



City of Rockingham

MINUTES

Corporate and Community Development Committee

Held on Tuesday 15 October 2024 at 5:00pm
City of Rockingham Council Chamber



City of Rockingham
Corporate and Community Development
Committee Minutes
5:00pm Tuesday 15 October 2024



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City of Rockingham
Corporate and Community Development
Committee Meeting Minutes
Tuesday 15 October 2024 - Council Chamber



1. Declaration of Opening

The Chairperson declared the Corporate and Community Development Committee meeting open at **5.00pm** and welcomed all present.

Acknowledgement of Country

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.

Recording and Live Streaming of proceedings

In accordance with Council Policy this meeting is being live streamed on the City's website, with the exception of confidential items and periods of adjournment or as determined by the Presiding Member.

By being present at this meeting, members of the public consent to the possibility that their image and voice may be live streamed to the public. Recordings are also made available on the City's website following the meeting.

Please note that clause 8.5 of the City's *Standing Orders Local Law 2001* provides that "no person is to use any electronic, visual or audio recording device or instrument to record the proceedings of the Council or a committee without the written permission of the Council".

If anyone breaches this Standing Order they will be asked to leave the Council Chamber.

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

2.1 Council Members

Cr Craig Buchanan, JP	Chairperson
Cr Mike Crichton	
Cr Caroline Hume	
Cr Leigh Liley	
Cr Kelly Middlecoat	
Cr Robert Schmidt	

2.2 Executive

Mr Michael Parker	Chief Executive Officer
Mr John Pearson	Director Corporate Services
Mr Michael Holland	Director Community Development
Mr Jim Olynky, 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

	<p>Mr Matthew Emmott A/Manager Community Infrastructure Planning</p> <p>Ms Mary-Jane Rigby Manager Community Safety and Support Services</p> <p>Mr Paul Hayward Manager, Community Capacity Building</p> <p>Ms Alison Oliver Manager Library and Information Services</p> <p>Ms Melissa James Manager Economic Development and Tourism</p> <p>Ms Katie MacLachlan Financial Controller</p> <p>Ms Louise Pleasance Governance Coordinator</p> <p>Ms Jennifer Weinman A/Governance Officer – Councillor Support</p>
2.3	Members of the Gallery: 1
2.4	Apologies:
	Peter Doherty Director Legal Services and General Counsel
2.5	Approved Leave of Absence: Nil
3.	Responses to Previous Public Questions Taken on Notice
	Nil
4.	Public Question Time
5.02pm	The Chairperson opened Public Question Time and invited members of the Public Gallery to ask questions. The Chairperson noted that this was the only opportunity in the meeting for the public to ask questions.
4.1	<p>Mr Jason Davies, Hillman – Item GM-023/24 Review of Western Australian Local Government Association (WALGA) Advocacy Positions – Local Government Elections</p> <p>The Chairperson invited Mr Davies to present his questions to the Corporate and Community Development Committee. Mr Davies asked the following questions:</p> <ol style="list-style-type: none"> 1. Can the City tell me what the problem is with "the vote taking too long" in regard to its argument against preferential voting? 2. Why does this City still favour voluntary voting in favour of compulsory? In your officers' recommendations in the committee agenda, you wrote as one of the reasons for advocating first past the post as "Could increase politicisation of local government elections," something that compulsory voting could potentially eradicate. 3. Other than taking too long to count, why else does this city prefer the first past the post policy? You state that first past the post is simple to understand, but most people really don't understand just how the quota number or "posts" are determined. Not only that, but this method has been highly criticised for reducing real electoral competition, which in turn demoralizes voter trust when voters realise that their most favoured candidate may not even have a chance. 4. Lastly, I'm shocked to see that the officer recommendation is that we return to the council electing the mayor and not the people....does the city not trust the people to elect their mayor? I don't believe it costs too much for an extra slip to be put in with our postal vote to let us determine the mayor? Or this argument that the counts taking too long rearing its ugly head again?? <p>I've had mixed reactions from my advocacy page about this and I implore people to seek me out and provide feedback but personally I'm unwell with the officer recommendation and hope this committee sees sense to reject this in its entirety and tell the officers to take another look at it.</p>

	<p><i>The Chairperson advised that as stated in the report presented, the officer recommendation is a reflection of the Council's previously resolved positions and provides some commentary on the topics. As such your comments reflecting one of 'unwellness' toward the officer recommendation is unwarranted.</i></p> <p><i>Your question appears to have confused the First Past the Post and Optional Preferential Voting quota requirements. The First Past the Post system of voting was used by local governments for many decades until the recently legislated changes to Optional Preferential Voting which commenced in 2023. First Past the Post is simple, vote counting easily followed by the public gallery, does not require quotas, with results most often achieved on the night of vote counting, as compared to the Optional Preferential Voting method which requires quotas, is more complex to explain, may take days for a result to be determined and incurs additional costs as was experienced at the 2023 local government elections.</i></p> <p><i>Council prior to the recent legislated changes had already resolved to have an elector appointed Mayor. Your comment suggesting the City is recommending to return to a Council appointed Mayor is incorrect. The Officer Recommendation simply reflects an adopted Council position that the choice for either option should rest with the local government by a Council resolution.</i></p> <p><i>It is of note, that the City of Rockingham First Past the Post local government elections in 2021, which also included the election of the Mayor cost the community \$395k. The local government elections in 2023 using the Optional Preferential Voting method and with no election required for the Mayor cost the community \$471k. It is expected that the 2025 elections, including the election of the Mayor, will see further costs increases. Whilst elections are about much more than just costs, adding compulsory voting to local government elections would see escalations in the cost of elections which would need to be covered by the ratepayers.</i></p> <p><i>Council has the choice to reaffirm its positions as mentioned in the report or amend if required.</i></p> <p><i>The Chairperson also noted that the item is up for consideration at tonight's meeting and further debate at Council next week.</i></p> <p>5.08pm There being no further questions the Chairperson closed Public Question Time.</p>
5.	Confirmation of Minutes of the Previous Meeting
	<p>Moved Cr Hume, seconded Cr Middlecoat:</p> <p>That Committee CONFIRMS the Minutes of the Corporate and Community Development Committee Meeting held on 17 September 2024, 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>5.09pm 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		
	5.09pm	The Chairperson asked if there were any interests to declare.	
	8.1	Item GM-022/24	Council Advisory Committee Membership – Review of Appointments
		Council Member:	Cr Robert Schmidt
		Type of Interest:	Impartiality
		Nature of Interest:	Cr Schmidt knows all members appointed to the Bushfire Advisory Committee through his role as a Senior Officer of Baldivis Volunteer Fire and Emergency Services and Sports Advisory Committee. Cr Schmidt will consider the matter on its merits and vote accordingly.
		Extent of Interest:	Not Applicable
	8.2	Item GM-022/24	Council Advisory Committee Membership – Review of Appointments
		Council Member:	Cr Caroline Hume
		Type of Interest:	Impartiality
		Nature of Interest:	Cr Hume personally knows some of the nominated members. Cr Hume will consider the matter on its merits and vote accordingly.
		Extent of Interest:	Not Applicable
9.	Petitions/Deputations/Presentations/Submissions		
	Nil		
10.	Matters for which the Meeting may be Closed		
	5.09pm	The Chairperson advised in accordance with section 5.23(2)(b) – if there were any questions or debate on Confidential Item GM-022/24 – Council Advisory Committee Membership – Review of Appointments (<i>Absolute Majority</i>), then the Committee will need to defer the matter for consideration at Agenda Item 18 - Matters Behind Closed Doors.	
		There were no questions or request for debate.	

General Management Services

Cr Schmidt and Cr Hume declared an impartiality interest in item GM-022/24 Council Advisory Committee Membership – Review of Appointments and will deal with the matter on its merits and vote accordingly (refer to Item 8 for specific details).

CONFIDENTIAL ITEM

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

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

General Management Services Governance and Councillor Support	
Report number / title:	GM-022/24 Council Advisory Committee Membership – Review of Appointments (<i>Absolute Majority</i>)
File number:	GOV/39
Proponent/s:	
Author:	Ms Louise Pleasance, Governance Coordinator
Other Contributor/s:	Mr Jim Olynyk, Manager Governance and Councillor Support Mr Paul Hayward, Manager Community Capacity Building Mr Manoj Barua, Manager Technical Services Ms Mary-Jane Rigby, Manager Community Safety and Support Services Ms Donna Cochrane, Coordinator Cultural Development and Arts Ms Kolina Brennan, Emergency Liaison Coordinator Ms Rebekka Jarvis, Coordinator Community Capacity Building Ms Anya Pearce, Community Development Officer (Disability Access and Inclusion) Ms Amanda Fairhead, Community Grants Officer Ms Bethany Dubberlin, Community Development Officer (Seniors)
Date of Committee meeting:	15 October 2024
Previously before Council:	25 October 2022 (GM-016/22)
Disclosure of Interest:	
Nature of Council's role:	Executive
Attachments:	1. Confidential Attachment – Advisory Committee Representation Nominations 2024
Maps / Diagrams:	
Site:	
Lot Area:	

Purpose of Report

To consider appointments for membership and changes to composition for community members and representatives of organisations and government departments to Council Advisory Committees.

Voting Requirements

Absolute Majority

Officer Recommendation

That Council **APPROVES** the recommendation in the confidential report.

Committee Recommendation

Moved Cr Crichton, seconded Cr Liley:

That Council **APPROVES** the recommendation in the confidential report.

Committee Voting (Carried) – 6/0

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

Not Applicable

11.	Bulletin Items
	<p>Corporate and General Management Services Information Bulletin – October 2024</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 Microsoft 365 2.3 Food Organic Garden Organic (FOGO) Waste Collection and Processing Service 3. Information Items <ol style="list-style-type: none"> 3.1 List of Payments September 2024 3.2 Monthly Financial Management Report August 2024 3.3 Amendment to Rate Record – Non-Rateable Land 3.4 Amendment to Rate Record – Write Off 3.5 Awarding of Tenders by CEO - Delegated Authority 3.6 Lease Tenure Matters 3.7 Leased Property Maintenance Grants 3.8 Delegated Authority to Dispose of Property by way of Lease 3.9 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 Events¹ 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 Pioneers' Luncheon 3.5 Australian Coastal Councils Association Inc. Newsletter 3.6 Coming Events 3.7 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 Workplace Health and Safety Statistics 3.3 Christmas and New Year Administration Centre Closure 2024-2025 <p>Strategy, Marketing and Communications</p> <ol style="list-style-type: none"> 1. Strategy, Marketing and Communications Team Overview 2. Project Status Reports <ol style="list-style-type: none"> 2.1 Resident Perception Survey 2024

¹ Correction of meeting details updated on page 99 of the October 2024 Council Information Bulletin.

	<ol style="list-style-type: none"> 3. Information Items <ol style="list-style-type: none"> 3.1 Australia Day Celebrations Date Survey 3.2 Team Plan 3.3 Community Engagement – Share your thoughts 3.4 Social Media 3.5 Media Tracking Legal Services & General Counsel <ol style="list-style-type: none"> 1. Legal Services & General Counsel Team Overview 2. Project Status Reports 3. Information Items <ol style="list-style-type: none"> Provision of Legal Advice <ol style="list-style-type: none"> 3.1 Legal Advice – Local Government Operational Matters 3.2 Litigation
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Committee Recommendation

Moved Cr Hume, seconded Cr Middlecoat:

That Council Members acknowledge having read the Corporate and General Management Services Information Bulletin – October 2024 and the content be accepted.

Committee Voting (Carried) – 6/0

	<p>Community Development Information Bulletin – October 2024</p> <p>Community Safety and Support Services</p> <ol style="list-style-type: none"> 1. Community Safety and Support Services Team Overview 2. Project Status Reports <ol style="list-style-type: none"> 2.1 Alcohol Management Plan 2.2 Community Hub Feasibility Study 2.3 CCTV Plan 2.4 Assertive Outreach 2.5 Social Connection and Support Pilot Project 2.6 Crisis/Supported Accommodation 3. Information Items <ol style="list-style-type: none"> 3.1 Community Support Services 3.2 Rockingham Connect Community Transport Project 3.3 Community Safety <p>Library Services</p> <ol style="list-style-type: none"> 1. Library Services Team Overview 2. Project Status Reports 3. Information Items <ol style="list-style-type: none"> 3.1 August 2024 Library Services Statistics 3.2 Mary Davies Library and Community Centre 3.3 Baldivis South Community Centre 3.4 Rockingham Library 3.5 Safety Bay Library 3.6 Warnbro Community Library 3.7 August 2024 Library Facebook Statistics <p>Community Infrastructure Planning</p> <ol style="list-style-type: none"> 1. Community Infrastructure Planning Team Overview 2. Project Status Reports
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	<ul style="list-style-type: none">3. Information Items<ul style="list-style-type: none">3.1 Aqua Jetty Stage 23.2 Baldivis District Sporting Complex3.3 Safety Bay Foreshore Community Facility Development3.4 Stan Twight Reserve Clubroom Redevelopment3.5 Anniversary Park Clubroom Redevelopment3.7 Baldivis Recreation Reserve Master Plan3.8 Lark Hill Sportsplex Northern Expansion
	Community Capacity Building
	<ul style="list-style-type: none">1. Community Capacity Building Team Overview2. Project Status Reports<ul style="list-style-type: none">2.1 Seniors Strategy2.2 Cultural Development and the Arts Strategy3. Information Items<ul style="list-style-type: none">3.1 Grants3.2 Disability Access and Inclusion3.4 Seniors3.5 City Volunteer Program3.6 Rockingham Volunteer Centre3.7 Early Years, Children and Families3.8 Sport and Recreation3.9 Health and Wellbeing3.10 Youth Development3.11 Cultural Development and the Arts3.12 Rockingham Arts Centre
	Community and Leisure Facilities
	<ul style="list-style-type: none">1. Community and Leisure Facilities Team Overview2. Project Status Reports<ul style="list-style-type: none">2.1 Rockingham Lotteries House Relocation and Community Hub Development3. Information Items<ul style="list-style-type: none">3.1 Aqua Jetty3.2 Warnbro Community Recreation Centre3.3 Mike Barnett Sports Complex3.4 Mike Barnett Sports Complex – Needs Assessment and Feasibility Study3.5 Safety Bay Tennis Club – Servicing and Feasibility Investigations3.6 Gary Holland Community Centre3.7 Autumn Centre3.8 Baldivis Indoor Sports Complex
	Economic Development and Tourism
	<ul style="list-style-type: none">1. Economic Development and Tourism Team Overview2. Project Status Reports<ul style="list-style-type: none">2.1 Local Business Development2.2 Economic Development Strategy2.3 Iconic Economic Development / Tourism Events2.4 Destination Marketing2.5 Visitor Servicing Fee for Service2.6 Mobile Visitor Service Unit3. Information Items<ul style="list-style-type: none">3.1 Stakeholder Engagement - Economic Development and Tourism

Committee Recommendation

Moved Cr Crichton, seconded Cr Hume:

That Council Members acknowledge having read the Community Development Information Bulletin – October 2024 and the content be accepted.

Committee Voting (Carried) – 6/0

12. Agenda Items

General Management Services

General Management Services Governance and Councillor Support



Report number / title:	GM-023/24	Review of Western Australian Local Government Association (WALGA) Advocacy Positions – Local Government Elections
File number:	GOV/96	
Proponent/s:		
Author:	Mr Jim Olynyk, Manager Governance and Councillor Support	
Other Contributor/s:	Mr Michael Parker, Chief Executive Officer	
Date of Committee meeting:	15 October 2024	
Previously before Council:	26 February 2019 (GM-006/19); 25 January 2022 (GM-002/22); 28 May 2024 (GM-009/24)	
Disclosure of Interest:		
Nature of Council's role:	Advocacy	
Attachments:	1. Elections Analysis Review and Report	
Maps / Diagrams:		
Site:		
Lot Area:		

Purpose of Report

For Council to consider and reaffirm its support of the Western Australian Local Government Association (**WALGA**) Local Government Elections Advocacy positions.

Background

The *Local Government Amendment Act 2023* introduced a range of electoral reforms that came into effect prior to the 2023 Local Government ordinary elections:

- the introduction of Optional Preferential Voting (**OPV**);
- extending the election period to account for delays in postal services;
- changes to the publication of information about candidates;
- backfilling provisions for extraordinary vacancies after the 2023 election;
- public election of the Mayor or President for larger Local Governments;
- abolishing wards for smaller Local Governments; and

- aligning the size of councils with the size of populations of each Local Government (change to representation)

Following requests from several Zone's, WALGA undertook a comprehensive review and analysis of five (5) ordinary election cycles up to and including the 2023 Local Government election against the backdrop of these legislative reforms. The review and report focused on postal elections conducted exclusively by the Western Australian Electoral Commission (**WAEC**), with the analysis finding evidence of the rising cost and a reduction in service of conducting Local Government elections in Western Australia.

Details

The Elections Analysis Review and Report was presented to State Council 4 September 2024, with State Council supporting a review of WALGA's Local Government Elections Advocacy Positions, Attachment 1.

WALGA is requesting Councils consider the current and alternative Elections Advocacy Positions and provide a response back to WALGA for the December 2024 State Council meeting. To inform an item for the December meeting of State Council, Council decisions are requested by Monday 28 October 2024.

WALGA State Council current advocacy positions:

The following is a summary of WALGA's current Advocacy Positions in relation to Local Government Elections:

Elections

Position Statement

The Local Government sector supports:

1. Four year terms with a two year spill
2. Greater participation in Local Government elections
3. The option to hold elections through:
 - Online voting
 - Postal voting, and
 - In-person voting
4. Voting at Local Government elections to be voluntary
5. The first past the post method of counting votes

The Local Government sector opposes the introduction of preferential voting, however if 'first past the post' voting is not retained then optional preferential voting is preferred.

Background

The first past the post (**FPTP**) method is simple, allows an expression of the electorate's wishes and does not encourage tickets and alliances to be formed to allocate preferences.

Method of Election of Mayor

Position Statement

Local Governments should determine whether their Mayor or President will be elected by the Council or elected by the community.

Conduct of Postal Elections

Position Statement

The *Local Government Act 1995* should be amended to allow the Australian Electoral Commission (**AEC**) and any other third party provider including Local Governments to conduct postal elections.

Background

Currently, the WAEC has a legislatively enshrined monopoly on the conduct of postal elections that has not been tested by the market.

Implications to Consider

a. **Consultation with the Community**

Nil

b. **Consultation with Government Agencies**

Nil

c. **Strategic**

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 2023-2033:

Aspiration: **5. Leadership Aspiration - Transparent and accountable leadership and governance**

Outcome/Objective: *Quality Leadership - Ensure accountable and transparent governance*

d. **Policy**

Nil

e. **Financial**

Nil

f. **Legal and Statutory**

Relevant legislative references include:

- *Local Government Act 1995.*
- *Local Government (Elections) Regulation 1996.*
- *Electoral Act 1907.*

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

Council has previously adopted various positions addressing local government electoral reform. WALGA has requested feedback from all Councils on the following electoral matters by selecting a preferred option:

1. **PARTICIPATION**

(a) The sector continues to support voluntary voting at Local Government elections.

OR

(b) The sector supports compulsory voting at Local Governments elections.

City of Rockingham Position

GM-006/19 26/2/2019, voting in Local Government elections should remain voluntary.

2. **TERMS OF OFFICE**

(a) The sector continues to support four-year terms with a two year spill;

OR

(b) The sector supports four-year terms on an all in/all out basis.

City of Rockingham Position

GM-002/22 25/1/2022, Council noted WALGA's comments that the Local Government sector supports Four year terms with a two year spill. Further, WALGA stated that the sector's advocacy against compulsory voting and "All in All out" 4 year terms has been successful and these items are not included in the reform proposals.

Comment

The current system ensures some continuity on Council following an election. This is particularly relevant as local governments are required to have long term planning in place.

3. VOTING METHODS

- (a) The sector supports First Past the Post (FPTP) as the preferred voting method for general elections. If Optional Preferential Voting (OPV) remains as the primary method of voting, the sector supports the removal of the 'proportional' part of the voting method for general elections

OR

- (b) The sector supports Optional Preferential Voting (OPV) as the preferred voting method for general elections.

City of Rockingham Position

GM-006/19 26/2/2019, Elections should be conducted utilising the first-past-the-post (FPTP) method of voting.

GM-002/22 25/1/2022, Comments and clarifications

- Issues that go with preferential voting:
 - Longer time taken to determine results especially for multiple vacancies or with high numbers of candidates.
 - Count night could turn into count days.
 - Could increase politicisation of local government elections.
 - Note WALGA comments – preferential will encourage alliances formed for the distribution of preferences and party politics into local government.
- Preferential voting is used in both Federal and State Elections. Moving to preferential voting would provide overall consistency,
- First past the post is considered simple to understand.

4. INTERNAL ELECTIONS

- (a) The sector supports First Past the Post (FPTP) as the preferred voting method for all internal elections.

OR

- (b) The sector supports Optional Preferential Voting (OPV) as the preferred voting method for all internal elections.

City of Rockingham Position

GM-006/19 26/2/2019, Elections should be conducted utilising the first-past-the-post (FPTP) method of voting.

GM-009/24 28/5/2024, Elections of Presiding Members for committees being required to be conducted in accordance with Schedule 2.3 of the Act, Optional Preferential Voting (OPV), (as per election of Deputy Mayor) is onerous and unnecessary.

5. VOTING ACCESSIBILITY

The sector supports the option to hold general elections through:

- (a) Electronic voting; and/or
- (b) Postal voting; and/or
- (c) In-Person voting.

City of Rockingham Position

GM-006/19 26/2/2019, the *Local Government Act 1995* should be amended to allow the Australian Electoral Commission (AEC) and or any other third party provider to conduct postal elections and that WALGA continue to investigate online voting and other opportunities to increase voter turnout.

6. METHOD OF ELECTION OF MAYOR

The sector supports:

- (a) As per the current legislation with no change – Class 1 and 2 local governments directly elect the Mayor or President (election by electors method), with regulations preventing a change in this method.

OR

- (b) Return to previous legislated provisions – all classes of local governments can decide, by absolute majority, the method for electing their Mayor or President.

OR

- (c) Apply current provisions to all Bands of Local Governments – apply the election by electors method to all classes of local governments.

City of Rockingham Position

GM-006/19 26/2/2019, Local Governments should determine whether their Mayor or President will be elected by the Council or elected by the community.

GM-002/22 25/1/2022, Comments and clarifications

- The City now has an elector Elected Mayor through Council decision. This illustrates the current legislation provides flexibility and this works.
- Almost 50:50 split between Band 1 and 2 local governments.
- There are arguments for and against both. The right for communities to choose should remain.
- Retain the current system as there is ability for local governments to change to directly elected Mayor.

Conclusion

WALGA has requested Council's consideration of the current and alternative Elections Advocacy Positions by Monday 28 October 2024. The Local Government Election Advocacy Positions include:

1. Participation
2. Terms of Office
3. Voting Methods
4. Internal Election
5. Voting Accessibility
6. Method of Election of the Mayor

Officers have extracted Council decisions relevant to these matters as listed above. Where there is a direct correlation between a Council decision and a WALGA Local Government Election Advocacy Position this has been reflected in the Officer recommendation. In other cases where there is a difference, the principle of Council's decision or commentary has been reflected in the Officer recommendation.

Voting Requirements

Simple Majority

Officer Recommendation

That Council **RECOMMENDS** that the Western Australian Local Government Association adopt the following Local Government Election Advocacy Positions:

1. PARTICIPATION - continued support of voluntary voting at Local Government elections.
2. TERMS OF OFFICE - continued support of four-year terms with a two year spill.
3. VOTING METHODS - continued support of First Past the Post (FPTP) as the preferred voting method for general elections. If Optional Preferential Voting (OPV) remains as the primary method of voting, the sector supports the removal of the 'proportional' part of the voting method for general elections
4. INTERNAL ELECTIONS - continued support of First Past the Post (FPTP) as the preferred voting method for all internal elections.
5. VOTING ACCESSIBILITY - continued support of the option to hold general elections through:
 - (a) Electronic voting; and/or
 - (b) Postal voting; and/or
 - (c) In-Person voting.
6. METHOD OF ELECTION OF MAYOR - continued support of a return to previous legislated provisions – all classes of local governments can decide, by absolute majority, the method for electing their Mayor or President.

Committee Recommendation

Moved Cr Hume, seconded Cr Crichton:

That Council **RECOMMENDS** that the Western Australian Local Government Association adopt the following Local Government Election Advocacy Positions:

1. PARTICIPATION - continued support of voluntary voting at Local Government elections.
2. TERMS OF OFFICE - continued support of four-year terms with a two year spill.
3. VOTING METHODS - continued support of First Past the Post (FPTP) as the preferred voting method for general elections. If Optional Preferential Voting (OPV) remains as the primary method of voting, the sector supports the removal of the 'proportional' part of the voting method for general elections
4. INTERNAL ELECTIONS - continued support of First Past the Post (FPTP) as the preferred voting method for all internal elections.
5. VOTING ACCESSIBILITY - continued support of the option to hold general elections through:
 - (a) Electronic voting; and/or
 - (b) Postal voting; and/or
 - (c) In-Person voting.

6. METHOLD OF ELECTION OF MAYOR - continued support of a return to previous legislated provisions – all classes of local governments can decide, by absolute majority, the method for electing their Mayor or President.

Committee Voting (Lost on the casting vote of the Presiding Member) – 3/4

Council Members voting for the motion:

Cr Liley

Cr Crichton

Cr Hume

Council Members voting against the motion:

Cr Middlecoat

Cr Schmidt

Cr Buchanan (2)

Note: Due to an equality of votes at the Council meeting, the Presiding Member exercised the obligation to cast a second vote to reach a decision in this matter (Section 5.21(3) of the Local Government Act 1995).

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

Not Applicable

Community Development

Community Development Directorate and Support



Report number / title:	CD-035/24	Safety Bay Tennis Club Redevelopment Options
File number:	CPR/929	
Proponent/s:		
Author:	Ms Carly Kroczek, Senior Project Officer – Community Development	
Other Contributor/s:		
Date of Committee meeting:	15 October 2024	
Previously before Council:		
Disclosure of Interest:		
Nature of Council's role:	Executive	
Attachments:		
Maps / Diagrams:		
Site:	Lot 10 Royal Road, Safety Bay	
Lot Area:	13,509m2	

Purpose of Report

To provide Council with the outcomes of due diligence investigations for the redevelopment of the Safety Bay Tennis Club Pavilion and seek direction on the way forward.

Background

Safety Bay Tennis Club is located on Royal Road in Safety Bay. The facility has 11 outdoor tennis courts and the original pavilion which was constructed in the 1970's.



Image 1: Safety Bay Tennis Club

In April 2020, the Safety Bay Tennis Club (**SBTC**) wrote to the City of Rockingham (**City**) requesting a strategic approach to the expenditure of the City's planned funding allocated to the renewal of the ablutions and kitchen within the existing pavilion. Subsequently, the City's project was put on hold and in November 2020, the SBTC received a \$20,000 Community Infrastructure Planning Grant from the City to undertake a club facility needs assessment and feasibility Study.

The Study was completed in September 2021, and identified the need for an expanded club facility. The SBTC met with Officers on 1 October 2021 to discuss the inclusion of the project in the Community Infrastructure Plan (**CIP**) and the City's support of an application to the Community Sport and Recreation Facilities Fund (**CSRFF**). Officers noted the Study needed more information in some areas and requested the club update the Study. The SBTC provided additional information and resubmitted their request for funding on 28 November 2021.

On 22 March 2022, officers met with the SBTC to discuss the way forward. There was no clear position from the City on including the project in the CIP or Business Plan, however the SBTC was provided with a list of suggested actions that would be beneficial.

On 24 May 2022, SBTC wrote to the City requesting an update on the original request from November 2021, and to provide the additional information requested at the March 2022 meeting.

In November 2022, the SBTC's request for Council to allocate funding towards the redevelopment of the existing pavilion was presented at a Councillor Engagement Session (**CES**), as one of many unfunded projects competing for funding through the Business Plan. At this CES, officers recommended undertaking additional investigations to confirm the scope of works required, as it was identified the Study commissioned by the SBTC had some gaps in critical building condition and services information which could impact the final scope of works and cost estimate.

Funding to undertake the additional investigations was requested during budget review, and in February 2024, following the procurement process, Site Architecture Studio (**SAS**) was appointed to complete the investigations. The investigations are now complete, and the outcomes are the subject of this Report.

Details

SAS were engaged to investigate the structural, electrical, mechanical and hydraulic services for the SBTC's proposed redevelopment, along with assessing disability access and compliance against current building standards. The purpose being to ensure the full scope of works and implications of the proposed redevelopment were clearly understood and included in the cost estimate, so that Council can make an informed decision on the way forward. The investigations were focused on the building, however did extend to key external infrastructure (if necessary) to determine if alterations would result in the need for upgrades services.

It is important to note, that the facility met building code requirements that were in place at the time of construction, therefore there is no legal requirement to meet current standards unless significant redevelopment is undertaken or there is a change in purpose. Where non-compliances have been identified, these are with current codes not the codes at the time of construction, therefore the impact is to the scope and cost of any future major redevelopment.

A summary of the outcomes of the investigations is below:

- The building is in mostly original condition (built in the 1970's, with the change rooms added in 1974/1975).
- The building is well maintained, with fixtures and fittings generally in need of renewal.
- The building is not readily accessible and does not comply with the Disability (Access to Premises – Buildings) standards 2010 (Access Code).
- The structure of the main building is in good condition with only minor cracking to walls.
- All electrical infrastructure has reached the end of intended design life and requires renewal.
- All sanitary fixtures are connected to septic tank and leach drain onsite disposal system. Deep sewerage is available to the site.
- Existing mechanical services will need replacing to comply with current standards and to meet the requirements of the proposed new design (if redevelopment proceeds).
- Existing cold water pipework and isolation valves are from the original construction and are at the end of life.
- There is an existing City owned stormwater drain running north south through the site. The City's Technical Services team has advised against building permanent structures over the top of this drain, which impacts the SBTC's proposed concept plan and building extension.

An assessment of the building condition using the Institute of Public Works Engineering Australasia (IPWEA) grading scale of 1 (very good) to 5 (very poor), rates the condition of the building as 3 (in fair condition). The functionality is considered poor with an IPWEA NAMS+ rating of 4 (the second lowest rating). The NAMS+ definition of poor functionality is *limited ability to meet program/service delivery. Considered fit for purpose in some areas, may provide an unacceptable but not poor level of service.*

Noting the City's and SBTC financial capacity to deliver the complete vision outlined in the Study, SAS were directed to prepare a scope of works and cost estimate which met the minimum requirements of the Sport and Community Facility Provision (SCFPP) Guidelines. SAS also prepared a scope of works and cost estimate to address the highest priority issues of disability access to the ablutions and refurbishment of the kitchen. An option to demolish and rebuild the facility has also been assessed.

The four options investigated as possible ways forward are summarised in Table 1 below.

Option	Description	Cost \$*
1. Like for like replacement of existing kitchen and toilets	<ul style="list-style-type: none">• Refurbishment of existing toilet and kitchen, proposed finishes and joineries are equal to existing.• All substrate is kept as existing.• New services fixtures as per existing layout, no allowance for services upgrades.	317,913
2. Toilet and kitchen refurbishment plus addition of UAT	<ul style="list-style-type: none">• Refurbishment of existing toilet and kitchen.• Construction of a new UAT (extension to current building footprint required).• Landscaping and pathway refurbishment.	1,621,400

Option	Description	Cost \$*
3. Major redevelopment of existing	<ul style="list-style-type: none"> Refurbishment of existing building. 260m2 expansion to the Eastern side of the existing building. Replace roof to existing function area with new raised roof. Refurbishment of existing pathways and landscaping. Refurbishment and upgrade of electrical services. 	2,620,000
4. New build (SCFPP)	<ul style="list-style-type: none"> Demolition of existing building. Construction of a new building as per Sports and Community Facility Provision Standards and Dimensions Guidelines. Make good existing landscaping. 	2,716,500
4a. New Build (SBTC requirements)	<ul style="list-style-type: none"> Demolition of existing building. Construction of a new building with additional 87m2 of spaces as requested by SBTC. Make good existing landscaping. 	3,087,576

Table 1: Summary of Redevelopment Options

**includes project management fee, superintendent fee, and design costs. Excludes escalation.*

Implications to Consider

a. Consultation with the Community

The SBTC Committee have been consulted throughout this project. Officers have met with SBTC on numerous occasions to discuss the intent of the project, the outcomes of the Study and the options for the way forward. Following a committee meeting on the 15 July 2024, SBTC has provided feedback on the options presented in this report. An extract from their correspondence is below:

SBTC option priorities are;

1. 4a New Build (SBTC requirements)
2. 3 Major redevelopment of existing
3. 4 New build (SCFPP)

Option 4a

- *Minimises Whole of Life costs*
- *Maximises flexibility in design because it is a new build*
- *Provides space for club growth over the life of the building*
- *Allows colocation with other sport and recreation groups in a multi-use facility*
- *The difference in capital cost between options 4 and 4a is \$353,495 or less than 14%. This investment will maximise social impact over the life of the building.*

Option 3

- *Provides space for club growth over the life of the building*
- *Less flexibility in design due to working with a 50+ year old building*
- *The difference in capital cost between options 3 and 4a is \$446,025 or less than 18%. Building new should minimise WOL costs.*

Option 4

- *Minimises WOL costs*
- *Maximises flexibility in design because it is a new build*
- *Doesn't allow for club growth over the life of the building*

Of options 3 and 4a we think that the overall size could be reduced by around 50m² by rationalising some of the spaces. This may make the cost of option 4a similar to option 4. We understand that the plans presented are notional and would appreciate being given the opportunity to discuss the layout when the time comes.

We would like to note that in recent years we have enjoyed a high level of utilisation of our facility. Data has become available since the first report and we have attached our Book a Court usage data for the past year for information.

We believe that this is an important opportunity to position Safety Bay Tennis Club as a major tennis centre for the southern region which we believe would be very beneficial to the residents of the City of Rockingham.

b. Consultation with Government Agencies

Not Applicable

c. Strategic

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 2023-2033:

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

Outcome/Objective: *Community health and wellbeing - Provide healthy lifestyle opportunities*

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

Outcome/Objective: *Built infrastructure meets current and future community needs - Plan build and maintain current and future assets*

d. Policy

The City's Disability Access and Inclusion Plan has the following outcome which should be considered in the decision making process:

Outcome 2 – Building and Facilities: People with disability have the same opportunities as other people to access the buildings and other facilities of the City of Rockingham.

The City's SCFPP Policy has been considered when preparing the various options. If the SBTC's desired option 4a is pursued, the City would need to enter into an agreement with the SBTC to fund the additional spaces that fall outside the SCFPP Guidelines as outlined in this Policy.

e. Financial

There is currently no funding allocated to the major redevelopment of Safety Bay Tennis Club or the renewal of the ablutions or kitchen. As mentioned in the background section of this report, the City had previously identified \$180,000 in a past Business Plan to undertake renewal of the ablutions and kitchen facilities. This funding was reallocated to other projects, rather than the date of implementation continually being altered, pending the outcome of SBTC investigations into the redevelopment of the pavilion.

If Council wishes to proceed with renewal of the existing ablutions and kitchen, independent of the redevelopment of the pavilion, asset renewal funding will need to be allocated to the project.

An application can be made to the State Government's CSRFF program to assist with the implementation of options 3 and 4. It is unlikely that external funding will be available for options 1 and 2 as they are primarily asset renewal projects that will not contribute significantly to an increase in participation.

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 need for improved facilities at SBTC is well documented and is justified in the Study. The City has also identified the need for asset renewal of the kitchen and ablutions and had previously identified \$180,000 in the Business Plan to complete these works. These works were put on hold pending the outcome of the SBTC investigations into the need for expansion of the facility.

The SBTC has aspirations to offer additional programs and grow membership, which will be assisted by improved amenities. The spaces identified in the Study align with their long term vision, however exceed the spaces identified in the City's SCFPP Guidelines. The scope for a redevelopment of the existing building could be reduced to align with the guidelines, without adversely impacting the future operations of the SBTC.

During their due diligence investigations, SAS identified a number of issues and risks with the building alterations proposed in the concept plan prepared by the SBTC. An alternative has been proposed by SAS which aligns with the SBTC desired scope, addresses the risks and issues identified, provides for a more accurate cost estimate and ability to test the feasibility of implementing the SBTC's vision. If the SBTC are able to financially contribute to the project, their future vision can be delivered, however an assessment of the capital cost, overall functionality improvements and long term financial implications do impact the viability of this option.

Unless Council chooses to allocate funding towards the full redevelopment of the pavilion within the next five years, it is the officer's opinion that the renewal of the existing ablutions and kitchen, followed by the demolition and rebuild of the existing pavilion (to be implemented when funding permits), is the most viable way forward. It is important to note, that the City has limited human resources to deliver projects. If the officer recommendation is supported by Council, the project will be scheduled, not only with City's financial capacity in mind, but also the human resources available to deliver the project.

Voting Requirements

Simple Majority

Officer Recommendation

That Council:

1. **SUPPORTS** the refurbishment of the existing toilets and kitchen at Safety Bay Tennis Club as a high priority and **CONSIDERS** the allocation of \$320,000 for implementation of this option in a future Business Plan.
2. **CONSIDERS** allocating \$2,720,000 (to be escalated to the proposed year of construction) in a future Business Plan to construct a new pavilion at Safety Bay Tennis Club
3. **ACKNOWLEDGES** that significant external works and alterations to existing courts, flood lighting and car parking are not included in the scope of works for the new pavilion at Safety Bay Tennis Club and additional funding will need to be allocated if the works are to be included in the project.

Committee Recommendation

Moved Cr Liley, seconded Cr Crichton:

That Council:

1. **SUPPORTS** the refurbishment of the existing toilets and kitchen at Safety Bay Tennis Club as a high priority and **CONSIDERS** the allocation of \$320,000 for implementation of this option in a future Business Plan.
2. **CONSIDERS** allocating \$2,720,000 (to be escalated to the proposed year of construction) in a future Business Plan to construct a new pavilion at Safety Bay Tennis Club
3. **ACKNOWLEDGES** that significant external works and alterations to existing courts, flood lighting and car parking are not included in the scope of works for the new pavilion at Safety Bay Tennis Club and additional funding will need to be allocated if the works are to be included in the project.

Committee Voting (Carried) – 5/1

Council Members voting for the motion:

Cr Liley
Cr Middlecoat
Cr Buchanan
Cr Crichton
Cr Schmidt

Council Members voting against the motion:

Cr Hume

The Committee's Reason for Varying 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
	<p>17.1 Acknowledgement of Departing Employees</p> <p>Cr Buchanan on behalf of the Committee acknowledged and thanked the following departing employees.</p> <ul style="list-style-type: none"> • Mr Peter Doherty, Director Legal Services and General Counsel, for his many years of services; and • Mr Gary Rodgers, Manager Community Infrastructure Planning, serving the City for over 33 years and expressed appreciation of his contribution.
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 19 November 2024 in the Council Boardroom, Council Administration Building, Civic Boulevard, Rockingham. The meeting will commence at 5:00pm.
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 5.50pm .