



## **MINUTES OF COUNCIL MEETING**

**HELD ON**

**TUESDAY 27 FEBRUARY 2018**

**AT 5.30PM**

**IN COUNCIL CHAMBERS  
CIVIC CENTRE  
MANDURAH TERRACE MANDURAH**

***PRESENT:***

MAYOR	R WILLIAMS	
COUNCILLOR	C KNIGHT [DEPUTY MAYOR]	NORTH WARD
COUNCILLOR	R WORTLEY	NORTH WARD
COUNCILLOR	P JACKSON	NORTH WARD
COUNCILLOR	D LEE	EAST WARD
COUNCILLOR	L RODGERS	EAST WARD
COUNCILLOR	S JONES	EAST WARD
HON COUNCILLOR	F RIEBELING	COASTAL WARD
COUNCILLOR	M DARCY	COASTAL WARD
COUNCILLOR	P ROGERS	TOWN WARD
COUNCILLOR	M ROGERS	TOWN WARD

MR	M NEWMAN	CHIEF EXECUTIVE OFFICER
MR	A CLAYDON	DIRECTOR WORKS & SERVICES
MR	T FREE	DIRECTOR SUSTAINABLE DEVELOPMENT
MS	L WILKINSON	DIRECTOR PEOPLE & COMMUNITIES
MR	G DAVIES	EXECUTIVE MANAGER STRATEGY & BUSINESS PERFORMANCE
MR	D PRATTENT	ACTING EXECUTIVE MANAGER FINANCE & GOVERNANCE
MR	C JOHNSON	MANAGER RECREATION CENTRES & SERVICES
MRS	L GREENE	COORDINATOR ELECTED MEMBER SUPPORT

### **OPENING OF MEETING AND ANNOUNCEMENT OF VISITORS [AGENDA ITEM 1]**

The Mayor declared the meeting open at 5.30 pm.

**ACKNOWLEDGEMENT OF COUNTRY [AGENDA ITEM 2]**

Mayor Williams acknowledged that the meeting was being held on the traditional land of the Bindjareb people, and paid his respects to their Elders past and present.

**APOLOGIES [AGENDA ITEM 3]**

An apology for the meeting had been received from Councillor Tahlia Jones. Mayor Williams reported that Councillor Schumacher had advised that he would be late in attending this meeting, given that he was judging at the Lions Youth of the Year Awards.

**DISCLAIMER [AGENDA ITEM 4]**

The Mayor advised that the purpose of this Council Meeting is to discuss and, where possible, make resolutions about items appearing on the agenda. Whilst Council has the power to resolve such items and may in fact, appear to have done so at the meeting, no person should rely on or act on the basis of such decision or on any advice or information provided by a Member or Officer, or on the content of any discussion occurring, during the course of the meeting. Persons should be aware that the provisions of the Local Government Act 1995 (Section 5.25(e)) and Council's Consolidated Local Laws (Section 4.86) establish procedures for revocation or rescission of a Council decision. No person should rely on the decisions made by Council until formal advice of the Council decision is received by that person.

The City of Mandurah expressly disclaims liability for any loss or damage suffered by any person as a result of relying on or acting on the basis of any resolution of Council, or any advice or information provided by a Member or Officer, or the content of any discussion occurring, during the course of the Council meeting.

**ANSWERS TO QUESTIONS TAKEN ON NOTICE [AGENDA ITEM 5]**

Officers provided responses to questions taken on notice at the Council meeting held on Tuesday 30 January 2018, at the Committee of Council meeting held on 13 February 2018 and at the Public Art Committee meeting held on 20 February 2018.

**G.1/2/18 MR W REYNOLDS: PROPOSED CHANGE OF USE AND REZONING OF THE PIAZZA IN PORT QUAYS, WANNANUP (MINUTE G.2/1/18 REFERS)**

Having raised questions at the Annual General Meeting of Electors held on 29 January, Mr Reynolds sought clarification regarding whether the proposed change of use of the piazza in Port Quays, Wannanup also changed the zoning. He had heard that the zoning defines the property usage, therefore assumed that to change the use, the zoning also needed to be changed. He asked:

- 1 If his understanding was correct?
- 2 If the zoning was changed, which part of the property was impacted – all of it or just the floor of the application?
- 3 Did Council require State authorisation to create the change of use?

Response:

*Within the planning system, an area is zoned into various categories such as commercial, residential, rural and the like, with the zoning applied through the local government's local planning scheme which requires the State's planning authority and the Minister for Planning to approve or amend.*

*Within each zone, there are land uses assigned that are permitted, that can be considered with approval or not permitted within these zones. If a land use is permitted, no approval is required for it to operate; If a land use is not permitted, approval cannot be granted; Otherwise a development approval is required which is the responsibility of the local government or a Development Assessment Panel for developments that meet cost thresholds.*

*In addressing the specific questions:*

- 1. For the subject property, the zoning has not changed. The zoning is currently guided by the Bouvard Village Local Structure Plan.*
- 2. As outlined, the zoning has not changed, but development approval was granted for the tenancy in question (Strata Lot 5) approving its use as a tavern, with conditions.*
- 3. A development approval for the use of land is an approval granted by the local government.*

**G.2/2/18 NAMING – YABURGURT KAALEEPGA RESERVE (WINJAN'S CAMP) (BD)  
(REPORT 5) (MINUTE CC.10/2/18 REFERS)**

Councillor Peter Rogers requested clarification as to the conditions by which reserves and parks are classified within the title of 'Other' as contained within the Reconciliation Action Plan. The Manager Planning and Land Services requested to take this question on notice and to provide the information for the Council meeting of 27 February 2018.

Response:

*The 'Other' category of named reserves is in reference to three reserves within the Mandurah Junction development area which, in conjunction with street names, have been named based on a theme of trees and birds in the location.*

**G.3/2/18 SELECTION CRITERIA AND WEIGHTINGS FOR STAGE TWO OF THE  
MANDURAH BRIDGE PUBLIC ARTWORK PROCUREMENT PROCESS  
(MINUTE PA.3/02/18 REFERS)**

Councillor Knight requested clarification as to the role of the Committee in the tender evaluation process. The Acting Executive Manager Finance and Governance provided an overview and requested to take the question on notice.

Response:

*A previous report outlined the reasons as to why Elected Members could not participate directly in the evaluation of a tender as a member of an Evaluation Panel.*

*Although there are detailed terms of reference for the Public Art Committee, its role is the selection process can be summarised as being:*

- *Approving the shortlisting of candidates from the Expression of Interest to proceed to the first stage of the tender process.*
- *Participating in the setting of, and determining, the qualitative evaluation criteria which the Evaluation Panel will use to select the preferred tenderer(s) to go forward to the final tender stage.*
- *Participating in the setting of, and determining, the quantitative evaluation criteria which the Evaluation Panel will use to select the preferred tenderer for the award of a contract.*

*In order to ensure that the Committee, is fully informed, officers will organise a briefing where the visual representations submitted by the preferred artists can be viewed. The briefing will be open to all Elected Members. The pieces will be introduced by a member of the Evaluation Panel who will then leave the briefing to ensure that probity is maintained. Elected Members will be free to discuss among themselves the pieces submitted. This process should ensure a better understanding of the results from the Evaluation Panel when they are presented at a subsequent meeting.*

#### **PUBLIC QUESTION TIME [AGENDA ITEM 6] [Opened at 5.31 pm and closed at 5.37 pm]**

##### **G.4/2/18 MR W REYNOLDS: SURFING COMPETITIONS AT AVALON BEACH**

Mr Reynolds asked the following questions:

- 1 What approvals has the Council granted to the Mandurah Long Boarders Competitive Club?
- 2 Is this group incorporated?
- 3 Do you require them to carry public liability insurance?
- 4 Have you placed an environmental repair levy on this group in respect to their use of public infrastructures and fragile dune areas?
- 5 Has Council discussed water and wave access with this group, with consideration to the current recreational beach users freely enjoyed amenity? (Please note – their spokesperson has claimed they will enjoy priority of the waves and if necessary, make claims for 'exclusive use').

*The Manager Recreation Centres and Services advised that he was unsure of particular approvals granted to this new Club, which the City had assisted in becoming incorporated. At the suggestion of Mr Reynolds, the questions were taken on notice, with responses being provided at the next ordinary Council meeting on 27 March 2018.*

##### **G.5/2/18 MR W REYNOLDS: REVIEW OF STRUCTURE PLAN – INCREASE OF TOURISM ZONING IN THE PORT BOUVARD AREA AND ISLAND**

With reference to a previous response provided to him that indicated a review of a Structure Plan was due later in 2018, Mr Reynolds asked is there any intent to increase areas of Tourism Zoning in the Port Bouvard area and Island?

*This question was taken on notice, with a response to be provided at the next ordinary Council meeting on 27 March 2018.*

**G.6/2/18 MR SNELL: PENSIONER AND SENIOR STATE GOVERNMENT REVIEW**

Under the Rates and Charges Act 1992, a letter from Council states that the City is required to undertake a review. As such, Mr Snell asked:

- 1 Which section of this Act sets out the requirement for Council to undertake the review?
- 2 How often does the Act require that a review be undertaken?
- 3 What is the cost of this review to Council and ratepayers?
- 4 Why is this information required, when applications are mostly made through the Water Corporation and the Council already has the information provided by this Authority?
- 5 Did the State Government give specific instructions to the Council to conduct this review?
- 6 When was the last review undertaken?
- 7 Will the Water Corporation also be required to undertake a similar review as per the reference to the administrative authority as defined in the Act?
- 8 Is the Council operating in accordance with the Act when it refuses to apply the rebate until the end of the rating year in which it was applied for, and what part of the Act does the Council use in making this determination?
- 9 Does the Act specify the type and nature of the review to be undertaken?
- 10 The letter received infers if not reviewed, it will affect entitlements. What are the consequences?

*The Acting Executive Manager Finance and Governance responded that the City had been instructed by the Office of State Revenue to conduct a review of all pensioner entitlements. In terms of consequences, advice had been received that with regard to people that did not respond, the Office of State Revenue would withhold reimbursement of rate rebate. With the agreement of Mr Snell, the questions were taken on notice, with responses being provided at the next ordinary Council meeting on 27 March 2018.*

**PUBLIC STATEMENT TIME [AGENDA ITEM 7]**

Nil.

**LEAVE OF ABSENCE REQUESTS [AGENDA ITEM 8]**

*Mayor Williams advised that he had been notified by Councillor Schumacher of his wish to request a leave of absence. However, as Councillor Schumacher had yet to arrive in the Chamber, he suggested that consideration of this item be deferred to later in the meeting.*

MOTION: D Lee / Lynn Rodgers

**That consideration of this item be deferred to later in the meeting.**

CARRIED UNANIMOUSLY: 11/0

**PETITIONS [AGENDA ITEM 9]**

Nil.

**PRESENTATIONS [AGENDA ITEM 10]**

Nil.

**DEPUTATIONS [AGENDA ITEM 11]**

Nil.

**CONFIRMATION OF MINUTES [AGENDA ITEM 12]****G.7/2/18 CONFIRMATION OF COUNCIL MINUTES: TUESDAY 30 JANUARY 2018**

MOTION: F Riebeling / Shane Jones

**That the Minutes of Council Meeting held on Tuesday 30 January 2018 be confirmed.**

CARRIED UNANIMOUSLY: 11/0

**G.8/2/18 CONFIRMATION OF ANNUAL ELECTORS MEETING MINUTES:  
MONDAY 29 JANUARY 2018**

MOTION: Peter Rogers / Shane Jones

**That the Minutes of the Annual Electors Meeting held on Monday 29 January 2018 be confirmed.**

CARRIED UNANIMOUSLY: 11/0

**ANNOUNCEMENTS BY THE PRESIDING MEMBER [AGENDA ITEM 13]****G.9/2/18 ANNOUNCEMENTS**

At the invitation of Mayor Williams:

- The Manager Recreation Centres and Services reported on the recent announcement by the Department of Sport and Recreation that the City had been awarded a \$1.3m grant to assist in developing three ovals with floodlighting at Lakelands District Open Space.
- Deputy Mayor Councillor Knight highlighted her attendance at the inaugural ATAR Civic Reception held on 9 February, which would become an annual event that recognised Mandurah's secondary school high academic achievers.
- The Chief Executive Officer advised that on 25 February, he had attended the sell out West Coast Fever vs Queensland Firebirds event held at the Mandurah Aquatic and Recreation Centre. He congratulated Netball WA and all involved in the staging of this event, which had showcased the excellent facilities available at the venue.
- Councillor Lynn Rodgers outlined activities undertaken on 8 February to mark the opening of the Joseph and Dulcie Nannup Trail, located along the Serpentine River.
- Deputy Mayor Councillor Knight reported that on 23 February, she had attended the QANTAS Australian Tourism Awards Presentation Dinner, for which Crab Fest 2017 had been nominated, after winning Gold at the state level.

- Deputy Mayor Councillor Knight advised of the stakeholder launch of Peel Bright Minds that had place on 8 February.

Mayor Williams:

- Outlined the Governor Visit to the Peel Region that had taken place on 20 February.
- Reported on the Port Mandurah Christmas Lights Public Forum staged on 26 February, the purpose of which had been to examine ideas and concepts surrounding how Mandurah was defined as a Christmas tourism destination, and how this could be further developed.
- Highlighted visits he had been conducting to nursing and retirement homes around the City to engage with those residents, and visits made to emergency service organisations.
- Presented Carole Dhu with the inaugural Local Legends Award, in recognition of her achievements and contribution to the Mandurah community. He advised that this would become a monthly feature at Council meetings, and provided details of how nominations from the community could be put forward.
- Acknowledgement that the Chief Executive Officer would shortly be celebrating his 25<sup>th</sup> anniversary of working at City. On behalf of Council, he congratulated Mr Newman on his many achievements, and presented him with a token of Council's appreciation.

#### **DECLARATION OF INTERESTS [AGENDA ITEM 14]**

- Councillor Lynn Rodgers declared an impartiality interest in Minute G.13/2/18 Tuart Avenue Shower Service Model because of her association and employment within the area of crisis management and support services.
- Councillor Darcy declared an impartiality interest in Minute G.13/2/18 Tuart Avenue Shower Service Model because he is a member of the Finucare Board, which shares the building with Anglicare.
- Mayor Williams declared a proximity interest in Minute G.16/2/18 Requested Closure of Pedestrian Access Easement – Lot 1289 Village Mews, Wannanup as he resides in an adjoining street.

#### **QUESTIONS FROM ELECTED MEMBERS [AGENDA ITEM 15]**

##### **Questions of which due notice has been given**

Nil.

##### **Questions of which notice has not been given**

Nil.

#### **BUSINESS LEFT OVER FROM PREVIOUS MEETING [AGENDA ITEM 16]**

Nil.

**RECOMMENDATIONS OF COMMITTEES [AGENDA ITEM 17]**

**NOTE:** Council adopted en bloc (moved by Councillor Wortley and seconded by Councillor Peter Rogers), the recommendations of the Committee of Council meeting of Tuesday 13 February 2018 with the exception of Items CC.7/2/18, CC.9/2/18, CC.12/2/18, CC.14/2/18 and CC.16/2/18, which were dealt with separately.

**G.10/2/18 BUDGET REVIEW 2017/18 (DP / PB) (REPORT 1) (CC.6/2/18)**

MOTION: R Wortley / Peter Rogers

**That Council\*:**

- 1 Adopts revenues and expenditure as outlined in Attachments 1 and 3 of the report as amendments to the 2017/18 Budget.**
- 2 Approved amendments to Capital expenditure budgets set out in Attachments 2 of the report.**

CARRIED WITH ABSOLUTE MAJORITY: 11/0

*(This item was adopted en bloc)*

**G.11/2/18 LOCAL GOVERNMENT ACT REVIEW (DP/NP) (REPORT 2) (CC.7/2/18)**

The State Government has initiated a review of the *Local Government Act 1995*.

The review is being conducted in two stages, the first phase aims to modernise local governments and better position them to deliver services for the community. The City has previously provided comments to the Western Australian Local Government Association on the review. However local governments are now invited to provide individual submissions to the Department of Local Government, Sport and Cultural Industries.

Participating in the review process presents an opportunity for local governments to enact change and propose significant amendments to the legislation that guides us. Council was requested to approve the prepared submission.

*Recommendation set out in Committee report*

*That Council:*

- 1. Approves the submission at Attachment 1*
- 2. Notes a forum to discuss the submission will be held Monday, 26 February 2018.*

At the Committee of Council meeting on 13 February, consideration of this item had been deferred to full Council. Additional information was contained in the Council agenda, which set out an alternative recommendation.

Hon Councillor Riebeling moved the recommendation set out in the alternative information in the Council agenda, which was seconded by Councillor Shane Jones.



MOTION: F Riebeling / Shane Jones

**That Council approves the submission set out in Attachment 1 of the additional information.**

CARRIED UNANIMOUSLY: 11/0

**G.12/2/18 TENDER 28-2017: CCTV OPTICAL FIBRE AND CAMERA INSTALLATION (TH/NP) (REPORT 3) (CC.8/2/18)**

The City of Mandurah invited tenders for the Close-Circuit Television Optical Fibre and Camera Installation in November 2017.

The works to be completed underneath this contract comprises of the installation of new Closed Circuit Television (CCTV) cameras and a new Optic Fibre Network across the Mandurah City Centre. The project is jointly funded through a grant from the Peel Development Commission and the City budget.

For this tender the Qualitative Criteria and price schedules were divided into Separable Portions, being clearly identifiable and unique elements of the services to be provided under the tender. The portions were:

- *Separable Portion One - Close-Circuit Television Optical Fibre*
- *Separable Portion Two - Camera Installation*

Council approval is sought to select Spyker Technologies Pty Ltd as the preferred tenderer for Separable Portion One - Close-Circuit Television Optical Fibre and Separable Portion Two - Camera Installation.

MOTION: R Wortley / Peter Rogers

**That Council accepts Spyker Technologies Pty Ltd as the preferred tenderer for Separable Portion One - Close-Circuit Television Optical Fibre and Separable Portion Two - Camera Installation for Tender T28-2017 Close-Circuit Television Optical Fibre and Camera Installation Project.**

CARRIED UNANIMOUSLY: 11/0  
*(This item was adopted en bloc)*

*Having disclosed interests in the following item, Councillors Lynn Rodgers and Darcy left the Chamber at 6.00 pm.*

**G.13/2/18 TUART AVENUE SHOWER SERVICE MODEL (TH) (REPORT 4) (CC.9/2/18)**

The Tuart Avenue Shower Facility aims to address a gap in service provision for street present and homeless people. A suitable service model is required to ensure the facility is value for money, safe and accessible.

Previously, in November 2015 Council requested for showers to be considered as part of the Mandurah Family and Community Centre refurbishment. This request led to an officer investigation which included engaging local services providers via an interagency meeting held in May 2016 and Elected Members via an Elected Member Briefing Session and Weekly Updates.

In December 2017 a report to council detailed a Shower Service Model with costings with Anglicare as the coordinating agency. In order to deliver the model, Anglicare requested a one off City contribution of \$2,500 per month until Anglicare's tenancy commences at (subject to approval) Mandurah Family and Community Centre later in 2018. The financial contribution was estimated at a maximum of \$25,000 (to be allocated from within the City's Community Development section's budget) for 2018 period and an annual rent waiver of \$13,401 from 2019 onwards.

Council resolved to defer considering the report recommendations to allow for the examination of an alternative model, including volunteer models. This report provides a comparison of a Basic Volunteer Model against the Anglicare Model. The comparison includes outlining the financial impact to the City, as well as safety and risk considerations. Council is requested to consider the information provided and approve a service model for the shower service at Tuart Avenue.

MOTION: F Riebeling / C Knight

**That Council:**

- 1 Acknowledges the City's financial and risk implications of the outlined shower facility service models.**
- 2 Approves the Basic Volunteer Model as the service model for the shower facility at Tuart Avenue.**
- 3 Approves the preparation and implementation of an Expression of Interest process to seek a local organisation to deliver and meet the requirements of the Basic Volunteer Model.**
- 4 Acknowledges negotiation between the City and Anglicare will be required regarding the existing lease over the common use area of the Tuart Avenue Facility.**

CARRIED UNANIMOUSLY: 9/0

*Councillors Lynn Rodgers and Darcy returned to the Chamber at 6.01 pm.*

**G.14/2/18 NAMING: YABURGURT KAALEEPGA RESERVE (WINJAN'S CAMP) (BD)  
(REPORT 5) (CC.10/2/18)**

One of the actions identified under the City's Reconciliation Action Plan (RAP) as a way to recognise and celebrate local Aboriginal culture and history, is the dual naming of parks and reserves throughout the City. To facilitate this, a group of representatives from various City business units as well as Aboriginal cultural consultants, was formed to identify appropriate locations and names to be applied.

The first site which has been identified for naming approval is Winjan's Camp, which is located within Reserve 45814 at McLarty Road Halls Head. This site is widely recognised throughout the local community as being the birthplace and home (camp) of the significant Elder Yaburgurt (George) Winjan, who was commemorated by the City in 2015 as part of the Yaburgurt 100 Year Commemoration & Public Artwork Project.

As there is already an officially approved Winjan Reserve and Winjan Place in Mandurah, the reserve is unable to be officially named as Winjan's Camp. However, an alternative name of Yaburgurt Kaaleepga Reserve, meaning Yaburgurt's Home in the Noongar language, has been identified as a suitable name for the Reserve.

The name Winjan's Camp will be added to the approval as a commonly known name.

Council is requested to approve the naming of Reserve 45814 as Yaburgurt Kaaleepga Reserve, and for an application to be made to the Geographic Naming Committee at Landgate.

MOTION: R Wortley / Peter Rogers

**That Council:**

- 1 Approves the name 'Yaburgurt Kaaleepga Reserve' for Reserve 45814 McLarty Road, Halls Head;**
- 2 Approves a formal submission to the Geographic Naming Committee (Landgate) requesting support for the naming.**

CARRIED UNANIMOUSLY: 11/0

*(This item was adopted en bloc)*

**G.15/2/18 REQUESTED CLOSURE OF PEDESTRIAN ACCESS EASEMENT LOT 190 (NO. 19) SAN MARCO QUAYS HALLS HEAD (BD) (REPORT 6) (CC.11/2/18)**

In September 2017, Council approved public consultation in relation to the use of a public access easement contained within the property boundary of Lot 190 (19) San Marco Quay Halls Head. The rationale for the public consultation was the result of a request from the strata company for the closure of the easement due to anti-social behaviour.

Following the consultation process, nine written submissions were received, together with 128 online surveys being completed. Overwhelmingly submissions favoured Option 3, which would result in the easement being modified to the point that allows access only to external parties who require access to the seabed/jetty area contained within Reserve 46013 (northern portion), thus closing the foreshore and groyne land access to the public.

Officers have given further consideration to the request and in consultation with the City's Solicitors consider an amendment to the current easement to suspend public access to the easement area until further notice, which can be rescinded by the City, should public access be required into the future. This will result in any party requiring access to the seabed, jetty, seawalls or unallocated crown land having access via a City approved lock being fitted to the gated easement.

The above recommendation addresses the concerns raised through the strata company, while ensuring that access is maintained to all parties entitled to access. It also secures the City's options ensuring the rights of reinstatement of public access if the need is identified into the future. The amendment is best achieved through surrendering the current easement and granting a new easement stating the variations.

Council is therefore requested to approve the surrender of the current easement, subject to a new easement with varied conditions as detailed in this report.

MOTION: R Wortley / Peter Rogers

**That subject to the agreement of the Grantor of the Public Easement - The owners of The Quays Mandurah (The Grantor) located on Lot 190 (19) San Marco Quay Halls Head, in accordance with The Land Administration Act 1997:**

- 1 **Council supports the surrender of the current easement, conditional upon grant of a new easement on the same conditions as the existing easement with the following variations;**
  - 1.1 **Public access is suspended to the easement area until further notice;**
  - 1.2 **The Grantee (City of Mandurah) having rights to revoke the public access suspension, and reinstate public access after first giving 90 days written notice;**
  - 1.3 **Grants City officers or its agents unfettered access for the purposes of maintenance and repairs to all relevant crown land including seawalls, groynes, and foreshore area;**
  - 1.4 **Any lock installed on gates must be a City's lock, with the key to gates being provided to any party having a right of access through the easement, including without limitation any person holding a jetty licence in the adjoining crown reserves;**
  - 1.5 **All other conditions of the current easement will remain in place;**
  - 1.6 **The costs of the surrender and replacement easement being borne by the Owners of The Quays Mandurah.**
- 2 **The current easement will remain in place, until such time as the new easement is registered at Landgate.**

CARRIED UNANIMOUSLY: 11/0  
(This item was adopted en bloc)

*Having declared a proximity interest in the following item, Mayor Williams left the Chamber at 6.01 pm. Deputy Mayor Councillor Knight assumed the Chair.*

**G.16/2/18            REQUESTED CLOSURE OF PEDESTRIAN ACCESS EASEMENT: LOT 1289 VILLAGE MEWS, WANNANUP (BD) (REPORT 7) (CC.12/2/18)**

Council is requested to consider the closure of a pedestrian access easement ("the easement") located within Lot 1289 Village Mews, Wannanup. The easement is within the Common Property on Strata Plan 41658 and provides access along the waterfront of the existing development between the 'retail node' and Village Mews, which provides linkage to Westview Parade.

The Watersedge Strata Company ("the Applicant") has made this request arising from the approval of a tavern at Lot 1301 (No 4) Port Quays. The request seeks the closure of the easement to the public and seeks the installation of lockable gates to allow residents of the strata complex unrestricted access. The operator of the tavern has yet to commence operation, and at this stage is unlikely to do so on the basis of a recent liquor licence refusal. Regardless, the applicant seeks the closure of the easement as a result of anti-social issues which have occurred in the past (i.e. vandalism, trespass and theft).

The easement is in place to provide for access along the water's edge between the beach and the commercial node given the relative density that was proposed at the time of development. The prevailing pedestrian network and small scale of the non-residential activity in the area would suggest that the area in question is not a high priority for retention.

Based on the request, it is recommended that consideration be given to modifying the easement to remove public access for the foreseeable future and that this modification be subject to community consultation. Should no objections be received during the advertising period, modifications to the easement can be progressed as a matter of course.

MOTION: F Riebeling / P Jackson

**That subject to the agreement of the Grantor of the Public Easement - The owners of Lot 1289 Village Mews, Wannanup (on Strata Plan 41658) (The Grantor) in accordance with The Land Administration Act 1997:**

- 1 Council supports the surrender of the current easement, conditional upon grant of a new easement on the same conditions as the existing easement with the following variations:**
  - 1.1 Public access is suspended to the easement area until further notice;**
  - 1.2 The Grantee (City of Mandurah) having rights to revoke the public access suspension, and reinstate public access after first giving 90 days written notice;**
  - 1.3 Any lock installed on gates must be a City's lock, with the key to gates being provided to any party having a right of access through the easement, including without limitation any person holding a jetty licence in the adjoining crown reserves;**
  - 1.4 All other conditions of the current easement will remain in place;**
  - 1.5 The costs of the surrender and replacement easement being borne by the Owners of Lot 1289 Village Mews.**
- 2 That the support to surrender the current easement and replace with a new easement with the conditions listed above be subject to public consultation; and that should no objections be received during the advertising period, procedures required to implement the new easement provisions are implemented.**
- 3 The current easement will remain in place, until such time as the new easement is registered at Landgate.**

CARRIED UNANIMOUSLY: 10/0

*Mayor Williams returned to the Chamber at 6.04 pm, resuming in the Chair.*

### **G.17/2/18 THIRD PARTY APPEAL RIGHTS IN PLANNING (BD) (REPORT 8) (CC.13/2/18)**

Following feedback received from member local governments regarding a discussion paper on third party appeals in planning, the Western Australian Local Government Association (WALGA) State Council resolved to undertake further consultation with members to discuss the various concerns and suggestions raised in response to the discussion paper.

Further consultation was undertaken in the form of a series of workshops to discuss four potential models for third party appeals which broadly captured the range of responses previously provided in support of third party appeals. The workshops were attended by both local government officers and elected members from 25 local government areas and were used to discuss the possible scope and form that any third party appeal rights should take in order to determine a preferred model.

Based on the outcomes of the workshop, WALGA is requesting members consider the its preferred model for that support the introduction of Third Party Appeal Rights by local government for decisions made by Development Assessment Panels.

Council has previously resolved to advise WALGA that it is prepared to support further consideration of third party appeals upon the release of a discussion paper by the Department of Planning/WAPC regarding the matter.

Since this time, the Minister for Planning announced a wide ranging review of the planning system to address community concerns around how planning decisions are made, whilst ruling out the introduction of third party appeal rights in WA.

It is therefore recommended that Council reiterate its previous recommendation providing support for the further consideration of third party appeal rights and support the model proposed, however in addition, strongly encourage WALGA to pursue its involvement in the planning review process as a preferred means of addressing concerns with the current decision making framework.

MOTION: R Wortley / Peter Rogers

**That Council:**

- 1 Reiterates its previous advice to the Western Australian Local Government Association that it is prepared to support further consideration of third party appeals in Western Australia for development applications, structure plans and planning scheme amendments upon a discussion paper being released by the Department of Planning/Western Australian Planning commission citing options and examples of third party appeals.**
- 2 Encourages the Western Australian Local Government Association to pursue its involvement in the planning review process, to address member concerns with the current planning framework, in recognition of the State Governments current position on third party appeals.**

CARRIED UNANIMOUSLY: 11/0

*(This item was adopted en bloc)*

**G.18/2/18 TRADING PERMITS GUIDELINES ADOPTION (BD) (REPORT 9) (CC.14/2/18)**

Following the adoption of the *City of Mandurah Local Government Property and Public Places Local Law 2016* and a review of the current policy and procedures relating to activities being undertaken on public land, new trading guidelines have been prepared and, if approved, will replace the City of Mandurah's Trading in Public Places Policy (POL-ECD02) and the Commercial Recreation Hire Sites Policy (POL-RCS01).

The proposed Guidelines deal with both Commercial and Aquatic Operators and Mobile Traders, specifying differing application and assessment provisions in an attempt to create an application process which is more streamlined and easier to administer. Processes currently undertaken by various different sections will be consolidated into one application, referral and assessment process. This will provide greater clarity for operators.

Consistent with Council's endorsement of its position on Trading Permits in April 2017, the Guidelines include plans to indicate where activities may be appropriate. In the event that

significant interest in generated, an annual 'Expression of Interest' process has been introduced to consider all proposals collectively and annually.

Nine trading zones have been designated (for Mobile Traders) to encourage outdoor, high quality food vending activities in a manner that improves the access, usage, quality and image of the City's public realm.

Council is now requested to adopt the Trading Permit Guidelines and revoke the existing Trading in Public Places Policy (POL-ECD02) and the Commercial Recreation Hire Sites Policy (POL-RCS01).

MOTION: R Wortley / Peter Rogers

**That Council:**

- 1 Adopts the Trading Permits Guidelines for the assessment and determination of Trading Permits.**
- 2 Revokes the existing Trading in Public Places (POL-ECD 02) and Commercial Recreation Hire Site Policies (POL-RCS01).as these policies are now considered redundant with the introduction of the new Guidelines on Trading Permits.**
- 3 Continues to seek approval from the Department of Transport to include commercial and aquatic operations within the existing jetty licences located within and surrounding Mandjar Bay in order to allow for Trading Permits to be issued for activities that utilise jetties rather than a non-exclusive jetty licence.**
- 4 Continues to request that the Western Australian Planning Commission exempt the need for development approval for the use of reserved land under the Peel Region Scheme where a permit has been issued under a Local Government Local Law.**
- 5 Notes that the current Street Activity Policy, which covers Busking/Street Performance, Raffles, Street Appeals, Street Markets and associated procedures will continue to operate without modification.**
- 6 Requests a review of Trading Permit Guidelines be undertaken after 12 months with a report submitted to Council.**

CARRIED UNANIMOUSLY: 11/0

**G.19/2/18 'GIVIT' DONATION MANAGEMENT MEMORANDUM OF UNDERSTANDING (TF) (REPORT 10) (CC.15/2/18)**

The City continues to play a key role in local emergency planning, proactively preparing for worst case scenarios, in order to minimize impact on the community, Council and environment.

During large scale disasters communities will react and want to help, to donate money, goods and services. GIVIT is an award winning, not for profit organisation, with an online donation management system. GIVIT supports charitable organisations, helping them manage the distribution of 'pledged' physical donations, discouraging the impulsive drop off and mass stockpiling of unwanted goods.

The GIVIT virtual warehouse runs year round, before, during and after an emergency event, promoting recycling and reuse of quality items, supporting the needs of community organisations.

In emergencies donations of cash through designated appeals such as the Lord Mayors Appeal remain the most effective way to support victims. This will remain the Council's key message. GIVIT, however, provides a coordinated, controlled response to one of emergency management's greatest concerns, physical donation management which are a reality in the communities desire to assist those in need.

Council is requested to enter into a Memorandum of Understanding with GIVIT to manage pledges of physical donations in an emergency and to adopt the reviewed Local Recovery Plan 2018 to reflect this approach.

MOTION: R Wortley / Peter Rogers

**That Council:**

- 1 Agrees to enter into a Memorandum of Understanding with GIVIT Listed Ltd to manage the donation of goods in times of emergency.**
- 2 Adopts the updated Mandurah Local Recovery Plan 2018.**

CARRIED UNANIMOUSLY: 11/0  
(*This item was adopted en bloc*)

**G.20/2/18 WESTERN POWER COMMUNITY POWER BATTERY BANK PROPOSAL (BB)  
(REPORT 11) (CC.16/2/18)**

Western Power is seeking support from the City of Mandurah to run a trial of a 'Community Power Bank' (Power Bank) in Meadow Springs. The 'Meadow Springs Community Power Bank' will provide local customers who have solar panels the ability to store excess power which they can access later. The project offers benefits to multiple stakeholders including individual consumers, the electricity consumer group as a whole, the network operator (Western Power) and the energy retailer (Synergy).

By supporting the project, the City of Mandurah will be part of advancing the technologies required for a more sustainable energy future, whilst addressing network capacity issues in the area. High level findings generated by the trial regarding consumer behaviour and attitudes will also be shared with the City.

Deputy Mayor Councillor Knight moved the Committee recommendation, which was seconded by Hon Councillor Riebeling. In moving the Motion, Deputy Mayor Councillor Knight reported that the following comments had been received from Council's Environmental Advisory Group (MEAG):

- *MEAG supports the City of Mandurah in its endeavours with this project and congratulates them on their initiative.*
- *MEAG requests that any further findings and results are provided to MEAG as they become available.*

Mayor Williams requested that Council's appreciation for the comments on this item, and the work undertaken by the Mandurah Environmental Advisory Group, be placed on record.



MOTION: C Knight / F Riebeling

**That Council:**

- 1 Authorises the Chief Executive Officer to sign Memorandum of Understanding between the City of Mandurah and Western Power for the purpose of the Community Power Battery Bank Trial.**
- 2 Authorises the use of the City of Mandurah logo for the purpose of co-branding the Community Power Battery Bank.**
- 3 Authorises City officers to request and easement or excision for Reserve 48824 Glenbrook Lane, Meadow Springs upon completion of the trial in favour of Western Power.**

CARRIED UNANIMOUSLY: 11/0

**G.21/2/18 FOOD SAFETY FUNCTIONS ANNUAL REPORT 2016/17 (B/KF) (REPORT 12)  
(CC.17/2/18)**

The City of Mandurah has a vibrant and diverse food environment which is enjoyed by the community in various ways such as completing their routine grocery shop at the local supermarket, eating from a temporary food stall at a local event or dining out at one of the many restaurants and bars across the City.

It is critical food business operators have a thorough understanding of the necessary processes and procedures that must be implemented to ensure they are producing food that is safe for the community whilst also achieving compliance with the relevant legislation.

The City undertakes a range of food safety activities to ensure food businesses are complying with their obligations under the provisions of the *Food Act 2008* (the Act) and subsidiary legislation. It is also acknowledged that in addition to the City's enforcement and compliance role it is vital that an educational approach is also incorporated into its core businesses to ensure food businesses are receiving a high level customer service and support from the City to support them in preparing safe food.

Section 121 of the Act requires all local governments to provide a report to the Department of Health (DoH) on their performance of their statutory functions. The report is required to be submitted annually to coincide with the DoH's financial year reporting legal obligations.

On 29 August 2017, City Officers prepared and submitted the report via the DoH's online reporting survey portal to ensure the City meets its reporting obligations under the Act.

The purpose of this report is to provide elected members an overview of the City's role and functions that were included in the abovementioned mandatory report in addition to other key functions.

MOTION: R Wortley / Peter Rogers

**That Council acknowledges the information provided within this report and information contained within the City's *Food Act 2008* submission provided in Attachment 2.**

CARRIED UNANIMOUSLY: 11/0

*(This item was adopted en bloc)*

**G.22/2/18 TENDER 24-2017 MANDURAH FORESHORE BOARDWALK REMEDIATION STAGE 2 (SH/NP) (REPORT 13) (CC.18/2/18)**

The City of Mandurah invited tenders for the Mandurah Foreshore Boardwalk Remediation – Stage 2 on 18 November 2017.

The request for tender is a lump sum contract to carry out the renovation works to the second stage of the Mandurah Foreshore Boardwalk. The tender includes the removal of the old decking and joists, the abrasive blasting and coating of the steel substructure, installation of new hardwood timber joists and a merbau deck to match stage one.

Council approval is sought to select Mandurah Jetty Construction as the preferred tenderer for Mandurah Foreshore Boardwalk Remediation – Stage 2.

MOTION: R Wortley / Peter Rogers

**That Council accepts Mandurah Jetty Construction as the preferred tenderer for Tender T24-2017 for the Mandurah Foreshore Boardwalk Remediation Stage 2.**

CARRIED UNANIMOUSLY: 11/0  
(*This item was adopted en bloc*)

**G.23/2/18 TENDER 25-2017: STREET TREE INVENTORY (MH/NP) (REPORT 14) (CC.19/2/18)**

The City of Mandurah invited tenders to undertake a Street Tree Inventory which required a suitably qualified and experienced arboricultural consultant to undertake an inventory of 20,000-30,000 street trees, inclusive of a spatial survey and collection of tree attribute data.

Ongoing maintenance of our street tree assets in terms of annual street tree planting, formulation of street tree masterplans and day to day maintenance can be much better informed through collection of accurate street tree data including information on the health and condition of various tree species. Street tree data will be used internally to aid in proactive maintenance of the City's trees, for reporting, and planning and design of future street tree plantings.

Council approval is sought to select The Trustee for Ben and Rachael Kenyon Family Trust T/as Homewood Consulting Pty Ltd as the preferred tenderer for the Street Tree Inventory project.

MOTION: R Wortley / Peter Rogers

**That Council accepts The Trustee for Ben and Rachael Kenyon Family Trust T/as Homewood Consulting Pty Ltd as the preferred tenderer for Tender T25-2017 Street Tree Inventory.**

CARRIED UNANIMOUSLY: 11/0  
(*This item was adopted en bloc*)

**G.24/2/18 TENDER 27-2017: INSTALLATION OF SPORTS GROUND LIGHTING AT BORTOLO RESERVE (SH/NP) (REPORT 15) (CC.20/2/18)**

The City of Mandurah invited tenders for the Installation of Sports Ground Lighting at Bortolo Reserve on 29 November 2017.

The works consist of the installation of four 25 metre tall galvanised light towers each with four 150watt lamps that will achieve a lighting standard of 100Lux over the oval. In addition to the installation of the towers and luminaires on the northern oval, a new Halytech controller system will also be installed to control the new lights and will also be connected to, and control the existing seven lights. The project is wholly grant funded by the Peel Development Commission.

Council approval is sought to select Citylight Holdings Pty Ltd t/as Auriemma Electrical Services as the preferred tenderer for Installation of Sports Ground Lighting at Bortolo Reserve.

MOTION: R Wortley / Peter Rogers

**That Council accepts Citylight Holdings Pty Ltd t/as Auriemma Electrical Services as the preferred tenderer for Tender T27-2017 for the Installation of Sport Ground Lighting at Bortolo Reserve.**

CARRIED UNANIMOUSLY: 11/0  
(*This item was adopted en bloc*)

**G.25/2/18 TENDER 29-2017 – ELECTRICAL CONSULTANCY SERVICES (SH/NP) (REPORT 16) (CC.21/2/18)**

Tenders for an Electrical Consultancy Services contract which provides for the provision of design advice to the City, and aid in delivery of capital, maintenance and compliance works, were invited early December 2017.

Council approval is sought to select Powerlyt Group Pty Ltd as the preferred tenderer for Electrical Consultancy Services.

MOTION: R Wortley / Peter Rogers

**That Council accepts Powerlyt Group Pty Ltd as the preferred tenderer for Tender T29-2017 Electrical Consultancy Services.**

CARRIED UNANIMOUSLY: 11/0  
(*This item was adopted en bloc*)

**G.26/2/18 TENDER 30-2017 ARCHITECTURAL CONSULTANCY SERVICES (SH/NP) (REPORT 17) (CC.22/2/18)**

Tenders for the Architectural Consultancy Services contract provides for the provision of architectural design and construction contract administration services were invited early December 2017. The contract will aid in the delivery of the capital and maintenance budgets.

Council approval is sought to select Cox Architecture Pty Ltd as the preferred tenderer for architectural consultancy services.

MOTION: R Wortley / Peter Rogers

**That Council accepts Cox Architecture Pty Ltd as the preferred tenderer for Tender T30-2017 Architectural Consultancy Services.**

CARRIED UNANIMOUSLY: 11/0  
*(This item was adopted en bloc)*

**G.27/2/18 CONFIDENTIAL ITEM: RELINQUISH LEASE (REPORT 1) (BD) (F0000126789) (CC.23/2/18)**

MOTION: R Wortley / Peter Rogers

**That Council:**

- 1 Approves the termination of the ground lease with the Mandurah Marina Dive Centre over an approximate 145 square metre portion of Reserve 46854, Fathom Turn Mandurah effective as at 31 December 2017;**
- 2 Acknowledges that the lessee (Mandurah Marina Dive Centre) will pay all outstanding rental monies for the period 1 September 2017 to 31 December 2017, to be paid in full by 31 July 2018;**
- 3 Requests that the relinquished lease area be re-advertised for expressions of interest to use the site for commercial purposes;**
- 4 Keeps this report confidential and makes the recommendation public.**

CARRIED UNANIMOUSLY: 11/0  
*(This item was adopted en bloc)*

**NOTE: Council adopted en bloc (moved by Deputy Mayor Councillor Knight and seconded by Councillor Jackson), the recommendation of the Public Art Committee meeting of Tuesday 20 February 2018.**

**G.28/2/18 CONFIDENTIAL ITEM: SELECTION CRITERIA AND WEIGHTINGS FOR STAGE TWO OF THE MANDURAH BRIDGE PUBLIC ARTWORK PROCUREMENT PROCESS (NP) (REPORT 1) (PA.3/2/18)**

MOTION: C Knight / P Jackson

**That Council:**

- 1 Approves the proposed Probity and Evaluation Plan, which includes the Selection Criteria for Stage 2 for the Bridge Artwork.**
- 2 Keeps the report and its attachments confidential until the City proceeds to the issue of tender documents.**

CARRIED UNANIMOUSLY: 11/0  
*(This item was adopted en bloc)*

**REPORTS [AGENDA ITEM 18]****G.29/2/18 FINANCE REPORT JANUARY 2018 (DP / PB) (REPORT 1)**

MOTION: F Riebeling / Shane Jones

**That Council:**

- 1 **Receives the Financial Report for January 2018.**
- 2 **Receives the Schedule of Accounts for January 2018 for the following amounts:**

Total Municipal Fund	\$ 6,097,045.95
Total Trust Fund	<u>\$ 23,435.38</u>
	<u>\$ 6,120,481.33</u>

- 3 **Approves unbudgeted expenditure of \$50,000 for Madora Bay Platform & Boardwalk (funded from Madora Bay Community Association contribution \$50,000\*).**
- 4 **Approves unbudgeted expenditure of \$145,000 for Pinjarra Road Landscaping:**
  - **Funded from Mandurah Rd Median Landscaping Kirkpatrick to Bridge project (\$45,000)**
  - **Contribution from Vicinity (\$100,000)\***

CARRIED WITH ABSOLUTE MAJORITY: 11/0

**G.30/2/18 TENDER 32-2017: DUAL MOVING FLOOR WASTE MANAGEMENT (DP/PB) (REPORT 2)**

The City's Waste Management Centre (WMC) is located at 80 Corsican Place, Parklands and receives approximately 42,000 tonnes of general waste per annum from a combination of municipal operations, commercial operators and residents.

The main tipping shed at the WMC consists of a separate unloading floor for commercial and residential vehicles which join to a common push pit. The concrete floor within the push pit is in need of repair and upgrade.

City officers examined other viable options as part of these upgrade works and identified that the installation of a moving floor system into the common push pit and into the residential floor in the main tipping shed was considered to be the most viable option as it will:

- improve resource recovery of residential waste,
- minimise current fall from height issues,
- reduce damage to and allow improved integration with the existing compactor infrastructure;
- negate the need to repair the push pit floor;
- future proof the facility to handle additional waste volumes as Mandurah grows; as well as
- improve the efficiency in waste handling generally.

As a result, the City of Mandurah invited tenders for a Dual Moving Floor System for the Waste Management Centre in early December 2017. The scope of works for the RFT includes the design, fabrication, supply, delivery, installation, commissioning and maintenance of two moving floor systems at the WMC, including supporting services.

Council approval is sought to select Wastech Engineering Pty Ltd as the preferred tenderer for the Dual Moving Floor System for the Waste Management Centre and authorise additional expenditure of \$93,360 to be transferred from the Sanitation Reserve.

Councillor Wortley moved the recommendation set out in the report, which was seconded by Councillor Shane Jones. During the debate that ensued, and at the request of Councillors, the Director Works and Services provided clarification regarding the cost tendered and the delivery timeframes identified in the report.

MOTION: R Wortley / Shane Jones

**That Council:**

- 1 Accepts Wastech Engineering Pty Ltd as the preferred tenderer for Tender 32-2017 Dual Moving Floor System for Waste Management Centre.**
- 2 Authorises additional expenditure of \$93,360 to be transferred from the Sanitation Reserve.**

CARRIED UNANIMOUSLY: 11/0

**G.31/2/18 TENDER 23-2017: PORT BOUVARD SURF LIFE SAVING CLUB SECOND STOREY (DP / PB) (REPORT 3)**

The City of Mandurah invited tenders for the Port Bouvard Surf Life Saving Club Second Storey in November 2017. The tender required proponents to submit an offer in the form of a guaranteed maximum price lump sum as a design and construct contract. There was only one compliant tender evaluated where the result identified that it was not advantageous for the City to enter into a contract with that proponent. Council approval is sought to decline all tenders and note that the City will retender in the near future with an amended scope and/or specification.

MOTION: D Lee / F Riebeling

**That Council:**

- 1 Declines the tender for Tender 23-2017 Port Bouvard Surf Life Saving Club Second Storey.**
- 2 Notes that the City will review the process, scope and specifications and re-tender for the works in the near future.**

CARRIED UNANIMOUSLY: 11/0

**MOTIONS OF WHICH NOTICE HAS BEEN GIVEN [AGENDA ITEM 20]**

**G.32/2/18 MAYOR WILLIAMS: MEDICAL SERVICES IN MANDURAH AND THE PEEL REGION**

Mayor Williams moved the following Notice of Motion, which was seconded by Hon Councillor Riebeling. In moving the Motion, Mayor Williams informed the meeting that he had written to the Minister requesting an urgent meeting, which would be taking place on Thursday 1 March.

During the debate that ensued, Councillors expressed their support for the Motion.

MOTION: R Williams / F Riebeling

**That Council advise the State Minister for Health of its concerns over the current level of planning for the future needs of the Mandurah and Peel Region, particularly in relation to the short term (five year) operating lease of the Peel Health Campus.**

CARRIED UNANIMOUSLY: 11/0

**NOTICE OF MOTIONS FOR CONSIDERATION AT THE FOLLOWING MEETING [AGENDA ITEM 21]**

Nil.

**LATE AND URGENT BUSINESS ITEMS [AGENDA ITEM 22]**

Mayor Williams advised that one urgent item of general business had been received, relating to the Mandurah Bridge Opening Celebration.

MOTION: Peter Rogers / C Knight

**That Council accepts the items of urgent business.**

CARRIED UNANIMOUSLY: 11/0

**G.33/2/18 ITEM OF LATE AND URGENT BUSINESS - MANDURAH BRIDGE OPENING CELEBRATION (LW)**

The construction of the new Mandurah Traffic Bridge is nearing completion and a community celebration to mark this occasion is recommended to be held on Sunday 8 April 2018. The report recommends that the celebration would take the form of a community picnic on the eastern foreshore beginning at 4.30pm with the lights on the bridge switched on for the first time by the Hon Rita Saffioti MLA Minister for Transport, Mayor Rhys Williams and the local member, David Templeman MLA. Following the celebration event a book to celebrate the construction of the bridge with photographs from community members will be produced. The celebration will cost \$33,000 and the report supports officers continuing to negotiate with the state government for assistance with this cost.

MOTION: D Lee / Lynn Rodgers

**That Council:**

- 1 Supports the holding of a Bridge Opening Celebration on Sunday 8 April 2018 to include a community picnic and a ceremony to turn on the new lights on the bridge. A photographic competition will also be held with the publication of a book later in the year.**
- 2 Approves the cost for the celebration of \$33,000\*.**

**3 Supports officers continuing to negotiate with state government to contribute to the costs of the opening celebration.**

CARRIED WITH ABSOLUTE MAJORITY: 11/0

**LEAVE OF ABSENCE REQUESTS [AGENDA ITEM 8]**

**G.34/2/18 LEAVE OF ABSENCE: COUNCILLOR SCHUMACHER – 1 MARCH TO 1 MAY 2018 (INCLUSIVE)**

At the request of Mayor Williams, the Chief Executive Officer clarified that as Councillor Schumacher had provided to him written notice of his Leave of Absence request, Council was able to determine the matter in Councillor Schumacher's absence.

MOTION: Lynn Rodgers / Shane Jones

**That leave of absence be granted to Councillor Schumacher from 1 March to 1 May 2018 (inclusive).**

CARRIED UNANIMOUSLY: 11/0

At this juncture of the meeting, the Chief Executive Officer advised Council of the impending review of Mandurah and Peel Tourism Organisation's Constitution, emphasising the importance of full representation during this process. Given that Councillor Schumacher was Council's representative on the MAPTO Board, and had been granted Leave of Absence during the period when the review would be initiated, it was the consensus of the meeting that Councillor Peter Jackson deputise for Councillor Schumacher in the event of Councillor Schumacher being unable to attend MAPTO meetings during the next 2-months.

**G.35/2/18 LEAVE OF ABSENCE: HON COUNCILLOR RIEBELING – 9 MARCH TO 17 MARCH 2018 (INCLUSIVE)**

MOTION: Shane Jones / M Darcy

**That leave of absence be granted to Hon Councillor Riebeling from 9 March to 17 March 2018 (inclusive).**

CARRIED UNANIMOUSLY: 11/0

**G.36/2/18 LEAVE OF ABSENCE: DEPUTY MAYOR COUNCILLOR KNIGHT – 20 MARCH TO 25 MARCH 2018 (INCLUSIVE)**

MOTION: Peter Rogers / Matt Rogers

**That leave of absence be granted to Deputy Mayor Councillor Knight from 20 March to 25 March 2018 (inclusive).**

CARRIED UNANIMOUSLY: 11/0



**G.37/2/18 LEAVE OF ABSENCE: COUNCILLOR DARCY – 20 MARCH TO 31 MARCH 2018 (INCLUSIVE)**

MOTION: Lynn Rodgers / Shane Jones

**That leave of absence be granted to Councillor Darcy from 20 March to 31 March 2018 (inclusive).**

CARRIED UNANIMOUSLY: 11/0

**CONFIDENTIAL ITEMS [AGENDA ITEM 23]**

Nil.

**CLOSE OF MEETING [AGENDA ITEM 24]**

There being no further business, the Mayor declared the meeting closed at 6.34 pm.

CONFIRMED ..... (MAYOR)