centre are identified in this Strategy as the major hub of arts practice and activity. The Rockingham Arts Centre will be renovated early next year improving the capacity of the gallery space to hold exhibitions, renovation of the existing multi use space to provide opportunity for secondary exhibitions, as well as workshops in a variety of art mediums, and increase storage and enhance the Studio space.

Additionally, community centres and halls are available to be booked by arts, craft and performing art community groups. The Mary Davies Library also provides an arts and crafts room that caters for art groups and classes. The facility is also used for dance groups and music recitals and some artwork displays.

If the public consultation for the development of the next Cultural Development and the Arts Strategy (2023-2027) indicates support for a Performing Arts Centre, a feasibility study for such a facility will be included in the next Strategy (2023-2027).

4.8 Ms Teresa Ong, Singleton – Council responses to residents/ratepayers / public question time / code of conduct

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

Can you please explain to me how the Public Gallery public question time minutes evolve.

The last council, prior to this one, the minutes from the Public gallery did not always reflect what was being said from the public area and the response from the Mayor.

1. Does the minute taker take poetic licence, are the minutes verbatim, or a rapid fire guess at what was said as the answers are not recorded.
eg: if a question is financial, does the question get shown to that team before being typed up and any changes made to suit them?

The Mayor advised that as per Regulation 11(e) of the Local Government (Administration) Regulations 1996 a summary of each question raised by members of the public at the meeting and a summary of the response to the question is required to be recorded in the minutes.

Ms Ong noted that the previous Manager of Governance when answering questions could be quite rude and give evasive answers.

One particular answer was a real non answer but it was ended, and this should be on your storage machine, with a comment, if you don't like the answers here are some places you can take your complaints to.

It listed 4 places.

- CCC
- OAG
- Public Sector Commission
- Ombudsman

Alongside were the email addresses and phone numbers.

These 4 agencies have been used extensively by many people over the last 18 months.

2. Does this new Council see any way to ensure the residents/ratepayers get decent answers to the questions they have taken the time to bring or send in to Council. Discuss the phone call and comments?

The Mayor advised that the City does not comment publicly on individual staff members.

Notwithstanding this, it is not possible to answer your specific query about a matter dealt with some time ago without the context and background on this matter. The Council has full confidence in its staff providing responses to queries from the public and if you are not satisfied then you can contact the following four organisations – CCC, OAG, Public Sector Commission and Ombudsman. City staff on a daily basis answer many questions from the community and do their best to assist where possible, however sometimes it is not possible to satisfy every resident.

3. Can the Code of Conduct please add that is it not acceptable for ex-Councillors to wear their council badges once they have left the City of Rockingham as an elected member?

The Chief Executive Officer noted that ex-councillors are not covered by the City's Code of Conduct and took the question on notice.

4. Is there any provision in the Code of Conduct and does the City of Rockingham have an integrity unit like sporting clubs if a Councillor wants to discuss any breaches in a self confession situation? If the Councillor knows they have breached or do they wait until someone reports them.

The Mayor took the question on notice.

4.9 Mr James Mumme, Shoalwater – Multifunctional Performing Art Convention Centre in Rockingham

The Mayor invited Mr Mumme to present his questions to the Council. Mr Mumme indicated that question 2 had been answered earlier and asked the following questions:

1. What reason does Council suggest for the fact that in between Fremantle, Perth and Mandurah there is a cultural gap in which community creativity and inventiveness have nothing dedicated and purpose built in which to operate?

The Mayor took the question on notice.

2. What is the origin of this threshold of 200,000 quoted by the Officers before a city can support a performing arts centre?

Question answered earlier.

3. Will Council ignore this trigger population figure of 200,000? For one thing it ignores the proportion of the population that is retired and which can be expected to be regular participants in cultural activities?

The Mayor advised that guidelines are flexible.

	<p>4. Is Council aware that the population of Mandurah is currently under 100,000 yet their MPAC facility was opened in 1997? <i>The Mayor advised, Yes.</i></p> <p>5. Is council aware that Kwinana's Koorliny Art Centre opened around 1991 and that the current population of Kwinana is under 50,000? <i>The Mayor advised, Yes.</i></p> <p>6. Does the comment about 'strong community support' in the PACCC survey that. "The City has received limited information about how survey respondents were sourced." mean that Council is sceptical about the validity of the survey to represent the community? If so, what could Council do to obtain better information? <i>The Mayor took the question on notice.</i></p> <p>6:42pm There being no further questions the Mayor closed Public Question Time.</p>															
5.	Applications for Leave of Absence															
	Nil															
6.	Confirmation of Minutes of the Previous Meeting															
	<p>Moved Cr Liley, seconded Cr Buchanan:</p> <p>That Council CONFIRMS the Minutes of the:</p> <ol style="list-style-type: none"> 1. Ordinary Council meeting held on 12 October 2021; and 2. Special Council meeting held on 26 October 2021 <p>as a true and accurate record.</p> <p style="text-align: right;">Carried – 12/0</p>															
7.	Matters Arising from Minutes of Previous Meeting															
	Nil															
8.	Announcement by the Presiding Person without Discussion															
	<p>6:44pm The Mayor announced to all present that decisions made at Committees of Council are recommendations only and may be adopted in full, amended or deferred when presented for consideration at the Council meeting.</p>															
9.	Declarations of Members and Officers Interests															
	<table border="0" style="width: 100%;"> <tr> <td style="width: 10%;">9.1</td> <td style="width: 35%;">Item PD-034/21</td> <td style="width: 55%;">Proposed Street Naming Theme - Kennedy Bay</td> </tr> <tr> <td></td> <td>Council Member:</td> <td>Cr Brett Wormall</td> </tr> <tr> <td></td> <td>Type of Interest:</td> <td>Impartiality</td> </tr> <tr> <td></td> <td>Nature of Interest:</td> <td>Cr Wormall's employer "Wormall Civil" is currently undertaking construction works on-site on behalf of the developer.</td> </tr> <tr> <td></td> <td>Extent of Interest:</td> <td>Not Applicable</td> </tr> </table> <p>6:44pm The Mayor noted the interests declared in Item 9.1 and asked if there were any further interests to declare.</p>	9.1	Item PD-034/21	Proposed Street Naming Theme - Kennedy Bay		Council Member:	Cr Brett Wormall		Type of Interest:	Impartiality		Nature of Interest:	Cr Wormall's employer "Wormall Civil" is currently undertaking construction works on-site on behalf of the developer.		Extent of Interest:	Not Applicable
9.1	Item PD-034/21	Proposed Street Naming Theme - Kennedy Bay														
	Council Member:	Cr Brett Wormall														
	Type of Interest:	Impartiality														
	Nature of Interest:	Cr Wormall's employer "Wormall Civil" is currently undertaking construction works on-site on behalf of the developer.														
	Extent of Interest:	Not Applicable														

	<p>9.2 Item CD-021/21 A study into a Multifunctional Performing Art Convention Centre in Rockingham</p> <p>Council Member: Mayor Deb Hamblin</p> <p>Type of Interest: Impartiality</p> <p>Nature of Interest: Mayor Hamblin is a patron of the Rockingham Regional Arts.</p> <p>Extent of Interest: Not applicable</p> <p>The Mayor noted there were no further interests declared.</p>
10.	Petitions/Deputations/Presentations/Submissions
	<p>10.1 WA Tourism Awards – Excellence in Local Government for Tourism</p> <p>Mayor Hamblin noted that at the recent Tourism Award Ceremony the City took out the silver award for ‘Excellence in Local Government for Tourism’ and congratulated all involved.</p> <p>10.2 WA Heritage Awards – Rockingham Foreshore Project.</p> <p>The Mayor noted that at the recent WA Heritage Award Ceremony the City was the award winner for ‘Contribution by a Public Organisation’. The award was for protecting and celebrating the unique cultural heritage and stunning environment of the region to facilitate an inclusive and contemporary community. The judges noted that the award-winning Rockingham Foreshore Project has led to a better appreciation and recognition of heritage values in the community.</p> <p>Mayor Hamblin congratulated all those involved.</p> <p>10.3 100th Birthday celebrations</p> <p>Mayor Hamblin noted that she had attended two birthdays for people who have recently turned 100 in our community</p>
11.	Matters for which the Meeting may be Closed
	<p>6:47pm The Mayor advised in accordance with section 5.23(2)(b) of the Local Government Act 1995 – if there are any questions or debate on Confidential Item GM-035/21 – Nominations Received for Community Citizen of the Year Awards 2022, 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>

General Management Services

CONFIDENTIAL ITEM

NOT FOR PUBLIC ACCESS

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

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

**General Management Services
Governance and Councillor Support
Australia Day Awards Selection Panel**



Reference No & Subject:	GM-035/21	Nominations Received for Community Citizen of the Year Awards 2022
File No:	COM/7	
Proponent/s:		
Author:	Ms Julette Edwards, A/Manager Governance and Councillor Support	
Other Contributors:		
Date of Council Meeting:	23 November 2021	
Previously before Council:		
Disclosure of Interest:		
Nature of Council's Role in this Matter:	Executive	
Site:		
Lot Area:		
Attachments:	Confidential Attachment as per Section 5.95 of the Local Government Act 1995 1. Minutes of the Australia Day Awards Selection Panel meeting held on 11 November 2021 2. Nomination forms – Community / Junior / Senior	
Maps/Diagrams:		

Purpose of Report

To consider the nominations received for the Community Citizen of the Year Awards 2022, select winners and submit recommendations to Council for approval.

Voting Requirements

Simple Majority

Advisory Committee Recommendation

That Council:

1. **ACCEPTS** the recommendation by the Australia Day Awards Selection Panel on the recipients for the following 2022 awards –
 - a) Community Citizen of the Year
 - b) Young Community Citizen of the Year (under 25 years of age)
 - c) Senior Community Citizen of the Year (over 65 years of age)
2. **WITHHOLDS** the release of the name of the successful award recipients until they are formally presented at the 2022 Australia Day ceremony.

Officer Recommendation if Different to Advisory Committee Recommendation

Not Applicable

The Officer's Reason for Varying the Advisory Committee Recommendation

Not Applicable

Council Resolution

Moved Cr Buchan, seconded Cr Liley:

That Council:

1. **ACCEPTS** the recommendation by the Australia Day Awards Selection Panel on the recipients for the following 2022 awards –
 - a) Community Citizen of the Year
 - b) Young Community Citizen of the Year (under 25 years of age)
 - c) Senior Community Citizen of the Year (over 65 years of age)
2. **WITHHOLDS** the release of the name of the successful award recipients until they are formally presented at the 2022 Australia Day ceremony.

Carried – 12/0

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


Not Applicable

12.	Receipt of Minutes of Committees
	<p>Moved Cr Liley, seconded Cr Buchan:</p> <p>That Council RECEIVES and CONSIDERS the minutes of the:</p> <ol style="list-style-type: none">1. Audit Committee meeting held on 9 November 20212. Planning and Engineering Services Committee meeting held on 15 November 20213. Corporate and Community Development Committee meeting held on 16 November 2021 <p style="text-align: right;">Carried – 12/0</p>
13.	Officers Reports and Recommendations of Committees
	<p>Method of Dealing with Agenda Business</p> <p>The Mayor advised the meeting that with the exception of the items identified to be withdrawn for discussion that the remaining reports committee recommendations would be adopted en bloc, ie all together.</p> <p>Withdrawn Items</p> <p>The following officer report items were withdrawn for discussion:</p> <p>GM-034/21 Annual Report and Annual Meeting of Electors 2020/2021 (<i>Absolute Majority</i>)</p> <p>CD-021/21 A study into a Multifunctional Performing Art Convention Centre in Rockingham</p>



Audit Committee

Note: Prior to the meeting Mr John Pearson, Director Corporate Services had provided a memorandum to elected members indicating that as was advised at the Corporate and Community Development Committee Meeting on Tuesday 16 November 2021, the City was advised by the Auditor General of a delay in the receipt of the signed audit opinion. The memorandum indicated that this has now been received and forwarded to Council Members for consideration of Item AC-005/21 Adoption of the Annual Financial Report for 2020-2021. Changes to the financial statements were merely formatting and none of the financial information has changed from that which was adopted by the Audit Committee. The signed Independent Auditors Report and signed Financial Statements that have been provided will now form an attachment to the minutes of this meeting.

<h2>Audit Committee</h2>		
Reference No & Subject:	AC-005/21	Adoption of the Annual Financial Report for 2020/2021
File No:	CPM/109-02	
Proponent/s:		
Author:	Mr Hitesh Hans, Acting Financial Accountant	
Other Contributors:	Mr Alvin Santiago, Financial Controller Mr Allan Moles, Manager Financial Services Mr John Pearson, Director, Corporate Services	
Date of Council Meeting:	23 November 2021	
Previously before Council:		
Disclosure of Interest:		
Nature of Council's Role in this Matter:	Executive	
Site:		
Lot Area:		
Attachments:	<ol style="list-style-type: none">1. Minutes of the Audit Committee meeting held 9 November 20212. Audited Financial Report 2020/20213. Draft Independent Auditor's Report4. Draft Management Report (Closing Audit Report)	
Maps/Diagrams:		

Purpose of Report

To present to Council the Audited Financial Report, Independent Auditor's Report and Management Report for the year ended 30 June 2021.

Background

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

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

Details

Independent Auditor's Report

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

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

- (i) is based on proper accounts and records; and*
- (ii) fairly represents, in all material respects, the results of the operations of the City for the year ended 30 June 2021 and its financial position at the end of that period in accordance with the Local Government Act 1995 (the Act) and, to the extent that they are not inconsistent with the Act, Australian Accounting Standards."*

The audit report states the following matters under the other legal and regulatory requirements:

"In accordance with the Local Government (Audit) Regulations 1996 I report that:

- (i) In my opinion, the following material matters indicate a significant adverse trend in the financial position of the City:*
 - a) The Operating Surplus Ratio as reported in Note 37 of the annual financial report is below the Department of Local Government, Sport and Cultural Industries' standard for the past two financial years and the current year is below the previous year.*
 - b) The Asset Sustainability Ratio as reported in Note 37 of the annual financial report is below the Department of Local Government, Sport and Cultural Industries' standard for the past three financial years.*
- (ii) All required information and explanations were obtained by me.*
- (iii) All audit procedures were satisfactorily completed.*
- (iv) In my opinion, the Asset Consumption Ratio and the Asset Renewal Funding Ratio included in the financial report were supported by verifiable information and reasonable assumptions."*

Officer comment to this is included in the comments section of this report.

Audit Management Report

The draft Management Report includes two findings and these have been addressed by management in the report.

Some of the key indicators included in the Annual Financial Report for 2020/2021 are:

- The City has net assets of \$2.19 billion.
- Total operating revenue for the year was \$146.49 million.
- Total rate revenue for the year was \$91.65 million.
- The outstanding borrowings as at 30 June 2021 was \$7.84 million.

The closing surplus reported in the Rate Setting Statement for the year was \$52.65 million. However this amount includes unspent funds, outstanding commitments and funds received but restricted for specific purposes as of 30 June 2021. The impact of the surplus on the current budget will be analysed and presented to Council in conjunction with the first Budget Review.

Implications to Consider

a. Consultation with the Community

Nil

b. Consultation with Government Agencies

Nil

c. Strategic

Community Plan

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

Aspiration 4: *Deliver Quality Leadership and Business Expertise*

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

d. Policy

Nil

e. Financial

The Annual Financial Report presents historical information and therefore there is no budget implication. However, the adoption of the audited Annual Financial Report requires the current year budget to be amended for events and transactions that occurred as of the end of 30 June 2021 that impact the judgement and estimates used to develop the 2021-2022 budget.

f. Legal and Statutory

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

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

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

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

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

Section 7.12A(4) of the Local Government Act 1995 requires that a local government:

- a) prepare a report addressing any matters identified as significant by the auditor in the audit report, and stating what action the local government has taken or intends to take with respect to each of those matters; and
- b) give a copy of that report to the Minister within 3 months after the audit report is received by the local government.
- c) Section 7.12A(5) requires that within 14 days after a local government gives a report to the Minister under subsection (4)(b), the CEO must publish a copy of the report on the local government's official website.

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 information below is provided in response to the significant matters raised by the Auditor.

The local government industry acknowledges that the current financial ratios are flawed and that changes are required to ensure that they are relevant and a review has commenced. This includes representatives from the Department of Local Government, Sport and Cultural Industries (DLGSC), Western Australian Local Government Association (WALGA) and senior local government financial management practitioners.

The Western Australian Auditor General's Report – Audit Results Report – Annual 2019-20 Financial Audits of Local Government Entities contained the following recommendation:

“The Department of Local Government, Sport and Cultural Industries (DLGSC) should assess whether the current financial ratios in the FM Regulations remain valid criteria for fairly measuring and reporting the performance of each LG entity. This could also include a simplification of LG entity reporting requirements for financial ratios, and review of the requirement under the FM Regulations for the auditor to report on any adverse trends in the ratios as part of the annual financial audit.”

Despite the ongoing review, the Office of the Auditor General has to report on these financial ratios until they are amended.

Given the above information, the relevance of the adverse finding related to trends in ratios is very difficult to respond to objectively.

1. Operating Surplus Ratio

The operating surplus ratio is calculated as follows:

$$\frac{\text{(Operating Revenue MINUS Operating Expense)}}{\text{Own Source Operating Revenue (i.e. rates, fees and charges)}}$$

Own Source Operating Revenue (i.e. rates, fees and charges)

The benchmark ratio is at least 0.1.

A positive ratio indicates the percentage of total own source revenue available to help fund proposed capital expenditure, transfer to cash reserves or to reduce debt. A negative ratio indicates the percentage increase in total own source revenue (principally rates) that would have been required to achieve a break-even operating result.

For the past two years the City's own source operating revenue has been impacted by COVID-19. In 2019/2020 the City experienced a revenue shortfall of over \$10 million as a result of COVID-19 lock-downs. In 2020/2021 the City's own source operating revenue was impacted due to COVID-19 relief measures including zero increases in rates and fees and charges, not charging rate instalment fees and interest and reduced penalty interest. Western Australia remains under a State of Emergency. It is very difficult for a local government to have a positive operating surplus ratio when the consistent state message was to not increase self-generated revenue and perpetual mandated facility shutdowns.

2. Asset Sustainability Ratio

The asset sustainability ratio is calculated as follows:

$$\frac{\text{Capital Renewal and Replacement Expenditure}}{\text{Depreciation Expense}}$$

Depreciation Expense

This ratio is an approximation of the extent to which assets managed by a local government are being replaced as these reach the end of their useful lives. It is calculated by measuring capital expenditure on renewal or replacement of assets, relative to depreciation expense. Expenditure on new or additional assets is excluded.

The benchmark ratio is at least 0.9.

A low percentage may indicate that asset base is relatively new. The City is growing due to new developments in recent years and has added significant amounts to the new asset base which do not require renewal and replacement in the early years of asset life cycle. The City receives significant gifted assets all of which need to be accounted for and depreciated accordingly. To correct a ratio of this nature, the City either needs to reduce its asset creation, much of which is beyond City control, or reduce its depreciation rates. Depreciation rates will again be reviewed. Notwithstanding the Officer of the Auditor General opinion reviewing the reportable ratios, interpretation of this ratio should also be considered together with the asset ratios which are positive.

Voting Requirements

Simple Majority

Officer Recommendation

That Council:

1. **ADOPTS** the Audited Financial Report for the year ended 30 June 2021.
2. **NOTES** the Management Report for year ended 30 June 2021.
3. **ENDORSES** the following report addressing the significant matters raised in the Independent Auditor's Report.

Report on the significant matters raised in the Independent Auditor's Report

The Independent Auditor's Report included the following:

"In accordance with the Local Government (Audit) Regulations 1996 I report that:

- (i) *In my opinion, the following material matters indicate a significant adverse trend in the financial position of the City:*
 - a) *The Operating Surplus Ratio as reported in Note 37 of the annual financial report is below the Department of Local Government, Sport and Cultural Industries' standard for the past two financial years and the current year is below the previous year.*
 - b) *The Asset Sustainability Ratio as reported in Note 37 of the annual financial report is below the Department of Local Government, Sport and Cultural Industries' standard for the past three financial years."*

Operating Surplus Ratio

The operating surplus ratio is calculated as follows:

(Operating Revenue MINUS Operating Expense)

Own Source Operating Revenue (i.e. rates, fees and charges)

The benchmark ratio is at least 0.01.

A positive ratio indicates the percentage of total own source revenue available to help fund proposed capital expenditure, transfer to cash reserves or to reduce debt. A negative ratio indicates the percentage increase in total own source revenue (principally rates) that would have been required to achieve a break-even operating result.

For the past two years the City's own source operating revenue has been impacted by COVID-19. In 2019/2020 the City experienced a revenue shortfall of over \$10 million as a result of COVID-19 lock-downs. In 2020/2021 the City's own source operating revenue was impacted due to COVID-19 relief measures including zero increases in rates and fees and charges, not charging rate instalment fees and interest and reduced penalty interest. Western Australia remains under a State of Emergency. It is very difficult for a local government to have a positive operating surplus ratio when the consistent state message was to not increase self-generated revenue and perpetual mandated facility shutdowns.

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The asset sustainability ratio is calculated as follows:

Capital Renewal and Replacement Expenditure

Depreciation Expense

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A low percentage may indicate that asset base is relatively new. The City is growing due to new developments in recent years and has added significant amounts to the new asset base which do not require renewal and replacement in the early years of asset life cycle. The City receives significant gifted assets all of which need to be accounted for and depreciated accordingly. To correct a ratio of this nature, the City either needs to reduce its asset creation, much of which is beyond City control, or reduce its depreciation rates. Depreciation rates will again be reviewed. Notwithstanding the Officer of the Auditor General opinion reviewing the reportable ratios, interpretation of this ratio should also be considered together with the asset ratios which are positive.

Committee Recommendation

That Council:

1. **ADOPTS** the Audited Financial Report for the year ended 30 June 2021.
2. **NOTES** the Management Report for year ended 30 June 2021.
3. **ENDORSES** the following report addressing the significant matters raised in the Independent Auditor's Report.

Report on the significant matters raised in the Independent Auditor's Report

The Independent Auditor's Report included the following:

"In accordance with the Local Government (Audit) Regulations 1996 I report that:

- (i) *In my opinion, the following material matters indicate a significant adverse trend in the financial position of the City:*
 - a) *The Operating Surplus Ratio as reported in Note 37 of the annual financial report is below the Department of Local Government, Sport and Cultural Industries' standard for the past two financial years and the current year is below the previous year.*
 - b) *The Asset Sustainability Ratio as reported in Note 37 of the annual financial report is below the Department of Local Government, Sport and Cultural Industries' standard for the past three financial years."*

Operating Surplus Ratio

The operating surplus ratio is calculated as follows:

(Operating Revenue MINUS Operating Expense)

Own Source Operating Revenue (i.e. rates, fees and charges)

The benchmark ratio is at least 0.01. **The City's ratio for the past three years are as follows:**

2018/2019	0.02
2019/2020	(0.07)
2020/2021	(0.08)

A positive ratio indicates the percentage of total own source revenue available to help fund proposed capital expenditure, transfer to cash reserves or to reduce debt. A negative ratio indicates the percentage increase in total own source revenue (principally rates) that would have been required to achieve a break-even operating result.

For the past two years the City's own source operating revenue has been impacted by COVID-19. In 2019/2020 the City experienced a revenue shortfall of over \$10 million as a result of COVID-19 lock-downs. In 2020/2021 the City's own source operating revenue was impacted due to COVID-19 relief measures including zero increases in rates and fees and charges, not charging rate instalment fees and interest and reduced penalty interest. Western Australia remains under a State of Emergency. It is very difficult for a local government to have a positive operating surplus ratio when the consistent state message was to not increase self-generated revenue and perpetual mandated facility shutdowns.

Asset Sustainability Ratio

The asset sustainability ratio is calculated as follows:

$$\frac{\text{Capital Renewal and Replacement Expenditure}}{\text{Depreciation Expense}}$$

This ratio is an approximation of the extent to which assets managed by a local government are being replaced as these reach the end of their useful lives. It is calculated by measuring capital expenditure on renewal or replacement of assets, relative to depreciation expense. Expenditure on new or additional assets is excluded.

The benchmark ratio is at least 0.9. **The City's ratio for the past three years are as follows:**

2018/2019	0.77
2019/2020	0.70
2020/2021	0.66

A low percentage may indicate that asset base is relatively new. The City is growing due to new developments in recent years and has added significant amounts to the new asset base which do not require renewal and replacement in the early years of asset life cycle. The City receives significant gifted assets all of which need to be accounted for and depreciated accordingly. To correct a ratio of this nature, the City either needs to reduce its asset creation, much of which is beyond City control, or reduce its depreciation rates. Depreciation rates will again be reviewed. Notwithstanding the Officer of the Auditor General opinion reviewing the reportable ratios, interpretation of this ratio should also be considered together with the asset ratios which are positive.

Committee Voting – 3/0

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

To provide the City's actual ratios as a comparison to the benchmark ratio.

Implications of the Changes to the Officer's Recommendation

Nil

Note: *The Chief Executive Officer for clarity, confirmed the signed Independent Auditors Report and Financial Statements being adopted had been provided to Council prior to this meeting.*

Council Resolution

Moved Cr Buchan, seconded Cr Edwards:

That Council:

1. **ADOPTS** the Audited Financial Report for the year ended 30 June 2021.
2. **NOTES** the Management Report for year ended 30 June 2021.

3. **ENDORSES** the following report addressing the significant matters raised in the Independent Auditor's Report.

Report on the significant matters raised in the Independent Auditor's Report

The Independent Auditor's Report included the following:

"In accordance with the Local Government (Audit) Regulations 1996 I report that:

- (i) *In my opinion, the following material matters indicate a significant adverse trend in the financial position of the City:*
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Operating Surplus Ratio

The operating surplus ratio is calculated as follows:

(Operating Revenue MINUS Operating Expense)

Own Source Operating Revenue (i.e. rates, fees and charges)

The benchmark ratio is at least 0.01. The City's ratio for the past three years are as follows:

2018/2019	0.02
2019/2020	(0.07)
2020/2021	(0.08)

A positive ratio indicates the percentage of total own source revenue available to help fund proposed capital expenditure, transfer to cash reserves or to reduce debt. A negative ratio indicates the percentage increase in total own source revenue (principally rates) that would have been required to achieve a break-even operating result.

For the past two years the City's own source operating revenue has been impacted by COVID-19. In 2019/2020 the City experienced a revenue shortfall of over \$10 million as a result of COVID-19 lock-downs. In 2020/2021 the City's own source operating revenue was impacted due to COVID-19 relief measures including zero increases in rates and fees and charges, not charging rate instalment fees and interest and reduced penalty interest. Western Australia remains under a State of Emergency. It is very difficult for a local government to have a positive operating surplus ratio when the consistent state message was to not increase self-generated revenue and perpetual mandated facility shutdowns.

Asset Sustainability Ratio

The asset sustainability ratio is calculated as follows:

Capital Renewal and Replacement Expenditure

Depreciation Expense

This ratio is an approximation of the extent to which assets managed by a local government are being replaced as these reach the end of their useful lives. It is calculated by measuring capital expenditure on renewal or replacement of assets, relative to depreciation expense. Expenditure on new or additional assets is excluded.

The benchmark ratio is at least 0.9. The City's ratio for the past three years are as follows:

2018/2019	0.77
2019/2020	0.70
2020/2021	0.66

A low percentage may indicate that asset base is relatively new. The City is growing due to new developments in recent years and has added significant amounts to the new asset base which do not require renewal and replacement in the early years of asset life cycle. The City receives significant gifted assets all of which need to be accounted for and depreciated accordingly. To correct a ratio of this nature, the City either needs to reduce its asset creation, much of which is beyond City control, or reduce its depreciation rates. Depreciation rates will again be reviewed. Notwithstanding the Officer of the Auditor General opinion reviewing the reportable ratios, interpretation of this ratio should also be considered together with the asset ratios which are positive.

Carried – 12/0

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

Not Applicable



City of Rockingham Audit Committee



Reference No & Subject:	AC-006/21	Report addressing the significant matters raised in the Local Government COVID-19 Financial Hardship Support Performance Audit
File No:	CPM/109-02	
Proponent/s:		
Author:	Mr Allan Moles, Manager Financial Services	
Other Contributors:	Mr John Pearson, Director Corporate Services	
Date of Council Meeting:	23 November 2021	
Previously before Council:		
Disclosure of Interest:		
Nature of Council's Role in this Matter:	Executive	
Site:		
Lot Area:		
Attachments:		<ol style="list-style-type: none">1. Minutes of the Audit Committee meeting held on 9 November 2021 (<i>Refer to Attachment 1 of AC-005/21</i>)2. Western Australian Auditor General's Report - Local Government COVID-19 Financial Support
Maps/Diagrams:		

Purpose of Report

To endorse the report addressing the significant matters raised in the Western Australian Auditor General's (OAG's) Report - Local Government COVID-19 Financial Support.

Background

The City was one of three local governments included in the OAG's performance audit "to assess if local government (LG) entities provided effective financial hardship support to assist ratepayers impacted by COVID-19 response measures".

The OAG's report was tabled in Parliament in October 2021 and made six recommendations to all LG entities, two of which need to be addressed by the City:

"Recommendations

All LG entities, including those not sampled in this audit, should review their policies and implement processes to support their approach to providing financial hardship support to ratepayers. LG entities should balance application and assessment costs with the value of any support provided, and ensure they:

1. *have a current Council-approved financial hardship policy that, if they want to charge the higher threshold of instalment interest, covers 2021-22 rates*
2. *actively promote the policy to their ratepayers and make the policy and application form publicly available (Northampton)*
3. *put in place clear eligibility and assessment criteria and timeframes to process applications (Northampton and Rockingham)*
4. *maintain records of applications and outcomes*
5. *identify and manage actual, potential and perceived conflicts of interest for staff who assess applications (Belmont, Northampton and Rockingham)*
6. *review their application and assessment processes in response to complaint feedback.*

Under section 7.12A of the Local Government Act 1995, the 3 sampled LG entities are required to prepare an action plan addressing significant matters relevant to them for submission to the Minister for Local Government within 3 months of this report being tabled in Parliament, and within 14 days of submission publish it on their website. The action plans should address the recommendations relevant to each entity as indicated in the brackets above.”

Details

Any matters raised in a performance audit report tabled in Parliament are considered significant matters and are required to be addressed formally under section 7.12A of the Local Government Act 1995. Of the six recommendations the two relevant to the City and are required to be addressed are as follows;

1. **Recommendation 3 - LG entities should balance application and assessment costs with the value of any support provided, and ensure they put in place clear eligibility and assessment criteria and timeframes to process applications.**

The City has clear eligibility criteria and an assessment process. It is management's view that the systems are appropriate based on support available and Council Policy requirement of an evidence-based approach. Council Policy – Financial Hardship is responding to matters related to public funds and the process applied by the City maximises the benefit to applicants on an evidence-based approach. The City has received no complaints regarding its process and to those applicants which received support, it is considered a material benefit to them.

2. **Recommendation 5 - LG entities should balance application and assessment costs with the value of any support provided, and ensure they identify and manage actual, potential and perceived conflicts of interest for staff who assess applications.**

The City has multi-layered conflict of interest systems enshrined in organisational processes and practices. On a risk based approach further controls are also applied to further reduce actual, potential or perceived conflicts of interest. These controls apply to all staff involved in assessing applications. These have all been applied and the audit found no evidence of any actual, potential or perceived conflicts of interest for staff who assess the applications.

Implications to Consider

- a. **Consultation with the Community**

It is a requirement to publish a copy of the report addressing the significant matters raised in the audit report on the City's website following its submission to the Minister.

- 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

Nil

e. Financial

Nil

f. Legal and Statutory

Section 7.12A(4) of the Local Government Act 1995 requires that a local government;

- (a) prepare a report addressing any matters identified as significant by the auditor in the audit report, and stating what action the local government has taken or intends to take with respect to each of those matters; and
- (b) give a copy of that report to the Minister within 3 months after the audit report is received by the local government.

Section 7.12A(5) requires that within 14 days after a local government gives a report to the Minister under subsection (4)(b), the CEO must publish a copy of the report on the local government's official website.

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 adopted Council Policy – Financial Hardship in July 2020 and it is considered unusual for a new policy to be subject to a performance audit after such a short time. While the OAG's report has identified two issues, the audit did not find evidence of actual complaints with the current process/requirements or any conflicts of interest.

The City advertised the adopted Council Policy- Financial Hardship in all relevant publications, inviting applications should any residential or small business ratepayer be encountering financial hardship. The City has 56,848 rateable properties. Of these only 70 submitted a financial hardship application. It was unclear, at the time of adopting the policy, how many applications would be received. Notwithstanding this, the City's approach aims to maximise the financial benefit to the ratepayer methodically, in an evidence based approach as required by the policy. The benefit provided to those approved applications is considered to be significant and application forms are very clear on the required information to be submitted.

The existing requirements and controls are considered satisfactory however the policy and associated procedures will be reviewed as part of the next scheduled policy review process.

Voting Requirements

Simple Majority

Officer Recommendation

That Council **ENDORSES** the following report addressing the significant matters raised in the Western Australian Auditor General's Report - Local Government COVID-19 Financial Support.

Report on the significant matters raised in the Western Australian Auditor General's Report - Local Government COVID-19 Financial Support

Western Australian Auditor General's (OAG's) Report - Local Government COVID-19 Financial Support made the following recommendations;

“Recommendations

All LG entities, including those not sampled in this audit, should review their policies and implement processes to support their approach to providing financial hardship support to ratepayers. LG entities should balance application and assessment costs with the value of any support provided, and ensure they:

- 1. have a current Council-approved financial hardship policy that, if they want to charge the higher threshold of instalment interest, covers 2021-22 rates*
- 2. actively promote the policy to their ratepayers and make the policy and application form publicly available (Northampton)*
- 3. put in place clear eligibility and assessment criteria and timeframes to process applications (Northampton and Rockingham)*
- 4. maintain records of applications and outcomes*
- 5. identify and manage actual, potential and perceived conflicts of interest for staff who assess applications (Belmont, Northampton and Rockingham)*
- 6. review their application and assessment processes in response to complaint feedback.*

Under section 7.12A of the Local Government Act 1995, the 3 sampled LG entities are required to prepare an action plan addressing significant matters relevant to them for submission to the Minister for Local Government within 3 months of this report being tabled in Parliament, and within 14 days of submission publish it on their website. The action plans should address the recommendations relevant to each entity as indicated in the brackets above.”

The following is the City's response to the two recommendations relevant to the City;

- 1. Recommendation 3 - LG entities should balance application and assessment costs with the value of any support provided, and ensure they put in place clear eligibility and assessment criteria and timeframes to process applications.**

The City has clear eligibility criteria and an assessment process. It is management's view that the systems are appropriate based on support available and Council Policy requirement of an evidence-based approach. Council Policy – Financial Hardship is responding to matters related to public funds and the process applied by the City maximises the benefit to applicants on an evidence-based approach. The City has received no complaints regarding its process and to those applicants which received support, it is considered a material benefit to them.

- 2. Recommendation 5 - LG entities should balance application and assessment costs with the value of any support provided, and ensure they identify and manage actual, potential and perceived conflicts of interest for staff who assess applications.**

The City has multi-layered conflict of interest systems enshrined in organisational processes and practices. On a risk based approach further controls are also applied to further reduce actual, potential or perceived conflicts of interest. These controls apply to all staff involved in assessing applications. These have all been applied and the audit found no evidence of any actual, potential or perceived conflicts of interest for staff who assess the applications.

The City will review Council Policy – Financial Hardship and associated procedures as part of the next scheduled policy review process.

Committee Recommendation

That Council **ENDORSES** the following report addressing the significant matters raised in the Western Australian Auditor General's Report - Local Government COVID-19 Financial Support.

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The City will review Council Policy – Financial Hardship and associated procedures by July 2022.

Committee Voting – 3/0

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

To being forward the Policy review from July 2023 to July 2022.

Implications of the Changes to the Officer's Recommendation

Nil

Council Resolution

Moved Cr Buchan, seconded Cr Edwards:

That Council **ENDORSES** the following report addressing the significant matters raised in the Western Australian Auditor General's Report - Local Government COVID-19 Financial Support.

Report on the significant matters raised in the Western Australian Auditor General's Report - Local Government COVID-19 Financial Support

Western Australian Auditor General's (OAG's) Report - Local Government COVID-19 Financial Support made the following recommendations;

"Recommendations

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- 1. have a current Council-approved financial hardship policy that, if they want to charge the higher threshold of instalment interest, covers 2021-22 rates*
- 2. actively promote the policy to their ratepayers and make the policy and application form publicly available (Northampton)*
- 3. put in place clear eligibility and assessment criteria and timeframes to process applications (Northampton and Rockingham)*
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The City will review Council Policy – Financial Hardship and associated procedures by July 2022.

Carried – 12/0

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

Not Applicable



Council Resolution – En bloc Resolution

Moved Cr Edwards, seconded Cr Jones:

That the committee recommendations in relation to Agenda Items PD-034/21 and PD-035/121 be carried en bloc.

Carried – 12/0

Planning and Engineering Services Committee

**Planning and Development Services
Planning Services**



Reference No & Subject:	PD-034/21 Proposed Street Naming Theme - Kennedy Bay
File No:	DD021.2021.3.1
Applicant:	Rowe Group
Owner:	State of Western Australia and Western Australian Beach & Golf Resort
Author:	Mrs Nicole Gardner, Planning Administration Officer
Other Contributors:	Mr David Waller, Coordinator Statutory Planning
Date of Committee Meeting:	15 November 2021
Previously before Council:	
Disclosure of Interest:	Cr Wormall declared an Impartiality Interest in Item PD-034/21 - Proposed Street Naming Theme - Kennedy Bay, as detailed in Regulation 22 of the Local Government (Model Code of Conduct) Regulations 2021 and as per section 5.65 of the Local Government Act 1995, as his employer "Wormall Civil" is currently undertaking construction works on-site on behalf of the developer.
Nature of Council's Role in this Matter:	Executive
Site:	Lot 3020 Bay Links Boulevard, Port Kennedy
Lot Area:	66.3228ha
LA Zoning:	Development
MRS Zoning:	Urban
Attachments:	
Maps/Diagrams:	1. Location Plan 2. Structure Plan Map 3. Subdivision Plan - WAPC 160311 4. Residential Density Code Plan



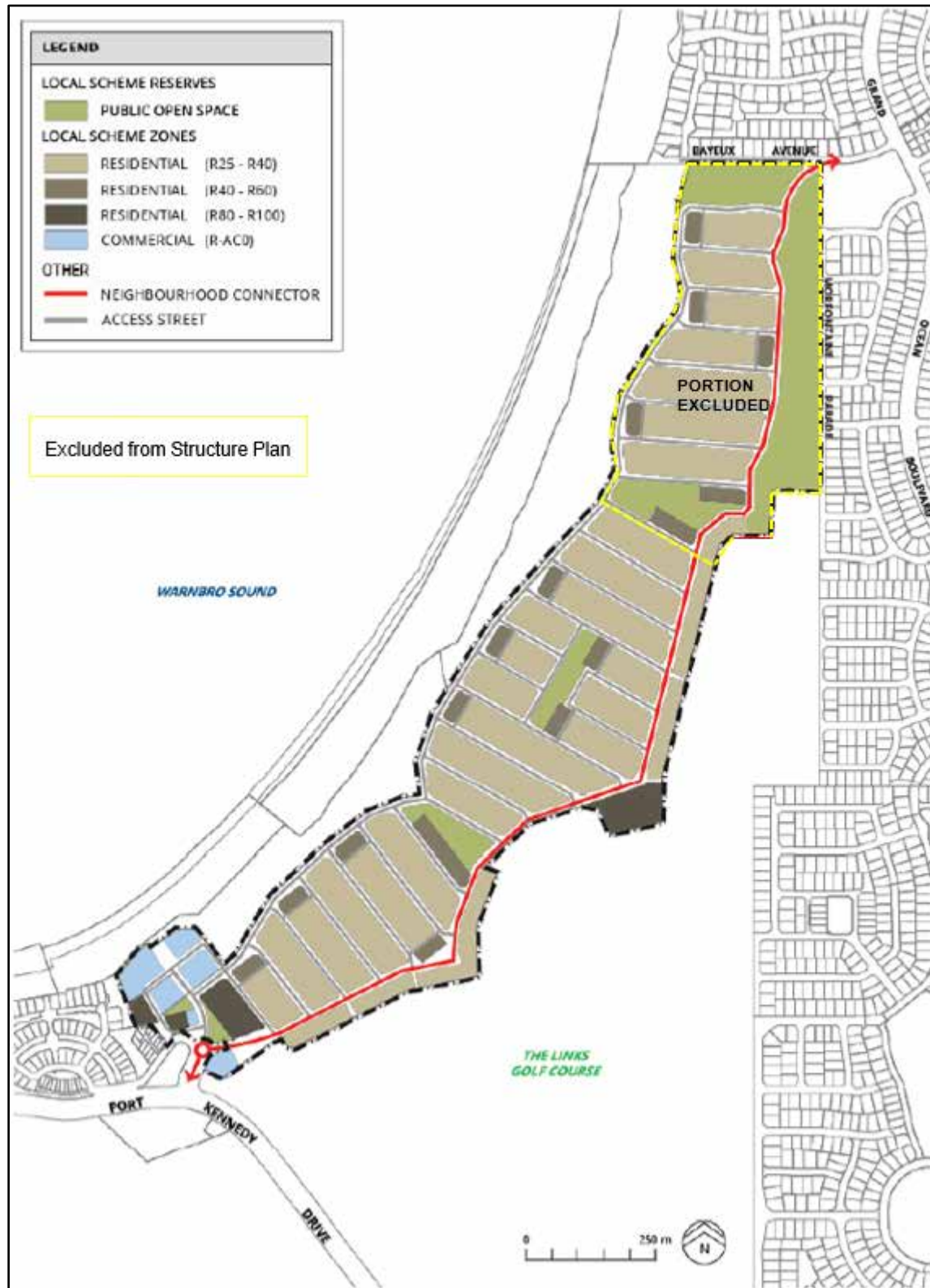
1. Location Plan

Purpose of Report

To consider an application seeking approval for a street naming theme to be based on 'Water' to be applied to the residential subdivision located at Lot 3020 Bay Links Boulevard, Port Kennedy known as 'Kennedy Bay'.

Background

In October 2020, the Kennedy Bay Structure Plan was approved (subject to modifications) by the Western Australian Planning Commission (WAPC). The Structure Plan will facilitate the creation of approximately 1,002 residential lots, Public Open Space Reserves and a new Town Centre.



2. Structure Plan

Details

The proposed street naming theme for this subdivision is derived from the "pristine coastal village" location and therefore, the proposed street naming theme is 'Water'.

It is proposed to incorporate three streams of naming conventions in accordance with a broader water-based theme, including:

- Maritime language, references and iconic shipwrecks within the area, including Chalmers, Hero of the Nile and Star;
- Wetlands references taking the key features of Port Kennedy Scientific Park & Becher Point Wetlands features; and
- Public Jetty and Seawall; history of Warnbro Sound, export and shipping as well as climatic and topographical change references.

Examples of the proposed street names are as follows:

- Antarctic - Known as the Southern Ocean.
- Aurelia - Ship that followed the first fleet to Western Australia.
- Fender - An air or foam filled bumper used in boating to keep boats from banging into docks or each other.
- Herring - Type of fish found in the ocean off Kennedy Bay.
- Lotus - Ship that followed the first fleet to Western Australia.
- Tidal - Pertaining to, characterised by, or subject to tides.
- Quenda - Marsupial native to wetland area.

Implications to Consider

a. Consultation with the Community

Nil

b. Consultation with Government Agencies

Consultation with the Geographic Names Team is required following the Council's decision.

c. Strategic

Community Plan

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

Aspiration 3: *Plan for Future Generations*

Strategic Objective: *Responsive Planning and Control of Land Use - Plan and control the use of land to meet the needs of the growing population, with consideration of future generations.*

d. Policy

Nil

e. Financial

Nil

f. Legal and Statutory

The Land Administration Act 1997 (section 26A) requires developers of new subdivisions to submit street names for support by the Council. The responsibility for approving street names rests with the Geographic Names Team. The proposed theme is in accordance with the Geographic Names Committee Principles, Procedures and Guidelines.

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's *Planning Procedure No.1.4 - Street Names and Their Themes* (Planning Procedure No.1.4) provides guidelines and procedures for street naming themes and associated street names for subdivisions within the City. All applications for approval of street naming themes are assessed by the City for compliance with Planning Procedure No.1.4 and are referred to Council for determination.

The proposed theme based on 'Water' complies with the City's Planning Procedure No.1.4 and the Geographic Names Committee Principles, Procedures and Guidelines, as a thematic source of names.

In light of the above, it is recommended that the Council support the proposed street naming theme.

Next Steps

Street names that are consistent with the Council approved street naming theme and comply in all respects with Planning Procedure No.1.4, will be pre-approved by the City and referred to the Geographic Names Team for further assessment and final approval.

Voting Requirements

Simple Majority

Officer Recommendation

That Council **SUPPORTS** the proposed street naming theme based on 'Water' for the Kennedy Bay subdivision located at Lot 9030 Bay Links Boulevard, Port Kennedy.

Committee Recommendation

That Council **SUPPORTS** the proposed street naming theme based on 'Water' for the Kennedy Bay subdivision located at Lot 9030 Bay Links Boulevard, Port Kennedy.

Committee Voting (Carried) - 6/0

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** the proposed street naming theme based on 'Water' for the Kennedy Bay subdivision located at Lot 9030 Bay Links Boulevard, Port Kennedy.

Carried en bloc

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

Not Applicable

Note: *The following amendment was made to Item PD-034/21 Proposed Street Naming Theme - Kennedy Bay at the Ordinary Council meeting held on 21 December 2021.*

6.	Confirmation of Minutes of the Previous Meeting
	<p>Moved Cr Jones, seconded Cr Liley:</p> <p>That Council CONFIRMS the Minutes of the Ordinary Council meeting held on 23 November 2021, as a true and accurate record subject to the following amendment:</p> <p>Item PD-034/21 - Proposed Street Naming Theme - Kennedy Bay</p> <p><i>The Officer, Committee Recommendation and Council Resolution referred to Lot 9030 Bay Links Boulevard, however, it should have been Lot 3020 Bay Links Boulevard, Port Kennedy.</i></p> <p style="text-align: right;">Carried – 12/0</p>



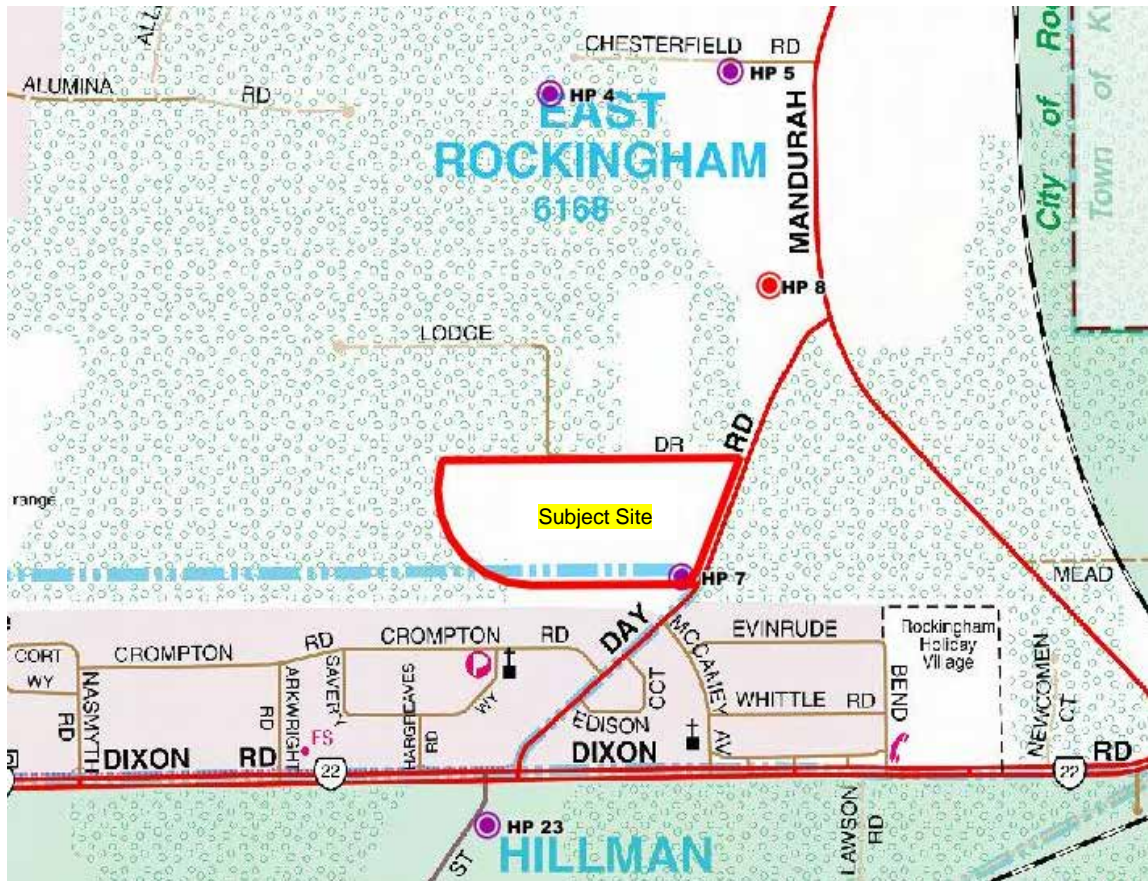
Planning and Development Services Statutory Planning Services



Reference No & Subject:	PD-035/21 Joint Development Assessment Panel Application - Industrial Development (Best Bar)
File No:	DD020.2021.00000223.001
Applicant:	Planning Solutions Pty Ltd
Owner:	Mrs M E Pike (at the time of lodgement)
Author:	Mrs Casey Gillespie, Senior Planning Officer
Other Contributors:	Mr David Banovic, Senior Projects Officer Mr Mike Ross, Manager Statutory Planning
Date of Committee Meeting:	15 November 2021
Previously before Council:	
Disclosure of Interest:	
Nature of Council's Role in this Matter:	Tribunal
Site:	Lot 1 (No.27) Day Road, East Rockingham
Lot Area:	13.5393ha
LA Zoning:	General Industry
MRS Zoning:	Industrial
Attachments:	Responsible Authority Report
Maps/Diagrams:	1. Location Plan 2. Aerial Location Showing the Subject Site and Proposed Development Site 3. Approved Subdivision Plan 4. Proposed Site Plan 5. Administration and Office Elevation 6. Warehouse Elevations 7. Buffer Separation To Sensitive Land Uses 8. Suggested Traffic Circulation

Purpose of Report

To provide a recommendation to the Metro Outer Joint Development Assessment Panel (MOJDAP) on an application for an Industrial Development on a portion of Lot 1 (No.27) Day Road, East Rockingham.



1. Location Plan



2. Aerial Location Showing the Subject Site and Proposed Development Site

Background

Site Context

The subject site fronts Lodge Drive at its northern boundary and Day Road at its eastern boundary. Day Road provides a vehicular connection to Mandurah Road to the north-east and Dixon Road to the south.

To the north and west, the subject site abuts a large vacant industrial lot, which is reserved as a Conservation Area (Alumina Reserve). Immediately to the south, land in an east-west alignment is reserved for Railway under the Metropolitan Region Scheme (MRS).

“Day Cottage”, a State Heritage listed place is located on the south-eastern portion of the site fronting Day Road. Day Cottage is also on the City’s adopted Heritage List pursuant to Town Planning Scheme No.2 (TPS2).

Subdivision Application

In May 2021, a Subdivision Application was lodged over the subject site with the Western Australian Planning Commission (WAPC). In August 2021, the WAPC granted Subdivision Approval over the subject site for eight (8) freehold lots and an internal access road.



3. Approved Subdivision Plan

For clarity, future Lot 1 is referred throughout this report as the development site. The lot configuration provides for the creation of the development site, comprising of 2.9448ha.

The development site is located on the western side of the subject site, accessible via a planned internal subdivision road connecting Lodge Drive to the north. The development site abuts Alumina Reserve to the north and west. A drainage basin will be located immediately to the south of the development site.

Access to the development site is contingent on works associated with the subdivision application. No clearances have been granted by the City with respect to subdivisional works over the subject site at this stage.

Subject Development Application

In September 2021, a Development Assessment Panel (DAP) application was lodged by the Applicant for an industrial development.

The following summarises the application history:

- On 7 October 2021, the City advised the Applicant that a request for further information (RFI) is forthcoming, to enable the Applicant to respond to various matters raised and for the City to complete its assessment and report. Subsequently, the City confirmed the assessment timeframes for reporting and advised timeframe limitations would require the Applicant to agree to a 27 day extension of time to allow the assessment to consider response to the RFI;

- The formal RFI was issued to the Applicant on 12 October 2021, with an advised date of 20 October 2021, confirming the Applicant's acceptance or refusal to respond to the RFI and agreement to an extension of time:
 - The matters related to groundwater and drainage, traffic, access and car parking, bushfire management, landscaping and building design.
- On 19 October 2021, the Applicant refused the extension of time request, however, provided a formal response to the RFI, responding to the City's concerns on 21 October 2021.
- On 25 October 2021, the City confirmed that the subject site had been sold and change of ownership had occurred, details of which are discussed further in the Comments section of this report.

The following sections of this report are based on the additional supporting material submitted in conjunction with the details at lodgement.

Details

The application is for an Industrial development for the purposes of a 'metal fabrication' type industry (i.e. sheet metal, structural metal products) and includes the following:

- Two manufacturing warehouse buildings with a combined floor area of 7,316m², located centrally within the development site. The warehouse buildings are separated by an 18.3m wide drive through area, with a maximum building height of 12.2m;
- An open air storage area located in the south-western section of the development site, comprising an area of 2,139m²;
- Administration and amenities office building located to the east of the southern warehouse, comprising an area of 870m²;
- Four crossovers accessed from the future subdivision road directly to the east, which will be constructed as part of the subdivision works. The four crossovers propose access as follows:
 - Two (2) northern crossovers for unrestricted heavy vehicle access only;
 - Central crossover for staff and visitor access only (unrestricted light vehicles); and
 - The southern crossover to be used by both heavy and light vehicles (unrestricted).
- A total of 93 car parking spaces forward of the buildings, inclusive of two (2) accessible bays;
- 15 parking spaces located in the north-eastern section of the development site, providing a dedicated trailer parking area;
- A landscaping strip along the frontage of the site is proposed for a setback distance of 10m for the length of the eastern boundary; and
- Fire pumps, water tank and electrical transformer are proposed within the landscaped areas forward of buildings.

The development will operate from 6:00am to 10:00pm over two (2) rostered shifts from Monday to Saturday. There will be up to 90 staff on site at any one time (30 office staff and 60 factory staff).

The following reports and supporting material accompany the DAP application:

- Development Application Report;
- Development Plans;
- Traffic Impact Statement;
- Approved Subdivision Bushfire Management Plan;
- EPA Separation Guidelines Technical Note; and
- Earthworks and Retaining Wall Plan.



4. Proposed Site Plan



5. Administration and Office Elevation



6. Warehouse Elevations

Implications to Consider

a. Consultation with the Community

Pursuant to Clause 64(1)(c) of the Deemed Provisions of Town Planning Scheme No.2 (TPS2), the local government has the discretion to advertise, or not to advertise an application seeking Development Approval.

As the proposed development is consistent with the applicable planning framework, advertising is not considered to be necessary for this industrial proposal.

b. Consultation with Government Agencies

The following Government Departments were consulted:

- Y Department of Water and Environmental Regulation (DWER); and
- Y Department of Biodiversity, Conservation and Attractions (DBCA).

1. Department of Water and Environmental Regulation (DWER) summarised

DWER recommends that the proponent prepare a detailed Stormwater Management Plan (SMP) as part of the development approval process. The SMP should ensure that:

- Stormwater runoff be fully contained onsite for small and minor storm events (1 and 0.2 Exceedance per Year runoff) and that required storage for each rainfall event, basin sizing and design should be detailed.
- The first 15 mm of stormwater runoff (1 Exceedance per Year runoff) to undergo water quality treatment via bio-infiltration.
- Pre-development and post-development outflow of stormwater from the site be detailed.

1. Department of Water and Environmental Regulation (DWER) summarised (cont...)

City's Comment:

The matter of Stormwater Management (SWM) has been raised separately by the City as part of RFI process. The Applicant had not provided any further information in this regard. SWM is discussed in detail in the Policy section of this report, where it is concluded that the SWM can be addressed as a condition of Development Approval in line with DWER advice. It was also clarified separately, that DWER support the Applicant's approach to address SWM post Development Approval.

2. Department of Biodiversity, Conservation and Attractions (DBCA) summarised

DBCA provided comment to the WAPC on the subdivision application and recommended that a hard road edge be provided between the development area and the adjoining conservation reserve to ensure the protection of the reserve. The subdivision was approved without a hard road edge between the development area and the adjoining conservation area. The proposal does not address the management of the interface between the development area and the adjoining conservation area.

An interface management plan should be developed in consultation with DBCA and the City to demonstrate that the conservation area and boundary fence will not be impacted by the development. The design should provide a setback between the base of the batter and the conservation reserve boundary fence to ensure that material does not spill or erode into the reserve and to ensure that the fence can be maintained. Batters should have a slope no steeper than 1 in 6 to ensure material does not erode into the conservation reserve. The interface design should provide a surface treatment for the batter (by revegetation or other methods), that provides permanent stabilisation and prevents erosion material or weeds infiltrating the conservation reserve.

The following condition is suggested to be included:

"Prior to the commencement of works a management plan for the interface between the development and the adjoining conservation area is to be prepared and approved to ensure the protection of the conservation area and its boundary fence, in consultation with DBCA and the City of Rockingham, with satisfactory arrangements for the implementation of the approved plan (DBCA)".

City's Comment:

Considering DBCA recommendations for a hard road edge was not applied as a condition of the Subdivision Approval by the WAPC, the City can only seek consistency, requiring the restrictive fence to be detailed on landscaping plans as a condition of Development Approval. Nevertheless, in accordance with City's Fire Control Notice 2021-2022, the Proponent will be required to install and maintain a 3m wide mineral firebreak along the Conservation Reserve boundary (inside of the batters). On advice of the City's Environmental Officers, such firebreak is likely to reduce the spread of weeds into the Conservation Reserve.

The grade of the batters has already been approved by the City at 1 in 4 as part of the Engineering Drawings pertaining to the Subdivision Approval. As such, the slope recommendation cannot be achieved. A condition of Development Approval confirming the stability of the batters, however, is recommended.

The above recommended measures are considered suitable as a response to the interface concerns raised by DBCA.

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 a growing population, with consideration of future generations.*

d. Policy

State Government Policy 3.7 - Planning in Bushfire Prone Areas (SPP3.7)

SPP3.7 seeks to guide the implementation of effective risk-based land use planning and development to preserve life and reduce the impact of bushfire on property and infrastructure.

The development site has been designated bushfire prone under the *Fire and Emergency Services Act 1998 (as amended)* and therefore the requirements of SPP3.7 are applicable.

The objectives of SPP3.7 are to:

- *“Avoid any increase in the threat of bushfire to people, property and infrastructure. The preservation of life and the management of bushfire impact are paramount.*
- *Reduce vulnerability to bushfire through the identification and consideration of bushfire risks in decision-making at all stages of the planning and development process.*
- *Ensure that higher order strategic planning documents, strategic planning proposals, subdivision and development applications take into account bushfire protection requirements and include specified bushfire protection measures.*
- *Achieve an appropriate balance between bushfire risk management measures and, biodiversity conservation values, environmental protection and biodiversity management and landscape amenity, with consideration of the potential impacts of climate change.”*

The Applicant submitted a copy of the approved WAPC Bushfire Management Plan (BMP) to accompany the Development Application in lieu of a development specific BMP. The City considered it more appropriate for the Applicant to provide a new BMP for the development on the basis that site conditions pertaining to vegetation classification may have changed over time, of which was not received.

The below table comments within the left hand side column were identified by the City in relation to the proposal and the approved BMP for the subdivision. Technical matters relating to the subdivision have not been determined in relation to the drainage area and landscaping requirements which implicate the BMP. Furthermore, the Applicant declined the request to provide an updated Landscaping Plan prior to decision of the Development Application to confirm consistency with any BMP. The table below also provides Applicant responses to matters raised and further comments upon review by the City, which are as follows:

Matter Raised in RFI	Applicant Response	City Comment
The Open Air Storage area falls within the APZ area.	The Open Air Storage area will not be used to store flammable materials.	Noted. This can be managed as a condition of Development Approval.
The BMP suggests that the drainage area will be cleared and landscaped to resemble low threat, maintained vegetation. The City has no intention of maintaining this drainage reserve at low threat, noting that condition 16 of the subdivision approval states if drainage easements or reserves are required by the City, then this land is to be vested with the local government.	The developer of the subdivision intends to clear the drainage area. Low threat planting and landscaping is permitted and shall be maintained on the southern boundary.	The City is yet to resolve the vegetation classification of the drainage area as part of the subdivision conditions. The City has no intention of maintaining the drainage basin as 'low threat'. In fact, as part of the subdivision process, the City recommended that the basin lot form part of the lot 1 (development site).

Matter Raised in RFI	Applicant Response	City Comment
		This limitation binds the City to only achieving landscaping consistent with the approved APZ requirements of the site, being low threat.
The Western and Southern portion of the site are subject to APZ treatment, with retaining proposed at 1:4 slope in these locations.	There is adequate separation distance between the buildings and the drainage area to the south. Landscaping to comply with the approved APZ.	Noted. Landscaping within this area to be consistent with the approved APZ.
A site specific BAL assessment for the proposed development be provided.	The proposed buildings will be located within BAL 29, based on approved BMP and mapping for the subdivision.	Noted.

The proposed development relies on the BMP and associated strategies approved as part of the Subdivision Approval to justify the siting and landscaping treatments of the proposal. The City accepts the limitation that the landscaping will be low threat to achieve compliance with the BMP and APZ requirements. On this premise, the proposal is considered to comply with the requirements of SPP3.7.

State Planning Policy 4.1 - State Industrial Buffer Policy (SPP4.1)

The key objective of SPP4.1 is to protect industry, infrastructure and special uses from the encroachment of incompatible land uses as well as provide for the safety and amenity of land uses surrounding industry, infrastructure and special uses. As a result, most industries and infrastructure as well as other uses need to be separated from residential areas and other sensitive uses within a buffer area.

The objectives of SPP4.1 are as follows:

- *"To provide a consistent Statewide approach for the definition and securing of buffer areas around industry, infrastructure and some special uses;*
- *To protect industry, infrastructure and special uses from the encroachment of incompatible land uses;*
- *To provide for the safety and amenity of land uses surrounding industry, infrastructure and special uses; and*
- *To recognise the interest of existing landowners with buffer areas who may be affected by residual emissions and risk, as well as the interests, needs and economic benefits of existing industry and infrastructure which may be affected by encroaching incompatible land uses."*

The proposal is considered to be compatible with existing and future industrial development, within the East Rockingham Industrial Area.

Environmental Protection Authority (EPA) - Separation Distance between Industrial and Sensitive Land Uses No.3 (Guidance Statement)

The EPA Guidance Statement provides advice to proponents, responsible authorities, stakeholders and the public, on the minimum requirements for environmental management which the EPA would expect to be met when the Authority considers a development proposal.

For the purpose of the Guidance Statement, "industrial land use" is used in a general way to encompass a range of industrial, commercial and rural activities, associated with off-site emissions that may affect adversely the amenity of sensitive land uses. A table of land uses is provided in the Guidance Statement.

The City considered the proposal constitutes a 'metal fabrication' type industry as defined within the Guidance Statement. The nearest sensitive land uses - Hillman Residential Estate (approximately 735m to the south) and Rockingham Holiday Village (approximately 788m to the east) are situated outside the minimum 500m generic separation requirement for such industrial use of land and thus, satisfies the EPA Guideline Statement.



7. Buffer Separation to Sensitive Land Uses

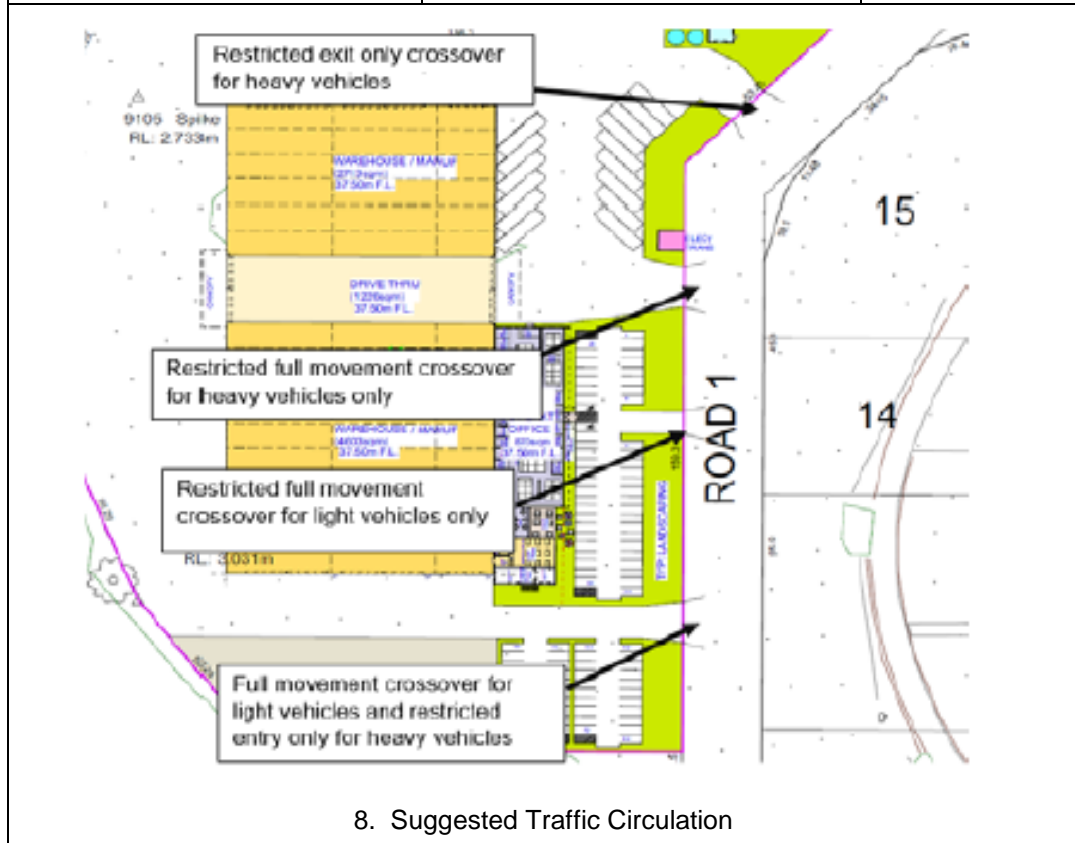
Planning Policy 3.3.8 - East Rockingham Development Guidelines (PP3.3.8)

The PP3.3.8 has been prepared to guide the orderly development of serviced industrial land within the East Rockingham Industrial Park (ERIP). The ERIP has five (5) precincts, and the proposed development site is located within Precinct 4 - General Industry. PP3.3.8 provides a set of planning criteria to ensure that the ERIP has a consistently high standard of development and visual amenity.

The guidelines for development within Precinct 4 per the PP3.3.8 are outlined below and considered in relation to the proposed development:

General Development Provisions	Provided	Compliance
Site Layout		
<ul style="list-style-type: none"> Orientation and openings to maximise the north and south exposure; 	<ul style="list-style-type: none"> The development site is constrained with designated APZ areas and buffers to the southern and western boundaries; 	Yes
<ul style="list-style-type: none"> Orientation and openings to maximise natural cross flow ventilation, eg cooling summer breezes; 	<ul style="list-style-type: none"> The siting of the development is such that the main entrance addresses the street access; 	Yes
<ul style="list-style-type: none"> Minimise east and west facing orientation, openings and windows, or provide adequate shading; and 	<ul style="list-style-type: none"> The siting and layout considers future development within the subdivision, and does not present as a 'back of house' to the internal road network; and 	Yes

General Development Provisions	Provided	Compliance
Car Parking (cont...)		
<p>Y The number and locations of vehicle crossovers must consider criteria such as traffic safety, ease of vehicle movement and the location of existing and proposed vegetation;</p> <p>Y Siting of parking areas adjacent to areas of buildings that are commonly accessed;</p> <p>Y Provide suitable species of shade trees at a ratio of 1 per 4 car-bays, evenly throughout parking areas;</p> <p>Y Provide clear paths for pedestrian movement separate from areas of frequent vehicular movement; and</p> <p>Y Consider the visitor parking areas as an extension of the corporate/market image in terms of its presentation.</p>	<p>Y Four (4) crossovers are proposed. To minimise points of conflict, the crossovers are required to be clearly marked entry/exit for the vehicle types.</p> <ul style="list-style-type: none"> Restricting the movements of the most northern crossover as 'exit only' and the southern crossover as 'entry only' for Heavy Vehicles should be considered on the basis that the development needs to account for safe vehicular movement external to the site and future developments (Refer to figure 8 below for clarity). 	<p>Yes, through conditions of Development Approval.</p>



General Development Provisions	Provided	Compliance
External Service and Storage Area		
Service and storage areas must be screened behind the front building line and from the street. Landscaping and fencing can be utilised to screen these areas.	<ul style="list-style-type: none"> An open air storage area is proposed adjacent to the car parking area on the southern boundary. Landscaping in this area is constrained with the APZ requirements and possible impacts on the adjoining drainage area. 	No
Landscaping		
<ul style="list-style-type: none"> Lots less than 3,000m² in area must provide a 5m landscaping strip to the front of the lot; Plant species shall be selected from those listed in Appendix B - Prescribed Plant Species; and Shade trees shall be provided one (1) tree per 4 car parking bays provided on the site. Trees shall be selected from the Appendix B - Prescribed Plant Species. 	<ul style="list-style-type: none"> A 10m wide landscaped strip is to be provided, however, lacks a sufficient level of detail; and The applicant has been advised that the proposed species to be used in the development is not consistent with the preferred species list. Furthermore, the species list seeks a tiered landscaping outcome which this proposal cannot accommodate for along the front boundary due to APZ bushfire requirements. 	Yes, through conditions of Development Approval, detailed landscaping plans shall ensure tree species comply.
Built Form Character and Detail		
Building frontage and entry <ul style="list-style-type: none"> The front elevation must be designed to address the street and to provide a corporate image and an inviting entrance; Architectural form, and character must avoid large unrelieved expanses of wall or roof; Where more than one building is planned for a site, their design must result in the creation of a group of integrated buildings presenting a harmonious image; The main entrance is to be on the front elevation or close to the front of the building, clearly visible from the street; and 	<ul style="list-style-type: none"> The entry is clearly identifiable at street level. The main administration area and car parking provides a formal entry; The proposal incorporates large expanses of wall due to the nature and size of the warehouse structures; Through the use of a mix of materials including colorbond, various white and copper themed cladding, textures and glazing, the façade is considered consistent with modern industrial scale developments; The administration entry is clearly identifiable, at the front of the building addressing the street; 	Yes Yes Yes

General Development Provisions	Provided	Compliance
Built Form Character and Detail (cont...)		
<ul style="list-style-type: none"> Entrance points to buildings are to be designed as focus points and must provide protection for pedestrians by means of a substantial integrated building element such as a veranda, canopy or colonnade. 	<ul style="list-style-type: none"> The entry provides a covered canopy element. 	Yes
Materials, Finishes and Colour		
Broad facades of uniform material are to be broken down into sections to create variety and interest. The aim is to give an impression of top, middle and bottom by girding, colour contrast, material variation or use of bracing, roller doors etc.	<ul style="list-style-type: none"> The design intent incorporates a mix of materials including concrete panels at ground floor, colorbond panels, cladding, and some articulation through windows and defined entries and roller doors. 	Yes
Plant and Equipment		
All plant and equipment should be screened or remote from public areas, particularly from the street. The exception to this may be where stacks or ductwork that is necessary, is used as a 'design element'.	<ul style="list-style-type: none"> Fire pumps and a water tank is proposed to the northern boundary within the landscaped area. 	Yes
Outbuildings and Other Structures		
Where there are numerous separate buildings on the site, the design of each should be considered with the whole of site' planning so that they may present as an integrated development; where possible, future expansion and staging should be considered so as to integrate these buildings. Also, use of colours, form and materials should be consistent amongst all these buildings.	<ul style="list-style-type: none"> The proposal incorporates two large warehouse structures and incidental administration building. The siting and theming throughout presents as a unified development. 	Yes

The design is considered suitable in the context of the future site.

Planning Policy 3.3.14 - Bicycle Parking and End-of-Trip Facilities (PP3.3.14)

PP3.3.14 facilitates the appropriate provision of secure, well designed and effective on site bicycle parking and end-of-trip facilities to encourage the use of bicycles as a means of transport and access to and within the City.

Bicycle parking requirement

The requirement for short-term parking is not considered to serve any benefit, and for that reason only the requirement for long-term was applied (i.e. employees).

The proposed development requires the provision of 8.1, (being 9 rounded up to the nearest whole number as required by PP3.3.14) long-term bicycle parking spaces. The proposed development provides parking for six (6) bicycles on the southern end of the administration building, with convenient access to female and male amenities.



The development will be located within an industrial area, where access to the site by employees is likely to be predominantly by private vehicle. Provision of three (3) bicycle racks with six (6) bays is considered sufficient. A condition requiring the provision of minimum of six (6) long term bicycle parking spaces is recommended.

Planning Policy 3.4.3 - Urban Water Management (UWMP) (PP3.4.3)

A Stormwater Management Plan was not submitted as part of the Development Application, nor is there any mention regarding management principles in the Application.

Whilst the UWMP is yet to be approved for the subdivision, the City holds concerns with the development site's ability to contain stormwater on site, due to the significant amount of hardstand and impervious surface proposed.

A Stormwater Management Plan will be required as a condition of Development Approval (as requested by the Applicant). Should the strategy in the Stormwater Management Plan fail to satisfy DWER advice and PP3.4.3, the Applicant will be required to investigate alternatives.

e. Financial

Nil

f. Legal and Statutory

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

Clause 67 of the Planning Regulations outlines matters to be considered by the decision maker in determining this application. Where relevant, these matters are discussed throughout this report.

Town Planning Scheme No.2 (TPS2)

Clause 3.2 - Zoning Table

The subject site is zoned "General Industry" in TPS2. The proposed development is consistent with the land use of Industry, meaning:

"premises used for the manufacture, dismantling, processing, assembly, treating, testing, servicing, maintenance or repairing of goods, products, articles, materials or substances and includes facilities on the premises for any of the following purposes:

- (a) the storage of goods;*
- (b) the work of administration or accounting;*
- (c) the selling of goods by wholesale or retail;*
- (d) the provision of amenities for employees;*
- (e) incidental purposes".*

More specifically, the proposal can be further defined as 'Industry - General':

"Industry - General: means an industry other than a cottage, extractive, general (licensed), hazardous, light, noxious, rural or service industry."

An 'Industry- General' land use is not permitted ('D') unless the local government has exercised its discretion by granting Development Approval.

The Applicant has confirmed that no galvanising is proposed as part of the proposal, hence land use is not a Licensed Industry and as such community consultation is not required to be undertaken prior to a decision being made on the proposal.

Clause 4.10.1 - Objectives of Industrial zones

The following objectives apply to Industrial Zoned land within the TPS2 are:

- "(a) to provide for a range of industrial land uses by establishing guiding principles and policies that are environmentally and socially acceptable;*
- (b) to encourage and facilitate the establishment of attractive and efficient industrial areas ensuring that acceptable levels of safety and high standards of amenity are provided through the application of appropriate landuse, design and landscaping controls; and*

- (c) *to ensure that industrial areas are developed in a manner which has due regard to potential industries and their infrastructure needs, and that adjacent urban areas are not subjected to pollution and hazards.”*

The proposed development is considered consistent with the objectives of the Industrial zone.

Clause 4.10.2 - Form of Development

In considering an application for Development Approval, the decision maker shall have regard to the following:

- (a) *promotion of a high standard of building development, landscaping and working environment;*
- (b) *protection of the amenity of adjacent residential and open space areas;*
- (c) *management of drainage systems and land uses to promote groundwater conservation; and*
- (d) *to ensure safe movement of vehicular and pedestrian traffic in the area.”*

The proposed development is subject to assessment against PP3.3.8 which details specific design and landscape requirements for the ERIP which the site is located. The development generally addresses the relevant requirements of the PP3.3.8, as outlined previously in the Policy section of this report, with the exception of providing the ability to provide transitional vegetation along the development frontage resultant from the perused APZ standards.

Submission of and assessment of a detailed SMP will provide the level of detail required to demonstrate that drainage can be managed on site without impact to the drainage basin south of the development site or onto the local road network.

Clause 4.10.3 - Parking

TPS2 requires the provision for the on-site parking of vehicles for all development on Industrial zoned land in accordance with the provisions of Clause 4.15 and Table No.2. The development requires the provision of 90 car parking spaces, and 93 are provided as part of the proposal.

The development complies with the car parking requirements.

Clause 4.10.4 - General Development Provisions

Clause 4.10.4 provides for development provisions on all Industrial zoned land within the City. The provisions outlined below are considered in relation to the proposed development.

General Development Provisions	Provided	Compliance
Facade		
The facades of all buildings visible from the primary road or open space area shall be of masonry construction or any other material approved by the Local Government in respect of the ground floor level, provided that if concrete panels are used, such panels must have an exposed aggregate or textured finished. The second floor level or its equivalent may be constructed of any other material in accordance with the Building Code of Australia and to the satisfaction of Local Government.	The facades visible from the future road of the development will incorporate a mix of materials, including concrete panels at ground level. The design intent of the development is considered consistent with modern industrial developments. The development will not detract from the primary frontage of the industrial precinct, being Day Rd.	Yes

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 development is an industrial type land use. The context of the surrounding locality is for a mix of industry land uses. The proposed development is considered compatible with the existing surrounding context of the locality.

The development "leans" on the clearance of conditions associated with the Subdivision Approval to create the development site, as well as construction of the internal access road and formalising bushfire management across the site. Specific details relating to on-site stormwater management have not been provided by the Applicant, despite being requested by the City. Additionally, the details in respect of landscaping require further refinement to ensure there are no conflicts between the approved bushfire management as part of the Subdivision Approval and the allowable landscape treatments.

The City is satisfied that these matters can be addressed by conditions of Development Approval and as such, it is recommended that the application be conditionally approved.

A transfer of land ownership occurred during the latter stages of the City's assessment of the DAP application. The landowner at the time of lodgement was Mrs M E Pike, with the City confirming that settlement on the sale of the land to Rockingham 1 Pty Ltd occurred on 25 October 2021.

Voting Requirements

Simple Majority

Officer Recommendation

That Council **ADOPTS** the Responsible Authority Report for a proposed Industrial Development located on a portion of Lot 1 (No.27) Day Road, East Rockingham, contained as Attachment 1 as the report required to be submitted to the Presiding Member of the Metro-Outer Joint Development Assessment Panel pursuant to Regulation 12 of the *Planning and Development (Development Assessment Panels) Regulation 2011*.

Committee Recommendation

That Council **ADOPTS** the Responsible Authority Report for a proposed Industrial Development located on a portion of Lot 1 (No.27) Day Road, East Rockingham, contained as Attachment 1 as the report required to be submitted to the Presiding Member of the Metro-Outer Joint Development Assessment Panel pursuant to Regulation 12 of the *Planning and Development (Development Assessment Panels) Regulation 2011*.

Committee Voting (Carried) - 6/0

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 **ADOPTS** the Responsible Authority Report for a proposed Industrial Development located on a portion of Lot 1 (No.27) Day Road, East Rockingham, contained as Attachment 1 as the report required to be submitted to the Presiding Member of the Metro-Outer Joint Development Assessment Panel pursuant to Regulation 12 of the *Planning and Development (Development Assessment Panels) Regulation 2011*, which recommends:

That the Metro-Outer Joint Development Assessment Panel resolves to **APPROVE** the DAP Application reference DAP/21/02074 and accompanying plans:

1. All development must be carried out in accordance with the approved plans as listed below:
 - Site Development Plan - Drawing No A.03, dated 12 August 2021;
 - Administration Office and Workshop Amenities Plan - Drawing No A.04; dated 12 August 2021;
 - Warehouse/Manufacturing Plan - Drawing NoA.05; dated 12 August 2021;
 - Enlarged Administration Office Street East Elevation - Drawing No A.06; dated 12 August 2021; and
 - East, West, North, South Elevation B - Drawing No A.07; dated 12 August 2021.

save that, in the event of an inconsistency between the approved plans and a requirement of the conditions set out below, the requirement of the conditions shall prevail.

2. Prior to applying for a Building Permit, a Stormwater Management Plan must be prepared by a suitably qualified engineer showing how stormwater will be contained on-site and those plans must be submitted to the City of Rockingham for approval. All stormwater generated by the development must be managed in accordance with *Planning Policy 3.4.3 - Urban Water Management* to the satisfaction of the City of Rockingham. The approved plans must be implemented and all works must be maintained for the duration of the development.
3. Prior to the commencement of works a Construction Management Plan must be submitted and approved by the City of Rockingham. The Construction Management Plan shall include, but not be limited to, the following:
 - (i) A Dust, Noise and Vibration Management Plan;
 - (ii) Detail how access roads to and all trafficable areas on the site/s will be treated and maintained to prevent or minimise the generation of airborne dust;
 - (iii) How any stockpiles on site/s are to be managed;
 - (iv) Construction waste disposal strategy and location of waste disposal bins;
 - (v) How materials and equipment will be delivered and removed from the site/s; and
 - (vi) Parking arrangements for contractors.

All works must be carried out in accordance with the approved Construction Management Plan and maintained at all times, for duration of the development.

4. Earthworks over the site associated with the development must be stabilised to prevent sand or dust blowing off the site, and appropriate measures must be implemented within the time and in the manner directed by the City of Rockingham in the event that sand or dust is blown from the site.
5. The carpark must:
 - (i) provide a minimum of 90 car parking spaces;
 - (ii) be designed, constructed, sealed, kerbed, drained and line marked in accordance with User Class 1A for staff parking, User Class 2 for visitor bays, User Class 4 for universal bays of Australian/New Zealand Standard AS/NZS 2890.1:2004, Parking facilities, Part 1: Off-street car parking prior to commencement of development;
 - (iii) provide two (2) car parking space(s) dedicated to people with disabilities, which are designed, constructed, sealed, kerbed, drained and marked in accordance with Australian/New Zealand Standard AS/NZS 2890.6:2009, Parking facilities, Part 6:

- Off-street parking for people with disabilities and which are linked to the main entrance of the development by a continuous accessible path of travel designed and constructed in accordance with Australian Standard AS 1428.1—2009, Design for access and mobility, Part 1: General Requirements for access—New building work;
- (iv) be constructed, sealed, kerbed, drained and clearly marked prior to the development being occupied and maintained thereafter;
 - (v) have lighting installed, prior to the occupation of development;
 - (vi) any semi-trailer parking bays shall be clearly line marked and designed in accordance with AS2890.2 for the purposes of parking trailers only at all times; and
 - (v) confine all illumination to the land in accordance with the requirements of Australian Standard AS 4282-1997, Control of the obtrusive effects of outdoor lighting, at all times.
6. Prior to applying for a building permit, the Applicant must submit full detailed engineering drawings showing the various pavement types and cross sectional profiles to be adopted across the entire development site and adjoining road reserves, for review and approval by the City of Rockingham.
 7. Crossovers shall be designed and constructed in accordance with the City's *Commercial Crossover Specifications*.
 8. Pavement markings and signage shall be provided at the vehicular crossover locations, to clearly delineate the intended traffic flow within the site as follows:
 - (i) Restricted exit only for heavy vehicles at the most northern crossover;
 - (ii) Full movement entry and exit only for heavy vehicles at the drive-through crossover. No access permitted to staff or visitor vehicles;
 - (iii) Full movement entry and exit for staff and visitor vehicles only at the crossover for the administration building;
 - (iv) Full movement entry and exit for staff vehicles at the southern-most crossover; and
 - (v) Restricted entry only for heavy vehicles at the southern-most crossover.
 9. In accordance with City of Rockingham Planning Policy 3.3.14 - Bicycle parking and End of Trip Facilities, six (6) long-term bicycle parking spaces must be provided for the development. The bicycle parking spaces must be designed in accordance with AS2890.3—1993, Parking facilities, Part 3: Bicycle parking facilities and must be approved by the City of Rockingham prior to applying for a Building Permit and constructed prior to occupancy of the development. The bicycle parking spaces must be retained and maintained in good and safe condition for the duration of the development.
 10. The buildings must be designed, constructed and maintained to BAL- 29 as specified in Australian Standard AS3959-2009: Construction of Buildings in Bushfire-Prone Areas (AS3959). The building must be maintained in accordance with the specified requirements of the BAL for the duration of the development.
 11. Prior to occupation of the development, the Asset Protection Zone (APZ), as depicted in the approved Bushfire Management Plan of the Western Australian Planning Commission Subdivision Approval issued (Ref 161809) must be installed on the site. The APZ must not place reliance or impositions on the management of the adjoining Conservation Area (Reserve ID R/52979 – Alumina Reserve), be maintained in accordance with these requirements and in a good and safe condition for the duration of the development.
 12. No vegetation within the Conservation Area (Reserve ID R/52979 – Alumina Reserve) shall be removed or disturbed during development works, including any secondary impacts from works to provide infrastructure and drainage.
 13. No battering, fill or waste shall be deposited within the Conservation Area (Reserve ID R/52979 - Alumina Reserve). The landowner/applicant must immediately report any fill or construction waste that is deposited within the Conservation Area (Reserve ID R/52979 - Alumina Reserve) to the Department of Biodiversity, Conservation and Attractions.

14. Prior to applying for a Building Permit, a Waste Management Plan must be prepared and include the following detail to the satisfaction of the City of Rockingham:
- (i) the location of bin storage areas and bin collection areas;
 - (ii) the number, volume and type of bins, and the type of waste to be placed in the bins;
 - (iii) management of the bins and the bin storage areas, including cleaning, rotation and moving bins to and from the bin collection areas; and
 - (iv) frequency of bin collections.

All works must be carried out in accordance with the Waste Management Plan and maintained at all times, for the duration of development.

15. Prior to applying for a Building Permit, bin storage area/s must be designed with a size suitable to service the development and screened from view of the street to the satisfaction of the City of Rockingham. The bin storage area/s must be constructed prior to the occupation of the development and must be retained and maintained in good condition for the duration of the Development.

16. Prior to applying for a Building Permit, a Landscaping Plan must be submitted and approved to the satisfaction of the City of Rockingham and shall include the following detail:

- (i) the location, number and type of existing and proposed trees and shrubs, including calculations for the landscaping area;
- (ii) any lawns to be established and areas to be mulched;
- (iii) any natural landscape areas to be retained;
- (iv) those areas to be reticulated or irrigated;
- (v) the provision of shade trees at a ratio of 1 tree per 4 car bays;
- (vi) use of species consistent with the prescribed plant species list in the East Rockingham Development Guidelines;
- (vii) fencing type, height and alignment, demonstrating that the street frontage fencing is located behind the extent of the Landscaped setback area;
- (viii) as required by the Subdivision Approval issued by Western Australian Planning Commission dated 15 August 2021, a fence restricting vehicle, pedestrian, stock access to the Reserve ID R/52979 - Alumina Reserve is to be constructed on the Reserve boundary and is to be maintained at all times;
- (ix) internal footpath and kerb ramps providing linkages between car parking areas to the main office, including any proposed lighting; and
- (x) proposed upgrading to landscaping, paving and reticulation of the street setback area and all verge areas.

The landscaping (including all verge landscaping) must be completed prior to the occupation of the development, and must be maintained at all times to the satisfaction of the City of Rockingham.

17. Materials, sea containers, goods or bins must not be stored within the carpark areas at any time. Car parks shall remain freely accessible at all times.
18. The open air storage area shall not be used for the storage of flammable materials or liquids at any time, unless further approval is obtained.

Advice Notes

- 1. This Approval relates to the details provided in the application; to undertake the development in a different manner to that stated in the application a fresh application for Development Approval must be submitted to the City.
- 2. In relation to Condition 3, dust management is to be in accordance with the Department of Environment and Conservation Guideline: A guideline for managing the impacts of dust and associated contaminants from land development sites, contaminated sites remediation and other related activities.

3. The proponent is advised that this approval is not a building permit, which constitutes a separate legislative requirement. Prior to any building work commencing on site, a building permit must be obtained.
4. A Sign Permit must be obtained for any advertising associated with the development, including signage painted on the building; the applicant and owner should liaise with the City's Building Services in this regard.
5. With respect to the Landscape Plan and Stormwater Management Plan, the applicant is to liaise with the City's Land Development and Infrastructure Services in this regard.
6. All works in the road reserve, including construction of a crossover or footpath and any other works to the road carriageway must be to the specifications of the City of Rockingham. The Applicant should liaise with the City of Rockingham's Land and Development Infrastructure Services and Engineering Services in this regard.
7. The disposal of wastewater into the Water Corporation's sewerage system must be with approval of the Water Corporation; the applicant and owner should liaise with the Water Corporation in this regard.
8. The development must comply with the Environmental Protection (Noise) Regulations 1997; contact the City of Rockingham's Health Services in this regard.
9. All vehicle access to the site via Lodge Drive must be provided by the internal access road to be constructed prior to occupation of the development pursuant to the Subdivision Approval issued by WAPC (ref 160809).

Carried en bloc

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

Not Applicable



Corporate and Community Development Committee

General Management Services Governance and Councillor Support



Reference No & Subject:	GM-034/21 Annual Report and Annual Meeting of Electors 2020/2021 (<i>Absolute Majority</i>)
File No:	IFM/26 and GVR/60
Proponent/s:	
Author:	Ms Jelette Edwards, A/Manager Governance and Councillor Support
Other Contributors:	
Date of Committee Meeting:	16 November 2021
Previously before Council:	
Disclosure of Interest:	
Nature of Council's Role in this Matter:	Executive
Site:	
Lot Area:	
Attachments:	Draft Annual Report 2020/2021
Maps/Diagrams:	

Purpose of Report

Council's consideration of acceptance of the Annual Report for 2020/2021 and scheduling of the date to conduct the Annual Meeting of Electors for 2020/2021.

Background

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

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

Preparation of the Annual Report has progressed in anticipation that the Audit Committee would consider the Annual Financial Statements and Audit Report for 2020/2021 with a recommendation to Council at this ordinary meeting. As a part of the process the Annual Report is also presented for consideration at this meeting.

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

Confirmed at a Council meeting held
on Tuesday 21 December 2021

Mayor Deb Hamblin

The Annual Meeting of Electors for 2019/2020 was held at 6:00pm on 16 December 2020 and has been held in December the previous four years.

Details

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

The Audit Committee considered the Audited Annual Financial Reports for 2020/2021 (a key component of the Annual Report) on Tuesday 9 November 2021, with a Committee recommendation presented to this Ordinary Council Meeting.

The acceptance of the Annual Report will trigger the timeline for the Annual Meeting of Electors, necessitating it to be held by Tuesday 18 January 2022.

It is proposed to hold the Annual Meeting of Electors at 6:00pm, Wednesday 22 December 2021.

Implications to Consider

a. Consultation with the Community

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

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

b. Consultation with Government Agencies

Nil

c. Strategic

Community Plan

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

Aspiration 4: *Deliver Quality Leadership and Business Expertise*

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

d. Policy

Nil

e. Financial

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

f. Legal and Statutory

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

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

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

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

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

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

g. Risk

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

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

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

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

Nil

Comments

To facilitate the process of holding the Annual Meeting of Electors in a timely manner Council consideration of the Annual Report is sought. The draft Annual report will incorporate the Annual Financial Statements and Auditors Report for 2020/2021 as adopted at the meeting considering this report.

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

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

It is anticipated that the outcomes of the 2020/2021 Annual Meeting of Electors will be presented to the ordinary Council meeting in January 2022.

Voting Requirements

Absolute Majority

Officer Recommendation

That Council:

1. **ADOPTS** the Annual Report for the financial year ending 30 June 2021.
2. **APPROVES** the Annual Meeting of Electors for 2020/2021 on Wednesday 22 December 2021 commencing at 6:00pm.

Committee Recommendation

That Council:

1. **ADOPTS** the Annual Report for the financial year ending 30 June 2021.
2. **APPROVES** the Annual Meeting of Electors for 2020/2021 on Wednesday 22 December 2021 commencing at 6:00pm.

Committee Voting (Carried) – 6/0

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 Liley:

That Council:

1. **ADOPTS** the Annual Report for the financial year ending 30 June 2021.
2. **APPROVES** the Annual Meeting of Electors for 2020/2021 on Wednesday 22 December 2021 commencing at 6:00pm.

Carried by Absolute Majority – 12/0

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

Not Applicable



**Community Development
Community Capacity Building
Cultural Development and the Arts Advisory
Committee**



Reference No & Subject:	CD-021/21	A study into a Multifunctional Performing Art Convention Centre in Rockingham
File No:	CSV/27-08	
Proponent/s:		
Author:	Ms Jillian Obiri-Boateng, Collaborative Manager Community Capacity Building Ms Julia Dick, Collaborative Manager Community Capacity Building Ms Donna Cochrane, Coordinator Cultural Development and the Arts	
Other Contributors:		
Date of Committee Meeting:	16 November 2021	
Previously before Council:		
Disclosure of Interest:		
Nature of Council's Role in this Matter:	Executive	
Site:		
Lot Area:		
Attachments:	Minutes of the Cultural Development and the Arts Advisory Committee meeting held on 18 August 2021	
Maps/Diagrams:		

Purpose of Report

To consider a recommendation from the Cultural Development and the Arts Advisory Committee (CDAAC) to include an action within the next Cultural Development and the Arts Strategy, regarding a study into a Multi-function Performing Arts Centre in Rockingham.

Background

The Rockingham Performing Arts and Cultural Convention Centre (PACCC) group was formed independently of the City to advocate on behalf of the community for a Performing Art Cultural, Community, and Convention Centre. The group's objective is to achieve adequate accommodation for the Arts and Cultural interests for the Rockingham community. Some members of the PACCC group are also members of the City's CDAAC.

At the CDAAC meeting on 18 August 2021 a recommendation was moved "That Council APPROVES the inclusion of a study into a Multifunctional Performing Art Convention Centre in the

next Cultural Development and the Arts Strategic Plan. The multifunctional centre is to accommodate a visual arts gallery, theatre, art studios and convention centre.”

Details

The PACCC group provided to the CDAAC the survey results, names and email addresses of survey respondents, along with a timeline and fact sheet with reference to:

- City of Rockingham’s Contemporary and Performing Arts Centre Summary report 2010 Feasibility Study.
- The City of Rockingham Planning Policy No 3.2.5 Development Policy Plan Waterfront Village Sector (3.2 Site Option for Contemporary and Performing Arts Centre).
- Other Local Governments that have Performing Art Centres. Of the 30 Local Governments (town/city) in Western Australia, 11 of these have at least one Performing Arts Centre, with a total of 15 centres.
- The City’s Cultural Development and the Arts (CDATA) Strategy 2018-2022.
- Statistics regarding the importance of Culture and the Arts and the importance of a multifunctional Performing Arts and Cultural, Convention Centre.

The survey produced by the PACCC group was distributed within the community in relation to a Performing Art Cultural, Community, and Convention Centre. According to the report provided to the City by the PACCC group there was a total of 436 respondents to their survey. The outcome of which stated there was strong community support. The City has received limited information about how survey respondents were sourced.

The CDAAC then moved the recommendation that forms the basis of this report.

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 2: *Grow and Nurture Community Connectedness and Wellbeing*

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.*

d. Policy

The Community Infrastructure Plan currently identifies a ratio of one performing arts centre for population of 200,000-300,000 people. These facility provision guidelines are intended as a guide only and must be regarded as flexible subject to location and design, levels of service provision, demographic change in the community, changing community expectations and improved models of service delivery.

The Strategic Development Framework Policy identifies and explains the elements of the City’s Strategic Development Framework as well as the process to be undertaken in the development of a Strategy such as the CDATA Strategy. Additionally it states that “all strategies must be congruent with the higher level key focus areas and aspirations established in the Strategic Community Plan and contain discrete, costed and deliverable tasks that will facilitate effective and measurable outcomes.”

e. Financial

The Rockingham Contemporary and Performing Arts Centre Feasibility Study undertaken in 2010 was approximately \$240,000. Based on more recent feasibility studies undertaken by the City, it is estimated that a feasibility study would cost approximately \$100,000 however this cost would depend on the exact scope of the study.

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 City's Cultural Development and the Arts Strategy 2018-2022 states *"The ongoing vitality of the arts sector in WA depends on artists and organisations having long-term access to robust cultural infrastructure. These elements are considered vital for arts practice, professional development and the growth of the sector. Physical infrastructure such as buildings and performance spaces enable artists to network with peers, create connections, undertake professional development and sell work. In addition, these spaces provide recognisable locations for the public to develop ongoing engagement with the arts, which is increasingly important as commercial locations become short-lived."*

The Cultural Development and the Arts Strategy 2018-2022 is due for review during 2022. The request to include such a study into the upcoming strategy would be an effective action for the strategy in order to gain clarity regarding community interest; the reality regarding funding of the development and construction of such a centre and ongoing costs.

In 2010 an extensive feasibility study was conducted into a Contemporary and Performing Arts Centre. The findings identified the cost of constructing such a facility at that time, was between \$42 and \$53 million. At Ordinary Council meeting on 10 December 2010, Council resolved to *"ACKNOWLEDGE the City of Rockingham does not have the capacity, financial or organisational context to instigate the development of a Contemporary and Performing Arts Centre in the life of the City's Business Plan"*. Given this resolution was in 2010, the reference to the 'life of the City's Business Plan' has now expired.

The City's Community Infrastructure Plan, in reference to the Performing Arts Centre, identified that a core population in excess of 200,000 people would be required in order for such a facility to be feasible. The City of Rockingham population for 2021 is 139,613. In 2035 the population is forecast to be 196,455 and in 2036 the population is forecast to be 201,021 (Ref: Forecast .id).

Voting Requirements

Simple Majority

Advisory Committee Recommendation

That Council **APPROVES** the inclusion of a study into a Multifunctional Performing Art Convention Centre in the next Cultural Development and the Arts Strategic Plan. The Multifunctional Centre is to accommodate a visual arts gallery, theatre, art studios and convention centre.

Officer Recommendation if Different to Advisory Committee Recommendation

That Council **CONSIDERS** the inclusion of a feasibility study into a Multifunctional Performing Art Convention Centre in the next Cultural Development and the Arts Strategy (2023-2027).

The Officer's Reason for Varying the Advisory Committee Recommendation

Through the City's Strategic Development Framework Policy, a thorough process will be undertaken to develop the next CDATA Strategy. While still possible, it is unusual to commit to an action outside of this policy-led process. While officers agree that there is merit to undertaking the study, consideration also needs to be given to:

- Population projections (when the City will reach 200,000) and the best timing of the study
- The City's current Community Infrastructure Plan
- The scope of the study
- The cost of the study
- Thorough community consultation (as part of the Strategic Development Framework Policy).

Committee Recommendation

That Council **CONSIDERS** the inclusion of a feasibility study into a Multifunctional Performing Art Convention Centre in the next Cultural Development and the Arts Strategy (2023-2027).

Committee Voting (Carried) – 5/1

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

Alternate Motion

Cr Hayley Edwards proposed the following Alternate Motion:

That Council subject to the public consultation for the Cultural Development and Arts Strategy (2023-2027) identifying a need for a Multifunctional Performing Arts Centre Convention Centre in Rockingham, a feasibility study is to be actioned for this project in year 2023-2024 of the Cultural Development and Arts Strategy (2023-2027).

Reason for Alternate Motion

The intent of this alternate motion is to clearly demonstrate the processes of investigating a need and demand of a Multifunctional Performing Arts Convention Centre in Rockingham, prepare a business case, undertake GAP analysis, and investigate probable capital and whole life costs of this facility. This feasibility study, if identified as warranted through the public consultation process of the Cultural Development and Arts Strategy (2023-2027) will enable Council to fully consider the merits of the project.

Outlined in our Strategic Community Plan our community's vision is to be recognised and admired as a contemporary and vibrant destination, underpinned by a diverse range of community facilities, services and cultural activities. Our vision identifies the need for generating employment, created by a diverse and robust economic base including retail, tourism, education, defence, horticulture, light and heavy industrial activities.

To promote Rockingham as a creative City we need entire community participation which artists and creatives can sustain professional careers and prosper in their hometown.

Our communities Aspirations clearly identify that we are to actively pursue tourism and economic development, grow and nurture community connectedness and wellbeing, plan for our future generations and deliver high quality leadership and business expertise.

With our population forecast to be approximately 196,455 in 2035 (Ref: Forecast.id), if warranted, a feasibility study into the viability of a Multifunctional Performing Arts Centre in Rockingham will clearly demonstrate its merit. Rockingham is one of the largest Local Government Municipalities in WA and we are growing, it is argued that community connectedness through the arts can have a significant impact on individuals and entire communities, it's also believed that participation in arts and cultural activities has multiple benefits for strengthening community connection, community health and wellbeing.

An award-winning Multicultural Arts Centre I will draw your attention to is Ballarat's award-winning **Creative City Strategy** which presents a proposed long-term vision for the City, to guide policy and investment for the cultural and creative industries. The strategy is built on comprehensive research and extensive engagement with community and expert stakeholders. You can read the strategy here: [Ballarat Creative City Strategy.pdf](#), this strategy and the development of this award winning hub was based on a population of around 100,000, and the goal is to triple the number of cultural tourism visitor nights and number of cultural tourist visitors to Ballarat between 2018 and 2030, increase the number of professionally employed artists and allied creatives by a factor of 5 between 2018 and 2030, and grow Ballarat's cultural visitor economy and market and will build on the strength of Ballarat's flagship institutions and events as well as Ballarat's tourism marketing campaigns (Ref: ABS Place of Residence Data 2016, Category: Music, Performing and Visual Arts. Currently 120 artists and allied creatives in the Ballarat LGA in 2016. Attendance at cultural events and institutions (as measured by ABS <http://www.abs.gov.au/Culture-and-Recreation>)

<https://www.tra.gov.au/Research/Regional-tourism/local-government-area-profiles>)

If the City and Council were to pursue a Multicultural Performing Arts Convention Centre in Rockingham, the tourism and economic development opportunities for our city moving forward is exponential.

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 2: *Grow and Nurture Community Connectedness and Wellbeing*

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.*

d. Policy

The Community Infrastructure Plan currently identifies a ratio of one performing arts centre for population of 200,000-300,000 people. These facility provision guidelines are intended as a guide only and must be regarded as flexible subject to location and design, levels of service provision, demographic change in the community, changing community expectations and improved models of service delivery.

The Strategic Development Framework Policy identifies and explains the elements of the City's Strategic Development Framework as well as the process to be undertaken in the development of a Strategy such as the CDATA Strategy. Additionally it states that "all strategies must be congruent with the higher level key focus areas and aspirations established in the Strategic Community Plan and contain discrete, costed and deliverable tasks that will facilitate effective and measurable outcomes."

e. Financial

The Rockingham Contemporary and Performing Arts Centre Feasibility Study undertaken in 2010 was approximately \$240,000. Based on more recent feasibility studies undertaken by the City, it is estimated that a feasibility study would cost approximately \$100,000 however this cost would depend on the exact scope of the study.

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

Officer Comment on Alternate Motion

Following public consultation for the Cultural Development and Arts Strategy (2023-2027) should it identify that a feasibility study for a Multifunctional Performing Art Convention Centre be included in the Strategy, both the Alternate Motion and the Officer's Recommendation would result in the same actions taking place during the life of the Strategy.

It is understood that the Alternate Motion as proposed by Cr Edwards seeks to elaborate on actions that would be undertaken during the development of the Strategy, as considerations for inclusion of actions within the Strategy will stem from the public consultation process.

The Strategy will include actions and timeframes for these actions. Should a feasibility study be one of these actions then the Strategy will have an associated timeframe included. Council will have the capacity to review the draft Strategy and associated timeframes and a decision may be made about the priorities and timelines of these actions prior to endorsing the Strategy.

Officer Recommendation

That Council **CONSIDERS** the inclusion of a feasibility study into a Multifunctional Performing Convention Centre in the next Cultural Development and the Arts Strategy (2023-2027).

Council Resolution

Moved Cr Edwards, seconded Cr Liley:

That Council subject to the public consultation for the Cultural Development and Arts Strategy (2023-2027) identifying a need for a Multifunctional Performing Arts Centre Convention Centre in Rockingham, includes a feasibility study to be actioned for this project in year 2023-2024 of the Cultural Development and Arts Strategy (2023-2027).

Carried – 9/3

Council Members voting for the motion:

Cr Edwards
Cr Schmidt
Cr Buchanan
Cr Cottam
Mayor Hamblin

Cr Liley
Cr Wormall
Cr Davies
Cr Hume

Council Members voting against the motion:

Cr Buchan
Cr Jones
Cr Jecks

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

To provide a clearer explanation of the process to be followed through the development of the Cultural Development and Arts Strategy (2023-2027).

14.	Receipt of Information Bulletin
	<p>Moved Cr Davies, seconded Cr Buchanan:</p> <p>That Council RECEIVES the Information Bulletin as follows:</p> <ol style="list-style-type: none">1. Planning and Development Services Bulletin – November 2021;2. Engineering and Parks Services Bulletin – November 2021;3. Corporate and General Management Services Bulletin - November 2021; and4. Community Development Bulletin – November 2021 <p style="text-align: right;">Carried – 12/0</p>



15. Report of Mayor

**City of Rockingham
 Mayor's Report**



Reference No & Subject:	MR-011/21	Meetings and Functions Attended by the Mayor and Deputy Mayor
File No:	GOV/85	
Proponent/s:	City of Rockingham	
Author:	Mayor Deb Hamblin	
Other Contributors:	Cr Hayley Edwards, Deputy Mayor	
Date of Council Meeting:	23 November 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 16 October 2021 to 23 November 2021.

Background

Nil

Details

Date	Meeting/Function
16 October 2021	Rockingham Districts Little Athletics Annual Club March Past
18 October 2021	Interview with Sound Telegraph
20 October 2021	New Council Member Induction – Standing Committees
22 October 2021	Interview with 6PR
23 October 2021	Castaways Awards Presentation
25 October 2021	Warnbro Community High School Year 12 Awards Ceremony
26 October 2021	Special Council meeting to elect Deputy Mayor and Committees
27 October 2021	Presentation at Probus Day 2021 <i>Tourism Board AGM – attended by Deputy Mayor Hayley Edwards</i>
28 October 2021	Opening of The Links Kennedy Bay Clubhouse Safety Bay Senior High School Valedictory Awards Year 12 <i>New Council Member Induction – Community Development – attended by Deputy Mayor Hayley Edwards</i>
29 October 2021	Warnbro Primary School Walk Safely to School Rockingham Senior High School ESC Awards Ceremony Years 10 & 12
30 October 2021	Rockingham Regional Arts Exhibition Opening

Confirmed at a Council meeting held
 on Tuesday 21 December 2021

Mayor Deb Hamblin

Date	Meeting/Function
31 October 2021	Point Peron Replica Gun Opening
1 November 2021	Promotion for Sound Telegraph
2 November 2021	<i>New Council Member Induction – Planning and Development – attended by Deputy Mayor Hayley Edwards</i>
6 November 2021	<i>Opening of Baldivis Country Fair – attended by Deputy Mayor Hayley Edwards</i>
7 November 2021	<i>Chalk about Mental Health – attended by Deputy Mayor Hayley Edwards</i>
8 November 2021	Rockingham Education and Training Advisory Committee meeting Australian Citizenship Ceremony
9 November 2021	Key Leaders in Business Breakfast Meeting with Editor of Sound Telegraph Meeting with Tourism Rockingham Audit Committee meeting Councillor Engagement Session
10 November 2021	Interview with 97.3 Coast Live – Rockingham Beach Cup
11 November 2021	Promotion for Tourism Wayfinding Signage – Safety Bay Shoalwater Foreshore TPDWA Remembrance Day Memorial Service, Port Kennedy <i>RSL Rockingham Remembrance Day – attended by Deputy Mayor Hayley Edwards</i> <i>City Safe Advisory Committee – attended by Deputy Mayor Hayley Edwards</i>
12 November 2021	30 th Anniversary Charthouse Primary School Interview with Channel 7 – Rockingham Beach Cup
13 November 2021	Commissioning Ceremony of HMAS Stalwart 2021 Perth Airport WA Tourism Awards
14 November 2021	Rockingham Beach Cup
15 November 2021	U3A meeting Planning and Engineering Services Committee
18 November 2021	City of Kwinana's Civic Recognition Function
19 November 2021	City of Cockburn's Annual Civic Function
22 November 2021	South Metropolitan Zone meeting
23 November 2021	100 th Birthday, The Oakes Aged Care 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 16 October 2021 to 23 November 2021.

Council Resolution

Moved Cr Liley, seconded Cr Davies:

That Council **RECEIVES** the Mayor's Report for the period 16 October 2021 to 23 November 2021.

Carried – 12/0

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

Not Applicable

16.	Reports of Council Members
	Nil
17.	Reports of Officers
	Nil
18.	Addendum Agenda
	Nil



19. Motions of which Previous Notice has been given

Planning and Engineering Services Committee

**Engineering and Parks Services
Directorate**



Reference No & Subject:	EP-020/21	Notice of Motion - Stakehill Road, Baldvis
File No:	CPM/113-06	
Proponent/s:	Cr Hayley Edwards	
Author:	Mr Manoj Barua, Manager Technical Services	
Other Contributors:	Mr Brett Ashby, Manager Strategic Planning and Environment	
Date of Committee Meeting:	15 November 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:		

Purpose of Report

To respond to the following Notice of Motion from Cr Edwards:

“That Council:

- 1. DIRECTS the CEO to write to the Minister of Planning to expedite the expansion and realignment of the Stakehill Road Reserve, via the Metropolitan Region Scheme Amendment, highlighting the importance of the safety issues faced by residents at Stakehill Road.*
- 2. DIRECTS the CEO to undertake a Road Safety Audit for the intersection of Stakehill Road and Ukich Place, Baldvis once the 2021 Accident Data is received. The Road Safety Audit is to include an assessment of the installation of crash barriers adjacent to Lot 41 (No.4) Ukich Place, Baldvis for the protection and safety of road users. A report is to be provided to Council in December 2022 advising the outcome of the Road Safety Audit.*

3. *DIRECTS the CEO to prepare a report, upon gazettal of the MRS Amendment for Stakehill Road, investigating the merits undertaking an upgrade of the road to inform the City's Business Plan. Such report is to consider the costs and benefits of such an upgrade, mechanisms for delivery of the upgrade, and potential funding sources."*

Background

Notice of Cr Edward's proposed motion was given at the October 2021 Ordinary Council meeting and the following reasons were given in support:

"Stakehill Road is an east-west running District Distributor Road in Baldivis connecting two major north-south running roads, Mandurah Road and Baldivis Road.

There are several horizontal and vertical curves (bends and crests) present along the full length of the road. There has been a total of 20 recorded crashes between 2016 and 2020 in the section that is operating under 80km/hr. The crashes included three hospital admissions, five occasions of medical assistance and 12 assets damaged without personal injury.

The City has received notification of several safety concerns from the residents. Based on the residents' concerns and the safety history, the City arranged an independent Road Safety Inspection (RSI) for the road. The RSI recommended several measures, including the review of speed limits of the road. The City has actioned all the recommendations now including requesting a speed limit reduction from 80km/hr to 70km/hr which has now been implemented.

City officers, Cr Davies and I met with residents on site in September 2021 to discuss alternate avenues to address residents' safety concerns.

It's accepted that the realignment of Stakehill Road will address many of the issues which is dependent on the Metropolitan Region Scheme Amendment.

Another alternate safety avenue is to investigate the installation of crash barriers adjacent to Lot 41, (No.4) Ukich Place. The RSA will include all possible safety recommendations for the intersection of Stakehill Road and Ukich Place."

Details

In February 2016, the Council considered a proposed Structure Plan (Karnup Phase One), prepared on behalf of DevelopmentWA over the former pine plantation and Baldivis Explosives Reserve Facility at Lots 316 and 1340 Stakehill Road, Karnup. The Council recommended that the Structure Plan be approved subject to various modifications.

Following the Council's decision, the City received a further submission from landowners located nearby to the subject site, seeking changes to the proposed configuration of Stakehill Road, as well as other planning matters. The submission was forwarded to the Western Australian Planning Commission (WAPC) for its consideration.

In subsequent discussion with the Department of Planning, Lands and Heritage (DPLH), City Officers advocated for expansion of the Stakehill Road reserve to enable construction of the planned dual carriageway to the south of the existing road (between Eighty Road and Baldivis Road), which would retain the existing road as a local road servicing the Rural and Special Rural zoned land to the north.

The Structure Plan was withdrawn in 2017 and did not proceed to approval.

In 2018, the DPLH commenced a Road Reservation Study for Stakehill Road (Ennis Avenue to Baldivis Road), as well as a portion of Baldivis Road (Stakehill Road to Karnup Road) and Karnup Road (Baldivis Road to the Kwinana Freeway). The Road Reservation Study was intended to support future amendments to the Metropolitan Region Scheme to ensure suitable land was reserved to support regional road requirements in the future. The Road Reservation Study has been completed and it is understood that the DPLH is in the process of preparing a draft amendment to the Metropolitan Region Scheme in order to request that the WAPC amend portions of the reserve. Outcomes of the Study have not been made public at this time.

In 2020, a Planning Control Area (PCA) was declared over portions of land adjoining Stakehill Road in order to protect land from development that may be required for expansion of the road reservation. A PCA is typically a precursor to a Metropolitan Region Scheme Amendment.

The City arranged an independent Road Safety Audit (RSA) for the road in 2019. The RSA recommended a number of measures, including the review of speed limits of the road, improvements in signs and linemarking and improvement of sight distances by tree pruning. The recommended actions have been fully implemented including a reduction to the speed limit from 80km/hr to 70km/hr on 20 September 2021.

Implications to Consider

a. Consultation with the Community

The City has been in communication with the residents of Stakehill Road for some years. The City's Director Engineering and Parks Services and Manager Technical Services met the residents and the Baldivis Ward Councillors on site on 8 September 2021 to discuss the residents' concerns and to explain the actions taken so far and possible actions for future.

Responsibility for community consultation with respect to any proposed changes to the Metropolitan Region Scheme Reservation rests with the Department of Planning, Lands and Heritage.

b. Consultation with Government Agencies

Responsibility for consultation with government agencies with respect to any proposed changes to the Metropolitan Region Scheme Reservation rests with the Department of Planning, Lands and Heritage.

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 3: *Plan for Future Generations*

Strategic Objective: *Infrastructure Planning - Plan and develop sustainable and safe infrastructure which meet the current and future needs of the City's growing population.*

Strategic Objective: *Responsive Planning and Control of Land Use - Plan and control the use of land to meet the needs of the growing population, with consideration of future generations.*

d. Policy

Nil

e. Financial

The cost of the road safety audit is expected to be between \$3,000 and \$5,000 and will be funded through the City's 2022/2023 operational budget.

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

Given the concern expressed by nearby residents with respect to uncertainty over the future configuration of Stakehill Road, Recommendation 1 of the Notice of Motion to write to the Minister of Planning to expedite the expansion and realignment of the Stakehill Road Reserve, via the Metropolitan Region Scheme Amendment, highlighting the importance of the safety issues faced by residents at Stakehill Road, is supported.

Main Roads WA (MRWA) provides five years crash data to every metropolitan local government every March/April. The current dataset available to the City is for the years between 2016 and 2020.

The crash data for 2021 is expected to be available to the City around April 2022. The City supports undertaking another Road Safety Audit in 2022 for the intersection of Stakehill Road and Ukich Place, Baldivis. As the road safety audit is independent and based on the accident data, it is not considered appropriate to predetermine what may be recommended. It is noted that the road safety audit will consider the installation of crash barriers adjacent to Lot 41 (No.4) Ukich Place, Baldivis if the nature of the accidents is consistent with that being an appropriate recommendation.

The recommendations of the Road Safety Audit will be reported by December 2022.

The City also supports presenting a separate report to Council in due course after the gazettal of the MRS Amendment for Stakehill Road; investigating the merits undertaking an upgrade of the road to inform the City's Business Plan. The report will consider the costs and benefits of such an upgrade, mechanisms for delivery of the upgrade, and potential funding sources.

Recommendation 2 is supported with modifications as follows:

2. **DIRECTS** the CEO to undertake a Road Safety Audit for the intersection of Stakehill Road and Ukich Place, Baldivis once the 2021 Accident Data is received. ~~The Road Safety Audit is to include an assessment of the installation of crash barriers adjacent to Lot 41 (No.4) Ukich Place, Baldivis for the protection and safety of road users. A report is to be provided to Council in December 2022 advising the outcome of the Road Safety Audit. The recommendations of the Road Safety Audit will be reported by December 2022.~~

Recommendation 3 is supported.

Voting Requirements

Simple Majority

Officer Recommendation

That Council:

1. **DIRECTS** the CEO to write to the Minister of Planning to expedite the expansion and realignment of the Stakehill Road Reserve, via the Metropolitan Region Scheme Amendment, highlighting the importance of the safety issues faced by residents at Stakehill Road.
2. **DIRECTS** the CEO to undertake a Road Safety Audit for the intersection of Stakehill Road and Ukich Place, Baldivis once the 2021 Accident Data is received. The recommendations of the Road Safety Audit will be reported by December 2022.
3. **DIRECTS** the CEO to prepare a report, upon gazettal of the MRS Amendment for Stakehill Road, investigating the merits undertaking an upgrade of the road to inform the City's Business Plan. Such report is to consider the costs and benefits of such an upgrade, mechanisms for delivery of the upgrade, and potential funding sources.

Notice of Motion from Cr Edwards

That Council:

1. **DIRECTS** the CEO to write to the Minister of Planning to expedite the expansion and realignment of the Stakehill Road Reserve, via the Metropolitan Region Scheme Amendment, highlighting the importance of the safety issues faced by residents at Stakehill Road.
2. **DIRECTS** the CEO to undertake a Road Safety Audit for the intersection of Stakehill Road and Ukich Place, Baldivis once the 2021 Accident Data is received. The Road Safety Audit is to include an assessment of the installation of crash barriers adjacent to Lot 41 (No.4) Ukich Place, Baldivis for the protection and safety of road users. A report is to be provided to Council in December 2022 advising the outcome of the Road Safety Audit.

3. **DIRECTS** the CEO to prepare a report, upon gazettal of the MRS Amendment for Stakehill Road, investigating the merits undertaking an upgrade of the road to inform the City's Business Plan. Such report is to consider the costs and benefits of such an upgrade, mechanisms for delivery of the upgrade, and potential funding sources.

Committee Recommendation

That Council:

1. **DIRECTS** the CEO to write to the Minister of Planning to expedite the expansion and realignment of the Stakehill Road Reserve, via the Metropolitan Region Scheme Amendment, highlighting the importance of the safety issues faced by residents at Stakehill Road.
2. **DIRECTS** the CEO to undertake a Road Safety Audit for the intersection of Stakehill Road and Ukich Place, Baldivis once the 2021 Accident Data is received. The recommendations of the Road Safety Audit will be reported by December 2022.
3. **DIRECTS** the CEO to prepare a report, upon gazettal of the MRS Amendment for Stakehill Road, investigating the merits undertaking an upgrade of the road to inform the City's Business Plan. Such report is to consider the costs and benefits of such an upgrade, mechanisms for delivery of the upgrade, and potential funding sources.

Committee Voting (Carried) - 6/0

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 Davies:

That Council:

1. **DIRECTS** the CEO to write to the Minister of Planning to expedite the expansion and realignment of the Stakehill Road Reserve, via the Metropolitan Region Scheme Amendment, highlighting the importance of the safety issues faced by residents at Stakehill Road.
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Carried – 12/0

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

Not Applicable

20.	Notices of Motion for Consideration at the Following Meeting
	7:33pm The Mayor advised that a number of Notices of Motion have been received after the Agenda was printed and will be presented to the December 2021 Council meeting.
21.	Questions by Members of which Due Notice has been given
	Nil
22.	Urgent Business Approved by the Person Presiding or by Decision of the Council
	Nil
23.	Matters Behind Closed Doors
	Nil
24.	Date and Time of Next Meeting
	The next Ordinary Council meeting for the City of Rockingham will be held on Tuesday 21 December 2021 commencing at 6:00pm in the Council Chambers, Civic Boulevard, Rockingham.
25.	Closure
	<p>Prior to closing the meeting, the Mayor acknowledged that Mr Bob Jeans, Director Planning and Development Services has tendered his resignation after 35 years working for the City. She advised that the knowledge, expertise and support he has provided over the years will be greatly missed. The Mayor took the opportunity to thank Mr Jeans for his service and asked Councillors to join with her in this acknowledgement. This was met with a standing acclamation.</p> <p>Mr Jeans acknowledged the recognition, thanking the Mayor for her kind words and said it has been a privilege to work at the City of Rockingham.</p> <p>There being no further business, the Mayor thanked those persons present for attending the Council Meeting, and declared the meeting closed at 7:34pm.</p>