



## MINUTES OF COUNCIL MEETING

HELD ON

**TUESDAY 28 MAY 2019**

AT 5.30PM

IN COUNCIL CHAMBERS  
CIVIC CENTRE  
MANDURAH TERRACE MANDURAH

### **PRESENT:**

MAYOR	R WILLIAMS	
COUNCILLOR	C KNIGHT [DEPUTY MAYOR]	NORTH WARD
COUNCILLOR	R WORTLEY	NORTH WARD
COUNCILLOR	P JACKSON	NORTH WARD
COUNCILLOR	D LEE	EAST WARD
COUNCILLOR	S JONES	EAST WARD
COUNCILLOR	T JONES	COASTAL WARD
COUNCILLOR	M DARCY	COASTAL WARD
COUNCILLOR	P ROGERS	TOWN WARD
COUNCILLOR	M ROGERS	TOWN WARD
MR	M NEWMAN	CHIEF EXECUTIVE OFFICER
MR	A CLAYDON	DIRECTOR WORKS & SERVICES
MR	T FREE	DIRECTOR SUSTAINABLE COMMUNITIES
MR	G DAVIES	DEPUTY CHIEF EXECUTIVE OFFICER
MR	D PRATTENT	ACTING DIRECTOR CORPORATE SERVICES
MRS	L SLAYFORD	MINUTE OFFICER

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

The Mayor declared the meeting open at 5.31pm. Attendance by Rivers Regional Council Chief Executive Officer, John McNally, was acknowledged.

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

Mayor Williams acknowledged that the meeting was being held on the traditional land of the Bindjareb people, and paid his respect to their Elders past and present. The Mayor further acknowledged this week as being Reconciliation Week and the work undertaken by the City and local indigenous people in building strong relationships based on the key foundations of respect and sharing.

**APOLOGIES [AGENDA ITEM 3]**

Councillor Lynn Rodgers is on leave of absence. Apologies from Hon. Councillor Riebeling and Councillor Schumacher.

**DISCLAIMER [AGENDA ITEM 4]**

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

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

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

Nil.

**PUBLIC QUESTION TIME [AGENDA ITEM 6] [Open 5.31pm – Close 5.34pm]****G.1/5/19 R GENT: MERRIVALE STREET RECONSTRUCTION**

Mr Gent referred to information dated 27 July 2014 from the City's former Manager Technical Services to the City's former Corporate Lawyer and asked why something can be written that is not true.

Mr Gent also referred to photos relating to a previous question of Council which he asked if Council would accept as proof of works undertaken on the fire hydrant near his property.

Mayor Williams advised the questions were not suitable for this forum and advised Mr Gent to submit the photos and questions in writing to the City's Chief Executive Officer.

Mr Gent continued to refer to previous correspondence received from the City however, Mayor Williams advised Mr Gent the questions were not appropriate. The Mayor reiterated that advice had been given on how Mr Gent could address these matters and closed public question time at 5.34pm.

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

Nil.

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

**G.2/5/19 LEAVE OF ABSENCE: COUNCILLOR SCHUMACHER – 1 JUNE – 1 SEPTEMBER, 2019 INCLUSIVE**

MOTION: P Jackson / Matt Rogers

**That leave of absence be granted to Councillor Schumacher from 1 June to 1 September, inclusive.**

CARRIED UNANIMOUSLY: 10/0

#### **PETITIONS [AGENDA ITEM 9]**

Nil.

#### **PRESENTATIONS [AGENDA ITEM 10]**

**G.3/5/19 JOHN McNALLY: RIVERS REGIONAL COUNCIL PROPOSED FUTURE STRUCTURE**

Mr McNally delivered a visual presentation on this item giving an overview of the original agreement between the six local governments and purpose which had led to construction commencing for a Waste to Energy Plant. The next phase for the Rivers Regional Council was to disband and move into a Regional Subsidiary arrangement. It is envisaged that waste education programs and advocacy for waste management would continue into this new phase but no development expansion of existing service models would be undertaken. The subsidiary will operate via a Charter and include the six member Councils along with the addition of the City of Canning. This new arrangement would ease the regulatory burden and unencumber the operations from current legislative restrictions which are placed on local governments. The subsidiary would consist of nominated representatives from each local government.

Mr McNally provided international waste statistics and comparisons which highlighted the positive work and outcomes achieved by the Rivers Regional Council. It is anticipated the Waste to Energy plant will assist the seven local governments to achieve a 97% diversion of waste from landfill which exceeds state targets. The benefits of reduced power costs via the new plant would further assist the seven local governments who will enter into five and/or ten



year contracts on the project. It is anticipated savings of approximately \$700,000 can be achieved over the contracts.

Mayor Williams acknowledged the achievements and success of the Rivers Regional Council and the project and enterprise undertaken by Mr McNally over the course of the original agreement.

#### **DEPUTATIONS [AGENDA ITEM 11]**

Nil.

#### **CONFIRMATION OF MINUTES [AGENDA ITEM 12]**

##### **G.4/5/19 CONFIRMATION OF COUNCIL MINUTES: TUESDAY 30 APRIL 2019**

MOTION: D Lee / Matt Rogers

**That the minutes of the Council Meeting held on Tuesday, 30 April 2019 be confirmed.**

CARRIED UNANIMOUSLY: 10/0

##### **G.5/5/19 CONFIRMATION OF SPECIAL COUNCIL MINUTES: TUESDAY 14 MAY 2019**

MOTION: P Jackson / R Wortley

**That the minutes of the Special Council Meeting held on Tuesday, 14 May 2019 be confirmed.**

CARRIED UNANIMOUSLY: 10/0

##### **G.6/5/19 ANNOUNCEMENTS BY THE PRESIDING MEMBER [AGENDA ITEM 13]**

- Councillor Wortley spoke of the Mandurah Safe Communities Priority Setting Workshop he attended on May 27. Safe communities were where all sectors work together through a holistic approach to prevent injury and crime and deliver emergency services as and when required. The workshop enabled information sharing between the various communities represented.
- Councillor Knight updated the meeting on the Murdoch University Scholarship program which today awarded scholarships via the City's sponsorship agreement with the university. Jade Fowler was awarded a three year scholarship to undertake veterinary studies. Ms Fowler would be invited to attend Council to acknowledge this award.
- Councillor Peter Rogers congratulated organisers and attendees of the You Are – Youth Festival held recently which catered for the 14 – 25 year olds within the community.



- Councillor Lee attended the May 1 grants celebration event at CASM where 21 grants were distributed to various community groups. Councillor Lee thanked fellow panel members, Councillors Jackson, Lynn Rodgers and Shane Jones, for their contribution also to the project.
- Having recently returned from the Future of Local Government Summit held in Melbourne on May 23-24, Councillor Lee informed Council of the summit content and study tour undertaken at the Greater Geelong City and Moorabool Shire Council particularly in relation to community engagement.
- Mayor Williams updated the meeting regarding the APRES Games Steering Committee report which has confirmed the Mandurah event was the biggest APES Games to date and generated approximately \$6million into the community via local businesses.
- Mayor Williams congratulated volunteers for their tireless work and reported on the National Volunteer Week celebrations recently held at the Seniors Centre. The City alone is assisted by approximately 300 volunteer person each year in various aspects of its operation.
- Councillor Knight informed Council of the Water Corporation Waterwise Awards which recognise outstanding leadership by Local Governments embracing sustainable water management. The City of Mandurah was acknowledged for innovative water efficiencies in the community and awarded Gold Waterwise Status.

#### **G.7/5/19                    DECLARATION OF INTERESTS [AGENDA ITEM 14]**

- Councillor Tahlia Jones declared an impartiality interest in Minute G.22/5/19 - Murrayfield Airport Redevelopment due to her employment with Department of Primary Industry and Regional Development, Peel Development Commission which is a key partner and funding provider for the business case pertaining to this item. Councillor Tahlia Jones would not be participating in discussion or voting on this item.
- Mayor Williams declared an impartiality interest in Minute G.23/5/19 – Proposed Operating Model due to his appointment by Council as a board member of the Mandurah and Peel Tourism Organisation. Mayor Williams advised he would remain in the Chamber and consider the item on its merits and vote accordingly.
- Chief Executive Officer declared an impartiality interest in Minute G.23/5/19 – Proposed Operating Model due to his appointment by Council as a board member of the Mandurah and Peel Tourism Organisation

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

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

Nil.

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

Nil.

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

Nil.

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

**NOTE: Council adopted en bloc (moved by Councillor Shane Jones and seconded by Councillor Peter Rogers), the recommendations of the Committee of Council meeting of Tuesday, 14 May 2019 with the exception of item CC.5/5/19 and CC.6/5/19 which were dealt with separately.**

**G.8/5/19                    PROPOSED SUBDIVISION: LOT 2002 MARINA QUAY DRIVE ERSKINE (TF) (CC.5/5/19)**

Council is requested to consider a subdivision proposal over Lot 2002 Marina Quay Drive, Erskine that has been referred to the City for comment from the Western Australian Planning Commission that proposes 40 residential lots and one commercial lot.

The site is zoned 'Tourist' in Town Planning Scheme No 3 (Scheme 3) and residential development is not the preferred outcome within this zone. Scheme 3 states that Council may permit residential development to a density of R40, and that Council may require a Structure Plan prior to any development approved by Council or subdivision approval by the WAPC.

Further, the City's Local Tourism Planning Strategy identifies the site as being within a 'Strategic Tourism Location', and acknowledges the opportunity for a high quality tourism accommodation experience, contemplating a range of tourism uses (activities and accommodation) and the potential for a multi-storey component. The Strategy recommends that a Structure Plan process that determines the tourist development opportunities and the form of development that should occur on the site is required.

In the absence of a determination of the tourist development opportunities on this site and the location in general, it is recommended that Council endorse this report as its referral response to the WAPC to not support the subdivision as presented.

Councillor Shane Jones moved, Councillor Jackson seconded the Committee motion which was adopted unanimously.

MOTION 1:            Shane Jones / P Jackson

**That Council provides this report to the Western Australian Planning Commission for the proposed subdivision of Lot 2002 Marina Quay Drive, Erskine (WAPC ref: 157905) recommending that the proposed subdivision should not be approved in the absence of a Local Structure Plan that addresses the following:**

- 1.    The demand, scale and desirability for long term future tourist development at this location given recommendations of the Local Tourism Planning Strategy;**
- 2.    Considerations of State Planning Policy 2.6 in dealing with Coastal Planning;**
- 3.    The subdivision and development design (lot and street layout, built form, scale, height, appearance);**



4. Existing trees and public open space in the location;
5. Ongoing management and access to the boat ramp, jetties and water body; and
6. Provides for a period of public advertising.

CARRIED UNANIMOUSLY: 10/0

Councillor Knight moved a seconded motion in relation to this item which recognised the community interest in the proposed subdivision. Councillor Jackson seconded the additional motion.

MOTION 2: C Knight / P Jackson

**That Council acknowledges the significant community interest in the proposed subdivision and encourages the Western Australian Planning Commission to provide the opportunity for the community to participate in the decision making process.**

CARRIED UNANIMOUSLY: 10/0

**G.9/5/19 YALGORUP NATIONAL PARK: RECREATION MASTER PLAN (TB)  
(CC.6/5/19)**

Since Council's decision in 2012 to seek National and eventual World Heritage listing of Lake Clifton and the Yalgorup Lakes System, the City has undertaken various initiatives to ensure the ongoing protection and conservation of Yalgorup National Park. One of these proposed measures is nature-based tourism.

The City's new economic development strategy '*Mandurah and Murray: A Shared Economic Future*', developed in partnership with the Shire of Murray, was adopted by Council in October 2018. The strategy currently contains six broad programs and eight inter-related projects across Mandurah and Murray. One of these projects is 'Peel-Yalgorup Wetlands Trails', which in turn is comprised of two inter-related sub-projects:

- Yalgorup National Park;
- Peel-Harvey Estuary Trails.

These sub-projects aim to develop a range of environmentally sustainable trails, attractions and accommodation within Yalgorup National Park and the Peel-Harvey Estuary.

In February, the City wrote to the Director General of the Department of Biodiversity, Conservation and Attractions (DBCA), seeking a partnership to prepare a Recreation Master Plan for Yalgorup National Park. The Director General responded in March, advising of the Department's willingness to work with the City to develop the recreation master plan.

Also in March, the City's Environmental Services section reported to Council on the outcomes of its Yalgorup National Park National Heritage listing stakeholder engagement. The report advised that strong community support existed for National Heritage listing of Yalgorup, with 96% of respondents in support of its nomination. Council subsequently resolved to support the nomination of Yalgorup National Park for National Heritage listing without an intensive community engagement campaign.



City officers have since met with DBCA officers, and are currently preparing an agreement that will formalise the recreation master plan partnership. The partnership will commence early in the new financial year, and is anticipated to be completed within 12 months.

Council is requested to note progress made to date on *'Mandurah and Murray: A Shared Economic Future'*, including the City's intention to undertake and provide funding for the Yalgorup National Park Recreation Master Plan, in partnership with the Department of Biodiversity, Conservation and Attractions.

MOTION: C Knight / Shane Jones

**That Council:**

- 1. Endorses the City's intention to partner with the Department of Biodiversity, Conservation and Attractions to undertake the Yalgorup National Park Recreation Master Plan.**
- 2. Acknowledge and endorse the Mandurah Environmental Advisory Group's request for indigenous involvement in the Yalgorup National Park Recreation Master Plan.**
- 3. Acknowledge and endorse the Mandurah Environmental Advisory Group's request to be kept informed of the process/progress of the Yalgorup National Park Master Plan, and that the item is referred back to Mandurah Environmental Advisory Group at management plan stage.**

CARRIED UNANIMOUSLY: 10/0

**G.10/5/19 MANAGEMENT OF BOUNDARY ISLAND (LP) (CC.7/5/19)**

A local business operator has contacted the City requesting consideration be given to the future potential and possible use of Boundary Island as a unique tourist attraction to Mandurah and the Peel region.

The commercial proposal outlined could see boating and crabbing tours, together with fishing, bird watching and other non-motorised water sports, while acknowledging the environmental impacts need appropriate management.

Boundary Island is currently managed by the State Government, and is known as Unallocated Crown Land (UCL) as such the City does not control and manage the site, and therefore cannot approve any change to the current operation of the site.

Due to the unresolved Native Title Claim (NTC), the Department of Planning, Land and Heritage are unable to progress any requests for management of UCL land until the NTC is resolved. The Department have however advised that regardless of the status of the tenure, they will not support a lease or full commercial operation being run from Boundary Island, as the site is used and will remain for community purposes.

Should the City wish to take on the management of Boundary Island, consideration needs to be given not only to the financial costs but also assess the infrastructure and human resources required to undertake the care and management which would be required to ensure an acceptable level of service is provided, as per community expectation. At this time, no specific investigations into these ongoing costs have been established.

Council is requested to endorse the Mayor writing to the local members of parliament, requesting that the Department of Biodiversity Conservation and Attractions (DBCA), take on the management of Boundary Island, with in part a focus on eco-tourism.

MOTION: Shane Jones / Peter Rogers

**That Council:**

1. **Endorses the Mayor writing to the Member for Mandurah and the Member for Dawesville requesting the State Government grant the management and responsibility to the Department of Biodiversity, Conservation and Attractions for Boundary Island, and that the request include the Council's desire that eco-tourism be permitted, acknowledging that any such decision cannot be made until the Native Title Claim is finalised;**
2. **Requests that the City advise commercial operators wishing to gain non-exclusive access, to liaise directly with the Department of Planning, Lands and Heritage and the Department of Transport, until such time as a managing body is appointed management over Boundary Island.**

CARRIED UNANIMOUSLY: 10/0

*(This item was adopted en bloc)*

**G.11/5/19 SUBLEASE: RESERVE 48150 LOT 22 (187) BREAKWATER PARADE  
MANDURAH WESTMEN INVESTMENTS PTY LTD (LP/RL) (CC.85/19)**

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

Westmen approached officers in March 2019 requesting approval to enter into a new sub-lease, which will offer the services of marine trimming, upholstery manufacturing and sales over Unit 5, 187 Breakwater Parade Mandurah for a proposed term of two years with a three year renewal term option (2+3 years).

Council is requested to approve the sub-lease between Westmen Investments Pty Ltd and Cowan & Grundy Marine Covers Pty Ltd as the Trustee for the Cowan & Grundy Trust, trading as Breakwater Marine Covers, over a portion of Reserve 48150, Unit 5, 187 Breakwater Parade Mandurah for a term of two years with a three year renewal term option (2+3 years), subject to the approval of the Minister for Lands.

MOTION: Shane Jones / Peter Rogers

**That Council:**

1. **Approves the sub-lease between Westmen Investments Pty Ltd and Cowan & Grundy Marine Covers Pty Ltd, as trustee for the Cowan & Grundy Trust trading as Breakwater Marine Covers over Unit 5, 187 Breakwater Parade, Mandurah with the following terms and conditions;**



- 1.1 Term of approximately two years to commence on or after the Minister for Lands consent;
- 1.2 Further term of approximately three years, expiring in March 2024;
- 1.3 Subject to the Minister for Lands consent;
2. Acknowledge all legal costs associated with the preparation of the sub-lease are to be borne by the head-lessee;
3. Acknowledges the City is only consenting to the agreement and not party to the sub-lease.

CARRIED UNANIMOUSLY: 10/0  
(This item was adopted en bloc)

**G.12/5/19 MANDURAH AQUATIC AND RECREATION CENTRE: OPERATING HOURS REVIEW (AT) (CC.10/5/19)**

In August 2018, Council approved a trial to change the weekend operating hours at the Mandurah Aquatic and Recreation Centre (MARC) over the 2018/19 summer period, with a report on the levels of attendance to be presented back to Council upon the conclusion of the trial period.

The trial was conducted from Saturday 3 November 2018 to Sunday 7 April 2019. Initially the trial was intended to conclude on Sunday 3 March 2019, however it was extended to Sunday 7 April, being the end of School Term 1/2019 and the conclusion of the competitive summer swimming calendar. The success, particularly on Saturdays, of the initiative was another reason to extend the trial to that date.

Following the conclusion of the trial, Council is requested to approve a change to the weekend operating hours at the MARC on an ongoing basis with opening times being 6.30am on Saturdays and remaining at 7.30am on Sundays commencing 28 September 2019, (the start of the next summer season).

This permanent change would take effect at the start of the next summer period to allow sufficient time to communicate the change to Centre users and the local community.

MOTION: Shane Jones / Peter Rogers

**That Council approves a change to the weekend operating hours at the Mandurah Aquatic and Recreation Centre with the facility to open at 6.30am on Saturdays and 7.30am on Sundays on an ongoing basis commencing 28 September 2019.**

CARRIED UNANIMOUSLY: 10/0  
(This item was adopted en bloc)

**G.13/5/19 CONFIDENTIAL ITEM: LAND ACQUISITION (VK/LP) (CC.11/5/19)**

MOTION: Shane Jones / Peter Rogers

- 1 That Council adopts the course of action agreed.



**2 That the report and resolution remain confidential until after settlement of the property.**

CARRIED UNANIMOUSLY: 10/0  
(This item was adopted en bloc)

**NOTE: Council adopted en bloc (moved by Councillor Shane Jones and seconded by Councillor Jackson), the recommendation of the Executive Committee meeting of Monday, 20 May 2019.**

**G.14/5/19 CHIEF EXECUTIVE OFFICER'S KEY PERFORMANCE INDICATOR RESULTS QUARTER 3 (GD) (EX.3/5/19)**

MOTION: Shane Jones / Peter Rogers

**That the information set out in the Chief Executive Officer's Quarter 3 performance results for the period ended 31 March 2019 be accepted.**

CARRIED UNANIMOUSLY: 10/0  
(This item was adopted en bloc)

**NOTE: Council adopted en bloc (moved by Councillor Shane Jones and seconded by Councillor Jackson), the recommendation of the Strategy Committee meeting of Tuesday, 21 May 2019.**

**G.15/5/19 CITY OF MANDURAH EVENT STRATEGY 2019 – 2023 (CT) (S.4/5/19)**

The City of Mandurah is currently involved in varying capacities with events, including the design, coordination and delivery of five major City owned events (Mandurah Crab Fest, Mandurah Children's Festival, New Year's Eve, Christmas Pageant and Australia Day), providing events support to other internal teams and advising and supporting external groups holding events in Mandurah.

In 2013 Council endorsed a 4 year City Events Strategy and Policy (2013-2016) which outlined the strategic direction of events. This Strategy and the City's current events function underwent a review by an independent consultant from September 2018 to January 2019 and a Discussion Paper was presented to City of Mandurah Elected Members in February 2019.

This review focused on the events the City of Mandurah currently run, identifying improvements in their delivery and management, and the City's potential to attract diverse and high profile externally delivered events.

The City of Mandurah Events Strategy 2019-2023 has been compiled in line with the findings and subsequent recommendations from this review and serves to set the future vision and direction for events within Mandurah for the next 5 years. The Strategy is based around five key strategic objectives;

- Major Event Attraction
- Increase Local Supply Opportunities
- Build Community Capacity
- Key Performance Measures
- Define Event Objectives

Council is requested to endorse the City of Mandurah Events Strategy 2019-2023, noting that an implementation plan will be developed to facilitate delivery and that the Strategy will be reviewed annually to ensure alignment with the City's vision and objectives.

MOTION: Shane Jones / Peter Rogers

**That Council:**

- 1. Endorse the City of Mandurah Events Strategy 2019-2023 as a guiding document in the future development of events;**
- 2. Note that further work will be undertaken to determine what improvements can be made in the areas of sponsorship, volunteer management and the communication of events.**

CARRIED UNANIMOUSLY: 10/0  
(*This item was adopted en bloc*)

#### **G.16/5/19 NORTH MANDURAH WASTE WATER REUSE STUDY (DR) (S.5/5/19)**

The City of Mandurah has initiated a project researching possible water source alternatives for irrigating public open space areas in the Mandurah North area. The demand on the local aquifers (native groundwater) is approaching the point at which their sustainable yield is fully allocated. Alternative water sources are therefore required to meet the future needs in the City's public open space irrigation demand.

A study is underway investigating the potential to formalise and extend the indirect treated wastewater reuse scheme associated with the Gordon Road Wastewater Treatment Plant (WWTP), to provide an alternative source of water that can be used to irrigate existing and future public open space in the Mandurah North area.

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

- Stage 1: Data acquisition and review
- Stage 2: Optioneering and conceptual design
- Stage 2B: Hydrogeological Assessment – Managed Aquifer Recharge (MAR)
- Stage 3: Recommended Model. Implementation planning, costing and business plan.

In June 2018, Council approved the progression of the study to the phase which involved a drilling program to validate and identify the underlying extent of water beneath the Gordon Road WWTP.

The drilling program has now been completed and the results indicate:

- Groundwater infiltration is extensive throughout the North Mandurah Study Area
- Sufficient water volume exists for this area to be successfully watered for the long term
- Water quality is more than satisfactory
- Extent of freshwater layer has increased
- Low nitrogen and phosphorous levels.

Given the results, there is a strong case for the City to be granted a Managed Aquifer Recharge (MAR) licence from the Department of Water and Environmental Regulation (DWER) which would allow the abstraction of 2GL/year for the use of irrigation and aquifer storage.



Additionally, the results indicate that a scheme implementation proposal would reduce in cost from \$28M to \$10M (estimates only) and the project could be staged in its delivery.

The study has been completed up to Stage 2B with the final stage (Stage 3) to progress the preferred water reuse option and preparation of an implementation plan, final configuration/design of the North Mandurah Wastewater Reuse Scheme, costing and business plan.

Council is requested to approve progressing the North Mandurah Wastewater Reuse Scheme study implementation planning and final configuration/design stage (Stage 3).

MOTION: Shane Jones / Peter Rogers

**That Council:**

1. **Notes the results of Stage 2B Hydrogeological Assessment.**
2. **Agrees to progress to Stage 3, which will include a recommended scheme, implementation planning, costing and business case.**
3. **Requests the Stage 3 project report to be presented to Council for consideration.**

CARRIED UNANIMOUSLY: 10/0  
(This item was adopted en bloc)

## **REPORTS [AGENDA ITEM 18]**

### **G.17/5/19 FINANCIAL REPORT APRIL 2019 (DP/JK) (REPORT 1)**

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

Councillor Wortley moved, Councillor Shane Jones seconded, the report recommendation acknowledging the amount of business that is generated through the City each month.

MOTION: R Wortley / Shane Jones

**That Council:**

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

Total Municipal Fund	\$ 7,327,298.33
Total Trust Fund	\$ 26,016.35
	<u>\$ 7,353,314.68</u>
- 3 **Approves unbudgeted expenditure of \$60,000\* for Coolibah Avenue:**
  - **Funded from William/Betram Road project \$60,000\***
- 4 **Approves unbudgeted expenditure of \$40,000 for TM Spinaway Parade:**
  - **Funded from TM Philante Street project \$40,000\***



- 5 Approves unbudgeted expenditure of \$521,528 for Bus Bay Embayments:**
- **Funded by PTA reimbursement of \$521,528\***

CARRIED ABSOLUTELY: 10/0

**G.18/5/19 FENCING AMENDMENT LOCAL LAW 2018 (SL) (REPORT 2)**

The *City of Mandurah Fencing Amendment Local Law 2018* (the 'local law') was adopted by Council at its meeting of 26 March 2019.

The Joint Standing Committee on Delegated Legislation (JSCDL) has now reviewed the local law and has requested an undertaking that a minor drafting error be amended.

MOTION: Matt Rogers / Peter Rogers

**The Council of the City of Mandurah resolves to undertake to the Joint Standing Committee on Delegated Legislation that the City will:**

- 1. When the Local Law is next amended or reviewed, amend the City of Mandurah Fencing Local Law 2018 to:**
  - 1.1. Amend clause (6)(c) to insert the words 'a fence' after the word 'lower'.**
  - 1.2. Make all necessary consequential amendments.**
- 2. Until the Local Law is amended in accordance with undertaking 1:**
  - 2.1 Not enforce the Local Law in a manner contrary to undertaking 1.**
  - 2.2 Where the Local Law is made publically available, whether in hard copy or electronic form (including on the City's website), ensure that it is accompanied by a copy of these undertakings.**

CARRIED UNANIMOUSLY: 10/0

**G.19/5/19 ANIMALS, ENVIRONMENT & NUISANCE LOCAL LAW 2019 (SL) (REPORT 3)**

Following the statutory advertising period, the Animals, Environment & Nuisance Amendment Local Law 2019 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 Animals, Environment & Nuisance Amendment Local Law 2019:

**PURPOSE:** to amend provisions within the City of Mandurah Animals, Environment & Nuisance Local Law 2010.

**EFFECT:** to ensure the City of Mandurah Animals, Environment & Nuisance Local Law 2010 is as clear and effective as possible.

Council is requested to adopt the Animals, Environment & Nuisance Amendment Local Law 2019 in its final form.

Councillor Knight moved the amended motion as contained within the additional information circulated. Councillor Wortley seconded the amended motion. The Acting Director Corporate Services provided clarification as to the grammatical changes, how they clarified the position in regard to secure enclosures and advised of discussions with the Department of Local Government in this regard.

MOTION: C Knight / R Wortley

**That Council adopt the Animals, Environment & Nuisance Amendment Local Law 2019 as shown in Attachment 2 of the Additional Information.**

CARRIED ABSOLUTELY: 10/0

**G.20/5/19 APPOINTMENT OF PORT MANDURAH CANAL WATERWAYS  
ADVISORY GROUP REPRESENTATIVE (GD) (REPORT 4)**

Council has a number of Advisory Groups which have been established to provide valuable advice or information in particular areas of the City's business. The Port Mandurah Canal Waterways Advisory Group is one of these Groups.

Council had previously appointed one Elected Member and one Deputy Member to this group. Following the resignation of Councillor Matt Rogers, there is a requirement to appoint a replacement member.

Council is requested to approve an Elected Member to fill the vacant position and serve for the remainder of the two year term.

Mayor Williams called for nominations to fill the vacancy. One nomination from Mayor Williams was forthcoming. Councillor Tahlia Jones moved the motion for Mayor Williams' appointment which was seconded by Councillor Matt Rogers.

MOTION: Tahlia Jones / Matt Rogers

**That Council appoints Mayor Williams to the Port Mandurah Canal Waterways Advisory Group in order to fill the vacancy created by Councillor Matt Rogers' resignation.**

CARRIED ABSOLUTELY: 10/0

**G.21/5/19 RIVERS REGIONAL COUNCIL PROPOSED FUTURE STRUCTURE (AC)  
(REPORT 5)**

The City of Mandurah is a Member Council of the Rivers Regional Council.

Rivers Regional Council was established for the principal role to procure an alternative waste disposal treatment for its Members Councils. By having several Councils joining together with a strategic plan to effectively and efficiently dispose of municipal waste, it was able to achieve a successful outcome whereby the private sector using worldwide technology, was able to offer a cost competitive solution for municipal waste treatment.

Having achieved the desired outcome, there is now an opportunity to consider what functions the Rivers Regional Council may undertake in the future and its appropriate corporate structure.

The Rivers Regional Council has expressed a desire to windup the Regional Council and transition towards a Regional Subsidiary.

Council is requested to consider this request and endorse the transition to a Regional Subsidiary.

Councillor Shane Jones moved the motion explaining how strange it felt to be supporting the winding up of a successful group. Councillor Shane Jones explained how the group had evolved and how an internal management group model was the way to proceed. He commended the various projects implemented and advancement to a waste to energy plant. The new facility, cost savings and environmentally friendly approach would be a great benefit moving forward. Councillor Lee seconded the motion.

MOTION: Shane Jones / D Lee

**That Council agrees in principle to the windup of the Rivers Regional Council and transition to a Regional Subsidiary as soon as the requisite approvals can be obtained.**

CARRIED ABSOLUTELY: 10/0

*Having declared an interest in the following item Councillor Tahlia Jones left the Chamber at 6.11pm.*

#### **G.22/5/19 MURRAYFIELD AIRPORT REDEVELOPMENT (TB) (REPORT 6)**

During discussions held between the City of Mandurah and Shire of Murray Chief Executive Officers in February 2019, the Shire of Murray advised that it was preparing a business case on the proposed redevelopment of Murrayfield Airport, located approximately 15km north of Pinjarra. Funding of \$100,000 will be allocated for the business case, with \$25,000 to be provided by the PDC, \$25,000 by Brooks Hire Service, \$25,000 by the Shire of Murray and \$10,000 by the Royal Aero Club of WA. The Shire of Murray requested the City of Mandurah to contribute the final \$15,000 towards the business case.

Council is therefore requested to approve the allocation of \$15,000 from the Chief Executive Officer's Budget towards a business case for proposed redevelopment of Murrayfield Airport.

MOTION: R Wortley / P Jackson

**That Council approves the allocation of \$15,000 from the Chief Executive Officer's budget towards a business case for the proposed redevelopment of Murrayfield Airport.**

CARRIED ABSOLUTELY: 9/0

*Councillor Tahlia Jones returned to the Chamber at 6.14pm.*



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

Nil.

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

Nil.

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

Nil.

**CONFIDENTIAL ITEMS [AGENDA ITEM 23]**

RESOLVED: D Lee / C Knight

**That the meeting proceeds with closed doors at 6.14pm in accordance with Section 5.23(2)(a) of the *Local Government Act 1995*, to allow for the confidential discussion of an item.**

CARRIED UNANIMOUSLY: 10/0

*Members of the media, non-senior employees and persons in the gallery left the meeting at this point. The Minute Officer, Executive Manager Strategy, Recreation and Events and Manager Customer and Visitor Services remained with Senior Officers.*

THE MEETING PROCEEDED WITH CLOSED DOORS AT 6.14PM

**G.23/5/19 CONFIDENTIAL ITEM: PROPOSED OPERATING MODEL**

Confidential discussion ensued regarding this issue.

MOTION: R Wortley / Shane Jones

- 1 That Council adopts the course of action agreed.**
- 2 That the report remains confidential with the recommendation made public upon agreement.**

CARRIED UNANIMOUSLY: 10/0

**G.24/5/19**

MOTION: Matt Rogers / Shane Jones

**That the meeting proceeds with open doors.**

CARRIED UNANIMOUSLY: 10/0

THE MEETING PROCEEDED WITH OPEN DOORS AT 6.19PM

**G.25/5/19**

MOTION: C Knight / M Darcy

**That Council endorses the resolutions taken with closed doors.**

CARRIED UNANIMOUSLY: 10/0

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

There being no further business, the Mayor declared the meeting closed at 6.20pm.

CONFIRMED ..... (MAYOR)