



## MINUTES OF COUNCIL MEETING

HELD ON

**TUESDAY 24 MARCH 2020  
AT 5.30PM**

**IN COUNCIL CHAMBERS  
83 MANDURAH TERRACE MANDURAH**

### **PRESENT:**

MAYOR	R WILLIAMS	
COUNCILLOR	C KNIGHT	NORTH WARD
COUNCILLOR	P JACKSON	NORTH WARD
COUNCILLOR	A ZILANI	NORTH WARD
COUNCILLOR	D PEMBER	EAST WARD
COUNCILLOR	M DARCY	COASTAL WARD
COUNCILLOR	J GREEN	COASTAL WARD
COUNCILLOR	M ROGERS	TOWN WARD

MR	M NEWMAN	CHIEF EXECUTIVE OFFICER
MR	A CLAYDON	DIRECTOR WORKS AND SERVICES
MR	B INGLE	ACTING DIRECTOR SUSTAINABLE COMMUNITIES
MRS	C MIHOVILOVICH	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 5.30pm.

### **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.

**APOLOGIES [AGENDA ITEM 3]**Leave of Absence

Councillor Schumacher

Apologies

Councillor Lee

Councillor Di Prinzio

Councillor Lynn Rogers

Councillor Peter Rogers

**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]**

Nil.

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

Nil.

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

G.1/3/20

**LEAVE OF ABSENCE: COUNCILLOR LEE 25 MARCH 2020 TO 31 MAY 2020 INCLUSIVE****MOTION****Moved: Councillor Matt Rogers****Seconded: Councillor Knight**

**That Council grant leave of absence to Councillor Lee from 25 March 2020 to 31 May 2020, inclusive.**

CARRIED: 8/0

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

##### **G.2/3/20 COUNCILLOR MATT ROGERS: OBJECTION GRAHAME HEAL RESERVE MODIFICATIONS**

Councillor Matt Rogers presented a petition, containing 23 signatures, objecting to proposed modifications at the Grahame Heal Reserve location.

#### **MOTION**

**Moved: Councillor Matt Rogers**  
**Seconded: Councillor Green**

**That Council receive the petition and refer the matter to the Works and Services Directorate for follow-up.**

CARRIED: 8/0

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

Nil.

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

Nil.

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

##### **G.3/3/20 CONFIRMATION OF COUNCIL MINUTES: TUESDAY 25 FEBRUARY 2020**

#### **MOTION**

**Moved: Councillor Knight**  
**Seconded: Councillor Pember**

**That the Minutes of the Council Meeting held on Tuesday 25 February 2020 be confirmed.**

CARRIED: 8/0

**G.4/3/20 CONFIRMATION OF SPECIAL COUNCIL MINUTES: WEDNESDAY 4 MARCH 2020****MOTION**

**Moved:** Councillor Jackson  
**Seconded:** Councillor Green

**That the Minutes of the Special Council Meeting held on Wednesday 4 March 2020 be confirmed.**

**CARRIED:** 8/0

**G.5/3/20 CONFIRMATION OF SPECIAL COUNCIL MINUTES: TUESDAY 10 MARCH 2020****MOTION**

**Moved:** Councillor Jackson  
**Seconded:** Councillor Pember

**That the Minutes of the Special Council Meeting held on Tuesday 10 March 2020 be confirmed.**

**CARRIED:** 8/0

**ANNOUNCEMENTS BY THE PRESIDING MEMBER [AGENDA ITEM 13]**

Nil.

**DECLARATION OF INTERESTS [AGENDA ITEM 14]**

Nil.

**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 Pember and seconded by Councillor Jackson), the recommendations of the Executive Committee meeting of Tuesday 10 March 2020.**

**G.6/3/20            QUARTER 2 CHIEF EXECUTIVE OFFICER ACCOUNTABILITIES (GD)  
(EX.3/3/20)**Summary

For information, the Quarter 2 traffic light report which shows the progress against the initial targets was provided in the Committee agenda.

Committee Report Recommendation

That Council note the content of the Quarter Two Traffic Light report.

Council Resolution**MOTION**

**Moved:            Councillor Pember  
Seconded:        Councillor Jackson**

**That Council note the content of the Quarter Two Traffic Light report.**

CARRIED:        8/0  
*(This item was adopted en bloc)*

**NOTE: Council adopted en bloc (moved by Councillor Pember and seconded by Councillor Jackson), the recommendations of the Audit and Risk Committee meeting of Tuesday 17 March 2020.**

**G.7/3/20            COMPLIANCE AUDIT RETURN (TJ) (AR.3/3/20)**Summary

The Department of Local Government, Sport and Cultural Industries (DLGSC) has circulated to all Western Australian Local Governments the annual 2019 Compliance Audit Return for completion. The return covers the period 1 January 2019 to 31 December 2019. The return is a requirement of the *Local Government Act 1995* and its Regulations and is prepared for the Minister Local Government in an approved form.

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 forwarded to the DLGSC prior to the 31 March 2019 deadline.

The compliance audit has been conducted for 2019 which resulted in the City achieving 100% (104/104) compliance.

### Committee Recommendation

That the Audit and Risk Committee recommend that Council:

- 1 Adopts an amendment to response to Section 6, Question 2, Integrated Planning and Reporting and Section 2, Question 1, Delegation of Power/Duty of the *2019 Local Government Compliance Audit Return* as per Attachment 1 of the report with the following changes:

Section 6, Question 2, Integrated Planning and Reporting:

No	Reference	Question	Response	Comment	Respondent
2	s5.56 Admin Reg 19DA (4)	Has the local government reviewed the Corporate Business Plan in the 2018-2019 Financial Year? If Yes, please provide date of Council meeting the review was adopted at?	No	A review of the Corporate Business Plan was undertaken in the 2018-2019 Financial Year. The review was completed as part of the adoption of the annual budget, however a separate resolution point for Council to adopt the review of Corporate Business Plan was not included in the resolution.	Casey Mihovilovich

Section 2, Question 1, Delegation of Power/Duty:

No	Reference	Question	Response	Comment	Respondent
1	s5.16, 5.17, 5.18	Were all delegations to committees resolved by absolute majority?	N/A		Casey Mihovilovich

- 2 Adopts the *2019 Local Government Compliance Audit Return* for the period 1 January 2019 to 31 December 2019 as per Attachment 2 of the additional information.
- 3 Submit, in accordance with Regulation 15 of the *Local Government (Audit) Regulations 1996*, the completed 2019 Compliance Audit Return to the Department of Local Government, Sport and Cultural Industries as per Attachment 2 of the additional information.

*Comment: The City of Mandurah has obtained clarification from the Department of Local Government, Sport and Cultural Industries regarding question two, section 6 Integrated Planning and Reporting of the 2019 Compliance Audit Return.*

*In accordance with Regulation 19DA(4) of the Local Government (Administration) Regulations 1996 (the Regulations) the Local Government is required to review the current Corporate Business Plan for its district every year.*

*Whilst Council reviewed the Corporate Business Plan and subsequent operational plans as part of the annual budget adoption process, there was no separate resolution point by Council to adopt the annual review of the Corporate Businesses Plan in the 2018-2019 Financial Year.*

*The second amendment relating to Question 1, Section 2 Delegation of Power/Duty was an administrative error and the return should state N/A as there are no delegations to committees.*

*City Officers will undertake a review of the Integrated Planning and Reporting Framework process to ensure all compliance requirement under the Regulations are met in the future.*

#### Council Resolution

#### **MOTION**

**Moved:** Councillor Pember

**Seconded:** Councillor Jackson

**That Council:**

- 1 Adopts an amendment to response to Section 6, Question 2, Integrated Planning and Reporting and Section 2, Question 1, Delegation of Power/Duty of the 2019 Local Government Compliance Audit Return as per Attachment 1 of the report with the following changes:**

#### **Section 6, Question 2, Integrated Planning and Reporting:**

No	Reference	Question	Response	Comment	Respondent
2	s5.56 Admin Reg 19DA (4)	Has the local government reviewed the Corporate Business Plan in the 2018-2019 Financial Year? If Yes, please provide date of Council meeting the review was adopted at?	No	A review of the Corporate Business Plan was undertaken in the 2018-2019 Financial Year. The review was completed as part of the adoption of the annual budget, however a separate resolution point for Council to adopt the review of Corporate Business Plan was not included in the resolution.	Casey Mihovilovich

#### **Section 2, Question 1, Delegation of Power/Duty:**

No	Reference	Question	Response	Comment	Respondent
1	s5.16, 5.17, 5.18	Were all delegations to committees resolved by absolute majority?	N/A		Casey Mihovilovich

- 2 Adopts the 2019 Local Government Compliance Audit Return for the period 1 January 2019 to 31 December 2019 as per Attachment 2 of the additional information.**

- 3 Submit, in accordance with Regulation 15 of the *Local Government (Audit) Regulations 1996*, the completed 2019 Compliance Audit Return to the Department of Local Government, Sport and Cultural Industries as per Attachment 2 of the additional information.**

CARRIED: 8/0  
(*This item was adopted en bloc*)

**G.8/3/20 OSH SIX MONTHLY REVIEW (RK/PL) (AR.4/3/20)**

Summary

The City is now operating under our second Three Year Strategic OSH Plan which has been developed alongside the 2018 LGIS Worksafe Plan Audit outcomes and known legislative requirements. The first six months of 2019-2020 show strong indicators that both the reported injuries and workers' compensation costs and severity are decreasing. All directorates within the City continue to improve their OSH engagement which is reflective in the OSH Performance Overview (attachment 1). Council is requested to note the progress being made in continuing the Three Year OSH Plan and the imperatives made to address the management of workplace injury. Council is also requested to note the City's current OSH performance

Committee Recommendation

That Council:

1. Notes the progress of the implementation of the Three Year Strategic OSH Plan.
2. Notes the City's current OSH performance for the YTD 2019/20 financial year.

Council Resolution

**MOTION**

**Moved: Councillor Pember**  
**Seconded: Councillor Jackson**

**That Council:**

1. **Notes the progress of the implementation of the Three Year Strategic OSH Plan.**
2. **Notes the City's current OSH performance for the YTD 2019/20 financial year.**

CARRIED: 8/0  
(*This item was adopted en bloc*)

**G.9/3/20 CONFIDENTIAL ITEM: OPERATIONAL REVIEW (GD) (AR.5/3/20)**

Committee Recommendation

That Council:



- 1 Endorses the review of In-house Construction Review Findings and Recommendations for Implementation;
- 2 Agrees to a further review to be undertaken in two years' time to measure progress.

Council Resolution

**MOTION**

**Moved: Councillor Pember**

**Seconded: Councillor Jackson**

**That Council:**

- 1 **Endorses the review of In-house Construction Review Findings and Recommendations for Implementation;**
- 2 **Agrees to a further review to be undertaken in two years' time to measure progress.**

CARRIED: 8/0  
(This item was adopted en bloc)

**REPORTS [AGENDA ITEM 18]**

**NOTE: Council adopted en bloc (moved by Councillor Knight and seconded by Councillor Zilani), reports to the Council meeting of Tuesday 25 March 2020 as per minute number G.12/3/20, G.14/3/20, G.15/3/20, G.18/3/20 and G.22/3/20. All other reports were discussed separately.**

**G.10/3/20 FINANCIAL REPORT FEBRUARY 2020 (BH) (REPORT 1)**

Summary

The Financial Report for February 2020 together with associated commentaries, notes on investments, balance sheet information and the schedule of accounts are presented for Elected Members' consideration.

Officer Recommendation

**That Council:**

1. Receives the Financial Report for February 2020 as detailed in Attachment 1 of the report.
2. Receives the Schedule of Accounts for the following amounts as detailed in Attachment 2 of the report:

Total Municipal Fund	\$ 8,920,339.48
Total Trust Fund	\$ <u>16,033.70</u>
	<u>\$ 8,936,373.18</u>

3. Approves the following budget variations:
- 3.1. Increase in capital expenditure of \$40,000\* for Plant & Machinery – Miscellaneous Equipment (500 kVA Generator)
    - To be funded from MARC Systems Integration \$40,000\*
  - 3.2. Unbudgeted expenditure of \$30,000\* for the labour component of the bushfire mitigation activities which are to be funded through an additional operating grant of \$30,000 from DFES.
  - 3.3. Reallocation of expenditure of \$117,140\* from labour to materials and contracts for the Bushfire Mitigation Grant.
  - 3.4. Decrease in capital expenditure of \$12,600\* for Parkridge Boat Ramp as a result of a reduction in external funding of \$39,590. Shortfall in municipal funding of \$26,990\* to be allocated from:
    - Breakwater Parade Fishing Platform project \$21,810\*
    - Marina Commercial Jetty \$ 5,180\*
  - 3.5. Increase in capital expenditure of \$12,810 for South Harbour Upgrade project
    - To be funded from Marina Commercial Jetty \$12,810\*
  - 3.6. Unbudgeted expenditure of \$850\* for the purchase of a bar fridge at Bendigo Stadium which is to be funded from the Sports Clubs Maintenance Levy Reserve balance.
  - 3.7. Increase in capital expenditure of \$20,000\* for Civic Chamber Meeting Rooms project:
    - To be funded from MOM Canal Light Poles project \$20,000\*
  - 3.8. Increase in capital expenditure of \$5,000\* for Cox Bay Shared Path improvements:
    - To be funded from Old Coast Road – Shared Paths \$5,000\*
  - 3.9. Increase in capital expenditure of \$431,600\* for Lakelands DOS Clubroom Facility:
    - To be funded from Lakelands DOS project \$431,600\*
  - 3.10. Increase in capital expenditure of \$17,213\* for Bethyl Corner Renewal project:
    - To be funded from Falcon Pavilion Roof \$17,213\*
  - 3.11. Increase in capital expenditure of \$5,000\* for Blakeley Street
    - To be funded from Jubata Gardens \$5,000\*
  - 3.12. Increase in capital expenditure of \$5,000\* for Aldgate Street/Parkview Street Intersection
    - To be funded from Leighton Road \$5,000\*
  - 3.13. Increase in capital expenditure of \$60,000\* for Thera Street
    - To be funded from Gordon Road \$60,000\*
  - 3.14. Increase in capital expenditure of \$35,000\* for SL Minor Improvements
    - To be funded from SL Train Station Access \$35,000\*
  - 3.15. Increase in capital expenditure of \$17,070\* for Light Vehicle Replacement

- To be funded from Proceeds sale of plant \$30,000\*
- 3.17. Increase in operating expenditure of \$30,000 for additional costs incurred and decrease in revenue of \$240,000\* as result of refunds to stallholder fees and other income as a result of the cancellation of Crab Fest to be funded from:
- Cancellation of Winter Wonderland \$ 73,000\*
  - Cancellation of Economic Development programs \$150,000\*
  - Cancellation of Wearable Arts \$ 47,000\*
- 3.18. Decrease in operating income of \$60,000\* for penalty rate interest income that will not be realised as a result of applying a 0% interest rate for outstanding rates
- To be funded from the closing surplus \$60,000\*
- 3.19. Decrease in lease, licence and outgoings operating revenue as a result of not charging the fees outlined in the lease or licence for the period that the licensee/lessee cease operating all services and programs that generate an income stream in the facility until they reopen \$100,000
- To be funded from the closing surplus \$100,000\*
- 3.20. Decrease in community perception survey operating expenditure \$7,600 as a result of cancelling the survey for the 2019/2020 financial year
- To be allocated to the closing surplus \$7,600\*
4. Resolve to adopt an interest charge of 0% from 1 April to 30 June 2020 as a charge on overdue rates.

#### Council Resolution

#### **MOTION**

**Moved:** Councillor Pember  
**Seconded:** Councillor Zilani

#### **That Council:**

1. **Receives the Financial Report for February 2020 as detailed in Attachment 1 of the report.**
2. **Receives the Schedule of Accounts for the following amounts as detailed in Attachment 2 of the report:**

Total Municipal Fund	\$ 8,920,339.48
Total Trust Fund	<u>\$ 16,033.70</u>
	<u>\$ 8,936,373.18</u>
3. **Approves the following budget variations:**
  - 3.1. **Increase in capital expenditure of \$40,000\* for Plant & Machinery – Miscellaneous Equipment (500 kVA Generator)**
    - **To be funded from MARC Systems Integration \$40,000\***
  - 3.2. **Unbudgeted expenditure of \$30,000\* for the labour component of the bushfire mitigation activities which are to be funded through an additional operating grant of \$30,000 from DFES.**

- 3.3. Reallocation of expenditure of \$117,140\* from labour to materials and contracts for the Bushfire Mitigation Grant.
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- To be funded from Gordon Road \$60,000\*
- 3.14. Increase in capital expenditure of \$35,000\* for SL Minor Improvements
- To be funded from SL Train Station Access \$35,000\*
- 3.15. Increase in capital expenditure of \$17,070\* for Light Vehicle Replacement
- To be funded from Proceeds sale of plant \$30,000\*
- 3.17. Increase in operating expenditure of \$30,000 for additional costs incurred and decrease in revenue of \$240,000\* as result of refunds to stallholder fees and other income as a result of the cancellation of Crab Fest to be funded from:
- Cancellation of Winter Wonderland \$ 73,000\*
  - Cancellation of Economic Development programs \$150,000\*

- **Cancellation of Wearable Arts** **\$ 47,000\***
- 3.18. Decrease in operating income of \$60,000\* for penalty rate interest income that will not be realised as a result of applying a 0% interest rate for outstanding rates**
  - **To be funded from the closing surplus** **\$60,000\***
- 3.19. Decrease in lease, licence and outgoings operating revenue as a result of not charging the fees outlined in the lease or licence for the period that the licensee/lessee cease operating all services and programs that generate an income stream in the facility until they reopen \$100,000**
  - **To be funded from the closing surplus** **\$100,000\***
- 3.20. Decrease in community perception survey operating expenditure \$7,600 as a result of cancelling the survey for the 2019/2020 financial year**
  - **To be allocated to the closing surplus** **\$7,600\***
- 4. Resolve to adopt an interest charge of 0% from 1 April to 30 June 2020 as a charge on overdue rates.**

CARRIED WITH ABSOLUTE MAJORITY: 8/0

#### **G.11/3/20 LONG TERM FINANCIAL PLAN (BH/JK/CM) (REPORT 2)**

##### Summary

The City has developed its Long Term Financial Plan for 2020 - 2030 (Plan) for Council's adoption. The Long Term Financial Plan is intended to be a rolling document and seeks to provide a balanced budget for the next 10 years. With the provision of a 10-year Plan, the City can project and manage the cash flow requirements of programs and new initiatives and consider the impact of the whole of life costings for all new projects.

The Long Term Financial Plan is a guiding document that will be used as the base for the development of the Annual Budget. The Annual Budget will not only include the information from the Long Term Financial Plan but it will also consider any other factors that will be required to be considered in the annual budget.

Prior to the coronavirus (COVID-19) it was recommended that Council adopt the Plan with a rate increase of CPI plus 1.75% in year one. In light of the current economic and societal environment, it is recommended that Council adopt the Long Term Financial Plan as detailed in Attachment 1, which includes a rate freeze in year one. Council are also recommended to approve the Mayor and the Chief Executive Officer to advocate to the Federal and State Government to increase its financial assistance to the City to ensure the City can meet its contractual obligations in delivering its services and programs during this time.

##### Officer Recommendation

That Council:

1. Adopt the Long Term Financial Plan 2020-2030 as detailed in Attachment 1 of the report.

2. Authorise the Mayor and the Chief Executive Officer to advocate to the Federal and State Government to provide financial assistance to the City to ensure the local government can carry out its contractual obligations and maintain a positive cashflow as a result of the rate freeze.

#### Council Resolution

#### **MOTION**

**Moved:** Mayor Williams  
**Seconded:** Councillor Knight

#### **That Council:**

1. **Adopt the long term financial plan, as detailed in Attachment 1 of the report, for the purpose of meeting its statutory obligations, noting the proposed 0% rate increase in year 1.**
2. **Requests Officers to undertake a review of the long term financial plan post the COVID-19 pandemic to address impacts of the pandemic response on the City's financial position and changes to community programs and services.**
3. **Authorise the Mayor and CEO to advocate to WALGA, and the relevant Federal and State Government Ministers with respect to Local Government financial assistance packages.**

CARRIED: 8/0

Reason: To enable flexibility in financial and operational planning matters both during and post the current COVID-19 pandemic in order to assist the community as required.

#### **G.12/3/20 LOCAL GOVERNMENT HOUSE TRUST DEED VARIATION (AC) (REPORT 3)**

#### Summary

The City of Mandurah (City) is a unit holder and beneficiary in the Local Government House Trust (the Trust). The Trust exists to provide building accommodation for Western Australian Local Government Association (WALGA), currently in West Leederville.

In order to ensure the Trust maintains its tax-exempt status, WALGA, the Trustee, proposes to execute a Deed of Variation to limit and remove some of the powers of the Trustee under the Trust Deed.

WALGA requires the consent of 75% of the Trust beneficiaries in order to execute the Deed of Variation. For this reason, WALGA seeks the consent of the City to execute the Deed of Variation.

Council is requested to consider and support the variation to the Local Government House Trust Deed.

Officer Recommendation

That Council approves the Mayor and Chief Executive Officer to execute the variation of the Trust Deed of the Local Government House Trust as per Attachment 1 of the report.

Council Resolution**MOTION**

**Moved:** Councillor Knight

**Seconded:** Councillor Zilani

**That Council approves the Mayor and Chief Executive Officer to execute the variation of the Trust Deed of the Local Government House Trust as per Attachment 1 of the report.**

CARRIED: 8/0

*(This item was adopted en bloc)*

**G.13/3/20 ANIMALS, ENVIRONMENT AND NUISANCE AMENDMENT LOCAL LAW (TJ) (REPORT 4)**

Summary

Following the statutory advertising period, the Animals Environment and Nuisance Amendment Local Law 2020 is set for final adoption.

As a legal requirement, all local laws are to have a purpose and effect and the following is for the Animals Environment and Nuisance Amendment Local Law 2020:

**PURPOSE:** The *Animals Environment and Nuisance Local Law 2010* provides protection against nuisances and hazards for the following areas; Keeping of Animals (birds, farm animals and bee keeping), Building, Development and Land Care and Nuisances and Dangerous Things (including Pest Plants).

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

Council is requested to adopt Animals Environment and Nuisance Amendment Local Law 2020.

Officer Recommendation

1. The Presiding Member to read aloud the *Animals Environment and Nuisance Local Law 2010* purpose and effect:
  - 1.1 The purpose of this local law is to provide protection against nuisances and hazards for the following areas; Keeping of Animals (birds, farm animals and bee keeping), Building, Development and Land Care and Nuisances and Dangerous Things (including Pest Plants).
  - 1.2 The effect of this local law is to be as clear and effective as possible.

That Council resolve to:

2. Adopt the *City of Mandurah Animals Environment and Nuisance Amendment Local Law 2020* in Attachment 1 of the report.
3. Cause the *City of Mandurah Animals Environment and Nuisance Amendment Local Law 2020* to be published in the Government Gazette, and provide a local public notice stating the purpose and effect of the local law, when the law will come into operation and that copies are available for public inspection.
4. Authorise the Chief Executive Officer to complete and sign, with the Mayor, the Explanatory Memorandum and Statutory Procedures Checklist for the process, as required to be provided to the Joint Standing Committee on Delegated Legislation and the Minister for Local Government; Heritage; Culture and The Arts within ten days of the Gazettal Notice publication date.

#### Council Resolution

#### **MOTION**

**Moved:** Councillor Knight

**Seconded:** Councillor Jackson

1. **The Presiding Member to read aloud the *Animals Environment and Nuisance Local Law 2010* purpose and effect:**
  - 1.1 **The purpose of this local law is to provide protection against nuisances and hazards for the following areas; Keeping of Animals (birds, farm animals and bee keeping), Building, Development and Land Care and Nuisances and Dangerous Things (including Pest Plants).**
  - 1.2 **The effect of this local law is to be as clear and effective as possible.**

That Council resolve to:

1. **Adopt the *City of Mandurah Animals Environment and Nuisance Amendment Local Law 2020* in Attachment 1 of the report.**
2. **Cause the *City of Mandurah Animals Environment and Nuisance Amendment Local Law 2020* to be published in the Government Gazette, and provide a local public notice stating the purpose and effect of the local law, when the law will come into operation and that copies are available for public inspection.**
3. **Authorise the Chief Executive Officer to complete and sign, with the Mayor, the Explanatory Memorandum and Statutory Procedures Checklist for the process, as required to be provided to the Joint Standing Committee on Delegated Legislation and the Minister for Local Government; Heritage; Culture and The Arts within ten days of the Gazettal Notice publication date.**

CARRIED WITH ABSOLUTE MAJORITY: 8/0



**G.14/3/20 2020-2021 CSRFF SMALL GRANTS ROUND (NG/PM) (REPORT 5)**Summary

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 \$300,000. 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 CSRFF Small Grants Round, details of these applications are:

- Peel Hockey Association – Replacement and upgrade of turf floodlighting
- South Mandurah Tennis Club - Resurface of Courts (7 – 10)

To deliver the replacement and upgrade of the turf floodlighting project, the Peel Hockey Association are seeking an interest free loan to the amount of \$100,000 from the City of Mandurah repayable over ten years.

Council is requested to support the ratings and priorities of the two 2020/21 CSRFF Small Grants applications submitted and note that an allowance for the City's contributions towards projects has been listed in Long Term Financial Plan, subject to Council endorsement and the projects being approved by the Department of Local Government, Sport and Cultural Industries - Sport and Recreation.

In addition, if the Peel Hockey Association is successful with their CSRFF application, Council is requested to approve an interest-free loan of up to \$100,000 from the Interest-Free Loan Reserve with a repayment term of ten years.

Officer Recommendation

That Council

1. Supports the rankings and ratings for the Community Sport and Recreation Facility Fund Small Grant applications from the following clubs / organisations:
  - 1.1 Peel Hockey Association  
Project: Replacement and upgrade of Turf Floodlighting  
Ranking: One  
Rating: Medium/High  
Requested Council Contribution: \$95,443
  - 1.2 South Mandurah Tennis Club  
Project: Resurfacing of courts 7 – 10  
Ranking: Two  
Rating: Medium/High  
Requested Council Contribution: \$20,431.25

2. Notes that subject to the Peel Hockey Association being successful in receiving funding for the replacement and upgrade of Turf Floodlighting, approval for an interest-free loan to the Peel Hockey Association of up to \$100,000 will be provided from the Interest-Free Loan Reserve with a repayment term of ten years.
3. Requests the Chief Executive Officer (Manager Financial Services) to finalise loan arrangements with the Peel Hockey Association.

#### Council Resolution

#### **MOTION**

**Moved:** Councillor Knight

**Seconded:** Councillor Zilani

#### **That Council**

1. **Supports the rankings and ratings for the Community Sport and Recreation Facility Fund Small Grant applications from the following clubs / organisations:**
  - 1.1 **Peel Hockey Association**  
Project: Replacement and upgrade of Turf Floodlighting  
Ranking: One  
Rating: Medium/High  
Requested Council Contribution: \$95,443
  - 1.2 **South Mandurah Tennis Club**  
Project: Resurfacing of courts 7 – 10  
Ranking: Two  
Rating: Medium/High  
Requested Council Contribution: \$20,431.25
2. **Notes that subject to the Peel Hockey Association being successful in receiving funding for the replacement and upgrade of Turf Floodlighting, approval for an interest-free loan to the Peel Hockey Association of up to \$100,000 will be provided from the Interest-Free Loan Reserve with a repayment term of ten years.**
3. **Requests the Chief Executive Officer (Manager Financial Services) to finalise loan arrangements with the Peel Hockey Association.**

CARRIED: 8/0

*(This item was adopted en bloc)*

**G.15/3/20 COMMERCIAL SPONSORSHIP MERLIN STREET PAVILION (WM/PM)  
(REPORT 6)**

#### Summary

Council's "Promotions and Advertising Policy" (POL-CMR 04) is designed to manage the use of the City's sport and recreation facilities for advertising purposes with all applications for external corporate signage and venue naming rights to be referred to Council for consideration.

The Halls Head Football Club is a long-term seasonal hirer of the Merlin Street Reserve and Pavilion in Halls Head. In 2013, the Club approached the City with a proposal to extend the existing facility and construct a function / social space at their cost. Since the completion of the project, the Club has attracted some significant corporate sponsors including Harcourt's Mandurah, Elite Air-Conditioning and Spartan Security and Data.

This year the Club has once again used an innovative method to replace the naming rights sponsor for the venue. The club sold 41 raffle tickets at \$250, totalling \$10,250. Each ticket entitled the business an entry into the draw to become the naming rights sponsor for 12 months.

Westcoast Wool & Livestock were the winners of the raffle and earned the right to become the Club's naming rights partner in 2020.

Whilst the City is supportive of the Club's ability to attract valuable sponsorship dollars, Council approval is required. The City has received the Club's formal application and is now seeking that approval from Council.

Council is requested to provide approval for the Halls Head Football Club to enter into a corporate sponsorship arrangement with Westcoast Wool & Livestock for the Merlin Street Pavilion; approve the Club to advertise the reserve and pavilion as "Westcoast Wool & Livestock Stadium" for promotional purposes and note the additional conditions that will be associated with this approval.

#### Officer Recommendation

That Council:

1. Approve the Halls Head Football Club to enter into a corporate sponsorship arrangement with Westcoast Wool & Livestock for the Merlin Street Pavilion.
2. Approve the Halls Head Football Club to advertise the reserve and pavilion as "Westcoast Wool & Livestock Stadium" for promotional purposes.
3. Note the additional conditions associated with this approval:
  - 3.1 Only one external facing sign on the northern side of the pavilion and internal facing signage will be permitted.
  - 3.2 The Halls Head Football Club can advertise the reserve and pavilion as "Westcoast Wool & Livestock Stadium" for Club promotional purposes only. The City will continue to refer to the facility as the Merlin Street Pavilion / Reserve and will book and hire the facilities under this title.
  - 3.3 The seasonal hirer of the Merlin Street Pavilion will be given priority access to signage space. If a commercial sponsorship or naming rights proposal is received by another regular hirer (i.e. Peel Diamond Sports), the Halls Head Football Club will only be permitted to erect the approved signage for the duration of their sports season (1 April – 1 October each year).
  - 3.4 The Halls Head Football Club is to inform the City of Mandurah in February each year of any changes to the Sponsorship agreement, including changes to sponsor details and signage.

Council Resolution**MOTION****Moved:** Councillor Knight**Seconded:** Councillor Zilani**That Council:**

1. **Approve the Halls Head Football Club to enter into a corporate sponsorship arrangement with Westcoast Wool & Livestock for the Merlin Street Pavilion.**
2. **Approve the Halls Head Football Club to advertise the reserve and pavilion as “Westcoast Wool & Livestock Stadium” for promotional purposes.**
3. **Note the additional conditions associated with this approval:**
  - 3.1 **Only one external facing sign on the northern side of the pavilion and internal facing signage will be permitted.**
  - 3.2 **The Halls Head Football Club can advertise the reserve and pavilion as “Westcoast Wool & Livestock Stadium” for Club promotional purposes only. The City will continue to refer to the facility as the Merlin Street Pavilion / Reserve and will book and hire the facilities under this title.**
  - 3.3 **The seasonal hirer of the Merlin Street Pavilion will be given priority access to signage space. If a commercial sponsorship or naming rights proposal is received by another regular hirer (i.e. Peel Diamond Sports), the Halls Head Football Club will only be permitted to erect the approved signage for the duration of their sports season (1 April – 1 October each year).**
  - 3.4 **The Halls Head Football Club is to inform the City of Mandurah in February each year of any changes to the Sponsorship agreement, including changes to sponsor details and signage.**

CARRIED: 8/0  
(This item was adopted en bloc)

**G.16/3/20 STRATEGIC COMMUNITY PLAN (TW) (REPORT 7)**Summary

In September 2017, Council adopted the City of Mandurah Strategic Community Plan 2017-2037.

In line with the requirements of the Western Australian Government’s Integrated Planning and Reporting Framework (IPRF), the Strategic Community Plan was due for a desktop review in June 2019. In late 2018, the City of Mandurah launched one of its biggest community engagement initiatives to date, Mandurah Matters. In order to ensure the outcomes of Mandurah Matters was incorporated in our strategic direction, the City undertook a major review of the Plan, in place of a desktop review, during the 2019/20 financial year.

Following the community consultation period, the feedback provided was used to highlight the current priorities of the Mandurah community. Community feedback in conjunction with Council direction has shaped the new 20 Year Strategic Community Plan 2020-2040.

After Council's endorsement on 17 December 2019, the draft Plan was made available to the community for comment, with the five weeks comment period ending on 4 March 2020. A total of 24 community responses were received with all feedback considered in shaping the final version of the Strategic Community Plan 2020-2040.

Council is requested to approve the new 20 Year Strategic Community Plan 2020-2040 for adoption and public release.

#### Officer Recommendation

That Council approves the new 20 Year Strategic Community Plan 2020-2040 for adoption and public release as detailed in Attachment 1.

#### Council Resolution

#### **MOTION**

**Moved:** Mayor Williams  
**Seconded:** Councillor Knight

#### **That Council:**

- 1. Approves the new 20 Year Strategic Community Plan 2020-2040 for adoption and public release as detailed in Attachment 1, for the purpose of meeting its statutory obligations.**
- 2. Requests Officers to undertake a review of the Strategic Community Plan post the COVID-19 pandemic to address impacts of the pandemic response and changes to community programs and services and present at a future Council workshop.**

CARRIED WITH ABSOLUTE MAJORITY: 8/0

Reason: To enable flexibility in financial and operational planning matters both during and post the current COVID-19 pandemic in order to assist the community as required.

#### **G.17/3/20 PROPOSED COMMERCIAL VEHICLE PARKING: 8 COPPERFIELD CLOSE, GREENFIELDS (DB) (REPORT 8)**

#### Summary

Council is requested to consider a development application for Commercial Vehicle Parking at a residential property at No. 8 Copperfield Close, Greenfields. The lot is zoned 'Residential' under Town Planning Scheme No. 3 (Scheme 3) and has an area of 2679 square metres.

The applicant is seeking a retrospective approval for two commercial vehicles to be parked on the property, with no restriction on when the vehicles can be brought to and from the site.

As part of the assessment process, the City has consulted with surrounding landowners and received five submissions with one in support, one impartial and three objecting. The concerns raised within the submissions generally relate to impacts of noise, safety, hours and visual amenity. Officers consider that restricting the hours of use (i.e. restricting the times the vehicles are not to be taken from or brought to the lots) between 10.00pm to 6:30am is essential in providing some amenity to the residential nature of the surrounding properties and recommend that this be a condition of approval

It is recommended that Council approve the development application for Commercial Vehicle Parking, subject to conditions.

#### Officer Recommendation

That in accordance with Clause 68(2) of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015 (Deemed Provisions for Local Planning Schemes)*, Council grant development approval for proposed Commercial Vehicle Parking at 8 Copperfield Close, Greenfields (DA9327) subject to the following conditions:

1. The commercial vehicles shall not be taken from or brought to the site between the hours of 10:00pm and 6:30am.
2. No mechanical work or vehicle servicing is permitted on the subject site.
3. In accordance with Clause 5.17.3 of the City of Mandurah's Town Planning Scheme No. 3, this approval;
  - (a) is granted to the Shane Woods, to whom it is issued;
  - (b) relates to two vehicles (License plates '076 BFS' and '1GFF 931');
  - (c) is not transferable to any other persons and does not run with the land in respect of which it is granted.

#### Advice Notes:

1. In accordance with Clause 5.17.4 of Town Planning Scheme 3, should this Commercial Vehicle cause nuisance or annoyance to neighbours, or owners or occupiers of land in the neighbourhood, the City of Mandurah may:
  - (a) require practices to be altered, or
  - (b) rescind the approval, and require the vehicle be relocated to a more suitable area within three months.
2. The owner is advised that parking of a commercial vehicle is not permitted at any time on the verge, in accordance with the *Parking and Parking Facilities Local Law 2015*.

#### Council Resolution

#### **MOTION**

**Moved:** Mayor Williams  
**Seconded:** Councillor Pember

**That Council defer consideration of this item to the May 2020 Council meeting.**

CARRIED: 8/0

Reason: Item to be deferred at this time.

**G.18/3/20 PROPOSED CHANGE OF USE TO MEDICAL CENTRE: 13 LITTLETON STREET FALCON (DB) (REPORT 9)**

Summary

Council is requested to consider an application for a change of use to a Medical Centre at 13 Littleton Street, Falcon.

The application proposes to modify the existing dwelling into a Medical Centre. The proposed practice, to be known as Beyond Health, aims to provide a service for families with children with autism spectrum disorder, developmental delays and children who require support for activities of daily living.

The subject site is considered to be an appropriate location for a Medical Centre, given its proximity to Old Coast Road and the high frequency bus routes. The applicant has provided a Parking Management Plan to demonstrate how the number of bays provided will be sufficient for the proposed business. As part of the assessment process, the City has consulted with adjoining landowners and received two submissions of objection.

It is recommended that the application be approved, subject to conditions.

Officer Recommendation

That in accordance with Clause 68(2) of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015, Council grant development approval for the proposed Change of Use to Medical Centre at Lot 5 (No 13) Littleton Street, Falcon (DA9337) subject to the following conditions:

1. The development shall be carried out and fully implemented in accordance with the details indicated on the stamped approved plan(s) unless otherwise required or agreed in writing by the City of Mandurah.
2. The approved use is limited to a maximum of two practitioners operating from the site at any time.
3. The hours of operation shall be limited to 8:30am to 5:30pm Monday to Friday and 9:00am to 12 midday on Saturday, unless otherwise agreed in writing by the City of Mandurah.
4. The parking bays and client management are to operate in accordance with the approved Parking Management Plan, submitted 17 February 2020. The rear parking bays are to be used by staff members only and shall be marked accordingly.
5. All uncovered car parking bays to be in accordance with Australian Standard AS2890.1. Any bays adjacent to kerbs or for those bays that are to be used for disabled parking, shall be in accordance with Australian Standards AS1428.1.

6. Prior to the commencement of the use, vehicle parking, manoeuvring and circulation areas shall be suitably constructed, sealed, drained, kerbed, marked (including loading and disabled bays), and thereafter maintained to the specification and satisfaction of the City of Mandurah.
7. External lighting shall be designed, baffled and located so as to prevent any adverse effect on adjoining land to the specification and satisfaction of the City of Mandurah.
8. Construction management shall be carried out in accordance with the attached Construction Management Specification. During construction the approved construction management plan is to be implemented, as required, to the satisfaction of the City of Mandurah.

#### Council Resolution

#### **MOTION**

**Moved: Councillor Knight**

**Seconded: Councillor Zilani**

**That in accordance with Clause 68(2) of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015, Council grant development approval for the proposed Change of Use to Medical Centre at Lot 5 (No 13) Littleton Street, Falcon (DA9337) subject to the following conditions:**

1. **The development shall be carried out and fully implemented in accordance with the details indicated on the stamped approved plan(s) unless otherwise required or agreed in writing by the City of Mandurah.**
2. **The approved use is limited to a maximum of two practitioners operating from the site at any time.**
3. **The hours of operation shall be limited to 8:30am to 5:30pm Monday to Friday and 9:00am to 12 midday on Saturday, unless otherwise agreed in writing by the City of Mandurah.**
4. **The parking bays and client management are to operate in accordance with the approved Parking Management Plan, submitted 17 February 2020. The rear parking bays are to be used by staff members only and shall be marked accordingly.**
5. **All uncovered car parking bays to be in accordance with Australian Standard AS2890.1. Any bays adjacent to kerbs or for those bays that are to be used for disabled parking, shall be in accordance with Australian Standards AS1428.1.**
6. **Prior to the commencement of the use, vehicle parking, manoeuvring and circulation areas shall be suitably constructed, sealed, drained, kerbed, marked (including loading and disabled bays), and thereafter maintained to the specification and satisfaction of the City of Mandurah.**
7. **External lighting shall be designed, baffled and located so as to prevent any adverse effect on adjoining land to the specification and satisfaction of the City of Mandurah.**



8. **Construction management shall be carried out in accordance with the attached Construction Management Specification. During construction the approved construction management plan is to be implemented, as required, to the satisfaction of the City of Mandurah.**

CARRIED: 8/0  
(This item was adopted en bloc)

**G.19/3/20 PROPOSED SHADE SAILS (RETROSPECTIVE): 91 SANDPIPER RETREAT, WANNANUP (AL/EH) (REPORT 10)**

Summary

Council is requested to consider an application for retrospective development approval for shade sails at No 91 (Lot 644) Sandpiper Retreat, Wannanup. The application is the result of compliance action taken arising from a complaint received for the installation of shade sails within the canal setback area. The application is for five shade sails (on a corner lot) three on one side and two on the other. The subject shade sails are setback 1.5 metres from the canal wall in lieu of 3 metres. Height and side setback requirements are met.

The existing shade sails are inconsistent with the provisions of the Town Planning Scheme No 3 (Scheme 3) and Local Planning Policy 1 (LPP1) which relates to residential development. Scheme 3 states a minimum the setback to any building or structure shall be a minimum of 4 metres with an average of 6 metres. The Policy provides an acceptable 'variation' to the Scheme requirements to allow for shade sails and unroofed structures to setback 3 metres from the canal wall (subject to a maximum of one structure per lot). The Scheme provisions are long established within in Mandurah and are consistent for all canals in recognition of the view corridors along canal waterways.

Notwithstanding, in considerations of the application received, the City's officers were requested to review the policy provisions as in light of a number of structures that are inconsistent with the Scheme and policy provisions. In order to continue with consistency for all canal developments, officers do not consider revising the Scheme and policy provisions to be necessary and that the current is sound and does not require review or modification.

As a result, the application received is recommended to be refused.

Officer Recommendation

That in accordance with Clause 68(2) of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015, Council refuse the application for retrospective development approval for shade sails at No 91 (Lot 644) Sandpiper Retreat, Wannanup for the following reasons:

1. The existing shade sails are inconsistent with Local Planning Policy 1 – Residential Design Codes Policy (Section 3.5) in regards to the number of shade sails, canal setback and coverage.
2. The existing shade sails are contrary to the orderly and proper planning of the locality.
3. The existing shade sails have an adverse impact on the amenity of the area.

Council Resolution**MOTION****Moved:** Councillor Darcy**Seconded:** Councillor Zilani

**That Council defer consideration of this item for City officers to provide additional information in relation to queries from Elected Members.**

CARRIED: 8/0

Reason: Report was deferred following the request from Councillor Darcy to respond to five questions.

**G.20/3/20 CANCELLATION OF APRIL 2020 ORDINARY COUNCIL MEETING AND AMENDMENTS TO DELEGATIONS OF POWER (CM) (REPORT 11)**Summary

It is recommended that Council not hold the April Ordinary Council Meeting, which was scheduled for 28 April 2020.

It is recommended that Council amend the delegations outlined in the report to ensure the City can continue to operate efficiently during this time.

Officer Recommendation

That Council:

1. Approve the cancellation of the 28 April 2020 Ordinary Council Meeting and give local public notice of the change.
2. Adopt the amended City Facilities Programs and Services – Open Hour and Periods of Closure DA-RCS 01 as per Attachment 1 of the report.
3. Adopt the amended Payment Arrangements for Unpaid Rates and Service Charges and Other Debtors DA-FCM 07 as per Attachment 2 of the report.
4. Adopt the amended Inviting, Rejecting and Accepting Expressions of Interest and Tenders Delegation DA-CPM 02 as per Attachment 3 of the report.

Council Resolution**MOTION****Moved:** Councillor Knight**Seconded:** Councillor Pember

That Council:

1. **Approve the cancellation of the 28 April 2020 Ordinary Council Meeting and give local public notice of the change.**

2. **Adopt the amended City Facilities Programs and Services – Open Hour and Periods of Closure DA-RCS 01 as per Attachment 1 of the report.**
3. **Adopt the amended Payment Arrangements for Unpaid Rates and Service Charges and Other Debtors DA-FCM 07 as per Attachment 2 of the report.**
4. **Adopt the amended Inviting, Rejecting and Accepting Expressions of Interest and Tenders Delegation DA-CPM 02 as per Attachment 3 of the report.**

CARRIED WITH ABSOLUTE MAJORITY: 8/0

## **G.21/3/20 PUBLIC HEALTH PLAN 2020 – 2023 (BI/KF) (REPORT 12)**

### Summary

The *Public Health Act 2016* (the Act), sets out the requirements for all local governments to prepare a Public Health Plan that applies to its local government district. Through its close connection to the community and provision of wide-ranging services and facilities, local governments have often underestimated their role in influencing local health outcomes.

At its meeting of 11 July 2017, Council endorsed the preparation and implementation of the Local Public Health Plan (“Plan”). Through the development of the Plan, there has been attention paid to aligning with the Mandurah Matters community engagement process, to ensure it is consistent with the vision of the community and to avoid duplicating elements of the consultation process.

The Plan outlines its vision to create an environment where our community is proud, inspired, inclusive and innovative, where we respect our connections to the past and create a prosperous future. There is a particular focus on directing actions towards priority populations to achieve the greatest health improvements.

The purpose of this report is to provide an overview of the development of the Plan and present the Plan for endorsement by Council.

### Officer Recommendation

That Council:

1. Endorse the City of Mandurah Public Health Plan 2020-23.
2. Approve the Mayor to correspond with the Minister for Health seeking funding for implementation of the Public Health Plan up to a value of \$140,000 per annum.

### Council Resolution

#### **MOTION**

**Moved: Mayor Williams**  
**Seconded: Councillor Knight**

**That Council defer consideration of this item to a future date to be determined.**

CARRIED: 8/0

Reason: Deferral of the Public Health Plan will enable the plan to be updated as required to encompass practices and/or protocols required post the COVID-19 pandemic.

**G.22/3/20 TENDER 01-2020 ELECTRICITY AND GAS SUPPLY (KW/VL) (REPORT 13)**

Summary

The City of Mandurah (the City) invited tenders for Tender 01 - Electricity and Gas Supply (T01-2020). The Tender seeks the supply of electricity to contestable electricity sites and the supply of gas to connected sites.

T01-2020 sought the provision of the required goods and services for a period of two years with an option to extend the contract for a further one year at the sole discretion of the City.

Contestable electricity sites are any sites consuming in excess of 50,000 kWh per year and any site consuming gas can source a gas supplier on a competitive basis.

A specialist external energy management and procurement consultant (Powerlyt Group) was engaged to assist with specification development and provide a pricing analysis report to support the City with the financial evaluation process. Energy pricing structures are complex and require specialist knowledge to analyse and support the City in the assessment of value for money.

The market was approached with the ability to price separate options as follows:

- Portion One - Electricity Bundled
- Portion Two - Electricity Unbundled
- Portion Three - Gas Bundled
- Portion Four - Gas Unbundled

The intent was to select one option for electricity and one for gas that demonstrated the best value for money outcome.

As a result of the evaluation of tendered submissions, Council is now requested to accept Perth Energy as the preferred tenderer for unbundled electricity and unbundled gas supplies.

Officer Recommendation

That Council:

1. Accepts Perth Energy as the preferred tenderer for Tender 01-2020 for Electricity and Gas Supply for a period of two years, with an option to extend for a further one year at the sole discretion of the City, for the following portions:
  - 1.1 Portion Two - Electricity Unbundled Option.
  - 1.2 Portion Four - Gas Unbundled Option.
2. Declines to accept the following portions to any tenderer:
  - 2.1 Portion One - Electricity Bundled Option.
  - 2.2 Portion Three - Gas Bundled Option.

Council Resolution**MOTION****Moved:** Councillor Knight**Seconded:** Councillor Zilani**That Council:**

1. **Accepts Perth Energy as the preferred tenderer for Tender 01-2020 for Electricity and Gas Supply for a period of two years, with an option to extend for a further one year at the sole discretion of the City, for the following portions:**
  - 1.1 **Portion Two - Electricity Unbundled Option.**
  - 1.2 **Portion Four - Gas Unbundled Option.**
2. **Declines to accept the following portions to any tenderer:**
  - 2.1 **Portion One - Electricity Bundled Option.**
  - 2.2 **Portion Three - Gas Bundled Option.**

CARRIED: 8/0  
(*This item was adopted en bloc*)

**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]**

Nil.

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

There being no further business, the Mayor declared the meeting closed at 5.48pm.

CONFIRMED ..... (MAYOR)

UNCONFIRMED