



NOTICE OF MEETING

ORDINARY COUNCIL

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

**Tuesday 26 March 2019
at 5.30pm**

MARK R NEWMAN
Chief Executive Officer
20 March 2019

AGENDA:

1. OPENING OF MEETING AND ANNOUNCEMENT OF VISITORS

2. ACKNOWLEDGEMENT OF COUNTRY

3. ATTENDANCE AND APOLOGIES

Hon Councillor Riebeling - Apology

4. IMPORTANT NOTE:

Members of the public are advised that any decisions made at the meeting tonight, can be revoked, pursuant to the *Local Government Act 1995*. Therefore, members of the public should not rely on any decisions until formal notification in writing by Council has been received.

5. ANSWERS TO QUESTIONS TAKEN ON NOTICE

6. 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.

7. PUBLIC STATEMENT TIME

Any person or group wishing to make a 2-minute Public Statement to Council regarding a matter concerning local government must first complete an application form. For more information about Public Statement Time, or to obtain an application form, please telephone 9550 3706 or visit the City's website www.mandurah.wa.gov.au.

8. LEAVE OF ABSENCE REQUESTS**9. PETITIONS****10. PRESENTATIONS****11. DEPUTATIONS**

Any person or group wishing to make a 5-minute Deputation to Council 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.

12. CONFIRMATION OF MINUTES:

12.1 Ordinary Council Meeting: 26 February 2019 (attached)

13. ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)**14. DECLARATIONS OF FINANCIAL, PROXIMITY AND IMPARTIALITY INTERESTS**

15. QUESTIONS FROM ELECTED MEMBERS (WITHOUT DISCUSSION)

- 15.1 Questions of which due notice has been given
- 15.2 Questions of which notice has not been given

16. BUSINESS LEFT OVER FROM PREVIOUS MEETING**17. RECOMMENDATIONS OF COMMITTEES**

- 17.1 Adoption of Recommendations of Audit & Risk Committee Meeting: 11 March 2019 (Blue pages)

<i>Item</i>		<i>Page No</i>	<i>Interests Declared / Additional Information</i>
AR.4/3/19	Review of Procurement Activity	3	
AR.5/3/19	Compliance Audit Return 2018	4	
AR.6/3/19	Three Year Strategic Occupational Safety & Health Plan	5	

- 17.2 Adoption of Recommendations of Committee of Council Meeting: 12 March 2019 (Green pages)

<i>Item</i>		<i>Page No</i>	<i>Interests Declared / Additional Information</i>
CC.5/3/19	Supply of New Enterprise Resource Planning	4	
CC.6/3/19	A Shared Economic Future: Memorandum of Understanding	6	
CC.7/3/19	Disposal of Compaction Trailers	6	
CC.8/3/19	Reconciliation Action Plan	7	
CC.9/3/19	Yalgorup National Heritage Listing	8	
CC.10/3/19	Embrace a Space	9	Deferred to Council
CC.11/3/19	Trading Permit Guideline Review	11	
CC.12/3/19	Naming Reserve 49425 Shirley Joiner Reserve	12	
CC.13/3/19	Lease: Lions Club of Mandurah	13	
CC.14/3/19	Licence: Mandurah Netball Association	14	
CC.15/3/19	2019/2020 Community Sport and Recreation Facility Fund Summer Round	14	
CC.16/3/19	Proposed Traffic Management Scheme	15	

	Spinaway Pde/Panamuna Dve Falcon		
CC.17/3/19	Tender T23-2018 Supply and Delivery of Premix Concrete	16	
CC.18/3/19	Tender T24-2018 Coastal Earthworks Large Machinery Hire	17	
CC.19/3/19	Tender T25-2018 Control of Feral Animals	17	
CC.20/3/19	Tender 01-2019 Mandjar Square Stage 4 Walling Works	17	Interest Declared: Councillor Tahlia Jones
CC.21/3/19	Confidential Item: Property Disposal	18	Interest Declared: Councillor Lynn Rodgers Acting Executive Manager Finance and Governance

18. REPORTS (Yellow Pages):

<i>Item</i>		<i>Page No</i>
1	Financial Report February 2019	1 - 15
2	Future of Local Government National Summit May 2019	16 - 24
3	Local Government Act Review Phase Two	25 - 58
4	Fencing Amendment Local Law 2018	59 - 66
5	Proposed Development Works Rushton Park Precinct	67 - 75
6	Proposed Beach Enclosure Falcon Bay	76 - 84

19. ADOPTION OF RECOMMENDATIONS NOT WITHDRAWN FOR FURTHER DISCUSSION

20. MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

21. NOTICE OF MOTIONS FOR CONSIDERATION AT THE FOLLOWING MEETING

22. LATE AND URGENT BUSINESS ITEMS

23. CONFIDENTIAL ITEMS

24. CLOSE OF MEETING



MINUTES OF COUNCIL MEETING

HELD ON

TUESDAY 26 FEBRUARY 2019

AT 5.30PM

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

PRESENT:

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

MR	M NEWMAN	CHIEF EXECUTIVE OFFICER
MR	A CLAYDON	DIRECTOR WORKS & SERVICES
MR	T FREE	DIRECTOR SUSTAINABLE COMMUNITIES
MR	G DAVIES	EXECUTIVE MANAGER STRATEGY & BUSINESS PERFORMANCE
MR	D PRATTENT	ACTING EXECUTIVE MANAGER FINANCE & GOVERNANCE
MR	C JOHNSON	MANAGER SPORT, RECREATION AND EVENTS
MR	N CARROLL	MANAGER MARINA AND WATERWAYS
MRS	L SLAYFORD	MINUTE OFFICER

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

The Deputy Mayor declared the meeting open at 5.30pm.

ACKNOWLEDGEMENT OF COUNTRY [AGENDA ITEM 2]

The Deputy Mayor acknowledged that the meeting was being held on the traditional land of the Bindjareb people, and paid her respect to their Elders past and present.

APOLOGIES [AGENDA ITEM 3]

Mayor Williams was an apology.

DISCLAIMER [AGENDA ITEM 4]

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

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

ANSWERS TO QUESTIONS TAKEN ON NOTICE [AGENDA ITEM 5]**G.1/1/19 R GENT: MERRIVALE STREET RECONSTRUCTION**

At the Council meeting of 29 January, 2019 Mr Gent requested information from Council in relation to:

1. When will Merrivale Street be returned to the previous 2002 levels and a drainage system installed as stated in the Chief Executive Officer report to Council on 25 June 2013?
2. With regard to the City's correspondence on 18 July 2018, who is the Councillor referred to in the correspondence?
3. Who was the City officer that drew the sketch referred to in the correspondence of 18 July 2018?

Response:

1. *As far as the City is concerned Merrivale Street is now at its previous level. The matter has been finalised and no further action is planned.*

2. *The “Councillor” to which you refer is mentioned in a letter from the independent surveyor. The City’s records do not identify the specific person.*
3. *The “City officer” to which you refer is mentioned in a letter from the independent surveyor. The City’s records do not identify the specific person.*

PUBLIC QUESTION TIME [AGENDA ITEM 6] [OPEN 5.35PM - CLOSED 5.44PM]

G.1/2/19 MR W FAULKNER: CHARLES AND DOROTHY COOTE RESERVE

Mr Faulkner asked the following questions:

1. Can an officer from the City of Mandurah Council please explain to me how the first proposal for a 24/7 BMX/pump track on the Charles and Dorothy Cootes reserve, rejected by residents, reappear under a different guise?
2. How can the residents’ views be over ridden and a third proposal for a bigger 24/7 BMX/pump track be presented again, less than 18 months after the last proposal?
3. What steps will Council take to ensure residents’ lives are not turned upside down by the latest proposal?
4. Why is this proposal different to the last proposal?
5. Why does this proposal appear to be against Council's greening goals, i.e. by reducing a natural open area?
6. Why has the proposal for a BMX/pump track only ever been looked at in Madora Bay?

The City’s Manager Sport, Recreation and Events provided the following response.

In responding to the questions raised by Mr Faulkner, City Officers have attempted to address the issues under 3 headings:

- *Proposed Pump Track - Community Engagement Process Background*
- *Managing Anti-Social Behaviour*
- *Lakelands District Open Space – Future Facilities*

Proposed Pump Track - Community Engagement Process Background

In September 2016, City Officers meet with the Madora Bay Community Association and developed a list of future facility upgrades for Coote Reserve and amongst these was the proposal for an entry level Pump Track.

In 2017, the City of Mandurah, through the Madora Bay Residents Association received funding of \$60k from the State Government to install a pump track at Coote Reserve.

In January 2018, the Madora Bay Residents Association carried out some consultation of local members to measure the community’s support for the installation of a Pump Track at Coote Reserve.

The feedback was inconclusive with some people in favour and others opposed. As a result, the City sent out a letter to a boarder catchment within Madora Bay which again demonstrated differing views on the proposed installation of a Pump Track at Coote Reserve.

With no clear direction delivered through the consultation, the City then investigated the option of a Pump Track being installed as part of a future public open space development. However, this approach was unsuccessful with no new possible locations being identified.

In reviewing the process undertaken to date, it was determined that a revised community engagement plan was required. The process that City Officers have now employed is a staged approach that is firstly asking the Madora Bay community to consider 3 possible sites for the installation of a Pump Track facility, being:

- Lord Hobart Dr Reserve;*
- McLennan Reserve; and*
- the original proposed location – Coote Reserve.*

Residents have the option of expressing their preference either on line via the Mandurah Matters community engagement website or in person at one of the 3 public workshops that are being held. Once all of the feedback has been received, City Officers should be in a much better position to make a recommendation to Council on the preferred site for the installation of the Pump Track facility or whether the project should be abandoned in Madora Bay and perhaps an alternative suburb considered.

Managing Anti-Social Behaviour

A Pump Track is a recreational facility consisting of a path or circuit of banked turns and features designed to be used by children and youth on bikes and scooters.

As is the case with all new facilities, the pump track will be designed so as to limit the potential impacts on local residents with the final design including path linkages and supporting infrastructure largely dependent on the approved location.

There is no intent for the pump track facility to be used 24hr a day.

Lakelands District Open Space – Future Facilities

As part of the Lakelands District Open Space Master Plan, consideration has been made for the future development of an activity zone in the south west corner of the reserve.

No planning has yet been conducted and the area is not part of the stage 1 design which is currently under construction.

As a result, the Lakelands community have not been surveyed on the types of facilities they may like to see included within the future activity zone.

Mr Faulkner raised a further question as to how the Council will ensure only younger persons utilise the proposed track if it is unsecured.

The Manager Sport, Recreation and Events confirmed the intent was for younger people and their parents to utilise this facility and outlined how design would be considered to assist in this regard.

G.2/2/19 MR H CORP: NAIRNS FORESHORE: MOORING OF HOUSEBOAT

Mr Corp asked if the City of Mandurah had undertaken maintenance in recent years on Lot 400 as they are the responsible authority under the lease agreement.

The Director Works and Services advised that the Department of Water were in control of the waterway and were the authority who provided the original structure for the weed harvesters.

PUBLIC STATEMENT TIME [AGENDA ITEM 7]

G.3/2/19 MR W FAULKNER: CHARLES AND DOROTHY COOTE RESERVE

Mr Faulkner stated that local residents have been lobbying against the proposal for a pump track for four years and have made presentations to two past Council meetings when this item had been considered.

Mr Faulkner outlined perceived flaws including lack of safe pathways, public ablutions, car parking and roadway safety. The meeting was advised that extensive restoration works have been carried out at the reserve recently following community concerns. Issues relating to possible anti-social behaviour and access 24 hours, seven days a week to the BMX/pump track affecting surrounding residential area amenity were also noted by Mr Faulkner.

LEAVE OF ABSENCE REQUESTS [AGENDA ITEM 8]

Nil.

PETITIONS [AGENDA ITEM 9]

G.4/2/19 COUNCILLOR SHANE JONES: WALKWAY CLOSURE DUDLEY PARK

Councillor Shane Jones presented a petition containing the signatures of 41 people requesting the closure of the pedestrian access way joining Vance and Doreen Streets.

MOTION: Shane Jones / Lynn Rodgers

That the petition be received and referred to officers for investigation and inclusion in the reporting process.

CARRIED UNANIMOUSLY: 12/0

PRESENTATIONS [AGENDA ITEM 10]

Nil.

DEPUTATIONS [AGENDA ITEM 11]**G.5/2/19 MR H CORP: NAIRNS FORESHORE: MOORING OF HOUSEBOAT**

Mr Corp delivered a deputation in opposition to the recommendation on the above item outlining how, over the years, he had contacted the City of Mandurah, Shire of Murray, Department of Transport and Department of Water with regard to mooring at the site but no one took responsibility for the site. He advise that he had previously offered to purchase the pylons from the Department of Water but they had deemed to remove the pylons.

G.6/2/19 MR M O'BRIAN: NAIRNS FORESHORE: MOORING OF HOUSEBOAT

Mr O'Brian spoke in support of the recommendation for this item stating that as the neighbour of Lot 400 and the owner of Lot 100 for 30 years with a green title property, he had to ensure compliance with policies, planning regulations and approving bodies for his property, he believed the freehold Lot 400 should be held to the same standards as his neighbouring property is and that a date should be set by Council for compliance on Lot 400.

CONFIRMATION OF MINUTES [AGENDA ITEM 12]**G.7/2/19 CONFIRMATION OF COUNCIL MINUTES: TUESDAY 29 JANUARY 2019**

MOTION: R Wortley / Tahlia Jones

That the Minutes of the Council Meeting held on Tuesday 29 January 2019 be confirmed.

CARRIED UNANIMOUSLY: 12/0

G.8/2/19 CONFIRMATION OF ANNUAL ELECTOR MINUTES: MONDAY 4 FEBRUARY 2019

MOTION: M Darcy / Lynn Rodgers

That the Minutes of the Annual Electors Meeting held on Monday 4 February 2019 be confirmed.

CARRIED UNANIMOUSLY: 12/0

G.9/2/19 CONFIRMATION OF SPECIAL COUNCIL MINUTES: THURSDAY 7 FEBRUARY 2019

MOTION: D Lee / Shane Jones

That the Minutes of the Special Council Meeting held on Thursday 7 February 2019 be confirmed.

CARRIED UNANIMOUSLY: 12/0

G.10/2/19 CONFIRMATION OF SPECIAL COUNCIL MINUTES: TUESDAY 12 FEBRUARY 2019

MOTION: D Lee / M Darcy

That the Minutes of the Special Council Meeting held on Tuesday 12 February 2019 be confirmed.

CARRIED UNANIMOUSLY: 12/0

G.11/2/19 ANNOUNCEMENTS BY THE PRESIDING MEMBER [AGENDA ITEM 13]

The Deputy Mayor invited Councillors to speak on the following items.

- Councillor Matt Rogers updated Council on the Crab Fest launch which was a joint celebration of the lead in to Crab Fest and also the continuing partnership with Seven Network as a major sponsor.
- Councillor Lee informed the meeting of the Ring Criterion Cycle series which brings cycling to the public and assists with activating areas. The event included state, national and Olympic participants.
- Councillor Wortley reported on the Future of Mandurah summit held on February 23. The summit's intent was to assist in creating a shared community and leading the vision for the community. Residents were enthused and motivated about future technological advances and the exciting future ahead.
- Councillor Wortley also attended the CASM Alternative Archive Project which opened February 17. This was an exciting state-wide series of group exhibitions which present historical data with a new perspective.

Deputy Mayor Councillor Knight updated the meeting on the following items.

- Congratulations to the City of Mandurah Building Services section for winning the 2019 Master Builders Bankwest Housing Excellence Awards, Local Government Best Practice award presented on Saturday, 23 February.
- Professor Jo Barker AM and Liz Butson AM were the guests of honour at the Australia Day Honours afternoon tea held Tuesday, 19 February.
- An ATAR civic reception was held February 8 where 42 Mandurah students received certificates for their outstanding ATAR performances (ATAR score above 90).

G.12/2/19 DECLARATION OF INTERESTS [AGENDA ITEM 14]

- Councillor Tahlia Jones declared a financial interest in Minute G.19/2/18 – Central Mandurah Activity Centre, because of property ownership in the area. Councillor Tahlia Jones advised she would not be participating in the discussion or vote on this item.

- Councillor Tahlia Jones declared an impartiality interest in Minute G.20/2/18 – City Centre Waterfront Concept Plans because of her employment with the Department of Primary Industry and Regional Development. Councillor Tahlia Jones declared that she wished to remain in the Chamber and would consider this matter on its merits and vote accordingly.

QUESTIONS FROM ELECTED MEMBERS [AGENDA ITEM 15]

Questions of which due notice has been given

Nil.

Questions of which notice has not been given

G.13/2/19 HON COUNCILLOR RIEBELING: BUSHFIRE ATTACK LEVEL (BAL) RATINGS

Hon Councillor Riebeling asked how it is possible to purchase an FZ rated property in Mandurah, what warnings are in place for this, what protection do purchasers have and what actions can Council take?

The Manager Statutory Services advised people purchasing as well as current landowners were impacted by the BAL rating system and mapping area. The mapping areas and ratings are available to the general public when considering purchasing a property. An FZ rating limits options and often leaves people with a block of land they can't build on or dispose of easily. The City of Mandurah previously wrote to landowners affected by the rating system and has been lobbying since 2016 for legislative changes to the system. The City continues lobbying for change.

G.14/2/19 COUNCILLOR SCHUMACHER: TRAFFIC COUNTS AND ESTUARY BRIDGE

Councillor Schumacher asked if Mandurah Bridge had been subject to any traffic counts along with Sutton Street following its connection to Mandurah terrace. He also asked if the City was still looking at an automatic lane changing system for the Estuary Bridge.

The Director Works and Services advised counts had been recently undertaken in the areas noted and the information should be available shortly, impact of road changes should be identifiable. The Estuary Bridge is controlled by Main Roads Western Australia (MRWA) - Bunbury Region who City officers have met with. MRWA do not warrant the bridge as requiring an automated system. The City will formulate a proposal for the device.

G.15/2/19 COUNCILLOR WORTLEY: BMX/PUMP TRACK

Councillor Wortley asked if BMX usage was anticipated for the project noted in the public statement and if lighting would also be provided for 24 hour use.

The Manager Sport, Recreation and Events confirmed the anticipated design can be utilised by bikes and scooters, including BMX, but not skateboards. BMX bikes were pedal powered vehicles and could therefore utilise. Lighting was not being considered at the moment other than security lighting which will be considered in the design phase.

G.16/2/19 COUNCILLOR JACKSON: ANTI-SOCIAL BEHAVIOUR

Councillor Jackson asked what sort of anti-social behaviour could be expected at the proposed Pump Track.

The Manager Sport, Recreation and Events advised that each facility design looks at reducing the impact on residents by the location of facilities, sight lines, open areas and how it is connected to the community to ensure the best utilisation, which in turn leads to a reduction in anti-social behaviour.

BUSINESS LEFT OVER FROM PREVIOUS MEETING [AGENDA ITEM 16]

Nil.

RECOMMENDATIONS OF COMMITTEES [AGENDA ITEM 17]

NOTE: Council adopted en bloc (moved by Hon Councillor Riebeling and seconded by Councillor Peter Rogers), the recommendations of the Committee of Council meeting of Tuesday 12 February 2019 with the exception of Items CC.4/2/19, CC.5/2/19, CC.6/2/19 and CC.10/2/19, which were dealt with separately.

G.17/2/19 BUDGET REVIEW 2018/2019 (PB) (REPORT 1) (CC.3/2/19)

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 of the report together with changes to the budget for capital expenditure Attachment 3 of the report.

MOTION: F Riebeling / Peter Rogers

That Council*:

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

CARRIED ABSOLUTELY: 12/0
(*This item was adopted en bloc*)

**G.18/2/19 CEMETERIES AMENDMENT LOCAL LAW 2019 FINAL ADOPTION (SL)
(REPORT 2) (CC.4/2/19)**

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.

The Deputy Mayor read aloud the Purpose and Effect to the meeting. Councillor Schumacher moved the motion which was seconded by Hon Councillor Riebeling.

MOTION: D Schumacher / F Riebeling

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

CARRIED UNANIMOUSLY: 12/0

Councillor Tahlia Jones left the Chamber at 6.31pm having declared a financial interest in the following item.

G.19/2/19 CENTRAL MANDURAH ACTIVITY CENTRE (AH) (REPORT 3) (CC.5/2/19)

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.

MOTION: F Riebeling / R Wortley

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.**
 - (b) **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.**
 - (c) **Removing 'Dining and Entertainment' uses as permitted uses within the Residential Mixed Use zone.**
 - (d) **Removing the mandatory ground floor design criteria for flexible land use within the Residential Mixed Use zone.**
 - (e) **Reducing the minimum height requirement within the Mandurah Junction development from three (3) storeys to two (2) storeys.**
 - (f) **Including Lot 150 Vivaldi Drive within the Commercial Mixed Use zone and removing the semi-active frontage designation from the lot.**
 - (g) **Designating Lot 400 Peel Street and Lot 402 Rockford Street (Timbertop Caravan Park) as a site subject to a Local Development Plan.**
 - (h) **Designating all remaining development parcels within Mandurah Junction as sites subject to a Local Development Plan.**
 - (i) **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".**
 - (j) **Amending the residential density code for Lot 106 Mandurah Terrace from R40 to R100**
 - (k) **Include Service Station as a permitted use within the Commercial zone**
 - (l) **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).**
3. **Council supports the work currently undertaken being progressed, and notes that further refinement of the core city centre area will be examined to build upon the increased focus on the city centre by Council, with the view of facilitating further private sector investment.**

CARRIED UNANIMOUSLY: 11/0

Councillor Tahlia Jones returned to the Chamber at 6.33pm.

**G.20/2/19 CITY CENTRE WATERFRONT CONCEPT PLANS (RB) (REPORT 4)
(CC.6/2/19)**

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).

Councillor Shane Jones moved an amended motion that included recommendation points 3 and 4 which had been omitted due to an administrative error in relation to this item.

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.

Councillor Jackson seconded the amended motion.

MOTION: Shane Jones / P Jackson

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.**

CARRIED UNANIMOUSLY: 12/0

G.21/2/19 AMENDMENT 137 TO TOWN PLANNING SCHEME NO 3 – GUIDE PLAN (AH) (REPORT 5) (CC.7/2/19)

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.

Report 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.

MOTION: F Riebeling / Peter Rogers

That:

1. **Council Supports the revised 'Subdivision Concept B' for Lots 21 and 100 Southern Estuary Road being submitted to the Environmental Protection Authority as the applicant's response to the EPA's Notice of Intent dated 17 April 2018 in regard to Amendment 137 to Town Planning Scheme No 3.**
2. **Notwithstanding the above recommendation, Council advises the applicants that there are reservations regarding the revised 'Subdivision Concept B' due to:**
 - the potential impacts on significant vegetation;
 - the potential impacts on threatened species;
 - the ongoing management of the resultant conservation parcel;
 - the hydrological impacts on Lake Clifton;
 - the ability to meet the requirements of State Planning Policy 3.7 - Planning in Bushfire Prone Areas and associated Guidelines; and
 - The creation of 16 lots in lieu of the maximum 11 permitted under Council's Local Planning Strategy and Southern Mandurah Rural Structure Plan.

CARRIED UNANIMOUSLY: 12/0
(*This item was adopted en bloc*)

G.22/2/19 LEASE: MANDURAH CROQUET CLUB (LP/RL) (REPORT 6) (CC.8/2/19)

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.

MOTION: F Riebeling / Peter Rogers

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.**

CARRIED UNANIMOUSLY: 12/0
(*This item was adopted en bloc*)

**G.23/2/19 LICENCE: NAVAL CADETS SOUTHERN ESTUARY HALLS HEAD (LP)
(REPORT 7) (CC.9/2/19))**

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.

MOTION: F Riebeling / Peter Rogers

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**

CARRIED UNANIMOUSLY: 12/0
(*This item was adopted en bloc*)

**G.24/2/19 NAIRNS FORESHORE: MOORING OF HOUSEBOAT (REPORT 8)
(CC.10/2/19))**

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.

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.

Hon Councillor Riebeling moved the motion which was seconded by Councillor Schumacher. Councillor Lee foreshadowed his intention to move an alternative motion for deferral of this item should the original motion not be accepted.

Debate ensued regarding control of the site, differences and criteria for 'anchoring' and 'mooring'. The Director Works and Services and Manager Marina and Waterways clarified all points raised. The Manager Marina and Waterways provided clarification on length of stay permitted under the City's Local Laws.

MOTION: F Riebeling / D Schumacher

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.**

CARRIED: 10/2

FOR: Hon Councillor Riebeling, Councillors Knight, Peter Rogers, Matt Rogers, Lynn Rodgers, Shane Jones, Tahlia Jones, Darcy and Wortley

AGAINST: Councillors Lee and Jackson

**G.25/2/19 TENDER T22-2018 UNDERGROUND ASSET LOCATION (CP/EJ)
(REPORT 9) (CC.11/2/19))**

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.

MOTION: F Riebeling / Peter Rogers

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.

CARRIED UNANIMOUSLY: 12/0
(This item was adopted en bloc)

NOTE: Council adopted en bloc (moved by Hon Councillor Riebeling and seconded by Councillor Peter Rogers), the recommendation of the Public Art Committee meeting of Monday 18 February 2019.

**G.26/2/19 TENDER T17-2018 MANDURAH BRIDGE PUBLIC ARTWORK (EA/VL)
(REPORT 1) (PA.3/2/19)**

Stage three evaluation of the three stage procurement process for the Mandurah Bridge Public Artwork is now complete.

As a result of the evaluation of tendered submissions, Council is requested to accept Chris Nixon as the preferred tenderer.

MOTION: F Riebeling / Peter Rogers

That Council:

That Council accepts Chris Nixon as the preferred tenderer for Tender T17-2018 for the Mandurah Bridge Public Artwork.

CARRIED UNANIMOUSLY: 12/0
(*This item was adopted en bloc*)

NOTE: Council adopted en bloc (moved by Councillor Tahlia Jones and seconded by Councillor Peter Rogers), the recommendations of the Strategy Committee meeting of Tuesday 19 February.

G.27/2/19 MANDURAH CULINARY SCHOOL FEASIBILITY PROJECT (S.1/2/19)

The Peel Development Commission, Murdoch University and Brighthouse Strategic Consulting presented a detailed overview of the feasibility study undertaken in relation to the development of a culinary institute in Mandurah.

MOTION: Tahlia Jones / Peter Rogers

That the City of Mandurah pursue a \$5million Federal Government pre-election funding commitment for the development of a Culinary Science School in Mandurah.

CARRIED UNANIMOUSLY: 12/0
(*This item was adopted en bloc*)

G.28/2/19 CONFIDENTIAL ITEM: ORGANISATIONAL STRATEGY (MN) (REPORT 1) (S.5/2/19)

MOTION: Tahlia Jones / Peter Rogers

That consideration of this item be deferred to the Ordinary Council meeting of 26 February 2019.

CARRIED UNANIMOUSLY: 12/0
(*This item was adopted en bloc*)

REPORTS [AGENDA ITEM 18]

G.29/2/19 FINANCIAL REPORT JANUARY 2019 (PB/DP) (REPORT 1)

The Financial Report for January 2019 together with associated commentaries, notes on investments, balance sheet information and the schedule of accounts are presented for Elected Members' consideration.

MOTION: F Riebeling / Shane Jones

That Council:

- 1 Receives the Financial Report for January 2019.**
- 2 Receives the Schedule of Accounts for the following amounts:**

Total Municipal Fund	\$ 7,388,707.60
Total Trust Fund	<u>\$ 72,285.97</u>
	<u>\$ 7,460,993.57</u>
- 3 Approves unbudgeted expenditure of \$128,000 for Halls Head Parade Resurfacing – No. 38 to No.41.**
 - Funded from Old Coast Road/Fistina Ramble Resurfacing (\$128,000)**

CARRIED UNANIMOUSLY: 12/0

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

G.30/2/19 HON COUNCILLOR RIEBELING: ENFORCEMENT OF THE CITY'S FIRE COMPLIANCE NOTICE

Hon Councillor Riebeling outlined the number of ratepayers who have contacted him concerned about the harshness of the City's application of its Fire Compliance Notice. A report on the matter would allow Council to consider whether the current approach is appropriate and explore opportunities to achieve voluntary resident compliance with reduced need for enforcement action.

MOTION: F Riebeling / Matt Rogers

That Council requests officers to present a report regarding the enforcement of the City's Annual Fire Compliance Notice under the Bushfires Act 1954 that provides information on:

- 1. The rates of compliance by the City's residents over the last three years including details of the enforcement action taken by the City under the Bushfires Act 1954.**
- 2. How many fire infringement notices resulted in court action in the last three years.**
- 3. The current measures undertaken to advise residents of the requirements of the Fire Compliance Notice.**
- 4. Recommendations about how greater opportunity could be provided to residents to meet Bushfire Act 1954 requirements voluntarily before enforcement action is necessary.**

CARRIED UNANIMOUSLY: 12/0

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

Nil.

Councillor Shane Jones left the Chamber at 6.54pm.

LATE AND URGENT BUSINESS ITEMS [AGENDA ITEM 22]

Nil

CONFIDENTIAL ITEMS [AGENDA ITEM 23]

RESOLVED: D Schumacher / Matt Rogers

That the meeting proceeds with closed doors at 6.55pm in accordance with Section 5.23(2)(a) of the *Local Government Act 1995*, to allow for the confidential discussion of items.

CARRIED UNANIMOUSLY: 11/0

Members of the media, senior and non-senior employees and persons in the gallery left the meeting at this point. The Minute Officer remained with the Chief Executive Officer.

THE MEETING PROCEEDED WITH CLOSED DOORS AT 6.55PM

Councillor Matt Rogers left the Chamber at 6.57pm at which time Councillor Shane Jones returned. Councillor Matt Rogers returned at 7.00pm.

G.31/2/19 CONFIDENTIAL ITEM: ORGANISATIONAL STRUCTURE (MN) (REPORT 1)

Confidential discussion ensued regarding this issue.

MOTION: Lynn Rodgers / D Schumacher

- 1 That Council adopts the course of action agreed.**
- 2 That the report remains confidential and the recommendations remain confidential until such time as the changes are implemented.**

CARRIED UNANIMOUSLY: 12/0

G.32/2/19

MOTION: Shane Jones / R Wortley

That the meeting proceeds with open doors.

CARRIED UNANIMOUSLY: 12/0

THE MEETING PROCEEDED WITH OPEN DOORS AT 7.34PM

G.33/2/19

MOTION: Lynn Rodgers / R Wortley

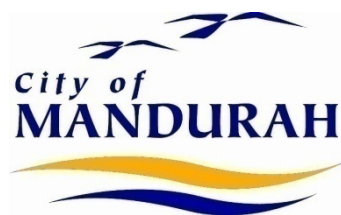
That Council endorses the resolutions taken with closed doors.

CARRIED UNANIMOUSLY: 12/0

CLOSE OF MEETING [AGENDA ITEM 24]

There being no further business, the Mayor declared the meeting closed at 7.35pm.

CONFIRMED (MAYOR)



MINUTES OF

**AUDIT AND RISK
COMMITTEE MEETING**

HELD ON

**Monday 11 March 2019
5.30 pm**

IN COUNCIL CHAMBERS - 83 MANDURAH TERRACE MANDURAH

PRESENT:

COUNCILLOR	TAHLIA JONES	COASAL WARD
COUNCILLOR	RON WORTLEY	NORTH WARD
MR	I ILSLEY	EXTERNAL REPRESENTATIVE
COUNCILLOR	PETER JACKSON	NORTH WARD

OFFICERS IN ATTENDANCE:

MR	M NEWMAN	CHIEF EXECUTIVE OFFICER
MR	C JOHNSON	A/EXECUTIVE MANAGER STRATEGY & BUSINESS SERVICES
MR	D PRATTENT	A/EXECUTIVE MANAGER FINANCE AND GOVERNANCE
MR	R KING	MANAGER HUMAN RESOURCES AND ORGANISATIONAL DEVELOPMENT
MRS	L SLAYFORD	MINUTE OFFICER

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

The Chief Executive Officer declared the meeting open at 5.33pm and called for nominations as Chairperson for the meeting. One nomination, Councillor Wortley, was received.

AR.1/3/19 NOMINATION OF CHAIRPERSON

RESOLVED: Tahlia Jones / P Jackson

That in the absence of the Chairman, Hon Councillor Riebeling, Councillor Wortley is appointed Chairperson for this meeting.

CARRIED UNANIMOUSLY: 4/0

Councillor Wortley took the Chair.

ATTENDANCE AND APOLOGIES [AGENDA ITEM 2]

Committee members Mayor Williams, Hon Councillor Riebeling, Councillors Lee, Peter Rogers, Lynn Rodgers and non-committee member Councillor Matt Rogers were apologies.

RESPONSE TO QUESTIONS TAKEN ON NOTICE [AGENDA ITEM 3]

Nil.

PRESENTATIONS AND ANNOUNCEMENTS BY CHAIRMAN [AGENDA ITEM 4]

Nil.

CONFIRMATION OF MINUTES [AGENDA ITEM 5]

AR.2/3/19 CONFIRMATION OF MINUTES

RESOLVED: I Ilsley / Tahlia Jones

That the Minutes of the Audit and Risk Committee meeting of Monday, 10 December 2019 be confirmed.

CARRIED UNANIMOUSLY: 4/0

DECLARATIONS OF FINANCIAL, PROXIMITY AND IMPARTIALITY INTERESTS [AGENDA ITEM 6]

Nil.

BUSINESS LEFT OVER FROM PREVIOUS MEETING [AGENDA ITEM 7]

Nil.

SUSPENSION OF STANDING ORDERS [AGENDA ITEM 8]

AR.3/3/19 SUSPENSION OF CITY'S STANDING ORDERS 8.5 AND 8.6

RESOLVED: I Ilsley / P Jackson

That the City's Standing Orders 8.5 and 8.6 be suspended at 5.37pm in order to facilitate debate.

CARRIED UNANIMOUSLY: 4/0

ITEMS FROM OFFICERS [AGENDA ITEM 9]

AR.4/3/19 REVIEW OF PROCUREMENT ACTIVITY (DP) (REPORT 1)

The Auditor General has been given the responsibility for both the audit of local government financial statements and the conduct of performance audits. The first performance finalised in October 2018 was aimed at assessing the effectiveness of procurement arrangements in eight local governments of varying sizes in both metropolitan and regional Western Australia.

The City was not one of the local governments to be audited. However it was felt that, because procurement is not only an important activity but a key fraud risk, there should be an independent evaluation of the City's systems and exposure to the risk of fraud. As a result, Deloitte Risk Advisory were engaged to conduct an evaluation of the City's purchasing system. In addition, the City has recently undertaken an internal review of purchasing activity.

Council is requested to note the contents of this report and the actions being implemented to improve systems.

The Acting Executive Manager Finance and Governance delivered a presentation informing the meeting of findings from the review undertaken by Deloitte Risk Advisory. The review concluded there was no evidence of fraud or corruption however, some weakness in the City's current processes were noted as possible future risk areas. Ongoing, regular training in processes, procedures and probity were recommended by officers to assist with expenditure controls and budget forecasting.

Committee members discussed probity measures which could be considered along with probity and ethics training tools. The Chief Executive Officer and Acting Executive Manager Finance and Governance responded to all queries raised.

Mr Ilsley moved the report recommendation which was seconded by Councillor Jackson.

RESOLVED TO RECOMMEND: I Ilsley / P Jackson

That Council

- 1. Notes the contents of this report and the key actions to be taken.**

2. **Notes that a further report will be provided in November 2019 detailing progress on the implementation of the action plan.**

CARRIED UNANIMOUSLY: 4/0

AR.5/3/19 COMPLIANCE AUDIT RETURN 2018 (LC) (REPORT 2)

Each local government is required to complete a Compliance Audit Return (CAR) for the period 1 January to 31 December each year. The compliance audit has been conducted for 2018 which resulted in the City achieving almost full compliance.

One minor non-compliance was identified during the review. This is outlined further in the comments of this report, however, this was a minor administrative oversight and as such considered to be not serious.

There is a statutory requirement to have the compliance audit reviewed by the Audit and Risk Committee and then adopted by council. Once adopted, it will be certified by the Mayor and Chief Executive Officer and then forwarded to the DLGSCI prior to the 31 March 2018 deadline.

Council is requested to consider and adopt the 2018 Compliance Audit Return.

General discussion pertaining to procedures and processes in place permitting the City of Mandurah to achieve high compliance was undertaken. The Chief Executive Officer and Acting Manager Finance and Governance provided information in relation to the compliance survey and answer questions raised by Committee members.

The report recommendation was moved by Councillor Tahlia Jones and seconded by Mr Ilsley.

RESOLVED TO RECOMMEND: Tahlia Jones / I Ilsley

That Council adopts the City of Mandurah 2018 Compliance Audit Return.

CARRIED UNANIMOUSLY: 4/0

AR.6/3/19 THREE YEAR STRATEGIC OCCUPATIONAL SAFETY AND HEALTH PLAN (PL/RK) (REPORT 3)

In August 2018, the City's insurer Local Government Insurance Services (LGIS) was engaged by the City to conduct a 3 Steps to Safety Program audit. The purpose of the audit was to identify gaps within our existing Occupational Safety and Health (OSH) management system and to create the next 3 year strategic plan.

The OSH Plan was developed with the assistance of the City's OSH committees and sets the direction for achieving continuous improvement of the City's OSH systems, performance and culture.

Council is requested to endorse the City's 3 Year Strategic Occupational Health and Safety Plan.

The Manager Human Resources and Organisational Development gave an overview of achievements and plans implemented during the 2016 - 2018 Strategic OSH Plan. Number, length and severity of injuries were noted along with strategies implemented within CityParks to assist manual labourers in reducing injuries. Targets and priorities included in the 2019-2021 plan were also outlined. Discussion ensued in regard to the City's ability to achieve a 90% audit score in 2021-2022, particularly given the industry standard is general very low.

Councillor Peter Jackson moved, Councillor Tahlia Jones seconded the report recommendation.

RESOLVED TO RECOMMEND: P Jackson / Tahlia Jones

That Council

- 1. Endorses the 3 Year Strategic Occupational Safety & Health Plan 2019-2022**
- 2. Notes the Occupational Safety & Health Key Performance Indicators**

CARRIED UNANIMOUSLY: 4/0

REPORTS FROM AUDITORS [AGENDA ITEM 10]

Nil.

LATE AND URGENT BUSINESS ITEMS [AGENDA ITEM 11]

Nil.

QUESTIONS AND ISSUES FROM COMMITTEE MEMBERS [AGENDA ITEM 12]

Nil.

REINSTATEMENT OF STANDING ORDERS [AGENDA ITEM 13]

AR.7/3/19 REINSTATE CITY'S STANDING ORDERS 8.5 AND 8.6

RESOLVED: I Ilsley / Tahlia Jones

That the City's Standing Orders 8.5 and 8.6 be reinstated at 6.14pm.

CARRIED UNANIMOUSLY: 4/0

CLOSE OF MEETING [AGENDA ITEM 14]

There being no further business, the Chairman declared the meeting closed at 6.15pm.

CONFIRMED:[CHAIRMAN]



MINUTES OF

COMMITTEE OF COUNCIL MEETING

HELD ON

Tuesday 12 March 2019

AT 5.30 PM

IN COUNCIL CHAMBERS - 83 MANDURAH TERRACE
MANDURAH

PRESENT:

COUNCILLOR	D LEE [CHAIRMAN]	EAST WARD
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
COUNCILLOR	T JONES	COASTAL WARD
COUNCILLOR	M DARCY	COASTAL WARD
COUNCILLOR	D SCHUMACHER	TOWN WARD

OFFICERS IN ATTENDANCE:

MR	M NEWMAN	CHIEF EXECUTIVE OFFICER
MR	A CLAYDON	DIRECTOR WORKS & SERVICES
MR	T FREE	DIRECTOR SUSTAINABLE COMMUNITIES
MR	D PRATTENT	ACTING EXECUTIVE MANAGER FINANCE & GOVERNANCE
MR	C JOHNSON	ACTING EXECUTIVE MANAGER STRATEGY & BUSINESS PERFORMANCE
MR	B DRECKOW	MANAGER PLANNING AND LAND SERVICES
MRS	L SLAYFORD	MINUTE OFFICER

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

The Chairman declared the meeting open at 5.34pm.

APOLOGIES / LEAVE OF ABSENCE [AGENDA ITEM 2]

Mayor Williams, Hon Councillor Riebeling, Councillors Matt Rogers and Peter Rogers were apologies.

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]

Nil.

PRESENTATIONS AND ANNOUNCEMENTS BY CHAIRMAN [AGENDA ITEM 6]

Nil.

DEPUTATIONS [AGENDA ITEM 7]

CC.1/3/19 MR B HOPE: TRADING PERMIT GUIDELINES REVIEW

Mr Hope spoke of the impact mobile traders were having on 'bricks and mortar' traders and how the review along with Council's "Activation Policy" appeared, in his view, to be detrimental to established businesses. Mr Hope queried the origins of the 400 metre trading distance exclusion zone in the guidelines and suggested changes to mobile vendor trading times, duration of trade and the removal of the Silver Sands Reserve as an approved location.

During the deputation an extension of time was permitted for Mr Hope to deliver his deputation to the Committee.

CC.2/3/19 DEPUTATION EXTENSION OF TIME

RESOLVED: C Knight / Tahlia Jones

That an extension of time be permitted for Mr Hope to complete his deputation to the Committee.

CARRIED UNANIMOUSLY: 9/0

CONFIRMATION OF MINUTES [AGENDA ITEM 8]

CC.3/3/19 CONFIRMATION OF MINUTES

RESOLVED: Tahlia Jones / D Schumacher

That the Minutes of the Committee of Council meeting of Tuesday 12 February 2019 be confirmed.

CARRIED UNANIMOUSLY: 9/0

CC.4/3/19 DECLARATION OF INTERESTS [AGENDA ITEM 9]

- Councillor Lynn Rodgers declared a financial interest in CC.21/3/19 Confidential Report 1 Property Disposal as she is the Chief Executive Officer of Westaus Crisis and Welfare Services Inc. Councillor Lynn Rogers will leave the Chamber when this item is presented.
- The Acting Executive Manager Finance and Governance declared an impartiality interest in CC.21/3/19 Confidential Report 1 Property Disposal as he is a board member of Westaus Crisis and Welfare Services Inc. The Acting Executive Manager Finance and Governance will leave the Chamber when this item is presented.
- Councillor Tahlia Jones declared an impartiality interest in CC.20/3/19 Report 16 Tender T01-2019 Mandjar Square Stage 4 Walling Works as the contractor is known to Councillor Tahlia Jones via her role as Local Content Advisor with the Department Planning, Infrastructure and Regional Development. Councillor Tahlia Jones will leave the Chamber when this item is presented.

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

Nil.

BUSINESS LEFT OVER FROM PREVIOUS MEETING [AGENDA ITEM 11]

Nil.

REPORTS [AGENDA ITEM 12]

**CC.5/3/19 SUPPLY OF NEW ENTERPRISE RESOURCE PLANNING (SH) (REPORT
1)**

In June 2018, Council endorsed the Working Smarter business case that highlighted issues related to our current systems procurement strategy and existing technology systems. The report highlighted the fact that the current systems and procurement strategy were preventing the City from delivering our digital strategic objectives. It was recommended that if the organisation were to keep up with changing citizen demands and improve business performance, it would require a new system capable of providing;

- Citizen e-Services;
- 360° views of the customer and property;
- Workforce mobility;
- Business Intelligence and Data Analytics;
- Process workflow and automation; and
- Functionality that removed organisational silos.

In September 2018, an evaluation team comprising managers representing core functional areas across the City, was formed to procure and deliver an enterprise wide resource planning (ERP) system that would provide the above capabilities. The new ERP system would replace the current Civica “Authority” ERP system and a suite of best-of-breed systems that support it.

After an initial system capability assessment of all ERP suppliers was undertaken by the Governance and Tenders Team and the Working Smarter Team, it was determined that only TechnologyOne had the ability to deliver a solution that could meet the City’s requirements. Council endorsed the recommendation to procure the system as sole provider in November 2018.

The evaluation team in collaboration with key users and teams across the organisation, developed 1400 detailed functional and technical business requirements, and issued this to TechnologyOne through eQuotes on November 2018. The evaluation which included 3 stages of evaluation against the stated functional and technical requirements is now effectively complete.

Council approval is sought to select TechnologyOne to deliver a new ERP system to the City.

Councillor Shane Jones moved the report recommendation which was seconded by Councillor Jackson. Committee members acknowledged the significance of this item along with the benefits it will generate both for the organisation and residents.

RESOLVED TO RECOMMEND: Shane Jones / P Jackson

That Council:

- 1. Awards TechnologyOne the contract to supply the City a new ERP system for the period of ten years commencing 1 April 2019.**
- 2. Authorises the Chief Executive Officer to undertake negotiations of the final contract.**

CARRIED UNANIMOUSLY: 9/0

CC.6/3/19 A SHARED ECONOMIC FUTURE: MEMORANDUM OF UNDERSTANDING (TB) (REPORT 2)

In January 2018, Council authorised the City to prepare a new economic development strategy – in partnership with the Shire of Murray - to replace the previous *Southern City Strategy*, which was adopted by Council in 2008.

In October 2018, Council adopted the newly created strategy, '*Mandurah and Murray: A Shared Economic Future*' as the City's new economic development strategy. Further, Council endorsed the programs and projects contained within the new strategy, and committed to a program of advocacy to ensure State and Federal Government support and investment in the strategy's projects.

In November 2018, Council authorised liaison to take place between the leaders of both Councils over a suitable cooperative Memorandum of Understanding for the delivery of *Mandurah and Murray: A Shared Economic Future*. Council also approved commencement of a process to create a suitably skilled Strategic Advisory Group, comprising of (as a minimum) the City of Mandurah Mayor and CEO, the Shire of Murray President and CEO, and four business representatives.

Council also authorised officers to examine the potential to create a Regional Subsidiary for the delivery of the economic development strategy beyond June 2020. Council also noted that the draft budget would recommend allowance for extra resources within the Mandurah/Murray Economic Development Unit to focus on Markets and Investments, Portfolio Development, and Business and Industry.

Leaders from the two Councils met on 11 February to discuss the proposed Memorandum of Understanding (MOU), and Council is requested to endorse this.

The report recommendation was moved by Councillor Tahlia Jones who acknowledged the exciting initiative and partnership with the Shire of Murray. Councillor Tahlia Jones spoke of the economic development that was occurring on Mandurah's doorstep in the adjoining local government district and the benefits and assistance this would provide to the Mandurah area. Councillor Tahlia Jones noted, in reference to page nine of the report, that potential development of a regional subsidiary between the City of Mandurah and Shire of Murray would be commenced with a further report to be submitted to Council for approval.

Councillor Schumacher seconded the recommendation also acknowledging the economic and employment benefits this could generate for Mandurah.

RESOLVED TO RECOMMEND: Tahlia Jones / D Schumacher

That Council endorses the signing of the MOU as presented in the report and instructs both the Mayor and Chief Executive Officer of the City of Mandurah to sign and formalise the document.

CARRIED UNANIMOUSLY: 9/0

CC.7/3/19 DISPOSAL OF COMPACTION TRAILERS (DP) (REPORT 3)

The City disposes of its waste to the Dardanup landfill facility. Waste is compacted at the Waste Management Centre (WMC), compacted, and transported in specialised trailers. The City owns the compaction equipment at the WMC and the trailers, and a transport company provides the prime mover and hauls the trailers to Dardanup.

As waste volumes have grown, the haulier has used its own fleet of compaction trailers to augment the City's fleet. The company has expressed an interest in acquiring the City's trailers to add to its existing stock.

From the City's point of view, a sale of trailers provides a minor annual saving. However, a sale represents an opportunity to avoid the future costs of maintenance, replacement and addition to a relatively expensive fleet of trailers.

Council is requested to approve the sale of four compaction trailers to Allpoint Nominees Pty Ltd trading as K Trans WA.

RESOLVED TO RECOMMEND: D Schumacher / R Wortley

That Council:

- 1. Notes the sale of compaction trailers will be advertised publicly for submissions.**
- 2. Approves, in the event that there are no submissions, the sale of its compaction trailers to Allpoint Nominees Pty Ltd, trading as K Trans WA.**
- 3. Notes that, if submissions are received, a further report will be provided to Council.**

CARRIED UNANIMOUSLY: 9/0

CC.8/3/19 RECONCILIATION ACTION PLAN 2019-2022 (TH) (REPORT 4)

The City of Mandurah developed and endorsed its first Reconciliation Action Plan (RAP) in 2012 and its second in 2014. The RAP journey has provided the City with opportunities to build meaningful, mutually beneficial relationships with local Aboriginal community. It has also enabled the organisation to deliver a number of quality outcomes for the City and for Mandurah's Aboriginal community.

The City began a process of consulting with the Aboriginal community throughout 2017 to establish priorities and new ideas for the City's third RAP. An Expression of Interest for a new RAP Steering Group was advertised in late 2017, which attracted a pleasingly wide range of applicants. The result has been a new RAP Steering Group with members representing a broad range of perspectives based on work and life experience, with connections to local Elders. The City ran a series of planning meetings with the RAP Steering group throughout 2018, where the group were invited to develop actions for an 'aspirational' Stretch RAP.

This report seeks council endorsement for the City's third Reconciliation Action Plan 2019-2022.

Councillor Lynn Rodgers moved the report recommendation, Councillor Wortley seconded the recommendation. Committee members spoke of the success of the past plans and the high regard with which the two way relationship, developed during this process over many years, is held. It was acknowledged that the City of Mandurah is a member of Supply Nation supporting indigenous businesses.

RESOLVED TO RECOMMEND: Lynn Rodgers / R Wortley

That Council endorse the City of Mandurah's STRETCH Reconciliation Action Plan 2019 – 2022.

CARRIED UNANIMOUSLY: 9/0

CC.9/3/19 YALGORUP NATIONAL HERITAGE LISTING (BB/BR) (REPORT 5)

The Yalgorup National Park, inclusive of Lake Clifton and the other Yalgorup lakes, is one of the most important environmental assets in Mandurah and the broader Peel region.

In April 2017, Council resolved to undertake a community engagement campaign to assess and build community support for the National Heritage listing of the park. This was based on initial stakeholder engagement which indicated that the success of the nomination would be reliant on strong community support and political support at the State Government level.

Officers conducted targeted community and stakeholder engagement from July 2017 to October 2018. Results from this engagement show strong community support for the nomination of Yalgorup National Park for National Heritage listing, with 96% of respondents in support of nomination. Of the 248 people surveyed, 47 people indicated a willingness to be involved in helping with the nomination process and ten people indicated that they were willing to join a steering group to guide the process.

The engagement process also highlighted a strong community affinity with the environmental features of the park, with its provision of natural habitat, protection of native flora and fauna and the thrombolites being the three aspects most valued by respondents. However, a slight lack of understanding of the environmental significance of Yalgorup was also noted, with 57% of respondents indicating they know only “a little” about the park.

Going forward, instead of continuing community engagement specific to the nomination of Yalgorup National Park for National Heritage listing, it is recommended that support is channelled into raising community awareness of Mandurah's environmental value more broadly, with specific attention to places such as Yalgorup National Park. This includes the development of an appropriate tourism vision and identity for the National Park. This vision should be developed in conjunction with researchers and qualified tourism professionals to ensure all potential impacts of tourism are identified and accounted for.

RESOLVED TO RECOMMEND: C Knight / Tahlia Jones

That Council:

- 1. Acknowledges the update on the National Heritage listing of the Yalgorup National Park including Lake Clifton and the Yalgorup lakes.**
- 2. Acknowledges the results of the Yalgorup National Heritage Listing Community Engagement Campaign.**
- 3. Supports the nomination of Yalgorup National Park for National Heritage listing without an intensive and ongoing community engagement campaign, understanding that this may impact the length of the nomination assessment period.**

CARRIED UNANIMOUSLY: 9/0

CC.10/3/19 EMBRACE A SPACE (TR/VA) (REPORT 6)

At the meeting in April 2018, Council resolved that the City considers an Embrace a Space Program to enable the community to adopt and participate in the management of public spaces in Mandurah. In response to this, a community-led Embrace a Space Program has been developed which will operate alongside existing environmental volunteer groups and be supported through the Mandurah Environmental Volunteer Action Committee (MEVAC).

The Embrace a Space Program encourages community members to adopt and contribute to the management and activation of their favourite public space. It aims to strengthen community connections by creating a positive sense of ownership in spaces across Mandurah. The Embrace a Space Program will be delivered by community and supported by City staff. The program will include a facilitation Toolkit and Activity Plan. The Toolkit will enable residents and the local community to facilitate a community workshop, to develop a vision for their space and to identify volunteer opportunities for their group. This will result in an Activity Plan being developed by group members and presented to relevant City officers, to enable collaboration between community and City operational activities.

Minor expenditure is expected and can be accommodated via the existing Volunteer Support program. If successful, this budget will continue to be used to support the Embrace a Space program in the future.

Council is being requested to acknowledge the Embrace A Space program and support the implementation of the Embrace A Space toolkit.

Report Recommendation:

That Council acknowledges the Embrace a Space Program and supports the implementation of the Embrace a Space Toolkit and Activity Plan.

Councillor Tahlia Jones moved an alternate recommendation to defer this item to the 26 March Council meeting to enable feedback to be provided to officers on this item. Councillor Shane Jones seconded the alternative recommendation.

RESOLVED TO RECOMMEND: Tahlia Jones / Shane Jones

That this item be deferred to the 26 March, 2019 Council meeting to enable feedback to be provided to officers on this item.

CARRIED UNANIMOUSLY: 9/0

CC.11/3/19 TRADING PERMIT GUIDELINE REVIEW (NL) (REPORT 7)

This report seeks to review of the effectiveness of the Trading Permits Guidelines adopted in February 2018, and provide recommendations for changes to improve customer service and reduce red tape.

Over the past 12 month period, the City has received no complaints in relation to commercial and aquatic operators' and one complaint in relation to mobile food vendors, with the submitter seeking a time limit restriction of 2 hours in any one location for mobile traders.

As a part of this review, officers have:

- reconsidered the stated objectives of the document;
- considered possible modifications to the regulatory provisions relating to the locations of trade and the length of time spent in any one trading location;
- considered the inclusion of provisions relating to semi-permanent space activation and markets;
- the initiation of the 'expression of interest' process for key waterfront locations; and
- have undertaken a review of the fee structure.

Council is recommended to support the proposed modifications to the stated objectives of the Trading Permits Guidelines, in addition to the modifications to the Schedule of Fees and Charges for 2019/2020.

Councillor Shane Jones moved the report recommendation which was seconded by Councillor Knight. Debate ensued in relation to mobile trader business registrations, trading times, trading duration and approved sites. The Manager Planning and Land Services and Acting Executive Manager Finance and Governance responded to all queries raised.

Councillor Wortley foreshadowed his intention to move a recommendation for deferral of this item to a later date if the report recommendation was not carried.

Debate continued in regard to location usage volumes and compliance monitoring. Councillors requested clarification pertaining to the origins of the 400 metre exclusion zones. The Manager Planning and Land Services advised 400 metres was considered to be five minutes walking distance expressed in metres rather than time. Questions were raised in relation to community and business consultation undertaken. The Manager Planning and Land Services requested to take on notice the question regarding details of formal community consultation undertaken.

RESOLVED TO RECOMMEND: Shane Jones / C Knight

That Council:

- 1. Maintains the current Trading Permit Guidelines as an agreed position on how traders may operate from Council land, subject to the following modifications:**
 - (a) Modify Section 1.1 of the Trading Permit Guidelines to read**
 - (a) *“Encourage the use of parks and reserves by commercial and aquatic operators and mobile traders, as a means of enhancing the vibrancy and community activity that flows from this activation of our public spaces, whilst managing the competing needs and interests of pedestrians, consumers and local business proprietors;***
 - (b) *To facilitate enjoyable, interesting, unique and convenient leisure and recreational options for residents, families and other members of the community to experience in their local area;***
 - (c) *Encourage and provide entrepreneurial, place-making and tourism opportunities that contribute to the well-being of residents, to the overall experience of visitors to Mandurah and to the growth of small businesses;***
 - (d) *Provide guidelines and assessment criteria for the consistent decision making of applications for trading permits applications on public land.”***
 - (b) Approves modifications that identify the semi-permanent/pop-up style activities from the approved City Centre Waterfront Precinct Concept Plans are included in the ‘City Centre Waterfront Trading Locations’ and are subject to the expression of interest process outlined in Section 2.8 of the Guidelines.**
- 2. Notes the introduction of a quarterly fee of \$650 for mobile traders to the Schedule of Fees and Charges for 2019/2020 and an update to the fee structure within the guidelines;**
- 3. Notes the introduction of a monthly fee of \$100 for commercial and aquatic operators to the Schedule of Fees and Charges for 2019/2020 and an update to the fee structure within the guidelines.**

RECOMMENDATION LOST: 4/5

FOR: Councillors Shane Jones, Darcy, Knight and Jackson

AGAINST: Councillors Schumacher, Lee, Wortley, Lynn Rodgers and Tahlia Jones

Councillor Wortley moved the foreshadowed motion of deferral which was seconded by Councillor Schumacher. Councillor Wortley explained his rationale for the deferment was to ensure all information and impacts of these changes were clearly identified and understood by Council before making a decision on this item.

RESOLVED TO RECOMMEND: R Wortley / D Schumacher

That Council:

- 1. Defer consideration of this item to the April 2019 round of meetings;**
- 2. Receive further information from officers in relation to:**
 - 2.1 Restricting trading commencement times;**
 - 2.2 Duration of trading hour restrictions;**
 - 2.3 Appropriateness of 400 metre trading distance;**
 - 2.4 Appropriateness of Mandurah Terrace, Silver Sands trading location;**
 - 2.5 Set-up time requirements for mobile traders;**
 - 2.6 Monetary and staff costs in amending commencement trading time to 9.00am from the stated 7.00am**
- 3. Receive a copy of the reviewed trading guidelines prior to consideration of the item in April 2019.**

CARRIED UNANIMOUSLY: 9/0

**CC.12/3/19 NAMING RESERVE 49425 SHIRLEY JOINER RESERVE (LP/VK)
(REPORT 8)**

The City is proposing to commemorate the late Mrs Shirley Joiner, who made a significant contribution to the community through her environmental advocacy and volunteering works, with the naming of a reserve in her honour.

Mrs Joiner, who passed away in 2017, meets the specific Landgate policy requirements for commemorative naming through her many years of community service for organisations including the Peel Preservation Group, Mandurah Environmental Advisory Group, Friends of Rivers Peel and the Mandurah Uniting Church.

Due to Mrs Joiner's passion for the environment, the naming of a reserve which holds environmental significance is considered to be an appropriate commemoration. Bushland Reserve 49425 in Tuckey Cove Dudley Park has been selected on the basis that it meets this criteria, with an endangered species of flora upon it and, as well, it is located in what was Mrs Joiner's home suburb.

Extensive consultation, to both the residents who live within the vicinity of the reserve and the wider community, has been carried out, with overwhelming support to the proposal received.

Council is therefore requested to endorse the official naming of Reserve 49425 at Lot 1995 Sharperton Meander, Dudley Park as Shirley Joiner Reserve, subject to Landgate approval.

The report recommendation was moved by Councillor Knight, seconded by Councillor Shane Jones. The Committee acknowledged the tireless and passionate community undertakings of Mrs Joiner and applauded the reserve be named in her honour.

RESOLVED TO RECOMMEND: C Knight / Shane Jones

That Council:

- 1. Approves formal submission to the Geographic Naming Committee at Landgate for the official naming of Reserve 49425, Lot 1995 Sharperton Meander, Dudley Park, as Shirley Joiner Reserve;**
- 2. Acknowledges upon approval of the name by the Geographic Naming Committee, holds a suitable ceremony to officially name the reserve.**

CARRIED UNANIMOUSLY: 9/0

CC.13/3/19 LEASE: LIONS CLUB OF MANDURAH (LP/RL) (REPORT 9)

The current lease with the Lions Club of Mandurah Incorporated (Lions) is due to expire on the 30 June 2019, with the renewal term being fully exercised upon this date. The group has formally requested to enter into a new lease agreement with the City upon the expiry of the current term.

The Lions club occupy Lot 24 and a portion of Lot 25 Park Road, Mandurah, being City freehold owned land, with a total lease area of 3,395 square metres, the City's operations Centre is located adjacent to this site on Lot 31.

Due to the strategic nature, the possible redevelopment potential of the site together with the access required by the City via the lease area to the adjoining dog pound, on Lot 31, officers consider that a tenure term of three years with a two year renewal option (3+2 years) is appropriate, along with a reduced rental rate of \$50 per annum. These conditions align with the current lease agreement between the group and the City.

Council is requested to support a new lease with the Lions Club of Mandurah Incorporated, over Lot 24 and a portion of Lot 25 Park Road, Mandurah, for a term of three years with a two year renewal option (3+2 years) commencing on the 1 July 2019 with final expiry due on the 30 June 2024. An annual rental rate frozen at \$50 per annum until the lease expires or until the dog pound access is no longer required by the City.

RESOLVED TO RECOMMEND: Lynn Rodgers / D Schumacher

That Council:

- 1. Approves a lease over Lot 24 and a portion of Lot 25 Park Road, Mandurah, to the Lions Club of Mandurah Incorporated with the following conditions;**
 - 1.1 Tenure of three years, commencing on 1 July 2019 and expiring on 30 June 2022;**

- 1.2 **Renewal term of two years, commencing on 1 July 2022 and expiring on 30 June 2024;**
2. **Approves the application of the City's Fees and Charges Schedule 2018/19 to the term of lease being suspended, with rent being fixed at \$50 per annum until expiry of the lease, or until the dog pound is removed;**
3. **Approves the waiver of the documentation preparation fee as detailed in the City's Fees and Charges Schedule 2018/19 of \$600;**
4. **Authorises the Chief Executive Officer to finalise the conditions of the Lease.**

CARRIED UNANIMOUSLY: 9/0

CC.14/3/19 LICENCE: MANDURAH NETBALL ASSOCIATION (LP/RL) (REPORT 10)

The Mandurah Netball Association Incorporated (MNA) have held tenure over a portion of Reserve 19312, Lot 503 (No. 20) Thomson Street, Mandurah, since 1995. Their current licence is due to expire on the 31 March 2019, with all renewal options being fully exercised upon this date.

After recent discussions with the club officers recommend a new licence agreement with the same tenure to their existing agreement, of three years with a two year renewal option (3+2 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 licence with the Mandurah Netball Association Incorporated, over a portion of Reserve 19312 Thomson Street, Mandurah, for a term of three years with a two year renewal option (3+2 years) commencing on or after the Minister for Lands consent, together with an annual rental fee of \$1,000 proposed in accordance with the City's Schedule of Fees and Charge and all licence terms and conditions are subject to the approval of the Minister for Lands.

RESOLVED TO RECOMMEND: Shane Jones / Tahlia Jones

That Council:

1. **Approve a licence over portion of Reserve 19312, Lot 503 (No. 20) Thomson Street, Mandurah, to the Mandurah Netball Association Incorporated with the following conditions;**
 - 1.1 **Tenure of three years, with a two year renewal option (3+2 years);**
 - 1.2 **Commencement on or after the Minister for Lands consent;**
2. **Authorises the Chief Executive Officer to finalise the conditions of the licence agreement.**

CARRIED UNANIMOUSLY: 9/0

**CC.15/3/19 2019/2020 COMMUNITY SPORT AND RECREATION FACILITY FUND
SUMMER ROUND (NG) (REPORT 11)**

The Community Sport and Recreation Facilities Fund (CSRFF) is a Department of Local Government, Sport and Cultural Industries - Sport and Recreation program that provides financial assistance to community groups and local government authorities to develop basic infrastructure for sport and recreation.

The small grants aim to increase participation in sport and recreation, with an emphasis on physical activity through rational development of sustainable, good quality, well designed and well utilised facilities where the total cost does not exceed \$200,000. The application process for submissions involve Local Governments undertaking an initial assessment to ensure proposed projects are well planned, prioritised and of positive benefit to the community.

The City has received two applications from clubs as part of the Community Sport and Recreation Facility Fund (CSRFF) Small Grants – Summer Round. Details of these applications are:

- Mandurah Tennis Club Resurfacing of Courts 9-12
- South Mandurah Tennis Club Resurfacing of Courts 7-10

Council is requested to support the ratings and priorities of the two (2) 2019/20 Community Sport and Recreation Facility Fund (CSRFF) Small Grants applications submitted and note that an allowance for the City's contributions towards each project will be listed in the 2019/20 draft capital budget, subject to the projects being approved by the Department of Local Government, Sport and Cultural Industries - Sport and Recreation.

RESOLVED TO RECOMMEND: Shane Jones / Tahlia Jones

That Council:

1. **Supports the rankings and ratings for the Community Sport & Recreation Facility Fund Small Grant applications from the following clubs / organisations:**
 - **Mandurah Tennis Club**
Project – Resurfacing of courts 9 - 12
Ranking – one
Rating - Medium/High
 - **South Mandurah Tennis Club**
Project - Resurfacing of courts 7 - 10
Ranking – Two
Rating – Medium/High
2. **Notes that if any of the following applications are successful, the City will be required to commit the following amounts through the 2019/20 capital budget:**
 - **Mandurah Tennis Club**
 - **Project – Resurfacing of courts 9 – 12 - \$12,411.00**
 - **South Mandurah Tennis Club**
 - **Project - Resurfacing of courts 7 - 10 - \$10,625.30**

CARRIED UNANIMOUSLY: 9/0

**CC.16/3/19 PROPOSED TRAFFIC MANAGEMENT SCHEME SPINAWAY
PDE/PANAMUNA DVE FALCON (TC) (REPORT 12)**

In response to resident's concerns, a traffic management scheme has been developed for Spinaway Parade and Panamuna Drive, Falcon.

City officers have undertaken public consultation for a proposed traffic management treatment on Spinaway Parade and Panamuna Drive around the Falcon Bay Foreshore development. The proposal includes:

- a) the installation of speed cushions at two locations in Spinaway Parade adjacent to the Falcon Bay Foreshore development (locations 2 and 3 on below plan) to protect pedestrians and drivers entering and exiting the on street parking bays at this location, and
- b) the installation of a separation kerb with delineation around the bend between Panamuna Drive and Spinaway Parade (location 1 on below plan) to address vehicle speeds and separation at the bend.

Council is requested to endorse the implementation of the proposed traffic management measures as shown on Plan TM 2512 of the report.

RESOLVED TO RECOMMEND: Tahlia Jones / M Darcy

That Council approves the installation of rubber speed cushions on Spinaway Parade along with separation kerbing at the bend between Panamuna Drive and Spinaway Parade as shown on Plan TM 2512 of the report.

CARRIED UNANIMOUSLY: 9/0

**CC.17/3/19 TENDER T23-2018 SUPPLY AND DELIVERY OF PREMIX CONCRETE
(CP/EJ/BN) (REPORT 13)**

The City of Mandurah invited tenders for the Supply and Delivery of Premix Concrete and as a result of the evaluation of tendered submissions, Council is requested to accept the following tenderers as the preferred tenderers:

1. Separable Portion One General Premixed Concrete: The Gill Family Trust & The Ockwell Family Trust (trading as Mandurah U-Cart).
2. Separable Portion Two Coloured Premixed Concrete: The Gill Family Trust & The Ockwell Family Trust (trading as Mandurah U-Cart).
3. Separable Portion Three Fibre Reinforced Concrete: The Gill Family Trust & The Ockwell Family Trust (trading as Mandurah U-Cart).
4. Separable Portion Four Exposed Aggregate Concrete: BGC Concrete
5. Separable Portion Five Liquid Limestone: Reject all Tenderers.

RESOLVED TO RECOMMEND: C Knight / D Schumacher

That Council:

1. **Accepts The Gill Family Trust & The Ockwell Family Trust (trading as Mandurah U-Cart) as the preferred tenderer for T23-2018 for the Supply and Delivery of Premix Concrete Separable Portion One General Premixed Concrete.**

2. **Accepts The Gill Family Trust & The Ockwell Family Trust (trading as Mandurah U-Cart) as the preferred tenderer for T23-2018 for the Supply and Delivery of Premix Concrete Separable Portion Two Coloured Premixed Concrete.**
3. **Accepts The Gill Family Trust & The Ockwell Family Trust (trading as Mandurah U-Cart) as the preferred tenderer for T23-2018 for the Supply and Delivery of Premix Concrete Separable Portion Three Fibre Reinforced Concrete.**
4. **Accepts BGC Concrete as the preferred tenderer for T23-2018 for the Supply and Delivery of Premix Concrete Separable Portion Four Exposed Aggregate Concrete.**
5. **Declines to accept all tenders for T23-2018 for the Supply and Delivery of Premix Concrete Separable Portion Five Liquid Limestone.**

CARRIED UNANIMOUSLY: 9/0

CC.18/3/19 TENDER T24-2018 COASTAL EARTHWORKS LARGE MACHINERY HIRE (NC/VL) (REPORT 14)

The City of Mandurah invited tenders for Coastal Earthworks - Large Machinery Hire. During the evaluation process, it was identified that there was no suitable tender that would achieve value for money.

Council approval is sought to decline to accept all tenders and note that the City will review the tender specification before re-tendering in the future.

RESOLVED TO RECOMMEND: P Jackson / Shane Jones

That Council decline all tenders for Tender T24-2018 for the Coastal Earthworks – Large Machinery Hire

CARRIED UNANIMOUSLY: 9/0

CC.19/3/19 TENDER T25-2018 CONTROL OF FERAL ANIMALS (CP/EJ) (REPORT 15)

The City of Mandurah invited tenders for the Control of Feral Animals and as a result of the evaluation of tendered submissions, Council is requested to accept Terrestrial Ecosystems as the preferred tenderer.

RESOLVED TO RECOMMEND: Shane Jones / R Wortley

That Council accepts Terrestrial Ecosystems as the preferred tenderer for Tender T25-2018 for the Control of Feral Animals.

CARRIED UNANIMOUSLY: 9/0

Having declared an interest in the following item Councillor Tahlia Jones left the Chamber at 6.48pm.

**CC.20/3/19 TENDER 01-2019 MANDJAR SQUARE STAGE 4 WALLING WORKS
(FK/VL) (REPORT 16)**

The City of Mandurah invited tenders for the Mandjar Square Stage 4 – Walling Works. The works include the supply of all labour and materials to construct in-situ concrete walls around the Mandurah Performing Arts Centre and is a key component of the Mandjar Square Redevelopment Project.

As a result of the evaluation of tendered submissions, Council is requested to accept Quality Assured Contracting Pty Ltd as the preferred tenderer.

RESOLVED TO RECOMMEND: D Schumacher / Shane Jones

That Council accepts Quality Assured Contracting Pty Ltd as the preferred tenderer for T01-2019 for the Mandjar Square Stage 4 – Walling Works.

CARRIED UNANIMOUSLY: 8/0

Councillor Tahlia Jones returned to the Chamber following the vote on item CC.20/3/19 at 6.48pm.

LATE AND URGENT BUSINESS ITEMS [AGENDA ITEM 14]

Nil.

CONFIDENTIAL ITEMS [AGENDA ITEM 15]

RESOLVED: Tahlia Jones / P Jackson

That the meeting proceeds with closed doors at 6.49pm in accordance with Section 5.23(2)(e) of the Local Government Act 1995 for discussion of a confidential item.

CARRIED UNANIMOUSLY: 9/0

Councillor Lynn Rodgers, Acting Executive Manager Finance and Governance, 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 6.49PM

CC.21/3/19 CONFIDENTIAL ITEM: PROPERTY DISPOSAL

Confidential discussion ensued regarding this issue.

RESOLVED TO RECOMMEND: D Schumacher / Shane Jones

That Council:

1. **Approves a short term extension of lease of Lot 503 (No.60) Peel Street, Mandurah with WestAus Crisis Care and Welfare Services Inc. commencing on 1 July 2019 and expiring 31 December 2019, emphasizing no further extensions will be granted;**
2. **Authorises the Chief Executive Officer to finalise the conditions lease arrangements;**
3. **Authorises the disposal of the property on expiration of the lease extension, with a further report to be presented to Council to gain support for the tender and marketing process;**
4. **Report to remain confidential until the disposal of Lot 503 (60) Peel Street Mandurah, with the resolutions being made public.**

CARRIED: 5/3

FOR: Councillors Schumacher, Jackson, Lee, Shane Jones and Tahlia Jones

AGAINST: Councillors Knight, Wortley and Darcy

CC.22/3/19

MOTION: Tahlia Jones / Shane Jones

That the meeting proceeds with open doors.

CARRIED UNANIMOUSLY: 8/0

THE MEETING PROCEEDED WITH OPEN DOORS AT 7.07PM

CC.23/3/19

MOTION: P Jackson / Shane Jones

That Council endorses the resolutions taken with closed doors.

CARRIED UNANIMOUSLY: 8/0

CLOSE OF MEETING [AGENDA ITEM 16]

There being no further business, the Chairman declared the meeting closed at 7.08pm.

CONFIRMED:[CHAIRMAN]

1 SUBJECT: Financial Report February 2019
CONTACT OFFICER/S: David Prattent/ Paul Bates
AUTHOR: Paul Bates

Summary

The Financial Report for February 2019 together with associated commentaries, notes on investments, balance sheet information and the schedule of accounts are presented for Elected Members' consideration.

Disclosure of Interest

Nil

Previous Relevant Documentation

- SP.3/7/18 02/07/2018 2018/19 Budget Adoption

Comment

Financial Summary

	YTD Actuals '000's	YTD Budget '000s	YTD Variance '000s	2018/19 Current Budget '000s	2018/19 Forecast '000s
Operating Summary					
Operating Revenue	105,682	103,787	-1,895	111,332	111,220
Operating expenditure			0		
Direct Labour	33,044	33,930	886	51,817	50,893
Allocation of Administration Expenses	-5,940	-6,958	-1,017	-10,440	-10,440
Operating Costs	32,708	35,998	3,290	53,862	54,217
Total Operating expenditure	59,812	62,970	3,158	95,239	94,670
Operating (surplus)/ deficit before depreciation	-45,870	-40,817	5,053	-16,093	-16,550
Depreciation	20,042	20,034	-8	30,063	30,063
Operating (surplus)/ deficit	-25,828	-20,783	5,045	13,970	13,513
Other Inflows					
Grants & Contributions	3,777	4,641	865	6,965	6,945
Capital Revenue	16,792	16,736	-56	26,840	26,517
<i>Surplus (deficit) brought forward</i>				3,826	3,826
Other outflows					
Capital Expenditure	15,797	26,386	10,589	40,450	40,450
Repayment of debt	2,734	2,734		5,052	5,052
Transfer to reserve	1,100	1,100		1,132	1,100
Profit Sale	165	165		165	165
Total outflows				46,799	46,767
(Surplus)/ Deficit				-16	-181

YTD Operating revenue is \$1.6 million higher than budgeted, this is a result of a few revenue items been received at the beginning of the financial year. There is also some areas that have higher than budgeted revenue and these are highlighted below.

YTD Operating expenditure is \$3.3 million underspent and this is in part a result of the timing of expenditure throughout the year. Projects and programs will be further advanced towards the second half of the year, this YTD expenditure will reflect this as the year progresses.

Key Operating Activities

The Financial report outlines 12 key areas which are important to an understanding of how the City is performing throughout the year. These areas account for 93.72% of the operating budget for the City of Mandurah. Table 1.1 below outlines the key areas YTD position for the month of February.

Table 1.1

	YTD Actuals 000s	YTD Budgets 000s	YTD Variance 000s	YTD % Variance	Forecast 000s	Annual Budget 000s
Expenditure						
Building Services	1,296	1,328	32	98	2,001	2,014
City Centre Activation	344	540	196	64	1,235	1,107
City Events	927	1,182	255	78	2,158	2,135
City Works	9,425	9,447	22	100	14,206	14,237
Citybuild	10,941	11,142	201	98	16,838	16,759
Cityparks	15,188	15,624	436	97	23,893	23,608
Cultural Development	487	731	245	67	1,177	1,105
Economic Development	1,614	1,755	141	92	2,649	2,645
Environmental Services	1,252	1,506	254	83	2,273	2,276
HHCRC	662	732	70	90	1,084	1,090
Libraries & Learning	2,938	3,093	156	95	4,689	4,691
MARC	4,763	4,761	-2	100	6,897	7,195
Rates Section	1,475	1,409	-66	105	2,312	2,124
Waste Management	8,334	8,715	382	96	13,063	13,083
Income						
Building Services	-736	-792	-56	93	-1,189	-1,189
City Events	-247	-287	-40	86	-432	-432
City Works	-93	-19	74	499	-25	-28
Citybuild	-1,088	-827	262	132	-1,187	-1,240
Cityparks	-681	-614	67	111	-884	-921
HHCRC	-245	-282	-37	87	-383	-380
MARC	-3,050	-3,110	-60	98	-4,651	-4,729
Rates Section	-79,286	-78,462	824	101	-79,166	-79,106
Waste Management	-12,738	-12,555	183	101	-13,398	-13,372

City Centre Activation

The City Centre Activation team is actively planning projects and developments. The city centre security patrols have continued in February. The first payment for the Shape Mandurah Agreement also been made In February with an additional payment to be made on completion of key milestones.

Economic Development

Economic Development expenditure is tracking on budget with slight underspend forecast.

City Events

The City Events team are currently tracking on budget. In February the final numbers for the Australia Day event are an estimated \$5,000 underspent. Preparations for Crabfest are underway for delivery of the event in March.

Environmental Services

Environmental Services are tracking within budget parameters. The Lake Clifton Project (\$50,000) and the Peel Harvey Dolphin research project (\$30,000) will be paid in the latter half of this financial year. The HVAC research project is at the procurement stage, with expenditure to be incurred towards the end of 2019. The rest of the projects are progressing as planned.

Recreation Centres

The MARC Revenue is under budget by \$69,000. The Café revenue is under budget by \$89,000 due to a combination of alternative external food and beverage options opening up, patrons having less discretionary spending available and change to the menu options available. The Café revenue amount is currently on par with 2017/18 year to date figures, however, the City had budgeted for continued growth in Café sales in 2018/19.

The Halls Head Recreation Centres operating expenditure is tracking on budget.

Libraries

The Libraries and Learning operating expenditure is currently tracking within budget parameters. The labour expenditure is also within budget after changes outlined in Budget Review.

Works and Services

City Build

The City Build team is currently operating under budget by \$210,000. Given the size of the budget this is not significant.

City Works

The City Works team is currently operating under budget by \$48,000. Given the size of the budget this is not significant.

City Parks

The City Parks team is currently operating under budget by \$487,000. The underspend for City Parks appears to be mainly attributable to seasonal phasing with higher monthly expenditure expected in the fourth quarter of the financial year. This will be monitored closely through the next quarter. Amendments to budget seasonality are difficult with the existing financial system but is an issue which will be addressed during the next budget cycle. As a comparison, in 2017/18 the February variance was \$704,000 yet the end of year variance was only \$94,000.

City Works Revenue

City Works revenue is on budget for February.

City Build Revenue

City Build are over budget by \$262,000 for the month of February. This is due to a timing difference with lease revenue been charged quarterly, and an increase in facility usage revenue.

Waste Management

The Waste Management operating expenditure is under budget by \$383,000. The verge collection is underspent by \$150,000. The verge collections are continuing in March and this variance will be expended as the year progresses.

Building Services

Building Services revenue is forecast to be slightly under budget for 2018/19. Building application are expected to be \$150,000 lower than expected, however this is been offset by a \$60,000 increase in R-Code variation applications. There has been a slight increase in revenue received in February with \$140,000 in revenue been received in February.

Rates Revenue

Interim rates revenue are currently \$1.9 million, this is \$206,000 higher than budgeted for the full year.

Capital Projects

The table below shows current forecast by asset class with asset class year-to-date under / overspend

	YTD Actuals 000s	Forecast 000s	Annual Budget 000s	CMT 000s	% Complete
1631 - Land	27	0	0	1	0%
1632 - Buildings	3,635	9,898	9,925	1,659	37%
1634 - Bridges	203	1,080	1,080	8	19%
1635 - Parks	1,845	4,375	4,395	717	42%
1636 - Roads	4,521	9,559	9,256	1,179	49%
1637 - Drainage	303	1,665	1,665	12	18%
1639 - Coastal & Estuary	425	2,568	2,568	208	17%
1640 - Equipment	253	358	358	11	71%
1641 - Machinery	1,689	4,118	4,118	1,110	41%
1643 - Other Infrastructure	176	955	955	15	18%
1644 - Eastern Foreshore Seawall	53	330	330	129	16%
1646 - Lakelands DOS	2,665	5,801	5,801	442	46%
Total	15,797	40,706	40,450	5,491	39%

Key Capital Projects

Project	2018/19		Comment
	Actuals	Budget	
	\$'000	\$'000	
Lakelands District Open Space	3,107	5,800	<i>Project status: Internal water & sewerage complete, external water & sewerage commenced in February</i>
Port Bouvard Surf Life Saving Club	344	1,888	<i>Project status: Second storey structural steel is in place and works are progressing as scheduled.</i>

Falcon Bay seawall	15	734	<i>Project status: Project Commencing March, expected completion May.</i>
Waste Management Centre walking floor	805	805	<i>Project status: Complete</i>
Mandjar Square	794	1,068	<i>Project status: Project ongoing work to progress after Crabfest.</i>
Gibson Street Upgrade	366	371	<i>Project status: complete</i>
Dower St Intersection	685	685	<i>Project status: Relocation of services in progress. Civil works to be done in 2019-20.</i>
Casuarina Drive	634	531	<i>Project status: Completed. Further information can be found in unbudgeted expenditure.</i>

Carryover Projects

Carryover projects from 2017/18 are 47.34% spent at the end of February compared with 43.85% at end of January. Details on the project expenditure and progression can be found in Attachment 2.

Balance Sheet information:

	28 February 2019	28 February 2018
General Debtors		
<i>Debtors</i>	\$ 711,658	\$ 1,310,121
<i>Other Debtors*</i>	\$ 875,675	\$ 583,227
Total	\$ 1,587,333	\$ 1,893,348

*Includes *Grants & Contributions, Marina & ATO.*

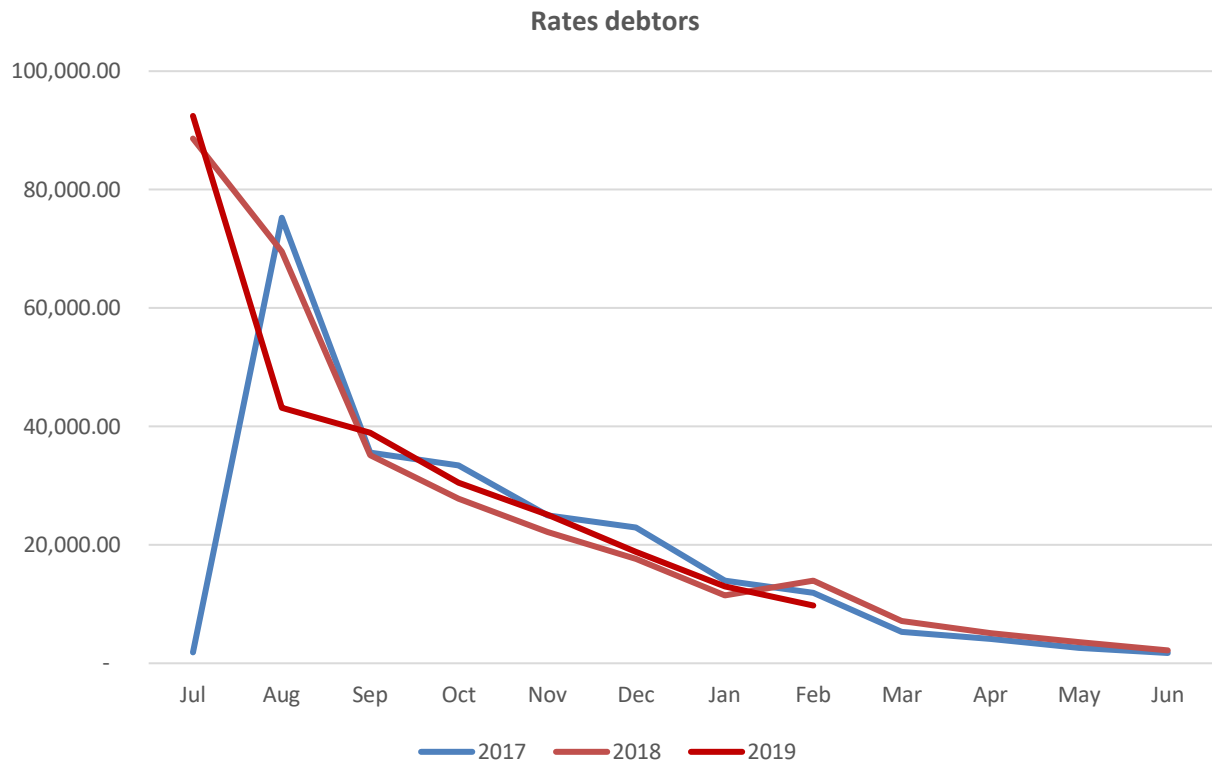
Rates Debtors – All**	\$ 10,983,214	\$ 15,016,380
Deferred Pensioner Rates	\$ (1,231,071)	\$ (1,072,801)
Net rates collectible	\$ 9,752,143	\$ 13,943,578

** *Debtor value includes rubbish collection, ESL charges & debt recovery legal costs.*

The 2018/19 rates notices were issued on the 20 July 2018. The rates were due for payment, or instalment election, on the 24 August 2018. Final Instalment is due on 7 March 2019

Current rates balance are significantly lower than last year. Graph 1.1 below outlines the rates balance figures for the last three years. The rates balance for 2018/19 is 4.2 million lower than last year. This is a result of the addition of several high value properties in January 2018, as a result the rates are skewed to favour the 2018/19 number. The current year rates debtors is highlighted in red. The graph shows some fluctuations that results from the timing of when rates are raised and also interims throughout the year. However the City is tracking in the same trend patterns of the last two years. If we continue in our current trajectory we should have a rates balance at 30th June 2019 similar to the last 2 years.

Graph 1.1



Creditors*

28 Feb 2019
\$ 824,524

31 Jan 2018
\$ 2,927,804

*Creditor values vary from month to month depending on the timing of weekly invoice payment processes

	28 February 2019	28 February 2018
City's Current account	\$ 10,521,426	\$ 9,012,632
Bonds & Deposits	\$ 196,985	\$ 279,400
Visitors Centre	\$ 48,780	\$ 18,785
Marina	\$ 213,273	\$ 2,250
Total	\$ 11,440,074	\$ 9,313,067

Schedule of accounts

A detailed schedule of accounts paid for the month has been placed in the Councillors' lounge for information and a copy will be entered into the minutes of this meeting. A summary of payments made for the month is:

Total Municipal Fund	\$ 6,983,613.85
Total Trust Fund	\$ 39,794.37
	<u>\$ 7,023,408.22</u>

The average monthly payment of creditors for last 12 months has been \$10,126,569. The month has been less than average due to absence of capital expenditure in February. The payments relating to payroll for the month was \$3,157,319.43.

Market average int. rate - UBS Australian Bank Bill Index

	Rating	Allocation	Total Fund	Muni Fund	Bonds & Deposits	Reserves	Monthly Return (annualised rate)
		%	\$	\$	\$	\$	%
			000	000	000	000	%
Investment Type:							
Fixed Term							
Bankwest	AA-	22.28%	15,359	12,095	84	3,180	2.56%
Bendigo & Adelaide Bank	A-	1.49%	1,026	-	-	1,026	2.70%
Westpac	AA-	36.03%	24,840	11,787	3,315	9,737	2.48%
NAB	AA-	24.53%	16,913	9,091	-	7,822	2.68%
ANZ	AA-	0.04%	29	29	-	-	1.50%
At Call							
WA Treasury Corporation	AA+	0.37%	258	-	-	258	1.45%
Westpac	AA-	15.26%	10,521	10,521	-	-	1.28%
Total investments		100.00%	68,945	43,524	3,399	22,022	2.36%

Market average int. rate - UBS Australian Bank Bill Index

1.87%

(1) Other interest includes trading bank accounts, bonds & deposits, deferred rates.

Statutory Environment

Local Government Act 1995 Section 6.4 Financial Report

Local Government (Financial Management) Regulations 1996 Part 4 Financial Reports

Policy Implications

Nil

Economic Implications

Nil

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.

Unbudgeted Expenditure

Casuarina Drive

The traffic management costs have been under budgeted due to the complexity of the site being on a Neighbourhood Connector Road and adjacent to Halls Head College. Additional funding of \$108,610 is requested to facilitate the scope to complete the cost estimate for traffic management. The majority of the project overspend is requested to be funded from Mulga Drive Shared Path, which has been completed under budget by \$95,000 due to efficiencies in the provision of materials and scheduling of works.

Ablutions

The Blue Bay (\$96,000) and Warrangup Ablutions (\$93,000) capital projects were proposed to be refurbished in 2018/19. The initial quotes have outlined that there is a small discrepancy in the initial estimates for these two projects. The Blue Bay ablution has been quoted at \$108,000, therefore an additional \$12,000 is required for this project. The Warrangup ablution has been quoted at 65,000 and this is a \$28,000 saving. Overall there is a 16,000 saving for these two projects and the reallocation of the budget between the two projects will allow them to commence.

NOTE:

- Refer **Attachment 1** **Financial Schedule**
Attachment 2 **Carryover Expenditure**

RECOMMENDATION

That Council:

- 1 Receives the Financial Report for February 2019.
- 2 Receives the Schedule of Accounts for the following amounts:

Total Municipal Fund	\$ 7,388,707.60
Total Trust Fund	<u>\$ 72,285.97</u>
	<u>\$ 7,460,993.57</u>
- 3 Approves unbudgeted expenditure of \$108,000 for Casuarina Drive:
 - Funded from Mulga Drive shared path project \$95,000;
 - Funded from Surplus \$13,000.
- 4 Approves unbudgeted expenditure of \$12,000 for Blue Bay ablution:
 - Funded from Warrangup Springs Ablution \$28,000;
 - Added to Surplus \$16,000.

City of Mandurah Operating Revenue February 2019

Co-Ordinator	YTD Actuals 000s	YTD Budget 000s	Forecast 000s	Annual Budget 000s	YTD Actuals % Variance of YTD 000 s Budget	
Chief Executive Officer						
Chief Executive Officer	0	0	0	0	0	0
Economic Development	-52	-37	-56	-56	14	139
Chief Executive Officer Total	-52	-37	-56	-56	15	139
Director Sustainable Development						
Building Services	-736	-792	-1,189	-1,189	-56	93
City Centre Activation	-4	0	0	0	4	0
Community Development	-52	-75	-102	-112	-23	69
CommunitySafety	-92	-67	-10	-95	25	138
Cultural Development	-77	-89	-135	-134	-12	87
Emergency Management	-91	-62	-73	-93	29	147
Environmental Health	-296	-203	-325	-305	93	146
Environmental Services	-11	-18	-27	-27	-7	60
Land Administration	-14	-14	-18	-21	0	99
Manager Libraries & Learning	-117	-168	-253	-253	-52	69
Planning	-157	-162	-284	-244	-6	97
Ranger Services	-686	-685	-953	-933	0	100
Seniors and Community Centre	-234	-270	-372	-377	-36	87
Statutory Services	0	-1	-2	-2	-1	0
Youth Development	-81	-80	-82	-121	0	100
Director Sustainable Development Total	-2,647	-2,687	-3,824	-3,904	-40	99
Director Works & Services						
Asset Management	-1	-1	-2	-2	0	87
Chalets	-497	-500	-750	-750	-2	100
City Works	-93	-19	-25	-28	74	499
Citybuild	-1,088	-827	-1,187	-1,240	262	132
Cityfleet	-38	-28	-42	-42	10	134
Cityparks	-681	-614	-884	-921	67	111
Design & Development Services	-6	-8	-11	-11	-2	79
Director Works & Services	-2	-1	-2	-2	0	121
General Operations	-1	-1	-1	-1	0	99
Landscaping Services	-2	-2	-3	-3	0	112
Marina & Waterways	-2,215	-1,582	-2,374	-2,374	633	140
Project Management	-3	-4	-6	-6	-1	70
Survey Services	-5	-4	-7	-7	1	112
Technical Services Manager	-22	-33	-50	-50	-11	66
Waste Management	-12,738	-12,555	-13,398	-13,372	183	101
Director Works & Services Total	-17,392	-16,179	-18,742	-18,809	1,213	107
Executive Manager Finance & Governance						
Financial Accounting	-3	-1	-1	-1	2	363
Financial Services	-2439	-2506	-3535	-3535	-67	97
Legal Governance & Tenders	-13	-17	-26	-26	-4	77
Rates Section	-79286	-78462	-79166	-79106	824	101
Executive Manager Finance & Governance Total	-81,741	-80,986	-82,729	-82,669	755	101
Executive Manager Strategy & BP						
City Events	-247	-287	-432	-432	-40	86
Customer Service	-29	-30	-45	-45	-1	96
Elected Members	0	-1	-1	-1	0	25
HHCRC	-245	-282	-383	-380	-37	87
Human Resources	-1	0	0	0	1	0
MARC	-3,050	-3,110	-4,651	-4,729	-60	98
Organisational Development	-5	-23	-39	-34	-18	22
Records Management	-1	-1	-1	-1	1	204
Recreation Services	-138	-81	-225	-146	57	171
Strategy & Business Performance	-1	0	0	0	1	0
Systems & Technology	-76	-40	-6	-60	36	191
Visitor Centre	-56	-44	-87	-67	11	126
Executive Manager Strategy & BP Total	-3,850	-3,897	-5,869	-5,895	-48	99
Total	-105,682	-103,787	-111,220	-111,332	1,895	102

City of Mandurah Operating Labour February 2019

Co-Ordinator	YTD Actuals 000s	YTD Budgets 000s	Forecast 000s	Annual Budget 000s	YTD Variance 000s	YTD % Variance
Chief Executive Officer						
Chief Executive Officer	305	299	424	458	-6	102
Economic Development	341	343	527	524	2	99
Chief Executive Officer Total	646	642	951	982	-4	101
Director Sustainable Development						
Building Services	625	668	1,010	1,021	43	94
City Centre Activation	143	180	386	275	36	80
Community Development	349	368	544	563	20	95
CommunitySafety	193	178	238	273	-14	108
Cultural Development	239	270	353	413	31	89
Director People & Communities	38	6	0	0	-32	625
Director Sustainable Development	180	215	300	328	35	84
Emergency Management	66	82	121	124	16	81
Environmental Health	594	649	1,000	993	55	92
Environmental Services	492	509	764	778	17	97
Land Administration	257	274	418	419	17	94
Manager Community & Social Development	154	144	185	220	-11	108
Manager Libraries & Learning	1,159	1,151	1,733	1,772	-9	101
Planning	490	516	763	789	26	95
Ranger Services	940	923	1,504	1,412	-17	102
Seniors and Community Centre	248	266	402	407	18	93
Statutory Services	140	142	215	217	2	99
Youth Development	327	392	570	600	65	83
Director Sustainable Development Total	6,635	6,932	10,508	10,603	298	96
Director Works & Services						
Asset Management	322	374	589	572	53	86
Chalets	6	3	4	4	-3	220
City Works	1,911	1,922	2,904	2,938	11	99
Citybuild	1,288	1,275	1,920	1,950	-13	101
Cityfleet	350	344	510	527	-6	102
Cityparks	4,817	5,268	8,052	8,053	450	91
Design & Development Services	556	546	905	836	-10	102
Director Works & Services	302	305	462	466	3	99
General Operations	456	461	698	705	5	99
Infrastructure Manager	139	150	226	230	12	92
Landscaping Services	279	299	453	457	20	93
Marina & Waterways	576	597	917	913	21	96
Project Management	192	201	304	308	9	95
Survey Services	224	230	342	351	6	98
Technical Services Manager	208	164	204	250	-45	127
Waste Management	145	149	229	228	5	97
Director Works & Services Total	11,771	12,288	18,718	18,786	517	96
Executive Manager Finance & Governance						
EM Finance & Governance	0	132	0	202	132	0
Financial Accounting	484	493	720	753	9	98
Financial Services	141	33	205	50	-108	427
Legal Governance & Tenders	374	414	570	626	40	90
Management Accounting	233	242	356	370	9	96
Rates Section	315	312	471	477	-3	101
Executive Manager Finance & Governance Total	1,546	1,625	2,321	2,478	79	95
Executive Manager Strategy & BP						
City Events	274	293	449	448	19	94
Customer Service	542	574	863	878	32	94
Elected Members	244	275	336	421	32	88
HHCRC	321	364	545	545	42	88
Human Resources	315	366	449	560	51	86
Manager Recreation Services	50	55	83	84	4	92
MARC	2,923	3,012	4,272	4,585	89	97
Marketing & Communications	540	488	738	747	-52	111
Organisational Development	491	442	804	677	-48	111
Records Management	249	275	419	420	26	90
Recreation Services	440	472	679	722	32	93
Strategy & Business Performance	380	363	540	555	-17	105
Systems & Technology	799	886	1,337	1,354	87	90
Visitor Centre	232	211	325	323	-21	110
Executive Manager Strategy & BP Total	7,800	8,076	11,838	12,319	277	97
Total	28,397	29,564	44,335	45,168	1,167	96

City of Mandurah Other Employee Costs February 2019

Co-Ordinator	Actuals					
	YTD Actuals 000s	YTD Budget 000s	Forecast 000s	Annual Budget 000s	YTD % of Variance e 000 s	YTD Budget
Chief Executive Officer						
Chief Executive Officer	46	46	66	71	1	98
Economic Development	59	68	104	103	8	88
Chief Executive Officer Total	105	114	170	174	9	92
Director Sustainable Development						
Building Services	136	126	186	192	-10	108
City Centre Activation	25	24	48	37	0	101
Community Development	70	51	79	78	-19	137
CommunitySafety	26	19	29	29	-7	138
Cultural Development	25	8	23	12	-17	311
Director People & Communities	12	0	9	0	-12	23,638
Director Sustainable Development	31	45	64	69	15	68
Emergency Management	15	18	26	27	3	85
Environmental Health	107	98	151	150	-9	109
Environmental Services	103	97	135	148	-6	106
Land Administration	48	47	70	72	-1	102
Manager Community & Social Development	21	32	44	48	10	68
Manager Libraries & Learning	184	169	264	258	-15	109
Planning	84	89	132	135	5	95
Ranger Services	154	126	198	192	-27	122
Seniors and Community Centre	40	42	63	64	2	96
Statutory Services	33	32	49	49	-1	103
Youth Development	55	48	67	73	-7	115
Director Sustainable Development Total	1,168	1,071	1,638	1,631	-97	109
Director Works & Services						
Asset Management	62	67	104	102	5	92
City Works	319	319	488	485	-1	100
Citybuild	150	144	203	220	-5	104
Cityfleet	63	65	95	99	2	96
Cityparks	598	561	832	855	-36	106
Design & Development Services	87	76	123	117	-10	113
Director Works & Services	55	62	94	94	7	88
General Operations	101	100	146	152	-1	101
Infrastructure Manager	32	31	44	47	-1	104
Landscaping Services	64	57	85	88	-6	111
Marina & Waterways	95	85	123	129	-10	112
Project Management	37	40	55	60	3	93
Survey Services	44	40	59	61	-3	109
Technical Services Manager	53	35	60	54	-17	149
Waste Management	25	25	38	37	0	100
Director Works & Services Total	1,783	1,708	2,549	2,602	-75	104
Executive Manager Finance & Governance						
EM Finance & Governance	0.553	27.96	0	42.745	27.407	1.9778
Financial Accounting	78	72	101	109	-7	109
Financial Services	18	4	43	7	-13	406
Legal Governance & Tenders	79	80	114	122	1	99
Management Accounting	38	33	52	50	-6	118
Rates Section	48	43	65	66	-5	111
Executive Manager Finance & Governance Total	262	260	375	397	-2	101
Executive Manager Strategy & BP						
City Events	43	43	64	65	0	100
Customer Service	98	86	126	132	-11	113
Elected Members	53	57	81	86	4	93
HHCRC	40	38	55	58	-2	105
Human Resources	114	125	172	190	11	91
Manager Recreation Services	10	11	16	17	1	88
MARC	424	337	505	514	-87	126
Marketing & Communications	79	64	96	97	-15	124
Organisational Development	106	101	181	153	-5	105
Records Management	43	41	63	63	-2	104
Recreation Services	85	79	120	121	-5	106
Strategy & Business Performance	54	51	70	77	-4	107
Systems & Technology	148	149	231	228	2	99
Visitor Centre	30	28	44	43	-2	106
Executive Manager Strategy & BP Total	1,327	1,212	1,825	1,844	-115	109
Total	4,644	4,365	6,556	6,648	-279	106

City of Mandurah Other Operating Costs February 2019							
Co-Ordinator	YTD Actuals 000s	YTD Budget 000s	Forecast 000s	Annual Budget 000s	CMT 000s	YTD Variance 000 s	% of YTD Budget
Chief Executive Officer							
Chief Executive Officer	204	198	297	297	11	-6	103
Economic Development	970	1,101	1,653	1,653	12	131	88
Chief Executive Officer Total	1,174	1,299	1,949	1,949	24	125	90
Director Sustainable Development							
Building Services	42	41	65	62	7	0	101
City Centre Activation	176	336	800	795	32	160	52
Community Development	310	292	143	438	33	-18	106
CommunitySafety	123	140	149	210	14	17	88
Cultural Development	223	453	801	680	72	230	49
Director People & Communities	24	14	25	21	0	-10	173
Director Sustainable Development	39	88	32	132	2	49	44
Emergency Management	170	164	228	246	4	-6	104
Environmental Health	217	207	382	310	9	-10	105
Environmental Services	299	543	838	815	57	245	55
Land Administration	20	41	61	61	2	21	48
Manager Community & Social Development	10	8	12	12	0	-1	117
Manager Libraries & Learning	513	693	1,071	1,040	69	180	74
Planning	26	41	61	61	1	15	64
Ranger Services	241	232	353	348	9	-9	104
Seniors and Community Centre	132	174	260	261	10	42	76
Statutory Services	1	3	5	5	0	3	27
Youth Development	127	134	187	200	11	6	95
Director Sustainable Development Total	2,693	3,605	5,474	5,700	330	913	75
Director Works & Services							
Asset Management	51	101	154	152	9	50	50
Chalets	347	446	669	669	16	99	78
City Works	1,768	1,814	2,722	2,721	117	45	98
Citybuild	5,610	5,921	8,863	8,886	439	311	95
Cityfleet	1,030	1,173	1,760	1,760	22	143	88
Cityparks	3,883	4,004	6,319	6,009	905	121	97
Design & Development Services	61	158	235	237	22	97	39
Director Works & Services	38	53	75	80	19	15	71
General Operations	140	97	144	146	6	-43	144
Infrastructure Manager	42	47	97	71	7	5	89
Landscaping Services	182	185	153	278	67	3	98
Marina & Waterways	886	1,724	2,592	2,618	40	837	51
Project Management	38	37	66	56	9	0	101
Survey Services	104	102	152	152	1	-3	103
Technical Services Manager	114	130	196	196	3	17	87
Waste Management	7,874	8,251	12,362	12,382	320	377	95
Director Works & Services Total	22,169	24,244	36,559	36,412	2,001	2,075	91
Executive Manager Finance & Governance							
Financial Accounting	159	142	194	214	48	-16	111
Financial Services	173	144	217	217	0	-29	120
Legal Governance & Tenders	194	283	464	425	8	90	68
Management Accounting	1	2	3	3	0	1	67
Rates Section	746	688	1,227	1,032	0	-58	108
Executive Manager Finance & Governance Total	1,273	1,260	2,105	1,891	56	-13	101
Executive Manager Strategy & BP							
City Events	343	619	1,245	1,281	106	276	55
Customer Service	52	48	84	72	11	-4	108
Elected Members	783	597	879	895	8	-186	131
HHCRC	95	125	176	178	3	30	76
Human Resources	62	47	71	71	3	-15	131
Manager Recreation Services	12	13	20	20	0	2	89
MARC	776	772	1,157	1,134	108	-4	101
Marketing & Communications	176	264	341	396	55	88	67
Organisational Development	149	173	260	260	13	25	86
Records Management	89	106	160	160	46	17	84
Recreation Services	369	255	591	382	26	-114	145
Strategy & Business Performance	115	139	208	208	39	24	83
Systems & Technology	2,348	2,399	3,525	3,203	65	51	98
Visitor Centre	30	32	48	48	0	2	93
Executive Manager Strategy & BP Total	5,397	5,589	8,766	8,309	483	193	97
Total	32,705	35,998	54,853	54,262	2,895	3,293	91

City of	Directorate	Business Unit	Variance	Actuals as % of YTD Budget	Comment
	Operating Revenue				
1	Sustainable Communities	Community Development	(22,905)	69%	Timing issue with Grants been received for operating projects
2		Manager Libraries & Learning	(51,732)	69%	Lower fees & charges at Lakelands library
3		Seniors and Community Centre	(35,527)	87%	Renovations have impacted on dining room attendance
4	Works & Services	Technical Services Manager	(11,248)	66%	Variance due to actual supervision fees received in 2018/19.
	Labour Costs				
5	Works & Services	Technical Services Manager	(44,548)	127%	Variance due to overspend in casual labour. Journal to be processed to rectify incorrect LSL paid allocations.
6	Finance & Governance	Financial Services	(107,833)	427%	Budget review changes to be initiated.
7	Strategy & Business Performance	Marketing & Communications	(51,724)	111%	Variance primarily due to corporate communication services to elected members and maternity leave cover.
8		Organisational Development	(48,187)	111%	Variance due to position cover for working smarter project and maternity leave.
	Other Employment Costs				
9	Sustainable Communities	Community Development	(18,939)	137%	minor variance super allocation
10		Ranger Services	(27,489)	122%	Additional super costs due to casuals been utilised.
11	Works & Services	Design & Development Services	(10,318)	113%	minor variance
12		Marina & Waterways	(10,106)	112%	gym membership internal allocation & additional super contributions
13	Strategy & Business Performance	Technical Services Manager	(17,175)	149%	Variance due to overspend in casual labour and additional CoM contribution for salary sacrifice not allowed for in the budget.
14		Customer Service	(11,220)	113%	minor variance
15		MARC	(86,957)	126%	Variance due to superannuation payments being greater than estimated.
16		Marketing & Communications	(15,480)	124%	Variance due to superannuation payments being greater than estimated.
	Other Operating Costs				
17	Works & Services	General Operations	(42,795)	144%	Additional interest on Land Purchase (Mulga Drive) during handover to Westpac. In future years this should be reduced.
18	Finance & Governance	Financial Services	(28,559)	120%	ESL costs for City owned buildings
19	Strategy & Business Performance	Elected Members	(186,200)	131%	Variance due to budget phasing for elected members expenditure.
20		Recreation Services	(113,745)	145%	Variance covered by budget under City Events.

City of Mandurah Carryover Projects 2018-2019

	Actuals	Actuals + CMT	Current Budget	Remaining Current Budget	% Completed Inc CMT	
Sustainable Communities						
Environmental Services						
MARC/Waste Transfer Station - Solar Plan Phase 5	0	0	300,993	300,993	0.00%	Will be progressed in 2019 once harmonics issues are rectified.
Manager Community & Social Development						
CCTV Infrastructure	189,848	189,848	197,302	7,454	91.27%	Completed
Mandurah Family & CC Playground	50,575	51,775	50,575	-1,200	102.37%	Completed. Overspend to be funded from underspend in building works.
Mandurah Family & Community centre	115,859	115,859	115,859	0	100.00%	Completed.
Museum Courtroom Interpretation Project	0	78,530	82,941	4,411	94.68%	Project progressing with works scheduled to commence 30/4/19 and expected completion late 2019.
SCC Storeroom and Kitchenette	89,875	146,257	147,896	1,639	98.89%	Construction commenced in December. Completion April 2019.
Works & Services						
Ablutions						
Owen Ave Ablution	18,824	28,099	31,489	3,390	89.23%	Design in process.
Boardwalks						
Cicerellos-Dome Boardwalk Renewal	19,220	19,220	19,215	-5	100.02%	Completed.
Mandurah Foreshore Boardwalk Renewal	220,544	457,727	458,214	487	99.89%	Contractor to re-commence works on 11/2/19.
Seascapes Village POS Boardwalk	36,019	39,775	42,704	2,929	93.14%	Northern lookout and boardwalk complete. Southern boardwalk and lookout to be completed late January early February. Works progressing on track.
Bridges						
Mandurah Ocean Marina Footbridge	186,466	193,787	186,466	-7,321	103.93%	Completed
New Bridge boardwalk extension stairway	15,000	15,000	254,190	239,190	5.90%	Approval provided in September on funding. Works to commence second half of 2018/19. Consultation of the works in progress.
Old Mandurah Bridge	264	264	495,484	495,220	0.05%	Procurement package being assembled. Artwork tender is currently underway.
Carpark						
CP Mandurah Marina	179,413	179,413	180,176	763	99.58%	Near completion. Finishing bricklaying.
Citiparks Major Projects						
Falcon Bay Foreshore development Stage 1	238,590	238,590	234,085	-4,505	101.92%	Progressing. Expected completion mid 2019.
Novara Foreshore Stage 2	38,308	43,856	43,308	-548	101.27%	Commenced in September.
Cityfleet						
Trucks and Buses Carryover	326,364	422,364	414,360		230.77%	Completed
Parks and Mowers Carryover	110,091		117,358		0.00%	Completed
Heavy Vehicles Plant and Equipment carryover	0	143,000	145,000		102.14%	Waiting on delivery in early 2019
Cityparks						
Mandurah Road Central Park	3,863	3,863	3,863	0	100.00%	Completed
Orion Rd Reserve Improvements	38,730	38,730	38,730	0	100.00%	Completed
Parks & Reserves Signage	980	8,290	8,290	0	100.00%	Completed
Pinjarra rd Landscaping	14,369	17,524	28,882	11,358	60.67%	Finishing in May as cannot plant in summer.
Southern Operations - Storage Shed	10,919	10,919	10,919	0	100.00%	Completed
Tickner Park Exercise Equipment	5,895	5,895	5,747	-148	102.57%	Completed
Watersun Drive toddler playground	22,913	22,913	22,913	0	100.00%	Completed
Drainage						
DR Wamba Place	0	0	130,413	130,413	0.00%	Commence in January. Completed in February. Can only be done in summer months.
Infrastructure Management						
Eastern Foreshore	53,246	182,584	329,558	146,974	56.45%	c/o adjustment
MARC Systems Intergration	41,073	46,332	210,000	163,668	22.06%	Stage 1 completed. Effectiveness being assessed prior to Stage 2 design. Due for completion June 2019.
MPAC - Lift Instalation	147,109	147,109	146,000	-1,109	100.76%	Completed.
RS - MARC Redevelopment Stage 2	0	7,458	7,458	0	100.00%	Ongoing 6 month inspection. Finishing on 29 April 2019.
SL Peelwood Parade Reserve	48,926	210,870	293,050	82,180	71.96%	Contractor has been engaged to commence works. Waiting for structural footing design.
Marina & Waterways						
C&E - Falcon Bay Seawall	31,633	31,633	31,633	0	16.77%	Completed. Remaining funds to be used for stage 2.
Marina Floating Public Jetty	60,496	172,821	232,874	60,053	74.21%	Progressing
New Road Construction						
Dower St - Pinjarra Rd Intersection	304,376	684,772	685,583	811	99.88%	Work undertaken by utility provider
Gibson St	36,065	36,065	36,065	0	100.00%	Completed. Overspend relates to costs for next stage.
NEW Dower St - Reconstruct/Widen	209,350	208,396	207,016	-1,380	100.67%	Utility work progressing. Should be completed by end of December.
Sutton Street finalise new road link	24,482	24,118	24,482	364	98.51%	Completed . Invoices to be received for completed work.
Operations Centre						
Operations Centre Transportable	83,056	83,874	76,739	-7,135	109.30%	Completed. Overspend due to intergration with cityparks building.
Road Rehabilitation						
Glencoe Parade Stage 3	44,630	44,630	44,630	0	100.00%	Completed.
Lakes Rd Lighting, verges surface work	5,686	826	5,686	4,860	14.52%	Completed. Overspend relates to costs for next stage.
Shared Paths						
SP Kooljack St	28,909	28,909	29,205	296	98.98%	Completed waiting on final invoices to be paid.
SP Ramp to Marina Boardwalk	16,046	16,046	16,046	0	100.00%	Completed waiting on final invoices to be paid.
SP Sievwright Street	52,164	52,164	52,164	0	100.00%	Completed
Traffic Management						
TM Pinjarra Rd/ Randell St	57,517	57,517	57,045	-472	100.83%	Near completion. Waiting on line marking.
Waste Management						

City of Mandurah Carryover Projects 2018-2019

	Actuals	Actuals + CMT	Current Budget	Remaining Current Budget	% Completed Inc CMT	
Bypass lane to new weighbridge at WTS	0	39,236	35,000	-4,236	112.10%	Quotation being confirmed prior to works commencing. Expected completion mid 2019.
Tims Thicket Septage Ponds upgrade	0	15,000	380,946	365,946	3.94%	Project on hold. Funds to be placed in reserve until ready to commence.
WMC - Waste Handstand Upgrade	0	0	67,420	67,420	0.00%	Being designed. Works will be commenced approx. April and be completed by year end.
WMC Install Walking Floor Main Shed	804,552	804,552	804,552	0	100.00%	Completed.
Strategy & Business Performance						
Manager Recreation Services						
Bortolo Reserve Sports Lighting	127,944	142,365	188,870	46,505	75.38%	Completed.
Coote Reserve BMX Track	0	0	60,000	60,000	0.00%	Community consultation. Expected completion June 2019.
Ocean Road Reserve - Sports Grnd Lights	249,178	280,076	280,000	-76	100.03%	Completed.
Port Bouvard Surf Life Saving Club	354,532	233,605	1,888,236	1,654,631	12.37%	Contract been finalised with succesful tenderer. With progress being undertaken in second half of 2018/19. Second storey structural steel is in place and works are progressing as scheduled.
Grand Total	4,713,899	6,022,455	9,957,630	3,823,821		
			0.4733956			

2	SUBJECT: CONTACT OFFICER/S: AUTHOR: FILE NO:	Future of Local Government National Summit 23-24 May 2019 Mark Newman Mark Newman
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Summary

Council is asked to consider the attendance of an Elected Member(s) at the 2019 Future of Local Government National Summit in Melbourne on Thursday 23 and Friday 24 May 2019. The National Summit is being convened by the Municipal Association of Victoria (MAV) on behalf of local government nationally and held at The Angliss Conference Centre, Melbourne.

The Summit has been designed to provide Elected Members and Council officers with an interest in influencing the future of Local Government who wants to make a difference and add value to their communities and to the sector generally now and in the future.

Disclosure of Interest

Nil

Previous Relevant Documentation

- G.7/1/19 29 January 2019 Council approves the attendance of Mayor Rhys Williams, Hon Councillor Riebeling and Councillor Matt Rogers at the Cities & Regions 4.0 Summit 2019 to be held in Melbourne, 12 - 14 March 2019.
- G.29/4/18 24 April 18 Council approves the attendance of Mayor Rhys Williams and Councillor Darren Lee at the Improving Citizen Engagement and Experience Conference to be held in Melbourne 26 - 27 June 2018
- G.21/3/17 28 March 2017 That Council approves the attendance of Councillor Peter Rogers at the 2017 Future of Local Government National Summit 25 -27 May 2017.

Background

Council has attended the Municipal Association of Victoria (MAV) Future of Local Government National Summit since 2008 ranging in discussion topics as The Opportunity for Leadership in a Re-Localised Future and Leading Strategic Change to tackling climate change.

The future of Local Government (FOLG) process began in 2005, with the first Summit bringing together a panel of experts from around the world to share their views on the influences shaping local government, and what opportunities this opened up for Councils and the communities they serve. An era of fundamental change is here and local governments need to identify new solutions for emerging issues.

Comment

The theme for this year's event is Creating a Movement on The Road to Localism: Co-designing self-reliant, resilient communities and places in the global age of disruption. The Future of Local Government Journey since 2005, examines the role of local government.

Traditional 2005 2009 2015 2018-2019	Rates, roads and rubbish: service focus. Business as Usual. Facilitating the development of strong and successful communities. Amalgamations vs shared services and innovation. <i>The New Story</i> : devolve power to communities: empower citizens through participatory and deliberative democracy: make space for community-led actions. Creating a movement: actioning the New Story.
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At present there seems to be the simultaneous breakdown of trust in our key institutions: government, church and business. People want to take back control. This involves a transfer of power to the local level: putting control of government where it belongs, in the hands of the governed. A reset of democracy. The true objective of local government is to enable communities to determine their own preferred futures. More attention needs to be given to local government's role in the context of local governance, with Councillors as stewards of empowered communities.

The 2019 National Summit features inspiring speakers, presentation and inclusive discussion from around Australia and the World. It is an opportunity to hear many inspiring cases studies of communities have become empowered.

Consultation

Nil

Statutory Environment

Nil

Policy Implications

The formal approval of Council is appropriate for attendance at any interstate seminar or conference that requires air travel. The cost of attending this conference is within the maximum annual amount of \$4,000 per Elected Member for attendance at conferences, seminars and training programs.

Economic Implications

The cost of the attendance of a Councillor is \$600 plus GST for the conference fee and approximately \$2,000 for travel and accommodations costs.

Risk Analysis

No Risk implications have been identified.

Strategic Implications

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

Identity:

- Encourage active community participation and engagement.

Organisational Excellence:

- Ensure the City has the capacity and capability to deliver appropriate services and facilities
- Listen to and engage with our community.

Conclusion

A new Australian Localism is emerging, emphasising the fundamental importance of placed and place-based governance, and recognising that every issue demands a localist response. Local government needs to demonstrate its relevance and forge partnerships at neighbourhood, regional and national scales. The sector can capture the Australian political imagination by putting people and place first.

It is recognised that Councils are the elephant in the community, the 'glue' that supports community life on a daily basis, and makes the system work at the local level. They manage the most complex service business on earth on a shoestring. Councils do many amazing, innovative things. The Summit is an opportunity to understand the wider issues that local government face now.

NOTE:

- Refer ***Attachment 1*** ***2019 Future of Local Government National Summit***

RECOMMENDATION

That Council consider the attendance of _____ at the 2019 Future of Local Government National Summit: *The Future of LG Journey (examining the role of local government)* in Melbourne on Thursday 23 and Friday 24 May 2019.

2019 Future of LOCAL GOVERNMENT NATIONAL SUMMIT

ATTACHMENT 1
**THURSDAY 23 & FRIDAY
24 MAY 2019**

THE ANGLISS CONFERENCE CENTRE,
555 LA TROBE STREET, MELBOURNE
(LEVEL 5, BUILDING A)

THE FUTURE OF LG JOURNEY (EXAMINING THE ROLE OF LOCAL GOVERNMENT):

TRADITIONAL	rates, roads and rubbish; service focus; business as usual
2005 >	facilitating the development of strong and successful communities
2009 >	amalgamations vs shared services and innovation
2015 >	the New Story: devolve power to communities; empower citizens through participatory and deliberative democracy; make space for community-led actions. Create a 'yes' culture in LG (refer to the Declaration from the 2017 FOLG National Summit)
2018-2019	creating a movement: actioning the New Story (actions speak louder than words)

THE 2019 FOLG NATIONAL SUMMIT (SUMMIT #15) FEATURES INSPIRING SPEAKERS, PRESENTATIONS AND INCLUSIVE DISCUSSIONS FROM AROUND AUSTRALIA AND THE WORLD, INCLUDING:

- Steve Reed OBE MP, Honorary President of the Co-operative Councils Innovation Network (UK)
- Adrian Brown, Executive Director of the Centre for Public Impact (UK)
- Shari Davis, Co-Executive Director of the Participatory Budgeting Project (USA)
- Hugh Mackay AO, leading Australian social researcher (recorded presentation)
- Rethinking The Role Of Mayors And Councillors In The New Story
- The Ghent Commons Transition Plan and The New Zealand Community Boards Journey
- What Can We Do To Reinforce Trust In Local Government?

As well as many inspiring case studies of communities (supported by their Councils) putting the New Story into practice. The movement is growing!

CREATING A MOVEMENT ON THE ROAD TO LOCALISM

CO-DESIGNING
SELF-RELIANT, RESILIENT
COMMUNITIES AND
PLACES IN THE GLOBAL
AGE OF DISRUPTION



For possibly the first time in history we are seeing the simultaneous breakdown of trust in our key institutions: government, church and business. People want to take back control. This involves a transfer of power to the local level: putting control of government where it belongs, in the hands of the governed. A reset of democracy. The true objective of local government is to enable communities to determine their own preferred futures. More attention needs to be given to local government's role in the context of local governance, with Councillors as stewards of empowered communities.

A new Australian Localism is emerging, emphasising the fundamental importance of placed and place-based governance, and recognising that every issue demands a localist response. Local government needs to demonstrate its relevance and forge partnerships at neighbourhood, regional and national scales. The sector can capture the Australian political imagination by putting people and place first.

We recognise that Councils are the elephant in the community, the 'glue' that supports community life on a daily basis, and makes the system work at the local level. They manage the most complex service business on earth on a shoestring. Councils do many amazing, innovative things!

DAY 1: THURSDAY 23 MAY

8.40AM	REGISTRATION AND TEA/COFFEE
9.10AM	WELCOME BY THE MAV PRESIDENT
9.15AM	INTRODUCTION BY MC: GILBERT ROCHECOUSTE, VILLAGE WELL JOURNEY TO DATE
9.40AM	<p>STEVE REED OBE MP, HONORARY PRESIDENT, CO-OPERATIVE COUNCILS INNOVATION NETWORK (CCIN) AND SHADOW MINISTER FOR DIGITAL, CULTURE, MEDIA AND SPORT, AND FOR CIVIL SOCIETY</p> <p>CITIZEN EMPOWERMENT AND THE RENEWAL OF DEMOCRACY: PEOPLE POWER IS THE ANTIDOTE TO POPULISM</p> <p>Steve has been Leader of Lambeth Council, Deputy Chair of the UK Local Government Association and Chair of Central London Forward, and many other leadership positions. He has been named as one of the three most influential local government leaders in England. In May 2010, he launched plans to turn Lambeth into the country's first co-operative council, to deliver better services more cost-effectively by giving more control to communities and service users. The Council has since been implementing the transformation plan. In 2012, Steve was elected to the British Parliament. The CCIN is a collaboration between local Councils who are committed to finding better ways of working for, and with, local people for the benefit of their local community. The Network recognises the need to define a new model for local government built on civic leadership, with councils working in equal partnership with local people to shape and strengthen communities.</p>
10.25AM	<p>VIRTUAL AND DISCUSSION:</p> <p>The rise of the Commons: the sharing economy, the Ghent Commons Transition Plan: implications for local government</p>
10.45AM	MORNING TEA

DAY 1: THURSDAY 23 MAY

11.10AM GRAHAM SANSOM, ADJUNCT PROFESSOR, INSTITUTE FOR PUBLIC POLICY AND GOVERNANCE, UNIVERSITY OF TECHNOLOGY SYDNEY (UTS)

RETHINKING THE ROLE OF MAYORS AND COUNCILLORS IN THE CONTEXT OF THE 2017 FOLG DECLARATION

Graham was previously Director of the Australian Centre of Excellence for Local Government and CEO of the Australian Local Government Association. Graham has also had extensive international local government experience.

Graham has had very extensive experience in the world of local government over a long period of time, and has seen a multitude of changes in many jurisdictions. He is of the opinion that there is significant value in rethinking the role of Mayors and Councillors to take account of the new twenty first century environment, where communities will be more empowered.

PANEL SESSION WITH GRAHAM SANSOM, STEVE REED OBE MP AND ADRIAN BROWN
TABLE DISCUSSION

12.30PM LUNCH

1.20PM HUGH MACKAY, LEADING AUSTRALIAN SOCIAL RESEARCHER (RECORDED PRESENTATION)

THE STATE OF THE NATION STARTS IN YOUR STREET

The health of a society can best be gauged by the health of its local neighbourhoods, since that's where we must learn to get along with people we didn't choose to live amongst.

Reach out. Connect. Make sure you know your neighbours. Be alert to the possibility of people in your own street who might be vulnerable to social isolation. Join a choir, a book club, a local sporting team, a faith community; support a local charity...anything that links you to the neighbourhood you live in. If enough of us believed that the state of the nation starts in our street – that the values and ethos of a society really does start with us – the transformation would soon begin.

CASE STUDIES: BRINGING THE NEW STORY TO LIFE

1.45PM TRACEY BRADLEY, DIRECTOR CORPORATE AND COMMUNITY SERVICES, WARATAH-WYNYARD COUNCIL (TASMANIA)

THE NEW COMMUNITY CHARTER AND ADVISORY BOARD DEVOLVING POWER TO CITIZENS

Tracey's presentation in 2018 was one of the highlights of the Summit and she will provide an update of progress since then. In summary, the Waratah Council have adapted the New Zealand Community Board model and devolved power to the community by establishing a Community Charter, an Advisory Board and then committing to the resulting Community Plan. Some cultural challenges were successfully negotiated and the story continues.

2.15PM LISA LUMSDEN, FORMER REPOWER PORT AUGUSTA CHAIRPERSON AND PORT AUGUSTA COUNCILLOR

REPOWER PORT AUGUSTA (SA): POWER TO THE PEOPLE

Port Augusta had long been South Australia's coal-fired powerhouse. But a five-year-long community campaign has delivered solar success and an end to the smokestacks. The world's biggest solar thermal tower with storage has been given the green light, thanks to the Repower campaign. Lisa was one of many locals in Port Augusta who had spent over five years campaigning for the South Australian and Federal Government to reconsider its carbon footprint.

2.50PM AFTERNOON TEA

DAY 1: THURSDAY 23 MAY

CASE STUDIES (CONTINUED): BRINGING THE NEW STORY TO LIFE

3.15PM HELEN SHEEDY, CO-ORDINATOR ECONOMIC DEVELOPMENT AND BUSINESS SUPPORT, WARRNAMBOOL CITY COUNCIL MAKING SPACE FOR THE COMMUNITY: LG LETTING GO

How to activate Warrnambool's central business district? The Council tried the 'normal' way (Big Council, Small Community) and the results were not encouraging. Then they tried the Big Community, Small Council way and the results were amazing. The conclusion: Local government often needs to get out of the way.

3.45PM OLIVIA LUCAS, COLLECTIVE IMPACT OFFICER, BURNIE CITY COUNCIL (TASMANIA) COLLECTIVE IMPACT BURNIE: THE COMMUNITY TAKING THE LEAD

After the Burnie paper mill closed in 2010, the town had one of the highest levels of youth unemployment in Australia and school retention rates were very low. The area also had a range of social problems. To identify and address these problems 'Burnie Works' was established in 2014: it is a process of long term and entrenched collaborative activity designed to assist the community to address complex and entrenched social issues. Burnie Works uses the five core principles of collective impact to achieve the goals and vision for city set by the community in Making Burnie 2030. As a result the city has been transformed by implementing a wide range of projects facilitated by local community leadership. A Council representative said 'local governments can go further than just delivering ad-hoc services: "It's not about governments trying to do things for communities, it's about communities trying to do things for themselves; councils are a great intermediary to help facilitate that process."

4.15PM SHERRIE COOTE AND SANDRA SLATTER (COMMUNITY MEMBERS), AND DEB SIMPSON, CO-ORDINATOR STRONG COMMUNITIES, CITY OF GREATER BENDIGO HEATHCOTE COMMUNITY CASE STUDY: HEALTHY, VIBRANT AND ENTERPRISING COMMUNITY AND ECONOMY

The Heathcote community and its care providers have been finding it increasingly difficult to manage severe dementia behaviours within traditional care settings. The community has taken a leadership position with the establishment of the Heathcote Dementia Friendly Village, the first of its type in Australia. The Village is similar to Hageway Village in the Netherlands but goes further by incorporating a Green Care Program, which links healthcare to agriculture, gardening, landscaping and nature conservation, caring for animals and community activities.

4.45PM TABLE DISCUSSION: COMMUNITY EMPOWERMENT – WHAT ARE THE TAKE-AWAYS FROM TODAY?

5 PM INFORMAL NETWORKING WITH DRINKS AND NIBBLES (AT THE VENUE)

6PM CLOSE

DAY 2: FRIDAY 24 MAY

9.05AM ADRIAN BROWN, EXECUTIVE DIRECTOR, CENTRE FOR PUBLIC IMPACT (CPI) HOW GOVERNMENTS CAN ACHIEVE MORE BY 'LETTING GO'

The Centre for Public Impact (CPI) is a not-for-profit foundation, funded by The Boston Consulting Group, dedicated to improving the positive impact of governments. Legitimacy, Policy and Action are fundamental to public impact. The CPI has worked with leading practitioners and academics from around the world to develop a framework that sets out how government can improve the results it achieves for citizens. The Centre brings together government leaders from around the world to learn and exchange ideas about strengthening public impact. Its work is overseen by a Board of Trustees co-chaired by Sir Michael Barber, the former head of the UK Prime Minister's Delivery Unit. Adrian has over 15 years' experience working on government performance and transformation in the UK and internationally. He has held a range of positions in the UK government, including stints at the Prime Minister's Delivery Unit, the Strategy Unit and as a policy adviser in the Prime Minister's Office. He will discuss the various projects the Centre is working on and the CPI framework.

DAY 2: FRIDAY 24 MAY

CASE STUDIES: BRINGING THE NEW STORY TO LIFE

9.50AM GENEVIEVE BARLOW (COMMUNITY MEMBER)

RENEWABLE NEWSTEAD: AN AMAZING STORY CONTINUES

Newstead is a small Victorian town where the locals are keen to have a say in the future of their town. A long term vision for the town has been developed and Renewable Newstead, commenced in 2010, aims to transition Newstead to 100% renewable energy, using a combination of solar and storage. The town is the first in Australia to have its own low cost electricity tariff which shares the benefits to all citizens in the township. The final step in the plan is the establishment of a solar park to be announced in May 2019. The town's philosophy is to build social capital and to 'do no harm' with the implementation of the plan.

10.20AM CR CHERYL MCKINNON, MAYOR, LODDON SHIRE COUNCIL

THE BENEFITS OF INTEGRATING COMMUNITIES: THE PYRAMID HILL (VIC) STORY

Australian farmers are joining a regional push for the Australian Government to avoid making citizenship harder for migrants to obtain. The farmers say they worry about the effect on vital foreign workers. It comes as advocates call for an increase to the migrant intake to help revitalise regional Australia. In the small town of Pyramid Hill in Victoria's north, the Fernandez family is quickly becoming the average rural Australian family. Marilyn Fernandez, her husband and their six children are among a hundred Filipinos now making up a quarter of the town's population. Ripple effect in Australia. Nationals MP Damian Drum says the experience in Pyramid Hill is one he would like to see replicated across Australia: "A fantastic example here from Pyramid Hill, but that example here can be replicated right around Australia. And I think the Filipino community, certainly in Pyramid Hill but in many other communities, are doing themselves proud by the way they go about their work and the way they live their lives." The Regional Australia Institute is calling on the Federal Government to increase its migrant intake by an extra 3,000 people a year to make up for the annual population loss in regional Australia. Damian Drum says work is also underway to roll out a new agricultural visa to help direct people into rural industries. Cheryl will discuss the journey to date.

10.50AM MORNING TEA

CASE STUDIES (CONTINUED): BRINGING THE NEW STORY TO LIFE

11.15AM MIKE REID, PRINCIPAL POLICY ADVISOR, LOCAL GOVERNMENT NEW ZEALAND

NEW ZEALAND COMMUNITY BOARDS: AN UPDATE

New Zealand's Community Boards are a legislated place-based governance model where responsibility and funding for agreed functions are delegated to the Community Board by the local Council. Mike will provide an overview of the journey to date and some of the leading case studies.

11.45AM JOSEPHINE DUFFY, CHIEF EXECUTIVE OFFICER, STEPHANIE ALEXANDER KITCHEN GARDEN FOUNDATION

ATTACKING OBESITY AT THE LOCAL LEVEL

Obesity is being increasingly recognised as a major global crisis. We know what the facts are: more than one in four Australian children is overweight or obese, and these children are likely to become obese adults. Then there's the associated costs of this burden of disease – billions of dollars. The Kitchen Garden program, currently in place in well over a thousand Australian schools, shows children and their families how to delight in, share and celebrate great food. Many children simply don't get that experience at home. The longest and most structured intervention children and families will participate in is the education system. Experiencing pleasurable food education at their centre and school means children will see it as equally important as everything else they learn, and gain more from their education than we could ever have hoped for. The program has so many benefits including opening up to children and their communities what they could do and what they have to offer the world.

12.15PM PECHAKUCHA

CR RON COOPER, TWEED SHIRE COUNCIL (NSW), GRASS ROOTS IS CRITICAL IN RESTORING A PROPERLY FUNCTIONING DEMOCRACY

CR EDWINA CLIFTON, CITY OF RYDE (NSW), PEOPLE POWER IN ACTION: THE MACQUARIE ICE RINK

12.30PM DISCUSSION/IDEAS: FOR THE 2019 SUMMIT DECLARATION

12.55PM LUNCH

DAY 2: FRIDAY 24 MAY

1.35PM	<p>SHARI DAVIS, CO-EXECUTIVE DIRECTOR, PARTICIPATORY BUDGETING PROJECT</p> <p>THE 2018 NEW YORK CITY CHARTER REVISION: CREATING A CITYWIDE PARTICIPATORY BUDGETING PROCESS</p> <p>THE 2018 NEW YORK CITY CHARTER REVISION</p> <ul style="list-style-type: none"> • We did it! Yesterday (2018 mid-term elections) was a big day for democracy, from the re-enfranchisement of 1.4 million voters in Florida to an upsurge in turnout across the US. It was also a big day for participatory budgeting (PB): New York City voters approved a city charter revision that will create a citywide PB process! • In a landslide vote, New Yorkers voted YES on Ballot Proposal #2, creating a Civic Engagement Commission tasked with setting up citywide PB. We expect this process to more than double the size of PB in the US and to raise the bar for PB around the world. We're thrilled that Proposals #1 and #3 also passed with huge support, to make it easier for diverse New Yorkers to run for office and serve on community boards. • A better democracy really is possible! <p>Trust in government is at an all-time low, as only 18% of Americans say they can trust the government to do what is right.</p> <p>PBNYC is the largest and fastest-growing participatory budgeting process in the United States. Over the eight-month period of each participatory budgeting cycle, thousands of people from all over the city participate in over 200 neighborhood assemblies that meet citizens where they live to brainstorm spending ideas that could improve their communities. From these meetings, hundreds of participants go on to become "budget delegates" and work with their elected officials to represent their community's spending priorities and create project proposals. During each PBNYC cycle, a Steering Committee is formed with representation from grassroots organizations, government officials, community stakeholders, and diverse residents. This Steering Committee lays out the framework and rules for PBNYC with the mission of engaging residents who have the highest barriers to civic participation. District Committees, which have a similar makeup but are local to each Council District, are also convened. This approach builds much broader support for PBNYC and systematically changes relationships between government and the people, leading to a more genuinely participatory democracy.</p> <p>PBNYC's community-led grassroots approach is serving as a new model for participatory budgeting across the US and elsewhere. The Participatory Budgeting Project (PBP), together with other PBNYC partners, is using the success of PBNYC to spread similar approaches to over a dozen other North American cities.</p>
2.15PM	<p>PANEL SESSION WITH STEVE REED OBE MP, ADRIAN BROWN, SHARI DAVIS, MIKE REID AND GRAHAM SANSOM</p> <p>HOW TO INCREASE TRUST IN LG - IDEAS GENERATION</p> <p>Faith and trust in government is at an all-time low globally. Local Government is a part of this landscape and a common discussion point across the sector is 'how can we improve the image of local government?'. It is seen by many as a foundational issue facing Councils.</p> <p>The Panel will discuss this challenge and ideas will be documented.</p>
	TABLE DISCUSSION
3.15PM	<p>TWENTY FIRST CENTURY COUNCIL CHALLENGE</p> <p>Invitation to your Council and your community to sign up to join the New Story: the process</p>
3.30PM	CLOSE

WHO SHOULD ATTEND?
ANYONE WITH AN INTEREST IN CHANGE AND THE FUTURE OF LOCAL GOVERNMENT: including Councillors, CEOs, Directors, and Managers and Officers in Community Development, Innovation, Organisational Development, Corporate Planning, Strategic Planning, Human Resources, Governance, Service Planning, Business Transformation, Digital Transformation, Information Management and Business Analysis. This summit will also appeal to State and Federal Government representatives and private sector personnel.

COST: \$600 PER PERSON (PLUS GST)
 for the full conference (no single day registrations)

TO REGISTER: For online registration and conference details go to www.mav.asn.au/events (click on 'upcoming events' and scroll down to 23 May)

QUERIES: email events@mav.asn.au or telephone MAV events team via 03 9667 5555

SUGGESTED ACCOMMODATION: Radisson on Flagstaff Gardens, 380 William St, Melbourne.
 Phone (03) 9322 8000 (refer to MAV event at Angliss Conference Centre for discount).

NOTE: Program subject to change. Go to MAV website for the latest version.

3	SUBJECT:	Local Government Act Review Phase Two
	CONTACT OFFICER:	David Prattent
	AUTHOR:	Sophie Luxton
	FILE NO:	R0000936667

Summary

The Department of Local Government Sport and Cultural Industries (DLGSCI) have released discussion papers for phase two of the *Local Government Act 1995* (the 'Act') review and have invited submissions from Local Governments and the community.

Participating in the review process presents an opportunity for local governments to enact change and propose significant amendments to the legislation that guides us.

Council is requested to approve the prepared submission as shown at **Attachment 1**.

Disclosure of Interest

Nil

Previous Relevant Documentation

- G.11/12/18 27 February 2018 Local Government Act Review – DLGCSI Submission
- G.16/10/17 10 October 2017 Review of the Local Government Act 1995 & Regulations – WALGA Submission

Background

As you are aware the State Government initiated a review of the *Local Government Act 1995* (the 'Act') in 2017. The review is being conducted in two stages, the first phase aimed to modernise local governments and better position them to deliver services for the community. The second phase focusses on delivering an Act for the community based on the key themes Agile, Smart and Inclusive.

Council adopted a submission to the Western Australian Local Government Association (WALGA) on potential amendments to be considered as part of the review at its meeting of 10 October 2017.

Council adopted a submission to the DLGSCI in response to the discussion paper on phase one of the review at its meeting of 27 February 2018.

Comment

The second phase of the Act review considers eleven key topic areas;

- Administrative Efficiencies;
- Beneficial Enterprises;
- Community Engagement;
- Complaints Management;
- Council Meetings;
- Elections;
- Financial Management;
- Integrated Planning and Reporting;
- Intervention;
- Local Laws; and
- Rates, Fees and Charges.

Each of the discussion papers on the eleven topics contain a number of questions.

A submission has been prepared, outlining a potential response to each of the questions. The submission is shown at **Attachment 1**.

Please note: questions 1-11 for each of the topics relate only to the personal information of the person/local government completing the survey, these questions have therefore been excluded from the prepared submission.

Consultation

Department of Local Government, Sport and Cultural Industries.

Western Australian Local Government Association.

Briefing/Discussion sessions were offered to Elected Members.

Statutory Environment

Local Government Act 1995 & Regulations.

Policy Implications

There may be the requirement in the future for the City to develop or amend policies dependant on the amendment outcomes of the review of the Act and associated Regulations.

Economic Implications

Nil

Risk Analysis

N/A

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

The DLGSCI has prepared a discussion paper on phase two of the review outlining a variety of potential areas of amendment and have prepared a series of questions relating to each of the eleven topics.

The DLGSCI have requested submissions from local governments outlining their position in relation to each of the questions.

Proposed responses to each of the questions have now been prepared and are included at **Attachment 1**. Council is requested to consider and approve the submission.

NOTE:

- Refer ***Attachment 1 Submission to DLGSCI - Phase Two - Local Government Act 1995 Review.***

Copies of the discussion papers for each of the eleven topics are available in the Councillors Lounge and also on the Department of Local Government Sport and Cultural Industries website.

RECOMMENDATION

That Council approves the submission at Attachment 1.

Administrative Efficiencies

DLG Q Ref	Question	Council Comment
12	To what extent do you support the following statements?	
	a) All local governments regardless of their size should have the same level of powers and responsibilities.	Supportive.
	b) The functions of the Grants Commission and the Advisory Board should be combined under one Board.	Supportive.
	c) Membership of the Local Advisory Board and the Local Government Grants Commission should be required to be drawn from specific geographic locations, for example, metropolitan Perth as well as regional and remote Western Australia.	Unsupportive. It is considered more important that members have the relevant skills and competency than their location. Note: Regional insights are important and therefore geographical location should be reflected as much as possible.
	d) Prior to conducting a poll to change the method of election of the Mayor/President from election by electors to election by the council, the local government should be required to draft the question and summaries and submit the question to the Advisory Board.	Supportive. Questions drafted by Local Governments should be sent to the Advisory Board for their reference but should not require their approval.
	e) The Advisory Board should not assess a proposal for changes to boundaries that does not meet the minimum requirements.	Supportive.
	f) The petition of affected electors should require each signatory to sign an acknowledgement that they have read the summary of the proposal and have seen a plan or map detailing any proposed changes.	Supportive.
	g) The affected local government(s) should be provided with a copy of the proposal prior to it being submitted to the Advisory Board.	Supportive.
	h) The applicant should be able to withdraw a proposal at any time prior to a recommendation being made to the Minister, providing there are circumstances which, in the Advisory Board's view, warrant withdrawal of the proposal.	Supportive.
13	Currently a proposal to the Advisory Board from the community must be signed by 250 people or 10% of the community whichever is less. Should proposals from districts with a population over 5,000 be increased to 500 signatures?	Supportive

Administrative Efficiencies

DLG Q Ref	Question	Council Comment
14	To what extent do you support the following statements?	
	a) People need the power to impound stray cattle.	Supportive.
	b) Local governments need the power to impound stray cattle.	Supportive.
	c) People need the power to detain and dispose of stray goats, pigs and poultry.	Supportive.
	d) Offences that apply to pound keepers should also apply to similar facilities maintained by local governments, for example cats and dogs.	Supportive.
15	Which of the following pieces of information should be provided by local governments to the Department and the Minister for Local Government?	
	a) S.4.79 Provide a report on the results of an election (ordinary or extra-ordinary).	Yes, should be provided to the Minister.
	b) S.5.3 Advise of the failure to hold council meetings within the last 3 months.	Yes, should be provided to the Minister.
	c) S.7.12A Provide a copy of the report that addresses the issues identified in the audit report.	Yes, should be provided to the Minister.
	d) LG (Audit) Reg 14 Provide a copy of the compliance audit report.	Yes, should be provided to the Minister.
	e) LG (Audit) Reg 15 Provide a certified copy of the compliance audit return.	Yes, should be provided to the Minister.
	f) LG (Constitution) Reg 11FA Provide a report on the result of an election (election of Mayor/President and Deputy Mayor/President).	Yes, should be provided to the Minister.
	g) LG (Constitution) Reg 11H Advise the outcome of the Court of Disputed Returns (election of Mayor/president and Deputy Mayor/President).	Yes, should be provided to the Minister.
	h) LG (Constitution) Form 2 Request a poll on a recommended amalgamation.	Yes, should be provided to the Minister.
	i) LG (Elections) Reg 86 Advise the outcome of the Court of Disputed Returns (ordinary or extra-ordinary election).	Yes, should be provided to the Minister.
	j) LG (Financial Management) Reg 33 Provide a copy of the annual budget.	Yes, should be provided to the Minister.
	k) LG (Financial Management) Reg 33A Provide a copy of the review and determination of the review annual budget.	No, there should not be a requirement to provide a copy of the review and determination of the

Administrative Efficiencies

DLG Q Ref	Question	Council Comment
		reviewed annual budget to the Minister. A copy of the annual budget is already provided to the Minister.
	l) LG (Financial Management) Reg 51 Provide a copy of the annual financial report.	Yes, should be provided to the Minister.
16	Which of the following decisions should be made by the Minister? a) S.2.25 Approval for a leave of absences greater than six consecutive council meetings.	Approval for Elected Members to miss more than 6 consecutive council meetings should be the role of the LG not Minister. Note: There should be an appeal process in place.
	b) S.3.53 Ordering which local government is responsible for managing a facility that is located within two or more districts (only when the local governments themselves do not agree about how to manage the facility).	Yes.
	c) S3.59 Commencing or undertaking a major land transaction or trading undertaking (as required under the Regulations).	No.
	d) S.3.61 Establishing a regional local government.	Yes.
	e) S.3.65 Amending the establishment agreement of a regional local government.	Yes.
	f) S.3.69 Establishing a regional subsidiary.	No.
	g) S.3.70 Amendment to a regional subsidiary's charter.	No.
	h) S.5.7 Reducing the number of people required for a quorum or absolute majority.	Yes.
	i) S.5.69 Approval to participate in a meeting (after disclosing an interest).	Yes.
	j) S.5.69A Exemption from some or all disclosure of interest requirements for committee members.	Yes.
	k) S.6.35 Minimum payment of rates on vacant land.	No.
	l) S.6.74 Approval to re-vest land to the State for non-payment of rates.	Yes.
	m) S.9.63 Direction to two or more local governments on how to resolve a dispute.	Yes.
17	How should the following decisions be resolved by Council: a) S.3.12 & 3.16 Making local laws.	Absolute Majority.

Administrative Efficiencies

DLG Q Ref	Question	Council Comment
	b) S.3.59(5) Undertaking major land transactions or major trading undertaking activities.	Absolute Majority.
	c) S.4.17 Deciding if a councillor's seat should remain vacant prior to the next ordinary election (if the vacancy occurs between January and July in an election year).	Absolute Majority.
	d) S.4.20 Appointing the Electoral Commissioner to conduct an election or appointing a returning officer.	Absolute Majority.
	e) S.4.57 Appointing a person to be a Councillor if no nominations are received twice for a vacant position.	Absolute Majority.
	f) S.4.61 Deciding if an election should be a postal election.	Absolute Majority.
	g) S.5.8 Establishing committees to assist council in the performance of powers and duties.	Absolute Majority.
	h) S.5.10 and s.5.11A Appointing members (and deputies) to a committee.	Absolute Majority.
	i) S.5.15 Reducing the number of offices required to form a quorum at a committee meeting (if required).	Absolute Majority.
	j) S.5.16 Delegating or revoking any local government powers and duties to a committee.	Absolute Majority.
	k) S.5.36 Decisions on CEO's employment contract.	Absolute Majority.
	l) S.5.42 and s.5.45 Deciding to delegate powers or duties to the CEO (and revoke this delegation).	Absolute Majority.
	m) S.5.54 Accepting the annual report for a financial year.	Absolute Majority.
	n) S.5.98A Deciding to pay the deputy mayor an additional allowance	Absolute Majority.
	o) S.5.99 Deciding to pay council members the prescribed minimum fee or a fee within the prescribed range	Absolute Majority.
	p) S.5.99A Deciding to pay council members an annual allowance or an allowance that has been set for expenses	Absolute Majority.
	q) S.6.2 Preparing and adopting a budget for the financial year	Absolute Majority.
	r) S.6.3 Imposing a supplementary general rate or specified area rate	Absolute Majority.
	s) S.6.8 Spending money from the municipal fund that was not in the annual budget	Absolute Majority.
	t) S.6.11 Changing the purpose of a reserve account	Absolute Majority.
	u) S.6.12 Granting a discount for the early payment of money, waiving or granting concessions, or writing off any amount owed to the local government	The City is supportive of the status quo.
	v) S.6.13 Deciding to require a person to pay interest on an amount owed to a local government	Absolute Majority.
	w) S.6.16 Imposing (or amending) a fee for goods or services	Absolute Majority.
	x) S.6.20 Deciding to borrow and spend borrowed money	Absolute Majority.
	y) S.6.32 Imposing a general rate on rateable land or a supplementary general rate in an emergency	Absolute Majority.
	z) S.6.46 Granting a discount or other incentive for the early payment of any rate or service charge	Absolute Majority.
	aa) S.6.47 Deciding to waive a rate or service charge	Absolute Majority.
	bb) S.6.51 Deciding to impose interest on a rate or service charge or costs of proceedings to recover amounts unpaid	Absolute Majority.
	cc) S.7.1A Appointing audit committee members	Absolute Majority.
	dd) S.7.1B Delegating powers and duties to the audit committee	Absolute Majority.

Administrative Efficiencies

DLG Q Ref	Question	Council Comment
	ee) Sch 2.2 Clause 4 Deciding to propose to the Advisory Board that a submission should be rejected or dealt with as a minor matter that does not require public submissions	Absolute Majority.
	ff) Sch 2.2 Clause 5	Absolute Majority.
	gg) Making a proposal to the Minister or the Advisory Board to change the name of a district or ward	Absolute Majority.
	hh) Sch 2.2 Clause 9 Making a proposal to the Advisory Board to change ward boundaries, the name of the district or wards, or the number of councillors	Absolute Majority.
	ii) LG (Admin) Reg 10(2) Deciding to revoke or change a decision made by absolute majority	Absolute Majority.
	jj) LG (Admin) Reg 14A Deciding to approve a member to be present at a meeting via telephone	Absolute Majority.
	kk) LG (Admin) Reg 19C and 19DA Adopting a strategic community plan and corporate business plan	Absolute Majority.
	ll) LG (Financial Management) Reg 33A Determining whether to adopt a review of the budget or recommendations in the budget review.	Absolute Majority.
18	Which regulatory measures within the Act should be removed or amended to make the legislation more efficient?	No additional comment.

Beneficial Enterprises

DLG Q Ref	Question	Council Comment
12	The local government sector has been requesting that it be given additional powers to form independent corporations. These entities could be used to manage part of a local government's existing business activity or pursue new commercial opportunities. To what extent do you support the following statement? "A local government should be able to create a company known as a beneficial enterprise"	The City is supportive of all local governments being given the ability to establish Council Controlled Organisations (CCOs).
13	To what extent do you support the following statements?	
	a) There should be no limitations on a Local Government to create a beneficial enterprise	Unsupportive. A business case should be prepared and subject to independent assessment.
	b) Only local governments deemed to be a low risk should be allowed to create a beneficial enterprise	Unsupportive.
	c) Only local governments that meet a threshold for financial health should be allowed to create a beneficial enterprise	Supportive.
	d) Local governments should only be permitted to invest in a company up to a specific percentage of their annual expenditure	Unsupportive.

Beneficial Enterprises

DLG Q Ref	Question	Council Comment
	e) Only local governments that are in bands 1 & 2 of the Salaries and Allowances Tribunal banding should be allowed to create a beneficial enterprise	Unsupportive.
	f) Local government beneficial enterprises should be able to compete with private businesses	Neutral. Beneficial enterprises should be based on the needs of the District.
	g) Beneficial enterprises should have to employ staff under the same pay rates and conditions as employees of local governments	Unsupportive. Pay rates and conditions should be based on industry standards otherwise it affects the enterprises ability to compete.
	h) Local governments should have to tell their community how much they are investing in a beneficial enterprise	Supportive. This should be conveyed through the local government's annual report.
	i) Communities should be able to decide if their local governments can establish a beneficial enterprise	Unsupportive, it should be for local governments to determine whether or not to establish a beneficial enterprise. However the business case should be made available for public comment and public submission.
14	Which of the following functions should a local government beneficial enterprise be permitted to undertake?	
	a) There should be no restrictions	Agree. The business case the beneficial enterprises should include a social,

Beneficial Enterprises

DLG Q Ref	Question	Council Comment
		economic and environmental case.
	b) Local government should not be permitted to form a company	
	c) Statutory approvals for example building and planning	
	d) Leisure centres	
	e) Human resources	
	f) Information technology	
	g) Airports	
	h) Waste management	
	i) Parking	
	j) Road maintenance	
	k) Retail (shops and service stations)	
	l) Age or child care facilities	
	m) Land development	
	n) Caravan parks	
	o) Other (please specify)	
15	To what extent do you support the following statements?	
	a) The local government should be required to guarantee any debt of a local government beneficial enterprise	Unsupportive.
	b) The local government should be able to lend money to a local government beneficial enterprise	Supportive.
	c) The Western Australian Treasury Corporation should be able to lend money to a local government beneficial enterprise	Supportive.
	d) Commercial lenders should be able to lend money to a local government beneficial enterprise	Very supportive.
16	To what extent do you support the following statements?	
	The local government must receive approval from the Minister prior to creating a local government beneficial enterprise	Supportive.
	The local government must receive approval from the Treasurer prior to creating a local government beneficial enterprise	Unsupportive.
	The Officer of the Auditor General should be responsible for auditing local government beneficial enterprises	Supportive.
	A local government beneficial enterprise should be required to hold public meetings	Unsupportive.
17	Do you have any comments or feedback on the ability of a local government to form a beneficial enterprise?	Perhaps consideration could be given to a requirement for targeted consultation on the establishment of a

Beneficial Enterprises

DLG Q Ref	Question	Council Comment
		<p>beneficial enterprise rather than the term 'to consult widely'. Concerns were raised about how often and how detailed a review of the CCOs statement of intent needs to be.</p> <p>The City is also strongly supportive of Regional Subsidiaries being given the power to invest in land and enter into land transactions. Without this ability this opportunity is restricted to shared services.</p>

Community Engagement

DLG Q Ref	Question	Council Comment
12	What methods of engagement do you believe are most effective (select all that apply) a) In person b) Telephone c) Online d) Community forums e) Citizen juries f) Other (please specify)	The approach to engagement should be multi channelled and tailored based on the individual project and the parties to be affected/consulted. This should be set out in the local governments Community Engagement Strategy.
13	How could local governments engage with different community groups (e.g. young people, senior, families, people with disabilities, Aboriginal people and people from Culturally and Linguistically Diverse communities, etc.)?	As per the comment above, individual local governments are best positioned to know how to best engage groups within their District. This should be set out in the local governments Community Engagement Strategy.
14	To what extent do you support the following statements?	
	a) The Act needs to set rules for community engagement by defining what community engagement is and how it should be done	Unsupportive.
	b) Local governments should be required to adopt a community engagement charter or policy	Supportive.
	c) All local governments should operate under a universal community engagement charter or policy	Unsupportive.
	d) Local governments should determine if they require a community engagement charter or policy and the content of that charter or policy	Unsupportive of local governments having an option to establish a community engagement charter or policy. This should be a

Community Engagement

DLG Q Ref	Question	Council Comment
		requirement for all local governments. The City is however very supportive that it should be for local governments to determine the content of their strategy/policy.
15	Other jurisdictions have include principles with their engagement charter. How relevant do you believe each of these principles are? a) Engagement is genuine b) Engagement is inclusive and respective c) Engagement is fit-for-purpose d) Engagement is informed and transparent e) Engagement processes must be reviewed and improved	All of these principles are relevant to community engagement.
16	In what circumstances should local governments be required to engage with the community? (please select all options that apply) a) When preparing or reviewing their Strategic Community Plan b) When preparing their annual budget c) Making a local law d) Planning matters e) Emergency and community infrastructure planning f) Only when the local government determines that it is necessary g) Other (please specify)	Agree. Agree. Agree. Agree. Agree.
17	h) Would you like to make any further comments regarding community engagement?	No additional comment.

Complaints Management

DLG Q Ref	Question	Council Comment
12	What matters need to be considered in complaints management policies and procedures (please select all that apply)	
	a) How the application must be made	Agree.
	b) How a response to a complaint is to be made	Agree.
	c) Opportunities for a review of a response	Agree.
	d) The timeframes related to the process or review	Agree.
	e) Notification requirements of the process	Agree.
	f) Reporting of the complaints received	Agree.
	g) Internal independent review of complaints	Agreed, but only when escalated/unresolved.
	h) None of the these options	
	i) Other (please specify)	
13	To what extent do you support this statement: "a customer service charter should set the framework for local government complaints management"	Unsupportive. Not all complaints are 'customer service' related.
14	Should a local government customer service charter be a legislative requirement?	No. It should be for individual local governments to determine whether or not to establish a customer service charter.
15	Who should review unresolved complaints (please select all options that apply)?	
	a) Different staff member in the local government	
	b) A qualified complaints management officer	
	c) A committee created by the local government	
	d) A tabled decision for council to determine	
	e) None of the people or groups listed above	
	f) Other (please specify)	The Complaints Management Framework should outline the hierarchy for complaint resolution.
16	Do you have any additional comments on the topic of complaints management?	

Council Meetings

DLG Q Ref	Question	Council Comment
12	To what extent do you support the following statements?	
	a) The process for public question time should be consistent between councils	Supportive.
	b) Public question time is an important feature of council meetings	Supportive.
	c) People unhappy with the quality of the answer given at a public question time should be able to escalate the matter to an independent person	Neutral.
13	Should council members be able to participate in meetings remotely? a) Yes b) No c) Unsure If yes, how?	Yes, council members should be able to participate in meetings remotely however there needs to be rules established i.e. the number of meetings able to be attended remotely, total number of member attending remotely per meeting, whether the Chair is able to attend remotely. The Regulations should be amended to allow attendance if interstate (remove geographical limitations).
14	Could General Electors Meetings be combined with or held consecutively with an Ordinary Council Meeting?	Yes.
15	Should Council meetings be live streamed?	This should be for individual local governments to determine.
16	To what extent do you support the following statements?	
	a) Legislation should set rules for recording confidential items in minutes	Very supportive.
	b) Local governments should be required to publish unconfirmed council meetings minutes prior to the local governments next council or committee meeting	Very Supportive.
	c) The CEO rather than the Presiding Member should be responsible for the minutes of council and committee meetings	CEO should be responsible for the taking, maintenance and keeping of the minutes but responsibility for accuracy of the minutes should remain with the Council.

Council Meetings

DLG Q Ref	Question	Council Comment
	d) The rule concerning council's ability to revoke or change a decision should be amended to clarify that it only applies to decisions that are yet to be implemented.	Supportive of retaining the status quo.
17	To what extent do you support the following statements?	
	a) The requirement to hold an annual electors meeting should be removed	Supportive. Could be combined with Ordinary or Special Council meeting where required.
	b) The ability to call a special electors meeting should be removed	Disagree.
	c) The number of times that a special electors meeting can be called on the same matter should be restricted	Very supportive.
	d) The number of electors required to hold a special electors meeting should be increased	Disagree.
	e) The Local Government's standing orders should apply to special electors meetings	Supportive.
	f) The way special electors meetings are conducted should be uniform between local governments	Supportive.
18	Do you have any additional comments on the topic of council meetings?	No additional comment.

Elections		
DLG Q Ref	Question	Council Comment
12	To what extent do you support the following statements?	
	a) Voting should be compulsory	Disagree.
	b) Voting should be conducted via preferential voting system	Disagree.
	c) Electronic and online voting should be made available for local government elections	Agree.
	d) The use of electronic or online voting would not change confidence in the voting system	Neutral.
	e) Legislation should be introduced that would permit online voting to be trialled	Neutral.
13	Which local governments should be required to offer postal voting:	It should be for individual local governments to determine whether they offer a postal or in person election.
	a) Postal voting should not be required to be offered	
	b) All local governments	
	c) Local governments with a population greater than 1,000 people	
	d) Unsure	
14	Which local governments should be required to use the WA Electoral Commission?	No local governments should be required to use the WA Electoral Commission.
	a) No local governments should be required to use the WA Electoral Commission	
	b) All local governments	
	c) Local governments with a population greater than 1,000 people	
	d) Unsure	
15	Should the WA Electoral Commission be the only organisation authorised to conduct local government postal voting?	Yes.
	a) Yes	
	b) No	
	c) Unsure	
16	What methods should be used to resolve ties in council elections?	Drawing of lots (random selection).
	a) Drawing of lots (random selection)	
	b) Unsure	
	c) Other (please specify)	
17	To what extent do you support the following statements?	
	a) A count-back from the previous election result should be used if available to fill vacancies between elections	Very unsupportive.
	b) Local governments should be required to adopt a caretaker period that restricts council from making major decisions during a local government election period.	Unsupportive. This should be for individual local

Elections		
DLG Q Ref	Question	Council Comment
		governments to determine.
	c) Caretaker periods are only required in large local governments	Unsupportive.
	d) Council members who contest a State or Federal election should be required to take a leave of absence on the day of their nomination for a State or Federal election campaign	Supportive.
18	To what extent do you agree with the following statements?	
	a) People who have been convicted under planning or building legislation offences in the past should be disqualified from serving as a council member	Disagree.
	b) Council elections should be held every four years rather than every two years with all council members being elected at the same time	Disagree.
	c) A cap should be set on the maximum amount that a candidate may spend on their campaign	Disagree.
	d) Prospective candidates should be required to declare their professional or primary source of income on the nomination form	Disagree.
	e) Local governments should be required to publish candidate profiles on the website	Agree.
	f) Information collected on the nomination form should include demographic information such as gender and ethnicity	Agree.
19	To what extent do you agree with the following statements?	
	a) People who own land but who do not live in a district should be eligible to vote	Supportive.
	b) People who lease rateable property in a district should be entitled to vote	Supportive.
	c) Corporations that own property in a district should be entitled to vote	Supportive.
	d) Corporations that lease property should be entitled to vote	Supportive.
	e) Occupiers of land, for example, commercial lease holders, should be eligible to vote	Supportive.
	f) Only people over the age of 18 who live in a district should be eligible to vote	Supportive.
20	How should the position of Mayor or Shire President be determined?	
	a) Vote by electors	A method determined by Council.
	b) Vote by council members	
	c) A method determined by council	
	d) Unsure	
	e) Other (please specify)	
21	To what extent do you agree with the following statements?	
	a) The rules regulating non-election gifts and elections should be aligned	Supportive.
	b) Election gifts and donations should be declared regardless of when they are received	Supportive.

Elections

DLG Q Ref	Question	Council Comment
	c) A register of election gifts and donations should be available online	Supportive.
	d) Donors should also be required to declare election gifts and donations made	Unsupportive.
22	Should gifts or donations from any of the following be prohibited? (please select all options that apply) a) Real estate agents b) Property developers c) Political parties d) Liquor or gambling business entities e) Tobacco industry business entities f) No election gifts or donations should be prohibited g) All election gifts or donations should be prohibited h) Other (please specify)	No election gifts or donations should be prohibited. It should be for individual Candidates to determine whether or not to accept a gift or donation.
23	To what extent do you support the following statements? a) A local government should be required to have a ward structure if it reaches a certain population threshold b) A local government with fewer than 800 people should not have wards c) Ward boundaries should be set by the Electoral Commissioner d) The number of members that a council has should be linked to the local government's population	Disagree. Disagree. Unsupportive. Supportive of retaining the status quo where proposals for ward boundary amendment are considered by the Advisory Board and determined by the Minister. Unsupportive.
24	How can participation be increased to ensure that Western Australia's diverse population is represented in local government?	Supportive of the status quo. The City believes its Council is reflective of its diverse population.
25	Do you have any other comments or feedback on local government elections?	No additional comment.

Financial Management		
DLG Q Ref	Question	Council Comment
12	To what extent do you support the following statements?	
	a) Local government purchasing rules should be consistent with the State Government	Unsupportive. Local Government is unique and should have procurement rules designed for the sector.
	b) Different procurement rules should apply to different local governments	Supportive. It should be for individual local governments to set their own procurement rules through policy.
	c) Local governments with few staff or small operating budgets should be fewer procurement rules to comply with	It should be for individual local governments to set their own procurement rules through policy.
13	What criteria should be used to set the threshold for when a local government must publically advertise a tender? (select all options that should apply) a) None. Procurement rules should be consistent across local government b) A percentage of a local governments average operating expenditure c) Salaries and Allowances Tribunal bands d) An independent risk assessment e) Other (please specify)	Other. Risk assessment (does not need to be independent) or as set in Policy which must give State-wide public notice.
14	Should the regulations set a threshold that a CEO is permitted to spend without needing approval from council? a) Yes b) No c) Unsure	No.
15	Should the amount that a CEO is permitted to spend without needing additional approval from Council be scaled according to the local government's size or capacity? a) Yes b) No	No.

	c) Unsure	
16	To what extent do you support the following statements?	
	a) Local government should be permitted to invest surplus revenue	Supportive.
	b) Local government should have fewer restrictions on their ability to invest surplus revenue	Supportive.
	c) Different local governments should have different investment powers and rules.	Neutral.
	d) Certain types of investments should require independent approval	Unsupportive.
17	Should local governments be required to give public notice in any of the following situations (please select all options that should apply) a) Where a local government wishes to borrow money outside amounts listed in the annual budget b) Where a local government has exercised its power to borrow for a purpose but no longer wishes to use the funds for that purpose c) Where a local government has exercised its power to borrow for a purpose and has funding left over d) Public notice is not required in any of these situations e) Unsure	Public notice should not be required in any of the outlined situations.
18	Should local governments be permitted to secure loans using assets that they own freehold a) Yes b) No c) Unsure	Yes.
19	Should local government be permitted to participate in Building Upgrade Finance programs	Yes.
20	What types of upgrades should be eligible for the program a) Environmental upgrades b) Commercial upgrades c) Both environmental and commercial d) Neither e) Other (please specify)	Both environmental and commercial.
21	Do you have any additional comments on the topic of financial management?	Yes: see below

1. Amend Part 4 Division 2 [Tenders] of the Local Government Functions and General Regulations:
 - 11(2)(e) to allow local governments to purchase from other local government panels.
2. Amend Part 4A Regional Price Preference:
 - To include quotations, not just tenders.
 - To include for qualitative regional preferences (e.g. local employment) and have % weighting.
 - 24B(2) definition of Regional Tenderer to remove "six months" and be replaced with "established".
 - To include for % preference for the components of regionally sourced goods and services from non-regional tenderers (local content).

Integrated Planning and Reporting

DLG Q Ref	Question	Council Comment
12	To what extent do you support the following statements?	
	Long-term and operational planning is an area where reform is required	Unsupportive.
	A local government should be free to conduct its long-term and operation planning in whatever manner it wishes	Unsupportive.
	Local governments should conduct their long-term and operational planning in the same way	Supportive.
	Local governments with smaller populations and fewer staff should have fewer rules for how they conduct long-term and operational planning	Unsupportive.
	Local governments with larger populations and more staff should have fewer rules setting how they conduct long-term and operational planning	Unsupportive.
	Integrated planning and Reporting documents need to be reviewed too frequently	Unsupportive.
	The timelines for reviewing Integrated Planning and Reporting documents need to be synchronised with council election cycles	Neutral.
	There should be consequences for not complying with Integrated Planning and Reporting requirements	Neutral.
13	Should Integrated Planning and Reporting requirements differ based on any of the following criteria? a) Population size b) Geographical size c) Location d) Salaries and Allowances Tribunal banding e) Other, please specify	None of the criteria outlined should affect the integrated planning and reporting requirements of local governments.
14	To what extent do you support the following statements?	
	Local governments should be required to publish measures of success in implementing their long-term and operational plans	Supportive of publication of headline measures of satisfaction in areas such as waste, events, roads etc.
	Local governments should be required to publish measures of success against uniform key performance indicators	Supportive.
	It is important that measures of success are comparable	Supportive.
	Local governments should determine if they publish measures of success and what these measures should be	Unsupportive.
15	To what extent do you support the following statements?	
	The State Government should use local government Integrated Planning and Reporting documents to inform policy and service delivery	Very supportive.
	All local governments plans, including Local Public Health Plans, Disability Access Plans and Town Planning Schemes, should be combined under Integrated Planning and Reporting	Supportive, only where this is possible.

Integrated Planning and Reporting

DLG Q Ref	Question	Council Comment
	Local government Integrated Planning and Reporting needs to be conducted at a regional level to influence State Government policy and service delivery	Neutral. This is the role of State Government.
16	What should the role of the community be in Integrated Planning and Reporting?	
	To be actively involved in the development of the Strategic Community Plan	Agree.
	To provide feedback to the local government on Draft Strategic Community Plans and Corporate Business Plans	Agree.
	To be notified of a local governments plans and reports (for example, publication of these documents on the local government's website)	Agree.
	To assess the local government's success in achieving the priorities identified in the Strategic Community Plan	Agree.
17	Should all Local Governments have to meet the following community engagement requirements when developing their IPR documents?	
	A minimum number of people or percentage of people involved in the engagement process	Neutral.
	Ensure that community engagement is representative of the community's diverse population	Agree.
	Demonstrate the community has been engaged in the development of plans	Agree.
	Demonstrate the community has been consulted on the completion of draft plans	Agree.
	Other (please specify)	
18	Should community engagement requirements be the same for all local governments? a) Yes b) No c) Unsure	Yes.
19	Do you have any other comments on the topic of Integrated Planning and Reporting?	No additional comment.

Intervention

DLG Q Ref	Question	Council Comment
12	Depending on the nature of the allegation, different parties are responsible for receiving allegations of breaches of the Act. Should the Department responsible for local government be responsible for receiving all allegations of breaches of the Act?	This is a decision for State Government.
13	To what extent are you concerned about behaviour and good governance in local government? a) A great deal b) A lot c) A moderate amount d) A little e) Not at all	
14	To what extent do you support the following statements?	
	a) The Act should enable an external person to be appointed to work with a local government's administration to improve governance and resolve problems	Supportive.
	b) An external person appointed to work with a local government's administration to improve governance and resolve problems should have the powers to direct the administration and override decisions made by the administration	Unsupportive.
	c) The external person should be appointed by the Minister	Supportive.
	d) The costs of appointing an external person to work with an administration to improve governance and resolve problems in a local government should be met by the Local Government	Neutral. It should be dependent on the outcome.
	e) The costs of appointing an external person to work with an administration to improve governance and resolve problems in a local government should be met by the State Government	Neutral. It should be dependent on the outcome.
15	To what extent do you support the following statements?	
	a) The Act should enable an external person to be appointed to work with council members to improve governance and resolve problems	Supportive.
	b) An external person appointed to work with council members should have the power to direct the council	Very unsupportive.
	c) An external person appointed to work with council members to improve governance and resolve problems should have the powers to override council decisions	Very unsupportive.
	d) An external person should be appointed by the Minister	Supportive.
	e) The costs of appointing an external person to work with council members to improve governance and resolve problems in a local government should be met by the local government	Neutral. It should be dependent on the outcome.

Intervention

DLG Q Ref	Question	Council Comment
	f) The costs of appointing an external person to work with council members to improve governance and resolve problems in a local government should be met by the State Government	Neutral. It should be dependent on the outcome.
16	To what extent do you support the following statements?	
	a) Former local government council members, committee members and employees should be prosecuted if they misuse information	Supportive.
	b) Local government council members, committee members or employees should be prosecuted if they use their position to cause detriment to the local government or any person	Neutral.
	c) People who knowingly provide false or misleading information to a council should be prosecuted	Very unsupportive.
	d) Local government employees that breach procurement rules should be prosecuted	Very unsupportive.
	e) When a breach of the Act is identified an infringement notice should be issued	Very unsupportive.
17	To what extent do you support the following statements?	
	a) In cases where a local law does not define a penalty amount, the Act should set a default penalty amount	Very supportive.
	b) Local governments need greater powers to direct property owners to tidy property for amenity, health and safety reasons	Very supportive.
	c) Local governments need greater powers to direct property owners to remove items like disused motor vehicles for amenity, health and safety reasons	Very supportive.
	d) Local governments should be able to destroy property or items removed from a property within 28 days when there has been a breach of a local law or regulations. This might include rubbish, goods deemed to be of little value, or decaying items.	Very supportive.
18	Do you have any additional comments on this topic of interventions?	No additional comment.

Local Laws

DLG Q Ref	Question	Council Comment
12	Should any of the following topics covered by local laws be replaced by state-wide regulations?	
	a) Activities on thoroughfares and trading	No.
	b) Beekeeping	Yes.
	c) Cemeteries	Yes.
	d) Dogs	Yes.
	e) Cats	Yes.
	f) Extractive Industries	Yes.
	g) Fencing	No.
	h) Bush Fire Brigades	Yes.
	i) Meeting Procedures (standing orders)	No.
	j) Pest Plants	No.
	k) Public places and local government property	No.
	l) Parking	Yes.
	m) Waste	No.
	n) Urban environment and nuisance	No.
	o) Other (please specify)	
13	Should model local laws be prepared by State Government for local government to use?	Yes.
14	Should local governments be permitted to adapt the contents of model local laws?	Yes.
15	Currently a local government is required to consult for a period of six weeks. If a local government adopts a model local law without modification, how long should the mandatory consultation period be? a) Less than 6 weeks b) Greater than 6 weeks c) 6 weeks as it currently is d) A duration determined by council	A duration determined by council, but not less than 3 weeks. Consultation is required for transparency however consultation should be tailored based on the content of the local law and expected level of community interest.
16	If a local government is seeking to adopt a model local law that it has modified, how long should the mandatory consultation period be?	A duration determined by council, but not less than 3 weeks.

Local Laws

DLG Q Ref	Question	Council Comment
17	To what extent do you support the following statements?	
	The Department should continue to provide comment on proposed local laws prior to consideration by Parliament's Joint Standing Committee on Delegated Legislation	Very supportive.
	Local governments should be required to modify proposed local laws according to the instructions of the Department	Unsupportive.
	Local governments should be required to have a legal practitioner certify that a local law is within power and legally enforceable	Very supportive.
18	Should local governments be required to periodically review their local laws? a) No b) Yes, every 6 years or less c) Yes, every 8 years d) Yes, between 8 and 10 years	Yes, between 8 and 10 years. Individual local governments should determine when reviews are required on an as needs basis.
19	Do you have any additional comments on the topic of local laws?	No additional comment.

Rates, Fees and Charges

DLG Q Ref	Question	Council Comment
12	To what degree are you concerned about rates? a) Not at all b) A little c) A moderate amount d) A lot e) A great deal	A great deal. Rates are the primary source of income for the sector, it needs to be given a great deal of consideration.
13	Do you support the following statements? Local governments should be required to prepare a Rates and Revenue Strategy each financial year	Unsupportive. Long term financial plans should be the basis of setting a rates and revenue strategy which Council can vary on an annual basis.
	The value of the property should continue to be used to partially determine the value of the rates payable	Yes. The Act should be amended to allow capital improved values.
	Local governments should be required to advertise all of their proposed rates and consider any submissions made, prior to adopting their budget	Yes.
	Under the <i>Local Government Act 1995</i> , local governments may not advertise their rates prior to 1 May Local governments should be permitted to advertise their rates at any time leading up to the adoption of their budget	Yes.
	All types of rateable property should pay the same rate in the dollar, regardless of how the land is used.	No.
14	Should the legislation set the rating categories that can be used by local governments? a) Yes b) No c) Unsure	No.
15	If rating categories are set in legislation, what would be appropriate categories? a) Residential b) Rural Residential c) Commercial d) Industrial e) Vacant	This topic should be subject of a separate review to be conducted in conjunction with WALGA.

Rates, Fees and Charges

DLG Q Ref	Question	Council Comment
	f) Mining g) Mining – exploration and prospecting (separate from general mining) h) Farming i) Not-for-profit organisation or charity j) Other (please specify)	
16	If rating categories were set in legislation, should local governments be permitted to introduce sub-categories within the set categories based on factors such as the type of mining being undertaken, the intensity of the land use or the type of commercial activity? a) Yes b) No c) Unsure	This topic should be subject of a separate review to be conducted in conjunction with WALGA.
17	What powers should local governments have to recover payment of rates on exploration and prospecting leases	No comment. This is not an issue affecting the City of Mandurah.
18	To what extent do you support the following statements?	
	Local governments should be permitted to rate properties based on their location	Unsupportive. This is already addressed in the property valuation or by Standard Area Rates.
	Local governments should be permitted to rate long term vacant properties differently to land that is being used	Unsupportive.
	Local governments should be permitted to rate holiday houses, timeshare properties or AirBNB properties differently	Unsupportive.
	A lower rate in the dollar should apply to land used for exploration and prospecting compared to land used for mining	No comment. This is not an issue affecting the City of Mandurah.
19	Currently, local governments are required to seek Ministerial approval when seeking to impose a rate in the dollar that is more than twice the lowest of its other rating categories. What is your preferred approach to differential rates? a) Ministerial approval for rates twice the lowest category b) Ministerial approval for rates three times the lowest category c) Ministerial approval for rates four times the lowest category d) No ministerial approval required for any differential rates e) Differential rates to a maximum of four times may be set with no option for Ministerial approval	No Ministerial approval required for any differential rates.

Rates, Fees and Charges

DLG Q Ref	Question	Council Comment
	f) Other (please specify)	
20	To what extent do you support the following statements?	
	All land should be subject to rates	Supportive.
	The types of land subject to rates should be consistent between local governments	Supportive.
21	Should the following types of land be subject to rates?	
	a) Land owned by the Crown that is used or held for a public purpose	No.
	b) Land used or held exclusively for churches (religious bodies)	No.
	c) Land used or held exclusively for schools	No.
	d) Land used exclusively for charitable purposes	No, subject to (g) below.
	e) Land vested in trustees for agricultural or horticultural show purposes	No.
	f) Land owned by Co-operative Bulk Handling Limited (CBH)	Yes. Note: Council has the ability to grant concessions where considered appropriate.
	g) Land used primarily as a place of residence (no matter who owns the land)	Yes. Note: Council has the ability to grant concessions where considered appropriate.
	h) Land used for mining or exploration purposes	Yes. Note: Council has the ability to grant concessions where considered appropriate.
	i) Aged care facilities	Yes.

Rates, Fees and Charges

DLG Q Ref	Question	Council Comment
		Note: Council has the ability to grant concessions where considered appropriate.
	j) Child care facilities	Yes. Note: Council has the ability to grant concessions where considered appropriate.
	k) Sporting clubs and Surf Lifesaving clubs	Yes. Note: Council has the ability to grant concessions where considered appropriate.
	l) Land used for the pursuit of the Arts	Yes. Note: Council has the ability to grant concessions where considered appropriate.
22	Which of the following charges should be levied on properties exempt from rates? a) Waste charges b) A service charge to cover basic services and maintenance c) Both d) Neither e) Other (please specify)	Both.
23	Should a concession on rates be granted in any of the following scenarios? The land is owned by a person who currently receives a pensioner or health related concession The land is owned or used by a not-for-profit organisation The land is owned or used by an entity that provides assistance or encouragement for arts or cultural development	Apart from the concessions already granted through the <i>Rates and Charges</i>

Rates, Fees and Charges

DLG Q Ref	Question	Council Comment
	<p>The land is owned or used by a sporting or recreation body and is available for use by the general community without charge or below cost</p> <p>Community service organisations that are not-for-profit, for the benefit of the general public and provide community services without charge or below cost</p> <p>The payment of rates or charges will cause hardship to the land owner</p> <p>The concession will encourage the economic development of all or part of the local government district</p> <p>The concession will encourage land that is of cultural, environmental, historic, heritage or scientific significance to the local government area to be preserved, restored or maintained</p> <p>Land that is subject to a mining tenement</p> <p>Land that is determined by the Minister to be subject to a concession</p>	<p><i>(Rebates and Deferments) Act 1992</i> it should remain the discretion of individual Councils to consider and grant concessions where appropriate.</p>
24	Should any other scenarios be subject to rates concessions?	It should be open to Council to determine to grant a concession for any circumstance they feel is appropriate.
25	<p>Which of the following charges should be levied on that part on the land that received a rates concession?</p> <p>a) Waste charges</p> <p>b) A service charge to cover basic services and maintenance</p> <p>c) Both</p> <p>d) Neither</p> <p>e) Other (please specify)</p>	Both.
26	To what extent do you support the following statements?	
	Rate exemptions for the commercial (non-charitable) business activities of charitable organisations should be removed	Very supportive.
	Certain categories of ratepayers, for example Independent Living Units, should only be exempt from rates where they qualify under the <i>Commonwealth Aged Care Act 1997</i>	Supportive.
	Land used as a residence should not be regarded as charitable	Very supportive.
27	To what extent do you support these statements?	
	Local governments should be able to impose fixed charges or levies for particular services, facilities or activities	Very supportive.
	Local governments should be able to vary fees and charges at any time without advertising the change	Unsupportive.
	Local governments should have the autonomy to set fees and charges for all services they provide	Very supportive.
	Services that are consistent across local governments should have the same fees or charges	Unsupportive.
	Local governments should not set a fee or charge higher than the cost of delivering that service	Unsupportive.

Rates, Fees and Charges

DLG Q Ref	Question	Council Comment
	A fee or charge should not be set lower than the cost of delivering that service	Unsupportive.
	Fees and charge imposed by local government and fixed under legislation should increase by CPI annually	Unsupportive.
28	Do you have any additional comments on the topic of rates, fees and charges?	No further comment.

4 **SUBJECT:** Fencing Amendment Local Law 2018
CONTACT OFFICERS: Gavin Worth
AUTHOR: Sophie Luxton
FILE NO: R0000936667

Summary

Following the statutory advertising period, the Fencing Amendment Local Law 2018 is ready for final adoption.

As a legal requirement, all local laws are to have a purpose and effect where the following is proposed for the Fencing Amendment Local Law 2018:

PURPOSE: to amend provisions within the City of Mandurah Fencing Local Law 2015.

EFFECT: to ensure the City of Mandurah Fencing Local Law 2015 is as clear and effective as possible.

Council is requested to adopt the Fencing Amendment Local Law 2018 in its final form.

Disclosure of Interest

Nil

Previous Relevant Documentation

- G.12/12/18 18 December 2018 Proposed Fencing Amendment Local Law 2018
- G.32/2/16 23 February 2016 Adoption of Fencing Amendment Local Law 2015
- G.37/6/15 23 June 2015 Adoption of Fencing Local Law 2015

Background

At its meeting of 18 December 2018 Council resolved to adopt the proposed City of Mandurah Fencing Amendment Local Law 2018 for advertising which is now complete.

Comment

Two submissions were received on the proposed City of Mandurah Fencing Amendment Local Law 2018. A summary of submissions received and the City's response are outlined below:

	Submission	City Comment
Department of Local Government, Sport and Cultural Industries	It is recommended that the City include note of Government Gazettal of the City of Mandurah Fencing Amendment Local Law 2015.	Complete – note regarding government gazettal of Fencing Amendment Local Law 2015 has been added. Administrative amendment, no change to intent or function of local law.
Department of Local Government, Sport and Cultural Industries	It is recommended that the City remove note advising property owners that they should also be aware of any caveat or covenant on their property title in Part 5. Notes are not enforceable and to avoid any confusion it is	Complete – note has been deleted from amendment local law. Administrative amendment, no change to intent or function of local law.

	recommended that this note be removed.	
Mr Gene Turner, Community Member	<p>2.1(2) of the principal local law – City of Mandurah Fencing Local Law 2015.</p> <p>2.1(2) currently states:</p> <p>A dividing fence or fence erected prior to 8 April 1988 or lawfully erected prior to this local law coming into operation constitutes a sufficient fence.</p> <p>It is recommended that the City consider deleting this clause from the principal local law as maintenance and safety of fences should still be enforceable at all times.</p>	<p>Safety of fences, regardless of date of construction, is managed under State legislation.</p> <p>Division 5, Part 8 of the Building Act 2011 contains enforcement provisions which would be utilised if a fence were to be a dilapidated or unsafe state.</p> <p>The inclusion of this comment in subclause 2.1(2) simply refers to the fact that fences legally erected prior to the enactment of the City's subsidiary legislation regarding Fencing do not therefore become non-compliant.</p> <p>No amendments to the local law have been made in response to this comment.</p>
Mr Gene Turner, Community Member	<p>The Council needs to have a phase-out policy for the removal of all asbestos in the community. This revision is an opportunity to incorporate mention of asbestos.</p> <ol style="list-style-type: none"> 1. Asbestos should be expressly stated as a forbidden material in the schedules. 2. An asbestos phase out plan needs to be developed by the Council and references should be mentioned in the Fencing Local Law, to allow Council provision for facilitate this happening. 	<p>Whilst the City is supportive of a phase out plan for asbestos, the use of asbestos as a development material and asbestos management are addressed through State legislation; <i>Health (Asbestos) Regulations 1992</i>.</p> <p>There is no head of power for Local Government to create subsidiary legislation that contradicts State legislation.</p> <p>No amendments to the local law have been made in response to this comment.</p>

A number of minor formatting amendments have also been made to the proposed local law. These amendments reflect current drafting practices and do not in any way alter the intent of function of the local law.

Consultation

Advertisements were placed in State and local papers, on all City notice boards and forwarded to the Minister for Local Government and Minister for Commerce for their comment.

The proposed local law was also advertised via the City's' Have you Say webpage.

Internal Consultation

Building Services

Statutory Environment

- *Local Government Act 1995* Part 3, Division 2, Subdivision 2 - Local laws made under any Act.

Policy Implications

Relevant policies will be updated as required.

Economic Implications

Nil

Risk Analysis

Proposed amendments are very minor and it is therefore considered that this matter is very low risk.

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 Fencing Amendment Local Law 2018 is now complete. Council is requested to consider the submissions received and the City's response and make the local law as shown at **Attachment 1**.

NOTE:

Refer **Attachment 1** ***City of Mandurah Fencing Amendment Local Law 2018***

RECOMMENDATION

That Council adopt and advertise the City of Mandurah Fencing Amendment Local Law 2018.

ABSOLUTE MAJORITY REQUIRED

LOCAL GOVERNMENT ACT 1995

CITY OF MANDURAH

FENCING AMENDMENT LOCAL LAW 2018

Under the powers conferred by 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. Citation

This local law may be cited as the *City of Mandurah Fencing Amendment Local Law 2018*.

2. Commencement

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

3. Principal Local Law

This local law amends the *City of Mandurah Fencing Local Law 2015* as published in Government Gazette No. 107 on 14 July 2015 and as amended in Government Gazette No 37 on 8 March 2016.

4. Clause 1.2 amended

In clause 1.2:

(a) insert:

building line is the parallel line to the boundary that abuts a street or canal that is the minimum setback specified in the zoning table of the Residential Design Codes or town planning scheme;

(b) in the definition for ***dangerous*** delete “7.1” and replace with “8.1”;

(c) In the definition for ***height***,

i. delete (a) and insert:

“(a) the ground level immediately below that point; or”;

ii. delete (c) and insert:

“(c) where the fence is erected on a retaining wall approved by the local government, or on a retaining wall that is exempt for needing approval by the local government, from the top of the retaining wall;”.

5. Clause 2.1 amended

In clause 2.1:

(a) delete clause 2.1(3)(a) and insert:

(a) on a Residential Lot of R10 or higher density, and Commercial Lots, is a fence constructed and maintained in accordance with the

ATTACHMENT 1

specifications and requirements of Schedule 1 and is located behind the specified building line;

(b) delete clause 2.1(3)(c) and insert:

(c) on a Rural, Rural Residential Lot or a Residential Lot of R5 or lower density is a fence constructed and maintained in accordance with the specifications and requirements of Schedule 3.

(c) delete clause 2.1(4)(b) and insert:

(b) a Residential Lot with a density of R10 or higher and a Residential Lot of R5 or lower, a Rural Lot or a Rural Residential Lot, a sufficient fence is a fence constructed and maintained in accordance with the specifications and requirements of Schedule 1.

6. Clause 3.1 amended

In clause 3.1:

(a) in subclause 3.1(1) delete "On a Residential Lot a fence erected within the primary street setback area shall;" and insert:

On any Residential Lot with a density of R10 or higher, a fence erected within the primary street setback area shall;

(b) delete clause 3.1(1)(b) and insert:

(b) not exceed a height of 1.8 metres except that piers with a maximum dimension of 350x350mm may extend to a maximum height of 2.1 metres; and;

(c) insert new subclause:

3.1(1A) On any Residential Lot with a density of R5 or lower shall comply with Schedule 3.

7. Clause 4.3 amended

In clause 4.3 delete clause 4.3(4) and insert:

"4.3(4)

- (a) on a Rural Lot a person may erect or affix to any fence any barbed wire; and
- (b) if the fence is located adjacent to a thoroughfare or other public space then the barbed wire must be fixed to the side of the fence posts furthest from the thoroughfare or other public space".

8. Clause 4.5 amended

Delete clause 4.5 and insert:

"4.5 Gates in fences

Any gate or door must not encroach into or over any other property including a thoroughfare or other public space."

9. Part 5 amended

In Part 5:

- (a) Insert new part:

PART 5 – CANAL WALLS

5.1 Fences between a Canal Wall and the Building Line

On any Residential property that abuts a canal, a fence that is to be located between the canal wall and the building line on the property shall:

- (a) not exceed a height of 1.2 metres;
- (b) be setback behind the developer installed footpath behind the canal wall or 1.2 metres where there is no footpath;
- (c) be constructed of face finished brick or stone or powder coated or stainless tubular metal or stainless steel wire with appropriate corrosion protection, glass or a combination of the aforementioned materials, or similar, that complement the dwelling and do not detract from the amenity of the canal waterway. Fibre cement sheet, sheet metal, treated timber and brushwood are not considered suitable;
- (d) be 80% visually permeable;
- (e) not compromise the structural integrity of the canal wall.

- (b) Renumber the remaining parts and clauses accordingly.

10. Clause 8.1 amended

In clause 8.1:

- (a) in subclause 8.1(c) delete “and”;
- (b) in subclause 8.1(d) delete “.” and insert “; and”; and
- (c) insert “(e) on an Industrial Lot, any electrified part of the fence must be located on the property side of the fence, and behind a sufficient fence.”.

11. Clause 9.1 amended

In clause 9.1 in subclause 9.1(1) delete “planning” and replace with “a development”.

12. Clause 9.5 amended

In subclause 9.5(e) delete “9.1” and replace with “10.1”.

13. Clause 9.6 amended

In subclause 9.6(d) delete “9.1” and replace with “10.1”.

14. Schedule 1 amended

In Schedule 1:

- (a) delete the heading and insert:

ATTACHMENT 1

"SPECIFICATIONS FOR A SUFFICIENT FENCE ON A RESIDENTIAL LOT OF R10 OR HIGHER DENSITY AND A COMMERCIAL LOT BEHIND THE PRIMARY STREET SETBACK";

- (b) delete "Each of the following is a sufficient fence on a Residential and Commercial Lot – Refer to clause 3.1 for fences within the primary street setback area." and insert:
"Each of the following is a sufficient fence on a Residential Lot of R10 or higher density and Commercial Lots behind the primary street setback area:
(Refer to clause 3.1 for fences within the primary street setback area).";
- (c) delete paragraph (a)(i) and insert:
"(a)(i) a minimum height of 1.6 metres and a maximum height of 2.0 metres;"
- (d) delete paragraph (b)(i) and insert:
"(b)(i) a minimum height of 1.6 metres and a maximum height of 2.0 metres;"
- (e) delete paragraph (c)(i) and insert:
"(c)(i) a minimum height of 1.6 metres and a maximum height of 2.0 metres;"
- (f) delete paragraph (d)(i) and insert:
"(d)(i) a minimum height of 1.6 metres and maximum height of 2.0 metres;"

15. Schedule 3 amended

In Schedule 3:

- (a) delete the heading and replace with: "SPECIFICATIONS FOR A SUFFICIENT FENCE ON A RURAL LOT, RURAL RESIDENTIAL LOT OR RESIDENTIAL LOT ZONED R5 OR LOWER DENSITY".
- (b) delete "each of the following is a sufficient fence on a Rural Lot and Rural Residential Lot - " and insert:
"Each of the following is a sufficient fence on a Rural Lot, Rural Residential Lot or Residential Lot zoned R5 or lower density:"
- (c) delete paragraph (a)(i) and insert:
"(a)(i) have a minimum height of 1.0 metre and a maximum height of 1.4 metres;"
- (d) delete paragraph (b)(i) and insert:
"(b)(i) have a minimum height of 1.0 metre and a maximum height of 1.4 metres;"

16. Schedule 4 amended

In Schedule 4 delete reference to "5.1" and replace with "6.1".

17. Schedule 5 amended

Schedule 5 amended:

- (a) delete "9.2" and replace with "10.2";
- (b) delete "6.1" and replace with "7.1";
- (c) delete "8.1(2)" and replace with "9.1(2)"; and
- (d) delete "9.3" and replace with "10.3".

ATTACHMENT 1

18. Terms used throughout the principal local law

Wherever the abbreviation “m” is used substitute with “ metre” or “ metres” as appropriate.

Dated: INSERT DATE

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

5	SUBJECT:	Proposed Development Works Rushton Park Precinct (Corner Dower and Clarice Street)
	CONTACT OFFICER/S:	Craig Johnson
	AUTHOR:	Ben Dreckow

Summary

A development proposal has been received from Peel Thunder Football Club to make improvements to the corner of Clarice and Dower Street on the south eastern corner of Rushton Park. The proposal involves a number of components:

- A retaining wall and garrison style fencing (security fencing) around the perimeter of the existing reserve to provide a for a 'secure parking area' of 19 bays together with an access driveway off of Clarice Street;
- A storage shed and retaining wall surrounding the existing tanks in close proximity to the existing gatehouse to house the Club's two buses;
- Digital signage consisting of two large signs facing both directions of Dower Street with the intent to promote club events and activities and acknowledge club sponsors.

These works are proposed to be funded and constructed by the Club.

In response to the submitted proposal, officers have reviewed the proposal and have recommended a number of modifications that seeks to improve the design outcome for the precinct but accommodate the Club's request by modifying the following:

- Ensuring a minimum 5m verge remains between the road kerb of Dower Street (including the intersection of Clarice) and the proposed fence and retaining wall to provide for a continuation of the footpath and verge treatments recently completed adjacent to the Mandurah Forum Shopping Centre to improve the pedestrian environment in this location;
- Modifying the access to the car parking and shed to maintain the two existing tuart trees on site;
- Modifying the fencing and car parking design to ensure entry plaza pavement treatments can be provided between Dower Street and the gatehouse / main entrance and
- Moving the location of the shed to ensure that views to the gatehouse / main entrance to the stadium are maintained from Dower Street.

Council approval is sought for these works being undertaken on Crown Land under the Management of the City by a third party.

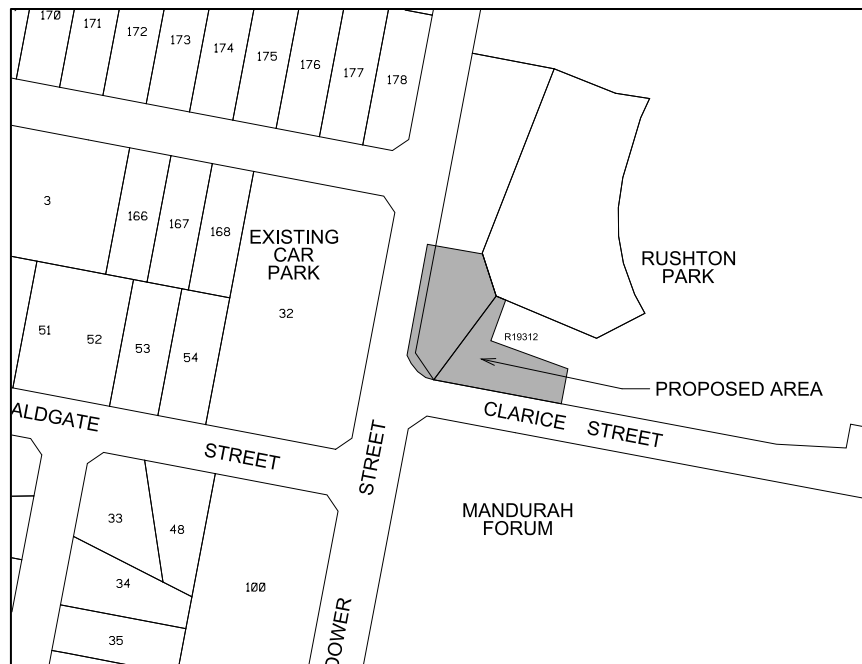
Further the submitted design concept requires Council's consideration of an upgrade to the footpath and paving treatment along Dower Street to match existing treatments which should be included in the design and funding allocated accordingly. It is considered that this upgrade continues the upgrades that have been ongoing in the Precinct following the completion of the Mandurah Forum and street upgrades in Dower Street to ensure continuity of linkages between the important spaces that support pedestrian movement, particularly with Rushton Park being a significant event and recreation space in Mandurah.

It is recommended that Council acknowledge the proposal as submitted and support Peel Thunder Football Club making improvements to this part of the Precinct.

Disclosure of Interest

Nil

Location



Previous Relevant Documentation

New Item

Background

Peel Thunder Football Club have presented a development proposal for the section of Rushton Park, close to the corner of Dower and Clarice Street in order to improve the appearance and function of the location. At the present time this part of the precinct appears incomplete and is poorly presented. Given the recent works to Dower Street and the completion of the Mandurah Forum Shopping Centre, car parking and landscaping works on the western side of Dower Street, together with the main facility at Rushton Park, it has become an area that is detracting from the overall precinct.

Council's existing Rushton Park Master Plan envisaged an open area with prioritised pedestrian access between the Precinct and the Mandurah Forum; some entry statement signage consistent with the Parks and Reserves Signage Manual; and the potential for some secure parking space further along Clarice Street. It is noted however, that the existing Master Plan does not reflect the existing intersection design of Dower, Clarice and Aldgate Streets or the layout of the Mandurah Forum as recently completed.

The Club describes the purpose of the proposed works are to:

- Enhance the spectator and visitor experience as they enter the venue for games and other events;
- Improve the aesthetics of the area;
- Tie in to the current works being undertaken by the City to re-align Clarice Street;
- Improve the secure parking and Club storage facilities; and
- Enable the Club to promote its homes games, club activities and improve its long term financial sustainability through enhanced sponsorship offerings.

The Club's proposal as submitted is provided in **Attachment 1** which involve:

- A retaining wall and garrison style fencing (security fencing) around the perimeter of the existing reserve to provide a for a 'secure parking area' of 19 bays together with an access driveway off of Clarice Street. The submitted design involves the removal of a tuart tree;

- A storage shed measuring 12.5m x 8m and height of 4.85m and retaining wall surrounding the existing tanks in close proximity to the existing gatehouse to house the Club's two buses. The storage shed to house the Club's buses is important to the club's operations for game day property and to assist with transporting players who reside in the South West to and from training;
- Digital signage consisting of two panels measuring 5.78m width x 2.88m height siting a height of 4.0m above the ground (to a total height of 7.08m) with the intent to promote club events and activities and acknowledge club sponsors.

The total cost of the works, which also includes rendering and painting the existing front gate / entrance building is approximately \$280,000, however a significant proportion of these works such as retaining walls, shed and signage has been sought through in-kind support and club sponsor donations.

Comment

The works proposed are located outside of the Club's lease area, and therefore, Council, as land owner/manager is required to grant approval for these works, acknowledging that as a Crown Reserve, there are some matters under the Land Administration Act that require Council's consideration, and consent from the Minister for Lands.

The proposal for the Club to complete the precinct is generally supported, however in reviewing the development plans as submitted there are a number of key points that require review as follows:

- The alignment of the retaining wall and fencing along the western boundary (north-south axis) and then adjacent to the footpath on the southern boundary (east-west) axis removes any opportunity for the City to increase the width of this footpath; or as should have been constructed, relocate away from the road pavement edge and add street trees to create a more suitable streetscape.

As part of the Mandurah Forum Shopping Centre development, Dower Street has been widened by 5 metres to accommodate carriageway widths noting the high level of bus routes, widening footpaths and streetscape improvements.

For key event days and the links between Rushton Park and the Forum, the footpath width should be wider than the standard 2m path that is currently provided along Dower north of Clarice Street. Relocating the retaining wall and fencing to the east by a metre or two assist in ensuring that the City has the option to improve this pedestrian space;

- The alignment of the fencing adjacent to the gatehouse (pedestrian entry) to the stadium creates a narrow pedestrian space and together with the location of the shed, screens this key entry from the street and could create some challenging large event issues. This has the potential to be resolved with ensuring this pedestrian entry / plaza space is widened by modifying the location of the fencing and the shed.
- It should be noted that the retaining wall, fence and carpark are located on a Crown Reserve which the City would be responsible for the maintenance, repairs, insurance and public liability, as custodian of the land.
- In respect to the signage, the City's requirements for freestanding signs that apply under the Local Planning Policy for Signage allow for signage 6.0m in height and width of 2.5m.

The proposed sign is 7.08m high and 5.7m wide (x 2) which is greater than the City would allow with commercial development and of a scale (total signage area of 33 square metres) as large development signs adjacent to Mandurah Road for large residential estates and not a road of the scale of Dower Street. However given the size of the site and its relative scale to the streetscape, the total size can be supported.

The proposed signage has raised some discussion with the content on the digital signage. The Signage Policy does not allow for third party signage – i.e. the signage is to be relevant to the site to which it is located. There is a concern that signage of this nature, which is not currently offered in Mandurah, that this form of electronic signage in shopping centres and major freeways are used to sell advertising for third parties. Whilst this does not form part of the proposal, it will be important to ensure that the Club is aware of these requirements, as under the Land Administration Act, the use of the reserve for advertising and commercial gain is not permitted or would be supported by the State Government's Department of Lands.

- The location of the storage shed as submitted being at the higher part of the site (after retaining wall works) and in front of the view of the front entrance gate has the potential to be the first impression of the Precinct from the south-west and block the view of the key entrance points. Ideally the shed would be located on the eastern side of the water tanks and fire service pumps and using the existing trees and levels to screen it from view.

However, the operational perspective of access for the bus movements and the rear of the shed having direct access to the pedestrian levels around the stadium are critical for the Club. As a result, officers have proposed that the shed be moved away from the entry plaza to keep the view to the front of the stadium open, and require tree planting along the western edge of the shed to soften its appearance. Being a light weight construction may allow for the shed to be relocated should any further development works be proposed around the stadium building into the future.

In granting approval for the shed, a licence to occupy the site is required to ensure that the ownership of the structure is clarified and that the Club can obtain insurance over the site, and the City and the Minister for Lands is indemnified. This is akin to a land disposal under the Local Government Act and requires Council and Minister for Lands approval.

As a result of the above, officers have reviewed the proposal and have recommended a number of modifications which seeks to improve the design outcome for the precinct but accommodate the Club's request by modifying the following as outlined in **Attachment 2**:

- Ensuring a minimum 5m verge remains between the road kerb of Dower Street (including the intersection of Clarice) and the proposed fence and retaining wall to provide for a continuation of the footpath and verge treatments recently completed adjacent to the Mandurah Forum Shopping Centre to improve the pedestrian environment in this location;
- Modifying the access to the car parking and shed to maintain the two existing tuart trees on site;
- Modifying the fencing and car parking design to ensure entry plaza pavement treatments can be provided between Dower Street and the gatehouse / main entrance and
- Moving the location of the shed to ensure that views to the gatehouse / main entrance to the stadium are maintained from Dower Street.

Consultation

No consultation is required for the proposal given that it will be consistent with the purpose and management of the Reserve. On receipt of the proposal from Peel Thunder Football Club, officers have met with the Club to discuss the proposal and the objectives of the revised plan for the site. This dialogue has been conducted in a positive and constructive manner and a negotiated outcome has been achieved.

Statutory Environment

The proposed development will require a Building Permit for the works and a licence agreement for the shed to be occupied by a not for profit sporting group under the Land Administration Act.

Policy Implications

The proposed development has been assessed against policy requirements relating to signage, Crime Prevention Through Environmental Design (CPTED), tree retention and the like. Guidelines and procedures relating to clubs and groups preparing development proposals over land under the City's management

Economic Implications

As outlined, the Club is proposing to fund the works which includes in-kind or donations to improve the function and appearance of the Precinct and its key entry points.

As a result of the proposal being received from the Club, in order to provide for a complete project, it is proposed to include funding within the 2019/20 Budget as the City's contribution to the project for improvements to the streetscape (footpath, tree planting) to continue the design of Dower Street further north from the most recent works completed by the City.

To maintain consistency when dealing with shed licenses, officers propose an annual rental of \$1 for a term of 5 + 5 years

Risk Analysis

As outlined above, a review of the design proposal and ensuring that appropriate licence agreements are in place ensure that there is little to no risk in granting approval to these works.

Strategic Implications

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

Social:

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

Infrastructure:

- Advocate for and facilitate the provision of an integrated movement network.

Identity:

- Become known as a city and destination for events, arts, heritage and culture.

Conclusion

A development proposal has been received from Peel Thunder Football Club to make improvements to the corner of Clarice and Dower Street on the south eastern corner of Rushton Park. The proposal involves a number of components which will improve this corner.

Council approval is sought for these works being undertaken on Crown Land under the Management of the City by a third party. Following a review of the design concept as submitted, a modification to the plan has been prepared that require Council's consideration of an upgrade to the footpath and paving treatment along Dower Street to match existing treatments.

It is recommended that Council acknowledge the proposal as submitted, approve a revised plan and support Peel Thunder Football Club making improvements to this part of the Precinct.

NOTE:

- Refer **Attachment 1** **Proposed Club Request;**
Attachment 2 **Revised Proposal for Approval (prepared by officers);**

RECOMMENDATION

That Council

1. Grants consent to the Peel Thunder Football Club to undertake development works over Crown Reserve 19312, Dower Street, Mandurah for works that include retaining, fencing, parking, signage and storage shed as outlined on Plan No 05/007/020 Dated 14 March 2019 (as generally shown in *Attachment 2*) subject to the following conditions and/or requirements:
 - 1.1 Ensuring that all retaining works and buildings are granted a Building Permit prior to any works taking place;
 - 1.2 Detailed civil design being submitted for the proposed car park and access prior to any works taking place that includes details relating to stormwater, which is to be contained on site;
 - 1.3 Approves a licence to occupy portion of Reserve 19312 for the purpose of a shed and storage, for a term of five years with a five year renewal option (5+5 years) with a rental fee of \$1 per annum. The licence will be subject to the Minister for Lands approval;
 - 1.4 The Club notes that the fencing, retaining wall and parking remain on land that is within land under the management of the City of Mandurah and that the City reserves the right to remove and/or replace such works at its discretion;
 - 1.5 The Club notes that the proposed digital signage cannot be granted a licence and therefore once constructed will become the property of the City of Mandurah and that all content of the signage must be limited to:
 - (a) Related to an event to be held at the Ground;
 - (b) A club or City event being held within the Facility; and
 - (c) To recognise Club and Event Sponsors.
2. Notes that an amount of \$40,000 will be included in the 2019/20 draft Capital Budget as a City of Mandurah contribution to the overall project specifically for the verge paving and landscape works along Dower Street.



25 February 2019

Mr Mark Newman
Chief Executive Officer
City of Mandurah
3 Peel Street
Mandurah WA 6210

Dear Mark

Peel Thunder Football Club Development Proposal - Cnr Dower and Clarice Streets

We refer to the area of land situated on the corner of Dower and Clarice Street. This area is currently unsightly, sandy and due to the area not being either fenced off or level presents considerable risk for public safety accessing the area.

The Peel Thunder Football Club understands the land is managed by the City of Mandurah and that as the land owner, consent is required for the development thereof. We therefore formally request the City of Mandurah's permission to develop the block of land on the corner Dower and Clarice streets.

The purpose of the proposed development is to:

- enhance the spectator and visitor experience as they enter the venue for games and other events;
- improve the aesthetics of the area;
- ties into the current works that the City is doing to re-align Clarice Street;
- improve the secure parking and Club storage facilities; and
- enable the Club to promote its home games, club activities and improve its long term financial sustainability through enhanced sponsorship offerings.

The outline of the scope of works proposed are:

- retain and fence the site; and
- install a storage shed to house the Club's two buses; and
- install new digital signage to promote Club events and activities as well as acknowledge sponsor support.

We note the storage shed to house the Clubs busses is essential to our operations for both game day property and to transport the boys who current reside in the South West to and from training. This is a priority after two motor vehicle accidents occurring whilst players were heading home late after training.

We have enclosed a copy of the concept plan which illustrates the works proposed.

The current indicative budget breakdown detailing the Club's planned investment in the project is as follows:

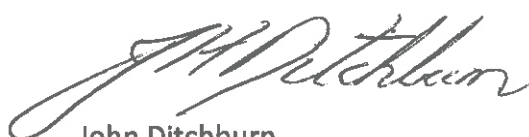
Proposed Works	Estimated Value of Works	Comments
Civil Works / Retaining Walls	\$38,000	Includes in-kind support / donations
Car Parking and Roadways	\$58,000	
Landscaping	\$4,000	Estimate - Costs still being determined
Fencing	\$26,000	
Paving	\$30,000	Estimate - Costs still being determined
Render & Paint front gate / entrance	\$5,700	
Storage shed construction	\$35,000	Includes in-kind support / donations
New Digital Signage	\$144,500	Includes in-kind support / donations
Total Cost of Project	\$283,200	

The Board of the Peel Thunder Football Club believes this project will be valuable and is in alignment with the Club's strategic objectives.

Should you have any further questions or wish to discuss this proposal further please do not hesitate to contact me.

We are proud to be able to continue to invest in the Club having recently spent in excess of \$90,000 towards the installation of new carpet throughout the facility, purchased a Unox combi oven for the kitchen as well as some significant upgrading of the facilities in the outdoor alfresco area. We look forward to a positive response from the City and is excited about the delivery of the project.

Yours faithfully



John Ditchburn
Chief Executive Officer

Enc.

Cc: Bob Ryan, President, Peel Thunder Football Club



6	SUBJECT:	Falcon Bay Proposal for Beach Enclosure
	CONTACT OFFICER/S:	Allan Claydon/Neil Carroll
	AUTHOR:	Allan Claydon

Summary

The City of Mandurah was officially notified in June 2017 that the State Government is committed to working with the City to create a beach enclosure at Falcon Bay.

The Minister for Water, Fisheries, Forestry, Innovation and ICT, Science advised that a one off grant of \$200,000 would be provided to assist with the creation of 'a beach enclosure at Falcon Bay to provide a safe area for use by swimmers'. The grant is for the purchase and installation of a shark barrier specifically for Falcon Bay.

Council considered this proposal and undertook a public consultation program for a beach enclosure to be installed at Falcon Bay. A feasibility study was also undertaken during this period.

Recent events and the State Government's recent response to beach safety as part of its Sea Sense campaign has resulted in a rethink of the City of Mandurah's approach to safe swimming initiatives.

An alternative option to a fixed in place beach enclosure at Falcon Bay is to utilise the services of Surf Life Saving Western Australia (SLSWA) to provide a professional lifeguard service at four key beach locations within the City. This service provides for professional lifeguards to be in attendance at key locations and utilise jet-ski and drone patrols to augment the beach surveillance activities.

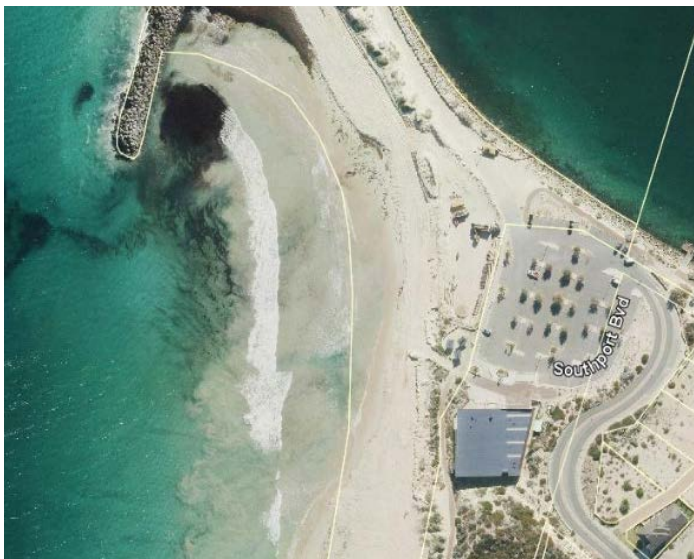
Council is requested to consider the alternative proposal to engage the services of Surf Life Saving Western Australia to provide professional lifeguard services from December to April each year for a trial period of three years commencing in December 2019.

This recommendation has followed discussions with both members of the Legislative Assembly Mr Zak Kirkup (Dawesville) and Mr David Templeman (Mandurah) who have strongly supported this proposal.

Disclosure of Interest

Nil

Location



Pyramids Beach, Dawesville



Falcon Bay, Falcon



Town Beach, Mandurah



San Remo/Madora Bay

Previous Relevant Documentation

- G.27/12/17 December 2017 Council Endorsed Option 1 – 265 metre Shark Barrier length as the preferred option for community consultation and endorsed the Falcon Bay Shark Barrier consultation plan.
- G.22/8/17 August 2017 Council considered an interim report on the possible implementation of a Shark Barrier in Falcon Bay.
- G 12/9/17 September 2017 Council endorsed the Community Engagement Strategy and committed to further embed a culture of participation in its decision making process.
- G. 19/10/17 October 2017 Council considered an interim report which will be part of an overall report based on further work and the outcome of community consultation.

Background

The City has considered the grant offer of \$200,000 from the State Government to install a shark barrier at Falcon Bay in August 2017.

Subsequent reports submitted to Council have followed a process of:

- Considering the grant offer.
- Researching the project options and the preparation of a feasibility study.
- Considering and implementing a community consultation plan.
- Assessment of community response.
- Re-establishing more realistic capital cost for construction and installation of a shark barrier.
- Request to Minister for Water; Fisheries; Forestry; Innovation and ICT; Science for additional funding.

The request for additional funding to purchase and install a shark barrier resulted in a positive response from the Minister for Fisheries. The grant to be made available was increased to a maximum of \$287,500

Whilst the City has been working through a process, the State Government has been working on initiatives to keep WA's beaches safe. Further, the timeline has allowed officers to research the performance and associated costs of installing shark barriers based on those installations that other local governments have selected. Following the theme of safe swimming from the Minister's letter, officers have reviewed the State Government campaign called Sea Sense.

The elements are as follows:



Initiatives include:

- Helicopter, drone and beach patrols
- Investment in shark research and personal shark deterrents
- Funding beach enclosures (partial funding)
- Extending shark monitoring and reporting network.

There is a strong partnership with Surf Lifesaving WA (SLSWA) and the State Government announced on 11 November 2018 that the Sea Sense campaign was to be launched. The campaign includes:

- An independent advisory panel on shark science and mitigation technology
- A partnership with SLSWA which includes educating surfers on deterrents, paying for drones and a new jet ski to patrol for sharks during events and competitions
- A whale carcass program – tow whales out to sea before they wash up
- A 'Sharksmart' website.

Port Bouvard SLSC has been included in the summer drone program. Both Mandurah and Port Bouvard SLSC's have had new beach towers erected to extend their surveillance areas.

As a result of these events, a review of what options are available to the City arose and some items for consideration now present themselves:

- A one off fixed beach enclosure installation only addresses one swimming area
- Ongoing maintenance costs for a fixed installation
- Failure of physical barriers in other locations
- Other beach areas have been more affected by shark activity however, they are not suitable for a fixed shark barrier installation.
- Technology is rapidly changing in the field of shark deterrents
- Swimming beaches that are patrolled by surf lifesaving personnel are more likely to be considered by the community as 'safe' swimming beaches.
- Aerial drone surveillance combined with 'on water' surveillance provides a broader area of beach management via its mobility.
- How can the City of Mandurah assist with the 'safe' swimming beach image, given it is geographically elongated in shape with approximately 50km of coastline.
- Is there an opportunity to piggyback off the State Government Sea Sense campaign by utilising the two surf lifesaving clubs operating in Mandurah?

From an assessment of the above, officers explored the option of utilising the services of Surf Life Saving Western Australia.

Comment

In November 2018, the State Government launched a range of new beach safety measures including a “Sea Sense” campaign.

Principally, this program was borne out of the need to educate beachgoers on how to avoid shark attacks.

As part of the program, aerial drones have been employed to operate at the beach locations including Port Bouvard and Mandurah.

It was recognised by the Minister for Fisheries that there is no silver bullet when it comes to shark attack mitigation thus employing a raft of measures would enhance beach safety for all. Refer to **Attachment 1**.

Following this line of thinking, officers engaged with Surf Life Saving Western Australia to prepare a fee proposal to provide a professional lifeguard service at four key beach locations. The request was for a period of three consecutive years as a trial. This period would be sufficient to establish the value of beach patrols in attracting swimmers back to the City’s beaches.

The key elements are:

- Four beach areas for lifeguard patrol would be:
 - Pyramids Beach
 - Falcon Bay
 - Town Beach
 - San Remo/Madora Beach
- Hours of service – 8am to 1pm. Generally, swimming activity markedly reduces when the sea breeze arrives.
- Two professional lifeguards on duty within designated hours
- Key emergency equipment and first aid would be on site
- Access to radio communications
- Jet-ski patrols
- Aerial drone patrols
- Work in conjunction with local surf lifesaving clubs

Typically the summer period would be serviced as follows:

- Christmas to New Year Daily
- January Daily
- February Saturday’s only
- March Saturday’s only
- April Saturday’s plus Easter public holidays

(Note, that Sunday services are provided by the Port Bouvard and Mandurah Surf Life Saving Clubs)

A service fee proposal has been provided by SLSWA and a summary is as follows:

<u>Year</u>	<u>Total Fee</u>
2019/2020	\$219,730
2020/2021	\$230,710
2021/2022	\$230,710

For comparison, a beach enclosure to be installed at Falcon Bay is estimated to cost \$575,000 with up to \$100,000 annual maintenance costs.

In essence, what is to be achieved as an outcome is a proposal that would result in being supported by beach users who will have confidence and reassurance that a safe swimming area will be provided and possibly attracted increased patronage.

Technology

As the discussion has unfolded over recent years regarding the best ways to address shark mitigation, there have been many options floated as being the appropriate measure to introduce. To date, there has been proposals such as:

- Shark shields
- Electronic/sonic barriers
- Drone surveillance
- Fixed wing aircraft surveillance
- Helicopter surveillance
- Barrier designs of varying standards and specifications
- Drum lines
- Bubble curtains
- Underwater strobe lights
- Sonar imaging.

As investment in research and development of non-lethal shark detection and deterrent technologies progresses, there is confidence that a system will be created that will address shark mitigation.

It is proposed to actively monitor developments and at the appropriate time, consider the implementation of such technology.

Consultation

The community consultation undertaken by an independent consultant during February–March 2018 involved two face to face community workshops, use of the City's 'Have Your Say' platform and a City of Mandurah Facebook post. Over 250 pieces of feedback were captured from these three channels. Broadly, the community consultation was inconclusive as to the preferred outcome. The Facebook elements have been provided in summary form and are included in the total detailed report which has been placed in the Councillor's Lounge for information.

The Sea Sense campaign has had extensive television and newspaper advertising. Combined with the Surf Life Saving brand wherein it is recognised that patrolled beaches are the safest places to swim, the notion of increased surveillance at popular swimming beaches would be considered to sit comfortably with all beach users.

Statutory Environment

This proposal would not require any approvals from external agencies.

Policy Implications

N/A

Risk Implications

The risk is deemed low. The service is proposed to meet a natural risk element.

Economic Implications

Initially, the State Government offered a one off capital grant of \$200,000 for the installation of a shark barrier/swimming enclosure at Falcon Bay.

The cost to install a fixed barrier is in the order of \$575,000 which has resulted in the State Government amending its grant offer to a maximum of \$287,500.

The fixed barrier also carries an ongoing annual maintenance cost of approximately \$100,000 based on current WA project feedback.

The Surf Life Saving WA proposal is:

<u>Year</u>	<u>Total Fee</u>
2019/2020	\$219,730
2020/2021	\$230,710
2021/2022	\$230,710 (estimated)

3 Year Total \$681,150 (estimated)

Strategic Implications

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

Social:

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

Infrastructure:

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

Identity:

- Encourage active community participation and engagement.

Organisational Excellence:

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

Conclusion

The City has a number of popular swimming beaches that would benefit from actions to address shark mitigation. If the aim is to provide a level of confidence and reassurance that the City has safe swimming areas then Council may consider other options in place of a fixed physical swimming barrier to be located in Falcon Bay.

The proposal to utilise professional life guard and patrol services at four key Mandurah beaches, may be considered to provide a greater benefit to a broader section of the community in more convenient locations within the City rather than have a singular focus on Falcon Bay.

It is recommended that Council advise the Minister for Fisheries that it does not support the installation of a shark barrier at Falcon Bay and request funding support for beach patrols at the City's popular swimming beaches.

NOTE:

- Refer **Attachment 1 Newspaper Article "Sea Sense"**

A copy of the Proposed Falcon Bay Shark Barrier Community Consultation Report has been placed in the Councillor's Lounge for information.

RECOMMENDATION

That Council:

- 1. Advise the Minister for Fisheries that it does not support the installation of a shark barrier at Falcon Bay.**
- 2. Endorse the Mayor writing to the Minister for Fisheries requesting the grant funding be reallocated for the purpose of supporting beach patrols.**
- 3. Note a further report will be provided to Council once a response has been received from the State Government.**
- 4. Request officers to continue in actively monitoring the continuing development of non-lethal shark detection and deferred technologies to further protect beachgoers.**

Perth beachgoers benefit from extra drone patrols looking for sharks, rips

Trevor PaddenburgPerthNow
November 11, 2018 12:00AM



LIFESAVERS will double the number of Perth beaches patrolled by drones this summer as a new campaign is launched to educate beach-goers on how to avoid shark attacks.

Surf Life Saving WA used the unmanned aerial devices to boost surveillance at five Perth beaches last season, helping lifesavers spot

sharks, dangerous rips and swimmers in trouble at Cottesloe, Secret Harbour, City Beach, Mullaloo and Quinns-Mindarie.

Today, SLSWA will announce that another five beaches — Coogee, Leighton, Scarborough, Trigg Island and Port Bouvard at Mandurah — will also have drones buzzing overhead this summer.

In addition, SLSWA is hoping to have drones in the sky over Meelup and Smiths Beach near Dunsborough in the South West.

WA Fisheries Minister Dave Kelly yesterday announced a range of new beach safety measures, including:

A “SEA SENSE” campaign costing \$365,000 to educate beach-goers on how to avoid shark attacks.

THE formation of an independent advisory panel on shark science and mitigation technology.

A PARTNERSHIP with Surfing WA that includes educating surfers on deterrents and paying for drones and a new jet ski to patrol for sharks during events and competitions.

A WHALE carcass program to tow dead whales out to sea before they wash up, where possible.

AN enhanced Sharksmart website and a new smartphone app that will provide information and alerts.



Lifeguards Trent Wooley and Lockie Ranson with drone trainer and operator Doug Simpson. Picture: Daniel Wilkins

Mr Kelly said the new advisory panel, to be chaired by WA Chief Scientist Professor Peter Klinken, would evaluate new shark mitigation technology as it became available.

“The fact that there have been four shark attacks on the east coast in the last six weeks just reinforces that there is no silver bullet when it comes to this issue,” he said.

“This is a difficult issue that is not going to be solved by one single measure. We will constantly review the situation and we will look principally to new technology to make people as safe as possible. As much as possible we will act on scientific advice.”

Mr Kelly said the partnership with Surfing WA included a \$120,000 package. Apart from buying drones and a jet-ski, it would fund first aid training tailored for surfers.

SLSWA general manager of lifesaving and training Chris Peck said the drones were typically used for a 20-minute flight every hour or when there was a shark sighting. He said they had proven an “absolute success”.

“We see drones becoming a standard piece of lifesaving equipment,” he said.