



City of Rockingham

MINUTES

Corporate and Community Development Committee Meeting

Held on Tuesday 20 June 2023 at 4:00pm
City of Rockingham Council Chamber




City of Rockingham
Corporate and Community Development
Committee Minutes
4:00pm Tuesday 20 June 2023



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<div>City of Rockingham</div> <div>Corporate and Community Development Committee Meeting Minutes</div> <div>Tuesday 20 June 2023 - Council Chamber</div> <div></div>																																															
1.	Declaration of Opening																																														
	<p>The Chairperson declared the Corporate and Community Development Committee meeting open at 4.00pm and welcomed all present.</p> <p>Acknowledgement of Country</p> <p>The Chairperson noted that the City of Rockingham acknowledges the Traditional Owners and Custodians of this land, the Binjareb and Whadjuk Nyoongar peoples and their continuing connection to the land, waters and community. We pay our respects to all members of Aboriginal communities and their cultures; and to Elders past and present.</p>																																														
2.	Record of Attendance/Apologies/Approved Leave of Absence																																														
	<p>2.1 Council Members</p> <table><tr><td>Cr Leigh Liley</td><td>Chairperson</td></tr><tr><td>Cr Craig Buchanan, JP</td><td></td></tr><tr><td>Cr Rae Cottam (Zoom)</td><td></td></tr><tr><td>Cr Sally Davies</td><td></td></tr><tr><td>Cr Caroline Hume</td><td></td></tr><tr><td>Cr Robert Schmidt</td><td></td></tr></table> <p><i>Note: All Council Members attending by electronic means have endorsed declarations pursuant to Local Government (Administration) Regulations 1996, r14C (5) which are captured in the City's record management system. This Note is to reflect the requirements of r.14C (7).</i></p> <p>2.2 Executive</p> <table><tr><td>Mr Michael Parker</td><td>Chief Executive Officer</td></tr><tr><td>Mr John Pearson</td><td>Director Corporate Services</td></tr><tr><td>Mr Michael Holland</td><td>Director Community Development</td></tr><tr><td>Mr Peter Doherty</td><td>Director Legal Services and General Counsel</td></tr><tr><td>Mr Jim Olynyk, JP</td><td>Manager Governance and Councillor Support</td></tr><tr><td>Mr Michael Yakas</td><td>Manager Customer and Corporate Support</td></tr><tr><td>Mr Allan Moles</td><td>Manager Waste Services</td></tr><tr><td>Mr Alvin Santiago</td><td>Manager Financial Services</td></tr><tr><td>Ms Nollaig Baker</td><td>Manager Strategy and Corporate Communications</td></tr><tr><td>Mr Nick Brown</td><td>Manager Community and Leisure Facilities</td></tr><tr><td>Mr Gary Rogers</td><td>Manager Community Infrastructure Planning</td></tr><tr><td>Ms Mary-Jane Rigby</td><td>Manager Community Safety and Support Services</td></tr><tr><td>Mr Paul Hayward</td><td>Manager, Community Capacity Building</td></tr><tr><td>Mr Scott Jarvis</td><td>Manager Economic Development and Tourism</td></tr><tr><td>Ms Louise Pleasance</td><td>Governance Coordinator</td></tr><tr><td>Ms Diane Zanre</td><td>PA to Director Community Development</td></tr><tr><td>Ms Jen Weinman</td><td>Governance Assistant</td></tr></table>	Cr Leigh Liley	Chairperson	Cr Craig Buchanan, JP		Cr Rae Cottam (Zoom)		Cr Sally Davies		Cr Caroline Hume		Cr Robert Schmidt		Mr Michael Parker	Chief Executive Officer	Mr John Pearson	Director Corporate Services	Mr Michael Holland	Director Community Development	Mr Peter Doherty	Director Legal Services and General Counsel	Mr Jim Olynyk, JP	Manager Governance and Councillor Support	Mr Michael Yakas	Manager Customer and Corporate Support	Mr Allan Moles	Manager Waste Services	Mr Alvin Santiago	Manager Financial Services	Ms Nollaig Baker	Manager Strategy and Corporate Communications	Mr Nick Brown	Manager Community and Leisure Facilities	Mr Gary Rogers	Manager Community Infrastructure Planning	Ms Mary-Jane Rigby	Manager Community Safety and Support Services	Mr Paul Hayward	Manager, Community Capacity Building	Mr Scott Jarvis	Manager Economic Development and Tourism	Ms Louise Pleasance	Governance Coordinator	Ms Diane Zanre	PA to Director Community Development	Ms Jen Weinman	Governance Assistant
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	<p>2.3 Members of the Gallery: Nil</p> <p>2.4 Apologies: Nil</p> <p>2.5 Approved Leave of Absence: Nil</p>
3.	Responses to Previous Public Questions Taken on Notice
	Nil
4.	Public Question Time
	<p>4:01pm The Chairperson opened Public Question Time and invited members of the Public Gallery to ask questions. The Chairperson noted that questions should relate to the business of the Committee and this is the only opportunity in the meeting for the public to ask questions.</p> <p>There were none.</p>
5.	Confirmation of Minutes of the Previous Meeting
	<p>Moved Cr Buchanan, seconded Cr Hume:</p> <p>That Committee CONFIRMS the Minutes of the Corporate and Community Development Committee Meeting held on 16 May 2023, as a true and accurate record.</p> <p style="text-align: right;">Committee Voting (Carried) – 6/0</p>
6.	Matters Arising from the Previous Minutes
	Nil
7.	Announcement by the Presiding Person without Discussion
	<p>4:03pm The Chairperson announced to all present that decisions made at Committees of Council are recommendations only and may be adopted in full, amended or deferred when presented for consideration at the next Council meeting.</p>
8.	Declarations of Members and Officers Interests
	<p>4:03pm The Chairperson asked if there were any interests to declare.</p> <p>8.1 Item CD-012/23 Warnbro Community Recreation Centre Master Plan (Final)</p> <p>Council Member Cr Robert Schmidt</p> <p>Type of Interest: Impartiality</p> <p>Nature of Interest: Cr Schmidt is a Life Member and Executive of the Warnbro Swans Football and Sporting Association who is a major user of the Warnbro Community Recreation Centre.</p> <p>Extent of Interest: Not Applicable</p> <p>8.2 Item CD-012/23 Warnbro Community Recreation Centre Master Plan (Final)</p> <p>Council Member Cr Caroline Hume</p> <p>Type of Interest: Impartiality</p>

	<p>Nature of Interest: Cr Hume's son is a member of the Warnbro Swans Football and Sporting Association who is a major user of the Warnbro Community Recreation Centre and Cr Hume frequents the Centre.</p> <p>Extent of Interest: Not Applicable</p>
9.	Petitions/Deputations/Presentations/Submissions
	Nil
10.	Matters for which the Meeting may be Closed
	Nil
11.	Bulletin Items
	<p>Corporate and General Management Services Information Bulletin – June 2023</p> <p>Corporate Services</p> <ol style="list-style-type: none"> 1. Corporate Services Team Overview 2. Project Status Reports <ol style="list-style-type: none"> 2.1 Online Rostering 2.2 Mandalay Upgrade 3. Information Items <ol style="list-style-type: none"> 3.1 List of Payments May 2023 3.2 Monthly Financial Management Report April 2023 3.3 Awarding of Tenders by CEO - Delegated Authority 3.4 Development Contribution Scheme <p>General Management Services Directorate</p> <ol style="list-style-type: none"> 1. General Management Services Team Overview 2. Project Status Reports 3. Information Items <ol style="list-style-type: none"> 3.1 Meetings and Events 3.2 Use of the Common Seal <p>Governance and Councillor Support</p> <ol style="list-style-type: none"> 1. Governance and Councillor Support Team Overview 2. Project Status Reports 3. Information Items <ol style="list-style-type: none"> 3.1 Freedom of Information (FOI) Requests 3.2 Council Member Requests 3.3 Citizenships 3.4 Australian Coastal Councils Association Inc. Newsletter 3.5 Coming Events 3.6 Notice of Motion – Status Report <p>Human Resources</p> <ol style="list-style-type: none"> 1. Human Resources Team Overview 2. Project Status Reports 3. Information Items <ol style="list-style-type: none"> 3.1 Recruitment 3.2 Occupational Safety and Health Statistics

	Strategy, Marketing and Communications <ol style="list-style-type: none">1. Strategy, Marketing and Communications Team Overview2. Project Status Reports<ol style="list-style-type: none">2.1 Strategic Community Plan (2023-2033) - Major Review2.2 Customer Satisfaction Survey 20223. Information Items<ol style="list-style-type: none">3.1 Team Plan3.2 Signage Framework Policy3.3 Community Engagement -Share your thoughts3.4 Social Media3.5 Media Tracking Legal Services & General Counsel <ol style="list-style-type: none">1. Legal Services & General Counsel Team Overview2. Project Status Reports3. Information Items<ol style="list-style-type: none">Provision of Legal Advice3.1 Legal Advice – Local Government Operational Matters3.2 Legal Advice – Local Government Operational Matters
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Committee Recommendation

Moved Cr Davies, seconded Cr Schmidt:

That Council Members acknowledge having read the Corporate and General Management Services Information Bulletin – June 2023 and the content be accepted.

Committee Voting (Carried) – 6/0

	Community Development Information Bulletin – June 2023 Community Safety and Support Services <ol style="list-style-type: none">1. Community Safety and Support Services Team Overview2. Project Status Reports<ol style="list-style-type: none">2.1 Alcohol Management Plan2.2 Community Services Mapping2.3 CCTV Plan2.4 Assertive Outreach2.5 Social Connection and Support Pilot Project2.6 Community Safety and Support Services Strategy Implementation3. Information Items<ol style="list-style-type: none">3.1 Community Support Services3.2 Rockingham Connect Community Transport Project3.3 Community Safety Library Services <ol style="list-style-type: none">1. Library Services Team Overview2. Project Status Reports3. Information Items<ol style="list-style-type: none">3.1 April 2023 Library Services Statistics3.2 Mary Davies Library and Community Centre3.3 Baldivis South Community Centre3.4 Rockingham Library3.5 Safety Bay Library3.6 Warnbro Community Library3.7 April 2023 Library Facebook Activity
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Community Infrastructure Planning

1. Community Infrastructure Planning Team Overview
2. Project Status Reports
3. Information Items
 - 3.1 Aqua Jetty Stage 2
 - 3.2 Baldivis District Sporting Complex
 - 3.3 Lark Hill Sportsplex Northern Expansion
 - 3.4 Stan Twight Reserve Clubroom Redevelopment
 - 3.5 Anniversary Park Clubroom Masterplan
 - 3.6 Community Infrastructure Functionality Audit Report

Community Capacity Building

1. Community Capacity Building Team Overview
2. Project Status Reports
 - 2.1 Seniors Strategy
 - 2.2 Health and Wellbeing Strategy
 - 2.3 Cultural Development and the Arts Strategy
3. Information Items
 - 3.1 Community Grants
 - 3.2 Reconciliation Action Plan
 - 3.3 Disability Access and Inclusion
 - 3.4 Seniors
 - 3.5 City Volunteers
 - 3.6 Rockingham Volunteer Centre
 - 3.7 Early Years, Children and Families
 - 3.8 Sport and Recreation
 - 3.9 Health and Wellbeing
 - 3.10 Rockingham Youth Centre
 - 3.11 Cultural Development and the Arts

Community and Leisure Facilities

1. Community and Leisure Facilities Team Overview
2. Project Status Reports
3. Information Items
 - 3.1 Aqua Jetty
 - 3.2 Warnbro Community Recreation Centre
 - 3.3 Mike Barnett Sports Complex
 - 3.4 Rockingham Aquatic Centre
 - 3.5 Warnbro Community Recreation Centre Master Plan
 - 3.6 Mike Barnett Sports Complex Master Plan
 - 3.7 Gary Holland Community Centre
 - 3.8 Autumn Centre
 - 3.9 Baldivis Indoor Sport Complex

Economic Development and Tourism

1. Economic Development and Tourism Team Overview
2. Project Status Reports
 - 2.1 Local Business Development
 - 2.2 Iconic Economic Development / Tourism Events
 - 2.3 Destination Marketing
 - 2.4 Visitor Servicing Fee for Service

	<ul style="list-style-type: none">3. Information Items<ul style="list-style-type: none">3.1 Stakeholder Engagement - Economic Development3.2 Stakeholder Engagement - Tourism
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Committee Recommendation

Moved Cr Davies, seconded Cr Schmidt:

That Council Members acknowledge having read the Community Development Information Bulletin – June 2023 and the content be accepted.

Committee Voting (Carried) – 6/0

12. Agenda Items

Corporate Services

Corporate Services Financial Services	
Reference No & Subject:	CS-014/23 Adoption of the 2023/2024 Budget, Setting of Rates and Related Matters (<i>Absolute Majority</i>)
File No:	FLM/361
Proponent/s:	
Author:	Mr John Pearson, Director Corporate Services
Other Contributors:	Mr Alvin Santiago, Manager Financial Services
Date of Committee Meeting:	20 June 2023
Previously before Council:	
Disclosure of Interest:	
Nature of Council's Role in this Matter:	Executive
Site:	
Lot Area:	
Attachments:	1. Draft Annual Budget 2023/2024
Maps/Diagrams:	

Purpose of Report

The purpose of this report is to adopt the 2023/2024 financial year Annual Budget and to provide explanation on its content and detail. A detailed budget document for the 2023/2024 financial year has been prepared and supplied to Elected Members for consideration.

Background

Elected Members have been briefed on Annual Budget considerations consistently throughout the year and feedback has been sought and received.

The City of Rockingham (City) Rating Methodology was approved on 23 May 2023 and yields are included in the 2023/2024 Annual Budget. The proposed fees and charges were approved on 28 March 2023.

Details

The proposed capital expenditure for the City is included in Section 3 of the budget document. This totals to \$103.76M, which includes \$97.83M for capital expenditure and the balance is for reserve transfers and loan repayments. It also includes \$62.05M in carried forward expenditure, which mainly relates to the Baldivis Sporting Complex and Aqua Jetty Stage 2. Details of the expected sources of funding for the various capital items are also presented in Section 3.

Total operating revenue is expected to be \$174.82M. Total operating expenditure is expected to be \$191.66M (including non-cash). Rate revenue is anticipated to be \$104.39M exclusive of interim rates.

The proposals for rates are included in Section 5 of the budget document, as per those adopted by Council at its meeting on 23 May 2023. The rate increase is 3.9%. The rate yield will represent 60% of the City's overall operating income.

The Statutory Statements and Notes to the Statutory Statements are included in Section 5 of the budget. The most important of these is the Statement of Financial Activity formerly known as the Rate Setting Statement.

Fees and charges listed in Section 6 of the budget document are as previously approved by Council at its meeting on 28 March 2023 with the following amendments:

- Inclusion of Waste Services and Millar Road Landfill Facility fees and charges which were omitted from the prior approved fees and charges
- Addition of eScooter permit fee as per Council Resolution from the May Ordinary Council Meeting
- Addition of takeaway plastic container for Autumn Centre
- Removal of the Reception Room hiring fee
- Removal of the community lease preparation fee
- Correction of Aqua Jetty Sunday Family Day fees

Implications to Consider

a. Consultation with the Community

The adopted Strategic Framework used by the City places significant importance on foundation documents such as Strategic Community Plans having considerable community consultation. All these plans are costed and then included in the Annual Budget. The City's Community Plan also engages many ratepayers in its preparation.

The City advertised its intention to apply differential general rates and minimum payments in The West Australian on 25 May 2023 and the Sound Telegraph on 31 May 2023. The notice was also placed in 'Share Your Thoughts' on the City's website and Rock Port. Submissions close on 15 June 2023 at 4.30pm. At the time of writing this report, submissions had not closed. All submissions will be presented to Council for consideration at the 28 June 2023 Council meeting.

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

The budget is an important annual financial document and details what is proposed to occur for the forthcoming year. It lists all matters of an operational nature as well as capital items and various sources of income. The budget is the basis for Council striking its rates for the new financial year.

It is considered important that Elected Members understand the financial make-up of various items within the budget for the forthcoming year. The most important items are those of a "new" nature, and these are included in Section 3 of the budget document. While brief explanations are included throughout the budget document, Elected Members have been briefed relating to the budget contents.

The 2023/2024 capital budget includes the following major capital projects (noting many other capital projects are occurring):

· Aqua Jetty Stage 2	\$20.98M
· Baldivis Sporting Complex (outdoor courts and junior pavilion)	\$8.3M
· Stan Twight Reserve Clubroom Extension	\$4.78M

The Federal Government Financial Assistance Grants (FAGS) remain at approximately \$6M, which includes the local roads component of \$2.51M. The City is a minimum grant Council, which means it receives a fixed sum of money from the Federal Government based on population. Therefore, there is an upward trend in this number and it is unlikely to reduce unless there are changes in Federal legislation.

Given the early budget adoption, assumptions have been made related to opening balances. The 2023/2024 Annual Budget opening balance is \$36.22M relating to carried forward projects.

Should there be any variance to this figure, budget adjustments through the budget review process will occur accordingly. Council will need to be mindful of any further changes or requests for additional items throughout the coming financial year. While the City does have capacity to make adjustments, little capacity exists to accommodate any new large costs unless there are other positive movements to the City's end-of-year balance position. Adoption of new items beyond that which are now included in the budget could mean that some of the adopted projects may have to be "dropped off" or be delayed until future years. This process may even still need to occur should there be any large decreases in any of the projected income sources.

f. Legal and Statutory

Preparation and adoption of the budget has occurred in accordance with all legislative requirements. Part 6 of the *Local Government Act 1995* (Act) legislates all matters to do with finance for local government which the City has complied with.

It is a requirement under section 6.36 of the Act that where a Council elects to use differential rates then it shall advertise its intention to do so, and call for submissions for a period of at least 21 days before any further action occurs. This has occurred. Further updates will be provided at the meeting. In accordance with prescribed legislation, Council is to consider any submissions received and may impose the proposed rates with or without modification.

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 Annual Budget is the document that provides allocations to ensure the City is able to operate financially over a twelve-month period. It attempts to capture all the previous decisions of Council to ensure that services and projects are delivered as expected. Essentially, it is defining one-year expenditure on all the prior planning. Most importantly though, it is the statutory document which determines all the statutory charges including fees and charges and rates. Efforts are made to ensure Elected Members are informed about the budget contents including briefings on projects, plans and strategies, most of which have received Council adoption. The Annual Budget is a complex document which takes months to prepare and the preparation of plans and strategies adopted prior, linked to the City Business Plan, provides the foundation for the draft Annual Budget.

The economic climate in Western Australia is very challenging at the moment with inflation and Local Government Cost indexes significantly above prior years. This is well understood by most people who feel these cost escalations in day-to-day living. The City is not immune from these escalations and despite this has been able to provide a balanced budget, meeting all strategy requirements. The proposed rate increase of 3.9% is well below inflation data and meets Council expectations of not putting inflationary pressures on ratepayers. The proposed rate increase is also less than the 5% increase in the Emergency Services Levy (ESL). The 2023/2024 Annual Budget meets expectations from prior adopted positions of Council. As matters stand, all items included in the City Business Plan and other prior adopted strategies have been included.

It is also important to note that this year is a Gross Rental Value (GRV) revaluation year. This means there will not be uniform increases in individual property rate charges. Some will increase by more than 3.9% and some property rates will decrease. GRV valuations are performed independently to the City. Any ratepayers that view their valuation as inaccurate may lodge an objection through Landgate. The City has no input or influence on valuations performed by Landgate.

As most are aware, labour shortages and the ability to access traditional products and services remain impacted due to global issues beyond the City's control. To this end, all core service delivery areas remain functional however timeframes for delivery of goods in some instances are taking months. Employee costs are anticipated to be \$69.21 million. This is based on the assumption of positions being filled and maintained. These funds may need to be adjusted to engage short-term labour contracts to assist should positions not be filled.

Fees and charges for the 2023/2024 financial year are listed in Section 6 of budget document. The proposed Schedule of Fees and Charges for 2023/2024 lists all fees and charges with details of the current and proposed fees.

The Fees and Charges imposed by the City of Rockingham can be categorised into three main types:

1. Fees and Charges set by Council under Section 6.16 of the *Local Government Act 1995* (Act).
2. Fees and Charges set by Council under other sections of the Act or other legislation where Council has the discretion to set the charge.
3. Fees and Charges imposed covered by local law or other legislation and Council does not have discretion to change them.

Council approved the fees and charges at the March 2023 Ordinary Council Meeting for inclusion in the budget.

The Annual Budget 2023/2024 is recommended to Council for adoption.

Voting Requirements

Absolute Majority

Officer Recommendation

That Council **ADOPTS** the Annual Budget for the 2023/2024 financial year and the income and expenditures as presented within the budget document, which includes:

1. The following rates:

- For all Residential properties where Gross Rental Valuations are applied, a rate of 7.95 cents in the dollar with a minimum rate of \$1,322 to apply.
- For all Non-Residential properties where Gross Rental Valuations are applied, a rate of 9.052 cents in the dollar with a minimum rate of \$1,322 to apply.
- For all Unimproved Valued properties a rate of 0.1092 cents in the dollar with a minimum rate of \$655 to apply.
- Where payments are received after the prescribed time and penalty charges apply, then a penalty interest rate for all Gross Rental Value and Unimproved Value outstanding rates is set at 10% per annum, to be calculated on a daily basis, unless a Rates Smoothing arrangement is entered into.
- Where payments for the ESL are received after the prescribed time and penalty charges apply, then a penalty interest rate for all outstanding ESL is set at 11% as advised by the Department of Fire and Emergency Services, to be calculated on a daily basis, unless a Rates Smoothing arrangement is entered into.
- For those ratepayers who have entered into the Rates Smoothing arrangement, penalty interest of 10% per annum is applicable if there is an outstanding balance at the end of the smoothing period, and 11% as advised by the Department of Fire and Emergency Services if there is an outstanding ESL balance at the end of the smoothing period.
- For those ratepayers not paying by instalments or Rates Smoothing, the penalty interest will commence to be calculated after 18 August 2023.
- The following Rates Instalment Payment Options:

Option 1

To pay the total amount of rates and charges included on the rate notice in full by 18 August 2023.

Option 2

Payments to be made by two instalments as will be detailed on the rates notices with the following anticipated dates:

First Instalment	18 August 2023
Second Instalment	18 December 2023

Option 3

Payments to be made by four instalments, as will be detailed on the rates notices with the following anticipated dates:

First Instalment	18 August 2023
Second Instalment	18 October 2023
Third Instalment	18 December 2023
Fourth Instalment	19 February 2024

- Where payments are made by instalment, an administration charge of \$4.5 for each instalment after the first instalment shall apply and instalment interest, to be set at 5.5% per annum and calculated on a daily basis, will be applied.
- Where payments are made by Rates Smoothing arrangements, instalment interest, to be set at 5.5% per annum and calculated on a daily basis, will be applied.
- The transfers/movements to and from the Reserve Accounts, as detailed within the budget document and in accordance with Council's adopted policies.
- The imposition of the 2023/2024 Fees and Charges, as listed in Section 6 of the budget document.

Amended Officer Recommendation

That Council

1. **ADOPTS** the Annual Budget for the 2023/2024 financial year and the income and expenditures as presented within the budget document, which includes:
 - The following rates:
 - For all Residential properties where Gross Rental Valuations are applied, a rate of 7.95 cents in the dollar with a minimum rate of \$1,322 to apply.

- For all Non-Residential properties where Gross Rental Valuations are applied, a rate of 9.052 cents in the dollar with a minimum rate of \$1,322 to apply.
 - For all Unimproved Valued properties a rate of 0.1092 cents in the dollar with a minimum rate of \$655 to apply.
 - o Where payments are received after the prescribed time and penalty charges apply, then a penalty interest rate for all Gross Rental Value and Unimproved Value outstanding rates is set at 10% per annum, to be calculated on a daily basis, unless a Rates Smoothing arrangement is entered into.
 - o Where payments for the ESL are received after the prescribed time and penalty charges apply, then a penalty interest rate for all outstanding ESL is set at 11% as advised by the Department of Fire and Emergency Services, to be calculated on a daily basis, unless a Rates Smoothing arrangement is entered into.
 - o For those ratepayers who have entered into the Rates Smoothing arrangement, penalty interest of 10% per annum is applicable if there is an outstanding balance at the end of the smoothing period, and 11% as advised by the Department of Fire and Emergency Services if there is an outstanding ESL balance at the end of the smoothing period.
 - o For those ratepayers not paying by instalments or Rates Smoothing, the penalty interest will commence to be calculated after 18 August 2023.
 - o The following Rates Instalment Payment Options:
 - Option 1
To pay the total amount of rates and charges included on the rate notice in full by 18 August 2023.
 - Option 2
Payments to be made by two instalments as will be detailed on the rates notices with the following anticipated dates:

First Instalment	18 August 2023
Second Instalment	18 December 2023
 - Option 3
Payments to be made by four instalments, as will be detailed on the rates notices with the following anticipated dates:

First Instalment	18 August 2023
Second Instalment	18 October 2023
Third Instalment	18 December 2023
Fourth Instalment	19 February 2024
 - o Where payments are made by instalment, an administration charge of \$4.5 for each instalment after the first instalment shall apply and instalment interest, to be set at 5.5% per annum and calculated on a daily basis, will be applied.
 - o Where payments are made by Rates Smoothing arrangements, instalment interest, to be set at 5.5% per annum and calculated on a daily basis, will be applied.
 - o The transfers/movements to and from the Reserve Accounts, as detailed within the budget document and in accordance with Council's adopted policies.
 - o The imposition of the 2023/2024 Fees and Charges, as listed in Section 6 of the budget document.
2. **NOTES** the submissions received and officer responses on differential rates in accordance with Section 6.36(4) of the *Local Government Act 1995*.

The Reason for Varying the Officers Recommendation

Additional information provided included submissions in response to the Notice of Differential Rates and Minimum Payments 2023/2024. Pursuant to section 6.36(4) of the *Local Government Act 1995*, the local government is required to consider any submissions received before imposing the proposed rates and may impose those rates with or without modification. As such, officers included in the resolution to note the submissions.

Alternate Motion

Cr Buchanan proposed the following Alternate Motion:

That Council:

1. **ADOPTS** the Annual Budget for the 2023/2024 financial year and the income and expenditures as presented within the budget document, which includes:
 - The following rates at **3.0% increase**:
 - For all Residential properties where Gross Rental Valuations are applied, a rate of **7.88** cents in the dollar with a minimum rate of **\$1,305** to apply.
 - For all Non-Residential properties where Gross Rental Valuations are applied, a rate of 9.052 cents in the dollar with a minimum rate of **\$1,305** to apply.
 - For all Unimproved Valued properties a rate of 0.1092 cents in the dollar with a minimum rate of \$655 to apply.
 - Where payments are received after the prescribed time and penalty charges apply, then a penalty interest rate for all Gross Rental Value and Unimproved Value outstanding rates is set at 10% per annum, to be calculated on a daily basis, unless a Rates Smoothing arrangement is entered into.
 - Where payments for the ESL are received after the prescribed time and penalty charges apply, then a penalty interest rate for all outstanding ESL is set at 11% as advised by the Department of Fire and Emergency Services, to be calculated on a daily basis, unless a Rates Smoothing arrangement is entered into.
 - For those ratepayers who have entered into the Rates Smoothing arrangement, penalty interest of 10% per annum is applicable if there is an outstanding balance at the end of the smoothing period, and 11% as advised by the Department of Fire and Emergency Services if there is an outstanding ESL balance at the end of the smoothing period.
 - For those ratepayers not paying by instalments or Rates Smoothing, the penalty interest will commence to be calculated after 18 August 2023.
 - The following Rates Instalment Payment Options:

Option 1

To pay the total amount of rates and charges included on the rate notice in full by 18 August 2023.

Option 2

Payments to be made by two instalments as will be detailed on the rates notices with the following anticipated dates:

First Instalment	18 August 2023
Second Instalment	18 December 2023

Option 3

Payments to be made by four instalments, as will be detailed on the rates notices with the following anticipated dates:

First Instalment	18 August 2023
Second Instalment	18 October 2023
Third Instalment	18 December 2023
Fourth Instalment	19 February 2024

- Where payments are made by instalment, an administration charge of \$4.5 for each instalment after the first instalment shall apply and instalment interest, to be set at 5.5% per annum and calculated on a daily basis, will be applied.
- Where payments are made by Rates Smoothing arrangements, instalment interest, to be set at 5.5% per annum and calculated on a daily basis, will be applied.

- The transfers/movements to and from the Reserve Accounts, as detailed within the budget document and in accordance with Council's adopted policies.
 - The imposition of the 2023/2024 Fees and Charges, as listed in Section 6 of the budget document.
2. **NOTES** the submissions received and officer responses on differential rates in accordance with Section 6.36(4) of the *Local Government Act 1995*.

Reason for Alternate Motion

Given the economic uncertainties with which all of us are currently living - increases to interest rates that seem to have no end in sight, escalating mortgage payments and rents, rising food and fuel prices, etc. - it behooves the City of Rockingham to do all that it reasonably can to reduce the rates burden upon its local residents.

A reduction in the residential rates increase from 3.9% to 3% would require the City to find something in the region of \$650,000, but we are coming off the back of two years of multi-million dollar surpluses, which make this eminently achievable.

Implications to Consider

a. **Consultation with the Community**

The adopted Strategic Framework used by the City places significant importance on foundation documents such as Strategic Community Plans having considerable community consultation. All these plans are costed and then included in the Annual Budget. The City's Community Plan also engages many ratepayers in its preparation.

The City advertised its intention to apply differential general rates and minimum payments in The West Australian on 25 May 2023 and the Sound Telegraph on 31 May 2023. The notice was also placed in 'Share Your Thoughts' on the City's website and Rock Port. Submissions closed on 15 June 2023 at 4.30pm. Two submissions were received which will be tabled to Council.

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**

Cr Buchanan's motion reduces total rate yield from that adopted in its advertised rates model by approximately \$643,000. The Draft Annual Budget has been prepared based on 3.9% increase, not 3.0%. The compounding impact of this reduction over the next 10 years is approximately \$7.5 million. Should Council support Cr Buchanan's motion, the next City Business Plan will be prepared noting this change.

Council has previously been advised that surplus funds, when identified, are used to reduce proposed debt. This methodology considers the compounding impact of rate changes and allows rate adjustments to occur based on reduced debt servicing and therefore lower rate yield requirements ongoing.

It should also be noted that Council is likely to seek more funds in future plans to pay for many currently unfunded infrastructure projects.

f. Legal and Statutory

Preparation and adoption of the budget has occurred in accordance with all legislative requirements. Part 6 of the *Local Government Act 1995* legislates all matters to do with finance for local government which the City has complied with. Section 6.34. of the *Local Government Act 1995* states that, unless approved by the Minister for Local Government, revenue or income from general rates, as shown in the annual budget as being the amount it is estimated will be yielded by the general rate is not to —

(a) be more than 110% of the amount of the budget deficiency; or

(b) be less than 90% of the amount of the budget deficiency

Cr Buchanan's motion meets this requirement.

It is a requirement under section 6.36 of the Act that where a Council elects to use differential rates then it shall advertise its intention to do so, and call for submissions for a period of at least 21 days before any further action occurs. This has occurred. Further updates will be provided at the meeting. In accordance with prescribed legislation, Council is to consider any submissions received and may impose the proposed rates with or without modification.

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

Officers have prepared an Annual Budget based on previous adopted positions of Council. Should Council adopt Cr Buchanan's motion, the expected rate yield will decrease by approximately \$643,000. It is unclear how this shortfall will be corrected. This will be considered in future budget reviews and Business Plans. The adopted City Business Plan proposed a rate increase of 3.9% for the next year and forward planning has been based on this assumption. It is imperative that the City has the resources, not only over the next twelve months but over the next decade, to support its infrastructure construction requirements and operational costs. While one year's costs may be identifiable, the long-term impact of this predicted rate change is approximately \$7.5 million. When coupled with the demand for projects which remain unfunded, this proposed change is material and not supported in any forward planning documents. As a community-leading organisation, it is considered vital that the City maintains adequate resources to respond promptly and prudently to major community issues. Councillors have also been considerably informed over the last 6 months about forward projects and revenue and expenditure requirements.

Impacts on the local economy also affect the City. Councillors would understand that any increases in community wide costs are also borne by the organisation. The proposed 3.9% increase in rates is well below inflation and assists in ensuring the City is not leading inflation pressures, rather responding appropriately to it.

Should Council support Cr Buchanan's motion, the budget will be adopted with a deficit position of \$643,000. This will be reviewed through the budget review process to ensure the City is able to meet its costs. Further, future Business Plans will be prepared acknowledging the decreases in revenues and guidance will be sought from Council. This may include increases in debt, or changes to project timing and potential service offering. It is very important that the City maintain a solid foundation in order to service its community. Officers recommend the adoption of the budget as prepared, thus Cr Buchanan's motion is not supported.

Officer Recommendation on Alternative Motion

Cr Buchanan's motion is not supported.

Alternate Motion

Moved Cr Buchanan, seconded Cr Cottam:

That Council:

1. **ADOPTS** the Annual Budget for the 2023/2024 financial year and the income and expenditures as presented within the budget document, which includes:
 - The following rates at **3.0% increase**:
 - For all Residential properties where Gross Rental Valuations are applied, a rate of **7.88** cents in the dollar with a minimum rate of **\$1,305** to apply.
 - For all Non-Residential properties where Gross Rental Valuations are applied, a rate of 9.052 cents in the dollar with a minimum rate of **\$1,305** to apply.
 - For all Unimproved Valued properties a rate of 0.1092 cents in the dollar with a minimum rate of \$655 to apply.
 - Where payments are received after the prescribed time and penalty charges apply, then a penalty interest rate for all Gross Rental Value and Unimproved Value outstanding rates is set at 10% per annum, to be calculated on a daily basis, unless a Rates Smoothing arrangement is entered into.
 - Where payments for the ESL are received after the prescribed time and penalty charges apply, then a penalty interest rate for all outstanding ESL is set at 11% as advised by the Department of Fire and Emergency Services, to be calculated on a daily basis, unless a Rates Smoothing arrangement is entered into.
 - For those ratepayers who have entered into the Rates Smoothing arrangement, penalty interest of 10% per annum is applicable if there is an outstanding balance at the end of the smoothing period, and 11% as advised by the Department of Fire and Emergency Services if there is an outstanding ESL balance at the end of the smoothing period.
 - For those ratepayers not paying by instalments or Rates Smoothing, the penalty interest will commence to be calculated after 18 August 2023.
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Option 1

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Option 3

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First Instalment	18 August 2023
Second Instalment	18 October 2023
Third Instalment	18 December 2023
Fourth Instalment	19 February 2024

- Where payments are made by instalment, an administration charge of \$4.5 for each instalment after the first instalment shall apply and instalment interest, to be set at 5.5% per annum and calculated on a daily basis, will be applied.
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- The transfers/movements to and from the Reserve Accounts, as detailed within the budget document and in accordance with Council's adopted policies.
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2. **NOTES** the submissions received and officer responses on differential rates in accordance with Section 6.36(4) of the *Local Government Act 1995*.

Alternative Motion Lost – 2/4

Council Members voting for the motion:

Cr Buchanan Cr Cottam

Council Members voting against the motion:

Cr Davies Cr Hume
Cr Schmidt Cr Liley

Committee Recommendation

Moved Cr Hume, seconded Cr Davies:

That Council:

1. **ADOPTS** the Annual Budget for the 2023/2024 financial year and the income and expenditures as presented within the budget document, which includes:
- The following rates:
 - For all Residential properties where Gross Rental Valuations are applied, a rate of 7.95 cents in the dollar with a minimum rate of \$1,322 to apply.
 - For all Non-Residential properties where Gross Rental Valuations are applied, a rate of 9.052 cents in the dollar with a minimum rate of \$1,322 to apply.
 - For all Unimproved Valued properties a rate of 0.1092 cents in the dollar with a minimum rate of \$655 to apply.
 - Where payments are received after the prescribed time and penalty charges apply, then a penalty interest rate for all Gross Rental Value and Unimproved Value outstanding rates is set at 10% per annum, to be calculated on a daily basis, unless a Rates Smoothing arrangement is entered into.
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 - For those ratepayers who have entered into the Rates Smoothing arrangement, penalty interest of 10% per annum is applicable if there is an outstanding balance at the end of the smoothing period, and 11% as advised by the Department of Fire and Emergency Services if there is an outstanding ESL balance at the end of the smoothing period.
 - For those ratepayers not paying by instalments or Rates Smoothing, the penalty interest will commence to be calculated after 18 August 2023.
 - The following Rates Instalment Payment Options:
 - Option 1
To pay the total amount of rates and charges included on the rate notice in full by 18 August 2023.
 - Option 2
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 - The transfers/movements to and from the Reserve Accounts, as detailed within the budget document and in accordance with Council's adopted policies.
 - The imposition of the 2023/2024 Fees and Charges, as listed in Section 6 of the budget document.
2. **NOTES** the submissions received and officer responses on differential rates in accordance with Section 6.36(4) of the Local Government Act 1995

Committee Voting (Carried) – 4/2

Council Members voting for the recommendation:

Cr Davies	Cr Hume
Cr Schmidt	Cr Liley

Council Members voting against the recommendation:

Cr Buchanan	Cr Cottam
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The Committee's Reason for Varying the Officer's Recommendation

Not Applicable

Implications of the Changes to the Officer's Recommendation

Not Applicable

Corporate Services Waste Services



Reference No & Subject:	CS-015/23	Provision of Food Organics and Garden Organics (FOGO) Waste Collection and Processing Service
File No:	CPM/168-8	
Proponent/s:		
Author:	Ms Helen Savage, Senior Projects Officer (Corporate Services)	
Other Contributors:	Mr Allan Moles, Manager Waste Services Mr Aaron Blair, Coordinator Waste Collection Services	
Date of Committee Meeting:	20 June 2023	
Previously before Council:		
Disclosure of Interest:		
Nature of Council's Role in this Matter:	Executive	
Site:		
Lot Area:		
Attachments:		
Maps/Diagrams:		

Purpose of Report

For Council to approve the implementation of a Food Organics and Garden Organics (FOGO) waste collection and processing service for residential properties in accordance with the City of Rockingham's (City) Waste Plan 2020-2031 by the end of June 2025.

Background

Local governments in the Metropolitan and Peel regions have been given the year 2025 as the timeframe to introduce a FOGO kerbside collection service. FOGO is a kerbside collection service that allows food and organic waste such as food scraps, garden organics and other organic wastes to be added to the green lid waste bin. The three bin collection service with a Garden Organics (GO) bin was implemented at the City in June 2017. Currently, the City's GO bins are collected and processed on a fortnightly basis by diverting its green waste away from landfill to be composted at the Veolia Environmental Services (Australia) Pty Ltd (Veolia), North Bannister Resource Recovery Park facility.

Details

The City collects approximately 30,000 tonnes of general waste from kerbside residential, commercial and street/park bins per annum, which is disposed at the Millar Road Landfill Facility (MRLF).

The City's current three bin service is made up of:

Bin Type	Description	Service Provider
General waste:	Weekly 140L red lid bin	City Waste Collection Services
Recyclables	Fortnightly 360L yellow lid bin	Veolia Environmental Services (Australia) Pty Ltd
Garden organics waste	Fortnightly 240L green lid bin	Veolia Environmental Services (Australia) Pty Ltd

The City's Waste Plan 2020-2031 identifies the target of making the FOGO service available to all residential properties that currently use the GO bin in 2025. To transition from a GO service to a FOGO service, residents will need to place all food scraps and compostable waste, which are currently disposed of through the general waste 140L red lid bin, into the 240L green lid bin. The green lid bin will then become a FOGO bin as opposed to being only for garden organic waste.

Collection and Processing Option 1

The City would implement FOGO by continuing to collect the general waste (red lid) service and contract out the FOGO collection (green lid) service. The introduction of a FOGO service will result in the general waste collection being collected fortnightly as opposed to its current weekly frequency. In addition to the reduced frequency of collection, the volume of general waste the City will collect will be reduced. The FOGO (green lid) bin will increase its frequency to a weekly collection service and the waste will be transported to a FOGO processing facility to be treated and converted into compost. The green lid bin is currently collected fortnightly by a contractor and taken to the North Bannister Resource Recovery Park facility for processing.

This option would result in the contractor being responsible to provide a weekly bin collection service and the waste would be under their control from the time of collection. The benefit of this is the contractor will manage any load contamination issues.

The City will be able to perform the general waste collection service with a smaller fleet of waste trucks and this will allow the City to reduce the number of days of operation from six days a week to a five days a week collection service.

Collection and Processing Option 2

Under this option, the City would contract out the fortnightly collection of the City's general waste (red lid) bin service and continue to have the waste delivered to the MRLF. Under this option the City would use its own fleet of waste trucks to collect the weekly FOGO waste bin and deliver the waste to a processing facility. However, this option does present the issue of having to manage any contamination of the load which could be rejected by the processing facility.

It is also unclear at this stage to determine whether the City would have a sufficient number of trucks once the logistical costs of the extra distance to the processing facility are considered. It is likely that the distance to transport the FOGO waste will require additional resources.

Complementary Measures

In addition to the cost of collection and processing of FOGO waste, a number of complementary measures including communication and education programs and the provision of kitchen caddies and compostable caddy liners are recommended to assist in the transition to the FOGO service and reduce contamination levels.

Implications to Consider

a. Consultation with the Community

Nil

b. Consultation with Government Agencies

Department of Water and Environmental Regulation (DWER)

DWER endorsed the City's Waste Plan 2021-2031 on 27 May 2021. The Plan includes the introduction of FOGO.

City officers met with representatives from DWER in February 2023 to discuss the available grants that local governments can apply for in relation to implementing the FOGO service. DWER officers advised that the City would be eligible to apply for the Better Bins Plus program funding which pays local governments \$11-\$12 for each household that receives a better practice three-bin FOGO collection service.

Western Australian Local Government Association (WALGA)

City officers met with WALGA in February 2023 to discuss opportunities for funding, the current state of the market and advice from the industry with regards to transitioning to a FOGO service.

Resource Recovery Group (RRC)

The RRC has a FOGO Processing Facility located in Canning Vale which has operated since 2019. City officers met with representatives from RRC in March 2023 to discuss FOGO processing requirements.

Local Governments

City of Fremantle, City of Bayswater and City of Melville were selected to meet with City officers to discuss their Council's experience with implementing FOGO to gain insight with regards to lessons learned.

c. Strategic

Waste Plan 2021-2031

This item addresses Action 1.4.3 of the Waste Plan 2021-2031 to 'Introduce three Better Practice 3-bin FOGO system by 2025':

3. *Put forward all options to Council to determine the best course of action by 30 June 2023.*

The City's Waste Plan 2020-2031 identifies the target of making the FOGO system available to all properties that currently use the GO bin in 2025.

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 3: *Plan for Future Generations*

Strategic Objectives: *Sustainable waste solutions - Incorporate new opportunities that support responsible and sustainable disposal of waste.*

Aspiration 4: *Deliver Quality Leadership and Business Expertise*

Strategic Objectives *Revenue sources - Identify and implement strategies to introduce alternative revenue sources for the City.*

Leadership in sustainability - Provide community education on the management of waste, and provide opportunities for community involvement in sustainability programs.

d. Policy

Nil

e. Financial

The cost to implement a FOGO collection and processing service will present a cost increase to the City when compared to the existing service provided. The City will also experience a loss of revenue by the diversion of waste (estimated to be approximately 13,000 tonnes) from being processed through MRLF to a FOGO processing facility.

The following table shows the impact on the cost of processing and disposal under the proposed Option 1 for implementing a FOGO collection and processing system.

Option 1

2021/2022 Kerbside Collection	Current Go System					FOGO System (anticipated)				
Bin Type	Waste Collected (tonnes)	Waste Recovered (tonnes)	Waste Landfilled (tonnes)	Cost of Processing / Disposal per tonne	Cost	Waste Collected (tonnes)	Waste Recovered (tonnes)	Waste Landfilled (tonnes)	Cost of Processing / Disposal per tonne	Cost
140 litre red lid	30,282.61	0	30,282.61	\$ 132.36	\$ 4,008,206.26	17,282.01	0	17,282.01	\$ 132.36	\$ 2,287,446.84
240 litre green lid	12,618.81	12,318.69	300.12	\$ 42.50	\$ 563,268.21	25,619.41	24,850.25	769.16	\$ 130.00	\$ 3,332,338.52
Total	42,901.42	12,318.69	30,582.73		\$ 4,571,474.47	42,901.42	24,850.25	18,051.17		\$ 5,619,785.36

It should be noted that the \$130 per tonne for processing / disposal of the 240 litre green lid bin that is presented in the above table is based on an estimated cost of a FOGO service contractor to process the waste. The actual cost will not be known until after a tendering process has been completed. The cost to implement a FOGO collection and processing service at the City is approximately \$1.05 million more than the current green waste only fee.

This amount does however not take into consideration the loss of MRLF revenue which is approximately \$780,000 per year (gross) based upon the estimated decrease of 12,532 tonnes of general waste that will be redirected from landfill. This loss of revenue has been calculated as the difference between the City's MRLF fee and the amount that is paid to the state government for the Landfill Levy (\$70 per tonne) and does not factor in operational costs of the MRLF facility.

Option 2

It is likely that this option will incur an additional cost to transport the waste to a suitable FOGO processing facility due to the increase in distance of travel of the collection route. The cost of this is unable to be quantified without knowing the specifics around the location of the FOGO processing facility and the planned collection routes. Due to the increase in distance from the point of collection to the processing facility of this option, the procurement of additional trucks to meet the demands of a weekly collection service may also be required.

Project Implementation Cost

The estimated project cost to implement the FOGO service at the City is \$1.4 million. The City is eligible to apply for funds up to \$648,000 through DWER's Better Bins Plus Grants – Complementary Measures program. This amount provides for an initial allocation of compostable caddie liners to households.

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

A source-separated FOGO service will have upfront and ongoing costs. FOGO services can significantly reduce the amount of waste sent to landfill resulting in reduced exposure to local governments increasing landfill costs over the longer term.

The City however is in a unique position to many other local governments as it owns and operates its own landfill site. The amount of waste sent to the MRLF is a source of revenue for the City. The DWER Waste Levy (charged quarterly on a per tonne basis) has continued to rise over the years as

a disincentive imposed by the State to dispose of waste through landfill. Despite this, the MRLF has continued to operate in a surplus for the waste it receives.

Irrespective of the financial impact on the City, it is recognised that the City has a social, environmental and legal requirement (under the *Waste Avoidance and Resource Recovery Act 2007*) to work towards the divergence of waste away from landfill.

The introduction of a fully integrated FOGO service will require waste to be collected and processed at a specialised FOGO processing facility that is able to ensure the waste is processed in accordance with regulations, whilst ensuring the resulting compost product meets the Australian Standard 4454-2012 requirements for compost, soil conditioners and mulches.

Voting Requirements

Simple Majority

Officer Recommendation

That Council **APPROVES** the implementation of a Food Organics and Garden Organics (FOGO) waste collection and processing service for residential properties in accordance with the City of Rockingham's Waste Plan 2020-2031 by the end of June 2025, as detailed in Option 1 of this report.

Committee Recommendation

Moved Cr Schmidt, seconded Cr Davies:

That Council **APPROVES** the implementation of a Food Organics and Garden Organics (FOGO) waste collection and processing service for residential properties in accordance with the City of Rockingham's Waste Plan 2020-2031 by the end of June 2025, as detailed in Option 1 of this report.

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

General Management Services

General Management Services Strategy, Marketing and Communications



Reference No & Subject:	GM-014/23	Draft City of Rockingham Strategic Community Plan (2023-2033) for the purpose of public advertising
File No:	CPM/245	
Proponent/s:		
Author:	Ms Nollaig Baker, Manager Strategy, Marketing and Communications	
Other Contributors:		
Date of Committee Meeting:	20 June 2023	
Previously before Council:	GM-014/22 (23 August 2022), GM-006/23 (28 February 2023)	
Disclosure of Interest:		
Nature of Council's Role in this Matter:	Executive	
Site:		
Lot Area:		
Attachments:	1. Draft Strategy Community Plan 2023-2033	
Maps/Diagrams:		

Purpose of Report

To seek Council endorsement of the draft City of Rockingham Strategic Community Plan (2023-2033) for the purposes of public advertising.

Background

Under the *Local Government Act 1995* local governments are required to create a 10-year Strategic Community Plan, with a major review every four years and a minor review every two years.

The Strategic Community Plan (SCP) sets out the direction for the City of Rockingham (City) and responds to the community's vision and aspirations for the future. It provides the structure for the implementation of the vision and aspirations through the Community Plan Strategies and the 10-year Corporate Business Plan.

The draft Strategic Community Plan is developed with, and on behalf of our community. A proposed community engagement program was presented in July 2022 at a Councillor Engagement Session and approved by Council at the August 2022 Council meeting (GM-014/22). The aim of the consultation was to reach a representative sample of our community aligned to the City's latest demographic profile, including those who had not previously engaged with the City.

Subsequently, the City conducted a rigorous community consultation program in two parts to determine the community's vision and aspirations for the future of the City. The consultation ran from November 2022-March 2023 and included Elected Members, community focus group workshops, a community survey during both stages of the consultation, pop-up consultations in local shopping centres, City facilities, as well as at selected City events, and consultation through surveys and workshops with local schools, businesses, and the City's advisory committees and reference groups.

These perspectives have shaped the draft Strategic Community Plan.

Details

A 10-year Strategic Community Plan with a major review every four years and a minor review every two years is a requirement for local governments under the *Local Government Act 1995*.

In 2018 the City received over 500 sets of input from the community during the consultation process for the Strategic Community Plan (2019-2029). Council adopted the City's current Strategic Community Plan Vision, Community Aspirations and Strategic Objectives (2019-2029) at its September 2018 Council meeting. This plan was due for its four-year major review in 2022.

The City engaged Perth based consultants Research Solutions and Learning Horizons to ensure that the review was conducted independently. As part of the major review background research was undertaken to understand the current operating environment, strategic risks, and local and global key driving factors.

Elected Members, members of Advisory and Reference groups, and members of the broader community have been engaged through an extensive engagement program which has yielded 4,645 inputs from across our community during the consultation process for the Strategic Community Plan (2023-2033).

Engagement Program

The extensive engagement program was divided into two parts:

Part One

Part one was an in-depth consultation which started with a workshop with Elected Members to determine their vision for the future of the City of Rockingham.

Community consultation was then undertaken which used open-ended response questions to identify what the respondents felt was important to our community, and what they wanted the City of Rockingham to be like in 10 years' time.

To ensure that the Strategic Community Plan was truly representative of the views of the community, the consultation aimed to reach as broad a range of people as possible.

The consultation provided the opportunity:

- for community members to have face-to-face discussions about the Strategic Community Plan at 17 pop-ups conducted at local shopping centres, selected City events and City facilities such as libraries, Autumn Centre, and recreational facilities.
- for community members to comment or complete a survey through the *Share Your Thoughts* section of the City's website. Young people were also specifically engaged through a survey distributed to every high school within the City of Rockingham's boundaries.
- for engaged stakeholders such as the City's advisory committees and reference groups, Junior Council and Rockingham Kwinana Chamber of Commerce to engage by way of survey or workshop.

The consultation deliberately sought to reach a diverse range of our community, seek input from hard-to-reach community members and those who had not previously engaged with the City. Importance was also placed on hearing the voices of our young people whose futures are impacted by this plan.

The City received 1,000 responses to the in-depth consultation undertaken in part one of the engagement program. These responses informed the development of the vision and aspirations.

Part Two

A comprehensive survey was used to formalise the vision and prioritise the topics of importance to the community identified in part one. The survey also tested any gaps identified between part one and the previous SCP, allowing any changes to be validated. These outcomes then informed the objectives that sit under each of the aspirations.

The survey was completed by residents, non-resident ratepayers, and business owners, through the *Share Your Thoughts* section of the website, email invitation sent to 15,000 randomly selected residents or ratepayers, Facebook and via hardcopy questionnaires available on request. The survey was also advertised via Rock Port, local radio and local newspaper.

A total of 3,645 responses were received.

Elected Members were informed of the progress of the community engagement program at the February 2023 Councillor Engagement Session.

Consultation Results

The community consultation was facilitated and analysed by Research Solutions.

The aim of the community consultation process was to create evidence-based research grounded on an inclusive representation of demographic sectors to ensure the future vision of the SCP is representative of the community.

Where participants provided demographic information, there was the following overall response rate:

	Response Rate	City of Rockingham Profile from ABS ¹
Male	50%	49%
Female	49%	51%
Other	1%	
People living with a disability, chronic condition or who care for someone with a disability	14%	5% ²
Speak a language other than English at home	9%	8%
Aboriginal or Torres Strait Islander	2%	3%

Despite receiving 782 responses from people aged under 34 years old, the responses were not a representative percentage of our community by age, as such responses have been weighted to align with ABS figures to correct any over/under representation of any one age group.

	Weighted to ABS	Response Rate
18-34 years	30%	6% ³
35-49 years	27%	27%
50-64 years	24%	40%
65-79 years	17%	25%
Over 80 years	2%	3%

The results identified what community members love about living in the City of Rockingham, and what they want the City to look like in 10 years' time.

¹ [Home | City of Rockingham | Community profile \(id.com.au\)](https://www.id.com.au/city-profiles/city-of-rockingham) – Data for 2021

² ABS data only captures those who reported needing help in their day-to-day lives due to disability and did not include those who care for someone with a disability.

³ Includes responses from those under 18 years old.

The community sees the City of Rockingham as a regional centre – they want to work, live and play here and maintain a sense of self-sufficiency. They want to see the City developing from within, up-skilling the workforce and developing local businesses.

There's a strong sense of admiration for where they live, particularly being surrounded by natural bushland and having a lifestyle based on proximity to the beach and ocean. The cultivated parks with water features are widely appreciated.

When talking about what the community wants the City of Rockingham to be in 2033 there was focus on being a safe, family-friendly city where everyone can enjoy a relaxed lifestyle.

When planning for the future community members expressed their wish that the beauty of the natural environment be respected, alongside carefully planned developments such as a vibrant foreshore, and infrastructure for connecting within and outside of the City.

There was also a strong desire from community members for Council and the City to advocate to key stakeholders and partners on issues outside the scope of Local Government.

Overall, the key themes arising from the consultation were similar to that of the previously adopted SCP (2019-2029), however there were a few notable shifts. The community wishes to continue to progress the area as in 2019-2029, however in 2022-2023 there is more focus on driving development from within. Where tourism heavily featured in 2019-2029, the feedback focused more on local business development and business attraction in 2022-2023. There was also a stronger importance on preserving the area's unique natural assets which has led to a new aspiration focussed specifically on this area.

Draft Strategic Community Plan (2023-2033)

Developing the Vision, Aspirations and Objectives

The consultation outcomes delivered a strong direction from community members on their vision for the future, and what they expect Council and the City to deliver to make these aspirations a reality.

Vision

A quality lifestyle. A sustainable future.

Aspirations

1. Social: A family-friendly, safe and connected community
2. Natural Environment: A place of natural beauty where the environment is respected
3. Built Environment: A built environment carefully planned for today and tomorrow
4. Economic: A vibrant economy creating opportunities
5. Leadership: Transparent and accountable leadership and governance

Objectives

1. Social Aspiration - A family-friendly, safe and connected community

Outcome	Objective (What needs to be achieved)
Connected community	Provide opportunities for community engagement and participation
Community health and wellbeing	Reinforce a strong sense of safety
	Strengthen community health and wellbeing
	Provide healthy lifestyle opportunities
Accessible services	Adapt services to meet changing community need
Inclusive community	Build connectivity with our diverse community

2. Natural Environment Aspiration - A place of natural beauty where the environment is respected

Outcome	Objective (What needs to be achieved)
Protection of natural environment	Reduce City's energy and water usage
	Minimise waste
	Mitigate and adapt to climate change impacts
Sustainable natural green spaces	Preserve and enhance biodiversity
	Improve community open spaces
	Improve amenity
	Increase tree canopy

3. Built Environment Aspiration - A built environment carefully planned for today and tomorrow

Outcome	Objective (What needs to be achieved)
Built infrastructure meets current and future community needs	Plan, build and maintain current and future assets
Plan for sustainable growth	Balance growth while maintaining the identified natural environment
	Create safe community places to live, recreate and work
	Create vibrant coastal foreshore
Accessible and connected	Plan and advocate for transport solutions

4. Economic Aspiration - A vibrant economy creating opportunities

Outcome	Objective (What needs to be achieved)
Growing the business economy	Actively support and develop local business growth
	Attract and promote new businesses and investment opportunities
Local employment	Support existing and new businesses to increase local employment opportunities
A visitor destination	Promote the City as a place to visit

5. Leadership Aspiration - Transparent and accountable leadership and governance

Outcome	Objective (What needs to be achieved)
Quality Leadership	Ensure accountable and transparent governance
	Promote the City as a place for the future
	Active advocacy for the community
	Provide community communication and facilitate engagement opportunities
Sustainable Local Government	Optimise City resources
	Continual improvement

The outcomes of the community engagement and the draft aspirations and objectives were presented to Elected Members at the May 2023 Councillor Engagement Session, at which there was strong support for the draft vision, aspirations and objectives.

The Strategic Community Plan (2023-2033) will be delivered through the City's Community Plan Strategies and major plans such as the Community Infrastructure Plan, Local Planning Strategy, Asset Management Plan and various plans which identify the actions that the City will take over the next four years to support the outcomes of the SCP. Further Community Engagement will take place during the review and development of these Community Plan Strategies and major plans.

The SCP will be funded through the City's 10-year Corporate Business Plan, which ensures the City has the capacity to achieve the community's priorities and aspirations including providing services, facilities, and infrastructure to meet their needs.

Ongoing measurement and monitoring will be undertaken through methods including the City's Annual Customer Satisfaction Survey, benchmarking studies and community specific evaluation surveys. Outcomes will be reported through the monthly Council Bulletin, Annual Report, and City Chronicle and on the City's website.

It is anticipated that following the period of community consultation of the draft Strategic Community Plan (2023-2033), a final version will be presented for adoption at the August 2023 Council meeting.

Implications to Consider

a. Consultation with the Community

According to the Integrated Reporting and Planning Advisory Standard 2016 Community engagement must involve at least 500 or 10% of community members, whichever is fewer, and is conducted by at least 2 documented mechanisms.

The aim of the City's community engagement program was to seek feedback from 3,000 members of the City's community aligned to the City's demographic profile. This aim has been exceeded with 4645 sets of inputs received. The community was actively engaged through a series of consultation activities which ran from November 2022 to March 2023 as outlined above.

Elected Members were engaged and informed at Council Engagement Sessions in

- July 2022
- November 2022
- February 2023
- May 2023

Public comment will be invited on the draft Strategic Community Plan (2023-2033) for a period of four weeks.

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 decision within a transparent, accountable, ethical, and compliant environment.*

d. Policy

The Strategic Development Framework Policy and Community Engagement Policy provides the process for the major review of the Strategic Community Plan and the community engagement approaches to be undertaken.

e. Financial

A budget of \$185,000 was allocated in the 2022/2023 Annual Budget for the redevelopment and implementation of the Strategic Community Plan, \$128,437 of this amount has been spent as at 31 May 2023.

f. Legal and Statutory

Section 5.56 (1) of the *Local Government Act 1995* provides the statutory framework for Planning for the future. Regulation 19C of the *Local Government (Administration) Regulations 1996* provides for the major review every four years of the Strategic Community Plan.

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

A local government Strategic Community Plan is an aspirational document that aims to inform how Council can deliver the community's vision for the future. The major review of the City's SCP (2019-2029) through a comprehensive community engagement program sought to provide a robust evidence-based vision, aspirations and objectives. This has been achieved. Community consultation with Elected Members, Advisory and Reference Groups, and the wider community has been undertaken, with a total of 4,645 contributions. Alongside the engagement program, contemporary research including strategic risks and opportunities have informed the development of the draft SCP.

The SCP (2023-2033) is the plan that helps Council prioritise services and resources while balancing population growth and future local and global impacts. The objectives and desired outcomes within this plan will be implemented through the Community Plan Strategies, the Asset Management Plan, and the Community Infrastructure Plan. The identified actions will also be incorporated into the City's 10-year Business Plan, team plans, and the annual budget. The community and Council will be engaged further in the review and development of the strategies and plans according to the City's Strategic Development Framework Policy and Community Engagement Policy. The City will regularly monitor and report on the progress of the implementation of the SCP.

Council can be confident in the outcomes of the engagement program and the direction of the draft Strategic Community Plan (2023-2033). The draft SCP positions the City to deliver the community's vision: A quality lifestyle. A sustainable future. It is therefore recommend that Council endorse the draft plan for the purposes of public advertising.

Subject to endorsement by Council of the draft Strategic Community Plan (2023-2033) for the purpose of further public comment, it will be promoted widely to the community.

Following feedback from the public comment period on the draft plan, the final draft Strategic Community Plan (2023-2033) will be presented to Council for adoption (anticipated for August 2023).

Voting Requirements

Simple Majority

Officer Recommendation

That Council **ENDORSES** the draft Strategic Community Plan (2023-2033) for the purposes of public advertising for a period of 28 days.

Committee Recommendation

Moved Cr Hume, seconded Cr Buchanan:

That Council **ENDORSES** the draft Strategic Community Plan (2023-2033) for the purposes of public advertising for a period of 28 days.

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

General Management Services Governance and Councillor Support



Reference No & Subject:	GM-015/23	Draft Council Policy – Election Caretaker Policy
File No:	CPM/3-08	
Proponent/s:		
Author:	Mr Jim Olynyk, Manager Governance and Councillor Support	
Other Contributors:	Mr David Blurton, Senior Project Officer	
Date of Committee Meeting:	20 June 2023	
Previously before Council:	GM-026/22 (20 December 2022), GM-011/23 (26 April 2023)	
Disclosure of Interest:		
Nature of Council's Role in this Matter:	Executive	
Site:		
Lot Area:		
Attachments:		
Maps/Diagrams:		

Purpose of Report

For Council to consider adoption of Council Policy – Election Caretaker Period following public consultation.

Background

The following motion was passed by the Council at its Ordinary Meeting on 20 December 2022.

That Council DIRECTS the Chief Executive Officer to prepare a draft Council Policy – Election Caretaker Period to be discussed at a Councillor Engagement Session for consideration and feedback from Councillors prior to being presented through the Corporate and Community Development Committee and the April 2023 Council meeting.

Carried – 12/0

Officers presented a discussion paper and WALGA policy template at the Councillor Engagement Session on 14 March 2023. A draft Council Policy – Election Caretaker Period was then presented to the Governance Committee on 12 April 2023, the Corporate and Community Development Committee on 18 April 2023 and the Ordinary Meeting of the Council on 26 April 2023, where the Council resolved as follows;

That Council APPROVES the draft Council Policy – Election Caretaker Policy for the purpose of public consultation, as per Attachment 1 for a minimum of 14 days.

Carried – 8/4

In developing the draft policy, consideration has been given to the *Local Government Amendment Act 2023* (formerly Bill), which includes provisions relating to Local Government Election Caretaker periods. These sections are yet to be proclaimed and Officers have recently been advised that despite initial intentions for Caretaker provisions to be in place prior to the 2023 Local Government Elections they will now not take effect until the 2025 Local Government Elections.

Officers have prepared the draft Election Caretaker Period Policy based on the WALGA template and feedback from the Councillor Engagement Session. Those parts of the WALGA template which have been superseded by the *Local Government Amendment Act 2023* have been removed from the draft policy.

As discussed at the Councillor Engagement Session, adoption of an Election Caretaker Period Policy prior to the drafting of Regulations associated with the *Local Government Amendment Act 2023* is likely to require the Council to reconsider the Policy once these Regulations are gazetted.

Details

In developing the draft Policy, officers undertook research on the election caretaker period policies and practices of eight metropolitan local governments and the following represents a summary of these findings;

- Advertising and public consultation is restricted during the election caretaker period (caretaker period) generally, however exceptions may apply. For example requirements under legislation.
- Typically, events which may give rise to an advantage for Council members who are seeking re-election during the caretaker period are avoided.
- All local governments avoid promotional activities and publications on election issues during the caretaker period and are prohibited in persuading voting in any way.
- The definition of significant expenditure varies substantially between local governments. From 0.01% of Budgeted Revenue (\$6,563 Kwinana) to 0.5% of Budgeted Revenue (\$973,828 Perth). There is also variation in the structure of this clause. Some local governments do not define "significant expenditure", others limit definition to include unbudgeted items only to ensure normal operations can continue during the caretaker period.
- Some local governments require the Chief Executive Officer (CEO) to maintain a separate register of information requested by Candidates during the caretaker period. Officers consider that this is unnecessary as the request is captured by the City's record keeping systems in any case.
- Some local governments expand their policies to include responsibilities of employees during the caretaker period. Officers consider that this is already covered in the City's Employee Code of Conduct with regard to provision of information to third parties for advantage (clause 4.20 and 4.21).
- Some local governments expand their policies to capture responsibilities and expectations of elected members in the lead up to State and Federal elections. It is not recommended to include this in a draft policy as it changes the scope and intent of this policy. A separate policy can be developed if Council considers this is warranted.

Implications to Consider

a. Consultation with the Community

In accordance with Council Policy – Policy Framework, public notice was provided in the Sound Telegraph, City of Rockingham's Public Noticeboard and website from 1 May 2023 to 17 May 2023 advising the Council's intent to adopt the draft policy. No submissions were received.

b. Consultation with Government Agencies

Not Applicable

c. **Strategic**

Community Plan

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

Aspiration 4: *Deliver quality leadership and business expertise*

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

d. **Policy**

Council Policy – Policy Framework provides the requirement for Council to advertise the draft policy for a minimum of 14 days before final consideration by Council.

e. **Financial**

Not Applicable

f. **Legal and Statutory**

The intent of the new legislation is to prohibit Significant Acts by a local government (with exceptions) within the Election Caretaker Period. Definitions of both Caretaker Period and Significant Act are included in the *Local Government Amendment Act 2023* as follows;

1.4A. Caretaker period

(1) *In this Act —*

caretaker period, in relation to a local government, means a period that —

(a) *begins at the close of nominations (as defined 8 in section 4.49(a)) for a relevant election for the local government; and*

(b) *ends*

(i) *on the day after the day on which the returning officer declares the result of the relevant election under section 4.77; or*

(ii) *if section 4.57(1) applies to the relevant election — on the day after the day on which the close of nominations falls; or*

(iii) *if section 4.58(1) applies to the relevant election — on the day after the day on which the candidate dies.*

(2) *In subsection (1) —*

relevant election means any of the following —

(a) *an ordinary election;*

(b) *an inaugural election;*

(c) *an election under section 4.11, 4.12, 4.13 or 4.14;*

(d) *an election under section 4.15 after an election that is a relevant election under paragraph (a), (b) or (c) or this paragraph is declared invalid.*

Significant Act means any of the following —

(a) *making a local law (including making a local law to amend or repeal a local law);*

(b) *entering into, or renewing or terminating, the contract of employment of the CEO or of a senior employee;*

(c) *entering into a major land transaction;*

(d) *entering into a land transaction that is preparatory to entry into a major land transaction;*

(e) *commencing a major trading undertaking;*

(f) *entering into a contract, or other agreement or arrangement, in prescribed circumstances;*

- (g) inviting tenders in prescribed circumstances;
- (h) deciding to do anything referred to in paragraphs (a) to (g);
- (i) an act done under a written law or otherwise that is a prescribed act.

Provision is made in the legislation for Council to deal with any of the above matters during the Caretaker Period in the following circumstances;

- Emergencies,
- if the decision was made prior to the caretaker period,
- If it is necessary to comply with a written law, court order or contractual obligation,
- If authorised by the Departmental CEO during an emergency or to ensure the proper operation of the local government.

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 draft policy as presented exceeds the requirements of the *Local Government Amendment Act 2023* relative to Election Caretaker period provisions.

Some Events and Functions listed at clause 5.1 of the Policy are subject to existing contractual obligations and seasonal sporting dates etc. Officers consider that while Civic events during the caretaker period should generally be avoided (where possible), any events during the caretaker period will be managed to minimise the risk of any actual or perceived electoral advantage arising. Individual Elected Members involved in these events will have a responsibility to ensure compliance with the intent of the policy, i.e. to avoid any perception of advantage or actual advantage while undertaking their respective roles.

While an Election Caretaker Policy will provide protocols to be observed during the Caretaker period, it should not inhibit the normal business of the local government which is not related to the election.

In summary, the adoption of an Electoral Caretaker Policy is recommended, however Council should note that the Policy is likely to be revisited once the subsidiary legislation is gazetted.

Voting Requirements

Simple Majority

Officers Recommendation

That Council **APPROVES** the draft Council Policy – Election Caretaker Policy.

Committee Recommendation

Moved Cr Davies, seconded Cr Buchanan:

That Council **APPROVES** the draft Council Policy – Election Caretaker Policy as follows -

Election Caretaker Period Policy

Council Policy Objective

This Policy establishes protocols for the purpose of avoiding actual and perceived advantage or disadvantage to a candidate in a Local Government Election, through the use of public resources or decisions made by the Council or administration on behalf of the City of Rockingham during the period immediately prior to an election.

Council Policy Scope

This Policy applies to Council Members and Employees during a 'Caretaker Period' relevant to:

- a) Decisions made by the Council;
- b) Decisions made under delegated authority;
- c) Promotional materials published by the City of Rockingham;
- d) Discretionary community consultation;
- e) Events and functions, held by the City of Rockingham or other organisations;
- f) Use of the City of Rockingham's resources;
- g) Access to information held by the City of Rockingham.

Council Policy Statement

1. Caretaker Period Protocols

The Chief Executive Officer (CEO) will ensure that:

- (a) At least 30-days prior to a Caretaker Period, the CEO will advise Council Members and employees in writing of the dates that the Caretaker Period commences and concludes.
- (b) Candidates are provided with a copy of this Policy at the time of their nomination for election, to ensure their awareness of the protocols and equitable access requirements.

2. Councillor Engagement Sessions

Consideration of a Significant Act or an Election Campaign Issue at Councillor Engagement Sessions during the Caretaker Period are prohibited, except where the CEO determines that Extraordinary Circumstances or an Emergency applies.

The CEO is required to provide Council with advice as to why Extraordinary Circumstances or an Emergency applies and details of this advice are to be retained, with the Engagement Session meeting notes, as a Local Government record.

Note: Councillor Engagement Sessions are defined in Council Policy – Governance and Meeting Framework.

3. Delegated Authority Decision Making

During a Caretaker Period, Employees who have Delegated Authority for matters which relate to, or are subsidiary to a Significant Act are prohibited from exercising the Delegation.

Where staff have Delegated Authority for determining matters considered an election campaign issue, the matter will be referred to the CEO for review and consideration prior to the staff member exercising the Delegation.

4. Caretaker Period Protocols - Candidates

Candidates, including Council Members who have nominated for re-election, relevant to an Election Day or Extraordinary Election Day, shall be provided with equitable access to the City of Rockingham's public information in accordance with s.5.94 of the *Local Government Act 1995*.

The CEO shall ensure that assistance and advice provided to candidates as part of the conduct of the election is provided equally to all candidates.

Council Members nominating for re-election, may access information and assistance regarding the City of Rockingham's operations and Council matters during a Caretaker Period, but only to the extent necessary to perform their role as a Councillor and limited to matters currently relevant to the City of Rockingham [refer s.5.92 of the *Local Government Act 1995*].

All election process enquiries from Candidates, including Council Members who have nominated for re-election, will be directed to the Returning Officer, or where the matter is outside the responsibility of the Returning Officer, to the CEO.

4.1 Candidate Requests on behalf of Electors, Residents or Ratepayers

Where a Candidate, including Council Members who have nominated for re-election, requires the assistance of the Administration to respond to a request made by an Elector, Resident or Ratepayer, then the Administration will provide the response directly to the requesting Elector, Resident or Ratepayer and will also advise the candidate of the outcome.

4.2 Candidate Campaign Electoral Materials

Candidates, including Council Members who have nominated for re-election, should note that the City of Rockingham's official crest or logo may not be used in campaign Electoral Materials without the express permission of the City.

4.3 Access to Information and Advice

During a Caretaker Period all Council Members will scrupulously avoid using or accessing City of Rockingham's information, resources or employee resources and expertise for the purpose of gaining electoral advantage or disadvantage relevant to their own candidacy or any other person's candidacy [*refer s.5.93 of the Local Government Act 1995*].

During a Caretaker Period, all Council Member requests for information and advice from the City of Rockingham will be reviewed by the CEO and where the subject of the information or advice is considered as relating to an Election Campaign Issue, the CEO will either make a determination, or refer the request for Council's determination, as to if the information or advice is / is not to be provided, including if information is provided to one candidate, or if that information is also to be provided to all candidates (i.e. including candidates who are not current Council Members).

4.4 Media and Publicity

During a Caretaker Period, all Council Member requests for media advice or assistance, including Council Members who have nominated for re-election, will be referred to the CEO for review.

The CEO will only authorise Council Member access to media advice or assistance where, in the CEO's opinion, the subject matter is relevant to the City of Rockingham's objectives or operations and is not related to an Election Campaign Issue or purpose or to the Council Member's candidacy or the candidacy of another person.

4.5 Council Member Business Cards, City Printed Materials

Council Members must ensure that City business cards and Local Government printed materials are only used for purposes associated with their role as a Councillor, in accordance with section 2.10 of the *Local Government Act 1995*.

Council Members are prohibited from using City business cards or printed materials at any time, including times outside a Caretaker Period, for any election campaign purpose, either in support of their own candidacy or the candidacy of another person.

4.6 Council Member Participation in Events and Functions

During a Caretaker Period Council Members may continue to fulfil their role through attendance at events and functions hosted by external bodies.

4.7 Council Member Delegates to External Organisations

At any time, including times outside of a Caretaker Period, Council Members who are the Council's appointed delegate to an external organisation, must not use their attendance at an external organisation's meeting, event or function for any purpose associated with an election campaign purpose, including; recruiting campaign assistance or to promote their own candidacy or the candidacy of another person.

4.8 Council Member Addresses / Speeches

Excluding the Mayor and Deputy Mayor, when fulfilling their functions prescribed in sections 2.8 and 2.9 of the *Local Government Act 1995*, Council Members who have nominated for re-election, shall not be permitted to make speeches or addresses during a Caretaker Period at events or functions organised or sponsored by the City, unless expressly authorised by the CEO.

In any case, the Mayor, Deputy Mayor and Council Members are prohibited from using an official speech or address during a Caretaker Period to promote an election campaign purpose.

4.9 Council Member Misuse of Local Government Resources

A Council Member who uses City resources for the purpose of persuading electors to vote in a particular way commits a “misuse of Local Government resources” breach in accordance with Clause 17 of the Code of Conduct for Council Members, Committee Members and Candidates.

This prohibition on misuse of Local Government Resources for electoral purposes applies at all times and is not only applicable to a Caretaker Period.

For clarity, Local Government resources includes, but is not limited to: employee time or expertise, City provided equipment, information and communication technologies, stationery, hospitality, images, communications, services, reimbursements and allowances provided by the City.

5. City Publicity, Promotional and Civic Activities

Publicity campaigns and promotional activities during a Caretaker Period may be undertaken only for the purposes of:

- (a) Promoting City services and activities, where such promotion does not relate to an electoral campaign issue and would otherwise be undertaken as part of normal operations; and,
- (b) Conducting the Election and promoting Elector participation in the Election.

All other, publicity and promotional activities of City initiatives will be, where reasonably practicable, avoided during the Caretaker Period, including the announcement of Significant Act decisions, made prior to the commencement of a Caretaker Period or proposed to be made after a Caretaker Period.

The CEO may determine if Extraordinary Circumstances apply and if a Significant Act decision announcement is necessary during a Caretaker Period.

5.1 Civic Events and Functions

With the exception of the following events, The City will avoid scheduling Civic Events and Functions held during a Caretaker Period, which may give rise to any actual or perceived electoral advantage to Council Members who have nominated for re-election.

- Sports Star Awards
- Seniors Expo
- Pioneers Lunch
- Castaways Sculpture Awards
- Australian Citizenship Ceremony

5.2 City Publications and Communications

All City publications and communications distributed during a Caretaker Period must not include content that:

- (a) may actually, or be perceived to, persuade voting in an election; or
- (b) is specific to a candidate or candidates, to the exclusion of other candidates;
- (c) draws focus to or promotes a matter which is a Significant Act or which is an Electoral Campaign Issue

All City publications and communications proposed to occur immediately prior to, throughout or during, a Caretaker Period must be reviewed and approved by the CEO prior to publication or distribution.

5.3 City Website and Social Media Content

1. New website or social media content which relates to a Significant Act or Election Campaign Issue will not be published during a Caretaker Period, unless Extraordinary Circumstances apply.
2. Content posted by the public, candidates or Council Members on the City's social media channels, which is perceived as candidate election campaign material or promotes a candidate or candidates will be removed.

5.4 Community Consultation

It is prohibited under this policy, except where the process has substantially commenced and/or approvals are in place, for public consultation to be commenced during the Caretaker Period on an issue which is considered a Significant Act or an Election Campaign Issue, unless the consultation is a mandatory statutory process or required under existing policy.

Definitions

Caretaker Period - has the same meaning as section 1.4A of the *Local Government Amendment Bill 2023*, specifically being the period from the close of nominations (as defined in section 4.49(a) and ending;

- a) On the day after the day on which the returning officer declares the result of the relevant election under section 4.77;
- b) If section 4.57(1) applies, where there are less candidates than vacancies, on the day after the day on which the close of nominations falls;
- c) If section 4.58(1) applies where the candidate dies after the close of nominations but before the vacant office or offices is or are filled, on the day after the day on which the candidate dies.

Caretaker Protocol - means the practices or procedures prescribed in this Policy.

CEO - means the Chief Executive Officer of the City of Rockingham.

Election Campaign Issue - means an important issue that is the source of community or Council debate or discussion during or prior to the Caretaker Period.

Election Day - means the day fixed under the *Local Government Act 1995* for the holding of any poll needed for an election, including an extraordinary election to elect a new Mayor. For the purposes of this Policy, 'Election Day' meaning generally excludes an Extraordinary Election Day unless otherwise specified in this Policy.

Electoral Material - includes any advertisement, handbill, pamphlet, notice, letter, email, social media post or article that is intended or calculated to affect an Election Day result, but does not include:

1. An advertisement in a newspaper announcing the holding of a meeting (s.4.87(3) of the *Local Government Act 1995*); or
2. Any materials exempted under Regulation 78 of the *Local Government (Elections) Regulations 1997*; or
3. Any materials produced by the City of Rockingham relating to the election process by way of information, education or publicity, or materials produced by or on behalf of the Returning Officer for the purposes of conducting an election.

Emergency - has the same meaning as Section 3.73 of the *Local Government Amendment Bill 2023*.

Events and Functions - including gatherings for the purpose of discussion, review, acknowledgement, communication, consultation, celebration or promotion, of any matter relevant to the City of Rockingham and / or its stakeholders and may take the form of conferences, workshops, forums, launches, promotional activities, social occasions such as dinners and receptions, including; gatherings coordinated or facilitated by the City of Rockingham or an external entity.

Extraordinary Circumstances - includes a circumstance that requires the Council to announce a Significant Act during the Caretaker Period because, in the CEO's opinion, delaying the decision or announcement to occur after the Caretaker Period has reasonable potential to:

- a) Incur or increase legal, financial and/or reputational risk; or
- b) Cause detriment to the strategic objectives of the City of Rockingham.

Public Consultation - includes a process which involves an invitation to individuals, groups, organisations or the wider community to provide comment on a matter, proposed action or proposed policy which may be perceived as or is actually an electoral / campaign issue, but does not include statutory consultation / submission periods prescribed in a written law.

Significant Act - has the same meaning as defined in *Local Government Amendment Bill 2023* and in addition includes any decision:

- a) Relating to the City of Rockingham entering into a sponsorship arrangement with a total City contribution that would constitute Significant Expenditure, unless the Council

- resolved “in principle” support for the sponsorship prior to the Caretaker Period taking effect and sufficient funds are allocated in the Annual Budget;
- b) That would commit the City of Rockingham to actions that, in the CEO’s opinion, are significant to the Local Government operations, strategic objectives and / or will have significant impact on the community;
 - c) That in the CEO’s opinion, may be perceived as or is actually an Election Campaign Issue;
 - d) That adopts a new, or significantly changes an existing, policy, service or service level that incurs Significant Expenditure, unless the decision is necessary to comply with legislation;
 - e) Initiated through a Notice of Motion by a Council Member, where the effect of that motion will change the status quo or, in the CEO’s opinion, may be relevant to the circumstances described in sub-clauses (a) to (d) above or the relevant legislation;
 - f) That initiates or adopts a new Local Planning Scheme, amendment to a Local Planning Scheme or Planning Policy.

Significant Expenditure - means expenditure that exceeds 0.025% of the City’s annual budgeted operating revenue (exclusive of GST) in the relevant financial year or \$50,000 whichever is the greater value. This excludes normal operational items and projects included in adopted Council budgets.

Legislation

Division 5 *Local Government Amendment Bill 2023*

Sections 4.87, 5.93 and 5.103 of the *Local Government Act 1996*

Regulation 8 of the *Local Government (Rules of Conduct) Regulations 1996*

Other Relevant Policies/ Key Documents

City of Rockingham Code of Conduct Elected Members.

Responsible Division

General Management Services

Review Date

Review every two years

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

General Management Services Governance and Councillor Support



Reference No & Subject:	GM-016/23	Draft Council Policy – Council Member Entitlements (<i>Absolute Majority</i>)
File No:	CPM/3-08	
Proponent/s:		
Author:	Mr Jim Olynyk, Manager Governance and Councillor Support	
Other Contributors:	Mr David Blurton, Senior Project Officer	
Date of Committee Meeting:	20 June 2023	
Previously before Council:	GM-010/23 (26 April 2023)	
Disclosure of Interest:		
Nature of Council's Role in this Matter:	Executive	
Site:		
Lot Area:		
Attachments:		
Maps/Diagrams:		

Purpose of Report

To consider submissions received from the consultation process for proposed draft Council Policy – Council Member Entitlements.

Background

Local Government Council Members are entitled to be paid a range of fees and expense reimbursements under Part 5 of the *Local Government Act 1995* (Act) and Part 8 of the *Local Government (Administration) Regulations 1996* (Regulations).

The amount of each payment is considered annually by the Salary and Allowances Tribunal (SAT) which is an independent body established under the *Salaries and Allowances Act 1975*, which includes salary and allowances for a number of public officials including Local Government Council Members and Chief Executive Officers (CEO).

The SAT works with a band allocation model which is determined by the size of the local government and sets a payment range for each type of allowance or fee based on its band rating. The City of Rockingham is a Band 1 local government.

SAT also considers a number of factors when setting ranges and invites public submissions as part of the process. SAT determinations relating to Council Members and CEOs remuneration are normally handed down April of each year to enable local governments to incorporate financial implications in their annual budget processes.

To assist in the determination of elected member fees, allowances and expense reimbursements some Councils have adopted a policy to clearly define their position. The Council Policy 'Governance and Meeting Framework' does currently make reference to what will be paid, however these are set amounts with no reference to review. It is recommended that a standalone Council Policy be

developed to further clarify entitlements and to ensure that the policy meets statutory requirements and aligns with annual SAT determinations.

Details

The purpose of the draft Council Policy – Council Member Entitlements (draft Policy) is to outline the entitlements including allowances, fees and reimbursement of the expenses that may be paid to Council Members.

Implications to Consider

a. Consultation with the Community

In accordance with Council Policy – Policy Framework, public notice was provided in the Sound Telegraph, City of Rockingham's Public Noticeboard and website from 1 May 2023 to 17 May 2023 advising the Councils intent to adopt the draft policy. One submission was received and is summarised below.

Name	Address	Submission	Officer Response
Mrs D A Devlin	Port Kennedy WA 6172	I wish to object to the proposal that childcare expenses or an allowance toward expenses are to be paid for Councillor's to attend meetings. I feel this is an extravagance that should not be afforded by the council. The average person who has to go to work, or voluntarily attends club or school parents and citizen meetings sorts out their own childcare. Within the current economic climate, the council should be looking at how they can reduce spending to avoid any increase to rates for the local ratepayer	Council has no discretion with regard to reimbursement of Childcare Expenses when Elected Members attend Council or Committee meetings or attend required training as they are prescribed expenses under regulation 31 of the <i>Local Government (Administration) Regulations 1996</i> .

b. Consultation with Government Agencies

Officers have undertaken research into Council Members Entitlements policies and compared similar metropolitan local governments with the following observations;

- All eight Metropolitan Councils researched pay the maximum of the range for Annual Attendance Fees, Mayoral Attendance Fees, Mayoral Allowance and Deputy Mayoral Allowance. The City of Mandurah's policy defers consideration to the Annual Budget process and the budget document indicates the maximum allowances are to be paid to elected members for the 2022/2023 financial year.
- Of the eight Metropolitan Councils researched six paid Attendance Fees and Allowances in arrears with the balance silent on the matter.

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 system of governance which empower the Council to make considered and informed decisions within a transparent, accountable, ethical and compliant environment.*

d. Policy

Council Policy – Policy Framework provides the requirement for Council to advertise the draft policy for a minimum of 14 days or as required by legislation.

Should Council adopt the draft Council Policy – Council Member Entitlements the reference to Annual Attendance Fees will be removed from the Governance and Meeting Framework Policy.

e. Financial

Adoption of the draft Policy will provide the mechanism to adjust Council Member Entitlements as a result of the SAT's annual review process and inclusion in the City's budget processes.

f. Legal and Statutory

Section 5.98 (1A) of the Act states that Fees etc. for Council Members are determined by the Salaries and Allowances Tribunal under the *Salaries and Allowances Act 1975* s.7B.

Section 5.98(2) of the Act and r.31 of the Regulations prescribe the kinds of expenses that are to be reimbursed by all local governments. These include child care and travel costs associated with attendance at Council or Committee meetings and prescribed training.

Under section 5.99A of the Act, Councils may decide that instead of reimbursing Council Members for a particular type of expense it will instead pay an annual allowance for that type of expense. This is historically the case with Information and Communication Technology (ICT) expense allowance at the City of Rockingham.

Council can also resolve to reimburse other expenses as per r.32 of the Regulations.

32. For the purposes of section 5.98(2)(b), the kinds of expenses that may be approved by any local government for reimbursement by the local government are —

(a) an expense incurred by a council member in performing a function under the express authority of the local government; and

(b) an expense incurred by a council member to whom paragraph (a) applies by reason of the council member being accompanied by not more than one other person while performing the function if, having regard to the nature of the function, the local government considers that it is appropriate for the council member to be accompanied by that other person; and

(c) an expense incurred by a council member in performing a function in his or her capacity as a council member.

Section 5.98A of the Act prescribes the detail associated with the Allowance for the Deputy Mayor .

(1) A local government may decide to pay the deputy mayor or deputy president of the local government an allowance of up to the percentage that is determined by the Salaries and Allowances Tribunal under the Salaries and Allowances Act 1975 section 7B of the annual local government allowance to which the mayor or president is entitled under section 5.98(5).*

** Absolute majority required.*

(2) An allowance under subsection (1) is to be paid in addition to any amount to which the deputy mayor or deputy president is entitled under section 5.98.

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 draft policy and discussion paper was initially presented to the Councillor Engagement Session on 14 March 2023 for discussion and feedback. It was then approved for advertising at the Ordinary Meeting of Council on 18 April 2023.

Adoption of this policy will provide a mechanism by which Council Member Fees, Allowances and reimbursements will automatically be adjusted in line with SAT determinations which would be consistent with practice at most other metropolitan local governments.

Voting Requirements

Absolute Majority

Officer Recommendation

That Council

1. **ADOPTS** the draft Council Policy – Council Member Entitlements, effective from 1 July 2023.
2. **AMENDS** Council Policy – Governance Meeting and Framework Policy, by deleting -

Annual Attendance Fees adopted at 16 December 2014 Council Meeting

Annual Attendance Fees

Councillors \$ 30,900

Mayor \$ 46,350

Annual Allowances

Mayor \$ 87,550

Deputy Mayor \$ 21,887.50

The annual allowance for the Mayor is inclusive of the cost of provision of vehicle in line with the light vehicle fleet policy (if utilised).

Travel and Childcare Expense Reimbursement

Applicable to attendance at electors meetings, civic receptions, and Council workshops convened and / or facilitated by the City.

ICT Allowance \$ 3 500

Committee Recommendation

Moved Cr Schmidt, seconded Cr Hume:

That Council

1. **ADOPTS** the draft Council Policy – Council Member Entitlements, effective from 1 July 2023, as follows -

Council Member Entitlements Policy

Council Policy Objective

This Council Member Entitlements Policy (Policy) outlines the allowances, fees and reimbursement of expenses that may be paid to Council Members.

This Policy is in accordance with the relevant legislation and determinations, being the *Local Government Act 1995*, the *Local Government (Administration) Regulations 1996* and the Determinations of the Salaries and Allowances Tribunal (Tribunal) on Local Government Chief Executive Officers and Elected Members pursuant to the *Salaries and Allowances Act 1975* (SA Act).

The Policy also details other support provided by the City to assist Council Members to perform their official duties of office.

Council has a separate policy "Council Member Professional Development" which provides for entitlements while attending conferences and training opportunities.

Council Policy Scope

This policy applies to all Council Members.

Council Policy Statement

1. Fees and Allowances

1.1 Mayoral Annual Allowance

The Mayor shall be entitled to an Annual Allowance equal to the maximum amount permitted to be paid to a Mayor, within Band 1, as determined by the Tribunal from time to time.

1.2 Deputy Mayoral Annual Allowance

The Deputy Mayor shall be entitled to an Annual Allowance, within Band 1, as determined by the Tribunal from time to time.

1.3 Annual Attendance Fee

In lieu of paying Council Meeting, Committee Meeting and Prescribed Meeting Attendance Fees:

- a. the Mayor shall be paid an Annual Attendance Fee equal to the maximum amount permitted to be paid to a Mayor, within Band 1, as determined by the Tribunal from time to time; and
- b. Council Members shall be paid an Annual Attendance Fee equal to the maximum amount permitted to be paid to a Council Member other than the Mayor, within Band 1, as determined by the Tribunal from time to time.

1.4 Payment

- a. Annual Allowances and Annual Attendance Fees are to be paid monthly in arrears.
- b. Payments of Annual Allowances and Annual Attendance Fees may be made to a Council Member's superannuation fund, as nominated by the Council Member, in accordance with the requirements of the Australian Tax Office.
- c. Any taxation liability arising from these payments, or any other payment made pursuant to this Policy, is the responsibility of the recipient and independent financial advice should be sought as required.

Note: Sitting Council Members may avail themselves to current payment arrangements until such time that their current term expires.

1.5 Annual ICT Allowance

- a. Council Members shall be entitled to an annual allowance for ICT expenses, equal to the maximum amount determined by the Tribunal from time to time.
- b. The Annual ICT Allowance is designed to meet all Council Member related communication costs and any other relevant telecommunication costs, including relevant hardware, computer software, internet charges, and ICT consumables.
- c. The ICT allowance is to be paid monthly in arrears.

Note: Sitting Council Members may avail themselves to current payment arrangements until such time that their current term expires.

2. Prescribed Expense Reimbursements - Local Government (Administration) Regulation 1996 31(1)(b)

2.1 Child Care Costs

- a. Subject to the following paragraph, child care costs incurred by a Council Member as a result of attending a Council or Committee meeting will be reimbursed at the rate determined by the Tribunal from time to time, or the actual rate paid, whichever is the lesser amount.
- b. Child care costs will not be paid where the child care is provided by a member of the immediate family or a relative living in the same premises as the Council Member.

2.2 Travel Expenses

- a. A Council Member who incurs travel costs (including parking expenses) while driving a privately owned or leased vehicle (rather than a commercially hired vehicle) as a result of attending a Council or Committee Meeting will be reimbursed at the rate determined by the Tribunal from time to time.
- b. A Council Member who incurs travel costs (including parking expenses), while driving a privately owned or leased vehicle (rather than a commercially hired vehicle) because the Council Member is attending or performing a Local Government Function, are to be reimbursed at the rate determined by the Tribunal from time to time.
- c. If:
 - i. a Council Member would be entitled to reimbursement of their travel costs pursuant to this Part had they driven a privately owned or leased vehicle; and
 - ii. they instead utilised a bus, train, taxi or ride sharing service,They will be reimbursed the actual costs incurred by them.
- d. Council Member travel expense claims must relate to a destination from their normal place of residence or work and return.

3. Claiming Expenses

- a. Care needs to be taken in making application for claims for reimbursement of expenses and Council Members must differentiate between:
 - i. expenditure incurred in their private capacity (for which no claim may be made); and
 - ii. expenditure necessary and prudent in the performance of their official duties of office (for which a claim may be made in accordance with this Policy).
- b. Reimbursement of expenses is conditional upon the provision of adequate evidence of the expenditure in the form of invoices and receipts.
- c. A claim for reimbursement of travel costs must include the date, particulars of travel, nature of business, distance travelled, vehicle's engine displacement and total kilometres travelled.
- d. All claims for reimbursement must be submitted to the City's Governance Department on a monthly basis in the form prescribed from time-to-time.
- e. Final claims relating to each financial year must be submitted within 14 days after the end of the financial year. No back payment of claims relating to prior financial years will be permitted.
- f. Council Members are not entitled to reimbursement for any expenses incurred in connection with their re-election to office of Councillor.

4. Equipment

4.1 Issue and return electronic equipment

- a. The City will provide a Council Member with an electronic device (e.g., a laptop, iPad or other tablet) (**Electronic Equipment**), for use during their term of office.
- b. The Electronic Equipment must be used for Council related business only and the Council Member is responsible for safe guarding and protection of Electronic Equipment from misuse.
- c. Council Policy – Digital Tablet Devices for Councillor Use outlines the relevant conditions upon which Electronic Equipment is provided to a Council Member.
- d. Electronic Equipment will be issued in accordance with the City's supply arrangement in place at the time of the request, with all costs being met by the City.

- e. Consumables for the Electronic Equipment (e.g., sim card or internet access), forms part of the Annual ICT allowance as described in Part 1.5 of this Policy and will not be separately provided or reimbursed.
- f. All Electronic Equipment and Access Cards issued to a Council Member must be returned 48 hours after the conclusion of the Council Member's term of office.
- g. A computer and printer is available in the Councillor's Lounge, which Council Members may use in the performance of their function as a Council Member.

4.2 Maintenance and replacement of electronic equipment

- a. The City is responsible for the ongoing maintenance of Electronic Equipment.
- b. The replacement of Electronic Equipment will be in accordance with the Council Policy – Digital Tablet Devices for Councillor Use.

5. Other Supplies

5.1 Business Cards

All Council Members will be supplied with business cards as reasonably required to carry out their functions as a Council Member. The business cards will be printed in accordance with the City's Corporate Style Guide.

5.2 Name Badge

The City will provide Council Members with a standard and corporate name badge and a metal name badge. Council Members may request standard name badges for their partners. The City will replace any name badge which is lost or irreparably damaged.

5.3 Access card to City's Administration Building

Council Members will be provided an electronic access card (Access Card) which allows access to the City's Administration Building, the Councillor's Lounge and the meeting room area. Lost and damaged Access Cards must be promptly reported to the Governance and Councillor Support team who will arrange deactivation and replacement of the card. Access Cards must be returned to the Governance and Councillor Support team upon ceasing to be a Council Member.

5.4 Parking permit for City's Administration Building

A Council Member may register two vehicles with the City, which will entitle the Council Member to park either of those vehicles in bays appropriately marked at the City's Administration Building.

Please note the time limits may apply and infringements may be issued if the time limit is exceeded.

Definitions

Annual Allowance – the annual allowance payable to the Mayor and the Deputy Mayor, in addition to any entitlement to meeting attendance fees or the reimbursement of expenses.

Annual Attendance Fee – the annual fee payable to the Mayor, Deputy Mayor and Council Members in lieu of Council Meeting, Committee Meeting and Prescribed Meeting Attendance Fees.

City - The City of Rockingham.

Council Member – a person elected as Mayor or Councillor of the City.

Determination – The most current determination of the Salaries and Allowances Tribunal on Local Government Chief Executive Officers and Elected Members pursuant to the *Salary and Allowances Act 1975*.

ICT – Information and Communication Technology.

Local Government Function – includes:

- a. Citizenship Ceremonies and civic functions.
- b. Meetings where the Council Member has been appointed by Council as its delegate (or as a deputy to the delegate), save where those costs are paid or reimbursed by a third party.

- c. Any City convened meeting requiring a Council Member to attend, including councillor engagement sessions, workshops and other forums.
- d. Functions where a Council Member is nominated to represent the Mayor or is attending by resolution of Council.

Note: a Council Member who attends a function in any other capacity is not entitled to reimbursement of travel costs.

Note: please refer to Council Member Professional Development Policy.

- e. Meetings in connection with matters relating to local government, including site inspections and meetings with electors/ratepayers.

Legislation

Local Government Act 1995 – section 5.98

Salaries and Allowances Act 1975 – section 7B

Local Government (Administration) Regulations 1996 – regulation 31 and 32

Local Government Officers' (Western Australia) Award 2021 – section 30.6

Other Relevant Policies/ Key Documents

Council Policy – Attendance at Events

Council Policy – Council Member Professional Development

Council Policy – Digital Tablet Devices for Councillor Use

Council Policy – Use of the Councillors' Lounge

Responsible Division

General Management Services

Review Date

Review every two years

2. **AMENDS** Council Policy – Governance Meeting and Framework Policy, by deleting -

Annual Attendance Fees adopted at 16 December 2014 Council Meeting

Annual Attendance Fees

Councillors \$ 30,900

Mayor \$ 46,350

Annual Allowances

Mayor \$ 87,550

Deputy Mayor \$ 21,887.50

The annual allowance for the Mayor is inclusive of the cost of provision of vehicle in line with the light vehicle fleet policy (if utilised).

Travel and Childcare Expense Reimbursement

Applicable to attendance at electors meetings, civic receptions, and Council workshops convened and / or facilitated by the City.

ICT Allowance \$ 3 500

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

**General Management Services
Governance and Councillor Support
Governance Review Committee**



Reference No & Subject:	GM-017/23 Council Policy – Gratuity Payments to Finishing Employees
File No:	CPM/3-08
Proponent/s:	
Author:	Mr Vince Ritorto, Manager of Human Resource Development
Other Contributors:	Mr Jim Olynyk, Manager Governance and Councillor Support Mr David Blurton, Senior Project Officer
Date of Committee Meeting:	20 June 2023
Previously before Council:	
Disclosure of Interest:	Employees have a financial interest in this matter.
Nature of Council's Role in this Matter:	Executive
Site:	
Lot Area:	
Attachments:	1. Minutes of the Governance Review Committee meeting held on 14 June 2023
Maps/Diagrams:	

Purpose of Report

To review Council Policy – Gratuity Payments to Finishing Employees.

Background

The policy outlines the circumstances where payments are made to employees completing their service at the City of Rockingham. These payments, when made, are in addition to any accrued entitlements or other amount that the employee is entitled to under a contract of employment or Enterprise Agreement.

Details

The purpose of the Council Policy – Gratuity Payments to Finishing Employees is to define employee entitlements for employees leaving the City of Rockingham. The policy considers Council's legal requirements under the *Local Government Act 1995 (WA)*.

Changes recommended to the existing policy are considered minimal and reflect realignment of the application of Industrial Relations law from the Federal system to the State system.

Implications to Consider

a. Consultation with the Community

Not Applicable

b. Consultation with Government Agencies

Not Applicable

c. Strategic

Community Plan

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

Aspiration 4: *Deliver quality leadership and business expertise*

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

d. Policy

Council Policy – Policy Framework outlines the process for dealing with adoption of new or substantially amended policy which includes advertising. As this is an amendment to an existing policy and does not change the overall policy intent, but seeks to accommodate minor changes and a title reflective of the section 5.50 (1) of the *Local Government Act 1995* (WA) no further advertising is considered necessary.

e. Financial

There is no additional financial impact on the City of Rockingham by adopting the policy as presented.

f. Legal and Statutory

Section 5.50 of the *Local Government Act 1995* (WA) is relevant for this policy.

5.50. Payments to employees in addition to contract or award

(1) A local government is to prepare a policy in relation to employees whose employment with the local government is finishing, setting out —

(a) the circumstances in which the local government will pay an employee an amount in addition to any amount to which the employee is entitled under a contract of employment or award relating to the employee; and

(b) the manner of assessment of the additional amount.

(1a) A local government must not make any payment of the kind described in subsection

(1) (a) unless the local government has adopted a policy prepared under subsection (1).

(2) A local government may make a payment —

(a) to an employee whose employment with the local government is finishing; and

(b) that is more than the additional amount set out in the policy prepared under subsection (1) and adopted by the local government, but local public notice is to be given in relation to the payment made.

(3) The value of a payment or payments made to a person under this section is not to exceed such amount as is prescribed or provided for by regulations.

(4) In this section a reference to a payment to a person includes a reference to the disposition of property in favour of, or the conferral of any other financial benefit on, the person.

(5) The CEO must publish the policy prepared under subsection (1) and adopted by the local government on the local government's official website.

Regulation 19A of the *Local Government (Administration) Regulations 1996* prescribe the payment limits to finishing employees.

19A. Payments in addition to contract or award, limits of (Act s. 5.50(3))

- (1) The value of a payment or payments made under section 5.50(1) and (2) to an employee whose employment with a local government finishes after 1 January 2010 is not to exceed in total —
 - (a) the value of the person's final annual remuneration, if the person —
 - (i) accepts voluntary severance by resigning as an employee; and
 - (ii) is not a CEO or a senior employee whose employment is governed by a written contract in accordance with section 5.39;
 - or
 - (b) in all other cases, \$5 000.
- (2) In this regulation —

final annual remuneration in respect of a person, means the value of the annual remuneration paid, or payable, to the person by the local government which employed that person immediately before the person's employment with the local government finished.

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 policy is recommended to be adopted with minor amendments as presented, including a title change reflective of the section 5.50 (1) of the *Local Government Act 1995*. A review date of April 2026 is nominated in accordance with the Council's - Policy Framework document.

Further, the draft Policy was presented to the Governance Review Committee meeting of 14 June 2023 for consideration and was resolved with no changes.

Voting Requirements

Simple Majority

Governance Review Committee Recommendation

That Council **ADOPTS** Council Policy – Payments to Finishing Employees Policy as follows:

~~Gratuity~~ Payments to Finishing Employees

Council Policy Objective

To comply with section 5.50(1) of the *Local Government Act 1995* and set out the circumstances in which the City may pay to an employee whose employment with the City is finishing, an amount in addition to any amount which the employee is entitled to under a contract of employment or Enterprise Agreement, and the manner of assessment of the additional amount.

Council Policy Scope

All employees.

Council Policy Statement

This policy outlines the circumstances in which gratuity payments may be made to a finishing employee. These payments, when made, are in addition to any amount that the employee is entitled to under a contract of employment or Enterprise Agreement. This policy shall not be considered as a contractual entitlement under the employment relationship.

When an employee's services are ceasing with the City, the employee ~~will~~may be ~~entitled to~~provided with a gratuity as outlined below based on completed years of service.

The gratuity payment identified within this policy does not apply to an employee who has been dismissed by the City for any reason.

Prescribed Amounts for Gratuity Payments

Period of employment	Amount of Gratuity
Continuous service of 5 years or more but less than 10 years continuous service.	A gift to the value of \$50.
Continuous service of 10 years or more but less than 15 years of continuous service.	A gift to the value of \$150.
Continuous service of 15 years or more but less than 20 years of continuous service.	A gift to the value of \$300.
Continuous service of 20 years or more.	A gift to the value of \$500.

For the purpose of this policy, continuous service shall deem to include:

- (a) Any period of absence from duty of annual leave, long service leave, accrued paid bereavement leave, accrued paid personal leave, ~~paid and unpaid parental leave~~ and public holidays.
- (b) Any period of authorised paid absence from duty necessitated by sickness of or injury to the employee but only to the extent of three months in each calendar year but not including leave without pay ~~or parental leave~~.
- (c) Any period of absence that has been supported by an approved workers compensation claim up to a maximum absence of one year.

For the purpose of this policy, continuous service shall not include:

- (a) Any period of unauthorised absence from duty unless the City determines otherwise.
- (b) Any period of unpaid leave unless the City determines otherwise.

Definitions

Nil

Legislation

Local Government Act 1995

~~Fair Work Act 2009~~ Industrial Relations Act (WA) 1979

Other Relevant Policies/ Key Documents

~~City of Rockingham Enterprise Agreement(s)~~ Nil

Responsible Division

General Management Services

Review Date

April ~~2026~~2017

Officer Recommendation if Different to Governance Review Committee Recommendation

Not Applicable

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

Not Applicable

Committee Recommendation

Moved Cr Schmidt, seconded Cr Hume:

That Council **ADOPTS** Council Policy – Payments to Finishing Employees Policy as follows:

~~Gratuity~~ Payments to Finishing Employees

Council Policy Objective

To comply with section 5.50(1) of the Local Government Act 1995 and set out the circumstances in which the City may pay to an employee whose employment with the City is finishing, an amount in addition to any amount which the employee is entitled to under a contract of employment or Enterprise Agreement, and the manner of assessment of the additional amount.

Council Policy Scope

All employees.

Council Policy Statement

This policy outlines the circumstances in which gratuity payments may be made to a finishing employee. These payments, when made, are in addition to any amount that the employee is entitled to under a contract of employment or Enterprise Agreement. This policy shall not be considered as a contractual entitlement under the employment relationship.

When an employee's services are ceasing with the City, the employee ~~will~~may be ~~entitled to~~provided with a gratuity as outlined below based on completed years of service.

The gratuity payment identified within this policy does not apply to an employee who has been dismissed by the City for any reason.

Prescribed Amounts for Gratuity Payments

Period of employment	Amount of Gratuity
Continuous service of 5 years or more but less than 10 years continuous service.	A gift to the value of \$50.
Continuous service of 10 years or more but less than 15 years of continuous service.	A gift to the value of \$150.
Continuous service of 15 years or more but less than 20 years of continuous service.	A gift to the value of \$300.
Continuous service of 20 years or more.	A gift to the value of \$500.

For the purpose of this policy, continuous service shall deem to include:

- (d) Any period of absence from duty of annual leave, long service leave, accrued paid bereavement leave, accrued paid personal leave, ~~paid and unpaid parental leave~~ and public holidays.

- (e) Any period of authorised paid absence from duty necessitated by sickness of or injury to the employee but only to the extent of three months in each calendar year but not including leave without pay ~~or parental leave~~.
- (f) Any period of absence that has been supported by an approved workers compensation claim up to a maximum absence of one year.

For the purpose of this policy, continuous service shall not include:

- (c) Any period of unauthorised absence from duty unless the City determines otherwise.
- (d) Any period of unpaid leave unless the City determines otherwise.

Definitions

Nil

Legislation

Local Government Act 1995

~~Fair Work Act 2009~~ Industrial Relations Act (WA) 1979

Other Relevant Policies/ Key Documents

~~City of Rockingham Enterprise Agreement(s)~~ Nil

Responsible Division

General Management Services

Review Date

April ~~2026~~2017

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

**General Management Services
Governance and Councillor Support
Governance Review Committee**



Reference No & Subject:	GM-018/23 Council Policy – Equal Opportunity
File No:	CPM/3-08
Proponent/s:	
Author:	Mr Vince Ritorto, Manager of Human Resource Development
Other Contributors:	Mr Jim Olynyk, Manager Governance and Councillor Support Mr David Blurton, Senior Project Officer
Date of Committee Meeting:	20 June 2023
Previously before Council:	
Disclosure of Interest:	
Nature of Council's Role in this Matter:	Executive
Site:	
Lot Area:	
Attachments:	1. Minutes of the Governance Review Committee meeting held on 14 June 2023 (<i>Refer to Attachment 1 of GM-017/23</i>)
Maps/Diagrams:	

Purpose of Report

To review Council Policy – Equal Opportunity.

Background

The policy has been reviewed by staff and no changes are recommended. A review date of April 2026 is nominated in accordance with Council Policy – Policy Framework.

Details

The Equal Opportunity Policy is a statement that outlines the City of Rockingham commitment to provide equal opportunity to employees in all aspects of employment. The policy complies with the requirements of the *Equal Opportunity Act (WA) 1984*.

Implications to Consider

- a. **Consultation with the Community**
Not Applicable
- b. **Consultation with Government Agencies**
Not Applicable

c. Strategic

Community Plan

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

Aspiration 4: *Deliver quality leadership and business expertise*

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

d. Policy

Council Policy – Policy Framework outlines the process for dealing with adoption of new or substantially amended policy which includes advertising. As there is no change to this policy advertising is not considered necessary.

e. Financial

Not Applicable

f. Legal and Statutory

The *Equal Opportunity Act 1984 (WA)* does not require the development of a policy, however adoption of a policy is recommended to demonstrate the organisations commitment to Equal Opportunity and to align with industry best practice.

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 policy is recommended to be adopted with no amendments as presented. A review date of April 2026 is nominated in accordance with the Council's - Policy Framework document.

Further, the draft Policy was presented to the Governance Review Committee meeting of 14 June 2023 for consideration and was resolved with no changes.

Voting Requirements

Simple Majority

Governance Review Committee Recommendation

That Council **ADOPTS** Council Policy – Equal Opportunity as follows:

Equal Opportunity

Council Policy Objective

To outline the City's commitment to provide equal opportunity to employees in all aspects of employment, and comply with the requirements of the Equal Opportunity Act (WA) 1984.

Council Policy Scope

Applies to all employees and informs prospective job applicants.

Council Policy Statement

The City provides and maintains a work environment that is free from discrimination and where all employees are treated fairly and with respect, by ensuring that:

- All decisions made regarding the employment of potential and existing employees are based on merit and equity, and are bias-free
- All decisions made regarding the training and promotion of existing employees are based on merit and equity, and are bias-free
- Employees are aware of the grounds for discrimination specified under the Equal Opportunity Act 1984, and supported to ensure these are not breached
- Documents relating to employment information gathering do not discriminate on any grounds, except if the information is being gathered for specific reports required by legislation (i.e. Diversity Questionnaire)
- Reasonable adjustments are made, where possible, to accommodate the diversity needs of all employees
- A fair and bias-free procedure is in place to receive, investigate and resolve any grievances raised by employees.

Employees must treat colleagues with respect and adhere to workplace policies and procedures relating to conduct to ensure the City maintains a workplace free from discrimination.

The City will prepare an Equal Opportunity Management Plan and submit this to the Commissioner for Equal Opportunity every three (3) years.

Definitions

Employees – any person engaged in work with the City, including employees, workers, volunteers and contractors.

Discrimination – treating a person unfairly. Sixteen grounds of unlawful discrimination are specified under the Equal Opportunity Act 1984.

Grounds for Discrimination –

- Age
- Breastfeeding
- Family responsibilities
- Family status
- Fines Enforcement Registrar's website
- Gender history
- Impairment
- Marital status
- Political conviction
- Pregnancy
- Race
- Racial harassment
- Religious conviction
- Sex
- Sexual harassment
- Sexual orientation.

Legislation

Age Discrimination Act (Cth) 2004

Disability Discrimination Act (Cth) 1992

Equal Opportunity Act (WA) 1984

Gender Reassignment Act (WA) 2000

Human Rights and Equal Opportunity Commission Act (Cth) 1987

Racial Discrimination Act (Cth) 1976

Sex Discrimination Act (Cth) 1984

Other Relevant Policies/ Key Documents

Employee Code of Conduct

Equal Opportunity Management Plan

Executive Policy – Flexible Working Arrangements

Executive Policy – Grievance Resolution

Procedure – Grievance Resolution

Executive Policy – Preventing Workplace Bullying, Violence and Aggression

Procedure – Preventing Workplace Bullying, Violence and Aggression

Fact Sheet – Preventing Workplace Bullying, Violence and Aggression

Responsible Division

General Management Services – Human Resource Development

Review Date

April 2026

Officer Recommendation if Different to Governance Review Committee Recommendation

Not Applicable

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

Not Applicable

Committee Recommendation

Moved Cr Buchanan, seconded Cr Davies:

That Council **ADOPTS** Council Policy – Equal Opportunity as follows:

Equal Opportunity

Council Policy Objective

To outline the City's commitment to provide equal opportunity to employees in all aspects of employment, and comply with the requirements of the Equal Opportunity Act (WA) 1984.

Council Policy Scope

Applies to all employees and informs prospective job applicants.

Council Policy Statement

The City provides and maintains a work environment that is free from discrimination and where all employees are treated fairly and with respect, by ensuring that:

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- All decisions made regarding the training and promotion of existing employees are based on merit and equity, and are bias-free
- Employees are aware of the grounds for discrimination specified under the Equal Opportunity Act 1984, and supported to ensure these are not breached

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Employees must treat colleagues with respect and adhere to workplace policies and procedures relating to conduct to ensure the City maintains a workplace free from discrimination.

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- Gender history
- Impairment
- Marital status
- Political conviction
- Pregnancy
- Race
- Racial harassment
- Religious conviction
- Sex
- Sexual harassment
- Sexual orientation.

Legislation

Age Discrimination Act (Cth) 2004

Disability Discrimination Act (Cth) 1992

Equal Opportunity Act (WA) 1984

Gender Reassignment Act (WA) 2000

Human Rights and Equal Opportunity Commission Act (Cth) 1987

Racial Discrimination Act (Cth) 1976

Sex Discrimination Act (Cth) 1984

Other Relevant Policies/ Key Documents

Employee Code of Conduct

Equal Opportunity Management Plan

Executive Policy – Flexible Working Arrangements

Executive Policy – Grievance Resolution

Procedure – Grievance Resolution

Executive Policy – Preventing Workplace Bullying, Violence and Aggression

Procedure – Preventing Workplace Bullying, Violence and Aggression

Fact Sheet – Preventing Workplace Bullying, Violence and Aggression

Responsible Division

General Management Services – Human Resource Development

Review Date

April 2026

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

**General Management Services
Governance and Councillor Support
Governance Review Committee**



Reference No & Subject:	GM-019/23	Council Policy – Workplace Health and Safety
File No:	CPM/3-08	
Proponent/s:		
Author:	Mr Vince Ritorto, Manager of Human Resource Development	
Other Contributors:	Mr Jim Olynyk, Manager Governance and Councillor Support Mr David Blurton, Senior Project Officer	
Date of Committee Meeting:	20 June 2023	
Previously before Council:		
Disclosure of Interest:		
Nature of Council's Role in this Matter:	Executive	
Site:		
Lot Area:		
Attachments:	1. Minutes of the Governance Review Committee meeting held on 14 June 2023 (<i>Refer to Attachment 1 of GM-017/23</i>)	
Maps/Diagrams:		

Purpose of Report

To review Council Policy – Occupational Safety and Health.

Background

The policy has been reviewed by officers and several changes, including a change in policy title are recommended to be made to ensure compliance with the new *Work Place Health and Safety Act 2020 (WA)* and *Work Health and Safety (General) Regulations 2022 (WA)*. A review date of April 2026 is nominated in accordance with Council Policy – Policy Framework.

Details

The Workplace Health and Safety (WHS) Policy is a statement that outlines the City of Rockingham's (City) commitment to Workplace Health and Safety for all employees, volunteers, contractors and visitors.

It provides an overarching document that is supported by relevant operational WHS policies and procedures which ensures the City is able to meet its WHS obligations.

Implications to Consider

a. **Consultation with the Community**

Not Applicable

b. **Consultation with Government Agencies**

Not Applicable

c. **Strategic**

Community Plan

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

Aspiration 4: *Deliver quality leadership and business expertise*

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

d. **Policy**

Council Policy – Policy Framework outlines the process for dealing with adoption of new or substantially amended policy which includes advertising. As this is an amendment to an existing policy and does not change the overall policy intent, but seeks to accommodate minor changes and a title reflective of the *Work Health and Safety Act 2020 (WA)* no further advertising is considered necessary.

e. **Financial**

Not Applicable

f. **Legal and Statutory**

The *Work Health and Safety Act 2020 (WA)* and *Work Health and Safety (General) Regulations 2022 (WA)* do not require the development of a policy, however adoption of a policy is recommended to reflect the organisations commitment to Workplace Health and Safety and to align with industry best practice.

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 policy is recommended to be adopted with minor amendments as presented, including a title change reflective of the *Work Health and Safety Act 2020 (WA)*. A review date of April 2026 is nominated in accordance with the Council's - Policy Framework document.

Further, the draft Policy was presented to the Governance Review Committee meeting of 14 June 2023 for consideration and was resolved with a minor amendment to review date to streamline the formatting with other Council Policies.

Voting Requirements

Simple Majority

Governance Review Committee Recommendation

That Council **ADOPTS** Council Policy – Workplace Health and Safety as follows:

~~Occupational Safety and Health~~ Workplace Health and Safety

Council Policy Objective

The purpose of this policy is to assist the Chief Executive Officer to meet his or her obligations under the ~~Occupational Safety and Health Act (WA) 1984~~ *Work Health and Safety Act (WA) 2020*.

Council Policy Scope

This policy applies to all employees.

Council Policy Statement

The City of Rockingham provides and maintains a safe and healthy work environment in its workplaces in accordance with legislative obligations by ensuring:

- Implementation of safe systems and work practices
- Provision of adequate resources to enable ~~occupational safety and health~~ work, health and safety issues to be rectified in a timely manner
- Compliance with relevant aspects of the ~~occupational safety and health~~ work, health and safety legislation, regulations, associated codes of practice, guidance notes and industry standards
- Integration of ~~occupational safety and health~~ work, health and safety risk management processes into daily working operations
- Implementation of the ~~Occupational Safety and Health~~ Work, Health and Safety management system, through the City's Occupational Safety and Health Manual, departmental ~~occupational safety and health~~ work, health and safety plans, policies, procedures and related programs.

Employees must cooperate with ~~occupational safety and health~~ work, health and safety actions taken to maintain a safe and healthy work environment. In addition, employees must take reasonable care of their own ~~occupational safety and health~~ work, health and safety and not adversely affect others in the workplace by their actions or inactions.

Definitions

Employees – includes employees, workers, volunteers, contractors and visitors.

Legislation

~~Occupational Safety and Health Act 1984 (WA)~~ *Work Health and Safety Act 2020 (WA)*

~~Occupational Safety and Health (General) Regulations 1996 (WA)~~ *Work Health and Safety (General) Regulations 2022 (WA)*

Workers' Compensation and Injury Management Act 1981 (WA)

Other Relevant Policies/ Key Documents - Internal

Occupational Safety and Health Manual

Injury Management Procedure

Safe Work Method Statements, relevant to work practices

Employee Induction and Orientation

Contractor Induction

Accident/Incident Report Form

Other Relevant Policies/ Key Documents – External

Codes of Practice, relevant to work areas and work practices

Australian Standards, relevant to work areas and work practices

2B Workers' Compensation form

Responsible Division

General Management Services

Review Date

~~2~~ April 2026~~2024~~

Officer Recommendation if Different to Governance Review Committee Recommendation

Not Applicable

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

Not Applicable

Committee Recommendation

Moved Cr Buchanan, seconded Cr Schmidt:

That Council **ADOPTS** Council Policy – Workplace Health and Safety as follows:

~~Occupational Safety and Health~~ **Workplace Health and Safety**

Council Policy Objective

The purpose of this policy is to assist the Chief Executive Officer to meet his or her obligations under the ~~Occupational Safety and Health Act (WA) 1984~~ **Work Health and Safety Act (WA) 2020**.

Council Policy Scope

This policy applies to all employees.

Council Policy Statement

The City of Rockingham provides and maintains a safe and healthy work environment in its workplaces in accordance with legislative obligations by ensuring:

- Implementation of safe systems and work practices
- Provision of adequate resources to enable ~~occupational safety and health~~ work, health and safety issues to be rectified in a timely manner
- Compliance with relevant aspects of the ~~occupational safety and health~~ work, health and safety legislation, regulations, associated codes of practice, guidance notes and industry standards
- Integration of ~~occupational safety and health~~ work, health and safety risk management processes into daily working operations
- Implementation of the ~~Occupational Safety and Health~~ Work, Health and Safety management system, through the City's Occupational Safety and Health Manual, departmental ~~occupational safety and health~~ work, health and safety plans, policies, procedures and related programs.

Employees must cooperate with ~~occupational safety and health~~ work, health and safety actions taken to maintain a safe and healthy work environment. In addition, employees must take reasonable care of their own ~~occupational safety and health~~ work, health and safety and not adversely affect others in the workplace by their actions or inactions.

Definitions

Employees – includes employees, workers, volunteers, contractors and visitors.

Legislation

~~Occupational Safety and Health Act 1984 (WA)~~ **Work Health and Safety Act 2020 (WA)**

~~Occupational Safety and Health (General) Regulations 1996 (WA)~~ **Work Health and Safety (General) Regulations 2022 (WA)**

Workers' Compensation and Injury Management Act 1981 (WA)

Other Relevant Policies/ Key Documents - Internal

Occupational Safety and Health Manual
Injury Management Procedure
Safe Work Method Statements, relevant to work practices
Employee Induction and Orientation
Contractor Induction
Accident/Incident Report Form

Other Relevant Policies/ Key Documents – External

Codes of Practice, relevant to work areas and work practices
Australian Standards, relevant to work areas and work practices
2B Workers' Compensation form

Responsible Division

General Management Services

Review Date

~~2~~ April 2026~~2021~~

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

General Management Services Governance and Councillor Support



Reference No & Subject:	GM-020/23 Annual Delegated Authority Register Review 2023-2024 (Absolutely Majority)
File No:	CPM/130
Proponent/s:	
Author:	Ms Louise Pleasance, Governance Coordinator
Other Contributors:	Mr Jim Olynyk, Manager Governance and Councillor Support
Date of Committee Meeting:	20 June 2023
Previously before Council:	GM-025/21 (24 August 2021), GM-011/22 (28 June 2022)
Disclosure of Interest:	
Nature of Council's Role in this Matter:	Executive
Site:	
Lot Area:	
Attachments:	1. City of Rockingham Delegated Authority Register 2023-2024
Maps/Diagrams:	

Purpose of Report

For Council to approve the City of Rockingham (City) Delegated Authority Register 2023-2024 as detailed in Attachment 1.

Background

In accordance with the section 5.46 of the *Local Government Act 1995* (the Act), at least once every financial year, delegations made by Council are to be reviewed. The Delegated Authority Register was last reviewed by Council at the Ordinary Council meeting on 28 June 2022 – Item GM-11/22.

Section 5.42 of the Act states that the local government, by absolute majority, may delegate to the Chief Executive Officer and where appropriate officers, the exercise of any of its powers or the discharge of any of its duties, other than those prescribed under section 5.43. This is done by way of the Council Delegations. Section 5.46 of the Act requires that all delegations are contained within a Register.

Details

Local governments have responsibility for decision making under a number of pieces of legislation and it is recognised as unreasonable and unrealistic for every legislative power or duty to be exercised by Council, as such, delegations of authority exist to allow for the Council to pass on decision making powers and duties to the administration in order to enhance operational effectiveness. This conferral to exercise a power or duty is, in most cases, to the CEO who may sub delegate to other staff, where appropriate and permitted by legislation.

The 2023-2024 Delegated Authority Review process undertaken by Governance Services included consultation with all current delegated and sub delegated officers, review of the Western Australian Local Government Association (WALGA) Local Government Decision Making Toolkit – Template Delegation Register and consideration of other local governments' approach to delegated authority.

The City currently has 62 Council Delegations in place under a number of acts and regulations which delegate various powers and duties to the CEO (or employees). Following a thorough review of the current Delegated Authority Register, 12 delegations are proposed to be amended, 4 delegations are proposed to be revoked and 46 Delegations are proposed to be readopted with no changes.

Implications to Consider

a. Consultation with the Community

Not Applicable

b. Consultation with Government Agencies

Department of Local Government, Sport and Cultural Industries Operational Guidelines - Delegations

Western Australian Local Government Association (WALGA) Template Delegation Register

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

Not Applicable

e. Financial

Not Applicable

f. Legal and Statutory

The following sections of the *Local Government Act 1995* are applicable when considering Delegations:

- Section 5.16 Delegation of some powers and duties to certain committees
- Section 5.42 Delegation of some powers and duties to CEO
- Section 5.43 Limits on delegations to CEO
- Section 5.46(1) and (2) CEO to keep a register and delegations to be reviewed by the delegator

The *Cat Act 2011*, section 44 stipulates Delegation by the local government.

The *Dog Act 1976* section 10AA stipulates Delegation of local government powers and duties.

The *Local Government Act 1995*, *Cat Act 2011* and the *Dog Act 1976* require the review of delegations at least once every financial year.

The *Building Act 2011*, *Bushfires Act 1954* and the *Food Act 2008* do not prescribe a review period for powers or duties delegated under the legislation, however officers have reviewed the relevant delegations as part of this annual review for the purposes of transparency.

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

Delegations by Council are an effective way to reduce red tape and improve customer satisfaction through quicker decision-making processes. Using the power of delegation appropriately, assists local governments to efficiently deal with a wide range of matters. It is important to note that Officers are not obliged to use, or exercise a delegation; where a matter is determined to be of a contentious nature, the matter may be referred to Council.

The City of Rockingham Delegated Authority Register 2023-2024 has been reviewed and the full register with the proposed amendments, revocations or those with no changes are listed below and are clearly marked in Attachment 1. In the tables below some delegations have been marked to indicate that the delegation may return for consideration by Council in conjunction with a related Policy review or development in the future.

Proposed Delegation Amendments or Revocation

Of the following 16 delegations, 12 have proposed amendments and 4 are proposed to be revoked. Reasons for amendment or revocation are outlined in the table below:

Ref	Delegations	Proposed Amendment / Change / Revocation
1.2	Variation, and Extension and Novation of Contracts	Inclusion of the newly gazetted (19 May 2023) function to novate contracts under the <i>Local Government (Functions and General) Regulations 1996</i> . Also minor amendment to legislative references.
1.5	Expression of Interest and Tenders – For Supply of Goods or Services	Removal of Function 6 from Delegation 1.5 to Delegation 1.6, as it is relating to the acceptance or rejection of tenders.
1.6	Acceptance/Rejection of Tenders and Expression of Interest – For Supply of Goods or Services	Inclusion of Expression of Interest.
1.8	Designation and e Employment of Senior employees*	Minor change to the Delegation title to accurately reference the requirements of the s.5.37 of the Act.
1.10	Legal Representation – Elected Members and Employees	Amended to include reference to related Council Policies – Legal Representation for Council Members and Legal Representation for Employees
1.12	Bert England Lodge	REVOKE Delegation no longer required as sale of Bert England lodge is complete.
1.13	Execution of Documents / Common Seal*	Amended to clarify that the delegation Condition Item 1 does not apply to documents signed for the provision of goods and service, where a tender is not required.
1.15	Behaviour Complaints Committee	Minor amendment to the legislation references and separation of this delegation in the Register as it is a delegation from Council to Committee not the CEO.
1.16	Appointing Internal and External Complaints Officer - Local Government (Model Code of Conduct) Regulations*	Minor change to legislation references.

Ref	Delegations	Proposed Amendment / Change / Revocation
2.1	Payment from Municipal Fund or Trust Fund	Minor administration changes to improve legislative references.
2.3	Waive / Grant Concession or Write Off Monies Owing	Amended to remove COVID 19 provisions.
4.2	Bush Fires Act – Prohibited Burning Times	Amended to remove Delegate - Emergency Liaison Coordinator as only Chief Bush Fire Control Officer permitted as delegate under <i>Bush Fire Act 1954</i> . It is noted that the City's Emergency Liaison Coordinator is the City of Rockingham Chief Bush Fire Control Officer.
4.4	Disposing of Confiscated or Uncollected Goods <u>and Sick and Injured Animals</u>	Minor amendment to the delegation title and legislation references to make clear the delegated power.
4.8	Administration of Local Laws	REVOKE This delegation is a duplicate of delegation 1.19 Administration of Local Laws (with no changes)
6.4	Liquor Control Act 1988 – Certification of Premises	REVOKE There is no decision making by the local government as the requirements to issue the Certification of Premises is prescribed by legislation and an operational function.
6.5	Gaming and Wagering Commission Act 1987 – Certification of Premises	REVOKE There is no head of power to delegate under the Gaming and Wagering Commission Act 1987. The Certification of Premises is an operational function and delegation is not required.

* marked for future policy review or development

Delegations – No changes

The following 46 delegation have been reviewed and no improvements have been identified. Council is requested to re-adopt with no changes.

Ref	Delegation
1.1	Use of Council Crest and Logo*
1.3	Appoint Authorised Persons
1.4	Powers of Entry
1.7	Execution of Lease Documents*
1.9	Appoint Acting Chief Executive Officer*
1.11	Land Acquisition to Purchase Privately Owned Land
1.14	Approve Short Listing of Artists*
1.17	Disposal of Property
1.19	Administration of Local Laws
2.2	Trust Fund – Transfers
2.4	Amend the Rate Record
2.5	Agreement as to Payment of Rates and Service Charges
2.6	Rates or Service Charges Recoverable in Court
2.7	Change of Basis of Rates
2.8	Recovery of Rates Debts – Require Lessee to Pay
2.9	Recovery of Unpaid Rates – Taking Possession of the Land
2.10	Extension of Time for Objection to the Rate Record
2.11	Disposal of Property
2.12	Approve Lease Property Grants*
2.13	Procurement Framework

Ref	Delegation
3.1	Approve Minor Grants*
4.1	Bush Fires Act – Powers and Duties
4.3	Bush Fires Act – Prosecutions
4.5	Dog Act 1976 – Section 10AA
4.6	Administration and Enforcement of the Cat Act 2011
4.7	City of Rockingham Parking Local Law 2018 / Local Government (Parking for People with Disabilities) Regulations 2014
5.1	Building and Demolition Permits
5.2	Occupancy Permits and Building Approval Certificates
5.3	Building Orders
5.4	Building Information
5.5	Private Swimming Pools
5.6	Smoke Alarms
5.7	Fencing
5.8	State Administrative Tribunal Proceedings
5.9	Infringement Notices – Building Services
5.10	Signs, Hoardings and Bill Posting
6.1	Food Act 2008 – Prohibition Orders
6.2	Food Act 2008 – Registration of Food Business
6.3	Food Act 2008 – Prosecutions
7.1	Town Planning Scheme
7.2	Planning and Development Act 2005 – Other Delegations
7.3	Approved Subdivisions
8.1	Road Closures – Temporary
8.2	Payment of Subsidies
8.3	Control and Management of Land, Facilities and Reserves
8.4	Graffiti Vandalism

* marked for future policy review or development.

Voting Requirements

Absolute Majority

Officer Recommendation

That Council **APPROVES** the City of Rockingham Delegated Authority Register 2023-2024 including the amendments as detailed in Attachment 1.

Committee Recommendation

Moved Cr Davies, seconded Cr Schmidt:

That Council **APPROVES** the City of Rockingham Delegated Authority Register 2023-2024 including the amendments as detailed in Attachment 1.

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

Community Development

Cr Schmidt declared an impartiality interest in item CD-012/23 Warnbro Community Recreation Centre Master Plan (Final) and will deal with the matter on its merits and vote accordingly (refer to Agenda Item 8 for specific details).

Cr Hume declared an impartiality interest in item CD-012/23 Warnbro Community Recreation Centre Master Plan (Final) and will deal with the matter on its merits and vote accordingly (refer to Agenda Item 8 for specific details).

Community Development		
Community Development Directorate and Support		
Reference No & Subject:	CD-012/23	Warnbro Community Recreation Centre Master Plan (Final)
File No:	CPR/1020-2	
Proponent/s:		
Author:	Ms Carly Kroczek, Senior Project Officer	
Other Contributors:	Mr Michael Holland, Director Community Development	
Date of Committee Meeting:	20 June 2023	
Previously before Council:	CD-002/23 (28 February 2023)	
Disclosure of Interest:		
Nature of Council's Role in this Matter:	Executive	
Site:	Lots 600 and 601 Okehampton Road, Warnbro	
Lot Area:	90,194m ²	
Attachments:	1. Warnbro Community Recreation Centre (Currie Street Reserve) Master Plan (Final)	
Maps/Diagrams:		

Purpose of Report

To seek Council adoption of the final Warnbro Community Recreation Centre Master Plan (Master Plan) following public comment, and for Council to consider allocating funding for implementation in a future Business Plan.

Background

On Tuesday 28 February 2023, Council endorsed the draft Master Plan for the purpose of public comment. The public comment period concluded on Monday 20 March 2023, and the Master Plan report has been updated based on the feedback received.

The final report is now presented to Council for endorsement and funding consideration.

Details

Following community consultation, the final Master Plan presented for endorsement remains largely unchanged. Below is a summary of the changes that have been made to the Master Plan:

- Indoor court storage area will be caged to support multiple user groups;
- Change in implementation of the basketball backboards and winches from medium to high priority;
- Baby change table included in design;
- Option to retain current playground, as well as construct new playground included, final decision to be made on provision of one or two play areas during consultation for detailed design if project proceeds to implementation;
- Option to retain cricket nets in current location, pending consultation with the cricket club at the time renewal is due.

Implications to Consider

a. Consultation with the Community

The draft Master Plan was advertised for public comment from Friday 3 March to Monday 20 March which exceeded the minimum requirement of 14 days.

The public were notified of the opportunity to comment through the City's Share Your Thoughts platform in the following ways:

- Email direct to the user groups (including the Warnbro Swans Football and Sporting Club) on Tuesday 7 and 14 March 2023;
- Mail out to surrounding residents (132 properties);
- Email to Rock Port users who have subscribed to the Strategic Planning category on Friday 3, 10 and 17 March 2023;
- Facebook post on Friday 3 March 2023; and
- Media release emailed to local publications on Friday 3 March 2023;

At closing of the public comment period, 12 submissions were received. All submissions were in support of the proposal, however all had suggestions for improvement. No comments received were against the intent of improving amenities at WCRC, however one late comment and petition signed by 59 people was received advocating for group fitness to remain at Warnbro Community Recreation Centre (WCRC).

Matters raised in the submissions and the City's response are summarised below.

Comment 1

I am a member of the Jeans Blue Badminton Club that uses the Warnbro Recreation Centre on Tuesday and Thursday morning. I have been playing there for several years. Can you please tell me what plans there are to find another venue for the Club while the alterations to the Recreation Centre are taking place? Is it planned for the Club to return to the Warnbro Recreation Centre once the alterations are completed? In fact, is community badminton part of the future plans for Warnbro Recreation Centre?

City Response

The implementation of the Master Plan is currently unfunded, with an implementation date yet to be confirmed. When the project is due for implementation, the City's Bookings Officer and Community and Leisure Facilities Team will work with the Jeans Blue Badminton Club and all other hirers to find an alternate venues during the construction period.

The main hall/indoor court of the Warnbro Community Recreation Centre will remain available for the Jeans Blue Badminton Club to hire once the master plan is implemented, if the club wishes to continue using the centre.

Comment 2

The plans do not look like it will deliver the required extra capacity required the groups that use the facility now. And relocating the door will lead to a weather issue in the existing club rooms. These rooms require an extra 50 to 100 in the capacity allowed.

City Response

The project involves the refurbishment of an existing building which limits opportunities. The social space is within the size requirements of the Sports and Community Facility Provision Standards and Dimensions Guide that states the social space for a subdistrict facility is to be between 100 and 200m². The proposed social space is 192m². The location of all doorways into the social space can be reviewed during detailed design if Council approves implementation.

Comment 3

I have read the master plan report and am encouraged by the proposed development of the centre. In relation to this, I wish to only make two observations at this stage. 1. That the future refurbishment fully meets the requirements of our club that currently exist. I see that storage will be provided and hope this can be separated and secure for each club hirer. 2. I note that the replacement of the current basketball nets is listed as Medium Risk for replacement. I would ask that this item is raised to High owing to the potential Health and Safety risks to those persons who raise and lower the nets. The operating system is frail and any slippage or breakage of wire could leave to fatal consequences leaving Council at high risk. Also, people have to stand on a plastic chair to operate the handle which in itself poses extreme risk to Council should a person fall through mis-balance or fracture of the plastic chair. Include anchor points for badminton nets in detailed design.

City Response

The priority of the installation on new winches and backboards has been moved from medium to high priority.

It is the intention that the storage area will be caged and allocation of cages to regular hirers will be done by the Community and Leisure Facilities Team at the appropriate time.

Anchor points for the badminton nets will remain.

Comment 4

Please include a baby change table in the disabled bathroom. Thank you.

City Response

A baby change table will be included in the final detailed design.

Comment 5

I dislike the idea of moving the playground as a member and one of the many parents attending cricket club events this will make it very hard to allow the children from the club to play on the playground while supporting and watching our partners play. also it is unclear on the plans if there will be a parents room or change table available if there isn't can this please be added.

City Response

The option to retain the playground at the current location has been included in the Master Plan report, with a final decision to be made pending further community consultation which is to occur when the playground is due for renewal.

Comment 6

Very poor and overly simplistic architectural design. The resulting outcome is barely any better than the current layout. If you're going to do something you might as well do it properly or just not waste the money. New club facilities are generally being built to be large, modern and multi-functional, with proper seating, shelter and facilities...this proposal achieves none of those things.

City Response

The project involves the refurbishment of an existing building which limits opportunities to change the design.

Comment 7

Warnbro rec centre is badly in need of upgrade totally agree. However as it's not in the 10 year plan, grants are not assured can you please tell us how we are going to fund this project please.

City Response

Council will need to consider funding as part of the 10 year business planning process.

Comment 8

My comments relate to parking on football weekend days and how it impacts the residents of Brixham Way. 1. The parking on Okehampton fence line - cars park along there and they protrude onto the footpath. I suggest moving the ring fence in a meter or two to give greater depth for the larger cars. 2. The 'no parking' signs on the corner of Brixham Way are never abided by. Make them much more visible and/or get the Ranger to visit on the event days. It is very unsafe for us to enter Okehampton as the visibility for oncoming traffic is nil. 3. The overflow parking entrance on Okehampton has no signage, therefore visiting teams are possibly unaware of it.

City Response

Comments regarding current signage have been referred to Rangers for consideration. It is not possible to move the boundary fence without impacting on the existing mature trees, however the Master Plan proposes formal parking bays along Okehampton which will resolve the issue of cars parking on the footpath.

Comment 9

South West Change rooms are way too small! Remove 1 toilet cubicle and 1 shower cubicle, place the vanity where the toilet cubicle used to be and make it one big open space, for both south west change rooms. It's too small as you have planned it!

City Response

The design and layout of the change rooms is indicative only and provides one option of how the space could be configured post redevelopment. The change rooms are within the City's guidelines and have been increased by approximately 10m².

Comment 10

A few things I think that the clubrooms should be bigger to have either somewhere between 300-400 people or build an 2 story clubrooms for both football & cricket, Second is that the cricket nets should stay next to the shed with the view to expand the cricket nets with turf nets, Third is also with the cricket shed it could be expand a bit bigger if needed, fourth is north-western corner should be expand for both football and cricket, fifth is the synthetic pitch should be the same level to the playing fields before someone breaks an ankle & finally is the shelter on the north-eastern side of the reserve should stay/replace for cricket during the summer for the scores box.

City Response

The design and layout of the change rooms is indicative only and provides one option of how the space could be configured post redevelopment. The club rooms are within the City's guidelines and have been increased by approximately 37m².

There has been no indication from the cricket club that a larger outdoor storage shed is required. Turf practise wickets are not part of the City's facility provision standards. The cricket nets will remain in-situ until such time as they are due for replacement, at which time further consultation can be undertaken with the cricket club on the final location.

Comment 11

I'm curious as to the new footpath and parking bays along Okehampton street if the existing mature trees growing along this section will be affected or cut down which living across the road from this section of development would strongly oppose

City Response

It is the City's intention to retain trees onsite.

Comment 12

I don't feel there is enough or indeed any facilities for people with disabilities. I can't see toilets at all, and they will need to be easily accessible. I also cannot see any ramps to allow for wheelchair access to clubrooms, canteen, change rooms etc

City Response

A new accessible ramp to the club rooms has been included as part of the Master Plan. In addition it is proposed in the Master Plan that there is a new universal accessible toilet (UAT) as part of the western change rooms, a new UAT to service the club rooms, and a new internal UAT for the community spaces. All toilets will also be upgraded to include ambulant cubicles.

Comment 13

For any redevelopment of the recreation centre, we want council to incorporate a group fitness facility or room – not just a multipurpose room. This could mean building or incorporating a multipurpose room elsewhere within the grounds of the centre. The facility has been operating this way for many years, with a wide range of groups.

There is a strong and supportive community surrounding the group fitness classes within the Recreation Centre (hence the petition) and we all find this a major and exceptionally important part of enjoying life within the City of Rockingham.

The large group of local residents that attend the classes, meets and fulfils the Councils Strategic Community Plan of growing and nurturing community and connectedness and wellbeing. There are strong friendships, encouragement, understanding and a wonderful sense of belonging, while improving both physical and mental health. Due in part I believe to the centre being local and easily accessible by multiple means, being small and intimate - thus ensuring people get to know each other easily.

Can I also add that it is important for Council to recognize that many people (myself included) do not want to attend the Aqua Jetty itself? We live close to the Warnbro Recreation Centre, and driving and parking is easy and straightforward, with many members also walking or riding bikes. To drive to the Aqua Jetty means traversing the Safety Bay Rd / Read Street roundabout, which is extremely busy and congested, especially in peak school/work periods in the morning and afternoon, when many classes are held. This is a major deterrent for people. And walking or bike-riding would not be an option.

Size of facility is also a factor, with Warnbro Recreation Centre being small, intimate, not crowded, with easy parking and access. Aqua Jetty is large and busy, with parking congested and busy. It is like comparing the Rockingham Shopping Centre with a local IGA (e.g. on Charthouse Road in Safety Bay) – many residents avoid the Rockingham Shopping Centre, attending only when they have to.

City Response

The Master Plan has been developed in line with the principles of the Community Infrastructure Plan which are:

- Community amenity, access and equity
- Urban development
- Functionality
- Financial management
- Asset sustainability

The current group fitness room at WCRC is proposed to be converted into a multipurpose room that will allow it to be used for activities other than group fitness. At present, the room is solely reserved for group fitness and is not heavily used. The relocation of group fitness classes to Aqua Jetty will be an operational decision to be made by the Community and Leisure Facilities Team post redevelopment of the Aqua Jetty.

Comment 14 – Petition

Please sign this petition if you want the group fitness classes to continue at the Warnbro Recreation Centre after the redevelopment of Aqua Jetty is complete.

City Response

See response to comment 13 above.

b. Consultation with Government Agencies

Not Applicable

c. Strategic

Community Plan

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

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

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

Aspiration 3: *Plan for Future Generations*

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

d. Policy

The Master Plan has been developed in accordance with the Council Policy – Sports and Community Facility Provision and was advertised for a minimum of 14 days in line with the Council Policy – Community Engagement.

e. Financial

The project is currently unfunded.

The implementation of Master Plan is considered to be a high priority due to the current condition of the asset. Full implementation of the Master Plan will cost \$6,399,380, escalated to 2025/2026. If implementation does proceed, and is later than 2025/2026, further escalation will need to be considered.

There are a number of asset renewal/maintenance works that have been deferred, and it is intended that these will be completed as part of the Master Plan. Subsequently, an asset renewal contribution of \$1,528,000 has been identified by Asset Services, however a further \$4,871,380 is needed to fully fund the implementation of this project. There is no further funding allocated beyond the asset maintenance contribution.

The breakdown of costs is shown in the table below.

Item	\$
Building works	2,566,050
Refurbishment works (as per condition report)	82,100
External works and services	579,460
Preliminaries and Margin	645,522
Public Art	77,463

Item	\$
Professional Fees	387,313
Project Management Fee	387,400
Contingency	774,626
Escalation to 2025/26	899,446
Estimated Project Cost	6,399,380

The list of asset renewal works that have been deferred include:

Item	Year	\$
Replace backboards and winches	2024/25	28,000
HVAC, roof and other general renewal items	2025/26	1,330,000
Car park lighting upgrade	2025/26	60,000
Replace cricket nets	2027/28	110,000
Total		1,528,000

The project can be implemented in stages if required, however due to the interdependency of many of the works and spaces, this option is not desirable, but can be achieved. The anticipated funding implications of staging the project are shown below. Note, the costs have been escalated to 2025/26.

Description	Estimated Total (\$)
Stage 1 (lower change rooms, tiered seating, drainage, car parking, landscaping and access ramps)	1,939,483
Stage 2 (club rooms, community spaces, upper toilets and change rooms)	3,706,834
Stage 3 (play group room and playground)	753,064

This project would be eligible for funding through the Department of Local Government, Sport and Cultural Industries, Community Sport and Recreation Facilities Fund (CSRFF) which would cover up to one third of the total project cost, up to a maximum of \$2 million.

f. Legal and Statutory

Not applicable

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 Master Plan has been developed in response to expressed community need, as well as the current condition and functionality of the building. The proposed changes to the building layout, improve functionality, address maintenance issues, and provide improved access for people with disability.

The concept plan included in the Master Plan may be refined during detailed design should the project go ahead. If the project progresses to implementation, the design will be further refined and may differ from that shown in the Master Plan.

There is overwhelming support for refurbishment of the centre from the community. The implementation of this project is considered by officers to be a priority due to the condition, frequent maintenance issues, lack of functionality and limited access for people with disability.

Council needs to consider the allocation of funding for this project, in the context of the broader financial implications for the City. The Warnbro Community Recreation Centre will be included with the other unfunded projects that will be presented in the City Business Plan at the November 2023 Councillor Engagement Session.

Voting Requirements

Simple Majority

Officer Recommendation

That Council:

1. **ADOPTS** the Warnbro Community Recreation Centre Master Plan report.
2. **CONSIDERS** allocating funding of \$4,871,380 towards the implementation of the Warnbro Community Recreation Centre Master Plan as part of a future Business Plan.

Committee Recommendation

Moved Cr Schmidt, seconded Cr Hume:

That Council:

1. **ADOPTS** the Warnbro Community Recreation Centre Master Plan report.
2. **CONSIDERS** allocating funding of \$4,871,380 towards the implementation of the Warnbro Community Recreation Centre Master Plan as part of a future Business Plan.

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

Community Development Economic Development and Tourism



Reference No & Subject:	CD-013/23	Rockingham Accommodation Audit
File No:	CPM/195-8	
Proponent/s:	Urban Enterprise	
Author:	Ms Melissa James, Senior Tourism Development Officer	
Other Contributors:		
Date of Committee Meeting:	20 June 2023	
Previously before Council:		
Disclosure of Interest:		
Nature of Council's Role in this Matter:	Executive	
Site:		
Lot Area:		
Attachments:	1. Rockingham Accommodation Audit Final Report	
Maps/Diagrams:		

Purpose of Report

To present the final Rockingham Accommodation Audit (RAA) report to Council including key findings and opportunities identified.

Background

At the Ordinary Council Meeting in March 2022, Council resolved to:

APPROVES an additional action in the Tourist Destination Strategy 2019-2024: Conduct an analysis of existing accommodation product options within the City, evaluate consumer demand, and develop recommendations and advocate for new accommodation products in these locations

This additional action was recommended following an internal minor review of the Tourist Destination Strategy 2019-2024 (TDS) in which all actions of the TDS were reviewed. With consideration to COVID-19, and its impact on the travel industry and visitor travel patterns, Officers deemed it an appropriate time to fully evaluate and explore the potential opportunities of the domestic Recreational Vehicle (RV) market segments alongside other key target markets that are travelling to surrounding tourism destinations.

Following Council endorsement, a Request for Quote was distributed to ten consultants with previous experience in delivering similar projects, and Urban Enterprise was selected as the successful supplier. A final report including recommendations has been provided to the City of Rockingham and key findings have been detailed within the consultant's recommendations.

An engagement session was held with Council on Monday 15 May 2023 to discuss the findings in the RAA, and it was determined that a report be presented to Council with a list of priorities based on the opportunities identified within the report for consideration.

Details

The RAA was conducted by an independent third party consultant, Urban Enterprise in September 2022, assessing a number of factors relating to Rockingham's accommodation offering, including:

- an audit of existing visitor accommodation
- a gap analysis of tourist accommodation
- identification of targeted future accommodation investment opportunities

Rockingham's primary visitation driver is nature-based tourism, and the report has identified the potential for Rockingham to leverage wildlife watching and eco-tourism experiences to increase visitation from international source markets, therefore, investment in a range of high quality accommodation typologies will encourage those visitors to stay in the local area and increase visitor yield.

Below are some key findings from the RAA:

- Other than Quest Rockingham, there is a gap in supply of larger, high quality nationally or internationally branded establishments that service both holiday and business travellers. Investment in credible branded accommodation would assist in attracting new markets and first time visitors to Rockingham.
- Rockingham's existing caravan and holiday parks have very high occupancy rates, suggesting that there is sufficient demand to deliver an additional holiday park establishment in the City.
- A minimum of 220 additional rooms are required to meet visitor demand.
- Rockingham has a total of 632 rooms available, with 60% of those being self-contained house/apartment/units (including Airbnb and Stayz).
- 11% of visitors to Rockingham stay in paid accommodation compared to Mandurah (24%), Wanneroo (16%) and Swan (12%).
- There is no supply of experiential accommodation, such as glamping or eco-cabins in Rockingham, despite this typology being highly suited to the region's existing nature-based product. Investment in experiential accommodation that is complementary to the natural landscape should be prioritised to attract new and high yielding markets to the region.
- Recreational vehicle (RV) visitation is low in Rockingham with less than 1,000 visitors travelling via RV in 2019.

Based on the above findings, the report identifies the following opportunities to assist Rockingham to meet visitor demand and appeal to new market segments:

- A high quality branded hotel and conference centre (e.g. Mantra, Novotel, Mercure) with a minimum of 100 rooms (200+ capacity) located on the Rockingham foreshore between Wanliss Street and Railway Terrace, to appeal to business/corporate travellers, adult couples and event visitors.
- A Holiday Park (e.g. Big 4, Discovery Parks) with a minimum of 20 cabins (40+ capacity) located in Rockingham's southern corridor (south of Safety Bay Road) to appeal to families and grey nomads.
- A midscale 3.5 – 4.5 star hotel/apartment hotel (e.g. Quality, Holiday Inn) located near Waikiki Foreshore servicing workers, visiting friends and relatives (VFR) and the lower-spend holiday leisure market (family and adult couple).
- An eco-accommodation facility with 10 – 20 rooms (20+ capacity) located within Cape Peron to appeal to adult couples, youth and millennials to complement Rockingham's current tourism offering of nature-based attractions and activities.

Implications to Consider

a. Consultation with the Community

Consultation was undertaken with industry representatives to understand strategic site opportunities, visitor market trends, COVID-19 impacts, as well as investment opportunities and constraints. Four accommodation providers were contacted directly for interviews, with two agreeing to provide input into the study.

b. Consultation with Government Agencies

Nil, however, data sourced from State and Federal government agencies was used to inform the RAA including National Visitor Survey, International Visitor Survey and Tourism Research Australia.

c. Strategic

Community Plan

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

Aspiration 1: *Actively pursue tourism and economic development*

Strategic Objective: *Investment attraction – Attract local and international investment to the City to contribute to the local economy*

Infrastructure investment – local regional and state: Lobby local, state and federal stakeholders to establish infrastructure and development opportunities for the City.

d. Policy

Planning policies are applicable to any new or potential accommodation developments.

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

Rockingham has a strong brand as a daytrip destination due to its close proximity to Perth, and with limited supply of accommodation, is less likely to be considered for an overnight trip in comparison with other destinations that have a wider offering. It is also important to note that much of the accommodation in Rockingham requires a minimum three-night stay, reducing Rockingham's ability to capture the short stay market that want to spend one or two nights.

The RAA report specifies accommodation types for specific locations, and Officers believe that the focus should remain on the type of accommodation the City wants to attract without limiting each type to a location.

Based on data over the past five years, the top two reasons that people visit Rockingham are VFR and holiday travellers therefore, the City's priorities should aim to accommodate these markets.

Below is a summary of visitation to Rockingham by reason averaged over the past five years (2017/18 – 2021/22):

	VFR	Holiday	Business	Other
Daytrip	1,918,363	1,566,646	418,832	299,531
Overnight	393,709	170,515	85,344	44,750

Source: *Tourism Research Australia*

Using the opportunities identified within the RAA, Officers have determined that the City should facilitate promotion and investment attraction of the following accommodation product options in a priority order of one to four.

Priority	Accommodation product	Comment
1	High quality branded hotel and conference centre	Appeals to both leisure and business travellers, in addition to providing a much needed conference centre in Rockingham that caters to the needs of the MICE (meetings, incentives, conferences and events) network and increases Rockingham's attractiveness for business events.
2	Holiday Park	Strong alignment with Rockingham's existing target market (eco and adventure, families). The report also acknowledges that the existing caravan and holiday parks in Rockingham have very high occupancy rates, suggesting that there is sufficient demand to deliver an additional holiday park establishment in the area.
3	Midscale hotel / apartment hotel	Support the City to attract increased overnight visitors through the provision of more rooms at a lower price point. This accommodation typology will appeal to families and couples travelling for leisure, capturing a broader market to stay and play in Rockingham.
4	Eco-accommodation	Eco-accommodation is considered niche and likely to appeal to a more specific market (eco and adventure, adult couples) in addition to providing less rooms to meet market demand. Whilst eco-accommodation does align strongly with Rockingham's brand as a nature and wildlife destination, it is considered a lesser priority due to its limited capacity and very specific target market.

It is important to note that the RAA was written prior to the announcement of AUKUS in March 2023, and therefore the total minimum number of rooms recommended (220) is likely to be on the lower end of the scale.

According to a joint media statement issued by Deputy Prime Minister, the Hon. Richard Marles MP, WA Premier Mark McGowan, and WA Minister for Defence Industry Paul Papalia regarding the AUKUS Nuclear-Powered Submarine Pathway, an additional 3,000 direct jobs will be created in Western Australia, many of which will want to live close to their workplace at HMAS Stirling. In addition, the City of Rockingham population is forecast to increase by approximately 100,000 by 2046, bringing increased demand for short stay accommodation options to temporarily house VFR in addition to other markets.

Voting Requirements

Simple Majority

Officer Recommendation

That Council:

1. **ACCEPTS** the findings contained with the Rockingham Accommodation Audit Final Report, as detailed in Attachment 1.
2. **APPROVES** the accommodation product priorities in the following order:
 1. High quality branded hotel and conference centre
 2. Holiday Park
 3. Midscale hotel / apartment hotel
 4. Eco-accommodation
3. **ENDORSES** the use of the Rockingham Accommodation Audit Final Report for investment attraction purposes.

Committee Recommendation

Moved Cr Schmidt, seconded Cr Davies:

That Council:

1. **ACCEPTS** the findings contained with the Rockingham Accommodation Audit Final Report, as detailed in Attachment 1.
2. **APPROVES** the accommodation product priorities in the following order:
 1. High quality branded hotel and conference centre
 2. Holiday Park
 3. Midscale hotel / apartment hotel
 4. Eco-accommodation
3. **ENDORSES** the use of the Rockingham Accommodation Audit Final Report for investment attraction purposes.

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

Community Development Community Capacity Building



Reference No & Subject:	CD-014/23	T23/24-14 Provision of goods and services for the management, coordination, supply and delivery of the 2023 Christmas Festival Event, the 2023 New Year's Eve Event and the 2024 Australia Day Event Tender Award (<i>Absolute Majority</i>)
File No:	T23/24-14	
Proponent/s:		
Author:	Ms Marta Makuch, Acting Coordinator Cultural Development and the Arts	
Other Contributors:		
Date of Committee Meeting:	20 June 2023	
Previously before Council:		
Disclosure of Interest:		
Nature of Council's Role in this Matter:	Executive	
Site:		
Lot Area:		
Attachments:		
Maps/Diagrams:		

Purpose of Report

For Council to delegate authority to the Chief Executive Officer (CEO) to award the contract for the provision of goods and services for the management, coordination, supply and delivery of the 2023 Christmas Festival Event, the 2023 New Year's Eve Event and the 2024 Australia Day Event (T23/24-14).

Background

The two year contract for the delivery and management of the Christmas Festival, New Year's Eve and the Australia Day events ended in February 2023 and officers have been preparing procurement documentation to enable a new tender process to occur.

Tender T23/24-14 – Provision of goods and services for the management, coordination, supply and delivery of the 2023 Christmas Festival Event, the 2023 New Year's Eve Event and the 2024 Australia Day Event was advertised in the West Australian on Saturday 27 May 2023. The Tender closed at 2.00pm, Wednesday 14 June 2023 and was publicly opened immediately after the closing time.

Details

The delivery of the Christmas Festival, New Year's Eve and Australia Day events has been a long standing feature in the City of Rockingham (City) community events. The events attract not only local communities, but also numerous visitors to the region which brings positive reputational and economic outcomes.

Due to the nature and complexities associated with the management of the three events, and based on costs from previous years, it is expected that the tender value will exceed the CEO's delegated authority limit of \$500,000 to award tenders. Therefore, the tender assessment outcomes would be required to be presented to Council for approval.

The City has been experiencing staff shortages in the Community Capacity Building department, and particularly in the Cultural Development and Arts area. This has impacted the ability to manage projects and processes within usual timeframes. Due to the required timeframes to prepare Council reports and subsequently seek Council approval, there is likely to be a period of time between when tender assessments are completed and when the contract is awarded, which would minimise time available to the contractor to plan the events and secure the required acts and infrastructure. To ensure these events proceed with priority and in line with the preferred timeframes and community expectations, it is important that procurement timeframes for the project are expedited.

Implications to Consider

a. Consultation with the Community

Nil

b. Consultation with Government Agencies

Nil

c. Strategic

Community Plan

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

Aspiration 1: *Actively Pursue Tourism and Economic Development*

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

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

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

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

d. Policy

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

e. Financial

An amount is allocated in the 2023/2024 budget towards the costs associated with the delivery of the 2023 Christmas Festival, 2023 New Year's Eve and 2024 Australia Day events.

f. Legal and Statutory

In accordance with section 3.57 of the *Local Government Act 1995* (Act) – Tenders for providing goods or services and *Local Government (Functions and General) Regulations 1996* (Regulations), Part 4, Division 2, regulation 11(1), Provision of goods and services:

'Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than \$250,000 unless sub regulation (2) states otherwise.'

In accordance with section 5.42(1) of the Act - Delegation of some powers and duties to CEO, by absolute majority:

'A local government may delegate to the CEO the exercise of any of its powers or the discharge of any of its duties.'

Under section 5.43 of the Act– Limits on delegations to CEO, the Council can delegate authority to the CEO to accept a tender provided it does not exceed an amount determined by the local government.

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 delegation of authority to the CEO to award the contract for the provision of goods and services for the management, coordination, supply and delivery of the 2023 Christmas Festival Event, the 2023 New Year's Eve Event and the 2024 Australia Day Event is considered necessary to ensure the project is implemented within the project timeframes.

Council would be advised of the successful contractor through the Community Development Bulletin.

Should the preferred contractor's submission exceed the proposed budget amount, the tender assessment outcomes would be presented to Council at July 2023 Council Meeting.

Voting Requirements

Absolute Majority

Officer Recommendation

That Council **DELEGATES** authority to the Chief Executive Officer to award T23/24-14 the provision of goods and services for the management, coordination, supply and delivery of the 2023 Christmas Festival Event, the 2023 New Year's Eve Event and the 2024 Australia Day Event subject to the amount not exceeding the proposed budget amount within the 2023/2024 budget.

Committee Recommendation

Moved Cr Davies, seconded Cr Hume:

That Council **DELEGATES** authority to the Chief Executive Officer to award T23/24-14 the provision of goods and services for the management, coordination, supply and delivery of the 2023 Christmas Festival Event, the 2023 New Year's Eve Event and the 2024 Australia Day Event subject to the amount not exceeding the proposed budget amount within the 2023/2024 budget.

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

13.	Reports of Council Members
	Nil
14.	Addendum Agenda
	Nil
15.	Motions of which Previous Notice has been given
	Nil
16.	Notices of motion for Consideration at the Following Meeting
	Nil
17.	Urgent Business Approved by the Person Presiding or by Decision of the Committee
	Nil
18.	Matters Behind Closed Doors
	Nil
19.	Date and Time of Next Meeting
	The next Corporate and Community Development Committee meeting will be held on Tuesday 18 July 2023 in the Council Boardroom, Council Administration Building, Civic Boulevard, Rockingham. The meeting will commence at 4:00pm.
20.	Closure
	There being no further business, the Chairperson thanked those persons present for attending the Corporate and Community Development Committee meeting, and declared the meeting closed at 5.09pm .