



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 February 2019
at 5.30pm**

MARK R NEWMAN
Chief Executive Officer
6 February 2019

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**
- 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: 4 DECEMBER 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	Budget Review 2018/2019	1 - 15
2	Cemeteries Amendment Local Law 2019 Final Adoption	16 – 18
3	Central Mandurah Activity Centre	19 – 55
4	City Centre Waterfront Concept Plans	56 – 72
5	Amendment 137 to Town Planning Scheme No 3 – Guide Plan	73 – 82
6	Lease: Mandurah Croquet Club	83 - 85
7	Licence: Naval Cadets Southern Estuary Halls Head	86 – 91
8	Nairns Foreshore: Mooring of Houseboat	92 – 98
9	Tender T22-2018 Underground Asset Location	99 - 101

13 LATE AND URGENT BUSINESS ITEMS**14 CONFIDENTIAL ITEMS****15 CLOSE OF MEETING**

1 **SUBJECT:** Budget Review 2018/19
 CONTACT OFFICER/S: David Prattent / Paul Bates
 AUTHOR: Paul Bates

Summary

The Budget Review provides a mid-year forecast of Council's financial performance for the current financial year. This review of business unit operating expenditure, revenues and capital works has resulted in an improved end of year financial position.

The City is forecast to generate an improvement to its surplus before depreciation of approximately \$1 million. This has enabled the following additional expenditure items to be presented for approval:

- An additional bushland maintenance team to be recruited in Quarter 4.
- Provision for the pre-funding of the costs of designs for the Waterfront Re-development project.
- The allocation of capital funds for an additional car park, together with expenditure on footpaths, boardwalks and shade sails for playgrounds.

Council is requested to adopt the revisions to revenues and expenditures as outlined in Attachment 1 together with changes to the budget for capital expenditure Attachment 3.

Disclosure of Interest

None

Previous Relevant Documentation

- SP.3/7/18 02 July 2018 2018/19 Budget Adoption

Background

At the adoption of the 2018/19 budget in July 2018, a minor deficit was reported at \$500,000. Three key issues were identified:

- Demand for capital expenditure continues to grow. The continued development of Lakelands District Open Space, various road upgrade projects and development of the City's Parks & Reserves are outlined in the 2018/19 Draft Budget. With Capital Expenditure of \$39.5 million, significant resources are being allocated for the City's key assets.
- Sections of the community, including businesses are experiencing financial stress. This is not an issue which is unique to Mandurah although, in some cases, it may be amplified by particular demographic factors such as leveraging by first time home buyers or property investors. In this group the capacity to absorb higher-than-average cost of living increases such as electricity and water charges, makes it important that the City takes into account the affordability of its increase when recommending the budget and rates for 2018/19. It should also be said that, despite this, it is also important that the City continues to provide services and investment which make Mandurah a location of choice for both residents and businesses.
- The draft budget allocates funds for the establishment of the city centre unit in terms of staffing and programming of initiatives aimed at creating a City Centre which the business operators, landowners and visitors to the City Centre are all proud of. The City Centre is seen as a critical space for Mandurah's future economic and social success.

The results of the review including comments on specific variances are included in Attachment 1.

Comment

The budget review process takes into account the following issues:

- A six month review of year-to-date expenditure versus budget with each manager.
- The provision by managers of their forecasts for expenditure and revenues.
- Discussions regarding the progress of projects and capital expenditure.
- A review of income sources and analysis of key trends influencing income.

Based on the outcomes from the activities above, the budget review provides the following overview:

- A forecast of operating income and expenditure for the year.
- An assessment of capital expenditure and projects.

For comparison purposes, the Budget Review has been assessed against the City's original adopted budget. A summary of the City's revised operating position is as follows:

Operating Summary	2018/19 Budget '000s	Budget Review '000s	variance '000s	variance %
Operating Revenue	110,317	111,332	1,016	0.92%
Operating expenditure				
Direct Labour	51,542	51,819	277	0.5%
Administration of Administration Expenses	-10,440	-10,440	0	0.0%
Operating Costs	54,199	53,865	-334	(0.6%)
Total Operating expenditure	95,301	95,244	-57	(.1%)
Operating (surplus)/ deficit before depreciation	-15,016	-16,088	-1,072	7.2%
Depreciation	31,317	31,317		
Operating (surplus)/ deficit	16,301	15,229	-1,072	(6.6%)

The Projected operating surplus before depreciation has increased by \$1.1 million due to improved revenue projection and expenditure savings due to structural changes. The decrease in operating deficit has been offset by a movement in Capital expenditure, transfers and surplus carried forward as shown in page 3. The overall effect is that the overall deficit has turned into minor surplus. This leaves the City in a strong position going into the 2019/20 financial year.

After taking into account other inflows and outflows the overall position is as follows:

Operating Summary	2018/19 Budget '000s	Budget Review '000s	variance '000s	variance %
Operating (surplus)/ deficit	16,301	15,229	-1,072	6.6%
Other Inflows				
Grants & Contributions	7,866	6,965	(901)	(11.4%)
Proceeds from Disposal of assets	1,600	2,076	476	29.7%
Operating reserve	400	805	405	63.3%
Capital reserves	5,459	7,163	1,703	32.6%
Loans Utilised	9,558	9,661	102	1.1%
Community Loans Repayments	170	170	0	0.0%
Capital Revenue	25,054	26,790	1,735	6.9%
<i>Surplus (deficit) brought forward</i>	5,268	3,826	(1,442)	(27.6%)
Non Cash Items				
Loss on sale of assets	56	56	0	0.0%
Depreciation	31,317	31,317	0	0.0%
Total inflows	61,695	61,989	293	(20.6%)
Other outflows				
Capital Expenditure	39,576	40,450	875	2.2%
Repayment of debt	5,052	5,052	0	0.0%
Transfer to reserve	1,100	1,132	32	2.7%
Profit Sale	165	165	0	0.0%
Total outflows	45,893	46,749	907	2.0%
(Surplus)/ Deficit	499	(10)	(509)	

Below is a summary of the key changes noted for budget review, further analysis of these changes is provided in the report below.

Operating revenues & expenditure	2018/19			Impact on Financial
	Adopted Budget \$'000's	Budget Review \$'000's	Variances \$'000's	
Operating Revenue	(110,317)	(111,332)	1,016	
Key variances				
Rates Interim			678	Increase to Revenue
Waste Management			320	Increase to Revenue
MARC			78	Increase to Revenue
Marina & Waterways			-70	Decrease to Revenue
Recreation Services			-76	Decrease to Revenue
Operating Expenses	95,301	95,244	(57)	
Key variances				
MARC			113	Increase to Expense
Bridge Maintenance			200	Increase to Expense
People & Communities			-298	Decrease to Expense
Rates Valuations			170	Increase to Expense

Report from **A/Executive Manager Finance & Governance**
to **Committee of Council Meeting of 12 February 2019**

Economic development			-130	Decrease to Expense
legal Costs			-100	Decrease to Expense
Community Safety			96	Increase to Expense

Changes to capital expenditure are summarised as follows. A detailed breakdown is shown in Attachment 2:

	\$'000
Adopted budget 2018/19	39,576
Additional expenditure requiring Council approval	820
Additional expenditure previously approved by Council	54
Budget review 2018/19 total	40,450

The 2018/19 budget anticipated a minor deficit of \$499,000. After taking into account movements in operating costs and revenues, capital expenditure and reserve transfers, the Budget Review anticipates a break-even position at 30 June 2019. A more detailed commentary on these movements is as follows:

A revised Rate Setting Statement is shown at Attachment 3.

Operating Revenues

2018/19			
Adopted Budget \$'000's	Budget Review \$'000's	Variance \$'000's	Variance %
(110,317)	(111,332)	1,016	+0.92%

Key issues identified are:

- *Rates - \$678,000 increase*
Interim valuations for 2018/19 are higher than previously expected. This is a combination of new properties and changes in valuation of existing properties.
- *Waste Management - \$320,000 increase*
Waste collection revenue has increased in-line with increase properties. There has also been an increase in commercial revenue of \$25,000
- *MARC - \$78,000 increase*
Increase in activity at the MARC has improved the revenue projections for 2018/19. The revenue has been offset with increases in operating expenditure.
- *Marina & Waterways - \$70,000 decrease*
Coastal hazard risk management adaption plans will be completed over two financial years. Changes in Budget review reflect the expected timing for this project.
- *Recreation Services \$76,000 decrease*
The kidsport program is now been coordinated directly by DSR.

Operating Costs

2018/2019			
Adopted Budget \$'000's	Budget Review \$'000's	Variance \$'000's	Variance %
95,301	95,388	(57)	(0.8%)

To offset the decrease in Operating revenue the following operating costs have been reduced to maintain the councils operating position.

Key variances:

- *MARC- \$113,000 increase*
MARC labour is increasing due to a range of factors:
 - An increase in activity at the centre causing additional staff to be hired albeit on a temporary basis. Additional revenues in this respect are noted.
 - Some increases due to some casual staff moving from casual to permanent part time.
 - Costs associated with conducting organisation-wide training such as the Domestic Family Violence programme and, to a lesser extent, the change in weekend opening hours.

The changes have resulted in an initial projection of an increase to FTE's, however during the rest of the year work will be undertaken at the MARC to ensure that FTE levels are kept at the most effective levels.
- *Bridge Maintenance - \$200,000 increase*
Major canal bridge maintenance undertaken by Main roads, work was finished last year but paid this year.
- *People & Communities - \$298,000 decrease*
Structural changes to Peoples & Communities directorate has resulted in savings to operating costs. As a result of organisational changes the Director of People & Communities position has been abolished.
- *Rates valuations - \$170,000 increase*
Valuation costs from Valuer General have increased due to level of Interim rating changes processed.
- *Economic Development - \$130,000 decrease*
Temporary reduction in project expenditure for Economic development projects. These projects will be reassessed as part of the 2019/20 budget process.
- *Community Safety – \$96,000 Increase*
Increase in externally funded community Safety projects:
 - ADF Grant – Local Drug Action team project \$34,500
 - Safer Communities – CCTV project. \$50,000

Capital Expenditure / Revenue

A summary of the budget versus budget review position for capital expenditure and revenues are provided below.

	2018/19			
	Adopted Budget \$'000's	Budget Review \$'000's	Variance \$'000's	Variance %
Capital Expense	39,575	40,450	875	1.07%
<u>Capital Revenue</u>				
Grants and Contributions	(7,866)	(6,965)	(901)	(11.6%)
Proceeds from disposal of assets	(1,600)	(2,076)	476	29.7%
Transfers from reserves – Capital	(5,459)	(7,568)	2,109	21.1%
Total Capital Revenue	(13,373)	(15,176)	1,684	13.5%
<u>City of Mandurah Funding</u>	+			
Loans Utilised	(9,558)	(9,660)	102	1.1%
City of Mandurah	(15,690)	(14,780)	(910)	(0.6%)
Total CoM Funding	(25,248)	(24,440)	(808)	(2.3)

Although there is an increase in capital expenditure, these changes are offset by the net of movements in capital revenue and own-source funds.

A reconciliation of capital movements is as follows:

Movement	\$'000	Comments
2018/19 Budget	39,575	
Changes to capital expenditure previously approved by Council ¹	54	See Attachment 2
Recommended changes to capital expenditure ² (net of savings)	820	See Attachment 2
Project overspending/additional	874	
2018/19 Budget Review	40,450	

Attachment 2 outlines changes to capital budgets and any associated changes to funding allocations. The report only includes those capital projects that require amendment. When projects have been completed an adjustment is made to reflect the expenditure on that project. During Budget review the funding breakdown of capital projects is analysed. This can be due to additional external funding sources been sourced during the year, reserve allocation changes, carryover adjustments. The report outlines the new funding allocation at the far right hand side of the report.

The major increases to capital projects that are included in the report are:

- Waterfront Design Project \$400,000
- Falcon Bay Seawall Stage 2 \$222,029
- William/Bertram Road \$159,285
- Central Boardwalk \$100,000
- Coastal Paths and Shade Sails \$100,000
- Eastern Shared Paths \$100,000
- CP Hackett Street \$85,000

The major decreases to capital projects that are included in the report are:

- Falcon Reserve Skate Park \$256,467
- Crusader Street \$159,285
- Pebble Beach Blvd land acquisition and upgrade \$106,822

Prior approved budget increases (carryover adjustments & council meetings)

- Ocean Road Reserve - Sports Ground Light \$270,000
- Port Bouvard Surf Life Saving Club \$288,236
- Mandurah Family & Community Centre \$135,000
- Coastal & Estuary : Dredging Marina Entrance \$70,000

Prior approved budget savings (carryover adjustments & council meetings)

- Parks : Falcon Reserve Skate Park \$118,500
- Roads : Glencoe Parade Stage 3 \$118,476
- Buildings : Cicerellos-Dome Boardwalk Renewal \$82,717
- Roads : CP Mandurah Marina \$60,077
- Parks : Falcon Bay Foreshore development Stage 1 \$55,936
- Parks : Novara Foreshore Stage 2 \$50,720
- Buildings : Mandurah Foreshore Boardwalk Renewal \$47,058

These are the key variances in the capital projects for 2018-19. There are several smaller projects that have come in under budget and they are outlined in attachment 2. Detailed comments on the changes to the Capital Projects can be found in attachment 2.

2017/18 Brought Forward Surplus

Since the budget adoption the City has finalised its end of year financial statements for the 2017/18 financial year. As a result, the surplus brought forward from last year has been revised as follows:

	\$'000
Carried forward surplus 1 July 2018	6,815
Adjust : pre-paid rates	(2,989)
Revised surplus	3,826

The 2018/19 Budget allowed for the advance payment of the 2018/19 Financial Assistance grant received in June 2018 to be recognised in the carried forward surplus number. The 2017/18 financial statements however did not provide for the advance payment in the same way. As a result part of the transfer to reserve that were allocated at the end of 2017/18 needs to be utilised for 2018/19 expenditure. To facilitate this funding sources for five capital projects have been amended. Attachment 2 outlines the changes to capital funding and capital expenditure.

Statutory Environment

Local Government (Financial Management) Amendment Regulations (No 2) 2005 33A Review of Budget

Policy Implications

Nil

Economic Implications

The City's expenditure continues to be directed towards those items which enhance the attraction of Mandurah as an economic, lifestyle and tourist destination. Project expenditure also works towards the establishment of the City, and the surrounding region, as an economically sustainable entity.

Strategic Implications

The following strategy from the *City of Mandurah Strategic Community Plan 2013 – 2033* is relevant to this report:

Organisational Excellence:

- Deliver excellent governance and financial management.

Conclusion

Following a detailed assessment of the City's budgetary performance, adoption of the revised income and expenditure profiles and new capital budget amendments is recommended.

NOTE:

Refer

<i>Attachment 1</i>	<i>Budget Review by Business Unit 2018/19</i>
<i>Attachment 2</i>	<i>Budget Review Capital Expenditure 2018/19</i>
<i>Attachment 3</i>	<i>Budget Review Rate Setting Statement 2018/19</i>

RECOMMENDATION

That Council*:

- 1. Adopts revenues and expenditure as outlined in Attachments 1 and 3 as amendments to the 2018/19 Budget.**
- 2. Approved amendments to Capital expenditure budgets and funding sources set out in Attachments 2.**

ABSOLUTE MAJORITY REQUIRED

City of Mandurah Budget Review
Operating Revenue

	YTD Actuals	Annual Budgets	Budget Review	Budget Review Variance	Budget Review % Variance
Chief Executive Officer					
Chief Executive Officer	0	-47	0	-47	-100%
Economic Development	-41	-76	-56	-20	-26%
Chief Executive Officer Total	-41	-123	-56	-67	-55%
Director Sustainable Communities					
Building Services	-547	-1,193	-1,189	-4	0%
City Centre Activation	-1	0	0	0	0%
Community Development	-52	-102	-112	10	10%
Community Safety	-66	-10	-95	85	850%
Cultural Development	-71	-135	-134	-2	-1%
Emergency Management	-73	-73	-93	20	28%
Environmental Health	-292	-325	-305	-20	-6%
Environmental Services	-1	-27	-27	0	0%
Land Administration	-13	-18	-21	3	16%
Libraries & Learning	-91	-253	-253	0	0%
Planning	-123	-284	-244	-40	-14%
Ranger Services	-557	-963	-933	-30	-3%
Seniors and Community Centre	-207	-372	-377	5	1%
Statutory Services	0	-2	-2	0	0%
Youth Development	-69	-88	-121	33	37%
Director Sustainable Communities Total	-2,163	-3,844	-3,904	60	2%
Director Works & Services					
Asset Management	-1	-2	-2	0	0%
Chalets	-371	-750	-750	0	0%
City Works	-18	-25	-28	3	12%
Citybuild	-790	-1,166	-1,240	74	6%
Cityfleet	-29	-42	-42	0	0%
Cityparks	-507	-884	-921	37	4%
Design Services	-4	-10	-10	0	0%
Development Services	-1	0	-1	1	0%
Director Works & Services	-1	-2	-2	0	0%
General Operations	0	-1	-1	0	0%
Landscaping Services	-2	-3	-3	0	0%
Marina & Waterways	-1,976	-2,444	-2,374	-70	-3%
Project Management	-2	-6	-6	0	0%
Survey Services	-4	-7	-7	0	0%
Technical Services Manager	-16	-95	-50	-45	-47%
Waste Management	-12,430	-13,051	-13,372	321	2%
Director Works & Services Total	-16,151	-18,488	-18,809	321	2%
Executive Manager Finance & Governance					
Financial Accounting	-2	-1	-1	0	0%
Financial Services	-1,701	-3,535	-3,535	0	0%
Legal Governance & Tenders	-11	-26	-26	0	0%
Rates Section	-79,088	-78,338	-79,106	768	1%
Executive Manager Finance & Governance Total	-80,803	-81,900	-82,669	769	1%
Executive Manager Strategy & BP					
City Events	-144	-432	-432	0	0%
Customer Service	-21	-45	-45	0	0%
Elected Members	0	-1	-1	0	0%
HHCRC	-161	-383	-380	-3	-1%
Human Resources	-1	0	0	0	0%
MARC	-2,070	-4,651	-4,729	78	2%
Organisational Development	-3	-39	-34	-5	-13%
Records Management	-1	-1	-1	0	0%
Recreation Services	-137	-222	-146	-76	-34%
Strategy & Business Performance	-1	0	0	0	0%
Systems & Technology	-57	-6	-60	54	915%
Visitor Centre	-40	-87	-67	-20	-23%
Executive Manager Strategy & BP Total	-2,635	-5,867	-5,895	28	0.47%
Total	-101,794	-110,222	-111,332	1,111	1.0%

City of Mandurah Budget Review
Operating Labour

	YTD Actuals	Annual Budgets	Budget Review	Budget Review Variance	Budget Review % Variance
Chief Executive Officer					
Chief Executive Officer	230	424	458	34	8%
Economic Development	262	527	524	-3	-1%
Chief Executive Officer Total	492	951	982	31	3%
Director Sustainable Communities					
Building Services	474	1,010	1,021	10	1%
City Centre Activation	95	386	275	-112	-29%
Community Development	267	624	563	-61	-10%
Community Safety	152	238	273	34	14%
Cultural Development	185	353	413	60	17%
Director People & Communities	31	308	0	-308	-100%
Director Sustainable Communities	132	300	328	28	9%
Emergency Management	50	125	124	-1	-1%
Environmental Health	448	1,000	993	-8	-1%
Environmental Services	373	764	778	14	2%
Land Administration	196	418	419	1	0%
Manager Community Development	112	185	220	34	18%
Libraries & Learning	909	1,733	1,772	39	2%
Planning	372	763	789	26	3%
Ranger Services	714	1,407	1,412	4	0%
Seniors and Community Centre	190	402	407	5	1%
Statutory Services	109	215	217	2	1%
Youth Development	258	570	600	30	5%
Director Sustainable Communities Total	5,066	10,803	10,603	-200	-2%
Director Works & Services					
Asset Management	245	589	572	-16	-3%
Chalets	6	4	4	0	0%
City Works	1,470	2,904	2,938	33	1%
Citybuild	976	1,913	1,950	37	2%
Cityfleet	267	510	527	17	3%
Cityparks	3,641	8,072	8,055	-17	0%
Design Services	196	413	423	11	3%
Development Services	211	492	412	-80	-16%
Director Works & Services	230	462	466	4	1%
General Operations	352	698	705	7	1%
Infrastructure Manager	104	226	230	4	2%
Landscaping Services	208	453	457	4	1%
Marina & Waterways	439	917	913	-4	0%
Project Management	141	304	308	4	1%
Survey Services	173	342	351	9	3%
Technical Services Manager	138	204	250	46	22%
Waste Management	111	229	228	0	0%
Director Works & Services Total	8,909	18,731	18,788	58	0%
Executive Manager Finance & Governance					
EM Finance & Governance	0	0	202	202	100%
Financial Accounting	357	720	753	34	5%
Financial Services	107	205	50	-154	-75%
Legal Governance & Tenders	283	570	626	56	10%
Management Accounting	181	356	370	13	4%
Rates Section	246	471	477	6	1%
Executive Manager Finance & Governance Total	1,175	2,321	2,478	157	7%
Executive Manager Strategy & BP					
City Events	206	449	448	0	0%
Customer Service	407	863	878	15	2%
Elected Members	195	336	421	85	25%
HHCRC	251	545	545	0	0%
Human Resources	242	449	560	111	25%
Manager Recreation Services	38	83	84	1	1%
MARC	2,278	4,457	4,585	128	3%
Marketing & Communications	418	738	747	9	1%
Organisational Development	381	804	677	-127	-16%
Records Management	192	419	420	1	0%
Recreation Services	342	759	722	-37	-5%
Strategy & Business Performance	284	496	555	59	12%
Systems & Technology	601	1,337	1,354	18	1%
Visitor Centre	162	325	323	-2	-1%
Executive Manager Strategy & BP Total	5,994	12,058	12,319	260	2%
Total	21,636	44,863	45,170	306	1%

City of Mandurah Budget Review
Other Employee Costs

	YTD Actuals	Annual Budgets	Budget Review	Budget Review Variance	Budget Review % Variance
Chief Executive Officer					
Chief Executive Officer	31	66	71	4	7%
Economic Development	44	104	103	-1	-1%
Chief Executive Officer Total	75	170	174	4	2%
Director Sustainable Communities					
Building Services	94	186	191	5	3%
City Centre Activation	15	48	37	-11	-22%
Community Development	53	77	78	1	1%
Community Safety	19	29	29	0	1%
Cultural Development	17	23	12	-11	-47%
Director People & Communities	9	47	0	-47	-100%
Director Sustainable Communities	22	64	69	5	8%
Emergency Management	11	26	27	1	2%
Environmental Health	76	152	150	-3	-2%
Environmental Services	73	135	148	12	9%
Land Administration	34	70	72	2	2%
Manager Community Development	16	44	48	5	11%
Libraries & Learning	131	264	258	-6	-2%
Planning	59	132	135	3	3%
Ranger Services	111	196	192	-4	-2%
Seniors and Community Centre	28	63	64	1	1%
Statutory Services	25	49	49	0	1%
Youth Development	40	67	73	6	8%
Director Sustainable Communities Total	832	1,672	1,631	-42	-2%
Director Works & Services					
Asset Management	45	104	102	-2	-2%
City Works	221	488	485	-2	0%
Citybuild	106	203	220	17	8%
Cityfleet	44	95	99	4	4%
Cityparks	418	832	855	24	3%
Design Services	33	64	65	1	2%
Development Services	25	59	51	-8	-13%
Director Works & Services	37	94	94	1	1%
General Operations	68	146	152	5	4%
Infrastructure Manager	22	44	47	3	7%
Landscaping Services	46	85	88	2	3%
Marina & Waterways	67	123	129	6	5%
Project Management	27	55	60	5	9%
Survey Services	31	59	61	3	4%
Technical Services Manager	38	60	54	-7	-11%
Waste Management	18	38	37	0	0%
Director Works & Services Total	1,245	2,549	2,602	52	2%
Executive Manager Finance & Governance					
EM Finance & Governance	0	0	43	43	100%
Financial Accounting	53	101	109	9	9%
Financial Services	13	43	7	-37	-85%
Legal Governance & Tenders	58	114	122	7	6%
Management Accounting	26	52	50	-2	-4%
Rates Section	34	65	66	2	3%
Executive Manager Finance & Governance Total	184	375	397	22	6%
Executive Manager Strategy & BP					
City Events	31	64	65	1	2%
Customer Service	68	126	132	6	5%
Elected Members	37	81	86	5	6%
HHCRC	27	55	58	3	5%
Human Resources	66	172	190	17	10%
Manager Recreation Services	8	16	17	1	7%
MARC	302	505	514	9	2%
Marketing & Communications	55	96	97	2	2%
Organisational Development	70	181	153	-28	-15%
Records Management	30	63	63	0	0%
Recreation Services	61	120	121	1	1%
Strategy & Business Performance	36	70	77	8	11%
Systems & Technology	104	231	228	-4	-2%
Visitor Centre	21	44	43	-1	-3%
Executive Manager Strategy & BP Total	916	1,825	1,844	20	1%
Total	3,253	6,591	6,647	56	1%

City of Mandurah Budget Review
Other Operating Expenditure

	YTD Actuals	Annual Budgets	Budget Review	Budget Review Variance	Budget Review % Variance
Chief Executive Officer					
Chief Executive Officer	185	297	297	0	0%
Economic Development	718	1,783	1,653	-130	-7%
Chief Executive Officer Total	903	2,079	1,949	-130	-7%
Director Sustainable Communities					
Building Services	34	65	62	-3	-4%
City Centre Activation	105	400	395	-5	99%
Community Development	239	441	438	-3	-1%
CommunitySafety	109	149	210	62	41%
Cultural Development	179	801	680	-121	-15%
Director People & Communities	7	189	25	-164	-87%
Director Sustainable Communities	31	32	132	100	312%
Emergency Management	118	228	246	17	8%
Environmental Health	130	382	310	-72	-19%
Environmental Services	269	838	815	-23	-3%
Land Administration	14	61	61	0	0%
Manager Community Development	6	12	12	0	0%
Libraries & Learning	397	1,071	1,040	-31	-3%
Planning	21	61	61	0	0%
Ranger Services	180	344	348	4	1%
Seniors and Community Centre	108	260	261	2	1%
Statutory Services	1	5	5	0	0%
Youth Development	88	187	200	13	7%
Director Sustainable Communities Total	2,035	5,527	5,304	-222	337%
Director Works & Services					
Asset Management	32	149	152	3	2%
Chalets	221	694	669	-25	-4%
City Works	1,276	2,722	2,721	-1	0%
Citybuild	3,918	8,597	8,886	289	3%
Cityfleet	787	1,760	1,760	0	0%
Cityparks	2,662	6,042	6,013	-29	4%
Design Services	13	70	70	0	0%
Development Services	26	145	166	21	15%
Director Works & Services	36	75	80	5	7%
General Operations	65	146	146	0	0%
Infrastructure Manager	24	96	71	-25	-26%
Landscaping Services	140	239	278	39	16%
Marina & Waterways	703	2,690	2,618	-72	-3%
Project Management	31	66	56	-10	-15%
Survey Services	72	139	152	14	10%
Technical Services Manager	105	166	196	29	18%
Waste Management	4,952	12,384	12,382	-2	0%
Director Works & Services Total	15,063	36,180	36,417	236	27%
Executive Manager Finance & Governance					
Financial Accounting	142	194	214	20	10%
Financial Services	68	217	217	0	0%
Legal Governance & Tenders	138	525	425	-100	-19%
Management Accounting	1	3	3	0	0%
Rates Section	591	837	1,032	195	23%
Executive Manager Finance & Governance Total	940	1,776	1,891	115	15%
Executive Manager Strategy & BP					
City Events	161	1,171	1,276	105	9%
Customer Service	40	84	72	-12	-14%
Elected Members	575	879	895	17	2%
HHCRC	75	176	178	2	1%
Human Resources	57	71	71	0	0%
Manager Recreation Services	8	10	20	10	99%
MARC	497	1,157	1,134	-24	-2%
Marketing & Communications	181	341	396	55	16%
Organisational Development	117	260	260	0	0%
Records Management	64	160	160	0	0%
Recreation Services	346	566	382	-184	-32%
Strategy & Business Performance	82	208	208	0	0%
Systems & Technology	1,829	3,522	3,203	-289	-8%
Visitor Centre	23	48	48	0	0%
Executive Manager Strategy & BP Total	4,058	8,654	8,304	-320	70%
Total	22,999	54,217	53,865	-291	-1%

City of Mandurah Budget Review
Capital Budget Analysis

	Adopted Budget 2.7.18	Annual Budgets	Budget Review	Budget Review Variance	Comments	Current Budget Funding					Budget Review Funding				
						Grants	Contributions	Transfer from Reserves	Loans	COM	Grants	Contributions	Transfer from Reserves	Loans	COM
Buildings															
Design for Mandurah Nt Comm Centre	20,000	155,000	115,859	-39,141	Project completed underbudget.	0	0	150,000	0	5,000	0	0	150,000	0	-34,141
Ocean Road Reserve - Sports Grnd Lights	50,000	320,000	280,000	-40,000	Project expected to be completed underbudget.	0	0	50,000	0	270,000	0	0	50,000	0	230,000
Cicerellos-Dome Boardwalk Renewal	102,717	20,000	19,215	-785	Minor adjustment for completed project.	0	0	0	0	20,000	0	0	0	0	19,215
Port Bouvard Surl Life Saving Club	1,600,000	1,788,236	1,888,236	100,000	CoM 2018/19 contribution approved at October 2017 council meeting.	0	1,350,000	268,500	0	169,736	0	1,350,000	268,500	0	269,736
MPAC - Lift Instalation	130,000	128,330	146,000	17,670	Works required to be undertaken to address deficiencies.	97,000	0	31,330	0	0	0	0	31,330	0	114,670
MARC/Waste Transfer Station - Solar Plan Phase 5	360,000	360,993	300,993	-60,000	Funds transferred to MARC Systems Intergration.	0	0	175,000	185,993	0	0	0	115,000	185,993	0
Owen Ave Ablution	40,000	41,489	31,489	-10,000	Scope achievable with reduced budget.	0	0	40,000	0	1,489	0	0	30,000	0	1,489
Mandurah Foreshore Boardwalk Renewal	494,655	447,597	458,214	10,617	Minor overspend offset by savings in Mandurah Boardwalk Stage 3.	0	0	0	447,597	0	0	0	0	447,597	10,617
Operations Centre Transportable	55,000	56,739	76,739	20,000	Increase in funds offset from Roads : Pistol Club	0	0	0	0	56,739	0	0	0	0	76,739
Museum Courtroom Interpretation Project	55,000	52,941	82,941	30,000	Increase in funds offset from savings in Museum operating projects	0	0	0	0	52,941	0	0	0	0	82,941
MARC Systems Intergration	150,000	150,000	210,000	60,000	Funds transferred from MARC/Waste solar plan phase 5	0	0	0	0	150,000	0	0	60,000	0	150,000
Mandurah Family & CC Playground	50,000	38,503	50,575	12,072	Offset by underspend on building component of project	38,503	0	0	0	0	38,503	0	0	0	12,072
SCC CCTV Upgrade	13,347	13,347	12,554	-793	Minor adjustment for completed project.	0	0	0	0	13,347	0	0	0	0	12,554
CASM Toilets	10,237	10,237	0	-10,237	Insufficient budget for scope of works. To be rebudgeted for 2019/20.	0	0	0	0	10,237	0	0	0	0	0
Mandurah Bowling Club Greens	153,751	153,751	143,735	-10,016	Savings from completed project.	0	0	0	0	153,751	0	0	140,000	0	3,735
Northport Reserve, Baloo Crescent Facili	153,751	153,751	133,751	-20,000	Grant not received. City to fund additional \$30,000	50,000	0	100,000	0	3,751	0	0	100,000	0	33,751
Rushton Park PTFC seating	51,234	51,234	32,000	-19,234	Unrealised risk released back to business.	0	0	0	0	51,234	0	0	0	0	32,000
Bush Fire Brigade	389,448	389,448	490,625	101,177	DFES grant increased	280,000	0	100,000	0	9,448	381,177	0	100,000	0	9,448
SCC & SIPS Buildings energy upgrades	76,875	76,875	76,875	0	Transfer from reserve movement only	0	0	0	0	76,875	0	0	75,000	0	1,875
Meadow Springs ROS Shed	26,705	26,705	27,705	1,000	Additional budget required for unforeseen risks.	0	0	0	0	26,705	0	0	0	0	27,705
Southern Operations Centre storage	26,705	26,705	36,705	10,000	Increase in funds offset from Roads : Pistol Club	0	0	0	0	26,705	0	0	0	0	36,705
Ormsby Terrace Sewer Pit Reconstruction	35,878	35,878	51,878	16,000	Investigations revealed further works required than expected.	0	0	35,000	0	878	0	0	35,000	0	16,878
SCC - Roof Plumbing	211,108	211,108	211,108	0	Transfer from reserve movement only	0	0	100,000	0	111,108	0	0	200,000	0	11,108
Dudley Park Bowling Club Reroofing	199,866	199,866	185,000	-14,866	Unrealised risk released back to business.	0	0	150,000	0	49,866	0	0	150,000	0	35,000
Indoor Sporting Facility Roof Replacemen	160,926	160,926	130,000	-30,926	Unrealised risk released back to business.	0	0	150,000	0	10,926	0	0	126,074	0	3,926
MSLSC Shade Sails	15,356	15,356	14,000	-1,356	Unrealised risk released back to business.	0	0	0	0	15,356	0	0	0	0	14,000
WMC Replace air conditioner	18,465	18,465	8,950	-9,515	Project completed underbudget	0	0	0	0	18,465	0	0	0	0	8,950
WMC Upgrade power supply	92,231	92,231	119,877	27,646	Quoted price came in higher than originally estimated.	0	0	90,000	0	2,231	0	0	90,000	0	29,877
WMC Tipping Shed Column Repair	33,821	33,821	13,689	-20,132	Project completed underbudget.	0	0	0	0	33,821	0	0	0	0	13,689
Mandurah Foreshore Boardwalk Stage 3	512,439	512,439	432,439	-80,000	A competitive public tender resulted in cost savings	0	0	0	500,000	12,439	0	0	0	420,000	12,439
Civic Building Pillar Repair	0	0	21,646	21,646	Insurance reimbursement received.	0	0	0	0	0	0	20,646	0	0	1,000
Dudley Park Bowling Club Greens (CSRFF)	40,988	40,988	43,338	2,350	Minor adjustment for completed project.	0	0	0	0	40,988	0	0	0	0	43,338
Merlin Reserve Pavilion	0	0	5,341	5,341	Offset from project Parks : Coote Reserve completed last year.	0	0	0	0	0	0	0	0	0	5,341
HH Bowling Club Floodlighting (CSRFF)	0	0	41,905	41,905	New project - CSRFF	0	0	0	0	0	0	0	0	0	41,905
MMFC Upgrade Rushton North Pav (CSRFF)	0	0	65,000	65,000	New project - CSRFF	0	0	0	0	0	0	0	0	0	65,000
MARC Squash Court Roof Drainage	0	0	20,000	20,000	New project	0	0	0	0	0	0	0	0	0	20,000
Rushton Park Carpet Replacement	0	0	15,000	15,000	New project	0	0	0	0	0	0	0	15,000	0	0
Central Boardwalk	0	0	100,000	100,000	New project at Roberts Point	0	0	0	0	0	0	0	0	80,000	20,000
WMC Tipping Shed Camera Upgrade	0	0	22,000	22,000	Offset from reduction in Waste operating expenditure.	0	0	0	0	0	0	0	0	0	22,000
Buildings Total	5,330,503	5,782,959	6,115,382	332,423		465,503	1,350,000	1,439,830	1,133,590	1,394,036	419,680	1,370,646	1,735,904	1,133,590	1,455,562
Bridges															
Mandurah Ocean Marina Footbridge	196,972	196,972	186,466	-10,506	Adjustment for completed project.	0	0	89,527	0	107,445	0	0	89,527	0	96,939
Bridges Total	196,972	196,972	186,466	-10,506		0	0	89,527	0	107,445	0	0	89,527	0	96,939
Parks															
Falcon Bay Foreshore development Stage 1	290,000	234,064	234,085	21	Minor adjustment for completed project.	0	0	0	234,064	0	0	0	0	234,064	21
Novara Foreshore Stage 2	100,000	49,280	43,308	-5,972	Minor adjustment for completed project.	0	0	0	49,280	0	0	0	0	49,280	-5,972
Orion Rd Reserve Improvements	40,000	39,933	38,730	-1,203	Minor adjustment for completed project.	0	0	0	0	39,933	0	0	0	0	38,730
Watersun Drive toddler playground	5,000	23,862	22,913	-949	Minor adjustment for completed project.	0	0	23,862	0	0	0	0	23,862	0	-949
Falcon Reserve Skate Park	427,288	308,788	52,321	-256,467	Project not going ahead in 2018/19. Design complete	200,000	0	81,500	0	27,288	0	0	0	0	52,321
Falcon Bay Foreshore Stage 2	427,288	427,288	362,288	-65,000	Funds reallocated to Coastal & Estuary : Falcon Bay Seawall Stage 2	0	0	100,000	0	327,288	0	0	100,000	171,963	90,325
Rushton Park - Fencing Stage 3	21,364	21,364	18,093	-3,271	Minor adjustment for completed project.	0	0	0	0	21,364	0	0	0	0	18,093
Avalon Foreshore	23,501	23,501	12,501	-11,000	Adjustment for completed project.	0	12,000	0	0	11,501	0	12,000	0	0	501
Coote Reserve	5,341	5,341	0	-5,341	Completed last year. Funds reallocated to Merlin Reserve Pavilion	0	0	0	0	5,341	0	0	0	0	0
Merlin Street Waste Water Reuse Scheme	170,915	170,915	230,915	60,000	Higher than estimated tender quote.	0	0	100,000	0	70,915	0	0	100,000	0	130,915
Pump Station - Willowbridge	53,411	53,411	40,000	-13,411	Unrealised risk released back to business.	0	0	0	0	53,411	0	0	0	0	40,000
Pebble Beach Blvd land acq and upgrade	106,822	106,822	0	-106,822	Project not commencing until 2019/20.	0	100,000	0	0	6,822	0	0	0	0	0
Mandurah Comm Centre Shade Sails/Seating	0	0	17,000	17,000	New project	0	0	0	0	0	0	0	0	0	17,000
Parks total	1,670,930	1,464,569	1,072,154	-392,415		200,000	112,000	305,362	283,344	563,863	0	12,000	223,862	455,307	380,985

City of Mandurah Budget Review
Capital Budget Analysis

	Adopted Budget 2.7.18	Annual Budgets	Budget Review	Budget Review Variance	Comments	Current Budget Funding					Budget Review Funding				
						Grants	Contributions	Transfer from Reserves	Loans	COM	Grants	Contributions	Transfer from Reserves	Loans	COM
Roads															
Gibson St	38,569	36,082	36,065	-17	Minor adjustment for completed project.	0	0	24,055	12,027	0	0	0	24,055	12,027	-17
Sutton Street finalise new road link	0	15,000	24,482	9,482	Underestimate of carryover amount.	0	0	0	0	15,000	0	0	0	0	24,482
Glencoe Parade Stage 3	150,000	31,524	44,630	13,106	Carryover adjustment	0	0	0	0	31,524	0	0	0	0	44,630
Pinjarra Road Bridge Abutment	0	0	4,750	4,750	Small carryover from 2017/18	0	0	0	0	0	0	0	0	0	4,750
TM Pinjarra Rd/ Randell St	50,000	47,499	57,045	9,546	Additional asphalt required to provide longevity.	0	0	14,001	0	33,498	20,400	0	7,201	0	29,444
CP MARC Carpark Cemetery Reserve	0	0	14,657	14,657	Remaining budget from 2017-2018 was not carried over.	0	0	0	0	0	0	0	0	0	14,657
CP Mandurah Marina	221,197	161,120	180,176	19,056	Lighting in Keith Holmes Reserve required extra works.	0	0	0	75,438	85,682	0	0	0	75,438	104,738
SP Ramp to Marina Boadwalk	25,000	25,292	16,046	-9,246	Reduced scope of works.	0	0	0	0	25,292	0	0	0	0	16,046
SP Kooljack St	45,500	45,540	29,205	-16,335	Reduced scope of works.	0	0	0	0	45,540	0	0	0	0	29,205
SP Sievewright Street	35,000	28,875	52,164	23,289	Additional balustrading required	0	0	0	0	28,875	0	0	0	0	52,164
Dower Street	796,425	796,425	1,221,425	425,000	Funds transferred from Gibson Street.	500,000	0	0	200,000	96,425	780,000	0	0	300,000	141,425
Gibson Street	796,425	796,425	371,425	-425,000	Funds transferred to Dower Street.	500,000	0	0	200,000	96,425	220,000	0	0	100,000	51,425
Pinjarra Road	966,329	966,329	965,420	-909	Minor adjustment for completed project.	500,000	0	0	500,000	-33,671	500,000	0	0	465,420	0
Crusader Street	159,285	159,285	0	-159,285	Project not going ahead	0	0	0	0	159,285	0	0	0	0	0
Warburton Trl/Kerkeri Hts	69,023	69,023	36,766	-32,257	Efficiency due to combining multiple jobs together.	0	0	0	0	69,023	0	0	0	0	36,766
McLarty Road	63,714	63,714	42,738	-20,976	Efficiency due to combining multiple jobs together.	0	0	0	0	63,714	0	0	0	0	42,738
Pistol Club	37,166	37,166	2,320	-34,846	Project not going ahead	0	0	0	0	37,166	0	0	0	0	2,320
Beacham Street Resurfacing	91,004	91,004	0	-91,004	Project not going ahead	91,004	0	0	0	0	0	0	0	0	0
Clarice Street Resurfacing	33,344	33,344	0	-33,344	Project not going ahead	0	0	0	0	33,344	0	0	0	0	0
Coolibah Avenue Resurfacing	34,406	34,406	158,754	124,348	Funds transferred from Beacham and Clarice resurfacing projects	0	0	0	0	34,406	91,004	0	0	0	67,750
Peelwood Resurfacing - No. 61 to No. 69	78,686	78,686	71,476	-7,210	Adjustment for completed project.	0	0	0	0	78,686	0	0	0	0	71,476
Victoria Circle Resurfacing	28,777	28,777	24,365	-4,412	Adjustment for completed project.	0	0	0	0	28,777	0	0	0	0	24,365
Waldron Boulevard Resurfacing	79,962	79,962	34,232	-45,730	Reduced scope of works.	0	0	0	0	79,962	0	0	0	0	34,232
Feluga Court	27,609	27,609	38,840	11,231	Fo project to proceed additional drainage works were required	0	0	0	0	27,609	0	0	0	0	38,840
CP Hackett Street	0	0	85,000	85,000	New project	0	0	0	0	0	0	0	0	0	85,000
Coastal Paths and Shade Sails	0	0	100,000	100,000	New project	0	0	0	0	0	0	0	0	0	100,000
Eastern Shared Paths	0	0	100,000	100,000	New project	0	0	0	0	0	0	0	0	0	100,000
Roads Total	3,827,421	3,653,087	3,711,981	58,894		1,591,004	0	38,056	987,465	1,036,562	1,611,404	0	31,256	952,885	1,116,436
Drainage															
Timbertop Caravan Park sewer	95,571	95,571	210,000	114,429	Methodolgoy changed for installation of sewer main.	0	0	90,000	0	5,571	0	0	204,429	0	5,571
William/Bertram Road	361,046	361,046	520,331	159,285	Funds transferred from Crusader Street	0	0	0	0	361,046	0	0	260,000	0	260,331
Lot 101 Allnut St Drainage & Remediation	0	0	50,000	50,000	New project	0	0	0	0	0	0	50,000	0	0	0
Drainage Total	456,617	456,617	780,331	323,714		0	0	90,000	0	366,617	0	50,000	464,429	0	265,902
Coastal & Estuary															
C&E - Falcon Bay Seawall	188,662	188,662	31,633	-157,029	Stage 1 underspent transferred to Falcon Bay Seawall Stage 2	0	0	0	0	188,662	0	0	0	0	31,633
Falcon Bay Seawall Stage 2	511,822	511,822	733,851	222,029	Funds reallocated from Stage 1 and 65,000 from Foreshore project	0	0	0	500,000	11,822	0	0	0	500,000	233,851
Swimming pontoons - Falcon Bay and HH	92,128	92,128	30,970	-61,158	Adjustment for completed project.	0	0	0	0	92,128	0	0	0	0	30,970
Dredging Marina Entrance	0	70,000	120,000	50,000	Increase from September 2018 Financial Report.	0	0	0	0	70,000	0	0	0	0	120,000
Coastal & Estuary Total	792,612	862,612	916,454	53,842		0	0	0	500,000	362,612	0	0	0	500,000	416,454
Equipment															
CCTV Infrastrcture	208,000	191,340	197,302	5,962	Minor adjustment to complete the project.	0	0	151,340	0	40,000	0	0	151,340	0	45,962
Tims Thicket Inert Landfill Solar Panel	10,237	10,237	0	-10,237	Project funds rolled into WMC integrated renewable energy system	0	0	0	0	10,237	0	0	0	0	0
Tims Thicket Inert Landfill Battery	15,356	15,356	47,830	32,474	Project funds rolled into WMC integrated renewable energy system	0	0	0	0	15,356	0	0	0	0	47,830
Tims Thicket Renewable Energy System	10,237	10,237	0	-10,237	Project funds rolled into WMC integrated renewable energy system	0	0	0	0	10,237	0	0	0	0	0
Equipment Total	243,830	227,170	245,132	17,962		0	0	151,340	0	75,830	0	0	151,340	0	93,792
Machinery															
Replacement Light Passenger Vehicles	411,565	411,565	380,745	-30,820	1 Vehicle not required to be traded this year (low kms).	0	167,335	0	0	244,230	0	167,335	0	0	213,410
Light Commercial Vehicles - New	69,000	69,000	116,200	47,200	New utility and trailer required for new Natural Areas Team	0	0	0	0	69,000	0	0	0	0	116,200
Machinery Total	480,565	480,565	496,945	16,380		0	167,335	0	0	313,230	0	167,335	0	0	329,610
Other Infrastructure															
Tims Thicket Septage Ponds upgrade	380,946	380,946	380,946	0	Transfer from reserve movement only	0	0	0	0	380,946	0	0	380,946	0	0
Christmas Decorations 2018	153,751	153,751	173,751	20,000	Increase offset by savings on Owen Ablution & Operating projects	0	0	0	0	153,751	0	0	0	0	173,751
Waterfront Design	0	0	400,000	400,000	New project	0	0	0	0	0	0	400,000	0	0	0
Other Infrastructure Total	534,697	534,697	954,697	420,000		0	0	0	0	534,697	0	400,000	380,946	0	173,751
Expenditure Total	13,534,147	13,659,248	14,479,542	820,294		2,256,507	1,629,335	2,114,115	2,904,399	4,754,892	2,031,084	1,999,981	3,077,264	3,041,782	4,329,431

Budget for the year ending 30 June 2019

RATE SETTING STATEMENT

	Notes	Budget Review 2018/19 \$'000	Adopted Budget 2018/19 \$'000	Actuals 2017/18 \$'000
Revenue				
General Purpose Funding		4,193	4,099	7,110
Governance		3	50	51
Law, Order, Public Safety		873	797	858
Health		305	325	320
Education and Welfare		903	851	713
Community Amenities		14,087	13,809	13,436
Recreation and Culture		9,729	9,714	9,286
Transport		471	448	523
Economic Services		1,966	2,105	2,045
Other Property & Services		354	345	463
		32,884	32,543	34,805
Expenses				
General Purpose Funding		(2,250)	(2,048)	(2,372)
Governance		(6,463)	(6,491)	(6,475)
Law, Order, Public Safety		(3,701)	(3,443)	(3,787)
Health		(1,977)	(1,998)	(2,059)
Education and Welfare		(4,617)	(4,463)	(4,332)
Community Amenities		(18,223)	(18,115)	(18,055)
Recreation and Culture		(52,802)	(52,776)	(48,831)
Transport		(20,370)	(20,162)	(19,245)
Economic Services		(6,783)	(7,075)	(6,216)
Other Property & Services		(9,376)	(10,046)	(9,185)
		(126,562)	(126,617)	(120,557)
Other Inflows				
Grants and contributions for asset development		6,965	7,866	10,292
Proceeds from disposal of assets	7	2,026	1,600	2,000
Reserves utilised	13	10,968	8,859	5,311
Loans utilised	12	9,661	9,558	3,080
Contributions - community loans repaid		170	170	1,285
		29,790	28,053	21,968
Capital Works program				
Development of land for resale	6	-	-	-
Land and buildings		(7,856)	(7,277)	(6,788)
Furniture and fittings		(395)	(407)	(454)
Plant and machinery		(4,138)	(4,012)	(3,425)
Infrastructure assets - roads, drainage & bridges		(11,977)	(12,061)	(11,706)
Infrastructure assets - recreation		(12,037)	(12,457)	(3,319)
Infrastructure assets - marina		(233)	(233)	(1,552)
Infrastructure assets - coastal & estuary		(2,664)	(2,449)	-
Infrastructure assets - other		(1,100)	(680)	-
		(40,400)	(39,576)	(27,246)
Other Outflows				
Repayment of debt	12	(5,052)	(5,052)	(6,139)
Transfers to reserves	13	(4,132)	(4,100)	(4,771)
Loans to community and sporting bodies				
		(9,184)	(9,152)	(10,910)
Non-cash Items				
Infrastructure contributions from developers		-	-	-
Write back (Profit)/Loss on sale of assets	7	(109)	(109)	(57)
Write back depreciation	8	31,317	31,317	30,032
Long service leave now in reserves				
Add: Surplus / (deficit) July 1 b/fwd	4	3,826	5,266	2,490
Less: Surplus / (deficit) June 30 c/fwd		10	(500)	5,266
Amount to be made up from rates	14	(78,448)	(77,775)	(74,741)

This statement is to be read in conjunction with the accompanying notes.

2 **SUBJECT:** Cemeteries Amendment Local Law 2019
 CONTACT OFFICER: Natasha Pulford
 AUTHOR: Sophie Luxton

Summary

Following the statutory advertising period, the Cemeteries Amendment Local Law 2019 is set for final adoption.

As a legal requirement all local laws are to have a purpose and effect. The following is proposed for the Cemeteries Amendment Local Law 2019:

PURPOSE: to amend provisions within the City of Mandurah Cemeteries Local Law 2010.

EFFECT: to ensure the City of Mandurah Cemeteries Local Law 2010 is as clear and effective as possible.

Council is requested to resolve to adopt the Cemeteries Amendment Local Law 2019 in its final form.

Disclosure of Interest

Nil

Previous Relevant Documentation

- G.28/11/18 27 November 2018 Cemeteries Amendment Local Law 2019 and Undertaking
- G.23/8/18 28 August 2018 Proposed Cemeteries Amendment Local Law 2018 – Final Adoption
- G.30/3/18 27 March 2018 Proposed Cemeteries Amendment Local Law 2018 – Adoption for advertising.
- G.44/4/11 26 April 2011 Cemeteries Local Law – Final Adoption.
- G.33/9/10 28 September 2010 Proposed Cemeteries Local Law – Adoption for advertising.

Background

The City of Mandurah Cemeteries Amendment Local Law 2018 was adopted by Council at its meeting of 28 August 2018. The Joint Standing Committee on Delegated Legislation (JSCDL) subsequently requested an undertaking of the principle local law, City of Mandurah Cemeteries Local Law 2010, that a minor amendment be made.

The City amended the principal local law to prescribe the dimensions of a standard grave and undertook statutory advertising of the adopted proposed Cemeteries Amendment Local Law 2019 following its adoption at the Council meeting of 27 November 2018. Advertising is now complete.

If the City did not amend the local law as requested by the end of May 2019, the JSCDL would recommend that parliament disallow the *City of Mandurah Cemeteries Amendment Local Law 2018*.

Comment

Following the statutory advertising period, minor amendments were suggested by the Department of Local Government, Sport and Cultural Industries (DLGSCI). No other submissions were received.

Amendments made include minor formatting alternations which have been integrated into the final version of the local law as shown in **Attachment 1**.

The City has ensured since the undertaking from JSCDL that when making the principle local law available to the public (whether in hard copy or electronic form – including the City's website), that it has been accompanied by a copy of said undertaking.

Once adopted by Council, the local law will be given local public notice and advertised in the *Government Gazette* where it will come into operation on the 14th day after the day on which it is published.

Consultation

Statutory advertisements were placed in the West Australian, Mandurah Mail, on each public notice board and forwarded to the Minister for Local Government.

Statutory Environment

Local Government Act 1995, Part 3, Division 2;

- Subdivision 1 – Local Laws made under this Act; and
- Subdivision 2 – Local Laws made under any Act.
- Section 3.13 – Procedures with significant change in proposal.

Cemeteries Act 1986.

Policy Implications

No amendments to policy will be required as result of adoption of the proposed local law.

Economic Implications

Nil.

Risk Analysis

The amendment proposed by this local law is very minor and should not result in any risk implications for the City.

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

Advertising of the proposed Cemeteries Amendment Local Law 2019 is now complete. Council is requested to consider the minor amendments received from the DLGSCI and make the local law as shown at **Attachment 1**.

NOTE:

- Refer **Attachment 1** *City of Mandurah Cemeteries Amendment Local Law 2019*

RECOMMENDATION

That Council adopt the *City of Mandurah Cemeteries Amendment Local Law 2019*.

ABSOLUTE MAJORITY REQUIRED

CEMETERIES ACT 1986

LOCAL GOVERNMENT ACT 1995

CITY OF MANDURAH

CEMETERIES AMENDMENT LOCAL LAW 2019

Under the powers conferred by the *Cemeteries Act 1986* and the *Local Government Act 1995* and under all other powers enabling it, the Council of the City of Mandurah resolved on INSERT DATE to make the following local law.

1.1 Citation

This local law may be cited as the *City of Mandurah Cemeteries Amendment Local Law 2019*.

1.2 Commencement

The local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

1.3 Principal local law amended

This local law amends the *City of Mandurah Cemeteries Local Law 2010* as published in *Government Gazette* No. 84 of 20 May 2011 and as amended in the *Government Gazette* No on 7 September 2018.

1.4 Clause 1.2 amended

In clause 1.2 insert the following definition in alphabetical order –

standard grave means a grave which does not exceed any of the following dimensions: 2 metres long, 1.2 metres wide and 2.1 metres deep;

Dated:

The Common Seal of the City of Mandurah was affixed by authority of a resolution of the Council in the presence of:

RHYS JOHN WILLIAMS, Mayor

MARK ROBERT NEWMAN, Chief Executive Officer

3	SUBJECT:	Central Mandurah Activity Centre Plan – Consideration of Submissions Following Advertising
	CONTACT OFFICER/S:	Ben Dreckow
	AUTHOR:	Ann Harrop
	FILE NO:	ACP1

Summary

The Central Mandurah Activity Centre Plan (ACP) was prepared in order to meet the requirements of State Planning Policy 4.2 – Activity Centres for Perth and Peel, and combined, consolidated and integrated the three existing Precinct Plans (City Centre, Mandurah Terrace and Inner Mandurah) and two existing Outline Development Plans (Mandurah Ocean Marina and Mandurah Junction) so that planning requirements would be consistent and simplified across Central Mandurah.

The draft ACP was adopted for the purposes of advertising at the Council meeting of 27 March 2018, and the plan was subsequently publically advertised for a period of 28 days. During the submission period 19 submissions were received.

Council is requested to consider the submissions received, and resolve to adopt the ACP subject to modifications, for the purposes of forwarding the document to the Western Australian Planning Commission for final approval.

Disclosure of Interest

Nil

Previous Relevant Documentation

- G.22/3/18 27 March 2018 Council adopted the Central Mandurah Activity Centre Plan for the purposes of advertising.
- G.6/1/07 24 January 2017 Council adopted revised draft Local Planning Scheme 12 and Local Planning Strategy seeking the Western Australian Planning Commission's consent to advertise the Scheme and Strategy;
- G.25/3/14 25 March 2014 Council adopted the draft Mandurah Planning Scheme (Scheme Text and Scheme Maps dated March 2014) for forwarding to the Western Australian Planning Commission and the Environmental Protection Authority for consent to advertise the Scheme.
- G.21/10/13 15 October 2013 Council adopted the Mandurah Planning Strategy for forwarding to the WAPC for certification and consent to advertise.
- G.26/7/13 23 July 2013 Council resolved to prepare a new local planning scheme.

Background

State Planning Policy 4.2 – Activity Centres for Perth and Peel (SPP4.2), was gazetted in 2011 and established a hierarchy of Activity Centres within the Perth and Peel regions, and a framework for the preparation of Activity Centre Plans. Under this hierarchy, Mandurah was classified as a 'Strategic Metropolitan Centre', defined as a multipurpose centre that provides a diversity of uses and a full range of economic and community services necessary for communities in their catchment.

SPP4.2 required the preparation of an Activity Centre Plan for all strategic metropolitan, secondary, district and specialised centres prior to the consideration of any further major development within these centres.

In accordance with the requirements of SPP 4.2 and the Deemed Provisions for Local Planning Schemes, an Activity Centre Plan was prepared for the Central Mandurah area, and adopted by Council for advertising in March 2018.

The Activity Centre Plan consolidates existing precinct and outline development plans and outlines development requirements to guide the future development of Mandurah's Strategic Centre. Precinct plans and Outline Development Plans that will be superseded by the Activity Centre Plan include:

- City Centre Precinct Plan
- Inner Mandurah Precinct Plan
- Mandurah Terrace Precinct Plan
- Mandurah Ocean Marina Outline Development Plan
- Mandurah Junction Outline Development Plan

The boundary of the Strategic Centre has been determined through consideration of existing and future development within the City Centre. The Centre extends from the Mandurah Train Station and Forum to Mandurah Terrace and the Mandurah Ocean Marina, including residential infill areas identified through the Inner Mandurah Precinct Plan.

The Activity Centre Plan is made up of a text that covers land use, subdivision and development standards for setbacks, parking and the like, together with a number of specific requirements for various precincts and sites. The Activity Centre Plan also contains a series of plans (Refer **Attachment 1**) that include the following:

- Activity Centre Plan Area
- 'Strategic' Activity Centre Plan
- Zones
- Residential Density
- Development Height
- Active Street Fronts
- Street Setbacks Plan; and
- Vehicle Parking and Access Plan

Activity Centre Plan Zones

Eight zones have been proposed through the Activity Centre Plan to provide guidance to development outcomes. These include:

- City Centre Zone

The City Centre Core will be the key employment, retail and entertainment precinct within the Activity Centre. Residential development is permitted above ground level within this precinct however residential land uses should not dominate outcomes necessary to ensure that office, retail and entertainment uses prevail. Development within the City Centre zone will be required to be a minimum of two storeys.

- Commercial Mixed Use

Located within the identified tourism precincts of the Mandurah Ocean Marina and Silver Sands, the Commercial Mixed Use zone allows for commercial development that is more in keeping with the tourism nature of these locations, including entertainment, leisure and retail land uses and are located at key nodes based on active streets / pedestrian based environments.

- Commercial Zone

The Commercial zone incorporates the Mandurah Forum development and surrounds. Development within this node should follow a 'main street' model designed to provide active frontages to all roads, but are acknowledged as car-based destination locations. Residential uses may be permitted within this zone above ground level.

- Residential Mixed Use Zone

The Residential Mixed use zone frames the City Centre core and is located along key distributor roads. The Mixed Use zone provides for a transition between the City Centre and the adjacent residential areas, and provides important linkages between activity nodes within the Activity Centre. The ground floor of all buildings fronting the street are required to be designed for flexible use over time, however there is no mandatory requirement for non-residential land uses on the ground floor, unless identified within the design requirements.

- Service Commercial Zone

The Service Commercial zone is located along Pinjarra Road between George Street and Parkview Road. This zone provides for a mixture of office and car based retail development. Provisions require all new development with an emphasis on providing good quality design outcomes with buildings brought closer to Pinjarra Road and street corners.

- Tourist Zone

The Tourist zone has been introduced for sites identified as key tourism sites within Council's Local Tourism Planning Strategy. These sites include the Atrium Hotel site, Peninsula Hotel site, Silver Sands Resort, The Lido Chalet Park, Seashells Resort and the Lucky Caravan Park. The Tourism zone provides for a range of land uses which complement and reinforce the tourism nature of these sites and specifies minimum requirements for the provision of short term accommodation.

- Residential

Currently consisting of predominately single residential development, this zone seeks to provide for grouped and multiple unit infill development in a manner that fronts the street. Requirements of the Inner Mandurah Precinct Plan have been incorporated into the Activity Centre Plan.

- Marina Service

The Marina Service zone applies to land reserved for marina purposes and includes the boat ramp, fishing club, yacht club, sea rescue, fisherman's depot, wharf and boat maintenance facilities.

Areas Subject to Future Investigation

The Activity Centre Plan also identifies a number of residential areas as being 'subject to further investigation', immediately abutting the Activity Centre Plan boundaries.

In general, the age of the housing stock within these areas is younger than that of those within the existing boundaries of the Activity Centre and not as ready for redevelopment, however it is recognised that these areas represent further opportunities for infill development.

Investigations are required into the availability and capacity of existing services in these localities including sewer, power and water, and potential upgrades that may be required. In addition, an analysis of the lot sizes and configurations is required to determine the most appropriate form of redevelopment.

Land Use Permissibility

Draft Local Planning Scheme 12 currently defers all land use and development requirements to the Activity Centre Plan, and a land use table has been included within the ACP. Under the provisions of the Scheme however, and due to the status given to Activity Centre Plans under the Planning and Development (Local Planning Schemes) Regulations 2015, only due regard is to be given to the Activity Centre Plan in determining an application for development.

Draft Scheme 12, does not propose to include land use provisions included for the Central Mandurah area which has been supported by the Western Australian Planning Commission is endorsing the Scheme for advertising purposes. As a result, the land use table for the Activity Centre Plan becomes a key part of the plan (Refer **Attachment 3**).

Comment

During the submission period, numerous enquiries were made regarding the ACP with 19 written submissions received. In summary the following issues were raised:

Residential Mixed Use Zone

Under the draft ACP, the Residential Mixed Use zone covers those areas previously designated as:

- 'Northern Mixed Use' and 'Central Employment' zones north of Cooper Street under the City Centre Precinct Plan.
- The 'City Centre (Eastern Mixed Use)' and 'Mixed Use/Residential R100 zones under the Inner Mandurah Precinct Plan.
- land either side of Mandurah Terrace previously included within the Mandurah Terrace Precinct Plan and;
- Mixed Use lots within the Marina

The amalgamation of these precincts into one zone has resulted in the Residential Mixed Use zone covering a broad range of areas including those that are traditionally more residential in nature. Two submissions raised concerns with the range of land uses permitted within the Residential Mixed Use, with particular reference to licenced venues. Concern was expressed that there are already sufficient drinking venues within the City Centre without the need for further bars in residential areas.

Council's Alcohol Management Policy supports the provision of smaller licensed venues as the preferred drinking venue. In order to encourage the development of small bars and restaurants, over larger, tavern style venues, the Activity Centre Plan proposed to provide for a more streamlined process for these types of 'lower risk' venues by including these uses as a permitted use in all zones, with the exception of the Residential zone. Whilst a permitted use, the advertised ACP still requires proposals for such uses to consider any potential noise emissions and implement appropriate measures at the time of construction to ensure compliance with the *Environmental Protection (Noise) Regulations 1997*.

Given the extent of the Residential Mixed Use zone, the concern regarding the range of land uses permitted in those areas that are more residential in nature, is considered valid.

In order to address this issue, changes to the zoning plan are proposed to ensure land uses permitted within the mixed use locations which are more residential in nature, are in keeping with the surrounding locality. To achieve this, it is proposed that the Residential Mixed Use zone be applied to those areas more residential in nature. The mixed use locations, considered more appropriate for dining and entertainment uses, would be incorporated into a Commercial Mixed Use zone. Small Bars and other dining and entertainment uses not considered compatible with the residential nature of the area would be removed from the list of permissible uses within the Residential Mixed Use zone.

This would see the Commercial Mixed Use zone extend along either side of Mandurah Terrace and around the City Centre Core, creating a transition from the Centre's entertainment district and the surrounding residential areas.

Under the advertised ACP, a Tavern is a use that could be considered within the Commercial Mixed Use zone, however this zone is restricted to the Silver Sands Local Centre, small areas within the Mandurah Ocean Marina and areas within Cultural and Civic Precinct. With the proposed expansion of the Commercial Mixed Use zone to a wider area, it is recommended that a 'restricted use' overlay be included over all the newly included areas to restrict the development of any additional Taverns within these areas.

In addition to the range of land uses permitted, concerns were raised regarding the mandatory design requirements. These requirements allow for future flexibility on the ground floor of all developments within the Residential Mixed use zone, should land uses change over time. This includes the requirement for increased ceiling heights, access for people with disabilities, separation of potential office and residential areas and acoustic attenuation measures. Within one of the submissions received, the appeal and viability of mixed use development was questioned and additional flexibility was requested, to allow developers to avoid additional design and construction costs associated with mixed use developments, should a residential only building be constructed as a permitted use within this zone.

It is noted that the demand for commercial floor space in mixed use developments will vary dependant on location and under the advertised ACP large areas of land were designated Residential Mixed Use. Mixed Use developments are however a key component in creating vibrant centres and flexible design requirements allow the flexibility for land use changes over time. In keeping with the proposal above to separate those mixed use areas which are more residential in nature from those more commercial based, it is recommended that the ACP be modified to remove the mandatory flexible design requirements for the Residential Mixed use zone, however retain these requirements within the Commercial Mixed Use zone.

Reduction of Minimum Height

One of the key changes made within the draft Activity Centre Plan was to reduce the minimum height requirement from 3 storeys within the City Centre Core and along key distributor roads to 2 storeys. Two submissions were received querying this reduction, arguing that density and height are required. Whilst height is supported and will remain possible under the Activity Centre Plan, a two storey height minimum was applied in response to market indicators that suggest that three storey development is currently unfeasible. It is anticipated that the reduction in the minimum height requirement will stimulate development within the City Centre.

Whilst a reduction in the minimum height requirement is proposed, no reduction in the minimum density for development has been proposed. This will ensure the City's infill targets can still be met.

An additional submission was received seeking the removal of the three storey minimum requirement on three sites within Mandurah Junction. These three sites, opposite the train station, are the only three sites that were identified within the advertised ACP as having a three storey minimum. As no other sites have a minimum 3 storey requirement, including within the City Centre core, it is recommended the minimum height for these sites be amended to two storeys.

Mandurah Ocean Marina

Three submissions were received regarding properties within the Mandurah Ocean Marina, seeking clarification on the status of the Mandurah Ocean Marina Structure Plan in relation to the ACP, and requesting increased flexibility to allow single dwellings to be permitted in all remaining vacant lots without mandatory ground floor commercial development or design for flexible land use requirements.

The Central Mandurah ACP has been prepared in order to meet the requirements of SPP 4.2 – Activity Centres for Perth and Peel, and consolidates the existing precinct and structure plans within the ACP boundary. The Central Mandurah ACP once approved will supersede these documents. The Mandurah Ocean Marina Structure Plan does however include more detailed built form provisions relating to individual precincts within the Marina, that specify requirements relating to canal setbacks, building height, setbacks and building materials, which have not been detailed within the ACP. In order to ensure the continuation of these requirements, the ACP identifies the Marina as an area subject to a Local Development Plan. The precinct specific provisions from the Mandurah Ocean Marina Structure Plan will form the basis of the local development plan for the area.

With respect to the permissibility of single dwellings, the submissions received related to the following three properties:

- 16 Galileo Loop – Under both the Mandurah Ocean Marina Structure Plan and the advertised ACP, this property is included within the Residential zone under which a single dwelling may be permitted.
- 12 Galileo Loop – Under the Mandurah Ocean Marina Structure Plan and the advertised ACP, 12 Galileo was been included within the Residential Mixed use zone. Under the MOM Structure Plan a single dwelling was not permitted, however under the advertised ACP a single dwelling can be permitted subject to minimum design and scale criteria.

The Central Mandurah ACP will supersede the MOM Structure Plan once approved, allowing for a single dwelling on the site. The criteria applicable to the Residential Mixed Use zone, includes mandatory design requirements for the ground floor to allow for flexible land use over time. This requirement has also been questioned within the submission. As discussed above, it is proposed that this requirement be removed within the Residential Mixed use zone to enable residential only development if desired.

- Lot 150 Vivaldi Drive – Under the MOM Structure Plan, Lot 150 Vivaldi Drive was zoned Commercial Mixed Use, under which there was a mandatory requirement for ground floor commercial development. Under the advertised ACP, the site was included within the Residential Mixed Use zone and was identified as having a semi-active street frontage.

Whilst a single dwelling may be permitted within the Residential Mixed Use zone under the ACP, permissibility is subject to minimum design and scale criteria. With the semi-active street frontage designation requiring mandatory non-residential ground floor development, a single dwelling would not be able to achieve the design criteria, effectively resulting in this use being unable to be approved. Understandably this is confusing as the submission outlines, and a request has been made to allow for a single dwelling to be permitted and to remove the mandatory non-residential land use.

Lot 150 Vivaldi Drive is a 1291m² site located adjacent to the Point Development site and adjacent to the Stingray Wharf – this jetty and the surrounding parkland have the potential to be a key active area over time.

The construction of a single dwelling on a site of this size would not be in keeping with the density of development in the locality and would represent an underdevelopment of the site. The request to allow for the development of a single dwelling is therefore not supported. To ensure it is made clear that a single dwelling is not permitted on the site it is proposed to include the site within the Commercial Mixed Use zone. It is considered however, that there is merit in removing the mandatory non-residential ground floor land use requirement and replacing with a requirement for designing the ground floor to allow for flexible land use over time, through the removal of the semi-active street frontage. This would allow for grouped or multiple housing developments to occur with the option of converting the ground floor to a commercial use should the demand arise.

Timbertop Caravan Park

A submission was received on behalf of the owners of Timbertop Caravan Park, requesting a flexible approach to the development of the site given the size of the site and its location at one of the key entrance points into the City Centre. Flexibility is sought regarding the uses permitted at the site as well as the maximum height requirements.

The Timbertop Caravan Park now consists of two parcels of land (1.47ha and 2506m²) following the extension of Sutton Street, on the corner of Peel Street. These large sites present a significant opportunity for redevelopment however, as the site is located at the entrance to the City Centre it is important to ensure that development is of a high standard. In order to allow for flexibility over the site whilst ensuring any proposed development is in keeping with the surrounding locality, it is proposed that the site be designated as a site requiring a local development plan. Under the provisions of the ACP, a local development plan can vary the provisions detailed in the ACP with regards to land use, density and height.

A Local Development Plan is a plan prepared in accordance with Part 6 of the Deemed Provisions, which sets out specific and detailed guidance for the future development of the site. Council may approve a local development plan following a public consultation period. This would provide Council an opportunity to undertake a detailed assessment of any development proposed in consultation with the surrounding locality to ensure that any flexibility sought is considered appropriate for the site.

Mandurah Junction

One submission was received regarding the Mandurah Junction development. Within this submission, increased flexibility was sought regarding the form of development that could occur over the remaining development parcels in order to allow for changes in market demands. This includes changes to allow for affordable housing typologies such as small lot 2 storey single townhouses.

This change in typology from the 3-6 storey apartment development will result in a need to re-examine road access, setbacks, site criteria and built form in more detail. The development of small lot 2 storey town houses is considered appropriate within Mandurah Junction and, to ensure some flexibility is included within the ACP, it is proposed to identify all remaining development parcels as requiring a local development (LDP) plan. This will enable Council to further consider in more detail, any alternative development proposals for the site, and ensure the surrounding locality has an opportunity to comment on any proposal through a public advertising period.

In addition to identifying the remaining development parcels as sites requiring an LDP, an increase in density of a number of the existing R60 to R80 residential parcels, was requested. This increase in density has been requested to support the development of micro lots (lots less than 100m²) such as the small lot development in Ellenbrook. In March 2018, the WAPC released a draft Position Statement for housing on lots less than 100m². Within this position statement a number of criteria were identified to provide guidance for the consideration of terrace housing on lots less than 100m². These include:

- Lots to be located between 400m and 800m of the boundary of any existing or proposed activity or specialised centre.
- Lots to be located within 150m of a local or neighbourhood park, preferably fronting or otherwise overlooking public open space; and
- Lots to be located and occupy an entire street block end

Lots that meet these criteria are currently coded R100 and R-AC3 under the ACP. Those areas within the Mandurah Junction that are currently coded R60 and are located within the southern portion of the development. The R60 density code was applied to provide a transition between the existing lower density residential housing to the west and the high density development proposed along the train line.

It is considered at this time that the R60 density code should remain within these areas for this reason.

Service Stations within the Commercial Zone

A submission was received on behalf of Caltex Australia regarding the exclusion of the use 'Service Station' within the 'Commercial' zone. Currently the ACP prohibits the use 'Service Station' in all zones with the exception of the 'Service Commercial' precinct located either side of Pinjarra Road.

Under the ACP, the 'Commercial' zone has been applied to the Mandurah Forum and surrounds, and two 24 hour service stations currently exist within this precinct. In preparing the ACP, it was not the intent to restrict service stations in this locality, rather to restrict this use within the City Centre Core and Inner Mandurah locations. The 'Commercial' zone only applies to the Mandurah Forum Precinct, and it therefore recommended that the land use table be amended to include 'Service Station' and the remainder of the other Commercial (Category C) uses as permitted uses within the Commercial zone.

Department of Communities

The Department of Communities provided a submission on the draft ACP and are supportive of the focus of increasing density in areas of existing infrastructure and employment opportunities. As the ACP provides for increased densities and allows for diversification of housing typologies and sizes within the City Centre, the Department of Communities has encouraged the City to include an objective within Section 1.5 of the Plan relating to the provision of affordable and accessible housing. This request is supported.

Street Truncation

A number of submissions queried the requirement for the provision of a standard 6m x 6m street truncation for all development and subdivision proposals. Whilst the provision of large truncations in older suburbs was supported, these truncations were considered excessive in locations such as the Mandurah Ocean Marina and Mandurah Junction developments where smaller truncations have been sought. The standard 6m by 6m truncation requirement was carried over from the Inner Mandurah Precinct Plan and it is recognised that this requirement will not apply across the whole of the ACP area. In order to clarify this, it is recommended that Clause 2.5.2 be modified to read "Where a development or subdivision is proposed on a corner lot that does not have a standard truncation, a truncation will be required to be created and ceded to the Crown as a condition of approval".

Lot 106 Mandurah Terrace

Two submissions were received requesting an increase in the residential density of Lot 106 Mandurah Terrace from R40 to R100, consistent with the density applied to the adjacent property. The purpose for this request is to enable the flexibility to convert the front 7 strata units developed on the site, from tourism units to residential units should the short stay/tourism usage of these units become unfeasible.

Under the Mandurah Terrace Precinct Plan, the subject site was identified as an R40 site, which allows for a minimum lot size of 180m² and an average lot size of 220m². In 2008, development approval was granted for 15 residential units and 7 holiday accommodation units. As units designed primarily for tourist accommodation were not required to comply with the requirements of the Residential Design Codes under the Precinct Plan, the seven tourism sites were approved with a lot size between 109 and 137m². Within the submissions received, a density code of R100 has been requested to be applied to the site, consistent with the density of the adjoining property, as this is more reflective of the level of development that has occurred on the site.

Whilst Strata Lots 1-7 have lot sizes smaller than the R40 minimum lot size, these lots were permitted due to their tourism designation. It is however considered that a Residential Density Code of R100 would be more consistent with the development on the site and it is recommended that the R100 code be extended to include Lot 106 Mandurah Terrace. It should be noted however, that it will still need to be demonstrated that the units on Strata Lots 1-7 can meet all the requirements of the R-Codes in order to be classified and used as a residential dwelling.

Lot 30 (67) Ormsby Terrace

A request has been received to considering increasing the maximum height limit for 67 Ormsby Terrace from three storeys to eight in order to allow the potential for redevelopment of the site and potential amalgamation with the Atrium in the future. Whilst the site offers opportunities for redevelopment in the future, further detailed planning is required to determine the appropriateness of increased height in this location. An increase in the maximum height limit prior to further investigation is not supported at this time. Amendments to the ACP may be considered in the future should a development proposal be submitted for the site.

Public Open Space

The lack of green space within the ACP area was raised as a concern during the submission period, particularly with the increases in density and population numbers proposed under the ACP.

Central Mandurah has limited public open space that is within walkable catchments from the population. This does not include the foreshore reserves or the sporting facilities at Rushton Park, Mandurah Bowling Club, Mandurah Tennis Club and the netball courts as these are effectively private facilities as a result of leasing agreements in place with respective sporting organisations. The foreshore reserve, whilst a significant attractor, and an important reserve, will continue to come under increasing pressure as Mandurah's population increases.

State Policy seeks to ensure most dwellings are located within a 400m walkable catchment of a park. The policy further states that all parks should be landscaped to a minimum standard. Within the Central Mandurah ACP area approximately half the number lots do not meet this criteria, when excluding those facilities subject to lease arrangements. A number of opportunities exist to improve this situation, including the upgrade of drainage basins, the creation of pocket parks through reconfiguration of road networks, and through land purchase. An important next step in the implementation of the ACP will be the development and implementation of a POS strategy to identify opportunities for the creation of additional parks within the Central Mandurah ACP area, and strategies for implementation.

Widening of Pinjarra Road

A submission was received concerning the proposed widening of Pinjarra Road and the impact this would have on existing business, particularly with respect to car parking.

The widening of Pinjarra Road has been depicted within the ACP in accordance with Peel Region Scheme Amendment No. 011/33 which was advertised yet never finalised by the WAPC. Officers have confirmed that the need for the Pinjarra Road widening still exists due the increased traffic demands likely to be created through the increased population within Central Mandurah, and Pinjarra Road's status as a District Integrator.

Land purchases will not commence however until such time as the Peel Region Scheme Amendment has been finalised to trigger compensation and land acquisition. The City will continue to liaise with the WAPC to progress the amendment in order to provide certainty to landowners. In the meantime, any road modifications will occur within the existing road reserve and will not affect current car parking arrangements.

Integrated Transport Plan

During the submission period, general queries were raised regarding car parking, footpaths, cycle paths and road improvements that would potentially occur as a result of increased population. A number of strategies have been prepared and endorsed by Council, which address these issues, including:

- City of Mandurah Car parking Strategy 2011
 - City of Mandurah Cycle Plan 2018
 - City of Mandurah Walkability Plan 2018
- In addition to the above, Council has identified a need for an Integrated Transport Plan to guide the development of transport infrastructure across the municipality, ensuring a high standard transport network is developed and maintained and can accommodate the needs of a growing City. It is intended the Integrated Transport Strategy will incorporate (but not be limited to) public transport, private transport, cycle transport, pedestrian access, marine transport, electric vehicle transport and parking.

Administrative Changes

In addition to the above, during the submission period, officers continued to review the draft ACP and assessed a number of proposals against the revised provisions. As a result of this, a number of minor modifications are proposed to assist in the interpretation and workability of the document. These include but are not limited to:

- Incorporating additional definitions
- Creating a quick reference guide
- Clarifying the minimum requirements in order to satisfy the 'design for flexible land use' provisions
- Strengthening subdivision provisions; and
- Mapping changes to better identify LDP sites and include the Anstruther Road widening requirements

MEAG/MCCAG Comment

This item does not have any impact on the natural environment and therefore has not been referred to Mandurah Environmental Advisory Group for comment.

Consultation

The Central Mandurah Activity Centre Plan was advertised for a period of 28 days in accordance with the requirements of the Deemed Provisions for Local Planning Schemes. A notice was placed in the Mandurah Mail, copies of plans and a Frequently Asked Questions information sheet was made available on the City's "Have your Say" website, and letters were sent to all affected landowners, government agencies and local planning consultants.

19 submissions were received regarding the Central Mandurah ACP. A summary of submissions has been included as **Attachment 4**.

Statutory Environment

Activity Centre Plans are prepared and approved under Part 5 of the Deemed Provisions for Local Planning Schemes. Clause 31 states that "*an activity centre plan in respect of an area of land in the Scheme area may be prepared if:*

- A State planning policy requires an activity centre structure plan to be prepared for the area; or*
- The Commission considers that an activity centre plan for the area is required for the purposes of orderly and proper planning."*

State Planning Policy No. 4.2 Activity Centres for Perth and Peel identifies Mandurah as a Strategic Metropolitan Centre, requiring the preparation of an Activity Centre Plan.

Under the Deemed Provisions, following consideration of submissions received during a public submission period, Council must determine whether the proposed activity centre plan should be approved by the Western Australian Planning Commission, including a recommendation on any proposed modifications.

On receipt of the Activity Centre Plan the WAPC must consider the plan and approve the plan, approve the plan subject to modification or refuse to approve the ACP.

Policy Implications

State Planning Policy 4.2 – Activity Centres for Perth and Peel establishes a hierarchy of existing and planned activity centres and requires the preparation of activity centre structure plans for these centres in order to guide the future growth and development of these areas.

Under this policy, Mandurah has been identified as one of 10 strategic metropolitan centres across the Perth and Peel region. Strategic metropolitan centres are considered to be significant regional centres which provide a supporting role to the Perth CBD through the provision of a full range of economic and community services to communities within their catchment.

The Mandurah Strategic Activity Centre Plan has been prepared in accordance with the framework provided in SPP 4.2. In addition, the plan also:

- Combines, consolidates and integrates the three existing Precinct Plans (City Centre, Mandurah Terrace and Inner Mandurah) and two existing Outline Development Plans (Mandurah Ocean Marina and Mandurah Junction) so that planning requirements are consistent and simplified.
- Provides for a number of areas located outside the existing Precinct Plans to be included for the purposes of having built form requirements outlined rather than through a combination of local planning scheme and policy requirements.
- Has been prepared to assist the Western Australian Planning Commission progress the endorsement of Local Planning Scheme 12 to the next stages of approval; and
- Has been prepared so that additional areas can be included when detailed considerations of appropriate residential densities adjacent to the area covered by the plan.

Risk Implications

Nil

Economic Implications

The Activity Centre Plan provides for a full range of development outcomes, with this area the key to Mandurah's economic activity with regard to employment, servicing and medium to high density residential development.

Strategic Implications

The following strategies from the *City of Mandurah Strategic Community Plan 2013 – 2033* are relevant to this report:

Environment:

- Factor climate change predictions into land-use planning, building design and future Council decisions.

Social:

- Help build the community's confidence in Mandurah as a safe and secure City
- Provide employment and educational opportunities, services and activities that engage the City's young people.
- Provide a range of social, retail, recreational and entertainment experiences for the City's residents and visitors.

Economic:

- Increase the level of regional employment
- Increase local education and training opportunities
- Develop a strong and sustainable tourism industry

Infrastructure:

- Facilitate the provision of multi-purpose facilities and infrastructure that meets the needs of a growing population.
- Facilitate the provision of diverse housing stock
- Enhance traffic management and parking infrastructure for the future
- Facilitate the provision of an integrated and expanded public transport network

Identity:

- Encourage active community participation and engagement

Conclusion

The Mandurah Strategic Activity Centre Plan has been prepared in accordance with the requirements of State Planning Policy 4.2 – Activity Centres for Perth and Peel, and the Planning and Development (Local Planning Schemes) Regulations 2015. The Plan consolidates previously adopted precinct plans and outline development plans into one document, providing a consistent approach to the future development of the strategic centre.

A number of modifications to the ACP have been proposed as a result of the submissions received and it is recommended that Council seek the approval of the ACP and the modifications proposed, by the Western Australian Planning Commission.

NOTE:

- Refer **Attachment 1** **Activity Centre Plans (as advertised)**
Attachment 2 **Activity Centre Plan (Land Use Zones) Modification Plan**
Attachment 3 **Land Use Table (marked)**
Attachment 4 **Schedule of Submissions**

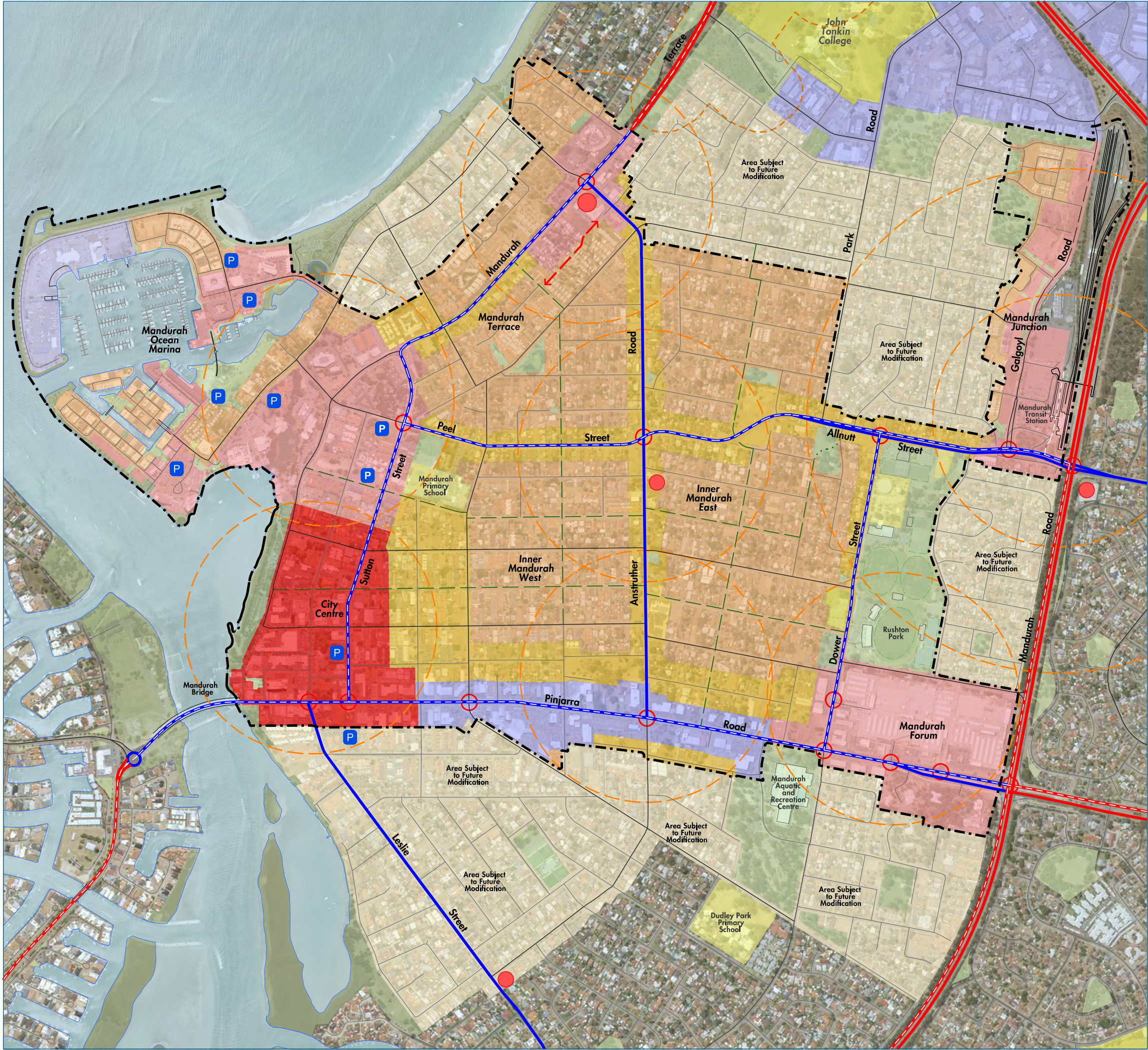
Subject to Committee's consent, officers will make a presentation on this item at the meeting

RECOMMENDATION

That:

1. Under Clause 36(2) of **Planning and Development (Local Planning Schemes) Regulations 2015**, Council provides this report to the Western Australian Planning Commission for the Central Mandurah Activity Centre Plan (Plan Dated August 2018); recommending that the proposed Activity Centre Plan should be approved including the following modifications:
 - (a) Amending the boundary of the Residential Mixed Use and Commercial Mixed Use zone as shown on Attachment 2.

- (c) **Introducing a Restricted Use layer to restrict the approval of Tavern's within the Commercial Mixed Use zone with the exception of identified entertainment precincts as shown on Attachment 2.**
 - (d) **Removing 'Dining and Entertainment' uses as permitted uses within the Residential Mixed Use zone.**
 - (e) **Removing the mandatory ground floor design criteria for flexible land use within the Residential Mixed Use zone.**
 - (f) **Reducing the minimum height requirement within the Mandurah Junction development from three (3) storeys to two (2) storeys.**
 - (g) **Including Lot 150 Vivaldi Drive within the Commercial Mixed Use zone and removing the semi-active frontage designation from the lot.**
 - (h) **Designating Lot 400 Peel Street and Lot 402 Rockford Street (Timbertop Caravan Park) as a site subject to a Local Development Plan.**
 - (i) **Designating all remaining development parcels within Mandurah Junction as sites subject to a Local Development Plan.**
 - (j) **Modify Clause 2.5.2 to read "Where a development or subdivision is proposed on a corner lot that does not have a standard truncation, a truncation will be required to be created and ceded to the Crown as a condition of approval".**
 - (k) **Amending the residential density code for Lot 106 Mandurah Terrace from R40 to R100**
 - (l) **Include Service Station as a permitted use within the Commercial zone**
 - (m) **Include an additional objective within Section 1.5 relating to the provision of affordable and accessible housing.**
- 2. The Council notes that the existing Precinct Plans and Outline Development Plans covered by the Central Mandurah Activity Centre Plan are replaced upon Commission approval ; and that Council endorses the Mandurah Ocean Marina and Mandurah Junction Outline Development Plans function as a Local Development Plan (subject to the appropriate administrative modifications).**



- Urban Form**
- City Centre
 - Mixed Use Precinct
 - Mixed Use Corridor
 - Local Centre (Existing and Potential)
 - Medium Density Residential
 - Residential Density Subject to Review
 - Mixed Business
 - Marina Service Area
- Public Spaces**
- Regional Open Space
 - Local Open Space
 - Public Infrastructure
- Transport Network**
- Major Road (City Entrance Roads)
 - District Integrator (City Connectors)
 - Neighbourhood Connectors
 - Access to be Provided
 - 'Green' Streets (Active Transport Connectors)
 - Street Transit
 - Traffic Signals
 - Key Public Parking Nodes
 - Walkable Catchment to Transit & Centres
- Specific Requirements**
- Bushfire Prone Areas
 - Local Development Plan Required
- Activity Centre Plan Boundary**

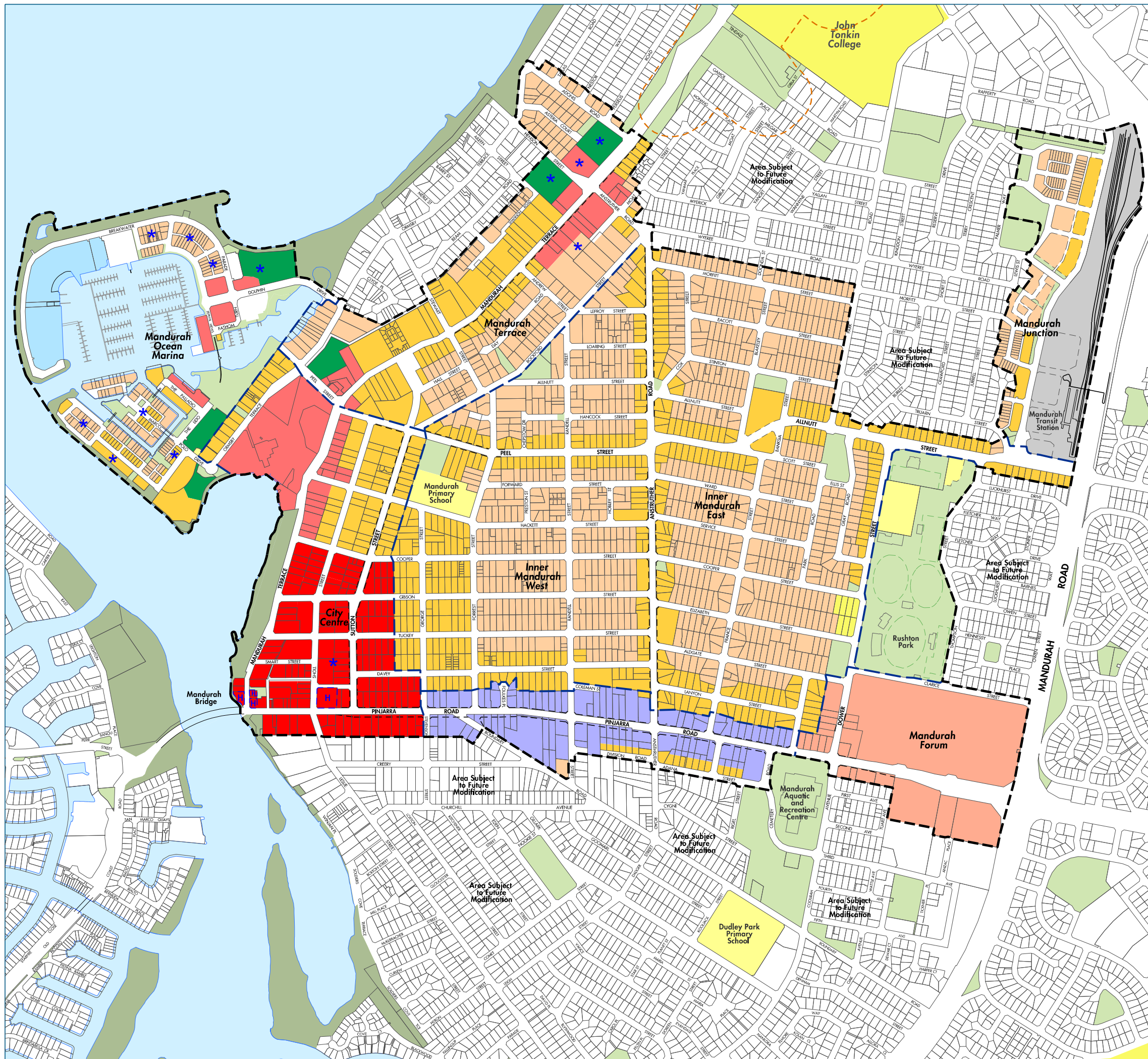
Details shown on the Activity Centre Plan that are outside the Activity Centre Plan boundary are indicative only.

0 120 240m



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Plan 2 - Activity Centre Plan



Activity Centre Plan Zones

- City Centre
- Commercial Mixed Use
- Commercial
- Residential Mixed Use
- Tourist
- Residential
- Service Commercial
- Marina Service

Specific Requirements

- Heritage Precinct
- Road Widening
- Bushfire Prone Areas
- Local Development Plan

Reserved Land

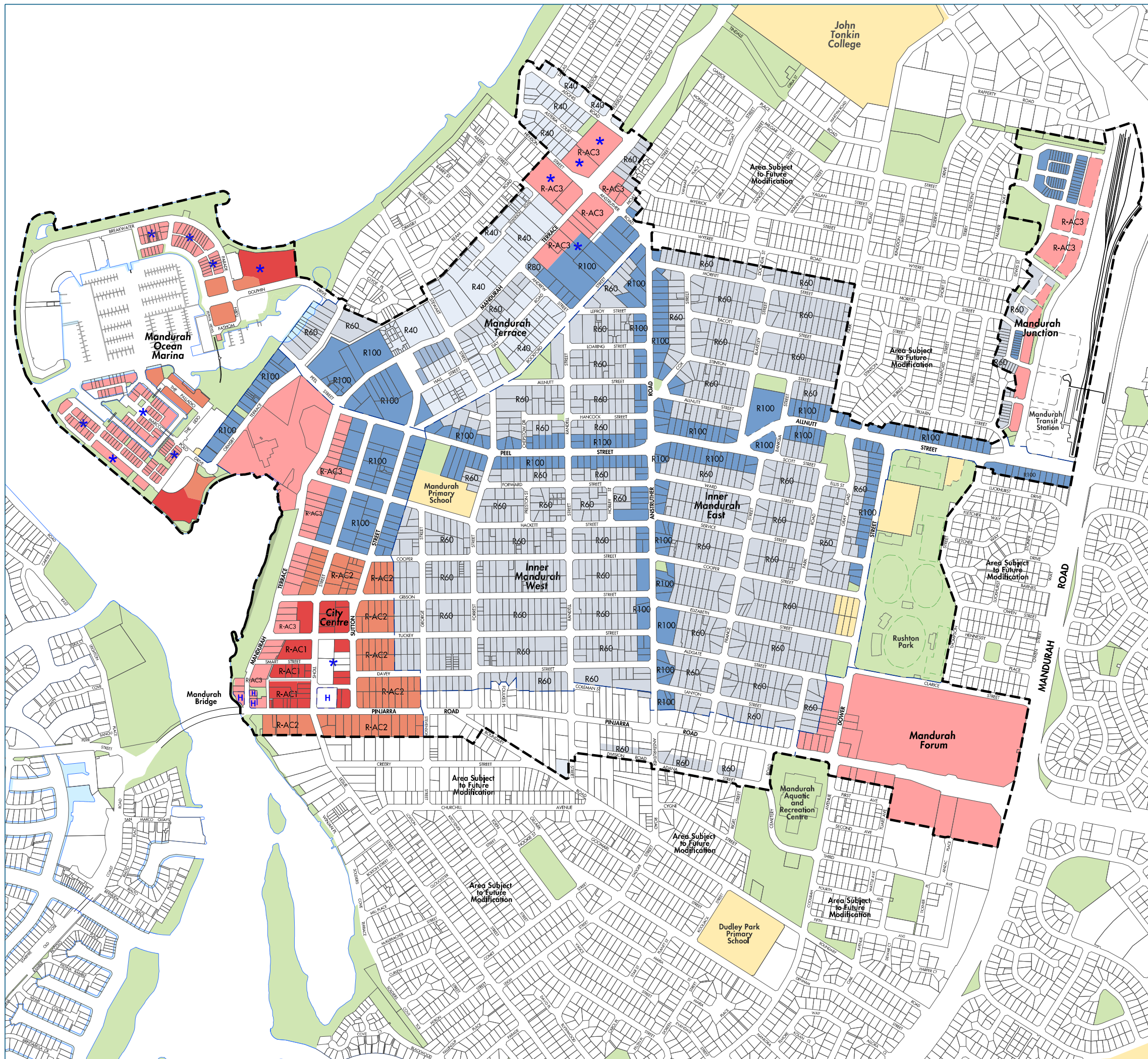
- Regional Open Space
- Waterways
- Railways
- Public Purposes (Regional)
- Community Purposes (Local)
- Public Open Space

- Activity Centre Plan Boundary
- Precinct Area

Details shown on the Activity Centre Plan that are outside the Activity Centre Plan boundary are indicative only.

0 120 240m





R-Code

- R-AC1
- R-AC2
- R-AC3
- R100
- R80
- R60
- R40

Specific Requirements

- Heritage Precinct
- ★ Local Development Plan

Activity Centre Plan Boundary

Precinct Area

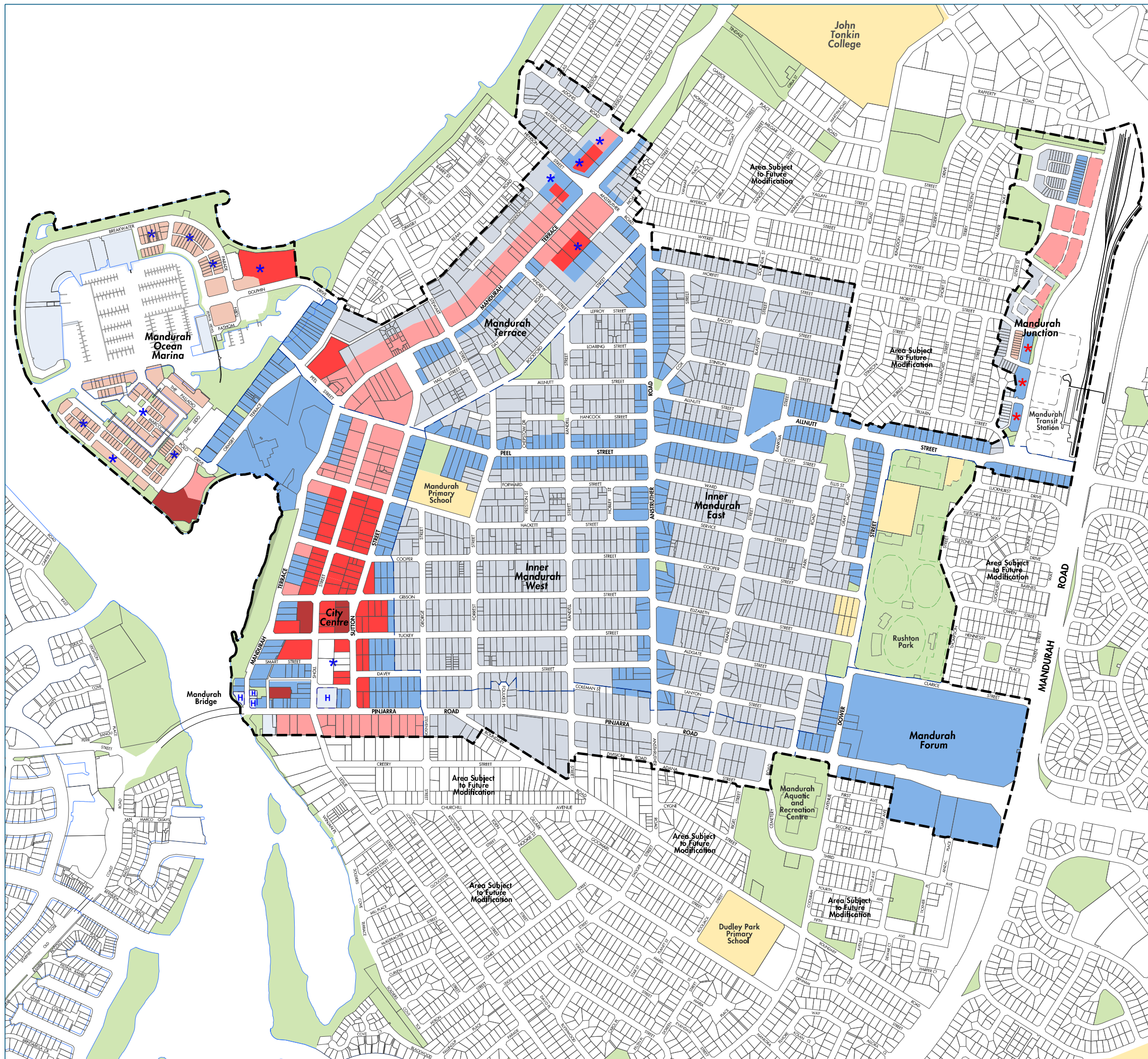
Details shown on the Activity Centre Plan that are outside the Activity Centre Plan boundary are indicative only.

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Plan 4 - Residential Density Plan



Development Height

- 45m (12 Storeys) / 2 Storey Minimum
- 32m (8 Storeys) / 2 Storey Minimum
- 24m (6 Storeys) / 2 Storey Minimum
- 21m (5 Storeys) / 2 Storey Minimum
- 3 Storeys + Loft / 2 Storey Minimum
- 12m (3 Storeys) / 2 Storey Minimum at Street Front for Residential Development
- 9m (2 Storeys)

Specific Requirements

- Heritage Precinct
- ★ Local Development Plan
- ★ 3 Storey Minimum

Activity Centre Plan Boundary

Precinct Area

Details shown on the Activity Centre Plan that are outside the Activity Centre Plan boundary are indicative only.








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Plan 5 - Development Height Plan

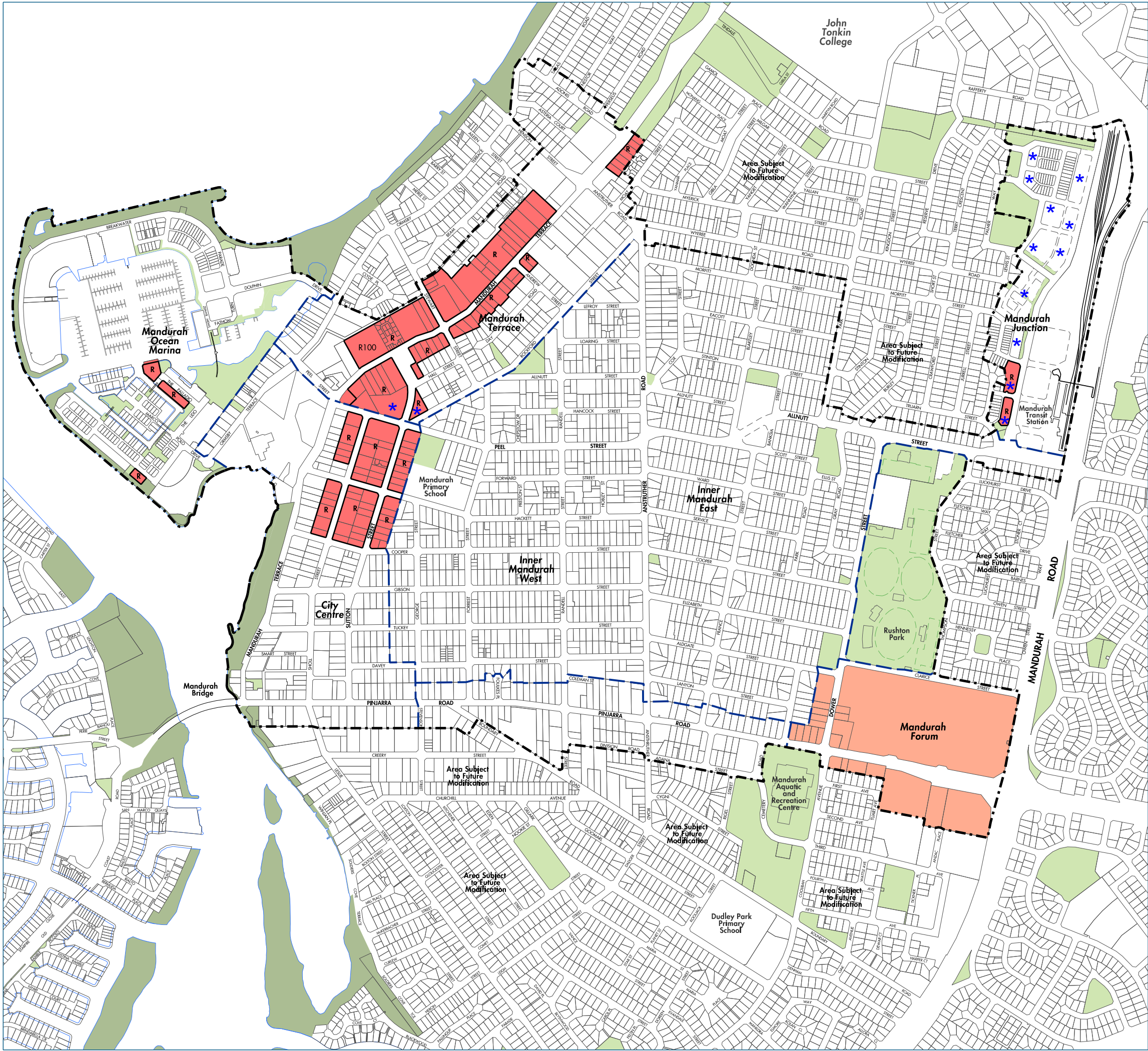
Proposed Modifications (Mapping Only)

-  Commercial Mixed Use (was Residential Mixed Use)
-  Taverns as 'Restricted Use' in Commercial Mixed Use zone
-  Including Service Station as Permitted Use in Commercial Zone
-  Increase R-Code density to R100 from R40
-  Additional Sites being Subject to Local Development Plan

-  Activity Centre Plan Boundary
-  Precinct Area

Details shown on the Activity Centre Plan that are outside the Activity Centre Plan boundary are indicative only.

0 120 240m



Zones	City Centre	Commercial Mixed Use	Commercial	Residential Mixed Use	Tourist	Residential	Service Commercial
Grouped Land Uses ¹							
Residential Uses (Category A) Ancillary Dwelling Single Dwelling Home Store	X	X	X	P ²	X	P ²	X
Residential Uses (Category B) Aged Care Family Day Care Aged Persons Dwelling Holiday House Bed and Breakfast Home Business Dwelling (Group, Multiple) Home Occupation Single Bedroom Dwelling Home Office	P ³	P ³	P ³	P ³	IP	P	X
Commercial Uses (Category A) Car Park Medical Centre Consulting Rooms Office	P ⁴	P	P ⁴	P	P	A	P
Commercial Uses (Category B) Bulky Goods Showroom Veterinary Centre	D ⁴	X ⁴	D ⁴	X	X	X	P

¹ **P – Permitted; I – Incidental; D – Discretionary; A – Discretionary Requiring Advertising; X – Not Permitted**

² **Subject to Minimum Scale and Design Outcomes**

³ **Above Ground Floor Only**

⁴ **Subject to Active / Semi Active Frontage Streets**

Zones	City Centre	Commercial Mixed Use	Commercial	Residential Mixed Use	Tourist	Residential	Service Commercial
Commercial Uses (Category C) Service Station Motor Vehicle Wash Funeral Parlour	X	X	PX	X	X	X	P
Retail Uses Convenience Store Liquor Store (Small) Market Shop	P	P	P	P	IP	X	P
Tourism Uses Holiday Accommodation Motel Serviced Apartment Tourism Development	D	D	P ⁴	P	P	A	A
Dining & Entertainment Amusement Parlour Club Premises Reception Centre Restaurant Recreation - Private Small Bar	P	P	P	DX	IP	X	D
Licensed Premises Brewery Betting Agency Hotel Liquor Store (Large) Tavern	D	D	D	X	IP	X	A

Zones		City Centre	Commercial Mixed Use	Commercial	Residential Mixed Use	Tourist	Residential	Service Commercial
Community Uses		D	D	P	D	IP	A	D
Child Care Premises	Education Establishment							
Community Purpose	Place of Worship							
Specific Land Uses								
Commercial Vehicle Parking		X	X	P	X	X	X	P
Cinema		P	P	P	X	X	X	D
Fast Food Outlet		X	X	P	X	X	X	D
Motor Vehicle Repair		X	X	D	X	X	X	P
Motor Vehicle Sales		X	X	X	X	X	X	P
Nightclub		A	X	X	X	X	X	X
Restricted Premises		X	X	X	X	X	X	D
Telecommunications Infrastructure		P	P	P	D	D	D	P

ATTACHMENT 4

Owner / Address	Submission (Summarised comments)	Comment
1. C Nunan Street Name, Suburb	<p>a. Reducing the minimum height requirements from three storeys to two storeys is regressive. We must build density and height.</p> <p>b. Questions whether there are plans to construct a multi storey carpark in the activity centre. Would be a great source of revenue and ameliorate the parking chaos that exists.</p>	<p>a. Noted. Whilst height is supported and will remain possible under the Activity Centre Plan, a two storey height minimum has been applied in response to market indicators that three storey development is currently unfeasible. Under the requirements of the ACP, the City's infill targets can be met.</p> <p>b. The City's Car parking Strategy adopted in 2011, identifies a number of potential public landholdings suitable for decked car parking.</p>
2. E Soderholm 271 Pinjarra Road	<p>a. Widening of Pinjarra Road is of concern as it will put at risk the very few front parking bays available. These parking bays are specifically set aside for disabled and elderly patients as the steep slope from parking further down the block is too much for them. The area is also used for taxi and other transport services and the only practical area for ambulance to attend in an emergency.</p>	<p>a. The widening of Pinjarra Road has been depicted within the ACP in accordance with PRS Amendment No. 011/33 which is yet to be finalised by the WAPC. The widening is required to ensure Pinjarra Road can meet future traffic demands as a District Integrator.</p> <p>Land purchases will not commence until such time as the Peel Region Scheme Amendment has been finalised. The City will continue to liaise with the Western Australian Planning Commission to progress the amendment in order to provide certainty to landowners.</p>
3. Gina Sim Street Name, Suburb	<p>a. Opposed to reducing minimum height requirements from three to two storeys. Should remain as is.</p> <p>b. Car parking is always an issue in the area, it is fine to simply and standardising car parking requirements but the lack of parking needs to be addressed.</p>	<p>a. Noted. Whilst height is supported and will remain possible under the Activity Centre Plan, a two storey height minimum has been applied in response to market indicators that three storey development is currently unfeasible. Under the requirements of the ACP, the City's infill targets can be met.</p> <p>b. The City's Car parking Strategy adopted in 2011, identifies a number of potential public landholdings suitable for decked car parking. As part of the implementation of the Central Mandurah ACP the preparation and implementation of a</p>

Owner / Address	Submission (Summarised comments)	Comment
		wayfinding strategy will be undertaken to assist visitors to the City Centre with locating available parking.
4. C & F Newton 3A Blakely Street	<p>a. Given the proposal to change of zoning from R40 to R100 for our property, we ask for the provision of ample street parking in Blakeley Street</p> <p>b. Furthermore, there is currently no footpath on either side of Blakeley St and pedestrians have to walk on the road. As this area develops, and Blakeley St becomes busier with partly commercial development and likely updated residential buildings, adequate footpaths are most definitely required for visual amenity and, above all, for pedestrian safety.</p> <p>c. In general we accept the proposal requiring the above to be included.</p>	<p>a. No change in zoning of 3A Blakely Street has been proposed under the draft ACP. The R100 density applied under the ACP is the same as was previously applied through the Inner Mandurah Precinct Plan.</p> <p>b. Noted. An integrated transport plan addressing walkability, cycling, public transport and traffic management is an important next step in the development of the activity centre plan.</p> <p>c. Noted.</p>
5. Main Roads	<p>a. No objection in principle to the Central Mandurah Activity Centre Plan.</p> <p>b. It is noted that plan 2 includes the location of traffic signals within the Activity Centre Area. Main Roads general policy requires provision of roundabouts at intersections rather than traffic signals Any proposals for new traffic signals will need to be assessed in accordance with Main Roads requirements. The proponent will need to provide justification of the warrant for provision of traffic signals rather than a roundabout to the satisfaction of Main Roads.</p>	<p>a. Noted.</p> <p>b. Noted. Any proposed traffic improvements will be undertaken in consultation Main Roads.</p>
6. Ann Doyle Drafting and Design on behalf of the owner of 16 Galileo Loop, Mandurah	a. Request the Mandurah Ocean Marina ACP be modified to allow Mixed Use – Residential land use to include Single Dwelling – Permitted as this is contrary to the Central Mandurah ACP which lists a single dwelling as permitted within the Residential Mixed Use zone. This is confusing and unfairly restricts development opportunities in the Mandurah Ocean Marina Precinct.	a. The subject site is zoned Residential under the Central Mandurah ACP and the Mandurah Ocean Marina. Within both these zones, a single dwelling is a permitted use.

Owner / Address	Submission (Summarised comments)	Comment
	<p>b. We believe the Mandurah Ocean Marina ACP 1.4 Land Use Requirement Mixed – Use Residential be modified to allow Single Dwelling – Permitted on 16 Galileo Loop, Mandurah.</p> <p>c. The Central Mandurah ACP be modified to remove the Mandurah Ocean Marina Precinct from Clause 2.5.2, which requires mandatory truncation to corner lots and land to be ceded to crown. All corner blocks in the Mandurah Ocean Marina already have truncate corners.</p> <p>d. There needs to be increased flexibility in the land use for all the remaining existing vacant lots in the Mandurah Ocean Marina Precinct and it is our opinion that they shall have permissible land use to include Single Dwelling Permitted.</p>	<p>b. A single dwelling is a permitted use on 16 Galileo Loop under the Central Mandurah ACP.</p> <p>c. Agreed. Clause 2.5.2 will be modified to read “Where a development or subdivision is proposed on a corner lot that does not have a standard truncation, a truncation will be required to be created and ceded to the Crown as a condition of approval.</p> <p>d. Disagree, the Mandurah Ocean Marina was created as a mixed use precinct with specific built form requirements in order to create a preeminent tourism precinct. Whilst single dwellings are permitted within many areas of the MOM, this is not appropriate in all locations.</p>
<p>7. Ann Doyle Drafting and Design on behalf of the owner of 12 Galileo Loop, Mandurah</p>	<p>a. The 4B Mixed Use – Residential zoning under the Mandurah Ocean Marina ACP and Planning Clause 2.5.2 of Central Mandurah ACP places unfair restrictions over our site reducing its development potential.</p> <p>b. The MOMACP should be modified to rezone Lot 12 Galileo Loop from 4B to 4A to allow Single Dwelling permitted. Whilst the 4B zoning on Lot 12 Galileo Loop does not require mandatory tourist use on the ground level, its land use zoning, with reference to MOMACP 1.5 Land Use, states Mixed Use – Residential as Single Dwelling - Not Permitted, which is contradictory to the CMACP Table 2 - Land Use Table for Residential Mixed Use as Single Dwelling - Permitted. This is confusing and the constraints of Single Dwelling - Not Permitted unfairly restricts our development opportunities on the site. It is currently economically unfeasible for my client to build a mixed use residential development and goes against her wishes to build a single dwelling residence.</p>	<p>a. Disagree.</p> <p>b. Disagree. The Central Mandurah ACP once approved will take precedence over the MOMACP. Under the Central Mandurah ACP, single dwellings are a permitted use subject to minimum scale and design criteria which includes a requirement for the ground floor to be designed to be adaptable for potential future commercial uses. It is proposed given the sites location, the mandatory ground floor design requirement be removed to enable the development of residential only development.</p>

Owner / Address	Submission (Summarised comments)	Comment
	<p>It is therefore in our opinion that Lot 12 Galileo Loop be rezoned 4A and that the MOMACP 1.5 Land Use Requirement Mixed Use – Residential be modified to allow Single Dwelling - Permitted on Lot 12 Galileo Loop Mandurah.</p> <p>c. The MOMACP be modified to allow Mixed Use – Residential land use to include Single Dwelling – Permitted. There needs to be increased flexibility in the land use for all the remaining existing vacant lots in the Mandurah Ocean Marina Precinct and it is our opinion that they shall have permissible land use to include Single Dwelling Permitted.</p> <p>d. The CMACP be modified to remove the Mandurah Ocean Marina Precinct from the Clause 2.5.2, which requires mandatory truncation to corner lots and land to be ceded to the Crown. All corner blocks in the Mandurah Ocean Marina Precinct already have truncated corners. With reference to the above clause, this clause is unjust and involves land being ceded to the Crown which will result in loss of land, total gross value, and create accessibility issues. We believe this clause should be removed from our property and all others in the Ocean Marina Precinct.</p>	<p>c. The Central Mandurah ACP will supersede the Mandurah Ocean Marina ACP.</p> <p>d. Agreed. Clause 2.5.2 will be modified to read “Where a development or subdivision is proposed on a corner lot that does not have a standard truncation, a truncation will be required to be created and ceded to the Crown as a condition of approval.</p>
<p>8. Ann Doyle Drafting and Design on behalf of the owner of Lot 150 Vivaldi Drive, Mandurah</p>	<p>a. The 3B zoning and Planning Clause 2.4 that have been place on Lot 150 Vivaldi Drive is limited in flexibility and constrains the development potential of this site.</p> <p>b. The MOMACP should be modified to rezone Lot 150 Vivaldi Drive from 3B to 4A to include Single Dwelling permitted.</p> <p>c. The MOMACP should be modified to allow Mixed Use – Residential land use to include Single Dwelling - Permitted</p> <p>d. The CMACP should be modified to remove Lot 150 Vivaldi Drive from Clause 2.4, which requires mandatory ground floor tourist development.</p>	<p>a. Noted.</p> <p>b. The Central Mandurah ACP will supersede the Mandurah Ocean Marina ACP.</p> <p>c. The Central Mandurah ACP will supersede the Mandurah Ocean Marina ACP.</p> <p>d. It is recommended that the semi-active street frontage designation be removed from Lot 150 Vivaldi Drive and include the site within the Commercial Mixed Use zone.</p>

Owner / Address	Submission (Summarised comments)	Comment
	<p>e. Council have previously resolved to rezone Lot 450 Vivaldi Drive from 3B to 4A. The same conditions should be applied to Lot 150 to allow a single dwelling to be permitted on the site.</p> <p>f. Whilst the Mixed Use – Residential land use in the Central Mandurah ACP allows Single Dwelling as permitted, the Mandurah Ocean Marina ODP states Mixed Use – Residential as Single dwelling not permitted. This is confusing. The Mandurah Ocean Marina ODP should be modified to allow Single Dwelling – Permitted.</p> <p>g. Under the new CMACP Lot 150 Vivaldi Drive falls under a new clause – Clause 2.4 Ground Floor Land Use and has been zoned to have a Semi-Active Street Frontage, refer to Plan 6 – Active Street Fronts Plan, which does not permit single use dwelling. Lot 150 Vivaldi Drive is the only vacant property in the Mandurah Ocean Marina within the Residential Mixed Use zoning that this new clause applies to. Lot 450 Vivaldi, which has the same 3B zoning under the current MOMODP, does not have this clause applied to it and we believe this to be unjust and inequitable. This clause unfairly restricts our property's development opportunities and goes against my clients wishes to build a single dwelling residence.</p> <p>h. Furthermore the clause does not clearly define what the Semi-Active Street Frontage requirements are (only Active Street Frontage) which leaves the council open to</p>	<p>This will remove the mandatory non-residential ground floor requirement however retain the potential for the site to be use for commercial purposes in the future through minimum ground floor design requirements.</p> <p>e. Disagree. The requirements for Lot 450 Vivaldi Drive were changed following the WAPC's approval for a 12 lot subdivision. Lot 150 is 1291m2 site, and the construction of a single dwelling on a site of this size would not be in keeping with the surrounding locality.</p> <p>f. Agreed. The Central Mandurah ACP will supersede the Mandurah Ocean Marina Structure Plan, however a single dwelling would still be unable to be approved on the site under the advertised ACP due to the mandatory ground floor non-residential requirement. Modifications are proposed to include the property within the Commercial Mixed Use zone to make it clear a single dwelling is not permitted.</p> <p>g. It is recommended that the semi-active street frontage designation be removed from Lot 150 Vivaldi Drive. This will enable the subject site to be developed for residential purposes however retain the potential for the site to be used for commercial purposes in the future through minimum ground floor design requirements.</p> <p>h. Agreed. A definition for Semi Active Street frontage will be included within the Central Mandurah ACP.</p>

Owner / Address	Submission (Summarised comments)	Comment
	<p>speculative opinion as to its permitted use.</p> <p>i. The 3B zoning and Clause 2.4 are preventing my client from developing the site as there is limited viability for development of the type permitted making it economically unfeasible to build a mixed commercial / residential development. There needs to be increased flexibility over the site and it is in our opinion that the all remaining existing vacant lots in the Mandurah Ocean Marina Precinct shall have permissible land use to include Single Dwelling Permitted.</p>	<p>i. Proposed modifications as proposed above will allow additional flexibility over the site.</p>
<p>9. M Vinci 37 George Street Mandurah</p>	<p>a. Concerned with greater density around property and allowing bars and anything that attracts a lot of people and noise which would have an adverse effect on the enjoyment of my property and surrounding properties. I believe Mandurah has enough bars and alcohol outlets and unruly behaviour without allowing more of these types of venues.</p>	<p>a. Noted. The Mandurah ACP introduces Small Bars as a permitted land use within the Residential Mixed Use and Commercial Mixed Use areas, including some locations which are more residential in nature. It is proposed to modify the ACP to remove the ability for Small Bars to be permitted within Residential Mixed Use</p>
<p>10. TBB on behalf WA Property Investors Pty Ltd Stage 2 Seashells Development</p>	<p>a. Seeking clarification on the ability to proceed with lot boundary adjustments/amalgamation of Stage 2 of the Seashells Development without the prerequisite for a Local Development Plan (LDP).</p> <p>b. We support the City's initiative for consolidating the number of outline development plans and precinct plans into a more comprehensive and consistent Activity Centre Plan. At this point in time, our primary focus would be to seek clarification and seek an update to the wording of section 2.5, to ensure that an amalgamation would not trigger the requirement for a Local Development Plan for Stage 2 of the Seashells Resort.</p>	<p>a. Lot boundary adjustments will be permitted without the need for a LDP subject to no additional lots being created.</p> <p>b. Clause 2.5 (b) allows for lot boundary adjustments where no additional lots are created may be considered by Council.</p>
<p>11. Tecon Australia on behalf of the owners of 106 Mandurah Tce</p>	<p>a. The subject site, 106 Mandurah Terrace, currently has a density coding of R40 which requires a minimum lot size of 180m², average lot size across the whole site of 220m² for residential development. Strata Lots 1-7 range in size between 109-137m² and</p>	<p>a. Strata Lots 1-7 have lot sizes smaller than the R40 minimum lot size due to their tourism designation. Under the Mandurah Terrace Precinct Plan units developed for Tourism purposes are not required to comply with the</p>

Owner / Address	Submission (Summarised comments)	Comment
	<p>therefore do not meet the minimum lot size required for permanent residential. As a result, Strata lots 1-7 are currently restricted to short term stay as identified on the strata plan.</p> <p>b. The Central Mandurah Activity Centre Plan similarly codes the site at a density of R40 however identifies the site as being part of the 'Mixed Use Corridor' which follows the main transport network and connectors into the City.</p> <p>c. R40 density appears to be somewhat inconsistent with the other 'Mixed Use Corridor' areas which are coded at R60, R80 and R100. Lot 106 appears to be one of the only 'Mixed Use Corridor' lots coded at R40.</p> <p>d. To provide/protect flexibility and options of landuse into the future should short stay/tourist usage of the site not be conducive, it is requested an up-coding of the site to R100 consistent with the majority of the other sites identified as 'Mixed Use Corridor' occur. Notwithstanding other planning and building requirements (and approvals), the result of an up code would potentially enable the site to be utilised for permanent residential. proposed up-code to a density of R100 would provide consistent and complaint minimum and average site areas for the existing strata lots (with areas ranging between 109 and 137 m2).</p> <p>e. 106 Mandurah Terrace is also located within a defined walkable catchment to the City Centre and transit area, providing additional justification for the proposed up-coding to R 100.</p> <p>f. We would appreciate due consideration being given to increasing the density coding of the site to R100.</p>	<p>requirements of the Residential Design Codes.</p> <p>b. Noted.</p> <p>c. Agreed.</p> <p>d. Agreed. It is recommended that the site be coded R100 consistent with the density applied to the adjoining site. It should be noted it will still need to be demonstrated that the units on Strata Lots 1-7 can meet the requirements of the R-Codes in order to be classified and used as a residential dwelling.</p> <p>e. Agreed.</p> <p>f. Noted. See response (d) above.</p>
12. Garmony Property Consultants on behalf of Timbertop Caravan Park	a. The Timbertop land is the only large parcel of undeveloped land of 1.47 hectares plus a separate 2506 square metre site in one ownership adjacent to the Mandurah City Centre fronting the main entry	a. Agreed. It is recommended that the ACP be modified to identify to the Timbertop land parcel as being subject to LDP provisions. This would allow for the potential of the site to be considered in

Owner / Address	Submission (Summarised comments)	Comment
	<p>roads into the City. The Timbertop land offers the City of Mandurah a unique opportunity to create a Special Development site to allow a meaningful redevelopment on the land that will enhance & add vibrancy to the entry into the City of Mandurah. This could be facilitated by allowing a flexible approach to the allowable use of the land to attract a major development accommodating a use that is new to today's built form & usage. Bonuses for Architectural Merit are a major influence in creating sustainable design & environmental building outcomes.</p> <p>b. The Timbertop land has a "Residential Mix Use" classification permitting development under the "R100" Code to a 6 floor (24 metre) height limit. For a site of this significance a higher height allowance should be allowed up to at least 8 floor plus internal access to a 9th floor which has the same Fire Regulations as a 6 floor building. An even higher building height could be considered to facilitate a development that would create a benefit the City of Mandurah. Buildings constructed to higher heights tend to be of a more slender narrower shape giving a better outcome to the surrounding neighborhood by allowing views to be shared between buildings & moving shadowing through the day & seasons. In addition to these ground level benefits a more attractive sky line is created reflecting an interesting & vibrant modern growing city. Lower height buildings tend to be shoulder to shoulder & totally block views & have more permanent shadowing & when built together as a side by side streetscape are boring & not attractive.</p> <p>c. Clause 3.2.3 Plan 7 shows no designated setback for the Timbertop land which would be governed by the "R100" code. However under clause 2.4.1 Timbertop will have a "Semi-Active Street Front" requiring a Non-Residential use on the ground floor. Non-Residential uses normally</p>	<p>further detail through the development of a local development plan. Under the provisions of the ACP, a local development plan can vary requirements of the ACP.</p> <p>b. Noted. Maximum height requirements can be modified through the preparation of an LDP. This would enable any proposed modifications to be advertised to the surrounding locality.</p> <p>c. Noted. A street setback of 2m will be applied to Sutton Street consistent with the setbacks applied along the remainder of the street.</p>

Owner / Address	Submission (Summarised comments)	Comment
	<p>require a close relationship with the street front to be successful. A street front set back of no more than 2 metres should be specified.</p> <p>d. Clause 3.10.5 needs to be more specific/clearer in relation to Verandahs & Awnings & landscape requirements to coordinate with street frontages.</p> <p>e. Under an Acquisition Agreement dated 13th June 2014 between the Owner of Timbertop & the City of Mandurah for the acquisition of land for the Extension of Sutton Street, driveways have been agreed & constructed to the new Timbertop lots off Sutton Street. We assume this arrangement will be honoured.</p> <p>f. In agreement with the City of Mandurah the owner of Timbertop has worked with the City through the acquisition agreement for Sutton Street to rearrange the lot boundaries of land fronting Sutton Street to create lots ranging in size from some 1750 square metres to 3250 square metres rather than smaller lots allowing larger scale buildings to be built on the land to enhance the entry into the Mandurah City Centre. It is important that the Central Mandurah Activity Plan has foresight to allow development not only for today's trends & needs but the long term 50 year + timeframe to allow for population growth, higher density city centre living & inevitable change in commercial & leisure land/building uses. Forward thinking architectural design should be encouraged with design bonuses such as extra height allowances, innovative land uses & plot ratios.</p>	<p>d. Disagree. Provision provides for minimum criteria, however provides for flexibility in design and materials to allow for consideration of landscaping and street frontage.</p> <p>e. Approval of the ACP will not vary the Acquisition Agreement dated 13th June 2014.</p> <p>f. Noted. The designation of the site as a site requiring a local development plan will allow for the flexibility requested.</p>
<p>13. Planning Solutions on behalf of Caltex Australia Petroleum Pty Ltd 800 (330) Pinjarra Road, Mandurah</p>	<p>a. The subject site contains the Mandurah Forum shopping centre, which includes an established precinct of largely 24 hour car-based activities (two 24 hour service stations, two 24 hour drive through fast food outlets, and one drive-through fast food outlet trading up to 11pm).</p>	<p>a. Noted.</p>

Owner / Address	Submission (Summarised comments)	Comment
	<p>b. The subject site is within the designated Commercial zone of the Central Mandurah Activity Centre. The draft ACP proposes to make the 'Service Station' land use class an 'X' use not contemplated in the designated Commercial zone.</p> <p>c. The draft ACP's proposed prohibition of Service Station in the designated Commercial zone is considered to be contrary to orderly and proper planning, as it would result in the fragmentation of an existing cluster of complementary 24 hour commercial activities which benefit from their proximity to one another, and their location at the corner of Pinjarra Road and Mandurah Road.</p> <p>d. It is therefore strongly recommended that Service Station is appropriately retained as a use contemplated for approval within the designated Commercial zone of the ACP.</p>	<p>b. Noted.</p> <p>c. Noted</p> <p>d. Agreed. The Central Mandurah ACP will be amended to list Service Station as a permitted use within the Commercial zone.</p>
14. Department of Communities (Housing)	<p>a. The draft plan is consistent with the land use framework established in the South Metropolitan Sub-Regional Planning framework.</p> <p>b. Residential densities are appropriately focused around existing infrastructure and employment opportunities. The densities and design requirements set out in the draft Plan will encourage new development and act as an impetus for the diversification of housing typologies and sizes within the City.</p> <p>c. The Department encourages the City to include an objective requiring the provision of affordable and accessible housing within the draft Plan.</p> <p>d. As the draft Plan covers the area of Mandurah in closest proximity to existing services, it is suggested that the City investigate actions that encourage the incorporation of WA Livable Homes (universal) design principles into residential developments.</p> <p>e. The Department owns a concentrated pocket of dwelling in Mandurah, bound by Boundary</p>	<p>a. Noted.</p> <p>b. Noted.</p> <p>c. Agreed. Central Mandurah ACP will be modified to include an objective relating to the provision of affordable and accessible housing.</p> <p>d. Noted.</p> <p>e. The City will consult with the Department of Communities when</p>

Owner / Address	Submission (Summarised comments)	Comment
	Road, Fifth Avenue and Dewar Court, Mandurah. These properties are identified in the ACP as "Area subject to further modifications". The Department is keen to commence discussions with the City to continue strategic planning for the future in order to maximize the redevelopment potential of our assets.	further investigations commence into this area.
15. G& C Corp Belvedere Caravan Park Mandurah Tce	<p>a. Fully support the inclusion of Belvedere Caravan Park in the Strategic Centre which is one of the highest Activity Centres hierarchy, outside of the Capital City.</p> <p>b. The strategy lacks details and contains a number of flaws and oversight in relation to our site which we strongly oppose including;</p> <ul style="list-style-type: none"> • The Strategy makes no reference to our approved development guide plan. • The Mixed Use Precinct with the Strategic Centre should extend across the Entire Belvedere Caravan Park Site. The existing DGP Approval for Two 12 storey building height must be protected and maintained in the Activity Centres Strategy. • Residential Densities in the Activity Centres Strategy should be in R-AC Zones. 	<p>a. Noted.</p> <p>b. The subject site includes a requirement for a local development plan (LDP). An LDP can vary provisions of the ACP. The existing Development Guide Plan is consistent with the requirement for a LDP and will remain valid.</p>
16. Name and address withheld	<p>a. Clause 1.3 – Flexibility and the ability for decision makes to apply discretion and consider influences (such as market demand) are supported.</p> <p>b. There are inconsistencies between the draft ACP and the approved Mandurah Junction ODP.</p> <p>c. The appeal and viability of mixed use development within the three northern Residential Mixed Use zoned sites within Mandurah Junction is questionable given their distance to the transit station and compromised outlook.</p> <p>d. The capacity for mixed use development within these northern sites should be retained, however mandatory requirements relating to</p>	<p>a. Noted.</p> <p>b. The Central Mandurah ACP will supersede the Mandurah Junction ODP.</p> <p>c. Noted.</p> <p>d. Agreed. It is proposed that the Residential Mixed Use zone be split into a Residential Mixed Use and Commercial Mixed Use zone.</p>

Owner / Address	Submission (Summarised comments)	Comment
	<p>the design and construction of ground floor should be removed. Flexibility is sought so that additional design and construction costs associated with mixed use can be avoided should developers wish to proceed with affordable residential housing only.</p> <p>e. An alternate zoning may be required for the three northern sites if flexibility can't be provided under the Residential Mixed Use zone.</p> <p>f. Retaining the Residential Mixed use zoning over the southern sites is supported.</p> <p>g. Residential zoning over the remaining sites is supported. Densities may however require adjustment to allow emerging small Single House lot and dwelling typologies</p> <p>h. At present the Desired Urban Form comments relating to the Residential zone refers to Grouped and Multiple Unit infill development only. This should be expanded to include appropriate Single Houses (e.g. contemporary terrace style townhouses).</p> <p>i. Section 2.5.2 – The provision of large truncation in older suburbs is supported however different rules should apply in lower traffic volume areas. Flexibility should be provided to allow reduced truncations in appropriate location to assist development.</p> <p>j. A maximum density of R60 with Mandurah Junction is too low and will impede the introduction of small Single House lots and contemporary townhouse development. Numerous Single House townhouse designs exist for lots less than 120sqm. One option is to modify all remaining undeveloped areas within Mandurah Junction from R60 to R80. Another may be to apply appropriate site criteria.</p>	<p>Those lots included within the Residential Mixed Use zone will not have the mandatory ground floor design criteria and will permit mixed uses which are more in keeping with the residential nature of these lots.</p> <p>e. Agreed. See (d) above.</p> <p>f. Noted. The Southern sites will be included within the Commercial Mixed Use zone which will retain the requirements of the Residential Mixed Use zone of the advertised version of the ACP.</p> <p>g. Noted.</p> <p>h. The ACP does not exclude the development of single houses within the Residential Mixed Use zone, however provides more detailed requirements for grouped and multiple dwellings to ensure a high standard of development.</p> <p>i. Clause 2.5.2 will be modified to read "Where a development or subdivision is proposed on a corner lot that does not have a standard truncation, a truncation will be required to be created and ceded to the Crown as a condition of approval.</p> <p>j. The R60 density code provides a transition from the existing residential area to the high density development along the train line. It is proposed to retain the R60 density.</p>

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	<p>k. Appropriate Single House design standards will be required to support lots less than 120sqm (current R80 R-Codes provisions are insufficient). Lessons from the WAPC's Draft Position Statement: Housing on Lots less than 100sqm should be considered. A new LDP forming part of the Mandurah Junction ODP may be a more appropriate device than inclusion within ACP1.</p> <p>l. The R-AC3 allocation over undeveloped Residential Mixed Use and Residential sites tends to suggest all future development will be apartments. This point is reinforced by references to grouped and multiple unit development only within the Desired Urban Form descriptions. The ability for all or part of sites designated R-AC3 to be subdivided into small Single House lots is very important. Flexibility to apply the benefits of R-AC3 should apartment development process should remain, however clarity about the maximum and minimum densities as well as site and design standards for Single House development should be considered (e.g. R80, supported by an LDP)</p> <p>m. Setbacks proposed by the ACP for lots within Mandurah Junction relate to Desired Urban Forms set out for the Residential Mixed use and Residential zones. Alternative setbacks may be more appropriate if certain sites are developed for single houses, eg the scale and street presence of a 2 storey town house may be quite different to a 5 storey apartment complex with shop fronts. It is suggested it may be better to define setbacks through a Mandurah Junction OPD when the nature of subdivision and development is better understood.</p> <p>n. There are inconsistencies between the building heights set-out within the draft ACP and the approved Mandurah Junction ODP and LDP's. Consistency and certainty around maximum and minimum building heights is important.</p>	<p>k. Agreed. Remaining Residential sites will be included within those areas requiring an LDP which will enable consideration of building standards, setbacks and access arrangements.</p> <p>l. Noted. Minimum density requirements will be applied to the subject sites. Remaining residential sites will also be included within those areas requiring a local development plan to enable consideration of building standards, setbacks and access arrangements. Single dwellings are a permitted use within the Residential Mixed Use and Residential zones.</p> <p>m. Agreed. The sites will be included within those areas requiring an LDP. In accordance with Part 5 of the ACP a LDP may vary requirements of the ACP.</p> <p>n. The number of storeys permitted under the Mandurah Junction ODP remain the same under the ACP.</p>

Owner / Address	Submission (Summarised comments)	Comment
	<p>o. The 2 storey minimum applied to most Mandurah Junction sites is supported.</p> <p>p. Imposing a 3 storey minimum on three Mandurah Junction sites and not anywhere else within the ACP is unusual. The requirement to achieve 3 storey development will eliminate scope to introduce contemporary affordable, 2 storey town house designs. The removal of the red asterix identifying lots with a 3 storey minimum, is requested.</p> <p>q. The application of minimum densities is supported however inconsistencies with Mandurah Junction ODP should be resolved.</p> <p>r. Clause 4.2.4 and 4.3.1 only references grouped and multiple dwellings, to support the introduction of contemporary townhouses, reference to Single Houses should be included. Once included, the minimum densities applicable to Single houses should be clarified.</p> <p>s. It is assumed that Figure 2 represents just one way development could be configured. Whether additional figures are required might be examined. Regardless, the ability to introduce small Single House lots and house designs (as per the examples provided above) should not be precluded.</p> <p>t. The requirement for one or multiple LDPs over Mandurah Junction is not stipulated in draft ACP1, however they are required by the ODP. Regardless, Mandurah Junction is a somewhat unique precinct. To date LDPs have been prepared over specific stages. An efficient approach moving forward may be to introduce a precinct LDP covering all developed and undeveloped sites.</p> <p>u. This new overall ODP could update design standards contained within the Mandurah Junction ODP to</p>	<p>o. Noted.</p> <p>p. Agreed.</p> <p>q. In order to ensure consistency across the Central Mandurah area some changes have been made to minimum densities. Desired changes to minimum densities can be addressed through individual LDP's.</p> <p>r. Minimum densities do not apply to single dwellings. This does not mean that single dwellings cannot be supported. Single dwellings are a permitted use within the Residential Mixed Use and Residential zones.</p> <p>s. Figure 2 has been included as an example of compliant development. Alternative developments may be considered. Single houses are a permitted use within the Residential Mixed Use and Residential zones subject to minimum scale and design outcomes.</p> <p>t. The Central Mandurah ACP will supersede the Mandurah Junction ODP. The requirement for a LDP on all undeveloped lots within Mandurah Junction will be included within the ACP.</p> <p>u. Agreed.</p>

Owner / Address	Submission (Summarised comments)	Comment
	ensure the provisions required to support small Single House townhouse development are in place An overall LDP could also apply a simplified approach to land use, density and height designations (similar to the approach taken within draft ACP1).	
17. M Clark Sutton Street Mandurah	<p>a. More shelter from the sun is needed for summer along the foreshore. With the right angles winter sun would still penetrate but protect from the harsh Summer Sun.</p> <p>b. Regarding 'Bars', there is a big problem with alcohol being consumed in Central Mandurah with antisocial/criminal behaviour and glass being broken on paving, streets and surrounds. I would not like to see any more 'bars' amongst residential areas and would indeed like to see the night clubs in the Smart Street Mall moved away from central Mandurah which has always been a family orientated place thereby moving the antisocial criminal behaviour away. It is the alcohol that is the problem.</p> <p>c. Also it is one thing spending money on beautifying the area but I think the homelessness problem we have as a community needs to be addressed.</p> <p>d. I would also like to see more green areas within Central Mandurah. The density being proposed is very high, therefore with more people more 'green' areas are needed. I don't feel the plan is addressing this. For instance the newly cleared 'Nell Regan' hall area could be utilised as a continuing green area for people to exercise their dogs, and also for children and adults to play. It would also be very encouraging to have an 'adult' exercise area similar to what has been established recently at Lakelands. This would encourage people to move more. If it's there, people will use it., Most people will not go to a gym. This area could become a very well loved and used community area. The council could also encourage a community garden as part of the project,</p>	<p>a. Noted. Beyond the scope of the Central Mandurah ACP.</p> <p>b. Noted. Amendments to the ACP will remove the ability for Small Bars to be permitted within the Residential Mixed Use. With regards to the Smart Street Mall, as part of the City Centre Core, this area is considered to be the most appropriate location for dining and entertainment land uses.</p> <p>c. Noted. Beyond the scope of the Central Mandurah ACP.</p> <p>d. Noted. There is a significant shortage of useable public open space within Central Mandurah. An important next step in the implementation of the ACP will be the development and implementation of a POS strategy to identify opportunities for the creation of addition pocket parks in this locality.</p>

Owner / Address	Submission (Summarised comments)	Comment
	maintained by locals similar to the Mandurah community Gardens at Frasers Landing. This would encourage people to take part in growing food as the backyard garden areas are getting smaller and even non-existent in Central Mandurah	
18. R Griechan 8 Barry St, Mandurah (Re 67 Ormsby Tce)	a. Request maximum height for 67 Ormsby Tce be increased from three stories to eight. Properties adjacent have ability to go to that height which could potentially create a section where we are in constant shadow. Will also be a better property for development should someone want to encompass our properties within the Atrium in the future. Will provide better use of land by going up instead of spreading out, especially as property is so close to the marina and beach.	a. Not supported at this time. Whilst the site offers opportunities for redevelopment in the future, further detailed planning is required to determine the appropriateness of increased height in this location. Amendments to the ACP may be considered in the future should a development proposal be submitted for the site.
19. L Napoli U3,4,5,6 and 18, 106-108 Mandurah Tce, Mandurah	a. Would support the increase in zoning of property to R100. b. Currently my units have commercial floor space at the street level and a dwelling above which are managed as short stay accommodation. An increase in the density code would enable these units to be converted into permanent dwellings.	a. Noted. b. Noted. It is recommended that the site be coded R100 consistent with the density applied to the adjoining site. It should be noted it will still need to be demonstrated that the units on Strata Lots 1-7 can meet the requirements of the R-Codes in order to be classified and used as a residential dwelling.

4	SUBJECT:	City Centre Waterfront – Concept Plan Consultation Outcomes
	CONTACT OFFICER/S:	Tony Free
	AUTHOR:	Renee Barton
	FILE NO:	

Summary

Concept plans were prepared for four City Centre Waterfront priority areas:

- Western Foreshore Recreation Precinct
- Eastern Foreshore South Precinct
- Eastern Foreshore North Precinct
- Smart Street Mall

The draft concepts proposals for these areas were presented to Council in October 2018. Council at its meeting of 23 October 2018 resolved to adopt the Waterfront (Eastern and Western Foreshore) Concept Plans for advertising and adopt advertising three options for the Upgrade of Smart Street.

Based on the support received for the Waterfront proposals, Council is requested to endorse the Concept plans prepared for:

- Western Foreshore Recreation Precinct – LAN360-CO-01/A & LAN358-CO-02/A (dated September 2018).
- Eastern Foreshore South Precinct - LAND358-CO-01/A & LAN358-CO-01/A(dated August 2018)
- Eastern Foreshore North Precinct - LAN360-CO-01/A (dated September 2018)

The concept plans will inform the progression of the project into detail design and construction.

The three options presented for the Smart Street upgrade has continued the debate of vehicle versus pedestrian movements for Smart Street which has been ongoing for some time. It is proposed that Smart Street be subject to further design work, with the intent of presenting to Council in March.

Council is requested to contribute capital funding to contribute to the implementation of the Waterfront Proposals in addition to the State Government commitment of \$10M (through the Royalties for Regions program).

Location



Previous Relevant Documentation

- G.14/10/18 23 October 2018 Council resolved to adopt the Waterfront (Eastern and Western Foreshore) Concept Plans for the Mandurah City Centre Waterfront Precincts for advertising purpose to seek confirmation that the plans developed are consistent with the Community Engagement undertaken in April – June 2018 and three options for the Landscape and Streetscape Upgrade of Smart Street seeking comments from the community on the re-introduction of vehicle movements based on the various options.

Background

In April to May, 2018 the City invited the Community to be involved in shaping the vision for the City Centre Waterfront area including the Eastern Foreshore Reserve (from the Boardwalk Precinct to the Bridge) and the Western Foreshore Reserves, including foreshore areas to the north and south of the Bridge, under the Bridge and Hall Park. The Community was asked to share what they love about the foreshore spaces, identify opportunities for improvements and prioritise the areas that most require change. Through the Phase 1 Community Engagement, an Expression of Interest process was undertaken to form a City Centre Waterfront Community Reference Group.

This engagement process undertaken with the broad community, key stakeholders and the reference group determined the priority areas and direction for planning and informed the development of concept plans outlining works to be implemented over 2019-20 and 2020-2021 financial years aligned with available funding (including \$10 million State government election commitment funding.)

Concept plans were prepared for four priority areas:

- Western Foreshore Recreation Precinct
- Eastern Foreshore South Precinct
- Eastern Foreshore North Precinct
- Smart Street Mall

The priority areas for upgrade and draft concepts proposals were presented to Council in October 2018. Council at its meeting of 23 October 2018 resolved to adopt the Waterfront (Eastern and Western Foreshore) Concept Plans for advertising and adopt advertising three options for the Upgrade of Smart Street.

For the waterfront concepts, the purpose was to seek confirmation that the plans developed are consistent with the Community Engagement undertaken in April – June 2018. For Smart Street Mall, the consultation process provided the opportunity for the community and stakeholders to consider and nominate preference for alternative options around pedestrian and vehicle traffic access to Smart Street.

Comment

A summary of the consultation process and findings for the Waterfront Concept is detailed below in the 'Consultation' Section.

Based on the support received for the Waterfront proposals, Council is requested to endorse the Concept plans prepared for:

- Western Foreshore Recreation Precinct – LAN360-CO-01/A & LAN358-CO-02/A (dated September 2018)
- Eastern Foreshore South Precinct - LAN358-CO-01/A & LAN358-CO-01/A(dated August 2018)
- Eastern Foreshore North Precinct - LAN360-CO-01/A (dated September 2018)

The concept plans will inform the progression of the project into detail design and construction. They are concepts only and any significant deviations in the proposals required due site constraints/limitations, feasibility, risk or other issues will be communicated to the Council and the community.

On-ground construction of the proposals will commence in the 2019-20 financial year and continue over a two year period aligned with funding allocations.

The presentation of three upgrade options Smart Street Mall:

- Option A (Limited Vehicle Access - Current Situation – LAN356-CO-01/A (dated September 2018)
- Option B (No Vehicle Access – LAN356-CO-02/A (dated September 2018)
- Option A (Full Vehicle Access – LAN356-CO-03/A (dated September 2018)

The options have continued the debate of vehicle versus pedestrian movements for Smart Street which has been ongoing for some time. There is no 'silver bullet' solution to 'fixing' Smart Street Mall. Whilst infrastructure upgrades will contribute to creating a more inviting street, the future success of Smart Street will be dependant of the redevelopment of the adjacent private and public spaces, and a shift in the type and mix of tenancies operating in the precinct.

It is proposed that consideration of Smart Street be deferred until the March Council meeting to allow for further design work to be completed.

Consultation

Stage 2 City Centre Waterfront Consultation – Concept Proposals – Engagement Methodology

A range of methodologies have been used to share and invite feedback on the City Centre Waterfront proposals including:

- Group and individual meetings with City Centre Businesses
- Presentations to stakeholders/relevant organisations including Peel Harvey Catchment staff, Peel Development Commission board, Minister David Templeman.
- Updates and Briefings at Reconciliation Action Plan (RAP) Steering Group and Access, Inclusion Group (A&IG) meetings and Liquor Accord Meetings.
- Direct email to Stage 1 of project consultation contributors
- Mail outs to property owners, residents and business owners in vicinity of project areas
- Social media – Facebook
- Radio and Newspaper Advertisements
- Pop-up information sessions at Shopping Centres (Lakelands and Mandurah Forum) and events (Western Foreshore APES Games Career Expo and Food-truck Frenzy).

The proposals have received widespread media attention from local and Perth newspapers/on-line and the project was televised on the development segment of the Channel 7 News. The projects have also been well promoted and shared through social media. City's Facebook post on Eastern Foreshore 'Estuary Pool' reached over 10,139. City's Facebook post on 'Western Foreshore Recreation Precinct' reached 7,687 people.

Stage 2 - City Centre Waterfront Consultation – Concept Proposals - Findings

There is overwhelming support for the City Centre Waterfront Proposals, with over 185 responses being received, with summary being as follows:

- Over 90% Community support for proposals (overall)
- 91% support new privately funded commercial development on Western Foreshore
- 97% support a destination play space on Western Foreshore
- 91% support demolishing existing skate park and building bigger/better skate and recreation precinct
- 92% support a café/kiosk between play space and skate/recreation space on Western Foreshore
- 92% support Eastern Foreshore South Precinct 'Estuary Pool' proposal
- 94% support for the Eastern Foreshore North Precinct Proposal

Key Considerations raised by Community that can be addressed:

Concerns/ Considerations	Response
Eastern Foreshore South Precinct – ‘Estuary pool’	
Impact on existing parking/need for additional parking options	<p>The Eastern Foreshore South proposals included 2 options regarding parking/pedestrian access arrangement. Option 1 proposed removal of 15 angle bays on Mandurah Terrace. Option 2 proposed removal of 8 angle bays. Given some opposition to parking bay removal the proposal could be modified to reduce to loss of bays in this area to a maximum of 5 bays at this time. This would provide a balance between pedestrian access and legibility and parking provision.</p> <p>Amendments to parking in this precinct requires identifying alternative parking options in City Centre within close proximity to activity nodes. This component of the plan is consistent with the City Centre Parking Strategy with regard to embracing an urban form for the City Centre based on walking, cycling and slower vehicle speeds. In the City Centre, parking spaces equates to approximately 350 on street and on site bays within a 2.5 to 3 minute walk to the site and adjoining restaurants.</p> <p>Recent occupancy statistics of the City Centre Parking stations suggest that current parking stations in particular the Mewburn Centre are under-utilised and there is capacity in our existing parking provision to cater for more visitors to the City Centre.</p> <p>The walking experience, signage, lighting and accessibility require improvements to ensure that removal of car bays on Mandurah Terrace is seamless to contribute to an improved City Centre.</p>
Need for more boat parking/mooring infrastructure	Future opportunities for additional floating jetties and mooring areas will be explored south of the bridge on the Eastern Foreshore side and Mandjar Bay (from the north end of the Eastern Foreshore around to Stingray Point).
Swimming/powered boat activity conflict	The City will work with Dept. of Transport (DoT) to re-define gazetted swimming and closed to powered craft areas. DoT will update navigation charts to reflect changes and boat activity is policed accordingly.
Environmental impact of ‘Estuary pool’	<p>The proposed ‘Estuary pool’ is a swimming area defined by a floating jetty structure and would have the equivalent level of impact as other similar jetty infrastructure. There are openings in the structure. It is not a closed walled structure. It has been located in the historical location of the Robert Day memorial pool and will extend from the existing newly constructed curved wall.</p> <p>It can be assumed that there will be minor disturbance to estuarine fauna species during construction of the ‘Estuary Pool’ and floating jetty infrastructure. The environmental impacts will be managed through environmental, design and engineering controls.</p>
‘Estuary pool’ user safety (water currents, water safety, shark barriers)	There are inherent risks in any swimming area and natural swimming areas are subject to changes in conditions and which need to be assessed by users. The swimming conditions currents/tidal changes are similar to what would be experienced in the existing Western Foreshore swimming

Concerns/ Considerations	Response
	<p>enclosure. There are no known reported safety issues from users of this facility.</p> <p>There are no plans to install a net/barrier around the swimming enclosure at this stage. Historically there have not been any reported sharks sited in this location. The capital and maintenance costs and adverse impacts of a barrier are considered high and the safety risks of not having a barrier are considered low.</p> <p>Having a lifeguard present at peak periods and times could be a future consideration.</p>
Eastern Foreshore North Precinct	
Impact on existing parking/need for additional parking options	<p>The carpark/access modification concept for the Eastern Foreshore North proposes a reduction of 4 standard bays (from current quantity) and the addition of a drop-off/pick-up zone. The layout facilitates improved vehicular and pedestrian access.</p> <p>An additional temporary parking area will be developed on the corner of Hackett St and Mandurah Terrace (located within 200m distance of the Eastern Foreshore North car park). This City owned vacant land is currently used informally for parking and will be formalised as a temporary carpark.</p>
Western Foreshore Recreation Precinct	
Function of Western Foreshore Skate Park and 'Stingray' sculptural element	Specialist designers will be engaged to facilitate the design and construct process for the skate and recreation facility with the involvement of community members (in particular local skaters and scooters and BMX riders).
Removal/relocation of Western Foreshore toilet facilities	<p>The existing toilets are proposed for demolition to facilitate construction of the destination level play facility. New toilets are proposed in close proximity to the play area, skate and recreation precinct and bridge as part of the scope of this project.</p> <p>Additional toilets will be required to service the middle to north (War memorial) foreshore area. It is proposed that publically accessible toilets be co-located with built infrastructure as part of the future upgrade of the Commercial lease area/s.</p>
Parking provision	<p>The former existing car park on the Western Foreshore (north of the bridge) was removed post construction of the new bridge. This carpark had 43 bays.</p> <p>Two new parking areas are proposed to service the recreation precinct (total 40 vehicles with additional pick-up/drop-off and bus parking zones.) The carpark on the south side of the bridge has been upgraded and capacity increased from 78 bays to 89 bays. Combined with the existing parking areas to the north of the western foreshore site near the War Memorial and Kings Carnival, the existing and proposed quantity of formal parking bays equates to 232 bays.</p>

Concerns/ Considerations	Response
	The Hall Park reserve area will still have the capacity to cater for over-flow parking as it does currently. If the existing/proposed parking does not adequately cater for the number of users there is capacity within the site to provide additional parking should it be determined necessary.

A detailed report of the verbatim community consultation feedback for the Waterfront proposals can be provided upon request.

The City Centre Waterfront Community Reference Group will be briefed on the findings and feedback from the community consultation at their final meeting scheduled for January 30. The community and relevant stakeholders will also be updated on the project. Opportunities for community members to nominate to be involved in the furthering developing the components and design for the skate and recreation space and play space were advertised through this round of consultation and workshops will be scheduled in March-June of 2019.

Statutory Environment

All relevant approvals will be sought prior to commencing any works.

Discussions have been had with George Walley and Amanda Yates regarding Aboriginal Heritage approval process as the proposed 'Estuary Pool' and jetty infrastructure will disturb the Estuary Bed (Other Heritage Site of ID 32696 Djilba). Approval has previously be granted for works in the area through the Eastern Foreshore Wall Section 18 notice. A variation to the Eastern Foreshore Wall Section 18 Notice will be sought as the proposed works relate to the area of the Eastern Foreshore wall upgrade for which approval has previously been granted.

Indigenous consultation has been undertaken with the Noongar Community and local elders, and has been actively considered when developing the project.

Approvals will be required for any water based infrastructure i.e. floating jetties from Department of Transport and Department of Water and Environmental Regulation. The City does not anticipate that obtaining these approvals will impact delivery of the project.

Policy Implications

The Concept Plans will also require further work, detail and analysis on various elements that involve and include Council policies that cover the following matters:

- Public Art (Installation, Decommissioning and Moving Existing)
- Ensuring that events layouts can be accommodated
- Revised trading permit guidelines to accommodate water based activity and/or land based activity to support proposals on the Western Foreshore.
- Public Parking Management (Signage, Accessibility, Lighting)
- Crime Prevention through Environmental Design which also include Hostile Vehicle mitigation
- Accessibility and Universal Design.

Economic Implications

Cost estimates for each of the project areas, funding source and expenditure time frames are detailed below.

	Cost Estimate (\$ million)	RFR State/ Funding (\$ million)	City/Other funding sources (\$ million)	2019-20 Funding allocation (\$ million)	2020-21 Funding allocation (\$ million)
Western Foreshore Recreation Precinct					
Destination level Skate/rec area	2.5	2.5	0	1.25 (RFR)	1.25 (RFR)
Destination level Play area	2	2	0	0.87 (RFR)	1.13 (RFR)
Surrounds – services, lighting, toilet facilities carparks, path connections, site works general infrastructure, kiosk area, landscaping etc.	3.8	0.63	3.17	0.63 (RFR) 1.27 (CoM/other)	1.9 (CoM/other)
Total on ground works	8.3	5.13	3.17	2.75 (RFR) 1.27 (CoM/other)	2.38 (RFR) 1.9 CoM/other)
Eastern Foreshore South Precinct					
Over-water infrastructure 'Estuary Pool' and jetty upgrades	2.875	2.875	0	2.0 (RFR)	0.875 (RFR)
Land-based upgrades (flexible activity space connecting foreshore and Smart Street Mall)	1.875	1.875	0	0.25 (RFR)	1.625 (RFR)
Total on ground works	4.75	4.75	0	2.25 (RFR)	2.5 (RFR)
Eastern Foreshore Boardwalk North					
'Visitor's Welcome hub', carpark modifications, public amenity upgrades Alfresco area upgrades)	1.35	0	1.35	0	1.35 (CoM/other)
2-3 'Place pods' Eastern Foreshore/Western Foreshore					
'Pop-up' fitted-out containers for short-term hire to showcase creative economy initiatives)	0.12	0.12	0	0	0.12 (RFR)
Smart Street Mall					
Complete Street upgrade	2.50	0	2.5	1.5 (CoM/other)	1 (CoM/other)
TOTAL	17.02	10	7.02	5.0 (RFR) 2.77 (CoM/other) 7.9 TOTAL	5.0 (RFR) 4.25 (CoM/other) 9.12 TOTAL

A business case has been prepared and submitted to Department of Primary Industries and Regional Development (DPIRD) for approval for the proposed expenditure of the \$10 million election commitment (Royalties for Regions) funding. This funding will be allocated to the development of the Western Foreshore Recreation Precinct (Destination level skate, play and public recreation facilities) and Eastern Foreshore South Precinct (Estuary Pool and adjacent land activity space).

The City has applied for part funding of this project through the 'Building Better Regions Fund – Infrastructure Projects Stream' of \$7,000,000. If this funding application is successful it will contribute to delivering the rest of the stage of the City Centre Waterfront upgrades including Eastern Foreshore North and Smart Street upgrade. If it is not successful the City will continue to seek opportunities to fund the project. The concept plans and proposals prepared and prioritised for funding from 2019-21 form part of bigger picture upgrades to the Eastern, Western Foreshore and City waterfront spaces. Further funding to continue the redevelopment and upgrades to these areas will be sought in the future.

It is proposed that \$400,000 will be allocated through the budget review process in order to be able to engage consultants and progress with investigation, planning, design and approvals required to be able to commence on ground delivery of the project when the Royalties for Regions funding is made available commencing next financial year (2019-20).

Council is requested to allocate \$1.27 million towards upgrades of the Western Foreshore in the 2019-2020 Capital Budget.

Risk Analysis

Delivery of the works associated with the Concept Plans are significant and will shape the future of the City Centre for a significant period. Details project plans will be required to manage timeframes and funding arrangements, engagement of consultants with require Risk Management Plans to be prepared and detailed.

Strategic Implications

The following strategies from the *City of Mandurah Strategic Community Plan 2017 – 2037* is/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.

Social:

- Help build our community's confidence in Mandurah as a safe and secure City
- 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.

Economic:

- Develop a strong and sustainable tourism industry

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

Identity:

- Encourage active community participation and engagement

- Embrace Mandurah's identity as a multicultural community
- Promote Mandurah's identity as a unique regional city, based on its waterways, history and future vision.
- Become known as a city and destination for events, arts, heritage and culture

Organisational Excellence:

- Demonstrate regional leadership and advocacy
- Listen to and engage with our community
- Ensure the City has the capacity and capability to deliver appropriate services and facilities

Conclusion

The priority areas for the City Centre Waterfront upgrade and draft concepts proposals were presented to Council in October 2018. Council at its meeting of 23 October 2018 resolved to adopt the Waterfront (Eastern and Western Foreshore) Concept Plans for advertising and adopt advertising three options for the Upgrade of Smart Street.

Based on the support received for the Waterfront proposals, Council is requested to endorse the Concept plans prepared for:

- Western Foreshore Recreation Precinct – LAN360-CO-01/A & LAN358-CO-02/A (dated September 2018).
- Eastern Foreshore South Precinct - LAND358-CO-01/A & LAN358-CO-01/A(dated August 2018)
- Eastern Foreshore North Precinct - LAN360-CO-01/A (dated September 2018)

The concept plans will inform the progression of the project into detail design and construction.

NOTE:

- Refer **Attachment 1** *City Centre Waterfront Project 2018-21 Upgrade Focus Areas*
Attachment 2 *Western Foreshore Site Context, Place Planning and Infrastructure*
Attachment 3 *Western Foreshore Recreation Precinct Concept Plan*
Attachment 4 *Eastern Foreshore South – Context, Place Planning and Infrastructure*
Attachment 5 *Eastern Foreshore South – Iconic Waterfront Concept Plan*
Attachment 6 *Eastern Foreshore North – Concept Plan*

RECOMMENDATION

That Council:

1. **Adopts the following Concept Plans for the Mandurah City Centre Waterfront Precincts as the basis of proceeding with detail design and construction documentation:**
 - 1.1 **Western Foreshore Recreation – LAN360-CO-01/A & LAN358-CO-02/A (dated September 2018)**
 - 1.2 **Eastern Foreshore Iconic Waterfront – LAND358-CO-01/A & LAN358-CO-01/A (dated August 2018)**
 - 1.3 **Eastern Foreshore North Boardwalk Precinct – LAN360-CO-01/A (dated September 2018)**
2. **Notes the inclusion of \$400,000 in budget review process in order to be able to engage consultants and progress with investigation, planning, design and approvals required to be able to commence on ground delivery of the project when the Royalties for Regions funding is made available commencing next financial year (2019-2020).**

- 3. Acknowledges that \$1.5 million is likely to be required in the 2019-2020 capital program for the Stage 1 upgrade of Smart Street.**
- 4. Acknowledges that \$1.27 million is likely to be required in the 2019-2020 capital program to contribute to the construction of the Western Foreshore Recreation Precinct.**





LEGEND

- Mixed-use Cultural / Commercial /
- Public Recreation Space Planning

Existing Commercial Leases expire 2021

Future opportunities and locations for mixed use Cultural/Commercial Developments to be explored including;

- Land based and over-water development and activities
- Cultural/ Arts/ Heritage attractions
- Leisure Amusements and Activities
- Food/ Drink /Retail outlets

Future Foreshore developments to incorporate;

- High quality architectural design that takes advantage of waterfront location
- Public toilet facilities
- Public pedestrian access and spaces
- View corridors to water between built form



Water Edge and Over-water Infrastructure Planning

- Foreshore edge treatments to maintain natural beach edge and protect against erosion and inundation
- Water based activities/facilities including upgrades to existing enclosed swimming area, pontoons, slides
- Opportunities to develop over water including commercial/public boat access and mooring



Temporary/Pop-up Activation Opportunities

- Events/ Activities/ Amusements
- Food trucks/ Markets
- Community and Charity events
- Sport and Recreation events
- Performances/ Concerts



Water-based Activity Trading Opportunities

Potential locations for water-based activities and equipment hire

2019-2021 Main Land Infrastructure Proposals

- Foreshore shared path (replace existing, minimum 15m set-back from waters edge) with foreshore protection treatments
- Destination Play Space (and adjacent picnic / BBQ facilities)
- Cafe/ Kiosk Opportunity ('Pop-up' Sea Container Style)
- Accessible Toilet Facilities
- Destination Skate and Recreation Space
- Additional Parking Areas - with drop-off / pick-up and bus bays
- Circuit shared use path (controlled vehicle access only)

WESTERN FORESHORE RECREATION PRECINCT

LEGEND

1. Open Grass Area

- Flexible event and activity space
- Retain existing Disc Golf and provide additional sport fixtures e.g. AFL, soccer/football goals and fitness equipment

2. Shared Circuit Path

- 3.5m wide asphalt, kerbed shared path provides shared pedestrian/cyclist use and controlled service vehicle access

3. Enclosed Play Space

- Fully fenced/ enclosed with gated entries/exits
- Proposed equipment - double cable-way, variety of swings, climbing elements, slides, nature play, and sand/water-play equipment
- Advanced tree planting and built shade canopies
- Shelters with tables/seating and BBQs

4. Adventure Climbing Play Space

- Colony of 5-10m high rope/net climbing towers and viewing platforms/cubbies with slides
- Climbing totems re-using salvaged Old Bridge timber pillars
- Advanced tree planting

5. Foreshore Area

- Path setback from water's edge (minimum 15m, existing path removed)
- Existing sandy beach area and She-oaks retained, grass areas enhanced
- Foreshore protected against erosion and sea-level rise

6. Shaded Gathering Space

- Shelters with tables/seating and BBQs
- Space and power/water provision for pop-up facility e.g. Container cafe/kiosk

7. Toilets

- Existing toilets removed (from proposed playground area) and new toilet facilities built in new location with proximity to fishing platforms, play space and recreation facilities

8. Skate Space

- Existing skate park removed
- Sculptural *Bamba* (Stingray) form skate/bmx/scooter element. Wing forms half-pipe, provides shade and separates skill levels and plaza skate area

9. Skate Bowl

- International competition standard skate bowl with adjacent seating/viewing and 'hangout' areas
- Positioned to enable overhead viewing from Bridge pedestrian platform

10. Sport and Fitness

- Basketball court or other sports/fitness equipment
- Adjacent seating and hang-out space with shade shelters

11. Parking

- New parking area with pick-up/drop-off and bus bays

12. Flexible Open Grass Space

- Flexible event and activity space
- Future lease area opportunity for mixed use cultural/commercial development





LEGEND

 **Temporary/‘Pop-up’ Activation Opportunities**

- Events/ Activities/ Amusements
- Food trucks/ Markets
- Community events
- Performances/ Concerts
- Temporary closure of Mandurah Tce to traffic to use street for events/activities

 **Water-based Activity Trading Opportunities**

Potential locations for water-based recreation, water transport and tourist activities

 **‘Place Pod’ Potential Location**

Flexible, Interactive, multi-purpose space usable by community and small business to showcase creative economy in the City Centre

 **Improved Pedestrian Connectivity**

Pedestrians prioritised with improved access and connections north-south along Mandurah Tce and between the Foreshore and Smart Street

Jetty Upgrades

- Existing Government Jetty upgraded with additional floating fingers and berths with small built structure (ticketing/sales)
- Commercial opportunities for water-based recreation, water transport and tourist activities



DRAFT CITY CENTRE WATERFRONT - EASTERN FORESHORE SOUTH PRECINCT

LAN0358-CO-01/A - Eastern Foreshore South Precinct - Site context , Place Planning and Infrastructure Focus

October 2018

Key Proposals

1. Estuary Pool

- Iconic, circular enclosed swimming area in location of the Robert Day Memorial Pool historic site
- Floating structure, stepped and ramped access to water and 5m wide platform for walking around, sitting and viewing
- Day-time swimming and water fun. Night time event and performances.

2. Water Fun Activities

- Floating pontoons with jumping platform and multiple slides

3. Beach Area

- Existing sandy beach area extended with modification to existing groyne
- Ramp access to beach added adjacent to existing wall

4. Decked Area

- Decked area in shade of existing trees with integrated seating

5. 'The Net' Gathering Space

- Flexible paved space with adjacent grass area programmable for a range of events and activities
- Surrounded lights to be mounted on multi-function poles with power outlets

6. Significant Trees Protection

- Existing Significant Norfolks and Fig Trees protected in generous mulch areas with low perimeter fencing

7. Parking modifications and Pedestrian access

- Parking bays removed and angle parking changed to parallel bays to provide better pedestrian access and connection north/south along Mandurah Tce and reduced paving around significant trees

8. Welcome/Way-finding Totems

- Sculptural signage elements at key entry points to space providing welcome information, way-finding/directional information and mapping.
- Opportunity to incorporate Dual language and audio 'Welcome to Country'

9. City Centre Connection

- Remove physical barriers and parking and improve pedestrian access and flow between foreshore and Smart Street
- Introduce new paving treatments and feature overhead catenary lighting / sculptural element

10. Bike parking

11. Jetty Upgrades

- Existing Government Jetty upgraded with additional floating fingers and births with small built structure (ticketing/sales)
- Commercial opportunities for water-based recreation, water transport and tourist activities



DRAFT CITY CENTRE WATERFRONT - EASTERN FORESHORE SOUTH PRECINCT - ICONIC WATERFRONT



Key Land Infrastructure Proposals

1. Focal activity node - grass area, small stage, shade canopy over, perforated screen to carpark/bin store
2. Way-finding / signage totems - welcome information/maps, dual language, audio 'Welcome to Country'
3. Increased alfresco areas - defined by garden beds (seasonal native wildflower planting), with integrated seating and feature lighting
4. Existing bin store upgraded
5. Drop-off/pick-up and service vehicle bay
6. Widened pedestrian paths and upgrades to 'Dome' frontage and access. Opportunity for 'Alfresco' area.

7. Potential location for 'Photo Opportunity' Artwork location with view to water/Stingray Point Fig tree. City to work with businesses to enhance building facades and spaces between buildings
8. Bike and Stand-up Paddle Board (SUP) Parking
9. Carpark reconfigured with access off Cooper Street roundabout
10. Wide pedestrian paved areas connect Boardwalk and Foreshore
11. Public alfresco area with range of various sized table and chair settings
13. Stepped/terraced access to water with planting
14. Existing ramp access to water to be upgraded



Temporary/'Pop-up' Activation Opportunities

Small Events/ Activities/ Busking



Water-based Activity Trading Opportunities

Passive water based activity / temporary set-up (no fixed infrastructure) e.g. Stand Up Paddle Board (SUP) hire



'Place Pod' Potential Location

Flexible, interactive, multi-purpose space usable by community and small business to showcase creative economy in the City Centre



Opportunity to Increase Alfresco Dining Areas



DRAFT CITY CENTRE WATERFRONT - EASTERN FORESHORE NORTH BOARDWALK PRECINCT

LAN0360-CO-01/A Concept Plan

October 2018



5	SUBJECT:	Amendment 137 to Town Planning Scheme No. 3 – Rezoning of Lot 21 Southern Estuary Road Herron from 'Rural' to 'Rural Residential' – Revised Subdivision Guide Plan for EPA's Consideration
	CONTACT OFFICER/S:	Ben Dreckow
	AUTHOR:	Ann Harrop
	FILE NO:	Amendment 137

Summary

In July 2017, Council initiated Amendment No. 137 to Town Planning Scheme No. 3 for the purposes of rezoning Lot 21 Southern Estuary Road and Part Lot 7 Dunkeld Drive, Herron from 'Rural' to 'Rural Residential', following an s76 order from the Minister for Planning. In accordance with the requirements of the Planning and Development Act 2015, the amendment was then forwarded to the Environmental Protection Authority for assessment.

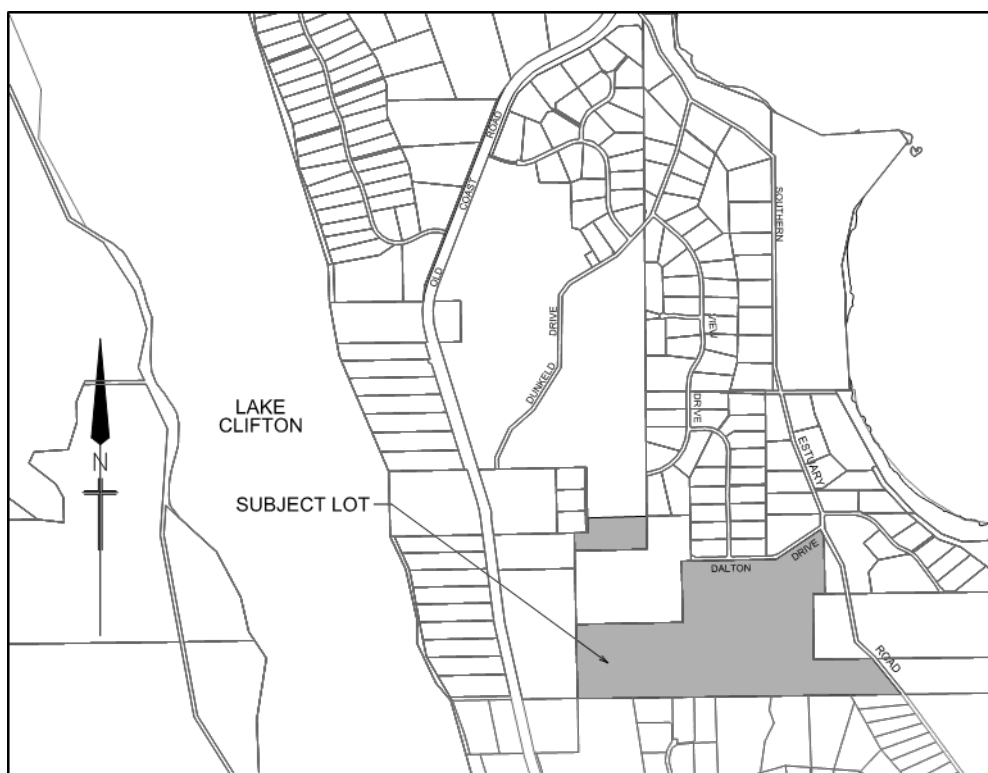
In April 2018, the City received a Notice of Intent from the EPA advising that the EPA is inclined to determine that Amendment No. 137 is, by its nature, incapable of being made environmentally acceptable. This is due to the potential impact of the proposal on remnant vegetation, fauna and the nearby Lake Clifton and Estuary. In order to address the concerns raised by the EPA, the applicants have submitted a revised subdivision guide plan which proposes a 16 lot cluster style subdivision and the creation of a 52ha conservation parcel to be ceded free of cost.

In order for the amendment to proceed, and enable the EPA's assessment of the revised subdivision guide plan, Council's in principle support for the revised subdivision guide plan is required.

Disclosure of Interest

Nil

Location



Property Details:	Lot 21 Southern Estuary Road and Pt. Lot 7 Dunkeld Drive, Herron
Applicant:	Rowe Group
Owner:	A Angelkov
Scheme No 3 Zoning:	Rural
Peel Region Scheme Zoning:	Rural
Lot Size:	94.3 hectares and 7 hectares
Topography:	Undulating
Land Use:	Rural

Previous Relevant Documentation

- G.7/7/17 11 July 2017 Council resolved to initiate Amendment No. 137 to Town Planning Scheme No. 3 for the purposes of rezoning Lot 21 Southern Estuary Road and part Lot 7 Dunkeld Drive, Herron from Rural to Rural Residential, in order to comply with a direction given by the Minister for Planning.
- G.21/07/16 12 July 2016 Council resolved not to support a proposal to rezone Lot 21 Southern Estuary Road and part Lot 7 Dunkeld Drive, Herron from Rural to Rural Residential.

Background

The City first received correspondence requesting that Council initiate an amendment to Town Planning Scheme No. 3, to rezone Lot 21 Southern Estuary Road and Pt. Lot 7 Dunkeld Drive from the 'Rural' zone to the 'Rural Residential' zone, in March 2016. A subdivision guide plan was submitted as part of the amendment and proposed the creation of 16 lots ranging in size from 6.0 to 6.7ha.

Prior to Council's consideration of the Amendment, the applicant was advised that the following additional information was required to be provided prior to the matter being considered by Council:

- A revised Bushfire Management Plan (BMP) demonstrating compliance with State Planning Policy 3.7 – Planning in Bushfire Prone Areas (WAPC 2015), including a revised Bushfire Hazard Level assessment and a Bushfire Attack Level Contour Map for the development. This request was based on comments received by the Department of Fire and Emergency Services (DFES) regarding the BMP submitted with the amendment request, who had advised that the BMP lacked sufficient detail to demonstrate how the bushfire protection criteria have been addressed.
- A modified Black Cockatoo report addressing the inclusion of Pt Lot 7 Dunkeld Drive in the assessment and acknowledging the presence of western ringtail possum on the lots and the impact of development on their habitat.
- The proposal being referred to the (federal) Department of Environment for assessment under the Environmental Protection and Biodiversity Conservation Act. This request was based on the potential for the development of the site to impact on Floristic Community Type (FT) 26a, a listed Threatened Ecological Community, and the suitable feeding habit of the federally listed Black Cockatoos (Baudin's Black Cockatoo, Carnaby's Black Cockatoo and Forest Red-tailed Black Cockatoo). It was noted that the site had not been identified within the Rural Residential Class of Action within the draft Perth and Peel Green Growth Plan for 3.5 million (Green Growth Plan).

Subject to the above information being received, the applicant was advised that support may be provided that allows future subdivision of the lots resulting in a minimum lot size of 10ha.

This would be achieved by including specific requirements regarding the subject land within Appendix 4 of Scheme 3. The 10ha minimum lot size requirement was recommended based on the Southern Mandurah Rural Structure Plan which was adopted by Council in March 2015.

Notwithstanding the above, the applicant's requested that Council consider the Amendment in its submitted form, without the provision of additional information. Council considered the matter at its meeting on 12 July 2016 where the following was resolved:

"That the proposed Scheme Amendment of Lot 21 Southern Estuary Road and part lot 7 Dunkeld Drive, Herron from Rural to Rural Residential not be supported for the following reasons:

1. *The proposal does not adequately address State Planning Policy 3.7 Planning in Bushfire Prone Areas and associated Guidelines for Planning in Bushfire Prone Areas as outlined by the Department of Fire and Emergency Services.*
2. *The proposal does not adequately address the provisions of State Planning Policy 2.5 Land Use Planning in Rural Areas and draft State Planning Policy 2.5 Rural Planning Policy with regard to proposals for rural living proposals which include but are not limited:*
 - 2.1 *The potential subdivision and development arising from an outcome of the land being rezoned,*
 - 2.2 *development requirements, such as suitable lot sizes are not being included in the local planning scheme.*
 - 2.3 *The land is not predominantly cleared; and*
 - 2.4 *Based on the details provided to date, the loss of remnant vegetation through clearing for building envelopes, bushfire protection and fencing results in environmental values being compromised.*
3. *The proposal does not appear to be consistent with the South Metropolitan Peel Sub-Regional Planning Framework as the site is shown as Rural and that new rural residential lots/areas beyond those identified in the framework are unlikely to be supported.*

Following Council's resolution, the applicant made representation to the Minister for Planning seeking a review of Council's decision not to support the rezoning of the subject land to Rural Residential, under s76 of the Planning and Development Act 2005.

Following this representation, the Minister determined that Council failed to adopt an amendment to a local planning scheme where an amendment ought to be adopted, and directed the City to initiate the amendment. Within the order, the Minister noted that the direction for Council to initiate the amendment did not represent formal support for the proposal, but rather that the amendment was worthy of further consideration.

Council formally initiated the amendment at its meeting of 11 July 2017 and the amendment was subsequently forwarded to the EPA for assessment under the provisions of the Planning and Development Act 2015.

In April 2018, the City received a Notice of Intent from the EPA advising that the EPA is inclined to determine that Amendment No. 137 is by its nature incapable of being made environmentally acceptable. The reasons for this included:

- The area contains confirmed foraging habitat and potential breeding habitat for three species of back cockatoo.
- The south-east corner of Lot 21 contains habitat potentially suitable for Western Ringtail possums which are known to be present on a lot immediately to the east of the amendment area.

- The area provides an ecological linkage for terrestrial fauna, both at regional and local levels. The South-West Regional Linkages Report identifies a regional ecological linkage which traverses Lot 21 in a north south direction. At a local level, the lot provides an east west linkage for fauna between Lake Clifton and the Harvey Estuary.
- Approximately 20-25 ha of land is expected to be cleared as a result of the amendment which will result in the fragmentation of vegetation.
- Vegetation units within the subject area are consistent with the Commonwealth listed Threatened Ecological Community (TEC) Banksia woodlands and the proposed TEC Tuart woodlands of the Swan Coastal Plain. Lot 21 also contains approximately 1.5 of the TEC – FCT26a *Melaleuca huegelli* – *Melaleuca systema* shrublands.
- There is no reticulated water supply to the amendment area. Rural residential development increases the risk of extraction of groundwater. The amendment area is located approximately 800 metres Lake Clifton and with the lakes catchment. Lake Clifton is a RAMSAR wetland and highly sensitive to decreasing groundwater inflows.

In response to the Notice of Intent, the applicants have been working on a modified subdivision guide plan to address the EPA's concerns. A copy of the revised Subdivision Concept Plan has been included as **Attachment 1**. The applicants are seeking Council support for the revised subdivision guide plan in order to formally respond to the EPA.

Comment

As Council is the authority responsible for Town Planning Scheme No. 3, any further information as requested by the EPA or modifications proposed to the amendment, must come through Council. Officers have confirmed with the Department of Planning, Lands and Heritage, that the City has met its obligations under the s76 Ministerial order to initiate Amendment No. 137, and is not obligated to support any proposed modifications to the amendment. Council's support for the revised subdivision guide plan is therefore required for the amendment to proceed.

If Council resolves not to support the revised subdivision guide plan, no further information will be forwarded to the EPA, and the EPA would act on the Notice of Intent to deem the amendment incapable of being made environmentally acceptable. This would halt the progress of Amendment No. 137 and would require a new amendment to be initiated should the applicants wish to proceed.

Summary

The revised Subdivision Guide Plan proposes a cluster style subdivision with 16 lots ranging in size from 2.0ha to 3.6ha, with a 52ha parcel of land proposed to be ceded free of cost as an Environmental Conservation Corridor. A revised bushfire subdivision design assessment and additional supporting environmental information have also been provided.

In summary the applicant has advised that the subdivision concept plan, along with proposed scheme provisions:

- Results in a high degree of preservation of habitat trees to minimise impact on Black Cockatoos
- Preserves the occurrence of the *Melaleuca huegelli* – *Melaleuca systema* shrublands TEC in the south western corner.
- Proposes the creation of a conservation parcel including a significant east west and north south conservation corridor, to be ceded free of charge to a management body.
- Will require building envelopes and Asset Protection zones to be located in areas that are responsive to tree locations where possible.
- Will not locate building envelopes in areas of *Agonis flexuosa*, the potential Western Ringtail Possum habitat.
- Will require fencing that is of a style which will allow fauna movement

Planning Framework

Lot 21 Southern Estuary Road has been identified as having potential for further subdivision under a number of different plans and strategies adopted by Council. These include the:

- *Southern Rural Structure Plan 2015*

The Southern Rural Structure Plan was prepared by the City and adopted by Council in March 2015. The plan was prepared, following extensive consultation, with the aim of:

- Updating land-use and subdivision provisions with the aim of increasing protection to Lake Clifton and the Harvey Estuary, and replacing the Coastal and Lakelands Planning Strategy as the statutory planning control for new subdivision lot sizes and Council's Lake Clifton/Herron Structure Plan as a guide to new subdivision layouts.
- Vegetation protection (linking with the Biodiversity Strategy) balanced with ensuring Council meets its obligations for bushfire management for privately owned land.

Under this Structure Plan, Lot 21 Southern Estuary Road was identified as a combination of 'Rural Smallholdings' (minimum 10ha) and 'Rural Residential' (minimum 5ha) which would enable the subdivision of the site into 11 lots.

Whilst adopted by Council, the Southern Rural Structure Plan was not approved by the WAPC due to the introduction of the Planning and Development (Local Planning Schemes) Regulations 2015, which did not provide for the making of structure plan over rural land. As a result, the Structure Plan is considered to be a strategic document adopted by the Council and has been used to inform the draft Local Planning Scheme No. 12.

- *Draft Local Planning Scheme No. 12*

Local Planning Scheme No. 12 was adopted by Council on the 24 January 2017 and endorsed by the WAPC in September 2018 for the purposes of advertising. The proposed Scheme is currently with the EPA undergoing environmental assessment.

Draft Scheme 12 zones the subject property a combination of 'Rural Smallholding' and 'Rural Residential' in line with the zones proposed by the Southern Rural Structure Plan. The EPA has however provided initial advice that the retention of the 'Rural' zone over this site is preferred until the outcome of Amendment No. 137 is known.

The 16 lots proposed to be created under the revised subdivision guide plan is an additional 5 lots to what would have been permitted under the Southern Rural Structure Plan, however the clustering of the lots in the north east portion of the lot does present some benefits over a standard 11 lot subdivision, primarily through the creation of a 52ha conservation lot.

Conservation Lot

In order to address the concerns of the EPA, the applicant has sought to create a 52ha conservation parcel that achieves preservation of the north south regional ecological linkage as identified in the South West Regional Ecological Linkages report and the east west local linkage between Lake Clifton and the Harvey Estuary. The conservation parcel also preserves the occurrence of the *Melaleuca huegelli* – *Melaleuca systena* shrublands on limestone ridges TEC in the south western corner and the majority of Priority 1 Black Cockatoo habitat trees.

The applicant has been in discussion with the Department of Biodiversity, Conservation and Attractions (DBCA) with respect to DBCA adding the conservation lot to its conservation estate landholdings. Alternatively, the landowner is willing to cede the parcel to the City free of cost.

Whilst the owner is willing to cede the land free of cost, consideration must be given to the rehabilitation and ongoing management of the site. The irregular shape of the conservation parcel does pose potential management issues with the long narrow corridors increasing the potential for edge effects due to the increased perimeter to area ratio, creating increased opportunities for weed and pest invasion. In addition, a large portion of the conservation parcel has been parkland cleared and is in a degraded condition which will require rehabilitation.

However, the ceding and then management of the lot would be consistent with Council's bushland purchase program with regard to the vegetation and habitat value, and the linkages provided in a north-south and east-west alignment as mentioned. It would appear at this stage, that concept of the City potentially having management of this land is worthy of consideration.

Planning for Bushfire

The submitted Bushfire Subdivision Design Assessment assesses the proposed subdivision guide plan against SPP 3.7 – Planning for Bushfire Protection and the associated guidelines. The subject land has been declared as bushfire prone with a bushfire hazard level rating of 'extreme' determined across the majority of the site. The assessment demonstrates an ability to comply with SPP 3.7 through the use of asset protection zones, to ensure dwellings can be located in an area that is subject to a BAL rating of BAL-29.

The applicants have advised that building envelopes and asset protection zones would be located to avoid significant habitat trees and vegetation, however it is likely that a minimum of 4000m² per lot would be required to be parkland cleared to achieve a BAL rating of BAL-29. This is in addition to the requirement for a 4m wide firebreak around individual properties. Clearing can be minimised through the appropriate siting of envelopes in more degraded areas, reducing the size of building envelopes to reduce the spread of buildings, and requiring buildings to be located central to the building envelope, however the creation of 16 lots is likely to result in substantial clearing, which will require assessment by the EPA.

Scheme Provisions

Under the Regulations, subdivision guide plans have no formal status. Therefore, should the revised subdivision guide plan be supported, the inclusion of special provisions relating to the development of the site would be required within Appendix No. 4 of the Scheme, to ensure that subdivision occurs in a manner consistent with the plan. The applicant has advised that special provisions could address the following matters:

- Minimum lot size
- Maximum allowable building envelope
- Requirement for ATU's or other alternative system/s
- Fauna-friendly fencing; and
- Groundwater extraction

In addition to these matters, the type and form of subdivision, the requirement for a conservation parcel and bushfire management measures would need to be addressed through the scheme.

Should Council be supportive of the revised subdivision guide plan, the EPA would examine the proposal, and if considered to be environmentally acceptable, would work with the City to determine the necessary protections required through the scheme.

Any modifications to Amendment No. 137 through the inclusion of scheme provisions, would then be required to be considered and formally adopted by Council.

MEAG Comment

This item was considered by the Mandurah Environmental Advisory Group at its meeting on 23 November 2018 and the following recommendations were made:

MEAG do not support the Proposed Subdivision Guide Plan and Proposed Rezoning of Lot 21 Southern Estuary Road and Pt Lot 7 Dunkeld Road, Herron from Rural to Rural Residential, for the following reasons:

- a) A RAMSAR protected wetland is situated 800m nearby. Due to the proximity of this wetland, there are issues such as:
- Loss of ecological and cultural values associated with the RAMSAR listed wetland
 - Loss of significant ecosystem services
- b) This plan fails to address:
- Domestic pets which will impact the three species of black cockatoo and the local Western Ringtail possums.
 - The vegetation units within the subject area which are consistent with the Commonwealth listed Threatened Ecological Community (TEC) Banksia woodlands and the proposed TEC Tuart woodlands of the Swan Coastal Plain.
 - This needs to be protected from “accidental clearing”. A large bond should be paid and all works to require a CoM officer to be on site, at the developer’s expense.
 - That there is no reticulated water supply to the amendment area - increasing the risk of extraction of groundwater.
 - The amendment area is located approximately 800 metres from Lake Clifton and within the lakes catchment. Lake Clifton is a RAMSAR wetland and highly sensitive to decreasing groundwater inflows.
- c) Should the development move forward, the above will be implicated by:
- Wetland degradation due to the introduction of exotic species (weed, fauna and domestic animals).
 - Changes to the natural water flow (e.g. hard surface, abstraction).
 - Disturbance to acid sulphate soils (if present)
- d) The state planning policy 2.5, section 4(d) states that:
- “landuse should protect and improve the environmental landscape assets ...”
- e) Clearing will threaten the occurrence of the *Melaleuca huegelli* – *Melaleuca systema* shrublands TEC in the south western corner, and *Agonis flexuosa*.

Officer Comment:

The revised subdivision guide plan has sought to minimise the impact on key environmental assets through the creation of a cluster style subdivision. It is recognised however, that the creation of 16 additional lots in an environmental sensitive area will still result in substantial impacts to the natural environment.

The site has been identified as having the potential for rural residential development under numerous strategic documents and is zoned a combination of ‘Rural Residential’ and ‘Rural Smallholding’ under draft Local Planning Scheme No. 12.

The EPA has advised that the standard 16 lot subdivision covering the whole of the site is unlikely to be deemed ‘environmental acceptable’, and the applicants have proposed the cluster style subdivision as an alternative. Should Council support the revised subdivision guide plan, the proposal will still require assessment by the EPA to determine whether or not the amendment could be made environmentally acceptable. The amendment will not proceed unless the EPA deems the proposal environmentally acceptable.

Whilst MEAG’s concerns are valid and noted, it is recommended that ‘in principle’ support be given for the revised subdivision guide plan in order to allow for assessment by the EPA.

Statutory Environment

The process for amending a local planning scheme is governed by the Planning and Development (Local Planning Schemes) Regulations 2015 and the Planning and Development Act 2005. Under the Regulations, Amendment No. 137 is classified as a 'complex' amendment, as the amendment was made to comply with an order made by the Minister under Section 76 of the Act.

Council has previously resolved to initiate Amendment No. 137 and in accordance with the s81 of the Planning and Development Act 2005 the amendment has been referred to the Environmental Protection Agency for assessment. In order for the amendment to proceed, the EPA must either determine the amendment is not required to be assessed, or require a formal environmental assessment.

Should the EPA determine the amendment can be made environmentally acceptable, the amendment will be required to be publicly advertised for a period of not less than 60 days?

During this period the proposal would be referred relevant authorities including the Department of Fire and Emergency Services and the Department of Biodiversity, Conservation and Attractions (formally Department of Parks and Wildlife) for formal comment.

Following the conclusion of the consultation period, Council would again have an opportunity to consider the proposed amendment where it can resolve to:

- Support the amendment without modification
- Support the amendment with modifications to address outstanding issues; or
- Not support the amendment

Policy Implications

The Southern Mandurah Rural Structure Plan was adopted by Council in March 2015 following an extensive consultation period. This plan identifies the subject land as a combination of 'Rural Residential' (10ha minimum) and 'Rural Residential' (5ha minimum).

It is recognised that this Structure Plan, whilst adopted by Council in March 2015, has not been approved by the WAPC. However, this was based on changes made to the *Planning and Development (Local Planning Schemes) Regulations 2015* and the form and function of structure plans, rather than the planning merits of the plan.

As a result, the Structure Plan is considered to be a strategic document adopted by the Council and has been used to inform the draft Local Planning Scheme No. 12 which was adopted by Council in January 2017, and will be utilised as a guiding local strategy when considering rezoning proposals such as Amendment No. 137.

Economic Implications

The revised subdivision guide plan proposes the ceding of a 52ha conservation parcel free of cost to an appropriate management body.

The applicants have been in discussion with the Department of Biodiversity, Conservation and Attractions regarding this parcel, however have also indicated the potential for the 52ha parcel to be ceded to the City.

The City has previously purchased an adjacent parcel of land (Lot 101 Old Coast Road) through its bush buy back scheme which, together with the proposed conservation parcel, would create a significant east west linkage under City management.

Whilst the applicant has proposed to offer the conservation parcel free of cost, the rehabilitation and ongoing management of the site would result in increased expenditure by the City.

Risk Analysis

The subject site has significant environmental values and is located within an area of extreme bushfire hazard. Support for the revised subdivision guide plan will enable Amendment No. 137 to proceed which, if granted final approval, will result in the creation of an additional 16 lots. This is likely to result in substantial impacts on the natural environment, including potential impacts on State and Federal listed fauna and flora, and will increase the number of lots within a bushfire prone area.

The applicant has sought to minimise these impacts through a cluster style subdivision proposal, and should Council support the revised subdivision guide plan, the amendment will still require approval from the Environmental Protection Authority (EPA) prior to amendment progressing.

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
- Increase our scientific understanding and knowledge of the marine and estuarine environment
- 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.

Conclusion

Whilst the revised subdivision guide plan proposes an additional 5 lots over the 11 lots which could have potentially been approved under the Council endorsed Southern Rural Structure plan, the clustering of the lots in the north east of the site and the creation of a 52 ha conservation parcel has merit over a standard rural residential subdivision.

Council's in principle support for the revised subdivision guide plan will enable the EPA to undertake an environmental assessment of the proposal to determine whether this form of development would be capable of being made environmentally acceptable. Should the EPA consider the proposal environmentally acceptable, Council will again have an opportunity to assess the merits of the proposal following the public submission period, at which time Council may resolve to support, support with modifications or not support the amendment prior to forwarding the document to the WAPC for consideration.

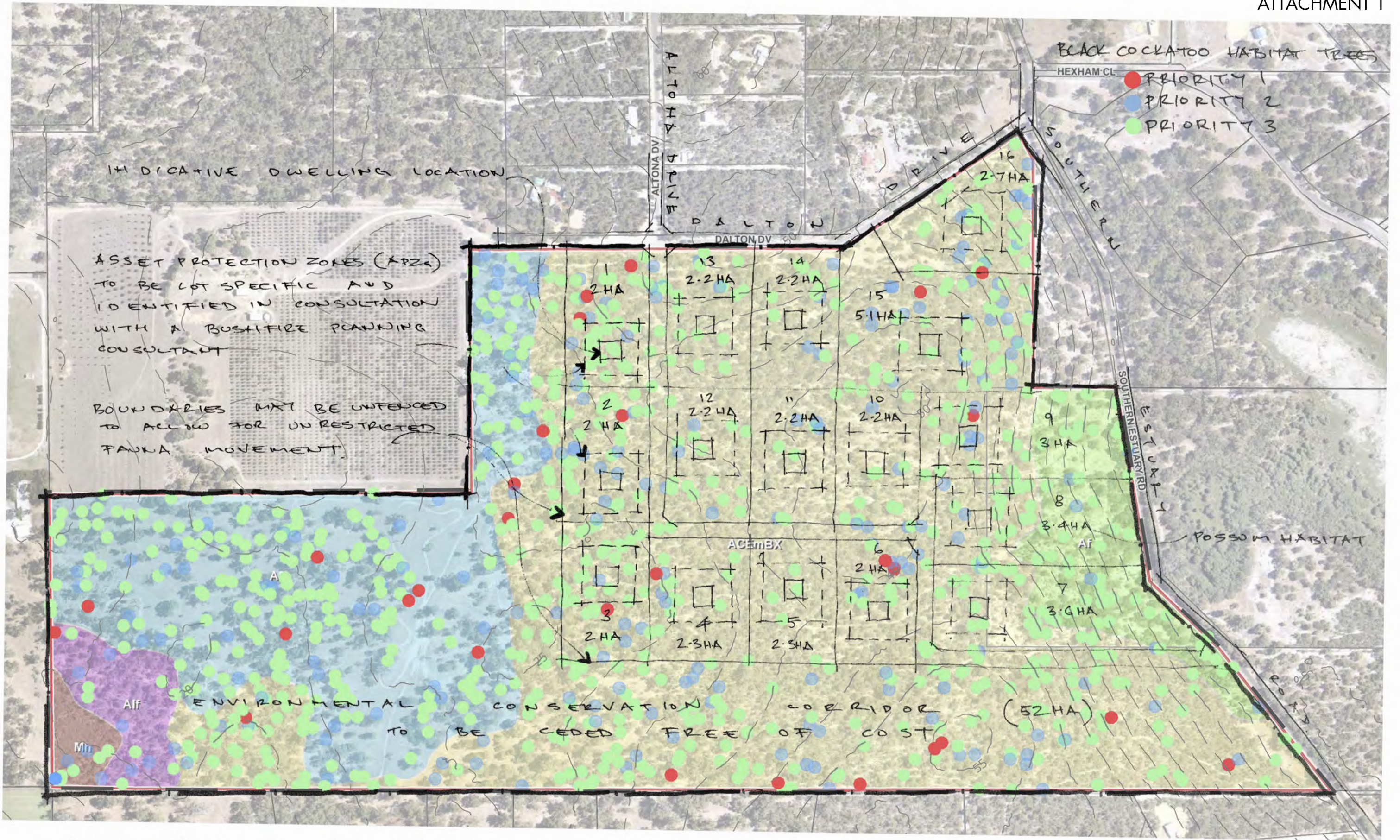
It is therefore recommended that the revised subdivision guide plan be supported in principle in order to allow the plan to be forwarded to the EPA for environmental assessment.

NOTE:

- Refer **Attachment 1 Subdivision Guide Plan**

RECOMMENDATION

That Council supports 'in principle' the revised subdivision guide plan for the purposes of forwarding the plan to the Environmental Protection Authority for assessment in response to its Notice of Intent dated 17 April 2018 in regard to Amendment 135 to Town Planning Scheme No 3.



SUBDIVISION CONCEPT B

LOTS 21 & 100 SOUTHERN ESTUARY ROAD
HERRON



1:5000
#7055

6	SUBJECT:	Lease: Mandurah Croquet & Recreation Club Inc. Portion of Lot 202 (70) Thomson Street Mandurah
	CONTACT OFFICER/S:	Ben Dreckow
	AUTHOR:	Lesley Petchell/Rachelle Love

Summary

The Mandurah Croquet and Recreation Club Inc. (MCRC) has held a lease over a portion of Lot 202 (70) Thomson Street, Mandurah, since 1986. The current agreement was approved through Council in 2014, supporting a tenure consisting of a three year term, with two one year renewals (3+1+1 years) this current agreement is due to expire on the 28 February 2019.

After recent discussions with the club officers recommend a new lease of five years with a five year renewal option (5+5 years), together with an annual rental fee aligning with the City's Schedule of fees and charges for Sporting and Community groups.

Council is requested to support a new lease with the Mandurah Croquet and Recreation Club Inc, over a portion of Lot 202 (70) Thomson Street, Mandurah, for a term of five years with a five year renewal option (5+5 years) commencing on the 1 March 2019 with final expiry due the 28 February 2029. An annual rental fee of \$1,000 is proposed in accordance with the City's schedule of fees and charges 2018/19.

Disclosure of Interest

None

Location



Previous Relevant Documentation

- G.16/1/14 14 January 2014 After consideration of the Rushton Park Masterplan Council approved a maximum five year lease term over the site, with expiry due February 2019.

- G.38/11/12 27 November 2012 Council endorsed the Rushton Park Sporting Precinct Plan, and its use as a key planning tool in the design of future development in the precinct.
- G.30/1/09 27 January 2009 Council support received to enter into a new five year lease agreement until February 2014.
- G.27/10/06 17 October 2006 Council supported in principle the Rushton Park Sporting Precinct draft Master Plan for the purposes of further consultation.

Background

Lot 202 (No.70) Thomson Street, Mandurah is owned in freehold by the City and is home to a range of purpose built sporting and community facilities. MCRC has held a lease over a portion of this land since 1986, providing intergenerational sporting and recreation services to the wider community over the past 33 years.

Comment

The MCRC's current lease is due to expire on the 28 February 2019, with the final renewal being fully exercised upon this date. MCRC have requested a new lease agreement, seeking a term of five years with a five year option (5+5 years). This is aimed to provide security of long tenure and assuring their services remain available to the Mandurah community.

The Club is affiliated with the West Australian Croquet Association and is one of the largest clubs outside the Perth metropolitan area. The Club currently holds 48 memberships, consisting of 22 full-time playing members, 7 associate members (members who reside outside of Mandurah or are temporary residents within the community) and 19 social members (family and friends).

Playing days are run three days per week along with Club championships held in March, June, August and November of each year. The Club also hosts major tournaments twice a year with open invitations to Australian and International Clubs.

The Club runs a number of programs/sessions utilised by several groups within the Community, including the Navy, Scouts, teachers groups and the South Metropolitan TAFE to name a few.

Council is requested to support a new lease with the Mandurah Croquet and Recreation Club Inc, over a portion of Lot 202 (70) Thomson Street, Mandurah, for a term of five years with a five year renewal option (5+5 years) commencing on the 1 March 2019 with final expiry due the 28 February 2029. An annual rental fee of \$1,000 is proposed in accordance with the City's schedule of fees and charges 2018/19.

Consultation

President and Secretary – Mandurah Croquet and Recreation Club Inc.

Statutory Environment

Comply with S3.58 of the Local Government Act 1995 (LGA) – Disposal of Property
'Dispose' includes to sell, lease, or otherwise dispose of, whether absolutely or not.

Exemption of Disposition of Property – Section 30 Local Government (Functions and General) Regulations 1996. 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. As a recreational club, the Mandurah Croquet and Recreation Club Inc. are exempt from the advertising.

Policy Implications

Community and Recreation Facilities POL-CNP 07 – The City will adopt a balanced approach to lease and licenses - generally a community and recreation lease term will be a maximum of 10 years.

Economic Implications

To align with the existing lease, officers recommend, an annual rental fee in accordance with the City's schedule of fees and charges for Sporting and Community groups. The current fee for 2018/19 is \$1,000 per annum inclusive of GST, together with the document preparation fee of \$600.00, inclusive of GST.

Risk Analysis

None identified

Strategic Implications

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

Social:

- 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.

Identity:

- Encourage active community participation and engagement.

Conclusion

The Mandurah Croquet and Recreation Club Inc. have requested security of tenure by way of a five year lease with a five year renewal option.

Council is requested to support a new lease with the Mandurah Croquet and Recreation Club Inc., over a portion of Lot 202 (70) Thomson Street, Mandurah, for a term of five years with a five year renewal option (5+5 years) commencing on the 1 March 2019 with final expiry due the 28 February 2029. An annual rental fee of \$1,000 is proposed in accordance with the City's schedule of fees and charges 2018/19.

RECOMMENDATION

That Council:

- 1. Approves a lease over a portion of Lot 202 (No. 70) Thomson Street, Mandurah, to the Mandurah Croquet and Recreation Club Incorporated with the following conditions.**
 - 1.1 Tenure of five years, commencing on 1 March 2019 and expiring on 29 February 2024**
 - 1.2 Renewal term of five years, commencing on 1 March 2024 and expiring on 28 February 2029.**
- 2. Approves the application of the City's Schedule of Fees and Charges 2018/19 to the annual rent for the term of the lease agreement, and the application of the document preparation fee.**
- 3. Authorises the Chief Executive Officer will finalise the conditions of the lease agreement.**

7 **SUBJECT:** Licence: Portion Reserve 30624 Naval Cadets
 CONTACT OFFICER/S: Ben Dreckow
 AUTHOR: Lesley Petchell/Rachelle Love

Summary

The Unit Committee TS Mandurah Incorporated (Naval Cadets) have held tenure over Southern Estuary Hall, a portion of Reserve 30624 (No. 2) Thisbe Drive, Dawesville, since August 1994. The last licence granted in 2015 saw Council approve a reduction in their licence area from the whole facility to one office, and storage, which has allowed the hall to be utilised for other community activities.

The group have formally requested, upon the expiry of their current licence on the 12 November 2018, to enter into a new licence agreement, this will ensure the exclusive use of their office accommodation continues together with the use of the storage sheds located on site.

The Naval Cadets entered into a 'Holding Over' upon the expiry of their current agreement until a new licence can be considered by Council. Due to Southern Estuary Hall nearing end of life, officers recommend the licence be renewed for a term of three years, with an annual rental fee of \$1, this term and fee aligns with the current licence agreement.

Council is requested to approve a licence over a portion of Reserve 30624 – (No. 2) Thisbe Drive, Dawesville to the Unit Committee TS Mandurah Incorporated for a term of three years, commencing on or after the Minister for Lands consent, together with an annual rental fee of \$1, all licence terms and conditions are subject to the approval of the Minister for Lands.

Disclosure of Interest

Nil

Location



Previous Relevant Documentation

- G.10/9/18 25 September 2018 Council endorsed the proposed 'Dawesville Community Centre Concept Plan' and supports officers to pursue funding opportunities:
- G.27/3/15 24 March 2015 Council supported a Licence over portion of Reserve 30624 (No. 2) Thisbe Drive, Dawesville for a three year term, and supporting the licence area be reduced to free up the hall for other community uses:
- G.42/11/11 22 November 2011 Council supported a Licence over portion of Reserve 30624 (No. 2) Thisbe Drive, Dawesville for a three year term:
- G.29/12/10 December 2010 Council endorses the preparation of a tourism assessment of the Dawesville Chanel precinct, to identify the tourism potential of the present and subsequent modification to planning requirements.

Background

The Naval Cadets have held tenure over the Southern Estuary Hall since 1994. In 2014, due to financial difficulties, an alternative model was sought which would provide exclusive use of office accommodation and storage, while reducing financial obligation of managing the entire centre.

In 2015 Council support was granted for the current licence held by the Naval Cadets consisting of a three year tenure term, expiring in November 2018, together with an annual rental rate of \$1 for the exclusive use of office space and sheds within the reserve.

Comment

The Naval Cadets currently sit in a holding over of their current licence, the group are requesting a new licence under similar terms and conditions as the existing agreement.

The Cadets, are one of ninety-one Cadet Units around Australia, being a leading provider of youth development experiences within the local community. Their aim is to build leadership skills in young people through adventure and learning activities, running training sessions one night each week and weekends, as well as offering camps on selected weekends and during school holidays. Cadet activities centre on learning seamanship through sailing, boat handling, marine engineering and communications as an example of just a few experiences offered by the Naval Cadets.

In 2017 the Naval Cadets Dawesville celebrated their 25th anniversary. They currently hold 30 cadet memberships, consisting of 29 cadets and 1 senior cadet, they actively participate each year in the Anzac Day ceremony, Remembrance Day, Vietnam Veterans Day, and the local Christmas Pageant.

As the Southern Estuary Hall is an ageing facility and nearing the end of its usable life, officers will work and assist where possible to look at alternative tenure arrangements post 2021 for the Naval Cadets.

Council is requested to approve a licence agreement over a portion of Reserve 30624 – (No. 2) Thisbe Drive, Dawesville to the Unit Committee TS Mandurah Incorporated for a term of three years, commencing on or after the Minister for Lands consent, together with an annual rental fee of \$1, all licence terms and conditions are subject to the approval of the Minister for Lands.

Consultation

Lieutenant ANC Commanding Officer – TS Mandurah

Statutory Environment

Comply with S3.58 of the Local Government Act 1995 (LGA) – Disposal of Property

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

Exemption of Disposition of Property - Section 30 Local Government (Functions and General) Regulations 1996. 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. As such the Naval Cadets are exempt from the advertising of the disposal of the licence.

Land Administration Act 1997 Section 18 (2) Minister for Lands Approval. Various transactions relating to Crown Land to be approved by the Minister. As persons must not without authorisation, assign, sell, transfer or otherwise deal with interest in Crown Land.

Policy Implications

None

Risk Implications

None

Economic Implications

In alignment with the existing licence and current practices for managing community based groups who use limited exclusive space and sheds for storage purposes only, officers consider an annual rental fee of \$1 appropriate, and that the document preparation fee of \$450.00, as per the City's Fees and Charges Schedule 2018/19, be waived due to the valued community benefit of the group.

An hourly hall hire rate, as per the 2018/19 Fees & Charges Schedule – Recreation Services, will be applied to all required hire usage of the facility outside of the existing licensed area, in alignment with the current agreement.

Strategic Implications

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

Social:

- Provide opportunities, services and activities that engage our young people

Economic:

- Increase local education and training opportunities

Identity:

- Encourage active community participation and engagement

Conclusion

Following the expiry of The Naval Cadets licence over portion of Reserve 30624 the group contacted officers requesting support to enter into a new agreement. Discussions have been held with the group with officers advising that tenure of three years is appropriate considering the age of the Southern Estuary Hall. Officers will continue to work with the group regarding the group's future accommodation needs.

Council is requested to approve a licence agreement over a portion of Reserve 30624 (No. 2) Thisbe Drive, Dawesville, to the Unit Committee TS Mandurah Incorporated for a term of three years, commencing on or after the Minister for Lands consent, together with an annual rental fee of \$1, all licence terms and conditions are subject to the approval of the Minister for Lands.

NOTE:

- **Attachment 1** ***Naval Cadets Floor Plan Sketch***
- **Attachment 2** ***Naval Cadets Licence Area – Shed Area***

RECOMMENDATION

That Council:

1. Approves the licence agreement over a portion of Reserve 30624 – (No. 2) Thisbe Drive, Dawesville, to the Unit Committee TS Mandurah Incorporated with the following conditions:
 - 1.1 Tenure of three years
 - 1.2 Commencement on or thereafter the Minister for Lands consent
 - 1.3 Annual rent of \$1 per annum
 - 1.4 Subject to the Minister for Lands Consent
2. Approves the waiver of the document preparation fee as detailed in the City's Fees and Charges Schedule 2018/19 of \$450.
3. Authorises the Chief Executive Officer to finalise the conditions of the Licence

Southern Estuary Hall

Licensed Area

TS Mandurah Naval

Cadets = Approx 30sqm

THISBE DR

DAWESVILLE CHANNEL



No 2
R 30624



SHEDS
LICENCE AREA

<div><div><div></div><div>City of MANDURAH</div></div></div>		PROJECT : RESERVE 30624 (No2) THISBE DRIVE NAVAL CADETS LICENCE AREA		DRAWN BY : P.W. 05/05/2015		NOT TO BE USED FOR CONSTRUCTION UNTIL SIGNED APPROVED.		<div><div></div><div></div></div>		NOTES: 1. HORIZONTAL DATUM IS PCG94, 2. CADASTRAL BOUNDARIES DERIVED FROM LANDGATE INFORMATION, DIMENSIONS SUBJECT TO SURVEY BY LICENCE SURVEYOR	
CLIENT : L.A.		CHECKED BY : L.A. 05/2015		SURVEYED BY : N/A		APPROVED				SCALE 1:250 @A3 <div><div></div><div>02.557.51012.525</div></div>	
		JOB No.		DATE							
DRAWING No. : 01						FILE PATH : I:\Survey Data\Mandurah South\AutoCAD\NavalCadets\leasing.dwg					

8 **SUBJECT:** Nairns Foreshore: Mooring of Houseboat
 CONTACT OFFICER/S: Allan Claydon/Neil Carroll/David Prattent
 AUTHOR: Allan Claydon

Summary

The City of Mandurah has care, control and management of the public foreshore area, boat ramp and part of the Serpentine River riverbed in Nairn Road/Bertram Street, Coodanup. The foreshore is owned in fee simple by the Shire of Murray however, it is leased to the City of Mandurah.

In a past life, the Department of Water constructed jetty infrastructure to moor weed harvesters as part of their commitment to manage the health of the Peel waterway.

In 2018, the Department of Water and Environmental Regulation (DWER) demolished and removed the jetty infrastructure due to its dilapidated state and no requirement to moor any of its watercraft.

Prior to the jetty removal, a number of houseboats took the opportunity to utilise the facility. The houseboat owners were requested to relocate elsewhere. All but one obliged and returned to this location and moored the vessel adjacent to the public open space (**Attachment 1**).

Council is requested to consider a recommendation to require the houseboat owner to relocate elsewhere, where there is appropriate supporting infrastructure to which a houseboat can be moored.

Disclosure of Interest

Nil

Location



Nairns Foreshore

Previous Relevant Documentation

Nil

Background

The land immediately adjacent to the point where the houseboat is moored, is owned in fee simple by the Shire of Murray but is leased to the City of Mandurah. The City has exclusive possession of the land under the terms of the lease.

Many years ago (prior to the construction of the Dawesville Channel) the State Government of the day constructed a number of jetties adjacent to the Nairns foreshore to moor weed harvesters. The weed harvesters were introduced to remove seaweed/algae from the Peel Harvey Estuary waters.

In 2018, the Department of Water and Environmental Regulation (DWER) demolished and removed the mooring facilities due to the dilapidated condition of the timber infrastructure.

In recent times, a number of houseboats had moved into the facility as the need for the weed harvesters became redundant due to the opening of the Dawesville Channel.

DWER sent a number of letters to the houseboat owners indicating their intention to remove the aged jetties. At the same time, the houseboat owners were requested to relocate their vessels to more suitable mooring facilities.

The City was subsequently engaged by DWER to restore the river bank following the removal of the jetties. This work has been completed.

Once the works were completed, one houseboat returned to the area to moor their vessel. The other houseboats relocated to appropriate mooring areas voluntarily.

The houseboat has anchored in the Serpentine River via several anchors placed in the river. The owner has driven piles in the riverbed and moored to these piles. Additional mooring lines have been tied to trees and the foreshore retaining wall on the foreshore reserve. Access to the foreshore consists of a gangplank from the houseboat to the foreshore.

The vessel is very large and needs mooring piles to fix its position, as the wind is at times strong enough to push the vessel into the main channel. Without the piles, the vessel would not be able to safely sit in its current position.

The City has received two complaints from nearby residents in relation to the houseboat moored in this area and therefore Council is being requested to consider its position as follows:

- Request the houseboat to relocate from this location to an approved mooring facility, or
- Allow the houseboat to remain where it is.

Comment

Public foreshore reserves are for the use and enjoyment of the general community and generally do not contemplate a permanent stay by a vessel requiring foreshore access.

Where vessel access is deemed appropriate, public jetties are provided. They allow short term stays for up to four hours.

In this instance the houseboat owner:

- Doesn't pay a jetty license – all jetty owners incur a capital cost of construction and have a license issued by the Department of Transport (DoT).
- Doesn't contribute financially to the maintenance of the waterway.
- Presents a marine safety issue in that the mooring piles have not been vetted by an appropriate or authorised agent to install such piles. A strong storm would test the current setup and possibly present a risk to other river craft.

- The retaining wall along the foreshore was not constructed strong enough to support the ropes holding the vessel.

The Peel Harvey Estuary is a mooring control area and was created in September 2011. Should a vessel be moored outside of the control areas, then permission and a license has to be sought from the Department of Transport. The mooring piles used in this instance would be deemed not to comply.

So the question is why doesn't the Department of Transport or Department of Water Environment Regulations move the vessel on? Officers have been advised that these agencies are reluctant to get involved and see the City as the lead agent to manage the matter as it is the lessee of the foreshore and riverbed (at least half of it in any event).

Department of Transport advise that due to the adverse impact of unauthorised moorings on public safety, public access and the environment, the Department of Transport adopted a State-wide Vessel Mooring Management Strategy to improve the management of moorings.

The strategy established Mooring Control Areas (MCAs) in various areas within navigable State waters and includes the Peel Region.

Owners of unauthorised moorings within an MCA must register their mooring within the stipulated time, otherwise the Department may remove the mooring without compensation. However, there is no guarantee that approval will be granted to retain the mooring.

MCAs are managed in accordance with the *Shipping and Pilotage (Mooring Control Areas) Regulations 1983 (WA)*.

Mooring control areas (MCAs) help ensure that:

- Existing mooring owners have an opportunity to formally register their mooring and secure access rights over the site.
- Existing moorings are inspected by a recognised mooring contractor to ensure that they are fit for purpose and do not adversely impact nearby moorings or the environment.
- Installation of additional moorings do not adversely impact other registered mooring owners, the environment or other users.
- All moorings are maintained in an acceptable condition to reduce the incidents and damage to neighbouring vessels, through an ongoing mooring inspection regime.
- Liability protection is available for the transferral of mooring registrations.

The MCA system also enables the Department of Transport to act on complaints from registered owners regarding unauthorised use of their moorings or installation of unauthorised moorings.

The former Water and Rivers Commission endorsed a *State-wide Policy No.7* relating to houseboats. The policy highlights the following:

- *Permanent houseboat residence on waterways may create an undesirable precedent. It may result in an increase in houseboat numbers, especially in popular areas, leading to possible alienation of significant areas of public waterways. (Although the habitation may not be full time, the vessel is tied up permanently).*
- *All houseboats are encouraged to operate within defined houseboat operating areas, where they exist.*
- *It is an offence under the Waterways Conservation Act 1976 to secure a houseboat to the bed or banks of a waterway in a way that causes damage to the bed or banks. This includes dragging anchors, tying up to trees or beaching houseboats on banks.*

The mooring of a houseboat in this location is considered to be inappropriate without permanent jetty infrastructure being in place to support the mooring of vessels.

No agency, nor the Shire of Murray have provided permission for this vessel to be moored in this location and in the manner it has been secured.

There exists numerous mooring facilities within the City that would service the needs of this houseboat as it does for the many houseboats registered in the Peel Harvey Estuary.

Consultation

Officers have engaged with the Department of Water and Environment Regulation, Department of Transport and the Shire of Murray.

Statutory Environment

The City holds a lease over Lot 400 Beacham Street, Coodanup and has full control over the land including part of the Serpentine River. (Refer to **Attachment 2**).

The City has exclusive possession of the land under the terms of the lease.

Revised Waterways and Jetty Local Laws are in the process of being finalised. It is anticipated that the Local Law will be able to be applied from April 2019.

The proposed Local Laws make it an offence to moor any vessel on or adjacent to the public open space (reserve managed by the City) for more than four hours without City of Mandurah approval. These are the same laws that apply to vessels moored at a public jetty.

Policy Implications

The Waterways and Jetty Local Laws makes provision to manage the illegal mooring of vessels thus addressing the issue at hand.

Risk Implications

The risk is deemed low.

Officers from the Department of Transport have visited the houseboat to ensure anchors are not interfering with the navigable channel of the Serpentine River.

There is a risk that the City's infrastructure could be damaged due to storm events.

An additional risk is that leaving the vessel where it is, would likely attract other vessels to moor in a similar manner in this location.

Economic Implications

Should the matter require legal action to enforce the rights of the City of Mandurah as the lessee of the land, there may be legal costs that need to be met. The quantum of legal costs is not known however, they would be sought to be recovered as compensation for the City having to take legal action to preserve its rights.

Strategic Implications

The following objectives 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.

Organisational Excellence:

- Deliver excellent governance and financial management.

Conclusion

There does not appear to be any substantial reason why the City would allow a houseboat to permanently abut public open space/foreshore without approval and suitable infrastructure to support the mooring of a large vessel such as a houseboat, in a safe manner.

As the responsible authority for the land, it has not given permission for the houseboat to moor in this area. It is recommended that Council support the notion that there are suitable facilities around the Peel Waterway that exist for the safe mooring of houseboats and that the particular houseboat be ordered to remove all mooring piles, ropes and gangplanks and any other means of attaching the vessel to land or riverbed and relocate.

NOTE:

- Refer ***Attachment 1 – Photos of houseboat moored at Nairns Foreshore***
Attachment 2 – Certificate of Title Lot 400 Beacham Street

RECOMMENDATION

That Council:

1. **Requires Mr G Corp (owner of the moored houseboat) to remove all mooring ropes, mooring piles, gangplanks and any other means of attaching his houseboat to the land or riverbed.**
2. **Requires the vessel to vacate any part of Lot 400 Beacham Street, Coodanup.**

Houseboat Moored at Nairns Foreshore



Transfer 16477/1953 (16469)

Application

From Volume Folio

1009 674

37223/53



WESTERN AUSTRALIA.

REGISTER BOOK.

Vol. 1163

Fol. N^o 855

Certificate of Title

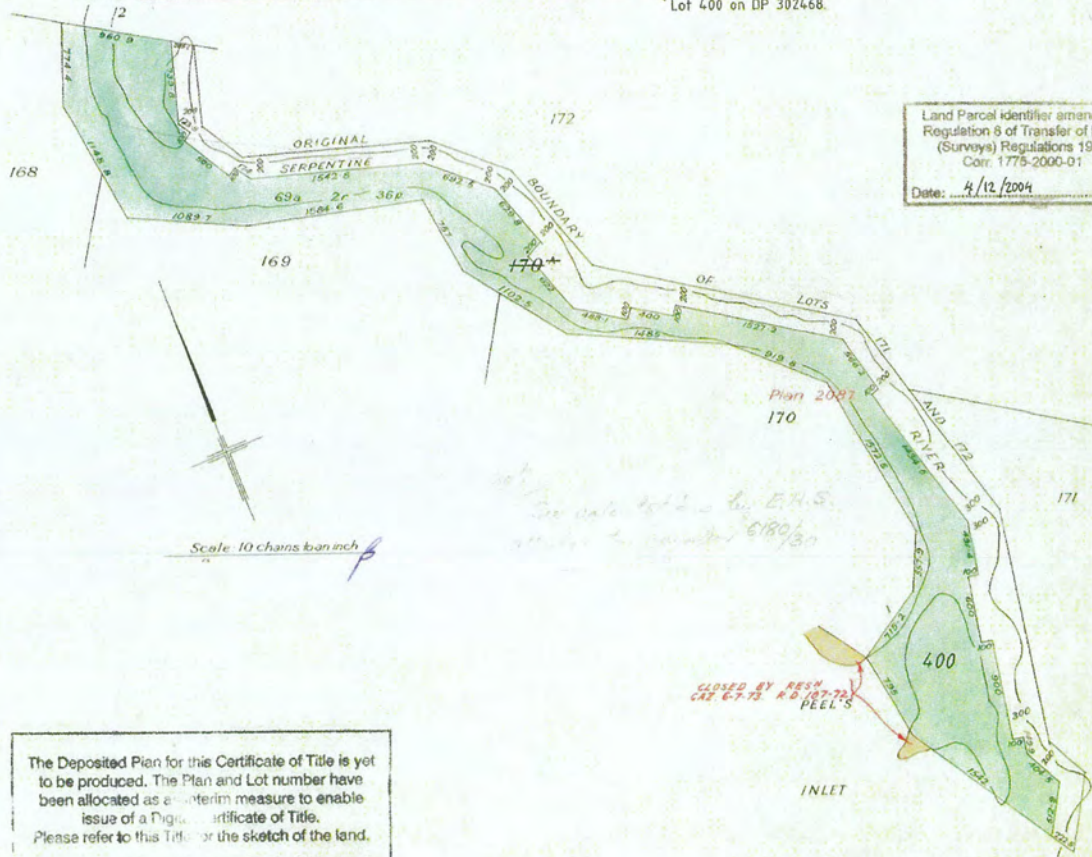
under "The Transfer of Land Act, 1893" (56 Vic., 14. Sch. 5).

CT 1163 0855 F



Murray Road Board of Pinjarra, is now the proprietor of an estate in fee simple subject to the easements and encumbrances notified hereunder in all that piece of land delineated and coloured green on the map hereon containing sixty-nine acres two roods and thirty-six perches or thereabouts, being portion of Cockburn Sound Location 16 and being part of Lot 170^A on plan 2087.

Lot 400 on DP 302468.



Dated the twenty-fifth day of September One thousand nine hundred and fifty-three.

Registrar of Titles.

For encumbrances and other matters affecting the land see back.

9	SUBJECT: Tender Number T22-2018 - Underground Asset Location CONTACT OFFICER/S: Matthew Hall / Natasha Pulford AUTHOR: Colin Price / Erin Johnson FILE NO: Procurement Request Form, Specification and Pricing Schedule
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Summary

The City of Mandurah invited tenders for the service, Underground Asset Location. This service relates to the finding, locating and depthing of public utility services which is a precursor to most infrastructure design projects.

As a result of the evaluation of tendered submissions, Council is requested to accept A 1Stop Locating Shop Pty Ltd t/a Cable Locates and Consulting as the preferred tenderer.

Disclosure of Interest

Nil.

Previous Relevant Documentation

- G.15/1/15 27/01/2015 That Council 1 Revokes Minute G.32/12/14, pursuant to Clause 13.1.4(a) of the City of Mandurah Standing Orders Local Law 2008. 2 Awards WH Location Services Pty Ltd the contract under Tender 12-2014 for the Underground Asset Location and Utility Service Detection for a period of four years, commencing on 1 January 2015 and expiring on 31 December 2018, subject to satisfactory performance, at the schedule of rates offered with CPI increases at each twelve month contract anniversary date.
- G.32/12/14 16/12/2014 That Council awards WH Location Services Pty Ltd trading as Abaxa the contract under Tender 12-2014 for Underground Asset Location and Utility Services Detection for a period of four years, commencing on 1 January 2015 and expiring on 31 December 2019 subject to satisfactory performance, at the schedule of rates offered with CPI increases at each twelve month contract anniversary date.

Background

To provide continuation of the services a tender for Underground Asset Location was advertised in the 1 December 2018 edition of the 'West Australian' newspaper, 5 December 2018 edition of the "Coastal Times" newspaper and the 6 December 2018 edition of the "Mandurah Mail" newspaper and also displayed on notice boards at the Administration Centre and relevant Libraries.

The RFT seeks the provision of the required services for a period of two years with one option to extend for a further one year subject to satisfactory performance.

Comment

The tender closed at 2:00pm on Thursday 3 January 2019. No tenders were received after the closing deadline. Submissions were received from the following:

1.	WH Location Services Pty Ltd T/A Abaxa	Canning Vale
2.	Utility Mapping (Aust) Pty Ltd	Belmont
3.	Rico Enterprises Pty Ltd ATF Rico Family Trust T/As Solo Resource Recovery	Naval Base
4.	A 1Stop Locating Shop Pty Ltd ta Cable Locates and Consulting	Singleton
5.	Cabling WA Pty Ltd	Bibra Lake
6.	David Holden PTY trading as Holdens Electrical Contracting	Maddington

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

Relevant Experience and References	20%
Supervision and Resources	20%
Understanding of the Specification	20%
Price	40%

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 Works and Services, individually assessed each submission 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.

The tendered submission from A 1Stop Locating Shop Pty Ltd ta Cable Locates and Consulting 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 financial assessment and credit check was undertaken by Financial Services where no issues were identified.

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 Procurement Policy*.

Risk Analysis

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, in accordance with the contract.

Economic Implications

The total cost of the services for the previous four (4) year contract was \$557,846.20 which represents an average annual cost of \$139,461.55.

This tender is a schedule of rates contract that has a price basis that is variable in accordance with the special conditions of contract, allowing CPI increases at each twelve (12) month contract anniversary date.

The proposed new tender when compared to the previous tender results in the following pricing changes:

- Labour approximately 25% increase
- Plant Hire approximately 30% decrease

Minimum call out charges will apply which wasn't in the previous contract. Assessment of the typical time taken to investigate project sites indicates that this charge would be highly unlikely to be a consideration.

Overall, the new tender is similar in overall costs to the former contract.

Provision has been made in various cost codes across the City's current financial budget for the services.

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 Underground Asset Location were recently invited with six received and assessed against both qualitative criteria and price. The result was that the submission from A 1Stop Locating Shop Pty Ltd t/a Cable Locates and Consulting represented overall best value for money for the City and it is therefore recommended as the preferred tenderer.

NOTE:

- Refer ***Confidential Attachment***.

RECOMMENDATION

That Council accepts A 1Stop Locating Shop Pty Ltd t/a Cable Locates and Consulting as the preferred tenderer for Tender T22-2018 for the Underground Asset Location.