

COUNCIL MEETING 23 JUNE 2020

REPORT 4: ADOPTION OF ANNUAL BUDGET 2020-21

Alternate Officer Recommendation (note the amendments in red)

RECOMMENDATION

That Council approve:

1. 2020/2021 Annual Budget as detailed in Attachment 4.1.
2. The Statement of Objects and Reasons for the 2020/2021 financial year and endorses that the differential rates based on zoning of the land and the purpose for which the land is held or used be adopted.
3. The following rates in the dollar and minimum payments for the 2020/2021 financial year:

Rate Category	Rate in the dollar	Minimum Rate
Residential Improved	\$0.09594	\$1,108
Residential Vacant	\$0.16300	\$917
Business Improved	\$0.09293	\$1,108
Business Vacant	\$0.16560	\$1,108
Urban Development	\$0.13059	\$1,108

4. The following rate in the dollar for Specified Area rates

Specified Area Rate	Rate in the dollar
Waterside Canals	\$0.0000
Mandurah Ocean Marina	\$0.0143
Mandurah Quay	\$0.0024
Mariners Cove	\$0.0000
Port Bouvard Eastport Canals	\$0.0015
Port Bouvard Northport Canals	\$0.0040
Port Mandurah Canals	\$0.0039

5. That pursuant to the provisions of the *Waste Avoidance and Resource Recovery Act 2007* Part 6, Division 3, section 67:
 - a. A charge of \$273 be levied in respect of the removal of contents of two refuse bins from rateable and non-rateable properties.
6. The due dates for payment of the instalment options are:
 - 6.1 One payment in full - Wednesday 11 November 2020
 - 6.2 Two instalment option – First instalment Wednesday 11 November 2020. Second instalment Monday 11 March 2021.
 - 6.3 Four instalment option – First instalment Wednesday 11 November 2020. Second instalment Wednesday 13 January 2021. Third instalment Monday 15 March 2021. Fourth instalment Monday 17 May 2021.
7. 7.1 The administration charge of:
 - 7.1.1 \$3 for the two instalment plan; and
 - 7.1.2 \$9 for the four instalment plan;

on all accounts where the owner elects to pay rates and charges by instalments, other than rates and charges attributable to a property owned by an entitled pensioner/senior under the Rates and Charges (Rebates and Deferments) Act 1992.

7.2 The administration charge of \$20 per arrangement in the case where ratepayers request an alternative arrangement.

- 7A That in accordance with clause 13 of Ministerial Orders Gazetted on 8 May 2020, Council will not impose an additional administration charge under section 6.45(3) in respect of payment by instalments made by an excluded person.**
- 8 The interest rate of 5.5% on all accounts where the owner elects to pay rates and charges by instalments in accordance with section 6.45(4)(e) of the *Local Government Act 1995*, other than rates and charges where the property is owned by an entitled pensioner/senior under the *Rates and Charges (Rebates and Deferments) Act 1992*.
- 8A That in accordance with clause 13 of Ministerial Orders Gazetted on 8 May 2020, Council will not impose an additional interest charge under section 6.45(3) in respect of payment by instalments made by an excluded person.**
- 9 From **12 November 2020**, that interest will start to be charged at an interest rate of 7% and costs of proceedings to recover such charges on all rates and charges that remain unpaid after becoming due and payable, in accordance with section 6.51(1) of the *Local Government Act 1995*.
- 9A That in accordance with clause 14 of Ministerial Orders Gazetted on 8 May 2020, Council will not impose interest in respect of a rate or service charge payable by an excluded person; and that the imposition of interest does not apply in respect of a rate or service charge payable by an excluded person.**
- 10 From **12 November 2020**, that interest will start to be charged at an interest rate of 7% on all money owed (other than rates and service charges), that is outstanding for more than **35** days after the date of issue of invoice, in accordance with section 6.13 of the *Local Government Act 1995*.
- 10A That in accordance with clause 8 of Ministerial Orders Gazetted on 8 May 2020, Council cannot require a person who is considered by the local government to be suffering financial hardship as a consequence of the COVID-19 pandemic to pay interest; and that the requirement to pay interest does not apply to a person who is considered by the local government to be suffering financial hardship as a consequence of the COVID-19 pandemic.**
11. **Early Payment Incentives:**
In accordance with the provisions of section 6.46 of the *Local Government Act 1995*, offer an early payment incentive for the payment of rates and charges being full payment of all current and arrears of rates including specified area rates, emergency services levy, domestic refuse charge and

private swimming pool inspection fees within 35 days of the issue date on the annual rate notice, for eligibility to enter the early incentive prize draw. Five x \$1,000 cash prizes and five x 12 month MARC Lifestyle membership (value \$920 per membership).

12. The swimming pool inspections fee, conducted every four years, be levied at \$30 annually.
13. The review of fees has been released by the Salary and Tribunal Determination and adopt the following:
 - 13.1. Set the annual attendance fee at \$31,678 to be paid to Councillors;
 - 13.2. Set the annual attendance fee at \$47,516 to be paid to the Mayor;
 - 13.3. Set the annual Mayoral Allowance at \$89,753;
 - 13.4. Set the annual Deputy Mayoral Allowance at \$22,438; and
 - 13.5. Set an annual Information and Communications Technology Allowance at \$3,500.
14. The Fees and Charges schedule set out in Attachment 4.3.
15. Material Variance for the 2020/2021 financial year in accordance with regulation 34(5) of the *Local Government (Financial Management) Regulations 1996* to be used in the monthly statements of financial activity to be the greater of:
 - 19.1 10%; or
 - 19.2 \$100,000.

The material variance is applicable to each revenue and expenditure item within the Nature and Type classification and capital revenue and expenditure.

- 16 The reserve amendments as follows:

Cultural centre	Reallocate balance to Building reserve
Museum	Reallocate balance to Building reserve
Property Acquisition	Retain \$2,000,000 and transfer the remaining balance to Building reserve
Aquatic and Recreation centre	Remove reserve
Community Improvements	Reallocate balance to Building reserve and remove reserve
Traffic Bridge	Remove reserve
Inert Landfill	Reallocate balance to Tims Thicket inert reserve and remove reserve
Road network	Remove reserve
Arts and craft centre	Reallocate balance to Building reserve and remove reserve
Sand Pit Restoration	Reallocate balance to Asset management reserve and remove reserve
Emergency Relief Fund	Reallocate balance to Asset management reserve and remove reserve

Interest on Investments	Reallocate balance to Asset management reserve and remove reserve
Soccer Club Rooms Refurbishment	Reallocate balance to Building reserve and remove reserve
Port Bouvard Surf Life Saving Clubrooms	Reallocate balance to Building reserve and remove reserve
Refurbishment Bortolo Pavilion	Reallocate balance to Building reserve and remove reserve
Refurbishment Rushton Park	Reallocate balance to Building reserve and remove reserve
Refurbishment Meadow Springs Pavilion	Reallocate balance to Building reserve and remove reserve
City Facility Relocation Reserve	Reallocate balance to Building reserve and remove reserve
Sanitation Reserve	Change name to Waste Facilities Reserve Fund

- 17 The Chief Executive Officer to enter into the Short-Term Loan Facility on offer from the Western Australian Treasury Corporation.
- 18 The 12 month cash flow as detailed in Attachment 4.4, as support for the funding application for the Short-Term Loan Facility from the Western Australian Treasury Corporation.
- 19 That up to and including 30 September 2020, the City's lessees and licensees can apply ~~to~~ for their lease/license fees to be proportionally reduced based on the amount of their turnover that has reduced since COVID-19.

19A Authorise the Chief Executive Officer to enter into agreements with an eligible tenant for the purpose and overarching obligations as a landlord in accordance with the *Commercial Tenancies (COVID-19 Response) Act 2020*

ABSOLUTE MAJORITY REQUIRED

Comment: The reason for the additions of 7A, 8A, 9A and 10A is that the City of Mandurah has obtained clarification from WALGA regarding wording to include in council resolutions with regard to the Ministerial Orders Gazetted on 8 May 2020.

The reason for the change of date from when interest applies is due to the rates outstanding amount on the rate notice may be different to the amount due on 11 November 2020 if a rate payer has an amount outstanding from previous years.

The reason for the addition of 19A is for the CEO to comply with the overarching obligations of a landlord in accordance with the *Commercial Tenancies (COVID-19 Response) Act 2020* that commenced in operation on 30 May 2020. When negotiating with a tenant who is requesting relief as a result of COVID-19, the CEO must cooperate; act reasonably and in good faith; act in an open, honest and transparent manner; provide each other with sufficient and accurate information that is reasonable for them to provide in the circumstances for the purposes of the negotiations; and not make onerous demands for information from each other. A tenant can apply for relief for rent, outgoings and other expenses. Note: The City has been applying these principles when negotiating rent and outgoings relief as part of the Council Resolution from 1 April 2020.

COUNCIL MEETING 23 JUNE 2020

REPORT 9: DRAFT LOCAL PLANNING SCHEME 12 AND DRAFT LOCAL PLANNING STRATEGY: FINAL SUPPORT

Alternate Officer Recommendation (note amendment in red)

RECOMMENDATION

That:

1. In accordance with Regulation 14(2) of the *Planning and Development (Local Planning Scheme) Regulations 2015*, Council resolves to support the draft *City of Mandurah Local Planning Strategy* (dated April 2019) subject to the following modifications and forwards the Strategy to the Western Australian Planning Commission for endorsement:
 - (a) Update references in the Strategy to the *City of Mandurah Strategic Community Plan 2020 – 2040*;
 - (b) Include under Section 2.1 (Activity Centres) – Action to “*prepare an Activity Centre Plan / Precinct Plan for the Gordon Road Mixed Business/Industrial Area to explore opportunities to regenerate the location into a key employment and service-based precinct from it’s existing light industrial outcomes, with a focus on achieving a more efficient use of the area and improved appearance.*”
 - (c) Include under Section 2.3 (Environment and Biodiversity) – Action to “review the zoning and subdivision potential of Lot 1 Old Coast Road, Bouvard” which is currently shown as Rural Residential (5ha minimum) on the Strategy map;
2. In accordance with Part 5 Division 3 of the *Planning and Development Act 2005* and Regulation 25(3) of the *Planning and Development (Local Planning Scheme) Regulations 2015*, Council resolves to support the draft *City of Mandurah Local Planning Scheme No 12 Scheme* (Scheme Text and Scheme Maps dated October 2019) subject to the proposed modifications outlined in Attachment 9.2 (amended) and under Regulation 28, forwards the Scheme to the Western Australian Planning Commission for approval and recommendation to the Minister for Planning.
3. Authorises the Mayor and the Chief Executive Officer, in accordance with Section 9.49a of the Local Government Act 1995, to execute under Common Seal, the City of Mandurah Local Planning Scheme No 12 (as amended).

Carried:

Comment: Attachments 9.1 and 9.2 have been amended as follows:

- Attachment 9.1:
 - (a) a plan showing the Location of Submissions was intended to be included in the Schedule of Submission (page 281 of the agenda). The updated Attachment provides this plan, which is provided for context and information regarding the location of submissions received;

(b) Responses to submissions on Aged Care parking requirements (Submissions 5 and 6) were modified to read “1 bay per 4 beds, plus 1 bay per staff member present, or otherwise determined by the local government following the submission of a traffic management report.” The officer’s report outlined this requirement, however the attachments included in the Agenda stated 1 per 1 bed which was a drafting error.

- Attachment 9.2:

Modification No 10 in the Schedule of Modifications in respect to parking requirements for Aged Care has been modified to read “1 bay per 4 beds, plus 1 bay per staff member present, or otherwise determined by the local government following the submission of a traffic management report” which as per above was a drafting error.

REPORT 15: BUSHFIRE PREVENTION AND CONTROL POLICY

Alternate Officer Recommendation (note the amendment in red)

RECOMMENDATION

That Council:

1. Approves modifications to Council Policy POL – EMS 01- Bushfire Prevention and Control at noted within Attachment 15.1 (amended).
2. Notes reduced infringement numbers relating to non-compliance with the City’s Fire Break and Fuel Hazard Reduction Notice for the 2019-20 fire season.

Comment: Given the restriction in the burning of garden refuse period to reduce risk, to assist land owners complete works it is requested that an amendment to the Policy be made with a change in the second last sentence from:

Properties of area less than 2 hectares to burn 1m³ of refuse at one time.

to:

Properties of area less than 2 hectares to burn 2m³ of refuse at one time.