



NOTICE OF MEETING

COMMITTEE OF COUNCIL

Members of the Committee of Council are advised that a meeting will be held in Council Chambers, Civic Building, 83 Mandurah Terrace, Mandurah on:

**Tuesday 12 June 2018
at 5.30pm**

MARK R NEWMAN
Chief Executive Officer
6 June 2018

COMMITTEE MEMBERS

Mayor Williams

Deputy Mayor Councillor Knight

Councillor Wortley

Councillor Jackson

Councillor Lee

Councillor Lynn Rodgers

Councillor Shane Jones

Hon Councillor Riebeling

Councillor Tahlia Jones

Councillor Darcy

Councillor Schumacher

Councillor Peter Rogers

Councillor Matt Rogers

AGENDA:

1 OPENING OF MEETING AND ANNOUNCEMENT OF VISITORS

2 ATTENDANCE AND APOLOGIES

Hon Councillor Riebeling (on Leave of Absence).

3 IMPORTANT NOTE:

Members of the public are advised that the decisions of this Committee are referred to Council Meetings for consideration and cannot be implemented until approval by Council. Therefore, members of the public should not rely on any decisions of this Committee until Council has formally considered the resolutions agreed at this meeting.

4 ANSWERS TO QUESTIONS TAKEN ON NOTICE

Nil

5 PUBLIC QUESTION TIME

Public Question Time provides an opportunity for members of the public to ask a question of Council. For more information regarding Public Question Time, please telephone 9550 3706 or visit the City's website www.mandurah.wa.gov.au.

6 PRESENTATIONS AND ANNOUNCEMENTS BY CHAIRMAN**7 DEPUTATIONS**

Any person or group wishing to make a 5-minute Deputation to the Committee meeting regarding a matter listed on this agenda for consideration must first complete an application form. For more information about making a deputation, or to obtain an application form, please telephone 9550 3706 or visit the City's website www.mandurah.wa.gov.au.

NB: Persons making a deputation to this Committee meeting will not be permitted to make a further deputation on the same matter at the successive Council meeting, unless it is demonstrated there is new, relevant material which may impact upon the Council's understanding of the facts of the matter.

8 CONFIRMATION OF MINUTES: Tuesday 8 May 2018.

(NB: It is the Elected Members' responsibility to bring copies of the previous Minutes to the meeting if required).

9 DECLARATIONS OF FINANCIAL, PROXIMITY AND IMPARTIALITY INTERESTS**10 QUESTIONS FROM ELECTED MEMBERS WITHOUT DISCUSSION**

10.1 Questions of which due notice has been given

10.2 Questions of which notice has not been given

11 BUSINESS LEFT OVER FROM PREVIOUS MEETING

12 REPORTS:

1	Balwina and Bulara Road Local Development Plan	1 - 6
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13 LATE AND URGENT BUSINESS ITEMS**14 CONFIDENTIAL ITEMS**

14.1 Restructure of Loan and Management Model

15 CLOSE OF MEETING

1	SUBJECT:	Balwina & Bulara Road Local Development Plan
	CONTACT OFFICER/S:	Ben Dreckow/Aaron Lucas
	AUTHOR:	Kyl Betteridge
	FILE NO:	LDP79

Summary

Council are requested to consider the proposed Local Development Plan (LDP) for Lots 201 – 220 inclusive Balwina and Bulara Road, Greenfields. The subject sites are within a tree preservation area, and are zoned Residential R5.

Officers have prepared the LDP in response to applications submitted to vary the prescribed fencing style for lots zoned R5 and below as required in Local Planning Policy 10. If approved, the LDP would provide detailed guidance on allowable fencing provisions including maximum allowance of solid style fencing and acceptable materials. The City has prepared the LDP to ensure there is a coordinated approach to fencing in the area.

The proposed LDP was advertised to the current land owners for a period of 21 days with a number of discussions with landowners having taken place and three written submissions being received.

It is recommended that Council adopt the proposed Local Development Plan for final approval subject to a modification that allows for a modification to the acceptable materials based on the submissions and feedback received during the advertising process.

Disclosure of Interest

Nil

Location



Property Details:

Applicant:	City of Mandurah
Owner:	Various
Scheme No 3 Zoning:	Residential (R5), Additional Use
Peel Region Scheme Zoning:	Urban
Land Use:	Residential

Previous Relevant Documentation

- G.18/5/10 25 May 2010 Council adopted Local Planning Policy No 10 (Residential Design Codes Provisions) after a review of the previously adopted policy dated November 2003.
- G.46/4/10 27 April 2010 Council adopted Amendment No 112 to Town Planning Scheme No 3 which rezoned the subject site from Rural Residential to Residential R5, following the land being rezoned from Rural to Urban in the Peel Region Scheme.

Background

In March 2015 the City received a request from the WAPC to comment on the proposed subdivision for Lot(s) 2 and 3 Lakes Road. The subdivision proposed to create 20 new lots of 2000m² each. The City initially supported the proposal subject to the lots being connected to sewer. The application was reviewed via the State Administrative Tribunal, and the necessity to connect to sewer was removed. As such the lots are required to install ATU systems in specific locations which has contributed to development constraints.

In March 2018 the City received an application to vary the fencing requirements as specified in the City's Local Planning Policy 10. In response to the request officers have prepared and advertised a Local Development Plan (LDP) to vary the local planning policy for these lots.

Comment

The Local Development Plan (Refer **Attachment 1**) includes development provisions with regard to; effluent disposal, tree preservation and more specifically fencing. The provisions demonstrate effluent disposal envelope locations and notification of tree preservation. Additionally the primary intention of the LDP is to provide allowable solid fencing locations and acceptable materials.

The lots are zoned Residential R5, with a minimum lot size of 2000m². Local Planning Policy 10 requirements for these lots are Timber post and rail fencing, including a timber top rail and two wire mid-rails to a maximum height of 1.2 metres. This standard has applied for a number of years throughout low density residential areas such as Pleasant Grove and Country Road estates. While true there are some examples of fencing in these areas which is not consistent with the approved Policy, it is also true in the most part that this fencing has been erected without approval. The City has previously taken enforcement action against owners in similar areas when it has become aware of unauthorised fencing and through the State Administrative Tribunal (SAT) process, has negotiated partial approvals.

The LDP proposes to vary the standard LPP provisions by proposing to allow the rear boundary and 50-percent of the side boundaries to be timber-lap solid fencing to a maximum height of 1.8 metres. Timber-lap fencing is considered to be a complementary natural finishing, and is more in keeping with the natural surrounds and amenity of the area. In addition, it is considered the timberlap fencing provides a consistent, uniform outcome. Some further modifications to these provisions are recommended, however, based on the submissions received.

On a 2000m² lot the provisions of the R-codes are considered to provide sufficient setbacks for the maintenance of privacy. Additional privacy measures can be provided through appropriate design and landscaping. The LDP proposes to keep open style fencing on corner lots and those with a secondary streets to maintain the natural character of the area and allow for the continued passage of terrestrial fauna. Owners of these lots are able to apply for additional fencing, and each application will be considered on merit. The City may consider partially solid fencing on corner lots with secondary streets, provided visual permeability above 1.2 metres is provided in acceptable materials.

MEAG Comment

This item was considered by the Mandurah Environmental Advisory Group at its meeting on 18 May 2018 and the following recommendations were made:

Due to the amenity and very high conservation values in the area, MEAG strongly support the officer's recommendation in the Local Development Plan.

Consultation

In accordance with Clause 50 of the Deemed Provisions for Local Planning Schemes, a proposed LDP is to be advertised for a minimum of 14 days. This proposed LDP was advertised for a period of 21 days to affected land owners via a mail out and email notification.

3 submissions were received, 1 in support and 2 objecting to the proposal. The comments have been considered in the below submissions table. In addition, the developer (and owner of a number of the lots) provided verbal support of the proposal.

Owner / Address	Submission (Summarised comments)	Comment
1. Peter & Renee Wall Lot 214 Balwina Road	a. Supports the proposed changes to fencing styles.	a. Noted
2. Bart & Anika Read Lot 211 Balwina Road	<p>a. Objects to open style fencing on secondary street (corner lots)</p> <p>b. Objects to the requirement of pine-lap fencing style. Would prefer 'colorbond' fencing</p>	<p>a. Noted. The Local Planning Policy does not allow solid fencing along the road side for properties with this density. The surrounding open style fencing allows for the retention of the semi –rural outlook as well as the movement of terrestrial fauna throughout the area. The City may consider partially solid fencing along secondary streets subject to application.</p> <p>b. It is considered pinelap fencing would better blend with the natural surrounds of the area than metal sheeting. Pinelap fencing ensures uniformity in appearance whereas 'colorbond' has the potential for each land-owner to opt for different colours creating an inconsistent appearance. However, it is acknowledged that 'colorbond' may be more durable and it considered that the areas marked on the plan may be appropriate. Ideally, some</p>

	<p>c. Feels pine-lap fencing deteriorate quickly and looks terrible over time.</p> <p>d. Concerned regarding cost of pine-lap fencing</p> <p>e. Questions the difference between pine-lap and 'colorbond' as both options are 'solid fencing'</p> <p>f. Concerns regarding safety and privacy due to open fencing on corner.</p>	<p>consistency in colour would be provided, however this matter is not considered a priority by officers.</p> <p>c. See comment above.</p> <p>d. Not a material planning consideration</p> <p>e. The City acknowledges both fencing styles are solid, and it is recommended that the LDP be modified accordingly.</p> <p>f. As per 2a, the City can consider partially solid fencing along the secondary street, provided fences are visually permeable above 1.2m. This would provide security/safety by way of a physical barrier. Additionally, visual permeability adds an extra level of security as it reduces the potential for criminal activity to go unseen from the public realm as per crime prevention through environmental design principles (CPTED).</p>
3. Rebecca & Claude Nesci Lot 210 Bulara Road	<p>a. Concerns regarding safety and privacy due to open fencing on corner.</p> <p>b. Questions the difference between pine-lap and 'colorbond' as both options are 'solid fencing'</p> <p>c. Requests the consideration of Limestone/masonry fencing similar to properties within the neighbouring estate of country road, pleasant grove etc.</p> <p>d. Notes several properties within similar zoning in neighbouring estates have 'colorbond' fencing.</p>	<p>a. As per 2a and 2f.</p> <p>b. As per 2e</p> <p>c. Limestone masonry materials could also be considered as per the image examples in the LDP.</p> <p>d. Noted. From Officers understanding, 'colorbond' is not the dominant fencing type in these areas. In some cases where it has been erected, it has not been approved and the City has previously taken compliance action.</p>

Statutory Environment

This Local Development Plan is prepared, advertised and adopted pursuant to Part 6 of the Deemed Provisions for Local Planning Schemes (as set out in the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2).

Clause 56(1) and Clause 67(h) of the Deemed Provisions for Local Planning Schemes state that the local government is to have due regard to a local development plan in making a determination under the local planning scheme and applications for development approval.

The provisions of the relevant local planning policies and the Residential Codes of Western Australia (R-Codes) may be varied as detailed in the Local Development Plan (LDP).

Any other provision not covered by the Local Development Plan shall be as per the operative Local Planning Scheme and the R5 provisions of the R-Codes.

Policy Implications

Nil

Risk Implications

In approving the LDP there is potential that other established low density Residential areas such as Country Road Estate and Pleasant Grove to seek similar dispensation from the policy.

Strategic Implications

The following strategies from the *City of Mandurah Strategic Community Plan 2017 – 2037* are relevant to this report:

Environment:

- Protect and ensure the health of our natural environment and waterways.
- Encourage and enable our community to take ownership of our natural assets, and to adopt behaviours that assist in achieving our environmental targets.
- Factor climate change predictions into land-use planning, building design and future council decisions.

Identity:

- Encourage active community participation and engagement.

Organisational Excellence:

- Listen to and engage with our community.

Conclusion

The LDP is intended to provide detailed guidance on allowable fencing provisions including maximum allowance of solid style fencing and acceptable materials.

It is recommended council adopt the Local Development Plan for final approval.

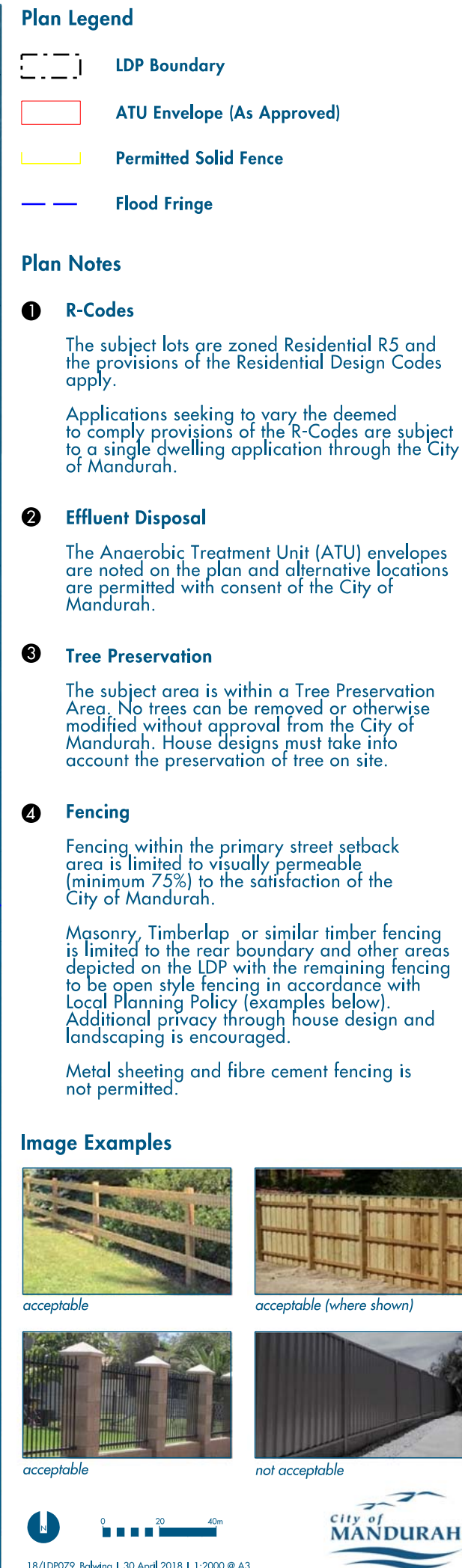
NOTE:

- Refer **Attachment 1** **Local Development Plan – Balwina & Bulara Road**

RECOMMENDATION

That in accordance with Clause 52(1)(a) of the Deemed Provisions for Local Planning Schemes, the Balwina & Bulara Road Local Development Plan (dated 30 April 2018) be adopted for final approval subject to the following modification:

- (a) Notes and provisions that restrict solid fencing to be restricted from using metal sheeting be removed from the Local Development Plan.**



2	SUBJECT:	Proposed Tavern – 8 Rod Court, Wannanup
	CONTACT OFFICER/S:	Ben Dreckow
	AUTHOR:	Danni Briggs
	FILE NO:	DA 9021

Summary

Council is requested to consider a development application for a proposed change of use from 'Restaurant' to 'Tavern' at the subject site. The application proposes to operate a food based venue for a maximum of 300 patrons operating under a Tavern Restricted liquor licence. The applicant is seeking a Tavern Restricted licence to enable the ability for stand-up functions and bar service which are not currently permitted under a Restaurant licence.

The proposal was advertised to approximately 200 landowners representing a 300m radius of the site with 14 submissions being received. Key comments raised relate to noise, antisocial behaviour, parking and security. Council will need to determine if through conditions, the proposal can be managed in a way that does not adversely affect surrounding residents.

Via a Noise Assessment, it has been demonstrated that the proposal can comply with the Environmental Protection (Noise) Regulations 1997 subject to a number of recommendations being implemented. These recommendations have been implemented through the recommended conditions, with additional conditions to ensure that the food focus of the venue is maintained and security is enforced to minimise the potential for antisocial behaviour and disruption.

It is relevant to note that a Licenced Restaurant is a permitted use within the Commercial zone and could operate without the need for a Development Approval, which would not provide the City with the ability to manage the venue through conditions.

It is considered that the application of appropriate management conditions would result in a premises that operates in a similar manner to a restaurant, and therefore through these conditions it is recommended that Council approve the proposed change of use.

Disclosure of Interest

Nil

Location



Property Details:

Applicant:	Crafty Enterprises Pty Ltd
Owner:	Cuisine Pty Ltd
Scheme No 3 Zoning:	Commercial
Peel Region Scheme Zoning:	Urban
Lot Size:	1960m ²
Topography:	Significant slope downwards from the north east to south west
Land Use:	Restaurant

Previous Relevant Documentation

Nil

Background

The subject building was originally approved as a restaurant with a separate toilet block and caretaker's dwelling. In 1996, approval was granted for the café and alfresco addition. The premises has previously been occupied by The Pines Restaurant and the Jolly Frog Restaurant.

Comment

Proposed Development

The application seeks to change the approved land use from Restaurant to Tavern, with the applicant proposing to operate under a Tavern Restricted Liquor Licence. The proposed business, known as The Cut Tavern Bar & Bistro, does not seek to increase the maximum occupancy for the building which is currently approved at 300 patrons. Under the City's Town Planning Scheme No 3 (Scheme) a Tavern is an 'AA' (discretionary) use within the Commercial zone, meaning it can be considered by Council. The applicant is seeking a Tavern Restricted licence to enable the ability for stand-up functions and bar service which are not currently permitted under a Restaurant licence.

The venue provides seating for 288 patrons (208 within the building and 80 within the alfresco area) which are to remain in place generally in accordance with plan provided (Refer **Attachment 1**), noting however that the operation of the facility may alter slightly over time. To further maintain a food focused venue, the kitchen shall remain open and able to provide substantial meals at all times of trade. The applicant is not seeking to sell takeaway liquor and has subsequently lodged for a restricted tavern licence.

The applicant seeks to provide a relaxed and casual atmosphere, with the proposed volume and style of entertainment to be focused on allowing normal conversation to occur. Any live entertainment will be acoustic based and together with any pre-recorded music, is to be played through an in-house amplification system which is proposed to include a sound limiting device, and during which time all doors must be closed to ensure maximum assigned levels are met.

Since the mail out of advertising letters, the applicant has sought to include the provision of TAB machines inside the building and a patio roof over the alfresco area. A small TAB is not considered to change the use, nor is it considered to cause any additional impacts on amenity. It is important to note that the applicant could add the TAB machines in at a later date without requiring planning approval. A TAB requires a separate application to Racing and Wagering WA. In order to progress the building renovations, the applicant has lodged a separate development application for the patio addition. Development approval for the patio addition to the restaurant was granted by the City on 29 May 2018 under delegated authority.

Liquor Licence

There are 10 categories of Liquor Licence available in Western Australia. Each licensed category varies in permitted trading hours and the manner in which liquor can be sold and supplied. However, specific conditions can be imposed on an individual Liquor Licence.

In relation to liquor licencing, Department of Racing Gaming and Liquor (RGL) performs numerous functions, including but not limited to:

- hearing and determining applications in accordance with the *Liquor Control Act 1988*;
- monitoring the standards of licensed premises;
- ensuring compliance with the requirements of the Act;
- facilitating various liquor accords and community alcohol agreements;
- developing and implementing policy consistent with Government objectives;
- considering complaints about noise or behaviour related to licensed premises and responding to such complaints; and
- dealing expeditiously with any other matters arising from the administration of the Act.

Under the *Liquor Control Act 1988*, an application for a Liquor Licence is made to RGL and is required to include local government certificates demonstrating compliance with:

- the Public Health Act;
- the Food Act;
- the Local Government Act;
- the Local Government (Miscellaneous Provisions) Act; and,
- specific planning matters.

The City's Town Planning Scheme serves as an important tool in shaping a community's liquor environment outside of the Liquor Control Act. An application for a Liquor Licence cannot be approved by RGL if local government planning approval has not been granted.

Through the planning application, the City has the opportunity to impose appropriate conditions, which may form part of a subsequent Liquor Licence if approved by RGL. The following flowcharts outline the procedures undertaken for a development approval and liquor licence application.



Most recently, within the City of Mandurah Tavern licences have been considered subject to conditions that control the operation of the licence to one that is more closely aligned with a Restaurant use.

The table below provides a comparison should the three listed liquor licence types be applied to the subject business and its proposed elements:

Cocktail Functions

Background Music / Entertainment

Order drinks from bar

Packaged alcohol

Patron numbers

Planning approval required & ability to impose conditions under Scheme

Restaurant	Tavern - Restricted
No	Yes
Yes	Yes
No	Yes
No	No
300 patrons	300 patrons
No	Yes

Amenity

The submissions received raise issues associated with excessive noise, the likelihood of anti-social behaviour and concerns about security. These matters are considered to be relevant planning considerations, however it possible to impose appropriate conditions that reflect the commitments that have been made by the applicant to operate in a manner that reduces the potential risks to public and private amenity.

Conditions are recommended with the aim of protecting the amenity of the area, include:

- Requirements for the presence of seating for the majority of patrons to ensure that patrons are seated whilst consuming alcohol, and to ensure the focus of the venue remains on dining.
- Noise management measures for both background music and live music with style, level and time restrictions.

- Restrictions on alfresco area use, and the opening of all windows and doors, in terms of operating times.
- Patron management plans that include the monitoring of patrons movements at the closure of the venue and provision of calling facilities to assist in monitoring behaviour.
- Requirements on the opening of the kitchen to provide substantial meals at all times to ensure a focus on food.

The above requirements represent harm minimisation measures aimed at reducing the impact of noise, discouraging excessive alcohol consumption and monitoring patron behaviour to ensure that surrounding amenity is not severely impacted. It should be noted that, the above requirements are not necessarily standard Tavern Licence conditions.

When considering the merits of a Tavern use and its potential amenity impacts, it is necessary to consider the particular venue proposed including conditions which might reasonably be applied to address amenity issues.

It is relevant to note that a Licenced Restaurant could operate without the need for a development approval, which would not provide Council with the ability to manage the venue through conditions, via the development approval process.

Parking

Under the Scheme, a Restaurant requires 1 bay per 4 seats and a Tavern requires 1 bay per 2m² of gross bar and lounge floor area (with concessions applicable where integrated within a mixed use complex). The subject site is approved as a Restaurant which if accommodating 300 patrons, would require a total of 75 car bays.

Given that the proposed tavern provides seating for the majority of the 300 patrons and recommended conditions promote a food based venue, it is reasonable to apply a restaurant ratio (i.e. 1 bay per 4 seats) requiring 75 bays.

There are 48 existing car bays available on Lot 222 and Lot 223, held under the same ownership and exclusively available for parking for the subject site. Additionally, there are approximately 17 bays within the immediately surrounding road reserves (within 100m of the site). The car parking has sufficiently provided for the current use as a restaurant and given the maximum patron numbers will be unchanged it is unlikely that the parking demand will increase.

Based on the above, Officers consider there is sufficient car parking available to accommodate the requirements for the proposed tavern.

Enforcement of Conditions

Should the planning application be approved, then the recommended conditions would form part of the City's recommendation to RGL and form part of their assessment of a subsequent Liquor Licence application. The City has the opportunity via the requirement for a Section 40 liquor permit to have all development related conditions transferred to the liquor licence to support ensuring compliance by both the City and RGL.

Through the Liquor Licence application process the City is given the opportunity to lodge an intervention seeking conditions on any liquor licence issued to ensure that there are appropriate enforcement opportunities to ensure the business operates in the manner to which it is approved. It should be noted that the issuance of a liquor licence is a matter for decision by RGL and would be subject to required advertising, public comment and opportunity from the Police and Executive Director of Public Health to raise any concerns. Conditions on the liquor licence are at the discretion of RGL.

Through these separate application processes, a number of conditions would be imposed that provide a clear framework for the operation of the business and enforcement options should the venue fail to comply with the requirements.

If a licensee is found in breach of the conditions of their Liquor Licence or if it is determined that the licence is no longer in the best interest of the public, the Liquor Commission can undertake action. Further breaches of the City's planning approval would allow the City to take actions under the provisions of the Planning and Development Act 2005. In addition, with regard to noise, the provisions of the Environmental Protection (Noise) Regulations 1997 apply to the premises and the City has authorised officers who can investigate and monitor alleged breaches of assigned levels as outlined below:

Agency	Legislation	Process
Local Government	Planning and Development Act 2005	Compliance with conditions of Development Approval
	Environmental Protection (Noise) Regulations 1997	Assessment against prescribed noise levels
Racing Gaming & Liquor (RGL)	Liquor Control Act 1988	Compliance with Liquor Licence conditions
		Respond to Section 117
		Complaints (Amenity Related)

Consultation

The application was advertised to approximately 200 surrounding landowners, within a 300m radius of the subject site. 14 submissions were received which have been summarised and responded to in the Schedule of Submissions (*refer **Attachment 2***).

Key issues raised in submissions were identified as:

- Noise

A number of submissions have expressed concern regarding potential noise impacts on the neighbouring residential properties. The applicant has submitted an Environmental Noise Assessment which concludes that the proposed use can comply with the Environmental Protection (Noise) Regulations 1997 subject to certain recommendations being implemented. These recommendations include ongoing acoustic monitoring, all live music or entertainment to conclude by 10pm (and notification to nearby residents), all windows and doors to be shut during live music, deliveries to occur between 7am and 6pm only and adequate security measures in place to deter antisocial behaviour.

The City's Officers have reviewed the submitted Noise Assessment and have incorporated the appropriate suggested measures within the recommended conditions to ensure that the amenity of the surrounding residential areas is maintained. Additionally, a condition requiring a three month review of the establishment is recommended to confirm compliance with the Environmental Protection (Noise) Regulations 1997 and the development approval. In order to alleviate concerns raised, the applicant has committed to restrict alfresco use Monday to Saturday during 10am to 10pm only to mitigate noise impacts on the residential properties nearby.

- Anti-social behaviour & Security

The potential for anti-social behaviour and inebriated patrons is recognised, however a number of conditions imposed serve as harm minimisation measures to ensure that the main focus of the venue is on food and dining. These conditions ensure significant seating is provided, substantial meals being available at all times, no takeaway alcohol sales and other methods for responsible service of alcohol. Additionally, a recommended condition will require that security are provided until one hour after

closing on Fridays and Saturdays to ensure that patrons do not loiter or cause excessive noise in the car park.

- **Parking**

The subject site is approved as a Restaurant which if accommodating 300 patrons, would require a total of 75 car bays. There are 48 existing car bays available on Lot 222 and Lot 223, held under the same ownership and exclusively available for parking for the subject site. Additionally, there are approximately 17 bays within the immediately surrounding road reserves (within 100m of the site). The car parking has sufficiently provided for the current use as a restaurant and given the maximum patron numbers will be unchanged it is unlikely that the parking demand will increase. As such, Officers consider there is sufficient car parking available to accommodate the requirements for the proposed tavern.

- **Enforcement of Conditions**

The City's ability to enforce conditions has been extensively examined. Should the City receive a complaint or become aware of breaches to operating conditions, then the City has an obligation to investigate.

In the event that the operator is found to be in breach of a planning condition, the City can take the appropriate action under the provisions of the Planning and Development Act 2005. With regard to noise, the provisions of the Environmental Protection (Noise) Regulations 1997 apply to the premises and the City has authorised officers who can investigate breaches of assigned levels. Breaches to this Legislation can result in financial and/or operating penalties.

Whilst separate to the City's enforcement responsibilities, if a licensee is found in breach of the conditions of their Liquor Licence or if it is determined that the licence is no longer in the best interest of the public, the Liquor Commission can undertake action. It is understood that RGL has authorised officers who may carry out random checks of a premises to ensure that a licensee is operating within the parameters of their Liquor Licence.

Statutory Environment

- Planning and Development Act 2005;
- Planning and Development (Local Planning Schemes) Regulations ("Deemed Provisions");
- Peel Region Scheme; and
- Town Planning Scheme No. 3.

Policy Implications

The City's Alcohol Management Policy advises that the City is committed to encouraging a vibrant night time economy and actively minimising alcohol related harm through supporting safer environments for drinking, managing the physical availability of alcohol, and through environmental design and planning that supports low risk consumption.

A summary of key points relevant to this application include:

- The City will promote an appropriate mix of land use that will prevent licensed premises having an unreasonable impact on the health, wellbeing, amenity and safety of the community.
- The City will consider the cumulative impact of licensed premises within any precinct prior to providing any approval or support for an application.
- The City will actively encourage the availability of substantial food at all liquor licensed venues and events to promote a food based focus. The availability of substantial food will be requested for hotels and taverns over 120 patrons.

- Actively encourage the availability of seating for patrons at all liquor venues as the preferred drinking environment. It will be requested that all hotels and taverns over 120 patrons provide seating for a minimum of 75% of patrons excepting one off events.

Given the proposed nature of this venue in providing seating for 288 patrons, providing substantial meals, and with recommended conditions that serve as harm minimisation measures, the City considers the application to meet these objectives.

It is relevant to note that the City's Alcohol Management Policy is not a Local Planning Policy adopted under the Scheme, and therefore in the event of an review being lodged with the SAT it is considered to have limited application.

Risk Implications

Should Council determine to refuse the application, there is a risk that the applicant may appeal the decision at SAT. It is noted that should Council resolve to refuse the application, contrary to officer's recommendations, it may be necessary to engage independent expertise to defend the decision.

Economic Implications

It is considered that the proposal will provide an opportunity to enhance local commercial activity within the locality, which is expected to contribute to and support the local economy.

Strategic Implications

The following strategies from the *City of Mandurah Strategic Community Plan 2017 – 2037* are relevant to this report:

Social:

- Provide a range of social, recreational, entertainment and learning experiences for our residents and visitors.

Identity:

- Encourage active community participation and engagement.

Conclusion

Council is requested to consider a development application for a proposed change of use from 'Restaurant' to 'Tavern' at the subject site. 14 submissions were received, with key comments raised relating to noise, parking, antisocial behaviour and security. Recommended conditions and management plans serve as harm minimisation measures.

Officers believe that the venue can operate within the allowable levels assigned by the Environmental Protection (Noise) Regulations. Appropriate noise management measures have been incorporated into the recommended conditions to ensure that the amenity of the surrounding residential areas is maintained. Additionally, a condition requiring a three month review of the establishment is recommended to confirm compliance with the Environmental Protection (Noise) Regulations 1997 and the development approval. In order to alleviate concerns raised, the applicant has committed to restrict alfresco use to 10am to 10pm only to mitigate noise impacts on the residential properties nearby.

Existing car parking available on Lot 222 and Lot 223 (48 bays) and on-street bays within immediately surrounding road reserves (approximately 17 bays within 100m of the site) are considered to be sufficient.

It is the view of Officers that through recommended conditions, the amenity impacts raised can be managed, providing a platform for enforcement in the event of a breach to conditions. It is relevant to note that a Licenced Restaurant could operate without the need for a Development Approval, which would not provide the City with the ability to restrict the venue through condition.

It is recommended that Council approve the proposal subject to conditions.

NOTE:

- Refer **Attachment 1** **Floor Plan**
Attachment 2 **Schedule of Submissions**

RECOMMENDATION

That in accordance with Clause 68(2) of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015 (Deemed Provisions for Local Planning Schemes)*, that Council grant development approval for proposed Change of Use to a Tavern (DA9021) at Lot 1926, No 8 Rod Court, Wannanup subject to the following conditions:

- 1. Prior to the commencement of the use, the vehicle parking, manoeuvring and circulation areas shall be marked (including loading and disabled bays), and thereafter maintained to the specification and satisfaction of the City of Mandurah. All uncovered car parking bays to be in accordance with Australian Standard AS2890.1. Any bays adjacent to kerbs or for those bays that are to be used for disabled parking, shall be in accordance with Australian Standards AS1428.1.**
- 2. The Waste Management Plan dated February 2018 shall be implemented at all times to the satisfaction of the City of Mandurah.**
- 3. The operation of the premises being carried out in accordance with the Harm Minimization Plan and Change of Use Application Report dated February 2018 to the satisfaction of the City of Mandurah.**
- 4. All glazing within the premises is to achieve a minimum rating of $R_w + C_{tr}$ 34dB, in accordance with the Environmental Noise Assessment dated 21 February 2018.**
- 5. Unless otherwise agreed in writing by the City of Mandurah, the following measures shall be taken to ensure that the proposed operation does not adversely affect the amenity of the neighbourhood:**
 - 5.1 The maximum number of patrons shall be 300 at any one time, subject to compliance with the Health (Public Buildings) Regulations 1992 Maximum Accommodation Certificate and whichever is the lesser amount.**
 - 5.2 Seating must be provided for a minimum 75% of the approved maximum accommodation number granted under the Health (Public Buildings) Regulations 1992 (equates to 225 seats) except for one-off events in accordance with the City's Alcohol Management Policy AOP-PBH 04.**

Opening Hours

5.3 Trading Hours shall be limited to 10:00am until midnight Monday to Sunday.

5.4 Substantial meals must be available to patrons at all times of trade.

Noise / Music

- 5.5 Amplified noise at the premises shall be conducted through a sound limiting device that is locked at all times except for inspection or maintenance work on the device. Access to the sound limiting device, except for maintenance work, is restricted to the licensee, nominee and the person in charge of the premises at any time.
- 5.6 The sound system must be capable of isolating individual areas.
- 5.7 The inside area of the building is the only area approved for live bands or DJ music. No live bands or DJ music is to occur in the Alfresco area at any time.
- 5.8 All doors and windows to the inside area shall be closed during high levels of music such as when a DJ or live band is in operation.
- 5.9 All live bands or DJ music is to cease from 10pm, this includes live bands or DJ music associated with private functions.
- 5.10 After 10:00pm, external speakers shall be switched off and are to remain off until 10:00am the following day.
- 5.11 All external doors (including Exit from Western Deck area going into Alfresco), to be fitted with automatic door closers and must not be obstructed or fixed in the open position.

Alfresco Usage

- 5.12 The Alfresco area is not to be used by patrons for any purpose between the hours of 10:00pm – 10:00 am Monday to Sunday.
- 5.13 Signage is to be provided identifying that the alfresco area is closed between the hours of 10:00pm – 10:00am Monday to Sunday.

Waste Collection and Deliveries

- 5.14 Delivery vehicles, forklifts and waste vehicles must only enter the site or be operated on or adjacent to the site between 7:00am and 7:00pm Monday to Saturday; and 9.00am and 7.00pm on Sundays or Public Holidays. All vehicles must have their engine turned off during loading and unloading of goods/waste associated with the use of the site to the satisfaction of the City of Mandurah.

Security

- 5.15 The number of Crowd controllers must be provided in accordance with the requirements of the Department of Local Government, Sport and Cultural Industries and be present until 1 hour after trading ceases each Friday and Saturday night and each Sunday that proceeds a Monday long weekend.
6. Within 3 months of occupancy, a verification assessment is required to be submitted to and approved in writing by the City of Mandurah. The verification assessment must ascertain the noise levels of the venue during high patron numbers, when live entertainment or significant music amplification is in operation and must include an assessment of the mechanical plant. A suitably qualified acoustic consultant must undertake the verification assessment and prepare a report confirming compliance or provide recommendations detailing measures to be taken to ensure the venue complies with the Environmental Protection (Noise) Regulations 1997). Any recommendations must thereafter be implemented to the satisfaction of the City of Mandurah.

7. Prior to the commencement of the use, the applicant / operator shall demonstrate their right to access at the car parks contained on Lot 222 and Lot 223 to the satisfaction of the City of Mandurah. This right to access may be via a legal agreement, lease or amalgamation and registered on the Certificate of Titles of Lot 222 and Lot 223 to the satisfaction of the City of Mandurah.

Advice Notes:

1. In addition to planning and building requirements, the Tavern shall comply with the Health (Public Buildings) Regulations 1992 and Food Act 2008.

PROPOSED SEATING

INSIDE

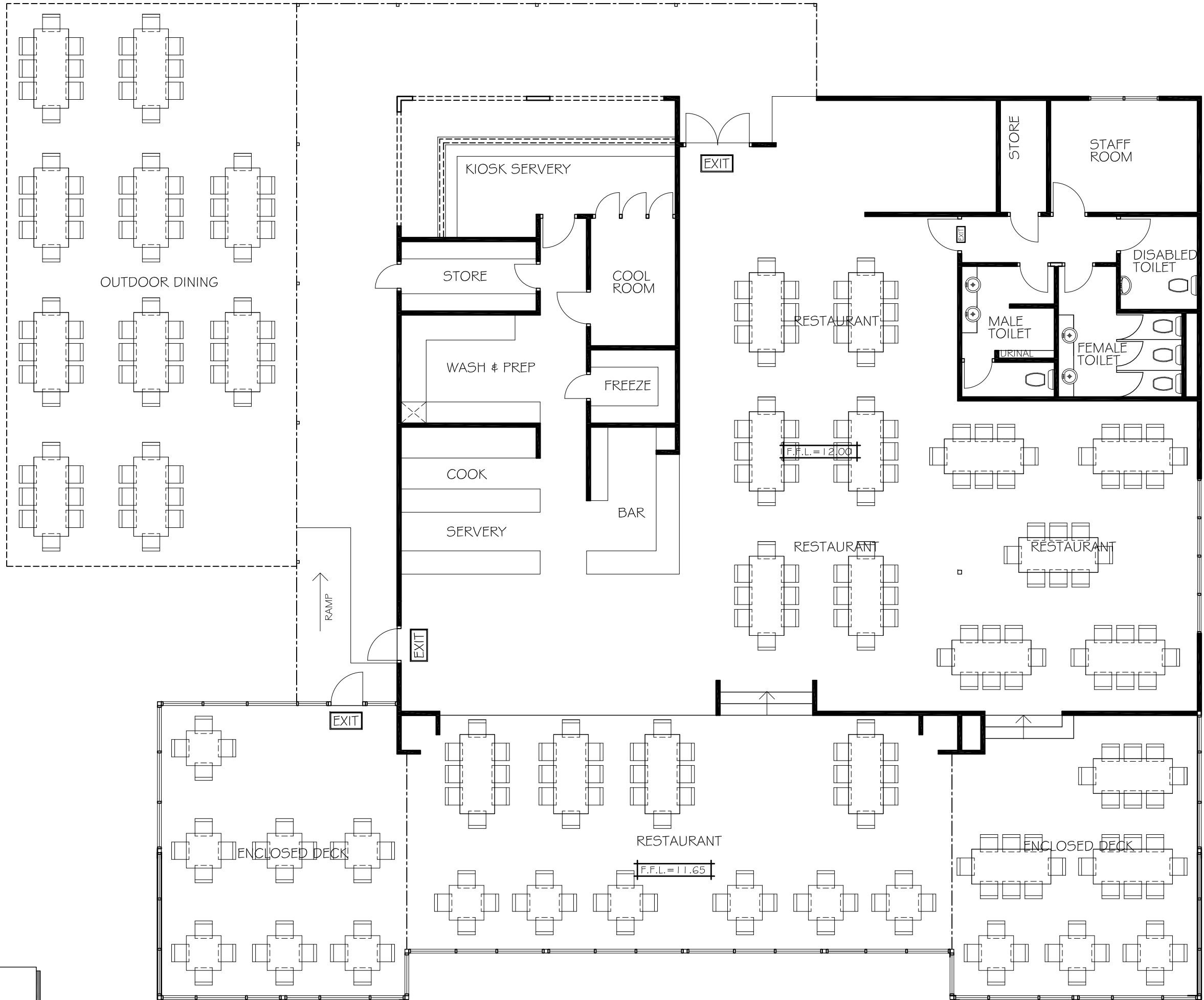
= 208 PPL

OUTSIDE

= 80 PPL

TOTAL SEATED

= 288 PPL



EXISTING FLOOR PLAN

SCALE: 1-100

Project	client	MARK SIMPSON & KELLY BROWN		Rev	Date	Description
	SHEET NO	1.01	scale	1	18-02-18	INITIAL APPLICATION
			AS NOTED			
	drawing	EXISTING FLOOR PLAN				
		PROPOSED SEATING PLAN				

**Attachment 2 – Proposed Tavern
Submissions Table**

Owner / Address	Submission (Summarised comments)	Comment
1. G Franklin 3 Coastal Retreat Wannanup	a. Supports the proposal.	a. Noted.
2. R & P Birkin 8 Coastal Retreat Wannanup	<p>Object to the proposal for the following reasons:</p> <p>a. Environmental issues – peaceful area will be impacted by litter, graffiti and disruptive behaviour.</p> <p>b. Noise – increase in noise due to additional traffic, additional people and bands.</p> <p>c. Traffic and parking – limited parking used by a variety of people and located on an already busy road. Packaged alcohol sales will increase danger.</p> <p>d. The visually attractive and environmentally friendly nature of the area should be maintained.</p> <p>e. Financial viability of a restaurant isn't the City's concern.</p> <p>f. Tavern will decrease property values.</p> <p>g. Chose to live in the area for the quiet nature.</p>	<p>a. Recommended conditions serve as harm minimisation measures. There are laws in place to deter graffiti and anti-social behaviour.</p> <p>b. Officers have assessed the proposal to be able to operate within allowable levels. Proposed live music will be predominately acoustic only, with sound levels controlled via a recommended condition. Maximum building occupancy is not being increased.</p> <p>c. Officers consider existing parking contained on Lots 222 and 223 and surrounding on-street parking to be sufficient. No takeaway sales proposed from the site.</p> <p>d. Proposed change of use will not have visual impact on the area, nor is it considered to have any environmental impacts.</p> <p>e. The applicant has applied for a change of use and the City is assessing the application.</p> <p>f. Property values are not a material planning consideration.</p> <p>g. Noted.</p>
3. M & R Carter 12 Captain Court Wannanup	<p>Concerned about the proposal for the following reasons:</p> <p>a. Concerned about the noise, especially with opening hours until midnight.</p>	<p>a. Officers have assessed the proposal to be able to operate within allowable levels. A recommended condition will provide a review of the noise levels following three months of operation.</p>

	<p>b. Preference would be to close at 10/10:30pm during the week, with later closing on Saturday. Opening at 6am in unnecessary.</p> <p>c. It is in a residential zoned area and parents need to know the area is safe for children.</p> <p>d. Impact on property values.</p> <p>Strongly object to the following:</p> <p>e. TAB is an inappropriate use of the site, with young families in the area and children riding bikes on streets. There is an existing TAB in Miami and Dawesville.</p> <p>f. Sale of packaged goods from the site would result in patrons drinking in the carpark being drunk and disorderly.</p> <p>Noted: Would visit the tavern if it is run in a reasonable manner with good security, acceptable hours and good noise control.</p>	<p>b. Noted. The applicant is proposing to open 10am to midnight Monday to Sunday.</p> <p>c. Recommended conditions serve as harm minimisation measures.</p> <p>d. Property value is not a material planning consideration.</p> <p>e. The provision of a small TAB does not change the use of the building and is subject to an application to Racing and Wagering WA.</p> <p>f. The applicant is not proposing the sale of takeaway liquor.</p> <p>Noted.</p>
<p>4. J Colleran</p> <p>3/1 Princeton Drive Wannanup</p>	<p>Object to the proposal for the following reasons:</p> <p>a. Noise generated from entertainment will impact amenity.</p> <p>b. Noise generated from patrons, especially when leaving the premises.</p> <p>c. Traffic impacts on access to 1 Princeton Drive complex.</p> <p>d. A tavern is too close to residential properties.</p>	<p>a. Live entertainment will be predominately acoustic only. Officers have assessed the proposal to be able to operate within allowable levels. Conditions will control maximum sound levels.</p> <p>b. Recommended conditions serve as harm minimisation measures, including provisions for security on the premises following closing time.</p> <p>c. The proposal does not seek to increase the currently approved occupancy for the building. Changing the use is not considered to increase the traffic.</p> <p>d. Recommended conditions serve as harm minimisation measures.</p>
<p>5. R Ogden</p> <p>5 Coastal Retreat Wannanup</p>	<p>a. Supports the proposal.</p>	<p>a. Noted.</p>

<p>6. K Francis 11 Spoonbill Retreat Wannanup</p>	<p>a. Concerned about the proposal impacting the quiet retirement area.</p> <p>b. Proposed opening hours of 9am to midnight is too late for a residential area.</p> <p>c. Noise from the tavern will cause issues being a shift worker.</p> <p>d. Will there be compensation for properties in close proximity to the site to have sound proofing provided?</p> <p>e. Concerned about people drinking and using the walkway near their property. Concerned about behaviour of people leaving the premises.</p> <p>f. Alfresco area will contribute to noise issues.</p>	<p>a. Recommended conditions serve as harm minimisation measures.</p> <p>b. Recommended conditions serve as harm minimisation measures..</p> <p>c. Officers have assessed the proposal to be able to operate within allowable levels.</p> <p>d. Recommended conditions serve as harm minimisation measures..</p> <p>e. The behaviour of patrons leaving the site is considered to be speculation, however recommended conditions provide methods to prevent anti-social behaviour including the provision of security following closing of the venue.</p> <p>f. Recommended condition to close the alfresco area at 10pm.</p>
<p>7. K Ogden 5 Coastal Retreat Wannanup</p>	<p>a. Supports the proposal.</p>	<p>a. Noted.</p>
<p>8. R Ingham</p>	<p>a. Supports the proposal and believes this is a great location for a tavern.</p> <p>b. Concerned about noise issues, however if this is adequately addressed then no objections to the proposal.</p>	<p>a. Noted.</p> <p>b. Officers have assessed the proposal to be able to operate within allowable levels. A recommended condition will provide a review of the noise levels following three months of operation.</p>
<p>9. F & F Forsyth 25 Australis Circle Wannanup</p>	<p>Object to the proposal for the following reasons:</p> <p><u>Excessive Supply of Alcohol Suppliers</u></p> <p>a. Lists 12 suppliers/distributers of alcohol within the area, 5 of which are stated as being within 5km of the subject site.</p> <p>b. Proposed change of use would not be in the best interests of the residents in the area.</p> <p>c. There is an oversupply of alcohol suppliers/distributers in the area.</p>	<p>a. Noted. Proximity to other licenced venues is considered to form part of RGL's Liquor Licence assessment.</p> <p>b. Recommended conditions serve as harm minimisation measures to maintain the amenity of the area.</p> <p>c. Officers do not consider there to be an oversupply of alcohol in the</p>

	<p><u>Parking</u></p> <p>d. Limited parking on site.</p> <p>e. Parking area is very close to residential properties who will be subject to noise and pollution.</p> <p>f. History of theft and break-ins to vehicles in this car park.</p> <p>g. The existing bus stop is used by school children and residents.</p> <p>h. The car park is used by the Burswood Bus and a variety of other patrons.</p> <p><u>Highway Safety</u></p> <p>i. Increased traffic and risk of cars entering and exiting the car park.</p> <p>j. High risk area due to large vehicle numbers and 90kmh speed limit.</p> <p>k. Onsite consumption of alcohol would increase the risk.</p> <p><u>Traffic</u></p> <p>l. Increase in traffic, risk and congestion on the roads. Increased exhaust fumes and pollution in the area due to additional vehicles.</p> <p><u>Noise</u></p> <p>m. Concerned about noise emanating from the alfresco area.</p> <p>n. Object to loud music, bands and musicians performing at the site.</p>	<p>area. Applicant will also require a liquor licence from RGL.</p> <p>d. Officers consider existing parking contained on Lots 222 and 223 and surrounding on-street parking to be sufficient.</p> <p>e. Parking area is existing and has previously been utilised by restaurant patrons. Recommended conditions will minimise noise and loitering in the car park.</p> <p>f. This kind of issue is the responsibility of the WA Police to enforce.</p> <p>g. The change of use will not impact existing bus stop or parking arrangement.</p> <p>h. The change of use will not impact existing bus stop or parking arrangement.</p> <p>i. The proposal does not seek to increase the currently approved occupancy for the building. Changing the use is not considered to increase the traffic.</p> <p>j. Noted.</p> <p>k. Suggesting that patrons will drink and drive is speculation and regardless it is the responsibility of the WA Police to enforce these laws.</p> <p>l. The proposal does not seek to increase the currently approved occupancy for the building. Changing the use is not considered to increase the traffic</p> <p>m. The proposal does not seek to increase the currently approved occupancy for the building. Changing the use is not considered to increase the traffic</p> <p>n. Recommended condition to close the alfresco area at 10pm.</p>
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	<p>o. Residents are entitled to quiet enjoyment and cannot be subjected to continued disruptive disturbance.</p> <p>p. Proposed opening hours will lengthen the period of stay and alcohol consumption creating increased risk and disturbance.</p> <p>q. Area is already subject to vandalism, break-ins, graffiti, behavioural issues, drinking and loitering by “youths”.</p> <p>r. Availability of take away liquor purchases of concern for youths.</p> <p><u>State or Local Planning Policy</u></p> <p>s. The City should exercise discretion and care in evaluating this proposal given the health, security and wellbeing of residents.</p>	<p>o. Majority of the live entertainment will be acoustic music. Recommended conditions will ensure that windows and doors are closed during live music to comply with allowable noise levels.</p> <p>p. Officers have assessed the proposal to be able to operate within allowable levels. A recommended condition will provide a review of the noise levels following three months of operation.</p> <p>q. The establishment are subject to liquor licence controls and responsible service of alcohol. Recommended conditions will minimise anti-social behaviour at the venue.</p> <p>r. There are laws in place to deter this type of behaviour, enforcement of which is the responsibility of the WA Police.</p> <p>s. There will be no takeaway alcohol for sale.</p> <p>t. Noted.</p>
10. K & M Mellor 13 Specks Court Wannanup	<p>Oppose the proposal for the following reasons:</p> <p>a. Recently approved licence within 3km of the site (Endeavour Island Circuit) and there is no need for another tavern. At least three other taverns/hotels nearby.</p> <p>b. Concerned about noise from the tavern carrying over the water, especially if music is played.</p> <p>c. Tavern patrons will park on the verge of Captains Court and vacant land, disrupting the neighbourhood.</p> <p>d. Concerned that the tavern will impact the peaceful neighbourhood amenity.</p>	<p>a. Noted. However, if referring to the 4 Port Quays site, a tavern liquor licence was not granted and it is therefore currently being used as a restaurant.</p> <p>b. Officers have assessed the proposal to be able to operate within allowable levels.</p> <p>c. Local laws are in place to ensure that legal parking occurs, available parking is deemed to be appropriate.</p> <p>d. Recommended conditions serve as harm minimisation measures to maintain the amenity of the area.</p>
11. A & L Wenlock 6/1 Princeton Drive Wannanup	<p>Object to the proposal for the following reasons:</p>	

	<ul style="list-style-type: none"> a. The building has been poorly managed in the past, becoming run down with graffiti. b. Car park has issues with drug dealers, gangs and anti-social behaviour. c. Exit from the car park is hazardous and speed limit on the main road is 90 km/h making it difficult to view oncoming vehicles. d. Noise issues with patrons and staff leaving at 12:30am/1am. e. Application states that hens and bucks parties will not be permitted, however what guarantee is there that this will continue f. A TAB facility will appeal to a younger age group. g. There are ample facilities within close proximity that cater to the populations needs. h. Application fails to address how the car park will be policed and noise will be controlled 	<ul style="list-style-type: none"> a. Noted. The current applicant has been undertaking renovations to the building to tidy up the site. b. There are laws in place to deter this type of behaviour, enforcement of which is the responsibility of the WA Police. c. The proposed change of use will not impact the current vehicle access arrangement to the site or alter the intersection of Princeton Drive and Old Coast Road. d. Recommended conditions serve as harm minimisation measures, including encouraging patrons to leave the premises quietly and provisions for security on the premises following closing time. e. The City will not manage the types of events, however all events would need to be compliant with the recommended conditions and approved management plan. f. This is considered to be speculation. g. Noted. h. Parking area is existing and has previously been utilised by restaurant patrons. Recommended conditions will minimise noise and loitering in the car park.
12. S Buckley 4/1 Princeton Drive Wannanup	<p>Objects to the proposal for the following reasons:</p> <ul style="list-style-type: none"> a. Proposal is not in the public interest and will have a negative impact on the amenity of the area. b. Noise disturbance and anti-social behaviour will disrupt the neighbourhood. 	<ul style="list-style-type: none"> a. Recommended conditions serve as harm minimisation measures to maintain the amenity of the area. b. The behaviour of patrons is considered to be speculation, however recommended conditions provide methods to prevent anti-social behaviour including responsible service of alcohol and the provision of security following closing of the venue.

	<p>c. Proposed opening hours of 10:30am to midnight is unnecessary given the surrounding area is zoned Residential.</p> <p>d. Concerned about patrons causing property damage when leaving the premises after drinking.</p> <p>e. There are three licensed premises within 1.5km of the site. Patrons leaving these other premises will be attracted to this tavern if the opening hours are later.</p> <p>f. Noise from patrons and staff leaving the premises will impact the residents of 1 Princeton Drive, Especially as the carpark backs onto these dwellings.</p> <p>g. Would not object to a restaurant license allowing alcohol sales without food provided it closed at 10pm</p> <p>h. Tavern operators will not be able to control the levels of noise when patrons leave the establishment and therefore closing time should be earlier.</p> <p>i. The inclusion of a TAB is not in keeping with the family friendly atmosphere. Tavern and TAB would be more appropriate in an inner city area.</p> <p>j. The survey conducted by the applicant was not undertaken in the local area and undermines the validity of the results.</p>	<p>c. The applicant is seeking approval to operate 10am until midnight.</p> <p>d. See comment 12b. Additionally, there are laws to deter this type of behaviour, enforcement of which is the responsibility of the WA Police.</p> <p>e. Regardless of the time, the establishment will still be required to comply with their liquor licence requirements and the recommended conditions.</p> <p>f. Parking area is existing and has previously been utilised by restaurant patrons. Recommended conditions will minimise noise and loitering in the car park.</p> <p>g. Noted.</p> <p>h. Recommended conditions will ensure that patrons are encouraged to leave quietly and security will be in place to prevent loitering in the car park.</p> <p>i. The provision of a small TAB does not change the use of the building and is subject to an application to Racing and Wagering WA. Recommended conditions seek to maintain the amenity of the area.</p> <p>j. Noted. However this survey does not form part of the City's assessment of the proposal.</p>
13. R & B McNee 48 Channel View Dawesville	<p>Objects to the proposal for the following reasons:</p> <p><u>Noise</u></p> <p>a. Proposed opening hours will impact the residents in terms of noise disturbance.</p>	<p>a. Officers have assessed the proposal to be able to operate within allowable levels. A recommended condition will provide a review of the noise levels following three months of operation.</p>

	<p>b. Noise will emanate from the alfresco area and will be magnified over the water.</p> <p>c. Congregations of people will generate noise.</p> <p>d. Concerned about noise from people leaving the tavern late at night.</p> <p><u>Highway Safety</u></p> <p>e. Entry road to this site is in close proximity to the bridge and enters a four lane highway with a speed limit of 90km/h. Caution is required.</p> <p><u>Need</u></p> <p>f. How many is too many? There are 2 taverns and 2 liquor stores within the area.</p> <p><u>Location</u></p> <p>g. Purchased the property because of the unique location and pleasant surroundings. A tavern is not a good fit in this area.</p> <p>h. Proposed trading hours in close proximity to residential properties will affect the residents' peace and quiet and enjoyment.</p> <p>i. There are existing taverns within a few minutes of the site</p>	<p>b. Recommended condition to ensure the alfresco is closed at 10pm.</p> <p>c. Officers have assessed the proposal to be able to operate within allowable levels. A recommended condition will provide a review of the noise levels following three months of operation..</p> <p>d. Recommended conditions serve as harm minimisation measures, including encouraging patrons to leave the premises quietly and provisions for security on the premises following closing time.</p> <p>e. Noted.</p> <p>f. Proximity to other licenced venues is considered to form part of RGL's Liquor Licence assessment.</p> <p>g. Recommended conditions serve as harm minimisation measures to maintain the amenity of the area.</p> <p>h. Officers have assessed the proposal to be able to operate within allowable levels. A recommended condition will provide a review of the noise levels following three months of operation.</p> <p>i. Officers have assessed the proposal to be able to operate within allowable levels. A recommended condition will provide a review of the noise levels following three months of operation.</p>
14. J & L Allen	<p>Objects to the proposal for the following reasons:</p> <p><u>Item 1 - Impact on Amenity</u></p> <p>a. Already sufficient places for a meal and alcohol in close proximity (lists 4).</p>	<p>a. Proximity to other licenced venues is considered to form part of RGL's Liquor Licence</p>

	<p>b. In the past, previous businesses have failed here, why would this business be any different?</p> <p>c. Concerned about property damage from patrons visiting the tavern.</p> <p>d. There is evidence on file of the Mandurah Police regarding problems in this car park with drug dealing.</p> <p>e. Concerned that bottles and rubbish will be thrown into the strata pool and indecent behaviour in the car park.</p> <p>f. Vehicles could be left unattended due to alcohol consumption.</p> <p>g. If the tavern is approved, how will preventative measures be guaranteed to be upheld?</p> <p>h. What happens if the current owner sells the business?</p> <p>i. How will it be ensured that promises regarding no hens/bucks parties and TAB be upheld?</p> <p>j. Traffic concerns due to entering a busy main road with a 90km/h speed limit, could possibly result in traffic accidents as there is no 'filter lane' to Princeton Drive. Traffic could also be an issue for tourists</p>	<p>assessment.</p> <p>b. Commercial viability of a business is not a material planning consideration.</p> <p>c. The behaviour of patrons is considered to be speculation, however recommended conditions provide methods to prevent anti-social behaviour including responsible service of alcohol and the provision of security following closing of the venue.</p> <p>d. There are laws in place to deter this type of behaviour, enforcement of which is the responsibility of the WA Police.</p> <p>e. See comment 14c.</p> <p>f. Vehicles being parked in the car park overnight is not considered to impact the amenity of the area. Break ins and theft are covered under laws and enforced by the WA Police.</p> <p>g. Recommended conditions will ensure that the harm minimisation procedures are upheld. Should any breaches to a planning condition occur, the City can take the appropriate action under the provisions of the Planning and Development Act 2005.</p> <p>h. Development approvals and associated conditions remain with the land. As such, any new operator will be subject to the recommended conditions.</p> <p>i. The City will not manage the types of events, however all events would need to be compliant with the recommended conditions and approved management plan.</p> <p>j. The proposed change of use will not impact the current vehicle access arrangement to the site or alter the intersection of Princeton Drive and Old Coast Road. It is also noted that there is a slip lane</p>
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	<p>coming over the bridge and pulling into the site.</p> <p><u>Item 2 – Undue offence, annoyance, disturbance or inconvenience to persons who reside in the vicinity</u></p> <p>k. Purchased the unit three years ago with the intention of retirement. The home backs directly onto the car park for the tavern.</p> <p>l. Current tenants picked the home due to the peace and quiet as they are shift workers.</p> <p>m. Concerned that the extended trading hours will result in losing the current tenants. This would cause financial hardship.</p> <p>n. There was never any mention of a tavern when purchasing the property.</p> <p>o. Concerned about loss of property value.</p> <p>p. The survey suggests that people were 100% in favour of the tavern. These people must not live in close proximity.</p> <p>q. No objection to a restaurant on the site but extended hours and the term Tavern is causing concern. Tavern gives the connotation of more rowdy patronage and the proposed trading hours are outside the proposed demographic of mature age clientele. It is more likely to attract a more younger and boisterous crowd.</p> <p><u>Item 3 – Grant of application would not be in public interest</u></p> <p>r. No objection to a restaurant with restricted trading licence but disagree with extended trading hours and unrestricted liquor licence.</p> <p>s. If the applicant really is proposing an emphasis on quality meals for a more mature and middle class group, why would they need to close at midnight?</p>	<p>for vehicles turning into Princeton Drive from Old Coast Road.</p> <p>k. Noted.</p> <p>l. Noted. Recommended conditions serve as harm minimisation measures to maintain the amenity of the area.</p> <p>m. Officers have assessed the proposal to be able to operate within allowable noise levels. The alfresco area and all doors and windows will be closed at 10pm.</p> <p>n. The site is currently approved as a Restaurant. The applicant is seeking a change of use to a Tavern.</p> <p>o. Property values are not a material planning consideration.</p> <p>p. This is considered to be speculation. Regardless, this survey does not form part of the City's assessment of the proposal.</p> <p>q. The applicant seeks to provide a family friendly, food-based venue. A Tavern is being applied for to enable a subsequent application for a Tavern liquor licence. Recommended conditions seek to ensure that the establishment will remain a food-based venue, with responsible service of alcohol provisions in place.</p> <p>r. Noted. Applicant has applied for a restricted tavern licence to RGL.</p> <p>s. Noted. The applicant has applied for the opening hours of 10am to midnight.</p>
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3	SUBJECT:	Facility Development Proposal - Mandurah Mustangs Football Club
	CONTACT OFFICER/S:	Craig Johnson
	AUTHOR:	Dale Christy / Craig Johnson

Summary

The Mandurah Mustangs Football Club (MMFC) are a community sporting club that currently operates from the Rushton Park Sports Facility under a sub licence with the head lease held by the Peel Thunder Football Club (PTFC).

For a number of years, both the MMFC and the PTFC have indicated that their operational relationship has been increasingly difficult to maintain. The primary reason for this, is that the two clubs operate at different levels with the PTFC operating under a commercial business model and the MMFC operating as a volunteer led community club.

The MMFC have held ongoing discussions with City officers regarding the issues around the club remaining viable whilst under the current model with limited income streams and a lack of a 'sense of ownership' for the Rushton Park Sports Facility as a home for the Club.

The MMFC have presented a facility development proposal to the City to construct an extension to the existing Rushton North Pavilion with a new social space facing in towards Rushton Park main oval. City Officers have investigated a range of alternate options for the development of a clubroom facility for the MMFC, however each of these options have had limiting factors that the Club did not support.

The MMFC have been proactive in securing funds to contribute to the proposed project with contributions secured from the State Government, their own building fund donations and through Club sponsorship. The MMFC are also in the process of applying for a grant through the Community Sport and Recreation Facilities Fund (CSRFF). In order to deliver the project, the Club is seeking financial support from the City.

It is requested that Council supports the Mandurah Mustangs Football Club's proposal to self-manage an extension to the Rushton North Pavilion with the addition of social space, meeting space and upgraded unisex change rooms. Council is also requested to approve a cash contribution towards the project of \$165,000 and note that if the Club's pending CSRFF application is successful a further \$65,000 will be provided as an additional contribution.

Disclosure of Interest

N/A

Location



Rushton Park, Dower Street Mandurah

Previous Relevant Documentation

N/A

Background

The Mandurah Mustangs Football Club currently has a licence agreement to utilise the Rushton Park Sports Facility under the head lease held by the Peel Thunder Football Club.

For a number of years now, City officers have worked with the Mandurah Mustangs Football Club and Peel Thunder Football Club to support and implement the terms and conditions of the license agreement. Unfortunately, a facility operating arrangement that is beneficial both parties has been extremely difficult to achieve.

The major obstacle that exists in the management of the Ruston Park Sports Facility, is that the Peel Thunder Football Club as the head lessee, manage the building under a commercial operating model. However, to be sustainable within the Peel Football & Netball League, the Mandurah Mustangs Football Club need to operate as a volunteer community club which is challenging under the current licence arrangements.

The City has engaged with both clubs on a number of occasions to investigate other alternative operating models, but unfortunately a suitable model has not been identified that could deliver the outcomes desired by both clubs and this situation is unlikely to be rectified in the future for various reasons.

Comment

The Mandurah Mustangs Football Club is seeking financial support towards the construction of a new Club facility as an extension to the existing Rushton North Pavilion and approval for the Club to project manage the development through the use of a local architect and licensed builder. The Club has managed to secure the services of North Coast Design to undertake the architectural design work and Mandurah Homes to build the facility both at cost as sponsors and in support of the Club.

Attachment 1 is a copy of the Mandurah Mustangs Football Club's Proposed Building Design and Concept Elevation plans.

To deliver the project, the Club has developed the following draft project budget, proposed funding strategy and draft project timeline:

Draft Project Budget

Items	Cost
Site Surveying & Detailed Design - Architectural & Mechanical	\$30,000
Building Construction	\$476,000
Additional Change room Refurbishments	\$44,000
Retaining & Landscaping	\$25,000
Furniture & Fitout	\$25,000
Project Management (5%)	\$30,000
Project Contingency (5%)	\$30,000
Total	\$660,000

Proposed Funding Strategy

Funding Partners	Amount
Mandurah Mustang FC – Cash Contribution	\$105,000
Mandurah Mustang FC – In Kind Contribution	\$110,000
Peel Development Commission (Royalties for Regions)	\$125,000
Department of Sport & Recreation (CSRFF)	\$65,000
City of Mandurah – Cash Contribution	\$165,000
City of Mandurah – CSRFF Contribution	\$65,000
Other Partners (AFL, WAFC, Alcoa)	\$25,000
Total	\$660,000

Draft Project Timeline

Month	Project Works
July – August 2018	Detailed Design
September – October 2018	Planning and Building Approvals
November 2018	Earthworks
December 2018	Retaining & Foundations
January – February 2019	Brickwork & Structural Steel
March 2019	Roofing
April 2019	Render & Painting
May – June 2019	External Paving & Internal Fitout
July 2019	Project Completion

Although duplication of facilities at one venue is not an ideal outcome considering that Rushton Park already has multiple social spaces, unfortunately in the case of the MMFC none of the existing facility options would meet the Club's requirements and enable them to be sustainable in the future. The construction of an extended facility as a part of the Rushton North Pavilion will provide the MMFC with the flexibility to grow their membership and regain a sense of belonging within the Rushton Park precinct. The development will also provide the MMFC with improved capacity to accommodate the projected growth in female participation and enable this integration into their Club structures.

Finally, the new facilities will allow the MMFC to self-manage their Club events and activities under a volunteer model meaning that all income generated on both training and game days through canteen and bar sales will be retained 100% the Club.

As the facility will be developed on crown land, the ownership of the facility will ultimately be that of the City of Mandurah. City Officers have held discussions with the MMFC to advise that the club will not obtain an exclusive lease for tenure of the facility once complete. The City will however provide the MMFC with priority access on days and times negotiated with the City during the winter sports season.

Under the City's management, the maintenance and repair of the building will be the responsibility of the City of Mandurah. The end result of moving the MMFC into their own facility will only alleviate the issues between both the MMFC and the PTFC if both clubs are fully prepared to enter into a clear management agreement for the use of the new clubroom facility and their shared access to the main oval at Rushton Park.

The management agreement should take into account but not be limited to the following key items:

- Each clubs access and usage requirements for the main oval at Ruston Park for training and scheduled matches.
- The potential for increased oval usage needs to accommodate the Peel Thunder Football Club's pending WAFL Women's license bid.
- The allocation of sponsorship signage space for both clubs and the need to protect Peel Thunder Football Club's commercial brand.
- The Mandurah Mustangs Football Clubs access to the new facility and any restrictions when WAFL games and events are being held by the Peel Thunder Football Club.
- Clearly defined days and times of access for the Mandurah Mustangs Football Club in the new facility.

Internal Consultation

Executive Leadership Team
Manager of Planning Services
Coordinator Land Management

Statutory Environment

N/A

Policy Implications

Policy CNP-05 Recreation Facility Development

Objective: To provide community groups within the City of Mandurah the opportunity to seek approval for upgrade and development of new and existing sport and recreation facilities.

Economic Implications

The Mandurah Mustangs Football Club's proposal seeks financial support from the City for the project in two parts:

1. A cash contribution of \$165,000
2. A contribution in line with their pending CSRFF grant application where the City would traditionally provide a 1/3 contribution to match any funding from the grant program. If successful, it would be expected that the City's contribution would be \$65,000.

At present, the City has not made any allowance in the 2018/19 draft budget, for a cash contribution to the Mandurah Mustangs Football Club's proposed facility development project. If Council did support the project, it is proposed that the City consider making a portion of the total amount available as part of the 2018/19 mid-year budget review process with the remaining funds to be included in the 2019/20 capital budget.

The 2018/19 draft budget does however include an allowance of \$100,000 towards successful CSRFF projects. If Council did endorse the Club's project and the Mandurah Mustangs grant application was approved, it would be appropriate for the City's \$65,000 contribution to be taken from this allocation.

Risk Implications

Elected Members are advised that there are some risks associated with allowing a community club/group to undertake extensions to facilities on land that is under the care, control and management of the City. A risk assessment has been undertaken to identify potential issues and mitigation strategies.

The major risks are outlined below:

1. Registered Builder – The Club has organised the services of a Registered Builder to undertake the extensions of the existing buildings. As the building will be fixed to the land, it will in effect become the City's building. The success of this initiative is dependent upon the Builder remaining able and available to complete the works.

Should the Registered Builder, for whatever reason, be unable to complete the works, the City may become involved to ensure the project is completed to a satisfactory standard. The extent of this risk depends upon the point in the project schedule where the Registered Builder is unable to carry on with the works. This could be a significant risk and may involve potential staff and financial resources, however if the City is provided with detailed cost estimates and resource schedules prior to any agreement being entered into, the risk can be reduced.

2. Cost Variations – Inspections by City officers and good communication and information being provided by the Mandurah Mustangs Football Club will assist in identifying areas where variations to work may result in cost over runs. To address this issue, the following mitigation strategies will be put in place:
 - The Mandurah Mustangs Football Club is to provide the City with a detailed scope of works and construction program together with revised pre-construction cost estimates and resource schedules (including a breakdown between purchased and donated materials and labour) upon completion of the detailed design drawings and specification.
 - The City will undertake regular inspections to track progress and assist the Mandurah Mustangs Football Club where necessary.
3. Quality – Whilst the City will require compliance of the extension to accord with the minimum standards of the Building Code of Australia (current edition) together with certifications of compliance including the structural adequacy of the completed facility, the fact that the Facility will be a community facility and that the City will ultimately be responsible for all future maintenance of the structure, requires that the quality of the works is closely monitored to ensure that reasonable quality standards are attained.

Officers are intending to implement a number of mitigation strategies to ensure that a high quality finish is delivered. This will include a legal agreement between the City and the Mandurah Mustangs Football Club, including the following obligations on the Club:

- To obtain a building permit and a certificate of occupancy for the development as a condition of the Agreement including all associated compliance certificating.
- To provide the City with a list of all building materials to be used (including donated materials) and samples for inspection and approval prior to incorporation into the works. All materials to be new, suitable for their intended use and to match existing where appropriate.
- To obtain certification from a registered professional structural engineer that the facility as completed is structurally adequate including all necessary progress inspections and progress reports.
- To pass onto the City all warranties associated with the works following completion of the project
- To provide indemnities to produce evidence of insurance cover for public liability or such other insurance as the City may reasonably require.

- Acknowledgement by the Club that it will not have exclusive use of the new building and will be provided with free and priority access during the football season, on days and times agreed with the City.

Strategic Implications

The following strategies from the *City of Mandurah Strategic Community Plan 2017 – 2037* are relevant to this report:

Social:

- Provide a range of social, recreational, entertainment and learning experiences for our residents and visitors.

Infrastructure:

- Advocate for and facilitate the provision of infrastructure that matches the demands of a growing population.

Identity:

- Encourage active community participation and engagement.

Organisational Excellence:

- Listen to and engage with our community.
- Deliver excellent governance and financial management.

Conclusion

The MMFC have requested that the Council consider a plan to extend Rushton North Pavilion to include refurbished unisex change facilities and the building of a community social space which the club can access to meet their social requirements.

The MMFC currently have a licence to occupy in place with PTFC for access to change facilities and also have arrangements in place for PTFC to open the licensed areas for MMFC home games. The two clubs in conjunction with City Officers have tried numerous times to ensure the partnership works. However as both clubs operate on two separate operating models, MMFC have found it increasingly difficult to generate income and have sense of belonging sharing with PTFC. City Officers are reluctantly in agreeance with the MMFC request to develop an independent facility at the northern end of Rushton Park. Officers have exhausted all other avenues to accommodate the current and future needs of both clubs under the current tenure model.

Council is asked to support MMFC request to carry out a club delivered extension to Rushton North Pavilion, with the City providing a funding commitment of \$165,000 towards the project and a further funding commitment of \$65,000 should the MMFC be successful in their CSRFF funding application.

NOTE:

- Refer **Attachment 1** ***Mandurah Mustangs Football Club – Proposed Building Design & Concept Elevation***

RECOMMENDATION

That Council:

1. Endorse the Mandurah Mustangs Football Club's request to project manage an extension to the Rushton North Pavilion subject to acceptance of the City's terms and conditions.
2. Requests the Chief Executive Officer negotiate and enter into an agreement on behalf of the City outlining responsibilities for the construction works.
3. Notes that the Mandurah Mustangs Football Club will be submitting a funding application as part of the 2018/19 CSRFF program that if successful, will commit the City to a \$65,000 contribution to the project and this funding is included in the 2018/19 draft budget.
4. Notes that financial support from the City of \$165,000 will be required for the delivery of the project with a further report to be presented back to Council once the timing for the City's contribution can be confirmed.

****ABSOLUTE MAJORITY REQUIRED****

[illegible]

Proposed Concept Elevation



4	SUBJECT:	Peel Youth Medical Services (PYMS) Health Hub – Land Tenure
	CONTACT OFFICER/S:	Ben Dreckow
	AUTHOR:	Ben Dreckow/Lesley Petchell
	FILE NO:	F123309

Summary

In November 2016, Council approved in principle support to GP Down South (GPDS) for the lease of portions of Lot 101 Allnutt and Lot 501 Thomson Street Mandurah in order to enable the construction of a new co-located youth based 'model of care' community facility under the title 'Peel Youth Medical Services (PYMS)' via a long term 30 year lease agreement over the vacant land site. The approval was subject to GPDS obtaining relevant state and federal funding.

GPDS obtained funding of approximately \$9M required for the project enabling the project to become viable and in August 2017, Council agreed to sell, rather than lease the site, based on a market valuation of the site being \$830,000 together with:

- A three year peppercorn lease to grant access to allow construction of the site;
- Purchase of a newly created lot at market value by GPDS, with costs associated with the subdivision, survey and creation of title costs borne by the City, noting that any infrastructure servicing costs will form part of the project costs by GPDS. The timing of purchase is likely to coincide with the completion of construction;
- Site works, parking and landscaping forming part of the project costs by GPDS (which were originally proposed to be provided by the City); and
- Any costs of site works associated with the site being a contaminated site being the City's responsibility, capped at \$480,000.

Detailed design and construction has commenced since the Council support in August 2017, resulting in a number of modifications to the project commitments as follows:

- An increase in site area from 2900 square metres to 3780 square metres to accommodate detailed design of additional parking and fire services for the building. Due to the site valuation being for a fully serviced lot, and that costs of connecting the services was considered a project cost, no increase to the land value of \$830,000 + GST being sought ;
- Final remediation costs being approximately \$275,000; and
- Costs to finalise stormwater drainage from the existing bowling club car park being deducted from the sale price, with a provisional sum of \$50,000 being required to complete these works.

The net result is a payment for the site of approximately \$550,000; and based on the total land value and costs for remediation and completing infrastructure adjacent to the project to allow it be completed being considered, the City's net contribution being \$460,000 to the project.

It is requested that Council acknowledge the above in order for the final steps in facilitating the sale of the land to GP Down South at the completion of the project which is anticipated for late 2018.

Disclosure of Interest

Nil

Location



Previous Relevant Documentation

- G.31/8/17 22 August 2017 Council supported the disposal of an approximate 2900 sq. metre portion of Lot 101 Allnutt Street and portion of Lot 501 Thomson Street Mandurah, via a lease until such time as the subdivision was complete. At which time the land would be sold to GP Down South, for \$830,000 less remediation costs up to a maximum of \$480,000.
- G.15/11/16 8 November 2016 In principle support obtained from Council for a 30 year lease, subject to funding and a further report outlining the City's contribution relating to car parking landscaping and site preparation works.

Background

In October 2016, GP Down South ('GPDS') requested assistance from the City in identifying an appropriate centrally located site, which will allow them to deliver through Peel Youth and Medical Services (PYMS)

GPDS are leading the development of a purpose built regional facility to co-locate and support the integration of services for youth in the Peel region. The health hub will be a one stop shop for the youth of our community offering co-location opportunities for other youth focussed organisations and include a suite of services supporting mental health, drug and alcohol, eating disorders, family support etc.

Importantly, the Peel Health Hub is not just a building but a model of care that will embrace collaboration, integration and digital health for the benefit of young people, adults and their families. All co-locators in the facility will agree to work within this model of care which will provide care-coordination, a client centred, no wrong door policy with GP supported care. PYMS will lead to systemic change in the delivery of complex care for young people and will lead to improvements in health and wellbeing outcomes for youth, adults and families in the Peel region.

In November 2016, Council supported a site at Lot 101 Allnutt and Lot 501 Thomson Street Mandurah as being the most appropriate based on its close proximity to the transit station. However the land was a former tip site and as such was subject to geotechnical testing and Department of Water and Environmental Regulation approval. The extra site works and floor slab associated with this development will impact on the cost for the development of the site, which is registered as a contaminated site having a 'Remediated for Restricted Use' notification registered on the Certificate of Title.

The original funding from the Federal and State Government totalled \$6m, and without further funding commitments it was evident that the land would need to be leased from the City rather than purchased in freehold. Therefore, Council supported a 30 year ground lease, which gave the project the opportunity to proceed.

By August 2017 the PYMS health hub had attracted funding of just over \$9m from various sources, allowing the Federal funding approval to allocate funds towards the build, remediation costs and purchase of the site in freehold. As a result, Council supported the project moving from a leased site to a site to be sold in freehold title as follows:

1. *Supports the GP Down South proposed Peel Youth Medical Services Health Hub;*
2. *Acknowledges that the capital cost of the facility's construction has received Federal and State Government funding;*
3. *In order to allow construction to commence meeting the Federal and State Government Funding milestones approves the disposal of a 2900 square metre (approximately) site of Lot 101 Allnutt Street and Lot 501 Thomson Street Mandurah as follows:*
 - 3.1 *A ground lease of \$1 per annum that provides access to the site for the purposes of construction for a period of three years, with the finalisation of the lease being authorised to the Chief Executive Officer;*
 - 3.2 *The creation of a new lot and then advertising of disposal and if no submissions received, sale to GP Down South for a cost of \$830,000 (exclusive of GST) with costs associated with the subdivision, survey and creation of title costs borne by the City of Mandurah and any servicing infrastructure costs form part of the project costs by GP Down South.*
 - 3.3 *The City of Mandurah will complete a geotechnical report on the site and that any costs associated with the development and building requirements of the site due to the designated as a Contaminated Site as 'Remediated for Restricted Use' up to a maximum cost of \$480,000, with these costs reducing the purchase price of the site.*
 - 3.4 *The sale being finalised at the time of site creation and/or the completion of the construction, with the Chief Executive Officer authorised to finalise the condition of the disposal of the land.*
 - 3.5 *That GP Down South will ensure that the Department of Water and Environment Regulation requirements for the construction of the site are satisfied prior to the issuance of any development or building approvals over the site.*
4. *Acknowledges that the Development Approval required for the development will be issued by the City under delegated authority with Elected Members being given the opportunity to view the plans prior to the application being determined.*
5. *Authorises the Chief Executive Officer to lodge a subdivision application with the West Australian Planning Commission to facilitate the creation of the 2900 square metre (approximately) site from Lot 101 Allnutt Street and Lot 501 Thompson Street, Mandurah.*

Detailed design has required a site to be increased from 2900 square metres to 3780 square metres to accommodate parking and fire services for the building which necessitates a variation to the resolution of Council in August 2017.

Comment

Land Area and Value

Under normal circumstances the final design of a building would be completed first, enabling the land area to be determined. However due to the very strict timeframes set through the Federal and State funding application process this was not possible.

Officers liaised with GPDS to try and best determine the approximate land area required, which originally did not include extra car parking, or fire pumps and tanks which were declared a regulatory requirement and therefore necessary in the final design.

As the land area required for the facility has increased from the estimated original area of 2900 square metres to 3780 square metres, the site being created for sale needs to increase to ensure that sufficient tenure is maintained for GPDS and ensure indemnification is maintained for the City.

The current lease that was entered into to facilitate construction with GPDS reflects the following conditions:

1. *A ground lease of 2990 sq. metres (note – when lease prepared increase of 90 square metres);*
2. *Annual rental \$1 per annum;*
3. *Three year term expiry 28 September 2020;*
4. *Sale of the site at \$830,000 less remediation capped at \$480,000;*
5. *Subdivision to be undertaken as soon as reasonably practical to enable sale of site to lessee.*

The sale price is specified within the lease agreement is set at \$830,000 for 2990 square metres less remediation costs which equates to approximately \$286 per square metre.

In consideration of a larger site for final sale, consideration needs to be given to the value increased area.

To ensure that a fair market price is determined for the larger land parcel, officers engaged *McGees Valuers* to review the new land area. Their findings determined that the frontage of the site has a higher value than the rear of a property and as the frontage has only slightly increased, with more land being required to the rear of the site, the land value actually decreases per square metre as the site increases in size. The valuer has determined the land, based on a fully serviced lot to be valued at \$963,900 (exc GST) or \$255 per square metre.

There are minimal allowances available for change through the federal funding approval, therefore should the size of the final land area decrease or increase in size, the allocation of funds for the purchase of land can be adjusted by 20 percent, however the money would then need to be drawn from somewhere else within the \$2M budget. GPDS has confirmed that should Council request the sale price increase to reflect the new land area, then those funds need to be drawn down from their building budget which is already experiencing higher than expected infrastructure servicing costs for water, sewer, fire pump and storage tanks totalling \$373,800.

Notwithstanding the increased land value from \$830,000 to \$963,000, the valuations are based on a fully serviced lot, noting Council's support included many of these costs as 'project costs', it is therefore not recommended that Council seek to increase the sale price of the land despite its increase in area.

Remediation Costs

In August 2017, Council resolved that the City would complete a geotechnical report and any costs associated with the development and building requirements of the site due to the designation of a Contaminated Site as 'Remediated for Restricted Use', the City would cover remediation costs up to a maximum of \$480,000 with these costs being deducted from the sale price of the land.

The City engaged Golder Associates to undertake a Geotechnical and Environmental Site Investigation. The independent assessment took samples from three test pits at a level of between 0.0 to 0.35m the samples generally comprised of topsoil and gravelly sand fill. Between 0.35 to 2.6m limestone and fragments of brick, glass and metal were detected. However through the limited environmental site investigation no asbestos was identified.

GPDS appointed the construction company Alita Constructions, who were given the City's independent environmental reports for the site and also undertook their own assessments. Alita estimated remediation costs to the site at \$247,314 (exc GST) these costs were made up of preliminary works for design, site inspection, surveying together with site works requiring stripping 300mm of top soil disposing of contaminated soil, fees compaction testing and reporting. The final remediation costs were \$275,792.20, which results in a shortfall of federal funding of \$28,478 which falls within Council approved remediation costs which were set at a maximum of \$480,000.

Stormwater Drainage Requirement – Mandurah Bowling and Community Facility

The car park design for the existing Mandurah Bowling & Community Facility (MBCF) was designed for overland flow for major events due to restrictions for underground storage based on excavation below one metre of the surface being restricted. In order to complete the landscaping area between the existing car park and the western entrance to the building, a permanent stormwater arrangement is require for the existing car park. At this stage, costs have been preliminarily identified as being approximately \$50,000 to complete which will be taken from the sale price of the lot.

Summary of Differences

In order to outline the implications of the above, the following table provides a comparison (rounded figures):

	August 2017	June 2018
Site Area	2900 square metres	3780 square metres
Value per Square Metre	\$286 per square metre	\$255 per square metre.
Total Value (fully serviced)	\$830,000	\$963,900
Sale Price	\$830,000	\$830,000
Remediation Costs	\$480,000 (estimated)	\$275,000 (actual)
Stormwater Drainage	N/A	\$50,000
Net Sale Price (Income)	\$350,000 (ex GST) (worst case)	\$505,000 (ex GST)

Consultation

McGees Valuers
GP Down South
Golder Associates
Site Environmental & Remediation Services

Statutory Environment

Disposing of Property – *Section 3.58 Local Government Act 1995 (LGA)*

Dispose includes to sell, lease or otherwise dispose of, whether absolutely or not.

In accordance with LGA Section 3.58: Local government can dispose of property if it gives local public notice (14 days) of the proposed disposition, describing the property and giving details of the disposition. Submissions would be invited to the Local government before a date to be specified and any submissions received are reportable to Council.

A disposition of land is exempt if the land is disposed of to a body whose objects are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature. Therefore Exemption of Disposition of Property – Section 30 Local Government (Functions and General) Regulations 1996, would apply.

As GPDS are a registered not for profit organisation an exemption to advertising does apply.

The lease is a disposition granted through Council's meeting of 22 August 2017.

Policy Implications

Nil

Risk Implications

Nil

Economic Implications

This project will have direct and indirect impacts within Mandurah. Given the level of state and federal government funding, the PYMS Health Hub is a significant project. The City of Mandurah's contribution is identified through a reduction in the sale of the land to GPDS, equating to \$133,900 and the remediation costs of \$275,792, together with \$50,000 for drainage, being deducted through the federal funding from the price of the land.

The City will receive \$504,208 + GST equating to \$554,628 for the sale of the site to GP Down South.

Strategic Implications

The following strategies from the *City of Mandurah Strategic Community Plan 2017 – 2037* are relevant to this report:

Social:

- Ensure the provision of quality health services and facilities.
- Provide opportunities, services and activities that engage our young people.

Infrastructure:

- Advocate for and facilitate the provision of infrastructure that matches the demands of a growing population.

Conclusion

The Peel Youth Medical Services (PYMS) is a key project enabling the delivery of community and medical services to the Peel region. The added building costs associated with the regulatory fire-fighting requirements, extra car parking, remedial works, drainage, and service provision, have all impacted on GPDS's delivery of the facility.

Officers therefore request Council support the variation of the land area to be sold to GP Down South, to 3780 square meters for a sale price of \$830,000 less remediation costs of \$275,792, and provisions of drainage for the existing car parking of drainage of \$50,000, resulting in a sale price due to the City of \$504,208 + GST.

It is further acknowledged that the City's contribution to the project is identified through accepting a lower sale price for the larger parcel of land which equates to a value of \$133,900 together with remediation and drainage totally \$325,792. The total of the City's financial commitment and contribution of the total project is therefore \$459,692

RECOMMENDATION

That Council:

In order to allow for the completion of the construction by GP Down South of the proposed Peel Youth Medical Services Health Hub that Council approve the disposal of a 3780 square metre (subject to final survey) of a lot created out of Lot 101 Allnutt Street and Lot 501 Thomson Street Mandurah as follows:

- 1. Acknowledges the increase of the site area to be sold with a price of \$830,000 (plus GST) less remediation costs of \$275,792 and drainage costs of \$50,000;**
- 2. Supports the sale of 3780 sq metres being made from portions of Lot 101 Allnutt and Lot 501 Thomson Street Mandurah to GP Down South for a sale price for of \$504,208 + GST with the transfer to take effect after creation of the new lot.**
- 3. Notes that the City of Mandurah's contribution to the project is a total of \$460,000.**

5.	SUBJECT:	Tuart Avenue Shower Service Model and Licence Variations
	CONTACT OFFICER/S:	Tim Hartland
	AUTHOR:	Nick Benson / Marzel Norton / Tim Hartland
	FILE NO:	

Summary

At its February 2018 Council meeting Council approved a Basic Volunteer Model as the preferred service model for the shower facility at Tuart Avenue. Council also gave approval for Officers to prepare and implement an Expression of Interest (EOI) process to seek a local organisation to deliver and meet the requirements of the model.

This report outlines the EOI process, and recommends WestAus Crisis and Welfare Services Inc. (WestAus) proposal to deliver a volunteer model shower service, which can be integrated within the existing services at Tuart Avenue. The report also recommends the next steps required for the shower service to become operational, including consideration of the amendment of licensed areas currently held by Anglicare and The Uniting Church of WA (Finucare), structural facility capital items needed to accommodate the service and a new non- exclusive licence for WestAus to operate at the Tuart Avenue facility.

Disclosure of Interest

Nil

Previous Relevant Documentation

12/02/18	Tuart Avenue Shower Facility Report: Two service model options and accompanying cost benefit analysis were presented to Council. Council supported the Basic Volunteer Model over the Anglicare Quasi Volunteer model and approved an Expression of Interest process to determine a suitable managing organisation for the shower service.
CC.11/12/17	Tuart Avenue Shower Facility: Shower service model and costs to be delivered by Anglicare based at Tuart Avenue. Council resolved to defer the consideration to allow for further examination of program delivery options, including volunteer based models.

Background

The Tuart Avenue Building is currently occupied by two not for profit agencies providing counselling and support services for the Mandurah Community – Anglicare and Finucare. The building was chosen as the location for a shower service for people experiencing homelessness, following investigation of several options in consultation with Mandurah's community services sector.

Council approved the basic volunteer model at its meeting of 12 February 2018 and approved an 'Expression of Interest' (EOI) process to seek a local organisation to deliver and meet the requirements of the proposed model.

The EOI was advertised to more than 30 local agencies via the local community sector networks on 18 April 2018, and in the two local newspapers on 24 April 2018. Interested organisations were invited to an information session held at Tuart Avenue on 1 May 2018, and provided with a 'Frequently Asked Questions' factsheet, and EOI Form to complete. The EOI period closed on 15 May 2018.

Comment

The City has received one Expression of Interest to manage the shower service, from WestAus Crisis and Welfare Services Inc. (WestAus). Refer to **Attachment 1** for a summary of key responses to the EOI criteria from WestAus.

WestAus proposed service model meets the majority of requirements of the basic volunteer model requested by Council, provided that additional financial and officer support is sourced. Summarised below in Table 1:

Basic volunteer model requirements	Provided by WestAus
Processes/procedures to mitigate risk and protect volunteers	Yes
Volunteer training on work safety, understanding homelessness, challenging behaviours, manual handling, and cultural awareness.	Yes - evidence required / include in Agreement.
Direction and supervision of volunteers	Yes - include in Agreement
Volunteer and public liability insurance	Yes
Minimal number of volunteers for simple management and training.	Yes - include in Agreement
Volunteer fuel costs	City to provide \$300 per quarter to WestAus.
Provide consumables (towels, laundry toiletries) through partnership, donations sponsorship grant development.	Yes – 12 months' supply
Facilitate service provider working group to respond to needs and issues.	Yes - include in Agreement
3 days a week service as a minimum (supported by other services).	Trial period - 2 days per week for first 3 months. Less than Council endorsed, however it is a reasonable and acceptable approach. Desirable – 3 days per week once trial period finishes.

WestAus propose to operate the shower service on two days for the first three months (trial period), adding a third day (capacity permitting). Two volunteers will be present at all times. The proposed sessions are:

- Wednesday afternoons
- Friday mornings
- Monday afternoons (post trial period)

Judging by the EOI response, WestAus is well connected to and can work and collaborate with the local crisis support sector. It is willing to facilitate service coordination (interagency) meetings to ensure that:

- The shower service is part of wider crisis and support services for people experiencing homelessness
- There are opportunities to collaborate on projects and share information that benefits the people that use the shower service.

Changes Required to Licence and Tenure Arrangements

The physical space allocated by the City for the shower service to operate includes a safe amenity space inside Tuart Avenue for staff and volunteers, and access to existing toilets. The 'Shower Service Area' has been created by utilising two spaces currently tenanted by Anglicare. Anglicare have granted approval to relinquish Office five and the 'Entrance' from their licence area, resulting in a reduction of annual rent from \$13,495 to \$10,978. Anglicare will require occasional access to Office 5 to reach their locked server room, and both Anglicare and Finucare also require access through the 'Entrance' area to access toilets.

Overall it is proposed that the Tuart Avenue building be divided into three operational areas:

1. Shower Service Area (SSA) (includes common areas for all tenants)
2. Anglicare Service Area (ASA)
3. Finucare Service Area (FSA)

A floorplan is shown in **Attachment 3: Proposed Tuart Avenue Floorplan (Detailed)**

Modifying the licenses to create the SSA, also provides an opportunity to formalise patterns of use which have evolved since the last review of licenses in 2015. In 2015 a door was installed to divide FSA and ASA. Since then the 'Kitchen' and 'Kiosk' areas has been used exclusively by Finucare and are not required by Anglicare. It is proposed to modify Finucare's licence to change the 'Kitchen' and 'Kiosk' from Common area to Finucare exclusive use.

In order to strike a balance between providing sufficient space for WestAus, and flexibility for either organisation to change arrangements if required, officers are proposing to offer the following licence to WestAus:

Licence Type	Non-exclusive use
Licence Term	Six months with an option to extend a further six months
Licence Fee	Peppercorn – In return for management and implementation of a shower service 3 days per week.
Licence Area	Office 5, Shower Block
Associated 'Common' Areas	Entrance, Courtyard
Reporting Frequency	Monthly for first three months, quarterly thereafter

Physical Changes Required to the Building

Minor works are required to ensure that the building:

- Meets the managing organisations requirements for their volunteers and clients within the SSA
- Meets occupational health and safety guidelines,
- Meets existing tenants requirements resulting from the creation of the SSA

Changes to the Operating Environment

Changes to the way Tuart Avenue works as a co-located facility are required to ensure that the operating environment is safe for all stakeholders, accessible, legible and comfortable for clients, easy to operate for staff and volunteers and that utility costs are fairly apportioned between service areas.

Currently utility costs for Tuart Avenue are divided proportionately between Anglicare and Finucare. To ensure that they are not overcharged once the shower service commences, future utility costs will be divided based on an average of the previous 12 months usage by Anglicare / Finucare.

- ASA - Anglicare pay a percentage of the bill (based on average of previous 12 months bills)
- FSA - Finucare pay a percentage of the bill (based on average of previous 12 months bills)
- SSA - City of Mandurah pays remaining percentage of bill (shower service usage)

External Consultation

- Community Service Sector – 30+ agencies
- WestAus Crisis and Welfare Services
- Peel Connect
- Anglicare WA
- Finucare

Risk Implications

The risks associated with operating a shower service with volunteers for street present people will be the responsibility of the coordinating agency under a memorandum of understanding. This includes items mentioned above such as experience and capacity to manage, supervise and train volunteers, as well as appropriate insurance cover.

The main risk to the City with either management model is its image and reputation should an incident occur at the centre or in the vicinity, including the nearby residential area.

Economic Implications

The cost implementations are outlined in **Attachment 2** with the essential costs being able to be accommodated with the existing Council budget. The desirable costs will be considered in 2018/19, 2019/20 financial years.

Strategic Implications

The following strategies from the *City of Mandurah Strategic Community Plan 2017 – 2037* are relevant to this report:

Social

- Ensure the provision of quality health services and facilities

Infrastructure

- Facilitate the provision of multi-purpose facilities and infrastructure that meets the needs of a growing population.

Identity

- Encourage active community participation and engagement

Conclusion

Tuart Avenue Shower Facility aims to address a gap in service provision for street present and homeless people. Council approved The Basic Volunteer Model for operating the shower service. WestAus Crisis have expressed an interest in operating the service.

WestAus's proposal suggests that they have the capacity to operate the service. A detailed analysis of all aspects of service delivery and facility constraints has generated the need for additional expenditure by the City to ensure the success of the proposed service.

Refer: **Attachment 1 Summary of Expression of Interest**
Attachment 2 Additional Cost Breakdown
Attachment 3 Proposed Floorplan

RECOMMENDATION

That Council:

- 1. Approves WestAus Crisis and Welfare Services as the 'Managing Organisation' for the Tuart Avenue Shower Service, subject to WestAus supplying the City with the following:**
 - (i) Volunteer training manual (appropriate to shower service / clients)**
 - (ii) Risk Management Plan including Incident Response Strategy**
- 2. Approves the variation to licenses currently held by Anglicare WA and The Uniting Church WA (Finucare) to reflect the new licence areas as identified in *Attachment 3*, together with Anglicare's rent rate reduction of \$2,517 due to loss of accommodation space.**
- 3. Acknowledges all costs associated with the variation of licenses are to be borne by the City**
- 4. Endorses a non-exclusive licence for WestAus Crisis Support and Welfare Services Inc. to cover a portion of Tuart Avenue (Shower Service Area) for a term of 6 months plus 6 months option, at peppercorn licence fee (subject to WestAus satisfying conditions above) with a continuing option.**
- 5. Acknowledges that the City will prepare:**
 - (i) A working together agreement between the City and WestAus Crisis and Welfare Services for the safe and efficient operation of the shower service.**
 - (ii) A facility management agreement for Tuart Avenue Building between the City, WestAus Crisis and Welfare Services, Anglicare WA and The Uniting Church WA (Finucare).**

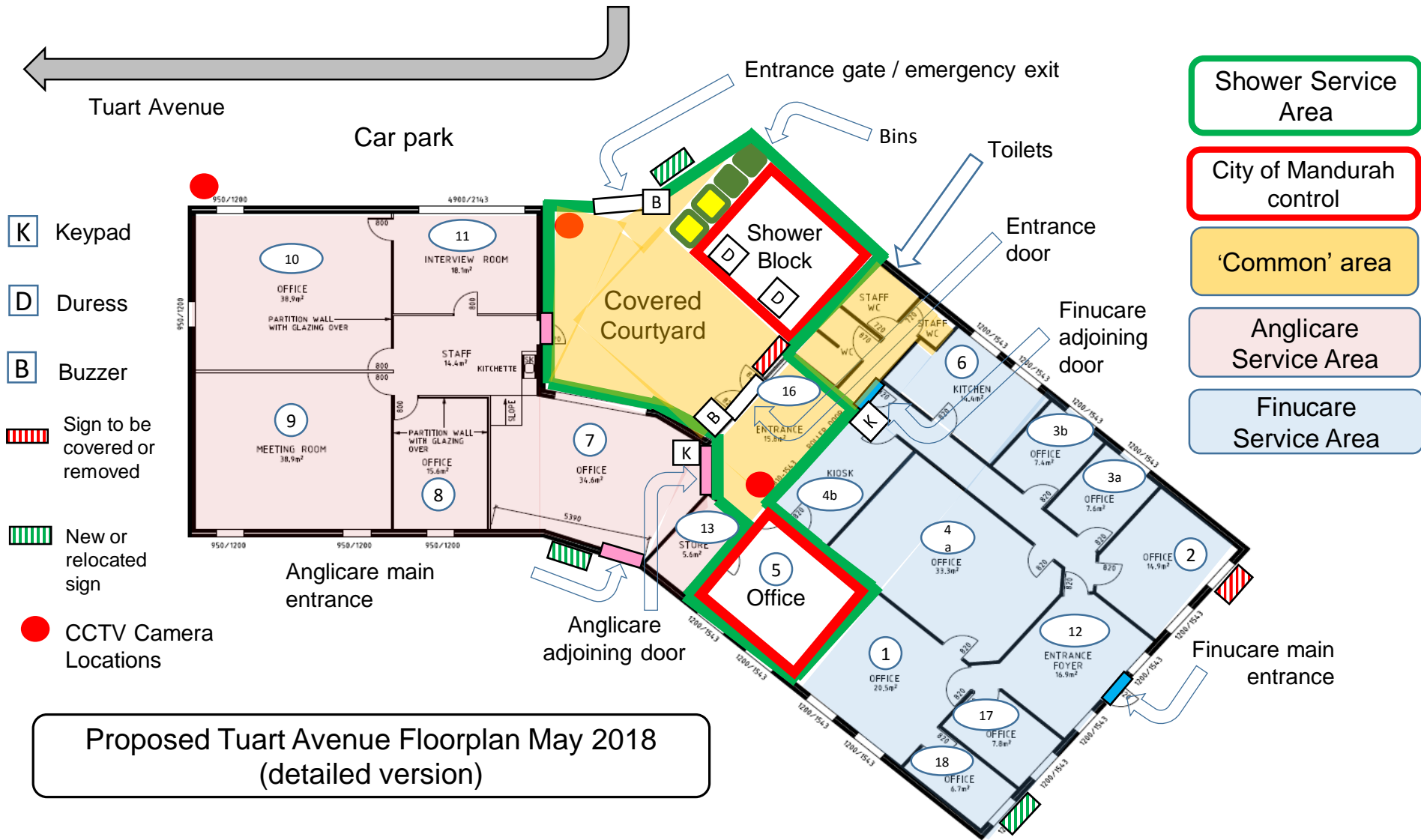
Tuart Avenue Shower Service: Summary of WestAus EOI Key Points	
Essential requirements	WestAus Responses
<u>Volunteers</u>	<ul style="list-style-type: none"> • 24 years' experience managing volunteers • Pool of 50 volunteers / able to source via Peel Volunteer Resource Centre
E1. Experience managing volunteers	<ul style="list-style-type: none"> • Support and supervision to help volunteers develop skills and knowledge of volunteers and address any risks arising
E2. Capacity to manage volunteers	Two volunteers present to ensure safe space
	Contingency - WestAus staff will run shower service if no volunteers available
	Direct communication between WestAus office and volunteers
E5. Min. no. volunteers	Volunteers interviewed, placed in a role they are comfortable and trained in, have a job description
	General volunteer training: <ul style="list-style-type: none"> • Legislation / OH&S • Policy and procedures manual • Cultural diversity / specific client needs • Understanding homelessness • Challenging behaviours / deescalating conflict situations / mitigating risks
	Specific volunteers instructions: <ul style="list-style-type: none"> • Safe operation of showers (to be added to Policies and Procedures Manual) • All volunteer insurances in place
<u>Services</u>	<ul style="list-style-type: none"> • 24 years supporting vulnerable people • Approach placing client at centre of service, may include partner agencies.
E3. Experience managing services for people with complex needs / implementing risk management.	<ul style="list-style-type: none"> • Culturally diverse staff respect clients, address their personal needs, underlying issues and improve their circumstances. • Link clients to additional services e.g. employment, family reconciliation
	<ul style="list-style-type: none"> • Address risk of roles and tasks with policy and procedures manual • Manual to be modified to protect shower service staff, volunteers, clients • WestAus will seek professional opinion for quality control of manual
E4. Service operation	<ul style="list-style-type: none"> • Shower service to operate two half day sessions per week for 3 months trial • Possible third session if warranted
	<ul style="list-style-type: none"> • Clients provided with towels and toiletries, feminine hygiene products. • If donations run out, will new sponsors/funding
	<ul style="list-style-type: none"> • Clients engaged/offered referral to support services. • If clients have specific demands outreach service may be considered
Desirable requirements	WestAus response
<u>Service and Facility Partnerships</u>	<ul style="list-style-type: none"> • Can engage sector/facilitate a working group, (experience of service coordination/interagency meetings/links to Aboriginal and CaLD networks.
D1 Organise and participate in service / facility coordination meetings	<ul style="list-style-type: none"> • Board / committees keep up with emerging needs and issues. • Can instigate new partnerships to benefit shower service if required
D2 Capacity to seek funding	<ul style="list-style-type: none"> • WestAus has multiple sources of funding and access to donations. • It has a reputation which will help in securing top-up funding for shower service if required
Supporting Documents	No documents attached

ATTACHMENT 2

Tuart Avenue Shower Service: Additional Costs to City To be read in conjunction with <i>Attachment 3 – Proposed Tuart Avenue Floorplan May 2018</i>				
		Essential \$ Cost	Desirable \$ Cost	
		Year 1	Year 2	
1. Physical changes required to the building				
Office 5 - amenity for Volunteers	Neverfail Water Cooler hire + water bottles		300 + cpi p.a.	
	Mains water supply and kitchenette:			
	Hydraulic works:			
	Saniflow pump	3,000		
	Pipework	1,000		
	Zip boiler (wall mounted)	500		
	Labour 4 person days	2,500		
	Cabinet:			
	Bench, cupboard and sink installed	4,000		
	Officer time	3,000		
				14,000
Miscellaneous equipment	Cleaning, sanitary bins, slip floor signage		200	
Keying, locks other door furniture for shower service area (SSA)	<ul style="list-style-type: none"> Shower Door 1 / Shower Door 2 Entrance / Exit Gate to Courtyard Building Entrance Door Door of Office 5 		200	
Emergency Evacuation	push release bar on Entrance Door for quick exit		200	
	Illuminated emergency exit sign for gate		200	
Door buzzers	Alert volunteers to clients requiring access: <ul style="list-style-type: none"> Entrance / Exit Gate to Courtyard Building Entrance Door 		200	
Video buzzer for Entrance Gate	As above but volunteers can see a live footage of client via a video link			3,000
Signage	Shower Service Info Sign		200	
Courtyard amenity	Increase user comfort <ul style="list-style-type: none"> Outdoor ceiling fan Patio heater 			1,000
Signage - to ensure people find correct service for them	<ul style="list-style-type: none"> Reskin sign adjacent to main entrance New sign next to Anglicare's new entrance New direction sign for Finucare Relocate and modify existing direction sign 		1,400	
Adjoining Doors	<ul style="list-style-type: none"> Installation of security keypads x 2 Installation of new door hardware 		200	

ATTACHMENT 2

2. Changes to the operating environment			
Utility costs	Additional water and electricity use for SSA	1,400	
Alarm system upgrade	additional equipment for existing electronic intruder detection system	1,300	
TOTAL ADDITIONAL COSTS Year 1		5,800	
TOTAL ADDITIONAL COSTS Year 2			18,000



6. **SUBJECT:** Access and Inclusion Plan: 2017/18 Progress Report
CONTACT OFFICER/S: Tim Hartland
AUTHOR: Pippa Gauden / Tim Hartland
FILE NO:

Summary

It is a requirement of the WA Disability Services Act 1993 (amended 2004) that public authorities lodge annual reporting to the State Government's Disability Services Commission (DSC) by 30 June. This report highlights achievements and challenges of the Access and Inclusion Plan (AIP) for 2017/18, sets priority actions for 2018/19, and seeks Council Endorsement.

In November 2015 Council adopted the AIP 2015 - 2020 together with the AIP Implementation Plan 2015 - 2017. Key projects in 2017/18 include:

- The opening of the new Changing Places facility, co-funded by the City in partnership with West Australia Local Government Authority (WALGA) and DSC. The opening of this facility as well as a Changing Places facility at both the new Mandurah Forum and the redeveloped Mandurah Aquatic & Recreation Centre (opened in 2017). This totals three accredited facilities across Mandurah.
- Continuation of the Existing Facilities Improvement Plan
- The inclusion of Sensory Rest Stops at the three major City events including Crab Fest, Children's Festival and Stretch Arts Festival to assist those with autism and sensory challenges, and creating an increased awareness of autism.

Council is requested to approve the AIP 2017/18 Progress Report for submission to the Disability Services Commission in July 2018.

Disclosure of Interest

N/A

Previous Relevant Documentation

- | | | |
|--------------|-----------|-------------------------------------------------------------|
| • G 18/06/17 | 2016/2017 | Disability Access & Inclusion Plan: 2016/17 Progress Report |
| • G.27/11/15 | 2015-2020 | Access and Inclusion Plan - Council Endorsement |

Background

Since 1995 it has been a requirement under the Disabilities Services Act (1993) that all public authorities prepare and implement a Disability Access and Inclusion Plan. This aims to improve access and inclusion to public services for people with disability, (including elderly people), to have equitable access to the organisations facilities and services.

The three main pieces of legislation that influence the way local governments provide services for people with disability, are the WA Disability Services Act (1993), the Building Code of Australia (BCA) and the Commonwealth Disability Discrimination Act (1992) (DDA). Essentially, the BCA provides a set of minimum requirements for new buildings and renovations, whilst the DDA goes further by requiring any business or organisation that provides services and facilities for the general public to also provide equivalent access to people with a disability.

The City of Mandurah is committed to improving access to its facilities and services, and since adopting its first Disability Access and Inclusion Plan in 2007, has made significant progress towards improving access and inclusion.

City of Mandurah Access and Inclusion Plan 2015 - 2020

The City's AIP 2015 – 2020 covered seven key outcomes:

- Outcome 1: People with disability have the same opportunities as other people to access the services of and any events organised by the City of Mandurah.
- Outcome 2: People with disability have the same opportunities as other people to access the buildings and other facilities of the City of Mandurah.
- Outcome 3: People with disability receive information from the City of Mandurah in a format that enables them to access the information as readily as other people.
- Outcome 4: People with disability will receive the same level and quality of service from the City of Mandurah and its employees as other people receive.
- Outcome 5: People with disability have the same opportunities as other people to provide feedback and make complaints to the City of Mandurah.
- Outcome 6: People with disability have the same opportunities as other people to participate in any public consultation by the City of Mandurah.
- Outcome 7: People with disability have the same opportunities as other people to obtain and maintain employment with the City of Mandurah.

Comment

Key Achievements 2017 - 2018

Throughout the 2017/2018 period a variety of positive initiatives in line with the City's 2015-2020 Access and Inclusion Plan have been achieved. Full details of these projects and initiatives and how they fit within the plans seven outcomes, is included in **Attachment 1 Statement of Achievement**. A summary of these key achievements are outlined as follows:

Changing Places Facility - Accreditation and Launch

The new Changing Places Facility was accredited on 10 April 2018. The Changing Places Facility has the features necessary to comfortably change an adult, with height adjustable change tables, an electronic hoist with a safe working load of 180kg, and enough space for two carers. Positioned behind the Visitors Centre on Mandurah's Eastern Foreshore the new facility is in a central and extremely high use area for both large scale events such as CrabFest and New Year's Eve celebrations, as well as everyday use by both local residents and visitors to the area. Furthermore, the City of Mandurah is now home to three Changing Places facilities, with the Mandurah Aquatic and Recreation Centre and the Mandurah Forum both featuring Changing Places facilities in their recent redevelopments. With these three facilities featuring on the Australia wide Changing Places network they increase the overall level of accessibility to the Mandurah region and increase the experience and opportunity to travel to the area for visitors with people with severe and profound disabilities or frail and elderly requiring this level of assistance.

The foreshore facility was achieved through a long-term consultation process involving self-identified community members and the City's Access & Inclusion Advisory Group members, and funded via partnership with both WA Local Government Association (WALGA) and Disability Services Commission (DSC).

Existing Facilities Improvement Plan (EFIP)

In 2014/15 the status and condition of eight of the City's community facilities were assessed by a cross departmental team of City officers, the 'Existing Facilities Team'. This team brought together expertise, knowledge and diverse perspectives from different business units across the City. One of the outcomes of this group is the Existing Facilities 2015-2020 Improvement Plan (EFIP). A goal of the plan was to ensure the eight identified facilities were safe, compliant, universally accessible, functional, and less costly by 2020. Accessibility was a key consideration of the group in developing the plan. This project has highlighted the importance of accessibility and has increased officer awareness of the building standards and how they relate to the Disability Discrimination Act.

The EFIP is in its fourth year of implementation and has provided access upgrades as a component of the City's approved capital budget, to the value of \$128,000 in 2015/16 and \$47,000 in 2016/17. In 2017/18 \$24,000 was put towards planning and design, with an estimated \$70,000 now allocated to the capital works budget for planned construction in 2018-19. These improvements have been prioritised with the assistance of external access audits. Audits and access improvements to the following community facilities have been undertaken and completed:

- Madora Bay Hall
- Mandurah (Old) Yacht Club
- Coodanup Community Hall
- Southern Estuary Hall
- Sutton Street Hall
- Greenfields Family and Community Centre
- Nellie Regan Hall
- Merlin Reserve Pavilion

Access Participation and Inclusion Group (API)

The purpose of this group is to, "enable the community to welcome, include and value people of all abilities". The API group actively promotes and supports all abilities events, programs or activities that:

- Ensure everyone is welcome to participate
- Value each person for their uniqueness and contribution
- Provide a fair go for all
- Broaden and build stronger connections; and
- Offer inclusive, fun social opportunities.

The City's API group delivered the following initiatives in 2017/2018:

- Inclusion stall at Children's Festival with inclusive activities for families
- Inclusion float at the Christmas Pageant
- The first 'Sensory Rest Stop' at the Children's Festival 2017

For 2018/19 the API group aim to adopt a slightly different approach to previous years, with a focus on cross-organisation collaboration between Mandurah based disability service providers, supported by passionate volunteers of all abilities, but most commonly with a shared interest in inclusion for all. It is hoped the combination of both passionate disability providers and community advocates will increase project reach, allow for provider exposure, and provide a stronger framework for the long-term sustainability of API projects. By sharing the responsibility and resources across the multiple providers and community members involved, the opportunities for capacity building, awareness and inclusiveness resulting from API projects is enhanced without overburdening any single contributor.

The API group has already grown in numbers as a result of this new direction, and various projects are in discussion for the 2018-19 period. The group will continue to actively recruit community with lived experience as both members and event volunteers.

Access and Inclusion Advisory Group (AIAG)

The AIAG continues to play an important role in assisting the City's implementation of the AIP by providing feedback and input on access and inclusion issues. The current committee were formed in November 2017 with their induction to the group in February 2018 and now meeting bi-monthly. The group consists of three Elected Members and twelve community members who have a particular interest in access and inclusion. The current group is made up of both previous and new members to AIAG, and bring a diverse range of knowledge, skills and lived experience to the group.

The AIAG members have contributed to a number of City projects via consultation and feedback including:

- Assisting in raising awareness of community access issues
- Raising attention to current key issues for people with disabilities in Mandurah
- Providing feedback on:
 - The New Mandurah Bridge project
 - The City Centre Waterfront project
 - The new Forum Shopping Centre Re-Development
 - The new Lakelands Shopping Centre site
 - Planning for Inclusion Training options
 - CrabFest/Stretch Festival/Children's Festival Accessibility and Inclusion improvements

In 2018 the group continue to be actively involved with the API group and support its projects and initiatives substantially.

Access and Inclusion Plan 2018-19 Key Considerations

The co-ordination of the Access and Inclusion Plan is delivered within the City's Community Development team which will provide a specific focus and allocates resources to implement the Plan over the remaining two years. The previous two years of the plan have seen the City's focus as predominantly being towards increasing awareness, skills and knowledge of Access & Inclusion Policy and embedding a culture of work practices that reflect this.

Training and development has been greatly achieved across the City's staffing organisation and in a majority of departments this continues to be reviewed annually. The City maintains a long-term commitment to training and re-training of staff (both new and existing) and the focus of this training to date has revolved more around facilities and the built environment.

Additionally, it is recommended the City commit to developing *Welcoming and Inclusive Communities* as a key focus area within its future community development planning, which will ensure a broader implementation of the outcomes outlined in the 2015-2020 Access and Inclusion Plan.

Of the twenty one tasks of the implementation plan 2015-2017, there were six tasks that were unable to be completed or improvements are ongoing, this will be a focus of the coming 12 month period. (e.g. 7.24.1 as attached). Disability Services Commission (DSC) acknowledges that tasks and timeframes need adjusting throughout the life of the plan and request the information and modifications are provided to DSC in the annual report. The annual report will be forwarded following Council endorsement. In addition to newly allocated tasks, the following six tasks from the 2015-2017 implementation plan will be reassigned to the 2018-2020 AIP Implementation Plan:

- 2.9.1 Develop an Approved Operating Procedure (AOP) for the use of tactile paving throughout Mandurah.
- 2.10 Advocate the benefits of accessible buildings and facilities to the community, including businesses.

- 3.11.1 Ensure the City's Style Guide includes reference to DSCs Accessible Information Checklist
- 3.12.1 Ensure that City publications carry a notation that information is available in alternative formats
- 3.14.1 Ensure the DSC's Accessible Information Checklist and the City's Style Guide are available on the Intranet.
- 4.15.1 Identify appropriate training and deliver accordingly (customer service teams)
- 7.24.1 Provide employment, work experience, volunteer and traineeship opportunities for people with a disability and liaise with Organisational Development to identify opportunities.

Statutory Environment

The WA Disability Services Act 1993 (amended 2004) requires public authorities to lodge an annual update to Disability Services Commission (DSC) by 30 June each year.

Risk Implications

Carefully planned universally accessible facilities are an important risk mitigation factor for the City and the work that has been developed on facilities has reduced risk associated with accessing several of the City's key community facilities. Further the access that people with disability have for accessing City events has been greatly improved and this has greatly reduced associated risks for people with mobility issues. The introduction of accessible audits for any project over \$100,000 also has reduced the financial risk to the City with potential costly retrospective redevelopments.

Policy Implications

The Disability Access and Inclusion Policy (POL CMS 02) was reviewed in 2015 and endorsed by Council in August 2015.

The policy outlines an accessible and inclusive community as one in which all Council functions, facilities and services (both in-house and contracted) are open, available and accessible to people with disability, providing them with the same opportunities, rights and responsibilities as other people in the community.

Economic Implications

The AIP 2015-2020 will continue to provide a focus on improving access and inclusion for people with a disability. The tasks identified in the AIP 2015–2020 will be included in future draft annual budgets for Council's consideration.

Opportunities exist for the City to progress its capacity to deliver access and inclusion priorities through further training for relevant officers. To ensure ongoing training and support of a developing workforce, training has a two (2) year cycle the next being 2018/19. For this reason training is a key item in the draft 2018/19 budget for Disability Access. Other key 2018/19 budget items are promotion of accessible facilities such as the new Changing Places, beach wheelchairs and club engagement, Advisory Group development and ongoing facility audits.

Strategic Implications

The following strategies from the *City of Mandurah Strategic Community Plan 2017 – 2037* are relevant to this report:

Social:

- Ensure the provision of quality health services and facilities.
- Provide opportunities, services and activities that engage our young people.
- Provide a range of social, recreational, entertainment and learning experiences for our residents and visitors.

Infrastructure:

- Advocate for and facilitate the provision of infrastructure that matches the demands of a growing population.

Identity:

- Encourage active community participation and engagement.
- Become known as a city and destination for events, arts, heritage and culture.

Organisational Excellence:

- Listen to and engage with our community.
- Ensure the City has the capacity and capability to deliver appropriate services and facilities.
- Build and retain a skilled, motivated and healthy workforce

Conclusion

The Access and Inclusion Plan 2015 - 2020 strategies, actively engage our diverse community, by continuing to plan for and improve disability access and inclusion. The AIP 2015-2020 assisted in achieving a number of the City's strategic outcomes, particularly *Our Vision: A place where community is proud, inspired and inclusive*. The AIP will continue to be delivered by a wide breadth of business units across the City, led by Community and Social Development. The City will continue to consult with the Access and Inclusion Advisory Group and report to Council annually. Council is requested to endorse the annual report and Statement of Achievements.

Refer **Attachment 1 – Access and Inclusion Plan 2017/2018 Statement of Achievements**

RECOMMENDATION

That Council:

1. **Acknowledges the progress and achievements during 2017/18 in the delivery of the City of Mandurah's Access and Inclusion Plan 2015 - 2020 and the continued work of the Access and Inclusion Advisory Group.**
2. **Approves the Access and Inclusion Plan 2017/18 Progress Report for submitting to the Disability Services Commission for their endorsement.**
3. **Supports the City's Access and Inclusion Plans 2018/19 key focus areas being on:**
 - 3.1 **Training and development of all officers with a customer service and communication function.**
 - 3.2 **A commitment to providing welcoming and inclusive communities as a key focus area in community development planning.**

Access & Inclusion Plan Progress Report *Attachment* 2017/18

Statement of Achievement

The City of Mandurah is committed to supporting and including people with disability through the improvement of access to its facilities and services. Since the adoption of its initial Disability Services Plan, the City has implemented many initiatives and made significant progress towards better access and inclusion. The Access & Inclusion Plan (AIP) 2015/2020 outcomes for 2017/18 are outlined as follows:

Outcome 1:

People with disability have the same opportunities as other people to access the services of, and any events, organised by the City of Mandurah.

- Information about planning processes, electoral processes, Council meetings and complaint processes was provided in clear and precise language and made available in alternative formats on request.
- Mandurah Libraries provide programs that are inclusive and accessible to people of all abilities.
 - Mandurah Libraries continue to build on alternative format resources, including:
 - Large print books – 4,104
 - Audio-books collection – 5,154 (Junior, Young Adult and Adult) items in different formats, including CD, MP3 and Digital Player.
 - eCollection is available for download on Apple or Android tablet, smart phone or eReader, which includes the following:
 - eAudio collection – 8,559 titles
 - eBooks collection – 56,715 titles
 - eMagazines – 299 titles
 - Home Library Service – Mandurah Libraries have 292 registered borrowers. This service is for people who have difficulty visiting the library due to illness, frailty or disability, or are caring full-time for someone who is confined to their home. On average, 155 items are delivered to Home Library service clients each fortnight, with a total of 2,715 items being delivered from January to December 2017.
 - The Senior Centre Reading Room was opened in July 2017. Staffed by trained volunteers, the Reading room has a collection of 500 items that members can borrow through the City of Mandurah Libraries. Additionally, items from Falcon eLibrary and Community Centre, Lakelands Library and Community Centre and Mandurah Library can be reserved and borrowed from the Seniors Reading Room.
 - Provision of free inclusive computer software and hardware training at the Libraries and Mandurah Seniors and Community Centre.
 - Technology Tea for Seniors was launched at Falcon eLibrary and Community Centre, and introduced to Lakelands Library and Community Centre. This program encourages members of the community to bring their devices and technology related questions to the libraries where the group provides solutions in a collaborative informal setting.
- Bi-monthly Memory Cafés encourages people living with dementia and their support companion to socialise, share experiences and learn a new skill together alongside other community members with similar experiences. Sessions provide a safe and empathetic environment with staff members and volunteers that have been trained by Alzheimer's WA. Dementia friendly signage is put in place at Memory Café locations to increase accessibility for attendees to facilities such as toilets and refreshment stations.

- The Dementia Friendly Libraries initiative has included modifications and extensions to existing library practices and collection such as the addition of resources which support carers of people living with dementia, titles considered accessible reading material for people living with dementia and resources for children and young people which explain dementia diagnosis in an age appropriate way. Dementia friendly make with me packs are available at all library branches providing patrons the opportunity to share stories with community members living with dementia.
- The Intergenerational Activities Program provides opportunities for all community members to share experiences. Events are dementia aware and are attended by staff and volunteers that have received training from Alzheimer's WA. Events are Auslan interpreted and held at venues that are wheelchair accessible.
- Reflecting with Art is a monthly creative engagement program delivered as a collaboration between Mandurah Libraries, Alcoa Mandurah Art Gallery (AMAG), and CASM. Informal art appreciation sessions are delivered by volunteers trained by Alzheimer's WA and encourage people living with dementia and their support companions to attend exhibitions in local gallery spaces, discuss artworks, ideas, reminisce and enjoy morning tea. The program caters for both community social groups and individuals who wish to attend.
- Reflecting with Art Outreach delivers the creative engagement program to local care facilities, reaching community members that may otherwise face barriers to attending local art spaces. Trained volunteers visit participating facilities with local artworks and artists to provide an informal art appreciation workshop suitable for people living with dementia.
- City Recreation Centres provide inclusive programs and equipment, including:
 - Gym Equipment accessible pieces with easy access for wheel chairs.
 - Group Training Classes including group fitness and aqua classes for all abilities.
 - Parkinson and Multiple sclerosis classes.
 - Format specific classes such as Heart Fit for all abilities.
 - Facilitating Mata-rays Swimming club for our younger ages.
 - An accredited Adult Changing Places Facility.
- City's Arts Heritage and Culture Strategy recognises the need to use new and emerging technology to improve access and service delivery to reach new audiences.
 - The City's Arts officers are committed to providing universally accessible arts and cultural experiences, making Mandurah a go to destination for all.
 - Current focus areas include:
 - Expansion of the arts program to include events that are accessible to a wider audience (eg: Stretch Arts Festival, Wearable Art).
 - Encouragement of applicants for the bridge public artwork to consider multi-sensory components when developing their concepts.
 - Use sound (installations and audio descriptors) and textures through the development of The Bilya Heritage Trail, which focuses on the Binjareb history around the estuary.
 - Training for City and Mandurah Performing Arts Centre volunteers and staff to assist patrons with low vision or who are blind.
 - Audio descriptor and tactile tour for Wearable Art Mandurah in June 2018.

- Mandurah Performing Arts Centre (ManPAC) facilitates a range of projects that support access and inclusion, including:
 - Reviewing an internal access audit of their facilities undertaken in 2016. The findings of which have assisted in prioritizing access upgrades during 2018/19 and in any future redevelopments.
 - Reflecting with Art (in partnership with Mandurah Libraries and CASM), an art appreciation project for people living with dementia, Invisible Ground Theatre Company in creating disability theatre, presenting Sensorium Theatre for special primary school students, and providing complimentary tickets for people living with dementia through Alzheimer's WA.
 - The City has tendered the installation of a new lift to ManPAC for early in the 2018/19 period. The lift will vastly increase accessibility, especially for performers with disabilities that currently restrict and in some cases inhibit their access to the upstairs green room area.
 - A new external ramp offering a second universally accessible entrance is also scheduled for this period, as well as the possibility of additional upgrades such as push button doors at the entrance.
- Wearable Art Mandurah - inclusive to all skill levels and abilities:
 - Free workshops are provided to develop skills in :
 - Creating wearable art with repurposed materials, for aged 18 and under
 - Movement workshops for potential participation in the showcase
 - A Sunday accessible matinee package offers a tactile tour, meet and greet with the designers, premium showcase seating and access to a live audio description of the event.
 - Silver Chain clients and staff created a wearable art garment in 2017 and 2018. The 2018 garment focused on the theme of caring with loved ones with dementia and it was creating using repurposed materials.
- Contemporary Art Spaces Mandurah (CASM) is a destination for positive inclusive engagement and cultural interaction for many community groups including:
 - Community First International Ability Arts Program
 - Nulsun Disability Services
 - Peel Mental and Community Health
 - Ella's House
 - Silver Chain
 - Peel Alzheimer's group
- CASM continues to provide weekly workshop hire to Peel Community Mental Health - Living Skills group who provide art therapy for mental illness, trauma, and associated problems. This provides a safe and supportive environment to engage with CASM's services and other user groups.
- CASM provides two Artist in Residence spaces annually. Katrina Barber, a profoundly deaf visual artist was a CASM artist in residence in 2015. She continued weekly workshop hire as studio space leading to her solo exhibition at CASM in October 2016, and continued to utilise the space for her own professional and personal development throughout 2017.

- Working in partnership with the Alcoa Mandurah Art Gallery (AMAG), and the Mandurah Libraries, CASM now delivers the monthly 'Reflecting with Art' program which tailors half day art discussions and morning tea entitled People Living with Dementia. Groups are organised through Silver Chain and come from both home care and group care facilities. Community volunteers have been trained to deliver the program.
- The Reflecting with Art program, managed by Libraries, Learning, Arts and Culture widened in 2017/2018 to deliver outsource talks and workshops in Community Houses for people living with dementia, allowing access to the program to those participants that are unable to travel to CASM or the Alcoa Mandurah galleries. LLAC links with the local artist community through CASM for artist facilitators and/or appropriate artworks for the program.
- Planning is now underway for a Reflecting with Art Workshop program to be delivered at the new Lakelands Library. It is hoped that grant funding will allow for artist training sessions and a 12 month workshop program to be developed and facilitated in 2018/2019.
- Chorus's Ability Arts program (Formerly Community First International) has presented yearly stage productions with support from the City's Community Association Fund grants program and ManPAC staff. In the past they have engaged in group exhibitions including Common Threads Wearable Art 2014, 2015 and 2016 and the Telstra partnership exhibition 'A Digital City in a Connected World' in 2014. Chorus continues to make monthly visits to CASM for spontaneous exhibition discussions, workshops and curator talks. Chorus also produced the "Home Is" Project for the 2017 Stretch Arts Festival with support from local artist Elli Moody.
- The Stretch Festival's community projects actively encourage the participation of people with disability and disability services providers. During the 2018 Stretch Arts Festival, projects presented by individuals and/or groups with varying abilities included:
 - The Big Draw
 - The "Home Is" Project (delivered by Chorus, formerly Community First International)
 - Peel Open Studios
 - Volunteer roles by people with a disability
 - Reserved ACROD parking is managed and widely promoted
 - The Hydrodome Project - Working with multi-disciplinary arts such as dance, digital film and sound. The project included people with a variety of abilities including elderly residents from Mercy Place, a Residential Aged Care facility in Mandurah Participants of Mercy Place included wheelchair bound residents and those experiencing dementia. The project was a huge success and is currently being made into a documentary.
- During its 2017/18 calendar, City delivered festivals and events considered the needs of people of all ages and abilities, including:
 - Reserved ACROD parking is managed and widely promoted
 - Incorporation of 'drop off/pick up' point
 - Program information in an accessible format
 - Inclusion of a 'Sensory rest Stop' at major events
 - Event layouts
 - Ability Idol at 2018 CrabFest
 - AUSLAN Interpreter for stage program
 - Accessible fonts and contrast on all event signage

- Accessible toilets provided.
- Event volunteering opportunities
- Staff and volunteer training
- Events were all held to standards outlined by access audits in previous years and in most cases exceeded these.
- API Steering Group made up of ten (10) community members, three (3) elected members and local organisations delivered:
 - Inclusion float at the 2017 Christmas pageant
 - Sensory rest stop (first ever at a City event) at 2017 Children's Festival. The rest stop was very busy all day and well received, and achieved great exposure with 28,000 people attending the City's Childrens Festival.
- The City's Events staff attended the April Access and Inclusion Advisory Group (AIAG) meeting to obtain feedback from the group on the 2018 CrabFest. This consultation will be followed up later in 2018 to support changes to increase accessibility and inclusion at next year's CrabFest event and across all City events.
- City of Mandurah is a Companion Card affiliate providing free entry to people caring for a person with disability.
- Rubbish services for people with disability or mobility issues continues to be offered.

Outcome 2:

People with disability have the same opportunities as other people to access the buildings and other facilities of the City of Mandurah.

Infrastructure Projects

- The City continued the delivery of funding for new paths in 2017/2018 as part of a long term program of upgrading and expanding pedestrian paths to City precincts. Each new path is constructed to current accessibility standards which include:
 - 2.0m wide or wider path
 - Pedestrian ramps with tactile ground surface indicators (TGSi)
 - Handrails where there is a significant crossing hazard

Though this does not specifically target people with disability, the improvements will have a positive impact on increasing access for all. Paths upgraded in the 2017/18 include:

- Pedestrian crossing upgrade for the intersection the Meadow springs Drive and Rochester Way, Meadow Springs.
- Pedestrian crossing upgrade for the intersection Pebble Beach Boulevard and Suncrest Meander, Meadow Springs.
- Pedestrian crossing upgrade for the intersection of Old Cost Road and San Marco Quays, Halls Head.
- Pedestrian crossing upgrade for the intersection of Maggie Way and Beacham Street, Coodanup.
- Footpath installation along the Coolibah Avenue, Dudley Park near the Murray River Village to Boundary Road for safety of Gophers.
- Pram Ramp upgrade along the Ormsby Terrace to serve people of Mandurah Seniors and Community Centre.

- All significant infrastructure projects (over \$100,000) utilise an independent access auditor to assess access to buildings, surrounding parking and pedestrian access. 2017/18 projects included:
 - Mandurah Traffic Bridge, pedestrian access
 - Mandurah sea wall
 - Old Mandurah Yacht Club car park including accessible bays
 - Old Mandurah Yacht Club accessible toilet design
 - Madora Bay Hall accessible entrance
 - Mandurah Performing Arts Centre redesign and construction of accessible toilet facilities
 - Halls Head Ablution – improved accessible facilities
- Ablution upgrades across existing City facilities ensure during any construction the provision of:
 - Compliancy audit
 - Unisex accessible toilet
 - Connecting pathways and kerb ramps
 - Accessible parking
 - A temporary accessible toilet is available during construction
- Repairs and maintenance program to improve access for people with disability i.e. new signage, tactile tiling, paths, ramps and kerbing across various locations in Mandurah.
- Landscape Design through the Public Open Space (POS) approval process ensures developer's designs meet accessible standards. This process also includes consultation with the Access and Inclusion Advisory Group to offer feedback.
- In 2016/17 Landscape Design undertook a community engagement approach to review of playground designs and elements. Findings from this help to ensure playgrounds are more accessible and met the needs of community. During 2017/18 officers were able use learnings from training to translate these findings in to considerate accessible design. These elements are now considered and implemented into new designs where possible. Examples of these elements are:
 - More bird nest swings (large netted swings all abilities can use)
 - Customized accessible carousel
 - Variation of play equipment to include upper body strength play equipment
 - Location of play areas
 - Compliant steps and hand rails to slides
 - Raised play areas
 - Flush entrance to playgrounds
 - Various types of soft fall making it easier for children and people using mobility devices to navigate playground and play elements.
 - More seating and shade.
- Parks and reserve upgrades continue to include a range of accessible features, such as:
 - ACROD parking bays
 - Accessible BBQ's
 - Picnic Shelters with accessible tables
 - Connecting pathways at accessible grade
 - A variety of seating styles

- Parks and reserves upgraded in 2017/18 include:
 - Melros Reserve - 4M x 4M shade structure with universal access to an existing cantilevered picnic setting was installed.
 - Hermitage Reserve, Coodanup – Playground upgrades including a birds nest swing were installed as well as universally accessible seating with wider concrete padding around seating and tables to allow for improved accessibility for wheelchairs.
 - Country Club Drive Reserve, Dawesville – Universally accessible fitness circuit as well as upgrades to ensure a continuous path of travel to the circuit.
- The City's Landscape and Design team initiated consultation for the City Centre Waterfront Re-Development project inviting members of the City's Access and Inclusion Advisory Group (AIAG) to attend an on-site workshop to hear their feedback. The City's Senior Landscape Architect also attended the AIAG meeting in April to discuss the project. This consultation will continue throughout the life of the project.
- Infrastructure Management processes now incorporate consultation of an external access auditor at the design phase and audits of plans as well as prior to hand over of all major new facilities.
- Major capital works projects now require the design process to incorporate an access auditor review and engage the Access and Inclusion Advisory Group.

Accessible Facilities

- The City's Changing Places facility received accreditation and opened to the public in February 2018. The facility is located behind the Visitors Centre at the Northern end of the very popular Eastern Foreshore, making it an ideal location for both residents and visitors to the area. Keys are available 7 days a week from the Mandurah Visitors Centre located close by.
- Changing Places parking upgrade – The two parking bays built to previous standards were upgraded to current standards. The bays were also resurfaced to remove a ponding issue.
- Community Art Spaces Mandurah (CASM) – A drain was previously blocking access by wheelchair. This has now been lowered to remove the barrier.
- Playground Replacement 10 year plan – Year 5 of 10 year program \$250,000.
- Landscape Design Public Open Space approval process continues with developers looking for opportunities to maximise inclusion.
- An all-terrain wheel chair is available for free community use. Chair is housed and managed by Mandurah Visitors Centre. The City is exploring purchasing two additional wheelchairs during 2018.

Outcome 3:

People with disability receive information from the City of Mandurah in a format that enables them to access the information as readily as other people.

- The City of Mandurah website (released on 23 February 2016) is in adherence with Web Content Accessibility Guidelines (WCAG) with a focus on user-focussed and user-friendly design and functionality. Key features:
 - All City content editors and approvers received training for web writing including accessibility.
 - All web images have alternative text (alt tag)
 - Content is easy to read and understand
 - Meaningful descriptive links have been included
 - The website is user-focussed/friendly.
- Audio messages are available on the City's phone system.
- Displays are available at City venues to improve access to information for people with disability.
- Information on functions, facilities and services is made available in alternative formats on request.

Outcome 4:

People with disability will receive the same level and quality of service from the City of Mandurah and its employees as other people receive.

- All Staff Inductions include an Access and Inclusion component with new staff and volunteers attending.
- Staff Information sessions continue to be held on disability access requirements and ways to increase inclusion.
- Since 2013, the City requires key City Technical Officers to attend National Accredited training on legislation requirements and access issues. To date 39 City Officers have attended this training resulting in raised awareness of AS1428 suite and the Disability Discrimination Act.
- During 2017/18 the City's Community Development Team provided professional advice to a broad range of City business units. As well as working to increase these units skills, the Community Development Team also attended a range of PD sessions to ensure ongoing awareness of any changes in the access and inclusion legislation and practice.

Outcome 5:

People with disability have the same opportunities as other people to provide feedback and make complaints to the City of Mandurah.

- Feedback forms: Customer Services employees are available to fill out Customer Feedback Forms and Service Complaint Reports on behalf of customers on request over the counter or over the telephone.

- Service standards and Information booklets: Customer Service have developed two booklets that outline service standards and methods through which people can offer feedback. Customer feedback and complaints can be provided online (web page or email), telephone and through the National Relay Service, or in person.

Outcome 6:

People with disability have the same opportunities as other people to participate in any public consultation by the City of Mandurah.

- Alternative venues were used for community consultation on Council issues and decision-making processes to increase the inclusion of people with disability.

Outcome 7:

People with disability have the same opportunities as other people to access employment and training opportunities with the City of Mandurah.

- In May 2015 the City renewed their contract with Intelife (formerly Intework) for an additional 5 years. Commencing in 2009-10, an ongoing partnership with Intelife, an employment support agency, enabled the City to provide over forty people with an intellectual disability from the Mandurah region with employment and training opportunities per year. This partnership was strengthened in 2017/18 and the group were active in supporting the City.
- A high volume of City volunteer positions for people with disability have been supported by Mandurah Seniors and Community Centre, Libraries, Mandurah Performing Arts Centre and Billy Dower Youth Centre since its implementation.
- An Equity and Diversity Management plan includes strategies for employing people with a disability at the City and every effort was made in 2017/18 to ensure City vacancies were open and available to a broad range of access needs.

7	SUBJECT:	North Mandurah Waste Water Reuse Study: Water Resource Drilling and Hydrogeological Study Update
	CONTACT OFFICER/S:	Allan Claydon/Dale Robinson
	AUTHOR:	Dale Robinson
	FILE NO:	

Summary

The City is considering water source alternatives for irrigating public open space areas in the North Mandurah area. The City commissioned a consultancy firm to investigate and study the potential to formalise and extend the indirect treated wastewater reuse scheme associated with the Gordon Road Wastewater Treatment Plant (Gordon Road WWTP), to provide an alternative source of water that can be used to irrigate existing and future public open space in the North Mandurah area.

The study methodology is a three stage process. The stages are:

- Stage 1: Data acquisition and review.
- Stage 2: Optioneering and conceptual design.
- Stage 3: Implementation planning and reporting.

Stage 1 and 2 of the study have been completed with stage 3 to progress the preferred water reuse option and prepare the implementation planning and final configuration/design of the North Mandurah Wastewater Reuse Scheme.

The Department of Water and Environmental Regulation advised the City that before progressing the implementation planning and final configuration/design stage (Stage 3) there is a need to better understand the hydrogeological complexities of the study area and thus have requested that a drilling program and hydrogeological study be completed to ascertain the extent of water available in the northern catchment. This work is required to establish the formal Managed Aquifer Recharge (MAR) zone.

Council is requested to acknowledge that the Department of Water and Environmental Regulation requires the City to complete an additional drilling program in order to ascertain the extent of current water recharge into the North Mandurah catchment; and to support the completion of the investigation to confirm the MAR Zone.

Disclosure of Interest

Nil

Previous Relevant Documentation

- G.25/12/17 19 Dec 2017 North Mandurah Wastewater Reuse Study: Interim Report.
Council agreed for the City to meet with the Water Corporation, Department of Water and Environmental Regulation and Department of Health to confirm their support for the project and ascertain any additional regulatory requirements.
- G.9/10/16 11 Oct 2016 Council endorsed the City of Mandurah Water Efficiency Action Plan 2016-2021.
Council also endorsed the City as striving towards Gold Waterwise status and, if necessary after consultation with the Water Corporation, endorsing officers to add additional actions to the Water Efficiency Action Plan in order to achieve this goal.
The City is an accredited Council with the Waterwise Council Program which was launched in 2009 in partnership with local government, the Water Corporation and Department of Water.

The Waterwise Council Program is aimed at assisting local government to improve water management of potable and non-potable sources for public open spaces and facilities. The Program also supports behavioural changes in the community to reduce water demand.

Location

The North Mandurah Wastewater Reuse Scheme study area is depicted below in Figure 1 and covers a total area of 3,770 ha in the North Mandurah region. The area is bounded by the Indian Ocean to the west, the Mandurah estuary to the south, Rockingham to the north, and the Serpentine River to the east. Gordon Road WWTP, which will provide treated wastewater for the proposed recycled water scheme, is located approximately in the middle of the study area.

The North Mandurah Wastewater Reuse Scheme study area is situated within the Mandurah sub-area of the Department of Water's South West Coastal groundwater management area. Additional wastewater facilities are located outside of the study area at Halls Heads (Mandurah No. 2) and at Caddadup (Mandurah No. 3) WWTP's. Small-scale MAR indirect reuse schemes operate at these facilities.

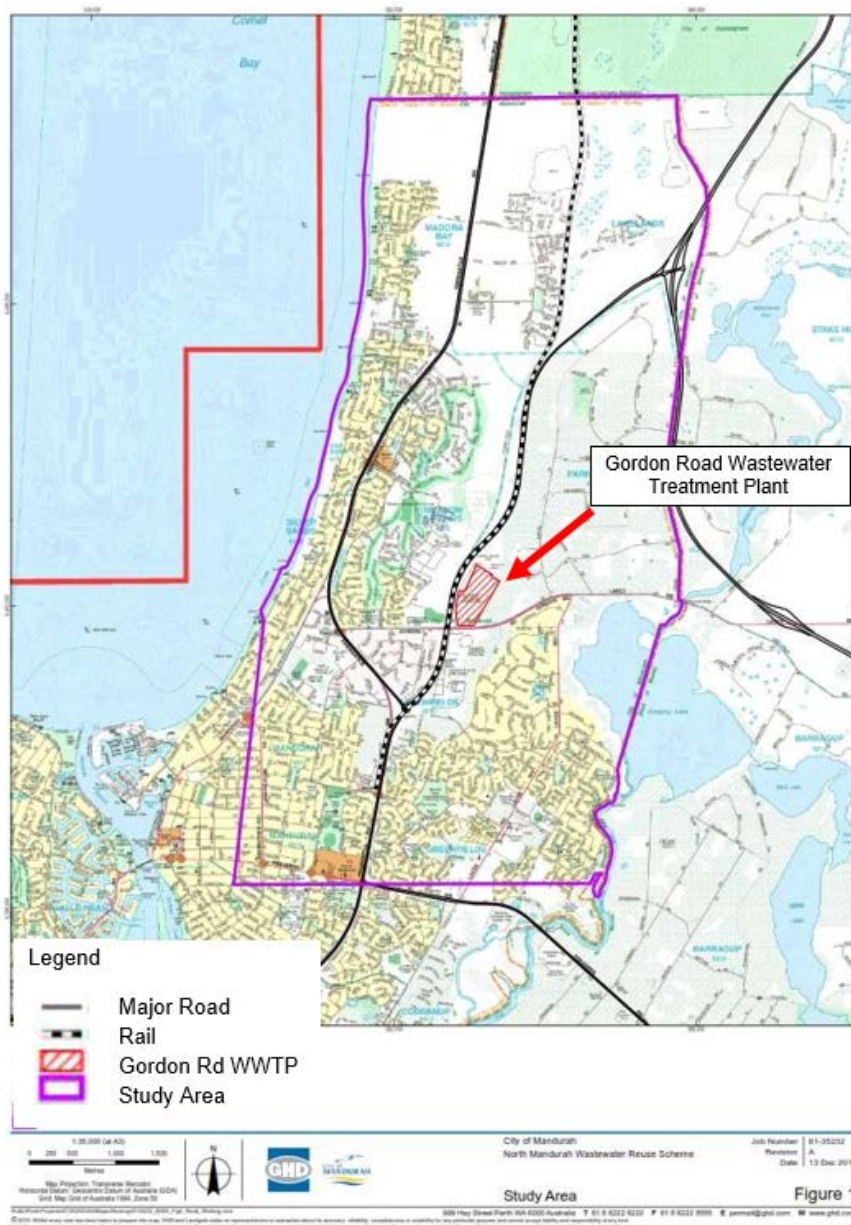


Figure 1: North Mandurah Wastewater Reuse Scheme Study Area

Background

As development continues to grow in the North Mandurah area and demand on the local groundwater aquifers is approaching the point at which their sustainable yield is fully allocated and there is the potential that the sustainable yield could reduce in the future as a consequence of the drying climate, alternative water sources are required to meet the City's POS irrigation requirements.

In recognising a potential shortage of access to water for public open space maintenance, the City commissioned a consultancy firm with the aim to investigate utilising wastewater as an alternative water source.

The study includes a methodology across three stages to deliver this work:

- Stage 1: Data acquisition and review. Develop a design basis for the North Mandurah Wastewater Reuse Scheme based on review of available information and consultation with key external stakeholders.
- Stage 2: Optioneering and conceptual design. Complete optioneering work and develop outline concepts for scheme options, then develop conceptual designs for the preferred option.
- Stage 3: Implementation planning and reporting. Develop, implement and design planning for the preferred option. Also, determine what approvals are required to be attained in order to implement the North Mandurah Wastewater Reuse Scheme.

Following the completion of Stage 2, Council recommended that City representatives meet with the Water Corporation, DWER and Department of Health (DoH) to confirm their support for the project, determine the best water recycling option to consider and ascertain any additional regulatory requirements.

Water Corporation, DWER and DoH all provided advice that MAR, where the water is recharged to the superficial aquifer, is the best option for the North Mandurah Waste Water Reuse Study. This advice was provided by the Water Corporation, DWER and DoH based on MAR being a less complex and more affordable option compared to a Tertiary Treatment Plant constructed and maintained at the Gordon Road WWTP.

Water Corporation, DWER and DoH provided support to the North Mandurah Wastewater Reuse Study with DWER providing the most significant support, advice and regulatory requirements in relation to requesting that the City should progress the study by determining the extent of fresh water already available in the North Mandurah study area due to the historical and ongoing infiltration of treated waste water into the receiving superficial groundwater aquifer.

Department of Water and Environmental Regulation Comment

In addition to Mandurah North groundwater being fully allocated, the DWER has advised the City that the water quality in the aquifers is likely to decline due to current water volumes and pumping rates being extracted for POS irrigation. It is important to acknowledge that in general, water levels in the superficial aquifer are relatively stable, although there has been a slow, long-term decline in the superficial aquifer of about one metre over the last 30 years.

DWER advised that before progressing the implementation planning and final configuration/design stage (Stage 3) there is a need to better understand the hydrogeological complexities of the study area. A Study is required to be completed to ascertain the extent of water available in the northern catchment which is recharged daily by the Water Corporation's ongoing treated waste water recharge.

DWER further advised that the zone of influence by the treated wastewater being infiltrated into the catchment will be better defined by the areal extent of groundwater pressure head rise and this study will establish the extent of the freshwater mound at the Gordon Road WWTP and the thickness of the freshwater throughout the study area.

The benefit and overall outcome of establishing the formal MAR Zone from the Gordon Road WWTP as outlined by DWER is a new and separate groundwater licence dedicated to the water continually recharging the aquifer.

The extent of the zone of recharge into the North Mandurah catchment in current preliminary models demonstrates the zone of recharge is extending to approximately a two kilometre radius from the point of infiltration at the Gordon Road WWTP (Figure 2). Formally recognising this zone of recharge with the completion of a Study will provide the added advantage of having a resource that can be accessed closer to the active and recreational spaces recognised in the North Mandurah Study Area and thus potentially result not having to pipe the MAR water directly from or near to the Gordon Road WWTP.

In addition to formalising the MAR Zone the Study will determine the existing drilled production bores within the Study area which are currently extracting the continuously recharged superficial groundwater. These sites will be included as part of the MAR Zone and their current groundwater licenced limit increased as part of the production bores being within the MAR Zone.

The Gordon Road WWTP currently infiltrates approximately four Gigalitres (four billion litres) of water per year into the superficial aquifer. Once the MAR Zone is formally established from the Study, the City will be able to request an additional licence from DWER. The licence will be acknowledged as the Gordon Road MAR and a sustainable volume that supports the City's active and recreational water needs will be issued. The volume of water to be licensed will be determined from the Study.

In order to progress to Stage 3 of the project/study the City is required to establish the formal MAR Zone or Zones which are being created from the Gordon Road WWTP.

Water Corporation Comment

Water Corporation provided support by referencing the City's current MAR Scheme at the Water Corporation's Caddadup WWTP located in Dawesville which currently supports and maintains 3.06 hectares of active and recreational space. Water Corporation has advised that it will support the City with a MAR Scheme as has been done in the past through a Recycled Water Supply Agreement.

Water Corporation advised that their preferred MAR option is where aquifer recovery (water recovered from disposal into the superficial aquifer) and water is distributed to a limited number of 'large' infiltration galleries. This is one of the options proposed in the study.

With respect to nutrient impacts associated with the existing treated wastewater disposal practice (water disposed of into the onsite basins) the proposed scheme will reduce impacts on currently impacted groundwater dependent ecosystems. Water Corporation advised that they would work with the City to quantify this benefit.

Department of Health Comment

DoH provided support by referencing and understanding the current excellent record by the City in regard to operating the current Caddadup, Halls Head and Meadow Springs MAR and indirect water reuse schemes.

Risk to public health was discussed with DoH and it was advised that based on research undertaken at the Halls Head WWTP and elsewhere, with adequate residence times in the aquifer prior to extraction DoH is satisfied that extracted water can be safely used for irrigation purposes without further treatment and the project is relatively low risk from a public health perspective

DoH advised that good baseline data must be obtained before the scheme is operational and this would be acknowledged during further studies of the water balance within the catchment. The water balance is important to recognise as this can reduce any flood risk. DoH also advised the importance of groundwater modelling and if undertaken for the project area that the model takes into account flood risk within the North Mandurah MAR area.

Preferred Option – Managed Aquifer Recharge – “Large” Infiltration Galleries

It was acknowledged by the Water Corporation and the two regulatory departments that all sites in the North Mandurah area will benefit from a sustainable alternative water resource with the additional benefit of the local environment having access to recharged groundwater levels in the superficial aquifer.

Option 4, proposed in the early stages of the study, received the most support from the Water Corporation, DWER and DoH. Option 4 involves irrigating the local POS areas with MAR supplemented groundwater (superficial aquifer) supplied by bores located near to these water infiltration systems (galleries - similar to soak wells), and other POS areas with bores located remote from but within the zone of the infiltrated water from these infiltration systems (galleries). This option could also irrigate other POS areas with MAR supplemented groundwater supplied from the centralised distribution system or from bores near the large infiltration areas into local infiltration systems or possibly day storage tanks.

Drilling Program and Hydrogeological Study

In order to progress this option the current MAR Zone is required to be established through the onsite Study.

The Study will determine the water currently available in the North Mandurah study area from the Gordon Road WWTP involving MAR. It still remains that this water is a viable alternative resource and is likely to meet the future increases in the City's POS irrigation demand.

The extent of the zone of recharge into the North Mandurah catchment in current preliminary models demonstrates the zone of recharge is extending to approximately a two kilometre radius from the point of infiltration at the Gordon Road WWTP (figure 2). Formally recognising this zone of recharge with the completion of a Drilling Program and Hydrogeological Study will provide the added advantage of having a resource that can be accessed closer to the active and recreational spaces recognised in the North Mandurah Study area and thus potentially not having to pipe the MAR water predominantly from or near to the Gordon Road WWTP.

The final Implementation and Design Stage (Stage 3) will determine the extent of the production bore field abstracting the MAR (aquifer supplemented water) and as a consequence of completing the Drilling and Hydrogeological Study the extent of the MAR bore field and pipeline water distribution network will be determined.

The Study is proposed to include the construction of monitoring bores at six sites (as outlined in Figure 2). The monitoring bores around the plant are proposed to be screened through the full aquifer thickness, with one nested saltwater interface site proposed along the south-eastern boundary of the Gordon Road WWTP. The monitoring sites away from the Gordon Road WWTP, to the east and north-east, are proposed to be constructed as water table monitoring bores.

CSIRO

DWER advised that the City should discuss the Study further with students representing CSIRO who are currently studying the Gordon Road WWTP ongoing infiltration and in particular the groundwater modelling of waste water infiltration to aquifers.

The City organised a meeting with students representing CSIRO, where the students presented their current studies for the Gordon Road WWTP groundwater modelling and advised that they could assist the Study with further modelling of the Gordon Road wastewater infiltration and provide reliable assistance to the MAR Zone.

CSIRO have completed significant studies in relation to wastewater disposal and infiltration into the surrounding catchment/s, with an important study being completed for the Water Corporation's Halls Head WWTP involving treated waste water being infiltrated into the superficial aquifer and concluding that the

infiltrated water is fit-for-purpose and a low risk in relation to health effects to the public for the irrigation of recreational and active open space.

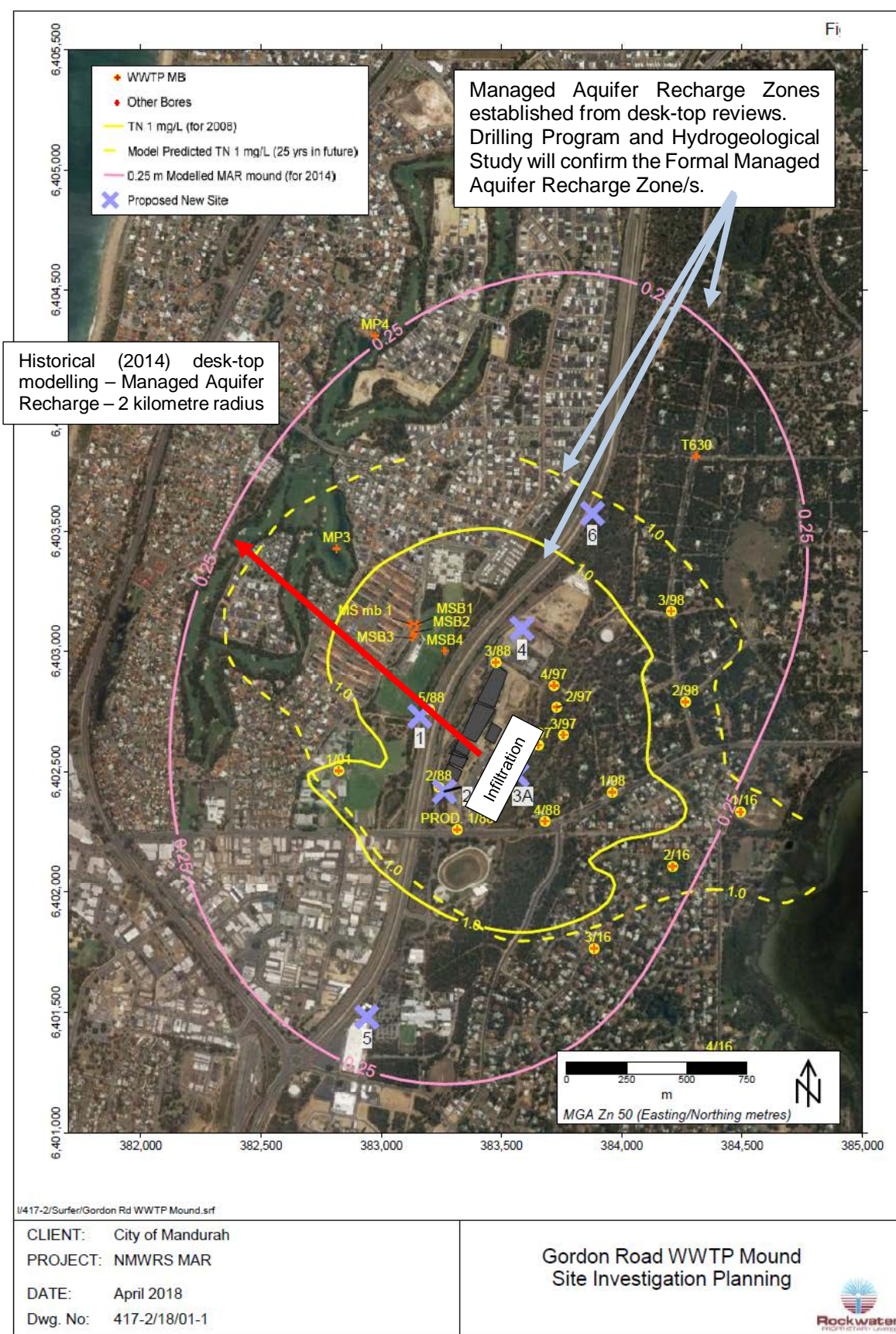


Figure 2: North Mandurah Wastewater Reuse Scheme - Gordon Road Site Investigation Planning. Proposed New Monitoring Bore Sites to confirm the 2018 Managed Aquifer Recharge Zone.

Comment

The Study is proposed with the aim to better define the fresh water mound being created in the North Mandurah catchment area by the Gordon Road WWTP. The drilling program will also aim to determine where the proposed production bore field is likely to be sited (what locations the water can be taken from) and the areal extent of the water recharging the Northern Mandurah catchment (historical and current treated wastewater recharge).

The Study will be extensive by unlocking a water resource in which we understand as being widespread however there is a requirement by the DWER to formally recognise the extent of this fresh water resource.

As the demand on the local aquifers is approaching the point at which their sustainable yield is fully allocated, alternative water sources are required to meet the future increases in the City's POS irrigation demand. The Study will determine and confirm that the North Mandurah Wastewater Reuse Scheme Study area is well suited to an alternative water resource via the development of a MAR style (indirect) wastewater reuse scheme.

The existing MAR Schemes (formally recognised or not) at all three WWTP's within the City of Mandurah have proven to be an alternative water resource which provides water security to recreational sites within Mandurah.

The support from Water Corporation, DWER and DoH in relation to progressing Option 4 which involves aquifer recovery and distribution to 'large' infiltration galleries is an encouraging step forward.

It is important to recognise that the Study will be a required step and will determine what this preferred option will look like during the implementation planning and final configuration/design stage (Stage 3). This Stage will determine the extent of the production bore field extracting the MAR or aquifer supplemented water and as a consequence of completing the Drilling Program and Hydrogeological Study the extent of the production bore field and pipeline water distribution network will be determined.

Support from CSIRO comes as an advantage and is very timely as students are currently completing studies on the Gordon Road WWTP treated wastewater infiltration with the major benefit of CSIRO representatives supporting and providing academic evidence of the benefits of MAR for water availability, the environment and ultimately the North Mandurah Water Reuse Scheme.

Statutory Environment

Lot 500 Gordon Road, Parklands, is vested with the Water Corporation for the purposes of "Treating Wastewater" from domestic dwellings and business sites.

Numbers 2 and 56 Corsican Place, are vested with the Water Corporation for the purposes of "Treating Wastewater" from domestic dwellings and business sites.

The Department of Water provides licence to take recharged groundwater from the Gordon Road Wastewater Treatment Plant Operations for the City of Mandurah at Lot 1320, Oakmont Avenue (Meadow Springs Public Open Space).

The Water Corporation provides a 'Water Supply Agreement' for the City of Mandurah to take water at Lot 1320, Oakmont Avenue, for irrigation purposes at the Meadow Springs Public Open Space.

Policy Implications

The following Policies are relevant to this report:

- POL-CNP 04 Policy - Recreation Facilities Usage:

To provide the community with access to a range of facilities and reserves for a variety of functions, events and activities.

- POL-EVM 04 Policy – Ocean Sewerage Outfalls:
To ensure that no ocean sewerage outfalls are developed along the Mandurah Coastline.

- POL-PKR 02 Policy – Parks and Reserves:
The City of Mandurah will aim to provide and maintain a variety of parks and reserves to fulfil the community's need for balanced social, environmental and economic outcomes.

- POL-RDS 07 Policy – Water Sensitive Urban Design:
The City of Mandurah aims to:
 - a) Improve the achievement of total water cycle management outcomes in all City activities.
 - b) Achieve better integration of land and water management which results in improved environmental outcomes for the Peel-Harvey Catchment.

Risk Implications

Implementation of the Water Efficiency Action Plan and participation in the Waterwise Council program is part of the risk mitigation strategy for Corporate Risk No 4 "Irrigation and Water Supply" and Corporate Risk No 5 "Estuary Water Quality".

Risk to public health was discussed with DoH and it was advised, based on research undertaken at WWTP's involving treated waste water infiltration in Western Australia, that adequate residence times in the aquifer prior to extraction has proven the water for irrigation to be a relatively low risk from a public health perspective. DoH also agreed that risk levels can remain low to moderately low if ongoing monitoring of the scheme and reporting of a scheme's performance is completed.

DoH advised the City that in regard to MAR the risk towards contamination and the requirement for "town planning" is critical to ensure the superficial aquifer/s are not susceptible to contamination sources (i.e. Petrol Station). These risks can be minimised via appropriate siting of recharge facilities/production bores and (with respect to potential future contamination sources) appropriate land zonings and planning controls.

DoH also advised that good baseline data must be obtained before the scheme is operational and it is important to recognise any flood risk and that groundwater modelling undertaken for the project takes into account flood risk within the North Mandurah MAR area.

A risk to the overall progression to the North Mandurah Waste Water Reuse Study has been made apparent by DWER and DoH if better understanding the hydrogeological complexities of the study area is not completed. The completion of the Study would assist in lowering this risk and the overall Implementation planning and design stage (Stage 3) of the study overall.

Economic Implications

The Study is proposed to include the construction of monitoring bores at six sites (outlined in Figure 2), with one nested saltwater interface site proposed along the south-eastern boundary of the Gordon Road WWTP. The monitoring sites away from the Gordon Road WWTP, to the east and north-east, are proposed to be constructed as water table monitoring bores.

The following table (Table 1) outlines industry specialist's costs to complete the drilling program, field investigations, hydrogeological assessment, managed aquifer recharge modelling, laboratory costs and reporting.

Item	Expenditure
Gordon Road WWTP Groundwater Investigation 5 x aircore holes cased as Tamala Limestone monitoring bores 1 x nested set of monitoring bores	\$70,000
Defining the Freshwater Zone ("MAR Bucket") around Gordon Road Wastewater Treatment Plant for the Department of Water and Environmental Regulation. <i>Consulting Costs for Field Investigations, Hydrogeological Assessment, Modelling & Reporting</i>	\$50,000
Laboratory Costs	\$5,000
Total Expenditure (including GST)	\$125,000

Table 1: Indicative costs to complete drilling investigation to define the Managed Aquifer Recharge Zone from the Gordon Road Waste Water Treatment Plant.

An amount of \$125,000 has been included in the 2018/2019 draft budget.

Strategic Implications

The following strategies from the *City of Mandurah Strategic Community Plan 2017 – 2037* are relevant to this report:

Environment:

- Protect and ensure the health of our natural environment and waterways.

Infrastructure:

- Advocate for and facilitate the provision of infrastructure that matches the demands of a growing population.

Organisational Excellence:

- Ensure the City has the capacity and capability to deliver appropriate services and facilities.

Conclusion

The sustainability of the City's recreation and active open spaces and groundwater resources would be supported by MAR. The treated wastewater from the Gordon Road WWTP infiltrating into the superficial aquifer is acknowledged by DWER as a new water resource in the North Mandurah catchment.

The Drilling Program and Hydrogeological Study is required to be completed to ascertain the extent of water available in the northern catchment which is being recharged daily by the Water Corporation's ongoing treated wastewater recharge. The completion of these works will determine the next stage involving the implementation planning and final configuration/design of the North Mandurah Wastewater Reuse Scheme.

Formally recognising the extent of the Water Corporation's ongoing treated wastewater recharge will be a significant part of the North Mandurah Wastewater Reuse Study and a required step forward in determining the water reuse overall scheme design.

As previously outlined, a key factor in validating the viability of the proposed MAR (Aquifer Recovery) options will be the implementation of drilling investigations to accurately define the current groundwater resource with regard to aquifer characteristics and recovered water quality.

Given that demand on the local aquifers is approaching the point at which their sustainable yield is fully allocated and water quality is likely to diminish from current extraction from the aquifers for the City, and in particular the North Mandurah area, alternative water sources are likely to be required to meet the future increases in the City's POS irrigation demand.

The North Mandurah Wastewater Reuse Scheme is an alternative water resource that is focused on supporting POS with a sustainable alternative water resource and the additional benefit of the local environment having access to recharged groundwater. The support of progressing the Study and ultimately the formalisation of a 'new' water resource will assist in providing water security for the North Mandurah area.

It is recommended that Council receive this report and acknowledges that MAR (additional water infiltrated into the superficial aquifer) is the preferred option advised by Water Corporation, DWER and DoH. Additionally, defining the MAR Zone will be a significant step forward in identifying a sustainable water resource being created by the Gordon Road WWTP ongoing treated waste water infiltration.

Based on the importance and advice from DWER in regard to ascertaining the extent of the MAR Zone (new "bucket" of water) created by the infiltration from the treated wastewater into the superficial aquifer, it is recommended for Council to agree for the City to progress the Drilling Program and Hydrogeological Study.

- Refer

Attachment 1 - Summary of Existing City of Mandurah Reuse Schemes

Attachment 2 - North Mandurah Study Area: Current and Future Irrigation Areas

RECOMMENDATION

That Council:

- 1. Notes that once the Managed Aquifer Recharge Zone has been established from the Drilling Program and Hydrogeological Study, this water would be licensed to the City, by the Department of Water and Environmental Regulation, as a new water resource.**
- 2. Approves the City progressing the Drilling Program and Hydrogeological Study through the construction of monitoring bores, field investigations and reporting to ascertain the current extent of the Managed Aquifer Recharge Zone.**
- 3. Notes that the Drilling Program and Hydrogeological Study funding requirement of \$125,000 has been listed in the 2018/2019 draft budget.**

Attachment1

Summary of Existing City of Mandurah Reuse Schemes

Halls Head Wastewater Treatment Plant

Halls Head Wastewater Treatment Plant is a Water Corporation owned and operated treatment plant located in Halls Head, approximately 2.5 km south-west from the Mandurah city centre. The WWTP is licenced to treat up to 5.8 ML/d to a secondary standard. The abstraction bores of this scheme supply MAR supplemented groundwater to a number of parks, including four that require the irrigation water quality to meet criteria prescribed for “medium exposure risk” reuse schemes (DoH, *pers. comm*).

Halls Head Indirect Treated Wastewater Reuse Scheme (CSIRO, 2001) – The CSIRO conducted a monitoring program designed to determine the groundwater impacts and treatment capability of MAR schemes using TWW from the Halls Head WWTP. Conclusions from this study were that the Halls Head Indirect Reuse Scheme was suitable for irrigating POS spaces with negligible health and environmental risks. Key water quality findings from the study are as follows:

Health: *E. coli* concentrations were ≤ 1 cell/100mL in recovered water, and coliphage and human pathogenic enteroviruses were never detected in recovered water or background groundwater despite being detected in TWW. The removal of these microorganisms and pathogens can be attributed to natural purification processes within the infiltration ponds, the unsaturated zone below the infiltration ponds and the aquifer downgradient of the infiltration basins.

- Heavy metals: All heavy metals tested were found to be below maximum allowable levels defined in the National Drinking Water Quality Guidelines.
- Salinity: The TDS in recovered water was consistently lower than in the background groundwater, resulting in reuse water being more suitable for the irrigation of POS than traditional groundwater sources.
- Nutrients: Total nitrogen and total phosphorous levels were found to decrease from concentrations found in TWW to concentrations found in the surrounding groundwater.

Caddadup Wastewater Treatment Plant

Caddadup WWTP is a Water Corporation owned and operated treatment plant located in Dawesville, approximately 12 km south-west from the Mandurah city centre. The WWTP is designed to treat up to 3 ML/d to a secondary standard. The abstraction bores of this scheme supply MAR supplemented groundwater to a number of areas that have good access controls, whereby the irrigation water quality is only required to meet criteria prescribed for “low exposure risk” reuse schemes).

Caddadup WWTP, Assessment of potential for reuse bores (Rockwater, 2014) – This feasibility study showed that establishment of an MAR reuse scheme at the Caddadup WWTP was feasible assuming appropriate design and operation management considerations were met to reduce the risk of saline up-coning.

Caddadup WWTP Groundwater Reuse, Managed aquifer recharge hydrogeological review and risk assessment (Rockwater 2015) – At the time of this study, the City were planning to capture up to 120 ML/yr of TWW from the fresh groundwater mound located on the Caddadup WWTP site to irrigate 3 ha of POS. This mound is the result of approximately 20 years of TWW infiltration. A risk assessment was used to identify potential risks of the scheme with results indicating that risks could be adequately managed through appropriate scheme design, construction methods, low production rates, site access controls and ongoing water quality monitoring.

Attachment 2

North Mandurah Study Area: Current and future irrigation areas



Legend

- Major Road
- Rail
- Study Area
- Gordon Rd WWTP
- Irrigation Area
 - Active turf
 - Passive turf

1:35,000 (at A3)
0 250 500 1,000 1,500
Metres
Map Projection: Transverse Mercator
Horizontal Datum: Geocentric Datum of Australia (GDA)
Grid: Map Grid of Australia 1994, Zone 50



City of Mandurah
North Mandurah Wastewater Reuse Scheme

Job Number: 61-35232
Revision: A
Date: 18 Jan 2017

Green Space Irrigation Areas

Figure 12

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8 SUBJECT: City Centre: Proposed Expansion of Christmas Decorations and Display

CONTACT OFFICER/S: Simon Hudson

AUTHOR: Michelle Lazzari

FILE NO:

Summary

Displays of Christmas lights in public venues and on public buildings are a popular part of the annual celebration of Christmas.

The City Centre has been decorated at Christmas time for the last seven years within the constraints of restricted funding and lack of strategic direction.

With a planned approach, the community and business sector can enjoy the benefits of Christmas decorations. The most obvious benefit is joy and goodwill for the residents and if done on an appropriate scale can bring lots of attention to the City. Such displays generate lots of free publicity and attracts visitors to the City Centre.

The majority of the Christmas decorations used in 2017 have now reached the end of their useful lives and have deteriorated to the extent that they need replacing.

It is considered timely to present a plan to move forward with future Christmas displays that resonate with the community, draw visitors and encourage businesses to participate in enhancing the vibrancy of the City Centre.

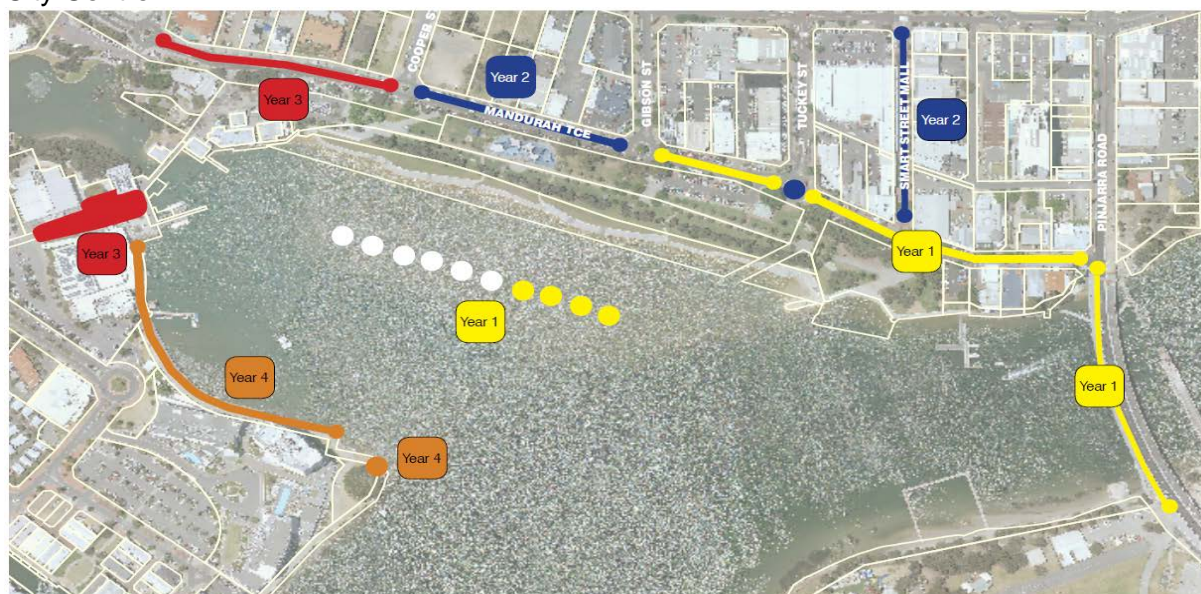
Council is requested to support the development of a plan that embraces the expansion of the annual Christmas decoration/display that offers meaning to our community.

Disclosure of Interest

N/A

Location

City Centre



- Year 1 - Bridge, Mandurah Tce from Pinjarra Rd to Gibson Street, 4 additional Estuary trees
- Year 2 - Mandurah Tce from Gibson St to Cooper St, Smart Street Mall, Tuckey St / Mandurah Tce rounabout
- Year 3 - Mandurah Tce from Cooper St to Hackett St, Mandjar Sq
- Year 4 - Boardwalk from Mandjar Sq to Stingray Pt, Stingray Pt

Previous Relevant Documentation

N/A

Background

There is no current strategy or plan for the provision of Christmas decorations within the City. The beginnings or semblance of a comprehensive approach to activate the City Centre around Christmas time commenced around 2010 and has continued to develop.

With the renewal of the City Centre streetscape which included paving upgrading, decorative street lighting and street furniture enhancements, the opportunity was taken to provide infrastructure to carry banners and decorations.

In 2010/2011, thirty new LED illuminated column motifs (15 Christmas trees and 15 Starbursts) were purchased. These decorations were installed on new Western Power decorative street lights as part of the City Centre upgrade on Sutton, Sholl and Tuckey Streets. It was intended that the decorations would be lit, however this was not possible due to the light poles being Western Power assets and the agency not supporting the installation of powered decorative fixtures on their infrastructure. Whilst the decorations had a daytime presence and created a festive streetscape, not being able to illuminate them at night diminished their impact.



Western Power light pole motifs

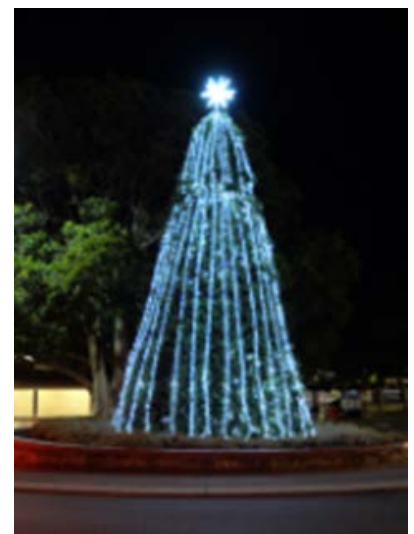
In addition to the column motifs, twelve wreaths were purchased in 2010 and installed on City owned light poles in Smart Street Mall. Six of the poles had existing power outlets enabling wreaths installed on these poles to be lit with LED lights. Old Christmas wreaths were installed on the eight old Mandurah Traffic Bridge street lights and these were replaced with new wreaths in 2011. Community designed banners were installed on the City owned light poles located on Pinjarra Road. In the past these featured illuminated decorations. The banners have deteriorated beyond use and have since been disposed of.



Smart Street Mall LED lit wreaths

Subsequent annual budgets allowed for the replacement of existing decorations. The decorations do not have a long life due to the weather conditions and coastal environment they exist in. Most decorations have a five year life span and require replacement thereafter.

2013-14 was the year of the introduction of the Christmas Estuary Trees and the Tuckey Street Roundabout Tree, whilst still continuing with the installation of the aged existing street pole decorations across the City. The original design of the estuary trees was a steel frame and was positioned manually into place within the estuary. This was replicated in 2014-15.



Tuckey Street RAB Christmas tree

In 2015-16 the number of Estuary Christmas Trees was increased to a total of five and they were redesigned to be an aluminium minimalistic structure individually fixed to a pontoon. This has reduced the manpower required to install the trees within the estuary and also provided a structure that can withstand the harsh elements of the salt water environment. The pontoons are a City asset and at other times of the year are available for use by other sections, i.e. Events, Arts and Culture. This was also the year that the power source was redesigned to be incorporated in the construction of the new sea wall and no longer be an overhead supply to the estuary trees but in fact underground protruding through the sea wall.



In 2016-17 the number of the estuary trees was increased to seven and had an amazing presence within the estuary.



The Tuckey Street Roundabout Tree has become informally the Community Tree for the City Centre. The size and height of the tree needs to reflect a strong presence within the streetscape. The key to the community element is that officers have developed a partnership through the Children's Festival to provide decorations for the tree. It is intended to continue this program. The current tree has deteriorated to the extent that it needs to be replaced by 2019.



Comment

With recent improvement works in the City Centre now completed, it is considered timely to review Christmas decorations and answer the question of where to from here.

The redevelopment of the Eastern Foreshore, the construction of the new Mandurah Traffic Bridge combined with appropriately constructed decorative street lighting poles provides an opportunity to develop and expand the Christmas decorations within the City Centre.

Done right, public Christmas displays can bring lots of attention to the community, Christmas displays can generate lots of free publicity and attract visitors to the City. This can translate to the generation of additional revenue for the business community. A win-win outcome.

An example of this sentiment exists with the annual canal Christmas light display.

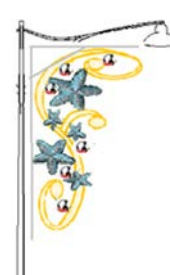
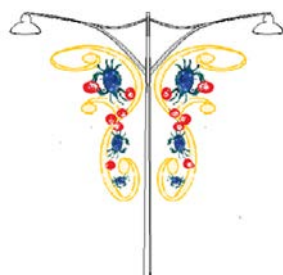
Predominantly the Mandurah Bridge, Pinjarra Road, Smart Street Mall, Tuckey Street roundabout, Mandjar Square and Visitor Centre have been the areas targeted for Christmas decorations. With the introduction of the Estuary Trees and the Tuckey Street Roundabout Tree some four years ago it has now been identified that a planned approach for the way forward for the use of both existing and future design/purchase of decorations is required. It is important to ensure that the ultimate design for the decorations flows seamlessly from one side of the City Centre through to the other, allowing residents and visitors the ultimate festive experience when visiting the area.

There are a number of key elements that would enhance the festive feel of the City Centre if appropriately addressed. These include:

1. Mandurah Bridge - architectural designed street lighting is installed on the north side of the bridge which has the capacity for banners to be attached depicting a Christmas theme. The up-lighting of the traffic bridge can be lit according to the Christmas theme chosen for the year in consultation with the Events team.



2. Mandurah Terrace – street light poles to be adorned with custom designed column motif decorations. Negotiations are required with Western Power to reclassify the lighting poles as decorative street lighting poles thus allowing the City to upgrade these assets to support the installation of powered decorative fixtures. If this is not possible then alternatives of non-illuminated street pole decorations are a possible option. There is also the opportunity to install across street motifs at several locations. Examples of this type of lighting are featured below.





Note: indicative illustrations: Possible future idea.

3. Tuckey Street Roundabout Tree – This tree is extremely well received by the public and it is recommended that the City continues with the installation of a tree within this space well into the future. Alternative designs can be considered, i.e. a minimalistic aluminium design to compliment the estuary trees.



Existing Tree



Possible Future designs

As referred to earlier, this is considered to be a community tree. Continued development of themes and decorations via the Children's Festival is seen as an enviable community engagement opportunity.

4. Estuary Floating Trees – The point of difference that the City can make in this space is to utilise the estuary and make a presence. The number of Estuary trees is proposed to increase to eleven.



5. Smart Street Mall – Upgrade poles and pole decorations to continue with the Christmas theme, whilst engaging with the businesses to participate.
6. Eastern Foreshore – as the foreshore is developed provision can be made to consider future Christmas decorations within this space. The introduction of smart poles provides the City with flexibility to have appropriate decorative lighting.
7. Mandjar Square – with the upgrade of Mandjar Square this is another key focal point for both residents and visitors to the area. It is an active area that needs to be included in the Christmas decoration strategy moving forward. There are numerous opportunities to utilise the smart poles and catenary wires that are part of the development. For example:



Note: indicative illustrations: Possible future idea.

8. Boardwalk – MPAC to Stingray Point / Fig Tree – This would be the completion of the decoration / lighting trail. Being such an historical landmark to Mandurah. There is an opportunity to create Stingray Point as a landmark location. It may be possible to engage the building owners to join this lighting trail by having the buildings lit and decorated to be admired across the water and close by. The Fig Tree on the point is not considered for inclusion due to its current health which is deteriorating.



Note: indicative illustrations: Possible future idea.

City Centre Lighting Option

It was intended that the street lighting poles installed within the City Centre were to accommodate illuminated decorations. Unfortunately at the time Western Power would not support and approve this concept.

It is proposed to request Western Power return these assets to the City, and the City revert to a decorative lighting tariff in lieu of the normal tariff applied to street lighting. This change would allow the City to utilise the poles as originally intended. Additionally, this proposal would:

- i) Result in a lower power tariff rate as the rate would no longer include an allowance for the pole replacement.
- ii) The City would be responsible for the maintenance of the power pole and thus its replacement at the end of its useful life.

This is consistent with other areas within the City that has decorative street lighting installed as part of the subdivision development. As a City asset, these poles could be changed to smart poles in the future and thus introduce greater flexibility into the City Centre. The number of street lighting poles is 77.

To implement a decorative Christmas festival event will require a financial investment by the City. To date, the decorations and fixtures have been cobbled together to demonstrate the impact such decorations can have on the community.

A strategy has been prepared which would result in Christmas decorations being a feature of the city centre extending from the Mandurah Bridge to Stingray Point. To achieve this plan will take four years. The plan is included in **Attachment 1**.

Consultation

N/A

Statutory Environment

N/A

Policy Implications

N/A

Economic Implications

The proposal is to implement a Christmas Decoration strategy over four years.

The breakdown of costs is as follows:

		OPERATING \$	CAPITAL \$
YEAR 1 - \$195,400		\$34,000	\$161,400
Mandurah Bridge - Banners	New		\$37,000
Street Poles – Pinjarra Rd to Tuckey St	New		\$46,000
Street Poles – Tuckey St to Gibson St	New		\$29,600
Estuary Trees	Existing x 7, New x 4	\$22,000	\$48,800
Roundabout Tree	Existing	\$12,000	
YEAR 2 - \$195,000		\$80,600	\$114,400
Mandurah Bridge - Banners	Existing	\$15,000	
Street Poles – Pinjarra Rd to Tuckey St	Existing	\$19,000	
Street Poles – Tuckey St to Gibson St	Existing	\$11,400	
Street Poles – Gibson St to Cooper St	New		\$32,400
Estuary Trees	Existing x 11	\$35,200	
Smart Street Mall	New		\$25,000
Roundabout Tree	New		\$57,000
YEAR 3 - \$187,600		\$112,600	\$75,000
Mandurah Bridge - Banners	Existing	\$15,000	
Street Poles – Pinjarra Rd to Tuckey St	Existing	\$19,000	
Street Poles – Tuckey St to Gibson St	Existing	\$11,400	
Street Poles – Gibson St to Cooper St	Existing	\$10,000	
Street Poles – Cooper St to Hackett St	New		\$45,000
Smart Street Mall	Existing	\$10,000	
Estuary Trees	Existing x 11	\$35,200	
Roundabout Tree	Existing	\$12,000	
Mandjar Square	New		\$30,000

		OPERATING \$	CAPITAL \$
YEAR 4 - \$215,600		\$133,100	\$82,500
Mandurah Bridge - Banners	Existing	\$15,000	
Street Poles – Pinjarra Rd to Tuckey St	Existing	\$19,000	
Street Poles – Tuckey St to Gibson St	Existing	\$11,400	
Street Poles – Gibson St to Cooper St	Existing	\$10,000	
Street Poles – Cooper St to Hackett St	Existing	\$12,500	
Smart Street Mall	Existing	\$10,000	
Estuary Trees	Existing x 11	\$35,200	
Roundabout Tree	Existing	\$12,000	
Mandjar Square	Existing	\$8,000	
Boardwalk – MPAC to Stingray Point	New		\$37,500
Stingray Point / Fig Tree	New		\$45,000

Summary

Year	Operating Cost	Capital Cost	Total Cost
1	\$34,000	\$161,400	\$195,400
2	\$80,600	\$114,400	\$195,000
3	\$112,600	\$ 75,000	\$187,600
4	\$133,100	\$ 82,500	\$215,600
TOTAL	\$360,300	\$433,300	\$793,600

A sum of \$150,000 has been listed in the 2018/2019 draft budget for consideration by Council. The proposed schedule of costs will be revised to match the approved funding outcome in the 2018/2019 budget process.

Risk Analysis

The risk is extremely low. No funding opportunities were found for Christmas Decorations. Community feedback may query whether funds could be sourced through funding opportunities.

Strategic Implications

The following strategies from the *City of Mandurah Strategic Community Plan 2017 – 2037* are relevant to this report:

Identity:

- Encourage active community participation and engagement.
- Become known as a city and destination for events, arts, heritage and culture.

Organisational Excellence:

- Deliver excellent governance and financial management.

Conclusion

The City Centre has been decorated at Christmas for approximately the last seven years with a deliberate intent to create a festive environment. Predominantly the Old Mandurah Traffic Bridge, Pinjarra Road, Smart Street Mall, Tuckey Street Roundabout, Mandjar Square and Visitor Centre were the areas targeted for decorations. With the introduction of the Estuary Trees and the Tuckey Street Roundabout Tree some four years ago it has now been identified that a planned approach for the way forward for the use of both existing and future design / purchase of decorations is required.

Residents and visitors to Mandurah have come to expect Christmas decorations throughout the estuary / City Centre precinct. It is important to ensure that the ultimate design for the decorations flows from one side of the City Centre through to the other, allowing residents and visitors the ultimate experience when visiting the area.

Staged implementation of proposed Christmas decorations at key locations will provide a festive display throughout the City Centre precinct. Council is requested to endorse the proposal to strengthen Christmas decorations within the City Centre and request Western Power to change the status of the street lighting to decorative street lighting.

NOTE:

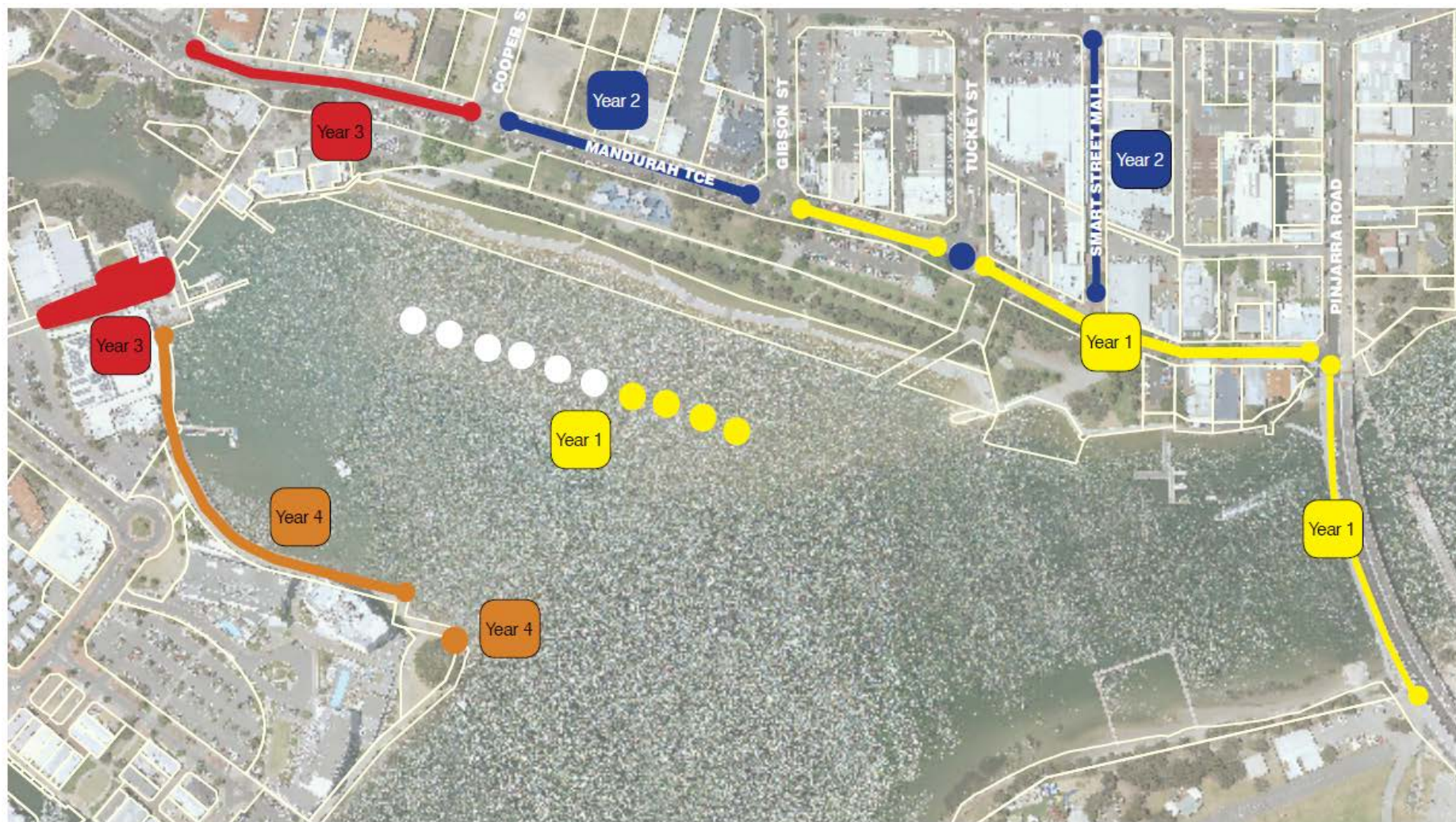
- Refer ***Attachment 1*** ***Proposed City Centre Christmas Plan***

RECOMMENDATION

That Council:

1. **Supports the vision to design and implement a festive display that flows from one side of the City Centre through to the other.**
2. **Notes that the Christmas Decoration plan has \$150,000 funding listed in the 2018/2019 draft budget.**
3. **Approves an approach to Western Power to change the ownership of street lights within the City Centre (77 in total) from a Western Power asset to that of a City of Mandurah asset and change the power tariff accordingly.**

Proposed City Centre Christmas Plan



- Year 1 - Bridge, Mandurah Tce from Pinjarra Rd to Gibson Street, 4 additional Estuary trees
- Year 2 - Mandurah Tce from Gibson St to Cooper St, Smart Street Mall, Tuckey St / Mandurah Tce rounabout
- Year 3 - Mandurah Tce from Cooper St to Hackett St, Mandjar Sq
- Year 4 - Boardwalk from Mandjar Sq to Stingray Pt, Stingray Pt

9 **SUBJECT:** Smokebush Retreat: Amendment to Deed of Agreement
 CONTACT OFFICER/S: Allan Claydon
 AUTHOR: Allan Claydon
 FILE NO:

Summary

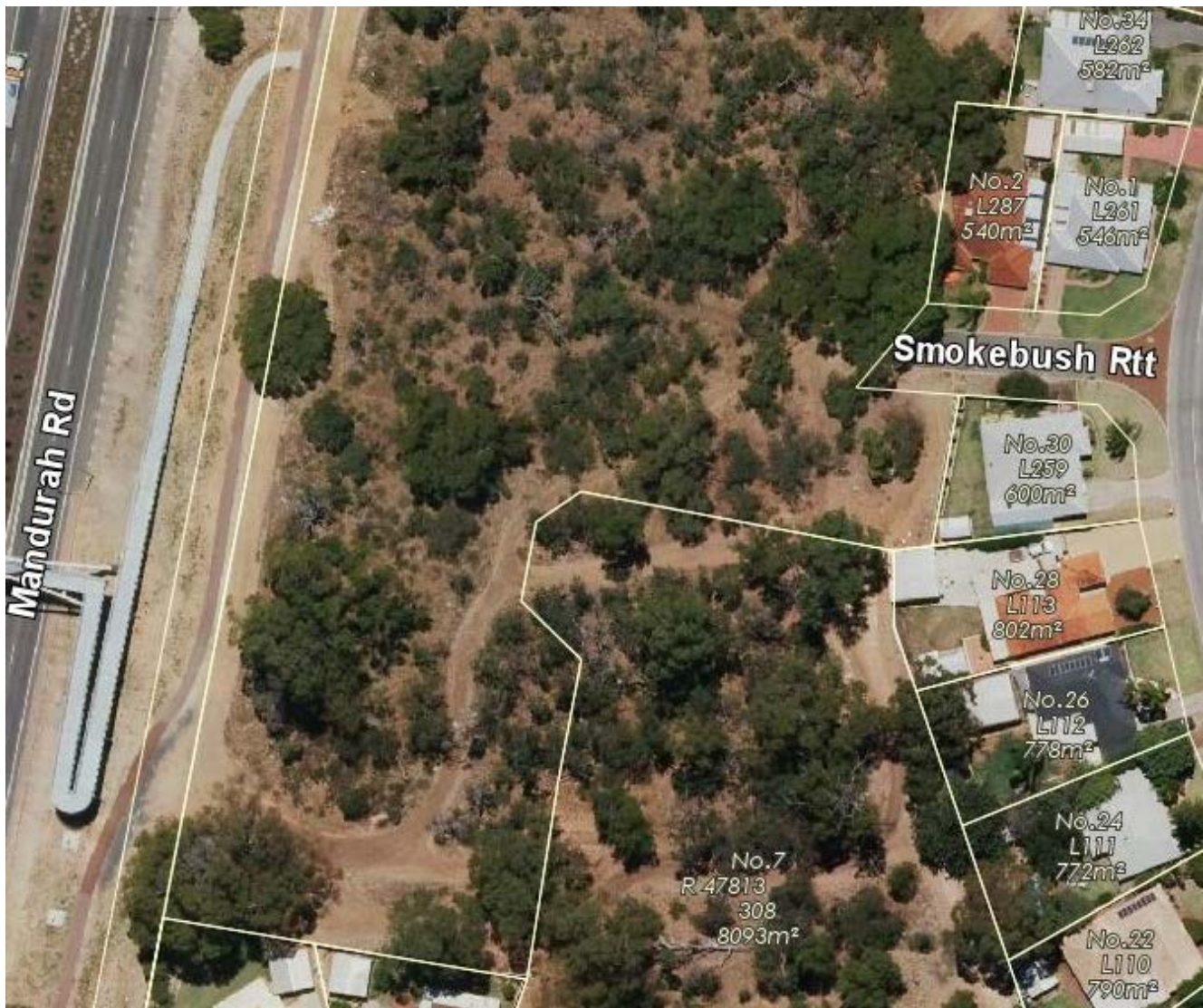
Smokebush Retreat proposed roadworks are the subject of a Deed of Variation between the developer of the land known as Central Park and the City, which required roadworks to be completed by 30 June 2018. Discussions and negotiations with the developer has resulted in this timeframe not being able to be met thus necessitating an amendment to the Deed of Agreement.

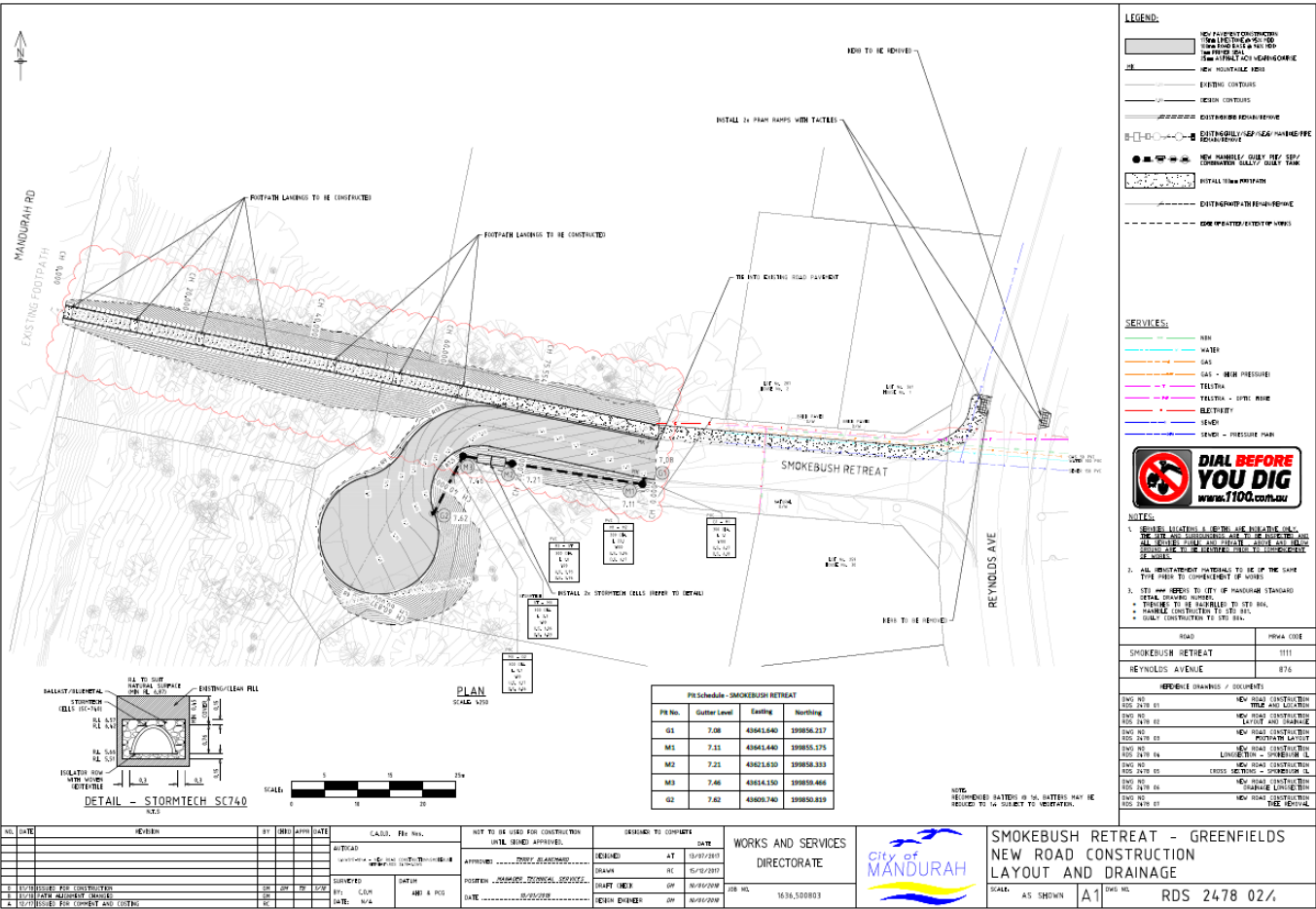
Council is requested to approve the proposal to extend the roadworks construction deadline from 30 June 2018 to 31 December 2018 or within two months from the date that the developer advises the City that they are ready to proceed.

Disclosure of Interest

Nil

Location





Previous Relevant Documentation

- G.27/11/16 22/11/2016
- G.7/10/16 11/10/2016
- SP.2/12/15 21/12/2015
- SP.1/7/14 08/07/2014
- SP.2/4/14 08/04/2014

Approved the signing of the deed or agreement with the developer. The deed outlined items to be funded by the City and those that were to be funded by the developer.

Council provided a report and recommendations to the Western Australian Planning Commission on a revised Local Structure Plan for the Central Park Development.

Special Council Meeting for the purpose of Building Better Regional Cities Program: Pedestrian Bridge and the Adjudicator's Determination in relation to the pedestrian bridge.

Council authorised the Chief Executive Officer to complete negotiations and subject to a successful outcome, award the final contract.

Council authorised the Chief Executive to enter into an appropriate legal agreement with the Preferred Supplier, McConnell Dowell Constructors (Australia) Pty Ltd, to continue negotiations and the associated value engineering process to achieve the construction of the Mandurah Road Footbridge for the Guaranteed Maximum Price of \$6.1 million. Council also authorised the completion of the required design services and additional funding of

- SP.4/3/14
1/3/2014

\$500,000 to be made available should the negotiations be successful, with a further report to be prepared to consider the outcomes of the negotiations and determine the future of the project. Council selected McConnell Dowell Constructors (Australia) Pty Ltd as the Preferred Supplier for the construction of the Mandurah Road Footbridge for the purpose of entering into further negotiations to establish whether or not the project can be delivered at an affordable price and that a further report be prepared to consider the outcome of the negotiations.
- G.50/6/12
26/6/2012

Building Better Regional Cities Program Federal Funding.
- G.25/8/11
9/8/2011

Central Park Outline Development Plan (ODP) – Final Approval.
- G.24/8/10
24/8/2010

Council granted final approval to the Mandurah Junction ODP.

Background

The construction of Smokebush Retreat extension is the subject of a Deed of Variation between the City, Access Housing and Spinaway Parade Pty Ltd (the developer of Central Park).

The developer has not approved the road design plans in principle as he is contemplating the installation of public utility services ahead of roadworks. This has resulted in a delay which will require this project to be re-budgeted in 2018/2019.

The road design has been prepared to the satisfaction of the developer as per the Deed of Agreement. However, the developer is responsible for the installation of public utility services and these need to be provided before the City can construction the roadworks and associated infrastructure.

In November 2016 Council considered a report detailing specific items to be addressed to progress the implementation of the plans for Smokebush Retreat and the adjacent land holdings resulting in a Deed of Agreement between parties.

Subsequently the Deed of Variation was formalised and the City approved the estimated funds in the 2017/2018 budget for roadworks to be completed by 30 June 2018.

The following clauses are those relevant to the City of Mandurah and the construction consequences:

- 2.6 (a) *The southern end of the Property be activated by*
- (i) *the construction of the extension of Smokebush Retreat to a cul-de-sac in the manner shown in the Local Structure Plan;*
 - (ii) *the construction of a public access way, including a paved footpath, connecting the cul-de-sac to the existing bridge ramp on the eastern side of Mandurah Road*
 - (iii) *appropriate landscaping, lighting and security for the extension of Smokebush Retreat and the public access way.*
- (b) *The City will prepare the plans and specifications for the works described in (i), (ii) and (iii) above (the works).*

- (c) *The plans and specifications to be compatible with the future development of the Property and to be approved by the Developers prior to the commencement of construction, such approval not to be unreasonably withheld*
- (d) *cost of the works and the plans and specifications will be included in the City's budget for the year commencing 1 July 2017 and the works shall be completed by 30 June 2018.*
- (e) *In the construction of the works the City will coordinate with the Developer in the provision of the installation of the underground services required for the future development of the Property on the basis that the cost of the installation of the services shall be borne and paid by the Developer*
- (f) *The Developers will provide the area of land required for the works described in (i), (ii) and (iii) above free of cost on the basis that the City will at its own cost carry out the subdivision of the land and that upon subdivision the land the extension of Smokebush Retreat and the public access way shall be ceded to and become the property of the City.*

With the Developer not approving the design and construction dates the re-budgeting of Smokebush Retreat to effect construction in the 2018/2019 financial year requires an amendment to the Deed of Variation.

Comment

The road design for Smokebush Retreat has been completed and presented to the landowner for approval. The City has been requested not to undertake any works whilst the landowner considers his options to provide public utility services to service the new subdivision lots.

This has resulted in the deadline placed on the City, unable to be met. Discussions in relation to the deadline have been cordial and the agreement can be changed and is proposed to be extended to 31 December 2018.

Deed of Variation

This Deed may be amended between the parties. The Access Housing component has been completed and Section 2.6 remains outstanding.

To ensure the City is protected and comforted by the delay in providing the agreed roadworks, an amendment to Clause 2.6(d) has been proposed by the developer and agreed to by officers as follows:

- 2.6 (d) *The cost of the works and the plans and specifications will be included in the City's budget for the year commencing **1 July 2018 and the works shall be completed by 31 December 2018 or two months from the date that the Developers advise the City that they are ready to proceed with the installation of the underground services.***

Consultation

Nil

Statutory Environment

Deed of Agreement.

Policy Implications

Nil

Risk Implications

The Deed of Agreement between Spinaway Holdings, Access Housing and the City of Mandurah needs to be upheld. It is in the interest of Spinaway Holdings to approve an amendment to the Deed of Agreement in order to manage the timely delivery of the road and ancillary services for their subdivision development.

Economic Implications

The reallocation of funds for Smokebush Retreat is addressed within the 2018/2019 draft budget.

Strategic Implications

The following strategies from the *City of Mandurah Strategic Community Plan 2017 – 2037* are relevant to this report:

Infrastructure:

- Advocate for and facilitate the provision of infrastructure that matches the demands of a growing population.
- Advocate for and facilitate the provision of an integrated movement network.

Organisational Excellence:

- Ensure the City has the capacity and capability to deliver appropriate services and facilities.
- Deliver excellent governance and financial management.

Conclusion

The amendment to the Deed of Agreement will allow the Developer and the City to coordinate their respective works.

RECOMMENDATION

That Council:

1. **Agree to amend Clause 2.6(d) of the Deed of Agreement between the City of Mandurah, Access Housing and Spinaway Holdings as follows:**
 - 2.6 (d) **The cost of the works and the plans and specifications will be included in the City's budget for the year commencing *1 July 2018 and the works shall be completed by 31 December 2018 or two months from the date that the Developers advise the City that they are ready to proceed with the installation of the underground services.***
2. **Notes the inclusion of funding for the Smokebush Retreat road extension in the 2018/2019 budget of works.**

10 **SUBJECT:** Eastern Foreshore: Proposed Boardwalk Lighting
 CONTACT OFFICER/S: Allan Claydon
 AUTHOR: Frances Indich Munoz / Renée Barton
 FILE NO:

Summary

In June 2017, Council resolved to fund the installation of lighting along the Eastern Foreshore estuary edge walkway to enhance public safety.

The 2017 resolutions provided for the upgrading of existing lighting in Mandurah Terrace and the provision of lighting along the foreshore waterline.

The original lighting project estimate was based on basic public open space reserve lighting. However with the opportunity to plan the lighting in parallel with development of conceptual planning for the Eastern Foreshore, the project evolved to provide capacity for future event power provision and integration of future Smart City and Internet of Things devices.

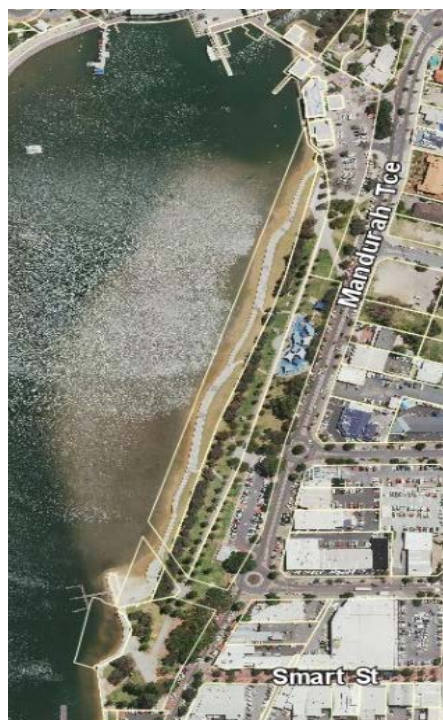
An audit of the Mandurah Terrace lighting confirmed that the existing street lighting was satisfactory. The scope of work to provide lighting along the estuary edge walkway has resulted in a requirement for an increased budget.

In light of the proposed Eastern Foreshore redevelopment and the input into the possible design elements associated with the redevelopment, it is thought to be more appropriate to design the future lighting to complement the proposed concept design for the foreshore. Therefore, in order to deliver the intended outcomes, Council is requested to resolve no work being undertaken at this time and the funds placed in a reserve account to be used when the foreshore concept plan has been adopted by Council

Disclosure of Interest

Nil

Location Eastern foreshore



Previous Relevant Documentation

- G.12/2/18 27 March 2018 Council Awarded Tender 28-2017 : CCTV Optical fibre and Camera Installation
- G.52/6/17 27 June 2017 Eastern Foreshore: Proposal to undertake design Phase and lighting upgrade. This included the provision of lighting along the estuary edge of the Eastern Foreshore reserve and enhancement of lighting to Mandurah Terrace from Pinjarra Road to Gibson Street.
- G.37/3/16 March 2016 Council awarded Tender 15/2015 for the construction of a new seawall contiguous to the Eastern Foreshore.

Background

In June 2017 Council resolved to reallocate savings in the project funding from the Eastern Foreshore Seawall Construction Project to undertake the following programs:

- i) Provision of lighting to extended foreshore area to light the path along the water edge (\$120,000 estimate)
- ii) Enhance the lighting along Mandurah Terrace (\$100,000 estimate), and
- iii) Develop the foreshore concept plan into a final design plan using mainly in-house resources (\$300,000).

Comment

The Council recommendations in 2017 allowed for two lighting projects:

1. Mandurah Terrace
2. Estuary foreshore shoreline

A lighting audit has been conducted for Mandurah Terrace which determined there is only minor adjustments that need to be made to achieve a satisfactory lighting standard. As these involve the fig trees in Mandurah Terrace it is proposed to not proceed with this project component at this time. Street lighting enhancements including pole design should be considered in conjunction with the Eastern Foreshore redevelopment design to ensure compatibility with the overall design concept for the area.

It was also proposed to light the path adjacent to the eastern foreshore water edge. Subsequent detail design and investigation of the site requirements provided opportunities to review pole design/type to embrace multi-function and 'Smart city' enhancements.

Through site analysis, research, consultation and detailed design the lighting project has evolved to provide capacity for future event power provision and integration of future 'Smart City' and 'Internet of things' devices.

The Eastern Foreshore lighting needs to be designed to provide pedestrians and cyclists with a well-lit comfortable environment at night. In addition to meeting functional lighting requirements the aesthetics and placement of the poles need to be considered to minimise the visual obstruction of built elements on the water edge and to complement other lighting across the foreshore itself.

In essence, any lighting design should be considered as part of the overall project and not be considered in singular.

Consultation

The City Centre Waterfront project team was created in October 2017 with officers from Landscape Services, Infrastructure Management, Strategy & Marketing, Community & Social Development, Recreation Centres & Services, Planning & Land Services and Systems & Technology meets fortnightly. The Eastern Foreshore Lighting project is a regular agenda item.

Statutory Environment

N/A

Policy Implication

N/A

Risk Implications

Estuary edge lighting is required to provide for public safety. Persons using the walkway find the area difficult to use in the evening.

Economic Implications

Funding for the lighting of the estuary edge and Mandurah Terrace combined is \$220,000. It is recommended that these funds be placed in a reserve account for the following reasons:

- i) Allow the lighting design to complement an adoption concept plan
- ii) Provide possible leverage to attract further grant funds to assist in funding the waterfront project.

Strategic Implications

The following strategies from the *City of Mandurah Strategic Community Plan 2017 – 2037* are relevant to this report:

Social:

- Help build our community's confidence in Mandurah as a safe and secure city.
- Provide a range of social, recreational, entertainment and learning experiences for our residents and visitors.

Infrastructure:

- Advocate for and facilitate the provision of infrastructure that matches the demands of a growing population.

Conclusion

In order to complement an endorsed concept plan which is planned for late 2018, it is considered to be unwise to fund single type projects at this early stage of the development of a concept plan.

If the City has aspirations that the lighting should be a key element of the proposed Eastern Foreshore redevelopment, it should also consider multifunctional use for now and in the future. The benefits include the ability to add CCTV, smart city wireless access and future proofing elements that have not and were not initially considered for inclusion when funding was provided for this project. It is recommended that Council support placing the unspent funding of \$220,000 into a reserve account at this time.

RECOMMENDATION

That Council:

- 1 Acknowledges that any lighting design contemplated for the Eastern Foreshore should not proceed at this point in time.**
- 2 Propose that the future lighting design should complement an approved concept plan.**
- 3 Endorse the notion that lighting poles can and should be multi-functional.**
- 4 Approves placing the unspent funding of \$220,000 from the 2017/2018 budget into the Foreshore Development Reserve account at this time.**

****ABSOLUTE MAJORITY REQUIRED****

11 **SUBJECT:** Proposed Road Realignment - Aldgate Street, Mandurah
 CONTACT OFFICER/S: Allan Claydon
 AUTHOR: Daniel Moore
 FILE NO:

Summary

In November 2012, Council endorsed the Rushton Park Sporting Precinct Master Plan. A component of the Master Plan identified traffic management strategies to reduce road safety concerns, which included the realignment of Aldgate Street to create a four way intersection with Dower Street and Clarice Street.

Since then, the Mandurah Forum Shopping Centre redevelopment has been completed and the surrounding area has experienced a significant increase in traffic which has expedited the need to address traffic safety and capacity concerns in the area.

Council is requested to consider and approve the design of the proposed Aldgate Street realignment, noting that 1520 square metres of land is required to be excised from a portion of the City of Mandurah's Freehold land at Lot 32 Aldgate Street, Mandurah to facilitate the proposal.

Disclosure of Interest

Nil

Confidentiality

Nil

Location

Dower Street/Aldgate Street/ Clarice Street Intersection



Previous Relevant Documentation

- G.38/11/12 20 November 2012 Endorsed the Rushton Park Sporting Precinct Master Plan. Noted that the Rushton Park Sporting Precinct Master Plan will be used as a key planning tool in the strategic design of future facility developments within the precinct and noted

that the City will explore future opportunities to increase the parking capacity to service the precinct including discussions with the Water Corporation regarding options to utilise part of their land which borders the precinct.

Background

At its meeting of 20 November 2012 Council endorsed the Rushton Park Sporting Precinct Master Plan. A component of the Master Plan identifies traffic management strategies to reduce road safety concerns, which included the realignment of Aldgate Street to create a four way intersection with Dower Street and Clarice Street.

The Mandurah Forum Shopping Centre redevelopment has recently been completed, part of which involved the upgrading of roads surrounding the Centre, including Dower Street and Clarice Street. The physical realignment of Aldgate Street was excluded from the roadwork upgrades directly associated with the shopping centre development as it was not primarily related to that project.

Comment

Aldgate Street, Dower Street and Clarice Street are key road corridors providing a strategic north-south and east-west link between the city centre and Mandurah Forum. Traffic volumes have increased as predicted in this area due to the redevelopment of the Mandurah Forum Shopping Centre and growth in overall traffic in Mandurah. Due to the close proximity of this intersection to Rushton Park sports facility, this area is subject to high traffic volumes during peak periods.

The current arrangement requires right turning vehicles from Dower Street into Aldgate Street to give way to the north bound traffic on Dower Street. This requires the high volume of south bound traffic on Dower Street to stop until the right turning vehicle receives a sufficient gap in the opposing traffic stream to safely make the movement. During peak periods this can result in significant delays to both south bound traffic on Dower Street and west bound traffic on Clarice Street due to the clogging effect at the Dower Street/Clarice Street roundabout.

The design shown on Plan 2529-01 (*refer **Attachment 1***) proposes to realign Aldgate Street to intersect with the existing roundabout at the intersection of Dower Street and Clarice Street. This will allow the low volume of right turning vehicles to make these movements with minimal impact to the north bound Dower Street traffic whilst allowing the south bound traffic to flow freely.

The design minimises any adverse impact to the surrounding residents with no impact to utility services or current and future infrastructure. However, it will result in the loss of two small trees, one of which is being considered for transplanting. Every effort has been made to reduce the impact on car parking with the net effect being the loss of 11 bays. The improvement to the intersection will provide greater access to businesses and other key destinations including the Rushton Park Sports Facility.

Traffic Impact

Aldgate Street provides a direct connection to Dower Street from Anstruther Road. With this proposal it is possible to have a direct route through to Mandurah Road.

This may provide an alternate route to Mandurah Road in lieu of using Pinjarra Road.

The traffic modelling undertaken (Mandurah Strategies Traffic Modelling 2014) suggests that there would be a shift in traffic volume from Pinjarra Road to an alternate parallel road of approximately 3000 vehicles per day by 2031.

The existing traffic flows recorded in Aldgate Street indicate approximately 1770 vehicles per day. The forecast increase in traffic volume is predicted to result in approximately 5150 vehicles per day in 2031.

Given the timeframe for growth, the increase in traffic can be monitored. Should traffic management controls be needed, they can be planned for implementation on the basis of speed control and/or road safety.

Land Requirement

To facilitate the realignment will require land to be excised from a portion of City of Mandurah owned freehold land at Lot 32 Aldgate Street and be dedicated as road reserve as per the Land Acquisition Plan 2539-01 (refer **Attachment 2**).

Council is requested to consider and approve the design of the proposed Aldgate Street realignment, which will necessitate the disposal of an approximate 1520 square metres from portion of the City's freehold land at Lot 32 Aldgate Street, Mandurah to the Crown for the purpose of road to facilitate the new road design.

Consultation

The City has consulted with the Peel Thunder Football and Sporting Club and external stakeholder representatives from relevant statutory bodies including Main Roads WA, the Department for Planning and consultants engaged by Vicinity Centres, owners of the shopping centre, as part of the Mandurah Forum redevelopment.

Advice was also sought from Transport and Traffic Solutions which is the traffic management consultant used by the City for independent advice

Statutory Environment

Local Government Act 1995 (LGA) Section 3.58 – Disposal of Land

“Disposal” includes to sell, lease, or otherwise dispose of, whether absolutely or not

“Property” includes the whole or any part of the interest of a local government in property, but does not include money.

Exemption of Disposition of Property – *Section 30 Local Government (Functions and General) Regulations 1996*. – A disposition of land is an exempt disposition if the land is disposed of to the Crown in right of the State or Commonwealth.

Policy Implications

Nil

Risk Implications

This item has been assessed against the City of Mandurah Risk Management Policy. The perceived level of risk is considered to be low and would generally relate to local issues with traffic management during and post construction. The project will be monitored by relevant Managers to address any issues that arise.

Economic Implications

The Aldgate Street Realignment is contained within the 2018/19 budget for the amount of \$350,000.

Strategic Implications

The following strategies from the *City of Mandurah Strategic Community Plan 2017 – 2033* are relevant to this report:

Infrastructure:

- Advocate for and facilitate the provision of infrastructure that matches the demands of a growing population.

Organisational Excellence:

- Ensure the City has the capacity and capability to deliver appropriate services and facilities
- Deliver excellent governance and financial management.

Conclusion

With predicted traffic growth, the completed redevelopment of the Mandurah Forum Shopping Centre and the proximity of this intersection to the City's premier sports facility, it is imperative to maximise the efficiency of this intersection.

The realignment of Aldgate Street with Clarice Street will provide a significant improvement to the efficiency, capacity and safety of the intersection and the surrounding network. To achieve this, the dedication of City of Mandurah freehold land to the Crown as road reserve is required.

It is recommended that Council support the disposal of approximately 1520 square metres of City of Mandurah owned freehold land at Lot 32 Aldgate Street Mandurah to the Crown for the purpose of road to facilitate the realignment of Aldgate Street in accordance with the Land Acquisition Plan shown in RDS 2529-01; and approve in principal the design for Aldgate Street/Dower Street/Clarice Street intersection Plan RDS 2539-01.

NOTE:

Refer

- ***Attachment 1*** ***Intersection Upgrade Plan RDS 2529-01***
- ***Attachment 2*** ***Land Acquisition Plan shown in RDS 2539-01***

RECOMMENDATION

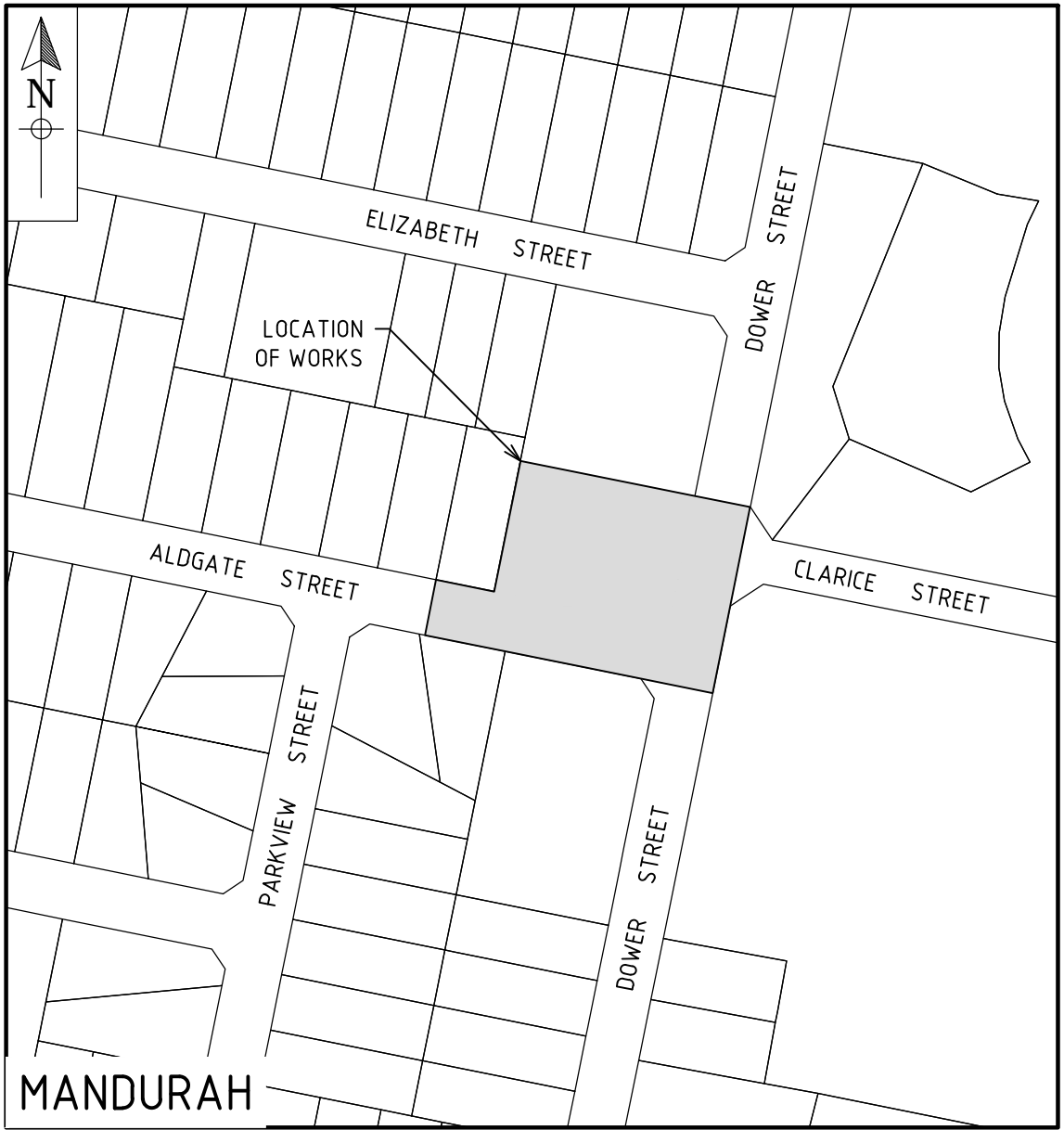
That Council:

1. **Approves, in principle, the design for Aldgate Street/Dower Street/Clarice Street intersection Plan RDS 2539-01.**
2. **Approves the excision and dedication to the Crown of approximately 1,520 square metres from portion of City Freehold land at Lot 32 Aldgate Street, Mandurah (in accordance with the Land Acquisition Plan shown in RDS 2529-0) to facilitate the realignment of Aldgate Street.**
3. **Requests City Officers undertake consultation with the residents of Aldgate Street.**
4. **Notes that the construction of Aldgate Street funding requirement of \$350,000 has been listed in the 2018/2019 draft budget.**



PLAN

SCALE: 1:250



SITE PLAN

N.T.S.

LEGEND:


- EXISTING PROPERTY BOUNDARIES
- PROPOSED PROPERTY BOUNDARIES



NOTES:

- SERVICES LOCATIONS & DEPTHS ARE INDICATIVE ONLY. THE SITE AND SURROUNDINGS ARE TO BE INSPECTED AND ALL SERVICES PUBLIC AND PRIVATE, ABOVE AND BELOW GROUND ARE TO BE IDENTIFIED PRIOR TO COMMENCEMENT OF WORKS.
- ALL REINSTATEMENT MATERIALS TO BE OF THE SAME TYPE PRIOR TO COMMENCEMENT OF WORKS
- STD ### REFERS TO CITY OF MANDURAH STANDARD DETAIL DRAWING NUMBER.
 - TRENCHES TO BE BACKFILLED TO STD B06.
 - MANHOLE CONSTRUCTION TO STD B01.
 - GULLY CONSTRUCTION TO STD B04.

ROAD	MRWA CODE
MCLARTY ROAD	0254
BUCENTAUR PLACE	1004
ADMIRALITY CRESENT	0590
REFERENCE DRAWINGS / DOCUMENTS	

NO.		DATE	REVISION				BY	CHKD	APPR	DATE	C.A.D.D. File Nos.		NOT TO BE USED FOR CONSTRUCTION UNTIL SIGNED APPROVED.		DESIGNER TO COMPLETE			WORKS AND SERVICES DIRECTORATE				ALDGATE ST/DOWER ST/CLARICE ST ROAD REALIGNMENT - MANDURAH LAND ACQUISITION PLAN							
											AUTOCAD U:\WS18-19\A - NEW ROAD CONSTRUCTION\ALDGATE ST REALIGNMENT\DWGS\DWG FOR REPORT\RDS 2539.DWG	CIVILCAD N/A	DATE		DESIGNED	GM	05/02/2018									DRAWN	GM	05/02/2018	
												SURVEYED BY: PW DATE: 9/4/2015	DATUM AHD & PCG	POSITION		DRAFT CHECK				JOB NO. 1636.500884									
												AHD & PCG	DATE		DESIGN ENGINEER														
A		2/18	ISSUED FOR COMMENT AND COSTING				GM															SCALE: AS SHOWN		A1	DWG NO. RDS 2539		SHEET NO. 01/A		

12 SUBJECT: Tender 02-2018 Provision of Fencing Services
CONTACT OFFICER/S: Natasha Pulford / Matthew Hall
AUTHOR: Colin Price / Erin Johnson
FILE NO: F0000155194

Summary

The City of Mandurah contract for the provision of fencing services expires in June 2018. A new tender has been called for the provision of this service.

As a result of the evaluation of tendered submissions, Council is requested to award Sudai Resources Pty Ltd ATF the Fiander Family Trust T/As Peel Fencing Tender T02-2018.

Disclosure of Interest

Nil

Previous Relevant Documentation

- G.43/4/14 22 April 2014 That Council awards Sudai Resources Pty Ltd, as Trustee for The Fiander Family Trust (trading as Peel Fencing) the contract under Tender 04-2014 for the Supply, Delivery, Install, Repair and Remove Fencing for a period of four (4) years, commencing on 3 May 2014 and expiring on 2 May 2018, at the schedule of rates offered with CPI increases at each twelve (12) month contract anniversary date.

Background

The current contract for Supply, Delivery, Install, Repair and Remove Fencing was awarded to Sudai Resources Pty Ltd as trustee for the Fiander Family Trust trading as Peel Fencing for a period of four (4) years and commenced on 3 May 2014. One extension of the contract term for a two month period to cover the new tender period was granted. Services under the contract were delivered to a high standard where the expected outcome to achieve value for money was acquired.

To provide continuation of the services, a tender for the Provision of Fencing Services was advertised in the 17 March 2018 edition of the 'West Australian' newspaper and in notices displayed on the Administration Centre and Library notice boards.

The tender sought the provision of the required services for a period of two (2) years with an option to extend for one (1) year. The scope includes the supply, delivery, installation and maintenance of drainage fencing, bollards, timber post and rail fencing (600mm and 1200mm high), Colorbond fencing, parks and reserves fencing, corrugated fibre cement fencing, gates, rails, galvanised pipe and chainmesh fencing, chain link/mesh fencing, link mesh active reserve fencing, galvanised star picket and ringlock fencing, restricted vehicle access chain and post gate, bushland reserve fencing and other barriers.

Comment

The tender closed at 2:00pm on Tuesday 10 April 2018. Submissions were received from the following:

1.	Taskad Pty Ltd T/A Sheriff Fencing & Gates.	Mandurah
2.	Southern Wire Industrial.	Bassendean
3.	Sudai Resources Pty Ltd ATF The Fiander Family Trust T/As Peel Fencing.	Mandurah
4.	Mandurah Fences Pty Ltd ATF Boundary Mark Trust.	Mandurah

5.	JSB Fencing and Machinery Hire Pty Ltd ATF The Balckaller Trust.	Bullsbrook
6.	NF and J Smith As Trustees for the Munja Trust T/A Foreshore Rehabilitation and Fencing.	Karnup
7.	Karlka Fencewright WA Pty Ltd.	Bassendean

In accordance with Regulation 18 (1) no tenders were received after the closing deadline. All tenders were conforming tenders and as such were all evaluated.

The following weighted qualitative criteria were used to assess and rank each tender submission:

Relevant Experience	12.5%
Technical Skills of Key Personnel	12.5%
Resources	12.5%
Methodology	12.5%

To ensure that pricing did not influence the assessment of the qualitative criteria, the pricing was not provided to the evaluation panel until the assessment of the qualitative criteria was completed.

An evaluation panel, comprising of officers from the Cityparks Central, Operations Services, Cityparks Projects and Cityparks North individually assessed each tender against the weighted qualitative criteria submitted by each tenderer.

On completion of the assessment of the qualitative criteria, prices submitted were entered into the Evaluation Matrix as shown in the **Confidential Attachment** where a final analysis taking into account competitiveness and combined qualitative and price ranking was conducted in order to determine the tender which represented best overall value for money for the City.

As a result, the tendered submission from Sudai Resources Pty Ltd ATF the Fiander Family Trust T/As Peel Fencing was considered to be the most advantageous tender and is therefore recommended as the preferred tenderer.

A member of the City's Governance and Tenders section coordinated and observed the tender evaluation process and is satisfied that the probity and procedural aspects relating to the evaluation were compliant.

Consultation

A credit check and financial assessment has been undertaken by financial services where no issues were identified.

Written references included as part of the tender reported that the preferred tenderer is considered to be capable of carrying out the Contract within the price offered as part of the tender.

Upon award of the Tender, all tenderers will be offered the opportunity to attend debriefs to be advised of the strengths and weaknesses of their submissions. Tenderers are also offered the opportunity to provide feedback to improve the way the City manages procurement processes.

Statutory Environment

Part 4 of the *Local Government (Functions & General) Regulations 1996*.

Policy Implications

Policy POL-CPM 02 – *Purchasing of Goods or Services*.

Policy POL-CPM 01 – *"Buy Local" Regional Price Preference*.

Policy POL-CPM 03 – *Selection Criteria for Major Procurements*.

Risk Implications

The risk to the City is considered low as it is related to insufficient contractor resources to deliver the tender, particularly in short turnaround times. If that case was to eventuate, the possibility of alternative supply would be contemplated.

Economic Implications

The schedule of rates has a price basis that is variable in accordance with the contract, allowing CPI increases at each twelve (12) month contract anniversary date. Provision has been made in various cost codes across the City's current financial budget for the services where the expenditure estimate for the contract is approximately \$1M per annum.

The resultant pricing schedule represents a decrease of 9.53% from the previous contract schedule of rates.

Strategic Implications

The following strategy from the *City of Mandurah Strategic Community Plan 2017 – 2037* is relevant to this report:

Organisational Excellence:

- Deliver excellent governance and financial management.

Conclusion

Tenders for the Provision of Fencing Services were recently invited. Seven were received and assessed against both qualitative criteria and price. The result was that the submission from Sudai Resources Pty Ltd ATF the Fiander Family Trust T/As Peel Fencing represented overall best value for money for the City and it is therefore recommended that the City selects Sudai Resources Pty Ltd ATF the Fiander Family Trust T/As Peel Fencing as the preferred tenderer.

NOTE:

- Refer ***Confidential Attachment***.

RECOMMENDATION

That Council accepts Sudai Resources Pty Ltd ATF the Fiander Family Trust T/As Peel Fencing as the preferred tenderer for Tender T02-2018 for the Provision of Fencing Services on the basis of a term of two years with an option to extend for one year.