



City of Rockingham

AGENDA

Ordinary Meeting of Council

To be held on Tuesday 22 July 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 22 July 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

17 July 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 22 July 2025



1. Declaration of Opening

Acknowledgement of Country

The City of Rockingham acknowledges the Traditional Owners and Custodians of this land, the Binjareb and Whadjuk Nyoongar peoples and their continuing connection to the land, waters and community. We pay our respects to all members of Aboriginal communities and their cultures; and to Elders past and present.

Recording and Live Streaming of proceedings

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

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

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

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

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

2.1 Council Members

Mayor Deb Hamblin

Cr Lorna Buchan, Deputy Mayor Comet Bay Ward

Cr Mike Crichton Baldivis Ward

Cr Kelly Middlecoat Baldivis Ward

Cr Brett Wormall Baldivis Ward

Cr Robert Schmidt Comet Bay Ward

Cr Craig Buchanan, JP Rockingham/Safety 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

2.2 Executive

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 Olynk, JP Manager Governance and Councillor Support

	<p>2.3 Members of the Gallery:</p> <p>2.4 Apologies:</p> <p>2.5 Approved Leave of Absence:</p>
3.	Responses to Previous Public Questions Taken on Notice
	<p>3.1 Ms Latoya Voogt, Waikiki – AUKUS / EPBC</p> <p>At the Council meeting held on 24 June 2025, Ms Voogt asked the following questions that were taken on notice. The Director Planning and Development Services provided a response in a letter dated 10 July 2025 as follows:</p> <p><u>Question</u></p> <p>Town Hall Meeting regarding AUKUS and Nuclear Facilities in the City of Rockingham</p> <p>1. Has the Mayor or CEO conferred with Councillors regarding the Annual Electors Meeting and the public Town Hall meeting regarding AUKUS and its related nuclear facilities in Rockingham? May I receive an update?</p> <p><u>Response</u></p> <p><i>Members of the Perth South West Metropolitan Alliance met with representatives of Australian Submarine Agency on 20 June 2025 and were advised that the Agency is working on the delivery of community consultation and would provide an update on those preparations within three (3) weeks.</i></p> <p><u>Question</u></p> <p>The EPBC Approval of the CIF and Submarine Infrastructure Works</p> <p>2. On pages 4-5 of the EPBC Approval, pertaining to water quality monitors and toxic materials being dredged, could Council request that water quality monitoring be published daily or available in real-time via an app or website?</p> <p>As stated in Defence's original submission, the toxic chemicals (including asbestos, PFAS, TBT, arsenic and benzene) released during dredging and dredge soil disposal, will cause harm to current and future "recreational and commercial users of Cockburn Sound." That's our children, our families and our community in general. It's really important for the council to oversee ongoing air and water quality monitoring for the safety of residents and the marine ecosystem, including penguins, dolphins and sealions. Beaches will need to be closed at some points and a text messaging service may also reduce harm to people inhaling or swimming in contaminants.</p> <p><u>Response</u></p> <p><i>In accordance with conditions outlined in the EPBC Approval (2024/10031), the approval holder must undertake Annual Compliance Reporting. This includes preparing a compliance report that contains accurate and complete details of compliance and any non-compliance with each condition attached to the approval decision, and all commitments made in each Plan that formed part of the application. This comprises water quality monitoring detailed in Condition 8c (page 4). Condition 46a (page 17) states that each compliance report must be published on the website attributed to the approval holder and made available to the public.</i></p> <p><i>Given that the decision has been issued, there is no ability for third parties to request changes to the approval conditions.</i></p>

Question

3. Naragebup Environmental Centre: Opportunity for funding and paid workers. The EPBC Approval Document provides an opportunity for research and relocation of the “syngnathids” in the area (pg. 13). This is an opportunity for the Council to secure funding for Naragebup Environment Centre and I would like to request that Council contacts both Defence’s CEMP representative and the *West Australian Marine Science Institution (WAMSI) Westport Marine Science Program* to encourage funding and use of Rockingham facilities, and the inclusion of local schools and/or TAFE in ecological projects.

Response

As an independent entity, the Environment Centre should contact Department of Defence and WAMSI directly with this request.

Question

4. The EPBC Approval also infers that the Approval Holder (Defence), decides on the consequences for any non-compliance of the stated conditions. Furthermore, the Waste to Energy Plant in Rockingham could potentially degrade our air-quality and cause cancers. To add to this, AUKUS Pillar 2 indemnifies the US and UK of any responsibility from any spills, leaks and explosions from their nuclear submarines.

I would like to request that Council creates stronger by-laws to protect our marine environment and the health of our people in The City of Rockingham.

Response

Under the Local Government Act 1995, Local Laws can only apply to the area over which the local authority has jurisdiction. Given that the marine environment is located outside the City of Rockingham district, there is no authority to adopt a Local Law addressing the matter you have raised.

3.2 Mr Terry Sanfead, Karnup – Community Garden and Rockingham Montessori Activities

At the Council meeting held on 24 June 2025, Mr Sanfead asked the following questions that were taken on notice. The Director Planning and Development Services provided a response in a letter dated 2 July 2025 as follows:

Question

1. We’ve observed a concerning pattern in this application: missing traffic reports, no fire safety documentation, no proof of continued non-conforming use. This land was previously owned by a former Lord Mayor’s brother. It is now held by a private school who would clearly benefit from approval of this application. Can this Council provide assurance, backed by documentation, that no historical agreements, favours, or land sale conditions are influencing the outcome of this application?

Response

The application was supported by a Development Application Report, Development Plans, a Bushfire Management Plan and Bushfire Evacuation Plan. The applicant’s Development Application Report also included information in support of the continuation of the Reception Centre Non-Conforming Use.

The suggestion that there has been inappropriate decisions based on historical ownership is an allegation which is strenuously refuted. All Development Applications submitted to the City are assessed for compliance with the City’s Town Planning Scheme No.2, regardless of land ownership.

Question

2. Have Montessori requested students be allowed at this site? Will it be possible for Montessori to have 150 students and staff on this site on any or all days and teach them. Does this not make this an application for a school?

Response

The Development Application was not submitted for a School. It would not be possible for the Montessori School to conduct classes on this site, as it would be inconsistent with the Development Approval.

As stated in the Development Application Report, the former Reception Centre building will be used to host meetings for community groups or organisations, consistent with the booking of a community hall or similar and has the potential to be used by local Rockingham businesses or organisations to host commercial events or training.

Question

3. I am concerned regarding the fire management plan submitted for the current Montessori school application — noting that while Lot 1809 Mandurah Road is not part of this current application, it was included in previous submissions.

In past fire plans for this site and the adjoining Lot 1809, there were serious discrepancies:

- One plan described Lot 1809 as flat and treeless, when it is in fact a steep hill covered with trees.
- Another claimed that the development would have unrestricted access in both directions on Mandurah Road, which is not the case.

I have been informed by the fire officer involved in the prior assessment that the development did not meet WA fire safety regulations and that New South Wales (NSW) regulations were used instead to approve the application.

Given this history of misleading or incorrect fire plan information, can the Council confirm:

- That the current fire management plan (excluding Lot 1809) has been rigorously assessed for compliance with Western Australia's bushfire planning regulations;
- Have steps have been taken to independently verify the accuracy of the site's fire risk characteristics, including topography, vegetation, and emergency access; and
- Have WA regulations — and not NSW standards — been used in the current approval process?

Response

The City considers that the Bushfire Management Plan and Evacuation Management Plan submitted with the Development Application is compliant with the Western Australian Planning Commission's Planning for Bushfire Protection Guidelines.

Question

4. Did the State Administrative Tribunal (SAT) and subsequently the Joint Development Assessment Panel (JDAP) only approve the proposed school on the condition that a range of specific safety measures — particularly those designed to safeguard children would be implemented?

Response

The JDAP approved the previous application for an Education Establishment subject to various traffic safety conditions on advice from Main Roads Western Australia, however, this is not a matter which is relevant to the submitted Development Application for a 'Community Purpose'.

Questions

5. Did this conditional approval require that the site provide two access/egress points with entry and exit in both directions on Mandurah Road, accessible at all times to the general public for safety and emergency reasons?
6. Was a designate U turn facility south of the site also required for school buses to head north on Mandurah Road for the safety of both the children on these buses and the general public using Mandurah Road?
7. Did Main Roads WA only approve the site on the condition that the second driveway be locked and made available exclusively for emergency services resulting in the fire plan not being achievable at all?
8. Did Main Roads WA also require, as a condition of approval, that a physical barrier of a specific length be constructed between the northbound and southbound lanes of Mandurah Road for traffic and child safety?

Response

As this is not a matter related to the Development Application for a 'Community Purpose' as determined by Council on 24 June 2025, please refer to the Development Assessment Panel Minutes and Agendas which are available for public viewing on the Department of Planning, Lands and Heritage website, or if not available, on written request for archived DAPs agendas and minutes via the DAP secretariat daps@dplh.wa.gov.au

3.3 Ms Kristen Sanfead, Karnup – Community Garden and Rockingham Montessori Activities

At the Council meeting held on 24 June 2025, Ms Sanfead asked the following questions that were taken on notice. The Director Planning and Development Services provided responses dated 2 July 2025 and 17 July 2025 as follows:

Questions

1. Did Main Roads only agree to the school development on the basis that deceleration and acceleration lanes of specified distances be installed to allow buses transporting children to safely enter and exit traffic on Mandurah Road?

Response

The Development Application determined by Council on 24 June 2025 was not for a School, but for a 'Community Purpose' (use of the 'Reception Centre' building and Community Garden).

In light of your questions relating to the Montessori School Development Approval which has expired, it is suggested that you obtain a copy of the Development Assessment Panel Minutes and Agendas which are available for public viewing on the Department of Planning, Lands and Heritage website, or if not available, on written request for archived DAPs agendas and minutes via the DAP secretariat daps@dplh.wa.gov.au

Question

2. In light of the above, can this site reasonably be considered safe for school children and other vulnerable members of our community if these safety measures are not fully implemented?

Response

Please refer to the response to question 1 above.

Question

3. How was this mandatory before and not now?

Response

Please refer to the response to question 1 above.

Question

4. Is the Council putting their community at risk? Has the Council considered the potential risk to the community?

Response

The Development Application for a 'Community Purpose' is compliant with the City's Town

Planning Scheme No.2, and the due regard matters included in the Planning and Development

(Local Planning Schemes) Regulations 2015 and not considered to present unacceptable risk.

Question

5. In the previous application by Montessori did the Department of Health stipulate that connection to scheme water and substantial sewage treatment infrastructure were essential for the site to be considered safe and suitable for children?

Response

Please refer to the response to question 1 above.

Question

6. If these safety and health requirements have not been fully met, how can the site be considered safe for children, elderly individuals, or physically and cognitively impaired members of our community?

Response

Please refer to the response to question 4 above.

Question

7. Has the Council considered whether the relevant statutory authorities costly upgrades that require substantial modifications to the site to ensure the safety of children, including fire safety', traffic management, and health infrastructure are being avoided?

Response

Please refer to the response to questions 1 and 4 above.

Question

8. By approving this application, will the Council be effectively removing or compromising the safeguards necessary to protect children from foreseeable risks such as:

- Restricted access and egress that could increase the risk of injury or fatalities in bushfires;
- Traffic hazards on the busy Mandurah Road due to limited entry and exit points;
- Safe U turn facilities on busy Mandurah Road
- Health risks associated with inadequate sewerage and drinking water systems?

Given these potential hazards, will the Council act to protect children by refusing this application — and in doing so, also protect the community and ratepayers from costly litigation arising from negligence linked to approving a development that fails to meet essential safety requirements?

By approving this application, will the Council be effectively removing or compromising the community voice.

Response

The traffic implications associated with the 'Community Purpose' are considered to be acceptable in terms of volume and frequency, noting fewer people will access the site than associated with the 'Reception Centre'.

Question

9. Considering the site's current condition and location, is this site unsafe for children?

Response

There is no evidence to support this claim.

Question

10. Is this site still considered safe when JDAP, SAT, Main Roads, Department of Health, Fire and Emergency Services stipulated it is not without costly infrastructure upgrades?

Response

Please refer to the response to questions 1 and 4 above.

Question

11. Do the Council believe it is doing its due diligence by overlooking this?

Response

Please refer to the response to questions 1 and 4 above.

Question

12. Does the Council consider this site safe for vulnerable and mobility-impaired members of the public?

Response

A Public Building approval is required to be maintained by the owners for the continued use of the 'Reception Centre' building.

Question

13. Does the Council place any effort into protecting vulnerable members of the community when unacceptable risks are ignored by planning consider the responsibility?

Response

In its consideration and determination, the Council was satisfied that there are no unacceptable risks associated with the 'Community Purpose' use.

Question

14. Montessori has claimed that if this application is not approved, the building will have no use. However, is this claim accurate? It is not the building itself that presents the problem, it is the location.

If Development Approval for the 'Community Purpose' was not granted by the Council, the 'Reception Centre' Non-Conforming Use could still be undertaken from the site pursuant to the City's Town Planning Scheme No.2.

3.4 Mr Ray Major, Rockingham – Illegal camping and signage

At the Council meeting held on 24 June 2025, Mr Major asked the following questions that were taken on notice. The Director Planning and Development Services provided a response in a letter dated 30 July 2025 as follows:

Question

1. Given no infringements for illegal camping in Rockingham have been issued this financial, is there any intent to enforce the Council bylaw on this matter?

Response

Each identified transgression will continue to be considered based on time, place and circumstances (including the State's housing crisis), noting that infringements are only one means of implementing the Local Law.

	<p><u>Question</u></p> <p>2. When will the no camping stolen signs at Governor Road Reserve be replaced?</p> <p><u>Response</u></p> <p><i>The no camping signs will be replaced at the Governor Road Reserve before the end of July 2025.</i></p>	
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	
	<p>Cr Kelly Middlecoat has requested leave of absence for the period 23 July 2025 to 18 August 2025 and 13 to 21 September 2025 inclusive.</p> <p>Recommendation:</p> <p>That Council APPROVES the application by Cr Middlecoat for leave of absence for the period 23 July 2025 to 18 August 2025 and 13 to 21 September 2025 inclusive.</p>	
6.	Confirmation of Minutes of the Previous Meeting	
	<p>Recommendation:</p> <p>That Council CONFIRMS the Minutes of the Ordinary Council meeting held on 24 June 2025, as a true and accurate record.</p>	
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	
	<p>9.1</p> <p>Item GM-012/25</p> <p>Officer:</p> <p>Type of Interest:</p> <p>Nature of Interest:</p> <p>Extent of Interest:</p>	<p>Global Relationship Advisory Group Appointments</p> <p>Mr Michael Holland, Director Community Development</p> <p>Impartiality</p> <p>A family member has nominated for the Global Relationship Advisory Group. Mr Holland declares that he will deal with the matter on its merits if required to provide advice.</p> <p>Not Applicable</p>
	<p>9.2</p> <p>Item GM-012/25</p> <p>Council Member:</p> <p>Type of Interest:</p> <p>Nature of Interest:</p> <p>Extent of Interest:</p>	<p>Global Relationship Advisory Group Appointments</p> <p>Cr Caroline Hume</p> <p>Impartiality</p> <p>Several of the nominees are known to Cr Hume personally. Cr Hume declares that she will deal with the matter on its merits and vote accordingly.</p> <p>Not Applicable</p>

	9.3	Item GM-012/25	Global Relationship Advisory Group Appointments
		Council Member:	Cr Leigh Liley
		Type of Interest:	Impartiality
		Nature of Interest:	Cr Liley has friendships with a number of the nominees. Cr Liley declares that she will deal with the matter on its merits and vote accordingly.
		Extent of Interest:	Not Applicable
	9.4	Item GM-012/25	Global Relationship Advisory Group Appointments
		Council Member:	Cr Robert Schmidt
		Type of Interest:	Impartiality
		Nature of Interest:	Multiple applicants are known to Cr Schmidt. Cr Schmidt declares that he will deal with the matter on its merits and vote accordingly.
		Extent of Interest:	Not Applicable
10.	Petitions/Deputations/Presentations/Submissions		
11.	Matters for which the Meeting may be closed		
	<p>GM-012/25 Global Relationship Advisory Group Appointments 12</p> <p>HR-001/25 Appointment of independent consultant to facilitate the Chief Executive Officer Performance Review for the 2024-2025 period¹</p> <p>In accordance with section 5.23(2)(a), (b) and (c) of the <i>Local Government Act 1995</i> – if there are any questions or debate on Confidential Items, then the Council will need to defer the matter for consideration at Agenda Item 23 - Matters Behind Closed Doors.</p>		

¹ A copy of report item HR-001/25 will be circulated following the Chief Executive Officer Performance Review Panel Meeting held on Monday 21 July 2025.

General Management Services

Crs Hume, Liley, Schmidt and Mr Michael Holland, Director Community Development have declared an impartiality interest in item GM-012/25 Global Relationship Advisory Group Appointments. Crs Hume, Liley and Schmidt will deal with the matter on its merits and vote accordingly. Mr Holland will deal with the matter on its merits if required to provide advice (refer to Item 9 for specific details).

CONFIDENTIAL ITEM

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

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

General Management Services Governance and Councillor Support



Report number / title:	GM-012/25 Global Relationship Advisory Group Appointments
File number:	ECD/74
Proponent/s:	
Author:	Ms Lauren Townsend, Governance Coordinator
Other Contributor/s:	Mr Jim Olynyk, Manager Governance and Councillor Support
Date of Committee meeting:	15 July 2025
Previously before Council:	22 April 2025 (GM-006/25) 25 June 2025 (GM-010/25)
Disclosure of Interest:	<p>Mr Michael Holland, Director Community Development declared an Impartiality Interest in Item GM-012/25 Global Relationship Advisory Group Appointments, as detailed in Clause 4.19 of the City's <i>Code of Conduct</i> and as per section 5.70 of the <i>Local Government Act 1995</i>, as Mr Holland's relative has nominated for a community member position on the Global Relationship Advisory Group. Mr Holland declares that he will deal with the matter on its merits if required to provide advice.</p> <p>Cr Caroline Hume declared an Impartiality Interest in Item GM-012/25 Global Relationship Advisory Group Appointments, as detailed in Regulation 22 of the <i>Local Government (Model Code of Conduct) Regulations 2021</i> and as per section 5.65 of the <i>Local Government Act 1995</i>, as several of the nominees are known to Cr Hume. Cr Hume declares that she will deal with the matter on its merits and vote accordingly.</p> <p>Cr Leigh Liley declared an Impartiality Interest in Item GM-012/25 Global Relationship Advisory Group Appointments, as detailed in Regulation 22 of the <i>Local Government (Model Code of Conduct) Regulations 2021</i> and as per section 5.65 of the <i>Local Government Act 1995</i>, as Cr Liley has friendships with a number of the nominees. Cr Liley declares that she will deal with the matter on its merits and vote accordingly.</p>

Disclosure of Interest: (cont.)	Cr Robert Schmidt declared an Impartiality Interest in Item GM-012/25 Global Relationship Advisory Group Appointments, as detailed in Regulation 22 of the <i>Local Government (Model Code of Conduct) Regulations 2021</i> and as per section 5.65 of the <i>Local Government Act 1995</i> , as multiple applicants are known to Cr Schmidt. Cr Schmidt declares that he will deal with the matter on its merits and vote accordingly.
Nature of Council's role:	Executive
Attachments:	1. Confidential – Global Relationship Advisory Group Community Representation Nominations 2025
Maps/Diagrams:	
Site:	
Lot Area:	

Purpose of Report

For Council to consider appointments for community member representatives to the Global Relationship Advisory Group.

Voting Requirements

Simple Majority

Officer Recommendation

That Council **APPOINTS** the six (6) nominated community member representatives to the Global Relationship Advisory Group, as detailed in the Comments section of the confidential report, for a term expiring on 30 September 2026.

Committee Recommendation

That Council **APPOINTS** the six (6) nominated community member representatives to the Global Relationship Advisory Group, as detailed in the Comments section of the confidential report, for a term expiring on 30 September 2026.

Committee Voting (Carried) – 6/0

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

Not Applicable

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 14 July 2025. Corporate and Community Development Committee meeting held on 15 July 2025. 												
13.	Recommendations of Council Committees												
	<table> <tr> <td>Planning and Asset Services Committee</td> <td>16</td> </tr> <tr> <td>AS-013/25 Tender - T24/25-82 Framework Agreement for the Provision of Plumbing Services</td> <td>16</td> </tr> <tr> <td>AS-014/25 WALGA Quote WQ25/26-13 - Supply, Delivery and Licencing of Two (2) Tandem Axle Side Loading Refuse Trucks</td> <td>20</td> </tr> <tr> <td>AS-015/25 WALGA Quote WQ25/26-14 - Supply of One (1) New 30,000 Litre Articulated Water Cart</td> <td>24</td> </tr> <tr> <td>Corporate and Community Development Committee</td> <td>28</td> </tr> <tr> <td>GM-013/25 Proposed Local Government Reform – Communications Agreement</td> <td>28</td> </tr> </table>	Planning and Asset Services Committee	16	AS-013/25 Tender - T24/25-82 Framework Agreement for the Provision of Plumbing Services	16	AS-014/25 WALGA Quote WQ25/26-13 - Supply, Delivery and Licencing of Two (2) Tandem Axle Side Loading Refuse Trucks	20	AS-015/25 WALGA Quote WQ25/26-14 - Supply of One (1) New 30,000 Litre Articulated Water Cart	24	Corporate and Community Development Committee	28	GM-013/25 Proposed Local Government Reform – Communications Agreement	28
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Corporate and Community Development Committee	28												
GM-013/25 Proposed Local Government Reform – Communications Agreement	28												
14.	Receipt of Information Bulletin												
	Recommendation: That Council RECEIVES the July 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-006/25 Meetings and Functions Attended by the Mayor and Deputy Mayor 34												
16.	Reports of Council Members												
17.	Reports of Officers												
18.	Addendum Agenda												
19.	Motions of which Previous Notice has been given												

20.	Notices of Motion for Consideration at the Following Meeting
	<p>20.1 Notice of Motion from Cr Dawn Jecks – Commemorating 80 years since Hiroshima & Nagasaki</p> <p>In accordance with Clause 3.9 of the City of Rockingham Standing Orders, Cr Jecks has submitted the following Notice of Motion for consideration at the August 2025 meeting:</p> <p><i>“That Council:</i></p> <ul style="list-style-type: none"> a) ACKNOWLEDGES the 80th anniversaries of the US atomic bombings of the cities of Hiroshima and Nagasaki on August 6th and 9th, 1945. We honour the 210,000+ victims of these attacks, and the Hibakusha and Hibakunesei who continue to live with the legacy of nuclear weapons. b) NOTES that our city/town is deeply concerned about the grave threat that nuclear weapons pose to communities throughout the world. We firmly believe that our residents have the right to live in a world free from this threat. c) NOTES that any use of nuclear weapons, whether deliberate or accidental, would have catastrophic, far-reaching and long-lasting consequences for people and the environment. d) ENDORSES the International Campaign to Abolish Nuclear Weapons Cities Appeal, a global call from cities and towns in support of the UN Treaty on the Prohibition of Nuclear Weapons and calls on our national government to sign and ratify it without delay. e) DIRECTS the CEO to advise the Cities Appeal, of Councils decision, via email to australia@icanw.org.”
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 26 August 2025 in the Council Chambers, Civic Boulevard, Rockingham.
25.	Closure

13. Recommendations of Council Committees

Planning and Asset Services Committee

Asset Services Operations and Fleet Services



Report number / title:	AS-013/25	Tender - T24/25-82 Framework Agreement for the Provision of Plumbing Services
File number:	T24/25-82	
Applicant:		
Owner:		
Author:	Mr Tony Bailey, Manager Operations and Fleet Services	
Other Contributors:	Miss Astrid Grov, Contracts Officer	
Date of Committee meeting:	14 July 2025	
Previously before Council:		
Disclosure of Interest:		
Nature of Council's role:	Executive	
Attachments:		
Maps / Diagrams:		
Site:		
Lot Area:		
LA Zoning:		
MRS Zoning:		

Purpose of Report

To provide Council with details of the Tender submissions received for Tender T24/25-82 - Framework Agreement for the Provision of Plumbing Services, document the results of the Tender assessment and make recommendations regarding award of the contract.

Background

Tender T24/25-82 was advertised in the West Australian on Saturday, 12 April 2025. The Tender closed at 2.00pm, Wednesday, 7 May 2025 and was publicly opened immediately after closing.

Details

The scope of works for this contract includes, but is not limited to, the installation, repair and maintenance of the following items associated with City of Rockingham (**City**) managed buildings and park infrastructure:

- Toilets and showers;

- Drink fountains;
- Hot water units;
- Grease traps;
- Preventative backflow devices; and
- Sinks and taps.

The period of the contract shall be from the date of award for 60 months.

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
	35 Pts	35 Pts	30 Pts	100 Pts	
Techworks Plumbing Pty Ltd	31.3	30.3	29.5	91.1	1
Ace Plus	30.0	29.0	28.3	87.3	2
Maxey Plumbing Pty Ltd	27.7	25.3	29.9	82.9	3
PCB Plumbing and Gas Pty Ltd	25.8	23.7	28.5	78.0	4
Link Plumbing and Gas Services	25.0	22.3	30	77.3	5
Majestic Plumbing Pty Ltd	27.0	27.5	18.1	72.6	6
Warlitj Pty Ltd	16.7	21.3	23.9	61.9	7

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 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 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

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 \$600,000. Pricing was very competitive as detailed in the assessment table and also when the existing contract is considered.

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 analysis of the submissions received, and in accordance with the Tender assessment criteria, it was determined that two (2) of the submissions, On Tap Services Pty Ltd and Commercial Property Maintenance WA did not complete the Request for Tender form correctly or completely and therefore are deemed non-conforming.

In addition to price, Tenderers were required to supply qualitative information addressing level of service and understanding of Tender requirements including, organisational structure, demonstrated relevant industry experience, available resources, qualified personnel, methodology for undertaking works and quality accreditation systems.

Techworks Plumbing Pty Ltd scored the highest in level of service, understanding of Tender requirements and provided very competitive pricing resulting in the highest overall assessment score.

Following consideration of the submissions in accordance with the Tender assessment criteria, Techworks Plumbing Pty Ltd represents 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 Techworks Plumbing Pty Ltd, 9 Mumford Place, Balcatta WA 6021 for Tender T24/25-82 - Framework Agreement for the Provision of Plumbing Services in accordance with the Tender documentation from the date of Award for a period of 60 months.

Committee Recommendation

That Council **ACCEPTS** the Tender submitted from Techworks Plumbing Pty Ltd, 9 Mumford Place, Balcatta WA 6021 for Tender T24/25-82 - Framework Agreement for the Provision of Plumbing Services in accordance with the Tender documentation from the date of Award for a period of 60 months.

Committee Voting (Carried) - 6/0

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

Not Applicable

Asset Services Operations and Fleet Services



Report number / title:	AS-014/25	WALGA Quote WQ25/26-13 - Supply, Delivery and Licencing of Two (2) Tandem Axle Side Loading Refuse Trucks
File number:	WQ25/26-13	
Proponent/s		
Author:	Mr Tony Bailey, Manager Operations and Fleet Services	
Other Contributors:	Mr James Fawcett, Acting Fleet Management Supervisor	
Date of Committee Meeting:	14 July 2025	
Previously before Council:		
Disclosure of Interest:		
Nature of Council's Role:	Executive	
Attachments:		
Maps/Diagrams:		
Site:		
Lot Area:		
LA Zoning:		
MRS Zoning:		

Purpose of Report

To provide Council with details of the submissions received for WQ25/26-13 - Supply, Delivery and Licencing of Two (2) Tandem Axle Side Loading Refuse Trucks, document the results of the quote assessment and make recommendations regarding award of the quote.

Background

Quote WQ25/26-13 was sent out via the WALGA eQuote system to a panel of preferred suppliers on Wednesday, 2 April 2025. Quotes closed at 2.00pm Wednesday, 30 April 2025.

Details

The scope of works was the supply, delivery and licencing of two (2) tandem axle side loading refuse trucks. Separable portions were included to allow two (2) different waste compactor bodies to be fitted to the trucks.

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

Evaluation of submissions received in accordance with the advertised quote assessment criteria, produced the following weighted scores:

Quoter	Level of Service	Performance and Experience of Supplier	Price Considerations	Total Score	Rank
	24 Pts	40 Pts	36 Pts	100 Pts	
Truck Centre WA Pty Ltd Separable Portion 2 - Superior Pak body	15	36	35.9	86.9	1
Truck Centre WA Pty Ltd Separable Portion 1 - Bucher body	15	35	34.2	84.2	2
AV Truck Services Pty Ltd Separable Portion 2 - Superior Pak body	11	18	36	65	3
AV Truck Services Pty Ltd Separable Portion 1 - Bucher body	11	17	34.5	62.5	4

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 for Perth Western Australia.

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 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

In accordance with Executive Standard - Purchasing of Goods and Services, for purchases above \$250,000, a public tender process is not required to be conducted where the supply of goods or services is to be obtained through the WALGA Preferred Supplier Program 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 11(2)(b).

e. Financial

The recommended submission of \$1,093,024 is in accordance with the approved Budget.

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'.

In accordance with the *Local Government (Functions & General) Regulations 1996*, Part 4 – division 2 Section 11 subsection (2)(b),.

Sub regulation (2) - 'Tenders do not have to be publicly invited according to the requirements of this Division if –

Sub regulation (2)(b) the supply of the goods or services is to be obtained through the Council Purchasing Service of Western Australian Local Government Association (**WALGA**).

Therefore, a tender exemption applies to WALGA's Preferred Supply Contracts, and local governments are not required to go to public tender when purchasing from WALGA's arrangement, irrespective of contract value or length.

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

Submissions were received from two (2) companies being Truck Centre WA Pty Ltd and AV Truck Services Pty Ltd, both with separable portions for the waste compactor body quoted by Bucher Municipal and Superior Pak. Given the completed product involves a truck chassis and specialised water compactor, delivery timeframes for these assets typically range between 9-18 months.

The suitability of the trucks including mechanical, operator and safety assessment, price and availability of spare parts, servicing requirements, environmental performance and other criteria were assessed. Following consideration of the submissions in accordance with the quote criteria, Truck Centre WA Pty Ltd and AV Truck Services Pty Ltd demonstrated the capability, capacity, resources and personnel to complete the works with varying levels of competency which is reflected in the assessment scores.

In addition to supply and delivery, the quote documents also requested pricing options for servicing and maintaining the two (2) trucks. The intent was to assess whether these options would be beneficial to the City of Rockingham (**City**). There was insufficient information to assess these options, so the trucks will be maintained in accordance with the existing arrangement at the City where different suppliers can be used depending on the nature of the work required.

The Truck Centre WA Pty Ltd Volvo FE320 - Auto Dual Control truck fitted with the Superior Pak body as Separable Portion 2 rated the highest in the assessment process and is considered the best value to the City and therefore recommended as the preferred quoter.

Voting Requirements

Simple Majority

Officer Recommendation

That Council **ACCEPTS** the quote submitted from Truck Centre WA Pty Ltd, 31 Miguel Road, Bibra Lake WA 6163 for WALGA Quote WQ25/26-13 - Supply, Delivery and Licencing of Two (2) Tandem Axle Side Loading Refuse Trucks, Separable Portion 2 in accordance with the quote documentation for the supply of two (2) Volvo FE320 Auto Dual Control trucks fitted with the Superior Pak body for the lump sum value of \$1,093,024.

Committee Recommendation

That Council **ACCEPTS** the quote submitted from Truck Centre WA Pty Ltd, 31 Miguel Road, Bibra Lake WA 6163 for WALGA Quote WQ25/26-13 - Supply, Delivery and Licencing of Two (2) Tandem Axle Side Loading Refuse Trucks, Separable Portion 2 in accordance with the quote documentation for the supply of two (2) Volvo FE320 Auto Dual Control trucks fitted with the Superior Pak body for the lump sum value of \$1,093,024.

Committee Voting (Carried) - 6/0

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

Not Applicable

Asset Services Operations and Fleet Services



Report number / title:	AS-015/25	WALGA Quote WQ25/26-14 - Supply of One (1) New 30,000 Litre Articulated Water Cart
File number:	WQ25/26-14	
Proponent/s		
Author:	Mr Tony Bailey, Manager Operations and Fleet Services	
Other Contributors:	Mr James Fawcett, Acting Fleet Management Supervisor	
Date of Committee Meeting:	14 July 2025	
Previously before Council:		
Disclosure of Interest:		
Nature of Council's Role :	Executive	
Attachments:		
Maps/Diagrams:		
Site:		
Lot Area:		
LA Zoning:		
MRS Zoning:		

Purpose of Report

To provide Council with details of the submissions received for WQ25/26-14 - Supply and Delivery of One (1) New 30,000 Litre Articulated Water Cart, document the results of the quote assessment and make recommendations regarding award of the quote.

Background

Quote WQ25/26-14 was sent out via the WALGA eQuote system to a panel of preferred suppliers on Tuesday, 13 May 2025. Quotes closed at 2.00pm, Wednesday, 11 June 2025 and were publicly opened immediately after the closing time.

Details

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

Evaluation of submissions received, in accordance with the advertised quote assessment criteria, produced the following weighted scores:

Quoter	Level of Service	Performance and Experience of Supplier	Price Considerations	Total Score	Rank
	24 Pts	40 Pts	36 Pts	100 Pts	
CJD Equipment Pty Ltd	20	40	30.8	90.8	1
Hitachi Construction Machinery (Australia) Pty Ltd	15	37	36	88	2

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

Quoter	Original Score	Local Content	Total Score	Rank
	100 Pts	5 Pts	105 Pts	
CJD Equipment Pty Ltd	90.8	0	90.8	1
Hitachi Construction Machinery (Australia) Pty Ltd	88	1.5	89.5	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 for Perth Western Australia.

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 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

In accordance with Executive Standard - Purchasing of Goods and Services, for purchases above \$250,000, a public tender process is not required to be conducted where the supply of goods or services is to be obtained through the WALGA Preferred Supplier Program 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 11(2)(b).

In accordance with Executive Standard - Purchasing of Goods and Services, Local Content was assessed as part of the quote assessment

e. Financial

The recommended submission of \$1,070,000 is in accordance with the approved Budget.

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'.

In accordance with *the Local Government (Functions & General) Regulations 1996*, Part 4 - division 2 Section 11 subsection (2)(b).

Sub regulation (2) - 'Tenders do not have to be publicly invited according to the requirements of this Division if -

Sub regulation (2)(b) the supply of the goods or services is to be obtained through the Council Purchasing Service of Western Australian Local Government Association (**WALGA**).

Therefore, a tender exemption applies to WALGA's Preferred Supply Contracts, and local governments are not required to go to public tender when purchasing from WALGA's arrangement, irrespective of contract value or length.

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

Submissions were received from four (4) suppliers being CJD Equipment Pty Ltd, Hitachi Construction Machinery (Australia) Pty Ltd, Porter Equipment Australia Pty Ltd, and AFGRI Equipment Australia Pty Ltd. Following analysis of the submissions received, and in accordance with the quote assessment criteria, it was determined that two (2) of the submissions, Porter Equipment Australia Pty Ltd and AFGRI Equipment Australia Pty did not complete the Request for Quote form correctly or completely and therefore were deemed non-conforming in accordance with the Request for Quote documentation.

The suitability of the water cart including mechanical, operator and safety assessment, price and availability of spare parts, servicing requirements, environmental performance and other criteria were assessed. Following consideration of the submissions in accordance with the quote criteria, CJD Equipment Pty Ltd and Hitachi Construction Machinery (Australia) Pty Ltd demonstrated the capability, capacity, resources and personnel to complete the works with varying levels of competency which is reflected in the assessment scores. The quote criteria and inclusions for the water cart are commensurate with the harsh operating environment and need for safe working conditions for operators and mechanical servicing and repair personnel.

The CJD Equipment Pty Ltd Volvo A40J water cart comes with a five (5) year, 6,000 hour warrantee as compared with a one (1) year 1,500 hour warrantee offered by Hitachi Construction Machinery (Australia) Pty Ltd. The CJD Equipment Pty Ltd Volvo A40J water cart also performed very well in meeting specification requirements and the mechanical, operator and safety assessment and it scored highest in the assessment process overall. The CJD Equipment Pty Ltd Volvo A40J water cart is therefore considered the best value to the City of Rockingham and is recommended as the preferred quoter.

Voting Requirements

Simple Majority

Officer Recommendation

That Council **ACCEPTS** the quote submitted from CJD Equipment Pty Ltd, 52 Great Eastern Highway, South Guildford WA 6055 for WALGA Quote WQ25/26-14 - Supply and Delivery of One (1) New 30,000 Litre Articulated Water Cart in accordance with the quote documentation for the supply of one (1) new 30,000 litre articulated water cart for the lump sum value of \$1,070,000.

Committee Recommendation

That Council **ACCEPTS** the quote submitted from CJD Equipment Pty Ltd, 52 Great Eastern Highway, South Guildford WA 6055 for WALGA Quote WQ25/26-14 - Supply and Delivery of One (1) New 30,000 Litre Articulated Water Cart in accordance with the quote documentation for the supply of one (1) new 30,000 litre articulated water cart for the lump sum value of \$1,070,000.

Committee Voting (Carried) - 6/0

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-013/25	Proposed Local Government Reform – Communications Agreement
File number:	GOV/96	
Proponent/s:		
Author:	Ms Lauren Townsend, Governance Coordinator	
Other Contributor/s:	Mr Jim Olynyk, Manager Governance and Councillor Support Mr Michael Parker, Chief Executive Officer	
Date of Committee meeting:	15 July 2025	
Previously before Council:		
Disclosure of Interest:		
Nature of Council's role:	Executive	
Attachments:	1. City of Rockingham Submission on Local Government Reform – Communications Agreement	
Maps / Diagrams:		
Site:		
Lot Area:		

Purpose of Report

For Council to endorse the City of Rockingham (**City**) submission to the Department of Local Government, Industry Regulation and Safety (**DLGIRS**) on the Communications Agreement Consultation Paper.

Background

The *Local Government Amendment Act 2023* (**2023 Amendment Act**) was passed by Parliament in May 2023. One of the reforms yet to be implemented is the requirement for a communications agreement between the Council and the Chief Executive Officer (**CEO**) of a local government.

DLGIRS has released a consultation paper seeking feedback on the proposed regulations and default communications agreement (**order**). Submissions are invited and close on 22 August 2025.

Both the Western Australian Local Government Association (**WALGA**) and the Local Government Professionals WA (**LG Pro**) have provided their initial responses to the proposed reforms.

Details

The communications agreement is intended to function as a fundamental governance instrument within each local government to set out minimum expectations for formal communications between council members and employees of the local government.

New sections 5.92A – 5.92C inserted by the 2023 Amendment Act provide that:

- each local government must have a communications agreement which deals with the matters required by the *Local Government Act 1995* and regulations
- a local government may adopt a communications agreement by the council and the CEO both agreeing to its terms
- if a local government does not adopt or is unable to adopt a communications agreement, the default communications agreement set out in a ministerial order applies.

The draft Local Government Regulations Amendment Regulations 2025 (**draft regulations**) seek to address minimum requirements for and enforcement of communications agreements.

The draft regulations propose a communications agreement must address:

- how council members and committee members can make requests for information and administrative assistance
- the time within which a response to a request for information or administrative assistance must be given
- the way in which information must be provided in response to a request for information or administrative assistance
- a dispute resolution process
- which local government employees, council members and committee members may communicate or have dealings with relating to requests for information and administrative matters.

The draft regulations clarify that the communications agreement does not apply to:

- deliberations at a council or committee meeting
- the process that needs to be undertaken for the recruitment, performance review or employment termination of the CEO.

Other pertinent points of the draft regulations include:

- Council members and committee members will ensure that they only request information that is relevant to their functions under the Act or any other written law.
- Amendments are required to ensure the employee code of conduct requires a local government employee to comply with the communications agreement
- The commissioner may request information or assistance from any local government employee
- The default communications agreement ministerial order is to be made prior to 19 October 2025
- As a Class 1 local government, the City's CEO will need to nominate at least four (4) employees for the purposes to the communications agreement
- Correspondence sent by the Mayor on behalf of the local government must be provided to all council members by the CEO
- As part of the communications agreement, the CEO must ensure that receipt of a request for information is acknowledged in writing within 2 working days after the day on which the request is made. Within 10 working days after the day on which a request for information is made, the requesting member is given —
 - (a) a final response to the request; or
 - (b) notice that a final response cannot be given within that period and an estimate as to when a final response will be given.
- The final response to a request for information must —
 - (a) be in writing; and

(b) include any advice or other information provided in response to the request for information. A copy of the final response to a request for information given to the requesting member must be provided to —

- i. all council members; and
- ii. if the final response is relevant to the work of a committee — any members of the committee who are not council members.

Communications agreements currently exist between each Minister of the WA Government and the agencies that support them in accordance with section 74 of the *Public Sector Management Act 1994*. These agreements set out who Ministers and their staff may contact within an agency, what they may request, how they can expect their request to be dealt with and when they can expect a response. It is proposed that similar arrangements will exist between the Council of a local government and the CEO. However it is noted that arrangements proposed for local governments are more prescriptive and onerous compared with arrangements in place for State government agencies. Communication agreements at a State Government level are more aligned with the City's current arrangements for communication.

Implications to Consider

a. Consultation with the Community

Nil

b. Consultation with Government Agencies

Department of Local Government, Industry Regulation and Safety and the Western Australian Local Government Association.

c. Strategic

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

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

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

d. Policy

Nil

e. Financial

Nil

f. Legal and Statutory

Relevant legislative references include:

Local Government Act 1995

Section 5.92 of the Act provides that:

- (1) *A person who is a council member or a committee member can have access to any information held by the local government that is relevant to the performance by the person of any of the person's functions under this Act or under any other written law.*
- (2) *Without limiting subsection (1), a council member can have access to —*
 - (a) *all written contracts entered into by the local government; and*
 - (b) *all documents relating to written contracts proposed to be entered into by the local government.*
- (4) *This section does not give a council member or committee member the right to have access to the following information —*
 - (a) *a contract with an employee, other than the CEO or a senior employee, entered into by the local government;*

- (b) *documents relating to a contract with an employee, other than the CEO or a senior employee, proposed to be entered into by the local government;*
 - (c) *any employment record of an employee;*
 - (d) *personal information about an individual that is not relevant to a matter on which the council or committee is to make a decision;*
 - (e) *information the local government is prohibited or restricted from disclosing to the council member or committee member under a secrecy provision;*
 - (f) *information that is not relevant to the functions of the council member or committee member under this Act or another written law;*
 - (g) *information of a kind prescribed by the regulations.*
- (5) *In subsection (4) — personal information means information about an individual whose identity is apparent or can reasonably be ascertained from the information; secrecy provision means a provision of a written law that prohibits or regulates the handling of information.'*

Local Government Amendment Act 2023

Section 5.92B of the Act provides that:

- '(1) The Minister must, by order, set out a form of communications agreement (the default communications agreement).*

Note for this subsection:

The default communications agreement can be amended or replaced from time to time by a variation to the order in which the default communications agreement is set out or by the making of an order that supersedes that order — see section 9.65(2).

- (2) *For the purposes of section 5.92A, the default communications agreement is taken to be a local government's communications agreement at any time when the local government does not have a communications agreement of its own under section 5.92C.*
- (3) *The version of the default communications agreement that is taken to be a local government's communications agreement at any time under subsection (2) is the version that is current at that time.*
- (4) *An order under subsection (1) may set out different forms of communications agreement for different local governments or different classes of local government.*
- (5) *For the purposes of subsection (4), an order under subsection (1) may (without limitation) adopt or otherwise apply classifications of local governments or districts used in a determination made under the Salaries and Allowances Act 1975 section 7A or 7B.'*

Section 5.92C of the Act provides that:

- '(1) A local government may prepare and adopt* a communications agreement of its own.*

** Absolute majority required.*

- (2) *A local government cannot adopt a communications agreement of its own at any time during a caretaker period.*
- (3) *If a local government adopts a communications agreement of its own, for the purposes of section 5.92A —*
 - (a) *the communications agreement has effect as the local government's communications agreement from when it is adopted until the earlier of the following —*
 - (i) *the next time a caretaker period ends;*
 - (ii) *the end of the employment of the CEO who agreed to the adoption of the communications agreement under subsection (4); and*

- (b) *the local government may amend* the communications agreement at any time when it is in effect under paragraph (a), except during a caretaker period. * Absolute majority required.*
- (4) *A local government cannot adopt or amend a communications agreement of its own without the agreement of the CEO.*
- (5) *If a local government has a communications agreement of its own, the CEO must publish an up-to-date version of the communications agreement on the local government's official website.'*

Note: The *Local Government Amendment Act 2023* provisions mentioned above are yet to be enacted and are pending finalisation of the draft regulations.

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 City has been an active and cooperative participant in all legislative and reform reviews.

A Councillor Engagement Session on this reform was held on 8 July 2025 to assist in the preparation of the proposed responses.

The City has prepared a draft response to the proposed reforms which is available at Attachment 1. The draft response considers the comments that have been provided by both WALGA, LG Pro and feedback provided by City of Rockingham Council Members.

The City already has protocols in place which guide the communications between the Council and administration. These include clearly highlighting the staff to whom Council Members can have access to and correspondence mechanisms to deal with Council Member requests, questions and advocacy. As a result having a standard communication agreement or a more tailored agreement specific to the City is not such an issue. Notwithstanding this the City makes the following observation about the reform:

- Draft provisions are overly prescriptive and increases red tape unnecessarily. A cost benefit assessment should be undertaken before implementation to ensure an appropriate use of rate payer resources.
- Section 74 of the *Public Sector Management Act 1974* states that a Minister shall "*make arrangements in writing in relation to each department or organisation for which the Minister is responsible setting out the manner in which, and the circumstances in which, dealings are to be had, and communications are to be made, between ministerial officers assisting the Minister and the employees in that department or organisation.*" It does not, nor do regulations stipulate how this is achieved or what it is to contain.
- Previous reform submissions from the City have supported alignment with Public Sector Commission Standards and what is proposed goes beyond what is in place at a State level.
- It is not clear why correspondence of the Mayor is to be provided to all Council Members as the Agreement is between the Council and the CEO. The City seeks clarity regarding the purpose of requiring this function, particularly as specific items can already be requested.
- A Commissioner should direct all requests to the CEO or an employee nominated by the CEO and not any employee determined by the Commissioner.

Voting Requirements

Simple Majority

Officer Recommendation

That Council **ADOPTS** Attachment 1 as its response to the Department of Local Government, Industry Regulation and Safety invitation to comment on the Communications Agreement Consultation Paper.

Committee Recommendation

That Council **ADOPTS** Attachment 1 as its response to the Department of Local Government, Industry Regulation and Safety invitation to comment on the Communications Agreement Consultation Paper.

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-006/25	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:	22 July 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 20 June 2025 to 17 July 2025.

Background

Nil

Details

Date	Meeting/Function
20 June 2025	On-line briefing with Australian Submarine Agency
24 June 2025	Council Meeting
25 June 2025	Women in Defence Networking Evening
27 June 2025	Meeting with members of the Catalpa Committee Meeting with members of the Rockingham RSL Kolbe Catholic College, Strive Community Expo
28 June 2025	HMAS Arafura Commissioning Ceremony
30 June 2025	Meeting with Magenta Marshall MLA regarding local advocacy Meeting with the Shire of Serpentine Jarrahdale
1 July 2025	Little Penguin Advisory Group Meeting with a local resident US Consulate Perth, Independence Day Celebration
2 July 2025	Attended Singleton Play Group National Seniors Australia 30 th Anniversary of the Rockingham and Districts Branch Online ARPANSA Information Session

Date	Meeting/Function
3 July 2025	Ministers and Chaplains Gathering Familiarisation tour of TAFE Munster Campus with Minister Sanderson in the context of clean energy
4 July 2025	Meeting with Hon Madeleine King regarding local advocacy Rockingham High School Farewell to the Principal 102 nd Birthday at local residential care home 10 th Anniversary of Brendan's Homeless Respite
7 July 2025	Australian Citizenship Ceremony
8 July 2025	NAIDOC Week Ceremony Interview with 6PR Councillor Engagement Session
10 July 2025	Deputy Mayor opened The Art of Zen Shan Ren
12 July 2025	Deputy Mayor attended the 30 th Anniversary of the Rockingham City Pipe Band
16 July 2025	Deputy Mayor attended the Youth Sports Leadership Program

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 20 June 2025 to 17 July 2025.