



MINUTES OF

COMMITTEE OF COUNCIL MEETING

HELD ON

Tuesday 11 June 2019

AT 5.30 PM

**IN COUNCIL CHAMBERS - 83 MANDURAH TERRACE
MANDURAH**

PRESENT:

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

OFFICERS IN ATTENDANCE:

MR	M NEWMAN	CHIEF EXECUTIVE OFFICER
MR	A CLAYDON	DIRECTOR WORKS AND SERVICES
MR	T FREE	DIRECTOR SUSTAINABLE COMMUNITIES
MR	G DAVIES	DEPUTY CHIEF EXECUTIVE OFFICER
MR	D PRATTENT	ACTING DIRECTOR CORPORATE SERVICES
MR	C JOHNSON	EXECUTIVE MANAGER STRATGEY, RECREATION AND EVENTS
MR	S HUDSON	MANAGER INFRASTRUCTURE MANAGEMENT
MRS	L SLAYFORD	MINUTE OFFICER

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

The Chairman declared the meeting open at 5.33pm acknowledging Karin Banking of the Mandurah Environmental Advisory Group and newly appointed Executive Officer at the City of Mandurah, Rachel Edwards.

APOLOGIES / LEAVE OF ABSENCE [AGENDA ITEM 2]

Councillor Schumacher on leave of absence.

DISCLAIMER [AGENDA ITEM 3]

The purpose of this Committee Meeting is to discuss and make recommendations to Council about items appearing on the agenda and other matters for which the Committee is responsible. The Committee has no power to make any decisions which are binding on the Council or the City of Mandurah unless specific delegation of authority has been granted by Council.

No person should rely on or act on the basis of any advice or information provided by a Member or Officer, or on the content of any discussion occurring, during the course of the meeting. The City of Mandurah expressly disclaims liability for any loss or damage suffered by any person as a result of relying on or acting on the basis of any advice or information provided by a Member or Officer, or the content of any discussion occurring, during the course of the Committee meeting.

RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE [AGENDA ITEM 4]

Nil.

PUBLIC QUESTION TIME [AGENDA ITEM 5]

**CC.1/6/19 J GLAUERT: ARBORICULTURAL ASSESSMENT OF STREET TREES:
COX BAY FALCON NOTIFICATION**

Mr Glauert questioned why notification to residents advising this item was being presented to Council was not disseminated earlier to allow residents time to prepare deputations.

The Director Works and Services advised notification was sent via email to residents who had supplied email addresses however postal delays had occurred which impacted the period of notice. The Chief Executive Officer confirmed changes to Australia Post delivery times has impacted correspondence to residents however, he advised residents also had the opportunity to make presentations at the Council meeting of 25 June, 2019.

**CC.2/6/19 M NELSON: ARBORICULTURAL ASSESSMENT OF STREET TREES:
COX BAY FALCON NOTIFICATION**

Ms Nelson asked if this item could be deferred to allow residents time to prepare their information.

The Chairman, Councillor Lee, advised Elected Members would consider this when the item came up for discussion. Mayor Williams reiterated that deputations could be made at the Council meeting on 25 June, 2019.

CC.3/6/19 L BARBER: ENTERPRISE AVENUE TREES

Ms Barber asked if trees located on Enterprise Avenue were reviewed as part of the report as there was a large tree lifting the pathway in that area.

The Director Works and Services requested to take this question on notice. He further advised that tree roots interfering with pathways were addressed via the City's pathway maintenance program.

CC.4/6/19 P HIGGS: DECISION PROCESS COX BAY REPORT

Mr Higgs requested clarification as to when a decision would be made on Report 10 Arboricultural Assessment of Street Trees: Cox Bay Falcon and if there was further opportunity for public participation on the item.

The Chief Executive Officer reiterated that this was a committee meeting for discussion with a recommendation forwarded to Council for its consideration, and decision, on 25 June, 2019. Members of the public have a further opportunity to present deputations at the meeting of June 25.

PRESENTATIONS AND ANNOUNCEMENTS BY CHAIRMAN [AGENDA ITEM 6]

Nil.

DEPUTATIONS [AGENDA ITEM 7]

**CC.5/6/19 M NELSON: ARBORICULTURAL ASSESSMENT OF STREET TREES:
COX BAY FALCON**

Speaking on behalf of some residents in the Cox Bay area Ms Nelson outlined the disappointment in receiving late notification of the meeting. Ms Nelson commented that many residents did not agree with the assessment summary and they would be happier with the replacement of current street trees with non-invasive street trees positioned in the middle of verge areas. Damaged to both landowner and City infrastructure and assets was highlighted along with safety concerns caused by trees falling and root damage to pathways.

CC.6/6/19 G PATTEN: TRAFFIC MANAGEMENT REVIEW: COCO DRIVE FALCON

Speaking on behalf of residents of Coco C'Bay Mr Patten advised of efforts made by Council and the City of Mandurah to ensure the community was a safe driving area and thanked the Coastal Ward Councillors for their support. Mr Patten stated the group's support for the report recommendation.

CONFIRMATION OF MINUTES [AGENDA ITEM 8]

CC.7/6/19 CONFIRMATION OF MINUTES

RESOLVED: Lynn Rodgers / S Jones

That the Minutes of the Committee of Council meeting of Tuesday 14 May 2019 be confirmed.

CARRIED UNANIMOUSLY: 10/0

CC.8/6/19 DECLARATION OF INTERESTS [AGENDA ITEM 9]

- Councillor Peter Rogers declared an impartiality interest in Minute CC.23/6/19 – Confidential Report 1: Budget due to his appointment as a Council representative on the Mandurah Performing Arts Centre Board.
- Mayor Williams declared an impartiality interest in Minute CC.23/6/19 – Confidential Report 1: Budget due to his appointment on the Mandurah Performing Arts Centre Board.
- Chief Executive Officer, Mark Newman, declared an impartiality interest in Minute CC.23/6/19 – Confidential Report 1: Budget due to his appointment as a Council representative on the Mandurah Performing Arts Centre Board.
- Acting Director Corporate Services, David Prattent, declared an impartiality interest in Minute CC.23/6/19 – Confidential Report 1: Budget as a patron of Mandurah Performing Arts Centre.

QUESTIONS FROM ELECTED MEMBERS WITHOUT DISCUSSION [AGENDA ITEM 10]

Questions of which due notice has been given

Nil.

Questions of which notice has not been given

CC.9/6/19 F RIEBELING: COUNCILLOR RESIGNATION

Hon. Councillor Riebeling asked if a motion was required to be moved following the resignation of Tahlia Jones as Coastal Ward Councillor.

The Chief Executive Officer advised a report is being presented to Council on 25 June, 2019.

BUSINESS LEFT OVER FROM PREVIOUS MEETING [AGENDA ITEM 11]

Nil.

REPORTS [AGENDA ITEM 12]

With the consensus of the Committee the Chairperson advised the following reports would be considered first given the public interest in the items:

Report 10: Arboricultural Assessment of Street Trees: Cox Bay Falcon

Report 13: Traffic Management Review: Coco Drive Falcon

CC.10/6/19 ARBORICULTURAL ASSESSMENT OF STREET TREES: COX BAY FALCON (FK) (REPORT 10)

A number of residents of Cox Bay, Falcon have raised concerns about the impact Norfolk Island Pine trees are having on verges within the estate and have requested they be removed.

The removal of an established streetscape has community and financial implications therefore an independent arborist was engaged to assess 65 trees within Cox Bay to make recommendations for the ongoing management and retention or removal of each tree.

Council is requested to consider the outcomes and recommendations of the street tree investigation.

Report Recommendation

That Council:

- 1. Acknowledges that it continues to support its commitment to maintain and strengthen the urban tree canopy wherever it can whilst appreciating that residents will have concerns that tree roots will cause maintenance issues to crossovers, kerbing and road pavements from time to time.*
- 2. Approves the Norfolk Island Pines at 23 Enterprise Avenue, 9 Governor Drive and Perseverance Boulevard carpark being removed and replaced with new street trees in accordance with the City's Locality Street Tree Masterplan.*
- 3. Acknowledges that there are a number of Norfolk Island Pines that will require remedial works in order to maintain them in good condition.*

4. *Requests officers liaise with the property owners to ensure that every assistance is given to undertake the remedial works required.*

Mayor Williams moved an alternate recommendation to defer this item to Council advising the deferral would enable residents time to prepare for public participation at the Council meeting if that was their desire. Hon Councillor Riebeling seconded the alternate recommendation. Discussion ensued as to the benefit of deferring the item for two weeks when no decision would be made until that time and discussion could be entered into at the Committee meeting. Mayor Williams suggested officers undertake a review of agenda timings and public participation notifications to alleviate issues encountered with postal services.

RESOLVED TO RECOMMEND: R Williams / F Riebeling

That consideration of this item be deferred to the Council Meeting of 25 June 2019.

CARRIED UNANIMOUSLY: 10/0

**CC.11/6/19 TRAFFIC MANAGEMENT REVIEW: COCO DRIVE FALCON (TC)
(REPORT 13)**

In response to resident concerns regarding traffic speed in Coco Drive, Falcon, Council resolved to undertake a traffic management trial.

The City agreed to trial the installation of speed cushions at two locations on Coco Drive and to review the impact on traffic speeds. It was found that as the speed cushions were installed within the traffic lane, the gap created between the two speed cushions (each way lane installation) enticed vehicles to drive between the speed cushions. Vertical post delineators were subsequently installed to deter this action with resultant driver behaviour focused on smashing them.

Traffic counts including vehicle speed measurements were conducted before and after the traffic management intervention to assess the effectiveness in vehicle speed control. Analysis of the traffic data has shown that traffic volumes and the 85th percentile speeds have remained relatively unchanged throughout the duration of the trial period with consistent results captured on all three occasions.

Council is requested to consider the traffic management review outcomes and resolve a final solution.

RESOLVED TO RECOMMEND: F Riebeling / M Darcy

That Council approves the installation of two full width Watts profile speed humps in Coco Drive.

CARRIED UNANIMOUSLY: 10/0

**CC.12/6/19 EXPRESSION OF INTEREST NUMBER 02-2019 PROJECT INITIATION,
LEAD TESTER AND TRAINER (SH/VL) (REPORT 1)**

In March 2019, Council awarded TechnologyOne the contract to deliver a new ERP system to the City. The new system would help the City deliver Citizen e-Services and improve business performance through mobility, workflow, automation and business intelligence and analytics.

To achieve the full benefits of the system, a highly skilled internal project team was formed to deliver the system to the organisation. It was also recognised that specialised resources would be required throughout the project to assist the project team with data migration, testing and training activities. These additional resources have been accounted for in the total project budget.

In March 2019, the project team in collaboration with the Governance and Tenders Team issued an expression of interest for a consultant to deliver the Project Initiation, Lead Tester and Trainer services.

Council approval is sought to decline all responses for Expression of Interest 01-2019 - Project Initiation, Lead Tester and Trainer and not proceed to tender, due to the evaluation panels conclusion that that no single vendor could successfully deliver services across all of the project initiation, testing and training components.

During discussion the Acting director Corporate services undertook to provide information regarding tenderer feedback meetings, if relevant.

RESOLVED TO RECOMMEND: Lynn Rogers / C Knight

That Council declines all responses for Expression of Interest 01-2019 Project Initiation, Lead Tester and Trainer and does not proceed to tender.

CARRIED UNANIMOUSLY: 10/0

**CC.13/6/19 TENDER NUMBER 05-2019 DATA MIGRATION SERVICES (SH/VL)
(REPORT 2)**

In March 2019, Council awarded TechnologyOne the contract to deliver a new ERP system to the City. The new system would help the City deliver Citizen e-Services and improve business performance through mobility, workflow, automation and business intelligence and analytics.

To achieve the full benefits of the system, a highly skilled internal project team was formed to deliver the system to the organisation. It was also recognised that specialised resources would be required throughout the project to assist the project team with data migration, testing and training activities. These additional resources have been accounted for in the total project budget.

In March 2019, the project team in collaboration with the Governance and Tenders Team issued a tender for data migration services. The migration of data is critical to the City in maintaining business as usual activities as it transitions to the new system, and that cost savings are realised by allowing the City to decommission old systems after data is migrated to the new system.

Council approval is sought to select Outsource Business Support Solutions Pty Ltd as the preferred tenderer for T05-2019 Data Migration Services.

RESOLVED TO RECOMMEND: R Wortley / Peter Rogers

That Council accepts Outsource Business Support Solutions Pty Ltd as the preferred tenderer for Tender 05-2019 for the Data Migration Services.

CARRIED UNANIMOUSLY: 12/0

CC.14/6/19 RATES HARDSHIP ASSISTANCE PROGRAMME (DP) (REPORT 3)

On a day-to-day basis, City staff deal with ratepayers who are experiencing financial difficulty. As much as possible the guiding principles surrounding these conversations are based on respect, empathy and a desire to help. This has never been formalised so that there is a consistent approach and one which can be seen and understood by external agencies such as financial counselling services.

In late 2018, the Ombudsman Western Australia produced a good practice guidance for local governments and recommended the development of a Hardship Assistance Policy which can be used in the community. Council is requested to endorse the City's Hardship Assistance Programme.

RESOLVED TO RECOMMEND: F Riebeling / Lynn Rodgers

That Council:

- 1 Endorses the Financial Hardship Assistance Programme.**
- 2 Authorises the discretionary application of the suspension of interest charges as a method of helping those who need assistance.**

CARRIED UNANIMOUSLY: 10/0

**CC.15/6/19 ANNUAL REVIEW REGISTER OF DELEGATED AUTHORITY (SG)
(REPORT 4)**

A Council decision to delegate authority to the Chief Executive Officer (CEO) and Employees on most occasions can only occur when resolved by Council. Once delegated, the City must maintain a register of the powers or duties delegated with a review to be conducted at least once every year.

The review also includes all delegations by the CEO to employees in accordance with the CEO's powers of sub-delegations under s.5.44 of the Local Government Act 1995, and delegations that fall under other legislation such as the Bush Fires Act and Public Health Act 2016.

The review for the 2018/2019 year has been completed and given the review forms part of Council's annual compliance requirements, it must be endorsed by 30 June 2019.

The outcome of the review of the City's 54 delegations resulted in 15 delegations being amended, seven being revoked, two new proposed, and reaffirmation of the remaining 32 delegations.

Council is requested to consider and adopt the proposed new delegations and amendments along with noting the reaffirmation of the remaining delegations.

RESOLVED TO RECOMMEND: R Williams / C Knight

That Council:

- 1. Revokes the following seven Delegations of Authority:**
 - **DA-CMR 01 Food Premises Annual Assessment Fees**
 - **DA-CMS 01 Waiver of Animal Impound/Surrender Fees**
 - **DA-CMS 02 Sports Flood Lighting**
 - **DA-CNP 01 Waiver/Reduction of Hire Fees for Use of a Community Facility**
 - **DA-DBC 02 Planning/Building Application Fees**
 - **DA-FCM 01 Write-off of Debts**
 - **DA-FCM 05 Loan Repayment Schedules**
- 2. Adopts the following two new Delegations of Authority:**
 - **DA-FCM 06 Defer, Grant Discounts, Waive or Write Off Debts**
 - **DA-CNP 02 Disposing of Property**
- 3. Adopts the following eight amended Delegations of Authority:**
 - **DA-CMS 04 Dog Act 1976**
 - **DA-FCM 04 Non-rateable Status for Land**
 - **DA-LWE 01 Prosecutions / Legal Proceedings**
 - **DA-LWE 06 Disposal of Impounded Goods / Vehicles**
 - **DA-LWE 07 Authorised Officers**
 - **DA-PBH 10 Public Health Act 2016**
 - **DA-TFT 01 Parking Administration**
 - **DA-TFT 02 Closing of Certain Thoroughfares to Vehicles**
- 4. Adopts the following seven amended (minor) Delegations of Authority:**
 - **DA-LUP 06 Preparation and Endorsement of Responsible Authority Reports**
 - **DA-CPM 01 Expressions of Interest**
 - **DA-EMS 01 Prohibited Burning Times**
 - **DA-FCM 03 Investment of Funds**
 - **DA-GVN 03 Destruction of Electoral Material**
 - **DA-LWE 08 Infringement Notices**
 - **DA-PBH 09 Submissions under the Liquor Control Act 1988**
- 5. Reaffirms the remaining 32 Delegations of Authority that remain unaltered as per Attachment 4 of the report.**

CARRIED ABSOLUTELY: 10/0

CC.16/6/19 REVIEW OF COUNCIL POLICY MANUAL (SG) (REPORT 5)

The City's Policy Manual provides Council and staff with guidelines covering a wide range of topics and issues, and enables the community to be aware of Council's approach and reasoning in certain matters and decisions.

Section 2.7(2)(b) of the *Local Government Act 1995* prescribes that Council determine the local governments policies. In line with this, and to maintain the effectiveness and relevance of each policy, a comprehensive review of all of the policies contained within the City of Mandurah Policy Manual has been conducted.

As a result of a significant number of policy statements marked for deletion from the manual, Council approval is sought to revoke these policies (as attached to this report), and note a further two reports to Council will be submitted seeking adoption of all remaining revised policies.

Mayor Williams moved the report recommendation with the inclusion of point 5 being:

5. Maintains policies POL-CMR 03 Media and Public Statements and POL-CMR 10 Public Statements by Councillors and Chief Executive Officer in their current form with a further report to Council following a subsequent review of the existing policies.

Hon Councillor Riebeling seconded the amended recommendation acknowledging the removal of many superfluous policies.

The Chief Executive advised a workshop would be coordinated with Elected Members in relation to a revised media and Public Statement policy.

RESOLVED TO RECOMMEND: R Williams / F Riebeling

That Council:

1. **Adopts the proposed combined policies as listed in Attachment 1 of the report;**
2. **Revokes 35 policies that have been marked for deletion as per Attachment 2 of the report;**
3. **Acknowledges the following three policies are undergoing a separate review and will be subject of a further report to Council in the coming months:**
 - POL-CPM 01 Buy Local Regional Price Preference
 - POL-CPM 02 Purchasing of Goods and Services
 - POL-CPM 03 Selection Criteria for Major Procurements
4. **Acknowledges all remaining revised policies will be subject of a further report to Council as listed in Attachment 3 of the report.**
5. **Maintains policies POL-CMR 03 Media and Public Statements and POL-CMR 10 Public Statements by Councillors and Chief Executive Officer in their current forms with a further report to Council following a subsequent review of the current policies.**

CARRIED UNANIMOUSLY: 10/0

**CC.17/6/19 NEW SHARED PARKING AND TRAINING FACILITY - BORTOLO
RESERVE (CJ/PM) (REPORT 6)**

Bortolo Reserve in Greenfields is a district level sports facility comprising 2 multi-purpose ovals and a Clubroom / Pavilion with change room facilities. In 2018, the City of Mandurah installed new sports lighting to the northern oval through a \$200,000 grant as part of the State Government's Local Jobs Local Projects initiative. As a result, there has been increased usage of the northern oval leading to demand for additional parking to support the 45 existing bays that are situated at the southern end adjacent to the Clubroom / Pavilion.

With funding for the City Centre Waterfront Project now secure and planning underway for the redevelopment of the Western Foreshore, the City urgently needs to resolve the issue of relocating the current Fire Training and Competition Track facility.

Over the past 3 years, the City has considered a large number of alternative options, both in Mandurah and surrounding areas, of which none were deemed appropriated for a range of reasons. Officers have now identified an opportunity to develop a Shared Parking and Training Facility at Bortolo Reserve to service the newly lit northern oval as well as accommodate the relocation of the existing fire track from the Western Foreshore.

Council is requested to approve the proposal for the planned construction of a new Shared Parking and Training Facility at Bortolo Reserve to improve parking provisions and to accommodate the future training and competition facilities for the Mandurah Volunteer Fire and Rescue Service and note that a funding strategy will now need to be developed to enable the delivery of the project.

Report Recommendation

That Council:

1. *Approve the proposal for the planned construction of a new Shared Parking and Training Facility at Bortolo Reserve to improve parking provisions and to accommodate the future training and competition facilities for the Mandurah Volunteer Fire and Rescue Service.*
2. *Note that a funding strategy will now need to be developed to enable the delivery of the project.*

Councillor Knight moved an alternate recommendation which was seconded by Councillor Lynn Rodgers. Committee members discussed funding requirements and availability of current funds for the project along with size and cost comparisons of constructing a fire track versus a carpark and the scope of community consultation. The Director Works and Services, Chief Executive Officer and Executive Manager Strategy, Recreation and Events responded to various aspects of the discussion.

RESOLVED TO RECOMMEND: C Knight / Lynn Rodgers

That Council approve the consultation for future consideration of a proposal for the construction of a new Shared Parking and Training Facility at Bortolo Reserve to improve parking provisions and to accommodate the future training and competition facilities for the Mandurah Volunteer Fire and Rescue Service.

CARRIED UNANIMOUSLY: 10/0

CC.18/6/19 JETTY LICENCE: QUAY VENTURES PTY LTD (LP) (REPORT 7)

Quay Ventures Pty Ltd currently hold three commercial jetty licenses with the City, two within the Boardwalk Precinct, adjacent to MPAC trading as Bouvard Cruises and Mandurah Ferry Cruises, with the third located in the Mandurah Ocean Marina, adjacent to the City's Marina Office, trading as Mandurah Dolphin Cruises.

All three licenses are due for expiry on the 12 October 2019, and as such Quay Ventures have requested renewal of the licenses which will all trade under the name Mandurah Cruises. As all licenses will commence on the same date and trade under the one name, Quay Ventures have requested support for one licence agreement which will identify the three separate licensed areas.

An independent valuation has been undertaken to determine fair market rent, the MPAC jetty has been valued at \$30,750 per annum (exc GST) being 82 linear metres for side A and side B, and the Mandurah Ocean Marina jetty is valued at \$6,375 per annum, for 17 linear metres. These rental rates reflect exclusive use of the jetties 7 days a week, during a fixed timeframe with no overnight stays.

Taking into consideration the request for one overarching licence, officers consider one agreement is appropriate which would cover the three separate sites. The term of the agreement should also reflect the City's standard practice for commercial leasing and licensing which is for a five year term with a five year renewal option (5+5 years). The starting rent for all three sites equates to \$37,125 (exc GST).

Council is therefore requested to support the advertising of and if no submissions received the disposal of an exclusive use jetty licence to Quay Ventures Pty Ltd trading Mandurah Cruises over 82 linear metres being side A and side B of the MPAC jetty and 17 linear metres of the jetty adjacent to the City's marina offices for an annual rent of \$37,125 (exc GST). The term of the licence being five years with a five year renewal option (5+5 years) with annual CPIs and market rent review to apply. The licence is also subject to the Minister for Lands and Department of Transport approval.

RESOLVED TO RECOMMEND: S Jones / R Wortley

That Council:

- 1. Approves the advertising of, and if no submissions received, the disposal of an exclusive use jetty licence to Quay Ventures Pty Ltd trading as Mandurah Cruises over side A and side B of Jetty LM 2305 located adjacent to the Mandurah Performing Arts Centre for a total of 82 linear metres; and 17 linear metres of Jetty LM 3844 adjacent to the City's Marina Office, as delineated in this report, with the following conditions:**
 - 1.1 A five year term with five year renewal option (5+5 years), commencing after Minister for Lands approval;**
 - 1.2 A Rental rate of \$37,125 per annum excluding GST;**
 - 1.3 Annual CPI to apply, with market rent review at end of the first term;**
 - 1.4 Operational hours being 8am – 6.30pm 7 days per week;**
 - 1.5 No overnight mooring being permitted;**

- 1.6 The relocation for Special Events if requested;
- 1.7 The Minister for Lands and Department of Transport approval being granted.
2. Acknowledges all costs associated with the preparation of the licence will be borne by Quay Ventures;
3. Authorises the Chief Executive Officer to finalise the conditions of the licence.

CARRIED UNANIMOUSLY: 10/0

**CC.19/6/19 SUBLEASES: RESERVE 48150 LOT 22 (NO. 187) BREAKWATER
PARADE MANDURAH WESTMEN INVESTMENTS PTY LTD (RL/LP)
(REPORT 8)**

Westmen Investments Pty Ltd (Westmen) have held a lease over a 15,323 square metre portion of Lot 22 (No. 187) Breakwater Parade Mandurah since January 2002. In 2003 Westmen constructed workshops and office accommodation over a portion of their lease area to facilitate the sub-letting of units to local business operators offering marine related services to the marina precinct.

In May 2019, Westmen requested approval to enter into two new sub-leases over Units 2 and 4 for proposed terms of two years with a three year renewal term options (2 + 3 years) that will support:

- a) A local marine business for the storage of food and beverage items to be used offsite in conjunction with the daily running of their tourism services within the Mandurah waterways for the local community and international visitors to the Peel region (Unit 2);
- b) A local caterer for the storage of food and beverage items to assist with their offsite Food Truck services providing the surrounding marine businesses and visitors with kiosk style take-away foods and beverages (Unit 4).

The head lease allows for operations over the site that relate to marine related activities and kiosk food of which both the new subleases align with.

Council is requested to approve the two subleases for 187 Breakwater Parade Mandurah with one being between Westmen Investments Pty Ltd and Quay Ventures Pty Ltd trading as Mandurah Cruises and the second being between Westmen Investments Pty Ltd and Paul Andrew Wynne trading as Platinum Service Catering. Both subleases are for a term of two years with a three year renewal (2+3 years) and subject to the approval of the Minister for Lands.

RESOLVED TO RECOMMEND: S Jones / Lynn Rodgers

That Council:

1. Approves the sublease between Westmen Investments Pty Ltd and Quay Ventures Pty Ltd trading as Mandurah Cruises, over Unit 2, 187 Breakwater

Parade, Mandurah for a term of two years with a three year option of renewal (2+3 years);

2. Approves the sublease between Westmen Investments Pty Ltd and Paul Andrew Wynne trading as Platinum Service Catering, over Unit 4, 187 Breakwater Parade Mandurah for a term of two years with a three year option of renewal (2+3 years);
3. Acknowledges the subleases will be subject to the approval of the Minister for Lands and all costs associated with the preparation of documentation to be borne by the head-lessee;
4. Acknowledges the City is only consenting to the agreement and not party to the sub-lease agreements.

CARRIED UNANIMOUSLY: 10/0

**CC.20/6/19 TRANSFORMATIVE CITIES COOPERATIVE RESEARCH CENTRE:
REQUEST TO SUPPORT/PARTNER (DS/NL) (REPORT 9)**

The Cooperative Research Centre for Water Sensitive Cities (CRCWSC) is an Australian Research Centre that brings together many disciplines, subject matter experts, and industry leaders to revolutionise urban water management in both Australia and overseas. The City of Mandurah has been an active partner in the CRCWSC since its inception in 2012.

The CRCWSC period of operation is coming to a close and the City has been invited to join their submission to the Commonwealth Government's 21st CRC Selection Round to establish the new entity of *Transformative Cities CRC*. The City has benefited from CRCWSC partnership and research by utilising technical guidance documents, the facilitation of industry partnerships and training opportunities, as well as the use of tools such as the Water Sensitive Cities Index.

Ongoing research and collaboration is important as the City of Mandurah transitions towards becoming a Water Sensitive City. The *Transformative Cities CRC* bid would build around their strength in water as the core of their research, whilst acknowledging that sustainable, resilient, productive and liveable cities require greater integration and coordination with other city shaping elements. The City of Mandurah would benefit from being a partner in the *Transformative Cities CRC* as the focus will be on the adoption of the research outcomes and how to embed them into our organisation and on ground works programs.

Council is requested to approve its continuing support and involvement in the CRCWSC should its application for Commonwealth funding be successful.

RESOLVED TO RECOMMEND: R Williams / Lynn Rodgers

That Council:

1. Supports the Transformative Cities Cooperative Research Centre (CRC) application for continued funding.
2. Acknowledge the funding commitment of \$10,000 per year for the next ten years (totalling \$100,000) being required should the application to the

Commonwealth Government's 21st CRC Selection Round application be successful.

- 3. Authorises the Chief Executive Officer to sign the Cooperative Research Centres Partner Declaration.**

CARRIED UNANIMOUSLY: 10/0

CC.21/6/19 TENDER NUMBER 02-2019 SUPPLY OF MATERIALS TESTING AND ANALYSIS REPORTING (CP/EJ) (REPORT 11)

The City of Mandurah invited tenders for the Supply of Materials Testing and Analysis Reporting. This service is utilised in the provision of road construction and maintenance activities. During the qualitative evaluation process, before price was considered, it was established that there was no suitable tenderers to perform the services.

Council approval is sought to decline to accept all tenders and note that the City will review the tender specification before undertaking a quotation process within six months, under the provisions of the *Local Government (Functions and General) Regulations 1996 Clause 11 (c)(i)*.

RESOLVED TO RECOMMEND: R Wortley / Peter Rogers

That Council:

- 1. Rejects tenders for T02-2019 Supply of Materials Testing and Analysis Reporting.**
- 2. Notes the City will undertake a quotation process for the Supply of Material Testing and Analysis Reporting under the provisions of the *Local Government (Functions and General) Regulations 1996 Clause 11 (c) (i)*.**

CARRIED UNANIMOUSLY: 10/0

CC.22/6/19 TENDER NUMBER 03-2019 PROVISION OF SECURITY SERVICES (VL/LMCA) (REPORT 12)

The City of Mandurah uses security services to provide vehicle patrols through the City Centre, Marina and various car parks throughout the municipality and an alarm response service to the City's owned or managed buildings, grounds and facilities.

Foot patrols and static guards are used to deter and detect unusual or suspicious activity as well as to safeguard people and property. Cash collection is required for various offices, facilities and City sponsored events to transfer revenues to the City's nominated bank.

Security crowd controllers and patrol officers are required for the six major events organised by the City to ensure assets and people are kept safe.

The City of Mandurah invited tenders for the Provision of Security Services and as a result of the evaluation of tendered submissions, Council is now requested to accept the following tenderers as the preferred tenderer:

1. Separable Portion One – Vehicle Patrols and Alarm Responses - Accord Security Pty Ltd
2. Separable Portion Two – Foot Patrols and Static Guards - Accord Security Pty Ltd
3. Separable Portion Three – Cash Collection - WestSure Group Pty Ltd
4. Separable Portion Four – Events Security - NPB Security Pty Ltd

Hon Councillor Riebeling moved the report recommendation with Councillor Jones seconding. Hon Councillor Riebeling asked what the previous suppliers percentage increase was for the supply of services. The Manager Infrastructure Management advised he would take this question on notice. Discussion was undertaken in regarding to the possibility of moving some security services in-house. The Chief Executive Officer and Director Sustainable Communities provided responses to further questions raised.

RESOLVED TO RECOMMEND: F Riebeling / S Jones

That Council:

1. **Accepts Accord Security Pty Ltd as the preferred tenderer for Tender 03-2019 for the Provision of Security Services - Separable Portion One – Vehicle Patrols and Alarm Responses.**
2. **Accepts Accord Security Pty Ltd as the preferred tenderer for Tender 03-2019 for the Provision of Security Services - Separable Portion Two – Foot Patrols and Static Guards.**
3. **Accepts WestSure Group Pty Ltd as the preferred tenderer for Tender 03-2019 for the Provision of Security Services - Separable Portion Three – Cash Collection.**
4. **Accepts NPB Security Pty Ltd as the preferred tenderer for Tender 03-2019 for the Provision of Security Services - Separable Portion Four – Events Security.**

CARRIED UNANIMOUSLY: 10/0

LATE AND URGENT BUSINESS ITEMS [AGENDA ITEM 14]

Nil.

CONFIDENTIAL ITEMS [AGENDA ITEM 15]

RESOLVED: Lynn Rodgers / R Wortley

That the meeting proceeds with closed doors at 6.30pm in accordance with Sections 5.23(2)(c) and (e) of the Local Government Act 1995, for discussion of confidential items.

CARRIED UNANIMOUSLY: 10/0

Members of the media, non-senior employees and persons in the gallery left the meeting at this point. The Minute Officer and Manager Planning and Land Services, remained with Senior Officers.

THE MEETING PROCEEDED WITH CLOSED DOORS AT 6.30PM

CC.23/6/19 CONFIDENTIAL ITEM: BUDGET (DP) (CONFIDENTIAL REPORT 1)

Confidential discussion ensued regarding this issue.

RESOLVED TO RECOMMEND: F Riebeling / C Knight

- 1 That Council adopts the course of action agreed.**
- 2 That the report remains confidential but makes the resolution public.**

CARRIED UNANIMOUSLY: 10/0

CC.24/6/19 CONFIDENTIAL ITEM: LAND ACQUISITION (LP) (CONFIDENTIAL REPORT 2)

Confidential discussion ensued regarding this issue.

RESOLVED TO RECOMMEND: F Riebeling / P Jackson

- 1 That Council adopts the course of action agreed.**
- 2 That this report and resolution remains confidential until after settlement of the properties.**

CARRIED UNANIMOUSLY: 10/0

CC.25/6/19

MOTION: Lynn Rodgers / M Darcy

That the meeting proceeds with open doors.

CARRIED UNANIMOUSLY: 10/0

THE MEETING PROCEEDED WITH OPEN DOORS AT 6.44PM

CC.26/6/19

MOTION: Peter Rogers / F Riebeling

That Council endorses the resolutions taken with closed doors.

CARRIED UNANIMOUSLY: 10/0

CLOSE OF MEETING [AGENDA ITEM 16]

There being no further business, the Chairman declared the meeting closed at 6.44pm.

CONFIRMED:[CHAIRMAN]