



# City of Rockingham

## AGENDA

### Ordinary Meeting of Council

To be held on Tuesday 24 June 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 24 June 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

19 June 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 24 June 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 Olynky, JP      Manager Governance and Councillor Support

	<p><b>2.3 Members of the Gallery:</b></p> <p><b>2.4 Apologies:</b></p> <p><b>2.5 Approved Leave of Absence:</b></p>
<b>3.</b>	<b>Responses to Previous Public Questions Taken on Notice</b>
	<p><b>3.1 Mr Clive Galletly, Rockingham – Redefine Regions / Traffic Issues</b></p> <p>At the Council meeting held on 27 May 2025, Mr Galletly asked the following question that was taken on notice. The Chief Executive Officer provided a response in a letter dated 18 June 2025 as follows:</p> <p><u>Question</u></p> <p>1. WA is divided into ten regions, there is a Cabinet Minister for each region with a notable exception of Perth. This is because Perth gets a disproportionate amount of funding and Rockingham and Kwinana being part of the Perth region so we get no Minister responsible for us. I'm proposing that either the Peel region be redefined to include all of Rockingham, Kwinana and Mandurah or that a new region be defined for these cities such as the Southern Growth Corridor with a Minister responsible for and answerable to those cities.</p> <p>Is Council willing to support an initiative to have a new region and address the funding situation?</p> <p><u>Response</u></p> <p><i>The metropolitan region and other regions are defined in the Planning and Development Act 2005. Any reclassification of regions that could change the current status of Rockingham being defined as part of the Metropolitan region would need significant consideration to analyse the advantages and disadvantages to the City of Rockingham (<b>City</b>). The current State planning framework (ie. Metropolitan Region Scheme) reflects the regions in the Act and any change to the Metropolitan region has flow-on effects in this regard.</i></p> <p><i>As you may be aware, the City is a member of the Perth South West Metropolitan Alliance (Alliance); a group of six local governments in Perth's south west corridor that jointly advocate for the region.</i></p> <p><i>With the advent of the AUKUS defence arrangements and the Westport development, the Alliance is working to lift the profile of the region and advocate for additional infrastructure spending and investment in social services to support our growing area. This includes meeting regularly with a range of State Ministers and government agencies, something which is more difficult for other regions of the State to achieve.</i></p> <p><i>Furthermore, the City is now covered either totally or partially by five different Legislative Assembly Electorates being the seats of:</i></p> <ul style="list-style-type: none"> <li>• <b>Rockingham</b>, represented by Magenta Marshall MLA;</li> <li>• <b>Baldivis</b>, represented by Hon Reece Whitby MLA, the Minister for Police, Road Safety, Tourism and Great Southern;</li> <li>• <b>Secret Harbour</b>, represented by Hon Paul Papalia MLA and Minister for Emergency Services, Corrective Services, Defence Industries, Veterans and Racing and Gaming;</li> <li>• <b>Kwinana</b>, represented by Hon Roger Cook MLA, Premier, Minister for State Development, Trade and Investment and Economic Diversification; and</li> <li>• <b>Darling Range</b>, represented by Hugh Jones MLA.</li> </ul> <p><i>Given the local representation (including three State Ministers representing areas of our City) having a dedicated Minister for this region may be difficult to justify.</i></p> <p><i>Notwithstanding this, funding for infrastructure and services is always a challenge particularly for rapidly growing areas. With the increasing importance of our region to the State's economy and the nation's defence requirements, the City and the Alliance will continue to advocate for the needs of our area.</i></p>

3.2	<b>Mr Ray Major, Rockingham – Signage and CCTV</b>  At the Council meeting held on 27 May 2025, Mr Major asked the following question that was taken on notice. The Director Planning and Development Services provided a response in a letter dated 5 June 2025 as follows:  <u>Question</u>  1. How many illegal camping infringements have been issued by the City of Rockingham this financial year?  <u>Response</u>  <i>The City has not issued infringements for illegal camping this financial year.</i>  <i>With respect of the genuine homeless, the issue of an infringement is not the City's preferred approach during the current housing crisis.</i>  <i>It is important to note is that, where necessary, the City has taken alternative action to remedy situations where poor behaviour has reduced the level of tolerance afforded to homeless people. This has resulted in the issue of five (5) formal directions to 'leave and not return' notices being issued, four (4) vehicles being impounded and 19 sets of personal property being seized.</i>  <i>With respect of travellers, the law affords some leeway for caravans and camper drivers to rest, in non-hazardous locations, for up to 24 hours before committing an offence. This concession is common knowledge among regular travellers and is sometimes leveraged by them. Notwithstanding, the City is seeking to implement the law to the extent that its resources allow.</i>	
4.	<b>Public Question Time</b>	
	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.	<b>Applications for Leave of Absence</b>	
6.	<b>Confirmation of Minutes of the Previous Meeting</b>	
	<b>Recommendation:</b> That Council <b>CONFIRMS</b> the Minutes of the Ordinary Council meeting held on 27 May 2025, as a true and accurate record.	
7.	<b>Matters Arising from the Previous Minutes</b>	
8.	<b>Announcement by the Person Presiding without Discussion</b>	
	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.	<b>Declarations of Members and Officers Interests</b>	
	<b>9.1</b>	<b>Item PD-020/25</b>
		<b>Proposed Community Purpose (Community Garden and Rockingham Montessori Activities)</b>
	Council Member:	Cr Brett Wormall
	Type of Interest:	Impartiality
	Nature of Interest:	Cr Wormall is a member of the Baldvis Community Garden and former Treasurer.Cr Wormall declares that he will deal with the matter on its merits and vote accordingly.
	Extent of Interest:	Not Applicable

	<b>9.2</b>	<b>Item CD-011/25</b>	<b>Community Grants Program applications round one 2025/2026</b>
		Council Member:	Mayor Deb Hamblin
		Type of Interest:	Impartiality
		Nature of Interest:	Mayor Hamblin is Vice Patron of the Cruising Yacht Club of WA (Inc) and is Patron of the Rockingham Bowling Club. Mayor Hamblin declares that she will deal with the matter on its merits and vote accordingly.
		Extent of Interest:	Not Applicable
	<b>9.3</b>	<b>Item CD-011/25</b>	<b>Community Grants Program applications round one 2025/2026</b>
		Council Member:	Cr Mike Crichton
		Type of Interest:	Impartiality
		Nature of Interest:	Cr Crichton is friends with the Senior Pastor at Centrepont Churches, Friends with the Vice President of the Rockingham Swimming Club, SOUL is the sister organisation of The CREW where Cr Crichton is employed. Cr Crichton declares that he will deal with the matter on its merits and vote accordingly.
		Extent of Interest:	Not Applicable
	<b>9.4</b>	<b>Item CD-011/25</b>	<b>Community Grants Program applications round one 2025/2026</b>
		Council Member:	Cr Caroline Hume
		Type of Interest:	Impartiality
		Nature of Interest:	Cr Hume personally knows members of the Safety Bay Tennis Club. Cr Hume declares that she will deal with the matter on its merits and vote accordingly.
		Extent of Interest:	Not Applicable
	<b>9.5</b>	<b>Item CD-011/25</b>	<b>Community Grants Program applications round one 2025/2026</b>
		Council Member:	Deputy Mayor Lorna Buchan
		Type of Interest:	Impartiality
		Nature of Interest:	Deputy Mayor Buchan is the Patron of Rockingham Swimming Club. Deputy Mayor Buchan declares that she will deal with the matter on its merits and vote accordingly.
		Extent of Interest:	Not Applicable
<b>10.</b>	<b>Petitions/Deputations/Presentations/Submissions</b>		
<b>11.</b>	<b>Matters for which the Meeting may be closed</b>		



<b>12.</b>	<b>Receipt of Minutes of Council Committees</b>																						
	<p><b>Recommendation:</b></p> <p>That Council <b>RECEIVES and NOTES</b> the minutes of the:</p> <ul style="list-style-type: none"> <li>• Planning and Asset Services Committee meeting held on 16 June 2025; and</li> <li>• Corporate and Community Development Committee meeting held on 17 June 2025</li> </ul>																						
<b>13.</b>	<b>Recommendations of Council Committees</b>																						
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<b>14.</b>	<b>Receipt of Information Bulletin</b>																						
	<p><b>Recommendation:</b></p> <p>That Council <b>RECEIVES</b> the June 2025 Information Bulletins as follows:</p> <ul style="list-style-type: none"> <li>• Planning Services Bulletin</li> <li>• Asset Services Bulletin</li> <li>• Corporate and General Management Services Bulletin</li> <li>• Community Development Bulletin</li> </ul>																						
<b>15.</b>	<b>Report of Mayor</b>																						
	MR-005/25 Meetings and Functions Attended by the Mayor and Deputy Mayor 108																						
<b>16.</b>	<b>Reports of Council Members</b>																						
	<p><b>16.1 Cr Dawn Jecks – Australian Submarine Agency's proposed Controlled Industrial Facility on Garden Island</b></p> <p>There is currently an opportunity for public input into a facility license application for the Australian Submarine Agency's (<b>ASA</b>) proposed Controlled Industrial Facility on Garden Island. This public consultation is being conducted by the Australian Radiation Protection and Nuclear Safety Agency (<b>ARPANSA</b>).</p> <p>Under ARPANSA's process, each site requires four licenses: a siting license (issued in July 2024), a construction license (to which this consultation relates), an operating license and a decommissioning license.</p> <p>The public consultation <b>opened 11/6/25 and closes on 17/7/25</b>.</p> <p>A submission can be made using the following link - <a href="#">Notice of intention to make a decision on a facility licence application at Garden Island, WA   ARPANSA</a></p>																						

	<p><b>16.2 Cr Kelly Middlecoat – Installation of anti-choking devices</b></p> <p>Following a comprehensive review prompted by the heartbreaking advocacy of a grieving father, the City of Rockingham will install anti-choking devices across its major community and leisure facilities. This initiative was inspired by Brian Bwoga, who tragically lost his 22 month old son, Zaire "ZaZa", in a choking incident on 15 January 2024. In his email, Brian shared his devastating experience of losing his son in his arms and has since championed "ZaZa's Law," a mission to equip public spaces in Perth with the tools needed to prevent similar fatalities.</p> <p>In response to this advocacy, the City of Rockingham's Community and Leisure Facilities team conducted an assessment of installing LifeVac devices in its public facilities. The City's report confirmed its staff are fully trained in conventional first aid, which remains the primary response to choking. However, it also engaged with emergency care specialists who acknowledged their potential value as a last resort when traditional methods like back blows and chest thrusts fail.</p> <p>Ultimately, the report recommended the installation of the devices, concluding it is a proactive and sensible measure to enhance emergency preparedness. The devices will be installed at Aqua Jetty, Mike Barnett Sports Complex, The Autumn Centre, Rockingham Aquatic Centre, Baldivis Indoor Sports Complex, and Warnbro Community Recreation Centre.</p> <p>Thank you to Richard Hardy and Michael Holland for the report which arrives at a compassionate and responsible conclusion that honours the powerful advocacy of a father turning his pain into purpose. Thank you to Brian, your work will undoubtedly protect others, and I am certain your son would be incredibly proud of the legacy you are building for him.</p>
<b>17.</b>	<b>Reports of Officers</b>
<b>18.</b>	<b>Addendum Agenda</b>
<b>19.</b>	<b>Motions of which Previous Notice has been given</b>
<b>20.</b>	<b>Notices of Motion for Consideration at the Following Meeting</b>
<b>21.</b>	<b>Questions by Members of which Due Notice has been given</b>
<b>22.</b>	<b>Urgent Business Approved by the Person Presiding or by Decision of the Council</b>
<b>23.</b>	<b>Matters Behind Closed Doors</b>
<b>24.</b>	<b>Date and Time of Next Meeting</b>
	<p>The next Ordinary Council meeting for the City of Rockingham will be held on <b>Tuesday 22 July 2025</b> in the Council Chambers, Civic Boulevard, Rockingham.</p>
<b>25.</b>	<b>Closure</b>



### 13. Recommendations of Council Committees

#### Planning and Asset Services Committee

#### Planning and Development Services Statutory Planning Services



<b>Report number / title:</b>	<b>PD-019/25</b>	<b>Proposed Council Policy - Development Assessment Panel Process</b>
File number:	LUP/1385-6	
Applicant:		
Owner:		
Author:	Mr David Banovic, Coordinator Statutory Planning (DAP and Planning Reform)	
Other Contributors:	Mr Mike Ross, Manager Statutory Planning Mr Peter Ricci, Director Planning and Development Services	
Date of Committee meeting:	16 June 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 consider the preparation of a new Council Policy to guide the role and conduct of Council Members, during the Development Assessment Panel (**DAP**) process.

#### Background

##### Development Assessment Panels Pathway

DAPs were introduced by the Western Australian Government in 2011 as part of a broader planning reform initiative aimed at improving the consistency, transparency and efficiency of decision-making for significant or complex Development Applications. DAPs operate under the authority of the *Planning and Development (Development Assessment Panels) Regulations 2011* (**DAP Regulations 2011**), made pursuant to the *Planning and Development Act 2005*.

The intent of the DAP pathway is to ensure that decisions on larger or more complex Development Applications are made on planning merit and professional expertise, while still incorporating local representation through Council-appointed DAP members. DAPs are responsible for determining Development Applications that meet or exceed prescribed monetary thresholds, albeit through the 2024 DAP reforms the pathway has become entirely optional.

Local Governments (**LGs**) are required to assess DAP applications against the applicable planning framework and recommend either approval or refusal of the application, including any conditions to be imposed where Development Approval is recommended or reason/s for refusal, where refusal is recommended (discussed further below). Ultimately, the DAP is the decision-maker and is responsible for determining the application under the pathway.

Each of the DAPs comprise independent decision makers, including technical experts (defined in the DAP Regulations 2011 as 'Specialist Members') and elected local government representatives (defined in the DAP Regulations 2011 as 'Local Government Members'). This mix of expertise and knowledge was intended to help balance the technical aspects of development with local interests.

Applications received within the City of Rockingham (**City**) are determined by the Metro Outer Development Assessment Panel (**MODAP**). All panels comprise of five (5) members: three (3) Specialist Members and two (2) nominated Local Government Members.

For applications received within the City, the Local Government Members are:

- Deputy Mayor Lorna Buchan - Local Member; and
- Cr Mark Jones - Local Member.

The following Alternative Members may attend DAP meetings in lieu of a Local Government (DAP) Member:

- Mayor Hamblin - Alternative Member; and
- Cr Jecks - Alternative Member.

The current DAP application process is outlined as follows:

### The application process





### Responsible Authority Report

Pursuant to DAP Regulations 2011, a responsible authority to which a DAP application is made, must give the DAP that will determine the application, a Responsible Authority Report (**RAR**) in a form approved by the Department of Planning, Lands and Heritage (**DPLH**). A RAR includes an assessment and recommendation, with sufficient information to enable the DAP to make a determination on the DAP application.

In 2011, during the initial implementation of DAPs, the City received guidance from the then Department of Planning (now DPLH) which indicated that DAP applications were not required to be formally presented to the Council and that a RAR could be prepared by an Officer of the LG. Furthermore, the Director General of the DPLH advised that, under the provisions of the *Local Government Act 1995*, the local government could delegate the preparation and submission of a RAR to an employee via the Chief Executive Officer.

In 2013, the City conducted a review of this advice and determined that the Council does not possess the legal authority to delegate its functions in relation to the preparation and submission of RARs. Following the consideration, the City concluded that the responsibility for preparing and submitting RARs must reside with Council and cannot be delegated to an individual employee.

While the majority of LGs in the Perth metropolitan area have historically submitted RARs directly to the DAP without seeking Council or Committee endorsement, it has been observed that some LGs, including the City of Rockingham were formally considering RARs through Council for review and endorsement prior to submission. Over time, this practice raised concerns about the potential for role confusion, particularly regarding the separation between a Council Member's role as a DAP member and their broader responsibilities to the Council and community.

### Local Government Reforms

To further delineate the respective roles of Council Members and LG administration in the DAP process (as part of a broader reform), the *Local Government Amendment Bill 2024* was introduced. This subsequently resulted in the establishment of the *Local Government (Development Assessment Panels) Regulations 2025*, which came into effect on 1 May 2025. These legislative changes clarify that RARs must be prepared by administration of the LG and cannot be the subject of Council consideration.

### Councillor Engagement Session

At a Councillor Engagement Session (**CES**) on 6 May 2025, the implications of the *Local Government Amendment Bill 2024* were discussed. Specifically, the purpose of the presentation was to:

- Outline key changes from the *Local Government Amendment Bill 2024* with respect to DAP Functions; and
- Discuss the approach to engaging with Council Members on DAP Applications effective 1 May 2025.

In this regard, it was outlined that a Council Policy is the appropriate mechanism to outline the process and clearly define the role and conduct of Council Members in relation to DAP applications.

## Details

The overarching purpose of a new Council Policy is to provide a framework which clarifies the roles and responsibilities of Council Members when a DAP application is submitted to the City, based on the recent changes to legislation which are now in effect. A Council Policy would:

- Define the roles and responsibilities of Council Members during the DAP process;
- Clarify that RARs are to be prepared and submitted solely by City Officers;
- Outline protocols for Council Members' and Local Government (DAP) Members' communication and conduct in relation to DAP applications, as elected representatives of the community; and
- Outline how Council Members will be kept informed on the lodgement of complex DAP applications. This approach is proposed to be guided by the City's engagement practices during public advertising of 'complex' Development Applications, as outlined in *Local Planning Policy No.3.3.27 - Community Consultation for Development Applications (LPP3.3.27)*.

The preparation of a Council Policy would be in accordance with the presentation at the CES, based upon the governance framework discussed.

## 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:**                      **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*

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

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

### d. Policy

Council Policy - Policy Framework

The following principles will be applied in policy development and review:

- Policies will be consistent with the City's strategic goals, values, risk appetite and policy template.
- Policies will be concise and state no more than is necessary to direct decision making and clarify expected outcomes.
- Policies will be clear and written in plain English to avoid ambiguity and to be easily understood by the reader.

### e. Financial

Nil

**f. Legal and Statutory**

Local Government (Development Assessment Panels) Regulations 2025

As detailed above, the recent implementation of the *Local Government (Development Assessment Panels) Regulations 2025* effective 1 May 2025, clarifies the roles of Councils and local government administration in the DAP process.

These Regulations also specify that the preparation of RARs is to be undertaken by a local government's administration.

Planning and Development (Development Assessment Panels) Regulations 2011

DAP members are required, under regulation 45(2) of the *Planning and Development (Development Assessment Panels) Regulations 2011*, to comply with the 'Development Assessment Panel Code of Conduct 2024'. Notably members, including Local Government (DAP) Members, must not obtain their own private briefings outside of the public forum.

Local Government Members can raise questions to City Officers on the RAR, or the application in general, in advance of the meetings via a request to the Executive Director under the DAP Regulations, however, discretion to approve the request ultimately rests with the Executive Director.

While there is clear guidance for Local Government (DAP) Members on how they should engage with City Officers, including the process for raising questions via the DAP Executive Director, there remains a lack of clear guidance regarding the roles, responsibilities and conduct of the remaining Council Members who are not appointed to the DAP.

**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**

For the past 12 years, all DAP applications have been referred to the Council to provide its recommendations to the MODAP, based upon a draft RAR prepared by City Officers. The recent legislative changes, however, have changed this 'state-of-play' and now mandate that all RARs must be prepared by City Officers, and not referred to Council.

There are Council Member functions, roles, responsibilities and conduct, which need to be clarified for Council Members and the nominated Local Government (DAP) Members as distinct from City Officers, on the governance process moving forward.

A new Council Policy is recommended which addresses the above matters, through good governance, transparency and support for Council Members during the DAP process through clear and consistent communication procedures on DAP applications.

**Voting Requirements**

Simple Majority

**Officer Recommendation**

That Council **DIRECTS** the Chief Executive Officer to prepare a draft Council Policy outlining the functions of and communications with Council Members relating to Development Assessment Panel applications.

### Committee Recommendation


That Council ***DIRECTS*** the Chief Executive Officer to prepare a draft Council Policy outlining the functions of and communications with Council Members relating to Development Assessment Panel applications and the draft Policy be presented to a Councillor Engagement Session.

Committee Voting (Carried) - 6/0

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

Not Applicable

*Cr Wormall has declared an Impartiality interest in Item PD-020/25 - Proposed Community Purpose (Community Garden and Rockingham Montessori Activities) and will deal with the matter on its merits and vote accordingly (refer to Item 9 for specific details).*

<b>Planning and Development Services</b> <b>Statutory Planning Services</b>				
<b>Report number / title:</b>	<b>PD-020/25</b>	<b>Proposed (Community Montessori Activities)</b>	<b>Community Garden and</b>	<b>Purpose Rockingham</b>
File number:	DD020.2024.00000397.001			
Applicant:	JL Advisory			
Owner:	Rockingham Montessori School Incorporated			
Author:	Mr David Waller, Coordinator Statutory Planning			
Other Contributors:	Mr Mike Ross, Manager Statutory Planning			
Date of Committee meeting:	16 June 2025			
Previously before Council:				
Disclosure of Interest:	Cr Brett Wormall declared an Impartiality Interest in item PD-020/25 - Proposed Community Purpose (Community Garden and Rockingham Montessori Activities), as detailed in Regulation 22 of the <i>Local Government (Model of Conduct) Regulations 2021</i> and as per section 5.65 of the <i>Local Government Act 1995</i> , as he is a member of the Baldivis Community Garden and former Treasurer. Cr Wormall will consider the matter on its merit and vote accordingly.			
Nature of Council's role:	Tribunal			
Attachments:	<ol style="list-style-type: none"> <li>Schedule of Submissions</li> </ol>			
Maps / Diagrams:	<ol style="list-style-type: none"> <li>Location Plan</li> <li>Aerial Photo</li> <li>Deposited Plan - Lot 700 and 701</li> <li>1999 DA (Reception Centre) - Site Plan</li> <li>1999 DA (Reception Centre) - Floor Plan</li> <li>1999 DA (Reception Centre) - Elevations</li> <li>2004 DA (Chapel) - Site Plan</li> <li>2004 DA (Chapel) - Elevations</li> <li>Master Plan (JDAP approval) - Montessori School</li> <li>Site Plan</li> <li>Landscape Development Plan</li> <li>Consultation Plan</li> <li>BMP Strategies</li> </ol>			
Site:	Lot 700 (No.1791) Mandurah Road, Karnup			
Lot Area:	2.5954 hectares			



LA Zoning:	Rural
MRS Zoning:	Rural

## Purpose of Report

To consider a Development Application for a proposed Community Garden, operated by the Baldvis Community Garden Inc. (**BCG**) and allow for activities/events managed by Rockingham Montessori School (**RMS**) ('Community Purpose Use') on Lot 700 (No.1791) Mandurah Road, Baldvis (**subject site**).



1. Location Plan



2. Aerial Photo

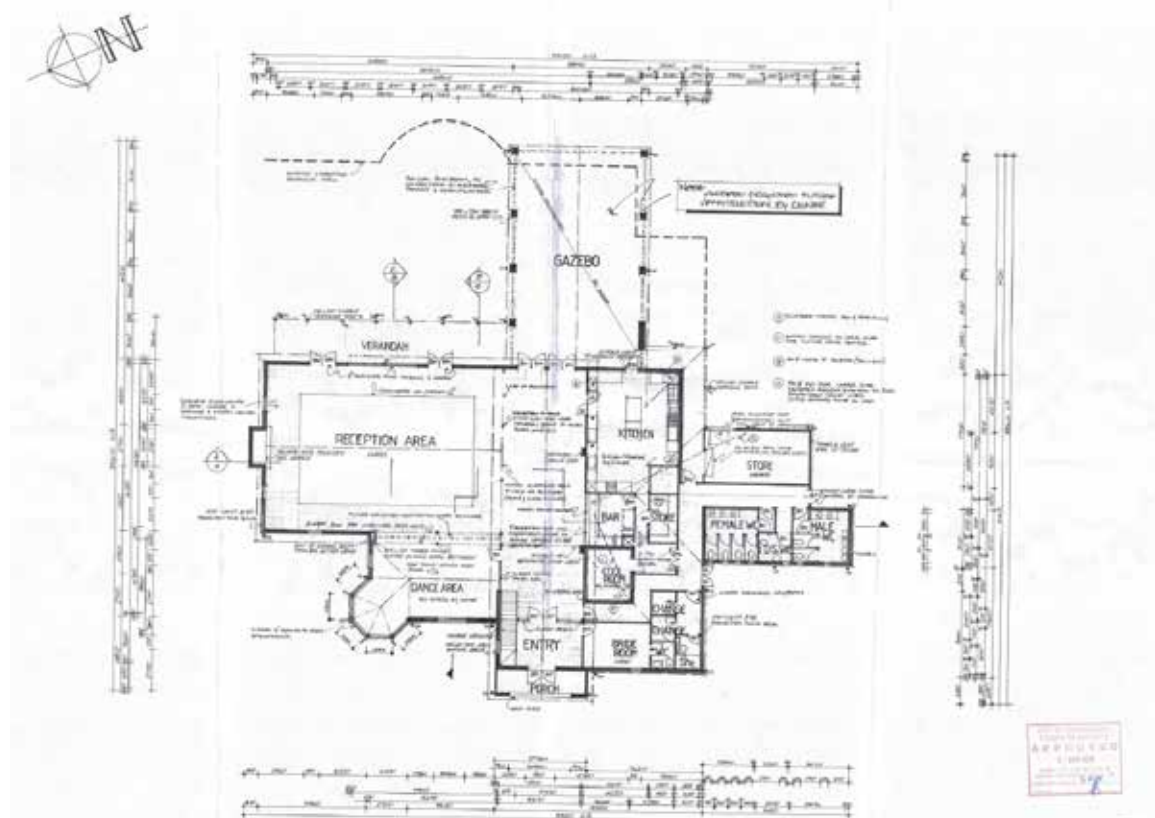
## Background

- The subject site (Lot 700) was formerly part of a larger land parcel known as Lot 10 Mandurah Road, Karnup. Lot 10 was subdivided in January 2010 to create two land parcels now known as Lot 700 and Lot 701.
- The subject site includes buildings previously associated and purpose built for the 'Munja Gardens Reception Centre' (former).
- In 1994, 1997 and 1998, various City of Rockingham (**City**) Development Approvals were granted for a 'Reception Centre' on the subject site.
- In November 1999, a further Development Approval for a 'Reception Centre' (**1999 DA**) was issued whereby the development of the 'Reception Centre' on the subject site was ultimately constructed. The 1999 DA was granted under the City's (former) Town Planning Scheme No.1 (**TPS1**).

The 1999 DA, did not include a condition restricting the number of persons able to be accommodated at the 'Reception Centre'. The Applicant's description in the application included formal and non-formal functions associated with weddings, events and functions with a maximum capacity of up to one hundred and eighty (180) persons.

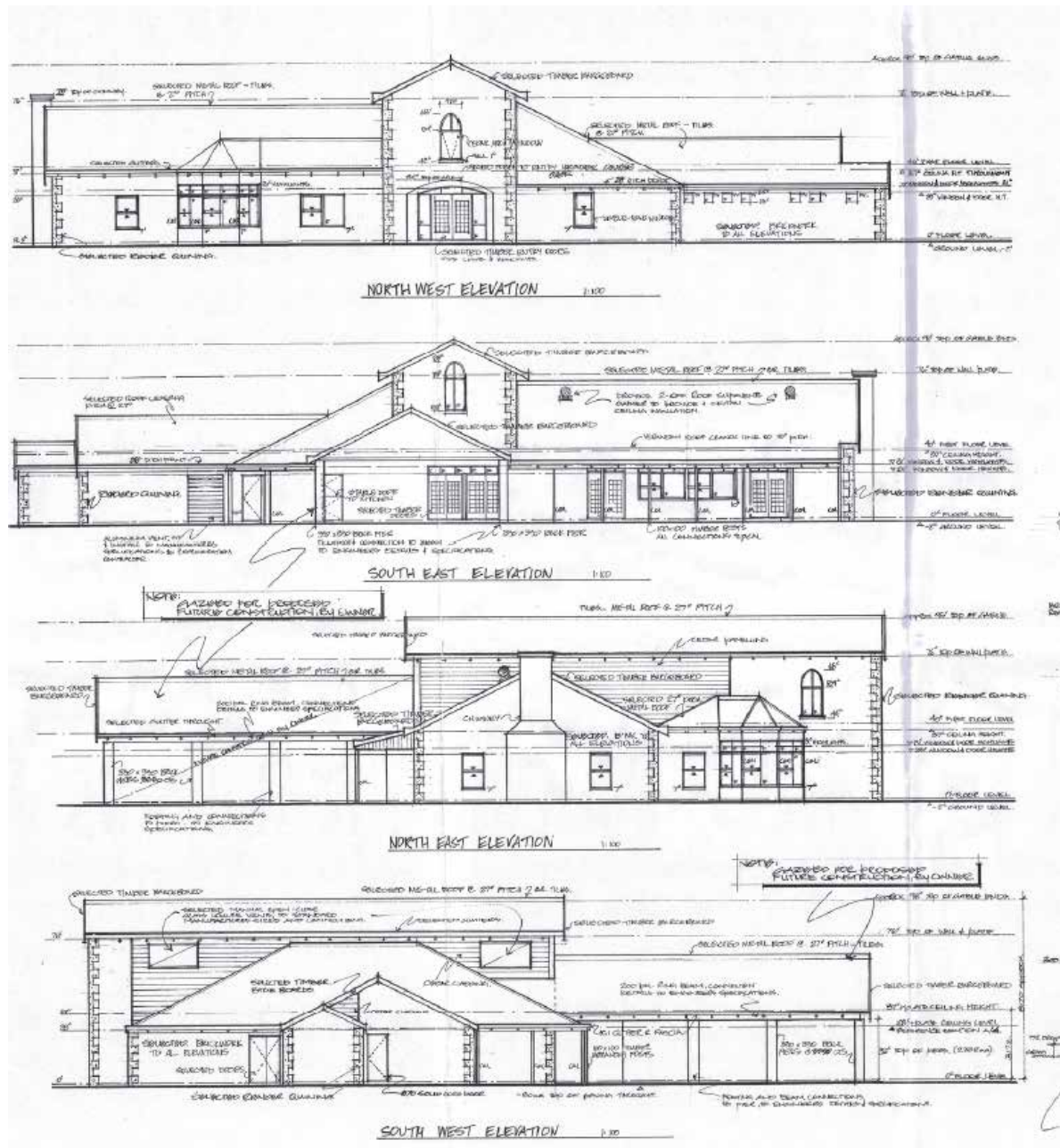


4. Site Plan - 1999 Reception Centre Development Approval



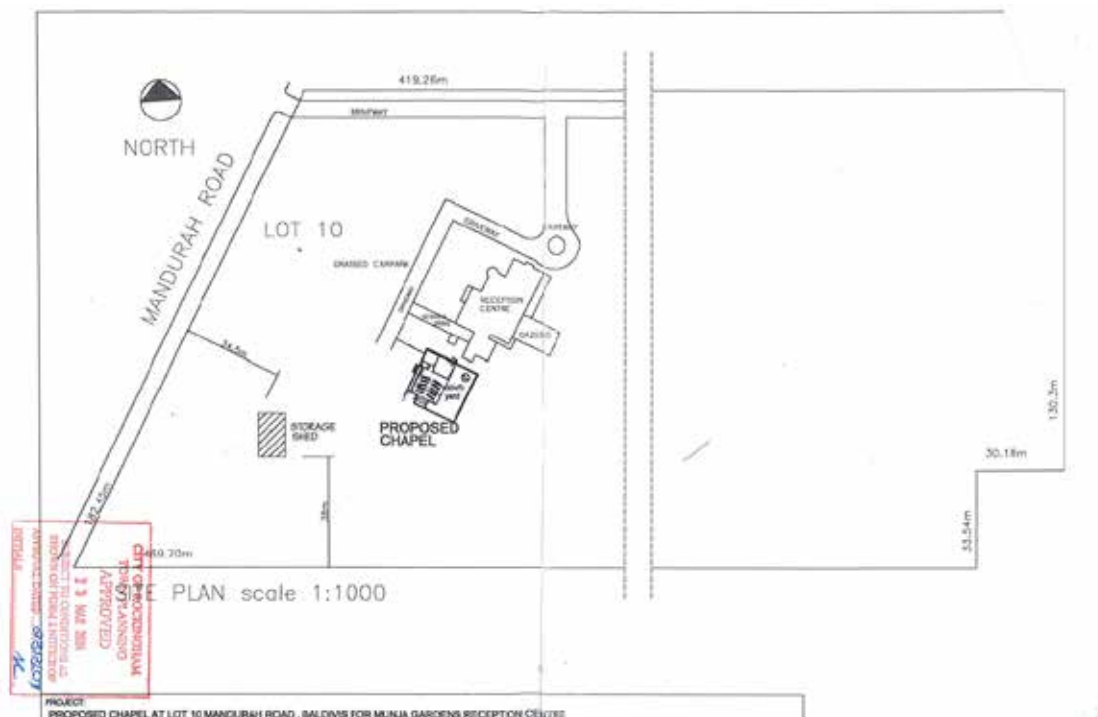
5. Floor Plan - 1999 Reception Centre Development Approval



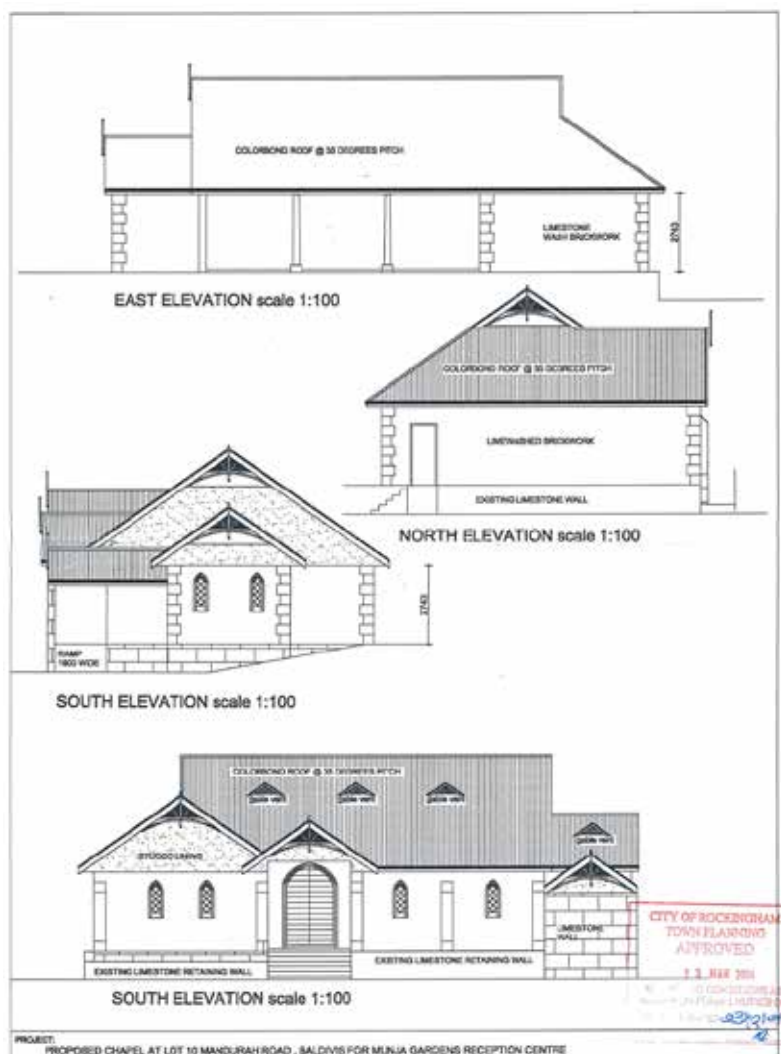


## 6. Elevations - 1999 Reception Centre Development Approval

- In September 2000, the City granted a Public Building Approval for the approved 'Reception Centre' to be used for 'Function Centre and Dining' purposes with a maximum occupancy capacity of 295 persons.
- In March 2004, Development Approval was issued for a Chapel on Lot 10 Mandurah Road, Karnup on the southern side of the 'Reception Centre' building.
- In April 2008, the City granted an updated Public Building Approval for the 'Reception Centre' to be used as a 'Function Centre' with a maximum occupancy capacity of 295 persons.



7. Site Plan - 2004 Chapel Development Approval



8. Elevations - 2004 Chapel Development Approval

- In July 2008, Council resolved to initiate Scheme Amendment No.79 to Town Planning Scheme No.2 (**TPS2**), to rezone Lot 10 Mandurah Road from 'Rural' to 'Special Rural' (PD135/7/08) which facilitated the subsequent subdivision of the land into two (2) lots. The 2008 Council Minutes refer to the following arrangement:

*"The subdivision facilitated by this amendment will separate the existing reception centre ('Munja Gardens Function Centre') on the property from an existing dwelling on the same property. No new access arrangement is proposed; access for both lots will be obtained via the existing driveway on the northern side of the property. A reciprocal access agreement will be imposed over the common driveway to facilitate this."*

- In June 2009, Scheme Amendment No.79 was gazetted which meant the 'Special Rural' zone came into effect under the City's TPS2. A 'Reception Centre' became a prohibited ('X') land use in the 'Special Rural zone' as a consequence of the rezoning.
- In late 2012, it was reported that the 'Munja Gardens Reception Centre' facility had closed.
- In December 2014, a Development Assessment Panel (**DAP**) application was lodged for a proposed 'Educational Establishment' at Lot 11 (No.1809) and Lot 700 (No.1791) Mandurah Road, Karnup. The application was to occupy the existing 'Reception Centre' buildings and construct an Administration Building and Classroom Building on Lot 11.
- In March 2015, the South-West Joint Development Assessment Panel (**SWJDAP**) resolved to refuse the application for various reasons including, inter alia, the intensification of the change of non-conforming use, scale, visual impact, traffic and bushfire.

Note: A 'Non-conforming land use' is a land use that lawfully received Development Approval in the past, but due to a change in zoning, would be a prohibited land use now and not capable of receiving Development Approval if applied for today (further discussed below).

- In April 2015, the applicant lodged an 'Application for Review' (appeal) with the State Administrative Tribunal (**SAT**) in relation to the refusal.
- On 18 December 2015, the SWJDAP reconsidered its decision pursuant to s.31 of the *State Administrative Tribunal Act 2004* (**SAT Act**), when it resolved to approve the Development Application for an 'Educational Establishment'. This Development Approval was partially based on a change in Non-Conforming Use from a 'Reception Centre' to an 'Educational Establishment' for the subject site.
- In March 2016, the RMS became the registered proprietor of the subject site (Lot 700) and Lot 701 at an earlier date.
- In November 2017, the City received a DAP application to extend the period within which the development of the 'Education Establishment' (516 students) must be commenced and also for some minor alterations to the previously approved proposal related to the internal road network, car parking areas and the location of buildings. All of the 'Education Establishment' is contained on Lots 11 and 700. Lot 701 was only proposed for access, as it provides a right of carriageway easement for access to Lot 700.
- In December 2017, the SWJDAP approval for an 'Education Establishment' expired, as the development had not substantially commenced within two (2) years of the date of Development Approval.
- On 10 May 2018, the SWJDAP granted Development Approval to the application for a revised 'Education Establishment' with some changes to the previous condition and extended the approval period for three (3) years from the expiry date of the original approval being 18 December 2017 (i.e. 18 December 2020).





## 9. Master Plan - JDAP 2018 Approval - Montessori School



- In April 2020, in response to the COVID-19 pandemic, the State Government introduced a number of temporary planning exemptions to support businesses, including extending Non-conforming use expirations [Planning Reform Program](#)
- In April 2020, the City wrote to the RMS, advising that the SWJDAP approval issued on 10 May 2018 for the Educational Establishment was extended until 10 May 2022.
- In March 2022, updated temporary planning exemptions were introduced, which superseded the April 2020 temporary exemptions. These exemptions placed various expiry dates on exempted uses, including extending Non-Conforming Uses until December 2022 after which they would expire.

#### Site Context

The locality within which the subject site is located is predominately rural. The eastern side of Mandurah Road is characterised by single houses on large landholdings, along with rural business and equestrian activities on the western side of Mandurah Road. Other businesses in the locality include the Larkhill Vet and Carramar Coastal Nursery.

#### **Details**

The Applicant seeks Development Approval for the following:

- A Community Garden to be operated by the Baldivis Community Garden, a not for profit organisation run by volunteers which provide opportunities for community members to plant and grow plants, fruit and vegetables. The Garden temporarily previously operated as Baldivis Grove Estate just off Pike Road, Baldivis.
- Functions and events to be undertaken by RMS and allow other organisations to also use the existing 'Reception Centre' building for various community type uses and for business use.

Details of the Community Garden are as follows:

- Accommodate up to 25 people for events and will typically to be operated by 1-5 people on site at any one time;
- The Community Garden access is from 6am-6pm, seven (7) days a week;
- Provision of a permanent and secured shipping container on site for storage;
- Development of a 60m<sup>2</sup> greenhouse / shed / work zone;
- Development of garden plots for active gardening;
- Grading of a small unsealed car park area adjacent to the shipping container storage;
- Clearing of some trees as required by the Bushfire Management Plan within Asset Protection Zones; and
- The community purpose building (reception centre building) will only be accessible via organised events or use of the toilet facilities by community garden users.

Details of the RMS use and other activities to be undertaken are as follows:

- 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;
- Accommodating up to 150 persons including any supporting staff but to function with a maximum average of 130 persons;
- The former Reception Centre building is proposed to be used intermittently for organised events between the hours of 7am-9pm Monday to Saturday, 9am-7pm Sundays and Public Holidays;
- RMS may take groups of students to the community garden for learning opportunities from time to time; and
- The existing vehicle parking facilities and overflow grassed area have been used previously to accommodate approximately 120 cars (according to the previous owners of the site) and therefore a maximum of 70 car parking bays is appropriate based on the space available.

The following technical reports and supporting material accompanied the application:

- Development Application Report;
- Development Plans; and
- Bushfire Management Plan (**BMP**) and Bushfire Evacuation Plan (**BEP**);

Existing Reception Centre use

The Applicant has provided explanation of the current use of the Reception Centre building.

*"The reception centre building is currently used for a range of school and school community related events. These range from meetings and training events to full scale 150 person events. It is estimated that 50+ different events / meetings / activities have been held on the site during the RMS ownership, with a large number being regular and repeated, resulting in 100-150+ events being held over the ownership period. At a minimum, the building is used an estimated every 2 months, depending on the time of year. A list of some of the larger or more regular uses of the building is provided below, noting this is not all inclusive:*

- *Carols on the Green - 150 persons*
- *Open mic night - 150 persons*
- *Whole of school visioning events - 80 persons*
- *Whole of school staff meetings - 50 persons*
- *Barn Dance night - 150 persons*
- *Community spirit movie nights - 120 persons*
- *Comet Bay Netball Association awards dinner - 150 persons*
- *Middle School dance - 100 persons*
- *Flourish program - women's return to work program - 25 persons*
- *Montessori head to head conference - 30 persons*
- *RMS Board Meetings - 8 persons*
- *Quiz night - 100 persons"*

RMS has also stated:

*"It is reaffirmed that business activities on this site have not ceased and RMS continues to operate the reception centre for its approved use on a regular basis. All reception centre buildings fit out and equipment that came with the building when the site was purchased has been retained and is still used for events. This includes tables, chairs and other furniture as well as crockery, cutlery and other kitchen/serving related equipment.*

*RMS has have always intended to use the site themselves or hire out for events / training / workshops. RMS has held numerous discussions with parties interested in booking the site for events and several of these eventuated in the events listed above. This is planned to continue into the future."*



10. Site Plan



## 11. Landscape Development Plan

## Implications to Consider

**a. Consultation with the Community**

The application was advertised for public comment in accordance with *Local Planning Policy 3.3.27 - Community Consultation for Development Applications* as a 'Complex Application', for a period of 31 days, between 21 January and 21 February 2025 as follows:

- Written correspondence was sent to all owners and occupiers of properties within 200m of the subject site (Refer to Figure 12 - Consultation Plan below);
- The Development Application was made available for public inspection at the City's Administration Offices and published on the City's website for the duration of the consultation period; and

- One (1) notification sign was erected at the subject site fronting Mandurah Road for the duration of the consultation period.
- A Public Notice was published in the Sound Telegraph on 21 January 2025

A total of eight (8) submissions were received at the conclusion of the advertising period. Three (3) in support and five (5) in objection. Two (2) submissions were received from the same property owner; one provided by a Planning Consultant on the landowner's behalf.



12. Consultation Plan

The following table is a summary of the main comments raised from the submissions received, along with responses by the Applicant and the City to the matters raised.

1. Traffic and Pedestrian Safety
<p><b>Increased Traffic (Summarised)</b></p> <p>Concern the proposal will bring more visitors and increase traffic congestion on the surrounding roads.</p> <p>The activities on-site will result in dangerous traffic manoeuvres occurring on Mandurah Road. Vehicles traveling north from the proposed site would need to perform 'U-turns' at Surf Drive or Anstey Road, the latter of which has been identified as Perth's fourth most dangerous intersection by the RAC.</p> <p>Single driveway access - entry and exit to the site are limited to a single southerly-facing driveway, creating safety and traffic flow concerns.</p>



<b>1. Traffic and Pedestrian Safety (cont...)</b>
<p><u>Applicant's Response:</u></p> <p><i>"The proposal is proposed to result in decreased traffic volumes from the existing approved development and use of the site.</i></p>
<p><i>Vehicle ingress and egress from the subject site has been undertaken successfully and safely for an extended period of time. The approved patron numbers on the site are being decreased as a part of this application, reducing the number of ingress and egress movements."</i></p>
<p><u>City's Comment</u></p> <p>The Applicant has advised that additional traffic generated by the Community Garden is to accommodate a maximum of 25 persons and typically one (1) to five (5) persons. For the 'Reception Centre' building use for RMS events and activities, the Applicant has advised that a maximum of one hundred and fifty (150) is proposed.</p> <p>The traffic generated by the RMS activities and BCG is less than the maximum permitted capacity under the 1999 Development Approval for the Reception Centre, which allowed for up to 180 persons. The traffic generated by this proposal is also significant less than the volumes that were accepted by MRWA as part of the previous 'Educational Establishment' Development Assessment Panel approval, albeit over two lots, which also relied on potential 'U-turns' at Surf Drive.</p> <p>The City's car parking assessment is contained in the Legal and Statutory section of this Report.</p>
<p><b><u>Pedestrian Safety (Summarised)</u></b></p> <p>Concern was raised in relation to safety issues associated with children and pedestrians due to the high-speed and high-traffic nature of Mandurah Road. This location is known to be hazardous, with no controlled intersection.</p>
<p><u>Applicant's Response:</u></p> <p><i>"User safety is the highest priority for Rockingham Montessori School (RMS) who are experienced in operating facilities with young children and pedestrians. The subject site is fenced and all users of the facility will travel to the site via vehicle. Young children will not be the primary users of this site but when they do attend RMS will be responsible for their safety."</i></p>
<p><u>City's Comment:</u></p> <p>Due to the rural location of the site, BCG participants and visitors will drive to the site, which mitigates any pedestrian safety concerns. Further, as stated by the Applicant, the premises will be predominantly operated by the RMS. The City does not consider pedestrian safety risks will increase due to the proposed development.</p>
<b>2. Inadequate Public Transport</b>
<p><b><u>Lack of Public transport (Summarised)</u></b></p> <p>The nearest bus stop is over 1 km away along a 100 km/h road with no footpath, requiring pedestrians to cross four lanes of fast-moving traffic. This limits accessibility for those without private transport.</p>
<p><u>Applicant's Response:</u></p> <p><i>"The subject site is in close proximity to urban areas and needed to move from its previous location. The subject site is considered to be highly accessible and a good location for the proposed use.</i></p>

<b>2. Inadequate Public Transport (cont...)</b>
<p><i>The proposed development does not result in a large increase of activity on the site. A dramatic increase in activity or density of development on a site is generally considered to be a catalyst for requiring good public transport access. On this basis the accessibility of the site to public transport is not considered to be relevant to this application and will not be relied upon for the future operation of the proposed uses."</i></p>
<p><u>City's Comment:</u></p> <p>Given the sites rural location, it is considered unlikely that guests will use public transport to access the site, which is no different to a Reception Centre use.</p>
<b>3. Amenity</b>
<p><b><u>Noise (Summarised)</u></b></p> <p>Noise increase due to noise pollution from multiple co-operating land uses on-site.</p>
<p><u>Applicant's Response:</u></p> <p><i>"The proposed development application is seeking approval for a lower number of visitors than currently approved on the site, and with more restrictive operating times. On this basis the sound emitted by activities will be lower than the existing approved operation and at less impactful times to the surrounding properties.</i></p> <p><i>The traffic and acoustic impacts of the proposed development will be less than the existing proposed use due to the reduced intensity of the land use and the less impactful operating hours."</i></p>
<p><u>City's Comment:</u></p> <p>Given the reduction of maximum capacity of the proposed development compared to the 1999 Reception Centre, the City considers that the proposal is likely to have less impact on the amenity of adjacent owners.</p> <p>The Community Garden is a very 'low-key' activity which is compatible with the rural amenity of the area.</p>
<p><b><u>Anti-Social behaviour (Summarised)</u></b></p> <p>Similar community-use areas, such as Baldivis Children's Forest, have faced on-going issues with vandalism, theft, and trespassing. Increased public access may result in similar problems for nearby properties, raising concerns about security and property damage.</p>
<p><u>Applicant's Response</u></p> <p><i>"The site is currently used on an intermittent basis. With more regular use and use at different times (i.e. morning use for the community garden) there will be more activation and passive surveillance over the site, decreasing the risk of the issues listed. This is anticipated to be a benefit to surrounding properties as well. The community garden has operated previously in Baldivis without causing security issues or anti-social behaviour."</i></p>
<p><u>City's Comment:</u></p> <p>Current Crime Prevention Through Environmental Design ('CPTED') principles align with the Applicant's response, in that, with daily use by the BCG, these activities could improve security.</p> <p>Given the type of events and activities proposed, there is no basis to conclude that it will generate anti-social impacts.</p>
<p><b><u>Loss of Community Asset (Summarised)</u></b></p> <p>Loss of the existing function centre, which is viewed as a valuable asset to the local community.</p>



3. Amenity (cont...)
<p><u>Applicant's Response</u></p> <p><i>"The purpose of this development application is to maintain the use of the function centre within the community and to facilitate the use of the site for a community garden. It is agreed that the reception centre building is a valuable piece of community infrastructure. This application will ensure that infrastructure can be used by the community into the future."</i></p>
<p><u>City's Comment:</u></p> <p>The loss of the 'Munja Gardens Reception Centre' is noted, however, this is not a relevant planning consideration.</p>
<p><b><u>Rural Character (Summarised)</u></b></p> <p>Detrimental to the character and amenity of the locality, which is zoned 'Rural' and should be preserved accordingly.</p>
<p><u>Applicant's Response</u></p> <p><i>"The only physical development proposed as a part of this application is the community garden and associated minor car parking / vehicle movement areas. The community garden is considered to be consistent with the rural character and amenity of the area by promoting localised agriculture within the community. The reception centre is an existing development within this locality and is not proposed to be physically altered. An assessment of the proposed development against Local Planning Policy No.3.1.1 – Rural Land Strategy (LPP3.1.1) was provided with the development application and demonstrated compliance against Key Elements and General / Performance Standards of that Policy.</i></p> <p><i>The community garden patron maximum is not in addition to the reception centre / overall site maximum for visitors / persons. It is intended that the community garden will mostly run at different times to the use of the reception centre, however, if there is crossover of the use the 150 person maximum will not be exceeded.</i></p> <p><i>The traffic and acoustic impacts of the proposed development will be less than the existing proposed use due to the reduced intensity of the land use and the less impactful operating hours. No additional lighting is proposed as a part of this development application.</i></p>
<p><u>City's Comment:</u></p> <p>The proposed development is unlikely to adversely affect the rural character and amenity of the adjacent owners. The community garden activities are low-intensity outdoor activities that are not expected to generate noise impacts off-site. The existing car parking and former Reception Centre buildings are also proposed to be re-used.</p>
<p><b><u>Community Expectations(Summarised)</u></b></p> <p>Residents purchased property in this area with the understanding that the proposed Montessori School development had been previously rejected, and the site would remain a reception centre within a semi-rural setting.</p>
<p><u>Applicant's Response</u></p> <p><i>"It is agreed that the reception centre is consistent with the semirural zoning in the area and an existing community asset.</i></p> <p><i>The purpose of this development application is to maintain the use of the function centre within the community and to facilitate the use of the site for a community garden. It is agreed that the reception centre building is a valuable piece of community infrastructure. This application will ensure that infrastructure can be used by the community into the future."</i></p>

<b>3. Amenity (cont...)</b>
<p><u>City's Comment:</u></p> <p>The Montessori School development was previously approved by the MOJDAP, however, Development Approval has since expired.</p> <p>All Development Applications are considered on their individual merits against the provisions of the City's TPS2 and policy requirements. In this regard the City has considered the proposal within the Special Rural zone provisions of the scheme and has had due regard to the objectives and principles outlined in the City's Rural Land Strategy which guides future development within the Zone.</p>
<b>4. Bushfire</b>
<p><b><u>Increased Bushfire Risk (Summarised)</u></b></p> <p>Increased fire hazard. The proposal would significantly increase site occupancy, raising the risk of fire incidents.</p>
<p><u>Applicant's Response</u></p> <p><i>"A Bushfire Management Plan (BMP) and Bushfire Evacuation Plan (BEP) have been prepared for the site and demonstrate the safe operation of the uses. Following approval of this application and implementation of the requirements identified in the BMP, the site will have a lower bushfire risk and be better equipped to deal with fires in the area. This will benefit neighbouring properties."</i></p>
<p><u>City's Comment:</u></p> <p>The applicant's BMP and Bushfire Emergency Evacuation Plan ('BEEP') satisfactorily address bushfire requirements. This matter is further considered under the Policy section of this Report.</p>
<b>5. Planning Requirements</b>
<p><b><u>Orderly and Proper Planning (Summarised)</u></b></p> <p>That the proposed 'Community Purpose' would not be in line with orderly and proper planning principles. The proposal is a prohibited 'X' use in the 'Special Rural' zone and does not align with the objectives of the Special Rural zone.</p>
<p><u>Applicant's Response</u></p> <p><i>"Previous planning approvals on the site were for 150 persons and building approvals of up to 295 persons. It is unclear which of the maximums were approved previously but it is understood large events including school ball receptions, weddings and parties were held on the site and within the reception centre building. It is understood these events were permitted until late at night on weekends, creating the potential for significant disruption to the surrounding properties and residents.</i></p> <p><i>This development application proposes a maximum of 150 patrons including staff across the whole site, inclusive of the reception centre and community garden. Most events are anticipated to be 50 people or less and the community garden is anticipated to have a maximum of 25 people on site at any time. In addition, this development application proposes less impactful operating hours, removing late nights on weekends and having the community garden only operate during the day.</i></p> <p><i>On this basis, this development application proposes to reduce the scale and intensity of the use of the reception centre building which will reduce the impact of the use on the amenity of neighbouring properties as follows:</i></p>

<b>5. Planning Requirements (cont...)</b>
<p><i>Proposed hours of operation are less impactful with earlier closing times. Proposed use is not intended for events with loud outdoor music late at night such as weddings or formal balls and is intended as a meeting place with opportunities for community events and training."</i></p>
<p><u>City's Comment:</u></p> <p>The matter of land use permissibility within the 'Special Rural' zone is considered under the Statutory section of this Report together with the planning considerations under the City's TPS2 associated with a Non-Conforming land use.</p>
<p><b><u>Non-Conforming Use (Summarised)</u></b></p> <p>The Non-Conforming use for the Reception Centre has expired and it would be now be illegally operating</p>
<p><u>Applicant's Response</u></p> <p><i>"RMS has continued to operate and maintain the reception centre building and surrounding site since acquisition of the property. Additional technical information on the use of the property to demonstrate the continued use has been provided to the City of Rockingham for assessment."</i></p>
<p><u>City's Comment:</u></p> <p>Refer to the Statutory section of this Report for further details.</p>
<b>6. Environmental Impact</b>
<p>Increased vehicles, foot traffic, waste, and noise may negatively affect local wildlife and vegetation.</p>
<p><u>Applicant's Response</u></p> <p><i>"The proposed development is not considered to have an adverse impact on the environment. The use of the reception centre is proposed to be less than is currently approved, decreasing vehicle and foot traffic. No significant clearing of bushland is proposed with land for car parking and the community garden existing. Some minor thinning of vegetation is proposed around the reception centre building for bushfire safety purposes."</i></p>
<p><u>City's Comment:</u></p> <p>The proposed Community Garden and uses associated with the former Reception Centre are not likely generate more traffic, waste, noise etc. than the former 'Munja Gardens Reception Centre'.</p> <p>It is unlikely that the proposed development will negatively affect local wildlife, as the proposed clearing around the Community Garden for an Asset Protection Zone (<b>APZ</b> - bushfire protection) is likely to be limited to the removal of one (1) or two (2) trees. The APZ for the Reception Building is likely to result in additional tree removal, however, an APZ can already be installed around the building via current exemptions under the <i>Bushfire Act</i> without the need for Development Approval or environmental approvals.</p>
<b>7. Other Matters</b>
<p><b><u>Property Prices (Summarised)</u></b></p> <p>Potential reduction in property values. Properties near schools can experience value reductions of up to 30%. Residents purchased their properties under the understanding that a school development was not proceeding.</p>

7. Other Matters (cont...)
<p><u>Applicant's Response</u></p> <p><i>"Property values are not a planning consideration. A school is not proposed in this development application."</i></p>
<p><u>City's Comment:</u></p> <p>The impact of the proposed development on property values is not a relevant planning consideration. The Development Application submitted to the City does not include a school, however, the City notes past approvals for a School have previously been granted.</p>
<p><b><u>Management (Summarised)</u></b></p> <p>How will the site be managed?</p>
<p><u>Applicant's Response</u></p> <p><i>"The community garden will be managed by BCG not Rockingham Montessori. The community garden will be available for use by members of BCG, with additional members welcomed."</i></p>
<p><u>City's Comment:</u></p> <p>Noted.</p>

A copy of the public submissions received are contained in Attachment 1 to this Report.

**b. Consultation with Government Agencies**

The application was referred to the Department of Water and Environmental Regulation (DWER) and Department of Health (DoH) for comment.

1. DoH
<p><b><i>"1. Wastewater Management:</i></b></p> <p><i>In relation to wastewater management, the proposal is required to comply with the requirements of the Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974 (the Regulations) and Government Sewerage Policy requirements. Further information is required prior to DoH supporting the proposal. In particular -</i></p> <ul style="list-style-type: none"> <li><i>a) There is reference to a maximum number of 150 persons per day that are proposed to attend community meetings and organised events at the property, with the addition of 25 persons per day proposed to visit the gardens and additional staff. All existing onsite wastewater treatment systems and disposal areas need to be provided, detailing the purpose of what will remaining or be decommissioned.</i></li> <li><i>b) The proposal shows a plan proposing four septic tanks with leach drains (two systems). The proponent is to ensure onsite wastewater treatment system/s and disposal area/s will meet the regulated wastewater volumes. The DoH will need to know if indoor and outdoor meetings, gatherings or functions will occur and whether food and/or alcohol are included.</i></li> <li><i>c) The land is located within a sewerage sensitive area. As this proposal is changing purpose, a secondary onsite wastewater treatment system will be required. Therefore, the proposed septic tank systems as primary treatment systems are not suitable for the location.</i></li> <li><i>d) As the proposed development is located within a sewerage sensitive area, a site-specific Site and Soil Evaluation (SSE) will be required to be undertaken by a qualified consultant during the wettest seasonal time of the year (mid-July/August) as per AS/NZS 1547:2012 to ensure the land application area is located and sized appropriately.</i></li> </ul>

1. DoH (cont...)
<p><b>2. Drinking Water Management:</b></p> <p><i>All drinking water provided on site must meet the health-related requirements of the Australian Drinking Water Guidelines 2011 and the proponent is to provide the location of the drinking water bore/s.</i></p> <p><b>3. Public Buildings</b></p> <p><i>All public access/gathering areas are to comply with the provisions of the Health (Miscellaneous Provisions) Act 1911, related regulations and guidelines, and in particular Part VI – Public Buildings. It is recommended that the proponent work with the City of Rockingham's (City) Environmental Health team to ensure compliance with the legal requirements.</i></p> <p><b>4. Medical Entomology</b></p> <p><i>To protect the health and lifestyle of communities, all land use planning decisions should include consideration of mosquitoes and their management.</i></p> <p><i>The City is a member of the Peel Mosquito Management Mosquito Contiguous Local Authorities Group, which undertakes an extensive program of health-driven mosquito monitoring and management in conjunction with the Department of Health. Despite considerable efforts to manage mosquitoes and mosquito-borne disease in the City, there continues to be cases of Ross River virus and Barmah Forest virus disease, including in Karnup. Prior to any future developments the Department recommends that:</i></p> <ul style="list-style-type: none"> <li><i>• The proponents work with the City of Rockingham to determine the extent of risk from mosquitoes and mosquito-borne disease for the location.</i></li> <li><i>• If that risk is considered medium or high by the City, a mosquito management plan should be established and adequately funded.</i></li> <li><i>• The City of Rockingham ensures they have sufficient resources to continue mosquito management for any future development associated with the proposed extension."</i></li> </ul>
<p><u>City's Comment</u></p> <p><i>Wastewater Management</i></p> <p>As the subject site is located in a 'Sewage Sensitive Area', an effluent disposal system with a secondary treatment system and surface irrigation or leach drains is required to manage wastewater on-site. The existing systems that service the former 'Munja Gardens Reception Centre' and Chapel, are standard primary septic systems and the condition, size and location of the systems are not known. A 'Plumber's Report' detailing whether the systems are operating as per their original design and manufacturers specifications, the sizes of the systems and the locations, must be provided to the City before a decision can be made on whether upgrades are required.</p> <p>An Advice Note should be included on any Development Approval that Department of Health Approval will be required, in this regard.</p> <p><i>Drinking Water Management</i></p> <p>An Advice Note on any Development Approval will be applied, to ensure the water supply meets relevant drinking standards.</p> <p><i>Public Buildings</i></p> <p>An Advice Note is recommended to alert the Applicant to the requirement for a new Public Building Approval, given the current Public Building Approval is for the 'Munja Gardens Reception Centre'.</p> <p><i>Mosquito Risk</i></p> <p>The subject site is identified as 'low risk' and therefore a Mosquito Management Plan is not required.</p>

## **2. DWER**

*"Thank you for providing the development application received 23 December 2024 for the Department of Water and Environmental Regulation (the Department) to consider.*

*The Department has identified that the proposed community garden at Lot 700 Mandurah Road in Karnup has the potential to impact on water values and/or management. In principle the Department does not object to the proposal however key issues, recommendations and advice are provided below and these matters should be addressed to the satisfaction of the Department.*

### **Issue**

*Nutrient Risk and Management*

### **Advice**

*The proposal is located within the Peel-Harvey coastal plain catchment. Conventional in-ground horticulture, such as this community garden, has the potential to export significant nutrient loads to the Peel-Harvey Estuary System. Subsequently this development application is subject to the following state policies:*

*Environmental Protection Peel Inlet - Harvey Estuary Policy (EPP) (EPA, 1992); and State Planning Policy 2.1 (SPP 2.1) Peel Harvey Coastal Plain Catchment (WAPC, 2003).*

*The below guiding documents and local planning policies provides further specific reference to achieving the intent, and overall nutrient targets, of the aforementioned policies with respect to horticultural practices.*

*Hydrological and nutrient modelling of the Peel-Harvey catchment – Water Science Technical Series Report No WST 33 (DoW, 2011);*

*Horticulture in the Peel-Harvey: A guide for investors and growers (PHCC, 2015); and*

*Model Local Planning Policy – Horticultural development in Local Governments of the Peel-Harvey Coastal Plain Catchment (Peel-Harvey Catchment Council, 2016).*

*The Peel-Harvey EPP establishes phosphorous loading targets for the Peel-Harvey Estuary System to be adhered to by new or expanding proposals. To comply with these total loading targets, the community garden would be required to achieve an export rate for total phosphorous (TP) of less than 0.29kg/ha/year, as specified within the Department's report Hydrological and nutrient modelling of the Peel-Harvey catchment (DoW, 2011).*

*The Department's modelling report has also established nutrient input (or application) rates for the Peel-Harvey catchment to achieve the necessary nutrient export loads. These need to be less than 6.5 kg/ha/year for phosphorous and less than 45 kg/ha/year for nitrogen.*

*As per Department of Primary Industries and Regional Development (DPIRD) soil mapping, the site for the community garden is largely located on moderately deep yellow brown sand which is poorly nutrient retentive. These areas are generally not suitable for annual and perennial in-ground horticulture due to the high nutrient export risk. Therefore, if the City has not already, it should consult DPIRD regarding this proposal.*

*Information provided by the proponent to support this application is insufficient to provide a full assessment of the proposal's potential impact to water resources. The onus of proof will rest with the proponent to demonstrate the proposal meets the objectives of the aforementioned policies. Given the size of the proposed community garden a Nutrient and Irrigation Management Plan (NIMP) is not considered necessary in this instance, however the City of Rockingham should be satisfied that the proponent can demonstrate that the proposal meets the objectives of the aforementioned policies.*

### **Issue**

*Native Vegetation Regulation*

## 2. DWER (cont...)

### **Advice**

*Under section 51C of the Environmental Protection Act 1986 (EP Act), clearing of native vegetation is an offence unless:*

- it is undertaken under the authority of a clearing permit*
- it is done after the person has received notice under Section 51DA(5) that a clearing permit is not required*
- the clearing is subject to an exemption*

*Exemptions for clearing that are a requirement of written law, or authorised under certain statutory processes, are contained in Schedule 6 of the EP Act. Exemptions for low impact routine land management practices outside of environmentally sensitive areas (ESAs) are contained in the Environmental Protection (Clearing of Native Vegetation) Regulations 2004 (the Clearing Regulations).*

*Based on the information provided, the proposed clearing for the asset protection zone is likely to be exempt from the requirement for a clearing permit under Schedule 6, Clause 10(f) of the EP Act, noting that the clearing will be required to fulfil the obligations of a Bushfire Management Plan necessary for the development approval being sought, and will therefore be required under the Shire of Rockingham's current Fire Control Notice.*

*Please note that the guide to exemptions does not reflect the correct schedule location for the above exemption, given the change was made recently as part of the EP Act amendments. Please refer to Schedule 6, Clause 10 of the EP Act for the details relating to this exemption.*

*Should any clearing be required to facilitate the construction of buildings or structures, such clearing would likely be exempt from the requirement for a clearing permit under Regulation 5, Item 1 of the EP Act. Note that this exemption does not apply prior to development approval being issued.*

*Should any clearing be required to facilitate construction of garden plots, a clearing permit would be required, noting that exemptions do not apply.*

*The Department has not received a clearing permit application for this proposal.*

*Application forms are available from*

*<https://www.wa.gov.au/service/environment/environment-information-services/clearing-permit-forms>*

*Additional information on how to apply for a clearing permit is available from*

*<https://www.wa.gov.au/service/environment/environment-information-services/native-vegetation-clearing-permits>.*

*Information regarding clearing permit fees can be found here:*

*<https://www.wa.gov.au/service/environment/environment-information-services/native-vegetation-clearing-permit-fees-frequently-asked-questions>*

*Please note the Department has a referral process where very minor clearing proposals can be referred to the Department to determine whether a clearing permit is required.*

*The decision on whether a clearing permit is required will be made against criteria specified in the EP Act and the Guideline: Native vegetation referrals available here:*

*<https://www.wa.gov.au/government/publications/guideline-native-vegetation-clearing-referrals>*

*It appears that the referral process may be applicable if any clearing proposed.*

*Applicants are encouraged to review the guideline to determine whether the proposed clearing satisfies all of the criteria specified under section 51DA of the EP Act. If the clearing does not satisfy all of the criteria under section 51DA of the EP Act, a clearing permit is required."*



## 2. DWER (cont...)

### City's Comment:

#### *Nutrient Risk Management*

It is noted that DWER has not recommended a NIMP and given the low scale of the activity.

#### *Vegetation Clearing*

The only vegetation clearing proposed is to satisfy the APZ around BCG structures.

A condition is recommended to ensure that species are retained where possible.

#### *Potable Water*

An Advice Note is recommended in relation to potable water.

### 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

#### State Government Policy

##### State Planning Policy 3.7 - Bushfire (SPP3.7)

SPP3.7 and its associated Guidelines (2024) guide the implementation of effective risk-based land use planning and development to preserve life and reduce the impact of bushfire on property and infrastructure.

The objectives of SPP3.7 are to:

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

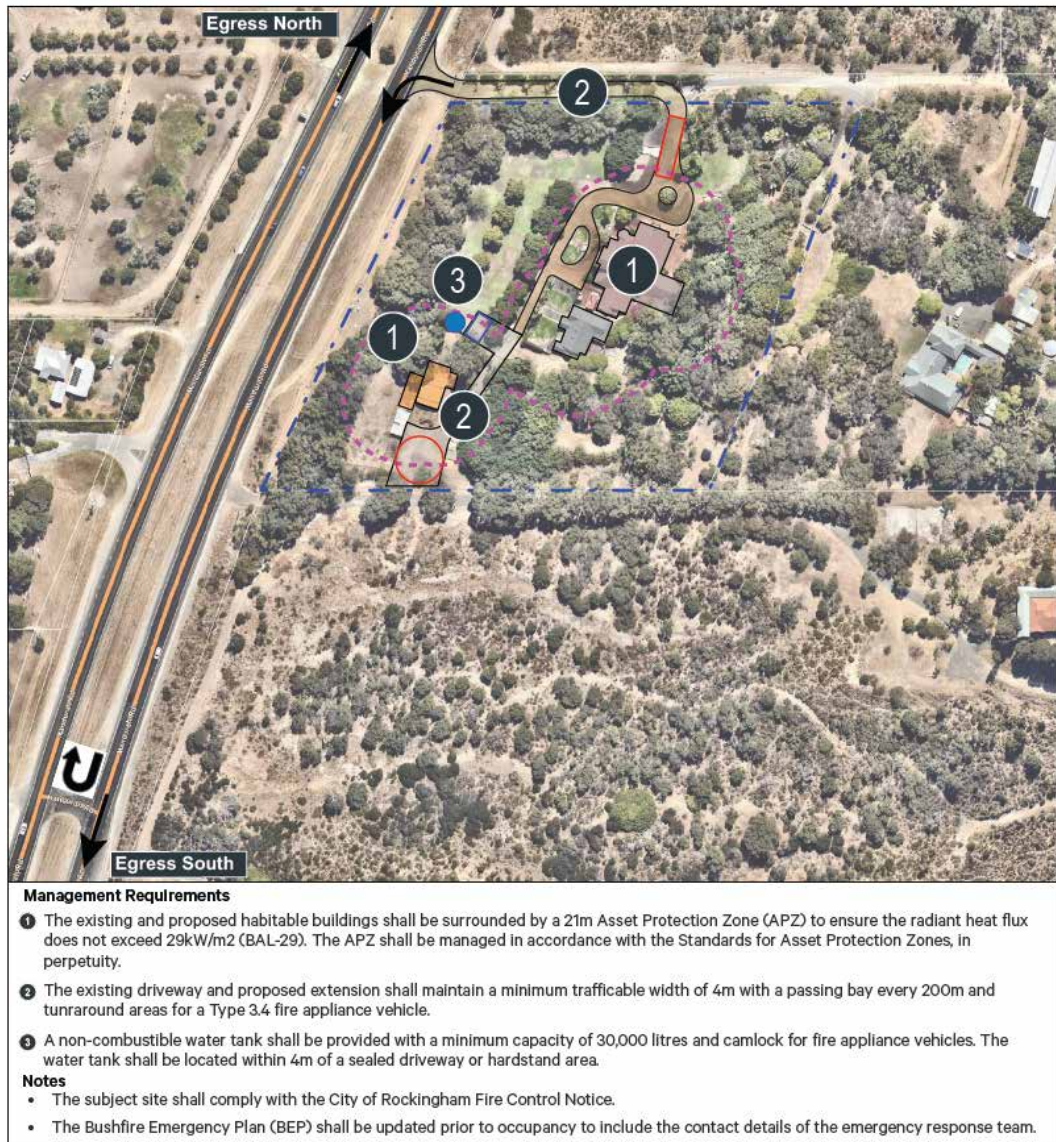
As the subject site is designated 'Bushfire Prone - Area 2' (Rural) and the proposed land use is classified as a 'vulnerable land use', the Applicant had submitted a BMP and a BEEP in support of the application, as per the requirements of SPP3.7.

The BMP and BEEP are considered satisfactory.

##### Guidelines for Planning in Bushfire Prone Areas (GfPBPA)

The Department of Planning, Lands and Heritage's (DPLH) GfPBPA provide supporting information to assist in the interpretation of the objectives and policy measures outlined in SPP3.7. The BMP indicates that the site is compliant with the SPP3.7 and GfPBPA. The assessment proposes the establishment of an APZ around buildings to maintain a 'Low Threat' state. The Bushfire Attack Level (BAL) 29 rating identified in the BMP are within acceptable standards and supported by the City.

As stated in the City's Response to DWER comments on vegetation clearing, a condition is recommended to limit native vegetation removal from the APZ and to apply a Landscaping Plan requirement.



### 13. BMP Strategies

#### **Local Government Policies**

##### **Local Planning Policy 3.1.1 - Rural Land Strategy (RLS)**

The RLS provides the basis for land use planning in the rural area of the City. In particular, it provides Council with a framework for the assessment of proposals to rezone, subdivide, manage and develop rural land. The RLS considers the City's rural land in terms of 'Policy Areas', which are further divided into Planning Precincts. The subject land is situated in 'Policy Area 1A – Rural Wedge (South)'.

The 'Rural Wedge Precinct' comprises a linear series of ridgelines, wetlands and remnant vegetation that run generally north-south along the eastern side of Mandurah Road between Kerosene Lane and Anstey Swamp.

The 'Rural Wedge Precinct' provides for a rural transition between the inland and coastal urban corridors and maintains the valuable rural vista to Mandurah Road.

The site is not affected by any wetlands, and given the limited scale of the proposal, it is unlikely to affect the visual rural character and amenity of the area. The City considers the proposed land use activities can readily be absorbed into the site, with minimal impact and will comply with the RLS.

**e. Financial**

Nil

**f. Legal and Statutory**

Metropolitan Region Scheme (MRS)

Clause 32 of the MRS provides the ability for the Western Australian Planning Commission (WAPC) to require certain classes of applications be referred for its determination. Recent changes to the MRS now include requirements for Changes of Non-Conforming Use, under the City's TPS2, to be referred to the WAPC to determine if approval is required under the MRS.

In accordance with Clause 34 of the MRS, the DPLH on behalf of the WAPC advised that approval is required under the MRS and that it has no objection to the proposal. As no objection was provided by the DPLH, the decision to determine the Development Application under the MRS is delegated to the City of Rockingham, under Schedule 1, Clause 2.8 of the WAPC's Instrument of Delegation.

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

Clause 67 of Schedule 2 of the Planning Regulations outlines the matters to which the Local Government is to have due regard when considering an application for Development Approval. Where relevant, these matters have been discussed in the planning assessment within this Report.

Town Planning Scheme No.2

The objectives of the 'Special Rural' zone under TPS2 are set out in clause 4.12.1 in the following terms:

*'4.12.1 Objectives*

*To identify areas within which co-ordinated subdivision can occur for the purposes of providing a rural lifestyle that is not associated with large scale, intensive rural activities, whilst also allowing for the effective management of the land to ensure the retention of the rural landscape and amenity and conserve and enhance the natural environment.*

*To ensure that all development within Special Rural zones is in accordance with the Provisions Relating to Specified Areas as set out in Schedule No.4 of the Scheme that has due regard to the objectives and principles outlined in the Rural Land Strategy and supported by any other Plan or Policy that the Council may adopt from time to time as a guide to future development within the Zone."*

An assessment of the proposed development against the principles of RLS is included within the Local Policies section of this Report.

From the objectives of the 'Special Rural' zone, the intended purpose of the zone is taken to be an area that provides for a rural lifestyle that is not associated with large-scale rural activities. Developments should retain the rural landscape and amenity of the area and conserve and enhance the natural environment. In this particular area, the RLS identifies the importance of retaining the visual buffer between development to the east and west.

In relation to the scale of the proposed development and traffic generation associated with guests/visitors, it is considered to be less intense than the peak periods associated with the former 'Munja Gardens Reception Centre'. The proposed Community Garden is also considered to be more aligned with the objectives of the 'Special Rural' zone being a low-scale rural activity.

Given the above, the proposed development complies with the objectives of the 'Special Rural' zone.

Special Rural zone – Permissibility and Land-Use Classification

The subject site is zoned 'Special Rural' under TPS2. 'Community Purpose' and 'Reception Centre' uses are prohibited in the Special Rural zone under TPS2 and are defined as follows:

*"Reception Centre: means premises used for hosted functions on formal or ceremonial occasions."*

*“Community Purpose: means the use of premises designed or adapted primarily for the provision of educational, social or recreational facilities or services by organisations involved in activities for community benefit.”*

With respect to the future use of the ‘Reception Centre’ building, the current application states:

*“The community purpose building is envisaged 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.”*

The ‘community groups or organisations’ that RMS has in mind are considered to involve activities for community benefit. The use of the building by such groups for meetings is likely to facilitate the provision of educational, social or recreational facilities or services by those groups or organisations.

The proposed use of the ‘Reception Centre’ building by local Rockingham businesses or organisations to host commercial events or training, while outside the scope of a ‘Community Purpose’ use, can still be supported, given that this will infrequently occur and is incidental.

The proposed activities are interpreted under TPS2 to be generally consistent with a ‘Community Purpose’ land use.

#### Non-Conforming Use provisions

Despite land uses included in this Development Application being prohibited (‘X’ in the ‘Special Rural’ zone, the application can be considered for Development Approval under the Non-Conforming Use provisions TPS2.

Clause 7.2 of TPS2 provides for an ‘Extension of Non-Conforming Use’, as follows:

#### *“7.2 Extension of Non-Conforming Use*

##### *7.2.1 A person must not:*

- (a) alter or extend a non-conforming use;*
- (b) erect, alter or extend a building used in conjunction with or in furtherance of a non-conforming use;*
- (c) change the use of land from a non-conforming use to another non-conforming use;*

*without first having applied for and obtained development approval under the Scheme.*

##### *7.2.2 An application for development approval under this clause is to be advertised in accordance with clause 64 of the deemed provisions.”*

Clause 7.3 of TPS2 provides the ability for a ‘Change of Non-Conforming Use’, as follows:

#### *“7.3 Change of Non-Conforming Use*

*“Where an application is for a change of use from an existing non-conforming use to another non-conforming use, the Local Government is not to grant its development approval unless the proposed use is less detrimental to the amenity of the locality than the existing non-conforming use and is, in the opinion of the Local Government, closer to the intended purpose of the zone.”*

Clause 7.4 of TPS2 provides a mechanism for ‘discontinuance of Non-conforming Use’, as follows:

#### *“7.4 Discontinuance of Non-Conforming Use*

##### *7.4.1 Where a non-conforming use of any land or building has been discontinued for a period of six (6) months or more, the land must not be used after that period otherwise than in conformity with the provisions of the Scheme;*

##### *7.4.2 The Local Government may affect the discontinuance of a non-conforming use by the purchase of the land, or by the payment of compensation to the owner or occupier of that land, and may enter into an agreement with the owner for that purpose.”*

Non-Conforming Use (Reception Centre)

A Non-Conforming land use under TPS2, is a land use that lawfully received Development Approval in the past, but due to a change in zoning or permissibility, is now a prohibited land use and not capable of receiving Development Approval. TPS2 allows Council to support a change in Non-Conforming land use to a less detrimental land use.

The first test for this Development Application is to establish if a Non-Conforming land use currently applies to the subject site related to the Reception Centre and Chapel. The second test is then whether or not a change in Non-Conforming Land Use is acceptable under TPS2.

Does a Non-Conforming Use currently apply?

The ability to use Lot 700 for a Reception Centre is accordance with the 1999 Development Approval is protected by clause 7.1 of TPS2, despite a 'Reception Centre' being a prohibited use ('X') in the 'Special Rural' zone.

In this regard, the City considered whether or not a Non-Conforming land use currently applies to the subject site. The City concluded that a Non-Conforming land use continues to apply to the land in accordance with the 1999 Development Approval for a 'Reception Centre', for the following reasons:

- The principle applied by the Courts to the interpretation of non-conforming use rights is that the use protected is to be construed broadly and is not confined to precise activities;
- There is no direct evidence about how or whether Lot 700 was used between June/July 2015 as a Reception Centre and when RMS became the registered proprietor on 9 March 2016. Correspondence from Applicant, however, under the 2015 JDAP application states that the 'Munja Gardens Reception Centre' was operating as at July 2015;
- § Although there may have been limited or no use of the 'Reception Centre' as a business after that time, in a case in which land containing a Non-Conforming use is in the process of being sold, the intentions of the purchaser are relevant to whether or not the use was discontinued;
- When RMS purchased Lot 700 its primary intention was evidently to use the land for an 'Educational Establishment'. The information provided by RMS, however, indicates that it had a secondary intention consistent with continuing the use of the land for events, meetings and similar activities;
- The 1999 Development Approval does not limit the approved 'Reception Centre' use to 'functions on formal or ceremonial occasions' which could have excluded 'un-hosted use for general entertainment purposes'. Rather, the approved land use means the premises may be used for functions or similar activities in a broader sense; and
- The events, meetings and similar activities proposed by RMS are considered to fall with the scope of the 1999 Development Approval for a 'Reception Centre' when this land use is construed broadly.

Accordingly, despite the assertion made in some public submissions, pursuant to TPS2 the City considers that the 'Reception Centre' Non-Conforming Use continues to apply and that the land use has not been discontinued or abandoned.

Is a change in Non-Conforming Use acceptable?

The City considers that that the proposed change in Non-Conforming Use from 'Reception Centre' to a 'Community Purpose' is less detrimental to amenity and closer to the intended purpose of the 'Special Rural' zone in accordance with Clause 7.3 of TPS2, for the following reasons:

- The patrons of the 'Community Garden' and function activities involve fewer people attending the subject land than the former 'Reception Centre';
- The 'Community Garden' use is essentially a garden area for the growing of various, fruit, vegetables, plants and herbs more akin to a rural activity; and



- Proposed function activities are anticipated to finish earlier than a typical 'Reception Centre', (i.e. wedding reception) which would operate on Friday and Saturdays nights until later in the evening.

The City considers the proposed change of Non-Conforming use is compliant with Clause 7.3 of TPS2. Accordingly, the Council has the ability to grant Development Approval for the proposed development.

#### 4.15.1.3 - Car Parking

TPS2 requires the provision of on-site parking for vehicles for development in accordance with the provisions of Clause 4.15 and Table No.2 of TPS2. As a 'Community Purpose' land use does not include specific car parking requirements, Table 2, Clause 4.15.1.4(a) of TPS2 requires car parking spaces to be determined having regard to:

- “(i) the nature of the proposed development;
- (ii) the number of Employees likely to be employed on the site;
- (iii) the anticipated demand for parking; and
- (iv) the orderly and proper planning of the locality.”

As the previous 'Reception Centre' required one (1) bay per four (4) persons the building is designed to accommodate, the provision of 70 informal parking bays, which could cater for 280 persons based on this rate is considered adequate. Based on the Applicant's proposal for a maximum of 150 guests for RMS activities this would accommodate a vehicle occupancy rate of just over two (2) person per vehicle, which is considered low. Further there other locations for informal parking on-site for larger events such as the vehicle access way.

#### **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 proposed development has been the subject of a detailed planning assessment and review in accordance with TPS2 and policy framework and is considered to be generally compliant.

'Community Purpose' is defined in TPS2 to mean *'premises designed or adapted primarily for the provision of educational, social or recreational facilities or services by organisations involved in activities for community benefit'*. The RMS and BCG are both considered to qualify as organisations undertaking activities for community benefit. Whilst there is some incidental, occasional commercial use associated, the activities to be undertaken on the site are primarily for community benefit and therefore do not take it outside the 'Community Purpose' use class classification.

The proposal is considered acceptable having regard to rural character, traffic, access and safety, when considering that the proposed land use is less in intensity and scale, than the previously approved 'Reception Centre'. The early starting time for the some RMS activities is a concern and it is recommended they start at 7am, in lieu of 6am, to ensure the proposal complies with the *Environmental Protection (Noise) Regulations 1997*.

It is recommended that the Council approve the change of Non-Conforming Use of Lot 700 Mandurah Road, Baldivis from 'Reception Centre' to 'Community Purpose' for both the RMS and BCG activities.

#### **Voting Requirements**

Simple Majority

### Officer Recommendation

That Council **APPROVES** the application for Development Approval for Change of 'Non-Conforming Use' of Lot 700 Mandurah Road, Karnup to 'Community Purpose', subject to the following conditions:

1. All development must be carried out in accordance with the approved plans [and drawings] as listed below:
  - Landscape development Plan;
  - Floor Plan;
  - Elevations; and
  - Site Plansave that, in the event of an inconsistency between the approved plans and a requirement of the conditions set out below, the requirement of the conditions shall prevail.
2. The maximum number of guests to attend the property being limited to:
  - One hundred and fifty guests for the 'Reception Centre' activities.
  - A maximum of 25 persons for 'Community Garden' activities;
3. The operating hours for 'Reception Centre' building are restricted to 8am-9pm Monday to Saturday, 9am-7pm Sundays and Public Holidays.
4. The operating hours for Community Garden are restricted to 7am-6pm, seven days a week.
5. Seventy informal grassed parking bays to be maintained to the satisfaction of the City of Rockingham at all times for use by the reception building.
6. The access and nine (9) parking bays for the Community Garden are to be constructed to all weather standard to the satisfaction of the City prior to occupation of the Development.
7. Prior to the proposed development commencing, the Asset Protection Zone (APZ), as depicted in the Bushfire Management Plan prepared by Element, dated June 2024, must be installed on the site in accordance with the following requirements:
  - (a) maximum Fine Fuel Load of 2 tonnes per hectare;
  - (b) tree trunks at maturity must be a minimum distance of 6 metres from all elevations of the building and tree canopies at maturity must be 5 metres apart;
  - (c) shrubs must not be located within 3 metres of a building;
  - (d) grass must be managed to maintain a height of 100mm or less;
  - (e) fences and sheds must be constructed of non-combustible material; and
  - (f) sheds must not contain flammable materials.The APZ must be maintained in accordance with these requirements and in a good and safe condition for the duration of the development
8. Prior to the proposed development commencing, a plan must be submitted to and approved by the City of Rockingham to determine the vegetation to be cleared and retained within the Asset Protection Zones. The plan is to be based on an accurate survey showing the location and canopy spread of the vegetation. The vegetation to be retained and removed is to be determined at a site inspection attended by City Officers and the applicant's suitably qualified Arborist and bushfire consultant. Where possible, all vegetation proposed for removal is to be replaced like for like outside of the Asset Protection Zone, consistent with Bushfire Management Plan requirements.

All vegetation removed from within the Asset Protection Zone is to be in accordance with the approved plan.
9. Prior to the occupation of the proposed development, a private driveway must be constructed in accordance with the following requirements:
  - (a) minimum trafficable surface of 4 metres;
  - (b) minimum horizontal clearance of 6 metres;
  - (c) minimum vertical clearance of 4.5 metres;



- (d) maximum grade over 50 metres or less of 1 in 10;
- (e) minimum weight capacity of 15 tonnes;
- (f) maximum crossfall of 1 in 33;
- (g) minimum inner radius of curves of 8.5 metres;
- (h) turn around area for 3.4 Urban Tanker series fire appliance as shown on the plan;
- (i) passing bays located every 200 metres, having a minimum length of 20 metres and minimum width of 2 metres; and
- (j) all weather surface (i.e. compacted gravel, limestone or sealed).

The private driveway must be maintained in accordance with these requirements and in a good and safe condition for the duration of the development.

10. Prior to the proposed development commencing, a water tank with a minimum capacity of 30,000 litres, reserved solely for the purpose of fire-fighting, must be installed on site. The tank must:

- (a) be sited above ground and constructed of concrete or metal;
- (b) be located within 60 metres of the outer edge of the building;
- (c) be fitted with both a 55mm cam-lock fitting with a full-flow valve and a 125mm Storz coupling with a full-flow valve;
- (d) have all above ground water pipes constructed of non-corrodible and non-combustible materials;
- (e) have a hardstand turn around area, suitable for a 3.4 Urban Tanker fire appliance, provided within 3 metres of the water tank; and
- (f) be readily identifiable from the building or appropriate signage be provided pointing to the location of the water supply. If the water tank has a tank stand, that stand must be constructed of non-combustible materials and heat shielding of the stand must be provided.

The water tank must be maintained in accordance with these requirements and be in working condition for the duration of the development.

11. All trees and vegetation must be retained (unless specifically identified for removal on the approved plans) and, during the construction period measures for their retention are to be undertaken in accordance with Australian Standard AS 4970-2009, *Protection of trees on development sites*.

#### Advice Notes

1. The development must comply with the *Health (Public Building) Regulations 1992*; the applicant and owner should liaise with the City's Health Services in this regard.
2. The development must comply with the *Food Act 2008*, the *Food Safety Standards* and Chapter 3 of the *Australian New Zealand Food Standards Code (Australia Only)*; the applicant and owner should liaise with the City's Health Services in this regard.
3. The existing effluent disposal system servicing the Public Building may need to be upgraded or a separate system installed; the applicant and owner should liaise with the City's Health Services in this regard.
4. Prior to the occupation of the development, the development must be supplied with a potable drinking water supply that meets the *Australian Drinking Water Guidelines 2011*. Written confirmation of compliance with the *Australian Drinking Water Guidelines 2011* is to be provided to the satisfaction of the City of Rockingham.
5. Any non-drinking water (i.e. water that is not intended or suitable for drinking) must be managed to ensure it cannot be confused with or contaminate the drinking water supply. This requires satisfactory labelling of non-drinking water taps and, depending on system configuration, suitable backflow prevention arrangements in accordance with *Australian/New Zealand Standards AS3500 - Plumbing and Drainage*.

### Committee Recommendation

That Council **APPROVES** the application for Development Approval for Change of 'Non-Conforming Use' of Lot 700 Mandurah Road, Karnup to 'Community Purpose', subject to the following conditions:

1. All development must be carried out in accordance with the approved plans [and drawings] as listed below:
  - Landscape development Plan;
  - Floor Plan;
  - Elevations; and
  - Site Plansave that, in the event of an inconsistency between the approved plans and a requirement of the conditions set out below, the requirement of the conditions shall prevail.
2. The maximum number of guests to attend the property being limited to:
  - one hundred and fifty guests for the 'Reception Centre' activities.
  - a maximum of 25 persons for 'Community Garden' activities;
3. The operating hours for 'Reception Centre' building are restricted to 8am-9pm Monday to Saturday, 9am-7pm Sundays and Public Holidays.
4. The operating hours for Community Garden are restricted to 7am-6pm, seven days a week.
5. Seventy informal grassed parking bays to be maintained to the satisfaction of the City of Rockingham at all times for use by the reception building.
6. The access and nine (9) parking bays for the Community Garden are to be constructed to all weather standard to the satisfaction of the City prior to occupation of the Development.
7. Prior to the proposed development commencing, the Asset Protection Zone (APZ), as depicted in the Bushfire Management Plan prepared by Element, dated June 2024, must be installed on the site in accordance with the following requirements:
  - (a) maximum Fine Fuel Load of 2 tonnes per hectare;
  - (b) tree trunks at maturity must be a minimum distance of 6 metres from all elevations of the building and tree canopies at maturity must be 5 metres apart;
  - (c) shrubs must not be located within 3 metres of a building;
  - (d) grass must be managed to maintain a height of 100mm or less;
  - (e) fences and sheds must be constructed of non-combustible material; and
  - (f) sheds must not contain flammable materials.The APZ must be maintained in accordance with these requirements and in a good and safe condition for the duration of the development
8. Prior to the proposed development commencing, a plan must be submitted to and approved by the City of Rockingham to determine the vegetation to be cleared and retained within the Asset Protection Zones. The plan is to be based on an accurate survey showing the location and canopy spread of the vegetation. The vegetation to be retained and removed is to be determined at a site inspection attended by City Officers and the applicant's suitably qualified Arborist and bushfire consultant. Where possible, all vegetation proposed for removal is to be replaced like for like outside of the Asset Protection Zone, consistent with Bushfire Management Plan requirements.

All vegetation removed from within the Asset Protection Zone is to be in accordance with the approved plan.
9. Prior to the occupation of the proposed development, a private driveway must be constructed in accordance with the following requirements:
  - (a) minimum trafficable surface of 4 metres;
  - (b) minimum horizontal clearance of 6 metres;
  - (c) minimum vertical clearance of 4.5 metres;
  - (d) maximum grade over 50 metres or less of 1 in 10;

- (e) minimum weight capacity of 15 tonnes;
- (f) maximum crossfall of 1 in 33;
- (g) minimum inner radius of curves of 8.5 metres;
- (h) turn around area for 3.4 Urban Tanker series fire appliance as shown on the plan;
- (i) passing bays located every 200 metres, having a minimum length of 20 metres and minimum width of 2 metres; and
- (j) all weather surface (i.e. compacted gravel, limestone or sealed).

The private driveway must be maintained in accordance with these requirements and in a good and safe condition for the duration of the development.

10. Prior to the proposed development commencing, a water tank with a minimum capacity of 30,000 litres, reserved solely for the purpose of fire-fighting, must be installed on site. The tank must:

- (a) be sited above ground and constructed of concrete or metal;
- (b) be located within 60 metres of the outer edge of the building;
- (c) be fitted with both a 55mm cam-lock fitting with a full-flow valve and a 125mm Storz coupling with a full-flow valve;
- (d) have all above ground water pipes constructed of non-corrodible and non-combustible materials;
- (e) have a hardstand turn around area, suitable for a 3.4 Urban Tanker fire appliance, provided within 3 metres of the water tank; and
- (f) be readily identifiable from the building or appropriate signage be provided pointing to the location of the water supply. If the water tank has a tank stand, that stand must be constructed of non-combustible materials and heat shielding of the stand must be provided.

The water tank must be maintained in accordance with these requirements and be in working condition for the duration of the development.

11. All trees and vegetation must be retained (unless specifically identified for removal on the approved plans) and, during the construction period measures for their retention are to be undertaken in accordance with Australian Standard AS 4970-2009, *Protection of trees on development sites*.

#### Advice Notes

- 1. The development must comply with the *Health (Public Building) Regulations 1992*; the applicant and owner should liaise with the City's Health Services in this regard.
- 2. The development must comply with the *Food Act 2008*, the *Food Safety Standards* and Chapter 3 of the *Australian New Zealand Food Standards Code* (Australia Only); the applicant and owner should liaise with the City's Health Services in this regard.
- 3. The existing effluent disposal system servicing the Public Building may need to be upgraded or a separate system installed; the applicant and owner should liaise with the City's Health Services in this regard.
- 4. Prior to the occupation of the development, the development must be supplied with a potable drinking water supply that meets the *Australian Drinking Water Guidelines 2011*. Written confirmation of compliance with the *Australian Drinking Water Guidelines 2011* is to be provided to the satisfaction of the City of Rockingham.
- 5. Any non-drinking water (i.e. water that is not intended or suitable for drinking) must be managed to ensure it cannot be confused with or contaminate the drinking water supply. This requires satisfactory labelling of non-drinking water taps and, depending on system configuration, suitable backflow prevention arrangements in accordance with *Australian/New Zealand Standards AS3500 - Plumbing and Drainage*.

Committee Voting (Carried) - 6/0

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

Not Applicable

## Asset Services Technical Services



<b>Report number / title:</b>	<b>AS-012/25</b>	<b>Tender T24/25-78 - Framework Agreement for the Provision of Cleaning and Maintenance Services for Installed Drainage Products</b>
<b>File number:</b>	T24/25-78	
<b>Applicant:</b>		
<b>Owner:</b>		
<b>Author:</b>	Mr Manoj Barua, Manager Technical Services	
<b>Other Contributors:</b>	Mr Aulad Hossain, Maintenance Engineer Mr Om Gupta, Coordinator Infrastructure and Coastal Engineering	
<b>Date of Committee Meeting:</b>	16 June 2025	
<b>Previously before Council:</b>		
<b>Disclosure of Interest:</b>		
<b>Nature of Council's Role:</b>	Executive	
<b>Attachments:</b>		
<b>Maps/Diagrams:</b>		
<b>Site:</b>		
<b>Lot Area:</b>		
<b>LA Zoning:</b>		
<b>MRS Zoning:</b>		

### Purpose of Report

To provide Council with details of the Tender submissions received for Tender T24/25-78 - Framework Agreement for the Provision of Cleaning and Maintenance Services for Installed Drainage Products, document the results of the Tender assessment and make recommendations regarding award of the contract.

### Background

Tender T24/25-78 - Framework Agreement for the Provision of Cleaning and Maintenance Services for Installed Drainage Products was advertised in the West Australian on Saturday, 29 March 2025. The Tender closed at 2.00pm, Wednesday, 30 April 2025 and was publicly opened immediately after the closing time.

### Details

The type of works to be undertaken under the contract shall include:

- Educting (vacuuming) and jetting (high pressure cleaning) of stormwater drainage system in various catchments and areas of previous flooding.

- Underground remote controlled camera inspection.
- Root cutting for drainage pipe and culvert.
- Hydro excavation service for drainage pit and pipe repairs.
- Disposal of contaminated and uncontaminated materials.

The period of the contract shall be from the date of award for 36 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
	40 Pts	20 Pts	40 Pts	100 Pts	
<b>DFS Industrial &amp; Environmental Services Pty Ltd</b>	<b>34.0</b>	<b>16.7</b>	<b>35.9</b>	<b>86.6</b>	<b>1</b>
Cleanaway Industrial Solutions Pty Ltd	31.8	16.2	21.9	69.9	2
Aaro Group Pty Ltd	28.3	16.7	19.2	64.2	3
Precision Pipe Technologies	23.7	11.8	28.5	64.0	4

This is a fixed price, schedule of rates Tender, not subject to rise or fall. The score for price considerations are obtained according to the sliding scale, with lowest price receiving highest score. No Tenderer has received the full 40 points as none of them offered lowest price for all activities.

### 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 \$915,000.

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

Nil

### Comments

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.

Tender submissions varied in the depth and detail of the qualitative criteria information received demonstrating different levels of capability to undertake the contract requirements. DFS Industrial & Environmental Services Pty Ltd scored the highest in level of service, understanding of Tender requirements and Tendered price.

Following consideration of the submissions in accordance with the Tender assessment criteria, DFS Industrial & Environmental Services Pty Ltd represents best value to the City of Rockingham and is therefore recommended as the preferred Tenderer.

### Voting Requirements

Simple Majority

### Officer Recommendation

That Council **ACCEPTS** the Tender submitted from DFS Industrial & Environmental Services Pty Ltd, 30 Westchester Road, Malaga, WA 6944 for Tender T24/25-78 - Framework Agreement for the Provision of Cleaning and Maintenance Services for Installed Drainage Products in accordance with the Tender documentation for 36 months from the date of award.

### Committee Recommendation

That Council **ACCEPTS** the Tender submitted from DFS Industrial & Environmental Services Pty Ltd, 30 Westchester Road, Malaga, WA 6944 for Tender T24/25-78 - Framework Agreement for the Provision of Cleaning and Maintenance Services for Installed Drainage Products in accordance with the Tender documentation for 36 months from the date of award.

Committee Voting (Carried) - 6/0

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

Not Applicable

## Corporate and Community Development Committee

### Corporate Services Financial Services



<b>Report number / title:</b>	<b>CS-013/25</b>	<b>Adoption of the 2025/2026 Budget, Setting of Rates and Related Matters (Absolute Majority)</b>
<b>File number:</b>	FLM/361	
<b>Proponent/s:</b>		
<b>Author:</b>	Mrs Katie MacLachlan, Financial Controller	
<b>Other Contributor/s:</b>	Mr John Pearson, Director Corporate Services	
<b>Date of Committee meeting:</b>	17 June 2025	
<b>Previously before Council:</b>		
<b>Disclosure of Interest:</b>		
<b>Nature of Council's role:</b>	Executive	
<b>Attachments:</b>	1. Draft Annual Budget 2025/2026	
<b>Maps / Diagrams:</b>		
<b>Site:</b>		
<b>Lot Area:</b>		

## Purpose of Report

The purpose of this report is to adopt the 2025/2026 financial year Annual Budget and to provide explanation on its content and detail. A detailed budget document for the 2025/2026 financial year has been prepared and supplied to Council Members for consideration.

## Background

Council Members have been briefed on Annual Budget considerations consistently throughout the year and feedback has been sought and received. These briefings covered the Community Infrastructure Plan, City's Business Plan, the first, second and third quarter Budget Reviews, Fees and Charges, Capital Works Program, Team Plans and Budget Methodology and were held on:

- 13 August 2024
- 12 November 2024
- 1 and 2 April 2025
- 8 April 2025
- 13 May 2025
- 10 June 2025

The City of Rockingham (**City**) Rating Methodology was approved for advertising on 27 May 2025 and proposed yields are included in the 2025/2026 Annual Budget. The proposed fees and charges were endorsed on 22 April 2025.



## Details

The proposed capital expenditure for the City is included in Section 3 of the budget document. This totals \$104.7M, which includes \$81.7M for capital expenditure and the balance is for reserve transfers and loan repayments. Capital expenditure also includes \$35.9M of municipal funded carried forward expenditure which includes the Baldivis Sporting Complex and Stan Twight Reserve Club Changerooms Extension. Details of the expected sources of funding for the various capital items are also presented in Section 3.

Total operating revenue is expected to be \$202.8M. Total operating expenditure is expected to be \$216.8M (including non-cash). It also includes \$3.2M in carried forward expenditure. Rate revenue is anticipated to be \$118.8M inclusive of interim rates.

The proposals for rates are included in Section 5 of the budget document, as per those adopted by Council at its meeting on 27 May 2025. The budget projects a rate increase of 3.9%. The rate yield will represent 54% of the City's overall operating income.

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

Fees and charges listed in Section 6 of the budget document are as previously endorsed by Council at its meeting on 22 April 2025 with the following amendments:

- Inclusion of Waste Services and Millar Road Landfill Facility fees and charges which are not included in the endorsed fees and charges
- Changes to Adult Burial, Exhumation and Grant of Right of Burial fees to be in line with Metropolitan Cemetery Board fees

## Implications to Consider

### a. Consultation with the Community

The adopted Strategic Framework used by the City places significant importance on foundation documents such as the Strategic Community Plan and Community Plan Strategies all having considerable community consultation. These plans are all costed and then included in the Annual Budget.

The City advertised its intention to apply differential general rates and minimum payments in The West Australian on 29 May 2025 and the Sound Telegraph on 3 June 2025. The notice was also placed in 'Share Your Thoughts' on the City's website and Rock Port. Submissions close on 19 June 2025 at 4.30pm. At the time of writing this report, submissions had not closed. All submissions will be presented to Council for consideration at the 24 June 2025 Council meeting. The requirements to advertise differential rates is set by legislation and performed to seek submissions on the proposed rating differentials.

### b. Consultation with Government Agencies

Nil

### c. Strategic

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

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

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

**d. Policy**

The Annual Budget has been prepared in accordance with the Strategic Development Framework Policy with additional budget meetings as required.

**e. Financial**

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

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

The 2025/2026 capital budget includes the following major capital projects (noting many other capital projects are occurring):

- Anniversary Park Clubroom Redevelopment (Construction)
- Warnbro Community Recreation Centre Redevelopment (Planning/Design)
- Rockingham Foreshore Activity Node (Planning/Design)

The Federal Government Financial Assistance Grants remain at approximately \$6.6M, which includes the local roads component of \$2.8M. The City is a minimum grant Council, which means it receives a fixed sum of money from the Federal Government based on population. Therefore, there is an upward trend in this number and it is unlikely to reduce unless there are changes in Federal legislation.

Given the early budget adoption, assumptions have been made related to opening balances. The 2025/2026 Annual Budget opening balance is \$39.1M relating to carried forward projects.

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

**f. Legal and Statutory**

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

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

**g. Risk**

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

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

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

Nil

## Comments

The Annual Budget is the document that provides allocations to ensure the City is able to operate financially over a twelve-month period. It attempts to capture previous decisions of Council to ensure that services and projects are delivered as expected through allocating the required expenditure for the year. Most importantly though, it is the statutory document which determines all the statutory charges including fees and charges and rates. The Annual Budget is a complex document which takes months to prepare, efforts are made to ensure Council Members are informed about the budget contents through the preparation of plans and strategies adopted by Council and linked to the City Business Plan, which provides the foundation for the draft Annual Budget.

The proposed rate increase of 3.9% is reflective of costs imposed on the City and pressures experienced by a rapid growth local government and allows for all items included in the City Business Plan and other prior adopted strategies to be included within the draft Annual Budget.

Employee costs are anticipated to be \$80.8M. This is based on the assumptions that staffing levels will be maintained, however vacant positions are accommodated by discounting the projected employee costs by 4% and new positions are budgeted at 50% of the annual cost.

The proposed Schedule of Fees and Charges for the 2025/2026 financial year are listed in Section 6 of budget document. The schedule lists all fees and charges with details of the current and proposed fees.

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

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

Council endorsed the fees and charges at the April 2025 Ordinary Council Meeting for inclusion in the budget.

A concession totalling \$65,453.39 is recommended to ease the impact on 55 properties transitioned from Unimproved Value (UV) to Gross Rental Value (GRV). This concession is due to the previous Council's decision to phase the change in valuation over a three year period and will be noted on the rates notice in line with statutory requirements.

The Annual Budget 2025/2026 is recommended to Council for adoption.

## Voting Requirements

Absolute Majority

## Officer Recommendation

That Council **ADOPTS** the Annual Budget for the 2025/2026 financial year and the income and expenditures as presented within the budget document, which includes:

- The following rates:
  - For all Residential properties where Gross Rental Valuations are applied, a rate of 8.607 cents in the dollar with a minimum rate of \$1,431 to apply.
  - For all Non-Residential properties where Gross Rental Valuations are applied, a rate of 9.800 cents in the dollar with a minimum rate of \$1,431 to apply.
  - For all Unimproved Valued properties a rate of 0.105 cents in the dollar with a minimum rate of \$709 to apply.
- Where payments are received after the prescribed time and penalty charges apply, then a penalty interest rate for all Gross Rental Value and Unimproved Value outstanding rates is set at 10% per annum, to be calculated on a daily basis, unless a Rates Smoothing arrangement is entered into.

- Where payments for the ESL are received after the prescribed time and penalty charges apply, then a penalty interest rate for all outstanding ESL is set at 11% as determined by the Department of Fire and Emergency Services, to be calculated on a daily basis, unless a Rates Smoothing arrangement is entered into.
- For those ratepayers who have entered into the Rates Smoothing arrangement, penalty interest of 10% per annum is applicable if there is an outstanding balance at the end of the smoothing period, and 11% as determined by the Department of Fire and Emergency Services if there is an outstanding ESL balance at the end of the smoothing period.
- For those ratepayers not paying by instalments, the penalty interest will commence to be calculated after 15 August 2025.
- The following Rates Instalment Payment Options:

Option 1

To pay the total amount of rates and charges included on the rate notice in full by 15 August 2025.

Option 2

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

First Instalment                      15 August 2025  
Second Instalment                      15 December 2025

Option 3

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

First Instalment                      15 August 2025  
Second Instalment                      15 October 2025  
Third Instalment                      15 December 2025  
Fourth Instalment                      16 February 2026

- Where payments are made by instalment, an administration charge of \$4.50 for each instalment after the first instalment shall apply and instalment interest, to be set at 5.5% per annum and calculated on a daily basis.
- Apply a concession totalling \$65,453.39 for the following assessment numbers where the valuation method was changed from Unimproved Value (UV) to Gross Rental Value (GRV) by the Minister for Local Government:

Assessment #	Concession \$
363336	5,847.90
363023	23,026.99
360790	6,042.63
239730	1,723.71
245154	1,459.84
244450	899.84
239390	2,778.51
246330	749.07
243122	2,009.32
230880	612.66
241590	1,896.43
364062	721.47
240403	533.69
243140	1,534.73
347902	548.05
240320	755.31

Assessment #	Concession \$
244630	433.18
243090	426.00
240140	426.00
242630	418.82
241420	418.82
245520	397.28
246310	382.92
242910	451.23
230850	368.56
240542	361.38
241160	359.45
346653	359.45
245310	354.20
243990	347.02
240120	437.23
244790	332.67

Assessment #	Concession \$
240980	519.33
244190	469.07
242410	461.90
245270	433.18
245510	304.22
243490	894.61
242650	329.72
359650	354.37
358431	231.67
358434	231.67
363339	231.67
230860	231.67

Assessment #	Concession \$
240531	325.49
246910	318.31
230830	318.31
242920	430.59
244140	231.67
362975	231.67
239710	344.97
240181	356.55
246790	261.06
242010	296.33
241050	231.00

- The transfers to and from the Reserve Accounts, as detailed within the budget document and in accordance with Council's adopted policies.
- The imposition of the 2025/2026 Fees and Charges, as listed in Section 6 of the budget document.

#### Alternate Motion by Cr Kelly Middlecoat

Cr Middlecoat proposed the following Alternate Motion:

That Council **ADOPTS** the Annual Budget for the 2025/2026 financial year and the income and expenditures as presented within the budget document, which includes:

- The following rates:
  - For all Residential properties where Gross Rental Valuations are applied, a rate of **8.57394** cents in the dollar with a minimum rate of **\$1,425** to apply.
  - For all Non-Residential properties where Gross Rental Valuations are applied, a rate of **9.76316** cents in the dollar with a minimum rate of **\$1,425** to apply.
  - For all Unimproved Valued properties a rate of 0.105 cents in the dollar with a minimum rate of \$706 to apply.
- Where payments are received after the prescribed time and penalty charges apply, then a penalty interest rate for all Gross Rental Value and Unimproved Value outstanding rates is set at 10% per annum, to be calculated on a daily basis, unless a Rates Smoothing arrangement is entered into.
- Where payments for the ESL are received after the prescribed time and penalty charges apply, then a penalty interest rate for all outstanding ESL is set at 11% as determined by the Department of Fire and Emergency Services, to be calculated on a daily basis, unless a Rates Smoothing arrangement is entered into.
- For those ratepayers who have entered into the Rates Smoothing arrangement, penalty interest of 10% per annum is applicable if there is an outstanding balance at the end of the smoothing period, and 11% as determined by the Department of Fire and Emergency Services if there is an outstanding ESL balance at the end of the smoothing period.
- For those ratepayers not paying by instalments, the penalty interest will commence to be calculated after 15 August 2025.

- The following Rates Instalment Payment Options:

Option 1

To pay the total amount of rates and charges included on the rate notice in full by 15 August 2025.

Option 2

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

First Instalment                      15 August 2025  
Second Instalment                      15 December 2025

Option 3

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

First Instalment                      15 August 2025  
Second Instalment                      15 October 2025  
Third Instalment                      15 December 2025  
Fourth Instalment                      16 February 2026

- Where payments are made by instalment, an administration charge of \$4.50 for each instalment after the first instalment shall apply and instalment interest, to be set at 5.5% per annum and calculated on a daily basis.
- Apply a concession totalling \$65,453.39 for the following assessment numbers where the valuation method was changed from Unimproved Value (UV) to Gross Rental Value (GRV) by the Minister for Local Government:

Assessment #	Concession \$
363336	5,847.90
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244450	899.84
239390	2,778.51
246330	749.07
243122	2,009.32
230880	612.66
241590	1,896.43
364062	721.47
240403	533.69
243140	1,534.73
347902	548.05
240320	755.31
240980	519.33
244190	469.07
242410	461.90
245270	433.18
245510	304.22
243490	894.61
242650	329.72
359650	354.37
358431	231.67

Assessment #	Concession \$
244630	433.18
243090	426.00
240140	426.00
242630	418.82
241420	418.82
245520	397.28
246310	382.92
242910	451.23
230850	368.56
240542	361.38
241160	359.45
346653	359.45
245310	354.20
243990	347.02
240120	437.23
244790	332.67
240531	325.49
246910	318.31
230830	318.31
242920	430.59
244140	231.67
362975	231.67
239710	344.97
240181	356.55
246790	261.06

Assessment #	Concession \$
358434	231.67
363339	231.67
230860	231.67

Assessment #	Concession \$
242010	296.33
241050	231.00

- The transfers to and from the Reserve Accounts, as detailed within the budget document and in accordance with Council's adopted policies.
- The imposition of the 2025/2026 Fees and Charges, as listed in Section 6 of the budget document.

### Reason for Alternate Motion

*The recently adopted 10 Year Business Plan requires a rate increase of 2.9% to adequately fund the City's forecasted operational and capital expenditure.*

*The City is proposing a rate increase a full percentage higher than this, which is intended to generate additional revenue to address the funding shortfall for the Aqua Jetty Stage 2 and Mike Barnett projects.*

*Over the 10 year life of the Business Plan, a 3.5% rate increase is forecast to generate a total of \$10 million of additional revenue in excess of the financial projections in the adopted Business Plan.*

*The precise budget shortfalls and their delivery timelines for these projects remain unquantified, and neither project is scheduled for commencement within the upcoming financial year. Therefore, implementing an above-baseline rate increase at this stage; without clearly quantified needs; is premature. Doing so risks over-collecting from ratepayers, potentially creating a compounding financial burden on residents over the long term.*

*This motion aims to strike a balance between the baseline required to deliver the Business Plan while also providing additional funding towards the two key projects, as well as bringing the overall increase more in line with the Consumer Price Index.*

### Implications to Consider

#### a. Consultation with the Community

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

The City advertised its intention to apply differential general rates and minimum payments in The West Australian on 29 May 2025 and the Sound Telegraph on 3 June 2025. The notice was also placed in 'Share Your Thoughts' on the City's website and Rock Port. Submissions close on 19 June 2025 at 4.30pm. At the time of writing this report, submissions had not closed. All submissions will be presented to Council for consideration at the 24 June 2025 Council meeting.

#### b. Consultation with Government Agencies

Nil

#### c. Strategic

##### Community Plan

This item addresses the Community's Vision for the future and specifically the following Aspiration and Strategic Objective(s) contained in the Strategic Community Plan 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 Alternate Motion reduces total rate yield from that adopted in its advertised rates model by approximately \$460,000 – a 3.5% rate increase in rates from prior year. The Draft Budget has been prepared based on 3.9% increase, not 3.5%. The 3.9% increase is reflective of the adopted Business Plan and the approved rates model. The difference between a 3.5% and 3.9% for an average rated property is approximately \$7.80 per year (or 65 cents per month). The compounding impact of this reduction over the next 10 years is approximately \$4.8 million.

Should Council support the Alternate Motion the next City Business Plan will be prepared noting this change.

**f. Legal and Statutory**

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

- (a) be more than 110% of the amount of the budget deficiency; or
- (b) be less than 90% of the amount of the budget deficiency

The Alternate Motion meets this requirement.

It is a requirement under section 6.36 of the *Act* that where a Council elects to use differential rates then it shall advertise its intention to do so, and call for submissions for a period of at least 21 days before any further action occurs. This has occurred.

**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

**Officer Comment on Alternate Motion**

Officers have prepared an Annual Budget based on previous adopted positions of Council. Should Council adopt the Alternate Motion, the expected rate yield will be decreased by approximately \$460,000. It is unclear how this shortfall will be corrected at this stage. This will be considered in future budget reviews and Business Plans. A 2.9% increase in rates will not fund the Adopted Business Plan.

The adopted City Business Plan proposed a rate increase of 3.9% which needs to include, as per Council Resolution, at least two unfunded projects being Aqua Jetty Stage 2 and the Mike Barnett Sports Complex Court Expansion. These two projects will be included in the next Business Plan and all extra revenue received will be allocated to these. More specifically, the next Business Plan needs to identify at least a further \$11 million for the Mike Barnett Sports Complex Courts Expansion and \$15 million for Aqua Jetty Stage 2 (\$26 million in total). While the precise costs in unknown (as they have not yet gone to market) these are the likely costs reflective of qualified quantity surveyor estimates. Also not included in any future funding (unfunded) is:

- Baldivis Men's Shed – \$1 million (currently sourcing extra external funding)
- Hobby Hub - \$3.6 million
- Safety Bay Tennis Club Redevelopment - \$2.7 million
- Rockingham BMX Relocation - \$9.8 million

As previously advised, the Draft Annual Budget uses the predicted surplus from the 2024/2025 financial year to balance the 2025/2026 financial year. Further, as per resolution of Council, no charges will apply to Rate Smoothing agreements thus negatively impacting the budget a further \$300,000 – noting this has been accommodated for in the Draft Budget but not future planning

documents (i.e. the City Business Plan). The reason for removing these charges is to support Rockingham ratepayers during challenging financial times. The future Business Plan will need to accommodate this reduction in future planning. This has not yet occurred nor is the financial impact clearly known at this time.

It is imperative that the City has the resources, not only over the next twelve months but over the next decade, to support its infrastructure construction requirements and operational costs. While one year's costs may be identifiable, the long term impact needs to be considered. This is why there is a legislative requirement for multiyear planning. When coupled with the demand for projects which remain unfunded and the decision to remove interest on Rates Smoothing arrangements, this proposed change is material. As yet it is not supported in any forward planning documents. As a community-leading organisation, it is considered vital that the City maintains adequate resources to respond promptly and prudently to major community issues. Councillors have also been consistently informed over the last 12 months about forward projects and revenue and expenditure requirements.

It is understood rating determinations are difficult thus a sound framework exists to ensure all decisions made are based on prior Council decisions and community needs. Should Council support the Alternate Motion, the budget will be adopted with a deficit position of \$460,000. This will be reviewed through the budget review process to ensure the City is able to meet its costs. Further, future Business Plans will be prepared acknowledging the decreases in revenues and guidance will be sought from Council. This may include increases in debt, or changes to project timing and potential service offering. It is very important that the City maintain a solid foundation in order to service its community. Officers recommend the adoption of the Annual Budget 2025/2026 as prepared thus the Alternate Motion is not supported.

#### Officer Recommendation on Alternate Motion

Cr Middlecoat's motion is not supported.

#### Committee Recommendation

That Council **ADOPTS** the Annual Budget for the 2025/2026 financial year and the income and expenditures as presented within the budget document, which includes:

- The following rates:
  - For all Residential properties where Gross Rental Valuations are applied, a rate of 8.57394 cents in the dollar with a minimum rate of \$1,425 to apply.
  - For all Non-Residential properties where Gross Rental Valuations are applied, a rate of 9.76316 cents in the dollar with a minimum rate of \$1,425 to apply.
  - For all Unimproved Valued properties a rate of 0.105 cents in the dollar with a minimum rate of \$706 to apply.
- Where payments are received after the prescribed time and penalty charges apply, then a penalty interest rate for all Gross Rental Value and Unimproved Value outstanding rates is set at 10% per annum, to be calculated on a daily basis, unless a Rates Smoothing arrangement is entered into.
- Where payments for the ESL are received after the prescribed time and penalty charges apply, then a penalty interest rate for all outstanding ESL is set at 11% as determined by the Department of Fire and Emergency Services, to be calculated on a daily basis, unless a Rates Smoothing arrangement is entered into.
- For those ratepayers who have entered into the Rates Smoothing arrangement, penalty interest of 10% per annum is applicable if there is an outstanding balance at the end of the smoothing period, and 11% as determined by the Department of Fire and Emergency Services if there is an outstanding ESL balance at the end of the smoothing period.
- For those ratepayers not paying by instalments, the penalty interest will commence to be calculated after 15 August 2025.

- The following Rates Instalment Payment Options:

Option 1

To pay the total amount of rates and charges included on the rate notice in full by 15 August 2025.

Option 2

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

First Instalment                      15 August 2025  
Second Instalment                      15 December 2025

Option 3

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

First Instalment                      15 August 2025  
Second Instalment                      15 October 2025  
Third Instalment                      15 December 2025  
Fourth Instalment                      16 February 2026

- Where payments are made by instalment, an administration charge of \$4.50 for each instalment after the first instalment shall apply and instalment interest, to be set at 5.5% per annum and calculated on a daily basis.
- Apply a concession totalling \$65,453.39 for the following assessment numbers where the valuation method was changed from Unimproved Value (UV) to Gross Rental Value (GRV) by the Minister for Local Government:

Assessment #	Concession \$
363336	5,847.90
363023	23,026.99
360790	6,042.63
239730	1,723.71
245154	1,459.84
244450	899.84
239390	2,778.51
246330	749.07
243122	2,009.32
230880	612.66
241590	1,896.43
364062	721.47
240403	533.69
243140	1,534.73
347902	548.05
240320	755.31
240980	519.33
244190	469.07
242410	461.90
245270	433.18
245510	304.22
243490	894.61
242650	329.72
359650	354.37
358431	231.67

Assessment #	Concession \$
244630	433.18
243090	426.00
240140	426.00
242630	418.82
241420	418.82
245520	397.28
246310	382.92
242910	451.23
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242920	430.59
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239710	344.97
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Assessment #	Concession \$
358434	231.67
363339	231.67
230860	231.67

Assessment #	Concession \$
242010	296.33
241050	231.00

- The transfers to and from the Reserve Accounts, as detailed within the budget document and in accordance with Council's adopted policies.
- The imposition of the 2025/2026 Fees and Charges, as listed in Section 6 of the budget document.

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

**Council Members voting for the motion:**

Cr Middlecoat      Cr Schmidt  
Cr Buchanan (2)

**Council Members voting against the motion:**

Cr Liley      Cr Crichton  
Cr Hume

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

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

As detailed above in the reasons for the Alternate Motion.

## General Management Services Governance and Councillor Support



<b>Report number / title:</b>	<b>GM-009/25</b> <b>New Council Policy – Authority to Execute Documents (<i>Absolute Majority</i>)</b>
File number:	CPM/3
Proponent/s:	
Author:	Mr Jim Olynyk, Manager Governance and Councillor Support
Other Contributor/s:	Mr Michael Parker, Chief Executive Officer
Date of Committee meeting:	17 June 2025
Previously before Council:	
Disclosure of Interest:	
Nature of Council's role:	Executive
Attachments:	1. Delegated Authority 1.7 - Execution of Lease Documents; Delegated Authority 1.13 - Execution of Documents / Common Seal; and Council Policy – Use of the City of Rockingham Common Seal
Maps / Diagrams:	
Site:	
Lot Area:	

### Purpose of Report

For Council to consider a new Council Policy 'Authority to Execute Documents' and revoke various Delegated Authorities' now considered redundant.

### Background

Council by way of section 5.42 of the *Local Government Act 1995* (**Act**) can delegate to the Chief Executive Officer (**CEO**) the exercise of any of its powers or the discharge of its duties under the Act. There are two delegations and one Council Policy in place that require reconsideration those being:

- Delegated Authority 1.7 - Execution of Lease Documents,
- Delegated Authority 1.13 – Execution of Documents/Common Seal, and
- Council Policy – Use of the City of Rockingham Common Seal.

Provisions contained under Part 9, Division 3 – Documents, of the Act suggest that a review is required and that the authority to execute documents is better placed in policy rather than delegation.

### Details

The execution of documents is more appropriately managed by way of Council policy, which is the approach taken by the majority of local governments. The City of Rockingham (**City**) has developed an 'Authority to Execute Documents' policy. This policy aims to streamline administrative processes, ensuring compliance with the *Local Government Act 1995* while promoting efficiency, consistency,

and transparency regarding document execution. As a result of this new policy, the existing delegations addressing Execution of Lease Documents, Execution of Documents/Common Seal, and Council Policy Use of the City of Rockingham Common Seal provided at Attachment 1 are now considered redundant and are recommended for revocation.

### Implications to Consider

**a. Consultation with the Community**

As this policy relates to an internal governance matter community engagement is not considered warranted.

**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**

Council's Policy Framework requires that Policies are relevant, clear, consistent and support the delivery of good governance for the district. Further the following principles are to be applied:

- Policies will be consistent with the City's strategic goals, values, risk appetite and policy template
- Policies will be concise and state no more than is necessary to direct decision making and clarify expected outcomes
- Policies will be clear and written in plain English to avoid ambiguity and to be easily understood by the reader.

**e. Financial**

Not Applicable

**f. Legal and Statutory**

Local Government Act 1995

Section 9.49A(4) of the Act provides:

*'(4) A local government may, by resolution, authorise the CEO, another employee or an agent of the local government to sign documents on behalf of the local government, either generally or subject to conditions or restrictions specified in the authorisation.'*

Pursuant to section 5.43(ha) of the Act the Council cannot delegate to the CEO the power under section 9.49A(4) to authorise a person to sign documents on behalf of the local government. That function can only be via authorisation of the Council.

A policy of the local government is adopted by resolution. Therefore, a policy which authorises the CEO, another employee or an agent of the local government to sign documents on behalf of the local government will be an adequate authorisation for the purposes of section 9.49A(4).

Section 9.49A(5) provides:

*'(5) A document executed by a person under an authority under subsection (4) is not to be regarded as a deed unless the person executes it as a deed and is permitted to do so by the authorisation.'*

The draft policy provides for the CEO to have authority to execute deeds.



In relation to affixing the common seal, sections 9.49A(2) and (3) provide:

*‘(2) The common seal of a local government is not to be affixed to any document except as authorised by the local government.*

*(3) The common seal of the local government is to be affixed to a document in the presence of —*

*(a) the mayor or president; and*

*(b) the CEO,*

*each of whom is to sign the document to attest that the common seal was so affixed.’*

Incorporation of matters associated with the common seal within this policy facilitates the requirements of Division 3 – Documents, of Part 9 of the Act conveniently captured in the one policy.

**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

An overarching policy to address the execution of documents pursuant to section 9.49A(4) of the Act is considered beneficial from an administrative and compliance perspective resulting in an improved governance practice for the City, which is the approach taken by other local governments.

Further, another objective of this policy is to ensure that the City’s common seal is affixed, and documents are executed in accordance with the provisions of section 9.49A(1),(2) and (3) of the Act.

Whilst Council has an existing policy dealing with the Common Seal this will consider all authorisations in the one policy.

Finally, this policy aims to streamline administrative processes, ensuring compliance with the *Local Government Act 1995* while promoting efficiency, consistency, and transparency regarding document execution.

Council Members were provided with a draft copy of the Authority to Execute Documents Policy which was discussed at a Councillor Engagement Session on 22 May 2025.

### Voting Requirements

Absolute Majority (*Recommendation 2 only*) Simple Majority (*Recommendation 1 and 3*)

### Officer Recommendation

That Council:

1. **ADOPTS** Council Policy – Authority to Execute Documents

#### **Authority to Execute Documents**

#### **Objective**

To establish authorisations to:

1. affix and administer the City of Rockingham Common Seal (**Common Seal**); and
2. sign Documents on behalf of the City of Rockingham,

in accordance with section 9.49A of the *Local Government Act 1995* (**Act**).

#### **Scope**

This policy applies to all authorised City of Rockingham (**City**) employees and nominated agents preparing documents for execution and/or who have been authorised through this policy to execute documents on behalf of the City.

## Statement

In accordance with section 9.49A of the Act, a document is duly executed by a local government if:

1. the Common Seal is affixed to it with the authorisation of the local government; or
2. it is signed on behalf of the local government by the Chief Executive Officer (**CEO**), another employee or an agent of the local government, who is authorised to sign documents on behalf of the local government, either generally or subject to conditions or restrictions specified in the authorisation.

In managing this policy the Chief Executive Officer is to maintain Executive Standards and Procedures that would ensure the execution of documents is operated effectively in accordance with Statutory Requirements.

### 1. Authority to affix the Common Seal

#### 1.1 Statutory requirements

The Council may from time to time authorise by resolution the Common Seal to be affixed to a document.

For most documents, the Common Seal is not legally required to be affixed. Local laws, planning schemes and scheme amendments are among the exceptions to this rule.

In order for the Common Seal to be validly affixed to a document, it must be affixed in the presence of and signed by:

- a) the Mayor; and
- b) the CEO.

In the absence of the Mayor and/or the Chief Executive Officer, as the case may be, the Deputy Mayor and the Acting Chief Executive Officer are authorised to affix the Common Seal.

#### 1.2 Documents to which the Common Seal may be affixed

By this policy the Council authorises the Common Seal to be affixed to the documents described below.

- Documents appertaining to any action initiated, approved, endorsed or required by a Council resolution where giving effect to that action expressly or impliedly requires the common seal to be affixed to a document
- Local Laws
- Planning schemes and scheme amendments
- Deeds, contracts and other forms of agreement
- Documents necessary to progress dealings in land including but not limited to mortgages, caveats, memorials, leases, transfers, licences, covenants, easements and the withdrawal, discharge or surrender of any of those instruments
- Funding applications
- Ceremonial certificates and awards.

Where the CEO is authorised by this policy to sign a document and this policy also authorises the affixation of the Common Seal to that document, the CEO may determine which is the most appropriate method to execute the document.

#### 1.3 CEO's responsibilities

The CEO is to:

- a) be responsible for the safe custody and proper use of the Common Seal;
- b) maintain a register of each time the Common Seal is used; and
- c) provide a monthly report to Council, via the Corporate and General Management Services Bulletin, listing the documents to which the Common Seal has been applied since the preceding report.

## **2. Authority to sign documents on behalf of the City**

### **2.1 General document signing authorisation.**

Pursuant to section 9.49A (4) of the Act the CEO, Directors and Managers are authorised to sign all documents supported by the prior approval of the Council via:

- Council Policy
- City Business Plan
- Annual Budget
- Any other Council decision.

All employees are authorised to sign any document related to a matter which they have statutory or delegated authority to deal with, and in any other case where by resolution of the Council they are required to take action and doing so expressly or impliedly requires a document to be signed.

The CEO is authorised to execute a deed in any case in which the Council has resolved to enter into a deed, or where executing a deed is within the scope of the exercise of the CEO's delegated authority.

All employees are authorised to sign any documents which arise in the course of carrying out their routine administrative functions and duties, providing they do so in accordance with any applicable Council Policy, Executive Standard and administrative procedure.

### **2.2 Conditions of Authorisations**

It is the responsibility of any person authorised under this Policy to:

- a) fully inform themselves of the matter to which the document they intend to execute on behalf of the City relates;
- b) ensure they only sign documents relevant to matters within their role;
- c) ensure that all Legislative Requirements are satisfied before the document is executed;
- d) ensure that all applicable Council Policies, Executive Standards and internal procedures have been followed and discharged prior to signing the document;
- e) ensure that sufficient records are kept of the document, and of decisions leading to the creation of the document, in accordance with the City's Recording Keeping Plan; and
- f) give consideration to any legal implications.

Documents of a financial nature must be consistent with the City's Annual Budget and the Business Plan and any known proposed variations to the same.

The person authorised to sign a document must consider the City's Risk Framework before signing any document and as necessary refer further consideration to the Director of the person's relevant division. That Director may refer the document to the CEO or Council for their approval.

### **2.3 Execution of Documents by Agents on behalf of the City.**

Section 9.49A (4) of the Act permits the authorisation of agents to execute documents on behalf of the City. In accordance with section 9.49A (4) of the Act Council authorises any lawyer engaged by the City to execute documents, correspond with third parties, sign and lodge documents with a court, tribunal or administrative body and electronically sign documents identified in accordance with the Property Exchange Australia (PEXA) process on behalf of the City, in accordance with the scope of the lawyers' engagement.

### **2.4 Variation or discharge of an executed document**

Where an employee is authorised to sign a document under this Policy, they are also authorised to sign any variation or cancellation of that document provided that they comply with the obligations of Part 2.2.

A variation under this Policy includes a variation by Deed.

### **Definitions**

**CEO** – means the Chief Executive Officer of the City of Rockingham.

**Council** – means the council of the City of Rockingham.

**Director** – means a person holding the position of Director at the City of Rockingham.

**Document** – any paper or electronic document, including communications such as letters and emails, which conveys a decision, establishes an obligation or is ceremonial and provides information or evidence or that serves as an official record.

**Manager** – means a person holding the position of Manager at the City of Rockingham.

**Record Keeping Plan** – means the plan adopted by the City in accordance with the State Records Act 2000.

### Legislation

*Local Government Act 1995, s 9.49A, 9.49B*

*Local Government (Functions and General) Regulations 1996, Reg 11A*

*Planning and Development Act 2005*

*State Records Act 2000*

### Other Relevant Procedures / Key Documents

Council Policy – Records Management

Executive Standard – In-House Legal Services

Executive Standard – Mandatory Legal Advice

Executive Standard – Record Management

### Responsible Division

General Management Services

### Review Date

August 2028

2. **REVOKES** the following:
  - Delegated Authority 1.7 - Execution of Lease Documents,
  - Delegated Authority 1.13 – Execution of Documents/Common Seal, and
  - Council Policy – Use of the City of Rockingham Common Seal.
3. **APPROVES** amending any Council Policy references relevant to Item 2 above.

## Committee Recommendation

That Council:

1. **ADOPTS** Council Policy – Authority to Execute Documents

### Authority to Execute Documents

### Objective

To establish authorisations to:

1. affix and administer the City of Rockingham Common Seal (**Common Seal**); and
  2. sign Documents on behalf of the City of Rockingham,
- in accordance with section 9.49A of the *Local Government Act 1995 (Act)*.

### Scope

This policy applies to all authorised City of Rockingham (**City**) employees and nominated agents preparing documents for execution and/or who have been authorised through this policy to execute documents on behalf of the City.

## Statement

In accordance with section 9.49A of the Act, a document is duly executed by a local government if:

1. the Common Seal is affixed to it with the authorisation of the local government; or
2. it is signed on behalf of the local government by the Chief Executive Officer (**CEO**), another employee or an agent of the local government, who is authorised to sign documents on behalf of the local government, either generally or subject to conditions or restrictions specified in the authorisation.

In managing this policy the Chief Executive Officer is to maintain Executive Standards and Procedures that would ensure the execution of documents is operated effectively in accordance with Statutory Requirements.

### 1. Authority to affix the Common Seal

#### 1.1 Statutory requirements

The Council may from time to time authorise by resolution the Common Seal to be affixed to a document.

For most documents, the Common Seal is not legally required to be affixed. Local laws, planning schemes and scheme amendments are among the exceptions to this rule.

In order for the Common Seal to be validly affixed to a document, it must be affixed in the presence of and signed by:

- a) the Mayor; and
- b) the CEO.

In the absence of the Mayor and/or the Chief Executive Officer, as the case may be, the Deputy Mayor and the Acting Chief Executive Officer are authorised to affix the Common Seal.

#### 1.2 Documents to which the Common Seal may be affixed

By this policy the Council authorises the Common Seal to be affixed to the documents described below.

- Documents appertaining to any action initiated, approved, endorsed or required by a Council resolution where giving effect to that action expressly or impliedly requires the common seal to be affixed to a document
- Local Laws
- Planning schemes and scheme amendments
- Deeds, contracts and other forms of agreement
- Documents necessary to progress dealings in land including but not limited to mortgages, caveats, memorials, leases, transfers, licences, covenants, easements and the withdrawal, discharge or surrender of any of those instruments
- Funding applications
- Ceremonial certificates and awards.

Where the CEO is authorised by this policy to sign a document and this policy also authorises the affixation of the Common Seal to that document, the CEO may determine which is the most appropriate method to execute the document.

#### 1.3 CEO's responsibilities

The CEO is to:

- a) be responsible for the safe custody and proper use of the Common Seal;
- b) maintain a register of each time the Common Seal is used; and
- c) provide a monthly report to Council, via the Corporate and General Management Services Bulletin, listing the documents to which the Common Seal has been applied since the preceding report.

## **2. Authority to sign documents on behalf of the City**

### **2.1 General document signing authorisation.**

Pursuant to section 9.49A (4) of the Act the CEO, Directors and Managers are authorised to sign all documents supported by the prior approval of the Council via:

- Council Policy
- City Business Plan
- Annual Budget
- Any other Council decision.

All employees are authorised to sign any document related to a matter which they have statutory or delegated authority to deal with, and in any other case where by resolution of the Council they are required to take action and doing so expressly or impliedly requires a document to be signed.

The CEO is authorised to execute a deed in any case in which the Council has resolved to enter into a deed, or where executing a deed is within the scope of the exercise of the CEO's delegated authority.

All employees are authorised to sign any documents which arise in the course of carrying out their routine administrative functions and duties, providing they do so in accordance with any applicable Council Policy, Executive Standard and administrative procedure.

### **2.2 Conditions of Authorisations**

It is the responsibility of any person authorised under this Policy to:

- a) fully inform themselves of the matter to which the document they intend to execute on behalf of the City relates;
- b) ensure they only sign documents relevant to matters within their role;
- c) ensure that all Legislative Requirements are satisfied before the document is executed;
- d) ensure that all applicable Council Policies, Executive Standards and internal procedures have been followed and discharged prior to signing the document;
- e) ensure that sufficient records are kept of the document, and of decisions leading to the creation of the document, in accordance with the City's Recording Keeping Plan; and
- f) give consideration to any legal implications.

Documents of a financial nature must be consistent with the City's Annual Budget and the Business Plan and any known proposed variations to the same.

The person authorised to sign a document must consider the City's Risk Framework before signing any document and as necessary refer further consideration to the Director of the person's relevant division. That Director may refer the document to the CEO or Council for their approval.

### **2.3 Execution of Documents by Agents on behalf of the City.**

Section 9.49A (4) of the Act permits the authorisation of agents to execute documents on behalf of the City. In accordance with section 9.49A (4) of the Act Council authorises any lawyer engaged by the City to execute documents, correspond with third parties, sign and lodge documents with a court, tribunal or administrative body and electronically sign documents identified in accordance with the Property Exchange Australia (PEXA) process on behalf of the City, in accordance with the scope of the lawyers' engagement.

### **2.4 Variation or discharge of an executed document**

Where an employee is authorised to sign a document under this Policy, they are also authorised to sign any variation or cancellation of that document provided that they comply with the obligations of Part 2.2.

A variation under this Policy includes a variation by Deed.

### **Definitions**

**CEO** – means the Chief Executive Officer of the City of Rockingham.

**Council** – means the council of the City of Rockingham.



**Director** – means a person holding the position of Director at the City of Rockingham.

**Document** – any paper or electronic document, including communications such as letters and emails, which conveys a decision, establishes an obligation or is ceremonial and provides information or evidence or that serves as an official record.

**Manager** – means a person holding the position of Manager at the City of Rockingham.

**Record Keeping Plan** – means the plan adopted by the City in accordance with the State Records Act 2000.

#### **Legislation**

*Local Government Act 1995, s 9.49A, 9.49B*

*Local Government (Functions and General) Regulations 1996, Reg 11A*

*Planning and Development Act 2005*

*State Records Act 2000*

#### **Other Relevant Procedures / Key Documents**

Council Policy – Records Management

Executive Standard – In-House Legal Services

Executive Standard – Mandatory Legal Advice

Executive Standard – Record Management

#### **Responsible Division**

General Management Services

#### **Review Date**

August 2028

2. **REVOKES** the following:

- Delegated Authority 1.7 - Execution of Lease Documents,
- Delegated Authority 1.13 – Execution of Documents/Common Seal, and
- Council Policy – Use of the City of Rockingham Common Seal.

3. **APPROVES** amending any Council Policy references relevant to Item 2 above.

Committee Voting (Carried) – 6/0

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

Not Applicable

## General Management Services Governance and Councillor Support



<b>Report number / title:</b>	<b>GM-010/25</b>	<b>Standing, Occasional and Advisory Committee Review (<i>Absolute Majority – part A</i>)</b>
File number:	GOV/39	
Proponent/s:		
Author:	Ms Lauren Townsend, Governance Coordinator	
Other Contributor/s:	Mr Jim Olynyk, Manager Governance and Councillor Support	
Date of Committee meeting:	17 June 2025	
Previously before Council:	31 October 2023 (GM-031/23, GM-032/23, GM-033/23)	
Disclosure of Interest:		
Nature of Council's role:	Executive	
Attachments:	1. Current Memberships for the Standing, Occasional and Advisory Committees	
Maps/Diagrams:		
Site:		
Lot Area:		

### Purpose of Report

For Council to:

1. Review the City of Rockingham's (**City**) current Occasional and Advisory committees of Council so as to determine their future status in consideration of the recent amendments to the *Local Government Act 1995 (LG Act)* and yet to be enacted changes from the *Local Government Amendment Act 2024 (Amendment Act)*; and
2. Appoint Presiding and Deputy Presiding Members to Council committees in accordance with section 5.12 of the LG Act.

### Background

Section 5.8 of the LG Act enables committees to be established by the Council to assist a local government in its affairs.

Recent amendments to the LG Act now mean that the presiding and deputy presiding members of committees, established under section 5.8, are to be appointed by the Council by absolute majority instead of the committee electing those roles by secret ballot. This requires implementation effective from 1 July 2025. Section 5.12 states:

#### **5.12. Presiding members and deputies**

(1) *The local government must appoint\* a member of a committee to be the presiding member of the committee.*

*\* Absolute majority required.*

(2) *The local government may appoint\* a member of a committee to be the deputy presiding member of the committee.*

*\* Absolute majority required.*

Further, the requirement for committees established under section 5.8 to be open to the public are also impacted by the Amendment Act and are as follows:

Section 5.23 of the LG Act currently states:

**5.23. Meetings generally open to public**

*(1) Subject to subsection (2), the following are to be open to members of the public —*

*(a) all council meetings; and*

*(b) all meetings of any committee to which a local government power or duty has been delegated.*

The above provisions will be replaced with the below:

**5.23. Meetings generally open to public**

*(1) The following are to be open to members of the public —*

*(a) all council meetings;*

*(b) all meetings of a committee.*

Therefore the City's current Occasional and Advisory committees will be open to the public, require advertising and public question time whereas previously it was only committees with the delegated authority of Council necessitating these requirements.

Considering these changes it is timely for Council to reconsider the status of Occasional and Advisory Committees in the context of establishing these on an informal basis such as advisory groups or panels.

## Details

The City currently has two (2) Standing, six (6) Occasional and eight (8) Advisory Committees. Non Council Committees are not considered in this report as these are not constituted under section 5.8 of the LG Act.

Below is a list of the City's current Standing, Occasional and Advisory committees with proposed recommendations for the future status of the group. Attachment 1 provides a list of the current membership to each committee.

Current Standing Committee	Future recommendation	Comments
Planning and Asset Services Committee	Planning and Asset Services Committee	No changes recommended.
Corporate and Community Development Committee	Corporate and Community Development Committee	No changes recommended.

Current Occasional Committee	Future recommendation	Comments
Audit Committee	Audit Committee	No changes recommended. Part 7 of the LG Act deals with audit requirements.
Behaviour Complaints Committee	Behaviour Complaints Committee	No changes are recommended. Given that this committee has delegated authority, it should be maintained and open to the public, noting that a majority of the matters will be discussed behind closed doors. Refer to Council Policy - Code of Conduct Complaints Management Process.

Current Occasional Committee	Future recommendation	Comments
CEO Performance Review Committee	CEO Performance Review Panel	<p>A decision on the performance and setting of KPIs for the CEO rests with the Council.</p> <p>The current CEO Performance Review Committee facilitates the compilation of data and communications with the CEO, including specialist input in the process from an appointed consultant. The task of this committee can be performed by a Panel.</p> <p>Given the nature of this group, it is suggested that it is distinguished as different to committees and advisory groups so the terminology “panel” is preferred.</p>
Community Grants Program Committee	Community Grants Program Panel	Internal consultation confirmed a panel rather than committee would be more appropriate. The group does not have community representation.
Customer Service Review Committee	Customer Service Review Committee	No changes recommended.
Governance Review Committee	Governance Review Panel	<p>Internal consultation confirmed that a panel would be more appropriate.</p> <p>Given the nature of this group and the functions undertaken (workshop/drafting), it is recommended that it is distinguished as different to committees and advisory groups so the terminology “panel” is preferred.</p>

Current Advisory Committee	Future recommendation	Notes
Australian Citizen Awards Selection Panel	Australian Citizen Awards Selection Advisory Group	Internal consultation determined that the City should distinguish the terminology used between the different groups to ensure clarity of requirements. Given the nature of this group, it is recommended the term “advisory group” be used rather than “panel”.
Bush Fire Advisory Committee	Bush Fire Advisory Committee	<p>No changes are recommended.</p> <p>Section 67 of the <i>Bush Fires Act 1954</i> (<b>BF Act</b>) enables the local government to establish a bush fire advisory committee. Rules regarding this committee such as meeting procedures, membership etc is dealt with in the BF Act and the LG Act requirements regarding committees do not apply as long as it is clear this committee has been established under the BF Act not the LG Act.</p>

Current Advisory Committee	Future recommendation	Notes
Coastal Facilities Advisory Committee	Coastal Facilities Advisory Group	Internal consultation confirmed an advisory group rather than committee would be more appropriate. Communication with existing members required outlining the reasoning behind the name change.
Community Safety and Support Services Advisory Committee	Community Safety and Support Services Advisory Group	Internal consultation confirmed an advisory group rather than a committee would be more appropriate. The last expression of interest to call for applications for this committee did not attract enough applicants to meet the Terms of Reference and thus its membership numbers were reduced. Communication with existing members required outlining the reasoning behind the name change.
Environmental Advisory Committee	Environmental Advisory Group	Internal consultation confirmed an advisory group rather than committee would be more appropriate. Advice is intended to be channelled through the Strategic Planning and Environment team and incorporated into any report to Council. The advice is also provided at various stages of project development, rather than simply when a decision needs to be made, which would also be difficult under a formal committee in accordance with the amended LG Act (ie. the committee would need to agree and vote on the advice being provided at each point). Communication with existing members required outlining the reasoning behind the name change.
Global Relationship Committee	Global Relationship Advisory Group	Internal consultation confirmed an advisory group rather than committee would be more appropriate. Communication with existing members required outlining the reasoning behind the name change.
Heritage Reference Group	Heritage Reference Advisory Group	Internal consultation confirmed an advisory group rather than committee would be more appropriate. Communication with existing members required outlining the reasoning behind the name change.
RoadWise Advisory Committee	RoadWise Advisory Group	Internal consultation confirmed an advisory group rather than committee would be more appropriate. Communication with existing members required outlining the reasoning behind the name change.

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

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

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

**Outcome/Objective:** Quality Leadership - Active advocacy for the community

**d. Policy**

Council Policy – Governance and Meeting Framework

In the interests of continuity and retention of knowledge, all community memberships will be reviewed by the Committee in the period between 1st July and 30th September in the year falling between local government ordinary elections. A nomination and selection process will be undertaken with all membership proposals being considered by Council for endorsement.

**e. Financial**

Nil

**f. Legal and Statutory**

Sections 5.8, 5.9 and 5.10 of the *Local Government Act 1995 (Act)* specify requirements in respect to establishment of committees, types of committees that a local government can create and appointment of committee members.

Section 5.12 of the Act now requires that the Council must appoint a presiding member and may appoint a deputy presiding member of the committee, by an Absolute Majority vote. This requires implementation effective from 1 July 2025.

The *Local Government Amendment Act 2024* through the replacement of section 5.23 will result in all committees established under section 5.8 being open to the public. Further these committees are also required to:

- provide time for public question time
- give public notice of the date and agenda for the committee meeting
- meet a relevant quorum
- follow voting procedures
- adhere to Minute procedures
- adhere to Meeting procedures

**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

Council Members were provided with a draft copy of the proposed changes which was discussed at a Councillor Engagement Session on 22 May 2025. It is suggested that informal advisory working groups or panels are not referred to as “committees” where it is not intended for the requirements of the LG Act to apply. The City should distinguish between terminologies used amongst the different groups to ensure clarity of requirements. As discussed below, it is recommended that the current Occasional/Advisory committees be categorised as either remaining a committee, a panel or an advisory group.

### Advisory Group/Panel v Committee of Council

Advisory groups or panels can be made up of Council Members, City Officers, community members and others. Advisory groups or panels do not have decision making powers and are more casual in structure as they are not be subject to the same rules of established committees. However, Advisory groups and panels will be subject to Terms of Reference. Advisory groups and panels will also provide recommendations for City Officers to inform Council.

**Panel** means a small group of Council Members and may subject to the purpose of the panel include City of Rockingham Officers appointed by Council to collate information and form recommendations to inform an officer report, for the formal decision making process of Council.

**Advisory Group** means a collection of Council Members, City of Rockingham Officers and individuals brought together to provide advice, guidance, and input on a specific area of expertise or a particular project or issue.

Conversely a Committee of Council is required to adhere to requirements outlined in the LG Act and also provides an avenue for advice, through an officer report, to go to Council.

Of the six (6) current Occasional Committees it is recommended that the Council only establish three (3) Occasional Committees under the LG Act being the Audit Committee, Behaviour Complaints Committee and Customer Service Review Committee, with the remaining three (3) being a panel.

There are eight (8) Advisory Committees all of which have community representation. It is not considered useful to subject community members to these new requirements [previously noted], which may further detract from the City’s ability to gain membership, which is presently a challenge. As such advisory groups are recommended to be established to assist City Officers in providing advice and advocacy to Council.

Other notable points are:

- No action is required on committees established under separate legislation, such as the Bush Fire Advisory Committee.
- The Behaviour Complaints Committee is currently the only committee of Council with delegated authority and no change has been recommended.
- The Customer Service Review Committee will remain as the support mechanism to Council Policy – Service Complaints.
- No changes are proposed for the two Standing Committees, Planning and Asset Services Committee and Corporate and Community Development Committee.
- The City is still waiting for further information regarding the future establishment of the audit committee, so it is not proposed to address any changes until the legislated requirements are known.

On 22 April 2025, a Council resolution was made to defer the Global Relationship Committee Appointments to the June 2025 Ordinary Council Meeting (GM-006/25). Given that this report recommends that the Global Relationship Committee be established as a Global Relationship Advisory Group, it is proposed that Council considers appointments at the July 2025 Ordinary Council Meeting so those who nominated to become members of the Global Relationship Committee can be contacted to advise them of the structure change of the group and confirm they still wish to proceed with their nomination.

Finally, given the election of Presiding Members by the particular Committees were intended to be for the period expiring at the 2025 Local Government Elections and that it is only due to legislative requirements that Council is now required to appoint these positions for the period 1 July 2025 to the 2025 Local Government Election, Council may consider it practical and efficient to reappoint the current members to these positions.

## Voting Requirements

Part A - Absolute Majority and Part B - Simple Majority

## Officer Recommendation

### **Part A (Absolute Majority)**

That Council:

1. **RETAINS** the following established committees under section 5.8 of the *Local Government Act 1995*:
  - Planning and Asset Services Committee
  - Corporate and Community Development Committee
  - Audit Committee
  - Behaviour Complaints Committee
  - Customer Service Review Committee
2. **APPOINTS** the following Council Members to the position of Presiding Member to the Council's Committees until the October 2025 Local Government Elections –
  - Deputy Mayor Lorna Buchan – Planning and Asset Services Committee
  - Cr Craig Buchanan – Corporate and Community Development Committee
  - Mayor Deb Hamblin – Audit Committee
  - Mayor Deb Hamblin – Behaviour Complaints Committee
  - Mayor Deb Hamblin – Customer Service Review Committee
3. **APPOINTS** \_\_\_\_\_ to the position of Deputy Presiding Member of the Planning and Asset Services Committee until the October 2025 Local Government Elections.
4. **APPOINTS** Councillor \_\_\_\_\_ to the position of Deputy Presiding Member of the Corporate and Community Development Committee until the October 2025 Local Government Elections.
5. **APPOINTS** Councillor \_\_\_\_\_ to the position of Deputy Presiding Member of the Audit Committee until the October 2025 Local Government Elections.
6. **APPOINTS** \_\_\_\_\_ to the position of Deputy Presiding Member of the Behaviour Complaints Committee until the October 2025 Local Government Elections.
7. **APPOINTS** \_\_\_\_\_ to the position of Deputy Presiding Member of the Customer Service Review Committee until the October 2025 Local Government Elections.

### **Part B (Simple Majority)**

That Council:

1. **APPROVES** the removal of the following Occasional Committees:
  - CEO Performance Review Committee
  - Community Grants Program Committee
  - Governance Review Committee

**And** replaces them with the following panels which shall retain the same membership and general terms of reference as per the previous Occasional Committees:

- CEO Performance Review Panel
  - Community Grants Program Panel
  - Governance Review Panel
2. **APPROVES** the removal of the following Advisory Committees:
    - Australian Citizen Awards Selection Panel
    - Coastal Facilities Advisory Committee

- Community Safety and Support Services Advisory Committee
- Environmental Advisory Committee
- Global Relationship Committee
- Heritage Reference Group
- RoadWise Advisory Committee

**And** establishes the following advisory groups which shall retain the same membership and general terms of reference as per the previous Advisory Committees:

- Australian Citizen Awards Selection Advisory Group
  - Coastal Facilities Advisory Group
  - Community Safety and Support Services Advisory Group
  - Environmental Advisory Group
  - Global Relationship Advisory Group
  - Heritage Reference Advisory Group
  - RoadWise Advisory Group
3. **APPROVES** amending relevant Council Policy references the subject of Items 1, and 2 above (Part B).
  4. **APPROVES** City Officers contacting those who nominated to be a member of the Global Relationship Committee to confirm if they wish to proceed with their nomination with a report on Appointments to the Global Relationship Advisory Group to be considered at the July 2025 Ordinary Council meeting.

### Committee Recommendation

#### **Part A (Absolute Majority)**

That Council:

1. **RETAINS** the following established committees under section 5.8 of the *Local Government Act 1995*:
  - Planning and Asset Services Committee
  - Corporate and Community Development Committee
  - Audit Committee
  - Behaviour Complaints Committee
  - Customer Service Review Committee
2. **APPOINTS** the following Council Members to the position of Presiding Member to the Council's Committees until the October 2025 Local Government Elections –
  - Deputy Mayor Lorna Buchan – Planning and Asset Services Committee
  - Cr Craig Buchanan – Corporate and Community Development Committee
  - Mayor Deb Hamblin – Audit Committee
  - Mayor Deb Hamblin – Behaviour Complaints Committee
  - Mayor Deb Hamblin – Customer Service Review Committee

And appointments of Deputy Presiding Members be made at the Council Meeting.

3. **APPOINTS** \_\_\_\_\_ to the position of Deputy Presiding Member of the Planning and Asset Services Committee until the October 2025 Local Government Elections.
4. **APPOINTS** Councillor \_\_\_\_\_ to the position of Deputy Presiding Member of the Corporate and Community Development Committee until the October 2025 Local Government Elections.
5. **APPOINTS** Councillor \_\_\_\_\_ to the position of Deputy Presiding Member of the Audit Committee until the October 2025 Local Government Elections.

6. **APPOINTS** \_\_\_\_\_ to the position of Deputy Presiding Member of the Behaviour Complaints Committee until the October 2025 Local Government Elections.
7. **APPOINTS** \_\_\_\_\_ to the position of Deputy Presiding Member of the Customer Service Review Committee until the October 2025 Local Government Elections.

**Part B (Simple Majority)**

That Council:

1. **APPROVES** the removal of the following Occasional Committees:
  - CEO Performance Review Committee
  - Community Grants Program Committee
  - Governance Review Committee

**And** replaces them with the following panels which shall retain the same membership and general terms of reference as per the previous Occasional Committees:

- CEO Performance Review Panel
  - Community Grants Program Panel
  - Governance Review Panel
2. **APPROVES** the removal of the following Advisory Committees:
    - Australian Citizen Awards Selection Panel
    - Coastal Facilities Advisory Committee
    - Community Safety and Support Services Advisory Committee
    - Environmental Advisory Committee
    - Global Relationship Committee
    - Heritage Reference Group
    - RoadWise Advisory Committee

**And** establishes the following advisory groups which shall retain the same membership and general terms of reference as per the previous Advisory Committees:

- Australian Citizen Awards Selection Advisory Group
  - Coastal Facilities Advisory Group
  - Community Safety and Support Services Advisory Group
  - Environmental Advisory Group
  - Global Relationship Advisory Group
  - Heritage Reference Advisory Group
  - RoadWise Advisory Group
3. **APPROVES** amending relevant Council Policy references the subject of Items 1, and 2 above (Part B).
  4. **APPROVES** City Officers contacting those who nominated to be a member of the Global Relationship Committee to confirm if they wish to proceed with their nomination with a report on Appointments to the Global Relationship Advisory Group to be considered at the July 2025 Ordinary Council meeting.

Committee Voting (Carried) – 6/0

<b>The Committee's Reason for Varying the Officer's Recommendation</b>
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The appointment of Deputy Presiding Members, points 3 to 7 in Part A of the Committee Recommendation, to be considered at the Ordinary Council Meeting when all Council Members are present.

## General Management Services Governance and Councillor Support



<b>Report number / title:</b>	<b>GM-011/25    Annual Delegated Authority Register Review 2025-2026 (<i>Absolute Majority</i>)</b>
<b>File number:</b>	CPM/130
<b>Proponent/s:</b>	
<b>Author:</b>	Ms Lauren Townsend, Governance Coordinator
<b>Other Contributor/s:</b>	Mr Jim Olynyk, Manager Governance and Councillor Support
<b>Date of Committee meeting:</b>	17 June 2025
<b>Previously before Council:</b>	25 June 2024 (GM-010/24)
<b>Disclosure of Interest:</b>	
<b>Nature of Council's role:</b>	Executive
<b>Attachments:</b>	<ol style="list-style-type: none"><li>1. Review of City of Rockingham Delegated Authority Register 2025-2026</li><li>2. City of Rockingham Delegated Authority Register 2025-2026</li></ol>
<b>Maps / Diagrams:</b>	
<b>Site:</b>	
<b>Lot Area:</b>	

### Purpose of Report

For Council to approve the City of Rockingham (**City**) Delegated Authority Register 2025-2026 as detailed in Attachment 2.

### Background

In accordance with the section 5.46(2) of the *Local Government Act 1995* (**Act**), at least once every financial year, delegations made by Council are to be reviewed. The Delegated Authority Register (**Register**) was last reviewed by Council at the Ordinary Council meeting on 25 June 2024 – Item GM-010/24.

### Details

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

The 2025-2026 delegated authority review undertaken by Governance Services included consultation with current delegated and sub delegated officers, review of the Western Australian Local Government Association (**WALGA**) Local Government Decision Making Toolkit – Template Delegation Register and consideration of other local governments' approach to delegated authority.

## Implications to Consider

**a. Consultation with the Community**

Not Applicable

**b. Consultation with Government Agencies**

Not Applicable

**c. Strategic**

Community Plan

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

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

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

**d. Policy**

Not Applicable

**e. Financial**

Not Applicable

**f. Legal and Statutory**

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

- Section 5.16 Delegation of some powers and duties to certain committees
- Section 5.42 Delegation of some powers and duties to CEO
- Section 5.43 Limits on delegations to CEO
- Section 5.46(1) and (2) CEO to keep a register and delegations to be reviewed by the delegator
- Subdivision 2 - Disclosure of financial interests in returns
  - 5.74(1)(d) - an employee nominated by the local government to be a designated employee;

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

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

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

The *Building Act 2011*, *Bushfires Act 1954*, *Planning and Development Act 2005*, *Public Health Act 2016* and the *Food Act 2008* do not prescribe a review period for powers or duties delegated under the legislation, however officers have reviewed the relevant delegations as part of this annual review for the purposes of transparency.

**g. Risk**

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

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

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

Nil



## Comments

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

The City's Delegated Authority Register has been reviewed for relevance, effectiveness and legislation changes. Of the current 59 delegations, it is recommended that three delegations be amended, four delegations be revoked and one new delegation be adopted as outlined in Attachment 1.

Two delegations, 'Execution of Lease Documents' and 'Execution of Documents/Common Seal' are proposed to be revoked and replaced by a policy. Two delegations, 'Electoral Roll Eligibility Claims Processing' and 'Disposal of Property' are proposed to be revoked as they are no longer required. The remaining delegations remain unchanged. Further, one new delegation is proposed.

Council is requested to consider the outcome of the review and approve Attachment 2, City of Rockingham Delegated Authority Register 2025-2026, which incorporates all changes to the Register.

### Proposed Delegation Amendments

Ref	Delegations	Proposed Amendment / Change / Revocation
1.7	Execution of Lease Documents	<ul style="list-style-type: none"> <li>Remove from Register</li> <li>New Policy developed- 'Authority to Execute Documents'</li> </ul>
1.13	Execution of Document/ Common Seal	<ul style="list-style-type: none"> <li>Remove from Register</li> <li>New Policy developed- 'Authority to Execute Documents'</li> </ul>
1.17	Disposal of Property	<ul style="list-style-type: none"> <li>Remove from the Register</li> <li>Properties referred to in CS-016/21 have been actioned</li> <li>Disposal of Property is adequately dealt with in Delegation 2.11</li> </ul>
1.18	Electoral Roll Eligibility Claims Processing	<ul style="list-style-type: none"> <li>Remove from Register</li> <li>No delegated authority required as it is managed by the CEO in accordance with prescribed legislation</li> </ul>
4.6	Administration and Enforcement of the Cat Act 2011	<ul style="list-style-type: none"> <li>Clarify conditions in accordance of Section 45(6) of the <i>Cat Act 2011</i></li> </ul>
7.1	Town Planning Scheme	<ul style="list-style-type: none"> <li>Due to an amendment to TPS2 (Amendment No.191) required to change "IP" to "I" for all staff with delegated authority</li> <li>"City Policy" is not a term defined under the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> so amended to state "Local Planning Policy" rather than "City Policy"</li> <li>Changed table references due to Amendment No.191</li> <li>Amendments made to car parking provisions</li> <li>Insert the term "negative" to 1(b) and 1(m)</li> <li>Consolidated delegation 7.2 (5) into 7.1 (4)(c)</li> <li>General grammar amendments</li> </ul>

Ref	Delegations	Proposed Amendment / Change / Revocation
7.2	Planning and Development Act 2005 – Other Delegations	<ul style="list-style-type: none"> <li>Due to legislative amendment of the <i>Planning and Development Amendment (Metropolitan Region Scheme) Act 2024</i> amend from Clause “32” to Clause “28”</li> <li>Delete 7.2(5)</li> <li>General grammar amendments</li> </ul>

**Proposed New Delegation**

8.5	Authority to approve infrastructure on a verge	<ul style="list-style-type: none"> <li>New delegation</li> <li><i>Local Government (Uniform Local Provisions) Regulations 1996</i>, Regulation 17</li> <li>Grant permission for construction on, over or under a public thoroughfare or other public place which is local government property and impose such conditions as thought fit.</li> <li>To facilitate requests from Australia Post to erect ‘relay boxes’ within a verge</li> </ul>
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**Delegations – No changes**

The remaining 52 delegations have been reviewed and no amendments have been identified. Council is requested to re-adopt with no changes.

Ref #	Title
1	Behaviour Complaints Committee
1.2	Variation, Extension and Novation of Contracts
1.3	Appoint Authorised Persons
1.4	Powers of Entry
1.5	Expression of Interest and Tenders – For Supply of Goods or Services
1.6	Acceptance/Rejection of Expressions of Interest and Tenders – For Supply of Goods or Services
1.8	Designation and employment of Senior employees
1.9	Appoint Acting Chief Executive Officer
1.10	Legal Representation – Elected Members and Employees
1.11	Land Acquisition to Purchase Privately Owned Land
1.14	Approve Short Listing of Artists
1.16	Appointing Internal and External Complaints Officer Local Government (Model Code of Conduct) Regulations
1.19	Administration of Local Laws
1.20	Designated Employees
2.1	Payment from Municipal Fund or Trust Fund
2.2	Trust Fund – Transfers
2.3	Waive / Grant Concession or Write Off Monies Owing
2.4	Amend the Rate Record
2.5	Agreement as to Payment of Rates and Service Charges
2.6	Rates or Service Charges Recoverable in Court
2.7	Change of Basis of Rates
2.8	Recovery of Rates Debts – Require Lessee to Pay
2.9	Recovery of Unpaid Rates – Taking Possession of the Land
2.10	Extension of Time for Objection to the Rate Record
2.11	Disposal of Property

Ref #	Title
2.12	Approve Lease Property Grants
2.13	Procurement Framework
3.1	Approve Minor Grants
4.1	Bush Fires Act – Powers and Duties
4.2	Bush Fires Act – Prohibited Burning Times
4.3	Bush Fires Act – Prosecutions
4.4	Disposing of Confiscated or Uncollected Goods and Sick or Injured Animals
4.5	Dog Act 1976 – Section 10AA
4.7	City of Rockingham Parking Local Law 2018 / Local Government (Parking for People with Disabilities) Regulations 2014
5.1	Building and Demolition Permits
5.2	Occupancy Permits and Building Approval Certificates
5.3	Building Orders
5.4	Building Information
5.5	Private Swimming Pools
5.6	Smoke Alarms
5.7	Fencing
5.8	State Administrative Tribunal Proceedings
5.9	Infringement Notices – Building Services
5.10	Signs, Hoardings and Bill Posting
6.1	Food Act 2008 – Prohibition Orders
6.2	Food Act 2008 – Registration of Food Business
6.3	Food Act 2008 – Prosecutions
7.3	Approved Subdivisions
8.1	Road Closures – Temporary
8.2	Payment of Subsidies
8.3	Control and Management of Land, Facilities and Reserves
8.4	Graffiti Vandalism

### Voting Requirements

Absolute Majority

### Officer Recommendation

That Council **APPROVES** the City of Rockingham Delegated Authority Register 2025-2026 as detailed in Attachment 2.

### Committee Recommendation

That Council **APPROVES** the City of Rockingham Delegated Authority Register 2025-2026 as detailed in Attachment 2.

Committee Voting (Carried) – 6/0

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

Not Applicable

## Community Development Economic Development and Tourism



<b>Report number / title:</b>	<b>CD-010/25</b>	<b>Economic Development Strategy 2025 - 2030</b>
<b>File number:</b>	ECD/24	
<b>Proponent/s:</b>		
<b>Author:</b>	Ms Melissa James, Manager Economic Development and Tourism	
<b>Other Contributor/s:</b>	Mr Jimmy Ho, Senior Economic Development Officer Mr Michael Holland, Director Community Development	
<b>Date of Committee meeting:</b>	17 June 2025	
<b>Previously before Council:</b>	22 April 2025 (CD-008/25)	
<b>Disclosure of Interest:</b>		
<b>Nature of Council's role:</b>	Executive	
<b>Attachments:</b>	1. Economic Development Strategy 2025 – 2030	
<b>Maps / Diagrams:</b>		
<b>Site:</b>		
<b>Lot Area:</b>		

### Purpose of Report

To seek Council's adoption of the Economic Development Strategy 2025 - 2030, following the public comment period.

### Background

The new Economic Development Strategy 2025-2030 (**EDS**) builds on the outcomes of the previous strategy. The draft EDS was endorsed for public comment at the Council Meeting on 22 April 2025.

The draft EDS was available for public comment over a four-week period, from Tuesday 28 April 2025 until Tuesday 27 May 2025. The City of Rockingham (**City**) received 10 submissions.

### Details

The EDS outlines a strategic way forward to drive sustainable economic growth, enhance local employment opportunities, and position the City as a premier location for development and investment in strategic industries. Built on the successful delivery of previous strategies, this new EDS ties Rockingham's economic potential with its unique assets and competitive advantages, including its strategic location, dynamic population growth, and significant industrial and natural resources.

Extensive consultation with key stakeholders, including government agencies, key industry representatives, local businesses and community members was undertaken in order to develop this EDS. The findings from the consultation, as well as industry research, have resulted in 40 actions (23 new and 17 ongoing) that have been grouped into five key elements.

### **Key Element 1: Rockingham Strategic Centre Vibrancy**

Develop a vibrant Rockingham Strategic Centre powered by sustainable urban development, place activation, integrated transport infrastructure and technology innovation.

This Key Element contains six new actions and one ongoing action. Some actions incorporated into this Key Element include:

- Develop a cohesive framework to guide improvements to the public realm within the Rockingham Strategic Centre through the preparation of a Public Realm Plan, Public Realm Style Guide, Street Tree Master Plan and Public Art Strategy.
- Undertake a review of the Rockingham Beach Foreshore Master Plan with consideration to evolving community demographics and economic aspirations, ensuring recreational, tourism, and cultural activities meet long-term needs.
- Continue to advocate for enhanced public transport within Rockingham, and tier-2 transport options within the Rockingham Strategic Centre and Western Trade Coast.

### **Key Element 2: Centre for the Defence Sector and Strategic Industries**

Promote and facilitate the development of the defence sector and strategic industries by capitalising on Rockingham's competitive advantages i.e. close proximity to HMAS Stirling, Western Trade Coast and (future) Westport.

This Key Element contains four new actions and two ongoing actions. Some actions incorporated into this Key Element include:

- Communicate with State and Federal Government, and support community engagement efforts to increase public awareness and understanding of AUKUS impacts and opportunities.
- Facilitate discussions with State Government, tertiary education institutions, and relevant stakeholders and encourage them to design training and/or Research and Development programs to support the defence, defence-related industries and strategic industry cluster development.
- Maintain and strengthen relationships with HMAS Stirling Commander and key Federal and State Government Ministers and Opposition Spokespersons relating to Defence.
- Support strategic regional projects that will provide distinct economic benefits for Rockingham in line with the City's Strategic Community Plan.

### **Key Element 3: Investment Attraction and Advocacy:**

Position Rockingham and the region as a premier destination for investment by showcasing unique opportunities, building strategic partnerships, and advocating for major infrastructure projects that support sustainable economic growth.

This Key Element contains five new actions and five ongoing actions. Some actions incorporated into this Key Element include:

- Allocate resources to develop and manage a comprehensive Advocacy Strategy and/or study that articulates the benefits of priority projects, ensuring strong representation to funding bodies and decision-makers.
- Facilitate connections to establish public, private, and public-private partnerships to invest, and accelerate development of strategic industries and major transformational projects i.e. Port Rockingham Marina, Rockingham Strategic Centre Dixon Road development, quality hotel, and commercial office space.
- Increase the profile and awareness of investment opportunities in Rockingham through marketing and promotion to key industry sectors.
- Coordinate and host a biennial (every two years) investor event to provide an update on the City and major projects.

### **Key Element 4: Local Business Network Support**

Empower local businesses by fostering a competitive and innovative environment through targeted support, streamlined processes, and initiatives that enhance productivity and growth opportunities.

This Key Element contains five new actions and four ongoing actions. Some actions incorporated into this Key Element include:

- Support opportunities to establish a co-working business resource hub in Rockingham.
- Support local business start-up, mentorship and social entrepreneurial programs (i.e. training).
- Conduct a biennial (every two years) Business Satisfaction survey.
- Maintain membership and continue to evaluate the benefits of the Small Business Friendly Local Government Program operated by SBDC.

#### **Key Element 5: Workforce Development and Liveability**

Support programs and initiatives to equip the local community with skills for the future and create vibrant, well-connected spaces that attract talent, enhance quality of life, and support sustainable growth.

This Key Element contains three new actions and two ongoing actions. Some actions incorporated into this Key Element include:

- Support initiatives like young entrepreneurship boot camps and tech innovation challenges (i.e. TEDx, TEDYouth, skills workshops) to inspire and retain young talent in Rockingham.
- Support Town Team groups to activate underutilised spaces, encouraging visitation and generating more business opportunities.
- Advocate and work with relevant State Government agencies and WA Planning Commission to expand the amount of employment generating land in Port Kennedy, Baldivis and Karnup as a matter of priority.

Over the next five years (2025–2030), this EDS will continue to serve as a roadmap for unlocking the City's economic development potential, while enhancing the quality of life for its local residents. Through targeted investment programs, strategic partnerships, and a focus on industry innovation and workforce development, Rockingham will solidify its role as a thriving, future-ready economic hub in the Perth South West metropolitan region of Western Australia and beyond.

### **Implications to Consider**

#### **a. Consultation with the Community**

Following Council endorsement at the 22 April 2025 Council meeting, the draft EDS was publicly advertised for a period of four weeks from 28 April 2025 to 27 May 2025.

The following channels were utilised to advertise the public comment period:

- RockPort and Share Your Thoughts pages
- Public notice at the City's Administration Building and libraries
- Scheduled an advertisement in the Sound Telegraph
- Scheduled social media posts
- The City's Business Newsletter (May 2025 edition)
- Direct emails to relevant stakeholders at local, regional, state and national level
- Public announcements via City organised business events and functions

At the end of the public comment period, the City received ten submissions, with the majority supporting the strategy, the key elements and the proposed actions of the draft EDS.

1	<p><u>Comment(s) from Dominique Griffiths, local resident</u></p> <p>Hi, I have just read the above document and am disappointed to find that there is still no plan for a shark safe enclosure like the one at Coogee beach which is so popular with tourists and residents alike. Rockingham beaches are beautiful but very few people enjoy them because they are too scared of sharks. Such an enclosure comes at a high cost but it brings huge benefits, one being improved health to the users as it promotes exercise which is one of the pillars of health. I believe that the enclosure would very quickly pay for itself through a lesser demand on Medicare as it would improve people's health through swimming, walking in water and just being in the great outdoors. Another point is that local students could learn to snorkel safely there. We'll need marine scientists in the future and what better way to encourage them into the marine world. I continue to hope that someone will listen.</p>
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	<p><u>Officer's Response</u></p> <p>The implementation of a shark net is not relevant to the EDS. The City has no plans to implement a shark net.</p>
2	<p><u>Comment(s) from Lloyd Mansfield, local resident</u></p> <p>Strategy seems good, but I think the local, state and federal governments need to look at a Tier 1 rail link from Rockingham to Fremantle passing through the RIZ area to provide transport for workers to new and existing industries north along the coastal area to take the pressure off the road system and save people using cars which is not a benefit to a greener economy.</p>
	<p><u>Officer's Response</u></p> <p>The provision of public transport is the responsibility of the State Government. There have been no indications of any intent to deliver a Rail Line from Rockingham to Fremantle. Action 8.1.7 addresses the City's continued advocacy for tier-2 transport options within the Rockingham Strategic Centre and Western Trade Coast. At a regional level, the Perth South West Metropolitan Alliance has identified liveability and connectivity as a key advocacy priority, with a focus on linking major centres that are not currently served by rail.</p>
3	<p><u>Comment(s) from Aaron Bennett, Rockingham Centre (Vicinity)</u></p> <p>Regarding item 5.1 Key Element 1: Rockingham Strategic Centre Vibrancy, the overview, focuses and actions noted are definitely heading in the direction required to address issues within the RSC. The need to understand and support Syren St as an entertainment and dining hub is very welcome. Likewise the focuses on the public realm, tourism drivers, vibrant urban lifestyles and overall connectivity. It would be great to be provided with updated information on the Rockingham City Centre Transit System (RCCTS).</p>
	<p><u>Officer's Response</u></p> <p>Comment received and noted regarding Key Element 1. Further information regarding the RCCTS was also provided to the respondent as requested.</p>
4	<p><u>Comment(s) from Warwick Carter, Perth South West Metropolitan Alliance (PSWMA)</u></p> <p>Thank you for the opportunity to comment on the City of Rockingham's Draft Economic Development Strategy 2025–2030. The document provides a strong foundation for advancing the region's economy, capturing the significant opportunities facing Rockingham as it plays a leading role in the State's economic growth agenda.</p> <p>In general, the strategy encapsulates the major state and federal aspirations for the region, and the City's emerging position in defence, manufacturing and infrastructure. The vision is sound, and the framework is appropriate, with well-defined key elements.</p> <p>General Observations</p> <p>The strategy successfully identifies the major growth trends, and the City's comparative advantages. However, the following additional context may strengthen the narrative and the actions proposed.</p> <p>Regional Population Growth</p> <p>Recent growth has substantially exceeded forecasts. Contributing factors may include:</p> <ul style="list-style-type: none"> <li>• The comparatively lower cost of living relative to the eastern states</li> <li>• Employment opportunities emerging from major infrastructure and industry investment</li> <li>• Delayed migration from the COVID-19 period</li> </ul>
	<p><u>Officer's Response</u></p> <p>The suggested feedback on Regional Population Growth has been incorporated into the Regional Population Growth Section, as presented on page 15 of the EDS.</p>

	<p><b>Local Context</b></p> <ul style="list-style-type: none"> <li>It is worth noting that HMAS Stirling is already Australia's largest naval base and is the geographical centre of AUKUS Pillar One activities. This provides Rockingham with a credible and strategic position to advocate for Pillar Two engagement, though this is less geographically determined.</li> <li>Defence jobs are uniquely stable and less sensitive to market volatility compared to jobs in areas such as the Rockingham Industry Zone (RIZ), where the neighbouring Kwinana Industrial Area has been affected by closures and restructures including ALCOA, Nickel West and the BP refinery.</li> <li>Defence has a high economic multiplier. It drives substantial secondary economic activity through not only supply chains but consumption effect drive by high population turnover, increasing demand for retail, hospitality, public safety, education and other services.</li> <li>The long-term presence of US and UK submarines, followed by Australia's own nuclear fleet under AUKUS, will see a sustained defence presence in Rockingham through to the 2030s and beyond.</li> </ul>
	<p><u>Officer's Response</u></p> <p>Suggested feedback on jobs relating to the defence and strategic industries has been highlighted under Industry Specialisations and Industry Summary sections, as presented on page 27 of the EDS.</p>
	<p><b>Rockingham Industry Zone SWOT</b></p> <ul style="list-style-type: none"> <li>Consider explicitly including limitations in active transport (walking and cycling), as well as public and private vehicle access, under weaknesses.</li> </ul>
	<p><u>Officer's Response</u></p> <p>Limited active transport will be included as a weakness (Infrastructure limitations) in the SWOT analysis, as presented on page 40 of the EDS.</p>
	<p><b>Strategic Centre and Urban Vibrancy</b></p> <ul style="list-style-type: none"> <li>The delivery of high-amenity urban centres is dependent on the economic viability of medium and high-density development. WA's prevailing market is heavily oriented towards single-storey, detached housing using brick construction.</li> <li>The construction workforce currently lacks sufficient capacity and expertise in delivering higher-density built forms. This is not due to regulatory barriers – planning and building controls are generally supportive – but reflects a systemic market and workforce limitation across metropolitan Perth.</li> </ul>
	<p><u>Officer's Response</u></p> <p>Limited capacity in delivering higher density built forms has been identified as a potential threat (Economic viability of construction projects) in the SWOT analysis, as presented on page 42 of the EDS.</p>
	<p><b>Investment Attraction and Industrial Land Supply</b></p> <ul style="list-style-type: none"> <li>While there is strong investor interest – particularly surrounding AUKUS, Made in WA, and Westport – there is a critical lack of market-ready industrial land.</li> <li>With a single government agency responsible for most industrial land development and long lead times, the risk is that land will not be available when investors are ready.</li> <li>The current model of demand led development sees entire industrial estates being presold in the region prior to construction (e.g. Orion Estate) and whilst economically safe, limits the growth of the region through lost opportunities. There is a need for a state-led land banking approach with a proactive release strategy, informed by anticipated (not just actual) demand.</li> <li>The City should advocate for a more risk-tolerant industrial land development model that positions Rockingham to capture national and international investment.</li> </ul>

	<p><u>Officer's Response</u></p> <p>Issues relating to lack of market-ready, employment generating industrial land has been identified as a weakness (under-activated government land) in the SWOT analysis, as presented on page 46 of the EDS. Strategic Action 8.2.3: the City will continue to work closely with Department of Jobs, Tourism, Science and Innovation (JTSI), DevelopmentWA and other relevant stakeholders to identify potential future land development opportunities in Rockingham and the surrounding region has been included to address this.</p>
	<p>Key Element 1 – Strategic Centre Vibrancy</p> <ul style="list-style-type: none"> <li>While the planning framework is appropriate, developers may seek short-term returns by proposing low-density or underutilised outcomes.</li> <li>Council must hold firm to the strategic vision and resist compromising on built form quality and density. The amenity and vibrancy of the strategic centre rely on sufficient population to support retail, hospitality and public services, meaning waiting for the right economic conditions for the built form outcomes desired is preferable to short term underdevelopment.</li> </ul> <p>Key Element 2 – Defence and Strategic Industries</p> <ul style="list-style-type: none"> <li>It should be noted Rockingham's role in hosting and support incoming AUKUS personnel and associated families.</li> <li>The transition to Australian nuclear submarines means that this presence will not be temporary. Rather, a consistent defence footprint will extend through the mid-2030s and beyond, anchoring long-term population and economic growth.</li> </ul> <p>Key Element 3 – Investment Attraction and Advocacy</p> <ul style="list-style-type: none"> <li>Demand generation must be matched by supply. Without market-ready land and infrastructure, awareness efforts may create interest that cannot be converted into investment.</li> <li>Closer partnerships with DevelopmentWA, the Property Council, UDIA and private developers are essential to improve market delivery and readiness.</li> <li>Consider funding and supporting regular political engagement and representation in Canberra to strengthen advocacy outcomes.</li> </ul> <p>Key Element 4 – Local Business Support</p> <ul style="list-style-type: none"> <li>Support should be expanded to assist local businesses in strategic planning for economic opportunities they may not yet be aware of – particularly those associated with AUKUS and international arrivals.</li> <li>There is a specific opportunity in tourism, as defence-related family migration from the US will increase demand for local experiences, short-term accommodation and visitation.</li> <li>There is potential for partnerships with local Chambers of Commerce to raise awareness and build local business capability to respond to this emerging market.</li> </ul> <p>Key Element 5 – Workforce and Liveability</p> <ul style="list-style-type: none"> <li>Workforce availability is consistently ranked the number one risk across major industrial, defence and infrastructure projects in the region.</li> <li>While much attention is rightly focused on trade and technical occupations, growth across the economy will also require significant increases in services workforce: childcare, hospitality, health, community services, etc.</li> <li>While there are many pathways into trades promoted in the region, Youth should have access to the same range of career opportunities as their peers in the most affluent parts of Perth. Educational and career pathways must be broadened to include high-skilled, high-paying roles that align with their desired career goals.</li> <li>Affordable and social housing will be crucial. High-paying jobs are already beginning to compete for a limited workforce. Ensuring housing for the arts, innovation, startup and service sectors is essential to maintain community diversity and long-term amenity.</li> </ul>

	With regard to iconic and major events, consider how marketing and scheduling is coordinated across the region to avoid competition for the same audience and economic impact.
	<p><u>Officer's Response</u></p> <p>The City acknowledges that the AUKUS Security Pact between Australia, the United Kingdom and United States presents significant opportunities as well as challenges to the local economy. As part of the preparation for the development of the draft Strategy, the City commissioned an analysis of the Defence and Defence-related industries cluster development in Rockingham. A series of recommendations presented in the final report have been thoroughly considered when developing Key Element 2 (Centre for the Defence Sector and Strategic Industries) of the draft Strategy. All other comments have been noted.</p>
	<p>Measuring Success</p> <ul style="list-style-type: none"> <li>• The use of employment self-sufficiency as a performance metric should be considered at a regional level.</li> <li>• Rockingham residents often work in nearby industrial centres such as Kwinana, which may be geographically closer than travelling within Rockingham itself. Regional commuting patterns provide a more realistic picture of local economic integration and liveability.</li> </ul>
	<p><u>Officer's Response</u></p> <p>The use of employment self-sufficiency has already been included as one of the performance metrics, as presented in Section 6 (Measuring Success), page 59 of the draft Strategy. The City is supportive of assessing employment self-sufficiency at a regional level, and will work with the Perth South West Metropolitan Alliance to measure this.</p>
	<p>Strategic Actions – Recommendations</p> <p>The following additional actions are recommended for consideration:</p> <ul style="list-style-type: none"> <li>• 8.1 Rockingham Strategic Centre Vibrancy <ul style="list-style-type: none"> <li>◦ Consider commissioning a study into development cost economics for high-density urban development to understand delivery viability based on local land costs, construction and sales data.</li> </ul> </li> <li>• 8.4 Local Business Network Support <ul style="list-style-type: none"> <li>◦ Partner with neighbouring councils to promote opportunities associated with international migration from the defence sector.</li> </ul> </li> <li>• 8.5 Workforce Development and Liveability <ul style="list-style-type: none"> <li>◦ Advocate to the State Government for improvements in educational pathways, and seek Department of Education benchmarking of local secondary school course offerings against top-performing WA schools.</li> </ul> </li> </ul>
	<p><u>Officer's Response</u></p> <p>The City is supportive of these recommended additional actions being driven through the Perth South West Metropolitan Alliance in collaboration with neighbouring local councils.</p>
5	<p>Comment(s) from Mr Gregory A Reid, local resident</p> <p>Can you explain to me the practice of planting large trees that will require constant pruning under power lines instead of smaller more compact varieties that would not need constant expensive maintenance.</p>
	<p><u>Officer's Response</u></p> <p>Comment not related to the draft Strategy, and has been passed to the relevant department to respond.</p>
6	<p>Comment(s) from Tom Huberli, RSM Australia (Rockingham Office)</p> <p>I've had a read of the draft and it looks good. Not sure I can add much to be honest. I agree with the SWOTs for both sections you mention. All strategies that improve the main central area around here and Rockingham Beach Road are welcome.</p>

	<p>I think the City's willingness to flex on sub-division and development, where appropriate, will be vital to alleviating accommodation shortages and increasing the pace of build and quality of our infrastructure investments.</p> <p>Good quality commercial office space around here is a must in the med-long term as is good EV charging infrastructure given our distance from Perth.</p>
	<p><u>Officer's Response</u></p> <p>Received and noted.</p>
7	<p><u>Comment(s) from Irene Teh, DevelopmentWA</u></p> <p>Thank you for the opportunity to provide feedback on the City's new Draft Economic Development Strategy 2025-2030 (the EDS). We found the document to be both methodical and comprehensive, underpinned by clear objectives and well-considered actions. The City is to be commended for its thoughtful and strategic approach.</p> <p>DevelopmentWA has reviewed the updated EDS in the context of our landholdings / project areas, including the Rockingham Industrial Zone, Port Kennedy Business Park and Karnup. We acknowledge the five key elements discussed during community consultation and generally support the proposed actions, particularly in relation to 'Theme 1: Defence', 'Theme 2: Heavy / Strategic Industry' and 'Theme 5: Investment Attraction and Advocacy'.</p> <p>We also note the City's interest in collaborating with us and the Department of Jobs, Tourism, Science and Innovation to identify future opportunities in Rockingham municipality for industrial and employment-generating land and supporting infrastructure. We welcome this opportunity and are keen to explore how we can work together to supply more industrial lots to the market and enhance local employment outcomes.</p> <p>Please don't hesitate to contact the undersigned if you would like to discuss this further. We look forward to receiving updates on the EDS and continuing our collaborative inter-agency efforts.</p>
	<p><u>Officer's Response</u></p> <p>Received and noted.</p>
	<p><u>Comment(s) from Nihar Rai, South Metro TAFE</u></p> <p>Page 21: With Australia's plans to acquire nuclear-powered submarines (SSN-AUKUS), Rockingham will see further growth through increased government investment and strategic defence projects such as the Navy's enhanced lethality surface combatant fleet planned after the Fleet Review. (*info from <a href="https://www.minister.defence.gov.au/media-releases/2024-02-20/navys-enhanced-lethality-surface-combatant-fleet">https://www.minister.defence.gov.au/media-releases/2024-02-20/navys-enhanced-lethality-surface-combatant-fleet</a>)</p> <p>Page 43 - Consultation Findings – Strategic Centre Vibrancy SWOT, Strengths</p> <p>Strong TAFE sector: SM TAFE Rockingham campus is a key educational asset, providing a skilled workforce for various sectors, including tourism, retail, and professional services. (*info from <a href="https://www.southmetrotafe.wa.edu.au/campuses/rockingham">https://www.southmetrotafe.wa.edu.au/campuses/rockingham</a>)</p> <p>Page 56 - 5.2 Key Element 2: Centre for the Defence Sector and Strategic Industries</p> <p>Rockingham presents opportunities for growth in advanced manufacturing and defence industries, particularly under the AUKUS agreement and the new shipbuilding planned from the Fleet Review. (*info from <a href="https://www.minister.defence.gov.au/media-releases/2024-02-20/navys-enhanced-lethality-surface-combatant-fleet">https://www.minister.defence.gov.au/media-releases/2024-02-20/navys-enhanced-lethality-surface-combatant-fleet</a>)</p>
	<p><u>Officer's Response</u></p> <p>All comments noted, and minor amendments have been made to reflect the feedback.</p>
9	<p><u>Comment(s) from Esther Anderson, Western Trade Coast Business Network</u></p> <p>The Draft Economic Development Strategy 2025–2030 is thorough, well researched, and takes a strong independent lens. But strategies are only as valuable as the lived experiences they include. I'd like to add some local insight, grounded in the reality of what it means to live, work, and run a business here in Rockingham.</p>

	<p>This isn't just a policy discussion. It's about what actually works for small business owners, consultants, industry partners, and professionals who are trying to contribute to this city's growth but are missing the foundational tools to do so. If we genuinely want to support local business and position Rockingham for the future, including our role in defence, innovation and the MICE sector, we need to start by addressing the basics.</p>
	<p><u>Officer's Response</u></p> <p>Key Element 4: Local Business Network Support focuses on growth of local businesses which is fundamental to building a resilient and diverse economy.</p>
	<p>What follows is my direct input to outline why a dedicated Business Hub for Rockingham is not just desirable, it's well overdue. Why Rockingham Needs a Business Hub (And why we're missing out by not having one) - There's no Business Hub.</p> <p>No shared working space. No modern venue that says "Yes, Rockingham is open for business."</p> <p>Rockingham Business Hub – Information Concept</p> <p>With over 6,000 local businesses and a growing professional sector, Rockingham is thriving on paper, but struggling on the ground. There is currently no central location for professionals to meet, collaborate or grow. Between Fremantle and Mandurah, there is no dedicated business hub, despite Rockingham's strategic location, competitive land rates, and increasing role in defence, renewables and industry. It's time to change that.</p> <p>Why a Business Hub? My Points to Make:</p> <ol style="list-style-type: none"> <li>1. What's the issue? We have population growth and rising industry - but no professional place to meet. Coffee shops aren't cutting it. There's no visible hub for business, no co-working, no flexible meeting space.</li> <li>2. Who would use it? Consultants, SMEs, Perth-based contractors, remote workers, industry reps, start-ups. Anyone needing a place to meet, work or run small events locally.</li> <li>3. Why now? The City's own strategy supports it. Local feedback confirms it. And with defence and infrastructure expanding, the need is only growing.</li> <li>4. What's the alternative? People keep commuting to Fremantle or Cockburn, or avoid Rockingham altogether. We lose local activity, visibility, and opportunity.</li> <li>5. What would it include? Hot desks, meeting rooms, smart AV, drop-in options, workshop space. A professional, flexible, visible space to support all forms of business activity.</li> </ol> <p>What are the risks of doing nothing? We remain invisible. We under-serve our local economy. And we miss the momentum that's already building.</p> <p>Don't Mistake Dollars for Direction</p> <p>Sure, defence will bring the money - whether it's from state or federal sources, funding is coming. But cash alone doesn't build a resilient local economy. What's missing is cohesion. The groundwork. The relationships. The spaces where local business, industry partners, and government actually sit down, share knowledge, and build together.</p> <p>Defence might deliver infrastructure and investment, but it won't automatically create the kind of cross-sector collaboration we need, not unless we put systems in place for people to connect, innovate, and support one another. That's where a Business Hub becomes more than a building. It becomes the meeting point. The centre of gravity. The place where strategy meets real people trying to make real things happen.</p> <p>If we get it right, we create an ecosystem where defence investment strengthens our local economy and not overshadows it.</p> <p>The Vision: A Business Hub as the Game Changer</p> <p>If Rockingham had a Business Hub, it wouldn't just be a set of desks or rooms. It would be a unifier. A magnet. A neutral, professional, and welcoming space that draws everyone in, regardless of group or membership. (and NO, it doesn't happen anywhere in Rockingham at all)</p>



	<p>It would:</p> <ul style="list-style-type: none"> <li>• Offer a base for major events, industry briefings, and business expos</li> <li>• Provide neutral territory where all business sectors feel welcome</li> <li>• Create opportunities to build bridges between groups and professionals</li> <li>• Be the launchpad for coordinated programs, workshops, and cross-sector initiatives</li> <li>• Set Rockingham apart from neighbouring LGAs by offering something they don't: a home base for business, innovation, and connection</li> </ul> <p>But beyond events and networking, it would become something even bigger, a Business Exchange and Enterprise Centre. A place where:</p> <ul style="list-style-type: none"> <li>• Start-ups can thrive, supported by mentoring, practical space, and visibility</li> <li>• Established businesses and innovators collide, exchanging ideas, talent, and tools</li> <li>• STEM education and entrepreneurship are seeded into the next generation</li> <li>• Community-benefit projects can be launched and supported</li> </ul> <p>Look at Mandurah's Make Place. I had a desk there for 3 years. Out of that came:</p> <ul style="list-style-type: none"> <li>• Peel Bright Minds, bringing science and innovation into everyday conversation</li> <li>• STEM into schools, introducing students to future-facing industries</li> <li>• The creation of TEDx Mandurah, giving local voices a global stage</li> <li>• Seniors Digital Expo</li> <li>• Ecommerce partnership</li> </ul> <p>That's what happens when you create the right kind of space, one that's designed for growth, inclusion, and momentum. Rockingham deserves the same, and has everything it needs to do it better and to bring it all together.</p>
	<p><u>Officer's Response</u></p> <p>Key Element 4 of the EDS recognises the need to build the connections, knowledge-sharing spaces, and systems that enable local businesses, industry partners, and the community to work together and share in the benefits. Actions 8.4.1 and 8.4.2 of the Strategy are designed to support the creation of a shared working place/business hub and system where entrepreneurship and innovation could grow and flourish in Rockingham.</p>
10	<p><u>Comment(s) from Stacey Graham, Remember Me Funerals</u></p> <p>Good afternoon - please find my comments in relation to the Draft Economic Development Strategy 2025-2030:</p> <p>Having read through the above numerous times I find the 'Draft' is not addressing actual economic development which consistently shows throughout the document.</p> <p>The opening paragraph stating:</p> <p>It is worth noting that Rockingham is yet to secure any critical game-changing, transformational development projects capable of redefining its own economic landscape, in spite of its strategic location and significant economic potential,</p> <p>I believe says it all!</p> <p>From a tourism perspective - I am VERY concerned that Rockingham is willingly being directed into a Defence (AUKUS) and Industrial (WESTPORT) City - no longer a City where those living, working or visiting Rockingham can enjoy its natural attractions and tourism opportunities.</p> <p>I understand (from attending the Naval Defence Conference supported by the City of Rockingham and hosted by the Rockingham Kwinana Chamber of Commerce Inc.), that 'barriers' will be applicable in Cockburn Sound once AUKUS is well underway - what does that mean for our local and visiting Fishers?</p>
	<p><u>Officer's Response</u></p> <p>Regarding AUKUS, Westport and the potential impacts on Cockburn Sound access, the specific details on exclusion zones or operational barriers are being determined at the State and Federal Government level. The City continues to engage with relevant stakeholders to advocate for transparent communication and consultation with local communities, including fishers and tourism operators.</p>

	<p>While there is a LOT of information provided within the DEDS 2025-2030 there certainly does not seem to be strategies/actions that will actually achieve the 'pipedreams' mentioned in the document?</p> <p>I also found that there was conflicting information within the Strategy ie:</p> <ul style="list-style-type: none"> <li>Rockingham possesses economic specialisations in the defence, health, construction and manufacturing industries. A comparative analysis against the broader region suggests the municipality also has a regional advantage in education and tourism</li> </ul> <p>Then:</p> <ul style="list-style-type: none"> <li>Rockingham has a relatively low job containment and employment self-sufficiency rate, suggesting there is an opportunity to improve the share of local resident workers and the associated economic benefits and -</li> <li>Resident workers have a relatively low skill and qualification profile when compared to the broader region, suggesting there is an opportunity to further improve local workforce training, education and skills development.</li> </ul> <p>To then highlight that:</p> <ul style="list-style-type: none"> <li>The City of Rockingham generated over \$11 billion in economy output in 2023, an increase of 23% since 2019. The construction, public administration and safety (defence), along with manufacturing, are the primary sectors driving output in Rockingham, collectively contributing to 50% of the region's total output. Between 2019 and 2023, all industries in Rockingham saw output growth. Notable increases occurred in the public administration and safety (+\$522 million), manufacturing (+\$362 million), and construction (+\$239 million). Despite representing a smaller portion of total output, industries such as arts and recreation (+53%), mining (+49%), and administrative and support services (+40%) also demonstrated significant growth during this period.</li> </ul>
	<p><u>Officer's Response</u></p> <p>While it's true that Rockingham has experienced strong growth in key industries such as defence, manufacturing, and construction, the City also faces challenges around local workforce skills, job containment, and employment self-sufficiency. These realities can coexist when economic growth in certain sectors or localities does not necessarily translate to all residents being able to gain equal access to the associated opportunities. Key Element 5: Workforce Development and Liveability of the Strategy focuses on workforce development, skills training, and collaboration with education providers such as South Metro TAFE and Murdoch University. These efforts are designed to ensure more (if not all) of Rockingham's residents are better equipped with relevant skillsets and capability to participate in and benefit from our evolving economy.</p>
	<p>To go on and also report that the forthcoming Westport project is expected to further bolster Rockingham's connectivity to global trade and stimulate industrial development. Additionally, competitive land prices and rates make Rockingham an attractive option for industrial expansion (however) then state that - 'Despite these strengths, challenges persist that may hinder the growth of heavy industry in Rockingham and the region' seem highly contradictory and again is not giving any strategy/actions to overcome these problems.</p> <p>I would like to see a more concise document that gives actual outcomes for strategic actions that funds allocated for will achieve.</p>
	<p><u>Officer's Response</u></p> <p>The draft Economic Development Strategy 2025–2030 outlines a comprehensive roadmap that acknowledges both opportunities and challenges. 40 strategic actions have been included for the City to pursue across five Key Elements. Each action is supported by prudent resource allocations (where applicable) and will be delivered through detailed project planning and reporting to Council and the community. For initiatives outside of the City's control, the City will continue to advocate to the State and Federal Government to achieve positive outcomes for the community.</p>

b. Consultation with Government Agencies

The following stakeholders and government agencies were also invited through email to download the draft Strategy, review and make a submission during the public comment period.

- Australian Submarine Agency
- DefenceWest
- Department of Jobs, Tourism, Science and Innovation
- DevelopmentWA
- Perth South West Metropolitan Alliance
- Small Business Development Corporation
- South Metro TAFE
- Western Trade Coast Business Network
- Westport

Comments were received from DevelopmentWA, Perth South West Metropolitan Alliance, and South Metro TAFE as presented above.

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

**Outcome/Objective:** *Growing the business economy - Actively support and develop local business growth*

*Growing the business economy - Attract and promote new businesses and investment opportunities*

*Local employment - Support existing and new businesses to increase local employment opportunities*

*A visitor destination - Promote the City as a place to visit*

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

**Outcome/Objective:** *Quality Leadership - Active advocacy for the community*

d. **Policy**

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

e. **Financial**

The total cost of implementing the EDS is \$4,965,000 over the course of the five year period, including \$1,500,000 allocated to supporting iconic events. Of the total \$4,965,000, the cost of new actions is \$1,600,000. The cost of implementation of actions will be considered as part of the annual Team Plan process, with allowance for CPI 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 EDS 2025 - 2030 was developed following extensive community and stakeholder engagement, and reflects the potential economic development opportunities as well as challenges for local businesses and industries over the next five year period. It aligns with the City's economic aspiration in the Strategic Community Plan 2023-2033 which aims to position Rockingham as a hub for innovation, opportunity and community wellbeing by:

- Enhancing the vibrancy of its City Centre and tourism offerings
- Strengthening its position as a centre for defence and advanced industries
- Supporting local business networks to foster innovation and growth
- Building resilience across key industries through better training and workforce development
- Promoting high quality design, built form and place activation thereby strengthening social cohesion and enhancing liveability

Overall, feedback gathered during the public comment period supported the vision and strategic direction of the EDS in principle. As outlined in the Consultation section of this report, some minor amendments have been made to reflect the feedback received. Officers are now presenting the final Economic Development Strategy 2025-2030 to Council for adoption.

### Voting Requirements

Simple Majority

### Officer Recommendation

That Council **ADOPTS** the Economic Development Strategy 2025-2030, as detailed in Attachment 1.

### Committee Recommendation

That Council **ADOPTS** the Economic Development Strategy 2025-2030, as detailed in Attachment 1.

Committee Voting (Carried) – 6/0

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

Not Applicable

*Mayor Hamblin, Deputy Mayor Buchan, Cr Crichton and Cr Hume have declared an impartiality interest in item CD-011/25 Community Grants Program applications round one 2025/2026 and will deal with the matter on its merits and vote accordingly (refer to Item 9 for specific details).*

Community Development Community Capacity Building Community Grants Program Committee		
<b>Report number / title:</b>	<b>CD-011/25</b>	<b>Community Grants Program applications round one 2025/2026</b>
File number:	GRS/48	
Proponent/s:		
Author:	Mrs Amanda Fairhead, Community Grants Officer	
Other Contributor/s:	Mr Paul Hayward, Manager Community Capacity Building Ms Melissa James, Manager Economic Development and Tourism Ms Mary-Jane Rigby, Manager Community Safety and Support Services Mr Mathew Emmott, Manager Community Infrastructure Planning	
Date of Committee meeting:	17 June 2025	
Previously before Council:		
Disclosure of Interest:	<p>Mayor Hamblin declared an Impartiality Interest in item CD-011/25 Community Grants Program applications round one 2025/2025, as detailed in Regulation 22 of the <i>Local Government (Model of Conduct) Regulations 2021</i> and as per section 5.65 of the <i>Local Government Act 1995</i>, as she is Vice Patron of the Cruising Yacht Club of WA (Inc) and is Patron of the Rockingham Bowling Club. Mayor Hamblin will consider the matter on its merit and vote accordingly.</p> <p>Deputy Mayor Buchan declared an Impartiality Interest in item CD-011/25 Community Grants Program applications round one 2025/2025, as detailed in Regulation 22 of the <i>Local Government (Model of Conduct) Regulations 2021</i> and as per section 5.65 of the <i>Local Government Act 1995</i>, as she is Patron of the Rockingham Swimming Club. Deputy Mayor Buchan will consider the matter on its merit and vote accordingly.</p> <p>Cr Mike Crichton declared an Impartiality Interest in item CD-011/25 Community Grants Program applications round one 2025/2026, as detailed in Regulation 22 of the <i>Local Government (Model of Conduct) Regulations 2021</i> and as per section 5.65 of the <i>Local Government Act 1995</i>, as he is friends with the Senior Pastor at Centrepont Churches. Friends with the Vice President of the Rockingham Swimming Club, and SOUL is the sister organisation of The CREW where Cr Crichton is employed. Cr Crichton will consider the matters on its merits and vote accordingly.</p>	



Disclosure of Interest:	Cr Caroline Hume declared an Impartiality Interest in item CD-011/25 Community Grants Program applications round one 2025/2026, as detailed in Regulation 22 of the <i>Local Government (Model of Conduct) Regulations 2021</i> and as per section 5.65 of the <i>Local Government Act 1995</i> , as she personally knows members of the Safety Bay Tennis Club. Cr Hume will consider the matters on its merits and vote accordingly.
Nature of Council's role:	Executive
Attachments:	1. Minutes of the Community Grants Program Advisory Committee Meeting held on 15 May 2025
Maps / Diagrams:	
Site:	
Lot Area:	

### Purpose of Report

For Council to approve recommendations from the Community Grants Program Committee who met on 15 May 2025, in relation to the Community Grants Program (**CGP**) 2025/2026 Round One applications.

### Background

The CGP aims to provide financial assistance to eligible applicants to deliver initiatives and/or provide opportunities which enable outcomes in the following target areas:

- Community Development
- Sport and Recreation
- Economic Development
- Environment and Heritage
- Culture and the Arts
- Emergency Services

The Community Grants Program Committee considers applications for the Major Grants, Major Events Sponsorship, Community Infrastructure Grants and Heritage Assistance Grants through two funding rounds per annum.

### Details

Applications for CGP Round One 2025/2026 closed 4.30pm on Friday 4 April 2025. Applications received are summarised in the following CGP categories:

Grant Category	Eligible	Ineligible	Total
Major Grants	4	0	4
Major Event Sponsorship	1	0	1
Community Infrastructure Grants	4	0	4
Heritage Assistance Grants	0	0	0
<b>TOTAL</b>	<b>9</b>	<b>0</b>	<b>9</b>

Details for each eligible grant are provided in the next section.



## 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:**

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

**Outcome/Objective:**

*Connected community - Provide opportunities for community engagement and participation*

*Community health and wellbeing - Strengthen community health and wellbeing*

*Accessible services - Adapt services to meet changing community need*

*Inclusive community - Build connectivity with our diverse community*

**Aspiration:**

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

**Outcome/Objective:**

*Growing the business economy - Actively support and develop local business growth*

*Local employment - Support existing and new businesses to increase local employment opportunities*

*A visitor destination - Promote the City as a place to visit*

**d. Policy**

The CGP operates in line with the CGP Policy and the Governance and Meeting Framework Policy.

**e. Financial**

Major, Major Event Sponsorship and Heritage Assistance Grants

Officers are recommending a total amount of:

- \$47,720.32 for Major Grants and Major Event Sponsorship Grants
- \$0 for Heritage Assistance Grants

If Council supports these recommendations, approximately \$552,279.68 will remain in the Community Grants 2025/2026 budget.

It should be noted that the Community Grants balance changes on a daily basis due to General, Travel and Youth Encouragement grant approvals.

Community Infrastructure Grants

Officers are recommending a total amount of \$81,986.36 for Community Infrastructure Grants. If Council supports this recommendation, approximately \$78,013.64 will remain in the Community Infrastructure Grants 2025/2026 budget.

**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

Recommendations were made in accordance with the CGP assessment criteria, as endorsed by Council in February 2024.

### Proposed 2025/2026 Budget:

<b>CGP Budget allocated</b>	<b>\$600,000.00</b>
Funds spent to date:	\$ 0.00
Committed via Major Event Sponsorships	\$ 0.00
<b>Remaining Balance</b>	<b>\$600,000.00</b>
Recommended round one 2025/2026 applications (Major and Major Event Sponsorship Grants \$47,720.32 + Heritage Assistance Grants \$0.00)	\$ 47,720.32
<b>If approved, Total Remaining</b>	<b>\$552.279.68</b>
<b>Community Infrastructure Budget allocated</b>	<b>\$160,000.00</b>
Funds spent to date:	\$ 0.00
<b>Balance</b>	<b>\$160,000.00</b>
Recommended round one 2025/2026 applications	\$ 81,986.36
<b>If approved, Total Remaining</b>	<b>\$ 78,013.64</b>

## Voting Requirements

Simple Majority

### Advisory Committee Recommendation

That Council **APPROVES** the allocation of funds for Major Grants under the 2025/2026 Community Grants Program Round One, subject to any listed additional conditions:

Major and Major Event Sponsorship Grants					
Nr	Applicant	Project Title	Amount Requested	Committee Recommendation	Additional Grant Conditions
A	The Cruising Yacht Club of WA Inc.	68th Cockburn Sound Regatta	\$14,831.00	\$14,831.00 For three years (2025, 2026, 2027)	<ul style="list-style-type: none"> <li>Your organisation is to provide an opportunity for City of Rockingham Mayor to speak at the event</li> <li>Encourage your guests, participants and committee members to promote Rockingham on their social media and include the following tags: <ul style="list-style-type: none"> <li>Facebook: #RediscoverRockingham#myRockingham</li> <li>Instagram: #myRockingham</li> <li>Twitter: @RockinghamCity#myRockingham</li> </ul> </li> <li>Permit the City to obtain footage from the event for the purposes of promoting Rockingham.</li> <li>Subject to providing the City of Rockingham with a copy of your organisation's Public Liability Insurance that will be current at the time of the program/event.</li> <li>Obtain visitor survey data, and share any relevant key findings with the City as part of the post event acquittal.</li> </ul>
B	Centrepoint Church Incorporated	Christmas Carnival and Carols	\$14,529.73	\$14,529.73	<ul style="list-style-type: none"> <li>Please note your organisation will be required to obtain an outdoor event approval from the City of Rockingham. A copy of this approval (letter and certificate of approval only) must be attached to the acquittal.</li> </ul>

Major and Major Event Sponsorship Grants					
Nr	Applicant	Project Title	Amount Requested	Committee Recommendation	Additional Grant Conditions
C	Rockingham Swimming Club Inc.	Empowered Youth Swimming: From Pool to Ocean Swim Program 2025/2026	\$11,974.58	\$5,134.32	<ul style="list-style-type: none"> <li>Subject to providing the City of Rockingham with a copy of your organisation's Public Liability Insurance that will be current at the time of the program/event.</li> <li>Please note your organisation will be required to obtain an outdoor event approval from the City of Rockingham. A copy of this approval (letter and certificate of approval only) must be attached to the acquittal.</li> </ul>
D	Servants of United Love Incorporated	Support for Transitional Accommodation	\$7,300.00	\$7,300.00	<ul style="list-style-type: none"> <li>Subject to providing the City of Rockingham with a copy of your organisation's Public Liability Insurance that will be current at the time of the program/event.</li> </ul>
E	The Totally and Partially Disabled Veterans of WA INC.	Veterans Day 2025, Remembrance Day 2025, ANZAC Day 2026	\$5,925.27	\$5,925.27	<ul style="list-style-type: none"> <li>Subject to providing the City of Rockingham with a copy of your organisation's Public Liability Insurance that will be current at the time of the program/event.</li> </ul>
<b>TOTAL Major And Major Event Sponsorship</b>			<b>\$54,560.58</b>	<b>\$47,720.32</b>	

Community Infrastructure Grants					
Nr	Applicant	Project Title	Amount Requested	Committee Recommendation	Additional Grant Conditions
F	White Knights Cricket Club	The installation of shade sails on the western side of the Main Pavilion	\$20,000.00	\$20,000.00	<ul style="list-style-type: none"> <li>The installation of the Shade Sails to align with the design completed by Site Architecture.</li> <li>A building permit is required to be obtained prior to any work commencing. As the land is owned by the City it will need to be privately certified (BA1 form) and it is recommended that the proponent engages an independent building surveyor for further advice.</li> <li>All licensee consent conditions are to be met as listed on the Form of Consent for Alteration and Addition</li> </ul>

Community Infrastructure Grants					
Nr	Applicant	Project Title	Amount Requested	Committee Recommendation	Additional Grant Conditions
G	Rockingham Bowling Club	The development of a design and drawings of the club's kitchen	\$5,950.00	\$5,950.00	<ul style="list-style-type: none"> <li>The draft design and drawings to be sent to City Properties to review and comment prior to finalisation.</li> </ul>
H	Safety Bay Tennis Bay	Upgrade of the existing halogen lights to new energy efficient LED lights on courts one to seven.	\$21,565.45	\$21,565.45	<ul style="list-style-type: none"> <li>If the CNLP grant application is unsuccessful then SBTC to provide financial evidence of how to fund the proposed project.</li> <li>All lessor consent conditions are to be met as listed on the Form of Consent for Alteration and Addition dated 09 April 2025.</li> </ul>
I	Rockingham Men's Shed	Undertake an extension to the existing shed.	\$34,470.91	\$34,470.91	<ul style="list-style-type: none"> <li>All lessor consent conditions are to be met as listed on the Form of Consent for Alteration and Addition dated 25 March 2025.</li> <li>Shed extension to be offset from the service road by a minimum 0.5m.</li> <li>Final shed extension plans to be sent to the Community Infrastructure Planning team for review to ensure alignment with the planning of other community infrastructure.</li> </ul>
<b>TOTAL Community Infrastructure</b>			<b>\$81,986.36</b>	<b>\$81,986.36</b>	

#### Officer Recommendation

Not Applicable

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

Not Applicable

### Committee Recommendation

That Council **APPROVES** the allocation of funds for Major Grants under the 2025/2026 Community Grants Program Round One, subject to any listed additional conditions:

Major and Major Event Sponsorship Grants					
Nr	Applicant	Project Title	Amount Requested	Committee Recommendation	Additional Grant Conditions
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B	Centrepont Church Incorporated	Christmas Carnival and Carols	\$14,529.73	\$14,529.73	<ul style="list-style-type: none"> <li>Please note your organisation will be required to obtain an outdoor event approval from the City of Rockingham. A copy of this approval (letter and certificate of approval only) must be attached to the acquittal.</li> </ul>
C	Rockingham Swimming Club Inc.	Empowered Youth Swimming: From Pool to Ocean Swim Program 2025/2026	\$11,974.58	\$5,134.32	<ul style="list-style-type: none"> <li>Subject to providing the City of Rockingham with a copy of your organisation's Public Liability Insurance that will be current at the time of the program/event.</li> <li>Please note your organisation will be required to obtain an outdoor event approval from the City of Rockingham. A copy of this approval (letter and certificate of approval only) must be attached to the acquittal.</li> </ul>



Major and Major Event Sponsorship Grants					
Nr	Applicant	Project Title	Amount Requested	Committee Recommendation	Additional Grant Conditions
D	Servants of United Love Incorporated	Support for Transitional Accommodation	\$7,300.00	\$7,300.00	<ul style="list-style-type: none"> <li>Subject to providing the City of Rockingham with a copy of your organisation's Public Liability Insurance that will be current at the time of the program/event.</li> </ul>
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<b>TOTAL Major And Major Event Sponsorship</b>			<b>\$54,560.58</b>	<b>\$47,720.32</b>	

Community Infrastructure Grants					
Nr	Applicant	Project Title	Amount Requested	Committee Recommendation	Additional Grant Conditions
F	White Knights Cricket Club	The installation of shade sails on the western side of the Main Pavilion	\$20,000.00	\$20,000.00	<ul style="list-style-type: none"> <li>The installation of the Shade Sails to align with the design completed by Site Architecture.</li> <li>A building permit is required to be obtained prior to any work commencing. As the land is owned by the City it will need to be privately certified (BA1 form) and it is recommended that the proponent engages an independent building surveyor for further advice.</li> <li>All licensee consent conditions are to be met as listed on the Form of Consent for Alteration and Addition</li> </ul>
G	Rockingham Bowling Club	The development of a design and drawings of the club's kitchen	\$5,950.00	\$5,950.00	<ul style="list-style-type: none"> <li>The draft design and drawings to be sent to City Properties to review and comment prior to finalisation.</li> </ul>
H	Safety Bay Tennis Bay	Upgrade of the existing halogen lights to new energy efficient LED	\$21,565.45	\$21,565.45	<ul style="list-style-type: none"> <li>If the CNLP grant application is unsuccessful then SBTC to provide financial evidence of how to fund the proposed project.</li> </ul>

Community Infrastructure Grants					
Nr	Applicant	Project Title	Amount Requested	Committee Recommendation	Additional Grant Conditions
		lights on courts one to seven.			<ul style="list-style-type: none"> <li>All lessor consent conditions are to be met as listed on the Form of Consent for Alteration and Addition dated 09 April 2025.</li> </ul>
I	Rockingham Men's Shed	Undertake an extension to the existing shed.	\$34,470.91	\$34,470.91	<ul style="list-style-type: none"> <li>All lessor consent conditions are to be met as listed on the Form of Consent for Alteration and Addition dated 25 March 2025.</li> <li>Shed extension to be offset from the service road by a minimum 0.5m.</li> <li>Final shed extension plans to be sent to the Community Infrastructure Planning team for review to ensure alignment with the planning of other community infrastructure.</li> </ul>
<b>TOTAL Community Infrastructure</b>			<b>\$81,986.36</b>	<b>\$81,986.36</b>	

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**



<b>Report number / title:</b>	<b>MR-005/25</b>	<b>Meetings and Functions Attended by the Mayor and Deputy Mayor</b>
File number:	GOV/85	
Proponent/s:		
Author:	Mayor Deb Hamblin	
Other Contributor/s:	Cr Lorna Buchan, Deputy Mayor	
Date of Council meeting:	24 June 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 23 May 2025 to 19 June 2025.

**Background**

Nil

**Details**

Date	Meeting/Function
26 May 2025	FOGO Community Information Session
27 May 2025	City of Rockingham, Reconciliation Week Flag Raising Ceremony Council Meeting
29 May 2025	Meeting with Bishop Donald Sproxton DD VG and The Right Reverend David Basset Meeting with local community members Meeting at the Navy Club
30 May 2025	Perth Defence Breakfast with The Rt Hon Maria Eagle MP, UK Minister of Defence Procurement and Industry Meeting with Minister Whitby Ignite at Kolbe Catholic College
3 June 2025	Little Penguin Advisory Group Meeting with a local resident Councillor Engagement Session
4 June 2025	Meeting with a local resident
6 June 2025	Mural Unveiling Event at Koorana Primary School
9 June 2025	Meeting with Captain Burleigh Perth South West Metropolitan Alliance Board Meeting

Date	Meeting/Function
10 June 2025	Rockingham Jobs Fair 2025 Councillor Engagement Session
11 June 2025	Rotary Club Meeting
13 June 2025	Tour of Bush Classroom at Baldivis Secondary College Attendance Week Initiative at Safety Bay Senior High School
14 June 2025	Art Prize 2025 Awards Presentation
16 June 2025	Attended Rockingham General Hospital new Aged Care and Rehab Ward Therapy Garden Planning and Asset Services Committee
18 June 2025	Finance, Audit and Risk Management Committee South Metropolitan TAFE Governing Council Meeting FOGO Community Information Session

### 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 23 May 2025 to 19 June 2025.