



City of Rockingham

AGENDA

Ordinary Meeting of Council

To be held on Tuesday 25 February 2025 at 6:00pm
City of Rockingham Council Chamber

**Note: This meeting will be subject to Council's
Recording and Streaming Meeting's policy**



Notice of Meeting



Dear Mayor and Council Members

The next Ordinary meeting of the Council of the City of Rockingham will be held on Tuesday 25 February 2025 in the Council Chamber, Civic Boulevard, Rockingham. The meeting will commence at 6:00pm.

A handwritten signature in blue ink, appearing to read 'Michael Parker'.

MICHAEL PARKER
CHIEF EXECUTIVE OFFICER

20 February 2025

DISCLAIMER

PLEASE READ THE FOLLOWING IMPORTANT DISCLAIMER BEFORE PROCEEDING:

Statements or decisions made at this meeting should not be relied or acted on by an applicant or any other person until they have received written notification from the City. Notice of all approvals, including planning and building approvals, will be given to applicants in writing. The City of Rockingham expressly disclaims liability for any loss or damages suffered by a person who relies or acts on statements or decisions made at a Council or Committee meeting before receiving written notification from the City.

City of Rockingham
Ordinary Council Meeting
6:00pm Tuesday 25 February 2025



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| 1. | Declaration of Opening | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | <p>Acknowledgement of Country</p> <p>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> <p>Recording and Live Streaming of proceedings</p> <p>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.</p> <p>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.</p> <p>Please note that clause 8.5 of the City's <i>Standing Orders Local Law 2001</i> 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".</p> <p>If anyone breaches this Standing Order they will be asked to leave the Council Chamber.</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2. | Record of Attendance/Apologies/Approved Leave of Absence | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | <p>2.1 Council Members</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Mayor Deb Hamblin</td> <td></td> </tr> <tr> <td>Deputy Mayor Lorna Buchan</td> <td>Comet Bay Ward</td> </tr> <tr> <td>Cr Mike Crichton</td> <td>Baldivis Ward</td> </tr> <tr> <td>Cr Kelly Middlecoat</td> <td>Baldivis Ward</td> </tr> <tr> <td>Cr Brett Wormald</td> <td>Baldivis Ward</td> </tr> <tr> <td>Cr Robert Schmidt</td> <td>Comet Bay Ward</td> </tr> <tr> <td>Cr Peter Hudson</td> <td>Rockingham/Safety Bay Ward</td> </tr> <tr> <td>Cr Caroline Hume</td> <td>Rockingham/Safety Bay Ward</td> </tr> <tr> <td>Cr Dawn Jecks</td> <td>Rockingham/Safety Bay Ward</td> </tr> <tr> <td>Cr Mark Jones</td> <td>Rockingham/Safety Bay Ward</td> </tr> <tr> <td>Cr Leigh Liley</td> <td>Rockingham/Safety Bay Ward</td> </tr> </table> <p>2.2 Executive</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Mr Michael Parker</td> <td>Chief Executive Officer</td> </tr> <tr> <td>Mr Sam Assaad</td> <td>Director Asset Services</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 Ricci</td> <td>Director Planning and Development Services</td> </tr> <tr> <td>Mr Jim Olynyk, JP</td> <td>Manager Governance and Councillor Support</td> </tr> </table> <p>2.3 Members of the Gallery:</p> <p>2.4 Apologies:</p> <p>2.5 Approved Leave of Absence:</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Cr Craig Buchanan, JP</td> <td>Rockingham/Safety Bay Ward</td> </tr> </table> | | Mayor Deb Hamblin | | Deputy Mayor Lorna Buchan | Comet Bay Ward | Cr Mike Crichton | Baldivis Ward | Cr Kelly Middlecoat | Baldivis Ward | Cr Brett Wormald | Baldivis Ward | Cr Robert Schmidt | Comet Bay Ward | Cr Peter Hudson | Rockingham/Safety Bay Ward | Cr Caroline Hume | Rockingham/Safety Bay Ward | Cr Dawn Jecks | Rockingham/Safety Bay Ward | Cr Mark Jones | Rockingham/Safety Bay Ward | Cr Leigh Liley | Rockingham/Safety Bay Ward | Mr Michael Parker | Chief Executive Officer | Mr Sam Assaad | Director Asset Services | Mr John Pearson | Director Corporate Services | Mr Michael Holland | Director Community Development | Mr Peter Ricci | Director Planning and Development Services | Mr Jim Olynyk, JP | Manager Governance and Councillor Support | Cr Craig Buchanan, JP | Rockingham/Safety Bay Ward |
| Mayor Deb Hamblin | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Deputy Mayor Lorna Buchan | Comet Bay Ward | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Cr Mike Crichton | Baldivis Ward | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Cr Kelly Middlecoat | Baldivis Ward | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Cr Brett Wormald | Baldivis Ward | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Cr Robert Schmidt | Comet Bay Ward | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Cr Peter Hudson | Rockingham/Safety Bay Ward | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Cr Caroline Hume | Rockingham/Safety Bay Ward | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| Cr Mark Jones | Rockingham/Safety Bay Ward | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Cr Leigh Liley | Rockingham/Safety Bay Ward | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Mr Michael Parker | Chief Executive Officer | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Mr Sam Assaad | Director Asset Services | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Mr John Pearson | Director Corporate Services | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Mr Michael Holland | Director Community Development | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Mr Peter Ricci | Director Planning and Development Services | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Mr Jim Olynyk, JP | Manager Governance and Councillor Support | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| 3. | Responses to Previous Public Questions Taken on Notice |
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| 4. | Public Question Time |
| | Members of the public are invited to present questions to the Mayor about matters affecting the City of Rockingham and its residents. This is the only opportunity in the meeting for the public to ask questions. |
| 5. | Applications for Leave of Absence |
| | Cr Dawn Jecks has requested a leave of absence from 3 to 23 March 2025 inclusive. Recommendation: That Council APPROVES the application form from Cr Jecks for leave of absence from 3 to 23 March 2025 inclusive. |
| 6. | Confirmation of Minutes of the Previous Meeting |
| | Recommendation: That Council CONFIRMS the Minutes of the 1. Behaviour Complaints Committee meeting held on 16 December 2024 2. Ordinary Council meeting held on 17 December 2024 3. Special Council meeting held on 28 January 2025 as a true and accurate record. |
| 7. | Matters Arising from the Previous Minutes |
| | |
| 8. | Announcement by the Person Presiding without Discussion |
| | The Mayor to announce to all present that decisions made at Committees of Council are recommendations only and may be adopted in full, amended or deferred when presented for consideration at the Council meeting. |
| 9. | Declarations of Members and Officers Interests |
| | |
| 10. | Petitions/Deputations/Presentations/Submissions |
| | 10.1 Petition Deputy Mayor Buchan to present a petition regarding a pedestrian crossing on Rockingham Beach Road at Wanliss Street. |
| 11. | Matters for which the Meeting may be closed |
| | |
| 12. | Receipt of Minutes of Council Committees |
| | Recommendation: That Council RECEIVES and NOTES the minutes of the: <ul style="list-style-type: none"> · Planning and Asset Services Committee meeting held on 17 February 2025; and · Corporate and Community Development Committee meeting held on 18 February 2025 |

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|-------------|---|-----------|
| 13. | Recommendations of Council Committees | |
| | Planning and Asset Services Committee | 7 |
| | PD-001/25 Structure Plan Extension Request | 7 |
| | PD-002/25 Proposed Public Jetty - Kennedy Bay | 15 |
| | AS-001/25 Tender T24/25-12 - Standing Offer for the Supply of Security Patrol Services | 27 |
| | AS-002/25 Tender T24/25-57 - Provision of Services for Road, Drainage and Concrete Works on Four (4) Safety Bay Road Intersections, Waikiki | 30 |
| | Corporate and Community Development Committee | 34 |
| | GM-001/25 Appointment of the Western Australian Electoral Commission to Conduct the City of Rockingham Ordinary Local Government Elections 2025 and Extraordinary Elections and Polls (<i>Absolute Majority</i>) | 34 |
| | GM-002/25 Superannuation Payments to Council Members – <i>Local Government Act 1995 (Absolute Majority)</i> | 38 |
| | CD-001/25 Seniors Strategy 2025-2029 | 44 |
| | CD-002/25 Baldivis Recreation Reserve Master Plan – Summary Report for Public Comment | 53 |
| | CD-003/25 Review of Community Capacity Building Advisory Committees | 59 |
| 14. | Receipt of Information Bulletin | |
| | Recommendation: That Council RECEIVES the February 2025 Information Bulletins as follows: <ul style="list-style-type: none"> · Planning Services Bulletin · Asset Services Bulletin · Corporate and General Management Services Bulletin · Community Development Bulletin | |
| 15. | Report of Mayor | |
| | MR-001/25 Meetings and Functions Attended by the Mayor and Deputy Mayor | 66 |
| 16. | Reports of Council Members | |
| 16.1 | Cr Crichton – Love Rockingham: A Community-Driven Movement | |
| | <p>Love Rockingham is a community initiative that is led by local churches and supported by individuals, households, businesses, and organisations across the City of Rockingham. The movement is driven by the core belief that together, we can care for and support one another in meaningful ways, particularly during times of need. The first major initiative, the 2024 Christmas Appeal, served as a heart-warming example of the power of community collaboration and generosity.</p> <p>The inaugural Love Rockingham initiative took place during December, with a focus on ensuring that every family in need could experience the love and joy that Christmas brings. The CREW Rockingham took on the lead role, coordinating logistics and distribution for the Christmas Hampers, supported by 12 local churches in the city.</p> <p>Together, the community raised an impressive \$64,872. These funds were used to purchase food for the Christmas hampers and vouchers for meat, together with a bag of donated fresh vegetables, which were packed into 1200 family hampers. Additionally, over 5,000 Christmas presents were donated by churches, community groups and businesses. The efforts of everyone involved were instrumental in creating an atmosphere of warmth and celebration for those who may have otherwise struggled during the Christmas season.</p> | |

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| | <p>The City of Rockingham played a crucial role in facilitating the initiative by providing the use of the Gary Holland Community Centre for the week leading up to the hamper distribution. This venue served as the hub for sorting food and presents and as the base for distribution operations. The City of Rockingham also provided some key staff support throughout the week along with providing opportunities for around 25 staff members through the corporate volunteering program.</p> <p>Throughout the early part of the week, volunteers worked tirelessly to organise the food and gifts, with over 29,000 individual products being packed into the hampers and 5,000 presents to be collected from around the city and sorted according to age groups, it was a huge effort. Then, on Friday and Saturday, the team distributed the hampers and presents, impacting almost 1,200 families across the city. The logistical efforts and coordination were seamless, thanks to the collaborative nature of the community-driven initiative and the over 360 local volunteers.</p> | | | | |
| 17. | Reports of Officers | | | | |
| | <table> <tr> <td>Asset Services</td> <td style="text-align: right;">69</td> </tr> <tr> <td>AS-003/25 WQ24/25-98 Supply of Electricity at Contestable Energy Sites</td> <td style="text-align: right;">69</td> </tr> </table> | Asset Services | 69 | AS-003/25 WQ24/25-98 Supply of Electricity at Contestable Energy Sites | 69 |
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| AS-003/25 WQ24/25-98 Supply of Electricity at Contestable Energy Sites | 69 | | | | |
| 18. | Addendum Agenda | | | | |
| | | | | | |
| 19. | Motions of which Previous Notice has been given | | | | |
| | <table> <tr> <td>Planning and Asset Services Committee</td> <td style="text-align: right;">74</td> </tr> <tr> <td>PD-003/25 Notice of Motion - Review and Update of Shoalwater Islands Marine Park Management Plan 2007-2017</td> <td style="text-align: right;">74</td> </tr> </table> | Planning and Asset Services Committee | 74 | PD-003/25 Notice of Motion - Review and Update of Shoalwater Islands Marine Park Management Plan 2007-2017 | 74 |
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| PD-003/25 Notice of Motion - Review and Update of Shoalwater Islands Marine Park Management Plan 2007-2017 | 74 | | | | |
| 20. | Notices of Motion for Consideration at the Following Meeting | | | | |
| | | | | | |
| 21. | Questions by Members of which Due Notice has been given | | | | |
| | | | | | |
| 22. | Urgent Business Approved by the Person Presiding or by Decision of the Council | | | | |
| | | | | | |
| 23. | Matters Behind Closed Doors | | | | |
| | | | | | |
| 24. | Date and Time of Next Meeting | | | | |
| | The next Ordinary Council meeting for the City of Rockingham will be held on Tuesday 25 March 2025 in the Council Chambers, Civic Boulevard, Rockingham. | | | | |
| 25. | Closure | | | | |
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13. Recommendations of Council Committees

Planning and Asset Services Committee

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



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|-------------------------------|--|---|
| Report number / title: | PD-001/25 | Structure Plan Extension Request |
| File number: | LUP/1887 | |
| Applicant: | Various | |
| Owner: | Various | |
| Author: | Mr Jake Spiteri, Senior Strategic Planning Officer | |
| Other Contributors: | Mr Brett Ashby, Manager Strategic Planning and Environment | |
| Date of Committee meeting: | 17 February 2025 | |
| Previously before Council: | | |
| Disclosure of Interest: | | |
| Nature of Council's role: | Legislative | |
| Attachments: | 1. Structure Plan Locations | |
| Maps / Diagrams: | | |
| Site: | Various | |
| Lot Area: | | |
| LA Zoning: | Various | |
| MRS Zoning: | Urban | |

Purpose of Report

To seek formal consent for the extension requests of various Structure Plans with the Western Australian Planning Commission (**WAPC**) for approval and consideration.

Background

A number of active Structure Plans within the City of Rockingham (**City**) are set to expire in October 2025 in accordance with Schedule 2, Part 4 Clause 28 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (**Regulations**).

Local Planning Strategy and Scheme Review Process

On 24 August 2021, Council adopted the scheme review process which reviewed the existing Town Planning Scheme. This will result in a new Local Planning Scheme (**LPS4**) and Local Planning Strategy (**LPS**).

On 21 November 2023, the WAPC granted certification to advertise the draft LPS to the community as per Clause 12, Part 3, of the Regulations. Formal advertising of the LPS occurred on 29 January 2024 - 28 March 2024; refer to PD-022/24 for a background on the LPS.

Following the LPS process, the Council, pursuant to clause 66(3) of the Regulations recommended to the WAPC that a new Scheme should be prepared and the current one repealed upon the approval of the new scheme. The Scheme review process is currently being undertaken by the City and completion is expected in 2026.

The City's provisions relating to the preparation and assessment of Structure Plans was required to be reviewed in light of the recent changes to the Regulations and Scheme review process. This includes a review of the City's supplemental provisions, Development Area provisions and a requirement for the Local Scheme to clearly nominate areas that require the preparation of Standard and Precinct Structure Plans.

Expiration of Structure Plans

If and when a Structure Plan expires, the planning and development which guides the implementation of the Structure Plan area will fall away and no longer be valid.

Structure Plans are valid for 10 years, or a longer period approved by the WAPC after which they will expire. A new Structure Plan should then be prepared and approved by the WAPC, consistent with the *WAPC Planning Manual - Guidance for Structure Plans (WAPC Planning Manual)* if required to guide implementation of any remaining stages of the Structure Plan.

A Structure Plan may be revoked before it expires, in the circumstances outlined under Schedule 2, cl.28 (3) of the Regulations which states:

- "(a) a new structure plan is approved in relation to the area to which the structure plan to be revoked relates; or
- (b) the Commission considers that the plan has been implemented or is otherwise no longer required; or
- (c) the Commission considers that the structure plan cannot be effectively implemented because of a legislative change, a change in a State planning policy or a change in the R-Codes or any other planning code that is read into the Scheme; or
- (d) for a structure plan that was the subject of an application under clause 16(3), the revocation is agreed to by —
- (i) the owner of the land to which the structure plan relates (or, if the land is owned by 2 or more owners, each of them); and
- (ii) the local government."

If there are no changes to the terms of the Structure Plan, an applicant or local government can apply to the WAPC to obtain an extension to the period of approval, before the Structure Plan expires [Schedule 2, cl.28(2) of the Regulations].

An extension request lodged by the applicant or local government requires:

- Lodgement of Form 5D - Application to extend the approval period of a Structure Plan.
- Support from Applicant and Local Government.
- Written justification consistent with the requirements and relevant consideration of the WAPC Planning Manual.

Councillor Engagement Session

In December 2024, the Council resolved to defer Item PD-035/24 to the February 2025 meeting following a briefing at a Councillor Engagement Session, to provide further information on each Structure Plan seeking extension, the background and the City's collaborative approach to extension requests. The matter was discussed at the Councillor Engagement Session held on 11 February 2025.

Details

A total of 11 Structure Plans require extension consent from the WAPC, as development is yet to be completed and the Structure Plans remain fit for purpose. As outlined in the WAPC Planning Manual and mentioned above, any local government can apply for an extension to any Structure Plan subject to relevant considerations.

As stated in the WAPC Planning Manual:

- *The extent of subdivision and/or development uptake in the structure plan area, and whether the plan has been largely implemented;*
- *The plan's delivery progress based on its set purpose, vision, and objectives, and whether implementation of the plan is aligning with its set targets;*
- *Government priorities, any applicable planning strategy and policy framework, and whether significant changes to these have occurred since the plan was approved;*
- *If consultation with the community and key stakeholders should be undertaken to confirm and adjust the direction and next stages of the plan; and*
- *Whether important infrastructure has or will become available, and whether adjustments will need to be made to the plan as a result.*

Each of the applicants and landowners have provided the City with the required Form 5D - Application to Extend the Approval of a Structure Plan and formal written justification for the extension.

In summary, the following reasons for extension include:

- The Structure Plan has not been substantially commenced, due to resourcing, build times and current market timeframes;
- The extension will allow for the remainder of the Structure Plan to be delivered in a coordinated manner that is consistent with existing development and vision for the estate, whilst retaining a valid Structure Plan and density code over the area to guide Development Applications and Building Permits;
- The expected completion time of the Structure Plan will likely occur after the October 2025 expiry date and the introduction of the new Scheme in 2026;
- Change in ownership and delays in planning approvals; and
- Complexities with landowners and site constraints.

All the extension requests are considered consistent with the relevant requirements outlined in the WAPC Planning Manual.

Process

City Officers undertook a review and audit of all active Structure Plans that have been approved by the WAPC. A meeting with the relevant stakeholders (applicants and key landholders) of each Structure Plan set to expire in October 2025 in line with the Regulation was sought, to discuss the subdivision and development progress, planning and potential future extension of the Structure Plan was undertaken.

A letter to all major landholders and applicants of the Structure Plans expected to expire in October 2025 was sent out to seek if an extension request was required, to ensure planning and development to guide, shape and transform places needed to be extended.

A number of landowners are seeking an extension in accordance with the WAPC's Form 5D - Extension Request for Structure Plans subject to justification and determination by the WAPC.

The table below outlines the Extension Requests for the relevant Structure Plans.

Table 1: Structure Plan Extension Requests

| Structure Plan | Applicants Extension Request | Applicants Estimated Completion Date | Applicants Justification for Proposed Extension | Officer Comment |
|--|------------------------------|--------------------------------------|--|---|
| BALDIVIS NORTH | | | | |
| Baldivis Parks Structure Plan | 5 Years | Mid 2026 | Development is well progressed, with titling of the remaining 324 lots expected by July 2026. The extension allows for the remainder of the estate to be delivered in a coordinated manner that is consistent with the valid structure plan and density codes over the area to guide DAs and building permits. | Supported. Development of the Estate is substantially progressed with subdivision approval in place for remaining development. The extension ensure appropriate controls (R-codes) are in place for remaining development. |
| Greenlea Estate Structure Plan | 3 Years | End of 2025 | Active subdivision approval for the whole site expected to be completed by end of 2025. The extension allows for the remainder of the estate to be delivered in a coordinated manner that is consistent with the valid structure plan and density codes over the area to guide DAs and building permits. | Supported. Development of the Estate is substantially progressed with subdivision approval in place for remaining development. The extension ensure appropriate controls (R-codes) are in place for remaining development. |
| The Spires Estate Structure Plan | 8 Years | End of 2032 | Consistent with State Government priorities, including relevant density targets set out in Perth & Peel @ 3.5 Million, Directions 2031 and LN. A recent major amendment was lodged and advertised in 2024, to include Lot 3. Development is substantially progressed, with the entire LSP area under subdivision approval, there is still approximately 200 lots to deliver on the ground. It is expected completion by 2032. | Supported. A major amendment of the Structure Plan was completed in March 2024. |
| Lot 311 Fifty Road Structure Plan | 10 Years | October of 2035 | No development has been undertaken at the site to date. These reasons primarily relate to the change in ownership and delays in planning approvals. A major amendment was recently finalised in July 2024 following a 3-year SAT Mediation. Technical Reporting has been updated in accordance with the current policy framework as part of the recent amendment. | Supported. A major amendment of the Structure Plan was completed in July 2024. |

| Structure Plan | Applicants Extension Request | Applicants Estimated Completion Date | Applicants Justification for Proposed Extension | Officer Comment |
|--|------------------------------|--------------------------------------|---|--|
| BALDIVIS NORTH | | | | |
| One71 Baldivis Structure Plan | 5 Years | May 2025 | <p>Consistent with State Government priorities, including relevant density targets set out in Perth & Peel @ 3.5 Million, Directions 2031 and LN.</p> <p>Development is well progressed, with titling of the remaining 52 lots expected to occur by May 2025.</p> <p>The extension allows for the remainder of the estate to be delivered in a coordinated manner that is consistent with the valid structure plan and density codes over the area to guide DAs and building permits.</p> | <p>Supported. Development of the Estate is substantially progressed with subdivision approval in place for remaining development.</p> <p>The extension ensure appropriate controls (R-codes) are in place for remaining development.</p> |
| BALDIVIS SOUTH | | | | |
| Parkland Heights Structure Plan | 7 Years | March 2030 | <p>Majority of the Structure Plan is constructed or subject to a subdivision approval.</p> <p>Based on the current programming, construction of the last stage is expected to occur around March 2030. This being subject to market trends and sales rates. Current sales trends are approximately 100 lots per annum.</p> | <p>Supported. Development of the Estate is substantially progressed with subdivision approval in place for remaining development.</p> <p>The extension ensure appropriate controls (R-codes) are in place for remaining development.</p> |
| Paramount Estate Structure Plan | 10 Years | End of 2035 | <p>Consistent with State Government priorities, including relevant density targets set out in Perth & Peel @ 3.5 Million, Directions 2031 and LN.</p> <p>Only 1 of the 16 stages has commenced, due to landowner issues and issues outside of the planning process.</p> | <p>Supported, the current Structure Plan is consistent with the South Baldivis District Structure Plan.</p> |
| Baldivis Grove Structure Plan | 5 Years | 2026 | <p>Consistent with State Government priorities, including relevant density targets set out in Perth & Peel @ 3.5 Million, Directions 2031 and LN.</p> <p>Development is well progressed, with titling of the remaining 81 lots expected by the early 2026.</p> <p>The extension allows for the remainder of the estate to be delivered in a coordinated manner that is consistent with the valid structure plan and density codes over the area to guide DAs and building permits.</p> | <p>Supported. Development of the Estate is substantially progressed with subdivision approval in place for remaining development.</p> <p>The extension ensure appropriate controls (R-codes) are in place for remaining development.</p> |

| Structure Plan | Applicants Extension Request | Applicants Estimated Completion Date | Applicants Justification for Proposed Extension | Officer Comment |
|-----------------------------------|------------------------------|--------------------------------------|--|--|
| GOLDEN BAY | | | | |
| Golden Bay Structure Plan | 5 Years | End of 2028 | <p>Consistent with State Government priorities, including relevant density targets set out in Perth & Peel @ 3.5 Million, Directions 2031 and LN.</p> <p>Development is well progressed, with titling of the remaining 400 lots (out of a total of 1800) expected by the end of 2028.</p> <p>The extension allows for the remainder of the estate to be delivered in a coordinated manner that is consistent with the valid structure plan and density codes over the area to guide DAs and building permits.</p> | <p>Supported. Development of the Estate is substantially progressed with subdivision approval in place for remaining development.</p> <p>The extension ensure appropriate controls (R-codes) are in place for remaining development.</p> |
| SECRET HARBOUR | | | | |
| Anstey Park Structure Plan | 10 Years | 2035 | <p>A major amendment has just been finalised at the end of 2024, to relocate the POS in Lot 35 and 36 Surf Drive, Secret Harbour.</p> <p>There is only 2 remaining lots of the Structure Plan left, the Structure Plan extension is necessary to guide the future subdivision and development.</p> <p>The extension allows for the remainder of the estate to be delivered in a coordinated manner that is consistent with the valid structure plan and density codes over the area to guide DAs and building permits.</p> | <p>Supported. A major amendment of the Structure Plan was completed in September 2024.</p> |
| KARNUP | | | | |
| The Vistas Structure Plan | 7 Years | 2032 | <p>90% of lots in the Structure Plan area have either been created, approved or are pending approval.</p> <p>Lot 3 is the only land that is not subject to a subdivision. The land was recently acquired by the applicant.</p> <p>Still need a resolution of the planned Paganoni Road extension and the subdivision development of Lot 3.</p> <p>The extension allows for the remainder of the estate to be delivered in a coordinated manner that is consistent with the valid structure plan and density codes over the area to guide DAs and building permits.</p> | <p>Supported. Development of the Estate is substantially progressed with subdivision approval in place for remaining development.</p> <p>The extension ensure appropriate controls (R-codes) are in place for remaining development.</p> |

Note: Each extension request is case by case and provides particular justification to the specific Structure Plan area.

Implications to Consider

a. Consultation with the Community

Community consultation is not required for a Structure Plan extension request.

b. Consultation with Government Agencies

To seek extension, the Council is requested to formally provide consent to the WAPC, following assessment and consideration in line with the WAPC Planning Manual, to support the 11 Structure Plan extensions as per the application request.

c. Strategic

Community Plan

This item addresses the Community's Vision for the future and specifically the following Aspiration and Strategic Objective contained in the Strategic Community Plan 2023-2033:

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

Outcome/Objective: *Plan for sustainable growth - Create safe community places to live, recreate and work*

d. Policy

Nil

e. Financial

Nil

f. Legal and Statutory

Subject to the Planning and Development (Local Planning Scheme) Regulations 2015 (Regulations) Schedule 2, Part 4 Clause 28 (1), (2), (3) and (4).

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 / Program/Project management / Natural Environment : High and Extreme Risks
Financial / Health and Safety : Medium, High and Extreme Risks*

Nil

Comments

A Structure Plan has effect for a period of 10 years from the date it has been approved by the WAPC. In order for the provisions included in an approved Structure Plan to remain valid after the 10 year period, the Structure Plan provisions need to be incorporated into the Town Planning Scheme or the WAPC needs to extend the approval period of a Structure Plan.

Based on assessment of the requests for extension, the City seeks to lodge an extension request for the abovementioned Structure Plans outlined in Table 1 to be submitted to the WAPC for assessment and be extended at the applicants' and/or landowners' request.

It is recommended that the Council adopts the lodgement of the 11 extension requests to Structure Plans to the WAPC for approval.

Voting Requirements

Simple Majority

Officer Recommendation

That Council **APPROVES** the lodgement of an application to the Western Australian Planning Commission, for the extension requests for the following Structure Plans outlined in the table below to expire in October 2025, consistent with the *Planning and Development (Local Planning Scheme) Regulations 2015*.

| No. | Structure Plan | Extension Request |
|-----|-----------------------------------|-------------------|
| 1. | Baldivis Parks Structure Plan | 5 Years |
| 2. | Greenlea Estate Structure Plan | 3 Years |
| 3. | The Spires Estate Structure Plan | 8 Years |
| 4. | Lot 311 Fifty Road Structure Plan | 10 Years |
| 5. | One71 Baldivis Structure Plan | 5 Years |
| 6. | Parkland Heights Structure Plan | 7 Years |
| 7. | Paramount Estate Structure Plan | 10 Years |
| 8. | Baldivis Grove Structure Plan | 5 Years |
| 9. | Golden Bay Structure Plan | 5 Years |
| 10. | Anstey Park Structure Plan | 10 Years |
| 11. | The Vistas Structure Plan | 7 Years |

Committee Recommendation

That Council **APPROVES** the lodgement of an application to the Western Australian Planning Commission, for the extension requests for the following Structure Plans outlined in the table below to expire in October 2025, consistent with the *Planning and Development (Local Planning Scheme) Regulations 2015*.

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| 8. | Baldivis Grove Structure Plan | 5 Years |
| 9. | Golden Bay Structure Plan | 5 Years |
| 10. | Anstey Park Structure Plan | 10 Years |
| 11. | The Vistas Structure Plan | 7 Years |

Committee Voting (Carried) – 5/0

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

Not Applicable

Planning and Development Services Statutory Planning Services



| | |
|-------------------------------|---|
| Report number / title: | PD-002/25 Proposed Public Jetty - Kennedy Bay |
| File number: | CPR/1116 |
| Applicant: | Rowe Group on behalf of Western Australian Beach and Golf Resort Pty Ltd (WABGR) |
| Owner: | State of Western Australia (vested in the City of Rockingham) |
| Author: | Mr Jake Spiteri, Senior Strategic Planning Officer |
| Other Contributors: | Mr Mike Ross, Manager Statutory Planning Mr Brett Ashby, Manager Strategic Planning and Environment |
| Date of Committee meeting: | 17 February 2025 |
| Previously before Council: | 26 May 2020 (PD-022/20) |
| Disclosure of Interest: | |
| Nature of Council's role: | Executive |
| Attachments: | <ol style="list-style-type: none"> 1. Letter from DPLH 2025 and Letter to Andrew Mills 2024 2. Draft Development Application Documents, Indicative Maintenance Costs, Technical Note Maintenance Costs and EPA Referral Documents |
| Maps / Diagrams: | <ol style="list-style-type: none"> 1. Kennedy Bay Development Area 2. Land Tenure 3. Coastal Erosion Hazard Lines 4. Proposed Jetty Development 5. Draft Kennedy Bay Jetty Proposed Concepts |
| Site: | Reserve 44886 |
| Lot Area: | |
| LA Zoning: | Various |
| MRS Zoning: | Urban |

Purpose of Report

To consider signing the Development Application (**DA**) - MRS Form 1 - for the Kennedy Bay Public Jetty (**the Jetty**), as the management authority of Reserve 44886, to allow the application to be duly considered by the Western Australian Planning Commission (**WAPC**), as the decision maker.

Background

Kennedy Bay Development Area

Development within the Kennedy Bay areas is governed by the *Port Kennedy Development Act 2017* and the associated Sales and Development Agreement (**SADA**), an agreement between the State Government and Western Australian Beach and Golf Resort Pty Ltd (**WABGR**) being the land developer.

After a protracted period on inactivity at Kennedy Bay (a project which originally commenced in the 1990's under the guise of the 'Port Kennedy Resort'), in 2016 the State Government and WABGR reframed the project, reflecting the outcome of the SADA.

On 28 June 2017, Parliament introduced the *Port Kennedy Development Bill 2017 (Bill)*, which repealed the *Port Kennedy Development Agreement Act 1992*. This allowed for the new agreement to be implemented.

The Bill also resulted in amendments to both the Metropolitan Region Scheme (**MRS**) and the City of Rockingham's (**City**) Town Planning Scheme No.2 (**TPS2**), which reflected a revised area for the Kennedy Bay project.

Outcomes of the SADA require that WABGR deliver a number of public facilities, including reconfiguration of the golf course and clubhouse, parking, a new jetty and moorings and a local centre with retail, tourism accommodation and hospitality options. In essence, the delivery of this infrastructure results in the transfer of land to WABGR which then subdivide and on-sell lots to the market. As SADA was the subject of Cabinet consideration, and therefore confidential, the City was not provided with the opportunity to consider and establish a position on its requirements.



1. Kennedy Bay Development Area

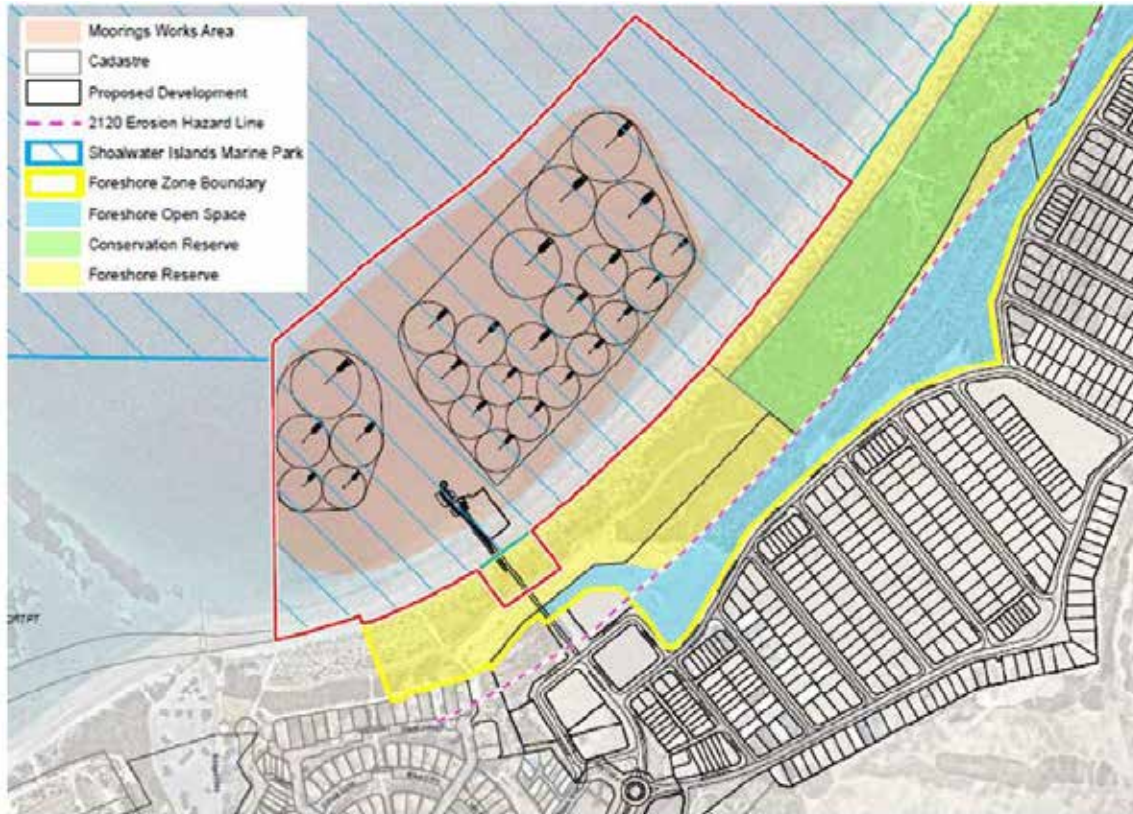
Sales and Development Agreement (SADA)

In accordance with the requirements of the SADA, the applicant seeks to lodge a DA for the construction of the Jetty extending from Reserve No.44886 which is under management of the City. Reserve No.44886 is located adjacent to Sea Beach Way, Port Kennedy and Marine Reserve 5 which owned by the State of Western Australia.

Land Tenure

The Jetty is located within the 'Waterways' reserve of the MRS, with the 'land-based' entry portion of the Jetty within the adjacent 'Parks and Recreation' Reserve managed by the City - Reserve No.44886. The Reserve is Class 'C' for Public Recreation, vested in the Crown and under the care, control, and management of the City.

A detailed map is outlined in Figure 2.



2. Land Tenure

To ensure the DA can progress, a signature on the MRS Form 1 application is required from the City, Department of Planning, Lands and Heritage (**DPLH**) and Department of Biodiversity, Conservation and Attractions (**DBCA**) to proceed. The City has not been provided a copy of the formal SADA agreement with WABGR and the State Government.

In February 2024, the City wrote to parties representing WABGR in relation to the proposed Jetty and moorings. In summary, the City outlined there has been no Council position on the Jetty to date, and until all the relevant documentation and information (draft DA) had been assessed there is no established view on the long-term maintenance and management of the proposed infrastructure. A response from DPLH was received on 31 January 2025, confirming the City's position and requesting the City to providing consent to sign the DA form only, to enable formal lodgement of the application. A copy of the letter and response is provided in Attachment 1.

Kennedy Bay Structure Plan

In May 2020, Council resolved to approve the lodgement of a Local Government Report to the WAPC, with respect to the proposed Kennedy Bay Structure Plan (**Structure Plan**) identified over Lot 3020 Bay Links Boulevard and Unallocated Crown Land No.3019, Port Kennedy. The management and maintenance of the Jetty and moorings were not addressed or agreed as part of the Council resolution.

A Foreshore Management Plan (**FMP**) was subsequently lodged in support of the Structure Plan, and a requirement of the Stage 1 Subdivision Approval.

The FMP considered the proposed Jetty, but did not outline design, cost implications and/or management requirements of the infrastructure. The FMP states:

“The Development Agreement identifies that WABGR will construct a recreational jetty and approximately 20 moorings by 26 March 2024. These facilitates will be subject to a separate environmental approvals process which will likely involve consultation with the following agencies:

- *Environmental Protection Authority/Department of Water and Environmental Regulation;*
- *Department of Biodiversity, Conservation and Attractions;*
- *City of Rockingham;*
- *Department of Transport (Recreational Boating); and*
- *Department of Primary Industries and Regional Development (Fisheries).*

The jetty is proposed to be located adjacent to the Local Centre Coastal Node, with the moorings likely to be located to both the east and west of the jetty. In order to meet the target delivery timeframes, the preliminary design, technical investigation and reporting initial phases of this work have commenced.”

The FMP was approved by the City and DBCA on 8 August 2023.

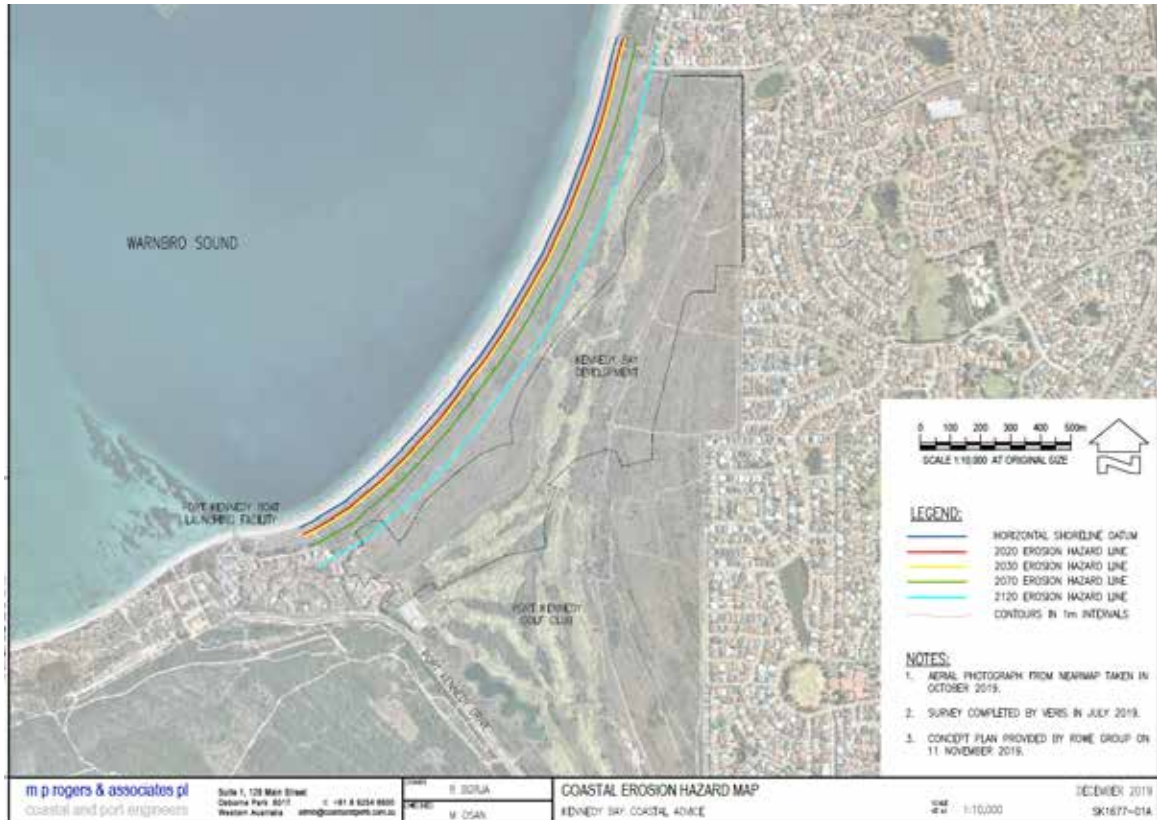
Shoalwater Island Marine Park

The marine based portion of the Jetty is proposed within the Shoalwater Islands Marine Park (SIMP) which is under management of the DBCA. The Shoalwater Islands Marine Park Management Plan 2007-2017 remains current and sets out a framework for managing development within the Marine Park.

The Jetty is located within the ‘General Use’ zone of the SIMP Management Plan which permits major infrastructure such as jetties, marinas and groynes following formal assessment. The draft DA has been referred to the DBCA and is subject to the environmental impact assessment requirements of the *Environmental Protection Act 1986*. As the DBCA is the referral and approval agency for development within the SIMP, a full assessment of the proposal will be sought following progression, formal lodgement and community consultation of the Jetty.

Coastal Hazard Risk Management and Adaptation Plan

A requirement of *State Planning Policy 2.6 - Coastal Planning (SPP 2.6)* is to prepare a Coastal Hazard Risk Management and Adaptation Plan (**CHRMAP**). In 2019, a City wide CHRMAP was endorsed by the Council. Further to this, a CHRMAP has been prepared for the Kennedy Bay Structure Plan project which addresses the risks to the specific assets in the proposed Kennedy Bay development. The City supported the Kennedy Bay CHRMAP on 4 August 2023.



3. Coastal Erosion Hazard Lines (Kennedy Bay CHRMAP, 2023)

The proposed Jetty is identified to have a medium vulnerability to the impacts of coastal hazards across the 100 year planning timeframe of the vulnerable coastline as confirmed in the Kennedy Bay CHRMAP. The proposed 50-year design life of the Jetty is supported and considered consistent with assets of this nature, located in vulnerable coastlines.

Coastal Facilities Strategy 2021 - 2025

The City provides a range of recreational coastal facilities such as jetties and boat ramps. The Coastal Facilities Strategy (CFS) sets out how the City will continue to provide for sustainable coastal recreation throughout the City's Coastal Precinct, whilst taking action to adapt to the effects of climate change and changing coastlines.

The City currently has three (3) standalone jetties – Val Street, Palm Beach and Mersey Point. The closest to Port Kennedy is Mersey Point which is mainly used for Penguin Island passenger vessels. The Palm Beach Jetty is the most consistent in size, use and design to the proposed Jetty.

Throughout the CFS process consultation with the community found:

- Residents are generally satisfied with the jetties, although their cleanliness could be improved;
- 22% of respondents would like to see additional fishing platform; and
- Safety concerns at Port Kennedy and insufficient parking at Bent Street facilities.

The CFS sets out key actions for maintaining and improving recreational facilities within the City, including an implementation plan and cost estimates per action over the next five (5) years to fit into the City's Asset Management Plans.

Strategic Boating Provisions Plan 2023 - 2034

To help guide the City's provision of coastal infrastructure and outline coastal management activities in the shorter term, the City developed the Coastal Facilities Strategy 2021 - 2025. This Strategy identified a need for the development of a strategic approach to boating facilities in the City with the action of the Strategy being to develop the Strategic Boating Provisions Plan (SBPP).

The proposed public jetty has not been identified within the five (5) key priorities and consequently no action was listed for additional jetties. While the boating component (moorings) of the Kennedy Bay development is noted in the SBPP, the jetty was not acknowledged.

Environmental Approval

Following recommendations from the DPLH and City to seek advice from the Environmental Protection Agency (**EPA**), the applicant lodged a referral (section 38) with the EPA in September 2024. The Jetty proposal was advertised for public comment by the EPA on 6 November 2024. The referral was advertised for seven (7) days seeking comment on '*whether or not the EPA should assess a proposal and, if so, what level of assessment is considered appropriate*'.

The City provided a formal submission on the proposal to recommend that the EPA undertake a formal assessment.

In summary, the City requested a formal assessment for the following reasons:

- Concern with potential impacts to the marine environment. The DPLH is the decision making authority for the marine component of the jetty, with the City being a referral agency as part of the DA proposal. There are concerns relating to both the construction and on-going development impacts to the marine environment, and in particular to species identified in the EPA referral as being potentially impacted, including the Little Penguin, Australian Sea lion, Bottlenose dolphin and nursery habitat for pink snapper, white bait and blue swimmer crabs.
- Inconsistency with the population numbers of Penguins within the area and the Little Penguin research commissioned by the City in 2024 (Cannell, 2024).
- The City and DPLH do not have the expertise to adequately assess both the direct and in-direct impacts to the marine environment associated with this type of development.
- The Jetty and mooring infrastructure are requirements of the SADA with the applicant, WABGR and DPLH. The proposed moorings have been excluded from the EPA referral, and will form part of a separate application due to the locality within the SIMP. There are concerns regarding the standalone impacts from these moorings to seagrass and benthic communities, and the cumulative impacts of both the jetty, the moorings and vehicles (boats) movements within the Shoalwater Islands Marina Park.

The environmental assessment and formal review process by EPA is a separate approval process to the DA. The City highlights the need and importance of the support and advice from the EPA in relation to the direct and indirect impacts of the jetty proposal pre and post construction. There has been no advancement on the EPA referral at this time.

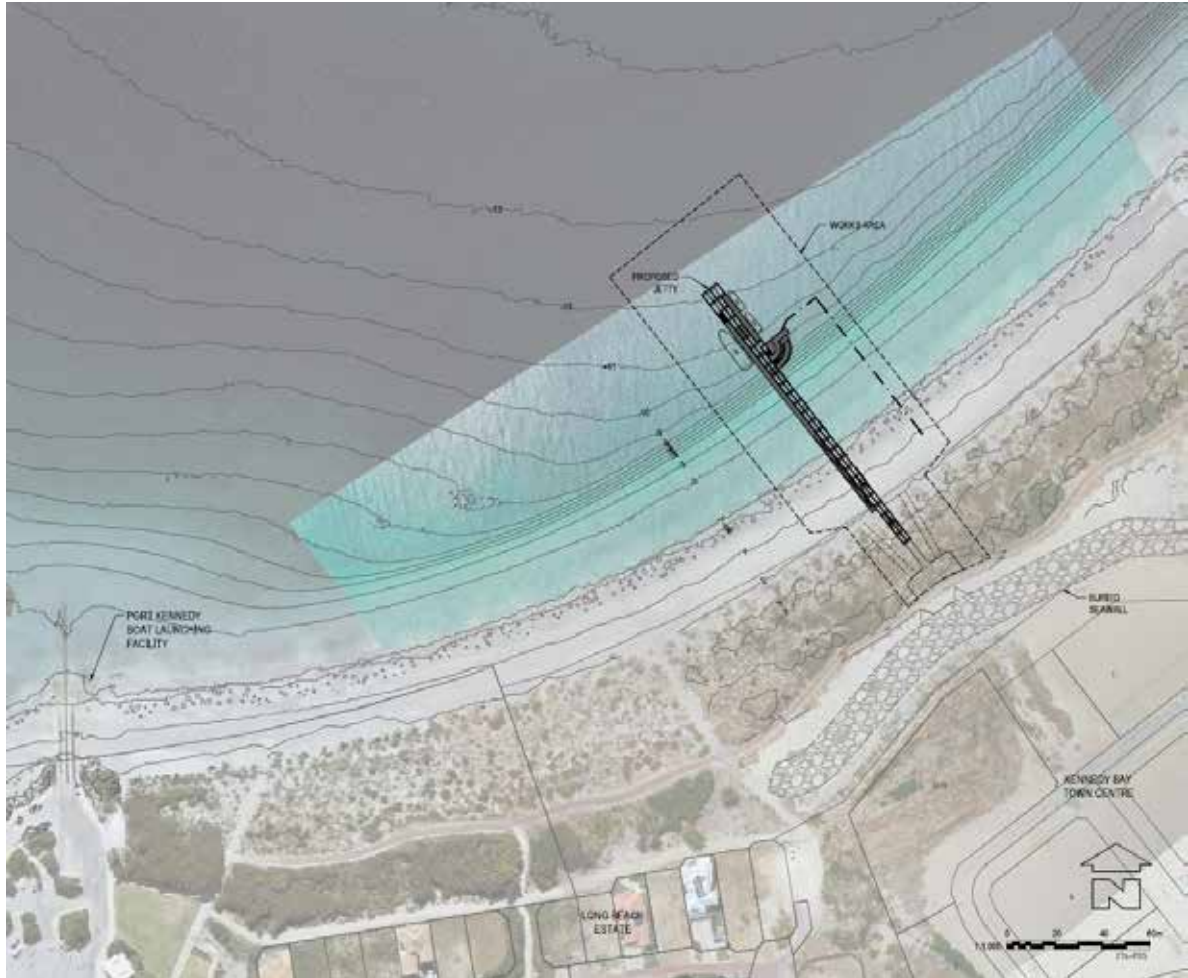
Details

Site Context

The Jetty is located approximately 56 kilometres south-west of the Perth Central Business District (**CBD**) and 10 kilometres south-east of the Rockingham Strategic Centre. It is within the coastal suburb of Port Kennedy and forms part of the broader Kennedy Bay Structure Plan, which guides the development of Kennedy Bay. The Kennedy Bay Structure Plan is partially approved by the WAPC, with Stage 3 still subject to WAPC approval, following formal advertising in 2020.

The Jetty is proposed to be located adjacent to the local centre (**Coastal Node**), with the moorings proposed to be located to both the east and west of the Jetty.

An aerial photo of the site is shown in Figure 4.



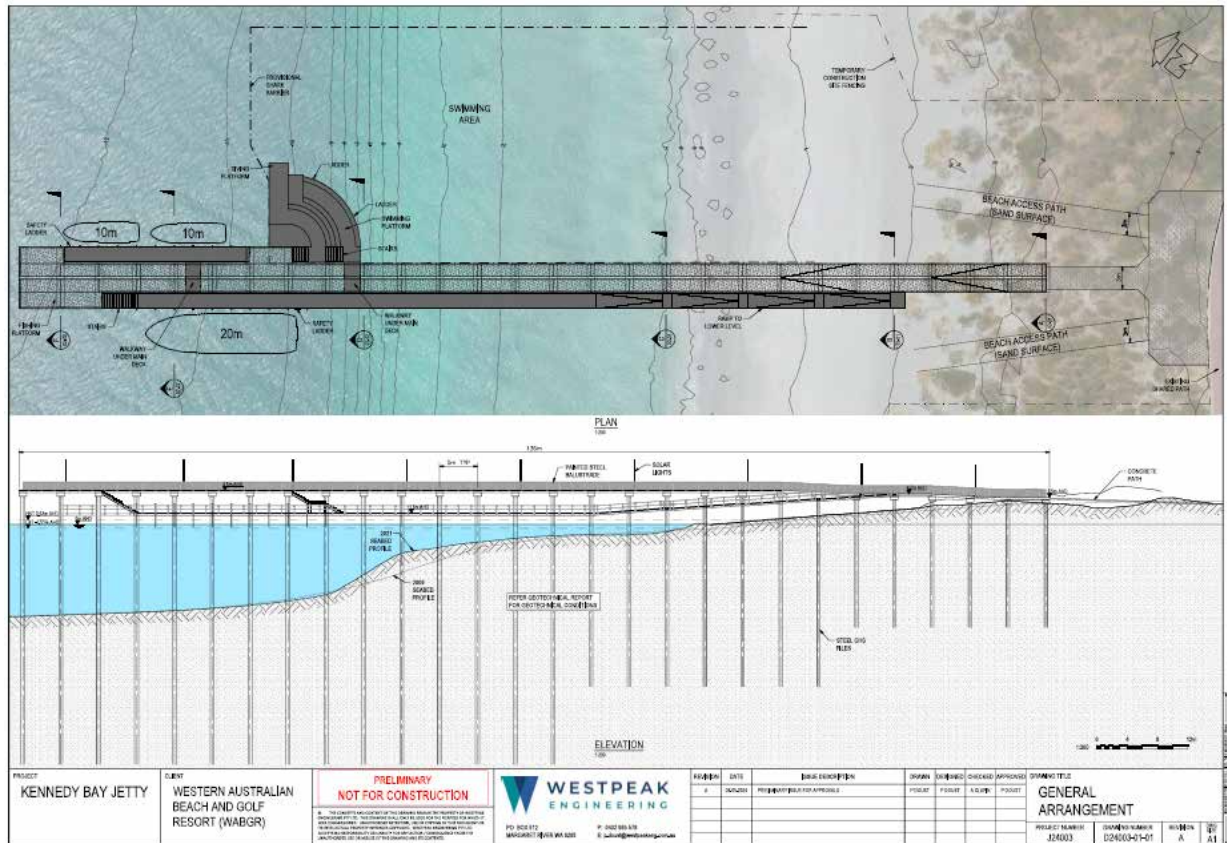
4. Proposed Jetty Development

The Proposal

The structure of the Jetty extends a total of 136 metres, has at least a 50-year design life and an estimated asset cost of \$7,000,000.

The proposed Jetty design includes two (2) beach access pathways either side of the Jetty and one (1) access path onto the Jetty connecting to the existing shared pathway. The Jetty design serves a range of uses including promenading, short-term vessel berthing, fishing and swimming/diving. The jetty design includes the following elements:

- Elevated main deck level with a wider head to accommodate fishing;
- Low-level short stay vessel berths 2 x 10m, 1 x 20m;
- Designated swimming area;
- Universal access compliance; and
- Lighting and handrails.



5. Draft Kennedy Bay Jetty Proposed Concepts

Development Application (MRS Form 1)

In accordance with the SADA requirements, the applicant has submitted the following technical documentation in support of the DA:

- Proposed Kennedy Bay Jetty - DA (Draft);
- Indicative Maintenance Costs;
- Technical Note - Maintenance Costs; and
- Environmental Protection Agency (EPA) Referral - Supporting Documents.

A copy of the draft documents are provided in **Attachment 2**.

The applicant has requested the City, as the management authority of Reserve No.44886, sign the MRS Form 1 to allow the DA to progress to determination by the WAPC.

Management and Maintenance of the Jetty

The DA documentation does not confirm a management and maintenance authority, a proposed handover period/timeframe post construction of the Jetty.

The EPA referral documentation, which was referred to the City upon request, states:

“Following the completion of the development, maintenance will be undertaken by WABGR for a period of two (2) years, and then subsequent management and maintenance will be conducted by the City of Rockingham (subject to its approval).”

As mentioned above, the proposed Jetty asset is not included as an asset or infrastructure requirement of the relevant City’s Strategies (CFS and SBPP). Furthermore, the City was not a party to or consented to the SADA which requires the delivery of the Jetty.

Indicative Maintenance Costs

The indicative costs associated with the ongoing management and maintenance of the jetty asset over the 50 year design life is estimated at \$6,055,000 which is approximately \$121,100 per year.

The estimates suggest that for the first nine (9) years the annual maintenance costs will be \$20,000/\$25,000 with 'major scheduled maintenance' required in year ten (10) of \$750,000. This ten year cycle is forecast to be replicated, and indexed accordingly, over the 50 year design life.

On review of the indicative costs provided in relation to the management and maintenance of similar assets within the City (Val Street and Palm Beach Jetties) the cost forecasts are considered low and subject to change over the 50 year life of the asset. The overall and on-going cost over the 50-year life of the asset has not been budgeted, or planned for in any of the City's strategic asset management plans.

Implications to Consider

a. Consultation with the Community

Community consultation of the Jetty proposal will occur once the DA is formally lodged with the City and publically advertised in line with the City's *Planning Policy 3.3.27 - Community Consultation for Development Application*.

b. Consultation with Government Agencies

Formal consultation with Government Agencies is not required at this point in the process.

c. Strategic

Community Plan

This item addresses the Community's Vision for the future and specifically the following Aspirations and Strategic Objectives contained in the Strategic Community Plan 2023-2033:

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

Outcome/Objective: *Community health and wellbeing - Strengthen community health and wellbeing*

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

Outcome/Objective: *Sustainable natural green spaces - Preserve and enhance biodiversity*

Sustainable natural green spaces - Improve amenity

Sustainable natural green spaces - Improve community open spaces

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*

Plan for sustainable growth - Create vibrant coastal foreshore

Aspiration: **4. Economic - A vibrant economy creating opportunities**

Outcome/Objective: *A visitor destination - Promote the City as a place to visit*

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

Quality Leadership - Promote the City as a place for the future

d. Policy

State Planning Policy 2.6 - State Coastal Planning (SPP2.6)

SPP2.6 was gazetted in June 2003 and updated in 2013 to guide coastal development.

Coastal setbacks normally apply to new developments along the coast, but the Coastal Policy does not apply coastal setbacks to marinas and commercial development, given the dependency on a foreshore location.

In accordance with SPP2.6, the following plans and strategies have been prepared which were submitted with the Development Application:

- Coastal Hazard Risk Management and Adaption Planning (CHRMAP)
- Foreshore Management Plan (FMP)

A full assessment against SPP2.6 will be undertaken following formal lodgement of the DA. The City notes that upon initial review of the information provided to support the proposal is generally consistent with SPP2.6.

Coastal Hazard Risk Management and Adaption Planning Guidelines 2019

The Coastal Hazard Risk Management and Adaption Planning (CHRMAP) Guidelines were gazetted in 2019 and assist in the development and implementation of effective CHRMAPs. The City's CHRMAP and Kennedy Bay CHRMAP were both developed in accordance with the guidelines.

The jetty development and estimated life of the asset has been designed to consider the vulnerable coastline and CHRMAP risk management recommendations of the approved Kennedy Bay CHRMAP.

Shoalwater Islands Marine Park Management Plan 2007-2017 (Department of Biodiversity, Conservation and Attractions)

The Shoalwater Islands Marine Park Management Plan sets out the framework for managing all development within the Marine Park.

e. Financial

The applicant estimates that the ongoing maintenance cost over the 50 year design life of the Jetty to be a total of \$6,055,000, which is an average annual cost of \$121,100 per year. As mentioned above, the City is yet to confirm the veracity of the estimated costs but a preliminary assessment suggests that the estimates may be less than what could be expected.

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 / Program/Project management / Natural Environment: High and Extreme Risks
Financial / Health and Safety: Medium, High and Extreme Risks*

Nil

Comments

SADA Agreement

The requirement for the Jetty and associated infrastructure was considered and supported by the State Government and WABGR as part of the SADA. The City, as a key stakeholder of the proposed Kennedy Bay development and the public infrastructure required to be delivered, has not been involved with SADA as it was the subject of Cabinet consideration and is confidential.

Management and Maintenance

The delivery of the Jetty is not consistent with or considered within the City's Coastal Facilities Strategy and Strategic Boating Provisions Plans. The asset, if accepted for ongoing maintenance, will be a financial burden and risk that the City has not accounted for in previous asset management and community infrastructure plans.

The City was not a party to the SADA when it was developed and did not have the opportunity to consider the public works and maintenance requirements of the Jetty. The City has no obligation to support or accept the management and maintenance responsibility for the Jetty and associated infrastructure.

What does signing the MRS Form 1 application mean?

For the application to be valid and proceed to determination, the DA must be signed by the relevant landowner/management authority (in this case the City as the management authority of Reserve 44886).

The Department of Lands' standard endorsement, outlined in the Officer Recommendation, should be applied, which makes it clear that by signing the application the City is not saying that the development may be carried out. In addition to this standard endorsement, it is recommended that a clear statement is included which expresses opposition to the City being the nominated manager of the Jetty following a two (2) year handover period and practical completion.

Conclusion

The City already maintains considerable coastal assets including numerous boat ramps and three jetties within reserves that it does not have the management authority. Whilst the provision of a jetty at Kennedy Bay would provide additional amenity to the community, accepting responsibility for the ongoing maintenance of additional coastal infrastructure is not considered to be appropriate.

It is therefore recommended that Council supports the MRS Form 1 DA for the proposed Kennedy Bay Public Jetty being signed to allow the merits of the application to be assessed and determined. It is also recommended that an annotation be included which states that signing the DA does not translate to support for the proposal and that the City will not assume ongoing maintenance of the asset.

Voting Requirements

Simple Majority

Officer Recommendation

That Council **SUPPORTS** the MRS Form 1 Development Application for the Kennedy Bay Public Jetty being signed by the Chief Executive Officer, subject to the following standard form of endorsement being annotated on the application form, as follows:

“Signed only as acknowledgement that a development application is being made in respect of a proposal that includes Crown land, Crown reserves under management for the purpose, or a road and to permit this application to be assessed under the appropriate provision of the Planning and Development Act 2005 (including any planning scheme). The signature does not represent approval or consent for planning purposes. Further, in the event that development approval is granted for the proposal, the above signature should not be taken as an acknowledgement of or consent to the commencement or carrying out of the proposed development or to any modification of the tenure or reservation classification of the Crown land component. The City of Rockingham does not consent or support being the nominated manager of the proposed development, or to providing the associated asset management funds, following a two year handover period and practical completion.”

Committee Recommendation

That Council **SUPPORTS** the MRS Form 1 Development Application for the Kennedy Bay Public Jetty being signed by the Chief Executive Officer, subject to the following standard form of endorsement being annotated on the application form, as follows:

“Signed only as acknowledgement that a development application is being made in respect of a proposal that includes Crown land, Crown reserves under management for the purpose, or a road and to permit this application to be assessed under the appropriate provision of the Planning and Development Act 2005 (including any planning scheme). The signature does not represent approval or consent for planning purposes. Further, in the event that development approval is granted for the proposal, the above signature should not be taken as an acknowledgement of or consent to the commencement or carrying out of the proposed development or to any modification of the tenure or reservation classification of the Crown land component. The City of Rockingham does not consent or support being the nominated manager of the proposed development, or to providing the associated asset management funds, following a two year handover period and practical completion.”

Committee Voting (Carried) – 5/0

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

Not Applicable

Asset Services Operations and Fleet Services



| | | |
|-------------------------------|---|---|
| Report number / title: | AS-001/25 | Tender T24/25-12 - Standing Offer for the Supply of Security Patrol Services |
| File number: | T24/25-12 | |
| Proponent/s | | |
| Author: | Mr Tony Bailey, Manager Operations and Fleet Services | |
| Other Contributors: | Ms Keisha Dawson, Contracts Officer | |
| Date of Committee Meeting: | 17 February 2025 | |
| Previously before Council: | | |
| Disclosure of Interest: | | |
| Nature of Council's Role : | Executive | |
| Attachments: | | |
| Maps/Diagrams: | | |
| Site: | Various | |
| Lot Area: | | |
| LA Zoning: | | |
| MRS Zoning: | | |

Purpose of Report

To provide Council with details of the Tender submissions received for Tender T24/25-12 - Standing Offer for the Supply of Security Patrol Services, document the results of the Tender assessment and make recommendations regarding award of the contract.

Background

Tender T24/25-12 was advertised in the West Australian on Saturday, 3 August 2024. The Tender closed at 2.00pm, Wednesday, 21 August 2024 and was publicly opened immediately after the closing time.

Details

The scope of works to be undertaken under the Contract shall include:

- Provision of security mobile patrols (not including Smartwatch)
- Alarm responses
- Securing of public facilities and amenities
- Static Guard and Crowd Control Services

The period of the contract shall be from the date of award for 36 months.

A panel as approved by the Director of Asset Services in compliance with Executive Standard - Purchasing of Goods and Services, undertook Tender evaluations.

Evaluation of the Tender, in accordance with the advertised Tender assessment criteria, produced the following weighted scores:

| Tenderer | Level of Service | Understanding Tender Requirements | Price Considerations | Total Score | Rank |
|----------------------------------|------------------|-----------------------------------|----------------------|-------------|------|
| | 30 Pts | 30 Pts | 40 Pts | 100 Pts | |
| Wilson Security Pty Ltd | 28.7 | 26.8 | 26.3 | 81.8 | 1 |
| Allied Security Australia | 18.7 | 15.8 | 40.0 | 74.5 | 2 |
| Major Security Services Pty Ltd | 21.8 | 20.0 | 10.6 | 52.4 | 3 |
| Advanced Protection Plus Pty Ltd | 16.5 | 13.0 | 18.1 | 47.6 | 4 |

The Contractor will be entitled to a price variation of the Contract rate every 12 months from the date of award. Such a price variation will be calculated in accordance with the variation in the Consumer Price Index (CPI) for Perth Western Australia for all groups for the 12 months preceding the last completed CPI quarter as at the date the price variation is due.

Implications to Consider

a. Consultation with the Community

Not Applicable

b. Consultation with Government Agencies

Not Applicable

c. Strategic

Community Plan

This item addresses the Community's Vision for the future and specifically the following Aspirations and Strategic Objectives contained in the Strategic Community Plan 2023-2033:

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

Outcome/Objective: *Community health and wellbeing - Reinforce a strong sense of safety*

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

Outcome/Objective: *Plan for sustainable growth - Create safe community places to live, recreate and work*

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

Outcome/Objective: *Sustainable Local Government - Optimise City resources*

d. Policy

In accordance with Executive Standard - Purchasing of Goods and Services, 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

Expenditure will be in accordance with the approved Budget and Business Plan. Annualised expenditure in the initial 12 months under the contract is estimated to be \$509,000.

f. Legal and Statutory

In accordance with section 3.57 of the *Local Government Act 1995* and *Local Government (Functions and General) Regulations 1996*, Part 4, Division 2, regulation 11(1).

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

g. Risk

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

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

*Customer Service / Program/Project management / Natural Environment: High and Extreme Risks
Financial Risks / Health and Safety: Medium, High and Extreme Risks*

Nil

Comments

Four (4) conforming Tenders were received. Wilson Security proposed alternate contract provisions relating to insurances which were deemed satisfactory to the City of Rockingham (**City**) following legal review. In addition to pricing, Tenderers were required to provide qualitative information demonstrating their capability to meet the required service levels. This involved highlighting relevant industry experience, company and personnel capacity, service delivery methodologies, understanding of critical activities, and plans for managing these, with a focus on customer relations and overall contract management.

Following consideration of the submissions in accordance with the Tender assessment criteria, the panel identified varying levels of understanding and capability in meeting the contract requirements. Wilson Security Pty Ltd submitted a strong proposal scoring highest in level of service, understanding Tender requirements and overall.

The submission from Wilson Security Pty Ltd is considered the best value to the City, and is therefore recommended as the preferred Tenderer.

Voting Requirements

Simple Majority

Officer Recommendation

That Council **ACCEPTS** the Tender submitted from Wilson Security Pty Ltd, Level 1, 117 Great Eastern Highway, Rivervale, for Tender T24/25-12 - Standing Offer for the Supply of Security Patrol Services, in accordance with the Tender documentation being from the date of Award for a period of 36 months.

Committee Recommendation

That Council **ACCEPTS** the Tender submitted from Wilson Security Pty Ltd, Level 1, 117 Great Eastern Highway, Rivervale, for Tender T24/25-12 - Standing Offer for the Supply of Security Patrol Services, in accordance with the Tender documentation being from the date of Award for a period of 36 months.

Committee Voting (Carried) – 5/0

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

Not Applicable

Asset Services Infrastructure Project Delivery



| | | |
|-----------------------------------|---|--|
| Report number / title: | AS-002/25 | Tender T24/25-57 - Provision of Services for Road, Drainage and Concrete Works on Four (4) Safety Bay Road Intersections, Waikiki |
| File number: | T24/25-75 | |
| Proponent/s | | |
| Author: | Mr Ian Daniels, Manager Infrastructure Project Delivery | |
| Other Contributors: | Mr Gurjinder Gill, Supervisor Civil Projects | |
| Date of Committee Meeting: | 17 February 2025 | |
| Previously before Council: | | |
| Disclosure of Interest: | | |
| Nature of Council's Role: | Executive | |
| Attachments: | | |
| Maps/Diagrams: | 1. Site Location | |
| Site: | | |
| Lot Area: | | |

Purpose of Report

To provide Council with details of the Tender submissions received for Tender T24/25-57 - Provision of Services for Road, Drainage and Concrete Works on Four (4) Safety Bay Road Intersections, Waikiki, document the results of the Tender assessment and make recommendations regarding award of the contract.

Background

Tender T24/25-57 - Provision of Services for Road, Drainage and Concrete Works on Four (4) Safety Bay Road Intersections, Waikiki was advertised in the West Australian on Saturday, 9 November 2024. The Tender closed at 2.00pm, Tuesday, 24 December 2024 and was publicly opened immediately after the closing time.

Details

The Works include the installation of stormwater drainage, concrete footpaths, pedestrian crossing and limestone retaining wall along with road modifications on Safety Bay Road, Michael Road, Raymond Road, Julia Street and Francis Street, Waikiki. The site location is shown in Figure 1.



1. Site Location

The contract period will commence in March 2025 and is expected to be completed in June 2025.

A panel as approved by the Director Asset Services in compliance with Executive Standard - Purchasing of Goods and Services, undertook Tender evaluations.

Evaluation of the Tender, in accordance with the advertised Tender assessment criteria, produced the following weighted scores:

| Tenderer | Level of Service | Understanding Tender Requirements | Price Considerations | Total Score | Rank |
|---|------------------|-----------------------------------|----------------------|-------------|----------|
| | 30 Pts | 30 Pts | 40 Pts | 100 Pts | |
| Industrial Roadpavers (WA) Pty Ltd | 19.0 | 17.3 | 40.0 | 76.3 | 1 |
| Dowsing Group Pty Ltd | 23.3 | 21.3 | 31.0 | 75.6 | 2 |
| WCP Civil Pty Ltd | 23.5 | 5.0 | 33.7 | 62.2 | 3 |
| Drainflow Services Pty Ltd | 15.2 | 5.7 | 35.3 | 56.2 | 4 |
| O'Brien Civil Pty Ltd | 5.8 | 4.3 | 18.1 | 28.2 | 5 |

The Tender assessment requires that Local Content is considered with the following outcome:

| Tenderer | Original Score | Local Content | Total Score | Rank |
|------------------------------------|----------------|---------------|-------------|------|
| | 100 Pts | 5 Pts | 105 Pts | |
| Industrial Roadpavers (WA) Pty Ltd | 76.3 | 3 | 79.3 | 1 |
| Dowsing Group Pty Ltd | 75.6 | 2 | 77.6 | 2 |

This is a lump sum contract which does not allow for a price variation due to rise and fall or a variation in the Consumer Price Index (CPI) for Perth Western Australia.

Implications to Consider

a. Consultation with the Community

Nil

b. Consultation with Government Agencies

Western Power for the upgrade to streetlights and Main Roads Western Australia for the installation of line marking and signage as part of the project.

c. Strategic

Community Plan

This item addresses the Community's Vision for the future and specifically the following Aspiration and Strategic Objective contained in the Strategic Community Plan 2023-2033:

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

In accordance with Executive Standard - Purchasing of Goods and Services, 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

The recommended submission of \$616,073.00 is in accordance with the approved Budget. The project is fully funded through the Federal Blackspot Program.

f. Legal and Statutory

In accordance with section 3.57 of the *Local Government Act 1995* and *Local Government (Functions and General) Regulations 1996*, Part 4, Division 2, regulation 11(1).

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

g. Risk

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

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

*Customer Service / Program/Project management / Natural Environment: High and Extreme Risks
 Financial / Health and Safety: Medium, High and Extreme Risks*

Nil

Comments

Following consideration of the submissions in accordance with the Tender assessment criteria, the panel identified varying levels of experience, understanding and capacity to undertake the works.

The submission received from Industrial Roadpavers (WA) Pty Ltd identified its relevant experience in similar works along with its experienced personnel and capacity to undertake the works in the selected timeframes. Its methodology, schedule and expected outcomes show understanding of the requirements to undertake the works.

The submission received from Industrial Roadpavers (WA) Pty Ltd is considered the best value to the City of Rockingham and therefore recommended as the preferred Tenderer.

Voting Requirements

Simple Majority

Officer Recommendation

That Council **ACCEPTS** the Tender submitted from Industrial Roadpavers (WA) Pty Ltd, 38 Miguel Road, Bibra Lake, WA, 6163 for Tender T24/25-57 - Provision of Services for Road, Drainage and Concrete Works on Four (4) Safety Bay Road Intersections, Waikiki in accordance with the Tender documentation for the lump sum value of \$616,073.00 (ex GST).

Committee Recommendation

That Council **ACCEPTS** the Tender submitted from Industrial Roadpavers (WA) Pty Ltd, 38 Miguel Road, Bibra Lake, WA, 6163 for Tender T24/25-57 - Provision of Services for Road, Drainage and Concrete Works on Four (4) Safety Bay Road Intersections, Waikiki in accordance with the Tender documentation for the lump sum value of \$616,073.00 (ex GST).

Committee Voting (Carried) - 5/0

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

Not Applicable

Corporate and Community Development Committee

**General Management Services
 Governance and Councillor Support**



| | | |
|-------------------------------|---|---|
| Report number / title: | GM-001/25 | Appointment of the Western Australian Electoral Commission to Conduct the City of Rockingham Ordinary Local Government Elections 2025 and Extraordinary Elections and Polls (<i>Absolute Majority</i>) |
| File number: | GOV/10 | |
| Proponent/s: | Western Australian Electoral Commission | |
| Author: | Mr Jim Olynyk, Manager Governance and Councillor Support | |
| Other Contributors: | | |
| Date of Committee meeting: | 18 February 2025 | |
| Previously before Council: | GM-007/23 (28 February 2024) | |
| Disclosure of Interest: | | |
| Nature of Council's role: | Executive | |
| Attachments: | <ol style="list-style-type: none"> 1. Letter from Western Australian Electoral Commission - Local Government Ordinary Election: 2025 Cost Estimate 2. WAEC Written Agreement Letter | |
| Maps / Diagrams: | | |
| Site: | | |
| Lot Area: | | |

Purpose of Report

Council to consider appointing the Western Australian Electoral Commissioner to conduct the ordinary local government elections, including election of the Mayor, for the City of Rockingham on 18 October 2025 together with any other elections or polls that may also be required by the postal ballot method.

Background

The Western Australian Electoral Commission (**WAEC**) has conducted the City of Rockingham (**City**) elections by the postal ballot method since 1999. The conduct of postal elections by the WAEC has resulted in higher voter participation than when 'voting in person' elections were conducted. Postal elections allow for greater community participation and an appropriate separation of the roles between the City's administration and election process.

| Election Year | % Voter Participation |
|----------------------|------------------------------|
| 2023 | 31.0 |
| 2021 | 30.1 |

| Election Year | % Voter Participation |
|---------------|-----------------------|
| 2019 | 24.9 |
| 2017 | 31.0 |

Details

A letter was received from the Electoral Commissioner, dated 12 December 2024, notifying of the cost estimate to conduct the 2025 Local Government Elections by the postal ballot method.

The next ordinary local government election, including the election of the Mayor, is scheduled for 18 October 2025 and in order for the WAEC to commence planning it has requested that Council consider whether it wishes to appoint the Electoral Commissioner to conduct the election by postal ballot.

If Council wishes to pursue the option with the WAEC it needs to resolve to appoint the Electoral Commissioner to conduct the election, together with any other elections or polls required, and that the elections or polls be conducted through the postal method.

The other elections referred to are any extraordinary elections created by the resignation of Councillors mid-term. These elections can be held in conjunction with the ordinary election or polls that Council may decide to hold.

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 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

The Electoral Commissioner has advised the estimated costs of conducting the 2025 ordinary local government elections for the City of Rockingham is \$527,795 excluding GST, plus an additional \$56,091 excluding GST should Council wish to choose Australia Post's Priority Service. An appropriate allocation will be made in the 2025/2026 budget.

Note: this compares with a cost of \$395k for the 2021 election and priority post option (including the Mayoral election, previously estimated at \$12,000) and \$460k for the 2023 election and priority post option (with no Mayoral election).

The State Government advised in 2023 that Local Government Elections will be conducted on the optional preferential basis following changes to the *Local Government Act 1995*. Optional preferential voting is more complex than the previous system, in particular the count process and ascertaining a result. E.g.: The final result may take a number of days in comparison to the previous system which saw the result normally available on the night of the election. This additional time together with current market trends is no doubt associated with the increased costs.

f. Legal and Statutory

In accordance with section 4.20(4) and section 4.61(1) and (2) of the *Local Government Act 1995* – Council is to appoint a Returning Officer and choose method of conducting the election by absolute majority.

The current legislation only permits the Electoral Commissioner, as appointed under the provisions of the *Electoral Act 1907*, to conduct postal elections. The only alternative is for the City to run its own 'In Person' elections. The last voting in person election conducted by the City was in 1997, with a voter turnout of 13.7%. The last postal election conducted in 2023 produced an average voter turnout of 30.91%.

Further, amendments to the *Local Government Act 1995* effective from 7 December 2024 provided new sections 4.1C. Orders mandating method of conducting election: postal elections and 4.1D. Orders mandating method of conducting election: voting in person elections. These sections allow the Governor, on recommendation of the Minister for Local Government, to override any decision of the local government under section 4.61 of the Act, ie conduct of an election by postal or voting in person.

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 / Program/Project management / Natural Environment : High and Extreme Risks
Financial / Health and Safety : Medium, High and Extreme Risks*

Nil

Comments

The WAEC has been engaged by the City of Rockingham to conduct postal elections since 1999. The average voter turnout at the postal elections since 1999 is 31%. Presently, the WAEC conducts postal elections on behalf of the majority of local governments in the metropolitan area and generally throughout the State. Significant logistical effort would be required if Council decides the City conducts its own elections, by way of 'in person' elections which historically do not achieve the voter turnout that postal elections achieve. Further at the 2021 and 2023 election Council chose to use the priority post option due to concerns raised at the previous election with the timeliness of voters receiving electoral packages. Given previous experience any method to improve postal delivery is seen as advantageous.

Finally, the 'Written Agreement: 2025 Local Government Ordinary Election' letter from the Electoral Commissioner dated 9 January 2025 states:

'This letter is my written agreement to be responsible for the conduct of the local government ordinary election for the City of Rockingham. In order to finalise this agreement, you are required under the Local Government Act 1995 to submit the following motions to Council for a postal election:

- 1. declare, in accordance with section 4.20(4) of the Local Government Act 1995, the Electoral Commissioner to be responsible for the conduct of the 2025 ordinary election, together with any other elections or polls which may be required;*
- 2. decide, in accordance with section 4.61(2) of the Local Government Act 1995 that the method of conducting the election will be as a Postal election.*

Please note that:

- the above motion/s must be presented to Council as drafted and cannot be amended in any way;*
- both the Cost Estimates Letter, and this Written Agreement Letter should be attached to the item for Council consideration; and*
- the above motion/s must be passed by an absolute majority.*

Once the Council passes the above mentioned motion/s, please forward confirmation to the Commission to the email address below. The Commission can then proceed with arrangements for your ordinary election.'

Given the advantages that postal elections provide in terms of turnout, the potential voter fatigue in 2025 with State, Federal and local elections scheduled for Western Australia and the independence provided by the Electoral Commission conducting elections the appointment of the WAEC is supported.

Voting Requirements

Absolute Majority

Officer Recommendation

That Council:

1. **DECLARE**, in accordance with section 4.20(4) of the *Local Government Act 1995*, the Electoral Commissioner to be responsible for the conduct of the 2025 ordinary election, together with any other elections or polls which may be required.
2. **DECIDE**, in accordance with section 4.61(2) of the *Local Government Act 1995* that the method of conducting the election will be as a Postal election.
3. **APPROVE**, the use of the Australia Post Priority Service for the lodgement of election packages at an additional estimated cost of \$56,091.
4. **AGREE** to proceed with the conduct of the 2025 ordinary elections as per Attachment 1 Letter from Western Australian Electoral Commission - Local Government Ordinary Election: 2025 Cost Estimate and Attachment 2 WAEC Written Agreement.

Committee Recommendation

That Council:

1. **DECLARE**, in accordance with section 4.20(4) of the *Local Government Act 1995*, the Electoral Commissioner to be responsible for the conduct of the 2025 ordinary election, together with any other elections or polls which may be required.
2. **DECIDE**, in accordance with section 4.61(2) of the *Local Government Act 1995* that the method of conducting the election will be as a Postal election.
3. **APPROVE**, the use of the Australia Post Priority Service for the lodgement of election packages at an additional estimated cost of \$56,091.
4. **AGREE** to proceed with the conduct of the 2025 ordinary elections as per Attachment 1 Letter from Western Australian Electoral Commission - Local Government Ordinary Election: 2025 Cost Estimate and Attachment 2 WAEC Written Agreement.

Committee Voting (Carried) – 6/0

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

Not Applicable

General Management Services Governance and Councillor Support



| | | |
|-------------------------------|--|---|
| Report number / title: | GM-002/25 | Superannuation Payments to Council Members – Local Government Act 1995 (Absolute Majority) |
| File number: | GOV/74 | |
| Proponent/s: | | |
| Author: | Mr Jim Olynyk, Manager Governance and Councillor Support | |
| Other Contributor/s: | Mr Michael Parker, Chief Executive Officer | |
| Date of Committee meeting: | 18 February 2025 | |
| Previously before Council: | | |
| Disclosure of Interest: | | |
| Nature of Council's role: | Executive | |
| Attachments: | | |
| Maps / Diagrams: | | |
| Site: | | |
| Lot Area: | | |

Purpose of Report

For Council to consider and resolve its position on superannuation payments to Council Members.

Background

The *Local Government Act 1995 (Act)* as part of the state government's local government reform process now allows local governments to resolve by absolute majority to make superannuation contributions for Council Members from 1 February 2025.

The Department of Local Government Sport and Cultural Industries (**DLGSC**) in its publication released on 31 January 2025 stated:

'Making superannuation contribution payments for council members acknowledges the significant dedication and investment of time a council member commits to their role and helps bring council members in line with the wider workforce.'

The resolution process is streamlined by only requiring an absolute majority decision rather than a unanimous one. Similarly, the system set out in the Act means superannuation can be paid without needing to also address the other taxation requirements of becoming an ELGB.¹

This reform aims to attract and retain council members and encourage greater diversity across local governments.'

¹ "Eligible Local Governing Body" (ELGB) under Division 446 of the Taxation Administration Act 1953 (Cth),

Details

From 1 February 2025 all local governments will have the option to resolve by absolute majority to make superannuation contributions for Council Members.

From 19 October 2025, it will become mandatory for class 1, (including the City of Rockingham) and class 2 local governments to make superannuation contributions.

For class 3 and 4 local governments, the payment will remain optional for each council to decide if they want to make superannuation contributions to Council Members.

Where a local government is required to, or resolves to, make superannuation contributions, individual Council Members may choose to 'opt out' of receiving superannuation.

Implications to Consider

a. Consultation with the Community

As superannuation payments for class 1 local governments will become mandatory from 19 October 2025 community engagement is not considered necessary.

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

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

d. Policy

Under Council Policy the timing of payments for Council Member allowances is currently via two methods which transitions to a single method following the 2025 local government election. This will need to be accounted for should Council determine superannuation payments to commence prior to 19 October 2025.

e. Financial

No budgetary provision has presently been made, though dependent on Council's decision on the matter the item can be included as part of the budget review process and/or budget preparations for 2025/2026.

The minimum superannuation guarantee payable is currently 11.5% (from 1 July 2024) of ordinary time earnings. This is scheduled to increase to 12% from 1 July 2025.

Should Council commence superannuation payments as outlined below the following financial implications are estimated based on current meeting fees / annual allowances:

1. Superannuation payments commencing 1 February 2025, estimated 2024/2025 unbudgeted expense \$29,207.09.
2. Superannuation payments commencing 1 July 2025, estimated at \$70,097.01 for 2025/2026.
3. Superannuation payments commencing from 19 October 2025, the date of the mandatory requirement, estimated at \$52,572.76 for 2025/2026.

f. Legal and Statutory

The *Local Government Act 1995* was amended on 1 February 2025 to include the following requirements relevant to superannuation for Council Members, (Note: key points are highlighted for Council member attention):

5.99B. Superannuation for council members: main provisions

(1) In this section and sections 5.99C to 5.99E —

remuneration has the same meaning that it has in the Superannuation Guarantee (Administration) Act 1992(Commonwealth) section 11(1)(e);

superannuation contribution payment, in relation to a council member, means —

(a) a payment of a prescribed type that is towards, or otherwise relates to, superannuation or retirement benefits for the council member; or

(b) in the absence of regulations made for the purposes of paragraph (a) — a payment that is a contribution to an account that —

(i) is nominated by the council member to the local government; and

(ii) is for superannuation or retirement benefits from a scheme or fund to which the Superannuation Guarantee (Administration) Act 1992(Commonwealth) applies.

(2) A local government may decide* to pay superannuation contribution payments for its council members under this section.

* *Absolute majority required.*

(3) A local government may revoke* a decision made by it under subsection (2).

* *Absolute majority required.*

(4) Regulations may require a local government, for which no decision under subsection (2) is in effect, to pay superannuation contribution payments for its council members under this section.

(5) Regulations may make provision for determining —

(a) when a superannuation contribution payment for a council member is payable; and

(b) the amount of a superannuation contribution payment for a council member.

(6) Subsections (7) and (8) apply in the absence of regulations made for the purposes of subsection (5).

(7) A superannuation contribution payment for a council member is payable with, and at the same time as, any remuneration of the council member paid by the local government.

(8) The amount of the superannuation contribution payment is the amount that the local government would have been required to contribute under the Superannuation Guarantee (Administration) Act 1992 (Commonwealth) as superannuation if —

(a) the council member were an employee of the local government for the purposes of that Act; and

(b) the remuneration were salary or wages of the council member for the purposes of that Act.

(9) This section is subject to sections 5.99C and 5.99D.

[Section 5.99B inserted: No. 47 of 2024 s. 63.]

5.99C. Superannuation for council members: opt outs

(1) This section applies to a local government —

(a) for which a decision under section 5.99B(2) is in effect; or

(b) to which a requirement under regulations made for the purposes of section 5.99B(4) applies.

(2) A council member may, by written notice to the CEO (an opt-out notice), opt out of superannuation contribution payments.

(3) An opt-out notice remains in effect unless, and until, the council member, by written notice to the CEO, revokes the opt-out notice.

(4) If an opt-out notice is in effect, the local government cannot pay a superannuation contribution payment for the council member under section 5.99B.

Note for this subsection:

If an opt-out notice is revoked, the local government cannot pay a superannuation contribution payment for the council member that the local government could not previously pay because of this subsection.

[Section 5.99C inserted: No. 47 of 2024 s. 63.]

5.99D. Superannuation for council members: other exceptions

(1) This section applies to a local government —

- (a) for which a decision under section 5.99B(2) is in effect; or
- (b) to which a requirement under regulations made for the purposes of section 5.99B(4) applies.

(2) A local government cannot pay a superannuation contribution payment for a council member under section 5.99B at any time when the Taxation Administration Act 1953 (Commonwealth) Schedule 1 section 12-45(1)(e) applies in relation to the local government.

(3) Subsection (4) applies in the absence of regulations made for the purposes of paragraph (a) of the definition of superannuation contribution payment in section 5.99B(1).

(4) A local government cannot pay a superannuation contribution payment for a council member under section 5.99B if the council member has not, before the time at which the superannuation contribution payment must be paid, nominated an account to the local government as referred to in paragraph (b) of the definition of superannuation contribution payment in section 5.99B(1).

(5) Regulations may prescribe circumstances in which a local government —

- (a) cannot pay a superannuation contribution payment for a council member under section 5.99B; or
- (b) can pay only a portion of the amount of each superannuation contribution payment for a council member under section 5.99B.

(6) Regulations may make provision for determining the portion referred to in subsection (5)(b).

Note for this section:

A superannuation contribution payment, or a portion of a superannuation contribution payment, that a local government cannot pay for a council member under subsection (2) or (4), or under a provision of regulations made for the purposes of subsection (5), cannot be paid by the local government after the subsection or provision of regulations has ceased to apply. For example, if a local government cannot pay a superannuation contribution payment for a council member under subsection (2), the local government cannot pay the superannuation contribution payment after the Taxation Administration Act 1953 (Commonwealth) Schedule 1 section 12-45(1)(e) ceases to apply in relation to the local government.

[Section 5.99D inserted: No. 47 of 2024 s. 63.]

5.99E. Superannuation for council members: supplementary provisions

(1) For the purposes of subsection (2), this subsection applies to a case in which —

- (a) section 5.102AB, 8.29(5)(b) or 8.30B(4)(b) applies in relation to an annual allowance or annual fee paid in advance to a person (the relevant person); and
- (b) the local government paid a superannuation contribution payment for the relevant person under section 5.99B wholly or partly by reference to, or otherwise in connection with, the annual allowance or annual fee.

(2) Regulations may, in respect of a case to which subsection (1) applies, make provision —

- (a) requiring the relevant person to pay the local government an amount (the returnable amount) that is equal to a percentage of the amount of the superannuation contribution payment; and
- (b) for determining that percentage (which may be 100%); and

(c) for the local government to recover the returnable amount if it is not paid.

(3) In making a determination under the Salaries and Allowances Act 1975 section 7B, the Salaries and Allowances Tribunal must not take into account either of the following —

(a) the payment of superannuation contribution payments by a local government under section 5.99B;

(b) a local government's power to decide to pay, or its duty to pay, superannuation contribution payments under section 5.99B.

(4) Nothing in section 5.99B, 5.99C or 5.99D or this section, or that is done under section 5.99B, 5.99C or 5.99D or this section, makes a council member an employee of the local government.

(5) A superannuation contribution payment paid by a local government under section 5.99B is not salary for the purposes of any written law.

[Section 5.99E inserted: No. 47 of 2024 s. 63.]

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 / Program/Project management / Natural Environment : High and Extreme Risks

Financial / Health and Safety : Medium, High and Extreme Risks

Nil

Comments

Superannuation contribution payments for Council Members will be made in addition to any other fees and allowances. These will sit outside the threshold for fees and allowances set by the Salaries and Allowances Tribunal. Council Members may receive various types of fees and allowances, in accordance with the Act and the relevant determination of the Salaries and Allowance Tribunal.

The requirement to make superannuation contribution payments in respect of these fees and allowances is to be determined in accordance with Commonwealth *Superannuation Guarantee (Administration) Act 1992 (SG Act)* and the further guidance provided in Superannuation Guarantee Ruling SGR 2009/2.

While Council Members are not considered employees under the SG Act, they are to be treated in the same manner as employees of the local government for the purposes of calculating superannuation contribution payments.

The payment is to be the same required under the SG Act. By 1 July 2025, the superannuation guarantee rate will be 12 per cent.

The superannuation contribution payment is to be paid at the same time as the allowances of the Council Member is paid. In order to allow a superannuation contribution payment to be made, a Council Member must nominate a superannuation account from a scheme or fund to which the SG Act applies. Superannuation contribution payments for a Council Member will not be made if the Council Member fails to nominate an eligible superannuation account before the end of the month to which the payment relates.

Local governments must not make superannuation contribution payments for Council Members during any period in which they are suspended under the Act. Individual Council Members may opt out.

Further advice will be sought regarding the *Superannuation Guarantee (Administration) Act 1992* and Superannuation Guarantee Ruling SGR 2009/2 to ensure full compliance on the subject. Potentially this advice will come from the Western Australian Local Government Association (WALGA) who is working with Moore Australia (Accounting, Tax & Auditing Services) for an industry wide opinion.

Options

It appears there are three distinct options for the introduction of Superannuation payments for Council Members:

Option 1: Introduce the payment from the earliest legal opportunity being 1 February 2025. This would result in an estimated unbudgeted expense of \$29,207.09 which could be referred to the next budget review process.

Option 2: Introduce the payments from 1 July 2025 in the new financial year and make provisions in the 2025/2026 Budget, estimated at \$70,097.01.

Option 3: Introduce the payment from 19 October 2025, the date of the mandatory requirement and following the next local government election, estimated at \$52,572.76 for 2025/2026

All options can be implemented subject to confirmation of specific requirements under the legislation and establishment of internal processes.

Voting Requirements

Absolute Majority

Officer Recommendation

That Council **APPROVES** superannuation payments to Council Members in accordance with the provisions of the *Local Government Act 1995* and *Superannuation Guarantee (Administration) Act 1992* commencing from 1 July 2025.

Committee Recommendation

Note: Cr Buchanan proposed a foreshadowed motion to include option 1 – to commence superannuation payments from 1 February 2025 if the Officer Recommendation was lost.

Officer Recommendation

That Council **APPROVES** superannuation payments to Council Members in accordance with the provisions of the *Local Government Act 1995* and *Superannuation Guarantee (Administration) Act 1992* commencing from 1 July 2025.

Note: The officer recommendation lapsed for want of a mover and seconder

Committee Recommendation

That Council **APPROVES** superannuation payments to Council Members in accordance with the provisions of the *Local Government Act 1995* and *Superannuation Guarantee (Administration) Act 1992* commencing from 1 February 2025.

Committee Voting (Carried) – 5/1

Council Members voting for the motion:

Cr Buchanan
Cr Middlecoat
Cr Crichton
Cr Schmidt
Cr Hume

Council Members voting against the motion:

Cr Liley

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

Amend the commencement date of the superannuation payments from 1 July 2025 to 1 February 2025.

Community Development Community Capacity Building



| | |
|-----------------------------------|---|
| Report number / title: | CD-001/25 Seniors Strategy 2025-2029 |
| File number: | CSV/687 |
| Proponent/s: | |
| Author: | Ms Rebekka Jarvis, Coordinator Community Capacity Building |
| Other Contributor/s: | Mr Paul Hayward, Manager Community Capacity Building Ms Bethany Dubberlin, Community Development Officer (Seniors) |
| Date of Committee meeting: | 18 February 2025 |
| Previously before Council: | |
| Disclosure of Interest: | |
| Nature of Council's role: | Executive |
| Attachments: | 1. Seniors Strategy 2025-2029 |
| Maps / Diagrams: | |
| Site: | |
| Lot Area: | |

Purpose of Report

To seek Council's adoption of the Seniors Strategy 2025-2029 following public consultation.

Background

The new Seniors Strategy (**Strategy**) builds on the outcomes of the previous Seniors Strategy 2017-2021. The draft Strategy was endorsed for public comment at the Council meeting on 26 November 2024.

The draft Strategy was available for public comment over a five-week period, from Tuesday 3 December 2024 until Tuesday 7 January 2025. The City of Rockingham (**City**) received submissions from 13 community members which resulted in minor amendments to the Strategy. The Strategy is now presented to Council for adoption.

Details

The objective of the Strategy is to create an inclusive, supportive, and connected community where older residents are supported and empowered to access services, live independently, and actively participate in the life of the City.

Its development was informed by research, data analysis and a comprehensive internal and external community and stakeholder engagement process.

The strategy includes four Key Elements, with a total of 30 actions: 6 new and 24 ongoing.

Key Element 1 - Support and Wellbeing

Facilitate services for older adults, and empower them to understand, navigate, and access a wide range of community resources and supports.

This Key Element comprises ongoing actions, including:

- Deliver the Community Grants Program to assist organisations to deliver programs and services for seniors
- Deliver and actively promote the Rockingham Connect Community Transport Service
- Deliver programs and workshops, in partnership with external agencies, to raise awareness of community services for seniors
- Deliver the annual Seniors and Carers Expo, or explore alternative ways to raise awareness and facilitate access to local services, programs and opportunities

A new action under this Key Element is:

- Use the findings of the 2024 Community Services Mapping Report to support and advocate for seniors services in Rockingham

Key Element 2 - Environment

Plan and advocate for age-friendly housing, support low-income seniors in maintaining independence at home, and reduce barriers to access and inclusion.

This Key Element comprises ongoing actions, including:

- Consider Age-friendly and dementia -friendly principles when planning for new or upgraded City facilities
- Advocate to state and federal government to provide incentives which encourage development of affordable age-friendly housing, including aged care / retirement living, and crisis accommodation
- Guided by the Local Planning Strategy, ensure the City's Local Planning Scheme allows for the development of a variety of housing types to enable seniors to maintain a high quality of life
- Deliver the Home Modification and Assistive Equipment Subsidy Scheme to assist seniors to manage everyday tasks and remain longer in their own home
- Provide and promote ways for seniors to give feedback about the City's outdoor spaces, infrastructure and facilities
- Identify and deliver programs and workshops, in partnership with external agencies, which educate seniors about ways to remain independent at home for longer

Key Element 3 - Participation and Inclusion

Foster a vibrant community by celebrating the contributions and diversity of older residents, supporting social connections and lifelong learning, and encouraging active civic and community engagement.

Ongoing actions within this Key Element include:

- Work with State Government and Local Government Professionals' Age-friendly Network to promote age-friendly principles, services and programs within the community
- Provide/facilitate a range of programs and activities for seniors through the Autumn Centre
- Provide/facilitate a range of programs and activities for seniors through Community and Leisure Facilities
- Provide/facilitate a range of programs and activities for seniors through City Libraries
- Provide training, workshops and information to staff, volunteers and community members to raise awareness of age-friendly topics and issues (E.g. ageism and dementia)
- Support local groups and service providers to deliver dementia-friendly programs for people living with dementia, carers and their families
- Provide intergenerational initiatives in line with the City's Strategy for Early Years, Children and Young People 2024 – 2030
- Deliver volunteer opportunities as per the City's Health and Wellbeing Strategy 2024-2029

- Ensure that all City programs and services meet the requirements of the City's Disability Access and Inclusion Plan

New actions under this Key Element are:

- Liaise with the Small Business Development Corporation and/or Rockingham Kwinana Chamber of Commerce and local businesses to explore ways to address feedback from local seniors relating to reported ageism / age-related customer service issues
- Liaise with relevant external organisations to consider and implement programs for seniors from diverse backgrounds, including First Nations and CaLD communities

Key Element 4 - Communication and Information

Empower older people to access information, provide feedback to the City, and stay connected with their community.

Ongoing actions within this Key Element are:

- Promote positive portrayals of older people and celebrate their diversity through media, communication campaigns and other initiatives
- Continue to offer information relevant to older people in a variety of digital and print formats, and in alignment with age-friendly principles
- Partner with external agencies to facilitate online security education sessions for older people
- Develop resources on a range of issues, to be distributed to seniors, carers and family members during City programs and events
- Deliver the Information Technology Subsidy Scheme to assist seniors to become more connected with friends, family, resources and information

New actions under this Key Element are:

- Promote the City's Community Directory to service providers and organisations, to ensure their information is included and accessible
- Promote the City's Community Directory to seniors, carers and family members, to enable them to learn about and access local services
- Facilitate training and education opportunities for seniors which focus on utilising new technologies to stay connected and informed

Implications to Consider

a. Consultation with the Community

The draft Strategy was open for public comment from Tuesday 3 December 2024 until Tuesday 7 January 2025. The public comment period was advertised through the following:

- RockPort and Share Your Thoughts pages
- Seniors Newsletter (Mailchimp)
- Age-friendly Rockingham Network
- City's social media platforms
- Digital screens at Libraries, Autumn Centre and the Administration Building

The City received submissions from 13 community members through the consultation period. Key topics and officer responses are outlined below:

| Key Topic | Officer Response |
|---|---|
| Positive feedback Numerous generous positive comments were received, commending the City for developing a Seniors Strategy. One | Officers acknowledged and thanked the respondents for their feedback. |

| Key Topic | Officer Response |
|---|--|
| <p>example is provided below:</p> <p><i>'...My wife and I consider ourselves fortunate to live in the city of Rockingham which already has a wonderful environment and many amenities and programs on offer to residents supported by the City of Rockingham. Therefore the ongoing work being suggested to further support seniors wellbeing in the draft strategy document is to be commended.'</i></p> | |
| <p>Shark net</p> <p>A community member requested that the City install a shark net at a local beach, to encourage people of all ages to enjoy water activities and improve health outcomes.</p> | <p>Shark nets are not directly relevant to the Seniors Strategy. However, the City has previously investigated shark nets and they were not supported.</p> |
| <p>Mental health and wellbeing</p> <p>One community member requested an increased emphasis on mental health and wellbeing, particularly around loneliness.</p> | <p>Mental health and wellbeing principles are captured in the draft Seniors Strategy. Mental health initiatives are also addressed through the City's Health and Wellbeing Strategy 2024-2029.</p> <p>Advocacy in mental health support services, as well as strategies to address loneliness and isolation, are also key focus areas of the Community Safety and Support Services Strategy 2022 – 2027.</p> |
| <p>Promotion of services</p> <p>Two self-promotion submissions were received from:</p> <ul style="list-style-type: none"> · A community group that provides digital literacy opportunities to older people · A service provider that provides motivational art classes to community members | <p>In relation to the community group, the City provides capacity building support and collaboration opportunities to the community group, and will continue to do so.</p> <p>In relation to the service provider, Officers thanked them for their information, noted the services available, and provided information about the City's Community Grants Program.</p> |
| <p>Accessibility of foot paths and cycle paths</p> <p>Two submissions were received regarding the connectivity and accessibility of foot paths when needing to cross roads, and the accessibility of cycle paths for people using mobility aids such as mobility scooters or rollators (walkers with wheels).</p> <p>Both submissions gave examples of locations where they have personally experienced accessibility issues.</p> <p>(Note: some of the examples provided related to non-City premises).</p> | <p>The draft Seniors Strategy contains a range of actions that relate to this feedback.</p> <p>The Road Safety Management Plan 2023 – 2030 also includes actions which also relate to this feedback.</p> <p>In addition, the Disability Access and Inclusion Plan outlines the City's commitment to access and inclusion, across 8 outcome areas.</p> <p>Officers also:</p> <ul style="list-style-type: none"> · Passed on the feedback to the relevant City departments responsible for cycle paths and footpaths. · Provided information to the two community members about how to report any future |

| Key Topic | Officer Response |
|--|--|
| | <p>accessibility concerns or complaints about the City's outdoor spaces, infrastructure, and facilities.</p> |
| <p>Rockingham Foreshore – ACROD parking and road closure</p> <p>One comment stated that there is a lack of ACROD parking available at the foreshore, considering the amount of retirement villages in the region.</p> <p>One comment stated that the constant noise and aggressively driven cars and motorbikes along the café strip create a barrier for older people. The suggestion was made to close the roads to vehicles between Railway Terrace and Wanliss Street on weekends and public holidays from October to April each year. This measure could reduce noise and create a more welcoming and safe environment along the foreshore, encouraging older community members to socialise and reducing feelings of loneliness.</p> | <p>The City provides the required ACROD parking bays at the Rockingham Foreshore and has no position to close Rockingham Beach Road.</p> <p>Rockingham Beach Road is closed during major events, and the City will continue collaborating with local businesses to activate the space during these periods.</p> <p>Traffic complaints, including hoon driving, should be reported to the police.</p> |
| <p>Suggested addition to action 3.7</p> <p>One submission suggested including Kwinana Chamber of Commerce into Action 3.7: 'Liaise with the Small Business Development Corporation and local businesses to explore ways to address feedback from local seniors relating to reported ageism / age-related customer service issues'.</p> | <p>Action 3.7 has been updated to reflect the inclusion of the Rockingham Kwinana Chamber of Commerce.</p> |
| <p>Housing options</p> <p>Two submissions were received, requesting:</p> <ul style="list-style-type: none"> • Provision for diverse housing options, including higher-density living with faster approval times for smaller bedroom houses and multi-unit complexes • Efforts to attract developers to build high-rise apartments designed for older people, featuring access to amenities, such as cafés, restaurants, gyms and pools. <p>Another commenter suggested that the City's draft Strategy does not adequately outline Council's role in relation to addressing housing, palliative care and ageing in place, and questioned the City's consistency (For example, the Strategy mentions a "strong preference for seniors remaining in their current accommodation", which aligns with the idea of "aging in place". However, the submission points out that this</p> | <p>The City is not responsible for the provision of housing, although the Local Planning Strategy makes provision for a range of housing options.</p> <p>Officers also noted that different housing options and approaches will be preferable / more appropriate to different people at different times. (E.g. downsizing, and / or remaining independent at home for longer).</p> <p>Through the Economic Development Strategy 2020-2025, the City is focused on efforts to promote investment opportunities, including aged care and retirement living.</p> <p>State Government is responsible for health care in Western Australia. The City's Subsidy Scheme (Home Modification and Assistive Equipment category) is available to assist older people to age in place. Eligible residents can receive reimbursements towards purchases made (e.g. grab rails) to help manage their every tasks and remain longer in their home.</p> <p>Officers provided an update in relation to the Challenger Precinct.</p> |

| Key Topic | Officer Response |
|--|--|
| <p>statement is inconsistent with other concepts, such as downsizing.</p> <p>One commenter requested an update on the Challenger Precinct development</p> | |
| <p>AUKUS and perception of safety</p> <p>One comment raised concerns about the safety of AUKUS, requesting that the City liaise with the military to ensure community safety and respect.</p> | <p>The City is in regular communication with the relevant government agencies, highlighting issues of concern raised by the community.</p> |
| <p>Information and free activities for seniors</p> <p>Three comments were received regarding information and free activities for seniors, which:</p> <ul style="list-style-type: none"> · Highlighted the importance of continuing the Seniors and Carers Expo · Suggested a specific information session on planning for retirement and ageing. · Recommended that the City offers free exercise classes for seniors in older suburbs, including Cooloongup, Hillman, Rockingham, Safety Bay and Waikiki, similar to those provided in other suburbs. | <p>The draft Seniors Strategy includes a range of actions which address this feedback.</p> <p>The City's Seniors Social and Wellbeing Program provides free exercise classes for older people in Golden Bay, Secret Harbour and Baldivis. It includes social connection opportunities in addition to physical exercise.</p> <p>The City offers free exercise opportunities for community members at the Rockingham Foreshore during the summer months, including Tai Chi, Jungle Body, and Yoga.</p> <p>Officers noted the suggestion for an information session on retirement planning and ageing, and will consider this when planning future programs and activities in accordance with the draft Seniors Strategy Implementation Plan.</p> |
| <p>Subsidy Scheme</p> <p>One comment requested an increase in the reimbursement amounts for the Subsidy Scheme.</p> | <p>The City reviews the Subsidy Scheme as part of the annual budgeting process. This suggestion has been noted for consideration in a future team plan process.</p> |
| <p>Community facilities and access to facilities</p> <p>One comment suggested that the City should consider building an additional facility for seniors, suggesting that the Autumn Centre is at capacity, and that older people in other suburbs may be missing out on a similar facility.</p> <p>Two submissions further suggested that the Autumn Centre needs:</p> <ul style="list-style-type: none"> · Improved Wifi · Improvements to the recently updated car park to allow for both entry and exit points at the extension <p>Two submissions raised questions relating to access, as follows:</p> <ul style="list-style-type: none"> · The City was compared to the City of Kwinana highlighting that Kwinana is conveniently designed with facilities such as the shopping centre, library, and swimming pool in close | <p>As per the draft Seniors Strategy, significant works are planned for the Autumn Centre.</p> <p>The draft Seniors Strategy includes actions relating to a range of seniors programs and activities at various City venues and facilities (E.g. Leisure facilities and libraries).</p> <p>The City's Seniors Social and Wellbeing Program provides free exercise classes for older people in Golden Bay, Secret Harbour and Baldivis. It includes social connection opportunities in addition to physical exercise.</p> <p>The City's Rockingham Connect Community Transport Service (RCCTS) is available to eligible residents, and includes a stop at the Autumn Centre. The City reviews RCCTS destinations on an ongoing basis</p> <p>Where relevant, comments have been noted and shared with the relevant City departments.</p> |

| Key Topic | Officer Response |
|--|---|
| <p>proximity. The community member suggested utilising the vacant land near the shopping centre and City offices to create a similar hub where facilities are centrally located.</p> <ul style="list-style-type: none"> The Rockingham Connect Community Transport Service is too restrictive which excludes people who may ordinarily have access to a vehicle but might need assistance with transport following surgery (e.g. hip / knee replacement). | |
| <p>General feedback – strategy layout and content</p> <p>One submission questioned:</p> <ul style="list-style-type: none"> How Council will be held accountable. How the strategy aligns with state and federal plans and suggested a lack of local data. The City's alignment with World Health Organisation principles / approaches. Overlap with other strategies, suggesting it may be duplication. Why some advisory groups were directly consulted and others weren't (I.e. Community Safety and Support Services Advisory Group). Why some strategies are specifically referenced as intersecting and others aren't. | <p>Performance goals are developed during program / project implementation and reported in a variety of ways, including through the Council Bulletin.</p> <p>The strategy acknowledges and aligns with key research themes at international, national (federal), state and local levels.</p> <p>The World Health Organisation's 8 domains for age-friendly communities provide a comprehensive framework for creating communities that support the health, well-being, and participation of older adults. The City considers these domains valuable in relation to local government program and service delivery for seniors.</p> <p>The City undertook considerable consultation during the development of the Strategy. City strategies often overlap, such as mental health appearing in both the Seniors Strategy and the Early Years Strategy, despite a dedicated Health and Wellbeing Strategy. Actions are differentiated, with some strategies referencing others to avoid duplication. Various service areas, like libraries, also play key roles in addressing demographic-specific needs.</p> <p>The Disability Access and Inclusion Advisory Group was consulted due to its relevance to seniors, and the Community Safety and Support Services Advisory Group will be considered in future.</p> |

b. Consultation with Government Agencies

The draft Strategy was shared with the Department of Communities and the Department of Health and Aged Care, with no submissions received.

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**

Outcomes/Objectives: *Connected community - Provide opportunities for community engagement and participation*

Community health and wellbeing - Reinforce a strong sense of safety

Community health and wellbeing - Strengthen community health and wellbeing

Inclusive community - Build connectivity with our diverse community

Accessible services - Adapt services to meet changing community need

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

Outcomes/Objectives: *Sustainable natural green spaces - Improve community open spaces*

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

Outcomes/Objectives: *Plan for sustainable growth - Balance growth while maintaining the identified natural environment*

Accessible and connected - Plan and advocate for transport solutions

d. Policy

The Strategy has been developed in accordance with the Strategic Development Framework Policy.

e. Financial

The total cost of implementing the Strategy over the five year period is \$1,665,000. Of this, \$1,590,000 is for existing / ongoing actions, as reflected in previous and current budget allocations. \$75,000 is for new actions, to be allocated in future team plans.

Annual costs of implementing the actions will be considered through the yearly Team Plan process, with allowance for Consumer Price Index or service fee costs at the time.

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 / Program/Project management / Natural Environment : High and Extreme Risks
Financial / Health and Safety : Medium, High and Extreme Risks*

Nil

Comments

The Seniors Strategy 2025-2029 provides Council with a clear strategic direction aimed at building an inclusive, supportive, and connected community for older residents in the City. It has been developed following extensive community and stakeholder engagement, and reflects the current needs and gaps of the community.

Following a review of relevant feedback, two minor changes to the Strategy was deemed necessary:

- Action 3.7 has been adjusted to include the Rockingham Kwinana Chamber of Commerce: 'Liaise with the Small Business Development Corporation, and/or Rockingham Kwinana Chamber of Commerce and local businesses to explore ways to address feedback from local seniors relating to reported ageism / age-related customer service issues.'
- The Aboriginal Advisory Group was added to the Stakeholder Engagement List

With these minor amendments now included, Officers are now presenting the final Seniors Strategy 2025-2029 to Council for adoption.

Voting Requirements

Simple Majority

Officer Recommendation

That Council **ADOPTS** the Seniors Strategy 2024-2029, as detailed in Attachment 1.

Committee Recommendation

That Council **ADOPTS** the Seniors Strategy 2024-2029, as detailed in Attachment 1.

Committee Voting (Carried) – 6/0

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

Not Applicable

Community Development Community Infrastructure Planning



| | | |
|-------------------------------|--|--|
| Report number / title: | CD-002/25 | Baldivis Recreation Reserve Master Plan – Summary Report for Public Comment |
| File number: | CPR/824 | |
| Proponent/s: | | |
| Author: | Mr Blake Warner, Community Infrastructure Project Officer Mr Matthew Emmott, Manager Community Infrastructure Planning | |
| Other Contributor/s: | | |
| Date of Committee meeting: | 18 February 2025 | |
| Previously before Council: | 23 August 2022 (CD-022/22) | |
| Disclosure of Interest: | | |
| Nature of Council's role: | Executive | |
| Attachments: | 1. Baldivis Recreation Reserve Master Plan - Summary Report | |
| Maps / Diagrams: | | |
| Site: | Lot 1376 Baldivis Road, Baldivis | |
| Lot Area: | 137,823m2 (Lot 1376) | |

Purpose of Report

To seek Council endorsement of the draft Baldivis Recreation Reserve Master Plan Summary Report for public comment.

Background

The Baldivis Recreation Reserve (**BRR**), located at the corner of Baldivis Road and Fifty Road, Baldivis combines significant conservation areas and historical buildings with facilities that service sport, recreation and community activities. The BRR is classed as a neighbourhood sporting facility, which also caters for community festivals and events and plays an important role within the network of community facilities for the Baldivis community while also servicing the broader region.

A Master Plan (**MP**) is a long term planning document that will provide a clear vision and direction for the future of the reserve and the use of the facilities on the site. The Baldivis Recreation Reserve Master Plan (**BRRMP**) will investigate the City of Rockingham (**City**) vision for the reserve and identify potential improvements required to support the long term use of the reserve and facilities, catering to community demand and supporting the City's growth.

The City's future vision for the BRR is for the site to cater for sport, recreation and community activities and enhance its relationship with the future East Baldivis Recreation Reserve (**EBRR**) development which once developed will create a linked community sporting precinct. The EBRR project is currently listed in the Community Infrastructure Plan (**CIP**) for construction in 2028/2029.

Supporting the need to MP the site, Council resolved at the 23 August 2022 Council Meeting to complete a MP for Lot 1376 Fifty Road, Baldivis which would explore the opportunity to incorporate the proposed Baldivis Men's Shed building on the BRR site.

As a result, the City engaged Otium Planning Group Pty Ltd to undertake the development of the BRRMP to guide the long term development of the BRR site. The draft BRRMP and summary report which includes the site layout plan has now been completed and the summary report is presented to Council for endorsement to proceed to public comment.

Details

BRRMP Process

The BRRMP has been developed to provide a future blueprint for the redevelopment of the reserve to best meet future sport, recreation and community activities within Baldivis North. The BRR is the City's only active sporting reserve with infrastructure in Baldivis North, the need for the BRRMP was required to ensure that the reserve can continue to meet the City's levels of service and ensure the functionality of the infrastructure on site. In addition, there are a number of other factors that required the completion of the BRRMP including; the relocation of the Baldivis Tennis Club to the Baldivis Sports Complex, Council's resolution to complete a master plan for the BRR as a potential location of the Baldivis Men's Shed, and the future linkage of the BRR with the EBRR development. The completion of the BRRMP helps to provide a strategic vision and direction for the reserve to plan potential future works at the site.

The BRRMP development will assist to determine an evidence based strategic direction of the reserve which includes the important relationship that the site has with the future EBRR development. Upon the delivery of the EBRR which is identified within the CIP for delivery in 2028/2029, the two reserves will complete a very important sporting precinct which will service the City's Baldivis North population which is forecast to be the City's largest suburb by 2046.

At the November 2024 Council Meeting, Council resolved to **APPROVE** the preferred site, Lot 8002, 60 Pike Road, Baldivis, for the development of the Baldivis Men's Shed. Following Council's Resolution, minor updates to the site layout plan were made.

Development of the draft BRRMP included:

- **Situation Analysis:** a review of all background data such as previous research, projects, asset inspections, state sporting association guidelines, City policies and population demographics;
- **Site Analysis:** a review of site utilities and services, reserve and environmental classifications, bushfire prone planning, site conditions and levels;
- **Functional audit:** assessment of the buildings to determine if 'fit for purpose';
- **Consultation:** opportunity for stakeholder and community feedback provided through surveys and/or meetings;
- **Needs assessment:** identification and validation of stakeholder needs, and recommendations to satisfy these needs; and
- **Master Plan:** development of building and landscape plans showing infrastructure improvements that address the needs identified.

Master Plan – Design Response

Key recommendations of the BRRMP include:

- Redevelopment of Baldivis Recreation Centre to include sporting club functional spaces which will greatly improve the relationship of the sporting facilities with the use of the reserve and improve functionality of the Recreation Centre;
- Redevelopment of Baldivis Hall to improve community use which will support the range of community activities currently utilising the site and provide opportunities for additional uses;
- Location identified for either the proposed Baldivis Men's Shed building or future community purpose for example an outdoor recreation space;
- Levelling works to existing playing field to increase playing space;
- Improve accessibility and connection throughout the reserve with footpaths;
- Improved fencing throughout the reserve for safety;

- Increase the number of and formalisation of parking available, and improvement to the flow of traffic within and around the site; and
- Improved landscaping to the overall site.

Built Infrastructure

The BRRMP seeks to retain the current Recreation Centre and Community Hall facilities, including recommendations for upgrades/redevelopment to provide greater functional capacity to align with current compliance requirements and better meet existing and future community demand. The proposed works within the BRRMP aim to ensure the facilities can meet the requirements of the community and the City's Sports and Community Facility Provision Policy (**SCFPP**) and Standards and Dimensions Guide. Key features include:

Baldivis Recreation Centre

- A general refurbishment of existing spaces;
- Extension of building to include a new social space and internal storage for sporting club usage;
- Conversion and extension of the foyer to include new male/female toilets, universal accessible toilet, first aid and cleaners room for both user group and community use;
- Conversion and reconfiguration of the kitchen area for sporting club usage and addition of a second kiosk servery for users of the indoor court area as per the City's SCFPP and Standards and Dimensions Guide;
- Modification to create additional internal and external storage areas; and
- Refurbishment and reconfiguration of existing change rooms (gender equitable design) and toilets.

Baldivis Hall

- A general refurbishment of existing spaces;
- An internal wall installed into the hall space to provide a secondary meeting room including a tea preparation area and internal storage;
- Refurbishment and reconfiguration of existing toilets;
- Refurbishment of kitchen;
- New veranda and external door for access to secondary meeting room space; and
- Conversion of the foyer for additional internal storage.

Reserve and Open Space

The reserve and open space requires modification in areas to better service the current and future needs of the community. The key features include:

- Provision of accessible pedestrian footpath throughout the site;
- Formalisation and provision of additional car parking;
- Levelling works to existing playing field;
- Provision of additional grassed area for sports practice or events;
- Provision of additional area for either the proposed Baldivis Men's Shed or a future community purpose such as an outdoor recreation space;
- Improved fencing throughout the reserve;
- Replacement of existing BBQ pavilion; and
- Implementation of new directional and wayfinding signage.

Implementation of the key BRRMP projects are estimated to cost \$13,420,000 with delivery suggested to be undertaken in stages due to the interdependency of many of the works and spaces.

| BRRMP Key Projects | Indicative Delivery Year | \$ |
|---|---------------------------------|---------------------|
| Eastern car park and over flow parking area including footpaths | 2030/31 | \$880,000 |
| Baldivis Recreation Centre – Major upgrade | 2031/32 | \$5,260,000 |
| Terracing of existing retaining wall, development of new grass practice area / events space including footpaths | 2032/33 | \$2,880,000 |
| Baldivis Hall – Major upgrade | 2033/34 | \$3,170,000 |
| Southern car park upgrade including footpaths | 2033/34 | \$1,230,000 |
| Future community purpose / recreation space | TBD | TBD |
| Total | | \$13,420,000 |

It should be noted that at such an early stage of a project, the Opinion of Probable Costs in the above table deliver a Rough Order of Magnitude (**ROM**) estimate with an accuracy +/- 40% as detailed investigations and designs are required to still be undertaken. As the project progresses, the ROM will start to become more concise.

In addition to the key projects in the above table, there are a number of asset renewal and minor projects identified during the MP that are likely to be less resource dependent. These works could be planned and undertaken at any time, subject to funding, and are not dependent on any project listed in the above table.

The findings of the BRRMP were presented at a Councillor Engagement Session on 3 December 2024.

Implications to Consider

a. Consultation with the Community

The community were involved in the development of the BRRMP in the following ways:

- Online survey to the community to seek input regarding how they currently utilise the site which ran from 20 March to 3 April 2024. In total 100 responses were received;
- The survey found that:
 - Most people (84%) use a vehicle to get to and from the BRR.
 - Less than half (40.5%) were a member of any group that use the BRR.
 - With regard to public spaces, 41% of people indicated they used the walking trails, followed by the playing field (30%) and public toilets (27.63%).
 - A large proportion of respondents (47.37%) identified that they utilise the facilities a couple of times a week and with only 7.89% indicated that they use it daily.
- Current user groups of BRR were invited to undertake a survey to provide feedback on how they currently utilise the site. Nine groups were invited and seven responded;
- Feedback obtained from the community and key users indicated that the following were suggested key improvements:
 - Additional playing space;
 - Increase car parking and access;
 - Park improvements including drink fountains, shelter, fencing, signage, etc.;
 - Improved security;
 - Increased storage within buildings; and
 - Improved community access to buildings.

- Meetings and regular communication have been held throughout the BRRMP development with the key user groups including Baldivis District Sporting Club, Baldivis Lions Club, Baldivis Playgroup, Rockingham Visual Arts, and the CWA Baldivis Belles. Additionally the City have held meetings with the Principal of Baldivis Primary School. All stakeholders have seen and provided comment in the development of the draft BRRMP summary report and site layout plan.

If endorsed the City will advertise the draft BRRMP Summary Report, in line with the City's Policy – Community Engagement the community will be invited to provide further feedback through the City's Share your Thoughts platform for 2 weeks from 3 March to 17 March 2025.

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 - Strengthen community health and wellbeing*

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

Outcome/Objective: *Accessible services - Adapt services to meet changing community need*

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*

Outcome/Objective: *Plan for sustainable growth - Create safe community places to live, recreate and work*

d. Policy

The draft BRR Master Plan has been developed in accordance with the Council Policy – Sports and Community Facility Provision.

The public comment period will be advertised for 14 days in line with the Council Policy – Community Engagement.

e. Financial

There are no financial implications associated with advertising the draft BRRMP Summary Report for public comment. If the final BRRMP Summary Report is endorsed, funding will need to be considered in future reviews of the City's Business Plan. The projects identified in the BRRMP are currently unfunded.

Funding is allocated in the City's Business Plan of \$35,000 to replace the external shelter BBQ structure used by the Baldivis Lions Club with the location of this structure identified on the site layout plan.

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 / Program/Project management / Natural Environment : High and Extreme Risks
Financial / Health and Safety : Medium, High and Extreme Risks*

Nil

Comments

The substantial growth anticipated within Baldivis North is a key driver of future design and development of the BRR. As the BRR currently includes older facilities lacking in functionality to adequately service the population, it is important for the City to continue to develop and upgrade existing infrastructure to respond to not only growth, but to focus on diverse community facilities for all.

Additionally, the BRRMP was undertaken following the decision to relocate the Baldivis Tennis Club to the Baldivis Sports Complex as well as being in line with Council's Resolution in August 2022 to consider the suitability of the BRR as a possible location to accommodate the proposed Baldivis Men's Shed building.

Following Council's Resolution in November 2024 to proceed with the development of the Baldivis Men's Shed at Pike Road. The current tennis courts which were identified as a suitable location for the Men's Shed are considered an important location within the context of the overall Reserve to support additional future community purposes which could include infrastructure such as an outdoor recreation space.

City Officers have been in communication with the Department of Education (**DoE**) in regards to the development of the High School and EBRR on the eastern side of Baldivis Road. These conversations are ongoing with no confirmation that the timeline of the High School development will align with the CIP implementation timeframe of construction in 2028/2029.

The development of the EBRR adjacent to the BRR will create a significant sport, recreation and community hub for the City. Given the current shortage of active reserve space within Baldivis, the development of the EBRR is of a high priority for the City. The continued advocacy from the City in the delivery of the EBRR is critical in ensuring the creation of this sport, recreation and community hub within the Baldivis North community. Projects identified within the BRRMP will assist in providing functional and accessible facilities across both of these sites upon completion of the EBRR.

Pending Council endorsement, the BRRMP Summary Report will be advertised for public comment which will be supported by a Master Plan Summary Report, giving the community and key stakeholders the opportunity to provide feedback before the plan is finalised. Following the public comment period, the BRRMP will be updated where appropriate and returned to Council for final consideration. It will be at this time that Council will be requested to make a decision on funding the implementation of the BRRMP.

Voting Requirements

Simple Majority

Officer Recommendation

That Council **ENDORSES** the draft Summary Report of the Baldivis Recreation Reserve Master Plan, as detailed in Attachment 1, for the purpose of public comment.

Committee Recommendation

That Council **ENDORSES** the draft Summary Report of the Baldivis Recreation Reserve Master Plan, as detailed in Attachment 1, for the purpose of public comment.

Committee Voting (Carried) – 6/0

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

Not Applicable

Community Development Community Capacity Building



| | | |
|-------------------------------|--|--|
| Report number / title: | CD-003/25 | Review of Community Capacity Building Advisory Committees |
| File number: | GOV/39-5 | |
| Proponent/s: | | |
| Author: | Mr Paul Hayward, Manager Community Capacity Building | |
| Other Contributor/s: | | |
| Date of Committee meeting: | 18 February 2025 | |
| Previously before Council: | | |
| Disclosure of Interest: | | |
| Nature of Council's role: | Executive | |
| Attachments: | | |
| Maps / Diagrams: | | |
| Site: | | |
| Lot Area: | | |

Purpose of Report

To seek Council approval to disband the following Council advisory committees:

- Cultural Development and the Arts (CDATA) Advisory Committee
- Seniors Advisory Committee
- Disability Access and Inclusion Advisory Committee
- Sports Advisory Committee
- Rockingham Education and Training Advisory Committee (RETAC).

Background

At the Ordinary Council meeting held on 22 October 2024, Council resolved to defer community member appointments to the following Council advisory committees until they were reviewed at a future Councillor Engagement Session:

- Cultural Development and the Arts (**CDATA**) Advisory Committee
- Seniors Advisory Committee
- Disability Access and Inclusion Advisory Committee

A Councillor Engagement Session was then held on 10 December 2024, where findings were presented from a recent officer review of advisory committees. The review encompassed the above three listed groups, as well as another two groups - the Sports Advisory Committee and the Rockingham Education and Training Committee (**RETAC**).

The review findings showed similar recurrent issues across all five advisory committees, and further details are provided in the following sections of this report.

Details

Review scope

An officer review was conducted for the following five advisory committees, for the period of February 2023 – December 2024.

- Cultural Development and the Arts Advisory Committee
- Seniors Advisory Committee
- Disability Access and Inclusion Advisory Committee
- Sports Advisory Committee
- Rockingham Education and Training Advisory Committee

Review Findings

Low community nominations

The October 2024 advisory committee community nomination process resulted in low nominations for a number of Council advisory committees, as shown in the below table.

| Advisory committee | Community positions required | Nominations received | Required for Quorum |
|---------------------------------|---|--|---|
| CDATA | Seven | Three | Five (E.g. Two Councillors and three community members) |
| Seniors | Six | Four | Five (E.g. Two Councillors and three community members) |
| Disability Access and Inclusion | Eight | Seven | Five (E.g. Two Councillors and three community members) |
| Sports | Six | Six | Four (E.g. Two Councillors and two community members) |
| RETAC | 1 community member 2 university reps 1 Dept. Education rep 1 South Metro TAFE rep 1 Independent Schools rep | 2 community (1 selected) 1 University rep 0 Dept. Education rep 0 South Metro TAFE rep 0 Independent Schools rep | Four (E.g. Two Councillors and two other representatives) Note: Composition requires specific sector representation |

Based on these figures, all advisory committees can meet quorum for each meeting if all members attend. However, for the CDATA and Seniors advisory committees there is a higher chance of not meeting quorum if some members do not attend, which occasionally happens.

Moreover, whilst the Sports Advisory Committee is the only group to currently show all community members positions as being filled, it must be noted that this group has the most frequent lack of quorum / low attendance. This is covered in more detail in the next section of this report.

In the case of RETAC, the current nominations do not meet minimum composition requirements for this group, and the committee is therefore currently unable to proceed.

Key Issues

In addition to low community nominations for some groups, the following common issues were identified for the review period of February 2023 – December 2024.

| Advisory committee | Issues |
|---------------------------------|---|
| CDATA | <ul style="list-style-type: none"> · Six of nine meetings had three or fewer community members in attendance · One of nine meetings had no quorum. · Meetings reduced from every two months to quarterly due to low attendance. Low attendance has continued · Zero recommendations made to Council · No strategic discussion - usually operational updates from staff – the same as reported through the monthly Council Bulletin |
| Seniors | <ul style="list-style-type: none"> · Five of nine meetings had three or fewer community members in attendance · Two of nine meetings had no quorum. Zero reports required presentation for Committee / Council consideration at each meeting · Meetings reduced from every two-months to quarterly due to low attendance. Low attendance has continued · Two recommendations made to Council (appointments to vacancies) · No strategic discussion - usually operational updates from staff – the same as reported through the monthly Council Bulletin. Community members often bring up matters that can be reported through standard City customer service channels (E.g. potholes on a footpath). |
| Disability Access and Inclusion | <ul style="list-style-type: none"> · Five of nine meetings had four or fewer community member attendance · Two of none meetings had no quorum. Zero reports required presentation for Committee / Council consideration at each meeting · Meetings reduced from every two-months to quarterly due to low attendance. Low attendance has continued · Three recommendations made to Council (appointments to vacancies) · Very little strategic discussion (occasionally some feedback sought on City projects, such as Aqua Jetty stage 2). Meetings usually consist heavily of operational updates from staff – the same as reported through the monthly Council Bulletin |
| Sports | <ul style="list-style-type: none"> · Four of eight meetings did not proceed. 3\Three due to lack of quorum, another due to lack of agenda items · Of the four meetings that went ahead, two had three or fewer community members in attendance · Most frequent low attendance / lack of quorum of all advisory committees (for example - the first meeting with newly appointed community nominations - 4 November 2024 - did not proceed due to lack of quorum) · Meetings reduced from every two months to quarterly due to low attendance. Low attendance has continued · Zero reports required for Committee / Council consideration at each meeting · Zero recommendations made to Council · No strategic discussion - usually operational updates from staff – the same as reported through the monthly Council Bulletin |

| Advisory committee | Issues |
|--------------------|--|
| RETAC | <ul style="list-style-type: none"> · Insufficient nominations received – currently unable to proceed with Committee · Two reports for Committee/Council consideration, from three meetings · All Group discussion pertains to approving officer assessments and recommendations for scholarship applications. These then go to Council for approval · Officer assessments are made in accordance with Council-endorsed policy, eligibility criteria and assessment criteria · The advisory committee is generally of the view that all applications received should be funded in full · Given the robust Policy and processes in place, officer recommendations could go straight to Council for endorsement |

Proposed way forward – working groups

Transition to stakeholder working groups

Officers recommend disbanding the following advisory committees and transitioning to stakeholder-specific working groups, established as required, for the following committees:

- Cultural Development and the Arts Advisory Committee
- Seniors Advisory Committee
- Disability Access and Inclusion Advisory Committee
- Sports Advisory Committee

Stakeholder working groups would be convened for relevant City projects, programs, and events as required. The City of Rockingham (**City**) would continue to provide updates to Council Members through the monthly bulletin, and Council Members would, where appropriate, be invited to participate in working groups.

This approach allows for targeted engagement with stakeholders possessing relevant expertise, lived experience, and community connections.

Working group membership

Working group membership would include:

- Interested Council Members.
- Interested individuals who previously nominated for advisory committee membership.
- Community members and stakeholders identified through expressions of interest circulated to the City’s relevant local networks, databases, and stakeholder groups.

Other existing groups and networks within the area

It should also be noted that the City actively participates in and / or facilitates several networks and groups which are relevant to these focus areas. For example:

- The City facilitates the Age-Friendly Rockingham Network, and communicates operational updates through this network on a regular basis. Members of the Seniors Advisory Committee have often been part of this network
- The Mandurah, Cockburn, Kwinana, and Rockingham Access and Inclusion Network (**MCKRain**) is a collaborative partnership among these four cities in Western Australia. The network aims to engage and connect professionals who support and work with people with disabilities and their families. MCKRain facilitates regular meetings throughout the year and provides email updates detailing local events, news, and information relevant to individuals working in the disability sector.

The City will continue to be involved with these, and to promote opportunities for community members and stakeholders to be involved.

Benefits of the proposed new model

The proposed transition to a working group approach ensures more targeted, relevant and realistic engagement with key stakeholders, whilst retaining appropriate communication channels with Council Members. It also enables broader participation from community members with specific interests and expertise, fostering more inclusive and dynamic consultation processes.

Proposed Way Forward – RETAC

Transition to Direct Recommendations to Council

Officers recommend disbanding RETAC and transitioning to a process where officers provide recommendations for the Tertiary Scholarship Scheme (TSS) directly to Council.

Rationale

The following factors support this transition:

- **Membership Challenges:** RETAC requires representatives from specific organisations and one community member. However, the recent nomination process yielded insufficient applications, with only two of the six required external/community positions filled. As such, RETAC is currently unable to operate.
- **Continual Improvement and Efficiency:** Officer assessment and recommendations are based on robust eligibility and assessment criteria that are endorsed by Council Policy. RETAC recommendations are typically in alignment with the Officer assessments, with the committee generally of the view that all eligible applications should be approved for the full requested funding amount (subject to budget availability). Discussion at RETAC is therefore considered redundant - adding another layer of bureaucracy that is not required.
- **Reduced focus over time:** In previous years, RETAC supported broader learning initiatives in alignment with the City's Learning Strategy. However, since 2017, RETAC's scope has primarily shifted to approving officer assessments and recommendations for the TSS.

Proposed process under the new model

- Officers would prepare a comprehensive assessment and recommendation report based on the Council-endorsed eligibility and assessment criteria.
- These reports would be submitted directly to Council for approval twice a year, aligned with the two scholarship rounds.
- Council Members would have the opportunity to review and discuss the confidential officer report and recommendations during the relevant Committee and Council meetings.

Consideration of Community Grants Program alignment

During the Councillor Engagement Session held on 10 December 2024, there was discussion about potentially incorporating RETAC's functions into the existing Community Grants Program Advisory Committee. However, further analysis determined this approach to be impractical due to the scale and resourcing requirements of the Community Grants Program, and differing time frames for the two programs.

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

Outcome/Objective: *Connected community - Provide opportunities for community engagement and participation*

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

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

Outcome/Objective: *Sustainable Local Government - Optimise City resources*

Outcome/Objective: *Sustainable Local Government - Continual improvement*

d. Policy

The Governance and Meeting Framework Council Policy provides direction on the timeliness, frequency and composition of Advisory Committee Meetings. Should Council approve the officer recommendation, this policy will require amendment

Council Policy – Tertiary Scholarship Scheme applies to RETAC. Should Council approve the officer recommendation, this policy will require amendment

e. Financial

There are no financial implications associated with advisory committees transitioning to working groups. The financial implications associated with RETAC would also remain unchanged, with the budget operating in accordance with current approved Council Policy.

f. Legal and Statutory

As per section 5.8 of the *Local Government Authority Act 1995 (Act)* a local government may establish a committee by absolute majority. Section 5.11 of the Act outlines that tenure of committee membership continues until the committee is disbanded. The Act is silent on the disbanding of committees.

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 / Program/Project management / Natural Environment : High and Extreme Risks

Financial / Health and Safety : Medium, High and Extreme Risks

Nil

Comments

Transition to working groups

In light of the issues identified earlier, transitioning from Advisory Committees to Working Groups is considered more efficient, flexible, and effective in engaging community members for specific strategic projects. Working Groups would be formed as needed for particular strategic initiatives, such as:

- Strategy or plan development and / or review: Working Groups would facilitate enhanced community consultation during the development of new strategies and plans, or periodic reviews of existing strategies and plans (For example, the Disability Access and Inclusion Plan).
- New Facilities/Upgrades: Working Groups could guide the development and redevelopment of City facilities, focusing on key considerations like lived experience and accessibility. This approach proved valuable in the initial Aqua Jetty Stage 2 design, and would be valuable again for the upcoming redesign process.

Working Group membership would be drawn from targeted expressions of interest circulated through local networks and stakeholder groups, as well as more broadly through standard public advertising. Councillors would also be invited to participate via a memo. Key outcomes and updates would continue to be reported to Council through the monthly bulletin.

This approach ensures greater flexibility, broadens community participation, and targets relevant expertise and lived experience for each project. By shifting from Advisory Committees to Working Groups, the City can increase engagement, streamline processes, and ensure that resources are focused on achieving meaningful outcomes aligned with the City's strategic objectives. Existing networks, such as Age-Friendly Rockingham and MCKRain, will also be leveraged to reduce duplication and enhance collaboration.

This proposed approach also leverages established networks, such as the Age-Friendly Rockingham Network and MCKRain, to support ongoing collaboration and potentially reduce duplication. By transitioning to stakeholder working groups, the City can enhance engagement quality, streamline processes, and ensure that resources are directed towards achieving meaningful outcomes aligned with strategic objectives.

Tertiary scholarship Scheme – Direct recommendations to Council

Officers recommend disbanding RETAC and transitioning to a more streamlined and efficient process, where officer recommendations for the TSS are submitted directly to Council for endorsement.

This approach addresses the key issues of insufficient membership for RETAC and its narrowed role in recent years - which now focuses solely on approving officer recommendations which already align with Council Policy. It also acknowledges that conversation at RETAC meetings is considered unnecessary, and removes an additional layer of bureaucracy. The proposed approach ensures continuation of the rigorous assessment process, and still allows Council to review and discuss officer recommendations for TSS funding at Committee and Council meetings.

Alternative options, like merging RETAC's functions with the Community Grants Program Advisory Committee, were deemed impractical due to differing timelines and resource requirements. The proposed transition retains efficiency, maintains accountability, and continues robust oversight of the TSS.

Voting Requirements

Simple Majority

Officer Recommendation

That Council **APPROVES** disbanding and **AMENDING** any Council Policy references for the following Council advisory committees:

- Cultural Development and the Arts Advisory Committee
- Seniors Advisory Committee
- Disability Access and Inclusion Advisory Committee
- Sports Advisory Committee
- Rockingham Education and Training Advisory Committee

Committee Recommendation

That Council **APPROVES** disbanding and **AMENDING** any Council Policy references for the following Council advisory committees:

- Cultural Development and the Arts Advisory Committee
- Seniors Advisory Committee
- Disability Access and Inclusion Advisory Committee
- Sports Advisory Committee
- Rockingham Education and Training Advisory Committee

Committee Voting (Carried) – 6/0

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

Not Applicable

15. Report of Mayor

**City of Rockingham
 Mayor's Report**



| | | |
|-------------------------------|-------------------------------|--|
| Report number / title: | MR-001/25 | Meetings and Functions Attended by the Mayor and Deputy Mayor |
| File number: | GOV/85 | |
| Proponent/s: | | |
| Author: | Mayor Deb Hamblin | |
| Other Contributor/s: | Cr Lorna Buchan, Deputy Mayor | |
| Date of Council meeting: | 25 February 2025 | |
| Previously before Council: | | |
| Disclosure of Interest: | | |
| Nature of Council's role: | Executive | |

Purpose of Report

To advise on the meetings and functions attended by the Mayor and Deputy Mayor during the period 13 December 2024 to 20 February 2025.

Background

Nil

Details

| Date | Meeting/Function |
|------------------|--|
| 13 December 2024 | Meeting with members of the Australian Submarine Agency City of Cockburn Annual Civic Function |
| 14 December 2024 | Ceremony to Celebrate the Veteran Wellbeing Grant at Totally and Partially Disabled Veterans Club |
| 16 December 2024 | Meeting with members of The Department of Jobs, Tourism, Science and Innovation, Murdoch University and South Metropolitan TAFE Councillor Engagement Session Behaviour Complaints Committee |
| 17 December 2024 | Council Meeting |
| 18 December 2024 | Visit to the City's Aquatic Centre West Australian Local Government Wrap for 2024 |
| 19 December 2024 | Meeting with the Honourable Hannah Beazley |
| 20 December 2024 | Meeting with members of a local gymnasium Meeting with Mr Hugh Jones MLA, Member for Darling Range |
| 22 December 2024 | Aria Apartments Christmas Event |
| 30 December 2024 | 67 th Cockburn Sound Regatta at the Cruising Yacht Club |
| 31 December 2024 | City of Rockingham, New Year's Eve Event |

| Date | Meeting/Function |
|------------------|--|
| 7 January 2025 | Meeting with Honourable Reece Whitby and members of Palm Beach Rotary regarding penguin boxes |
| 15 January 2025 | Meeting with Wildlife Encounters |
| 17 January 2025 | Meeting with members of Ngala, Parenting Support Services |
| 18 January 2025 | Visit to the local Marine Rescue |
| 22 January 2025 | Consul-General of Japan, New Year's Celebration Reception |
| 23 January 2025 | Rockingham Discovery Centre Briefing |
| 24 January 2025 | Meeting regarding the CyberWest Hub Meeting with the Deputy Commissioner of Department of Veterans Affairs, Associate Director of Military and Emergency Health Australia and the General Manager of The Hospital Research Foundation Group |
| 26 January 2025 | The City's Australian Community Citizen of the Year Awards and Citizenship Ceremony |
| 28 January 2025 | Special Council Meeting |
| 29 January 2025 | Meeting with a local resident Meeting with the Director General and Deputy Director Generals of the Department of Biodiversity, Conservation and Attraction |
| 30 January 2025 | Meeting regarding the CyberWest Hub |
| 31 January 2025 | Meeting with the Honourable Paul Papalia |
| 1 February 2025 | Visit to the local Marine Rescue Art Exhibition Opening, Things That Sleep Beneath the Snow at Rockingham Arts Centre Local Trivia Night |
| 2 February 2025 | Visit to the Safety Bay Tennis Club |
| 3 February 2025 | Little Penguin Advisory Group Catch up with the Managing Director of South Metropolitan TAFE |
| 4 February 2025 | Attended the Key Leaders in Business Breakfast Councillor Engagement Session |
| 6 February 2025 | Meeting with Ms Hayley Edwards, Candidate for the Liberal Party Meeting with a local resident regarding local paper distribution The City's Annual Electors Meeting |
| 12 February 2025 | South Metropolitan TAFE Governing Council Meeting |
| 13 February 2025 | Australian Submarine Agency, Industry Engagement Seminar |
| 14 February 2025 | Meeting with U Cast Energy regarding electric vehicle charging infrastructure Mixed Palette Afternoon Tea Meeting with Ms Magenta Marshall MLA |
| 17 February 2025 | Planning and Asset Services Committee |
| 18 February 2025 | Safety Bay High School, Year 10 Pathfinders regarding Civic Responsibility |
| 19 February 2025 | The City's Citizenship Ceremony |

Implications to Consider

- a. **Consultation with the Community**
Nil
- b. **Consultation with Government Agencies**
Nil
- c. **Strategic**
Nil

d. Policy

Nil

e. Financial

Nil

f. Legal and Statutory

Nil

g. Risk

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

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

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

Financial / Health and Safety : Medium, High and Extreme Risks

Nil

Comments

Nil

Voting Requirements

Simple Majority

Officer Recommendation

That Council **RECEIVES** the Mayor's Report for the period 13 December 2024 to 20 February 2025.

17. Reports of Officers

Asset Services

**Asset Services
 Operations and Fleet Services**



| | | |
|-------------------------------|---|---|
| Report number / title: | AS-003/25 | WQ24/25-98 Supply of Electricity at Contestable Energy Sites |
| File number: | WQ24/25-98 | |
| Proponent/s | | |
| Author: | Mr Tony Bailey, Manager Operations and Fleet Services | |
| Other Contributors: | | |
| Date of Council Meeting: | 25 February 2025 | |
| Previously before Council: | | |
| Disclosure of Interest: | | |
| Nature of Council's Role : | Executive | |
| Attachments: | | |
| Maps/Diagrams: | | |
| Site: | | |
| Lot Area: | | |

Purpose of Report

To provide Council with details of the submissions received for WQ24/25-98 Supply of Electricity at Contestable Energy Sites, document the results of the quotation assessment and make recommendations regarding award of the contract.

Background

Contestable electricity sites are large-consumption sites that consume >50MW/h of electricity per annum. Historically the Western Australian Local Government Association (**WALGA**) has offered contestable energy procurement through its supply agreements.

The City of Rockingham (**City**) has sourced its own electricity for contestable sites or participated in the WALGA program depending on which approach provided best value. In more recent times WALGA adjusted its approach to pursue greater sustainability outcomes, increase purchasing power and secure more cost-effective, reliable contracts.

The City participated in phase one of the new energy procurement project along with 47 other Local Government participants. The contract was for three years, expiring on 31 March 2025, and in order to pursue phase two of the project and start preparing a replacement contract, WALGA requested the City and other participants sign a Memorandum of Understanding. This was signed by the City on 12 December 2023. WALGA has now provided a 3 year offer for phase two of the project.

Details

The three key objectives for the WALGA sustainable energy project are:

1. Enhance access to and development of renewable energy for Western Australian Local Government thereby driving positive climate change outcomes;
2. Diversify supply options and application of new technology; and
3. Leverage the best price outcomes for Local Government supply.

The seven project phases are:

- Phase 1 – Contestable energy supply and Renewable Energy options (complete)
- Phase 2 – Load shifting, minimising cost (i.e. energy management systems, contestability assessments, understanding emissions, non-contestable supply investigation, preparation for carbon offset integration and preparation for a Power Purchase Agreement), subject of this Memorandum of Understanding
- Phase 3 – Carbon management, offsets, integrated technologies
- Phase 4/5 – Long Term Power Purchase Agreement
- Phase 6 – Sustainable Fleet Transition and Sustainable Infrastructure Technologies
- Phase 7 – Large-scale Local Government Sustainability projects using a staged approach, WALGA is looking to develop a long-term partner, or consortium of partners, to provide energy and sustainability solutions for the sector.

The project is an Australian Competition and Consumer Commission-approved buying group of Local Governments that has contracted electricity under a volume aggregated purchasing process. Participants benefit from access to renewable energy and reduced energy prices. According to WALGA analysis, the project is estimated to have saved participants \$34.7 million in expenditure and offset over 120,000 tonnes of carbon over phase one.

WALGA ran a Request for Quotation (**RFQ**) process for a new contract commencing 1 April 2025. The RFQ was overseen by a steering committee and evaluated by a team of WALGA officers, Local Government officers, and independent technical consultants.

Modelling from WALGA shows that the Western Australian Wholesale Electricity Market has changed significantly since the Project was first tendered to the market in 2021. The short-term electricity market price has increased from \$48.03 in Q3 2021 to \$98.54 at the end of June 2024, an increase of 105%.

The most advantageous offer from the RFQ was an alternative offer received from Synergy, which is summarised as follows:

- A three-year contract term from 1 April 2025 to 31 March 2028
- A new Time-of-Offer band that allows for Peak, Midday and Off-Peak rates allowing for spend optimisation by scheduling consumption into a business hours period that has a cheaper supply rate
- Unbundled pricing
- Value added services that include an option to apply Natural Power to street lighting

Synergy's terms are dependent on 100% of program participants agreeing to the contract. The program participants (52) are those that have signed a MOU and wish to participate in phase two of the project.

WALGA modelling estimates that by accepting the most advantageous offer from Synergy, participants will incur an estimated average 36% increase from their incumbent three year contract (locked in rates from 2022). This compares to an estimated increase in costs (62% for unbundled and 81% for bundled offers) that would otherwise occur were it not for the continuation of the project. The collective savings from the recommended offer are modelled (based on historic consumption profiles) to deliver an estimated \$34 million savings in energy costs over a new three year term for participants.

This offer includes unbundled electricity which is different to the current contract for bundled electricity. In bundled contracts the electricity retailer estimates the individual components of the overall charge and then applies a risk margin to then arrive at a final tariff. These individual components include network charges, capacity charges, renewal energy premiums and the like. In unbundled contracts these are separated and allow the customer to better manage consumption profiles. They are becoming more popular as consumers pursue more active energy management to achieve cost savings and environmental benefits.

The other main difference with the WALGA recommended offer is that it includes a shoulder-period tariff rather than just the traditional peak and off-peak tariffs. A shoulder-period tariff is a comparatively lower tariff and provides cost savings potential to participants that can shift consumption to the lower demand time periods.

If 100% contracting of participants is not achieved for the above WALGA-recommended option then the next most advantageous offer will become the Fall-back 1 position for contracting. This has been modelled by WALGA to be approximately 6% more expensive than the recommended option across the project base, but will vary according to each participant's consumption profile. It will require 65% of participants to create contracts. If the Fall-back position 1 contracts cannot be achieved, WALGA has a Fall-back position 2 which removes the shoulder- tariff.

Below is analysis specific to the City's 24 contestable sites showing the estimated annual and total contract charges.

| | Recommended Contract (Non-conforming 100% take up required) | Fall-back 1 Contract (Non-conforming 65% take up required) | Fall-back 2 Contract (Conforming) |
|---|--|---|--|
| Total costs | | | |
| Year 1 | \$1,753,759 | \$1,849,713 | \$1,875,551 |
| Year 2 | \$1,752,768 | \$1,848,723 | \$1,874,561 |
| Year 3 | \$1,751,778 | \$1,847,733 | \$1,873,570 |
| Total contract cost | \$5,258,305 | \$5,546,169 | \$5,623,682 |
| Total savings (Open Market) | \$886,029 | \$598,164 | \$520,652 |
| Proportion savings (Open Market) | 14% | 10% | 8% |

The offer also includes an opportunity for participants to vary the proportion of natural power (sustainably sourced that offsets carbon) used in the electricity supply mix. Currently the City is already purchasing 100% natural power for its contestable energy sites. An opportunity which is new to the contract is the ability for participants to apply the natural power product to street lighting, either incrementally or in full. This can assist participants to achieve net zero carbon policy objectives by additionally purchasing natural power for their street lighting at the Synergy open market Natural Power Premium rate as published from time to time. Currently street lighting comprises approximately 60% of the City's overall electricity cost.

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 2023-2033:

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

Outcome/Objective: *Protection of natural environment - Reduce City's energy and water usage*

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

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

d. Policy

In accordance with Council's Procurement Framework Policy: '*Statutory Compliance – procurement processes and procedures must comply with s3.57 of the Local Government Act 1995 and Regulations 11-24AJ of the Local Government (Functions and General) Regulations 1996*'. WQ24/25-98 Supply of Electricity at Contestable Energy Sites accords with regulation 11 (2) (b), as detailed below.

e. Financial

Expenditure will be in accordance with the approved Budget and Business Plan. Annualised expenditure in the initial 12 months under the contract is estimated to be \$1,753,759 and \$5,258,305 for the 3 year contract term.

f. Legal and Statutory

In accordance with section 3.57 of the *Local Government Act 1995* local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services. Regulations may make provision about tenders. The *Local Government (Functions and General) Regulations 1996*, Part 4, Division 2, regulation 11(2) states:

'Tenders do not have to be publicly invited according to the requirements of this Division if —
(b) the supply of the goods or services is to be obtained through the WALGA Preferred Supplier Program;'

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 / Program/Project management / Natural Environment : High and Extreme Risks
Financial / Health and Safety : Medium, High and Extreme Risks

Nil

Comments

WALGA has undertaken an RFQ process which has involved an energy consultant. Analysis of member electricity consumption and the various options presented has resulted in the recommended option being the unbundled contract with a shoulder consumption tariff period. This appears to offer the best cost savings however requires 100% member uptake. Being an unbundled product it will allow the City the opportunity to more actively manage consumption in order to reduce costs and carbon emissions.

Officers have examined the WALGA offer including the suggested cost savings compared to open market rates. The WALGA analysis appears robust as it is evident that energy costs have increased significantly in the past three years. Given market volatility and upward pressure in electricity costs both nationally and in Western Australia, it is recommended to remain a project participant and accept the WALGA-preferred non-conforming 100% take-up offer. In relation to the opportunity to apply the natural power product to street lighting, it is suggested that this not be pursued at this stage given that the City is already likely to incur an approximately 36% price

increase from the current rates. The natural power product for street lighting and more active energy management, is something the City can consider pursuing in the future. If 100% of members do not take up the preferred option then it is recommended that the Fall-back 1 contract is accepted. If 65% of members do not do not take up the second-preferred option then it is recommended that the Fall-back 2 contract is accepted.

Voting Requirements

Simple Majority

Officer Recommendation

That Council **ACCEPTS** the offer from the WALGA Sustainable Energy Project for Contracting and a new Renewable Energy Supply Arrangement be entered into effective 1 April 2025 for a three year term in line with the above report.

19. Motions of which Previous Notice has been given

Planning and Asset Services Committee

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



| | | |
|-------------------------------|--|---|
| Report number / title: | PD-003/25 | Notice of Motion - Review and Update of Shoalwater Islands Marine Park Management Plan 2007-2017 |
| File number: | GOV/7-4 | |
| Applicant: | Cr Dawn Jecks | |
| Owner: | | |
| Author: | Ms Jesse Rowley, Environmental Planning Officer | |
| Other Contributors: | Mr Luke Rogers, Coordinator Sustainability and Environment | |
| Date of Committee meeting: | 17 February 2025 | |
| Previously before Council: | 25 July 2023 (PD-028/33); 25 June 2024 (PD-020/24) | |
| Disclosure of Interest: | | |
| Nature of Council's role: | Advocacy | |
| Attachments: | | |
| Maps / Diagrams: | 1. Shoalwater Islands Marine Park | |
| Site: | | |
| Lot Area: | | |
| LA Zoning: | | |
| MRS Zoning: | | |

Purpose of Report

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

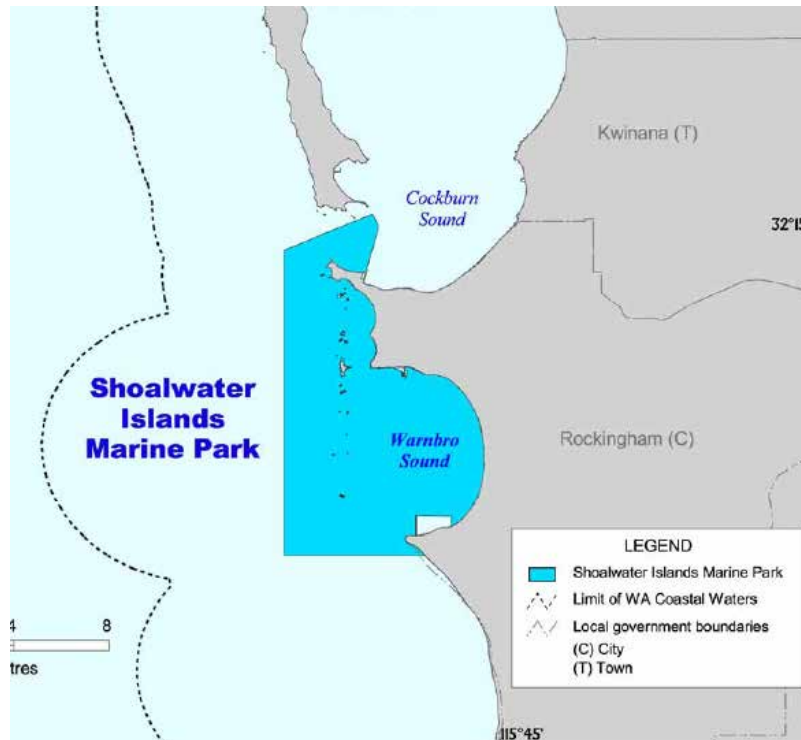
*That Council **DIRECTS** the Chief Executive Officer to advocate to the WA State Government for an urgent update of the now expired Shoalwater Islands Marine Park Management Plan 2007-2017.*

Background

Introduction:

The Shoalwater Islands Marine Park (**Marine Park**) was gazetted on 25 May 1990 as a Class 'A' Reserve and is vested in the Conservation Commission of Western Australia (**Conservation Commission**) and managed by the Department of Biodiversity Conservation and Attractions (**DBCA**).

The Marine Park covers 6,658 hectares off the Rockingham coastline, from the southern tip of Garden Island, to just south of Becher Point at the southern tip of Warnbro Sound and includes Penguin Island and Seal Island (refer to image below):



1. Shoalwater Islands Marine Park

To guide the management of the Marine Park, the *Shoalwater Island Marine Park Management Plan (2007 - 2017)* (**the Plan**) was prepared and formally approved by the Environment Minister in August 2007. The Plan can be viewed here: <https://www.dbca.wa.gov.au/media/1367/download>.

The goal of the Plan is to facilitate the conservation of the marine biodiversity of the area and to ensure that the existing and future pressures on the Marine Park's values are managed within an ecologically sustainable framework. The Plan also provides mechanisms for the community and visitors to actively participate in the day-to-day management of the Marine Park.

The vision of the Plan states:

"In the year 2017, the marine flora and fauna, habitats and water quality of the Shoalwater Islands Marine Park will be in the same or better condition than in the year 2007. The area will support and encourage public use and enjoyment and will be considered to be an important social and cultural asset to the local community and the public of Western Australia."

Further, the strategic objectives that guide the management actions are listed below:

- Conservation
 - maintain and enhance the marine biodiversity;
 - maintain ecological integrity (i.e. key ecosystem structure and function);
- Science and education
 - promote education, nature appreciation (through recreation and tourism opportunities) and scientific research;
- Public participation
 - promote community involvement in the management of the Marine Park;
- Recreational uses
 - facilitate, manage and where appropriate, assist in the management of recreational activities within an equitable and ecologically sustainable framework; and

- Commercial uses
 - facilitate, manage and where appropriate, assist in the management of commercial activities within an equitable and ecologically sustainable framework.

While the Plan is set over a 10 year period, from 2007 to 2017, it remains in effect until such time that a statutory review is undertaken and a new Management Plan is prepared. To date there has not been a statutory review completed of the Management Plan, and while many of the management measures have been implemented, there is no publically available information or data on the effectiveness of these measures and whether the vision and strategic objectives of the Plan have been achieved.

Little Penguins

The Marine Park includes Penguin Island, which is a critical habitat to the local colony of Little Penguins (*Eudyptula minor*).

The Little Penguins are a well-known bio-indicator and therefore changes in the health of the population may be reflected in the general ecosystem health of the Marine Park.

The City of Rockingham (**City**) has contributed funding towards population estimate studies of the Little Penguin colony between 2012 and 2024. In addition to providing ongoing estimates of population size, the research has allowed for a better understanding of the health, ecology and resilience of the colony.

Aside from Penguin Island being a major regional tourist attraction, the Little Penguin is a well-known and widely recognised symbol of the City and features on the Council Crest and the City's logo. The Penguin Island colony is also genetically distinct to all other colonies in south-western Australia, and are therefore globally unique.

The findings of the last population study, completed in 2023, showed an estimated decline of 94% of the overall population size since the initial baseline study was first undertaken in 2007. The rate of population decline also appears to be increasing as the estimated population had reduced by approximately 50% between 2007 and 2017, and reduced by a further 80% between 2017 and 2023. Results from the 2024 study will be available in mid - late 2025. Research suggests that the decline can be attributed to a range of anthropogenic (human led) and natural influences although the exact cause/s are not known.

Little Penguin Working Group

DBCA facilitate a twice yearly Little Penguin Working Group (**LPWG**) meeting between DBCA staff, other State Government agencies, researchers and the City. The LPWG provides key updates on, and discuss matters relating to, the Penguins and Penguin Island.

The LPWG was established in late 2020 to discuss the findings of the 2019 population estimate report. Since then, the City has been a regular contributor to the working group (as an invited guest) and has assisted in the development of a series of actions and identified research and management priorities for the Little Penguins.

The City has raised with DBCA the need to update the Plan at a number of LPWG meetings.

Previous Advocacy

The City has previously advocated to the State Government on the topic of Little Penguins and the Marine Park in response to Council resolutions, including:

| Date | Council Resolution | Advocacy Response |
|------------|---|---|
| April 2021 | (i) <i>ENDORSES the position that the conservation of the Little Penguin colony at Penguin Island requires additional resource allocation from the State Government including the preparation of a specific Management Plan and the formation of a dedicated Working Group to govern the matter.</i> (ii) <i>DIRECTS the Chief Executive Officer to write to the Minister for Environment to progress the above.</i> | A number of letters were sent to the Minister for Environment between May 2021 and January 2022 seeking the development of a specific management plan for the Little Penguins, referencing the <i>Shoalwater Island Marine Park Management Plan (2007 – 2017)</i> . |

On 11 February 2022, a meeting was held between the Minister for Environment, the Mayor and other City representatives where the management of the Little Penguin colony was discussed.

A workshop with the Minister, DBCA, City representatives and other stakeholders was held on 25 February 2022. Discussion on issues relevant to the Little Penguin population and a further meeting of the Little Penguin Working Group was held in March 2022 to consider potential actions in further detail.

While there have been changes made to management actions at Penguin Island to support the Little Penguins, including winter and hot weather closures amongst other actions, at the time, the Management Plan for the Shoalwater Marine Park 2007-2017 had not been the subject of a substantial review and update.

| Date | Council Resolution | Advocacy Response |
|-----------|---|--|
| June 2024 | <p>(i) <i>Preparation and implementation of a Little Penguin Conservation Plan targeted at actions to prevent the ongoing decline, and support recovery of, the Little Penguin colony at Penguin Island;</i></p> <p>(ii) <i>Formation of an independently chaired Little Penguin Advisory Group, comprising scientific experts along with representatives from the Department of Biodiversity, Conservation and Attractions, the Department of Defence, the Department of Primary Industries and Regional Development, the Department of Transport and City of Rockingham; and,</i></p> <p>(iii) <i>Allocation of additional funding by the State Government to the preparation and implementation of the Little Penguin Conservation Plan.</i></p> | <p>An advocacy letter addressing these items was sent to Hon Reece Whitby MLA, Minister for Energy; Environment; Climate Action and Premier Roger Cook MLA on 5 July 2024.</p> |

On 4 December 2024, the WA State Government announced the welfare of the Little Penguin colony on Penguin Island continues to be a priority for the Cook, Labor Government and with a newly formed Independent Little Penguin Advisory Group to support the State Government's existing conservation efforts.

At this stage, there has been no official announcement regarding a Little Penguin Conservation Plan, or the allocation of additional funding from the State Government for the preparation and implementation of a plan.

Details

Cr Jecks' Notice of Motion was lodged for the following reasons:

"Shoalwater Islands Marine Park (SIMP) and Penguin Island are a major regional tourist attraction.

The City has been contributing funding towards annual studies, undertaken by Murdoch University, which aim to estimate the population of the Little Penguin (Eudyptula minor) colony at Penguin Island.

The existing Shoalwater Islands Marine Park (SIMP) Management Plan 2007-2017 covers management arrangements for the entirety of the Shoalwater Islands Marine Park, not just the Little Penguin colony.

The "Vision" in the Management Plan 2007-2017, stated that by 2017, the marine flora and fauna, habitats and water quality of the Marine Park would be in the same or better condition than in the year 2007.

The 2007 Management Plan was scheduled to be replaced in 2017; however, this has not occurred.

The penguins are relatively easily studied and are a key bioindicator of coastal marine environment. This means that the status of the population can be used to gauge the health of the Marine Park, which is managed by the Department of Biodiversity, Conservation and Attractions (DBCA).

Population estimates reports produced by Dr Belinda Cannell show that Penguin Island colony has declined by approximately 94% between 2007 and 2023, due to factors including climate change, boat collisions and tourism impacts. The existing Management Plan 2007-2017 was prepared in advance of any knowledge about the decline in penguin numbers.

The current management regime has not effectively addressed the declining population or met the long-term objectives of the Management Plan 2007, as follows:

1. *No reduction in Little Penguin breeding success on Penguin Island as a result of human activity in the Marine Park;*
2. *No loss of Little Penguin abundance as a result of human activity in the Marine Park.*

Effective management actions should be based on up-to-date information. An updated management plan is needed as a matter of urgency."

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 Aspirations and Strategic Objectives contained in the Strategic Community Plan 2023-2033:

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

Outcome/Objective: *Sustainable natural green spaces - Preserve and enhance biodiversity*

Aspiration: **4. Economic - A vibrant economy creating opportunities**

Outcome/Objective: *A visitor destination - Promote the City as a place to visit*

d. **Policy**

Nil

e. **Financial**

Nil

f. **Legal and Statutory**

A Notice of Motion has been submitted by Cr Jecks as detailed above. This request accords with clause 3.9 of the City of Rockingham *Standing Orders Local Law 2001*.

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 / Program/Project management / Natural Environment : High and Extreme Risks
Financial / Health and Safety : Medium, High and Extreme Risks*

Nil

Comments

The *Shoalwater Islands Marine Park Management Plan (2007-2017)* identifies a number of actions to be implemented that address the social, cultural and environmental needs of the Marine Park within the specified timeframe. While it is acknowledged that the Plan remains in effect until a statutory review of the Plan is undertaken, the Plan is now eight (8) years past its 2007-2017 timeframe.

In addition, as outlined above, recent results from City supported Little Penguin population studies suggest the population on Penguin Island is in decline. The most recent report prepared by Dr Belinda Cannel (2023) states that impacts of climate change, including rising terrestrial temperatures and reduced food availability for penguins, and increased recreational watercraft injury in peak seasons (spring and summer) have changed over time since the adoption of the Plan.

Given the Little Penguins are seen as a bio-indicator to the health of the ecosystem of the wider Marine Park, and in the absence of a formal statutory review, the City has concerns in respect to whether the Plan has met its objectives. Therefore a full statutory review of the success of the actions from the 2007-2017 Management Plan would be beneficial to determine if the Management Plan met its intended vision and strategic objectives as outlined above.

This would also allow for new management actions to be developed to contemporise the management approach based on up-to-date data and knowledge, and to monitor the health of the Marine Park to ensure that both sustainable tourism and protection of the environment (including the Little Penguins, as well as other conservation significant fauna such as Australian Sea Lions) is maintained or improved long-term.

On 29 January 2025, DBCA held a meeting with the City to discuss matters related to Penguins, dredging at the Pond, and Mersey Point. During the meeting, the City highlighted the need to update the Shoalwater Islands Marine Park Management Plan.

As a result, the intent of Cr Jecks' Notice of Motion is supported.

Voting Requirements

Simple Majority

Officer Recommendation

That Council **DIRECTS** the Chief Executive Officer to advocate to Hon Reece Whitby MLA, Minister for Energy; Environment; Climate Action and Premier Roger Cook MLA on the need to review and update the Shoalwater Islands Marine Park Management Plan 2007-2017.

Notice of Motion from Cr Jecks

That Council **DIRECTS** the Chief Executive Officer to advocate to the WA State Government for an urgent update of the now expired Shoalwater Islands Marine Park Management Plan 2007-2017.